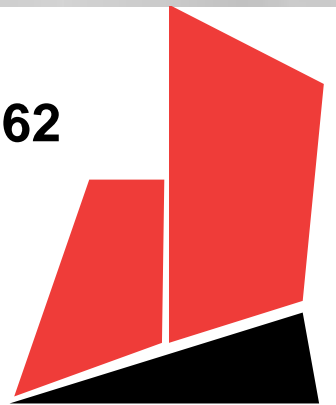


Statement of Environmental Effects

Development Application

77 & 79 Waldron Road, Chester Hill NSW 2162

7 September 2017



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6 September 2017	Report 001 (Final)	Kristy Hodgkinson Director	

In the event that this document is not signed, this is not representative of a final version of the document, suitable for assessment purposes.

RELIANCE ON CONSULTANT INFORMATION

As part of undertaking this project, Hamptons has relied on the professional advice provided by third party consultants. No responsibility is taken for the accuracy of the information relied upon by these consultants assisting the project. It is assumed that each of the consultants has made their own enquiries in relation to technical matters forming part of their expertise.



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1. SUMMARY OF PROPOSAL

Hamptons Property Services (Hamptons) has been retained by the owner, Austciti Development Pty Ltd to prepare a Statement of Environmental Effects for the land known as 77- 79 Waldron Road, Chester Hill, NSW 2162.

This development application is for the amalgamation of 77 and 79 Waldron Road (the site), demolition of the existing residential dwellings and the construction of a boarding house to facilitate 52 residential units (including one building manager's room) and two ground floor neighbourhood shops, fronting Waldron Road. Parking is proposed on the ground floor level of the development, which will facilitate 17 parking spaces, 8 motorcycle spaces, 8 bicycle spaces, a lift, fire stairs and associated services area. Access to the site is gained *via* a new opening aligning the eastern site boundary, from Waldron Road and egress is proposed by a separate opening along the western boundary of the site.

The site is located in the R4 - High Density Residential zone pursuant to the Bankstown Local Environmental Plan (LEP) 2015 and the proposed uses of the site are permissible with development consent from Canterbury Bankstown Council (the Council) (Clause 1.6).

Despite the newly formed Council, the environmental planning instruments of the former Bankstown Council will continue to apply and be relied upon for the purpose of assessing this application.

Further details regarding the definition of *boarding house* and *neighbourhood shop* is provided below in Chapter 3 of this report.

The proposal is consistent with Objectives of the high density residential zone despite the low density urban context that is, and surrounds, the site. Recent changes to the zoning of the site has occurred, with increased density being permitted in more recent times, due to the site's proximity to a B2 Local Centre zone (100m) and Chester Hill Railway Station (500m), both elements promoting access to local facilities and services that warrant a higher density of development within the immediate vicinity of the site. This will further enrich and strengthen the function of Chester Hill Village Centre as the largest shopping centre servicing the northern suburbs or the North-West local area. The strategic decision to increase the density provisions will now see a period of transitional urban form over the coming years.

The higher density of development promoted will enable a more diverse mix of residential accommodation provided for the area, which is a desired outcome of this proposal, providing an affordable approach to residential accommodation within direct access to local facilities and services. To further assist this approach, the proposal seeks to deliver small scale retailing, with a more contemporary design to service the needs of people who live and work in the immediate area.



This Statement of Environmental Effects considers the proposal against the relevant Environmental Planning Instruments, including the benefits derived by State Environmental Planning Policy (Affordable Rental Housing) 2009 and provides the following:

- a description of the site and the locality surrounding this;
- a description of the proposed development;
- the proposal's response to the relevant environmental planning controls; and
- conclusions and recommendations relating to the proposal.

We trust that the enclosed information is sufficient for Council's consideration of the matter and look forward to working with Council during assessment of the development application.



2. THE SITE & ITS LOCALITY

Table 1, below, provides the key information relating to the site.

Table 1: Site Details

Property Address	77-79 Waldron Road, Chester Hill - 2162	
Legal Description	Lot 62 and Lot 63; DP23866	
Site Area (approx.)	1,268.90 m ² being 630m ² (Lot 62) & 630m ² (Lot 63)	
Site Boundaries	North	30.00m
	East	42.00m
	South	30.00m
	West	42.00m
Existing Use	Single storey dwelling house	
Zoning	R4 High Density Residential	
Critical Habitat	No	
Conservation Area	No	
Environmental Heritage	No	
Coastal Protection	No	
Hazard Risk Restriction (other than flooding)	No	
Flood Planning	Yes Note. Refer Clause 6.3 (Flood Planning) under Bankstown Local Environmental Plan 2015 and Part B12 of the Bankstown Development Control Plan 2015	
Acquisition	No	
Biodiversity Certified Land	No	
Bio-banking agreements	No	
Bushfire Prone Land	No	
Property Vegetation Plan	No	
Contamination	No	
Acid Sulfate Soils	Not applicable	

Note: Based on Section 149(2) & (5) dated 6 June 2017, Certificate No. 20172232 for 77 Waldron Road



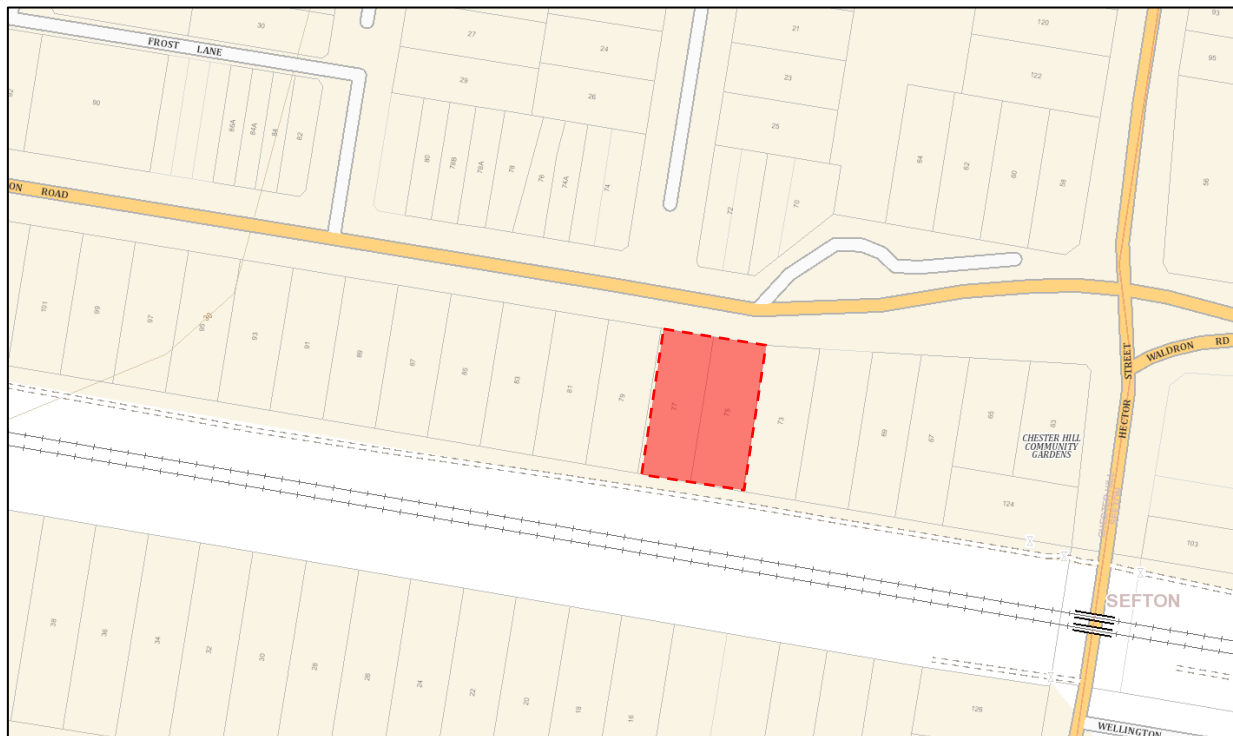


Figure 1: Site Location

Source: <http://www.google.com.au>



Figure 2: Aerial Photograph

Source: <https://maps.six.nsw.gov.au>

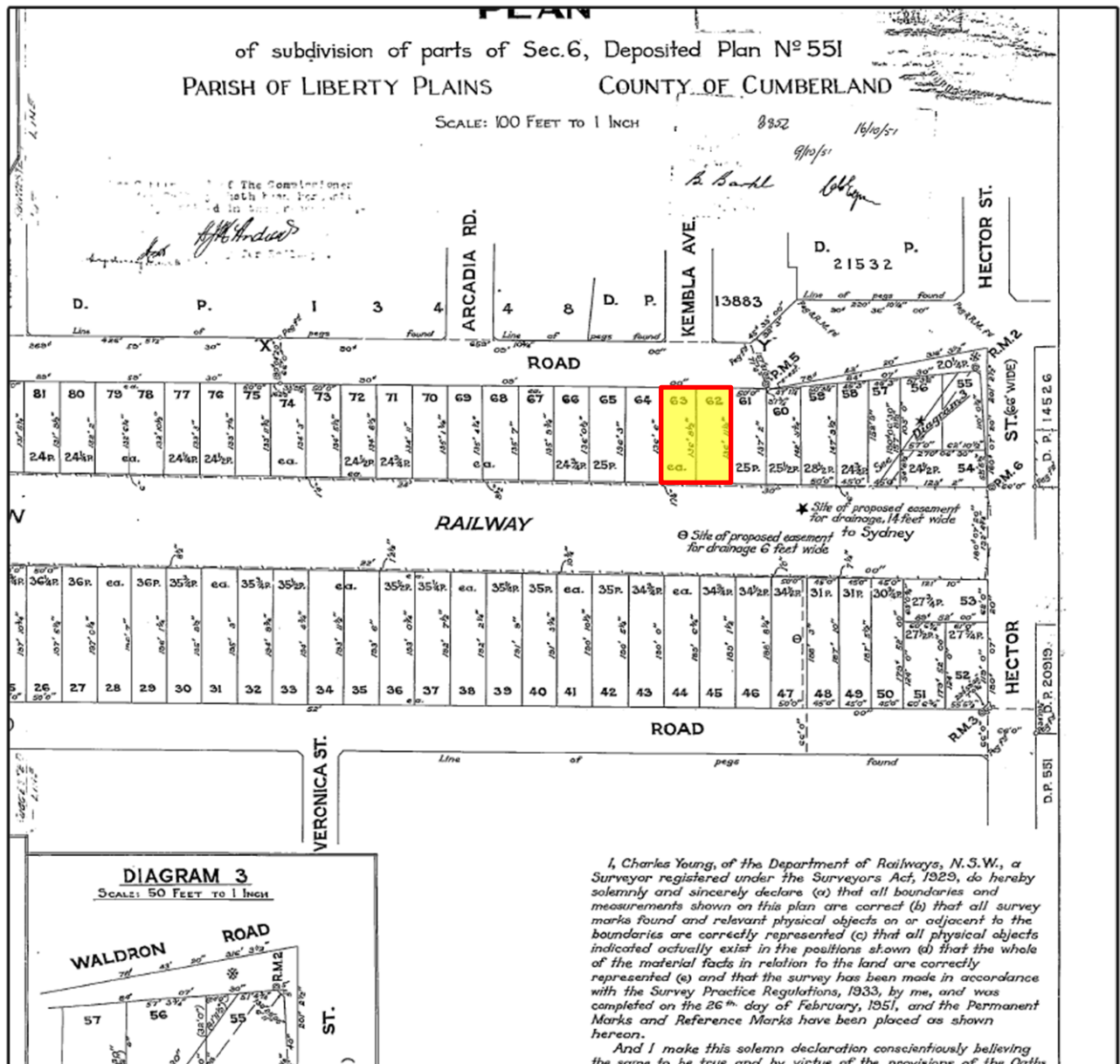


Figure 3: Title certificate

Easements and Restrictions

There are no affectations registered on the titles of both Lot 62 and 63 that will affect the proposed development.

Upon consolidation of the two properties into one lot, this will be registered on title with the Land Registry Office.

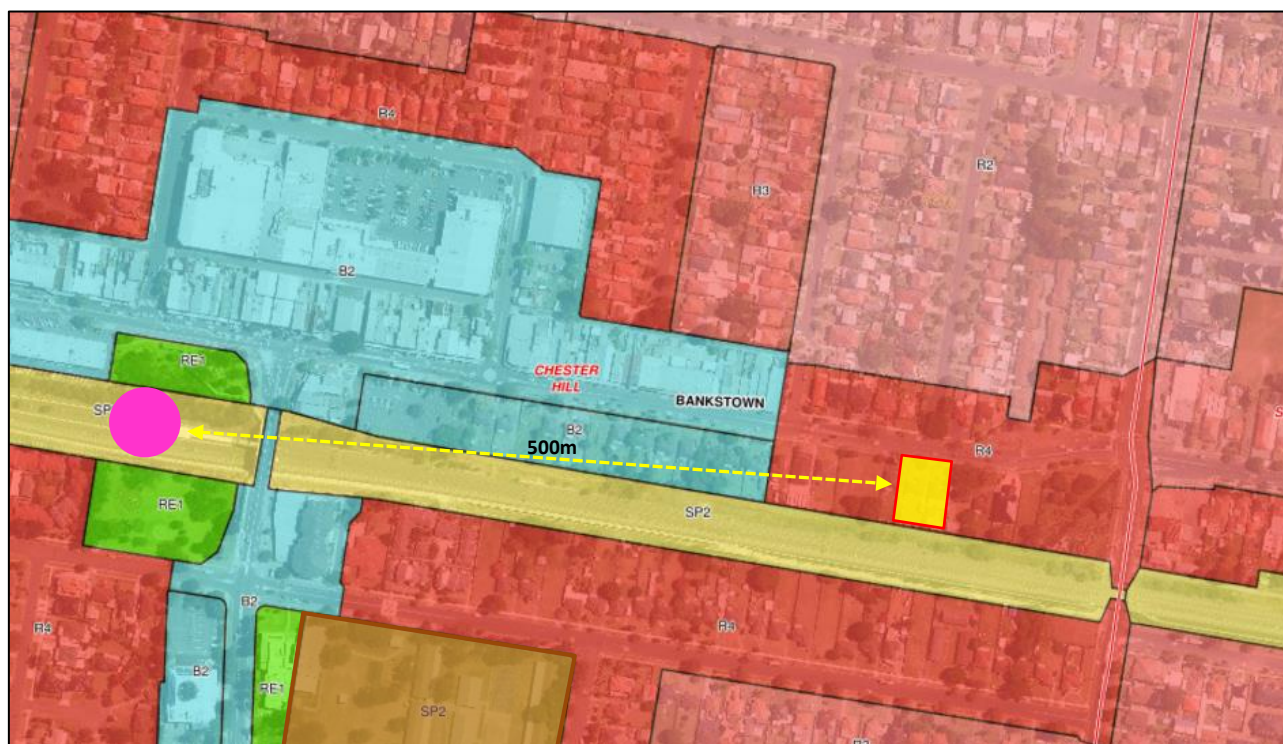










Figure 4: Context Analysis

LEGEND

	Subject Site		Local centre		R4 – High Density Residential
	Chester Hill Railway Station		SP2 Infrastructure (Railway)		Low Density Residential (R2)
	Public Recreation		Public School		

The site is rectangular in shape and is bordered by the T3 Bankstown train line located to the rear, running in an east-west direction.

Existing on each site is a single storey residential dwelling, associated landscaping and ancillary development.

The site's immediate context is low density residential land uses, including predominantly 1-2 storey dwellings on large lots. Approximately 500m west of the site is the Chester Hill Village Centre, and retail stores extend along Waldron Road toward the site ending approximately 100m west of this. The services provided within this town centre include a Woolworth's supermarket, banks and pharmacies along with many other small retailers to service local convenience needs, expected within a B2 Local Centre zone. Chester Hill train station forms part of this town centre, approximately 500m from the site with services to Liverpool Station to the west and Central Station to the east, which connect with the inner-city network. Approximately 500m south-west of the site is Chester Hill Primary School and a Chester Hill Library and Knowledge Centre.

In terms of opportunities and constraints, the site benefits from being highly accessible *via* public transport and close to neighbourhood shops, although the acoustic exposure to the rail line is a considerable constraint.

Photograph 1: View of the existing site from Waldron Road



Photograph 2: View of existing improvements on 77 Waldron Road



Photograph 3: View of the 79 Waldron Road facing a South-East direction



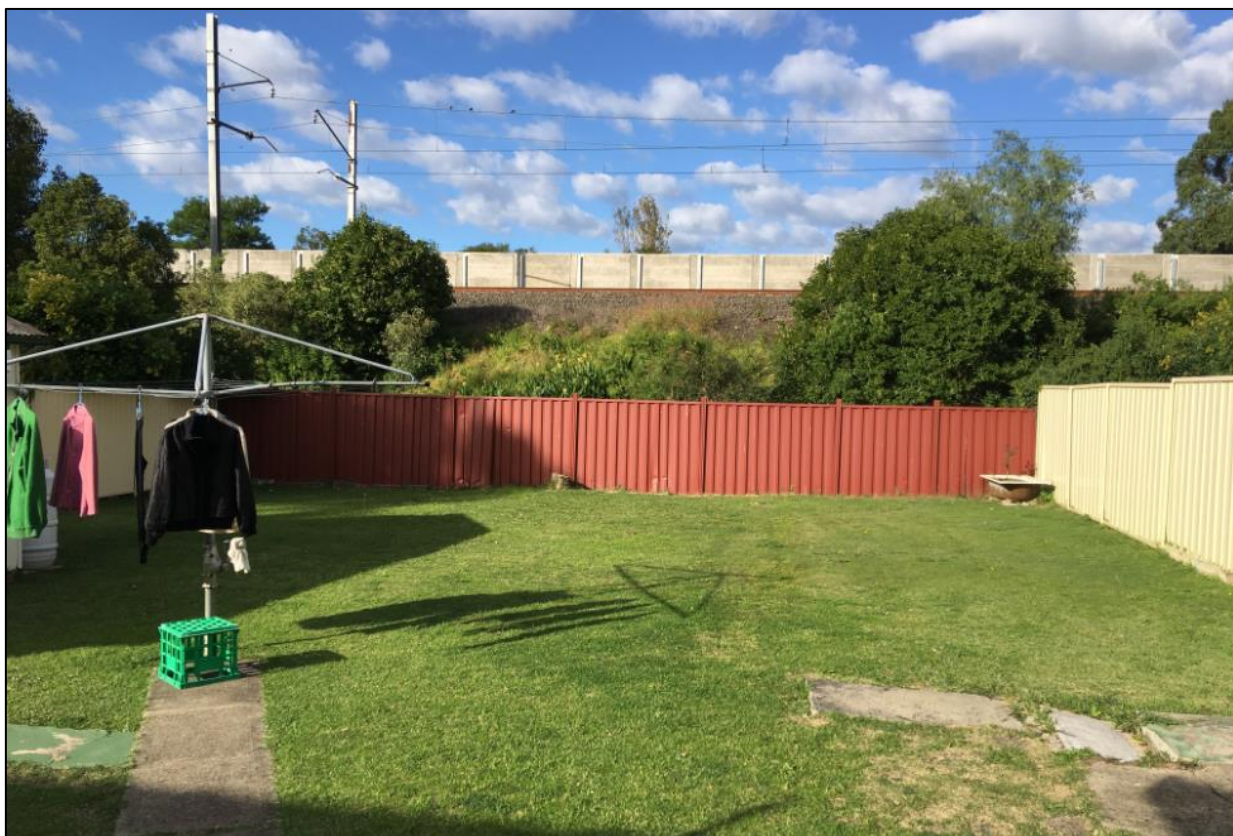
Photograph 4: The adjoining property located at 81 Waldron Road



Photograph 5: The adjoining property located at 75 Waldron Road



Photograph 6: The train line when viewed from the rear of 79 Waldron Road



3. THE PROPOSED DEVELOPMENT

The Proposed Use

As stated previously, it is proposed to construct a *boarding house* for rental accommodation, in conjunction with 2 *neighbourhood shops* at the ground level, fronting Waldron Road. The nature of the use, as defined in the LEP is for a *boarding house* and *neighbourhood shops* which are permitted with development consent in the R4 - High Density Residential Zone. The definitions of these uses are set out below.

boarding house means a building that:

- (a) is wholly or partly let in lodgings, and
 - (b) provides lodgers with a principal place of residence for 3 months or more, and
 - (c) may have shared facilities, such as a communal living room, bathroom, kitchen or laundry, and
 - (d) has rooms, some or all of which may have private kitchen and bathroom facilities, that accommodate one or more lodgers,
- but does not include backpackers' accommodation, a group home, hotel or motel accommodation, seniors housing or a serviced apartment.

Note. Boarding houses are a type of residential accommodation¹.

Neighbourhood shop means premises used for the purposes of selling general merchandise such as foodstuffs, personal care products, newspapers and the like to provide for the day-to-day needs of people who live or work in the local area, and may include ancillary services such as a post office, bank or dry cleaning, but does not include restricted premises.

Neighbourhood shops are a type of shop².

In terms of achieving the zone objectives, the proposed use will respond to the zone objectives as set out in the following table.

Table 2: Compliance with the Zone Objectives

Objective	Compliance
To provide for the housing needs of the community within a high density residential environment	The proposed development will result in an opportunity to provide a higher density of residential accommodation, by way of a boarding house, catering for the needs of the community, by providing an affordable form of residential accommodation, in a living environment that will promote a sense of community.
To provide a variety of housing types within a high density residential environment	The proposal will provide variance in accommodation within the development, in a quality form, that achieves the tests associated with high density living, while being affordable and conveniently located in a highly accessible area.
To enable other land uses that provide facilities or services to meet the day to day needs of residents.	The use of the ground floor to provide two neighbourhood shops will enable services that can provide for the day to day needs of residents, in conjunction with those that already exist along Waldron Road. Together, these will further enhance the provision of local facilities and services to satisfy

¹ **residential accommodation** means a building or place used predominantly as a place of residence, and includes any of the following:
(b) **boarding houses**,

² **shop** means premises that sell merchandise such as groceries, personal care products, clothing, music, homewares, stationery, electrical goods or the like or that hire any such merchandise, and includes a neighbourhood shop, but does not include food and drink premises or restricted premises.



the day to day needs of residents, not only within the development itself, but also to the immediate locality, particularly within walking distance of the subject site.

The proposed use as a *boarding house* and *neighbourhood shop* will therefore be consistent with the zone objectives and the uses are permissible with development consent.

The Proposed Works

Demolition

The proposal involves demolition of the two existing fibro residential dwellings, along with all ancillary structures on both allotments.

All existing vegetation on the site is also proposed to be removed. The vehicular cross over located at 79 Waldron Road is proposed to be removed and facilitated on the western boundary of the site.

General Development Description

It is proposed to construct a four storey building to facilitate a boarding house that will provide 52 rooms, including a manager's residence, communal living areas for living purposes and two ground floor neighbourhood shops, fronting Waldron Road.

Ground Floor

The proposed ground floor will accommodate two neighbourhood shops, with areas of 51m² and 74m² with frontage to Waldron Road. One tenancy will be located on the eastern spine of the tenancy and the second tenancy on the western spine. Between the two tenancies will be the entryway to the boarding house.

Attached to the southern side of the western retail space will be a communal room with adjacent outdoor area through the centre of the building.

The lift and fire stair will be located off the communal outdoor area in the centre of the building.

The building manager's residence will be located behind the communal area, and will be directly accessible from the outdoor space area, for convenience purposes for residents. The building manager's accommodation will be 23m² internally, with an associated outdoor open space area on its western side, of 8m².

On the eastern side will be the building services, as well as the bin storage area.

At the rear of the building, parking will be provided facilitating 17 car parking spaces, 8 motorbike spaces and 8 bicycle spaces. Access is provided *via* a one-way internal road system which provides an entrance on



the eastern side of the site, around the southern side of the building and allows vehicles to exit on the western side of the site, back onto Waldron Road.

An existing power pole is proposed to be relocated from the verge on the western side of the site, to facilitate the new crossover.

Level 1, 2 and 3

The first, second and third levels will be provided with the same configuration of rooms, with the exception of the landscaped area fronting Waldron Road, which will be provided on Level 1 only.

The lift core, fire stairs and storage areas are provided on all three levels within the central core of the building.

Six rooms will then be located on the northern end of the building; three on the eastern side; six on the southern side and two on the western side. 17 rooms will therefore be provided per level.

All rooms will be a minimum of 16m², excluding bathroom and cooking facilities. This means that all rooms are provided as double rooms.

A balcony will be provided to every room, with a minimum depth of 1m to enable natural light and ventilation into each of these. To ensure that the amenity of the adjoining properties is protected, louvres are proposed along the eastern and western balcony elevations to avoid adverse overlooking conditions.

An accessible room is provided on the western side of each level, measuring 38m².

External Materials & Finishes

The façade of the building will be provided with a combination of red brick and dark brick (or similar) and lightweight aluminium cladding which provides a decorative finish.

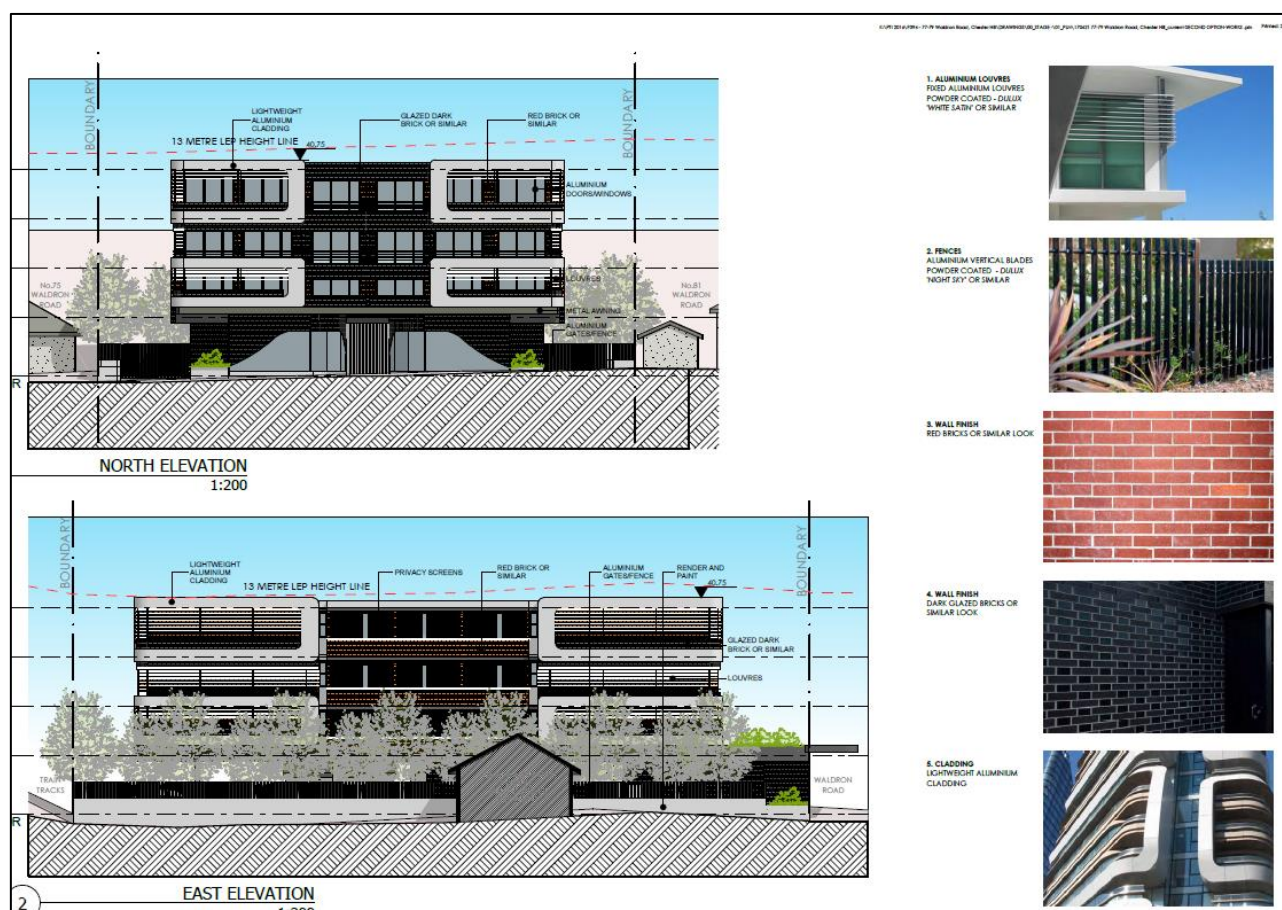
Generally, the materials used provide a contemporary form and the cladding provides articulation on the upper stories to create visual interest.

Glazing and brick are the predominant materials used on the ground floor level to provide an active street frontage, whilst continuing to provide materials in keeping with the upper levels of the development.

As discussed below, the proposed fencing located on the eastern and western elevations will be provided with a rendered and painted wall and fencing consisting of aluminium blades.



Figure 5: Materials and Finishes Schedule as highlighted on elevations



External Boundary Treatment

Aluminium gates and fencing are proposed to be provided in the form of aluminium vertical blades at the entrance and exit and around the perimeter of the site. The boundary to the east and west will be provided with a rendered wall and the fencing will be proposed above this. Aluminium fencing is proposed to the southern elevation, rear of the property.

Landscaping

Four street trees located on Waldron Road are proposed as detailed on the accompanying Landscape Plan.

An additional six Blueberry Ash trees are proposed to the rear of the site, in the deep soil planting area acting as both a visual and acoustic screen to the railway line. These trees can grow to a mature height of 6-7m and will provide adequate screening between the railway line and the development.

Two weeping Lilly Pilly trees are proposed on the eastern and western corner of the southern elevation which will assist in providing screening to the railway line. At mature height, these trees can grow to a height of 8-10m.

Small-leaved Lilly Pilly shrubs which can grow to 4-5m at mature height are proposed on the eastern and western elevations to provide adequate screening between the site and the existing residential properties located at 75 and 81 Waldron Road.

Landscaping is also proposed above the retail component on the first floor level which will be provided with grass plantings to soften the visual appearance of the development when viewed from the streetscape, particularly having regard to the transitional nature of the urban context, by virtue of the zoning changes that have been implemented. The planting provided on the upper level will require minimal maintenance as a result of the low maintenance groundcover proposed.

Consolidation of Allotments

The allotments will be consolidated to accommodate the development, resulting in a regular shaped allotment, with an area of 1,269m².



4. ENVIRONMENTAL PLANNING ASSESSMENT

The proposal is subject to the following requirements:

- State Environmental Planning Policy No. 55 – Remediation of Land (SEPP 55);
- State Environmental Planning Policy (BASIX) 2005 (SEPP (BASIX));
- State Environmental Planning Policy (ARH) Affordable Rental Housing 2009
- State Environmental Planning Policy No. 65 – Design Quality of Residential Flat Development (SEPP 65) & Apartment Design Guide (ADG)
- the LEP; and
- Bankstown Development Control Plan (the DCP).

The proposal is considered below having regard to these requirements.

SEPP 55

Clause 7 requires an applicant to demonstrate whether or not a parcel of land is contaminated. Given the long term and consistent use of the property for residential purposes, it is not considered likely that the land would be contaminated.

Further examination of the Section 149 Certificate outlines that Council does not hold records that the subject site has a history of contamination. In addition, as no basement is proposed minimal earthworks are required that would disturb such material.

Therefore, no further consideration is required under SEPP 55.

SEPP (BASIX)

In this particular case, as the classification of the building is 'Class 3' under the Building Code of Australia classification of buildings, the requirements of the BCA Section J are required to be provided. A section J report accompanies this application. Therefore, a BASIX certificate is not required to accompany this application.

The LEP

Aims

The Aims of the LEP requires that a proposal considers the following (Clause 1.2):

- to manage growth in a way that contributes to the sustainability of Bankstown, and recognises the needs and aspirations of the community,
- to provide development opportunities that are compatible with the prevailing suburban character and amenity of residential areas of Bankstown,
- to provide a range of housing opportunities to cater for changing demographics and population needs,



- to provide a range of business and industrial opportunities to encourage local employment and economic growth,
- to achieve good urban design in terms of site layouts, building form, streetscape, architectural roof features and public and private safety,
- to concentrate intensive trip-generating activities in locations most accessible to rail transport to reduce car dependence and to limit the potential for additional traffic on the road network,
- to consider the cumulative impact of development on the natural environment and waterways and on the capacity of infrastructure and the road network,
- to enhance the quality of life and the social well-being and amenity of the community.

The proposal is consistent with the above aims of the LEP as it will provide additional affordable residential accommodation that is anticipated by virtue of the up-zoning of the immediate locality, which seeks to increase opportunities for residential density in locations that are highly accessible to retail, commercial, convenience and transport opportunities.

The proposal incorporates residential accommodation in a highly accessible location, approximately 500m from Chester Hill train station, thus reducing car dependence and limiting the likely need for an upgrade of existing train services. The ground floor will provide neighbourhood shops that will encourage economic growth and employment to this local precinct, whilst providing services to meet the needs of the surrounding community.

The environmental impact is limited with only minor vegetation loss on the site, sufficient replacement planting and no change to the subterranean land form that would compromise sub-surface ground conditions.

In terms of high quality design outcomes, the site is located in an area that has very traditional housing forms, many of which are deteriorating in quality and provide little contribution to the streetscape. The design of the proposal is responsive to the zoning of the land, as well as the site's proximity to the B2 Local Centre. The materials and finishes to be utilised on the exterior of the site, will provide a contemporary appearance that is varied, as well as well articulated, through indentation in the building form, to ensure that it adequately responds to and promotes a more modern appearance to the streetscape, that will result in greater attraction to the area.

The layout of the site ensures natural surveillance opportunities to surrounding public spaces, while creating an internal design that will cater for a diversity of in-house population, due to the proposed room sizes. Efficient and well located communal spaces will assist in this regard.

Most importantly, the type of development proposed will assist to enhance the quality of life for those looking for an affordable location to live, which is close to public transport. The nature of the development



will also promote social well-being and amenity within the community, as a result of the shared living environment that is proposed.

In terms of the cumulative effect of the development, it is considered that, through the up-zoning of the land within the vicinity of the subject site, the Council's strategic analysis of this locality demonstrates that it is an area that is able to cope with a higher form of residential development and the additional accommodation supply proposed will not result in conditions that are adverse and beyond that anticipated through the change in zoning. Therefore, the proposed use, at the density proposed, is considered acceptable having regard to the amendments to the planning controls.

Permitted or Prohibited Development (Part 2)

Clause 2.7 outlines consent is required for the demolition of a building. Therefore, development consent is sought for the proposed demolition of existing improvements on the site.

Development Standards (Part 4)

Part 4 deals with Principal Development Standards and compliance with these is provided in Table 3 below.

Table 3: Development Standards

DEVELOPMENT STANDARDS	CONTROLS	PROPOSED	COMPLIES
4.1B Minimum lot size for boarding houses	1,000m ²	1,269m ²	Yes
4.1B Minimum lot width at the front building line	20m	30m	Yes
4.3 Height of Buildings	13m	13m	Yes
4.4 Floor Space Ratio	1:1	1.5:1	Yes – refer to below ARH SEPP

Floor Space Ratio

The development standard permits a maximum FSR of 1:1 for the site. However, ARH SEPP, permits an additional 0.5:1 FSR, subject to a merit based assessment of any development application, where affordable housing is proposed.

As the subject site:

- does not contain a Heritage Item,
- Is permitted to contain a residential flat building, and
- the maximum FSR permitted is below 2.5:1,

an additional 0.5:1 of floor space may be permitted.



Considering the proximate location of the site to the Chester Hill train station and the consistency of the proposal with the zoning (including the recent up-zoning of the land) and other controls of the LEP, the additional FSR is appropriate in this instance. The site area is 1,268.90m², allowing a developable floor space of 1,907m². The proposed floor space is 1906m², providing an FSR of 1.5:1. The proposed floor space ratio is therefore compliant with this control.

Miscellaneous Provisions (Part 5)

Neighbourhood Shops (Clause 5.4)

Neighbourhood shops are restricted in area to a maximum of 90m². There is no provision that restricts how many neighbourhood shops are permitted on an allotment within the LEP. The proposal provides two separate neighbourhood shops, one being 51m² and the second providing an area of 74m²; the size of both shops are therefore compliant with this clause and are permissible with development consent

Additional Local Provisions (Part 6)

Earthworks (Clause 6.2)

Basement parking, nor extensive excavation, is proposed, aside from those works to facilitate footings etc, to ensure structural adequacy of the proposed built form. The proposal is not likely to disrupt any existing drainage patterns nor soil stability in the locality, nor affect the amenity of adjoining properties and therefore will have limited impact and is acceptable in terms of the amount of required earthworks.

The proposal therefore achieves the requirements of the LEP.

SEPP - 65 & ADG

Clause 10.29 of the DCP (addressed below) stipulates that Council applies State Environmental Planning Policy No 65–Design Quality of Residential Apartment Development (SEPP 65) and the Apartment Design Guide (ADG) to boarding houses.

This is contrary to the direction imposed by the State Government, upon introduction of the ADG in 2015, which expressly **excluded** the use of this to assess boarding house development.

Therefore, this application takes limited consideration of these environmental planning controls, for the purpose of ensuring that the application satisfies the contextual fit requirements that are imposed by the SEPP and the ADG. All other matters are sufficiently addressed having regard to the specific uses on the site, for which the ARH SEPP and the DCP provides sufficient controls.

Part 2: Developing the Controls

The following table demonstrates compliance with the relevant built form controls as set out at Part 2.



Table 4: Compliance with Part 2 of the ADG

Clause 2C – Building Height	Complies with the LEP height control
Clause 2C – Floor Space Ratio	Complies with the ARH SEPP requirements at 1.5:1
Clause 2E – Building Depth	All boarding rooms have a maximum depth of 9m and are well below the requirement of between 12m and 18m
Clause 2F – Building Separation	<p>The site is located on a transitional area in terms of its zoning. Therefore, the building separation requirements have been treated having regard to the future development potential of adjoining allotments, which may result in the evolution of development similar to that proposed, or otherwise for residential flat development.</p> <p>To ensure that these sites are not hindered, shared separation distances have been employed.</p> <p>As the building has up to four storeys and a height generally (or just above), 12m the separation distances are required as follows:</p> <ul style="list-style-type: none"> ○ 12m between habitable rooms and balconies ○ 9m between habitable rooms and non-habitable rooms ○ 6m between non-habitable rooms. <p>The proposal employs the following setbacks:</p> <ul style="list-style-type: none"> ○ 4.4m to the eastern property boundary at the northern and southern bookends of the building ○ 6m to the eastern property boundary for the middle section of the building ○ 5m to the eastern property boundary from the proposed balconies to the property boundaries ○ 4.4m to the western property boundary at the northern and southern bookends of the building ○ 6m to the western property boundary for the middle section of the building ○ 5m to the western property boundary from the proposed balconies to the property boundaries. <p>These calculations have been derived on the basis that the eastern and western sides of the subject building would interact with habitable spaces or balconies on the adjoining sites, hence why the maximum distances have been relied upon.</p>



	<p>While the separation distances do fall marginally short of the required distances, assuming habitable spaces, the privacy treatments imposed will ensure that suitable visual protection is achieved.</p> <p>In terms of building separation and the effect of the distances on measures such as sunlight and private open space, the assessment of the proposal demonstrates that these are achieved.</p> <p>Therefore, the proposed separation distances are considered acceptable and achieve the future planning goals for the immediate area.</p>
Clause 2G – Street Setbacks	Complies with the Chester Hill Village Centre requirements.
Clause 2H – Side and Rear Setbacks	<p>The rear setback complies with the control for the Chester Hill Village Centre. Side setbacks for the upper levels of the development vary from 4.3m to 6m. Although some components of the proposed development do not meet the minimum side setback requirements on Levels 1 to 3, window openings have not been provided for these areas that encroach the minimum requirement.</p> <p>A 5m side setback has been provided to the building line of the boarding rooms which are located in the centre portion of the development, as these rooms have been provided with balconies that directly face neighbouring residential properties. Regardless of the fact that, in excess of the minimum side setback has been provided for these boarding rooms, privacy screens have been applied to ensure that any adverse privacy impacts to the adjoining residential properties are mitigated.</p> <p>The application of privacy screening and the limitation of window openings will allow for redevelopment of the neighbouring properties, without adverse impact, should this occur at some stage in the future. In addition, the aims of this control are to ensure the provision of appropriate amenity, in terms of sunlight, daylight access and visual and acoustic privacy.</p> <p>As the openings will provide an appropriate amount of sunlight to the development and sufficient acoustic and visual amenity will be maintained for the existing and proposed development, the minor numeric shortfall is acceptable in this instance.</p>

	Therefore, the aims of the ADG are satisfied as adequate visual and acoustic privacy, building separation, access to light and deep soil area will continue to be achieved.
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Building Separation is required in accordance with Control 2F; adequate setbacks are required in accordance with 2G and 2H. These are important aspects to ensure amenity for both new development and existing buildings, in conjunction with suitable visual and acoustic separation and daylight access are provided. The minimum separation distance for buildings is as follows:

Building Separation	Habitable rooms and balconies	Habitable and non-habitable rooms	Non-habitable rooms
Up to 12 metres (4 storeys)	12m	9m	6m

No building separation is necessary where building types incorporate blank party walls. The front and rear components of the development, facing east and west, are provided with blank party walls, with the exception of the central component of the building located on the eastern and western elevation. This component is provided with a 6m setback from the building line to the boundary. These openings are provided with privacy screens to ensure any privacy concerns are mitigated, despite the fact, there is no development positioned directly opposite two of the three balcony openings across all levels. Notwithstanding this, as these setbacks and proposed openings are provided at levels 1-3 only, this will mitigate direct overlooking to the existing dwellings located at 75 and 81 Waldron Road. As a 6m setback is provided, should redevelopment of the neighbouring properties occur, the minimum 12m setback can be achieved. Should these setbacks be applied, this would allow for redevelopment to occur, without any adverse impacts.

Levels 1-3, located on the northern elevation which front Waldron Road are provided with a 5m setback. This is considered appropriate and will provide passive surveillance as the living areas and landscaped areas are located overlooking this frontage. As the rear of the site abuts a train line, further redevelopment of the site located to the south, is considered to be unlikely. As discussed below, in the DCP section of this report, an acoustic assessment has been carried out which outlines that the boarding rooms located to the rear, regardless of the 4.5m setback provided for the upper levels, will be provided with adequate amenity and noise levels will not exceed the recommended standards.

All other setbacks are compliant with the Council's requirements and/or the ADG. Adequate privacy screens have been applied, to ensure adequate visual and acoustic privacy is maintained for the neighbouring properties, in particular on the eastern and western elevations as illustrated in the below elevations.



Figure 6: East Elevation

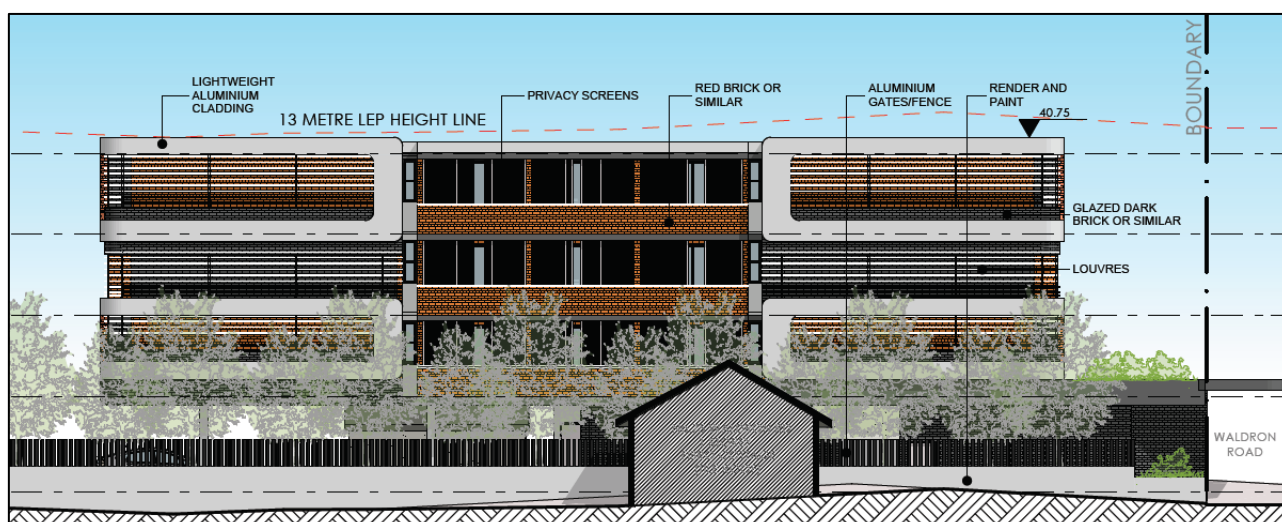
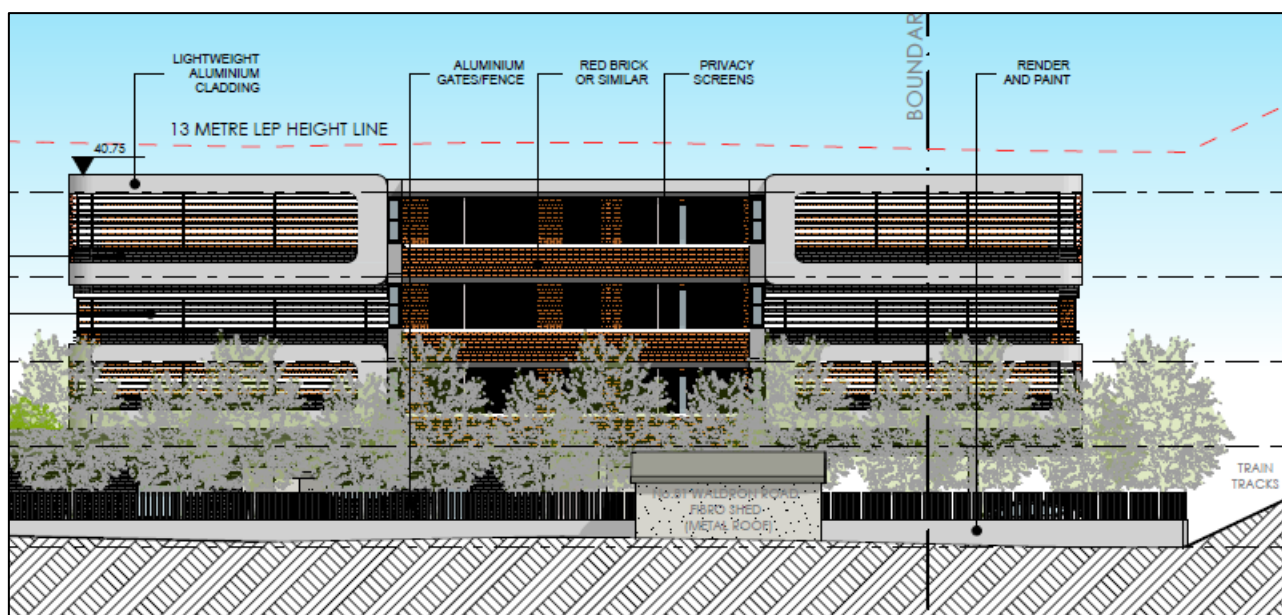


Figure 7: West Elevation



Part 3: Siting the Development

The following table demonstrates compliance with the relevant siting controls as set out at Part 3.

Table 5: Compliance with the ADG Controls for Siting the Development

Clause 3A – Site Analysis	Refer to Architectural Drawings prepared by PTI
Clause 3B - Orientation	As the site is a north-south facing site, overshadowing to the south has been considered. However, to the south is a railway line and therefore, there is limited effect in terms of overshadowing on that use to the rear.

Clause 3C – Public Domain Interface

Matters of solar access are addressed under the DCP section and the proposal exceeds the minimum requirements for both the subject site and neighbouring properties.

The public domain which is represented by Waldron Road is provided with direct opportunities for overlooking through window openings and balconies.

Solid fences and walls do not occupy the street frontage, due to the active retail uses proposed to Waldron Road and the length of solid walls is minimised as a result of the use as neighbourhood shops, where open frontages by way of glass, are the dominant element. Casual interaction will be reinforced through the proposed entry arrangements, communal areas located towards the front of the site and in proximity to the lift and by virtue of the active uses fronting the street.

Service requirements are located out of view.

Part 3D – Communal Open Space

The communal open space requirements are derived from the boarding house provisions in this case, being more appropriate, given the nature of the proposed use.

Part 3E – Deep Soil Zones

Deep soil planting is located along the southern side of the site.

8.2% (104m²) of deep soil provision is made, which exceeds the minimum requirement of 7% for a site with an area of between 650m² and 1,550m².

The deep soil zones are provided to allow for the development of healthy root systems for vegetation.

Part 3F – Visual Privacy

Matters of separation are addressed above, as the same controls apply.

The communal open space requirements are derived from the boarding house provisions in this case, being more appropriate, given the nature of the proposed use.

Part 3G – Pedestrian Access & Entries

The ground floor is provided with multiple entry points for both the neighbourhood shops and the building proper to ensure that there is a strong degree of activation to the street, with all entries clearly visible from the public domain.

Entry and exit to the car parking areas is minimised due to the provision of the car parking area at grade.



Part 3H – Vehicle Access	Car parking servicing the site is located to the rear, and the vehicular entrance and exit is positioned on the eastern and western side of the proposed building. These points have been limited to a minimum, but allow for a one way circulation system through the site to ensure that the amount of circulation area within the development is reduced to the greatest extent possible. Sightlines and pedestrian arrangements are considered in the traffic impact assessment report and will be governed by the relevant Australian Standards.
Part 3J – Bicycle and Car Parking	These matters are addressed in the DCP.

Part 4 – Designing the Building

The following table demonstrates compliance with the relevant design controls as set out at Part 4.

Part 4A – Solar & Daylight Access	These matters are addressed in the DCP.
Part 4B – Natural Ventilation	The orientation of rooms within the development has been diversified to maximise opportunity to capture and use prevailing breezes. Balconies have been incorporated to assist in this regard.
Part 4C – Ceiling Heights	
Part 4D – Apartment Size and Layout	This is not applicable; the ARH SEPP prevails given the proposed use.
Part 4E – Private Open Space & Balconies	All apartments are provided with a balcony, with a minimum depth of 1m and a minimum area of 3.2m ² . Given the size of the proposed rooms, these are considered appropriate and reflective of the size of the occupied space. These are provided with appropriate privacy measures to ensure adequate visual separation and avoidance of visual intrusion to neighbouring properties, as required.
Part 4F - Common Circulation	17 apartments are accessible from the lift core per floor. However, as this is not a traditional apartment design and given the size of the rooms proposed, the number of apartments accessible is appropriate. Natural light and ventilation has been made available to the common circulation spaces.



Part 4G – Storage	Adequate storage is incorporated into each room, having regard to the limitations on size that are imposed by other environmental planning instruments.
Part 4H – Acoustic Privacy	Matters of acoustic privacy are dealt with in the Chester Hill Village Centre section of this report, where compliance is demonstrate.
Part 4J – Noise & Pollution	<p>Matters of noise and pollution have been carefully considered having regard to the proximity of the site to the railway line. This has been considered through:</p> <ul style="list-style-type: none"> ○ design elements ○ acoustic treatment ○ landscape treatment ○ privacy screening. <p>These elements combined will ensure that potential adverse impacts are appropriately mitigated.</p>
Part 4K – Apartments Mix	A variation in room sizes is proposed to enable a diversity of accommodation offering on the site.
Part 4M – Facades	<p>The proposed architectural design demonstrates that the building facades will be facilitated with a composition of varying building materials and elements, including:</p> <ul style="list-style-type: none"> ○ variations in brickwork colour ○ lightweight aluminium cladding ○ aluminium doors and windows ○ render and paint. <p>These will clearly define certain elements of the building and provide clear separation, in both visual and architectural terms, of the ground floor plan associated with the development.</p> <p>The proportions and scale are considered to have a sound relationship with the streetscape, particularly given the likely transition to occur in this immediate area.</p> <p>Building entries for both the neighbourhood shops and the boarding house are clearly and separately defined.</p>
Part 4N – Roof Design	A flat roof form is proposed to ensure that it is unobtrusive in the overall appearance of the development and does not breach the permitted building height limit.



Part 4O – Landscape Design	The proposed landscape design will be environmentally sustainable, providing a diverse range of planting appropriate to the location.
Part 4P – Planting on Structures	<p>Further details may be found on the accompanying landscape plan.</p> <p>The proposed landscape design is predominantly at the ground level as no basement car parking is proposed.</p> <p>One section of landscaping is proposed on Level 1, overlooking Waldron Road. This will provide a softer visual appearance to the streetscape and the building proper, forming an overall part of the architectural expression of the building.</p> <p>Further details may be found on the accompanying landscape plan.</p>

SEPP (Affordable Rental Housing) 2009

Division 3 addresses boarding houses and includes those in the Residential R4 High density zones.

Development standards that cannot be used as grounds for a consent authority to refuse an application for a boarding house are set out at Clause 29. These are addressed, having regard to the proposal, below

Table 6: Development standards that cannot be used as grounds for refusal

Development Standard		Proposed	Complies
Floor space ratio	+0.5:1 over development standard	1.5:1	Yes
Solar Access to communal living area	3 hours at mid-winter	3-4 hours	Yes
Building height	13m	13m	Yes
Parking	0.2 spaces/boarding room + 1/ person employed = 11.2 parking spaces	17	Yes
Private open space	One area of 20m ² with 3m minimum dimension	85m ²	Yes
Private open space for boarding house manager	8m ² with a minimum dimension of 2.5m	8m ²	Yes
Boarding room areas (excluding private kitchen & bathroom)	Single – 12m ² Double – 16m ²	16m ² -23m ² (excluding kitchen or bathroom facilities)	Yes



Landscaped area	Compatible with the streetscape		Yes

Therefore, as compliance is achieved with the development standards, these development standards cannot be used as grounds for refusal.

Clause 30 provides standards for boarding houses, which are assessed below having regard to the proposal.

Table 7: Standards for boarding houses

Standard	Complies	Comment
If a boarding house has 5 or more boarding rooms, at least one communal living room will be provided.	Yes	One indoor communal living area is proposed on the ground floor, behind the proposed retail tenancy.
No boarding room will have a gross floor area (excluding any area used for the purposes of private kitchen or bathroom facilities) of more than 25 square metres.	Yes	The maximum gross floor area provided (excluding private kitchen or bathroom facilities) is 23m ² .
No boarding room will be occupied by more than 2 adult lodgers.	Yes	Noted. This may be addressed with conditions of consent and plan of management. However, the architectural plans show each room as a double room only.
Adequate bathroom and kitchen facilities will be available within the boarding house for the use of each lodger.	Yes	All rooms are provided with private bathroom and kitchen facilities.
If the boarding house has capacity to accommodate 20 or more lodgers, a boarding room or on site dwelling will be provided for a boarding house manager.	Yes	The building manager's residence is located on the ground floor of the western side of the building.
If the boarding house is on land zoned primarily for commercial purposes, no part of the ground floor of the boarding house that fronts a street will be used for residential purposes unless another environmental planning instrument permits such a use.	Not applicable	The site is located in the R4 Residential zone.
At least one parking space will be provided for a bicycle, and one will be provided for a motorcycle, for every 5 boarding rooms	No	8 bicycle spaces and 8 motorcycle spaces are proposed to be provided which represents a marginal shortfall.



In relation to the above table, the parking provision is the only standard which seeks a variation under the ARH SEPP. Applying the standard, a minimum of 10 motorcycle spaces and 10 bicycle spaces are required to be provided for the site. 8 motorcycle and bicycle spaces are currently provided on the ground floor of the development. In relation to the provision of motorcycle spaces, as outlined in the accompanying traffic report, although a marginal shortfall of two motorcycle spaces will occur, the parking provision is considered adequate based on the following:

Motorcycles represent less than 6% of the registered small vehicle fleet in New South Wales (based upon 2016 ABS Census Data, considering passenger vehicles and motorcycles only). The eight (8) motorcycle bays proposed to service the subject development represents over 30% of the total on-site vehicle parking provision (cars and motorcycles), and is therefore considered to be more than adequate based upon the existing vehicle fleet mix and the proportion of motorcycles on the broader road network;

Motorcycles are capable of parking in standard or small car parking bays, of which 16 are proposed as part of the proposed development (excluding the parking space for people with disabilities); and

The proposed development will be located within extremely convenient proximity of existing public transport services (as discussed in Section 2.3), as well as local services. As such, the expected reliance of residents of the development upon private vehicles expected is to be low.

In relation to bicycle parking, a total of 8 bicycle spaces are provided. As outlined in the accompanying traffic report, the following is noted:

If necessary, it is considered that two (2) additional parking spaces could be provided for at detailed design stage in response to a suitable condition of consent, in order to achieve the 10 bicycle parking spaces recommended in Council's DCP.

Although the parking provision relating to motorcycles and bicycles falls marginally short of the minimum requirements, for the reasons outlined above, it is considered acceptable in this instance and is open to the consent authority to approve this application, given that the requirements of the ARH SEPP are achieved.

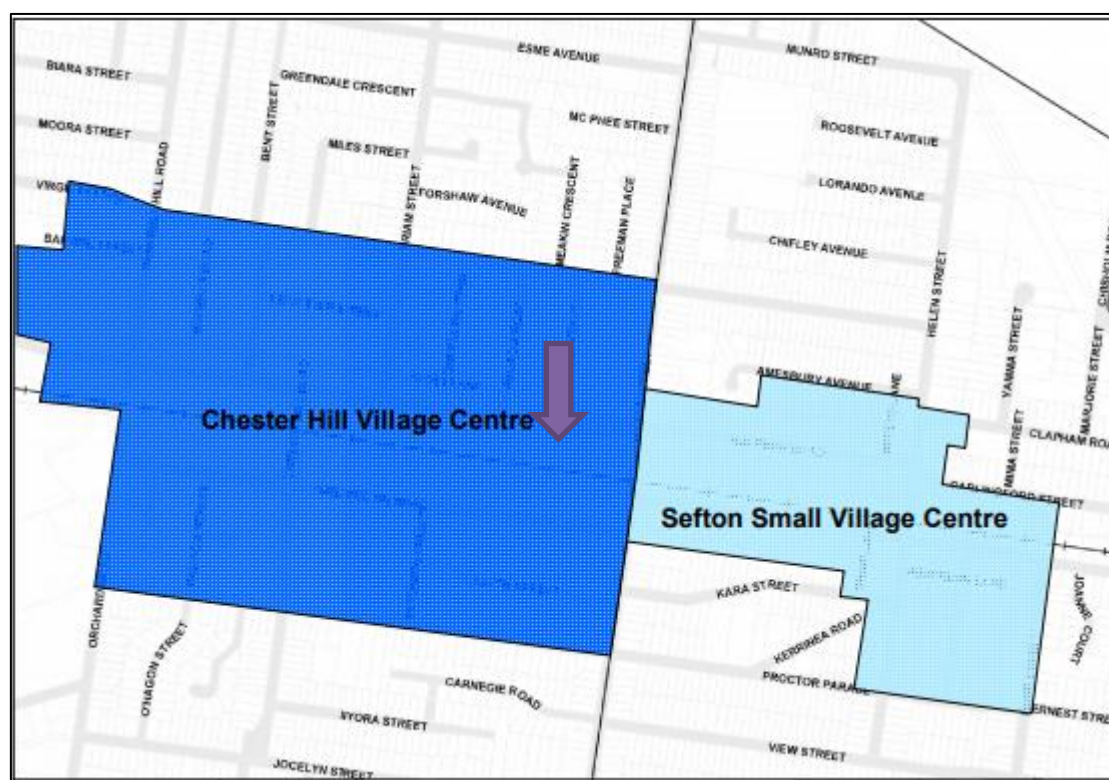
The DCP

Part A – Specific Precincts

Part A outlines controls relating to specific precincts and centres. The subject site is located in the Chester Hill Village Centre and the provisions of this Part prevail over other chapters in the DCP, relating to specific uses.



Figure 8: Chester Hill Village Centre



Subject Site



Building Form (Clause 2.1)

Development within the Chester Hill Village Centre must comply with the storey limit. As the maximum height for the site is 13m, a maximum of four storeys (no attics) must result. The proposal provides a four storey building which will not exceed the maximum 13m height and therefore compliance with this control is achieved.

Building Setbacks (Clause 2.4)

Certain lots on Waldron Road are required to provide a minimum rear setback of 12m, as a result of the train line which abuts the site. Therefore, a minimum 12m rear setback is required to be provided for the site.

On the ground floor, a 19m setback is provided from the rear building line to the southern boundary. As a result of the deep soil zone area, parking and driveway, a setback in excess of the 12m has been provided for the site. This control is provided to ensure that noise levels do not exceed appropriate levels of 35 dB(A) at any time between 10.00pm and 7.00am for bedrooms and 40 dB(A) anywhere else in the building other than a garage, kitchen, bathroom or hallway.

As a result of the rail corridor located to the rear, an acoustic report accompanies this application which addresses noise and vibration levels for the site. A logger was placed on the site for one week to quantify the

existing background levels. The existing noise level currently experienced at the site between the hours of 10.00pm and 7am was recorded at 34 dB(A).

Traffic noise was also measured given the site's frontage to Waldron Road. The levels recorded between 10pm and 7am were 70 dB LAeq, 1hour. Inspection of the data provided that the loudest levels occurred during the 6am and 7am period.

Rail noise was also tested and the worst one hour period provided noise level was measured at 58 dB. The typical highest noise level of freight trains measured 76 dB LAm_{ax} at any time. Levels up to 90 dBA lasting 2 to 3 seconds were very occasionally recorded.

The acoustic report concludes that both train and traffic noise has the potential to impact upon the residential amenity of the proposed development.

As a result, adequate recommendations and treatments have been provided to ensure the amenity of the residents will be maintained and the maximum levels do not exceed the appropriate levels outlined above. Therefore, glazing thickness, appropriate seals and treatments are provided to ensure noise intrusion from traffic and rail will not impact the development.

The proposed masonry walls and tile roof do not require acoustic treatment as the acoustic performance of the chosen materials will maintain sufficient levels.

In terms of the mechanical equipment proposed for the site, originally all 52 of the proposed bedrooms were to be provided with A/C condenser units, which would be located on the balcony of each unit. The location of the condenser units was proposed on the roof; however, as the location of the condenser units would result in a breach to the maximum height limit, this option was not pursued.

Acoustic investigations were then undertaken to explore if the units could be located on the balconies. The noise leakage from south and north-facing balconies would not pose a noise issue and therefore, may be appropriately located on these balconies.

However, for those balconies facing east and west, the noise emissions will be too great and will not comply with the noise requirements for the adjoining residential properties. Therefore, those rooms facing east and west will not be provided with air conditioning units. Instead, ceiling fans are proposed for the affected rooms, as well as for the building manager's room located on the ground floor. This will ensure the amenity of the neighbouring residential properties will not be compromised as a result of the proposed development, in terms of potential adverse acoustic conditions.

Therefore, in terms of the setbacks provided and particularly, the impact to neighbouring properties, the location of the development provides sufficient distance, in conjunction with noise amelioration measures, to ensure that no adverse impacts will result.



Car Parking (Clause 2.6)

For the boarding house component, the DCP requires 1 car parking space per 3 bedrooms, meaning that 17 car parking spaces are required.

For the two retail tenancies proposed, the use will depend on the required number of car parking spaces. Taking the worst case scenario, that a shop be proposed, this is required to provide 1 space per 40m² of gross floor area. The total retail area would generate demand for 4 car parking spaces.

Collectively, the combined uses require the provision of 21 car parking spaces.

The proposal provides 17 car parking spaces in total, including two small car parking bays and one accessible parking space. There is therefore a deficiency of 4 car parking spaces for the residential component.

However, given that the proposed car parking provision satisfies the minimum expectation of the SEPP and that the worst case retail provision has been accounted for, it is considered that the car parking provision on the site is reasonable. Further, the 13 spaces proposed for the residential component is acceptable having regard to the site's proximity to public transport services, where demand on such services is likely to be high.

Whilst the specific tenants of these two tenancies are not yet known, it is anticipated that they will attract primarily walk-in trade. Accordingly, and given the scale and location of these tenancies, their generated parking demand is expected to be negligible. As such, no on-site car parking is warranted to service the small retail component of the development, which will essentially be ancillary to the main residential use. Notwithstanding this, four parking spaces have been dedicated to the retail component of the development and have been delineated on the plans.

Overall, the proposed level of on-site car parking is considered to be appropriate given the scale and nature of the proposed uses, and generally in accordance with the recommendations made in Council's DCP.

Active Street Frontages (Clause 3)

As two neighbourhood shops will be provided on the ground floor fronting Waldron Road, the proposed development ensures that an active street frontage is provided for the identified Chester Hill Village Centre area.

Residential Development (Part B1)

Section 10 addresses the objectives and controls specific to boarding houses.

Storey Limit (Clause 10.3)

This clause provides a storey limit for boarding houses located in the R4 High Density Residential zone, being 3 storeys. However, as previously outlined in this report, should an inconsistency result, the controls outlined



in Chapter A1 will prevail. Therefore, as outlined in Clause 2.1 of Part A1, the provision of four storeys, with a maximum height of 13m (which is the statutory development standard) is permitted for the subject site.

Animal Boarding & Training Establishments (Clause 10.6)

Clause 10.6 requires that boarding houses cannot be located within 9 metres of an existing animal boarding or training establishment. As the surrounding developments consist of residential properties, the proposed development is consistent with this control.

Building Setbacks (Clause 10.12-10.17)

Setbacks applicable for boarding houses located in the R4 zone are addressed at Clause 10.12-10.17. A minimum front setback of 6m is required to be provided for the primary frontage. However, as neighbourhood shops are proposed at the ground floor level, a zero-lot line setback is proposed, to increase pedestrian activity and remain in-keeping with the surrounding area, while promoting greater opportunities for passive surveillance and an active street frontage. The zero-lot line setback is considered acceptable in this instance.

Above the ground floor, a 6m setback is proposed for Levels 1-3 which front Waldron Road. This has also previously been discussed, in the ADG section of this report.

Clause 10.15 addresses developments which are provided with three or more storeys. The minimum setback provided to the rear and side boundaries of the allotment is required to be 4.5m, provided the average setback is 0.6 multiplied by the wall height³.

As previously outlined in this report, the rear setback complies with the control for the Chester Hill Village Centre, which is the prevailing control.

The side setbacks provided on the ground floor are 5m from the eastern and western site boundaries and therefore comply.

Clause 10.17 requires a minimum 1m setback for a driveway to the side and rear boundaries of the allotment. As a 1m setback is provided to both the eastern and western site boundaries and a 7.5m setback is provided between the rear boundary and the internal driveway, the proposal complies with this clause.

Private Open Space (Clause 10.18 & 10.19)

Private open space must be behind the building line and have an area of at least 20m² and a minimum dimension of 3m. A landscaped area of 180m² has been provided at the rear of the development for the use of the lodgers and exceeds the control.

³ Based on the ground floor setbacks, the average setback is 9.5m (18.5m + 5m + 5m = 28.5m, 28.5m / 3m = 9.5m). The average setback is in excess of the wall height x 0.6 (11.7m x 0.6m = 7.2m) and therefore, complies with this control.



An area of 8m² is required to service the room for the building manager. This is provided on the ground floor and achieves a total area of 8m², and therefore complies. An area adjacent to the building manager's quarters has been provided on the ground floor level. Therefore, the proposed development complies with Clause 10.18 and 10.19.

Access to Sunlight (Clause 10.20 – 10.24)

At least 70% of boarding rooms must receive a minimum 3 hours of sunlight between 8am and 4pm at the mid-winter solstice. The accompanying plans provide sun access diagrams which indicate that in excess of the minimum requirement receive access to sunlight, for a minimum 3 hours between 8am and 3pm on 21 June. Therefore, compliance is achieved.

The proposed communal room will receive a minimum of 3 hours of direct sunlight between midday and 3pm at the mid-winter solstice, as delineated on the sun access diagram. As the communal room receives direct sunlight between the hours of 12am and 3pm at the mid-winter solstice, compliance is achieved.

In terms of the properties adjoining the subject site, Clauses 10.22 and 10.23 require that at least one living area and a minimum 50% of the private open space area for the adjoining allotments receive direct sunlight for a minimum of 3 hours in order to achieve compliance.

75 Waldron Road is located directly east of the subject site. The accompanying shadow impact diagrams demonstrate that between the hours of 8am and 12pm, no overshadowing will occur to the internal living areas, nor 50% of the private open space area; therefore, the allotment will achieve compliant solar access arrangements.

81 Waldron Road immediately adjoins the subject site to the west. Between the hours of 10am and 4pm, the proposed development does not overshadow the neighbouring property to the west and therefore, the internal living area of the existing dwelling will continue to be provided with the minimum 3 hours of sunlight. The private open space located to the rear of the property receives direct solar access in excess of 50% for a minimum of 3 hours. Therefore, this allotment will also achieve compliant solar access arrangements,

Solar Access to Private Open Space (Clause 10.23)

Clause 10.23 also requires that a minimum 50% direct sunlight is provided for a minimum of 3 hours between 9am and 3pm to the private open space of the boarding house. To ensure a viable development took place in a location which has been subject to re-zoning in recent times, to provide for higher density developments in accessible locations, the proposed location of the private open space and the non-compliance in terms of the receipt of solar access is considered acceptable in this regard. As a result of the aspect of the site, which is north facing and the location of the private open space to the south, which is required to be behind the



building line, no solar access is received to the private open space area. To ensure that an active street frontage is provided which will facilitate neighbourhood shops, the location of the private open space to the north of the site was not favourable, nor feasible.

Notwithstanding this, it is not permitted to locate the private open space in front of the building line. In order to avoid excavation, and facilitate suitable parking provision, this has been located on the ground floor. As a result, the residential component is located overhead this area and therefore, the most appropriate positioning of the private open space was to the south of the site.

The location of the private open space to the south is also considered appropriate as it provides further distance and suitable acoustic screening to ensure noise levels from the adjoining rail line. Other controls affected the position of the private open space also, such as, providing appropriate vehicular access which ensures that cars can access and exit the site in a forward direction.

In addition, landscaped areas are provided fronting Waldron, which receive direct solar access between the hours of 8am and 4pm. Whilst these areas do not constitute private open space, as they are not accessible to all residents, it does however provide direct access for 12% of the boarding rooms to landscaped areas which receive solar access in excess of 50% of the area for a minimum of 3 hours.

Although the principal private open space area does not receive the recommended solar access prescribed by the relevant control, sufficient solar access is provided to the balconies, the landscaped areas provided on Level 1 and to the communal area located on the western side of the site. For the reasons outlined above, in this instance, the proposed variation is considered acceptable.

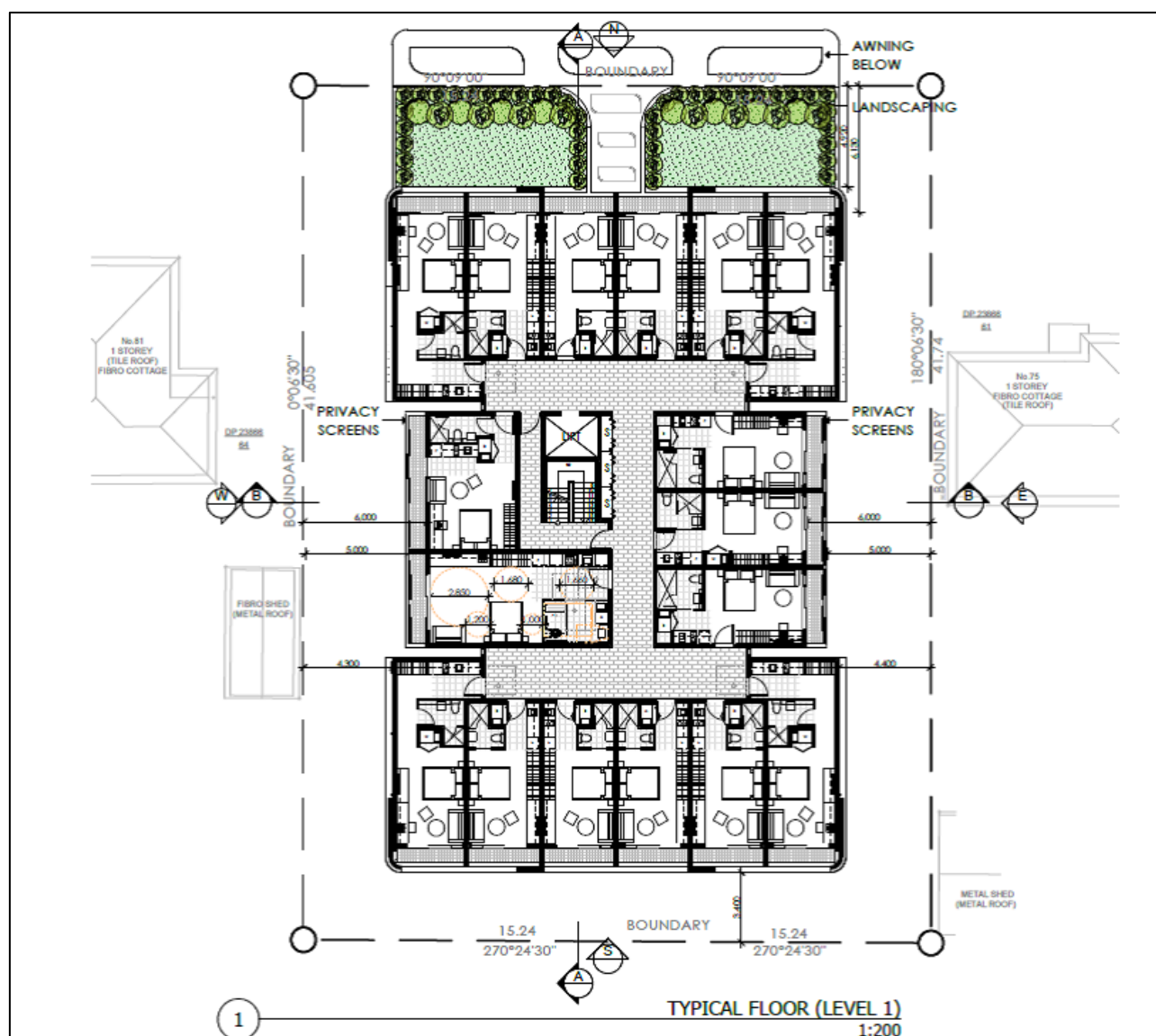
Visual Privacy (Clause 10.25)

The proposed boarding rooms are located on Levels 1-3.

The building manager's quarters is the only form of residential accommodation provided on the ground floor level, on the western side and is protected from any visual impediment or intrusion by the proposed boundary fence for Levels 1-3, the following figure shows the general layout of the residential levels, as they relate to the adjoining properties to the east and west.



Figure 9: Site layout and setback distances having regard to neighbouring property



In terms of window openings, to the eastern elevation, there are no window openings proposed, due to the proximity of the existing dwelling to the property boundary and potential view impediment to the private open space area to No. 75 Waldron Road, with an oblique view in a south-easterly direction, potentially hindering visual privacy.

To the western elevation highlight windows are proposed. Given that there is a greater separation distance of the built form, being some 5.2m from the shared property boundary with the subject site, window openings are considered appropriate in a protected form.

Further, to ensure that there is sufficient privacy treatment from all balconies located on the eastern and western elevations have been provided with privacy screens and louvres, to ensure that the amenity of the existing dwellings will not be compromised.

No roof top balconies or attic components are proposed as part of the development.

Therefore, the proposed privacy arrangements are considered satisfactory having regard to the neighbouring properties.

Building Design (Clause 10.29)

This clause stipulates that Council applies State Environmental Planning Policy No 65—Design Quality of Residential Apartment Development (SEPP 65) and the Apartment Design Guide (ADG) to boarding houses. This is contrary to the direction imposed by the State Government, upon introduction of the ADG in 2015, which expressly excluded the use of this to assess boarding house development.

However, for the purpose of assessment, and in absence of other controls, this development application has taken into consideration the controls outlined in the SEPP and ADG.

The requirements for boarding houses in this section of the DCP are the same as Table 7, addressed previously and to which the proposal complies.

The proposal does not exceed maximum roof pitch of 35° (Clause 10.31).

All plant and equipment is suitably integrated into the design and architectural features of the building and screened from the street and neighbouring properties (Clause 10.33)

All existing dwellings are to be demolished in accordance with Clause 10.34.

Clause 10.35 requires the provision of at least one adaptable room for every 50 boarding rooms proposed; therefore, two adaptable rooms are required. Contrary to the Council's controls, the National Construction Code (NCC) requires three accessible rooms. This is identified in the accompanying access report prepared by iAccess Consultants (Table D3.1)

One sole occupancy unit has been provided on each level (1_8, 2_8 & 3_8). .Therefore, the proposal complies with both the Council and the NCC requirements.

Building Design (Car Parking) (Clauses 10.38 – 10.40)

These clauses address parking in relation to the building design and the siting of this. As the parking is located behind the building line, vehicles can leave the allotment in a forward direction and cannot be viewed from Waldron Road; therefore, the proposed arrangements do not dominate the street façade.

Landscaping (Clause 10.41 & 10.42)

The accompanying Landscape Plan provides details regarding suitable species endemic to the City of Bankstown. As neighbourhood shops are proposed at the ground floor level, landscaping cannot be provided along the primary frontage as this would be contrary to achieving an active frontage associated with the development.



The upper levels have been setback 5 metres from the front boundary line. Landscaped areas have been provided here for the first five metres of level one to soften the appearance of the building when viewed from Waldron Road. Although the area has recently been zoned to provide for higher density developments, and the area is going through a period of transition, the landscaping response ensures that the overall character of the development is sympathetic to this transitional streetscape appearance, both now and in the future.

Security (Clause 10.43)

As the site shares a boundary with a railway corridor, a minimum setback of 1.5m is required for any fencing treatment.

An aluminium fence is proposed along the rear boundary of the site, which abuts the rail line. However, a 3m setback zone containing landscaping and tree plantings has been provided, adjacent the fence to the start of the car parking area. This is considered a more efficient use of the space, as well as an area to soften and screen the overall development from the eyesore that is the railway line, then providing a lesser depth with a substandard landscape outcome.

Neighbourhood Shops (Section 16)

In terms of compliance with the Objectives, as a result of the recent amendment to the zoning for the area, which now permits a higher density, the provisions of neighbourhood shops as part of the whole development is considered appropriate and is in keeping with the desired future character of the area. The provision of the neighbourhood shops will not impact on the amenity of the adjoining or proposed residential uses; however, it will enhance the visual character of the streetscape and provide services to meet the needs of the surrounding residents, thus making a positive contribution to the character of the area.

The building design of the proposed neighbourhood shops provides articulation to the street frontage, a variety of textures, materials and colours such as glass, dark glazed brick and metal awnings. An active street frontage is provided as large transparent windows make up a large quantity of the shop fronts proposed on Waldron Road, as illustrated in the below perspective.

Clause 16.1 outlines that a maximum of one neighbourhood shop is allowed per allotment. As the proposed development relates to two lots, the proposal of two neighbourhood shops is considered appropriate. Whilst it is noted that the amalgamation of both lots is proposed, which will result in two neighbourhood shops being located on one lot, it is considered that the intent of the DCP control will still be met regardless. Further, there is nothing in the LEP that restricts the number of neighbourhood shops to one on a single allotment of land.

Aside from this, the remaining development controls are satisfied as follows:

- the neighbourhood shops are located on the ground floor



- the proposal complies with the storey limit for the Chester Hill Village Centre, which is the prevailing requirement
- the proposal achieves a high quality architectural design as set out above
- the proposal provides an active street frontage, which is predominantly comprised of large transparent windows that make up a substantial proportion of the shop fronts along Waldron Road, as demonstrated on the perspective below.

Figure 10: Perspective of the proposed boarding house and neighbourhood shops



Signage, waste storage areas and amenity are also discussed in Section 16. Signage details will be subject to the use that will tenant the future shops and will be subject to separate tenancy applications. Details regarding waste storage areas and amenity, are provided in the Plan of Management which accompanies this application.

The proposal is therefore consistent with the DCP requirements.

The Likely Impacts of the Development

Having regard to the above assessment, it is considered that the proposal will not result in any adverse impacts as a result of its implementation. It is consistent with the zone objectives, is permissible in the zone.

It has taken account of neighbouring properties, in terms of their amenity, and will provide suitable uses and a design which responds to achieving the objectives of the planning controls.

As previously outlined, the only opportunities for overlooking are from the balconies located on the eastern and western elevations to the rear private open space areas and side boundaries, of the neighbouring properties. However, privacy screens and adequate window treatment are proposed to ensure that overlooking is mitigated.

In terms of visual change, the proposed development shall be of a contemporary style, but will be consistent with the desired future character identified for the area.

The use will not compromise adjoining properties and is consistent with those in the vicinity. Therefore, the proposal is consistent with the dominant uses within the locality.

The Public Interest

The proposed development is well within the public interest, providing an affordable form of residential accommodation and associated services, within a transitional zone that seeks to increase the sense of community that a development is able to create, while having limited impact on neighbouring sites.



5. CONCLUSIONS & RECOMMENDATIONS

Hamptons Property Services Pty Ltd has been retained by our client, Austciti Development Pty Ltd, to prepare a Statement of Environmental Effects for the land known as 77- 79 Waldron Road, Chester Hill, NSW 2162.

This development application is for the amalgamation of 77 and 79 Waldron Road, demolition of the existing residential dwellings and the construction of a boarding house to facilitate 52 residential units (including one building manager's room) and two ground floor neighbourhood shops, fronting Waldron Road.

The site is located in the R4 - High Density Residential zone pursuant to LEP 2015 and the proposed uses of the site are permissible with development consent from the Council.

The proposal is consistent with the zone objectives and will not compromise the desired outcomes under the various planning instruments, particularly those reflective the future desired outcomes of this location, having regard to the up-zoning of the land. The proposal will provide additional residential accommodation and an active street frontage to Waldron Road, whilst enhancing the existing streetscape by providing a contemporary design.

This being the case, it is recommended that the development application be approved in accordance with the accompanying plans and the Council's standard conditions of development consent and we welcome the opportunity to work with the Council during their assessment of the application.

