

## SYDNEY CENTRAL PLANNING PANEL

SPP No	<b>2017SCL007</b>
DA Number	<b>2014/026/01</b>
Local Government Area	<b>Strathfield</b>
Proposed Development	Section 96(2) to modify the basement and ground floor configuration, minor changes to unit layouts and building façade.
Street Address	<b>208-214 Parramatta Road, &amp; 2 Smallwood Avenue, Homebush</b>
Applicant/Owner	Arenite Investments Pty Ltd
Number of Submissions	<b>Nil</b>
Regional Development Criteria (Schedule 4A of the Act)	<b>Cost of works \$30,000,000.00</b>
List of All Relevant s79C(1)(a) Matters	<ul style="list-style-type: none"> <li>• <b>List all of the relevant environmental planning instruments: s79C(1)(a)(i)</b> <ul style="list-style-type: none"> <li>• SEPP 55 – Remediation of Land;</li> <li>• SEPP 65 – Design Quality of Residential Apartment Development; <ul style="list-style-type: none"> <li>◦ Apartment Design Guide;</li> </ul> </li> <li>• SEPP (Building Sustainability Index: BASIX) 2004;</li> <li>• SEPP (Infrastructure) 2007;</li> <li>• Strathfield Local Environmental Plan 2012; and</li> <li>• Strathfield Indirect Section 94 Contribution Plan</li> </ul> </li> <li>• <b>List any proposed instrument that is or has been the subject of public consultation under the Act and that has been notified to the consent authority: s79C(1)(a)(ii)</b> <b>N/A</b></li> <li>• <b>List any relevant development control plan: s79C(1)(a)(iii)</b> <ul style="list-style-type: none"> <li>• Strathfield Development Control Plan No.20 – Parramatta Road Corridor;</li> <li>• Strathfield Consolidated Development Control Plan 2005: <ul style="list-style-type: none"> <li>◦ Part H – Waste Minimisation and Management;</li> <li>◦ Part N – Water Sensitive Urban Design (WSUD); and</li> </ul> </li> </ul> </li> </ul>

	<ul style="list-style-type: none"> <li>○ Part L – Notification</li> <li>• <b>List any relevant 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: s79C(1)(a)(iv)</b>  The proposed development is subject to a planning agreement pursuant to Section 93F of the Environmental Planning and Assessment Act 1979 as the proposal involves the dedication of 658m<sup>2</sup> of land to Council for future extension of Loftus Lane.</li> <li>• <b>List any coastal zone management plan: s79C(1)(a)(v)</b> N/A</li> <li>• <b>List any relevant regulations: s79C(1)(a)(iv) eg. Regs 92, 93, 94, 94A, 288</b> Section 92(b) of the Environmental Planning and Assessment Regulation 2000</li> </ul>
List all documents submitted with this report for the panel's consideration	<b>Report, Site Plan and Elevations attached.</b>
Recommendation	<b>Approval</b>
Report by	<b>Luke Perkins – Senior Planner</b>

## Assessment Report and Recommendation Cover Sheet

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## SUMMARY

<b>Proposal:</b>	Section 96(2) to modify the basement and ground floor configuration, minor changes to unit layouts and building façade.
<b>Applicant:</b>	Arenite Investments Pty Ltd
<b>Owner:</b>	Arenite Investments Pty Ltd
<b>Date of lodgement:</b>	22 December 2016
<b>Notification period:</b>	17 January 2017 to 17 February 2017
<b>Submissions received:</b>	Nil
<b>Assessment officer:</b>	LP
<b>Estimated cost of works:</b>	Greater than \$20 million (\$30,000,000)
<b>Zoning:</b>	B4 Mixed Use - SLEP 2012
<b>Flood affected:</b>	No
<b>RECOMMENDATION OF OFFICER:</b>	<b>APPROVAL</b>

## EXECUTIVE SUMMARY

The modification application seeks to modify the basement and ground floor configuration and make minor changes to the ground floor unit layouts and building façade of the approved development.

The application and plans were notified in accordance with Part L of the Strathfield Consolidated Development Control Plan (SCDCP) 2005. No written submissions were received.

The proposal seeks to increase the building height of the approved development by 200mm. While the increased height furthers the non-compliance of the development within the maximum part 22m part 16m building height plane requirements of the Strathfield Local Environmental Plan 2012, the proposed height increase results in no significant impacts upon surrounding development and is considered to be acceptable.

The subject application is identified as Integrated Development under Section 91 of the Environmental Planning and Assessment Act 1979 as the application is deemed an aquifer interference activity requiring authorisation under the Water Management Act 2000. Water NSW raised no objection to the proposed modifications subject to retention of the General Terms of Approval contained within the parent consent.

Overall, the development as modified is considered unlikely to result in any significant impacts and is recommended for approval.

## BACKGROUND

**11 April 2015** DA2014/026 for the Demolition of the existing structures and construction of a part seven (7), part nine (9) and part (11) storey mixed use development with (12) commercial tenancies and a total of (142) residential units comprising (20) x studio, (55) x 1 bedroom, (63) x 2 bedroom and four (4) x 3 bedroom units above two (2) levels of basement parking was approved by the Sydney East Joint Regional Planning Panel.

## **DESCRIPTION OF THE SITE AND LOCALITY**

The site comprises Lots 16 and 17 in DP9481, Lots 118 and 119 in DP860571, and Lots 20 and 21 in DP9481 with the street address 208-214 Parramatta Road and 2 Smallwood Avenue, Homebush. The six (6) allotments have a total area of approximately 3,707m<sup>2</sup>. The site is located within an area which is transitioning from light industrial and car retail uses to a mixed use precinct of high density residential accommodation and other compatible uses.

The subject site is currently vacant with demolition works having recently been undertaken under the parent consent.

An aerial photograph of the site is provided below.



## **PROPERTY BURDENS AND CONSTRAINTS**

There are no easements or burdens on the land which could affect, or be affected by, the proposed development.

## **DESCRIPTION OF THE PROPOSED DEVELOPMENT**

The application seeks Council approval for under Section 96(2) of the Environmental Planning and Assessment Act 1979 to modify DA2014/026 for the demolition of the existing structures and construction of a part seven (7), part nine (9) and part (11) storey mixed use development with (12)

commercial tenancies and a total of (142) residential units comprising (20) x studio, (55) x 1 bedroom, (63) x 2 bedroom and four (4) x 3 bedroom units above two (2) levels of basement parking.

The specific elements of the modification application include the following:

- Reconfigure fire stairs;
- Reconfigure units 17, 36, 55, 74, 93, 110, 125, 134 and 138 to accommodate for bin room/ chute on each level;
- Reconfigure units 128, 137, 141 and 142;
- Reconfigure ground floor commercial tenancies to accommodate for services (substation chamber, pump room and basement entry ramp);
- Relocate ground floor garage room;
- Relocate basement entry ramp to resolve head clearance issues;
- Relocate entry to commercial car park;
- Provision of a ground floor substation chamber room;
- Provision of a ground floor pump room;
- Carparking reconfigured to reflect amended basement entry ramp location (two (2) additional spaces provided);
- Provision of a basement level plant room;
- Minor material and colour changes to material finishes;
- Minor variations to window sizes and locations;
- Increase the number of adaptable units to (18) units;
- Increase maximum building height by up to 200mm to accommodate for structural elements; and
- Reconfigure landscaping arrangements (no change to total landscaped area).

## **REFERRALS**

### **INTERNAL REFERRALS**

#### **Engineering Comments**

Council's Engineer offered no objections to the proposal, subject to the imposition of recommended conditions of consent.

#### **Waste Comments**

Council's Waste Officer offered no objections to the proposal, subject to the imposition of recommended conditions of consent.

### **EXTERNAL REFERRALS**

#### **Roads and Maritime Services (RMS) NSW**

The subject application was referred to the RMS for comment. No objection was raised subject to the retention of the RMS conditions of consent imposed under the parent consent.

#### **Department of Primary Industries (DPI) - Water**

The application was referred to DPI Water as an aquifer interference activity requiring authorisation under the Water Management Act 2000. Water NSW raised no objection to the proposed

modifications subject to retention of the General Terms of Approval contained within the parent consent.

## **STATUTORY CONSIDERATIONS**

The proposed development involves the following relevant Planning Controls:

### Section 96(2) Other modifications

A consent authority may 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, before that consent 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 on the consent as a requirement of a concurrence or in accordance with the General Terms of Approval 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.

**Comment:** With regard to sub-clause (a), the proposed development (as modified) is substantially the same development as the development for which consent originally granted in that the proposal remains to be for the purposes of a mixed use development comprised of ground floor commercial tenancies below ten (10) levels of residential accommodation. The proposed development as amended will retain the main components of the development as approved as follows:

- Demolition of existing site structures;
- Excavation for two (2) levels of basement parking;
- Ground floor commercial tenancies, at grade parking and five (5) units fronting Smallwood Avenue; and
- Ten (10) levels of residential units.

With regard to sub-clause (b), the proposed development is defined as Integrated Development under Section 91 of the Environmental Planning and Assessment Act 1979 as the application is deemed an aquifer interference activity requiring authorisation under the Water Management Act 2000. Water NSW raised no objection

to the proposed modifications subject to retention of the General Terms of Approval contained within the parent consent.

In relation to sub-clauses (c) and (d), the Application is a Section 96(2) and has been notified for a period of (14) days in accordance with Part L of the Strathfield Consolidated Development Control Plan 2005. No written submissions were received.

#### **SECTION 79C CONSIDERATIONS – EP&A Act, 1979**

In determining a development application, the consent authority is to take into consideration the following matters of consideration contained within section 79C of the Environmental Planning and Assessment Act, 1979 as relevant to the development application:

The application has been assessed pursuant to the heads of consideration of Section 79C of the Environmental Planning and Assessment Act and the relevant matters described in Sub-section (1)(a), (b), (c), (d) and (e) of Section 79C have been considered within this report. The relevant statutory considerations are as follows:

- SEPP 65 – Design Quality of Residential Apartment Development and the Apartment Design Guide;
- SEPP (Building Sustainability Index: BASIX) 2004;
- SEPP (Infrastructure) 2007;
- Strathfield Local Environmental Plan 2012;
- Strathfield Development Control Plan No. 20;
- Strathfield Consolidated Development Control Plan 2005;
  - Part H – Waste Minimisation and Management;
  - Part N – Water Sensitive Urban Design (WSUD); and
  - Part L – Notification
- Strathfield Direct Development Contributions Plan 2010-2030.

#### **79C(1)(a) the provisions of:**

##### **(i) any environmental planning instrument**

#### **STATE ENVIRONMENTAL PLANNING POLICY NO. 55 – REMEDIATION OF LAND**

State Environmental Planning Policy No. 55 – Remediation of Land (SEPP 55) requires Council to consider whether the site is suitable in its current state, contaminated state or following the completion of remediation works for the purpose for which development consent is being sought. The site is not located in an area of investigation under Part K of the Strathfield Consolidated DCP 2005 (SCDCP 2005) which identifies past known landfill and potentially contaminated sites in the Strathfield local government area.

The subject modification application involves no actions considered likely to affect the suitability of the site for the purposes of the proposed development from that as approved under the parent consent. As such, the subject application is considered to satisfy the requirements of SEPP 55.

#### **STATE ENVIRONMENTAL PLANNING POLICY NO. 65 DESIGN QUALITY OF RESIDENTIAL APARTMENT DEVELOPMENT**

State Environmental Planning Policy No. 65 – Design Quality of Residential Flat Buildings (SEPP 65) aims to improve the design quality of residential flat development in New South Wales. SEPP

65 recognises that the design of residential apartments is of significance due to the economic, environmental, cultural and social benefits of high quality design.

Strathfield Council does not have a design review panel referred to under Clause 28 however an assessment of the design quality of the development against the design principles of the SEPP and the relevant design criteria of the Apartment Design Guide has been undertaken in the table below:

An assessment of the development as modified against the relevant provisions of SEPP 65 follows:

Principle	Objective	Proposed
<b>Context and neighbourhood character</b>	<p><i>Responding to context involves identifying the desirable elements of an area's existing or future character.</i></p> <p><i>Well designed buildings respond to and enhance the qualities and identity of the area including the adjacent sites, streetscape and neighbourhood.</i></p> <p><i>Consideration of local context is important for all sites, including sites in established areas, those undergoing change or identified for change.</i></p>	<p>Despite the minor increase to the building height the development as modified remains consistent with existing and likely future development within the locality which range from 16m to 35m.</p> <p>The proposed design as modified responds to the desired future character as envisaged by the SLEP 2012 by providing a high quality mixed use development that incorporates a suitable mix of residential and commercial tenancies.</p>
<b>Built form and scale</b>	<p><i>Good design achieves a scale, bulk and height appropriate to the existing or desired future character of the street and surrounding buildings.</i></p> <p><i>Good design also achieves an appropriate built form for a site and the building's purpose in terms of building alignments, proportions, building type, articulation and the manipulation of building elements.</i></p> <p><i>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.</i></p>	<p>The proposed development as modified retains a bulk and scale that is responsive to the desired future character of the area and more recent approvals in the street.</p>
<b>Density</b>	<p><i>Good design achieves a high level of amenity for residents and each apartment, resulting in a</i></p>	<p>The proposed development involves no change to the unit mix or density as approved under the</p>

Principle	Objective	Proposed
	<p><i>density appropriate to the site and its context.</i></p> <p><i>Appropriate densities are consistent with the area's existing or projected population.</i></p> <p><i>Appropriate densities can be sustained by existing or proposed infrastructure, public transport, access to jobs, community facilities and the environment.</i></p>	parent consent.
<b>Sustainability</b>	<p><i>Good design combines positive environmental, social and economic outcomes.</i></p> <p><i>Good sustainable design includes use of natural cross ventilation and sunlight for the amenity and liveability of residents and passive thermal design for ventilation, heating and cooling reducing reliance on technology and operation costs. Other elements include recycling and reuse of materials and waste, use of sustainable materials and deep soil zones for groundwater recharge and vegetation.</i></p>	The subject modification application is supported with an up to date BASIX Certificate.
<b>Landscape</b>	<p><i>Good design recognises that together landscape and buildings operate as an integrated and sustainable system, resulting in attractive developments with good amenity. A positive image and contextual fit of well designed developments is achieved by contributing to the landscape character of the streetscape and neighbourhood.</i></p> <p><i>Good landscape design enhances the development's environmental performance by retaining positive natural features which contribute to the local context, co-ordinating water and soil management, solar access, micro-climate, tree canopy, habitat values and preserving green networks.</i></p> <p><i>Good landscape design optimises useability, privacy and opportunities for social interaction, equitable access, respect for</i></p>	The proposal as modified retains numerous street tree plantings which will assist to integrate the proposed building into the streetscape. The landscape design enhances the communal open spaces, providing shade trees and a range of areas/ zones that can be used simultaneously by different residents whilst providing a sense of privacy through landscaped treatments.

Principle	Objective	Proposed
	<i>neighbours' amenity and provides for practical establishment and long term management.</i>	
<b>Amenity</b>	<p><i>Good design positively influences internal and external amenity for residents and neighbours. Achieving good amenity contributes to positive living environments and resident well being.</i></p> <p><i>Good amenity combines appropriate room dimensions and shapes, access to sunlight, natural ventilation, outlook, visual and acoustic privacy, storage, indoor and outdoor space, efficient layouts and service areas and ease of access for all age groups and degrees of mobility.</i></p>	The as modified proposal retains to provide a good level of internal amenity for residents. 80% (115 units) receive 2 or more hours of solar access where the ADG requires a minimum of 70% (99 units) and 94% (133 units) are naturally cross ventilated where the ADG requires a minimum 60% (85 units).
<b>Safety</b>	<p><i>Good design optimises safety and security within the development and the public domain. It provides for quality public and private spaces that are clearly defined and fit for the intended purpose. Opportunities to maximise passive surveillance of public and communal areas promote safety.</i></p> <p><i>A positive relationship between public and private spaces is achieved through clearly defined secure access points and well lit and visible areas that are easily maintained and appropriate to the location and purpose.</i></p>	The proposal as modified provides a more logical pedestrian access arrangement to ground floor commercial tenancies and retains opportunities for passive surveillance to the public domain.
<b>Housing diversity and social interaction</b>	<p><i>Good design achieves a mix of apartment sizes, providing housing choice for different demographics, living needs and household budgets.</i></p> <p><i>Well designed apartment developments respond to social context by providing housing and facilities to suit the existing and future social mix.</i></p> <p><i>Good design involves practical and flexible features, including different types of communal spaces for a broad range of people and providing</i></p>	<p>The proposal as modified involves no change to the approved housing mix consisting of: (20) x Studio; (55) x 1 bedroom; (63) x 2 bedroom; and (4) x 3 bedroom units.</p> <p>The proposed as modified incorporates an additional ground level common court yard along with three (3) roof top areas of communal open space that provides different areas of communal open space defined</p>

Principle	Objective	Proposed
	<i>opportunities for social interaction among residents.</i>	through different landscape treatments that allow flexibility in the use of the communal area.
<b>Aesthetics</b>	<p><i>Good design achieves a built form that has good proportions and a balanced composition of elements, reflecting the internal layout and structure. Good design uses a variety of materials, colours and textures.</i></p> <p><i>The visual appearance of a well designed apartment development responds to the existing or future local context, particularly desirable elements and repetitions of the streetscape.</i></p>	The proposal as modified retains a strong built form that has appropriate proportions as envisaged by the draft Key Site controls.

The proposal is given appropriate consideration to the principles and objectives of SEPP 65 in its internal design and overall appearance and is considered to be acceptable.

#### **APARTMENT DESIGN GUIDE**

Design Criteria	Required	Proposed	Compliance
2E - Building Depth	12m – 18m	No change from parent consent with the width of the building varying at to a maximum depth of 32m.	No Change.
3B – Orientation	<p>Responsive to streetscape and site.</p> <p>Designed to optimise solar access and minimise overlooking.</p> <p>2 hours solar access retained to neighbouring buildings</p>	<p>The proposed development is responsive to the desired future streetscape as envisaged throughout Council's draft Key Site controls and appropriately addresses all street frontages.</p> <p>The proposal is designed to optimise solar access and provides 80% (115 units) of units with 2 hours of solar access during mid-winter.</p> <p>The proposal was accompanied by shadow diagrams</p>	<p>Yes.</p> <p>Yes</p> <p>No, refer to discussion.</p>

Design Criteria	Required	Proposed	Compliance
		identifying the proposed development as failing to retain a minimum 2 hours solar access to the adjoining site to the south (4-8 Smallwood Avenue.)	
3C – Public Domain Interface	Direct street entry to ground floor apartments	Direct street entries are provided to ground floor units.	Yes
	Balconies/windows orientated to overlook the public domain	The proposed development provides balconies and windows to both street frontages so as to provide opportunities for passive surveillance.	Yes
	Front fence design is permeable Opportunities for concealment minimised	Masonry and infill panel fencing is permeable and reduces opportunities for concealment.	Yes
	Services concealed Access ramps minimised	Pedestrian entry ramps are integrated into the structure.	Yes
3D – Communal Open Space	Min. 25% (926.75m <sup>2</sup> )	39.8% (1475.79m <sup>2</sup> )	Yes
	Min 2h to 50% communal open space at mid-winter Consolidated area	42% of communal open space receives 2 hours solar access at mid-winter. No change from parent consent.	No change
3E – Deep Soil Zones	Min. 7% (179.12m <sup>2</sup> ) 6m min. dimension	Nil, as per parent consent.	No change
3F – Visual Privacy	Up to 4 storeys: (i) 12m between habitable rooms/balconies (ii) 9m between habitable and non-habitable rooms (iii) 6m between non-habitable rooms  Up to 8 storeys: (iv) 18m between habitable rooms/balconies (v) 12m between habitable	No change	N/A

Design Criteria	Required	Proposed	Compliance
	and non-habitable rooms (vi) 9m between non-habitable rooms		
3G – Pedestrian Access and Entries	Entry addresses public domain Clearly identifiable Steps and ramps integrated into building design	The main entry from Parramatta Road addresses the public domain and defines public and private spaces through the built form.	Yes
3H – Vehicle Access	Integrated into façade Visual impact minimised Entry behind the building line or from secondary frontage  Clear sight lines  Garbage collection screened Pedestrian and vehicle access separated	The vehicle ramp is integrated into the façade.  Clear sightlines are provided within the basement with the design following a logical aisle format.  Waste collection bay provided within at grade parking area adjacent to bin storage rooms.	Yes
3J – Bicycle and Car Parking	More than 800m from a railway station  DCP rate applies.  Secure undercover bicycle parking should be provided that is easily accessible from both the public domain and common areas.	Refer DCP discussion.  Motorcycle and bicycle parking provided within basement.	Yes
4A – Solar and Daylight Access	Min. 70% (54 units) receive 2 hours solar access  Max. 15% units have no solar access  Light wells, skylights and highlight windows are only to be a secondary source where sunlight is limited.  Design incorporates shading and glare control	76% (59 units) receive 2 or more hours of solar access  5% (4 units) of units receive no solar access	Yes  Yes

Design Criteria	Required	Proposed	Compliance
4B – Natural Ventilation	<p>Min. 60% (85 units) are cross ventilated in first 9 storeys</p> <p>Cross-over/Cross-through Max 18m depth</p> <p>Light wells are not the primary source of ventilation for habitable rooms</p> <p>Single aspect units have limited depth to maximise ventilation</p>	<p>94% (133 units) are cross ventilated</p> <p>Maximum depth of 12m</p> <p>No light wells utilised for ventilation.</p> <p>All single aspect units feature a reduced depth</p>	<p>Yes</p> <p>Yes</p> <p>Yes</p> <p>Yes</p>
4C – Ceiling Heights	<p>Habitable: 2.7m</p> <p>Non-habitable: 2.4m</p> <p>2 storey apartments: 2.7m main living area, 2.4m mezzanine</p> <p>Mixed Use: 3.3m ground floor</p>	<p>Minimum 2.7m ceiling height to habitable rooms of units and 4m to ground floor commercial tenancies.</p>	<p>Yes</p>
4D – Apartment Size and Layout	<p>Studio: 35m<sup>2</sup></p> <p>1 bed: 50m<sup>2</sup></p> <p>2 bed: 70m<sup>2</sup></p> <p>3 bed: 90m<sup>2</sup></p> <p>Additional bathrooms +5m<sup>2</sup></p> <p>Each habitable room must have a window &gt; 10% floor area of the room.</p> <p>Habitable room depths =max 2.5 x ceiling height <u>Or</u> if open plan layout =max 8m from a window</p> <p>Master bed: min 10m<sup>2</sup></p> <p>Other bedroom: min 9m<sup>2</sup></p> <p>Living room min. width: Studio and 1 bed: 3.6m 2 and 3 bed: 4m Crossover/through: min 4m</p>	<p>Studio – minimum 40m<sup>2</sup></p> <p>1 bed – minimum 51m<sup>2</sup></p> <p>2 bed – minimum 71m<sup>2</sup></p> <p>3 bed – minimum 95m<sup>2</sup></p>	<p>Yes.</p>
4E – Private Open Space and Balconies	<p>Studio: 4m<sup>2</sup></p> <p>1 bed: 8m<sup>2</sup>, min depth 2m</p> <p>2 bed: 10m<sup>2</sup>, min depth 2m</p> <p>3 bed: 12m<sup>2</sup>, min depth 2.4m</p>	<p>While the majority of units feature compliant areas of private open space, Ground floor studios Unit 1, 2,3,4 and 5 fail to provide a minimum 4m<sup>2</sup>, however this is consistent with the parent approval.</p>	<p>No change</p>
4F – Common Circulation and Spaces	<p>Max 8 apartments off a single core</p> <p>&gt; 10 storeys: max 40 units/lift</p>	<p>Maximum ten (10) units off a single core, however no change from parent consent.</p>	<p>No change</p>
4G – Storage	<p>Studio: 4m<sup>3</sup></p> <p>1 bed: 6m<sup>3</sup></p> <p>2 bed: 8m<sup>3</sup></p> <p>3 bed: 10m<sup>3</sup></p>	<p>The proposal provides a mixture of storage within both the unit itself and within the basement.</p>	<p>Yes</p>

Design Criteria	Required	Proposed	Compliance
	At least 50% within the basement		
4H – Acoustic Privacy	Orientate building away from noise sources Party walls limited or insulated, like rooms together Noise sources (e.g. garage doors, driveways) located at least 3m from bedrooms.	The building has been designed to locate like rooms together and separate more noise sensitive rooms such as bedrooms from circulation areas.	Yes
4K – Apartment Mix	Variety of apartment types Appropriate apartment mix Different apartments distributed throughout the building	The proposal provides for an acceptable mix of units. The following unit mix is proposed: Studio: 20 1 bed: 55 units 2 bed: 63 units 3 bed: 4 units	Yes
4L – Ground Floor Apartments	Direct street access Casual surveillance whilst providing privacy.	Direct street access is provided to all ground floor units, while balconies to the site's Smallwood Avenue and Parramatta Road frontages provide opportunities for passive surveillance.	Yes
4M – Facades	Composition of building elements Defined base, middle and top Building services integrated into the façade	The proposal as modified retains a defined top, middle and base that is generally expressed through articulation in the structure and changes in material treatments.	Yes
4O – Landscape Design	Responsive to streetscape Viable and sustainable	The subject application was accompanied by a detailed landscape design which incorporates a number of raised planter boxes and podium planters throughout the multiple roof top areas of communal open space.	Yes
4P – Planting on Structures	Appropriate soil profiles and structural design Irrigation and drainage systems	A landscape plan that detailed soil profiles and structural design details accompanied the proposal.	Yes
4Q – Universal Design	Variety of adaptable apartments	The proposal incorporates (15)	Yes

Design Criteria	Required	Proposed	Compliance
4U – Energy Efficiency	Adequate natural light to habitable areas Adequate natural ventilation Screened areas for clothes drying Shading on northern and western elevations	adaptable units. Compliant with BASIX Certificate requirements	Yes
4V – Water Management and Conservation	Efficient fixtures/fittings WSUD integrated Rainwater storage and reuse	Compliant with BASIX Certificate requirements	Yes
4W – Waste Management	Minimise impact on streetscape, building entry and amenity	Onsite collection proposed.	Yes
4X – Building Maintenance	Material selection reduces ongoing maintenance costs	The proposal incorporates a mix of metal cladding, painted render, glazing and feature tiles. The proposed material selection is considered appropriate and will reduce the ongoing maintenance costs of the building.	Yes.

#### **STATE ENVIRONMENTAL PLANNING POLICY (SEPP) – BASIX 2004**

In accordance with the BASIX SEPP all new housing in NSW is required to meet a designated target for energy and water reduction.

An amended BASIX Certificate was submitted as part of the subject application which indicates that the proposal as modified meets the required reduction targets. An appropriate condition of consent will be imposed to ensure future compliance with these targets.

#### **STATE ENVIRONMENTAL PLANNING POLICY (INFRASTRUCTURE) 2007**

The subject site fronts a classified road (Parramatta Road). Clause 101 of SEPP Infrastructure requires for development fronting a classified road that were possible vehicular access be obtained from a road other than the classified road and that the development not impact upon the safety, efficiency and ongoing operation of the classified road. The proposed development obtains vehicular access from an extension of Loftus Lane and involves no actions likely to impact upon the ongoing operations of Parramatta Road. As such the proposed development satisfies the requirements of Clause 101 of SEPP Infrastructure.

Clause 104 of SEPP (Infrastructure) identifies certain development as traffic generating development and requires such development to be referred to the NSW Roads and Maritime Service (RMS) for comment. The subject application being identified as traffic generating development was referred to RMS for comment. No objection was raised to the proposed development subject to retention of the conditions imposed under the parent consent.

## STRATHFIELD LOCAL ENVIRONMENTAL PLAN (SLEP) 2012

An assessment of the proposal as modified against the general aims of SLEP 2012 is included below:

<b>Cl. 1.2(2)</b>	<b>Aims</b>	<b>Complies</b>
(a)	To achieve high quality urban form by ensuring that new development exhibits design excellence and reflects the existing or desired future character of particular localities and neighbourhoods in Strathfield	Yes
(b)	To promote the efficient and spatially appropriate use of land, the sustainable revitalisation of centres, the improved integration of transport and land use, and an appropriate mix of uses by regulating land use and development	Yes
(c)	To promote land uses that provide a wide range of employment, recreation, retail, cultural, service, educational and other facilities for the local community	Yes
(d)	To provide opportunities for economic growth that will enhance the local community	Yes
(e)	To promote future development that integrated land use and transport planning, encourages public transport use, and reduced the traffic and environmental impacts of private vehicle use	Yes
(f)	To identify and protect environmental and cultural heritage	Yes
(g)	To promote opportunities for social, cultural and community activities	Yes
(h)	To minimise risk to the community by identifying land subject to flooding and restricting incompatible development	Yes

**Comments:** The proposed development as modified is a well-articulated contemporary built form that is consistent with the future streetscape envisaged in Councils Draft Key Site Controls and complements recent developments in the surrounding area. The proposed development provides for additional housing and employment opportunities within an accessible area. As such, the proposed development is considered to be consistent with the aims of the Strathfield Local Environmental Plan 2012.

## Part 4: Principal development standards

An assessment of the proposal against the relevant provisions contained within Part 4 of the SLEP 2012 is provided below.

### Exceptions to height of buildings (Parramatta Road Corridor)

<b>Cl.</b>	<b>Key Site Number</b>	<b>Maximum Height</b>	<b>Proposed</b>	<b>Complies</b>
4.3A	43 and 44	part 29m, part 16m and part 0m	Part 35.2m, part 24m and part 0m	No

  

	<b>Objectives</b>	<b>Complies</b>
(a)	To ensure that development is of a height that is generally compatible with or which improves the appearance of the existing area	Yes
(b)	To encourage a consolidation pattern that leads to the optimum sustainable capacity height for the area	Yes
(c)	To achieve a diversity of small and large development options.	Yes

**Comments:** The proposal has a maximum building height of part 35.2 metres, part 24.3 metres and part 0m which exceeds the maximum permitted heights of Part 29 metres, Part 16 metres and part

0 metres permitted by Clause 4.3A respectively. The proposed additional building height represents an increase of 200mm from that approved under the parent consent.

The subject application was accompanied by a written request seeking to justify the proposed additional building height on the following grounds

***Exceptions to floor space ratio (Parramatta Road Corridor)***

<b>Cl.</b>	<b>Key site number</b>	<b>Controls</b>	<b>Proposed</b>	<b>Complies</b>
<b>4.4A</b>	<b>43 and 44</b>	2.7:1 (10,008.9m <sup>2</sup> )	2.69:1 (10,005.9m <sup>2</sup> )	<b>Yes</b>

**Comments:** The proposed development as modified complies with the maximum FSR under Clause 4.4A of SLEP 2012 and presents a built form that complements the future character of the Parramatta Road Corridor.

**Clause 4.6 Exceptions to Development Standards**

Whilst this modification application will result in a maximum building height that exceeds the maximum permitted height under Clause 4.3A of the SLEP 2012, the subject modification application has been made under Section 96(2) of the EP&A Act 1979, which is a free standing provision which in itself authorises the development to be approved notwithstanding any breach of development standards.

Section 96 is subject to its own stand-alone tests being 'substantially the same' test and consideration of all section 79C matters. Clause 4.6 regulates whether development consent may be granted, not whether an existing consent may be modified, and therefore does not apply to section 96 modification applications. Nonetheless, the applicant has provided a written submission seeking to justify the additional building height on the following grounds:

- Despite the minor additional building height the proposed development remains compatible with existing and likely future development within the streetscape;
- The proposed development as modified will deliver a high density development consistent with the objectives;
- The proposed additional building height represents an increase of 200mm from that approved under the parent consent.

In considering the justification provided by the applicant it is noted that likely future development within the streetscape as established under the height controls of the SLEP 2012 consists of building heights ranging from 20m to 35m. As such, the proposed development as modified remains generally compatible with the desired streetscape within the locality. Further, the proposed development achieving compliance with the maximum permissible floor space for the site is considered to achieve the optimum sustainable capacity for the site as envisaged under the SLEP 2012. Having considered the merits of the departure having regard to the objectives of the development standard, on balance, the variation is considered to be well founded and is accordingly supported for approval.

## Part 6: Local Provisions

### 6.9 Additional provisions for development in Parramatta Road Corridor

Clause 6.9 of the SLEP 2012 encourages development in the Parramatta Road Corridor to have a mix of residential and non-residential land uses in an integrated built form. The proposed development as modified retains an appropriate mix of residential and commercial land uses integrated within a built form that integrates well with existing development in the Parramatta Road Corridor. As such, the proposed development as modified satisfies the requirements of Clause 6.9 of the SLEP 2012.

#### **79C(1)(a)(ii) any draft environmental planning instruments**

There are no applicable draft planning instruments that are or have been placed on public exhibition, to consider as part of this assessment.

#### **79C(1)(a)(iii) any development control plan**

### **STRATHFIELD DEVELOPMENT CONTROL PLAN NO. 20 – PARRAMATTA ROAD CORRIDOR AREA**

The following table provides a detailed assessment of the proposed development as modified against the current DCP 20 – Parramatta Road Corridor Area (DCP 20). DCP 20 is currently under review as it contains a number of development controls which have been superseded by the gazettal of the SLEP, 2012. In summary, the proposed development as modified is considered satisfactory with regard to DCP 20, the details of which are provided in the table below:

Section	Development Control	Required	Proposed	Compliance
2.3	Building Height	Proposal to conform to building height identified in figure 12, which requires max. 3 storeys.	Refer to previous discussion of building height under SLEP 2012	N/A
	Minimum Unit Sizes	Proposal to comply to the following min. unit sizes:  1 bed – 70m <sup>2</sup> 2 bed - 85m <sup>2</sup> 3 bed - 100m <sup>2</sup>	ADG prevails	N/A
2.5	Roof Form	Lift and service plant concealed within roof structure.	The lift overruns remain suitably concealed within the roof form.	Yes.
		Provide an interesting skyline and enhance views	The proposed development as modified providing a well-articulated built form will	Yes.

Section	Development Control	Required	Proposed	Compliance
		from adjoining developments.	contribute positively to the skyline.	
2.6	Façade Composition	Entrance should be distinguishable in the façade.	The entry to the site is readily identified by the physical break in the centre of the building and change in external finishes.	Yes.
		Facades should maintain a human scale to the street by incorporating appropriate architectural features.	The proposal as modified retains an appropriate pedestrian scale, emphasised by an awning along Parramatta Road and the articulated built form which is broken by separate entries along Smallwood Avenue.	Yes.
		Materials and finishes should blend together with min. 30% to incorporate face brickwork.	Materials and finishes are modern and highly durable and include metal cladding and expansive areas of glazing.	Yes.
		Consider the use of glass in facades on northern and western elevations in terms of glare impacts.	Glass will not contribute to an unacceptable level of glare as it is interspersed with areas of render or cladding.	Yes.
2.8	Visual and Acoustic Privacy	Visual privacy to be provided by separation or screening.	Balcony orientation is well considered with protruding fin walls to protect privacy.	Yes.
		Main living areas oriented to the street or rear garden to prevent overlooking.	Main living areas are orientated toward the common open space or public domain to prevent overlooking within the site.	Yes.
		Shared pedestrian entries shall be capable of being locked and serve a limited no. of dwellings	Shared secured entrances are retained.	Yes.
		Casual surveillance maintained of public streets and spaces with at least one habitable room window	Development has been designed with balconies overlooking the street and into common open space to encourage passive surveillance.	Yes

Section	Development Control	Required	Proposed	Compliance
		facing that area.		
2.9	Private Open Space	Proposal to provide 35% deep soil landscape area on the site.	No change from parent consent.	No change.
		Each contiguous landscape area shall provide large trees.	The proposal as modified retains two (2) canopy trees within the podium level landscaped area.	Yes.
		Proposal to provide common open space to the following dimensions:  10% of site or 100m <sup>2</sup> (whichever is greater);  Min dimensions of 7m;  Positioned to receive sunlight, be conveniently located for residents with good opportunities for passive surveillance and contain durable children's play equipment;  Located behind front setback.	ADG prevails.	N/A
	Balconies	Dwellings without ground level open space shall have balconies to the following requirements:  <ul style="list-style-type: none"> <li>• 12m<sup>2</sup> up to 2 bed; and</li> <li>• 15m<sup>2</sup> for 3 or more bed;</li> </ul>	ADG prevails	N/A

Section	Development Control	Required	Proposed	Compliance
		Min. dimension of 2.0m;  Located off living areas and with good solar access; and  Balustrades designed to provide privacy and conceal service areas whilst allowing passive surveillance.		
		Achieve required BASIX rating.	BASIX certification provided.	Yes.
	Solar Access	Main living and 50% of POS receive min. 3 hours solar access.	63% (90) units receive 3 or more hours of direct solar access to living rooms. 77% (111) units receive 3 or more hours of direct solar access to balconies.	Refer to discussion.
2.10.2		Min. 3 hours solar access maintained to habitable rooms and POS of adjoining development.	An acceptable level of solar access will be retained to the adjoining dwelling at 4 Smallwood Avenue with the proposal as modified resulting in only a minor increase to overshadowing throughout the day. The proposal has orientated building bulk to the north of the site and provided a 23m building separation (in most parts) to ensure SEPP 65 compliance is achieved on the adjoining site.	Refer to discussion.
	Stormwater, Sewerage and Drainage	Site to be adequately serviced by stormwater, sewerage and drainage in accordance with Council's Stormwater Management Code.	Modified stormwater plans submitted.	Yes.
2.11	Disabled	One main entrance	Barrier free access maintained	Yes.

Section	Development Control	Required	Proposed	Compliance
	Access	barrier free and accessible.	to units and ground floor commercial tenancies.	
2.12	Vehicle Access and Car Parking	Access to public areas should be convenient and without barriers.	Barrier free access to all units inclusive of ground floor commercial tenancies.	Yes.
		Adequate and convenient amenities for people with mobility accessibility.	Disabled access provided throughout.	Yes.
		Accessible parking provided with access to units above provided.	(18) accessible parking spaces proposed.	Yes.
		15% of units designed to allow occupation by older people and people with disabilities.	A condition of consent was imposed under the parent consent requiring that a minimum of 15% (21) units to be 'adaptable' and compliant with AS4299 – Adaptable Housing.	Yes, subject to condition.
		Car parking to be provided on the following basis:  (20) x studio Units <b>(20) spaces required</b>  (118) 1 and 2 bed – 1 space <b>(118) spaces required</b>  (4) x 3 bed – 1.5 spaces required <b>(6) spaces required</b>  Visitor – 1 space per 5 units <b>(29) spaces required</b>	Basement parking for a total of (176) vehicles comprising: - (130) resident spaces - (29) visitor spaces; and - (17) x accessible spaces.	Yes.
		<b>Total (173) residential spaces required</b>		Subject to condition.

Section	Development Control	Required	Proposed	Compliance
		Provide bicycle parking		
2.13.1	Commercial Parking	1 space per 50m <sup>2</sup> 700m <sup>2</sup> retail GFA =14 spaces	(20) spaces to be dedicated to ground floor commercial tenancies at ground floor for accessibility and convenience.	Yes.
2.13	Site Facilities and Services	Comply with driveway ramp gradient and dimension requirements.	Certification submitted stating the basement complies with relevant Australian Standard requirements.	Yes
2.14		Letterbox provision	Letter boxes provided in the lobby area of the building.	Yes.

### **STRATHFIELD CONSOLIDATED DEVELOPMENT CONTROL PLAN (SCDCP) 2005**

The following is an assessment of the proposal's compliance with the relevant provisions contained within SCDCP 2005.

#### **Part H – 'Waste Management' of the Strathfield Consolidated Development Control Plan (DCP) 2005**

The proposal has been accompanied by a waste management plan confirming that demolition and construction waste generated throughout the proposed works will be satisfactorily managed. The classification of excavated waste from the site will be subject to an additional condition of consent in accordance with the suggestion of the ESA prepared to satisfy the requirements of SEPP 55.

Separate resident and commercial bin storage rooms are provided on the ground floor adjacent to the proposed loading area to allow for onsite waste collection in accordance with the requirements Part H of the SCDCP 2005. The subject application was accompanied by a Car Park and Access Compliance Report prepared by Terrafic Pty Ltd identifying the proposed onsite waste collection arrangements as accommodating for the forward entry and exit of a medium ridged vehicle in accordance with the requirements of Part H of the SCDCP 2005.

Overall, the proposal has satisfied the relevant requirements of Part H of the SCDCP in relation to the management of construction waste and ongoing management of residential waste from the site.

#### **Part N – 'Water Sensitive Urban Design' of the Strathfield Consolidated Development Control Plan (DCP) 2005**

The proposed development as modified complies with Part N – 'Water Sensitive Urban Design' of the Strathfield Consolidated Development Control Plan (DCP) 2005 through the inclusion of features within the stormwater system for the site which will assist in filtering nitrates, phosphates and gross pollutant matter from the runoff from the site. Such measures include the non-trafficable

green roof which will filter to the on-site detention system and the incorporation of 'stormfilter' components within the traditional stormwater infrastructure for the site. The implementation and maintenance of such measures are the subject of conditions of consent under the parent consent.

**79C(1)(iia) any planning agreement or draft planning agreement**

The proposed development is subject to a planning agreement pursuant to Section 93F of the Environmental Planning and Assessment Act 1979 as the proposal involves the dedication of 658m<sup>2</sup> of land to Council for the creation of a future public laneway connecting Smallwood Avenue to Bridge Road.

The proposed modification application does not seek to alter the planning agreement.

**(i) matters prescribed by the regulations**

Clause 92 of the *Environmental Planning and Assessment (EP&A) Regulation 2000* requires Council to take into consideration the provisions of the Government Coastal Policy and Australian Standard AS2601–1991: *The Demolition of Structures*, in the determination of a development application.

Having regard to these prescribed matters, the proposed development is not located on land subject to the Government Coastal Policy as determined by Clause 92(1)(a)(ii) and does not involve the demolition of a building for the purposes of AS 2601 – 1991: *The Demolition of Structures* beyond that of the parent consent.

**(ii) any coastal zone management plan**

The NSW Government projects sea levels to rise by 40cm in 2050 and by 90cm in 2100 above the relative mean sea level in 1990. These planning benchmarks are to be considered in the assessment of development applications through the applicable coastal zone management plan or alternatively the provisions of the *NSW Coastal Planning Guideline: Adapting to Sea Level Rise*.

Although Council is not subject to a coastal zone management plan, the sea level rise planning benchmarks have also been established in order to assess the likely increase in the frequency, duration and height of flooding and as a consequence likely property and infrastructure damage on affected and potentially affected land. Council is therefore required to consider the impact of sea level rise and resultant flooding from Powell's Creek and Cook's River which are tributaries of Sydney Harbour (Parramatta River) and Botany Bay respectively.

The proposed development is not located on a site that is subject to flooding attributed to either Powell's Creek or Cook's River and is therefore not required to be considered under the provisions of the *NSW Coastal Planning Guideline: Adapting to Sea Level Rise*.

**79C(1)(b) the likely impacts of the development, including environmental impacts on both the natural and built environments, and social and economic impacts in the locality**

Overshadowing

The proposed development as modified incorporating an additional 200mm of building height throughout the structure will result in additional overshadowing of the residential flat building

development currently under construction immediately to the south of the site (4-8 Smallwood Avenue). In recognition of this likely impact the applicant has submitted a series of comparative shadow diagrams demonstrating the extent of additional overshadowing generated as a result of the proposed modifications. These shadow diagrams identify that while the proposed development will increase the extent of overshadowing to a number of units, only two (2) additional units fail to receive two (2) hours solar access as a result of the proposed modifications. As such, the proposed development will retain a minimum of two (2) hours solar access to 74% (49 units) of the adjoining development to the south therefore retaining compliance with the requirements of Section 3B of the Apartment Design Guide. As such, the additional overshadowing generated by the proposed development as modified is considered to be acceptable.

**79C(1)(c)      *the suitability of the site for the development***

The proposed modification involves no actions considered to affect the suitability of the site for the purposes of the proposed development.

**79C(1)(d)      *any submissions made in accordance with this Act or the regulations***

The application was notified in accordance with Part L of the SCDP 2005 from 17 January 2017 to 17 February 2017, with no written submissions received.

**79C(1)(e)      *the public interest***

The public interest is served through the detailed assessment of this development application under the relevant local planning controls and legislation and consideration of any submissions received relating to it by Council. The proposed development as modified is not considered to be contrary to the public interest.

**SECTION 94 CONTRIBUTIONS**

Section 94 of the EP&A Act 1979 relates to the collection of monetary contributions from applicants for use in developing key local infrastructure. The Act reads as follows:

- “(1) If a consent authority is satisfied that development for which development consent is sought will or is likely to require the provision of or increase the demand for public amenities and public services within the area, the consent authority may grant the development consent subject to a condition requiring:*
- (a) the dedication of land free of cost, or*
  - (b) the payment of a monetary contribution,*
  - or both.*
- (2) A condition referred to in subsection (1) may be imposed only to require a reasonable dedication or contribution for the provision, extension or augmentation of the public amenities and public services concerned.”*

**STRATHFIELD DIRECT SECTION 94 CONTRIBUTIONS PLAN**

The proposed development as modified involves no changes to the approved unit or bedroom numbers as approved under the parent consent and as such no additional development contributions are applicable to the development as modified.

## CONCLUSION

The application has been assessed having regard to Section 79C of the Environmental Planning and Assessment Act 1979, the Strathfield Local Environmental Plan 2013 and the Strathfield Development Control Plan 2005 and is considered to be satisfactory for approval, subject to the recommended conditions of consent.

## RECOMMENDATION

That Development Application No. 2014/026/01 to modify the basement and ground floor configuration, minor changes to unit layouts and building façade at 208-214 Parramatta Road and 2 Smallwood Avenue, Homebush be **APPROVED**, subject to the following conditions:

Pursuant to Section 96(2) of the Environmental Planning and Assessment Act 1979, the proposed modifications to Development Consent No. 2014/026 relating to the demolition of the existing structures and construction of a part seven (7), part nine (9) and part (11) storey mixed use development with (12) commercial tenancies and a total of (142) residential units comprising (20) x studio, (55) x 1 bedroom, (63) x 2 bedroom and four (4) x 3 bedroom units above two (2) levels of basement parking at 208-214 Parramatta Road & 2 Smallwood Avenue, Homebush are **APPROVED** subject to:

1. The original conditions of consent as approved on 11 April 2015.
2. As modified by the Section 96(2) Application (DA2014/026/01) involving the modification of Condition No. 1, 10, 11, 12, 28, 42, 74 75, 76 and 126 as follows:

Under PART B – Other Conditions

Condition 1 is amended to read as follows:

1. The development shall be completed in accordance with the approved plans and documents listed below, prior to the building being used or occupied, and subject to any amendments “in red” and any variation as required by conditions of this consent:

Site Plan/Roof Plan Dwg No. DA01 Issue B prepared by Zhinar Architects Pty Ltd received by Council 2 June 2017.

Level 2 Basement Plan Dwg No. DA02 Issue B prepared by Zhinar Architects Pty Ltd received by Council 2 June 2017.

Level 1 Basement Plan Dwg No. DA03 Issue B prepared by Zhinar Architects Pty Ltd received by Council 2 June 2017.

Ground Floor Plan Dwg No. DA04 Issue B prepared by Zhinar Architects Pty Ltd received by Council 2 June 2017.

First Floor Plan Dwg No. DA05 Issue B prepared by Zhinar Architects Pty Ltd received by Council 2 June 2017.

Level 2 – Level 4 Typical Floor Plan Dwg No. DA06 Issue B prepared by Zhinar Architects Pty Ltd received by Council 2 June 2017.

Level 5 – Level 6 Typical Floor Plan Dwg No. DA07 Issue B prepared by Zhinar Architects Pty Ltd received by Council 2 June 2017.

Level 7 Floor Plan Dwg No. DA08 Issue B prepared by Zhinar Architects Pty Ltd received by Council 2 June 2017.

Level 8 Floor Plan Dwg No. DA09 Issue B prepared by Zhinar Architects Pty Ltd received by Council 2 June 2017.

Level 9 Floor Plan Dwg No. DA10 Issue B prepared by Zhinar Architects Pty Ltd received by Council 2 June 2017.

Level 10 Floor Plan Dwg No. DA11 Issue B prepared by Zhinar Architects Pty Ltd received by Council 2 June 2017.

SE & SW Elevations Dwg No. DA12 Issue A prepared by Zhinar Architects Pty Ltd received by Council 2 June 2017.

NE & NW Elevations Dwg No. DA13 Issue B prepared by Zhinar Architects Pty Ltd received by Council 2 June 2017.

Sections Dwg No. DA14 Issue A prepared by Zhinar Architects Pty Ltd received by Council 2 June 2017.

Finishes Schedule Dwg No. DA15 Issue A prepared by Zhinar Architects Pty Ltd received by Council 2 June 2017.

Ground Floor Landscape Plan Dwg L/01 Issue E prepared by A Total Concept received by Council 22 December 2016.

Level 1 Floor Landscape Plan Dwg L/02 Issue E prepared by A Total Concept received by Council 22 December 2016.

Level 7 Floor Landscape Plan Dwg L/03 Issue E prepared by A Total Concept received by Council 22 December 2016.

Level 9 Floor Landscape Plan Dwg L/04 Issue E prepared by A Total Concept received by Council 22 December 2016.

Landscape Plans – Primary Factors Dwg L/05 Issue E prepared by A Total Concept received by Council 22 December 2016.

Ground Floor Landscape Plan – Secondary Factors Dwg L/06 Issue E prepared by A Total Concept received by Council 22 December 2016.

Level 1 Landscape Plan – Secondary Factors Dwg L/07 Issue E prepared by A Total Concept received by Council 22 December 2016.

Level 7 Landscape Plan – Secondary Factors Dwg L/08 Issue E prepared by A Total Concept received by Council 22 December 2016.

Level 9 Floor Landscape Plan – Secondary Factors Dwg L/09 Issue E prepared by A Total Concept received by Council 22 December 2016.

Stormwater Quality Management Plan prepared by Smart Engineering Solutions Pty Ltd received by Council 18 August 2014

Basement 2 Drainage Plan Dwg D01 Job No. 14HR030 Revision F prepared by Smart Engineering Solutions received by Council 22 December 2016.

Basement 1 Drainage Plan Dwg D02 Job No. 14HR030 Revision E prepared by Smart Engineering Solutions received by Council 22 December 2016.

Basement Stormwater Drainage Details Dwg D03 Job No. 14HR030 Revision D prepared by Smart Engineering Solutions received by Council 22 December 2016.

Ground Floor Stormwater Drainage Plan Dwg D04 Job No. 14HR030 Revision H prepared by Smart Engineering Solutions received by Council 22 December 2016.

First Floor Stormwater Drainage Plan Dwg D05.1 Job No. 14HR030 Revision I prepared by Smart Engineering Solutions received by Council 22 December 2016.

Stormwater Drainage Details Dwg D05.2 Job No. 14HR030 Revision F prepared by Smart Engineering Solutions received by Council 22 December 2016.

Erosion and Sediment Control Plan and Details Dwg D06 Job No. 14HR030 Revision B prepared by Smart Engineering Solutions received by Council 22 December 2016.

MUSIC Result & Details Dwg D07 Job No. 14HR030 Revision C prepared by Smart Engineering Solutions received by Council 22 December 2016.

Level 2-4 Stormwater Drainage Plan Dwg D08 Job No. 14HR030 Revision E prepared by Smart Engineering Solutions received by Council 22 December 2016.

Level 5-6 Stormwater Drainage Plan Dwg D09 Job No. 14HR030 Revision E prepared by Smart Engineering Solutions received by Council 22 December 2016.

Level 7 Stormwater Drainage Plan Dwg D10 Job No. 14HR030 Revision E prepared by Smart Engineering Solutions received by Council 22 December 2016.

Level 8 Stormwater Drainage Plan Dwg D11 Job No. 14HR030 Revision E prepared by Smart Engineering Solutions received by Council 22 December 2016.

Level 9 Stormwater Drainage Plan Dwg D12 Job No. 14HR030 Revision E prepared by Smart Engineering Solutions received by Council 22 December 2016.

Roof Stormwater Drainage Plan Dwg D13 Job No. 14HR030 Revision C prepared by Smart Engineering Solutions received by Council 22 December 2016.

BASIX Certificate No. 528634M\_03 issued 14 November 2014

Environmental Site Assessment Report No. E22038AA prepared by Environmental Investigations Australia received by Council 19 February 2014

Preliminary Geotechnical Investigation Report No. E22038GA prepared by Environmental Investigations Australia received by Council 19 February 2014

Traffic Noise Intrusion Assessment Project No. 20131250.1 prepared by Acoustic Logic received by Council 19 February 2014

Arboricultural Impact Report prepared by Landscape Matrix Pty Ltd received by Council 19 November 2014

Car Park and Access Compliance Report prepared by Terraffic Pty Ltd, dated 13 September 2016 received by Council 22 December 2016

Condition 10 be deleted.

Condition 11 be deleted.

Condition 12 be deleted.

Condition 28 is amended to read as follows:

28. A total of (191) off-street parking spaces, hardpaved, linemarked, labelled and drained, shall be provided in accordance with the approved plans and distributed as follows:

Resident – Accessible	(15)
Resident	(132)
Commercial	(19)
Commercial – Accessible	(1)
Visitors	(27)
Visitor – Accessible	(2)
<b>Total</b>	<b>(196)</b>

These spaces shall only be used for the parking of motorcycles, sedans, utilities, vans and similar vehicles up to two (2) tonne capacity.

Condition 42 is amended to read as follows:

42. Stormwater runoff from all roof and paved surfaces shall be collected and discharged by means of a gravity pipe to the existing kerb inlet on Parramatta Road pit via the onsite stormwater detention tank and as depicted on the stormwater drainage concept plans PREPARED BY SMART ENGINEERING SOLUTIONS SHEETS NO.1-13 OF 13 JOB NO.14HR030 REVISION A DATED 06.06.2016.

Condition 74 be deleted.

Condition 75 be deleted.

Condition 76 be deleted.

Condition 126 is added to read as follows:

126. Partition walls are to be constructed between the ground floor commercial tenancies as shown upon the approved Ground Floor Plan Dwg No. DA04 Issue B prepared by Zhinar Architects Pty Ltd received by Council 2 June 2017. Any further reconfiguration of the ground floor commercial tenancies from that shown upon the approved plans shall be the subject of a separate modification application.
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