Statement of Environmental Effects

Demolition of existing structures, Consolidation of Lots, Proposed Residential Flat Building comprising: 4 x 3 bedroom units, 18 x 2 bedroom units, 4 x 1 bedroom units and 41 car parking spaces within a basement level upon,

Lots 374 & 375 DP 227167 and Lot 1 DP 796901

No. 207, 209 and 211 Hoxton Park Road

Cartwright

HDC
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PLANNING

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1 Introduction

This report has been prepared as a Statement of Environmental Effects in assessment of a Development Application proposing a 5 storey residential flat building development which includes affordable rental housing comprising 4 x 3 bedroom units, 18 x 2 bedroom units, 4 x 1 bedroom units and 41 car parking spaces within a basement level upon **Lot 374 & 375 in DP 227167 and Lot1 in DP796901,** known as **No. 207, 209, 211 Hoxton Park Road, Cartwright**.

The report is submitted in accordance with Clause 50(1)(a) of the *Environmental Planning and Assessment Regulation 2000 ("the EPAA Regulation 2000")*. The purpose of this Statement of Environmental Effects is:

- To provide a description and general information about the site and the proposed development in accordance with Clause 1 of Schedule 1 of the EPAA Regulation 2000.

In accordance with Clause 2 of Schedule 1 of the EPAA Regulation 2000, to provide the following information:

- The environmental impacts of the development;
- How the environmental impacts of the development have been identified; and,
- The steps to be taken to protect the environment or to lessen the expected harm to the environment.
- To address the above statutory requirements, the report considers the following matters:
- Description of the site, surrounding development and the wider locality;
- Description of the proposed development;
- Assessment of the proposed development in accordance with all statutory controls and Council's Development Control Plan (DCP); and,
- A broader environmental assessment of the proposal, having regard to the matters for consideration contained within Section 79C of the Environmental Planning and Assessment Act 1979 (The EPA Act 1979).

The proposed residential flat building development will occur upon land zoned R4 High Density. Residential flat buildings are a permitted land use within this zone.

The subject site provides a total land area of 2015.7 sqm and development as proposed satisfies the Liverpool Local Environmental Plan 2008, State Environmental Planning Policy 65 – Design Quality of Residential Apartment Development, and State Environmental Planning Policy (Affordable Rental Housing) 2009.

Provided with this Statement of Environmental Effects are architectural plans, shadow diagrams, Clause 4.6 variation request, the site survey, Traffic Engineers report, Drainage and Landscape plans and BASIX certificates to enable the determination of the development application. The site, proposal and development controls are discussed, and with a Section 79C summary assessment of the proposal, forms the required Statement of Environmental Effects.

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Partner

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2 Site Details

2.1 SITE CONTEXT

The subject site is located on the northern side of Hoxton Park Road, approximately 100 metres east of its intersection with Cartwright Road in Cartwright. The site is made up of three lots which are situated within a stretch of older style detached low density dwellings on the northern side of Hoxton Park Road. On the southern side of the arterial road is the juxtaposition of large lots zoned B6 Enterprise Corridor which comprises a mix of church, commercial, retail and light industrial uses.

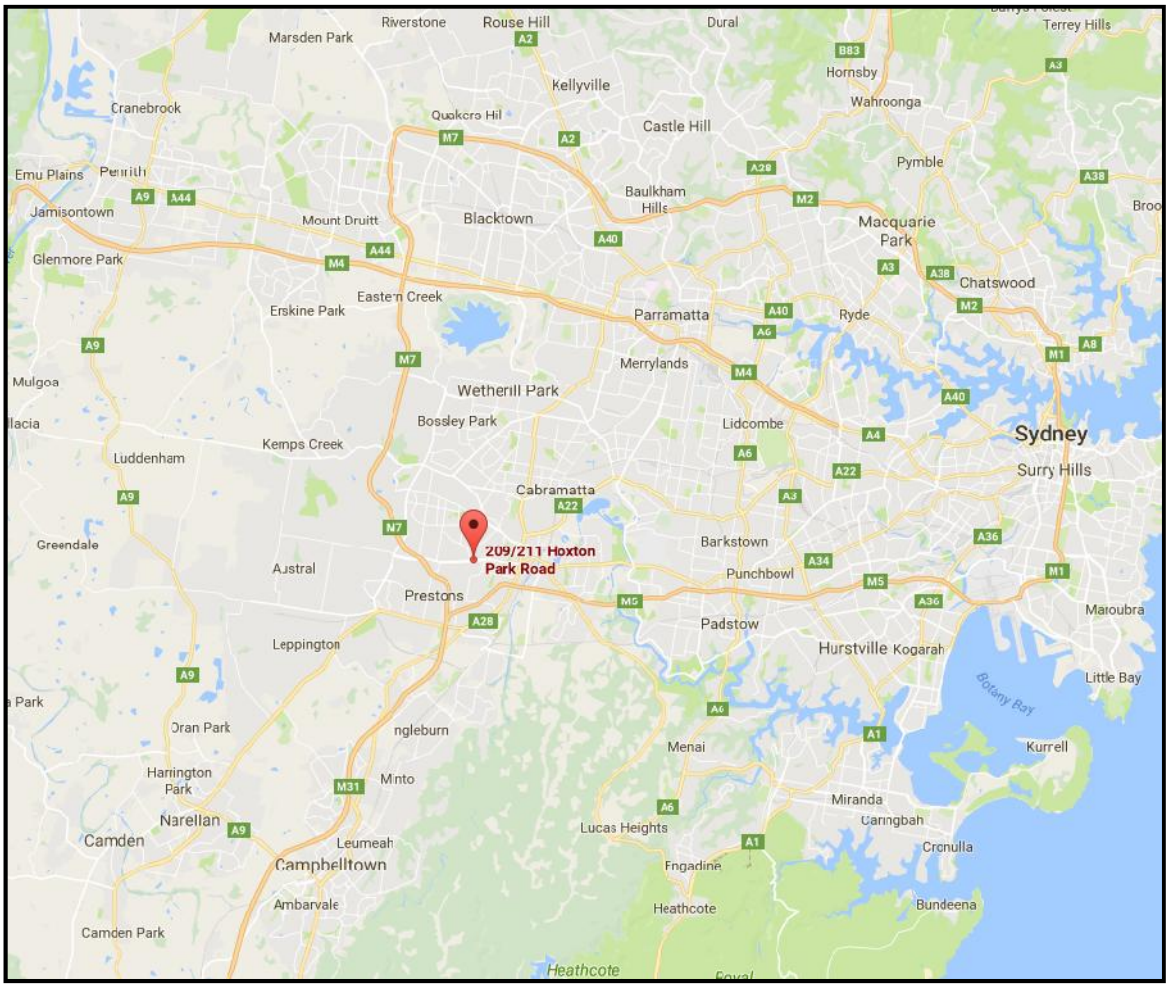

Figure 1: Site Location (Regional Context)

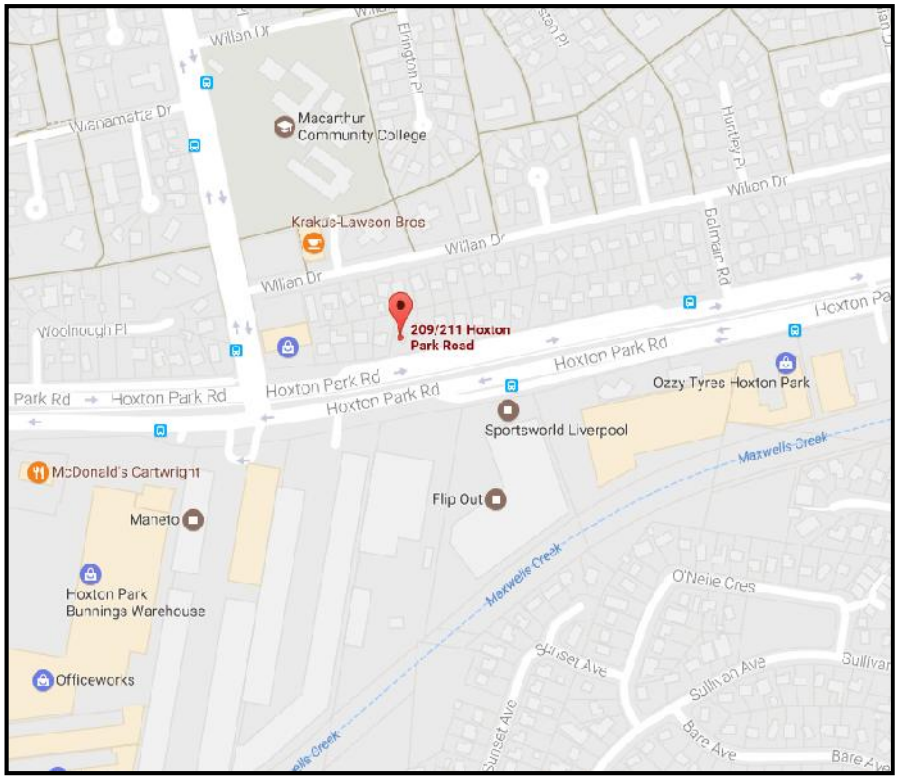

Figure 2: Site Location (Local Context)

Figure 3: Aerial Photograph (Detailed Site View)

2.2 SITE DESCRIPTION

The site is officially described as Lot 374 & 375 in DP 227167 and Lot1 in DP796901, commonly known as 207, 209, 211 Hoxton Park Road, Cartwright. The development site is an irregularly shaped allotment with a total area of 2015.7 square metres. The lots are essentially level and each is currently developed with a single storey residential dwelling with associated parking. There is limited vegetation on the site and no trees of significance. Each lot has a separate crossover and driveway access. A survey is provided with the application which details the location of the building and levels of the site. Photographs of the existing development on each of the lots are provided below.

2.3 EXISTING DEVELOPMENT

211 Hoxton Park Road is the most easterly of the three lots. It is essentially level with a fall of 0.12m over the length of the lot from the rear to the street frontage. The existing dwelling is single storey and weatherboard dwelling with a tile roof. The site has a color bond fence on the western side of the lot preventing access to the side of the dwelling. A concrete driveway is located on the eastern side of the lot which provides access to a fibro garage in the rear yard. A brick and palisade fence with vehicle gates separate the rear yard on this side of the site. A large tree is located centrally at the front of the site.

209 Hoxton Park Road is the central site and is essentially level with a minimal fall of 0.26 metres from the rear of the site to the street frontage. The site is occupied by a single storey weatherboard dwelling with a tile roof. A driveway is provide on the western side of the site which provides access to informal open parking. The rear yard houses a metal shed. There is no front fencing provided for the lot.

207 Hoxton Park Road is the most westerly of the three lots . It is essentially level with a fall of only 0.23 metres from the rear of the site at the street frontage. The existing dwelling comprises a white fibro dwelling with a tiled roof. A driveway is located on the western side of the dwelling which leads to a fibro garage in the rear yard. Two shed are also located in the rear yard.

Figure 4: No. 207 Hoxton Park Road viewed from the street frontage

Figure 5: No 209 Hoxton Park Road viewed from the street frontage

Figure 6: No 211 Hoxton Park Road viewed from the street frontage

2.4 VEGETATION

The existing dwellings on the sites sit within a turfed area. There are some small trees located on no 207 Hoxton Park Road and a large tree, which is proposed to be retained in the front yard of 207 Hoxton Park Road. Neither no. 209 or 211 has any significant vegetation.

2.5 SURROUNDING DEVELOPMENT

The site is situated within a R4 High Density Residential which extends along the northern side of Hoxton Park road to both the east and west of the site. The area is primarily dominated by single storey dwellings but will slowly be redeveloped in the future as the development potential of the lots is realized. There are some examples of sites which have already been redeveloped further east of the site heading toward Liverpool. Development on the southern side of Hoxton Park Road opposite the site is zones B6 Enterprise Corridor and accordingly includes a mix of uses. Immediately opposite the site are bulky goods premises, 2 storey commercial, Church and fast food premises.

Lots to the rear of the site are developed with detached single storey dwellings similar to the subject lots.

The site is in close proximity both Liverpool and Casula railway stations which are each less than 3km from the site. The closest retail and commercial area is the Liverpool Westfield which is located a few kilometers north east of the site.

Figure 7: Development on the southern side of Hoxton Park Road

Figure 8: Development on the southern side of Hoxton Park Road

Figure 9: Hoxton Park Road

2.6 LOCAL SERVICES

Within the immediate precinct is a selection of uses on the southern side of Hoxton Park Road including fast food and drink premises, and bulky goods premises. Approximately 3km to the North east of the site is Liverpool Westfield where there are a wide selection of retail and commercial premises.

2.7 SUITABILITY OF THE SITE

The key opportunities and constraints from which the proposed development responds are as follows.

- The lots is in an area which has been identified as having a greater development potential and this development will realize this and improve density and housing opportunities in the locality
- The lot is well sited with regard to the proposed scale and impacts for surrounding development
- The site is within close proximity to retail and commercial services which will support the additional population
- There will be no loss of vegetation thought the development of the site.
- The site is well located with regard to the Liverpool and Casula Railway Stations and the public transport services

3 Proposed Development

This site is zoned R4 High Density Residential. This zoning permits the development of the land for a residential flat building with development consent. It is argued that this proposal:

- Will provide an aesthetically pleasing and modern addition to the Hoxton Park Streetscape being the first to realize the development potential of the R4 high density residential zone along this strip of the road.
- Will allow for development to the scale sought by Council on a lot which is currently highly underdeveloped
- Will create 26 new dwellings including affordable housing, all with high amenity, positive internal layouts, the benefit of a ground floor communal garden areas and great access to public transport and local services

With respect to design, this proposal was derived after careful consideration of the SEPP (ARH)2009, SEPP 65, Liverpool Local Environmental Plan 2008, and the Liverpool Development Control Plan. This proposal is considered to be consistent with the objectives and requirements of this guidance document. The proposal is detailed in the architectural drawings prepared by Algorry Zappia & Associates Architects.

3.1 OVERVIEW

The proposed residential flat building development will require the demolition of existing structures and the consolidation of three (3) existing residential lots to form the development site. The proposal comprises 5 storeys and includes a basement parking level.

The development comprises 4 x 1 bedroom unit, 2 x 18 bedroom units and 4 x 3 bedroom units. 41 car parking spaces (including 1 accessible) are provided on site. All units are provided with private terraces (ground level) or balconies. A large communal open space area is available at the rear of the site and a smaller area at the front of the site.

The development has been designed as two key blocks which are connected by a central lift lobby. The design has a combination of finishes including brick in varying colours wall balding and metal wall cladding creating a mix of colours and textures to break up the components and levels of the structure. Articulation and modulation has also been provided in the street frontage and the use of glazing, balconies and screen details create design interest and a visually pleasing development when viewed from all angles.

3.2 DEVELOPMENT DATA

Development data is provided as follows:

Basement level

- Vehicular entry ramp
- 36 unit car spaces
- 5 visitor car spaces (1 disabled)
- Unit storage lockers and spaces x 17
- Compactor bin storage room
- Bulk waste storage
- Lift
- Stairs x 2
- Fire Sprinkler pump room
- Roller door entrance to basement garage

Ground floor

- 1 x 1 bedroom units
- 3 x 2 bedroom units
- 2 x 3 bedroom units
- Lobby
- Lift
- Stairwell x 2
- Bin room

First floor

- 1 x 1 bedroom units
- 5 x 2 bedroom unit
- Lobby
- Stair well x 2
- Lift
- Bin room

Second floor

- 1 x 1 bedroom units
- 5 x 2 bedroom units

- Lobby
- Stair well x 2
- Lift
- Bin room

Third Floor

- 1 x 1 bedroom units
- 5 x 2 bedroom units
- Lobby
- Stair well x 2
- Lift
- Bin room

Fourth Floor

- 2 x 3 bedroom units
- Lobby
- Stair well x 2
- Lift
- Bin room

3.3 AESTHETICS AND ARCHITECTURAL EXPRESSION

The proposed residential flat building presents as an attractive and modern addition to the street frontage. A mix of materials are used on the front façade and articulation provided in the design to create an aesthetically positive addition which complements the existing streetscape.

The use of bricks, cladding, metal cladding, glazing and balconies provides an appealing building, which will set a high bar for the redevelopment of Hoxton Park Road in coming years.

The dark natural colour palette, with the roof garden providing planting visible from the street frontage, will also soften the appearance of the building and ensure that it is an asset to Hoxton Park Road.

3.4 LANDSCAPING

Each unit will have a terrace or balcony providing a space where residents are likely to include some potted plants. The site also incorporates extensive landscaping around the perimeter of the building. In particular screen planting on the frontage of the site is included as is detailed on the accompanying landscape plan.

3.5 VEHICULAR ACCESS AND PARKING

Car parking is provided in the basement level provides a total of 41 car spaces which are allocated as follows:

- Visitor spaces – 5 (including 1 disabled)
- Stacked spaces – 8 (4 sets of 2 spaces) provided for 3 bedroom units
- Single spaces – 4 provided for 1 bedroom units
- Stacked spaces – 4 (2 sets of 2 spaces) provided for 2 bedroom units

Spaces have been designed to allow for adequate maneuvering area and to comply with Australian Standards.

Access to this car park is via a driveway from Hoxton Park Road which is secured by a security roller door. All residents will have a buzzer to allow easy access. Ample area is also provided in this parking area for vehicles to enter and exit is a forward direction.

3.6 WASTE MANAGEMENT

The design includes bin storage areas in the basement adjacent the parking areas. These will be shared by all units and it will be the responsibly of owners to place these on the street frontage as required by council for waste pick up.

3.7 ENVIRONMENTAL MANAGEMENT

This proposal will ensure the efficient and sustainable use of land. This development will result in the provision of residential and commercial uses that are both viable and needed in the locality.

3.7.1 *Erosion and sediment control*

The site will use appropriate erosion and sedimentation control measures to ensure a safe works site. All conditions of development consent detailing such will be complied with. An erosion and sedimentation plan is provided with the development application.

3.7.2 *Site contamination*

The site is not known to be the subject of any previous uses which would result in contamination.

3.7.3 *Flora and Fauna*

The development site is not located in an area affected by flora or fauna with the area being very built up and little vegetation the immediate area.

3.8 BCA REQUIREMENTS

The development has been designed to ensure compliance with the BCA.

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4 Relevant Planning Controls

The relevant environmental planning instruments and development controls are outlined below and comment on compliance provided.

4.1 STATE ENVIRONMENTAL PLANNING POLICY NO. 55 - REMEDIATION OF LAND

Clause 7 (1) (a) of SEPP 55 requires the Consent Authority to consider whether land is contaminated. Council records indicate that the subject site has been used for recreational purposes for a significant period of time with no prior land uses. In this regard it is considered that the site poses no risk of contamination and therefore, no further consideration is required under Clause 7 (1) (b) and (c) of SEPP 55 and the land is considered to be suitable for the residential land use.

4.2 STATE ENVIRONMENTAL PLANNING POLICY (BUILDING SUSTAINABILITY INDEX: BASIX)2004

State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004 applies to the development. BASIX certificates accompany the development application and demonstrates that the proposal achieves compliance with the BASIX water, energy and thermal efficiency targets.

4.3 STATE ENVIRONMENTAL PLANNING POLICY 65 – DESIGN QUALITY OF RESIDENTIAL FLAT BUILDING

The proposed development is subject to the provisions of SEPP 65, which aims to improve the quality of residential flat design. SEPP 65 applies to new residential flat buildings, the substantial redevelopment/refurbishment of existing residential flat buildings and conversion of an existing building to a residential flat building.

Clause 3 of SEPP 65 defines a residential flat building as follows:

"Residential flat building means a building that comprises or includes:

a) 3 or more storeys (not including levels below ground level provided for car parking or storage, or both, that protrude less than 1.2 metres above ground level), and

b) 4 or more self-contained dwellings (whether or not the building includes uses for other purposes, such as shops), but does not include a Class 1a building or a Class 1b building under the Building Code of Australia."

The proposed development is for the erection of a 5 storey building, as defined, containing 26 dwellings. As per the definition of a 'Residential Flat Building' and the provisions of Clause 4, the provisions of SEPP 65 are applicable to the proposed development.

Clause 28(2)(b) of SEPP 65 requires any that an application for a residential flat development be assessed against the 9 design quality principles. The proposal's compliance with the design quality principles is detailed in the Design Verification Statement provided by the architect and accompanying this application. The matters are addressed below:

DESIGN QUALITY PRINCIPLES

Principle 1: Context and Neighbourhood Character

Good design responds and contributes to its context. Context is the key natural and built features of an area, their relationship and the character they create when combined. It also includes social, economic, health and environmental conditions.

Responding to context involves identifying the desirable elements of an area's existing or future character. Well-designed buildings respond to and enhance the qualities and identity of the area including the adjacent sites, streetscape and neighbourhood. Consideration of local context is important for all sites, including sites in established areas, those undergoing change or identified for change.

Comment: The proposed residential flat building is consistent with the desired streetscape and density for the site. The immediate area has been zoned for a significant increase in density and the proposal appropriately considers the future streetscape and is a positive considerate design which will be an asset to the location.

Principle 2: Built Form and Scale

Good design achieves a scale, bulk and height appropriate to the existing or desired future character of the street and surrounding buildings.

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

Comment: The site is located in an area zoned for large scale redevelopment and an increase in density. The opposite side of the road (south) is a highly developed mixed use area with large scale commercial uses. The proposed development has been designed complement, soften and improve the area. The development will be a positive addition and will be the start of the scale of development proposed for the future of the area.

Principle 3: Density

Good design achieves a high level of amenity for residents and each apartment, resulting in a density appropriate to the site and its context.

Appropriate densities are consistent with the area's existing or projected population. Appropriate densities can be sustained by existing or proposed infrastructure, public transport, access to jobs, community facilities and the environment.

Comment: The proposed FSR is compliant with the proposal providing a density which is appropriate for the context of the area. The facilities in the area will allow for access to jobs, public transport and community facilities. The development will aid in the creation of additional population as proposed.

Principle 4: Sustainability

Good design combines positive environmental, social and economic outcomes. Good sustainable design includes use of natural cross ventilation and sunlight for the amenity and livability of residents and passive thermal design for ventilation, heating and cooling reducing reliance on technology and operation costs. Other elements include recycling and reuse of materials and waste, use of sustainable materials, and deep soil zones for groundwater recharge and vegetation.

Comment: The proposed development has been designed to maximize sustainability with use of natural cross ventilation and sunlight for the amenity and passive thermal design for ventilation, heating and cooling. The units all gain a BASIX Certificate demonstrating an appropriate level of sustainability.

Principle 5: Landscape

Good design recognises that together landscape and buildings operate as an integrated and sustainable system, resulting in attractive developments with good amenity. A positive image and contextual fit of well-designed developments is achieved by contributing to the landscape character of the streetscape and neighbourhood.

Comment: *A landscape plan has been provided with the application which demonstrates landscaping in the frontage to soften the building and ensure amenity for residents and an attractive street frontage. The landscaping will also provide a green boundary between neigbouring uses and be a positive contribution to the site.*

Principle 6: Amenity

Good design positively influences internal and external amenity for residents and neighbours. Achieving good amenity contributes to positive living environments and resident wellbeing.

Good amenity combines appropriate room dimensions and shapes, access to sunlight, natural ventilation, outlook, visual and acoustic privacy, storage, indoor and outdoor space, efficient layouts and service areas, and ease of access for all age groups and degrees of mobility.

Comment: The proposed development is compliant with this principle the residential flat building development affording positive amenity for all units. The compliant unit sizes, balcony sizes, storage space and the roof garden all aid in ensuring a livable and amenable environment for residents.

Principle 7: Safety

Good design optimises safety and security, within the development and the public domain. It provides for quality public and private spaces that are clearly defined and fit for the intended purpose. Opportunities to maximise passive surveillance of public and communal areas promote safety.

A positive relationship between public and private spaces is achieved through clearly defined secure access points and well lit and visible areas that are easily maintained and appropriate to the location and purpose.

Comment: The proposed development complies with this principle providing a safe and secure environment for residents and visitors to the site.

Principle 8: Housing Diversity and Social Interaction

Good design achieves a mix of apartment sizes, providing housing choice for different demographics, living needs and household budgets.

Well-designed apartment developments respond to social context by providing housing and facilities to suit the existing and future social mix. Good design involves practical and flexible features, including different types of communal spaces for a broad range of people, providing opportunities for social interaction amongst residents.

Comment: A mix of apartment sizes is provided 1, 2 and 3 bedroom units included. Affordable housing also makes up 23% of the dwellings. Communal open space areas are provided within the development which will be beneficial in encouraging social interaction.

Principle 9: Aesthetics

Good design achieves a built form that has good proportions and a balanced composition of elements, reflecting the internal layout and structure. Good design uses a variety of materials, colours and textures.

The visual appearance of well-designed apartment development responds to the existing or future local context, particularly desirable elements and repetitions of the streetscape.

Comment: The proposed development will be complementary to the desired future character and visual appearance of the streetscape as can be determined by the R4 zoning. It is well designed and will be an asset to the streetscape with a mix of materials, colours and textures in the design of the building.

Apartment Design Guide

Pursuant to clause 28(2)(c) of SEPP 65 an application for consent to carry out residential flat development must also consider the Apartment Design Guide. In this regard an Apartment Design Guide compliance table has been provided as Appendix One to this report.

4.4 STATE ENVIRONMENTAL PLANNING POLICY (AFFORDABLE RENTAL HOUSING) 2009

The proposed development is subject to the provisions of SEPP (ARH) which aims to improve the supply of affordable rental housing. Division 1 of the SEPP permits an increased FSR subject to the provision of affordable rental housing within a residential flat building development.

Development Control	Criteria/ Guideline	Comment	Compliance
Division 1 Infill Affordable Housing			
10. Development to which division applies	(1) This Division applies to development for the purposes of dual occupancies, multi dwelling housing or residential flat buildings if: (a) the development concerned is permitted with consent under another environmental planning instrument, and (b) the development is on land that does not contain a heritage item that is identified	The proposed RFB is permissible and is not an item of heritage	Yes

Development Control	Criteria/ Guideline	Comment	Compliance
	in an environmental planning instrument, or an interim heritage order or on the State Heritage Register under the Heritage Act 1977.		
	(2) Despite subclause (1), this Division does not apply to development on land in the Sydney region unless all or part of the development is within an accessible area.	An accessible area is defined as: *accessible area means land that is within:* *(a) 800 metres walking distance of a public entrance to a railway station or a wharf from which a Sydney Ferries ferry service operates, or* *(b) 400 metres walking distance of a public entrance to a light rail station or, in the case of a light rail station with no entrance, 400 metres walking distance of a platform of the light rail station, or* *(c) 400 metres walking distance of a bus stop used by a regular bus service (within the meaning of the Passenger Transport Act 1990) that has at least one bus per hour servicing the bus stop between 06.00 and 21.00 each day from Monday to Friday (both days inclusive) and between 08.00 and 18.00 on each Saturday and Sunday.* The proposed development is located within 400m of an appropriate bus stop.	Yes
	(3) Despite subclause (1), this Division does not apply to development on land that is not in the Sydney region unless all or part of the development is within 400 metres walking distance of land within Zone B2 Local Centre or Zone B4 Mixed Use, or within a land use zone that is equivalent to any of those zones.	N/A	
13. Floor Space Ratios	(1) This clause applies to development to which this Division applies if the	Applies – 23% proposed	

Development Control	Criteria/ Guideline	Comment	Compliance
	percentage of the gross floor area of the development that is to be used for the purposes of affordable housing is at least 20 per cent.		
	(2) The maximum floor space ratio for the development to which this clause applies is the existing maximum floor space ratio for any form of residential accommodation permitted on the land on which the development is to occur, plus: (**a) if the existing maximum floor space ratio is 2.5:1 or less:** (i) 0.5:1—if the percentage of the gross floor area of the development that is used for affordable housing is 50 per cent or higher, or (**ii) Y:1—if the percentage of the gross floor area of the development that is used for affordable housing is less than 50 per cent,** **where:** **AH is the percentage of the gross floor area of the development that is used for affordable housing.** **Y = AH ÷ 100** or	1:1 (LEP FSR) Y=23 / 100 Y= 23 Therefore permissible FSR is: 1.23:1 Proposed FSR is 1.23:1	Yes
	(b) if the existing maximum floor space ratio is greater than 2.5:1: (i) 20 per cent of the existing maximum floor space ratio—if the percentage of the gross floor area of the development that is used for affordable housing is 50 per cent or higher, or (ii) Z per cent of the existing maximum floor space ratio—if the percentage of the gross floor area of the development that is used for affordable housing is less than 50 per cent, where: AH is the percentage of the gross floor area of the development that is used for	N/A	

Development Control	Criteria/ Guideline	Comment	Compliance
	affordable housing. Z = AH ÷ 2.5 (3) In this clause, gross floor area does not include any car parking (including any area used for car parking). Note. Other areas are also excluded from the gross floor area, see the definition of gross floor area contained in the standard instrument under the Standard Instrument (Local Environmental Plans) Order 2006.		
14. Standards that cannot be used to fuse consent	(1) Site and solar access requirements A consent authority must not refuse consent to development to which this Division applies on any of the following grounds: (a) (Repealed) (b) site area if the site area on which it is proposed to carry out the development is at least 450 square metres,	Site area is greater than 450m2	Yes
	(c) landscaped area if: (i) in the case of a development application made by a social housing provider—at least 35 square metres of landscaped area per dwelling is provided, or (ii) in any other case—at least 30 per cent of the site area is to be landscaped,	30% of site area is 589.65m^2. 30.3% provided	Yes
	(d) deep soil zones if, in relation to that part of the site area (being the site, not only of that particular development, but also of any other associated development to which this Policy applies) that is not built on, paved or otherwise sealed: (i) there is soil of a sufficient depth to support the growth of trees and shrubs on an area of not less than 15 per cent of the site area (the deep soil zone), and	15% - 295m^2 required 15.8% provided	Yes

Development Control	Criteria/ Guideline	Comment	Compliance
	(ii) each area forming part of the deep soil zone has a minimum dimension of 3 metres, and (iii) if practicable, at least two-thirds of the deep soil zone is located at the rear of the site area,		
	(e) solar access if living rooms and private open spaces for a minimum of 70 per cent of the dwellings of the development receive a minimum of 3 hours direct sunlight between 9am and 3pm in mid-winter.	Detailed shadow diagrams demonstrate compliance.	YES
	(2) General A consent authority must not refuse consent to development to which this Division applies on any of the following grounds: (a) parking if: (i) in the case of a development application made by a social housing provider for development on land in an accessible area—at least 0.4 parking spaces are provided for each dwelling containing 1 bedroom, at least 0.5 parking spaces are provided for each dwelling containing 2 bedrooms and at least 1 parking space is provided for each dwelling containing 3 or more bedrooms, or (ii) in any other case—at least 0.5 parking spaces are provided for each dwelling containing 1 bedroom, at least 1 parking space is provided for each dwelling containing 2 bedrooms and at least 1.5 parking spaces are provided for each dwelling containing 3 or more bedrooms,	4 – (1 bed) x 0.5 18 (2 beds) x1 4 – (3 beds) x 1.5 Total – 26 spaces required 41 spaces are provided	Yes
	(b) dwelling size if each dwelling has a gross floor area of at least: (i) 35 square metres in the	**1** | **2** | **3** **1.1** | **80.05**	Yes

Development Control	Criteria/ Guideline	Comment	Compliance
	case of a bedsitter or studio, or (ii) 50 square metres in the case of a dwelling having 1 bedroom, or (iii) 70 square metres in the case of a dwelling having 2 bedrooms, or (iv) 95 square metres in the case of a dwelling having 3 or more bedrooms. (3) A consent authority may consent to development to which this Division applies whether or not the development complies with the standards set out in subclause (1) or (2).	**1.2** **95.98** **1.3** **61.36** **1.4** **82.61** **1.5** **100.92** **1.6** **88.06** **2.1** **85.35** **2.2** **59.08** **2.3** **82.64** **2.4** **82.64** **2.5** **86.6** **2.6** **82.2** **3.1** **85.35** **3.2** **59.08** **3.3** **82.64** **3.4** **82.64** **3.5** **86.6** **3.6** **82.21** **4.1** **85.35** **4.2** **59.08** **4.3** **82.64** **4.4** **86.64** **4.5** **86.6** **4.6** **82.2** **5.1** **99.6** **5.2** **105.52** Appropriate area is provided for each unit	
15. Design Requirements	(1) A consent authority must not consent to development to which this Division applies	**N/A**	

Development Control	Criteria/ Guideline	Comment	Compliance
	unless it has taken into consideration the provisions of the Seniors Living Policy: Urban Design Guidelines for Infill Development published by the Department of Infrastructure, Planning and Natural Resources in March 2004, to the extent that those provisions are consistent with this Policy.		
	(2) This clause does not apply to development to which clause 4 of State Environmental Planning Policy No 65—Design Quality of Residential Apartment Development applies.	See SEPP 65 review	Yes
16. Continues application of SEPP 65	Nothing in this Policy affects the application of State Environmental Planning Policy No 65—Design Quality of Residential Flat Development to any development to which this Division applies.	Noted	
16A Character of local area	A consent authority must not consent to development to which this Division applies unless it has taken into consideration whether the design of the development is compatible with the character of the local area.	The development is appropriate and will be a positive addition to the streetscape and encapsulates the desired future character for the area.	
17. Must be used for affordable housing for 10 years	(1) A consent authority must not consent to development to which this Division applies unless conditions are imposed by the consent authority to the effect that: (a) for 10 years from the date of the issue of the occupation certificate: (i) the dwellings proposed to be used for the purposes of affordable housing will be used for the purposes of affordable housing, and (ii) all accommodation that is used for affordable housing will be managed by a registered community housing provider, and	Noted. It is anticipated that an appropriate condition will be applied to any consent.	
	(b) a restriction will be registered, before the date of the issue of the occupation	Noted	

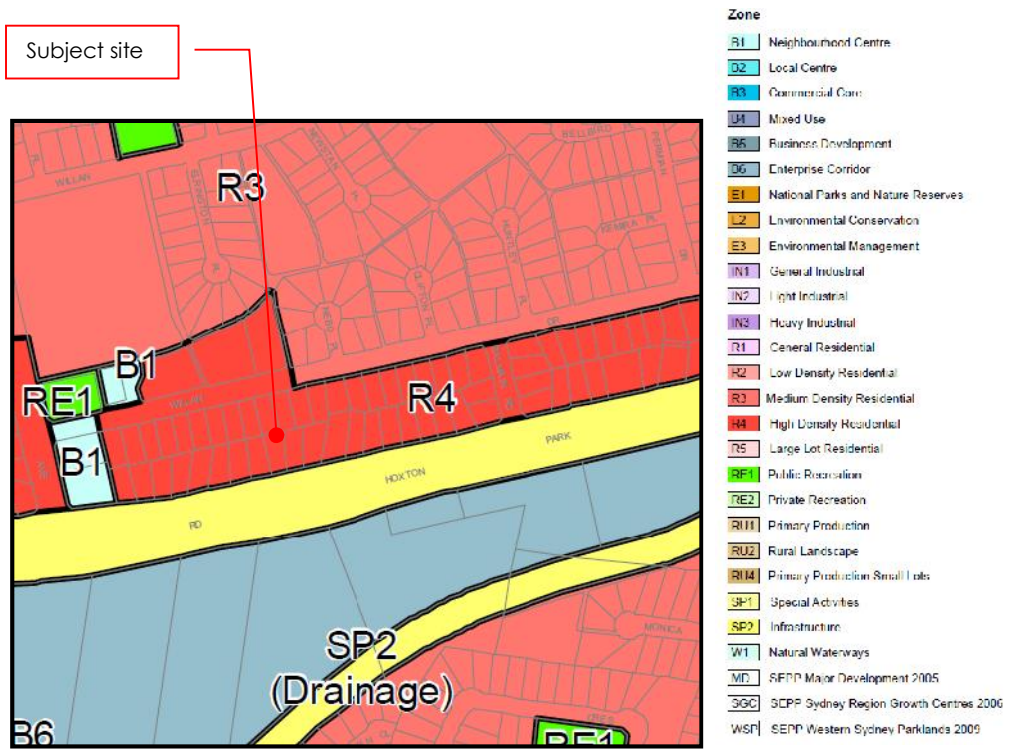
Development Control	Criteria/ Guideline	Comment	Compliance
	certificate, against the title of the property on which development is to be carried out, in accordance with section 88E of the Conveyancing Act 1919, that will ensure that the requirements of paragraph (a) are met.		
	(2) Subclause (1) does not apply to development on land owned by the Land and Housing Corporation or to a development application made by, or on behalf of, a public authority.	N/A	
18. Subdivision	Land on which development has been carried out under this Division may be subdivided with the consent of the consent authority.	Noted	

4.5 LIVERPOOL LOCAL ENVIRONMENTAL PLAN, 2008

The relevant clauses of the Liverpool Local Environmental Plan 2008 are addressed below.

4.5.1 *Zoning*

The subject site is zoned R4 High Density Residential pursuant to the Liverpool Local Environmental Plan 2008.



4.5.1.1 Satisfying zone objectives

The objectives of the R4 High Density Residential zone are:

- To provide for the housing needs of the community within a high density residential environmentTo encourage employment opportunities in accessible locations
- To provide a variety of housing types within a high density residential environment.
- To enable other land uses that provide facilities or services to meet the day to day needs of residents.
- To provide for a high concentration of housing with good access to transport, services and facilities.
- To minimise the fragmentation of land that would prevent the achievement of high density residential development.

It is considered that the proposed development satisfies relevant zone objectives. That is, this proposal:

- Will provide for the consolidation of lots to create a variety of unit sizes
- will provide high amenity dwellings in an area with positive access to facilities and transport.

4.5.1.2 Permissibility

Land uses permitted with consent within the R4 Zone are:

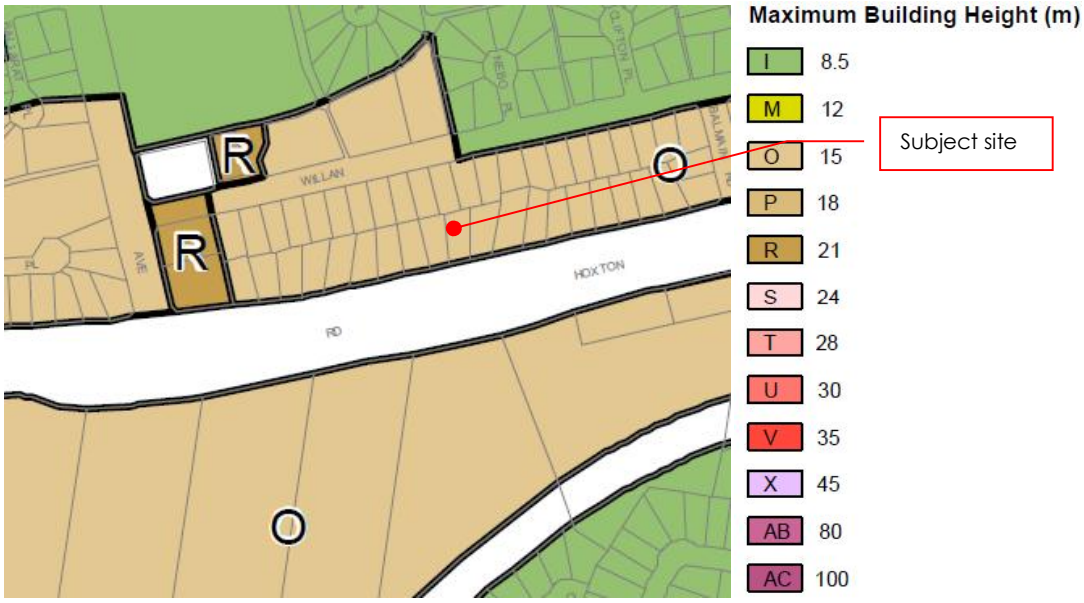
> Attached dwellings; Bed and breakfast accommodation; Boarding houses; Building identification signs; Business identification signs; Child care centres; Community facilities; Dwelling houses; Educational establishments; Environmental facilities; Environmental protection works; Exhibition homes; Exhibition villages; Flood mitigation works; Home businesses; Home industries; Hostels; Hotel or motel accommodation; Kiosks; Multi dwelling housing; Neighbourhood shops; Places of public worship; Public administration buildings; Recreation areas; Residential care facilities; Residential flat buildings; Respite day care centres; Roads; Secondary dwellings; Serviced apartments; Shop top housing Attached dwellings; Bed and breakfast accommodation; Boarding houses; Building identification signs; Business identification signs; Child care centres; Community facilities; Dwelling houses; Educational establishments; Environmental facilities; Environmental protection works; Exhibition homes; Exhibition villages; Flood mitigation works; Home businesses; Home industries; Hostels; Hotel or motel accommodation; Kiosks; Multi dwelling housing; Neighbourhood shops; Places of public worship; Public administration buildings; Recreation areas; Residential care facilities**; Residential flat buildings**; Respite day care centres; Roads; Secondary dwellings; Serviced apartments; Shop top housing

The proposal for a residential flat building is permitted with consent in the Zone.

4.5.2 *Principal Development Standards*

The Liverpool Local Environmental Plan 2008 sets a number of standards relevant to this proposal as summarised below.

4.5.2.1 Height of Buildings



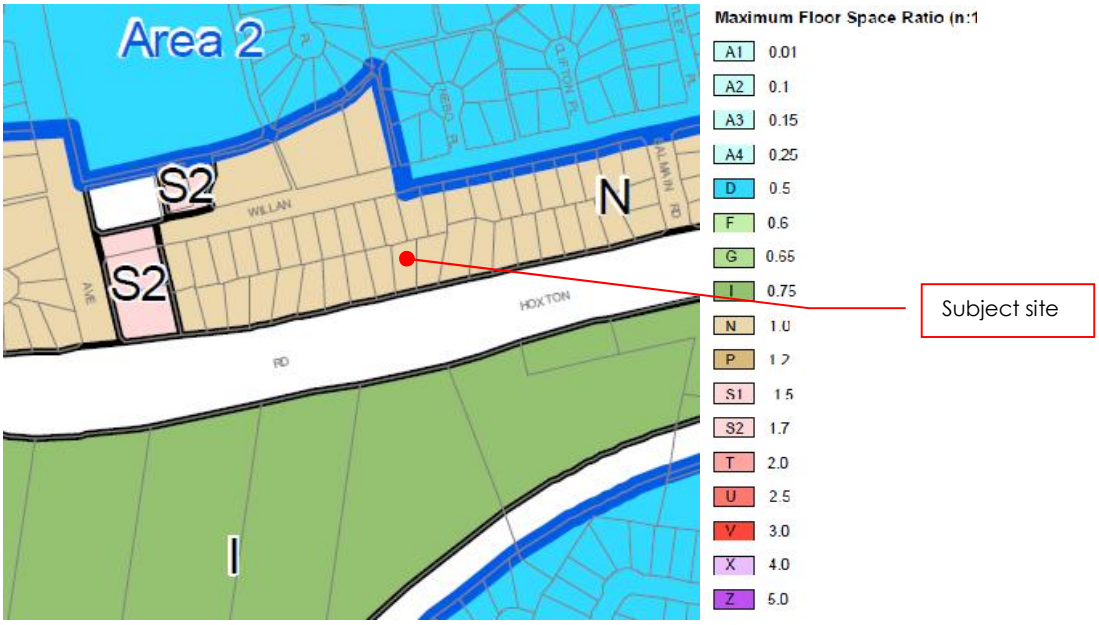
HOB: M 15 metres

The LLEP provides a permitted maximum building height of 15 metres.

The height of the proposed residential flat building development varies from 15.492m to 15.696m. At its highest point, there is a non-compliance of 4.64%. This minor variation is considered to be justifiable due to the appropriate streetscape impact considerate of the future desired character, the scale of development across Hoxton Park Road and the minimised impacts due to the wide road, and the development achieving the objectives of the height development standard. These matters are addressed in greater detail in the Clause 4.6 Exception to Development Standard request which accompanies the application, as Appendix Two of this report.

4.5.2.2 Floor Space Ratio

The subject site has an FSR of 1:1 under the provisions of the Liverpool LEP 2008. Accordingly the map extract below is provided.



FSR: 1:1

The architect has provided detailed calculations demonstrating the breakdown of gross floor area. A total FSR of 1.23:1 is proposed. The varied FSR is appropriate as it is provided in accordance with the requirements of SEPP (ARH) 2009 as discussed earlier in the report.

A clause 4.6 variation is not required as the development standard of the SEPP (ARH) 2009 is met.

4.5.2.3 Environmentally significant land

The site is not mapped as being environmentally significant.

4.5.2.4 Acid Sulfate Soils

The subject site is not affected by acid sulfate soils.

4.5.2.5 Flood planning

The subject site is located within a flood zone as specified under the provisions of the Liverpool LEP 2008. Accordingly, the map extract below is provided.

A flood Report has been prepared which demonstrates compliance with flood levels and habitable floor levels. The proposed development is consistent with the Floodplain development manual.

4.5.2.6 Minimum Building street frontage

A minimum street frontage of 24 metres is required for a residential flat building. The consolidated site fulfils this with a side frontage of 59.74 metres.

4.5.2.7 Development is areas subject to aircraft noise

The site is not located within an area with an ANEF contour of 20 or greater and accordingly no assessment is required in this instance.

4.5.2.8 Earthworks

Earthworks are proposed for the basement level car park. All fill will be appropriately disposed of as is detailed in the accompanying Waste Management Plan. There will be no detrimental impacts on neighbouring properties with all works to undertaken in a safe and compliant manner. It is not anticipated that any relics will be disturbed and appropriate measures would be undertaken if this was to occur.

The earthworks will have an appropriate impact on drainage patterns as is supported by the drainage plans provided with the Development Application plans.

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5 Assessment of Environmental Effects

In determining the environmental effects of a development proposal' the consent authority, in this case Liverpool City Council, is required to consider those matters relevant as listed in section 79C of the Environmental Planning and Assessment Act, 1979. These matters are listed below with commentary where required.

5.1 ENVIRONMENTAL PLANNING INSTRUMENTS - SECTION 79C(1)(A)(I)

The relevant environmental planning instruments have been identified and discussed in section 4 of this statement. This proposal is permissible subject to the provisions of the Liverpool Local Environmental Plan 2008 and it is considered that the provisions of all relevant environmental planning instruments have been satisfactorily addressed within Section 4 of this statement.

5.2 DRAFT ENVIRONMENTAL PLANNING INSTRUMENTS - SECTION 79C(1)(A)(II)

At the time of preparing this application there were no draft planning instruments which would affect this site.

5.3 DEVELOPMENT CONTROL PLANS - SECTION 79C(1)(A)(III)

The Liverpool Development Control Plan applies to this proposal and it is argued that the proposal is consistent with the aims and objectives of the DCP and generally compliant with the specific controls applicable to the site and the type of development proposed. A summary of the relevant controls prescribed by the DCP and commentary is proved below.

5.3.1 *Liverpool Development Control Plan*

The applicable Development Control Plan for this proposal is the Liverpool Development Control Plan, 2013. This Plan is divided into a number of parts and the relevant part to this proposal is Part 3.7 Residential Flat Buildings and Part 1 General Controls.

The key local development controls have been highlighted and discussed while all other relevant matters for consideration have been summarised and commented upon as detailed in the following sections of this statement. While the DCP is a relevant consideration when making a determination of this proposal, Council is reminded that the proclamation of the Environmental Planning and Assessment Amendment Act 2012 on 1 March 2013 confirmed the

status and weight that should be placed on development control plans when making a determination of a development application. The amendments to the Environmental Planning and Assessment Act 1979 clarified the purpose, status and content of development control plans (DCPs), and how they are to be taken into account during the development assessment process. The Amendment Act makes it clear that the ***principal purpose of a DCP is to provide guidance to a consent authority*** on land to which the DCP applies.[1]

The Amendment Act reinforces that the ***provisions contained in a DCP are not statutory requirements and are for guidance purposes only***. Furthermore, it should be noted that the weight a consent authority gives to a DCP in assessing a development application will depend on a number of factors, including whether the DCP provides a sensible planning outcome.

The Amendment Act confirms that Council can confidently apply development control plans ***flexibly*** and if a development application does not comply with provisions in a DCP, a consent authority ***must be flexible*** in the way it applies the controls and also allow for reasonable alternative solutions to achieve the objectives of those standards.

The following table summarises the **most relevant** (not all) development controls and compliance with such controls.

[1] State of New South Wales through the Department of Planning & Infrastructure, 18 March 2013, Planning System Circular, PS 13-003.

Development Control	Criteria/ Guideline	Comment	Compliance
PART 3.7 **RESIDENTIAL FLAT BUILDINGS**			
1. PRELIMINARY			
Objectives	a) To provide controls for residential development to ensure that it achieves a high standard of urban design, that is compatible with the amenity and character of the area.	Achieved	
	b) To provide for a variety of housing choice within residential areas with Liverpool.	Achieved	
	c) Additional objectives are listed in the detailed controls for the various land uses.	Achieved	
2. FRONTAGE AND SITE AREA			
Control	The minimum lot width 24m. *Note: The amalgamation of land parcels into larger development sites is encouraged as this will result in better forms of housing development and design. Refer to the Liverpool LEP 2008 written statement and maps for the minimum site area and width in the R4 zone.*	59.74m	Yes
3. SITE PLANNING			
Control	1. The building should relate to the site's topography with minimal earthworks, except for basement car parking.	Achieved	Yes
	2. Siting of buildings should provide usable and efficient spaces, with consideration given to energy efficiency in the building design.	Achieved The development units all achieve BASIX compliance.	Yes
	3. Site layout should provide safe pedestrian, cycle and vehicle access to and from the	Separate safe entrances provided	Yes

<table>
<tr><th>Development Control</th><th>Criteria/ Guideline</th><th>Comment</th><th>Compliance</th></tr>
<tr><td></td><td>street.</td><td></td><td></td></tr>
<tr><td></td><td>4. Siting of buildings should be sympathetic to surrounding development, taking specific account of the streetscape in terms of scale, bulk, setbacks, materials and visual amenity.</td><td>The siting is considerate of existing neighbours, but also of the future RFBs which will be built in the R4 zone.</td><td>Yes</td></tr>
<tr><td></td><td>5. Stormwater from the site must be able to be drained satisfactorily. Where the site falls away from the street, it may be necessary to obtain an easement over adjoining property to drain water satisfactorily to a Council stormwater system. Where stormwater drains directly to the street, there may also be a need to incorporate on-site detention of stormwater where street drainage is inadequate. Refer to Water cycle management in Part 1.</td><td>A drainage and stormwater plan accompanies the application and satisfies Council controls.</td><td>Yes</td></tr>
<tr><td></td><td>6. The development will need to satisfy the requirements of State Environmental Planning Policy No 65—Design Quality of Residential Flat Development.

Note: A Site Analysis Plan is required for each development application.</td><td>See Table (Appendix 1)</td><td>Yes</td></tr>
<tr><td>4. SETBACKS</td><td></td><td></td><td></td></tr>
<tr><td>Front and Secondary Setbacks</td><td>1. Buildings shall be setback in accordance with the following table.

<table><tr><td>Road</td><td>Front Setback</td><td>Secondary Setback</td></tr><tr><td>Classified Roads</td><td>7.0m</td><td>7.0m</td></tr><tr><td>Other Streets</td><td>5.5m</td><td>5.5m</td></tr></table></td><td>Front setback 7.14m</td><td>Yes</td></tr>
<tr><td></td><td>2. Verandahs, eaves and other sun control devices may</td><td>Noted</td><td></td></tr>
</table>

<table>
<tr><th>Development Control</th><th>Criteria/ Guideline</th><th>Comment</th><th>Compliance</th></tr>
<tr><td></td><td>encroach on the front and secondary setback by up to 1m.</td><td></td><td></td></tr>
<tr><td></td><td>3. The secondary setback is along the longest length boundary.</td><td>N/A</td><td></td></tr>
<tr><td>Side and Rear Setbacks</td><td>1. Buildings shall be setback from the side and rear boundaries in accordance with the following table.
<table><tr><th>Item</th><th>Side Setback</th><th>Rear Setback</th></tr><tr><td>Boundary to land in R4 zone (First 10m in height, excluding roof/attic)</td><td>3m</td><td>8m</td></tr><tr><td>Boundary to land in R4 zone (Greater than 10m in height)</td><td>8m</td><td>8m</td></tr></table></td><td>Side (West)
G – 7.1
1 – 7.1
2 – 7.1
3 – 7.0
4 – 11.562

Side (East)
G – 6.79
1 – 6.79
2 – 6.79
3 – 6.79
4 – 11.309

Rear
G – 7.68
1 – 7.679
2 – 7.679
3 – 7.679
4 – 10.19

Setback as proposed are essentially compliant. While there are some inconsistency with the guide, these are appropriate when the setback along each boundary is considered in its entirety. The western setback complies at all levels with the exception of level 3, which is greater than 10 metres in height. Due to the lower levels having a significantly greater setback than required, the impact of the small breach is negligible.

Similarly the eastern setback is non compliant on level 3. The same generous setbacks at the lower levels result in this breach also having a negligible impact.

The rear setback varies with the closest part being non-compliant by 0.3m. Much of the rear setback is far greater and accordingly the impact of this minor</td><td>TO BE CONSIDERED ON MERRIT</td></tr>
</table>

Development Control	Criteria/ Guideline	Comment	Compliance
		breach is not noticed or of any detriment. It should be noted that ADG building separation is achieved.	
	2. Consideration will need to be given to existing and approved setbacks of residential flat buildings on adjoining buildings.	N/A	
5. LANDSCAPED AREA AND PRIVATE OPEN SPACE			
Landscaped Area (deep soil area)	1. A minimum of 25% of the site area shall be landscaped area.	30.3% of the site is landscaped.	Yes
	2. A minimum of 50% of the front setback area shall be landscaped area.	Greater than 50% of the frontage is landscaped	Yes
	3. Optimise the provision of consolidated landscaped area within a site by: - The design of basement and sub-basement car parking, so as not to fully cover the site. - The use of front and side setbacks. - Optimise the extent of landscaped area beyond the site boundaries by locating them contiguous with the landscaped area of adjacent properties.	Basement car park does not extend into the rear yard or the entire frontage of the site. Landscaped plan accompanies the application and demonstrates appropriate use of planting on boundaries.	Yes
	4. Promote landscape health by supporting for a rich variety of vegetation type and size.	Achieved	Yes
	5. Increase the permeability of paved areas by limiting the area of paving and/or/using pervious paving materials.	Noted	YES
Open Space	1. Provide communal open space, which is appropriate and relevant to the context and the building's setting.	Communal open space areas are provided in the rear and front yards.	Yes
	2. Where communal open space is provided, facilitate its	Achieved	Yes

<table>
<tr><th>Development Control</th><th>Criteria/ Guideline</th><th>Comment</th><th>Compliance</th></tr>
<tr><td></td><td>use for the desired range of activities by:

- Locating it in relation to buildings to optimise solar access to dwellings.

- Consolidating open space on the site into recognisable areas with
reasonable space, facilities and landscape.

- Designing its size and dimensions to allow for the range of uses it will
contain.

- Minimising overshadowing.

- Carefully locating ventilation duct outlets from basement car parking.</td><td></td><td></td></tr>
<tr><td>Private Open Space</td><td>1. Private open space shall be provided for each dwelling in accordance with the following table.

<table><tr><td>Dwelling Size</td><td>Private Open Space Area</td><td>Min width</td></tr><tr><td>Small <65 sqm</td><td>10sqm</td><td>2m</td></tr><tr><td>Medium 65-100</td><td>12sqm</td><td>2m</td></tr><tr><td>Large >100 sqm</td><td>12sqm</td><td>2m</td></tr></table></td><td>Private open space provided to meet the requirements of the ADG</td><td>Yes</td></tr>
<tr><td></td><td>2. Private open space may be provided as a courtyard for ground floor dwellings or as balconies for dwellings above the ground floor.</td><td>Achieved</td><td>Yes</td></tr>
<tr><td></td><td>3. Private open space areas should be an extension of indoor living areas and be functional in size to accommodate seating and the like.</td><td>Achieved</td><td>Yes</td></tr>
</table>

Development Control	Criteria/ Guideline	Comment	Compliance
	4. Private open space should be clearly defined for private use. *For balconies refer to Building Design, Streetscape and Layout for controls on their design.*	Achieved	Yes
Drying Areas	Clothes drying facilities must be provided at a rate of 5 lineal m of line per unit. Clothes drying areas should not be visible from a public place and should have solar access.		ABLE TO COMPLY
6. BUILDING DESIGN, STREETSCAPE AND LAYOUT			
Building Height	*Refer to the Liverpool LEP 2008 written statement and maps for the maximum Building Height in the R4 zone. Note that this varies depending on the location.*	Noted	Yes
Building Appearance and Streetscape	1. Residential Flat Buildings shall comply with State Environmental Planning Policy No 65 – Design Quality of Residential Flat Development, and should consider the Residential Flat Design Code.	Achieved	Yes
	2. Building facades shall be articulated and roof form is to be varied to provide visual variety.	Achieved	Yes
	3. The pedestrian entrance to the building shall be emphasised.	A clear central entrance is provided	Yes
	4. A sidewall must be articulated if the wall has a continuous length of over 14 m.	Articulation is provided in the upper levels of the side walls	Yes
	5. Where possible vehicular entrances to the basement car parking shall be from the side of the building. As an alternative a curved driveway to an entrance at the front of the building may be considered if the entrance is not readily visible from the street.	Vehicle entrance is on the western side of the site.	Yes

Development Control	Criteria/ Guideline	Comment	Compliance
	6. Driveway walls adjacent to the entrance of a basement car park are to be treated so that their appearance is consistent with the basement or podium walls.	Achieved	Yes
	7. Sensitive design of basement car parking areas can assist in ensuring that podiums and vehicle entry areas do not dominate the overall design of the building or the streetscape and optimise areas for deep soil planting.	Design is appropriate and streetscape not dominated by vehicle entrance.	Yes
	8. The integration of podium design should be an integral part of the design of the development, and as far as possible should not visibly encroach beyond the building footprint.		
	9. A master antenna shall be provided for any development of more than three dwellings and be located so that it is not visible from the street or any public open space.	Notes	
	10. Consider the relationship between the whole building form and the facade and / or building elements. The number and distribution of elements across a façade determine simplicity or complexity. Columns, beams, floor slabs, balconies, window openings and fenestrations, doors, balustrades, roof forms and parapets are elements, which can be revealed or concealed and organised into simple or complex patterns.	The design of all facades achieved these factors presenting as attractive and positive architectural forms.	Yes
	11. Compose facades with an appropriate scale, rhythm and proportion, which respond to the building's use and the desired contextual character. This may include but are not limited to: - Defining a base, middle and top related to the overall	The design of the building incorporates defined levels, changes in materials and colours, detailed architectural elements and lines to create interest and balconies and balustrades which increase interest in the facades.	Yes

Development Control	Criteria/ Guideline	Comment	Compliance
	proportion of the building. - Expressing key datum lines in the context using cornices, a change in materials or building set back. - Expressing the internal layout of the building, for example, vertical bays or its structure, such as party wall-divisions. - Expressing the variation in floor-to-floor height, particularly at the lower levels. - Articulating building entries with awnings, porticos, recesses, blade walls and projecting bays. - Selecting balcony types which respond to the street context, building orientation and residential amenity. - Cantilevered, partially recessed, wholly recessed, or Juliet balconies will all create different facade profiles. - Detailing balustrades to reflect the type and location of the balcony and its relationship to the façade detail and materials.		
	12. Design facades to reflect the orientation of the site using elements such as sun shading, light shelves and bay windows as environmental controls, depending on the facade orientation.	Achieved	Yes
	13. Express important corners by giving visual prominence to parts of the facade, for example, a change in building articulation, material or colour, roof expression or increased height.	Achieved Use of angles and materials	Yes
	14. Co-ordinate and integrate building services, such as drainage pipes, with overall facade and balcony design.	Noted	ABLE TO COMPLY

Development Control	Criteria/ Guideline	Comment	Compliance
	15. Co-ordinate security grills/screens, ventilation louvres and car park entry doors with the overall facade design.	Noted	ABLE TO COMPLY
Roof Design	1. Relate roof design to the desired built form. This may include: - Articulating the roof, or breaking down its massing on large buildings, to minimise the apparent bulk or to relate to a context of smaller building forms. - Using a similar roof pitch or material to adjacent buildings, particularly in existing special character areas or heritage conservation areas. - Minimising the expression of roof forms gives prominence to a strong horizontal datum in the adjacent context, such as an existing parapet line. - Using special roof features, which relate to the desired character of an area, to express important corners.	A flat roof is provided	Yes
	2. Design the roof to relate to the size and scale of the building, the building elevations and three-dimensional building form. This includes the design of any parapet or terminating elements and the selection of roof materials.	Achieved	Yes
	3. Design roofs to respond to the orientation of the site, for example, by using eaves and skillion roofs to respond to sun access.	Achieved	Yes
	4. Minimise the visual intrusiveness of service elements by integrating them into the design of the roof. These elements include lift over-runs, service plants, chimneys, vent stacks, telecommunication	Lift overrun is provided on the roof.	Yes

Development Control	Criteria/ Guideline	Comment	Compliance
	infrastructures, gutters, downpipes and signage.		
	5. Where habitable space is provided within the roof optimise residential amenity in the form of attics or penthouse dwellings.	N/A	
Building Entry	1. Improve the presentation of the development to the street by: - Locating entries so that they relate to the existing street and subdivision pattern, street tree planting and pedestrian access network. - Designing the entry as a clearly identifiable element of the building in the street. - Utilising multiple entries-main entry plus private ground floor dwelling entries-where it is desirable to activate the street edge or reinforce a rhythm of entries along a street.	A central pedestrian entrance leading in to a central lobby between the two linked towers is provided. It is clearly identifiable through materials choices and landscaping choices.	Yes
	2. Provide as direct a physical and visual connection as possible between the street and the entry.	Achieved	Yes
	3. Achieve clear lines of transition between the public street, the shared private, circulation spaces and the dwelling unit.	Achieved	yes
	4. Ensure equal access for all	Achieved	Yes
	5. Provide safe and secure access by: - Avoiding ambiguous and publicly accessible small spaces in entry areas. - Providing a clear line of sight between one circulation space and the next. - Providing sheltered well-lit and highly visible spaces to enter the building, meet and collect mail.	Achieved	Yes

Development Control	Criteria/ Guideline	Comment	Compliance
	6. Generally provide separate entries from the street for: - Pedestrians and cars. - Different uses, for example, for residential and commercial users in a mixed-use development. - Ground floor dwellings, where applicable.	Achieved N/A Street front ground floor dwellings have spate secondary entranced from the street.	Yes
	7. Design entries and associated circulation space of an adequate size to allow movement of furniture between public and private spaces.	Achieved	Yes
	8. Provide and design letterboxes to be convenient for residents and not to clutter the appearance of the development from the street by: - Locating them adjacent to the major entrance and integrated into a wall, where possible. - Setting them at 90 degrees to the street, rather than along the front boundary.	Located at frontage/ pedestrian entrance	Yes
Balconies	1. Balconies may project up to 1m from the façade of a building.		
	2. Balustrades must be compatible with the façade of the building.	Achieved	Yes
	3. Ensure balconies are not so deep that they prevent sunlight entering the dwelling below.	Solar access diagrams detail compliance.	YES
	4. Design balustrades to allow views and casual surveillance of the street.	Black glass will allow surveillance through to street	Yes
	5. Balustrades on balconies at lower levels shall be of solid construction.	Achieved	Yes

Development Control	Criteria/ Guideline	Comment	Compliance
	6. Balconies should where possible should be located above ground level to maximise privacy for occupants, particularly from the street.	Achieved	Yes
	7. Solid or semi solid louvres are permitted.	These are provided on some balconies	Yes
	8. Noise attenuation measures on balconies facing a Classified Road should be considered.	Noted	
	9. Balconies should be located on the street frontage, boundaries with views and onto a substantial communal open space.	Balconies are located appropriately	Yes
	10. Primary balconies should be: - Located adjacent to the main living areas, such as living room, dining room or kitchen to extend the dwelling living space; - Sufficiently large and well proportioned to be functional and promote indoor/outdoor living A dining table and two chairs (smaller dwelling) and four chairs (larger dwelling) should fit on the majority of balconies in any development.	Achieved	Yes
	11. Consider secondary balconies, including Juliet balconies or operable walls with balustrades, for additional amenity and choice in larger dwellings, adjacent to bedrooms or for clothes drying, site balconies off laundries or bathrooms.	These are provided for some units	Yes
	12. Design and detail balconies in response to the local climate and context thereby increasing the usefulness of balconies. This may be achieved by: - Locating balconies facing predominantly north, east or west to provide solar access. - Utilising sunscreens, pergolas,	Balconies are located and screened well in the proposed design.	Yes

Development Control	Criteria/ Guideline	Comment	Compliance
	shutters and operable walls to control sunlight and wind. - Providing balconies with operable screens, Juliet balconies or operable walls/sliding doors with a balustrade in special locations where noise or high winds prohibit other solutions - along rail corridors, on busy roads or in tower buildings - choose cantilevered balconies, partially cantilevered balconies and/or recessed balconies in response to daylight, wind, acoustic privacy and visual privacy.		
	13. Provide primary balconies for all dwellings with a minimum depth of 2m.	Achieved	Yes
	14. Ensuring balconies are not so deep that they prevent sunlight entering the dwelling below.	Achieved See solar access diagrams	Yes
	15. Design balustrades to allow views and casual surveillance of the street while providing for safety and visual privacy. Design considerations may include: - Detailing balustrades using a proportion of solid to transparent materials to address site lines from the street, public domain or adjacent development. Full glass balustrades do not provide privacy for the balcony or the dwelling's interior, especially at night. - Detailing balustrades and providing screening from the public, for example, for a person seated looking at a view, clothes drying areas, bicycle storage or air conditioning units.	Achieved	Yes
	16. Operable screens increase the usefulness of balconies by providing weather protection, daylight control and privacy screening.	Incorporated	Yes

Development Control	Criteria/ Guideline	Comment	Compliance
Daylight Access	1. Plan the site so that new residential flat development is oriented to optimise northern aspect.	The units are appropriately sited to achieve best solar access	Yes
	2. Ensure direct daylight access to communal open space between March and September and provide appropriate shading in summer.	Achieved See Solar access diagrams	Yes
	3. Optimise the number of dwellings receiving daylight access to habitable rooms and principal windows:	Location of living rooms and windows has ensured optimised solar access for units	Yes
	4. Ensure daylight access to habitable rooms and private open space, particularly in winter - use skylights, clerestory windows and fanlights to supplement daylight access.		
	5. Promote two-storey and mezzanine, ground floor dwellings or locations where daylight is limited to facilitate daylight access to living rooms and private open spaces.	N/A	
	6. Ensure single aspect, single-storey dwellings have a northerly or easterly aspect - locate living areas to the north and service areas to the south and west of the development.	This is achieved for 22 of the 26 units.	Yes
	7. Avoid south facing dwellings.	Only unit 1.01 is south facing	Yes
	8. Design for shading and glare control, particularly in summer: - Using shading devices, such as eaves, awnings, colonnades, balconies, pergolas, external louvres and planting. - Optimising the number of north-facing living spaces. - Providing external horizontal shading to north-facing windows.	Achieved	Yes

Development Control	Criteria/ Guideline	Comment	Compliance
	- Providing vertical shading to east or west windows.		
	9. Consider higher ceilings and higher window heads to allow deeper sunlight penetration.	2.7m provided	yes
	10. On west facing windows, vertical louvre panels or sliding screens protect from glare and low afternoon sun.	Noted	ABLE TO COMPLY
	11. On north facing windows, projecting horizontal louvres admit winter sun while shading summer sun. - Using high performance glass but minimising external glare off windows. - Avoid reflective films. - Use a glass reflectance below 20%. - Consider reduced tint glass. - Limit the use of lightwells as a source of daylight by prohibiting their use as the primary source of daylight in habitable rooms. Where they are used: - Relate lightwell dimensions to building separation, for example, if non-habitable rooms face into a light well less than 12m high, the lightwell should measure 6 x 6 m. - Conceal building services and provide appropriate detail and materials to visible walls. - Ensure light wells are fully open to the sky. - A combination of louvres provides shading for different times of the day.	Some louvers provided where appropriate	Yes
Internal design	1. All staircases should be internal.	Achieved	Yes
	2. Minimise the length of common walls between	Wall length appropriate	Yes

Development Control	Criteria/ Guideline	Comment	Compliance
	dwellings.		
	3. Basement car parking shall be located beneath the building footprint.	Achieved	Yes
	4. Where possible natural ventilation shall be provided to basement car parking.	Mechanical ventilation provided	
	5. Design building layouts to minimise direct overlooking of rooms and private open spaces adjacent to dwellings.	Achieved	Yes
	6. Minimise the location of noise sensitive rooms such as bedrooms adjoining noisier rooms such as bathrooms or kitchens or common corridors and stairwells.	Floor plans appropriate to ensure noise minimisation	Yes
	7. Where a site has frontage to a Classified Road, locate bedrooms away from the front of the site.	Noted.	
	8. Where common walls are provided they must be carried to the underside of the roof and be constructed in accordance with *Part F5 of the Building Code of Australia*.	Noted	
	9. Locate active use rooms or habitable rooms with windows overlooking communal/public areas (e.g. playgrounds, gardens).	Achieved	Yes
Ground Floor Dwellings	1. Design front gardens or terraces, which contribute to the spatial and visual structure of the street while maintaining adequate privacy for dwelling occupants. This can be achieved by animating the street edge, for example, by promoting individual entries for ground floor dwellings.	Achieved	Yes
	2. Create more pedestrian activity along the street and articulate the street edge by: - Balancing privacy requirements and pedestrian	The frontage is appropriately designed to achieve these elements	YEs

Development Control	Criteria/ Guideline	Comment	Compliance
	accessibility. - Providing appropriate fencing, lighting and/ or landscaping to meet privacy and safety requirements of occupants while contributing to a pleasant streetscape. - Utilising a change in level from the street to the private garden or terrace to minimise site lines from the streets into the dwelling for some dwellings. - Increasing street surveillance with doors and windows facing onto the street.		
	3. Planting along the terrace edge contributes to a quality streetscape.	Achieved	Yes
	4. Ground floor dwellings are special because they offer the potential for direct access from the street and on-grade private landscape areas. They also provide opportunities for the dwelling building and its landscape to respond to the streetscape and the public domain at the pedestrian scale. Ground floor dwellings also support housing choice by providing accessibility to the elderly and/or disabled and support families with small children.	Noted	
	5. Optimise the number of ground floor dwellings with separate entries and consider requiring an appropriate percentage of accessible units. This relates to the desired streetscape and topography of the site.	Two dwellings achieve separate access points	Yes
	6. Provide ground floor dwellings with access to private open space, preferably as a courtyard.	Achieved	Yes
Security	1. Entrances to buildings should be orientated towards the front of the site and facing the street.	Achieved	Yes

Development Control	Criteria/ Guideline	Comment	Compliance
	2. The main entrance to dwellings or other premises should not be from rear lanes and should be designed with clear directions and signage.	Achieved	Yes
	3. Blank walls in general that address street frontages or public open space are discouraged. Where they are unavoidable building elements or landscaping must be used to break up large expanses of walls. In some cases an anti-graffiti coating will need to applied to the wall to a height of 2 metres.	The frontage does not present any blank walls	Yes
	4. Minimise the number of entry points to buildings.	One main entrance	Yes
	5. Reinforce the development boundary to strengthen the distinction between public and private space by: - Employing a level change at the site and/or building threshold (subject to accessibility requirements). - Signage. - Entry awnings. - Fences, walls and gates. - Change of material in paving between the street and the development.	Achieved See landscape plan	Yes
	6. Optimise the visibility, functionality and safety of building entrances by: - Orienting entrances towards the public street. - Providing clear lines of sight between entrances, foyers and the street. - Providing direct entry to ground level dwellings from the street rather than through a common foyer. - Direct and well-lit access between car parks and dwellings, between car parks and lift lobbies and to all unit entrances.	The building entrance is easily identifiable and located.	Yes

Development Control	Criteria/ Guideline	Comment	Compliance
	7. Improve the opportunities for casual surveillance by: - Orienting living areas with views over public or communal open spaces, where possible. - Using bay windows and balconies, which protrude beyond the main façade and enable a wider angle of vision to the street. - Using corner windows, which provide oblique views of the street. - Providing casual views of common internal areas, such as lobbies and foyers, hallways, recreation areas and car parks.	Unit s have been appropriately designed to allow for casual surveillance	Yes
	8. Minimise opportunities for concealment by: - Avoiding blind or dark alcoves near lifts and stairwells, at the entrance and within indoor car parks, along corridors and walkways. - Providing well-lit routes throughout the development. - Providing appropriate levels of illumination for all common areas. - Providing graded illumination to car parks and illuminating entrances higher than the minimum acceptable standard.	Achieved	Yes
	9. Control access to the development by: - Making dwellings inaccessible from the balconies, roofs and windows of neighbouring buildings. - Separating the residential component of a development's car parking from any other building use and controlling car park access from public and common areas. - Providing direct access from car parks to dwelling lobbies for residents.	Achieved	Yes
Natural Ventilation	1. Utilise the building layout and section to increase the potential for natural ventilation. Design	Cross ventilation is achieved to an adequate level. See design	YES

Development Control	Criteria/ Guideline	Comment	Compliance
	solutions may include: - Facilitating cross ventilation by designing narrow building depths and providing dual aspect dwellings, for example, cross through dwellings and corner dwellings. - Facilitating convective currents by designing units, which draw cool air in at lower levels and allow warm air to escape at higher levels, for example, maisonette dwellings and two-storey dwellings.	verification statement.	
	2. Select doors and windows (that open) to maximise natural ventilation opportunities established by the dwelling layout.	Achieved	Yes
	3. Provide narrow building depths to support cross ventilation.	Noted	
	4. Avoid single-aspect dwellings with a southerly aspect.	Only Unit 1.01 has only a southerly aspect.	Yes
	5. Design the internal dwelling layout to promote natural ventilation by: - Minimising interruptions in air flow through a dwelling. - Grouping rooms with similar usage together, for example, keeping living spaces together and sleeping spaces together. This allows the dwelling to be compartmentalised for efficient summer cooling or winter heating. - Select doors and operable windows to maximise natural ventilation opportunities established by the dwelling layout.	Achieved	Yes
Building Layout	The layout of dwellings within a residential flat building should minimise the extent of common walls. Figure 9 shows layouts that are not preferred and options that are considered acceptable.	Achieved	Yes

Development Control	Criteria/ Guideline	Comment	Compliance
Storage Areas	1. A secure storage space is to be provided for each dwelling with a minimum volume 8 m3 (minimum dimension 1m2). This must be set aside exclusively for storage as part of the basement or garage.	All units have ample storage in the basement/garage consistent with the ADG	YES
	2. Storage areas must be adequately lit and secure. Particular attention must be given to security of basement and garage storage areas.	Achieved	Yes
7. BUILDING DESIGN, STREETSCAPE AND LAYOUT			
Landscaping	1. The setback areas are to be utilised for canopy tree planting. The landscape design for all development must include canopy trees that will achieve a minimum 8m height at maturity within front and rear setback areas.	See landscape plan	Yes
	2. Landscape planting should be principally comprised of native species to maintain the character of Liverpool and provide an integrated streetscape appearance. Species selected in environmentally sensitive areas should be indigenous to the locality. However, Council will consider the use of deciduous trees.	Refer to landscape plan	Yes
	3. The landscaping shall contain an appropriate mix of canopy trees, shrubs and groundcovers. Avoid medium height shrubs (600 – 1800mm) especially along paths and close to windows and doors.	Achieved	Yes
	4. Landscaping in the vicinity of a driveway entrance should not obstruct visibility for the safe ingress and egress of vehicles and pedestrians.	Achieved	Yes
	5. Tree and shrub planting alongside and rear boundaries	Achieved	Yes

Development Control	Criteria/ Guideline	Comment	Compliance
	should assist in providing effective screening to adjoining properties.		
	6. Landscaping on any podium level or planter box shall be appropriately designed and irrigated. Landscaping on podium levels and planter boxes should be accessible from habitable areas of dwellings or elsewhere as appropriate for gardener access in other forms of development.	Achieved	Yes
	7. The development must be designed around significant vegetation on the site.	Achieved	Yes
	8. It is important to retain significant vegetation to maintain an existing streetscape and enhance the visual appearance of new dwellings.	The existing tree at the front of no 211 will be retained	Yes
	9. Trees adjacent to private open space areas and living rooms should provide summer shade and allow winter sun entry.	Achieved	Yes
	10. Where landscaping is used to control overlooking, species selected are to be a kind able to achieve privacy within 3 years.	Achieved	Yes
	11. All species of trees and shrubs should be drought resistant.	Achieved	Yes
	12. Advanced tree species are to be used for key elements with the landscape design concept.	Achieved	Yes
	13. Any tree with a mature height over 8m should be planted a minimum distance of 3m from the building or utility services.	Noted	
	14. Contribute to streetscape character and the amenity of the public domain by:	Development achieves this	Yes

Development Control	Criteria/ Guideline	Comment	Compliance
	- Relating landscape design to the desired proportions and character of the streetscape. - Using planting and landscape elements appropriate to the scale of the development. - Mediating between and visually softening the bulk of large development for the person on the street.		
	15. Improve the energy efficiency and solar efficiency of dwellings and the microclimate of private open spaces.	Achieved	Yes
	16. Planting design solutions include: - Trees for shading low-angle sun on the eastern and western sides of a dwelling. - Trees that do not cast a shadow over solar collectors at any time of the year. - Deciduous trees for shading of windows and open space areas in summer.	Incorporated in the design. See landscape plan	Yes
	17. Design landscape which contributes to the site's particular and positive characteristics, for example by: - Enhancing habitat and ecology. - Retaining and incorporating trees, shrubs and ground covers endemic to the area, where appropriate. - Retaining and incorporating changes of level, visual markers, views and any significant site elements.	Achieved	Yes
Planting on Structures	1. Design for optimum conditions for plant growth by: - Providing soil depth, soil	N/A	

Development Control	Criteria/ Guideline	Comment	Compliance
	volume and soil area appropriate to the size of the plants to be established. - Providing appropriate soil conditions and irrigation methods. - Providing appropriate drainage. - Design planters to support the appropriate soil depth and plant selection by: - Ensuring planter proportions accommodate the largest volume of soil possible. Minimum soil depths will vary depending on the size of the plant. However, soil depths greater than 1.5 m are unlikely to have any benefits for tree growth. - Providing square or rectangular planting areas rather than long narrow linear areas.		
	2. The following are recommended as minimum standards for a range of plant sizes: Large trees such as figs (canopy diameter of up to 16 m at maturity) - Minimum soil volume 150m3. - Minimum soil depth 1.3m. - Minimum soil area of 10 x 10m or equivalent. Medium trees (8m canopy diameter at maturity). - Minimum soil volume 35m3. - Minimum soil depth 1m. - Approximate soil area of 6 x 6m or equivalent. Small trees (4 m canopy diameter at maturity). - Minimum soil volume 9m3. - Minimum soil depth 0.8m. - Approximate soil area of 3.5 x		

Development Control	Criteria/ Guideline	Comment	Compliance
	3.5m or equivalent. Shrubs: Minimum soil depths 500 – 600mm. - Ground cover: Minimum soil depths 300 – 450mm. Turf: Minimum soil depths 100 – 300mm. Any subsurface drainage requirements are in addition to the minimum soil depths quoted above.		
Fencing			
Primary Frontage	1. The maximum height of a front fence is 1.2m.	Fencing to a height of 1.598 metres is providing setback from the frontage to create a court yard. Landscaped area is provided in front. This is compliant as it is not located on the boundary.	Yes
	2. The front fence may be built to a maximum height of 1.5m *if* the fence is setback 1m from the front boundary with suitable landscaping in front of the proposed fence.	The fences have varying setbacks with a minim of 3.512m, creating a staggered and interesting frontage	Yes
	3. Fences should not prevent surveillance by the dwelling's occupants of the street or communal areas.	Achieved	
	4. The front fence must be 30% transparent.		
	5. Front fences shall be constructed in masonry, timber, metal pickets and/or vegetation and must be compatible with the proposed design of the dwelling.	The fencing will be masonry.	Yes
	6. The front fence may be built to a maximum of 1.8m *only if:* - The primary frontage is situated on a Classified Road. - The fence is articulated by 1m for 50% of its length and have	Achieved	Yes

Development Control	Criteria/ Guideline	Comment	Compliance
	landscaping in front of the articulated portion. -The fence does not impede safe sight lines from the street and from vehicles entering and exiting the site.		
Secondary Frontage	7. Fences and walls must be a maximum of 1.8m in height, and constructed of masonry, timber and/or landscaped.	N/A	
	8. For side walls or fences along the secondary frontage, a maximum height of 1.2m is required for the first 9m measured from the front boundary, the remaining fence / wall may then be raised to a maximum of 1.8m. The secondary setback is the longest length boundary.		
Boundary Fences	9. The maximum height of side boundary fencing within the setback to the street is 1.2m.	N/A	
	10. Boundary fences shall be lapped and capped timber or metal sheeting.	Achieved	Yes
8. Car Parking and Access			
Car Parking	1. Visitor car parking shall be clearly identified and may not be stacked car parking.	5 visitor spaces are provided	Yes
	2. Visitor car parking shall be located between any roller shutter door and the front boundary.	Noted	
	3. Pedestrian and driveways shall be separated.	Achieved	Yes
	4. Driveways shall be designed to accommodate revivalist vehicles.	Noted	
	5. Where possible vehicular entrances to the basement car parking shall be from the side of the building. As an alternative, a curved driveway to an	Achieved Driveway curves	Yes

Development Control	Criteria/ Guideline	Comment	Compliance
	entrance at the front of the building may be considered if the entrance is not readily visible from the street.		
	6. Give preference to underground parking, whenever possible by: - Retaining and optimising the consolidated areas of deep soil zones. - Facilitating natural ventilation to basement and sub-basement car parking areas, where possible. - Integrating ventilation grills or screening devices of car park openings into the facade design and landscape design. - Providing safe and secure access for building users, including direct access to residential dwellings, where possible. - Providing a logical and efficient structural grid. There may be a larger floor area for basement car parking than for upper floors above ground. Upper floors, particularly in slender residential buildings, do not have to replicate basement car parking widths.	Noted Secure and safe access provided	Yes
	7. Where above ground enclosed parking cannot be avoided, ensure the design of the development mitigates any negative impact on streetscape and street amenity by: - Avoid exposed parking on the street frontage. - Hiding car parking behind the building facade. Where wall openings (windows, fenestrations) occur, ensure they are integrated into the overall facade scale, proportions and detail.	N/A	

Development Control	Criteria/ Guideline	Comment	Compliance
Pedestrian Access	1. Utilise the site and it's planning to optimise accessibility to the development.	Achieved	Yes
	2. Provide high quality accessible routes to public and semi-public areas of the building and the site, including major entries, lobbies, communal open space, site facilities, parking areas, public streets and internal roads.	Achieved	yes
	3. Promote equity by: - Ensuring the main building entrance is accessible for all from the street and from car parking areas. - Integrating ramps into the overall building and landscape design. - Design ground floor dwellings to be accessible from the street, where applicable, and to their associated private open space.	Achieved	Yes
	4. Maximise the number of accessible and adaptable dwellings in a building by: - Providing more than one accessible entrance where a development contains clusters of buildings. - Separating and clearly distinguish between pedestrian accessways and vehicle accessways. - Locating vehicle entries away from main pedestrian entries and on secondary frontages.	1 adaptable dwelling provided Entrances considerate of accessibility	Yes
9. AMENITY AND ENVIRONMENTAL IMPACT			
Overshadowing	1. Adjoining properties must receive a minimum of three hours of sunlight between 9am and 5pm on 21 June to at least: - One living, rumpus room or the like; and	Solar access to rear yard and rear of dwellings retained at 3 hours with shadow falling toward the street (south)	Yes

Development Control	Criteria/ Guideline	Comment	Compliance
	- 50% of the private open space.		
	1. Building siting, window location, balconies and fencing should take account of the importance of the privacy of onsite and adjoining buildings and outdoor spaces.	This i has been considered with regard to both existing dwellings and future redevelopment of neighbouring sites	Yes
	2. Windows to habitable rooms should be located so they do not overlook such windows in adjoining properties, other dwellings within the development or areas of private open space.	This i has been considered with regard to both existing dwellings and future redevelopment of neighbouring sites	Yes
	3. Landscaping should be used where possible to increase visual privacy between dwellings and adjoining properties.	See landscape plan	Yes
	4. Where possible the ground floor dwellings should be located above ground level to ensure privacy for occupants of the dwellings.	Adequate privacy achieved through courtyard fencing and landscaping	N/A
	5. Design building layouts to minimise direct overlooking of rooms and private open spaces adjacent to dwellings by: - Balconies to screen other balconies and any ground level private open space. - Separating communal open space, common areas and access routes through the development from the windows of rooms, particularly habitable rooms. - Changing the level between ground floor dwellings with their associated private open space, and the public domain or communal open space.	Location of windows, and balconies has been considerate of these factors.	Yes
	6. Use detailed site and building design elements to increase privacy without compromising access to light and air by:	The design incorporates many of these factors to add to amenity and	Yes

Development Control	Criteria/ Guideline	Comment	Compliance
	- Offsetting windows of dwellings in new development and adjacent development windows. - Recessed balconies and/or vertical fins between adjacent balconies. - Solid or semi-solid balustrades to balconies - louvres or screen panels to windows and/or balconies. - Fencing. - Vegetation as a screen between spaces. - Incorporating planter boxes into walls or balustrades to increase the visual separation between areas. - Utilising pergolas or shading devises to limit overlooking of lower dwellings or private open space.	privacy.	
Acoustic Impact	1. Noise attenuation measures should be incorporated into building design to ensure acoustic privacy between on-site and adjoining buildings.	Appropriate measures incorporated to ensure acoustic requirements achieved.	Yes
	2. Buildings having frontage to a Classified Road or a railway and impacted upon by rail or traffic related noises must incorporate the appropriate noise and vibration mitigation measures into the design in terms of the site layout, building materials and design, orientation of the buildings and location of sleeping and recreation areas.	N/A	
	3. The proposed buildings must comply with the Environment Protection Authority criteria and the current relevant Australian Standards for noise and vibration and quality assurance.	The development will comply	YEs
	4. Arrange dwellings within a development to minimise noise	The dwelling layout and	Yes

Development Control	Criteria/ Guideline	Comment	Compliance
	transition between dwellings by: - Locating busy, noisy areas next to each other and quieter areas next to other quiet areas, for example, living rooms with living rooms, bedrooms with bedrooms - Using storage or circulation zones within a dwelling to buffer noise from adjacent dwellings, mechanical services or corridors and lobby areas. - Minimising the amount of common walls with other dwellings. - Design the internal dwelling layout to separate noisier spaces from quieter spaces by: - Grouping uses within a dwelling - bedrooms with bedrooms and service areas like kitchen, bathroom, and laundry together.	siting is appropriate	
10. SITE SERVICES			
Letterboxes	1. Letterboxes shall to be provided for each dwelling on site, easily accessible from the street, able to be securely locked and provided in accordance with Australia Post's requirements.	Achieved at street frontage	Yes
	2. Freestanding letterbox structures should be designed and constructed of materials that relate to the main building.	Noted	
	3. Residential numbering should be attached to the letterbox so that it is clearly visible from the street frontage. Numbers should be 75mm in height, reflective and in contrast to the backing material.	Noted	
Waste management	1. Waste disposal facilities shall be provided for development. These shall be located adjacent to the driveway entrance to the site.	Located in basement	YEs

Development Control	Criteria/ Guideline	Comment	Compliance
	2. Any structure involving waste disposal facilities shall be located as follows:	N/A	
	3. Setback 1 m from the front boundary to the street.	N/A	
	4. Landscaped between the structure and the front boundary and adjoining areas to minimise the impact on the streetscape.	N/A	
	5. Not be located adjacent to an adjoining residential property.	N/A	
	6. Details of the design of waste disposal facilities are shown in Part 1 of the DCP.	Achieved	
Frontage works and damage to Council infrastructure	1. Where a footpath, road shoulder or new or enlarged access driveway is required to be provided this shall be provided at no cost to Council.	Noted	
	2. Council must be notified of any works that may threaten Council assets. Council must give approval for any works involving Council infrastructure.	Noted	
	3. Where there are no existing street trees in front of the site and contributions have not been collected for street tree planting it may be a condition of consent that street trees be provided in the footpath area immediately in front of the site.	Noted	
Electricity Sub Station	In some cases it may be necessary to provide an electricity substation at the front of the development adjacent to the street frontage. This will involve dedication of the area as a public road to allow access by the electricity provider. The front boundary treatment used elsewhere on the street frontage.	Noted A substation is proposed on the eastern frontage of the site	
Part 1 General			

Development Control	Criteria/ Guideline	Comment	Compliance
1. TREE PRESERVATION		No trees of Significance are proposed to be lost.	
2. LANDSCAPING AND INCORPORATION OF EXISTING TREES		No trees of significance are proposed to be removed. A detailed landscape plan incorporating all Council requirements accompanies the application.	Yes
3. WATER CYCLE MANAGEMENT		Drainage is provided according to Council controls. See accompanying Drainage and stormwater plans	Yes
4. EROSION AND SEDIMENT CONTROL		An erosion and sediment control plan accompanies the application.	Yes
5. FLOODING RISK		See accompanying flooding report	Yes
6. DEMOLITION OF EXISTING DEVELOPMENTS		Demolition of the existing structures will be undertaken in accordance with Australian Standards and all council requirements.	Yes
7. ON SITE SEWAGE DISPOSAL		The site is already serviced by sewer and appropriate connection will be feasible for the site.	Yes
8. ABORIGINAL ARCHAEOLOGY		The site is not anticipated to have aboriginal significance. Should any items or sites of significance be uncovered ,appropriate investigations as required by Council will be undertaken and work stopped.	Yes
9. HERITAGE AND ARCHAEOLOGICAL SITES		The site is not located in a heritage conservation area, is not a heritage item and not anticipated to be an archaeological site.	Yes
10. CAR PARKING ACCESS			
20.1 Overall Design	The layout of a car parking area shall consider the entire facility, including car parking modules,	Car park design is appropriate and will allow for practical use of the	Yes

Development Control	Criteria/ Guideline	Comment	Compliance
Considerations	landscaping, circulation aisles and roadways, access driveways and, if necessary, frontage road access as an integrated coordinated design. The management of traffic within a car parking facility should take into account: 1. The need for traffic to move to and from the frontage road with minimum disruption to passing traffic and maximum pedestrian safety. 2. Provision of adequate capacity in circulation roadways and aisles to handle peak hour movements without congestion. 3. Avoid as far as practicable conflicts between intersecting streams of circulating traffic. 4. Minimum length travel paths between entry/exit points and car parking spaces. 5. Safe treatment of points of conflict with pedestrians and other road users.	facility	
20.2 Car Parking Provision and Service Facilities by Land Use	1. Tables 12 and 13 outline the number of car parking spaces and any other facilities required for the accommodation of vehicles on site for each land use type. In proposals where calculations of car parking requirements result in fractions of spaces being required, the fraction will be rounded up to the nearest whole space. Where developments comprise separately defined facilities, for example a hotel with a restaurant; the relevant requirements of each facility must be satisfied. 2. For Development	1 bed – 4 spaces 2 bed – 27 spaces 3 bed – 8 spaces Visitor – 6.5 spaces Total required- 46 spaces Total provided - 42	Complies with SEPP (ARH)

Development Control	Criteria/ Guideline	Comment	Compliance
	Applications that propose composite developments such as shopping malls, retail plazas (and the		
20.4 Internal Driveways		See Traffic and parking report	Yes
11. SUBDIVISION OF LAND AND BUILDINGS			
21.7 Strata subdivision	Applications for strata subdivision of buildings, space or land will need to ensure that the strata plan is consistent with the development consent particularly the allocation of private and common property. In particular visitor or customer car parking identified in a development consent shall remain as common property. There must be a minimum requirement of three buildings, spaces, or land parcels for strata subdivision.	Noted	
12. WATER CONSERVATION			
Residential	Dwellings, including multi-unit development within a mixed use building and serviced apartments intended or capable of being strata titled, are to demonstrate compliance with *State Environmental Planning Policy – Building Sustainability Index (BASIX).* A complying BASIX report is to be submitted with all development applications containing residential activities.	BASIX Certificates provided for all units	Yes
13. LANDFILL		The waste management plan details appropriate tipping and recycling of	

Development Control	Criteria/ Guideline	Comment	Compliance
		demolition, excavation and construction materials.	
14. WASTE DISPOSAL AND RE-USE FACILITIES		A waste management plan accompanies the application compliant with Council requirements. Appropriate waste management facilities are provided in the basement of the proposed RFB. Each level has a bin room.	Yes
15. SOCIAL IMPACT ASSESSMENT			
	1. A social impact assessment shall be submitted with a development application for all types of development listed in Table 21. The social impact assessment shall take the form of a Social Impact Comment or a Comprehensive Social Impact Assessment, as specified in Table 21.	A social impact comment accompanies the application as the development is a RFB with more than 20 units.	Yes

5.4 ANY PLANNING AGREEMENT - SECTION 79C(1)(A)(IIIA)

No planning agreement is proposed.

5.5 THE REGULATIONS (TO THE EXTENT THAT THEY PRESCRIBE MATTERS FOR THE PURPOSES OF THIS PARAGRAPH) - SECTION 79C(1)(A)(IV)

Clause 92 of the Environmental Planning and Assessment Regulation 2000 requires that in the case of development involving demolition of a building the provisions of *Australian Standard AS 2601 – 2001: The Demolition of Structures* need to be taken into consideration. This proposal includes the demolition of the existing structures on the site. Reference should also be made to the demolition waste management plan included with this application

5.6 ANY COASTAL MANAGEMENT PLAN - SECTION 79C(1)(A)(IIIA)

Coastal management planning does not apply to this proposal.

5.7 ENVIRONMENTAL AND SOCIAL IMPACTS - SECTION 79C(1)(B)

Section 79C(1)(b) requires the consent authority to consider:-

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

The relevant matters are addressed below.

5.7.1 *Impacts on the natural environment*

The proposal is appropriate with regard to its impact on the natural environment being located in a built up area and not resulting in the loss of any environment features.

5.7.2 *Impacts on the built environment*

Bulk and scale

The proposed design is of a scale which meets the objectives of Council's LEP which plans for vastly increased density and scale in this location. The proposed development provides an increase in sale and will achieve the desired bulk and scale sought by Council.

Overshadowing

Solar access diagrams provided with the application demonstrate the shadow cast by the proposed development has an appropriate impact on residential properties with the shadow primarily falling over the road and the rear yards maintain ample solar access.

The proposed dwellings the subject of this application, will achieve ample solar access with all but the units on the southern elevation achieving positive solar access.

Privacy and visual impacts

The design has been particular in ensuring privacy for existing neighbouring units and the new dwellings. The landscaped boundaries, placement of windows, and screening of balconies ensures minimised visual impacts.

Acoustic

Appropriate materials choices, design and siting will ensure that acoustic pricy is at an appropriate level.

Traffic and parking

A traffic and parking report accompanies this application in support of the proposal. Ample parking with appropriate turning areas and driveways are provided. An disabled space is available and parking is adequately secure.

Social and economic impacts

It is to the benefit of the local government area to develop the currently underdeveloped site. A greater residential population will enhance the economy and provide housing in a location highly convenient to services and transport.

5.8 THE SUITABILITY OF THE SITE - SECTION 79C(C)

Section 79C(c) requires the consent authority to consider:

"(c) the suitability of the site for the development."

The existing lot and the adjacent sites do not provide any constraints which would render the site unsuitable for development.

5.9 SUBMISSIONS - SECTION 79C(D)

Section 79C(d) requires the consent authority to consider:

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

Any relevant submissions will require consideration by the consent authority in the determination of this proposal. The applicant will also seek the opportunity to respond to submissions if received after exhibition of this proposal.

5.10 PUBLIC INTEREST - SECTION 79C(E)

Section 79C(e) requires the consent authority to consider:

"(e) the public interest".

It is argued that the public interest is best achieved by the orderly and economic use of land for permissible purposes that do not impact unreasonably on development and/or enjoyment of surrounding land. In this case, it is argued that this proposal represents an efficient, orderly and economic use of land while also satisfying a market demand for multi dwelling housing development.

The proposal is in the public interest as it will:

- Allow for development of a highly underutilised site
- It will provide valuable residential accommodation in an area close to services and transport
- It will be an aesthetically pleasing addition to Hoxton Park Road

5.11 DEVELOPMENT CONTROL PLANS- SECTION 79C(3A)

Section 79C(3A) of the Act the Environmental Planning and Assessment Act, 1979 requires Councils to be flexible in applying any provisions that apply to a proposal and allow reasonable alternative solutions that achieve the objects of those standards for dealing with that aspect of the development.

As stated in this statement, the proposed development warrants a flexible application of the Liverpool DCP as the proposal meets the applicable objectives of the controls and will provide a high level of amenity for future residents, without adversely impacting on the natural, social and built environments. Similarly the requirements of the DCP are to some extent over ridden by the Apartment Design Guide associated with SEPP 65. The requirements of these two documents have been fulfilled with where relevant and as is detailed in this statement.

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6 Conclusion

The proposed application for a 5 storey residential flat building development which includes affordable rental housing comprising 4 x 3 bedroom units, 18 x 2 bedroom units, 4 x 1 bedroom units and 41 car parking spaces within a basement level upon **Lot 374 & 375 in DP 227167 and Lot1 in DP796901,** known as **No. 207, 209, 211 Hoxton Park Road, Cartwright**, is appropriate considering all State and Council controls.

The proposal results in a positive addition to Hoxton Park Road and for the Cartwright locality. The introduction of a residential flat building is desirable for the underdeveloped lot. The appearance of the proposed development is a complementary addition to the streetscape and will be a high bar for future redevelopment of the R4 zone to aim for. The development design proposes a mix with affordable housing and will result in appropriate impacts for the location and future neighbouring residential flat developments.

When assessed under the relevant heads of consideration of s79C of the Environmental Planning and Assessment Act, the proposed development is meritorious and should be granted consent.

Considering all the issues, the development is considered worthy of Council's consent.