

**REVISED/ADDITIONAL
DOCUMENTATION
PART 6**

2017SSH019

DA17/0467

1-21 Dillwynnia Grove, Heathcote

**STATEMENT OF ENVIRONMENTAL
EFFECTS – ORIGINAL AND
ADDENDUM**

STATEMENT OF ENVIRONMENTAL EFFECTS

PROPOSED RESTORATION OF THE STATE SIGNIFICANT HISTORIC HEATHCOTE HALL AND GARDENS INCORPORATING THE DEVELOPMENT OF 36 TOWN HOUSES AND 21 UNITS INCLUDING BASEMENT PARKING



HISTORIC HEATHCOTE HALL ESTATE 1-21 Dillwynnia Grove, Heathcote NSW

CLIENT: Fuzortinn Pty Ltd

DATE: 12 April 2017

TABLE OF CONTENTS

1 INTRODUCTION.....3

2 SITE ANALYSIS AND CONTEXT.....4

3 PROPOSAL.....6

4 CONSULTATIONS.....7

5 ENVIRONMENTAL PLANNING ASSESSMENT.....14

6 CONCLUSION.....18

FIGURES

Figure 1: Site Context.....4

Figure 2: Site Aerial Image..... 4

Figure 3: Strategic Context.....5

Figure 4: Masterplan.....6

CHART

Heathcote Hall Design Development Process.....7

ANNEXURES

A LEP 2015 - Compliance Table

B Clause 4.6 Exceptions to Development Standards Report

C Draft DCP 2015 - Compliance Tables

D CPTED Assessment

1.0 Introduction

This Statement of Environmental Effects has been prepared on behalf of the applicant Fuzortinn Pty Ltd for the proposed development. This Statement is to accompany a development application to Sutherland Shire Council seeking consent for the demolition of nominated existing structures, removal of identified trees and to enable the restoration of the State Significant Historic Heathcote Hall in accordance with the included Conservation Management Plan and Heritage Impact Statement. The resultant proposed development also comprises 36 town houses and 21 units at Nos. 1 - 21 Dillwynnia Grove, Heathcote.

The proposal comprises townhouses along the Boronia Grove and Dillwynnia Grove street frontages with two small apartment buildings. Vehicular access for basement parking is also via Dillwynnia Grove and Boronia Grove which is provides visitor parking spaces and storage areas for the development.

The purpose of this Statement is to address the planning issues associated with the development proposal and specifically to assess the likely impact of the development on the environment in accordance with the requirements of S.79C of the Environmental Planning & Assessment (EP&A) Act, 1979.

This Statement is divided into six sections. The remaining sections include a locality and site analysis; a description of the proposal; consultations; an environmental planning assessment; and a conclusion.

The application provides supporting consultant reports and plans for Council's consideration, including;

- Survey Plans
- Conservation Management Plan (CMP)
- Heritage Impact Statement
- Site Analysis Plans
- Arboricultural Impact Assessment
- Architectural Plans, Photomontages & 3D models
- Heritage Landscape Plans
- Landscape Plans
- Community Consultation Report
- Drainage and Stormwater Plans
- Construction Management Plan
- Waste Management Plan
- BCA Compliance Report
- BASIX & NatHERS Certificates
- Accessibility Report

- ADG - Design Verification Statement
- LEP Compliance Table
- DCP Compliance Table - Townhouses
- DCP Compliance Table - Residential Flat Buildings
- Clause 4.6 Exceptions to Development Standards Report
- Silver Standard Liveable Housing Report
- Flora and Fauna Report
- Bushfire Assessment Report

2.0 Site and Context

The site is located in the suburb of Heathcote, within the Sutherland Shire LGA (see Figure 1 and Figure 2) and is legally described as Lot 1 and Lot 2 in DP725184.

The site is approximately 17,663 m² and is located approximately 500m from Heathcote train station.

Heathcote Hall, a State Heritage item (SHR No. 00191), is located on the site. The site's heritage listing notes:

'Heathcote Hall is an imposing two storey building designed in the Victorian Italianate style and is one of the oldest and grandest buildings in the Sutherland Shire. Built in 1887 by Isaac Harber a wealthy Sydney brick maker who forfeited the residence following financial losses he made in connection with the building of the Imperial Arcade in Sydney. It is a particularly striking building whose tower is a prominent landmark in Heathcote.'

The site features an existing gradient that slopes up towards a small hill in the south east corner of the site. Heathcote Hall is located at the highest point of site.

A predominantly low density residential area surrounds the site. This low density residential area is surrounded to the south, east and north by the Royal National Park.

2.1 Metropolitan Context

The main characteristics of the subject site within the metropolitan context:

- Located within the transitional area between metropolitan urban and rural areas as well as parks and reserves
- Well connected to Sydney's railway network and major roads
- Located within the southern subregion -according to 'A plan for growing Sydney'-which aims to accelerate housing supply within the subregion as well as protect the natural environment and promote sustainability in the subregion
- Well connected to natural features such as coastline, waterways and bushlands
- Proximity to Sydney Airport and Port Botany as economic drivers for the southern subregion (according to 'A plan for growing Sydney')
- Proximity to Hurstville and Kogarah Strategic centres
- Proximity to local employment centers and community services within Loftus, Engadine and Sutherland

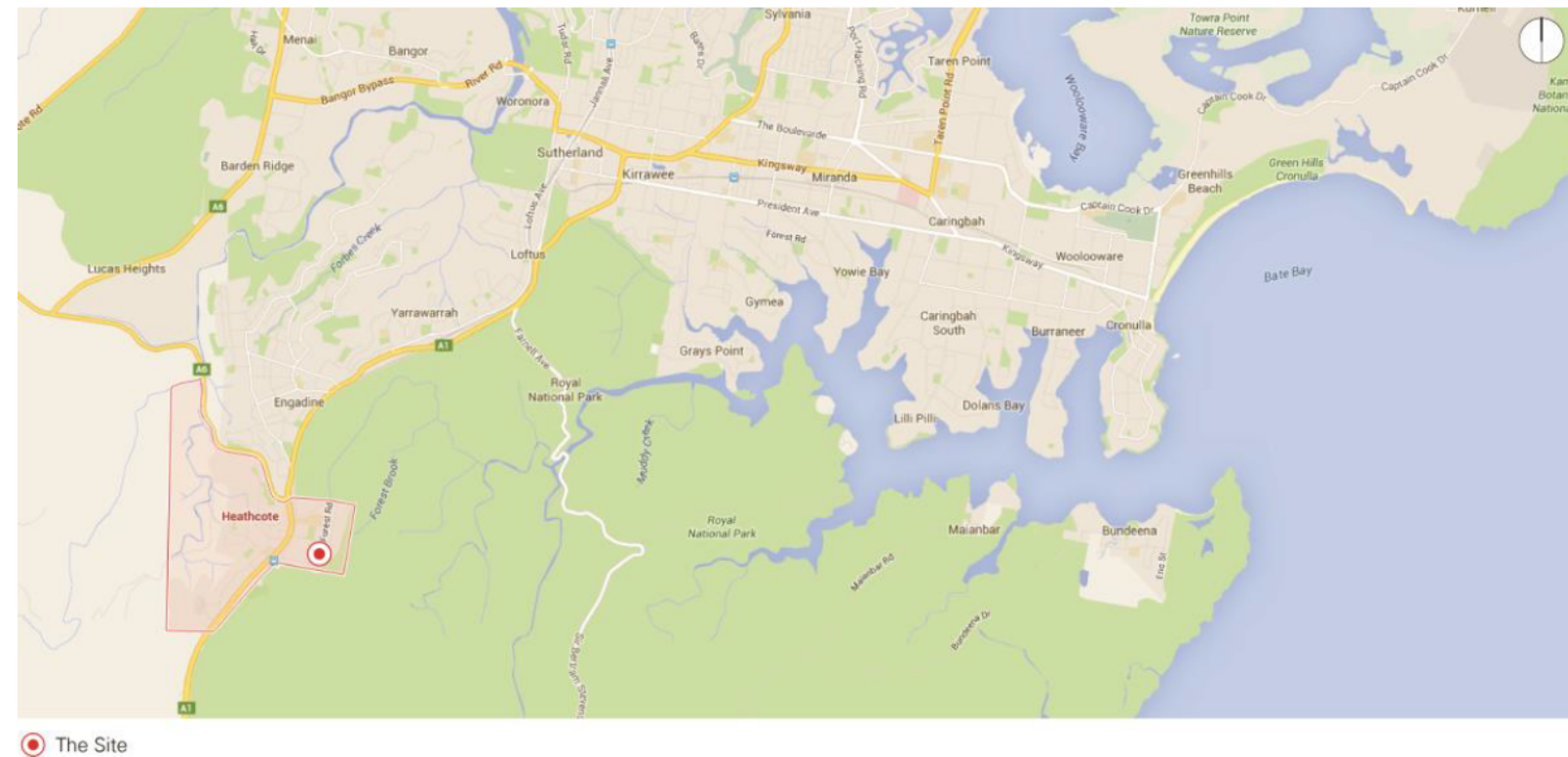


Figure 1 - Site Context

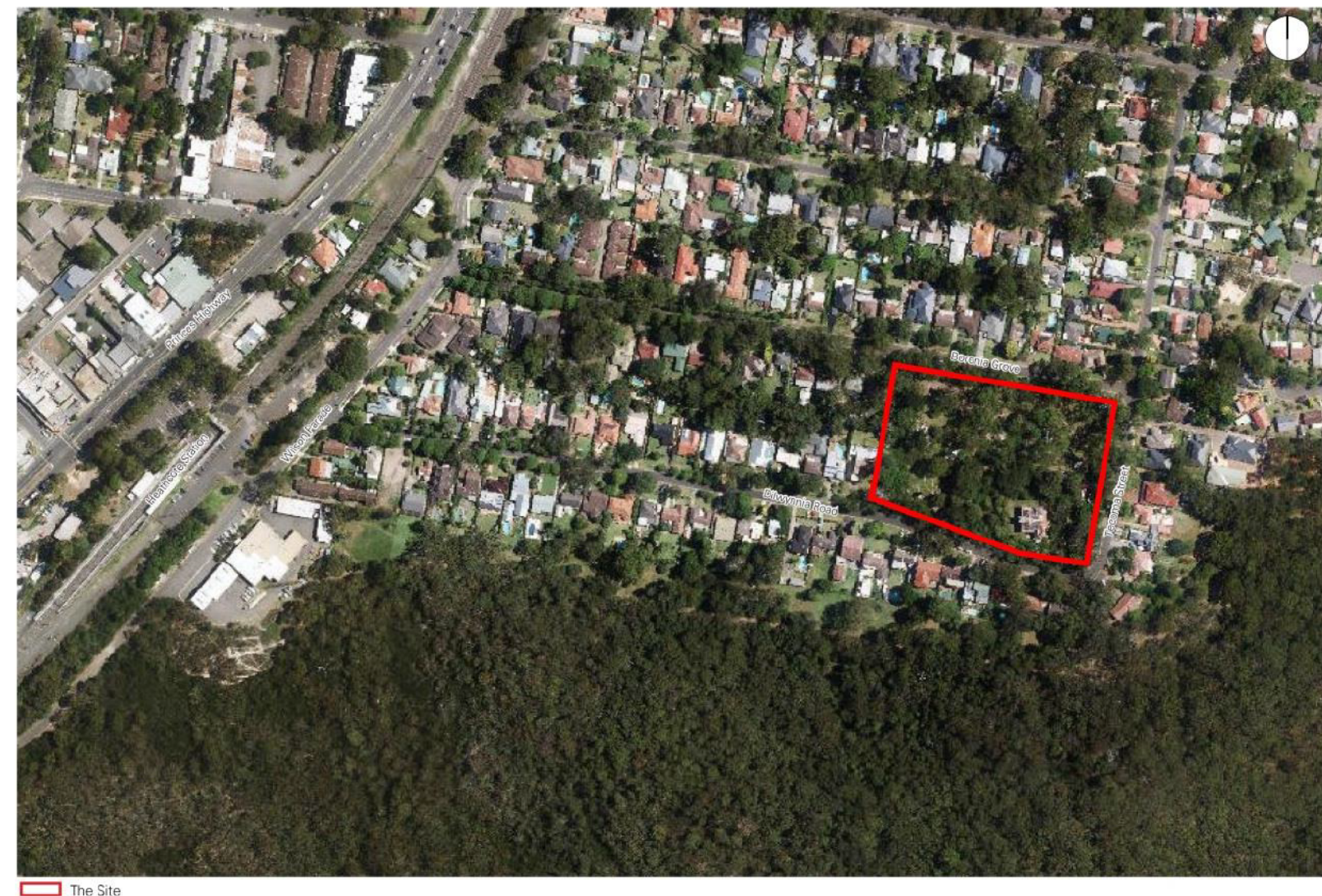


Figure 2 - Site Aerial Image

2.2 Local Context

The main characteristic of the subject site in the local context are:

- Well connected to the local and regional centers such as Sutherland, Loftus and Engadine centres through major roads, eastern-southern and Illawarra line
- Close to the significant public open spaces, beaches and recreation facilities such as Royal National Park, Heathcote National Park and Cornulla Beach within 30-35 minute by car
- Located approximately 600m from the educational centres, local services and facilities, such as Heathcote High School, IGA and service station
- Proximity to the main walking trails of the Royal National Park
- Located within the main pocket of residential land around Heathcote Station
- Surrounded by local distribution routes and proximity to Heathcote Train Station
- Existing significant indigenous landscape and vegetation within and around the site

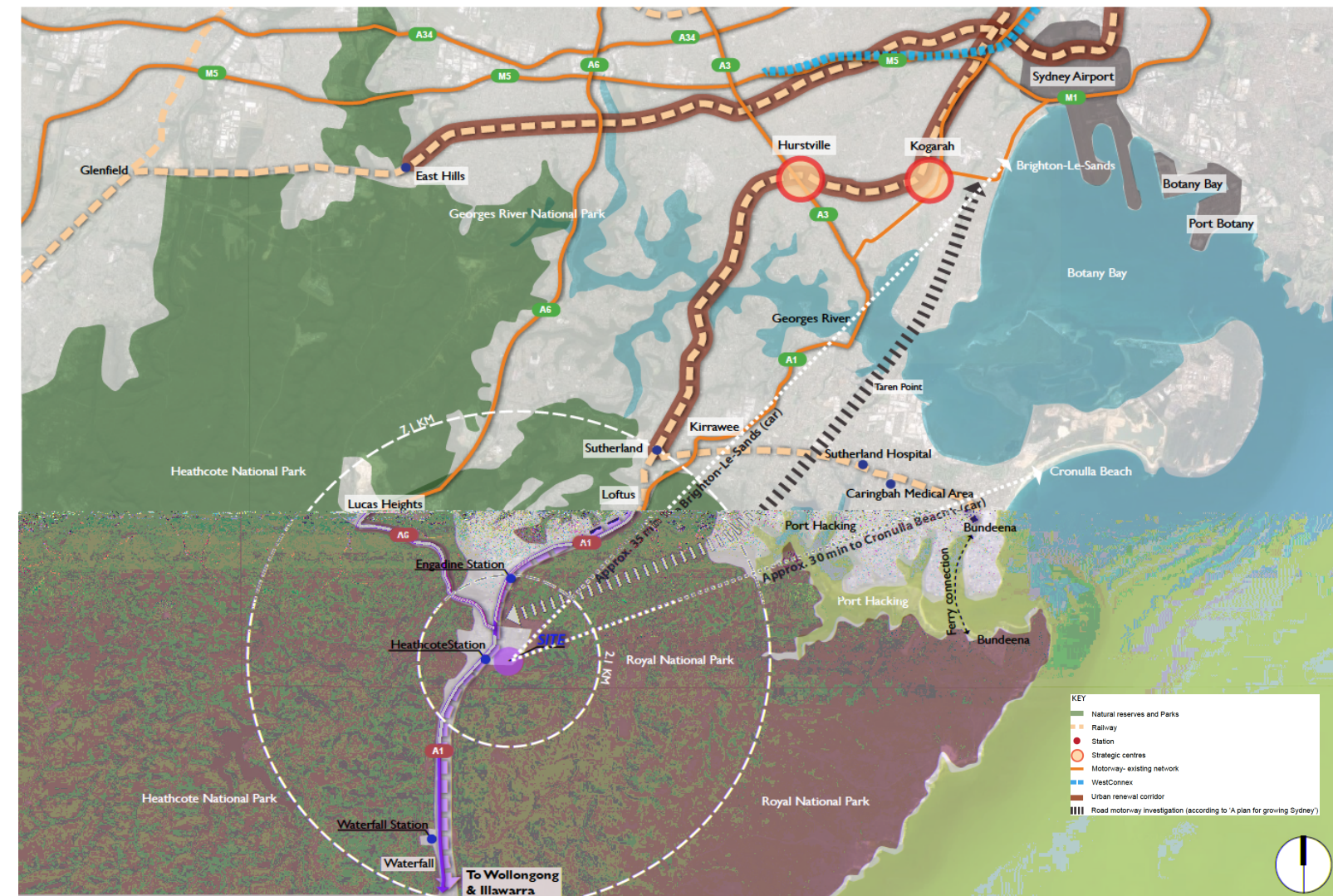


Figure 3 - Strategic Context

3.0 Proposal

3.1 Proposed development

The proposed development involves the restoration of the historic Heathcote Hall including identified historical curtilage, gardens and landscaping in accordance with the submitted Conservation Management Plan (CMP). The proposal also nominates the demolition of redundant existing structures and vegetation which are identified on the demolition plan submitted with this application.

The included CMP also identifies the constraints and opportunities for areas of development that will not undermine the historical significance of Heathcote Hall. The CMP has defined an area which is suitable for redevelopment which permits the opportunity to provide townhouses, apartments and basement parking to offset the funding required to fully undertake the restoration of the state significant historical Heathcote Hall. The development application proposes (post demolition works - refer attached plan) and as detailed in the architectural plans prepared by Ink Architects;

Heritage Precinct

- 1. Restoration of Heathcote Hall Building
- 2. Renew turf and reinstate pleasure gardens
- 3. Reinststate pathways
- 4. Support landscaping regeneration area
- 5. Introduce a Community kitchen gardens and orchard

Development Precinct

- 1. 36 Town Houses at 2 storeys
- 2. 3 storey building A - 15 units
- 3. 2 storey building B - 6 units
- 4. Basement car parking accessed from Boronia Grove and Dillwynnia Grove
- 5. Landscaping
- 6. Associated earthworks

3.2 Landscaping

A detailed Landscape Plan prepared by Site Design has been submitted with the application. The Landscape Plan outlines the design treatment for private and communal landscaped areas of the site. The proposal includes new vegetation throughout the site including planting adjacent to the common driveway and increased perimeter planting to complement and soften the proposed built form.

Existing site and street trees, including those to be retained, removed and relocated are indicated on the Landscape Plan. The Landscape Plan should be read in conjunction with the Arborist Report prepared by Ross Jackson Nature Works.

3.3 Parking, Access & Public Transport

The proposed development will provide a total of 134 car parking spaces, with storage areas, and visitor spaces and additional 7 motorcycle parking spaces. Access to the new development precinct is via the proposed driveways from Boronia Grove, Tacoma Street and Dillwynnia Grove.

The site is located within walking distance to bus stops and Heathcote railway station providing public transport to Sydney CBD, Wollongong and Cronulla. Transdev provides the bus service for route 996 which is the Engadine to Heathcote East (loop service).

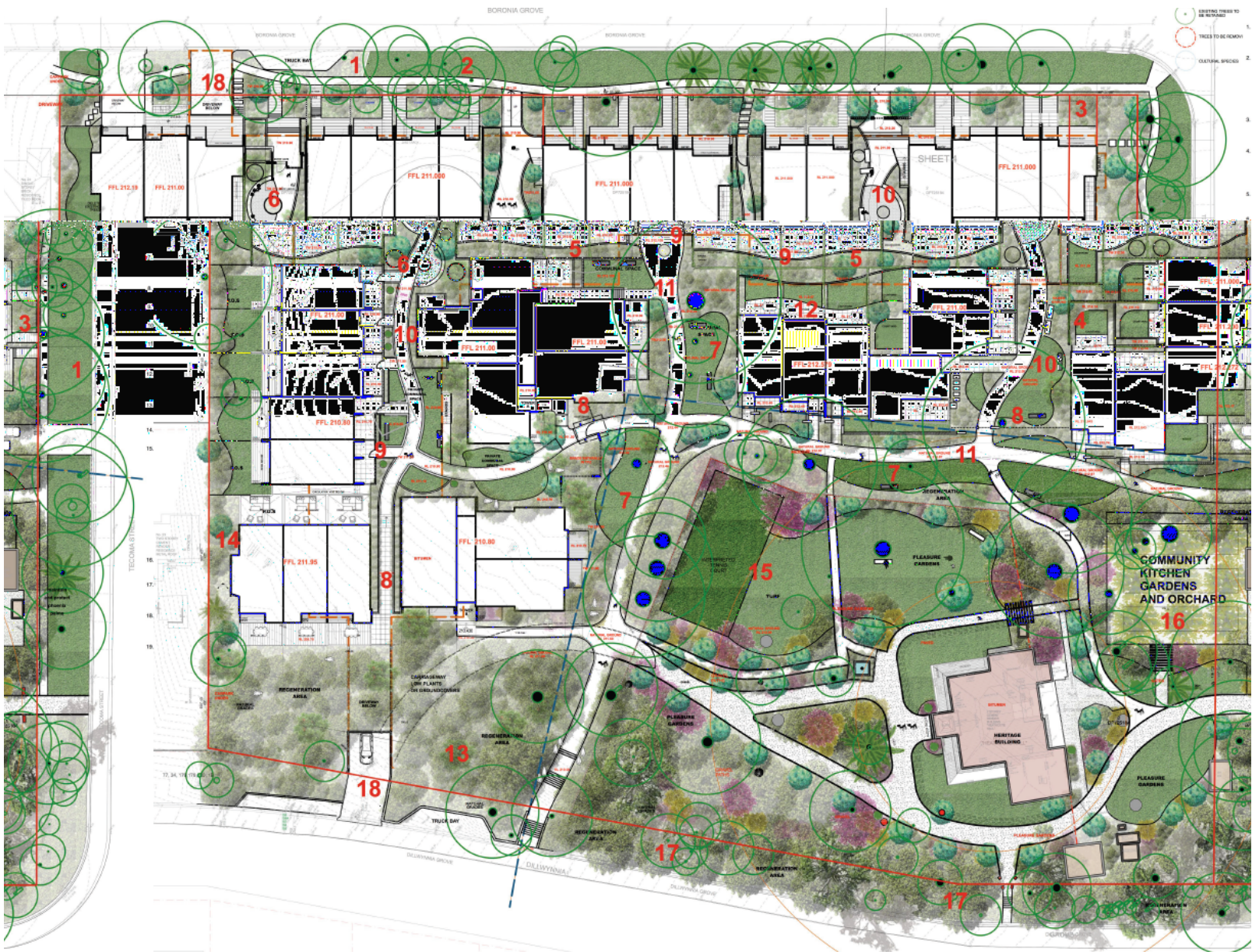


Figure 4 - Masterplan

4.0 Consultations

The Proponent and project members have been in consultations with Sutherland Shire Council, Heritage Council and interested members of the community since project inception. The following design development process chart provides an overview of timelines and meetings that have occurred prior to the submission of this development application.

4.1 Council Consultations

Mayoral Correspondence 27 July 2015

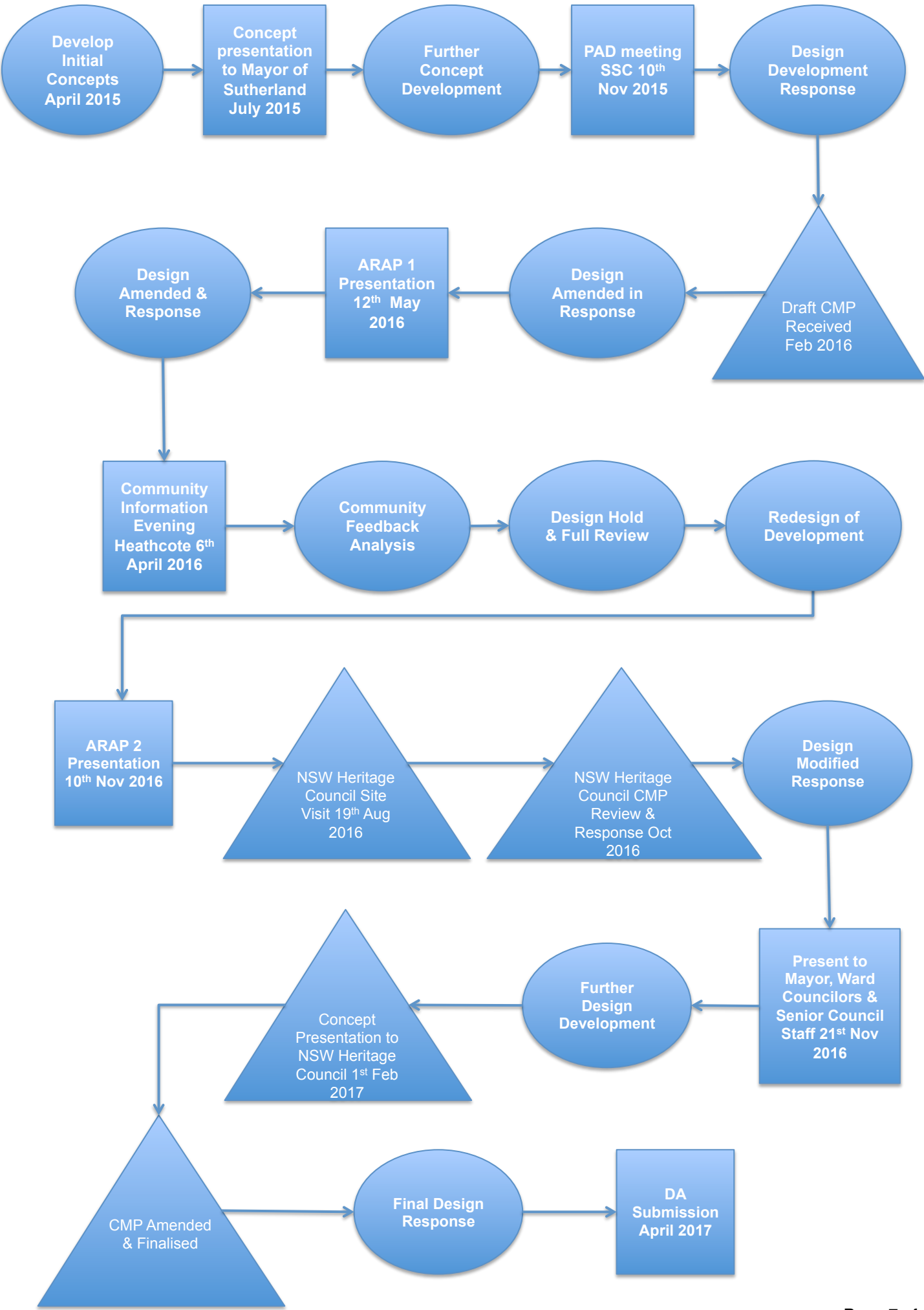
The proponent team received correspondence after a briefing was provided to Council to clarify the development assessment pathway for the restoration of Heathcote Hall and proposed residential development.

Council advised that Heathcote Hall is of State Significance and is heritage listed under the provisions of the Heritage Act 1977 and as such Heathcote Hall is listed on the State Heritage Register and the protection includes the main building as well as its gardens and the remains of ancillary buildings. Subsequently, Heathcote Hall is an item of State Significance and any work to the item will be Integrated Development in accordance with Division 5 of the Environmental Assessment Act, 1979.

The NSW Heritage Council and its administrative body, the Heritage Division of the Office of Environment and Heritage, will assess the impact of any proposed works on Heathcote Hall, its gardens, ancillary buildings and setting. Council will remain the consent authority for any application, but it cannot issue a consent that is inconsistent with the terms of any approval issued by the Office of Environment and Heritage.

The Heritage Act sets out the formal process to seek approval for work to a State Heritage item. The Act requires a Section 60 application to be completed accompanied by all the required documentation which is specified in the Heritage Division's guidelines. If the project is of a complex nature a Conservation Management Plan (CMP) will be a prerequisite as well as a Heritage Impact Statement.

Heathcote Hall Design Development Process Chart



The Heritage Act sets out the formal process to seek approval for work to a State Heritage item. The Act requires a Section 60 application to be completed accompanied by all the required documentation which is specified in the Heritage Division's guidelines. If the project is of a complex nature a Conservation Management Plan (CMP) will be a prerequisite as well as a Heritage Impact Statement.

A CMP is a document that assesses the building in depth and establishes policies for its reuse or development.

Once Section 60 Approval is secured, the proposed works require development consent which is obtained by lodging a development application with Sutherland Shire Council. The approval granted under Section 60 will ultimately become part of the Council Development Consent.

Sutherland Shire Local Environmental Plan (SSLEP) 2015 contains specific heritage provisions that provide incentives for the successful restoration and reuse of heritage items - note Clause 5.10 Heritage Conservation, sub-clause 10 which sets aside the provisions of the LEP if Council is satisfied that the tests in (a) to (e) are met. This provision gives Council wide flexibility in what it may approve on the land if it is a good heritage outcome. There are no blanket restrictions on the type of development that may be built on the land. Anything can be considered on merit provided it facilitates the conservation of Heathcote Hall.

It is highly recommended to have a Pre Assessment of the Development before lodging a Development Application. It is also recommended that a Pre-Architectural Review and Assessment Panel (Pre ARAP) meeting occur before lodgement DA.

Sutherland Shire Council is committed to seeing the restoration of Heathcote Hall. It is the single most important building in Sutherland Shire and is currently in a very poor state of repair.

Proponent's Response:

- (i) The proponent has engaged Anne Warr Heritage Consulting to prepare a Conservation Management Plan which has been submitted to the NSW Heritage Council in accordance with Section 60 of the Heritage Act, 1977.
- (ii) A Section 60 application has been submitted to NSW Heritage Council and anticipate endorsement during May 2017.

(iii) The supported CMP is included with this development application, which establishes the policies, constraints and opportunities for restoration and development. In addition, a Heritage Impact Statement prepared by Tropman & Tropman Architects is included with this development application for Council's consideration.

(iv) The proponent has followed Council's suggestions and has participated in Pre-Assessment Development Meetings and Pre-Architectural Review and Assessment Panel Meetings and these are further expanded upon below.

Pre-Application Discussion No. PAD15/0146

The Proponent Representatives and Council Assessment Staff met on the 10 November 2015 to discuss the restoration of Heathcote Hall and development of townhouses and apartment buildings at the subject site.

Council provided the following feedback from the meeting:

1. SSLEP 2015 Heritage Status

Whilst the proposed uses are prohibited under the zoning tables of SSLEP2015, Council may be able to grant consent to development for any purpose of a building that is a heritage item or of the land on which such a building is erected under Clause 5.10.10 of SSLEP2015 if the consent authority is satisfied that:

- (a) the conservation of the heritage item or Aboriginal place of heritage significance is facilitated by the granting of consent, and
- (b) the proposed development is in accordance with a heritage management document that has been approved by the consent authority, and
- (c) the consent to the proposed development would require that all necessary conservation work identified in the heritage management document is carried out, and
- (d) the proposed development would not adversely affect the heritage significance of the heritage item, including its setting, or the heritage significance of the Aboriginal place of heritage significance, and
- (e) the proposed development would not have any significant adverse effect on the amenity of the surrounding area.

The proposed development should address Clause 4.6 and Clause 5.10.10 of SSLEP 2015 "exception to development standards" and "heritage incentives" respectively, particularly in terms of street context for appropriate degree of flexibility.

The buildings (previous scheme) are much larger than Council has planned in the area and a 3 storey development would be considered an appropriate outcome upon the subject site. The financial nexus for conservation must be clearly explained as must an urban design justification for the proposed built form.

Accordingly, any future application for the development of the site should be accompanied with a Conservation Management Plan, Heritage Impact Statement and Economic Rationale/ Analysis involving cost estimate etc. The conservation management plan should indicate a clear plan for long term use of the Heathcote Hall which is complimentary to support the development proposal.

The proposal for the development of this site shall be referred to State Heritage Council and should also include the type of subdivision proposed for the proposed development. It is strongly advised that the applicant must consult State Heritage Council before proceeding to submit the application to Council.

Proponent's Response:

- (i) A Conservation Management Plan has been prepared by Anne Warr Heritage Consulting which has been submitted to the NSW Heritage Council in accordance with Section 60 of the Heritage Act, 1977.
- (ii) The CMP is supported by the Heritage Council and endorsement will occur during May 2017. The CMP is included with this DA submission.
- (iii) Included with this development application is a Heritage Impact Statement prepared by Tropman & Tropman Architects for Council's consideration.
- (iv) The Proponent has included for Council's consideration a economic analysis prepared by Quantity Surveyors - refer Mitchell Brandtman Reports, which demonstrates the cost estimates for the full restoration of Heathcote Hall, gardens, landscaping and community kitchen garden and orchard. Included in this document is the required development yield necessary to offset the restoration scope of works and ensure ongoing viability of Heathcote Hall.

2. Environmental Issues

Council has identified a portion of the site as Environmentally Sensitive land (Terrestrial Biodiversity) and the existing remnant vegetation across the site has been classified by the

NSW Office of Environment and Heritage as being “Sydney Turpentine-Ironbark Forest” which is listed as an Endangered Ecological Community under the NSW Threatened Species Conservation Act 1995. The Turpentine-Ironbark Forest is also listed as a critically endangered ecological community under the Commonwealth Environment Protection and Biodiversity Conservation Act 1999 (EPBC Act).

Accordingly, any future application for the subject site should address Clause 6.5 of SSLEP 2015 and should be accompanied with an Ecological Assessment (also known as a ‘Flora and Fauna Assessment’) report. This assessment report must include an ‘Assessment of Significance’ in accordance with the Threatened Species Conservation Act 1995. The Ecological Assessment should be prepared by an appropriately qualified, experienced and licensed environmental consultant that is a member of the Ecological Consultants Association (NSW) or equivalent association.

In addition, the site is mapped in Council’s records as “Greenweb Core” and falls in Council’s Green web biodiversity strategy area which aims to conserve and enhance Sutherland Shire’s bushland and biodiversity.

Therefore, in accordance with the requirements of Chapter 38 ‘Natural Resource Management’ of draft SSDCP 2015, Greenweb areas are to be landscaped with species indigenous to the Sutherland Shire. Trees and landscaping should be provided in form and configuration that maintains and enhances the core habitat and vegetation linkages. Indigenous tree species must be selected from Council’s Native Plant Selector available on Council’s website.

Proponent’s Response:

- (i) Included with this development application is a Flora and Fauna Assessment prepared by and appropriately qualified, experienced and licensed environmental consultant and are members of the Ecological Consultants Association (NSW).
- (ii) Site Design and Ross Jackson have responded and addressed the Council requirements.

3. Draft SSDCP 2015

Any proposal should aim to comply with the relevant controls as set out in DSSDCP 2015. In particular, consideration should be given to the parking areas and manoeuvrability for residential units, parking requirements and setbacks.

Any proposal should be designed to address privacy and visual impact having regard to low density developments in the nearby streets as well as view sharing to the residents who may currently enjoys expensive views of the Royal National Park over the site and any proposal must demonstrate reasonable view sharing.

Solar Access within the development and to neighbouring properties should comply with Council’s expected standards for non-urban land (ie 3 hours at midwinter). All relevant requirements of SEPP 65 and the Apartment Design Guide must be followed in the design of the residential flat building component of the development.

Proponent’s Response:

- (i) The architectural plans and supporting statement of environmental effects (SEE) with this application demonstrates that the proposal is in accordance with the intent of the relevant planning controls outlined in the Council’s Draft DCP responding to visual impact, privacy, view sharing and solar access.
- (ii) The previous Pre-DA schemes proposed buildings at 6 storeys, however, this application proposes 2 storey town houses and two apartment buildings either at 2 storeys or 3 storeys which is a marked reduction from earlier proposals.
- (iii) The apartment building component of the proposal is in accordance with the requirements of SEPP 65 and the Apartment Design Guidelines and is detailed further in the Annexures which also includes the Architect’s Design Verification Statement.

4. Road Widening

Council’s Traffic Engineer has identified the proposal would generate significant traffic in a quite narrow road that may require 2m widening along Dillwynnia Grove. Given the steep rise of the site along Dillwynnia Grove, the whole length of road along Dillwynnia Grove would require reconstruction of kerb and gutter.

Proponent’s Response:

- (i) This is an item that can be managed as a condition of development consent and in lieu of developer contributions for this particular item, the proponent is willing to undertake the works in accordance with

Council’s design and specifications at the reasonable satisfaction of Council’s Engineering Department.

5. Traffic and Parking

The development proposes access from three streets. The proposal would require to submit Road Development Application (RDA) to Council’s Civil Assets Section to obtain levels for various vehicle crossings and to know the road frontage works requirements.

The proposal must provide an Access report as the ground rises abruptly along Dillwynnia Grove that needs to be assessed under the Premises Code.

A waste Management Plan should be submitted with any future application complying with Council’s requirements for garbage disposal and ongoing disposal of waste bins in terms of disposal points and method of disposal of garbage bins and arrangement for service.

Early consultations with Public Transport providers are recommended.

Proponent’s Response:

- (i) The submitted development application upon determination will include conditions of consent that will require Road Development Application to be submitted before Construction Certificate can be approved and this will determine the appropriate levels for road crossings and kerb & gutter requirements.
- (ii) Included with this development application is an Access Report for Council’s consideration, which demonstrates that the proposal is satisfactory for this requirement.
- (iii) A waste management plan is included with this development application for Council’s consideration.
- (iv) A traffic and parking report is also included with this development application.
- (v) The subject site is serviced by a public transport bus operator, Transdev, who provide a loop bus service to Engadine and East Heathcote - Bus Route 996 via Heathcote Railway Station.

6. Stormwater Management

The stormwater management proposal should be designed in accordance with the relevant provisions of Chapter 37 of DSSDCP 2015 and particularly address the following:

- A total catchment analysis needs to be done as the site drains towards the north eastern corner and it is difficult to drain the development.
- The applicant must provide full drainage design including OSD calculations at a DA stage. The OSD calculations must consider Council's pre and post requirements but further capacity may be required resulting from an analysis.
- Water quality treatment and rainwater harvesting measures should be included in any proposal in any future development application.

Proponent's Response:

- (i) The submitted development application provides drainage and stormwater management plans for Council's review.
- (ii) The drainage and stormwater plans have been prepared in accordance with Council's requirements.

7. Bush Fire Prone Land

The subject site is partly identified as Bush fire prone land in Council's records. Any future application would need to be referred to NSW Rural Fire Service for their concurrence and must be accompanied with a bush fire assessment report.

Proponent's Response:

- (i) A bush fire assessment report has been prepared by Barry Eadie Consulting and is included with this application.

8. Site Planning and Landscape

The majority of the trees on the site are STIF or heritage trees, however there are a number of over-mature trees and weed species which could be removed to facilitate development. The current proposal makes no reference to the existing trees on the site. The building and basement car park footprint must be determined after the tree survey and arborist report have been prepared. The design should aim to conserve as many

indigenous and heritage trees as possible and wherever possible the existing trees should be incorporated in courtyards, street frontage and internal road edges.

As discussed earlier, the site is mapped as Greenweb 'Core' with remnant STIF vegetation, an endangered Ecological Community. In addition to the Ecological Assessment the applicant must submit the following:

- An accurate survey of all existing trees on the site, adjoining streets and near the boundaries on the neighbouring properties;
- An arborist report based on the survey, must then be submitted, which assesses all existing trees and the impact of the development on them;
- All heritage plantings, which form part of the cartilage of the historic building, must also be assessed as part of the heritage study;
- Landscape plans must show all new plantings, including trees and understorey, as 100% indigenous species – refer Native Plant Selector on Council's website.

Proponent's Response:

- (i) Included with this development application are reports responding to the matters raised by Council and include, Conservation Management Plan, Heritage Impact Statement, Landscape Plans and Arborist Reports and this information has been prepared by suitably qualified and experienced professionals.
- (ii) The process and expertise produced information that demonstrates the constraints and opportunities which have informed the site analysis and corresponding site design produced by the Landscape Architect and Urban Designer, which in turn has guided the Architects.

9. Architectural Review Advisory Panel (ARAP)

The general layout of the buildings over the site form separate groups or clusters that 'corner' the heritage building on the site. Whilst there is an attempt to bring a connection to the heritage building with a wide internal street axis the failure stop the street short and not align directly with the building's front entry is a flaw in the design philosophy. The proposed height and mass of the buildings will dominate the heritage quality of the site as well as the existing surrounding low scale housing.

The mixtures of architectural styles do not sit well with either the features of the site or with each other. In the attempt to

provide building addresses there are shapes and configurations to building forms that will compromise their floor plans and the foreign to the area.

The proposal should be reconsidered starting from a well considered site analysis plan that recognises not only the unique features of the site but also the surrounding natural and built features of the locality.

The proposal will be subject to review and evaluation of its quality of architectural design and input from Council's Architectural Review Advisory Panel (ARAP). It is strongly recommended that you consult with Council's Architectural Review Advisory Panel (ARAP) prior to finalising the design and lodging a Development Application.

Proponent's Response:

- (i) Since this correspondence from Council, the Proponent has appointed a new Architect which has reviewed the points, concerns and suggestions from Council and this is reflected in the project documentation and plans submitted with this development application for Council's determination.
- (ii) The architectural masterplan has been developed in accordance with the outcomes of the CMP, Landscape Masterplan and Urban Design Analysis and has resulted in a lower density development than what was originally proposed. In effect a serious reduction of dwellings has occurred.
- (iii) The submitted proposal has received Heritage Council support which demonstrates that the Historic Heathcote Hall will be fully restored as detailed in the CMP and that these works will be funded by the development realisation of town houses and apartments at the site.
- (iv) The proponent and appointed project team have adhered to Council's suggestion and have attended Council's ARAP meetings to discuss the merits and opportunities to refine the proposed development and this is reflected in the submitted plans and project documentation.

10. Utilities and Infrastructure

You are advised to make enquiry early with the various infrastructure and utility providers to ensure relevant considerations for the provision of services have been taken into account early in the building design.

Urban infrastructure and utilities are reaching, or have reached maximum capacity in some localities.

Electricity substations are required on occasion to ensure sufficient power to buildings and to meet flow requirements for sprinkler systems; NSW Fire have required substantial water tanks in other instances.

Infrastructure to support these requirements will not be approved in the front boundary set back, or at the expense of landscaping or parking requirements.

Proponent's Response:

- (i) The proponent and construction partner have undertaken enquiries with relevant authorities to determine the requirements and scale of equipment required to ensure that the proposed development aligns with the 'available' and 'additional' required solutions needed to minimise any disruption of services within Heathcote.
- (ii) The architectural and engineering measures have been addressed in the preliminary conceptual design process and as a result contained either within the built fabric of the existing or proposed buildings. No services or substations are proposed within the landscaping areas.

11. SSLEP 2015 Clause 4.6 and Clause 5.10.10

Council's support for any proposal will be very much dependent upon the extent to which it achieves the objectives of Clause 4.6 – Exceptions to development standards and in particular its context in the immediate locality as well as demonstrating satisfactory compliance with Clause 5.10.10 of SSLEP 2015 and DSSDCP 2015.

The satisfactory demonstration of economic analysis and heritage issues will be required to convince Council that the use of the site is acceptable. At this preliminary stage Council is reluctant to support a scheme of the height and density proposed given the setting in Heathcote East

Proponent's Response:

- (i) A Clause 4.6 variation report is included with this application which outlines the degree of exceedance. Compliance with Clause 5.10.10 is discussed further in Section 5 of this report.
- (ii) The proponent has provided with this application a economic analysis for Council's consideration, which

demonstrates the cost estimates for the restoration of the heritage component of Heathcote Hall as scoped in the CMP and the development offset required by development to ensure a viable outcome for all stakeholders.

12. State Heritage Council

You are strongly advised to undertake further pre application discussions with State Heritage Council to know their requirements in terms of concurrence and Conservation Management Plan.

Proponent's Response:

- (i) The proposed development as outlined in this development application was submitted to the Heritage Council and has received support and endorsement will be achieved during May 2017.

Architectural Review Advisory Panel - 4 February 2016

The Panel is aware that a number of proposals have been made over some years for the site, and are supportive of a well-considered, sensitive development that addresses the funding needs and so ensures the restoration and ongoing integrity of the heritage item and its curtilage. To this end the Panel is appreciative that the proponent has elected to attend an ARAP pre-DA meeting, however it should be understood that the purpose of such a meeting is to discuss underlying principles and constraints, broad strategies and site planning options, rather than presentation of a single developed scheme.

Although ARAP rarely comments on commercial aspects of proposals, in this instance the "business case" for the general scale and extent of development must be agreed in principle with Council at an early stage. The Panel appreciates that for the restoration of the house and its long-term future to be successful, the economics need to work. As the E4 site zoning generally precludes development, any development proposal must be financially structured to ensure appropriate outcomes for the both developer and the community. This is essential, particularly as there are no existing controls (FSR, height etc) that provide a development framework.

The matter of the future use of Heathcote Hall is also of concern and interest to the Panel. The Panel's strong view is that as the building is largely intact, it should be restored for use/s that are appropriate to its original fabric and scale. Any requirement for larger restrooms, commercial kitchens, lifts

and the like should preclude uses that require such infrastructure.

The submitted concept (old scheme) was assessed by the following principles:

PRINCIPLE 1 -CONTEXT AND NEIGHBOURHOOD CHARACTER
PRINCIPLE 2- SCALE AND BUILT FORM
PRINCIPLE 3- DENSITY
PRINCIPLE 4- SUSTAINABILITY
PRINCIPLE 5 - LANDSCAPE
PRINCIPLE 6 - AMENITY
PRINCIPLE 7 - SAFETY
PRINCIPLE 8- HOUSING DIVERSITY AND SOCIAL INTERACTION
PRINCIPLE 9- AESTHETICS

The Panel concluded:

The regional significance of this site must not be under estimated. The property is perched at the very southern edge of the modern metropolis, a rare and remarkable reminder of 19th century life in a Victorian architectural and landscape setting. Preserving these significant extant values, whilst ensuring the permanent ongoing viability of the site through sensitive development, is the key objective that must provide an over-arching framework for assessing the merit of proposals.

In this context, the Panel strongly recommends that the applicant must go back a few steps and prepare an insightful and comprehensive urban and site analysis that considers many more matters than are evident in the present proposal.

The Panel also recommends that the commercial basis for the development is provided via feasibility study to Council, as the need for the proposed density to achieve the restoration of Heathcote Hall must be justified in order to establish agreed development parameters.

Following this, different conceptual approaches and planning options for an agreed density should be considered and presented for considered discussion: the architect presently seems intent on justifying the one option presented, rather than explaining why it is the preferred option by comparing it with other approaches. This may necessitate the addition of further specialist advisers to the project team, to provide an objective and considered overview and analysis of appropriate urban form possibilities for the site. As it stands the Panel considers that proposal does not form the basis for an acceptable development application.

Finally the Panel would like to see the heritage consultant take a more active role in their collaboration with the architect and

presentation of their research/views on how the heritage item is best protected and used into the future.

Proponent's Response:

- (i) The Proponent upon receiving this advice from ARAP members, responded by appointing a new Architect to work with the Heritage Consultants and Urban Designer and rewind the design process and reinvestigate the site, context, opportunities and constraints at the subject site.
- (ii) This resulted in a supported CMP from the Heritage Council, which resulted in determining the heritage, landscaping constraints and opportunities that were investigated by the urban designer and architects. The outcome of which is the submitted development application package for Council's consideration.
- (iii) The Proponent has also submitted in this development application an economic rationale and justification for the restoration and offset development yield required to ensure a successful project outcome for Heathcote Hall for the the community and proponent.
- (iv) The updated development scheme was submitted to a second ARAP meeting which is noted below.

Architectural Review Advisory Panel - 10 November 2016

The updated new development proposal informed by the CMP and subsequent inputs from the landscape architect, urban designer and architects was presented and discussed with the members of ARAP.

The urban designer discussed the various options and constraints for the development model in the non-heritage precinct at the subject site.

The plans submitted were of a conceptual nature with the purpose to discuss and seek constructive feedback from ARAP.

The key controls utilised during the discussions were, SSLEP 2015, SSCDDCP 2015 and ADG.

The concept proposal was assessed and discussed with the following principles:

Principle 1 - Context & Neighbourhood Character

While at first impression, the design principles presented appear mostly appropriate, the buildings follow a linear arrangement that does not respond to the site contours. The taller 3 storey buildings are sited on the higher parts of the site, which will increase the effective height and perceived scale of the buildings. The linear, repetitive nature of the buildings and the length of continuous frontages to Boronia Grove is an urban response that contrasts highly with the organic nature of this site that borders the national park. To be successful, the landscape character and sequence of landscape spaces should be better balanced with the development and dictate to a much greater degree the patterning, footprint and scale of the buildings, rather than their placement and spatial character being singularly determined by the location and footprint of the buildings.

Private and public areas should be clearly delineated to provide clarity on issues of ownership, control and responsibility for maintenance, liability etc.

Principle 2 - Scale & Built Form

Better site analysis has been provided with this Application, when compared to the presentation at Pre-DA stage in February 2016. However the considerable amount of work by Arborist and Heritage Consultant has not been incorporated into the site analysis graphic to provide clear foundation material for the site layout and building design stages.

The 'heritage curtilage' has been shown on the plan options, but in most cases it has been shown as a site boundary, with a very firm edge. However it was discussed that it is possible that some buildings could be placed closer to Heathcote Hall.

Other site edges also need reconsideration. A concern from discussion with neighbours has been permeability. This has been interpreted by the Applicant as a local demand for access throughout the site. Instead visual permeability may be more appropriate, avoiding solid walls of building in favour of allowing views through the site.

The Boronia Grove frontage has been shown as groups of attached housing, in rows of four or five. On a street that is comprised of detached houses in landscaped settings the groups of houses proposed may be too large. Consideration should be given to providing perhaps pairs of houses or small apartment buildings with two units at the front, to limit the scale of the buildings facing the existing streets.

In all options the western boundary has been shown with groups of four to five attached dwellings. There is a

considerable slope down towards the western boundary, and there is nothing in the proposal that suggests a built form that can deal appropriately with the slope of as much as 6 metres from the front of the house to the back. As with the street frontages, it may be better to consider a building type that is more discontinuous.

In discussion it seemed that a fruitful strategy could be clusters of houses, grouped around considered areas of common open space, with clear breaks between the clusters of buildings to allow for views and movement. Care needs to be taken that building types that rely on openings at front and back only have sufficient space between groups of buildings.

PRINCIPLE 3 – DENSITY

The documentation was insufficient to gauge accurately the density of the proposal.

PRINCIPLE 4 – SUSTAINABILITY

Spaces between buildings and built form as shown would suggest that solar orientation will be poor for quite a number of units, particularly near the western side of the site. For such a large site with such a low density this is not acceptable.

PRINCIPLE 5 – LANDSCAPE

There is an opportunity with this development for landscape planning to lead the site design. A landscape masterplan should be prepared that leads and is better integrated with building siting, so that the integrity, character and value of the landscape and the site is maintained and enhanced. In principle the arrangement of 'cultural gardens' within 'restoration areas' throughout the curtilage of Heathcote Hall will complement the building and its broader context and ideally create a setting for both public and private events as well as a recreational resource for residents of the local area. The restoration of the tennis court and inclusion of productive community gardens adds to this value, provided this is consistent with any recommendations of the CMP (not provided with this submission). It is questioned whether the barbeque shown in the Hall's curtilage would not be better placed in communal open space dedicated to the residential development where responsibility, use and maintenance will be more easily managed. Facilities for the use of residents of the development should be located in areas that are clearly

identifiable as private communal open space. Likewise public areas should be clearly identifiable as such.

PRINCIPLE 6 – AMENITY

Not really enough information to comment at this stage.

PRINCIPLE 7 – SAFETY

A concern raised in discussion with interested neighbours has been permeability. This has been interpreted by the Applicant as a local demand for access throughout the site. Instead visual permeability may be more appropriate, avoiding solid walls of building in favour of allowing views through the site.

It is in no-one's interest to make the entire ground plane accessible to the public. Site safety is best provided when the different layers or degrees of open space are clearly defined. Common open space, accessible to all residents of an apartment complex or cluster, needs to be clearly defined as distinct from an individual dwelling's private open space, as it is distinct from public space.

A full CPTED assessment is recommended

PRINCIPLE 8 – HOUSING DIVERSITY & SOCIAL INTERACTION

It appears that the townhouses may all be the same type, repeated across the site, with some variation provided by small apartment buildings. Clustering the dwellings into groups around clear areas of common open space would facilitate social interaction between immediate neighbours.

PRINCIPLE 9 – AESTHETICS

The built form is sketchy at this stage, but the elevations appear to be light and modern.

The aesthetic is pleasant enough and could lead to positive outcomes if based on the mood board. The new buildings need to respond to and address the stately presence of Heathcote Hall (like Bronte House and Vacluse House with its immediate grounds that are open to the public). The proposal is essentially a porous urban village set in a park environment which needs to embrace the complex nature of the site to achieve better urban outcomes consisting

of gathering spaces coordinated with the scale and rhythm of the heritage access ways.

The Panel concluded:

More site planning options need to be considered; the dwelling types need to be better developed, with relationships between the buildings improved to provide good solar access, cross ventilation, visual and acoustic privacy and minimises overshadowing; apartments buildings will need to be designed to the requirements of the ADG; the relationship of the proposed buildings and landscape with the Heathcote Hall is quite undeveloped; the use of Heathcote Hall and the additions required for its adaptive re-use are undeveloped.

The preferred proposal should be presented in model form.

The proposal currently has a 0.48:1 FSR; a further FSR analysis of the residential component only - deducting the curtilage and its heritage item - to understand the density impact of the actual residential development should be calculated. Heathcote Hall is a significant site not only within the context of Sutherland Shire but in the heritage of the State.

Proponent's Response:

- (i) The Proponent upon receiving this advice from ARAP members, has refined the design in accordance with the suggestions and has been collaborated with the Architect working with the Heritage Consultants, Urban Designer and Landscape Architect.
- (ii) This submitted proposal for DA determination includes an supported CMP from the Heritage Council and endorsement of the CMP will occur during May 2017.
- (iii) The Proponent has also submitted in this development application an economic rationale and justification for the restoration and offset development yield required to ensure a successful project outcome for Heathcote Hall - refer to Mitchell Brandtman Report.
- (iv) The proposed architectural elements and language are discussed in the Design Verification Statement prepared by Ink Architects.
- (v) The Architect in responding to Principle 8 has refined the townhouses as suggested by ARAP and is proposing 12 different townhouses as a variation in floor plan and area. The refined design has consequently clustered the

dwellings in order to create groups around common open space.

- (vi) In responding to Principle 9, the original sketch concept proposal has been developed in detail proposing buildings that are contemporary and based on current sustainable design principles. The buildings are modest in scale and respectful of the importance of the Historic Heathcote Hall. The buildings have been oriented to respond to solar access, streetscape and passive surveillance when they face perimeter streets, but internal buildings face the Hall allowing for a visual connection and a respectful relationship. This is expressed through size, scale and materiality.

Since finalising this updated information, including various supporting consultant reports and the Proponents further discussions with Council's planning staff, the Proponent was advised that a Development Application can now be submitted for Council's consideration.

4.2 Community Consultations

A report prepared by JBA is included with this application which provides feedback from the community consultations.

4.3 Heritage Council

The proponent has submitted the CMP and presented the updated development proposal to the Heritage Council. The CMP and proposal are supported by the Heritage Council and endorsement is to occur during May 2017.

5.0 ENVIRONMENTAL PLANNING ASSESSMENT

5.1 Preamble

This section of the Statement provides a planning assessment of the proposed development covering all relevant heads of consideration under Section 79C of the EP&A Act, 1979.

5.2 Statutory and Policy Compliance

The relevant matters for consideration under Section 79C(1)(a) of the EP&A Act, 1979. The primary statutory document that relates to the subject site and the proposed development is Sutherland Shire Local Environmental Plan (LEP) 2015.

The primary non-statutory plan relating to the subject site and proposed development is Draft Sutherland Shire Development Control Plan (DCP) 2015. The relevant provisions of these documents and other relevant planning controls are summarised below and the proposal's compliance with them assessed.

5.2.1 SEPP No.55 – Remediation of Land

This State Environmental Planning Policy (SEPP) was gazetted on 28 August 1998 and applies to the whole State. It introduces planning controls for the remediation of contaminated land and requires an investigation to be made if land contamination is suspected.

It is considered that there is no reason to suspect that the site is subject to any contamination as it would appear that it has been in residential use at all times since the land was subdivided.

5.2.2 SEPP Building Sustainability Index: BASIX 2004

A "BASIX Certificate" has been prepared and is submitted separately with this application, which demonstrates compliance with the thermal comfort, energy efficiency and water efficiency requirements of the SEPP.

Commitments made under the BASIX Certificate are detailed on the architectural plans.

5.2.3 Sutherland Shire Local Environmental Plan 2015

Provided in Annexure A is a consideration of the relevant LEP provisions that apply to the site and the proposed development.

The Sutherland Shire LEP 2015 (LEP 2015) identifies the site in the Zone E4 Environmental Living and the zoning objectives are:

- To provide for low-impact residential development in areas with special ecological, scientific or aesthetic values.
- To ensure that residential development does not have an adverse effect on those values.
- To allow for development that preserves and enhances the natural landscape setting of the locality.
- To protect and restore trees, bushland and scenic values particularly along ridgelines and in other areas of high visual significance.
- To ensure the character of the locality is not diminished by the cumulative impacts of development.
- To minimise the risk to life, property and the environment by restricting the type or level and intensity of development on land that is subject to natural or man-made hazards.
- To allow the subdivision of land only if the size of the resulting lots makes them capable of development that retains or restores natural features while allowing a sufficient area for development.
- To share views between new and existing development and also from public space.

Proponent's Response:

The proposed development is for a mixture of townhouses and residential flat buildings. Multi-dwelling developments and residential flat buildings are not permissible in this zone, however, Council is able to grant development consent for this application utilising LEP Clause 5.10.10 Heritage Conservation – Conservation Incentives despite the fact the proposed development is not permissible in the zone.

The objectives of the zone can be met by the proposed development which provides low impact housing near the street frontages, provides higher density toward the middle of the site and as a result either protects or restores the vegetation and fauna.

The state significant historic Heathcote Hall is to be fully restored in this proposal which ensures the character of the locality is not diminished by cumulative impacts of development as the proposal has undergone rigorous heritage investigation and resulted in a CMP supported by the Heritage Council.

Included in this application is a Bushfire Risk Assessment Report which demonstrates that the proposed development has taken into consideration the potential of the risk to life, property and the environment and it is worth noting that the proposed newer dwellings are situated outside the bushfire prone GIS buffer overlays.

The development proposes strata subdivision which will ensure that the environmental and heritage values present at the site, which are state significant will ensure viable funding for the next 30 years whilst balancing the needs for conservation and development as identified in the CMP and Heritage Impact Statement.

The proposed development in conjunction with the investigations undertaken during the preparation of the CMP, Heritage Impact Statement, Site Analysis, Heritage Landscape Plans and Architectural Plans have ensured that the prominent views of Heathcote Hall are reestablished between the newer development and streetscape of Dillwynnia Grove. This will provide views and an area for public engagement at Heathcote Hall.

Council is able to grant consent for development for any purpose under Clause 5.10.10. The proposed development will require Council to grant consent for buildings that include departure from the development standards within the LEP and Council has the ability to do this through Clause 4.6 Exceptions to Development Standards of the LEP which is provided in Annexure B of this document.

5.2.3.1 LEP Clause 5.10.10 Heritage Conservation

Whilst the proposed uses are prohibited under zoning tables of LEP 2015, Council may be able to grant consent to development for any purpose of a building that is a heritage item or of land on which such a building is erected under Clause 5.10.10 of Sutherland Shire LEP 2015.

5.10.10 Conservation incentives

The consent authority may grant consent to development for any purpose of a building that is a heritage item or of the land on which such a building is erected, or for any purpose on an Aboriginal place of heritage significance, even though development for that purpose

would otherwise not be allowed by this Plan, if the consent authority is satisfied that:

- (a) the conservation of the heritage item or Aboriginal place of heritage significance is facilitated by the granting of consent, and
- (b) the proposed development is in accordance with a heritage management document that has been approved by the consent authority, and
- (c) the consent to the proposed development would require that all necessary conservation work identified in the heritage management document is carried out, and
- (d) the proposed development would not adversely affect the heritage significance of the heritage item, including its setting, or the heritage significance of the Aboriginal place of heritage significance, and
- (e) the proposed development would not have any significant adverse effect on the amenity of the surrounding area.

Proponent's Response:

The site is listed as a State Significant Heritage Item and it is noted that street trees along Dillwynnia Grove are listed as a heritage item within Schedule 5 of the LEP.

The proposed development will facilitate the restoration and conservation of the State Significant heritage item – Heathcote Hall. This is demonstrated in the supporting documentation included with this application. A Conservation Management Plan (CMP) supported by the State Heritage Council outlines the conservation works and policies required to ensure the viability and maintenance of Heathcote Hall including future development opportunities.

The Proponent has also submitted a Heritage Impact Statement, Quantity Surveyors Construction Report which details the restoration budget required for Heathcote Hall including a sinking fund analysis over a 30 year horizon which demonstrates the balance required to fund the restoration and on-going maintenance of the Hall which needs to be offset by the development yield/return.

Allowing the proposed development will greatly assist in funding for works under the conservation management plan which is in the order of over \$3.3 million (ex-GST) - please refer to Quantity Surveyors Report prepared by Mitchell Brandtman.

The proposal is positive in relation to heritage conservation initiatives and the proposed development will not set a precedent for similar development within the E4 zoning as the trigger for this

proposed development is subject to heritage listing and satisfaction of other requirements that Council may impose.

The views and landscape both built and natural will be restored and improved as a result of this development and will permit better management and funding for heritage conservation of Heathcote Hall.

The proposal is in the public interest because it will allow for further conservation of a significant state heritage item.

Therefore the proposed development and supporting documentation are in accordance and the intent of the objectives of *Heritage Conservation* of the LEP 2015 including responding to the requirements of *Clause 5.10.10 Heritage Incentives*.

The submitted supporting documentation is included for Council's consideration, which demonstrates that the proposal is genuine, has significant merit and benefit for the community.

5.2.4 Draft Sutherland Shire DCP 2015

Council has resolved that from 23 June 2015 that all applications will be assessed using the Draft Sutherland Shire Development Control Plan 2015 (Draft SSDCP) until it is formally adopted.

As the proposed development would not be permissible within the applicable zone, no relevant controls exist within Council's Draft DCP, however, rational and relevant application of the Draft DCP suggests complying with the provisions of Draft DCP Residential Flat Buildings and Multi-Dwelling Housing in the R2 Zone and on this basis, Annexure C provides compliance tables, which considers the proposal in relation to these provisions of the Draft SSDCP.

As indicated, the proposed development complies with a majority of provisions but seeks departure from some Draft DCP provisions. Justification for some proposed variations are provided in the Draft DCP compliance table as they are considered to be relatively minor and supportable on-merit.

In accordance with Section 79C(3A) of the Environmental Planning & Assessment Act, 1979, a consent authority is to consider DCP variations on merit, as outlined below (our emphasis added):

(3A) Development control plans

If a development control plan contains provisions that relate to the development that is the subject of a development application, the consent authority:

- (a) if those provisions set standards with respect to an aspect of the development and the development application complies with those standards—is not to require more onerous standards with respect to that aspect of the development, and*
- (b) if those provisions set standards with respect to an aspect of the development and the development application does not comply with those standards—is to be flexible in applying those provisions and allow reasonable alternative solutions that achieve the objects of those standards for dealing with that aspect of the development, and*
- (c) may consider those provisions only in connection with the assessment of that development application.*

Subclause (b) is of most relevance in that it emphasises the fact that there may be alternatives to strict numeric compliance in achieving the objectives of a DCP control.

...will not contravene the objectives of the control for the following reasons:

The submitted plans have been developed in accordance with the CMP, heritage impact analysis, site analysis and resultant architectural scheme are generally in accordance with the intent of the DCP and still provide:

- An acceptable level of building separation;
- Provision of high quality landscape treatment;
- Suitable stormwater treatment provided across the development;
- Sufficient relief provided along the side elevations;
- Screening treatment is provided; and

as such the proposed non-compliance is considered acceptable.

5.3 Impacts on Natural & Built Environment

5.3.1 Topography & Scenic Impacts

The site slopes gently and provides an opportunity to excavate the site to provide basement parking accessed from a new driveway on the frontages of Boronia Grove and Dillwynnia Grove, with the added benefit of accommodating practical and suitably accessible dwellings across the development.

From the street, the development will present as a two storey development and will sit in accordance with the maximum 8.5m height limitation. The proposal will result in increased development and intensity at the site however this is consistent with the policies outlined in the endorsed CMP and in general accordance with Councils planning provisions.

Generally the development has been designed to comply with the maximum height requirements and complies with the density and landscaped area requirements of SSLEP 2015. As such the proposal will result in a contextually appropriate development and will not give rise to any scenic impacts. However a minor non-compliance in height is identified in Building A which is a 3 storey residential flat building. This is detailed further in the Annexure B - Clause 4.6 Exceptions to Development Standards.

5.3.2 Micro-climate Impacts

The proposed development will have no significant impact on the micro-climate of the locality.

5.3.3 Water & Air Quality Impacts

The proposed development will have no significant impact on air or water quality in the locality. Regarding stormwater, please refer to the submitted drainage and stormwater plans.

Rainwater tanks will be provided on site and any overflow will be connected to the drainage system - refer to stormwater plans.

The proposed development will be connected to the sewer and is not likely to generate any unusual liquid waste, odour or fumes. It is therefore unlikely to have any adverse impact in terms of air or water quality.

5.3.4 Flora & Fauna Impacts

The proposed development involves the removal a number of trees outlined in the Arborist Report.

The report outlines the health and condition of the subject trees, the remaining life expectancy of the trees, identifies any visible defects or other problems, describes which trees require pruning, removal, retention or represent a potential hazard and comments on the impact on these trees in relation to the works proposed.

The report also provides recommended tree protection measures (Tree Management Plan) to ensure the long-term preservation of the trees to be retained where appropriate.

Existing site and street trees, including those to be retained, removed and relocated are indicated on the Landscape Plans, which should be read in conjunction with the Arborist Report.

The trees to be removed will be sufficiently mitigated by the range of trees, shrubs and ground covers proposed as indicated in the submitted Landscape Plans and Heritage Landscape Plans.

Whilst the removal of vegetation is necessary for the redevelopment of the site, the provision of suitable trees and shrubs will assist with improving occupant amenity, safeguarding privacy to the adjoining properties and upholding the biodiversity value of the site. The proposal is consistent with anticipated development at the site under Councils planning regime and in order to accommodate the permitted use and density at the site tree removal is required.

A Flora and Fauna Assessment Report is also provided for Council’s consideration.

5.3.5 External Appearance & Design

As indicated, the proposal involves the construction of a multi-dwelling townhouse and residential flat development with basement parking. The development incorporates 57 dwellings that have been designed to respond to the shape and context of the site and present a contemporary development to the streetscape.

The development will provide legible pedestrian access through the site with vehicles separated and contained within the basement parking area.

The proposed built form has been sited so as to maintain an appropriate relationship with adjoining development to the side and rear through provision of deep soil landscaped treatment and opportunity for boundary screening. The proposal provides consistency in the rhythm of the street in terms of spatial separation of buildings and a will provide a low-density presentation.

The development provides a 2 storey built form to the street, continuing the pattern of surrounding newer redevelopment. The proposed development maintains an active streetscape and provides opportunity for passive surveillance of the street by providing living areas fronting the street frontages.

Include with this submission is a Design Verification Statement and proposed Finishes Schedule Plan which relates to the newer development and Heathcote Hall will be restored in accordance with the CMP.

The completed development will incorporate high quality and integrated landscaping, paving and fence treatment as detailed in the included landscaping masterplans.

A street montage prepared is included with the application and is provided with this development application.

5.3.6 Relationship to Neighbouring Properties

Solar Access

Shadow diagrams for the proposed development have been prepared and submitted with the application. These diagrams indicate shadows cast at 9am, 12 noon and 3pm at winter, summer and at the equinox (21st March / 21st September).

In relation to solar access to the development, good levels of solar access are available to most dwellings. The DCP requires that:

“3. For at least 75% of residential units in a development, living rooms and private open spaces should receive a minimum of 3 hours direct sunlight between 9am and 3pm in midwinter.”

In relation to overshadowing, the DCP requires that:

9.. For the neighbouring dwellings:

- a. Ensure 10m2 of private open space has 3 hours of solar access between 9:00am and 3:00pm at the winter solstice (21 June),
- b. Ensure windows of living areas have 3 hours of solar access between 9:00am and 3:00pm at the winter solstice (21 June).

As detailed on the winter shadow diagrams a minimum of 3 hours solar access to neighbouring properties is achievable by this proposal.

Given compliance with the DCP provisions relating to overshadowing, the development results in impacts that are entirely acceptable and reasonably expected.

Views

The proposed development complies with the core building form controls, maintaining a compliant building height and setback to property boundaries. As such, the proposal is suitable in terms of its siting and scale and will not result in any unreasonable loss of view.

In accordance with the CMP, Heritage Impact Statement, Site Analysis, Landscape Design and Architectural Design, site lines to Heathcote Hall from Dillwynnia Grove will be restored and preserved by programmed maintenance of the gardens and open space.

Aural & Visual Privacy

The proposed development has been designed to minimise as far as practicable the likelihood of any adverse overlooking or invasion of aural privacy of neighbouring properties. This has been achieved by carefully considering building location and massing across the site, the placement of passive and non-passive uses within dwellings and through use of a number of design and landscape elements.

Boundary landscape treatment and generous side setbacks achieve a suitable relationship with adjoining development.

Furthermore, there is no significant noise generating uses external to the site. Accordingly, the proposal is considered to satisfy the aural privacy objectives of the DCP. Accordingly, the proposed development is considered to be acceptable in terms aural and visual privacy both within the site and for adjoining properties.

5.4 Economic & Social Impacts

The proposed development will result in an increase in the available housing stock in the locality and will offer an alternative housing type in the form of multi- dwelling townhouse development and low scale residential flat buildings with high amenity. The development provides the prescribed amount of adaptable housing, thereby further assisting with housing choice in the area.

Undertaking the demolition and construction works will have short-term positive economic impacts through employment generation, both direct employment and multiplier effects. Accordingly, it is considered that the proposed development is likely to have only positive social and economic impacts in the locality.

The Proponent has submitted a CMP, Heritage Impact Statement and Quantity Surveyors Construction Report which details the restoration budget required for Heathcote Hall including a sinking fund analysis over a 30 year horizon which demonstrates the balance required to fund the restoration and on-going maintenance

of the Hall which needs to be offset by the development yield/ return. Allowing the proposed development will greatly assist in funding for works under the conservation management plan which is in the order of over \$3.3 million (ex-GST) - please refer to Quantity Surveyors Report prepared by Mitchell Brandtman.

The proposed development has positive impacts as it will facilitate the restoration and conservation of the State Significant heritage item – Heathcote Hall. This is demonstrated in the supporting documentation included with this application.

5.4.1 Crime Prevention Through Environmental Design

Part B of the Department of Urban Affairs and Planning’s (now Department of Planning and Environment) Crime Prevention and the Assessment of Development Applications: Guidelines under Section 79C of the Environmental Planning and Assessment Act 1979 identify four Crime Prevention through Environmental Design (CPTED) principles (Table 2). Each of the principles seeks to reduce opportunities for crime and have been used to inform the NSW Police Safer by Design Guidelines for Crime Prevention.

A detailed CPTED report is included in the Annexures for Council’s consideration.

5.5 The Suitability of the Site

Access to Services

The subject site has good access to rail services. Readily available public transport service ensures that the site is well connected to services at nearby local retail, and district commercial and community services and facilities. As the site is within an established area, electricity, gas, sewer, telephone, and water services are readily available to the subject site.

Traffic and Parking Impacts

The proposed development provides parking on site in accordance with the requirements of Draft SSDCP 2015. Access to the basement car parking, manoeuvring and parking spaces has been designed to comply with AS2890.1.

The proposed development relies on basement access directly via Boronia Grove and Dillwynnia Grove that is entirely capable of accommodating the additional traffic that will be generated by the proposal.

The site entrance provides good lines of sight for vehicles entering and exiting the site.

A Traffic and Parking Report is included with this application for Council’s consideration which demonstrate s that the proposal is satisfactory.

Hazards

The site is an area recognised by Council as being subject to bushfire. The proposed development is not likely to increase the likelihood of such hazards occurring and this has been detailed further in the attached bushfire assessment report.

5.6 The Public Interest

The proposed development has been designed to sympathetically relate to the size, shape and topography of the site and represents a contextually appropriate development. The development has been designed to achieve the desired form of residential development within the locality given the applicable planning controls. The development minimises amenity impacts on the adjoining properties, whilst ensuring high amenity for future occupants, and is considered to be in the public interest.

Further, the proposed development has positive public interest not only in Sutherland Shire but the State of New South Wales as it will facilitate the restoration and conservation of the State Significant heritage item – Heathcote Hall.

6 CONCLUSION

The proposed development will facilitate the restoration and conservation of the State Significant heritage item – Heathcote Hall. This is demonstrated in the supporting documentation included with this application.

A Conservation Management Plan (CMP) supported by the State Heritage Council outlines the conservation works and policies required to ensure the viability and maintenance of Heathcote Hall including future development opportunities.

Upon consideration of the submitted documentation and plans, Council is able to grant consent for the proposed development in accordance with LEP 2015 Clause 5.10 Heritage Conservation and (10) Heritage Incentives.

In the event that Council grants consent in accordance with Clause 5.10.10 the remainder of the proposal complies with the relevant requirements of LEP 2015 except for height in Building A which is subject to the included Clause 4.6 Exceptions to Development Standards Report.

In addition, the proposal generally complies with the relevant Draft DCP requirements, with potential non-compliances adequately justified.

The siting, design and external appearance of the proposal is appropriate within the existing and likely future character of the locality. The proposal is not likely to result in any significant loss of privacy and will not give rise to significant or unreasonable overshadowing of any adjoining property.

The completed development will have no significant impact on the topography, micro-climate, air or water quality of the locality and complies with Council's general planning objectives.

The construction works will have short-term positive economic impacts through employment generation, both direct employment and multiplier effects. The proposal will not generate any significant additional traffic levels and will not affect the level of service, capacity and function of Boronia Grove and Dillwynnia Grove.

The longer-term positive impacts are that the community is able to utilise Heathcote Hall once fully restored.

The site is suitable for the development proposed which will enhance the housing choice within the area. The proposal will generally have acceptable impacts on both the environment and the amenity of the locality.

Accordingly, in the circumstances of the case, the proposal is in the public interest and worthy of Council's support.

DRAFT SUTHERLAND SHIRE DCP 2015 - COMPLIANCE TABLE			
Control	Requirement	Proposal	Compliance
Chapter 5 - R4 Residential Flat Buildings			
1. Streetscape and Building Form	1. Lots must be of sufficient width to accommodate development. A site of minimum width of 26m is appropriate for residential flat development. This width will accommodate a development that: a. provides appropriate access and servicing facilities vehicular parking, access, storage and waste management areas b. provides resident amenity- including privacy, solar access, ventilation, and landscaped setbacks. c. responds to the local context, including providing adequate separation from existing and future adjoining development. A smaller or narrower site width may not allow for the full FSR to be realised.	The included survey plans demonstrate that the site is sufficiently large enough to accommodate the proposed development.	Yes
	2. Development must be designed and sited so that it addresses the street and must have a clearly identifiable entry.	The proposed development will result in clearly identifiable pedestrian entries that address the street.	Yes
	3. The building form must be articulated to avoid large expanses of unbroken wall, and to visually reduce bulk.	Refer to the submitted elevations for suitable levels of building articulation.	Yes
	4. Facades are to be composed with an appropriate scale, rhythm and proportion, which respond to the building's use.	The proposed development incorporates townhouses and two residential flat buildings which will appear as a contemporary development that is suitable to the proportions of the site and the relationship to the historic Heathcote Hall and is in accordance with the CMP.	Yes
	5. Developments on street corners should be designed to define and address the setback and address both street frontages.	The proposal will address and define both street frontages.	Yes
	6. Where development has two (2) or more road frontages, vehicular access shall be from the lowest order road.	Vehicular access is in accordance with the CMP, Heritage Impact Statement and Site Analysis that has governed the proposal.	N/A
	7. Podiums located at ground level, will be considered only where site conditions warrant such.	No podiums proposed. –	N/A
	8. Podiums, basement walls, and vehicular entries must not dominate the overall design of the building or streetscape and are to be integrated into the finished building design and landscaped treatment of the site.	The proposal is in accordance with the outcomes of the CMP, Heritage Impact Statement and resultant design analysis which is to minimise the impact on the ground levels where possible.	N/A
	9. Driveway walls adjacent to the entrance of a basement car park are to be treated so that the appearance is consistent with the external	The proposed development has provided satisfactory treatment as detailed in the submitted plans prepared by Ink Architects and Site Design.	Yes

DRAFT SUTHERLAND SHIRE DCP 2015 - COMPLIANCE TABLE			
Control	Requirement	Proposal	Compliance
	finish of the building. If basement car park entry points are to be located on the main street frontage of a development, these should be designed so as to reduce the visual impact.		
	10. Building design must give human scale to the building at street level.	The buildings are of a scale that respond to the street level and the submitted plans demonstrate this further.	Yes
	11. Lift overruns and service plants must be concealed within well designed roof structures which are an integral part of the building design.	The proposed lifts are within the existing buildings, expressed to interact with the built form. Services are concealed within the building form.	Yes
	12. The need for additional building services (e.g. electricity kiosk/substation & fire services facilities) must be co-ordinated and integrated with overall design of the development without compromising building or landscape design.	Building services where required will be integrated into the proposed building-basement fabric.	Yes
	13. Frontage works for all developments must be in accordance with the SSC Public Domain Design Manual.	Council may wish to impose a consent condition if necessary.	Yes
	14. For developments with a capital investment value greater than \$20 million and/or with a street frontage greater than 26m, frontage works must include the undergrounding of power lines and the provision of new street lighting.	The capital investment is greater than \$20 million and Council may wish to impose a consent condition as required for the circumstances of this development.	Yes
	15. For developments beneath the threshold noted above, frontage works must include the bundling of power lines and street lighting to meet the requirements of the SSC Public Domain Design Manual.	Council may wish to impose a consent condition if necessary.	Yes
2. Street Setbacks	1. A minimum 7.5m setback from the primary and secondary street frontages is required for all development, unless an alternative street setback is specified in a locality strategy.	The proposed development is in accordance with the opportunities established by the CMP and refined with outcomes of the integrated approach of the site analysis, heritage impact analysis and resultant architectural solution.	Refer to submitted plans prepared by Ink Architects
	2. A 1.5m articulation zone may extend into the street setback, for a maximum of 30% of the façade width, where the development has a street setback of 7.5m or greater.	The proposed development is in accordance with the opportunities established by the CMP and refined with outcomes of the integrated approach of the site analysis, heritage impact analysis and resultant architectural solution.	Refer to submitted plans

DRAFT SUTHERLAND SHIRE DCP 2015 - COMPLIANCE TABLE				
Control	Requirement			Compliance
	3. Basement underground car parks may be allowed within the articulation zone of the street setback, provided the structure is considered in conjunction with the overall landscape design. Note: Basements are defined: basement means the space of a building where the floor level of that space is predominantly below ground level (existing) and where the floor level of the storey immediately above is less than 1 metre above ground level (existing).			Refer to submitted plans.
	4. Private open space (courtyards) within the street setback must be set back a minimum of 3m from the street, to facilitate a landscape strip along the street boundary.			Refer to submitted plans.
	5. At grade car parking must not be located within the setback area to a primary street.			N/A
3. Side and Rear Setbacks	1. The minimum side and rear boundary setbacks required are as follows:			This control is overridden by the Apartment Design Guide requirement. N/A
	Building Height	Setback from boundary where the façade contains windows from bathroom and/or laundry, storage, or highlight windows only	Setback from boundary where the façade contains windows from habitable rooms including living rooms, kitchens, bedrooms, or studies, and/or balconies	
	Up to 12m (approx up to 3 storeys)	4.5m	6m	
	12 metres –25 metres (approx up to 7/8 storeys)	6.5m	9m	
	2. Walls are to be articulated to prevent continuous linear walls and promote variation and interest to setback areas and these walls.			Plans demonstrate that the proposal is satisfactory with this requirement. Yes
	3. Podiums/basement underground car parks must be set back a minimum of 3m from side and/or rear boundaries.			Proposal is satisfactory to this requirement. Yes

DRAFT SUTHERLAND SHIRE DCP 2015 - COMPLIANCE TABLE			
Control	Requirement	Proposal	Compliance
4. Landscape Design	1. The landscape design must include indigenous canopy trees that will achieve a minimum 8 metres height at maturity within suitable setback areas, a minimum distance of 3m from adjoining structures.	Refer to Landscape Plan for compliance.	Yes
	2. A minimum street tree planting rate is set at 2 trees for every 15m of frontage, planted at least 1m from the kerb and/or footpath. Street trees must be selected from the Native Plant Selector available on Council's website. Turf must also be planted.	A large number of existing native trees are to be retained. Refer to Landscape Plans. Council may wish to impose a suitable consent condition.	Yes
	3. A minimum rear boundary indigenous tree planting rate is set at 2 trees for every 15m of linear boundary. All indigenous tree species must be selected from the Native Plant Selector available on Council's website.	Refer to Landscape Plan for planting arrangements that are suited to the site.	Yes
	4. The landscape design should achieve opportunities for deep soil landscape planting between buildings that provide a deep soil separation of more than 3m between trees and structures.	The landscape design achieves opportunities for deep soil planting and are noted in the submitted landscape plans.	Yes
	5. Existing canopy trees in good health in the front and rear setback must be retained.	Relevant existing canopy trees are identified and retained in accordance with the Arborist Report and Landscape Plans.	Yes
	6. Landscaping in the vicinity of a driveway entrance should not obstruct visibility for the safe ingress and egress of vehicles and pedestrians.	Complies. Refer to Landscape Plan.	Yes
	7. Ground floor courtyards must not extend into the 3m landscape strip along the frontage of development.	Refer Landscape Plan.	Yes
	8. Landscaping and design should be employed to create privacy for residents.	Landscaping and building articulation assist with privacy for residents.	Yes
	9. Any privacy fencing must be appropriately landscaped with screen planting.	Screen planting is provided to boundaries where possible.	Yes
	10. For developments of 20 or more dwellings a minimum of 100sq.m of communal open space is required. This space must have a minimum dimension of 10m, have shelter, furniture and facilities suitable for outdoors, and if provided at ground level, include canopy trees. Communal open space on roof tops should be designed to optimise privacy for occupants and adjoining residents.	N/A Refer to Apartment Design Guide and Design Verification Statement.	N/A
	11. Where a development relies on a podium, a minimum of 30% of that part of the podium surface not occupied by building is to be planted. This planting is intended:	The development does not provide podium planting.	N/A

DRAFT SUTHERLAND SHIRE DCP 2015 - COMPLIANCE TABLE			
Control	Requirement	Proposal	Compliance
	a. To offset the potential for excessive paved areas; b. To provide residents with attractive outlooks from dwellings, and c. To assist in the creation of privacy between dwellings, and between dwellings and common areas.		
	12. Where planting is proposed on podiums, roof tops or within planter boxes, the space to be planted must be designed and constructed to contain a minimum of 600mm of soil depth. Less soil depth will only be accepted when a high quality alternative solution is provided. The basis for species selection for this planting should maximise the likelihood of long term viability in view of the likely future microclimate. Landscaping on podium levels and planter boxes should be accessible for gardener access	None proposed.	N/A
	13. Where site level allow, podium planting is to be integrated with surrounding deep soil landscaping and hard paved areas so the podium reads as an extension of the deep soil landscaping.	None proposed.	N/A
	14. Where planter boxes edge both sides of a pedestrian path or entrance, the vertical height of the planter shall not exceed a height greater than half the width of the pathway.	Complies. Refer Landscape Plan.	Yes
	15. Appropriate paving must be provided to driveways, walkways, entries and in the vicinity of garbage bin enclosures, letter boxes and clothes lines.	Complies. Refer Landscape Plan.	Yes
	16. Adequate rainwater storage and a water efficient irrigation system are to be installed in all landscaped areas which comply with the Australian Standard.	Complies. A water efficient irrigation system proposed to communal open space. Refer Landscape Plan.	Yes
5. Building Layout and Private Open Space	1. Design all development so that all rooms benefit from good ventilation and living rooms benefit from natural cross-ventilation.	All dwellings are dual aspect units with good natural ventilation.	Yes
	2. Development is to be orientated to maximise sunlight within the development.	The proposal presents a sustainable re-use of an existing building and provides dwellings that are best oriented to maximize access to sunlight.	Yes
	3. Incorporate passive solar building design, including the optimisation of sunlight access to living areas and the minimisation of heat loss and energy consumption, to avoid the need for additional artificial heating and cooling.	The proposal complies with BASIX which contains controls relating to the size, orientation and shading of windows to control thermal comfort.	Yes
	4. Each dwelling must be provided with a primary balcony/patio with	N/A - Refer to Apartment Design Guide at Annexure B	N/A

DRAFT SUTHERLAND SHIRE DCP 2015 - COMPLIANCE TABLE			
Control	Requirement	Proposal	Compliance
	direct access from the living area, having a minimum area of 12sqm with a minimum dimension of 2.5m		
	5. Suitable clothes drying facilities shall be provided which are not visible from a public place and have access to sunlight.	All apartments will have retractable clothes drying racks. All townhouse will have retractable clothes drying racks in private courtyards.	Yes
	6. A secure space per dwelling of 6m ³ (minimum dimension 1m ²) set aside exclusively for storage as part of the basement or garage should be provided. Storage areas must be adequately lit and secure.	The development provides storage in excess of minimum requirements.	Yes
	7. Access to all levels of the development, including the basement, must be made available by a lift in order to facilitate access by people with disabilities.	Lift access is proposed to the apartment buildings – refer plans.	On merit
6. Solar Access	1. New buildings and additions shall be sited and designed to maximise direct sunlight to north-facing living areas, communal and private open space areas.	<p>The Proposed development is satisfactory with this requirement, however, as noted the key determinants are the CMP, refined by the heritage analysis/site analysis which has determined the opportunities and constraints for the submitted architectural scheme.</p> <ul style="list-style-type: none"> • • • • • • 	On merit

DRAFT SUTHERLAND SHIRE DCP 2015 - COMPLIANCE TABLE			
Control	Requirement	Proposal	Compliance
		•	
	2. Living rooms and private open spaces for at least 70% of residential units in a development should receive a minimum of 3 hours direct sunlight between 9am and 3pm in midwinter.	Refer to Design Verification Statement - Apartment Design Guide included with this development application.	Yes
	3. New development is to be designed to ensure direct daylight access to communal open space between March and September and provide appropriate shading in summer.	The common open space area is north facing with suitable access to sunlight during March and September. Shading is provided within the common open space areas during summer.	Yes
	4. Skylights and lightwells must not be used as the primary source of daylight in habitable rooms.	No skylights nor lightwells are used as part of this design.	Yes
	5. For neighbouring dwellings: a. Direct sunlight to north facing windows of habitable rooms and 10sq.m. of private open space areas of adjacent dwellings should not be reduced to less than 3 hours between 9.00am and 3.00pm on 21 June. b. Consideration will be given to reduced solar access where the proposed dwelling is generally compliant with all development standards and controls, and the extent of impact is the result of orientation, site constraints, and or existing builtforms. c. overshadowing by vegetation should be ignored, d. overshadowing by fences, roof overhangs and changes in level should be taken into consideration.	Due to the location of the existing building, the extended part of the proposal will not result in any detrimental overshadowing. Noted. Noted. Noted.	Yes - - -
7. Visual and Acoustic Privacy	1. Locate, orientate and design new development to maximise the provision of visual privacy	Noted.	Yes
	2. Use detailed site and building design elements to increase visual privacy without compromising access to light and air.	Noted.	Yes
	3. All noise generating equipment such as mechanical plant or equipment, air conditioning units, swimming pool filters, fixed vacuum systems, mechanical ventilation from carparks, driveway entry shutters, garbage collection areas or similar must be designed to protect the acoustic privacy of residents and neighbours. All such noise generating equipment must be acoustically screened. The noise level generated by any equipment must not exceed an LAeq (15min) of 5dB(A) above	The proposed development has taken all considerations to avoid issues during design development. Council may wish to impose a suitable consent condition.	Yes

DRAFT SUTHERLAND SHIRE DCP 2015 - COMPLIANCE TABLE			
Control	Requirement	Proposal	Compliance
	background noise at the property boundary.		
	4. Residential development adjacent to a rail corridor or a busy road as identified on the Road and Rail Noise Buffer Map should be sited and designed to include noise and vibration attenuation measures to minimise noise and vibration impacts. Refer to State Environmental Planning Policy (Infrastructure) 2007 and the NSW Department of Planning's Development near Rail Corridors and Busy Roads – Interim Guideline.	N/A	N/A
8.2 Adaptable	1. Development must comply with Building Code of Australia (BCA) and Australian Standards for accessibility	The proposal will comply with the BCA.	Yes
8.2 Livable Housing	1. Twenty percent (20%) of all dwellings on a site, or at least one dwelling, whichever is greater, must be designed in accordance with the Australian Adaptable Housing Standard (AS 4299 - 1995).	The proposal will comply.	Refer to submitted Plans.
	2. Car parking and garages allocated to dwellings built to the Australian Adaptable Housing Standard (AS 4299) must comply with the dimensions specified in that standard.	The proposal does comply.	Yes
	3. Access to all levels of the development, including the basement, must be made available by a lift in order to facilitate access by people with disabilities.	The proposal does comply.	Yes
10. Safety and Security	1. The design of development is to incorporate Crime Prevention Through Environmental Design principles.	The design provides for good levels of passive surveillance to the street as well as common areas. The development provides for clear lines of sight from the street to the main entry points and will not facilitate any concealment opportunities.	Yes – refer to submitted report
	2. Development is to be designed to incorporate and/or enhance opportunities for effective natural surveillance by providing clear sight lines between public and private places, installation of effective lighting, and the appropriate landscaping of public areas.	The proposed development will enhance opportunities for surveillance due to the orientation of the units to both street frontages. Lighting will be provided as is necessary to ensure that access to the site is safe.	Yes
	3. Balustrades should be designed to allow views and casual surveillance of the street while providing for safety and visual privacy	Balustrades allow for surveillance of the street and privacy.	Yes
	4. Driveways and fencing must provide adequate sight distance for the safety of pedestrians using the footpath area.	Refer the submitted site plan and landscape plan for suitable sight lines from the street frontage.	Yes
	5. To facilitate access especially by emergency services, street numbering should be adjacent to the doorway and on a vertical surface	Council may wish to impose a consent condition in this regard.	Yes

DRAFT SUTHERLAND SHIRE DCP 2015 - COMPLIANCE TABLE			
Control	Requirement	Proposal	Compliance
	adjacent to the driveway entrance.		
11. Parking	8. A minimum of 1 space per 1 bed, 1.5 spaces per 2 bed, 2 spaces per 3 bed, plus 1 visitor space per 4 units	The proposal exceeds minimum parking requirements – refer Traffic and Parking Report.	Yes
	13. Developments with 10 or more dwelling require one designated carwash bay with minimum dimensions of 3m x 7.6m. Additional carwash bays are required in development in excess of 30 dwellings at a rate of 1 per 20 dwellings.	The proposal complies.	Yes
12. Waste Management	1. A waste storage area is to be provided for all developments to store bin waste and recyclables.	Waste storage is provided in the site located in the basement and is satisfactory for this type of development.	Yes
	2. The location of waste and recycling facilities must not impact on car parking or landscaping requirements of the development.	No impact on car parking or landscaping requirements.	Yes
	3. Developments must be designed so that bins do not need to be wheeled more than 75 metres. For housing for aged persons or persons with a disability (seniors housing), the distance should be limited to 50 metres. The bin-carting grade should be a maximum of 1:14.	The waste storage area is located in the basement and in accordance with the submitted waste management plan.	Yes
	4. The location and design of the waste storage area must not detract from the amenity and character of the streetscape.	Waste storage location will not detract from the amenity and character of the streetscape.	Yes
	5. Waste and recycling facilities must be designed to prevent litter and contamination of the stormwater drainage system.	Noted.	-
	6. Bin storage and access requirements should take into consideration the future servicing requirements of the building.	The bin storage areas are appropriate to the site.	Yes
	7. For wheeled bins, a kerbside garbage collection point must be nominated that has sufficient space where they will not pose a traffic hazard. Wheeled bins should not be placed near intersections, roundabouts, slow points or busy arterial roads	A private contractor will be engaged and further information is provided in the waste management report included with this development application.	Yes
	8. Where an agreement has been reached with Council to service 240L bins on site, the site and driveway must accommodate rear and side loading trucks as detailed in Waste Management Information Guidelines. To enable handling of bins during collection the maximum driveway gradient is 5%.	Noted.	-
	9. A waste truck must enter and exit a site in a forward direction. However, it is usually acceptable for a truck to reverse into a site, and	Lay bys are designated for weekly waste and recycling collection	Yes

DRAFT SUTHERLAND SHIRE DCP 2015 - COMPLIANCE TABLE

Control	Requirement	Proposal	Compliance
	exit in a forward direction. Where this is not possible due to demonstrated site constraints, Council's Waste Collection Service must be consulted, and may approve some other manner of ingress and egress. It is never acceptable for a truck to reverse out of a site.		
	<p>10. The design, location and size of bin storage areas/rooms are to be in accordance with the requirements set out in the Better Practice Guide for Waste Management in Multi-Unit Dwellings for residential flat developments. Storage areas/rooms are to be located behind the front building setback. In instances this cannot be achieved the storage area must:</p> <ul style="list-style-type: none"> i. be integrated into the overall building design and constructed of materials sympathetic to the new development; ii. be located a minimum of 3m from the front boundary setback; iii. be located in an area so as not to compromise the amenity of the occupants of the development and of adjacent properties in terms of noise, odour and aesthetic impact, such as near windowless walls, away from pedestrian areas and in the least visually obtrusive position; and iv. screened from view from the street and landscaped so as to not detract from the streetscape. 	<p>The bin storage area is located to ensure resident amenity and to ensure that it does not detract from the streetscape.</p> <p>Bin storage has been designed to be integrated within the basement level.</p> <p>It will be mechanically ventilated, it is accessible from all single dwellings via stairs and lift access from all apartments.</p>	Yes
	11. The site and driveway must accommodate waste collection vehicles used by the garbage service provider.	Lay by truck parking is provided.	Yes
	15. For developments containing 7 dwellings or more, larger bulk bins are required for garbage, recycling and green waste and these are to be serviced by a private contractor.	Refer to Waste Management Plan for further details.	Yes

ANNEXURE A

LEP COMPLIANCE TABLE

SUTHERLAND SHIRE LEP 2015 - COMPLIANCE TABLE			
Clause	Requirement	Proposal	Complies?
Zone Objectives & Land Use Table	Zone E4 Environmental Living <ul style="list-style-type: none"> To provide for low-impact residential development in areas with special ecological, scientific or aesthetic values. To ensure that residential development does not have an adverse effect on those values. To allow for development that preserves and enhances the natural landscape setting of the locality. To protect and restore trees, bushland and scenic values particularly along ridgelines and in other areas of high visual significance. To ensure the character of the locality is not diminished by the cumulative impacts of development. To minimise the risk to life, property and the environment by restricting the type or level and intensity of development on land that is subject to natural or man-made hazards. To allow the subdivision of land only if the size of the resulting lots makes them capable of development that retains or restores natural features while allowing a sufficient area for development. To share views between new and existing development and also from public space. 	<p>The proposed development is for a mixture of townhouses and residential flat buildings. Multi-dwelling developments and residential flat buildings are not permissible in this zone, however, Council is able to grant development consent for this application utilising LEP Clause 5.10.10 Heritage Conservation – Conservation incentives, and despite the fact the proposed development is not permissible in the zone.</p> <p>The objectives of the zone can be met by the proposed development.</p> <p>Council is able to grant consent for development for any purpose under Clause 5.10.10. The proposed development will require Council to grant consent for buildings that include departure from the development standards within the LEP and Council has the ability to do this through Clause 4.6 Exceptions to Development Standards of the LEP.</p>	Merit
2.6 - Subdivision	Land to which this Plan applies may be subdivided, but only with development consent.	Strata subdivision of the completed development is proposed.	✓
4.3 – Height of Buildings	8.5 metres (max.)	All townhouses and Building B are within max 8.5m height limit. Building A is over 3 levels and does not comply with 8.5m max height and is the subject of a Clause 4.6 Variation Report included with this development application (refer Annexure B).	Merit
4.4 – Floor Space Ratio	0.55:1 (max.)	The proposed FSR is below the maximum permissible.	✓
4.6 - Exceptions to Development Standards	<p>The objectives of this clause are as follows:</p> <ol style="list-style-type: none"> The objectives of this clause are as follows: <ol style="list-style-type: none"> to provide an appropriate degree of flexibility in applying certain development standards to particular development, to achieve better outcomes for and from development by allowing flexibility in particular circumstances. Development consent may, subject to this clause, be granted for development even though the development would contravene a development standard imposed by this or any other environmental planning instrument. However, this clause does not apply to a development standard that is expressly excluded from the operation of this clause. 	<p>Council is able to grant consent for development for any purpose under Clause 5.10.10. The proposed development will require Council to grant consent for buildings that include departure from the development standards within the LEP and Council has the ability to do this through Clause 4.6 Exceptions to Development Standards of the LEP.</p> <p>The objectives of this clause can be met by the proposed development and is discussed further in the Clause 4.6 Variation Report (refer Annexure B).</p>	Merit

SUTHERLAND SHIRE LEP 2015 - COMPLIANCE TABLE			
Clause	Requirement	Proposal	Complies?
5.10 - Heritage Conservation	<p>The objectives of this clause are as follows:</p> <ol style="list-style-type: none"> to conserve the environmental heritage of Sutherland Shire, to conserve the heritage significance of heritage items and heritage conservation areas, including associated fabric, settings and views, to conserve archaeological sites, to conserve Aboriginal objects and Aboriginal places of heritage significance. <p>(10) Conservation incentives The consent authority may grant consent to development for any purpose of a building that is a heritage item or of the land on which such a building is erected, or for any purpose on an Aboriginal place of heritage significance, even though development for that purpose would otherwise not be allowed by this Plan, if the consent authority is satisfied that:</p> <ol style="list-style-type: none"> the conservation of the heritage item or Aboriginal place of heritage significance is facilitated by the granting of consent, and the proposed development is in accordance with a heritage management document that has been approved by the consent authority, and the consent to the proposed development would require that all necessary conservation work identified in the heritage management document is carried out, and the proposed development would not adversely affect the heritage significance of the heritage item, including its setting, or the heritage significance of the Aboriginal place of heritage significance, and the proposed development would not have any significant adverse effect on the amenity of the surrounding area. 	<p>The site is listed as a significant heritage item and it is noted that street trees along Dillwynnia Grove are listed as a heritage item within Schedule 5 of the LEP.</p> <p>The proposed development will facilitate the conservation of the State Significant heritage item – Heathcote Hall. This is demonstrated in the supporting documentation included with this application. A Conservation Management Plan (CMP) supported by the State Heritage Council outlines the conservation works and policies required to ensure the viability and maintenance of Heathcote Hall including future development opportunities.</p> <p>The Proponent has also submitted a Heritage Impact Statement, Quantity Surveyors Construction Report which details the restoration budget required for Heathcote Hall including a sinking fund analysis over a 30 year horizon which demonstrates the balance required to fund the restoration and on-going maintenance of the Hall which needs to be offset by the development yield/return.</p> <p>The submitted supporting documentation is included for Council's consideration, which demonstrates that the proposal has significant merit and benefit for the community.</p> <p><i>Note that compliance with Clause 5.9 Preservation of trees or vegetation is addressed in the included Arborist Report and Landscaping Plans for Council's consideration.</i></p>	Merit

Clause	Requirement	Proposal	Complies?
6.1 - Acid sulfate soils	Works within 500 metres of adjacent Class 1, 2, 3 or 4 land that is below 5 metres Australian Height Datum and by which the water table is likely to be lowered below 1 metre Australian Height Datum on adjacent Class 1, 2, 3 or 4 land.	The subject site is not within a defined Acid sulfate soils map and no works proposed that are likely to impact on the water table.	✓
6.4 – Stormwater management	<p>3. Development consent must not be granted to development on land to which this clause applies unless the consent authority is satisfied that the development:</p> <ul style="list-style-type: none"> a. is designed to maximise the use of water permeable surfaces on the land having regard to the soil characteristics affecting on-site infiltration of water, and b. includes, if practicable, on-site stormwater retention for use as an alternative supply to mains water, groundwater or river water, and c. avoids any significant adverse impacts of stormwater runoff on adjoining properties, native bushland and receiving waters, or if that impact cannot be reasonably avoided, minimises and mitigates the impact. 	Refer to concept drainage plan and stormwater management.	✓
6.5 Environmentally Sensitive Land – Terrestrial Biodiversity	<p>1. The objective of this clause is to maintain terrestrial biodiversity by:</p> <ul style="list-style-type: none"> a. protecting native fauna and flora, and b. protecting the ecological processes necessary for their continued existence, and c. encouraging the conservation and recovery of native fauna and flora and their habitats. <p>2. This clause applies to land identified as “Environmentally Sensitive Land” on the Terrestrial Biodiversity Map.</p>	A Flora and Fauna Report has been submitted with this application for Council's consideration.	✓
6.14 – Landscaped areas in certain zones	Minimum 40%	Refer to submitted Landscape Plans that demonstrates that the proposal satisfies this requirement.	✓
6.16 – Urban Design – General	<p>1. In deciding whether to grant development consent for any development, the consent authority must consider the following:</p> <ul style="list-style-type: none"> a. the extent to which high quality design and development outcomes for the urban environment of Sutherland Shire have been attained, or will be attained, by the development, b. the extent to which any buildings are designed and will be constructed to: <ul style="list-style-type: none"> i. strengthen, enhance or integrate into the existing character of... 	<p>The proposed dwelling development is of a high quality architectural design which will present with high level materials and finishes suitable to the locality.</p> <p>The proposed development including the restoration of Heathcote Hall will enhance the existing character of the neighbourhood and renew the subject site.</p>	✓

SUTHERLAND SHIRE LEP 2015 - COMPLIANCE TABLE			
Clause	Requirement	Proposal	Complies?
	<ul style="list-style-type: none"> ii. contribute to the desired future character of the locality concerned, c. the extent to which recognition has been given to the public domain in the design of the development and the extent to which that design will facilitate improvements to the public domain, d. the extent to which the natural environment will be retained or enhanced by the development, e. the extent to which the development will respond to the natural landform of the site of the development, f. the extent to which the development will preserve, enhance or reinforce specific areas of high visual quality, ridgelines and landmark locations, including gateways, nodes, views and vistas, g. the principles for minimising crime risk set out in Part B of the Crime Prevention Guidelines and the extent to which the design of the proposed development applies those principles. 	<p>The proposed landscaping program of restoration and replanting will also enhance the amenity of the site.</p> <p>The proposed built form is of an appropriate scale and the design and is supported by the Heritage Council.</p> <p>Included with this application is CPTED report for Council's consideration.</p>	✓
6.17 – Urban Design – residential accommodation	<p>In deciding whether to grant development consent for development for the purposes of residential accommodation the consent authority must consider the following:</p> <ul style="list-style-type: none"> a. the extent to which recognition has been given in the design of the development to the needs of the diverse and changing population of Sutherland Shire, b. the extent to which any adverse impacts of the development on adjoining land and open space, in terms of overshadowing, overlooking, views, privacy and visual intrusion, will be minimised, c. the extent to which the quality of the streetscape concerned will be improved by the development, d. the extent to which there will be private open space of a sufficient area and dimensions to enable proposed and required activities, e. the extent to which any adverse impacts of the development on adjoining land, in terms of size, bulk, height, scale and siting, will be minimised, f. the extent to which the residential accommodation concerned integrates with a well-designed landscaped setting, g. any opportunities for the provision of affordable housing. 	<p>The proposed development will provide an additional residential choice within the LGA.</p> <p>Overshadowing has been minimised through compliance with the controls and appropriate building separation; privacy has been ensured by siting and designing the dwellings and height controls which minimises visual intrusion and overlooking impacts for neighbouring properties.</p> <p>There is adequate private open space provided for the dwellings and these spaces provide sufficient space for future residents. Appropriate height, scale and bulk of proposed development is recessive, respecting the importance of the Historic Heathcote Hall.</p> <p>A detailed landscape plan has been prepared with landscape arrangements that includes replacement planting for removed trees and the integrated landscape design that will soften the built features of the proposal.</p> <p>Optimum privacy and solar access to all dwellings is achieved through good design and building separation.</p>	<p>✓</p> <p>✓</p> <p>✓</p> <p>✓</p> <p>✓</p>

ANNEXURE C

DCP COMPLIANCE TABLE

Draft Sutherland Shire Development Control Plan 2015 – Compliance Table Multi-Dwelling Housing in the R2 Zone		
Control	Response	Complies?
Chapter 4a. Multi Dwellings in the R2 Low Density Residential Zone		
4.1 Streetscape and Building Form		
1. A minimum site width of 20m is required for multi dwelling development.	The site is more than 20 metres wide.	Yes
2. Development must be designed and sited so that it addresses the street and must have a clearly identifiable entry.	The proposed development addresses the respective street frontages and the vehicular entrances are from Boronia Grove, Dillwynnia Grove and Tecoma Street.	Yes
3. Individual dwelling entries must be designed to ensure safe pedestrian access and easy way finding.	The entries to each dwelling are clearly identifiable.	Yes
4. Driveways and other communal paved areas should enhance a sense of place through the use of quality treatments. Unit pavers or textured materials are to be used for hard surfaces; bitumen is not to be used.	Noted and provided. Refer to the submitted Landscape Plans.	Yes
5. Buildings are to be a maximum of three storeys when viewed from the street. Dwellings must be stepped down a steep site.	Townhouses are a maximum of two storeys when viewed from street and the site is not deemed steep.	Yes
6. Roof forms are to be designed to an appropriate size, mass and separation in order to be compatible with the scale and character of existing buildings and landscape elements.	The roof form is compatible with the scale and character of the existing neighbourhood	Yes
7. The building form must be articulated to avoid large expanses of unbroken wall, and to visually reduce bulk.	The building design incorporates articulation at both ground and first floors which limits sections of unbroken wall and reduces the bulk and scale of the building.	Yes
8. Facades are to be composed with an appropriate scale, rhythm and proportion, which respond to the desired character of a locality.	The façade design responds to the desired character of the locality. The development will read as modern two storey dwellings when viewed from the street.	Yes
10. Extensive use of highly reflective materials is not acceptable for roof or wall cladding.	The proposed materials are shown on the submitted materials and colour schedule. Highly reflective materials have not been selected.	Yes
11. The need for additional building services (e.g., electricity kiosk/substation and fire services facilities) must be co-ordinated and integrated with overall design of the development.	Building services are integrated with the overall design of the development	Yes

Draft Sutherland Shire Development Control Plan 2015 – Compliance Table Multi-Dwelling Housing in the R2 Zone		
Control	Response	Complies?
12. Development must be designed so that it fully or in part maintains view corridors so that the amenity of neighbouring public and private property is balanced with the amenity afforded to the new development.	View corridors will not be excessively impacted by the proposed development; however, sufficient existing and new landscaping will offset and soften potential view impacts. New view corridors are created when opening views to the to be restored Heathcote Hall.	Yes
13. Private open space may be provided in the front setback, provided integrated into a well-designed landscape solution which offers resident amenity and contributes to streetscape quality.	Noted and provided. Refer to the submitted Landscape Plan.	Yes
14. Where provided, communal driveways should be designed to provide visual variety and landscaping to reduce the monotony and scale of the pavement.	Noted and provided. Refer to the submitted Architectural and Landscape Plans.	Yes
4.2 Building Setbacks		
Front - Primary street frontage 7.5m or the established street setback	Refer to submitted plans, which have been developed in accordance with the CMP, heritage impact analysis, site analysis and resultant architectural scheme. Generally in accordance with the intent of the DCP.	Merit
Side Ground floor - 0.9m for front 60% of site and 4.0m for rear 40% of site Second storey - 1.5m for front 60% of site and 4.0m for rear 40% of site	Refer to submitted plans that have been developed in accordance with the CMP, heritage impact analysis, site analysis and resultant architectural scheme.	Yes
Rear - 4.0m	Refer to submitted plans, which have been developed in accordance with the CMP, heritage impact analysis, site analysis and resultant architectural scheme.	Yes
4. The side setback may be reduced to 1.5m in the rear 40% of the site if the development is single storey height in this rear 40% of the site.	Side Setback Minimum 3.0m	Yes
13. Garages and garage doors are not to be located in the articulation zone. These elements are to be located no closer than 7.5m to the front boundary and integrated with the building design.	Parking proposed below ground in basement	Yes
17. Where a second storey wall adjacent to a side boundary exceeds 15m in continuous length, the side setback shall be increased by a further 500mm or more for that part of the wall. Where the scale of the side elevation results in significant overshadowing and/or visual intrusion due to building bulk to an adjoining dwelling, an increased building setback is to be employed.	Complies	Yes

Draft Sutherland Shire Development Control Plan 2015 – Compliance Table Multi-Dwelling Housing in the R2 Zone		
Control	Response	Complies?
4.3 Landform		
1. The natural contours of the land must not be unduly altered. Developments should avoid any unnecessary earthworks by designing and siting buildings within the natural slope of the land.	To allow for the redevelopment of the site nominated trees and vegetation are required to be removed and minor cut and fill is proposed to provide access to the basement parking, storage and services – refer to submitted plans and Arborist Report	Yes
4. Earthworks must not alter ground water levels or surface stormwater flows to the extent that trees and bushland vegetation, water bodies or other property are adversely affected.	Proposed earthworks will not adversely impact upon groundwater or surface stormwater flows – refer stormwater documentation included with this application.	Yes
5. Natural ground level surrounding the development and at property boundaries must be retained or reinstated prior to the completion of	Proposed Buildings step down to adapt to the existing site contours.	Yes
4.4 Landscaping		
1. Hard surface areas within the street frontage shall be limited to a maximum of 50% of the area of the front setback, with the remaining 50% occupied by deep soil landscaping.	Less than 50% of the street frontage is occupied hardstand area, the remainder contains landscape area.	Yes
2. Development should be designed to retain existing canopy trees in good health in the vicinity of side, rear and front setbacks, including on adjoining land.	Tree removal is proposed. Refer to the Arborist Report and Landscape Plan submitted with the application	Yes
3. A minimum of 2 indigenous canopy trees that will attain a minimum mature height of 5m must be planted within 3m of the front boundary and a minimum of 2 indigenous canopy trees that will attain a minimum mature height of 5m must be planted within 2m of the rear boundary.	Refer to the Landscape Plan submitted with the application	Yes
4. Street trees are only required on the side of the road where there are no continuous overhead power lines. A minimum number of 1 indigenous canopy tree, that will attain a minimum height of 6m, must be planted at maximum spacing of 10m , at a minimum distance of 1 metre from the kerb and /or footpath, and/or masonry fence or retaining wall .	Refer to the Landscape Plan submitted with the application.	Yes

Draft Sutherland Shire Development Control Plan 2015 – Compliance Table Multi-Dwelling Housing in the R2 Zone		
Control	Response	Complies?
5. Any privacy fencing must be appropriately landscaped with screen planting.	Refer to the Landscape Plan submitted with the application	Yes
6. Appropriate paving must be provided to driveways, walkways, entries, fire egress points , garbage bin enclosures, letter boxes and clothes lines and under pergolas .	Refer to the Landscape Plan submitted with the application	Yes
7. Landscaping in the vicinity of a driveway entrance should not obstruct visibility for the safe ingress and egress of vehicles and pedestrians.	Noted	Yes
13. A communal rainwater tank and pump should be located underground in common open space. Common open space areas must be provided with a water efficient irrigation system and taps at a minimum 25m intervals connected to the rainwater tank. Each private open space must be provided with a tap connected to the rainwater tank.	Noted. A communal rainwater tank and pump is proposed. Council may impose a condition of consent.	Yes
14. An external energy efficient lighting system is to be provided for pedestrian access and driveways located within communal open space.	Noted. Council may impose a condition of consent.	Yes
17. Plant species selection should reduce the potential for invasive plant species to escape into bushland.	Refer to the Landscape Plan submitted with the application	Yes
18. Development on a ridgeline, as viewed from the water, should retain or provide a backdrop of trees to ensure the skyline is vegetated.	N/A	N/A
4.5 Building Layout, Solar Access and Private Open Space		
1. New developments shall be sited and designed to maximise direct sunlight to north facing living areas, communal open space and private open space areas.	The subject site has a north/south orientation which provides good solar orientation for the proposed dwellings and private open space.	Yes
2. New developments shall incorporate passive solar building design, including the optimisation of sunlight access to living areas and the minimisation of heat loss and energy consumption, to avoid the need for additional artificial heating and cooling.	All dwellings are dual orientation to optimize solar access, natural cross ventilation as well as optimum privacy levels.	Yes

Draft Sutherland Shire Development Control Plan 2015 – Compliance Table Multi-Dwelling Housing in the R2 Zone		
Control	Response	Complies?
3. For at least 75% of residential units in a development, living rooms and private open spaces should receive a minimum of 3 hours direct sunlight between 9am and 3pm in midwinter.	80% will receive a minimum of 3 hours direct sunlight.	Yes
4. Lightwells must not be used as the primary source of daylight in habitable rooms.	Lightwells are not proposed.	Yes
5. Each dwelling is to provide an area of Private Open Space at or near ground level that has a minimum area of 36m ² (with a minimum dimension of 6m), of which a 9m ² must be paved.	Each dwelling has private open space at ground level in excess of 36m ² with a minimum dimension of at least 6m including generous timber decking and landscape treatment.	Yes
6. Private open space may be located within the front setback. In such instances a combination of fencing and hedging is to provide privacy for residents while also ensuring that the site makes a positive contribution to the landscaped character of the street. High solid fencing is unacceptable. Residents seeking to rely on the front setback for private open space must accept a lower level of privacy until landscaping matures. Front fencing must be in accordance with the provisions specified in Chapter 33 Ancillary Development: Fences.	Noted and provided.	Yes
7. The primary living area of a dwelling is to provide direct access to its Private Open Space.	As shown on the submitted architectural plans the primary living area of each dwelling has direct access to its private open space.	Yes
8. For the proposed multi dwelling development a. orientate the area of Private Open Space to take advantage of the northern solar access, b. ensure 10m ² of Private Open Space has 3 hours of solar access between 9:00am and 3:00pm at the winter solstice (21 June),.	Suitable solar access achieved.	Yes
9. For the neighbouring dwellings: a. Ensure 10m ² of Private Open Space has 3 hours of solar access between 9:00am and 3:00pm at the winter solstice (21 June), b. Ensure windows of living areas have 3 hours of solar access between 9:00am and 3:00pm at the winter solstice (21 June)	At least 10m ² of the private open space of the neighbouring dwellings will receive at least 3 hours of solar access at the winter solstice as shown on the submitted shadow diagrams.	Yes

Draft Sutherland Shire Development Control Plan 2015 – Compliance Table Multi-Dwelling Housing in the R2 Zone		
Control	Response	Complies?
<p>c. Consideration will be given to reduced solar access where the proposed dwelling is generally compliant with all development standards and controls, and the extent of impact is the result of orientation, site constraints, and or existing built forms.</p> <p>10. Each dwelling is to provide a secure storage space, 50% of which is inside the dwelling. The storage requirement is as follows:</p> <p>a. One bedroom unit - 6m³ b. Two bedroom unit – 8m³ c. Three bedroom unit – 10m³.</p> <p>10. Suitable clothes drying facilities shall be provided. They shall not be visible from a public place and shall have access to sunlight.</p>	<p>Each dwelling has a storage area of at least 10m³ at the rear of the garage area.</p> <p>Suitable clothes drying facilities are available in the private open space of each dwelling.</p>	<p>Yes</p> <p>Yes</p>
<p>4.6 Visual and Acoustic Privacy</p> <p>1. Locate, orientate and design new development to maximise the provision of visual privacy.</p> <p>2. Use detailed site and building design elements to increase visual privacy without compromising access to light and air.</p> <p>3. All noise generating equipment such as air conditioning units, swimming pool filters, fixed vacuum systems and driveway entry shutters must be designed to protect the acoustic privacy of residents and neighbours. All such noise generating equipment must be acoustically screened. The noise level generated by any equipment must not exceed an LAeq (15min) of 5dB(A) above background noise at the property boundary.</p>	<p>The proposed town houses have been located to generally comply with the required setbacks and contains screening, fencing and significant planting to the boundary to maximise visual and acoustic privacy to neighbouring properties.</p> <p>The use of privacy screening to first floor terraces and substantial landscaping allows for privacy whilst maintaining light and air.</p> <p>Noted. Council may impose a condition of consent.</p>	<p>Yes</p> <p>Yes</p> <p>-</p>
<p>4.7 Parking</p> <p>1. Parking spaces shall be located behind the building line.</p>	<p>All car parking is located behind the building line via basement parking.</p>	<p>Yes</p>

Draft Sutherland Shire Development Control Plan 2015 – Compliance Table Multi-Dwelling Housing in the R2 Zone		
Control	Response	Complies?
2. Car parking for multi dwelling housing is to be provided at the following (minimum) rates: Dwelling size Car parking spaces per dwelling 1 bedroom 1 2 bedrooms 1.5 3 + bedrooms 2	Each dwelling provides a car parking spaces in excess of the requirement	Yes
3. One (1) visitor car park is to be provided for every 4 dwellings in a multi dwelling development	Visitor car parking spaces are provided in accordance with this requirement	Yes
4. Developments with 10 or more dwellings must also provide 1 designated carwash bay with minimum dimensions of 3m x 7.6m.	3 x car wash bay are provided	Yes
6. The location of driveways is to be determined with regard to dwelling design and orientation, street gully pits and street trees, and is to maximise the availability of on street parking.	The proposal provides for a two driveway entrances that encourages off street parking for the local residents and visitors, thereby maximising the provision of on street parking within this area. The development provides parking for residents and visitors in excess of current requirements.	Yes
7. Developments should minimise potential conflicts between pedestrians and vehicles in the design and use of driveways, roadways and footpaths, and by separating pedestrian and vehicles movements.	The proposed driveway provides for shared zones as well as a separate designated path entrance and footpaths for pedestrians to minimise conflicts.	Yes
4.8 Adaptable and Livable Housing Adaptable Housing 1. All new multi dwelling housing must provide dwellings designed in accordance with the Australian Adaptable Housing Standard (AS4299) to Class C Certification at the following rates: Developments of 6 or more dwellings – 20% adaptable Livable Housing 1. In addition to complying with the adaptable housing rates in clause 1 above, all new multi dwelling housing developments must provide 'livable dwellings' (i.e., dwellings designed to Silver Standard Livable Housing	6 dwellings (28%) are designed to meet the Australian Adaptable Housing Standard 	

Draft Sutherland Shire Development Control Plan 2015 – Compliance Table Multi-Dwelling Housing in the R2 Zone		
Control	Response	Complies?
Design Guidelines) at the following rates: Developments of 6 or more dwellings – 10% of dwellings.		
4.10 Safety and Security		
1. A design for multi dwelling housings must demonstrate compliance with Crime Prevention Through Environmental Design guidelines.	Noted. Refer to discussion in the Statement of Environmental Effects (SEE) and the CPTED Report in the SEE Attachments.	Yes
4.11 Waste Management Requirements		
1. A waste storage area is to be provided for all developments to store bin waste and recyclables. The area must have sufficient space for the storage of garbage, recycling and green waste generated by the development as indicated in Table 1 below.	Waste storage areas have been designed for the proposed development in conjunction with the requirements from Council and detailed within the included Waste Management Plan and submitted plans included with this application.	Yes
2. The residential waste generation rate per dwelling is 120 litres per week of general waste plus 120 litres per week of recycling. The general waste and recycling needs per dwelling in multi- unit developments with 20 or more apartments can be reduced in accordance with the waste generation rates in Table 1 below. Bin dimensions are shown in Figure 1 and Table 2. Twice weekly collections of 240L bins by Council (by arrangement with Council) can reduce the number of bins required.	The waste storage areas are sized to meet the required bin sizes.	Yes
3. The waste storage area must not be located forward of the building line and must not detract from the streetscape.	The waste storage areas are located within the basement and are not visible from the street	Yes
...		
5. Developments must be designed so that bins do not need to be wheeled more than 75 metres.	Bins will not need to be wheeled more than 75 metres and will be in accordance with the Waste Management Plan.	Yes
6. For wheeled bins, a kerbside garbage collection point must be nominated that has sufficient space where they will not pose a traffic hazard. Wheeled bins should not be placed near intersections, roundabouts, slow points or busy arterial roads, or take up more than 50% of the street frontage when presented in single file to the kerbside for	Bins are to be collected in accordance with the Waste Management Plan Provided.	Yes

Draft Sutherland Shire Development Control Plan 2015 – Compliance Table Multi-Dwelling Housing in the R2 Zone		
Control	Response	Complies?
collection, with adequate space between the bins to allow for collection (approximately 300mm). See Figure 1 for 240L bin size.		
Chapter 33 Ancillary Development		
3.0 Fencing		
3.0 Fencing		
1. Fencing for dual occupancies and multi-dwelling developments should be of a similar character and height as already exists in the streetscape.	No front fencing is proposed. Landscape designed to integrate the proposed development with existing streetscape.	Yes
2. High courtyard fencing is not permitted, except where it is common in the street.	Noted.	-
4. The overall design of and materials used for front fences must complement existing structures, landscaping and the general streetscape.	The front fence is to be concrete rendered and to contain substantial landscaping in front and behind the fence.	Yes
5. Trees are not to be removed to allow for fencing.	Noted.	-
6. The maximum height of front yard common fences at any point shall be 1.2m from natural ground level.	Noted.	-
7. The maximum height permitted for a front fence at any point shall be 1.5m from natural ground level. Where a portion of the front fence is a retaining wall, 1.5m shall be the total maximum height permitted, as shown in diagram 1 below.	The proposed fence contains a maximum height of 1.2m.	Yes
8. The maximum height permitted at any point for a side or rear fence (including fencing on the secondary frontage on corner blocks) shall be 1.8 m from natural ground level. Where a portion of the fence is a retaining wall, 1.8 m is the total maximum height permitted.	The proposal is to retain or replace the existing side and rear fencing.	Yes
9. Open form sections should be incorporated into fences, particularly on corner blocks to increase visibility for security purposes.	The proposed fencing is of a low level and allows for high levels of visibility.	Yes

Draft Sutherland Shire Development Control Plan 2015 – Compliance Table Multi-Dwelling Housing in the R2 Zone		
Control	Response	Complies?
10. Columns and piers for open-form timber or metal front fences must be spaced at twice the finished fence height.	N/A	N/A
11. Clearance between all members of open-form timber or metal front fences shall be equal to or greater than the width of the member, with a minimum spacing of 50mm.	N/A	N/A
Paling fences should be lapped and capped.	N/A	N/A
13. Open-form timber or metal front fences may be located without any boundary setbacks. Privacy is to be obtained through advanced screen planting.	Refer to landscape plans.	Yes
14. Visually solid front fences such as block, masonry, paling, lapped and capped and sheet or panelled fences shall be set back from the property boundary by a distance equivalent to the height of the fence, to facilitate planting to screen the fence, as shown in diagram 3 below.	A combination of low level boundary fencing and landscaped treatment is proposed (refer to landscaped plan).	Yes
15. Landscaping is required where fencing is setback from the site boundaries to reduce the visual impact of the fence	Landscaping is provided.	Yes
16. Where fences are required to be set back from the boundaries of the site, planting shall be provided with species capable of reducing the visual impact of the fence. The height of planting at maturity shall be at least equal to the height of the fence, as shown in Diagram 4. Planting is to be chosen from Council's Native Plant Selector.	See submitted Landscape Plan.	Yes
17. Brick or similar solid fences are generally unacceptable across drainage easements.	No brick fencing proposed.	Yes
18. Fencing must provide adequate sight distance for the safety of pedestrians using the footpath area.	The proposed fence is of a low level and allows for adequate sightlines.	Yes
21. Openings for vehicular entry shall be designed with special consideration to the visibility of pedestrians.	Noted. Separate pedestrian entry provided and low-level fencing allows for adequate sightlines.	Yes

Draft Sutherland Shire Development Control Plan 2015 – Compliance Table Multi-Dwelling Housing in the R2 Zone		
Control	Response	Complies?
4.0 Retaining Walls 1. The maximum height for a retaining wall is 1m, measured vertically from the base of the retaining wall to its uppermost portion. ... 5. Retaining walls are to be screened by appropriate indigenous planting chosen from Council's Native Plant Selector. 6. Materials and colours used are to be in keeping with the natural environment. 7. Retaining walls are to reflect the natural landform features and topography of the locality, and not form a straight lineal feature across the site. 8. Retaining walls should not alter ground water levels or surface stormwater flows to the extent that trees, bushland vegetation, water bodies or other properties are adversely affected.	Maximum height of retaining walls is 1m. See submitted Landscape Plan. See Architectural Plans for details Retaining walls step with the landform of the site and do not form straight lineal features across the site. The use of retaining walls will not result in adverse impacts.	Yes Yes Yes Yes Yes
Chapter 35 Roads, Vehicular Access, Traffic, Parking and Bicycles		
Zones R2, R3, R4, B1, & B2 Minimum 1 space per 1 bed, 1.5 spaces per 2 bed, 2 spaces per 3 bed, 1 visitor space per 4 dwellings	Car parking spaces are proposed and provided in excess of this requirement Visitor car parking spaces are provided in accordance with this requirement. Refer to Traffic and Parking report included with this application.	Yes Yes
3.5 Driveway Design Controls for All Developments 1. The dimensions of on-site driveways giving access to parking spaces shall be in accordance with Australian Standard – AS 2890.1 (as amended), except where otherwise provided by this chapter. A driveway is classified as a circulation roadway as described by AS 2890.1 (as amended).	Proposal complies – Refer to plans	Yes

Draft Sutherland Shire Development Control Plan 2015 – Compliance Table Multi-Dwelling Housing in the R2 Zone		
Control	Response	Complies?
3.6 Additional Driveway Design Controls Where Waste Service Vehicle Access to Site is Proposed 1. Where an internal driveway is a through driveway with entry and exit on separate streets and waste service vehicles are to enter the site, all manoeuvring and passing bays must be designed to accommodate the swept manoeuvring area of Council's standard waste service vehicle.	Compliance achieved and refer to Traffic and Parking Report and Waste Management Plan for detailed clarification.	Yes
3.7 Pedestrian Access Controls for All Development, Within the Site 1. Where a proposed pathway/footpath pavement gradient is more than 12.5% and less than 20% , provision for steps and/or handrail shall be made. Where a proposed pathway/footpath pavement gradient equals or exceeds 20% a separate pedestrian access stair with handrails shall be provided.	Proposal complies – Refer to plans	Yes
2. Paths and steps shall be a minimum 1.0 m wide within development sites.	Adequate pedestrian pathways provided.	Yes
3.8 Additional Pedestrian Access Controls for All Development, Within the Site, Except Dwelling Houses 1. The design of footpaths within car parking areas shall be in accordance with <i>Australian Standard – AS 2890.1</i> (as amended) except where otherwise provided by this chapter.	Footpaths are provided as circumstances require and in accordance with AS 2890.1 (as amended)	Yes
2. The use of contrasting pavement material shall be used to define pedestrian access and vehicular areas.	Council may impose condition.	Yes
3. The pedestrian access path of travel shall be compliant with AS2890.6/ AS1428.1 and shall be separate from all other activities, and shall allow uninterrupted travel by people with a disability.	Refer to Access Report	Yes
3.9 Public Domain Pedestrian Access Controls for All Development, Except Dwelling Houses 1. Paved pedestrian footpaths shall be provided within road reserves. Such footpaths shall have a minimum width of 1.2m.	Existing footpath to be retained.	-

Draft Sutherland Shire Development Control Plan 2015 – Compliance Table Multi-Dwelling Housing in the R2 Zone		
Control	Response	Complies?
2. Where footpath pavement is along a mapped off road cycle route, as mapped on the Sutherland Shire Bicycle Network Map, then the minimum width to be provided is 2 m.	Existing footpaths to be retained or reinstated as directed by Council's Engineers.	NA
3. Proposed pathways/footpaths shall have a gradient of 12.5% or less. The maximum gradient applies to the inner curve radius.	Proposed footpaths if required will be as directed by Council's Engineers.	-
4. A formal footpath width may be reduced or not required where a non-residential use (e.g., bushland) abuts the development site and services are not required along that footpath.		NA

ADDENDUM TO THE STATEMENT OF ENVIRONMENTAL EFFECTS

11 DECEMBER 2017

DA 17/0467

1-21 DILLWYNNIA GROVE, HEATHCOTE
35 Townhouses, 20 Apartments and 56 strata lots



TABLE OF CONTENTS

	Page
1. About this Document	3
2. Preliminary DA Assessment	4
3. Overview of Amendments	20
4. Conclusion	22
Attachments – Refer Plans and Consultant Reports	

1. About this Document

This document has been prepared as an addendum to DA17/0467, which seeks development consent for the refurbishment and restoration of Heathcote Hall, construction of townhouses, apartments, associated landscape works and strata subdivision.

This addendum to the Statement of Environmental Effects addresses the concerns raised by Council during the DA assessment. The additional information provided with this Addendum will assist Council in the determination of the proposed Development.

This addendum should be read in conjunction with:

- Amended architectural plans prepared by Ink Architects.
- LEP Calculations for both the site as a whole as well as the developable area prepared by Ink Architects.
- Amended Stormwater Plans prepared by Northrop Engineers.

Included with this Addendum are additional reports for consideration:

- Contamination Report
- Arborist Report - Amended
- Flora and Fauna Study - Amended
- Heritage Impact Statement – Amended
- Traffic and Parking Impact Assessment
- Construction Management Plan

2. Preliminary DA Assessment

Following the submission of the development application, Council highlighted concerns and provided constructive comments, which are tabled below. The table also notes the proponent's response to the concerns and how they have been addressed.

Table – Response to Post DA Submission

Response to SSC letter of the 29 th August 2017		
<p>1. Objectives and permissibility</p> <p>Council notes that consent is being sought pursuant to Clause 5.10 Heritage Conservation of the Sutherland Shire Local Environment Plan 2015 (SSLEP 2015).</p> <p>Whilst the proposed development is subject to the Heritage Provisions of Clause 5.10 of the SSLEP 2015, it is considered that the proposal is not consistent with a number of the objectives of the E4 Environmental Living Zone as per the SSLEP 2015, including:</p> <ul style="list-style-type: none"> • To provide for low-impact residential development in areas with special ecological, scientific or aesthetic values. • To ensure that residential development does not have an adverse effect on those values. • To allow for development that preserves and enhances the natural landscape setting of the locality. • To protect and restore trees, bushland and scenic values particularly along ridgelines and in other areas of high visual significance. • To ensure the character of the locality is not diminished by the cumulative impacts of development. • To share views between new and existing development and also from public space 	<p>Response</p>	<p>The amended submission drawings and reports address Council's concerns and recommendations.</p> <p>The team has addressed all comments and recommendations in order to respond in a professional and holistic way.</p> <p>We strongly believe the proposal has:</p> <ul style="list-style-type: none"> • Provided a low-impact residential development in areas with special ecological, scientific or aesthetic values. • Ensured that residential development does not have an adverse effect on those values. • Created a development that preserves and enhances the natural landscape setting of the locality. • Created a plan and strategy to restore trees, bushland and scenic values particularly along ridgelines and in other areas of high visual significance. The proposal has a detailed Heritage and Landscape plan that protects and recovers the original characteristics of a Historic Heritage Site. • Complemented the character of the locality and has not adversely impacted by the cumulative impacts of development. • Opened up views between new and existing development as well as enhanced views and vistas from public space.

<p>2. Height of the lift overrun</p> <p>The lift overrun for both Building A and Building B seems excessive. The lift overrun should be minimised in order to address visual impact of these elements as well as the inconsistency with the height limit regarding building A.</p> <p>Further the height of Building A to the roof must be consistent with the 8.5m height limit as per the SSLEP 2015.</p>		<p>The overall height of the lift overrun for Building A and Building B has been reduced by 1100 mm after further research and selection of an alternative lift supplier.</p> <p>As recommended by SSC's team, in redesigning Building A and Building B we have integrated the lifts further into the building footprint to minimize the visual impact when viewed from Dillwynia Grove and Boronia Grove approaches.</p>
<p>3. Landscape area and Floor Space ratio</p> <p>The calculation of landscape area and floor space ratio must be provided excluding the heritage curtilage area of the site.</p>		<p>Current drawings illustrate Landscape Area and Floor Space Ratio calculations based on the total site area as well as the Development area excluding the heritage curtilage area of the site.</p>
<p>Heritage Council</p> <p>General Terms of approval have been provided by the Heritage Council, a copy is attached for your information (Attachment A).</p>		<p>All required changes by Heritage Council have been incorporated in the amended design.</p> <p>Please refer to the amended:</p> <ul style="list-style-type: none"> • Architectural drawings • Landscape Plans • Heritage Impact Statement
<p>Site Layout/Design</p> <p>1. Setbacks to the street</p> <p>The front setbacks of the townhouses from Tecoma Street and Boronia Grove do not comply with the front setback requirements of the Sutherland Shire Development Control Plan 2015 (DCP 2015).</p> <p>The setbacks from Tecoma Street and Boronia Grove must be 7.5m. Where a development has a street setback of 7.5m or greater, building elements may encroach 1.5m into the front setback for a maximum of one third of the area of the façade, forming an articulation zone.</p>		<p>1. Setbacks to the street at Boronia and Tecoma have been increased in specific locations where the impact has not created adverse outcomes on the required setbacks as suggested by the Heritage Council.</p> <p>General setback of 7.5 m is addressed and balconies and other articulation elements are incorporated to provide interest to all street facades.</p> <p>Some of these elements have also been incorporated to assist in achieving better passive surveillance levels.</p> <p>Current drawings have incorporated additional setbacks for Townhouses 1, 2 and 3 and reduced basement areas to achieve additional setbacks, as well as increased zone minimising impact on tree protection zone.</p>

<p>2. Privacy</p> <p>Council has concerns regarding the privacy of the western adjoining properties from proposed townhouses 29 to 33 inclusive with regards to floor levels and first floor windows.</p> <p>The finished ground floor level of townhouses 31 to 33 and the decks of these dwellings are elevated approximately 2.2m above the natural ground level at the boundary with 24 Boronia Grove. These dwellings must be lowered to be at or close to natural ground level.</p> <p>This decrease in finished levels will also provide an improved relationship between these townhouses and their private open space areas, which at the moment is approximately 1.8m below the proposed decks.</p> <p>The western windows at first floor level of townhouses 29 to 33 must have a minimum sill height of 1.2m above finished floor level, and consist of external vertical screening. These measures are to reduce overlooking to the neighbouring properties to the west as well as to minimise solar gain to these windows.</p> <p>DCP 2015 does not allow two storey development in the rear of low density areas to address visual intrusion and privacy. Townhouses 29-33 require significant modification in order to be acceptable in this location. To address this, single storey elements must be introduced to these dwellings in order to reduce the bulk when viewed from the western boundary and the dwellings should be oriented away from the western boundary as much as possible to minimise privacy impacts.</p>		<p>Townhouses along the western boundary have been completely redesigned to address Council's concerns.</p> <p>Ground Floor Levels are now at grade or slightly lower to cater for a cross slope in the Natural Ground level. This will provide an improved relationship between these townhouses and their private open space.</p> <p>In addition, we have reduced the cluster of five to a cluster of four. The First Floor level had originally 10 bedrooms oriented towards the western boundary. The current design has reduced that to four with clear intention of minimising adverse effect onto neighbouring properties.</p> <p>We have also provided angled vertical screening as suggested to minimise overlooking and excess solar gain.</p>
---	--	--

<p>3. Interface of townhouses 21 to 26 (inclusive) with Heritage Precinct Pleasure Gardens to the south</p> <p>Townhouses 21 to 26 have a large open interface with the Heritage Precinct including the expansive public park surrounding Heathcote Hall. This raises concerns regarding security of these dwellings.</p> <p>If these dwellings are reoriented to provide their private open space to this side as per the Heritage Council General Term of Approval #11, careful consideration of the quality and the height of any fencing adjacent to the heritage curtilage must be applied. Whilst it is noted that these dwellings provide surveillance towards Heathcote Hall and grounds, security should be addressed for these dwellings and access to them; in particular as these are the sole pedestrian entries to these dwellings. This may include appropriate landscaping, low fencing and lighting.</p>		<p>Townhouses 23 to 28 have been reduced in size and recessed further away from the heritage curtilage area in response to Heritage Council's concerns.</p> <p>These dwellings will be provided with appropriate landscaping, low fences and lighting for additional security.</p>
<ul style="list-style-type: none"> Way finding <p>Way finding to Residential Flat Building A and a number of townhouses is not clear with the current layout of the site, including pedestrian paths and security gates. Access to the dwellings will need to be addressed through improved access and clear delineation of public, semi-private and private open space.</p> <p>There is a pedestrian path between townhouses 07 and 08 that leads to a series of planter boxes, and does not provide access further beyond this.</p>		<p>Wayfinding has been clarified (refer to DA 29 architectural plan)</p> <p>Clear access control is provided by gates and access structures that include weather protection, intercoms and mail boxes.</p> <p>Clear delineation between private, semi-private and public accessible spaces has been provided.</p> <p>The pedestrian path between townhouses 7 and 8 has been deleted and additional private open space has been added to those townhouses.</p> <p>We have located an egress stair from Basement 1 level in that location.</p>
<p>5. Adaptable and liveable dwellings</p> <p>The application does not comply with the provision of adaptable and liveable dwellings. 20% of all dwellings must be adaptable and 10% must be liveable. These dwellings must be clearly identified on plan. Appropriate accessible paths of travel must be provided to the dwellings, including from the basement and within the site.</p>		<p>30% of apartments are adaptable.</p> <p>They have been indicated on DA 16 plan. These are apartments 2 and 12 on Building A and apartments 1 and 11 plus 3 and 13 in Building B</p> <p>10% of dwellings are liveable These are apartments 2 and 12 on Building A and apartments 1 and 11 plus 3 and 13 in Building B</p>

<p>Amenity of Townhouses</p> <p>There a number of amenity issues that must be addressed regarding the townhouses.</p>		<p>Amenity issues have been resolved as follows:</p>
<p>1. Fenestration</p> <p>There are solid walls facing onto common circulation spaces for example town house 13 and 17. In order to improve surveillance, outlook and solar access to these dwellings, windows are to be provided at both ground and first floor level.</p> <p>A number of dwellings have solid north facing walls for example townhouse 28; windows are to be provided to improve solar access and residential amenity to these dwellings.</p> <p>Windows to the western elevation of townhouse 20 should be provided to improve solar access and residential amenity, in particular to the ground floor living area.</p>		<p>1. Fenestration issues have been addressed for townhouses 13 and 17. Other internal facades have been revised and additional windows, screening elements and openings have been incorporated to improve surveillance, outlook and solar access to the affected dwellings.</p> <p>Townhouse 28 has been redesigned. Windows have been provided to improve solar access and residential amenity to these dwellings.</p> <p>Townhouse 20 has been provided with windows to the east and south created cross ventilated spaces and enjoying the amenity of the Heritage gardens and views to the Historic Heathcote Hall.</p>
<p>2. Layout</p> <p>Townhouses 9,8,14,17,21,25 and 36 have their stairwell, bathrooms and laundries along the external wall of the dwelling, limiting solar access and amenity to the dwellings. The floor plan of these dwellings must be flipped (similar to townhouse 13) so that the stairwell etc. is on the internal common wall. This will then enable the introduction of windows to these facades.</p> <p>The layout or design of townhouses 24 and 27 must be amended to reflect a similar arrangement to townhouses 26 and 27.</p>		<p>2. Layout</p> <p>Townhouses 9, 8, 14,17, 21, 25 have been redesigned to improve solar access and amenity to those dwellings. Floor plans have been flipped so that stairwells are now on the internal common wall.</p> <p>Townhouses 23 to 28 have been redesigned to allow for better orientation, improved setback from the Heritage curtilage</p>
<p>Amenity of Residential Flat Buildings</p> <p>Further development to tighten the building footprints and improve outlook and solar access is recommended, in particular to Residential Flat Building A. In order to improve solar access, surveillance, and amenity; the following dwellings must have windows added:</p>		<p>The Residential Flat Buildings have been entirely redesigned. As a consequence, we have a reduced footprint, improved solar access and outlook.</p> <p>The buildings are responding to concepts discussed during our Council workshop. This has resulted in a virtual two storey structure with a recessed top floor.</p> <p>The top floor has been recessed and is lightweight in nature. Large openings connect the interior spaces with extensive private open space, enjoying the views to the Heritage gardens and Heathcote Hall.</p>

<p>Basement/Parking</p> <p>Given the proposed density of the development, Council seeks to minimise the impacts of the development upon the existing on street parking within the local road network fence.</p>		
<p>1. Basement</p> <p>The basement parking levels do not align with the footprint of the dwellings of the overall development. It is considered that in order to improve circulation and pedestrian access to/from the basement that they be redesigned.</p> <p>It is noted that at the ARAP meeting held on 9 June 2017, a member of the applicant's project team advised the Panel that garages were to be provided for each dwelling, however individual garaging has not been identified on plan.</p> <p>The proposed townhouses are based on a 6.5m grid; a nominal increase to the width of each module will allow many townhouses to be accessed directly from its own garage. Garage details must be shown on plan.</p> <p>Once these basements are redesigned there is then an opportunity to accommodate additional parking, and storage, including parking for other vehicles such as boats and trailers; reducing the impacts upon on street parking.</p> <p>Aligning the basements and the dwellings above also presents as an opportunity to increase the deep soil landscaping and tree retention across the site.</p> <p>As per General Term of Approval # 10, the basement and basement access from Dillwynnia Grove will need to be deleted. The two levels of basement may need to be linked internal and accessed solely from Boronia Grove.</p>		<p>Basement levels have been redesigned to accommodate the suggested improvements.</p> <p>Individual lockable garages have been provided for all townhouses. Garages are nominated and identified for each dwelling. Garages have additional storage area and direct access to the corresponding townhouse sitting directly on the level above.</p> <p>Garage details are provided on Basement 1 Floor Plan DA 06</p> <p>Additional parking for visitors and Heathcote Hall users is accommodated on Basement 1. Direct stair and lift has been incorporated</p> <p>Basements and dwellings have been aligned in order to maximise deep soil planting areas.</p> <p>Basement access from Dillwynnia has been reinstated as suggested later during our conversations. This will allow for the basement footprint to be reduced as no internal ramp is provided.</p> <p>Dillwynnia Grove access has been moved as close as practically possible to the western boundary preventing The Basement garage door to be visible from Dillwynnia Grove.</p>
<p>2. Pedestrian Access</p> <p>There is limited pedestrian access from both basement levels to the residential development.</p> <p>To access the majority of townhouses, residents and visitors will be required to exit the basement via a common stair then walk to their dwelling, in some instances the journey is unreasonably long and requires the user to exit the site.</p>		<p>Pedestrian Access</p> <p>Additional access stairs and lifts have been added to connect Basement levels with the Ground Floor Level.</p> <p>The amended plans show individual access connecting all townhouses and their secured Garages and storage.</p>

<p>There are two lifts, which both provide access to each of the proposed residential flat buildings, however there are no other lifts provided within the basement to service the remainder of the development. A small number of townhouses have direct access from the basement to the dwellings - townhouses 29 and 30, through their parking spaces; and townhouses 34, 35 and 36 through their rear private open space.</p> <p>Appropriate access between the basement and all townhouses, and the heritage precinct must be provided through the inclusion of additional lifts. There is also an opportunity to provide additional stair wells, or relocate stairwells to a more central location in order to improve pedestrian access to/ from the basement to the ground level of the site. This would also address required access to the Adaptable Dwellings.</p> <p>Providing individual garaging as discussed above and including additional lift cores would assist in resolving the matter relating to pedestrian access to the dwellings. It would also provide access to the proposed heritage gardens and Heathcote Hall from the basement parking required, as per “<i>Commercial Parking</i>” below.</p>		<p>We have provided two dedicated lifts to access Basement levels and all levels in Buildings A and B.</p> <p>All townhouses have their own internal secure stair connection. An additional lift and stair has been incorporated to provide access for visitors to Heathcote Hall and the publicly accessible Gardens.</p> <p>This additional stair and lift combination provides universal access from Disabled parking spaces to the Ground Floor, Heathcote Hall and Gardens</p> <p>Please refer to drawings:</p> <ul style="list-style-type: none"> • DA05 Basement B2 • DA06 Basement B1 • DA07 Ground Floor Plan • DA08 First Floor Plan • DA09 Second Floor Plan
<p>3 Commercial Parking</p> <p>Whilst the commercial parking rates as per the DCP 2015 do not strictly apply to the E4 zone, it is considered that in this case commercial parking rates for this development should be calculated at a rate of 1 space per 30m² of gross floor area of Heathcote Hall.</p> <p>The commercial parking must be provided in the basement to reduce the visual impact of vehicular parking upon the Heritage Curtilage, and to minimise the impacts to on street parking. The provision of additional commercial spaces in the basement will benefit any future tenancies with respect to compliance with required parking as on street parking for the proposed commercial use cannot be relied upon for this proposal.</p> <p>These spaces can be accommodated within the reconfigured basement as discussed above. This also provides the opportunity for an accessible point of entry/exit to ground level.</p>		<p>Commercial Parking</p> <p>Commercial parking has been provided on Basement 1 level at the rate of One car per 30m² of gross floor area.</p> <p>A stair and lift connection to Ground Floor level has been provided in the proximity of the connecting public path.</p>

<p>4 Delivery Bay</p> <p>The indented bay proposed on Boronia Grove is not supported and must be deleted. All commercial and residential deliveries must occur wholly within the site. A dedicated bay must be identified on plan.</p>		<p>Delivery Bay</p> <p>Deliveries to the Hall and Commercial space are proposed to be done at Ground Floor Level accessed from Tecoma Street.</p> <p>Delivery Bay originally proposed on Boronia Grove has been deleted.</p> <p>Waste vehicles will be parked entirely within the site of Boronia Grove and Dillwynnia. (refer to Waste Management report by Elephant Foot and Traffic Report by McLaren Engineers)</p>
<p>5 Two at grade spaces</p> <p>The two at grade parking spaces associated with townhouse 01 (Tecoma Avenue) and townhouse 20 (Boronia Grove) must be deleted from the proposal.</p>		<p>The two at grade spaces of Tecoma and Boronia have been deleted from the proposal.</p>
<p>Emergency Vehicular access to the centre of the site</p> <p>Internal site access for emergency vehicles must be provided to the centre of the site (in the vicinity of Residential Flat Building A). Appropriate widths and any required turning facilities must be provided for emergency vehicles, and in accordance with AS2890.1 or AS2890.2 and relevant NSW Fire and Rescue policy.</p>		<p>Emergency Vehicular access to the centre of the site</p> <p>Emergency vehicle strategies have been discussed with:</p> <ul style="list-style-type: none"> • NSW Ambulance • Rural Fire Brigade, Heathcote • NSW Rural Fire Service, Homebush <p>Adequate access has been provided in this proposal. NSW Rural Fire Services indicated they will review the final proposal once it has been directed to them by Sutherland Shire Council.</p>
<p>Additional Traffic Study</p> <p>An assessment has been undertaken of the <i>Traffic and Parking Impact Assessment by McLaren Traffic and Engineering (dated 19 April 2017)</i>. The traffic modelling submitted with this application adopted a lower traffic volume that does not model the worst-case scenario. In addition, the cycle time of 220- 240 seconds is considered inappropriate for the Princes Highway/ Wilson Parade intersection.</p> <p><u>Revised traffic modelling for all scenarios using the higher traffic volume and RMS IDM signal data for the Princes Highway/ Wilson Parade intersection must be undertaken.</u></p> <p>Additional traffic surveys will need to be undertaken in order to enable an assessment of the impact of the proposal upon traffic. All traffic modelling files should be provided to Council for review.</p>		<p>Additional Traffic Study</p> <p>Please refer to the amended Traffic and Parking Impact assessment study prepared by McLaren Traffic.</p>

<p>Ecology</p> <p>Ecological Assessment Report Council has reviewed the submitted Ecological Assessment: <i>"Flora and Fauna Report, Heathcote Hall Residential Development"</i>, by Ecological, dated 27 April 2017. The following is required, with amendments to be made to the report as follows:</p>		<p>Ecology</p> <p>Please refer to the Ecological Assessment Report prepared by Eco Logical Australia.</p> <p>Please refer to Landscape Plans prepared by Site Design</p> <p>Please refer to the Arboricultural Impact Assessment Report prepared by Jacksons Nature Works.</p>
<p>Preliminary Site Contamination Investigation</p> <p>The site inspection revealed areas of the site that had been subject to filling. The nature, location, volume and depth of the fill have not been determined. In accordance with the requirements of State Environmental Planning Policy No. 55</p>		<p>Preliminary Site Contamination Investigation</p> <p>Please refer to Phase 1 Contamination Assessment prepared by GHD</p>
<p>Engineering</p> <p>1 Stormwater</p> <p>Whilst it is noted that no additional stormwater works are to occur in the heritage restoration zone, it is critical to understand if any additional stormwater runoff is likely to occur in this area i.e. from sealing of internal roads, restoration of gutters, etc.</p>		<p>Engineering</p> <p>1 Stormwater</p> <p>Please refer to the Civil and Stormwater Management Reports prepared by Northrop Engineers.</p>
<p>2 Utilities and Infrastructure</p> <p>An electricity substation is likely to be required to service the development. The location and treatment of the substation must be identified on plans.</p> <p>NSW Fire and Rescue may require rainwater tanks to service the development. Evidence of this should be provided to Council. Any rain water tanks for required must be shown on plans.</p> <p>Infrastructure required will not be permitted within the front boundary setback or at the expense of landscaping or parking requirements.</p>		<p>2 Utilities and Infrastructure</p> <p>Please refer to Civil and Stormwater Management Reports prepared by Northrop Engineers</p>

<p>3 Waste collection</p> <p>The indented waste bay on Boronia Grove is not supported. Waste collection for the site (both residential and commercial) must occur from wholly within the site, including appropriate waste holding bays. Provision must be made for a HRV to collect the waste wholly from within the site - for this scale of development a HRV is the standard vehicle required. The vertical clearance into the basement will need to comply with the requirements of the nominated waste collection vehicle if collection is from the basement.</p> <p>If a vehicle smaller than a HRV is proposed to be used to service the site, detail of collection and appropriate design standards must be provided to Council for assessment.</p>		<p>3 Waste collection</p> <p>The indented bay originally proposed on Boronia Grove has been deleted.</p> <p>Waste Collection has been redesigned to satisfy Council's request.</p> <p>The proposal supported by McLaren Traffic and Elephant Foot allows for a HRV to reverse fully within the site as discussed with Council.</p> <p>Collection will be done directly from the Basement levels as discussed in our workshop.</p> <p>Please refer to Elephant Foot Waste Management Report.</p>
<p>Construction Management</p> <p>A detailed construction management plan must be submitted. The plan submitted with the application is insufficient.</p>		<p>Construction Management</p> <p>A detailed construction and environmental management plan has been submitted with this application</p>
<p>Future Use</p> <p>It is noted that any future use Heathcote Hall will require separate development applications to be lodged. The applications should be consistent with any Conservation Management Plan/ Heritage Impact Statement and any General Terms issued by the Heritage Council.</p>		<p>Future Use</p> <p>Noted</p>
<p>Subdivision</p> <p>The application seeks consent for strata subdivision. Subdivision plans have not been submitted supporting the application. Please submit subdivision plans, identifying lots and common property.</p>		<p>Subdivision</p> <p>A detailed subdivision plan will be submitted to satisfy Council's requirement.</p>
<p>Emergency Procedures</p> <p>An emergency and evacuation plan must be prepared for the site, with particular reference to bushfire emergency, and vehicular access by a variety of emergency services to the site. This plan must be submitted prior to determination.</p>		<p>Emergency Procedures</p> <p>Noted</p>

<p>Rural Fire Service</p> <p>The NSW Rural Fire Service (RFS) are yet to provide their General Terms. Please note that the RFS require the additional traffic assessment as requested above prior to providing their final comment.</p>		<p>Rural Fire Service</p> <p>Noted</p>
---	--	--

<p>Architectural Review and Assessment Panel (ARAP)</p> <p>The ARAP minutes are attached (Attachment B), and should be addressed in the amended application.</p> <p>Information submitted</p> <p>There are a number of issues regarding documents submitted:</p> <p>The Heritage Curtilage is not shown in its full extent on plans. All plans must be updated to reflect this, including buffers and setbacks as per the CMP.</p> <p>The plans do not show the entire extent of the site, in particular the southern boundary and part of Heathcote Hall is not shown on plan. Please update all plans to reflect all boundaries, Heathcote Hall and surrounds.</p> <p>Storage – storage allocation for each dwelling to be shown on plan with volumes.</p> <p>Elevations of ALL buildings must be provided.</p> <p>There is a reference to BBQ areas and places for gathering discussed in the Statement of Environmental Effects however these areas are not shown on plan, these areas are particularly important for the residential flat buildings. Plans must be updated to show these communal areas.</p> <p>The sections on plan are not clearly identified; the sections are hard to follow. All plans must be updated so that the section lines are clearly identified.</p>		<p>Architectural Review and Assessment Panel (ARAP)</p> <p>ARAP comments and suggestions have been implemented. Revised proposal has been presented to Council during our meeting in November.</p> <p>The Heritage Curtilage is now shown in full extent to reflect all conditions derived from the CMP.</p> <p>The plans have been issued in AO format to allow for the entire site to be shown at 1:200 scale</p> <p>Storage has been allocated to each dwelling and shown on amended plans</p> <p>All building elevations are shown on amended plans.</p> <p>Communal Open space and Private open spaces have been identified on Architectural drawings in combination with Landscape drawings and diagrams.</p> <p>All sections and elevations are referenced on plans.</p>
---	--	---

Response to Minutes of Meeting 27th November 2017		
<p>1) <i>Residential Flat buildings</i></p> <ul style="list-style-type: none"> a. Reduce bulk and scale – Level 3 to be more recessive at the top level, in particular RFB B. b. View lines/perspectives to the development, in particular to both RFBs must be provided. This will assist in demonstrating a true elevation of the development by a person outside the site from Dillwynnia and Boronia Grove, and the adjacent western properties. c. The treatment of the northern facade of RFB A needs addressing. There are angled over hangs over the private open space of the adjacent dwellings 4 and 5. It not ideal that these spaces overhang the neighbouring properties, and it is recommended that they be deleted. <p>The windows must be replaced with vertical slot windows that are off set to the windows on the southern elevation of dwellings 4 and 5.</p> <ul style="list-style-type: none"> d. All unit numbers must be identified for both RFBs 	<p>Response</p> <p>The bulk and scale of Buildings A and B has been reduced by recessing the top level. The top level is now of light weight construction. We have further reduced the springing point of the roof, reduced the roof slope from 5 to 3 degrees. In addition, we have made a change in the selection of the lifts in order to reduce the lift over run by one meter.</p> <p>We have provided additional views from Dillwynnia Grove and Boronia Grove, as well as a view from Tecoma Street to assist in demonstrating the bulk and scale relationship of the RFB's in relation to the two storey townhouses and Heathcote Hall. Please refer to DA 17</p> <p>The treatment of the northern façade of Building A has been addressed. Overhangs have been deleted and replaced with highlight windows to avoid privacy issues.</p> <p>All apartments have been numbered in the current drawing set.</p>	
<p>2) <i>Townhouses Boronia Grove Elevations:</i></p> <ul style="list-style-type: none"> a. Dwelling 1: <ul style="list-style-type: none"> i. The private open space including all paved areas must be at ground level. The midway elevated paved private open space area is not supported and is to be deleted. b. Dwellings 2- 3: <ul style="list-style-type: none"> i. Need to be setback these dwellings 7.5m from Boronia Grove, with no built element to be closer than 6m from the boundary, including roof form. This will result in a decrease in depth of the rear private open space, but increase the private open space in the font setback, acting as a secondary area for use by residents. 		<p>The private open space facing north has been increased at ground level. The elevated open space has been deleted to satisfy Council's concern about privacy.</p> <p>Townhouses 2 and 3 have been set back further as recommended. Articulation elements have been set back behind the 6m line.</p>

<ul style="list-style-type: none"> ii. The first floor voids must be decreased in depth to no greater than 1m, in order to achieve this the screen must be set 1m from the façade of these dwellings. The walls associated with the voids must also be decreased in depth (except where required as common walls for fire separation), as must the roof areas. iii. The deck off the master bedroom for dwellings 2 must be reduced in depth to a “Juliette Balcony”, with the roof form to change over the balcony to introduce articulation. 		<p>First floor level has been set back further to achieve the required suggestions.</p> <p>The deck off the master bedroom on TH 2 has been reduced in depth to be compliant with the 6m setback line. A good degree of articulation is retained in order to produce interesting facades. North facing facades have been provided with necessary shading to improve environmental performance.</p>
<ul style="list-style-type: none"> a. Dwellings 4-7: <ul style="list-style-type: none"> iv. The first floor voids and associated roofs must be decreased in depth to no greater than 1m, in order to achieve this the screen must be set 1m from the façade of these dwellings. The walls associated with the voids must also be decreased in depth (except where required as common walls for fire separation). v. The deck off each master bedroom must be reduced in depth to a “<i>Juliette Balcony</i>”, with the roof form to change over the balcony to introduce articulation. b. Dwellings 11 and 12 - the roof form must be articulated to the north of the master bedroom. At the moment it appears as though the roof sits in line with the front façade/ void. The depth of this roof must be decreased. c. Dwellings 2-14 in addition to the above: <ul style="list-style-type: none"> vi. The roof overhang must be not greater than 1 metre in depth where overhang is proposed. vii. Where voids and decks are proposed at first floor they should be varied in depth as well as their associated roofs and fin walls. 		<p>Voids to First Floor and associated roofs are in proportion to the spaces they are related to. Further reduction will create flat elevations with not enough articulation. Fire separation is achieved with the party walls and roof extensions. The glass line is recessed to create protected and shaded spaces improving environmental performance. The architecture is simple in form and materiality to respect the presence of Heathcote Hall. The proposed decks are proportioned to allow amenity and outlook, thus creating a level of privacy.</p> <p>Full height glazing to bedrooms is protected by slab extensions (decks) but providing an opportunity for passive surveillance.</p> <p>Roof forms are simple and strong. The overall expression of the development is one where the simplicity will achieve a character as an overall composition. The simplicity of the form will finally deliver buildings that are rational and austere.</p> <p>Roof overhangs have been designed to protect balconies, individual entries and to create a play of light and shade. It would be detrimental to the overall expression of the buildings to reduce those elements, as agreed during the ARAP presentations. There is enough variety introduced by the variation in types, materiality and colour. A certain uniformity is necessary to provide all residents with an equivalent level of amenity.</p>

<p>1) <i>Townhouses: Dillwynnia</i></p> <p>a. Dwellings 29 and 30 – there is concern with the amenity of the rear open space for these dwellings. These dwellings could be redesigned to provide living and north facing private open space on level 1, with the provision of any privacy screens.</p> <p>2) <i>Landscaping: Tree 78</i></p> <p>Councils Landscape Architect has provided a hand marked drawing regarding trees 78 and 98 below (<i>by B Buchanan L.A. SSC, Date 30 November 2017</i>).</p> <p>Council would prefer that Tree 78 is retained and protected to ensure its long term survival. However, there are considerable issues to retain this tree, which involves a major redesign of the basement and some ground floor structures to ensure its survival.</p> <p>Council has had some advice that despite the significance of this tree, Council and the Heritage Office will consider the removal of this tree subject to suitable and adequate replacement planting. Council would require the same species to be planted, propagated from seeds locally sources from the site, as this is an unusual species in the Sutherland Shire.</p> <p>Additional advice related to the Tree Protection Zones observed by the Landscape Architect indicates that the basement and ground floor building footprints don't align across the plans, refer to the redline and the dark line of the basement as shown below (except where part of the basement is proposed to be deleted as a result of discussions in the meeting, associated with garage 28 in B1.) Placement of retaining walls and courtyard walls, stairs, excavation, paths and fill must ensure no incursion into TPZs across the site.</p>		<p>As suggested, we have reconsidered the option of inverting the floor plates.</p> <p>The main negative factors to consider are:</p> <ul style="list-style-type: none"> • Privacy issues towards neighboring dwellings. • Private open spaces should remain at ground floor whenever possible to become more usable. • Walking distance from the basement level to Level 1 would be excessive. • Access to those Townhouses from the street would be through the bedroom level. <p>We would like to consider Council's option of replacing tree 78 and 79 with a suitable and adequate replacement species.</p> <p>Please refer to Landscape Architects drawings and Arboricultural Assessment report</p> <p>Basement walls and Building lines line up wherever possible. We have completely redesigned the Basement levels to provide direct and private access to all townhouses as suggested. Unfortunately, in some instances the structures are not perfectly aligned. The Basement structure around TH 28 has been reduced to achieve a smaller intrusion into the deep soil planting zone.</p>
--	--	--

<p>5) <i>Commercial Car parking:</i> commercial visitor parking spaces are to be provided in addition to residential visitor spaces, and at a rate of 1 space per 30m² GFA for Heathcote Hall There is an opportunity to provide a separate commercial visitor carparking area under residential flat building B, with access from Dillwynnia Grove.</p> <p>This would also provide an opportunity to secure separate residential/ commercial parking.</p>		<p>Commercial Car Parking has been provided in Basement 1 level to minimize the impact of excavation and reduction in Deep soil planting areas.</p> <p>The carpark is provided at the ratio of 1 car per 30m² for Heathcote Hall</p>
<p>6) <i>Basement:</i> Basement setback from Boronia Grove needs to be increased to align with the remainder of the Basement B1 to the east (i.e. to be setback the same distances as Garage 04 to Garage 17), this is important to protect the trees outside the site on Council verge.</p>		<p>Basement setback under townhouses 1 to 3 has been increased to align with basement setback under townhouses 4 to 17.</p>
<p>7) Council is currently reviewing the footpath treatment around the site – further advice will be provided.</p>		<p>Noted</p>
<p>8) Council comments regarding documentation already submitted:</p> <ul style="list-style-type: none"> (a) <i>Traffic Report:</i> Adequate. (b) <i>Contamination report:</i> Further work needed as previously advised via email on 28 November 2018, to be submitted prior to determination for assessment. (c) <i>Geotechnical Report:</i> Comments pending. 		<p>Noted</p>

3. Overview of Amendments

The following sections and tables, in conjunction with the amended plans and revised supporting documentation provides a comparison of the Previous Scheme with the Amended Scheme.

Table – Development Statistics

Element	Previous Scheme	Amended Scheme	Comment
Site Area	17,502.30m ²	17,502.30m ²	No Change
Development Area	-	10,722.48m ²	Provided as requested
Gross Floor Area	6,592.43m ²	7,106.01m ²	Nominal increase in
Residential GFA	6,153.86m ²	6,667.44m ²	the Commercial GFA
Heathcote Hall GFA	438.57m ²	438.57m ²	
FSR (Site Area)	0.38:1	0.4:1	Nominal increase due to apartment building refinement – refer plans.
FSR (Dev.Area)	-	0.6:1	Provided as requested
Townhouse	36 dwellings	35 dwellings	Reduction by 1
Apartments	21 dwellings	20 dwellings	Reduction by 1
Total Dwellings	57 dwellings	55 dwellings	Reduction by 2
Carparking (Total)	134 spaces	134 spaces	No Change

SEE – 3. Proposal - page 6 [April 2017]

Development Precinct

1. 36 Town Houses at 2 storeys
2. 3 storey building A - 15 units
3. 2 storey building B - 6 units
4. Basement car parking accessed from Boronia Grove and Dillwynnia Grove
5. Landscaping
6. Associated earthworks

Amendment

Development Precinct

1. 35 Town Houses at 2 storeys
2. 3 storey building A - 10 units
3. 3 storey building B - 10 units
4. Basement car parking accessed from Boronia Grove and Dillwynnia Grove
5. Landscaping

9. What is the proposed numeric value of the development standard in the DA and the variation proposed?

The maximum variations for each building height point as measured to the roof and lift overrun as obtained from the Sections prepared by Ink Architects are:

Building A	Height (m)	Variance to 8.5m Control (m)	Variance (%)
Roof	8.8m	0.4m	4.7%
Lift overrun	9.8m	1.3m	15.3%

Please refer to Section Plans H-H included with this development application which include annotations of the relevant LEP height lines to visually demonstrate the extent of height non-compliance of Building A.

- The numerical variations are indicated above and range from 4.7% to 15.3% depending on the where the point is measured and what building element. The three storey Building A is set back from the street frontages, screened by the 2 storey dwellings and existing mature trees, recessed to avoid any negative impact on overshadowing or loss of privacy for existing properties. The lift overrun will not create additional shadows as the shadows created by the minor additional height are falling within the shadows cast by the proposed Building A.

Amendment

9. What is the proposed numeric value of the development standard in the DA and the variation proposed?

The maximum variations for each building height point as measured to the roof and lift overrun as obtained from the Sections prepared by Ink Architects are:

Element	Height (m)	Variance to 8.5m Control (m)	Variance (%)
Roof	10.24m	1.74m	20.47%
Lift overrun	10.30m	1.80m	21.18%

Please refer to Section Plans H-H included with this development application which include annotations of the relevant LEP height lines to visually demonstrate the extent of height non-compliance.

- The numerical variations are indicated above and range from 20.47% to 21.18% depending on the where the point is measured and what building element. The three storey is set back from the street frontages, screened by the 2 storey dwellings and existing mature trees, recessed to avoid any negative impact on overshadowing or loss of privacy for existing properties. The lift overrun will not create additional shadows as the shadows created by

the minor additional height are falling within the shadows cast by the proposed Building A and Building B.

4. Conclusion

The proposal has taken account of relevant plans and policies that apply to the site and is characterised by a high level of compliance with planning controls and guidelines.

Technical studies accompanying the development application conclude that the site is free from preclusive hazards; the development as proposed is considered to mitigate potential impacts; and that it is not expected to have any significant adverse impacts when their recommendations are adopted.

The proposed development will facilitate the restoration and conservation of the State Significant heritage item – Heathcote Hall. A Conservation Management Plan (CMP) supported by the State Heritage Council outlines the conservation works and policies required to ensure the viability and maintenance of Heathcote Hall including future development opportunities. Included with this addendum is an updated Heritage Impact Statement requested by Council for consideration.

The longer-term positive impacts are that the community is able to utilise Heathcote Hall and gardens once fully restored. The site is suitable for the development proposed which will enhance the housing choice within the area. The proposal will generally have acceptable impacts on both the environment and the amenity of the locality.

Accordingly, the development application is worthy of support on its merits and is recommended for the granting of consent with appropriate conditions.