

# Statement of Environmental Effects

## Development Application

**256 Coward Street, Mascot**

**New Mixed Use Development**

2 October 2018

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# 1 Introduction

This Statement of Environmental Effects relates to a Development Application seeking Council's consent to a new mixed use development at 256 Coward Street, Mascot.

The key features of the development for which consent is sought and that will form the basis of the Development Application are as follows:

- Detailed design of a 14-storey mixed use building containing a total of 305 residential units, 855 sqm of retail shops, a childcare centre, basement parking for 440 cars (90 for public parking) and 28,988 sqm of gross floor area;
- Associated excavation and earthworks;
- Private landscaping for communal open space; and
- Public landscaping and dedication of a pedestrian link, and dedication 90 car parking spaces to Bayside Council.

The proposed development is 'Integrated Development' in accordance with the Water Management Act, 2000, due to the depth of the proposed basement excavation in relation to groundwater levels on the site.

This Statement:

- describes the site and its surrounding area,
- details the nature of the proposed development, and
- undertakes an assessment of the proposal under the heads of consideration in Section 4.15 (1) of the Environmental Planning and Assessment Act, 1979.

The conclusion is reached that the proposal is acceptable with regard to all relevant planning issues.

The proposed development has been designed to improve compliance with the Apartment Design Guide, in comparison to the current approval on the site, specifically in relation to solar access and cross ventilation.

## 2 Site and Surroundings

### 2.1 The Site

The site is known as 256 Coward Street, Mascot, and it comprises a single parcel of land located on the northern side of Coward Street, between Kent Road and Bourke Street. **Figure 1** shows the general location of the site and **Figure 2** shows an aerial view of the site and its boundaries.

The site comprises Lot 101 in DP 1241951. It has a 126 metre frontage to Coward Street; a 63 metre frontage to western side boundary; a 63 metre eastern side boundary; and a 126 metre rear boundary. The total site area is 7,968 sqm. A site survey plan is at **Annexure 1**.

The site is currently vacant. Images of the existing site are at **Figures 3 to 5**.

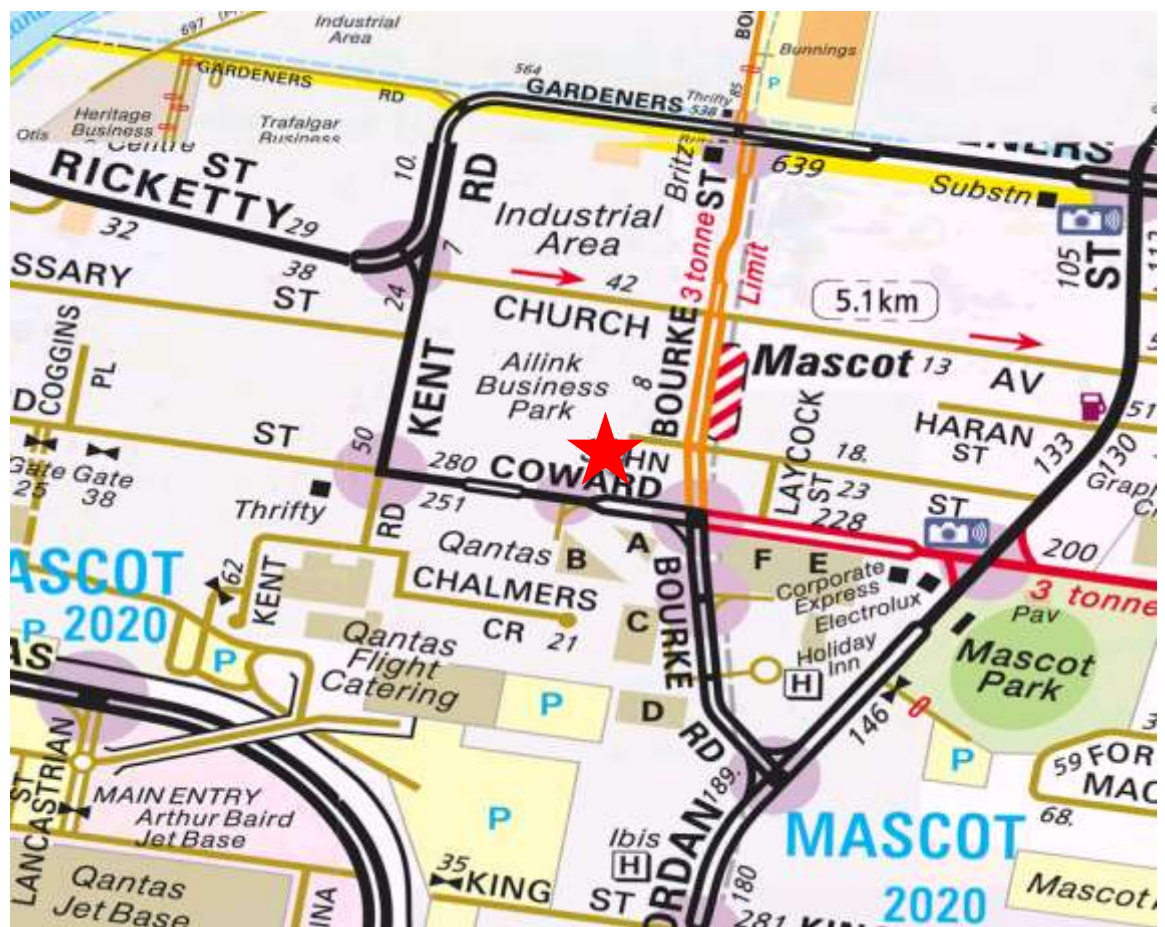


Figure 1: Location of subject site marked with red star

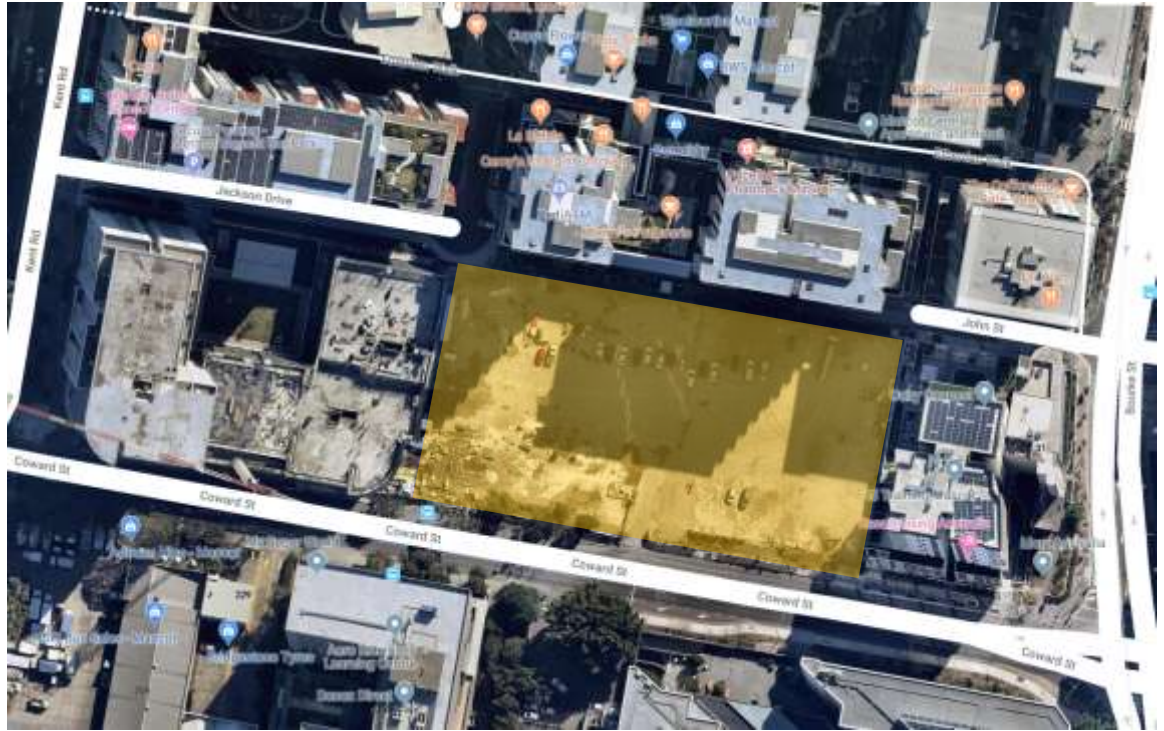


Figure 2: Aerial view of subject site – shaded yellow (as at 18 August 2018)



Figure 3: Existing site, looking northeast along Coward Street



**Figure 4: Existing site, as it presents to Coward Street**



**Figure 5: Existing site, looking northwest along Coward Street**

## 2.2 Surroundings

The existing surrounding area is in transition from industrial to residential and some commercial landuses. The transition reflects changes occurring over the Mascot area more broadly.

The site is located nearby the Mascot Railway Station, and it is on the middle of the town centre that surrounds the station.

The adjoining site to the west is under construction in accordance with DA 2014/146 – refer **Figure 6**. Details in respect of DA 2014/146 are at section 3.1 of this Statement

Adjoining the east of the subject site are multi-storey mixed use buildings – refer to **Figure 7**.

To the north of the subject site is Meriton's recently completed Mascot Central mixed use development. **Figure 8** shows a view from that Meriton development towards the subject site.

To the south of the site, on the on the other side of Coward Street, are existing commercial buildings – refer **Figure 9**.



**Figure 6: Buildings under construction on Coward Street (to the west of the subject site) in accordance with DA 2014/146 – refer to section 3.1 of this Statement.**



**Figure 7: Existing multi-storey mixed use buildings to the east of the subject site**



**Figure 8: Looking south towards the subject site from Jackson Drive**



**Figure 9: Looking southwest along Coward Street showing existing commercial buildings opposite the subject site**

### 3 Development Background

#### 3.1 Mixed Use Development Approval

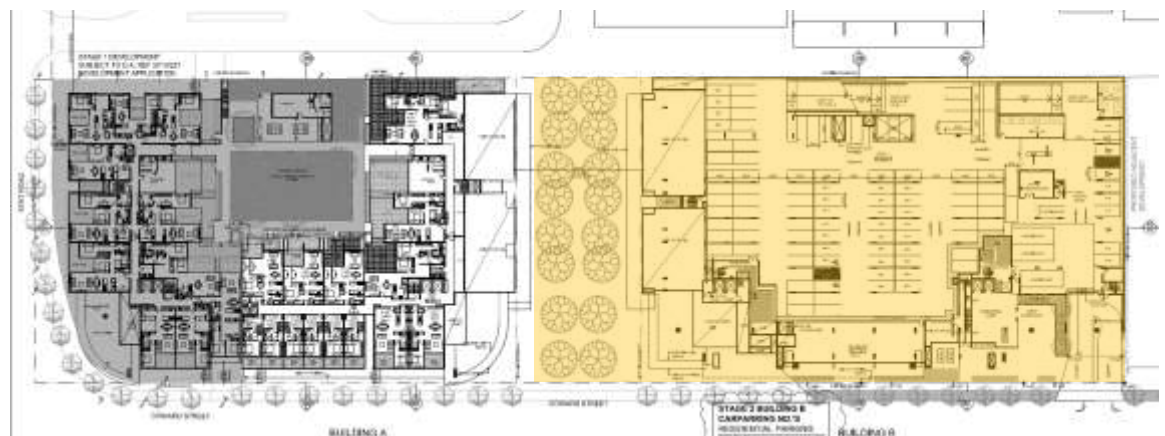
On 12 June 2015, Council issued its consent to DA 2014/146 for the following:

*Integrated development and Joint Regional Planning Panel Development Application for the demolition of the existing commercial building, removal of trees and construction of two 15 storey mixed use buildings containing 1440m<sup>2</sup> of retail and 542 residential apartments. Three basement levels and one ground level of car parking will be provided below Building A, linking with the basement for 39 Kent Road. Two basement levels and two above ground levels of car parking for 863 cars. A Voluntary Planning Agreement under S93F of the Environmental Planning and Assessment Act, 1979 accompanies the development application for the proposed works which include:*

- Dedication and embellishment of a through site link to provide public pedestrian access from Coward Street to John Street. The dedication and embellishment will provide a significant public benefit.*
- Provision of a public carpark accommodating 93 cars.*

A general site arrangement plan of the approved development is shown in **Figure 10** below. Development is underway in accordance with DA 2014/146, but for the western part of the site only (Building A). The approval also covers land now comprising the subject site (Building B), as indicated in **Figure 10**. A collection of the approved development drawings are included at **Annexure 2**.

In terms of height, Building B was approved with a maximum height at RL 51.0. In terms of Gross Floor Area, the approved drawings of Building B have been surveyed by JBW Surveyors – refer **Annexure 2**. The survey has found that approved Building B has a total GFA of 28,995 sqm.



**Figure 10: Approved development under DA 2014/146 (gold shaded area is land comprising the subject site)**

#### 3.2 Subdivision Approval

On 29 March 2018, Council issued its consent to DA 2017/1220 for the following:

*Stratum subdivision of the development approved by Development Consent No.14/146. Stratum subdivide Lot 3 DP 1221649 into two allotments:*

- Proposed stratum Lot 100 will contain Building A and associated parking*
- Proposed stratum Lot 101 will contain Building B and associated parking*

## 4 Proposal

### 4.1 Overview

The proposal is a Development Application that seeks consent for the following works:

- Detailed design of a 14-storey mixed use building containing a total of 305 residential units, 855 sqm of retail shops, a childcare centre, basement parking for 440 cars (90 for public parking) and 28,988sqm of gross floor area;
- Associated excavation and earthworks;
- Private landscaping for communal open space; and
- Public landscaping of a pedestrian link, and dedication 90 car parking spaces to Bayside Council.

The proposed development is shown on a reduced copy of the drawings that can be found at **Annexure 3** and the photomontages at **Annexure 4**. The table below provides an overview of the main elements of the proposal.

Element	Proposal
Site Area	7,968 sqm
Gross Floor Area	Residential Units: 27,617 sqm Retail: 855 sqm Childcare: 516 sqm <u>Total: 28,988 sqm</u>
Building Height	14 storeys
Apartments	117 x 1 bed (39%) 147 x 2 bed (48%) 41 x 3 bed (13%) <u>Total 305 units</u>
Car Parking	Public: 90 parking spaces (Level 1) Private: 350 parking spaces (plus car wash bays) <u>Total: 440 spaces</u>

The following section 4.2 provides a detailed description of the proposed development.

### 4.2 Detailed Description

#### 4.2.1 Podium Levels

The proposed podium of the development is comprised of eight (8) storeys as follows:

- Two levels are located entirely below ground level (Levels LB2 and LB1);
- One level is located partially below ground (Level GF); and
- One level is located above ground but sleeved with active uses comprising shops (Level 01).

Vehicle access to the basement is via the eastern end of the Coward Street frontage of the site.

Level GF of the basement provides for 90 public car parking spaces, which are to be dedicated to Bayside Council in stratum – details of this are at section 5.4 of this Statement. In all other areas of the basement:

- Controlled public parking is to be provided for retail, childcare and resident visitor uses; and
- Private secure parking is to be provided for residents.

Other than car parking, the proposed basement levels provide for:

- Resident storage cages;
- Bicycle parking;
- Plant and associated storage;
- Communal recreation facilities comprising swimming pool, gym, spa and sauna (located on basement level B1);
- Waste storage and collection areas and loading facilities (located on Level 01).

Retail shops are located at Level GF and Level 01 and address both the pedestrian link and Coward Street.

#### 4.2.2 Level 2 to Level 13

A childcare centre is located on Level 02, which is accessed directly from an exclusive lift from ground level at the pedestrian link. The childcare centre is to provide for 74 places and provides for internal area and external play area located on the top of the podium.

The remainder of the built form from Level 02 to Level 13 comprises residential units. Communal open space for the residents is located on the top of the podium – details in relation to this are in section 4.2.3 below.

#### 4.2.3 Landscaping

The proposal provides for private communal landscaping and private landscaping that is publicly accessible.

The proposed landscaping on the site is shown on the plans at **Annexure 5**. The following paragraphs provide a description of the works.

##### Private Communal Landscaping

The private landscaping on the site provides for the following:

- a) *Top of Podium Level*: Private communal landscaping is proposed at Level 02 (top of podium). It provides for turf, garden and decking areas for passive recreation. The area is accessible for all residents, from each of the proposed towers.

##### Publicly Accessible Landscaping

Private landscaping that is publicly accessible on the site includes as follows:

- a) *Western Pedestrian Link*: A pedestrian link is proposed to connect Coward Street with Jackson Drive. The space is to be landscaped to provide for a pleasant recreational space for residents, shoppers and visitors to the area.

#### **4.2.4 Colours and Materials**

The proposal includes a palette of colours and materials that have been selected to complement the architecture of the building and relate to the emerging context of the area. The proposed colours and materials are included on the schedule with the architectural drawing set at **Annexure 3**.

#### **4.2.5 Staging of Contributions and Bank Guarantees**

It is proposed that development contributions that are payable under Council's Development Contributions Plan will be paid in instalments. The instalments will be paid prior to issue of a construction Certificate for each component of the development that creates a demand for services and facilities listed in the works schedule of the Council's Development Contributions Plan. It is requested that Council impose a condition that reflects this proposed method of instalment payments.

It is also proposed that any bank guarantees that are required by Council are made only at the time when a construction certificate is being sought for works that the guarantee is related to or intended to apply to.

Staging of construction for the purposes of Council calculating development contributions is as follows:

Podium: 855 sqm retail space

Tower A: 516 sqm childcare centre; and 149 residential units.

Tower B: 156 residential units.

A dedication by Council must also be made for credit for past workers on the site, where applicant under Council's development contributions plan. Contribution payments to Council will be made at the completion of the stages as they occur prior to occupation.

## 5 Environmental Planning Assessment

### 5.1 Section 4.15(1)(a)(i): Environmental Planning Instruments

#### 5.1.1 Botany Local Environmental Plan 2013

##### 5.1.1.1 Zoning and Permissibility

Part 2 of the Botany Local Environmental Plan 2013 (LEP) identifies that the subject site is zoned B2 Local Centre. The proposal is permitted in the zone subject to consent from the Council.

The objectives for the B2 Local Centre zone are as follows:

- *To provide a range of retail, business, entertainment and community uses that serve the needs of people who live in, work in and visit the local area.*
- *To encourage employment opportunities in accessible locations.*
- *To maximise public transport patronage and encourage walking and cycling.*

The proposed development is consistent with the above objectives, in that:

- The proposed childcare centre and the retail tenancies will serve the needs to the community in the area;
- The non-residential landuses on the site will provide employment opportunities; and
- The development will be located in close proximity to the Mascot railway station and other public transport options.

##### 5.1.1.2 Height of Buildings

Clause 4.3 of the LEP prescribes a maximum building height of 44 metres.

The proposal has been designed to have a maximum height at RL 51.0 to match the height of the approved building under DA 2014/146 – refer to section 3.1 of this Statement for details.

The proposal seeks the following heights:

Roof Level: RL 49.6 – RL 6 (existing ground) = 43.6 metres.

Roof Parapet: RL 50.3 – RL 6 (existing ground) = 44.3 metres.

Roof Plant: RL 51.0 – RL 6 (existing ground) = 45.0 metres.

The proposed variation requires consideration under Clause 4.6 – refer 5.1.1.4 below.

##### 5.1.1.3 Floor Space ratio

Clause 4.4 of the LEP prescribes a maximum floor space ratio of 3.2:1. This equates to a maximum gross floor area of 25,498 sqm.

The proposal seeks an FSR of 3.64:1 with a gross floor area of 28,988 sqm to ensure it is within the approved GFA of the approved building under DA 2014/146 – refer to section 3.1 of this Statement for details.

The proposal seeks a variation of 3,448 sqm. Accordingly, the proposed variation requires consideration under Clause 4.6 – refer 5.1.1.4 below.

#### **5.1.1.4 Exceptions to Development Standards**

Clause 4.6 of the LEP provides the framework for consideration of proposed variations to development standards. **Annexure 13** contains requests for variations of the Height of Buildings and FSR development standards as outlined in sections 5.1.1.2 and 5.1.1.3 above.

It is concluded that the Council should support - under the provisions of clause 4.6 of the LEP - the proposed variations to the Height of Buildings and FSR development standards.

#### **5.1.1.5 Airspace operations**

Clause 6.8 contains provisions in relation to airspace operations. Clause 6.8(3) states as follows:

*The consent authority may grant development consent for the development if the relevant Commonwealth body advises that:*

- a) the development will penetrate the Limitation or Operations Surface but it has no objection to its construction, or*
- b) the development will not penetrate the Limitation or Operations Surface.*

The subject proposal has received approval from the Civil Aviation Safety Authority (CASA) – refer to **Annexure 22**.

#### **5.1.1.6 Design Excellence**

Clause 6.16 of the LEP contains design excellence provisions. Clauses 6.16(3) and (4) states as follows:

- (3) Development consent must not be granted to development involving the construction of a new building or to external alterations to an existing building on land to which this clause applies unless the consent authority considers that the development exhibits design excellence.*
- (4) In considering whether the development exhibits design excellence, the consent authority must have regard to the following matters:*
  - a) whether a high standard of architectural design, materials and detailing appropriate to the building type and location will be achieved,*
  - b) whether the form and external appearance of the development will improve the quality and amenity of the public domain,*
  - c) whether the development detrimentally impacts on view corridors,*
  - d) the achievement of the principles of ecologically sustainable development.*

The proposal satisfies the above requirements, in that:

- a) PTW architects have designed the buildings to a high architectural standard using materials that will be durable and provide an enduring high standard of architecture;
- b) The siting of the buildings will ensure that the proposal will result in good amenity for residents and adjoining neighbours, and that view corridors have improved compared to the existing approval for the site; and
- c) The proposal will comply with the requirements of BASIX (refer **Annexure 8**), which will ensure the proposal embodies ecologically sustainable initiatives.

Further, a design report is included at **Annexure 6**. The report demonstrates that the proposal achieves design excellence.

#### **5.1.2 State Environmental Planning Policy No 65 – Quality of Residential Flat Buildings**

State Environmental Planning Policy No 65 – Quality of Residential Flat Buildings (SEPP 65) applies to the proposal. A statement of compliance with the relevant provisions of the Apartment Design Guide (ADG) has been prepared by the project architects and is included within the Design Report at **Annexure 6**. Also included with **Annexure 6** is consideration under the SEPP 65 Design Principles.

#### **5.1.3 State Environmental Planning Policy No 55 – Remediation of Land**

This State Environmental Planning Policy (SEPP) was gazetted on 28 August 1989 (as amended) and applies to the whole State. It introduces planning controls for the remediation of contaminated land and requires an investigation to be made if land contamination is suspected.

An Environmental Site Assessment is included at **Annexure 18**.

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

SEPP (Building Sustainability Index: BASIX) 2004 commenced on 1 July 2004 and applies to the proposed development. In accordance with the provisions of the SEPP, a BASIX Certificate is submitted with the application (**Annexure 8**).

### **5.2 Section 4.15(1)(a)(ii): Draft Environmental Planning Instruments**

There are no draft environmental planning instruments that apply to the subject site.

### **5.3 Section 4.15(1)(a)(iii): Development Control Plans**

#### **5.3.1 Botany Development Control Plan 2013**

Botany Development Control Plan 2013 (DCP) applies to the subject site. **Annexure 7** contains an assessment against the relevant provisions of the DCP.

The assessment shows that the proposed development is generally consistent and compliant with the objectives, performance criteria and the controls of Sections 3, 4, 7 and 9A of the DCP. Where a variation is sought, it has been justified.

#### **5.3.2 Section 94 Development Contribution Plan 2016**

Section 94 Development Contribution Plan 2016 applies to the subject site. It is expected that Council will apply any credit for existing workers that may be applicable in the calculation of the contributions payable. Refer to section 4.2.5 for details in respect of stating of payment of contributions.

### **5.4 Section 4.15(1)(a)(iia): Planning Agreements**

On 29 August 2018, an offer was submitted to Council to enter into a Voluntary Planning Agreement for the following public benefits:

- Provision of a public car park, providing approximately 90 car parking spaces, to be publicly accessible for vehicles via a public road. The car park is to be dedicated to Bayside Council in a future stratum subdivision.
- Dedication and embellishment of a public through site-link of approximately 1,600 sqm in land.

## 5.5 Section 4.15(1)(a)(iv): Regulations

The Development Application has been made in accordance with the requirements contained in Clause 50(1A) of the Environmental Planning and Assessment Regulation 2000.

## 5.6 Section 4.15(1)(b): Likely Impacts

### 5.6.1.1 **Bulk, Scale and Streetscape**

The proposed development has been designed to relate to the scale and height of the existing approved development to the west, as well as the future buildings as anticipated by the controls in Council's DCP. The proposed height will create a consistent streetscape along the busy carriageway of Coward Street. It is also important to note that the proposal is of a scale that improves upon the approved development on the site (DA 2014/146).

### 5.6.1.2 **Solar Access and Natural Ventilation**

The proposal has been designed to improve upon the solar access and natural cross ventilation achieved under the existing development approval on the site.

As shown in the table below, the development manages to increase natural cross ventilation by 12% to achieve a new result of 74%.

Solar access to apartments has been improved by 6%, achieving a result of 64%. The proposed development has been designed to maximise the possible solar access to the highest extent, and has managed to do this by slight variations to the DCP building footprints. The result in solar access that is not only better than that under the existing approval, but also better than what could be achieved under buildings that comply with the DCP footprints.

	PREVIOUS DA	NEW DA
<b>APARTMENTS</b>		
Studio	1 (0%)	0 (0%)
1 Bedroom	147 (47%)	117 (39%)
2 Bedrooms	150 (48%)	147 (48%)
3 Bedrooms	12 (4%)	41 (13%)
<b>Total Units</b>	<b>310</b>	<b>305</b>
Two Storeys: Cross-Over Units	20	0
<b>CROSS VENTILATION</b>	<b>62%</b>	<b>74%</b>
<b>SOLAR ACCESS</b>	<b>58%</b>	<b>64%</b>

### 5.6.1.3 **Privacy**

The proposed development has been designed with building separation to comply with the SEPP 65 ADG. Accordingly, the separation of the buildings will provide for privacy that would be anticipated from compliance under the ADG.

It is noted that the separation of buildings on the site has been increased from 34 metres (under existing approval) to 44 metres (as proposed).

The separation of the buildings on the subject site is generously spaced from those on adjoining sites. No adverse privacy impacts will result.

**5.6.1.4 Transport and Parking**

The proposed parking and traffic characteristics of the development are considered in the traffic and parking report included at **Annexure 11**. The report concludes that there will be no adverse traffic related impacts as a result of the proposed development.

**5.6.1.5 Waste and Loading**

The proposed development will store all waste and recycling in the waste rooms that is located within the basement. Waste will be collected from this location at the vehicle access point from Coward Street. No adverse impacts are anticipated from this method of collection.

Details in relation to waste management are provided in the waste report at **Annexure 10**.

**5.7 Section 4.15(1)(c): Suitability of the Site**

There are no environmental constraints on the site that would impede the proposal or render it unsuitable for the site.

**5.8 Section 4.15(1)(d): Submissions**

Council will consider submissions at the close of the exhibition period.

**5.9 Section 4.15(1)(e): The Public Interest**

For the reasons set out in this Statement, it is considered that the public interest would be best served by approval of the Development Application under consideration, particularly, given the absence of any demonstrable adverse impacts resulting from the proposal.

## **6 Conclusion**

The proposal seeks Council's consent to a new residential development at 256 Coward Street, Mascot.

The proposal satisfies the relevant heads of consideration under Section 4.15 of the Environmental Planning & Assessment Act, 1979.

It is considered that the proposal provides an appropriate response to the planned development of the site and will assist in the orderly and economic development of the land.

Accordingly, the application should be recommended for approval.

## **Annexure 1: Site Survey**

## **Annexure 2: Existing Development Consent**

## **Annexure 3: Architectural Plans**

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