# STATEMENT OF ENVIRONMENTAL EFFECTS

## 181-191 Maroubra Road, Maroubra

**Demolition of the existing buildings and construction of a part 6, part 7 storey shop top housing development in two built forms, comprising 9 retail shops at the ground floor level with 65 residential units above and 3 levels of basement parking for 138 cars.**

Submitted to Randwick Council
On Behalf of Sgammotta Architects Pty Ltd

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## 1. INTRODUCTION

ABC Planning Pty Ltd has been engaged to prepare this Statement of Environmental Effects to accompany the Development Application for demolition of the existing buildings on the subject site and construction of a part 6, part 7 storey shop-top housing development at 181-191 Maroubra Road, Maroubra.

This statement should be read in conjunction with the architectural drawings prepared by Sgammotta Architects, dated 6th December 2017.

The following reports and plans also accompany the development application:

- Basix Certificate prepared by Eco Mode;
- Landscape Plan prepared by Conzept;
- Quantity Surveyor Report prepared by Archi-QS;
- Acoustic Report prepared by Acoustic Logic;
- Traffic Impact Statement prepared by Traffix;
- Geotechnical Report prepared by Asset Geo;
- Solar Analysis prepared by LinArch

This statement provides an outline of the subject and surrounding sites, a description of the proposal and an assessment under the relevant Planning Controls, including the provisions of *Section 79C* of the *Environmental Planning and Assessment Act, 1979.*

The applicant lodged a pre-Development Application in March 2017 and received formal feedback from Council and the Design Excellence Panel. It is considered that the proposal has been suitably amended to address the issues raised in Council's and the DEP's feedback.

The proposal seeks to demolish the existing buildings on the subject site to facilitate the construction of an part 6, part 7 storey shop top housing development, comprising 9 retail shops at the ground floor (800 sqm), with 65 units contained in two built forms, Block A (fronting Maroubra Road) being 7 storeys in scale and Block B (fronting Ferguson Street) being 6 storeys in scale. The proposal also includes two roof-top communal open space areas, one on each Block.

The proposed shop top housing development is permissible in the B2 Local Centre under *Randwick LEP 2012* (RLEP 2012). In this regard it is noted that all of the residential components are above retail premises which satisfies the definition of shop top housing under the RLEP 2012.

Pursuant to Clause 4.3 of the RLEP 2012, the subject site is afforded a maximum building height of 25m. The proposal is generally compliant with the LEP height limit, with the exception of the Block A rooftop elements having a maximum height of 27.5m, noting that this provides equitable access to the rooftop communal open space areas that have been designed in accordance with the guidelines for communal open space, as contained in the Apartment Design Guide.

The accompanying Clause 4.6 variation provides comprehensive justification to support the proposed height.

It is noted that the subject site is not encumbered by an FSR control and is subject to the building envelope controls of the DCP. It is considered that the proposed built form achieves compliance with the intent of the DCP building envelope controls.

The subject site is ideally located with a primary frontage to Maroubra Road in the north and a secondary frontage to Ferguson Street to the east.

The proposed development consists of 2 built forms, Block A fronting Maroubra Road and Block B fronting Ferguson Street. The built form outcome is consistent with the Block 9 DCP controls and allows for substantial separation distances between the two built forms, and is broader than the separation distance of the buildings to the west (and on the building footprint diagram in the DCP).

The replacement of outdated shops and under-utilised land in the town centre with an attractive shop top housing developments represents a positive outcome for the subject site and the broader Maroubra Junction Centre.

This proposal represents a desirable infill development between the western neighbours, with the subject site being the last remaining undeveloped site within this block, being Block 9. The proposal achieves a 3m setback to Ferguson Street and a continuous retail frontage to Maroubra Road, as required by the DCP Block 9 controls. A 1.5m deep soil zone is also proposed along the southern boundary as required by the DCP. The activated frontages to both Maroubra Road and Ferguson Street will achieve a desirable streetscape outcome and improves the quality of retail uses in the Maroubra Junction Town Centre.

The floor plans have been designed to maximise outlook, solar access and ventilation to the proposed units whilst responding to the siting, layout and orientation of neighbouring properties.

In this regard, the amended proposal exhibits a high degree of compliance with the SEPP 65 / ADG amenity criterion, particularly in regards to solar access (75.4% of apartments receive at least 2 hours between 9am and 3pm on June 21$^{st}$), natural ventilation (64.6% of apartments comply), apartment sizes and room dimensions, private open space requirements and storage.

It is noted that the proposal does not include any single orientated south facing units, with the proposal designed to limit the southern aspect due to the land use, being an electricity-substation site.

The proposed development has been designed to take advantage of the site's northern and eastern aspects, with 62.3% (43 units) orientated to have an aspect over the respective street frontages.

The proposed development includes two rooftop communal open space areas, one on each Block, comprising a total of 694.8m$^2$ which is provided with equitable access. These spaces account for 34% of the site area which outperforms the 25% ADG requirement. Such areas enjoy abundant solar access, access to views and enjoy BBQ and seating facilities as well as covered and uncovered areas in a landscaped setting. In addition, a common passive area is located on Level 01 which will contain landscaped planter boxes and generate a total communal landscape area of 46.5%.

The layout and siting of the built form is appropriate given the constraints of the corner site location and existing pattern of development along Maroubra Road. The design responds with alternative solutions against DCP 'Block 9' which stipulates a maximum of 5 and 6 storeys.

The proposal also provides an alternative distribution of building footprint in response to the developments already constructed on the western neighbouring sites at 169-171 Maroubra Road and 1-3 Robey Street. As shown on the aerial photograph in Figure 3 below, the

recently constructed mixed use development at 169-171 Maroubra Road extends southwards well beyond the building envelope control illustrated in the Block 9 controls. Similarly, the mixed-use development at 1-3 Robey Street extends westwards beyond the building envelope control and contains no deep soil zone due to the basement below. In this regard, the proposed building footprint has sought to align with the approved building footprint of 169-171 Maroubra Road and it is considered that a merit assessment is required in relation to the proposed building footprint rather than strict adherence to the Block 9 building envelope controls.

The proposal has been designed to fit within the context of the subject site and provides an appropriate transition between the 8-10 storey built forms to the north of the site and the 7 and 6 storey built forms to the west of the subject site.

As illustrated on the accompanying shadow diagrams, it is considered that the proposal will not result in any unreasonable shadow impacts, particularly given the non-residential use of the southern neighbour. The separation distance between the residential uses on the subject site and those of the western neighbour is further confirmation that there would be limited adverse mutual privacy or overlooking impacts, noting that the subject proposal provides a greater setback than the western neighbour at 1-3 Robey Street.

Overall, it is considered that this design achieves an appropriate transition to the neighbouring properties and a better streetscape outcome in comparison to a 5 & 6 storey built form, as contemplated by the *Randwick DCP 2013* controls. The 3D drawings demonstrate that the concept proposal will be compatible with all neighbours when viewed in the context of the streetscape. It is also noted that the LEP height provision of 25m would take precedent over the DCP storey control whilst the storey control does not reflect that which has occurred in the immediate west and south-west of the subject site.

This proposal seeks to maintain consistency with the pattern of established development by applying nil setbacks to Maroubra Road and a 3m setback to Ferguson Street.

The proposal will therefore be a positive addition to both streetscapes whilst providing for upgraded retail space to the Maroubra Road frontage and new retail activation to Ferguson Street as well as providing high quality residential apartments in the Maroubra Junction Town Centre.

It is therefore considered that the proposed development is worthy of approval.

## 2. SITE ANALYSIS

This section provides a detailed description of the existing site and surrounding development.

### 2.1. Site Location and Context

The subject site is located at 181-191 Maroubra Road, Maroubra and formally described as lot SP11011, forming a total site area of 2,024m sqm.

The site has a primary frontage of 39.46m to Maroubra Road in the north, with a secondary frontage to Ferguson Street in the east, of 47.86m.

The subject site is located at the south western edge of the Maroubra Junction Centre and is ideally positioned in proximity to a range of commercial premises, with access to frequent public transport. The site is also located 1.85km north west of the Maroubra Beach , 530m north of the Des Renford Leisure Centre and Heffron Park and 1km north east of the East Gardens Westfield Shopping Centre, making this an ideal location for higher density land uses.

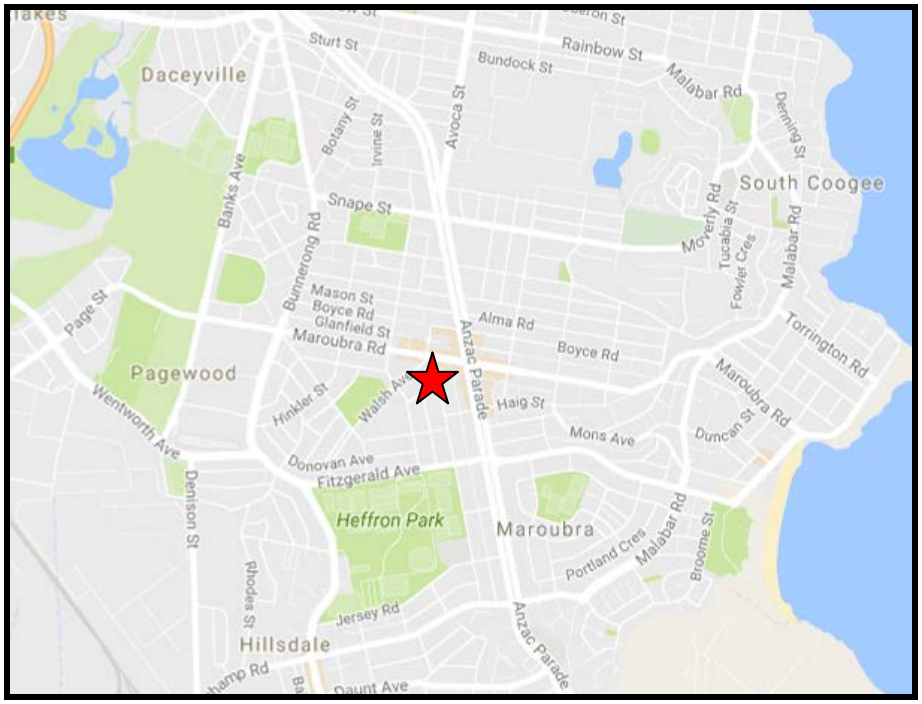



**Figure 1: Site context location plan**

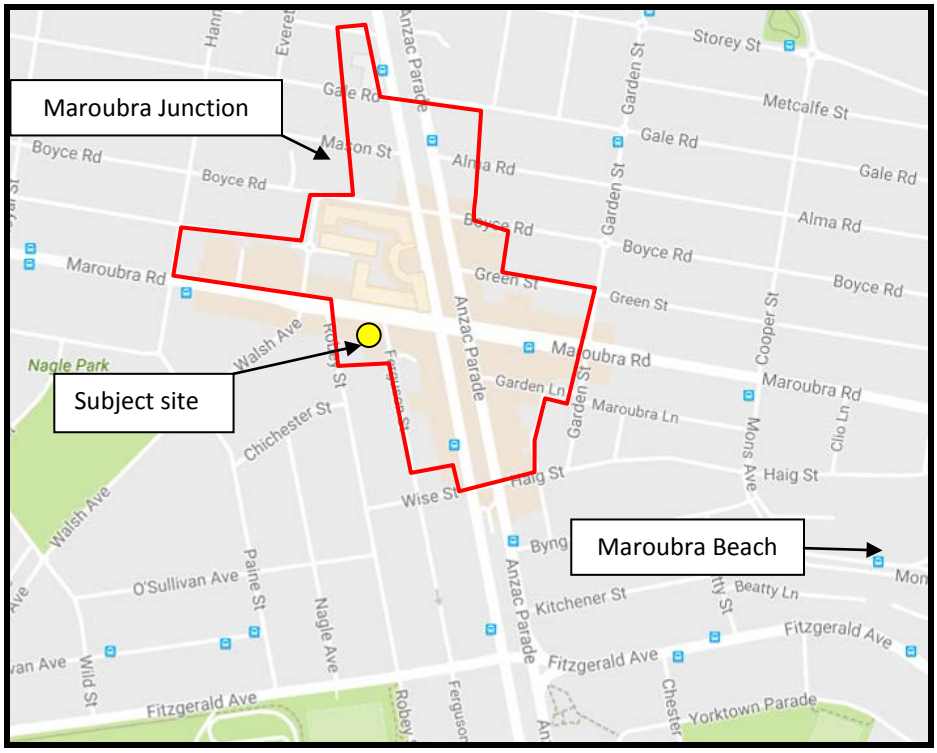



**Figure 2: Maroubra Junction Centre**

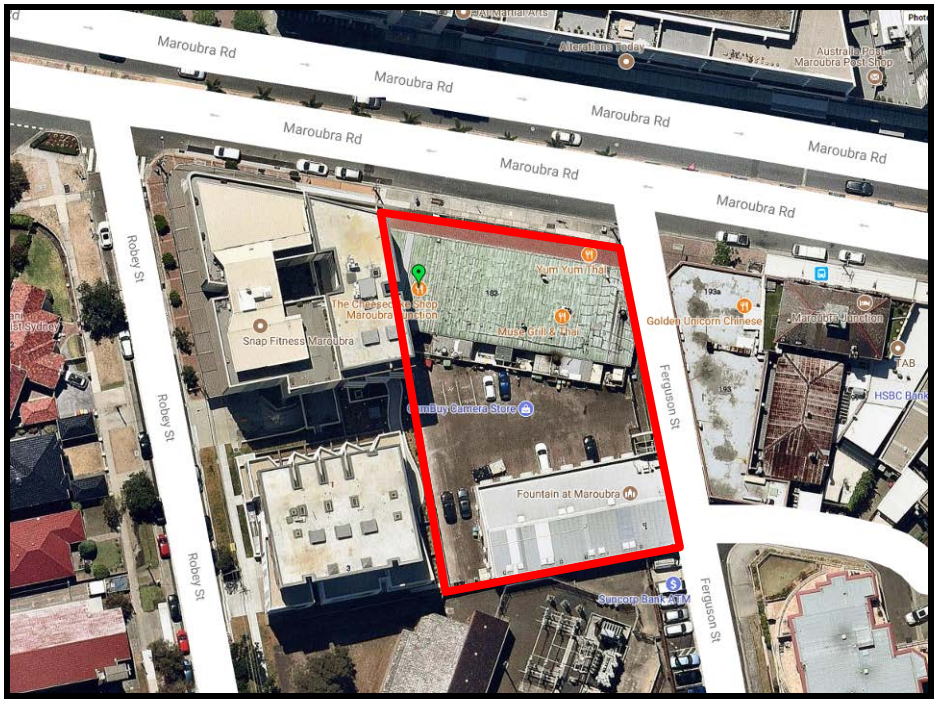



**Figure 3: Aerial Photo**

## 2.2. Existing Development

The subject site is currently developed with a single storey commercial property fronting Maroubra Road and a separate 2 storey commercial property at the rear, along Ferguson Street. The centre of the site comprises a hard stand car parking area that services the commercial properties.

**Figure 4: Subject site as viewed from Maroubra Road in the north east**

**Figure 5: Rear of the brick shops fronting Maroubra Road**


**Figure 6: Maroubra Court, located at the rear of the site, being a 2 storey commercial building**

# 3. SURROUNDING DEVELOPMENT

## 3.1. North

To the north of the subject site, on the northern side of Maroubra Road is 'Pacific Square' which contains a shop top-housing development, being part 8 storeys, part 10 storeys.

The site extends from Maroubra Road in the south, along Anzac Parade in the east and is bound by Boyce Road in the north, forming a substantial development site.


**Figure 7: Pacific Square, demonstrating the part 8, part 10 storey development**


**Figure 8: Northern neighbour as viewed from the subject site**

### 3.2. East

To the east of the subject site, on the eastern side of Ferguson Street, is a two storey commercial building which adjoins the Maroubra Junction Hotel, being a heritage listed building.


**Figure 9: Eastern neighbour at 193 Maroubra Road**

**Figure 10: Eastern neighbour as viewed from the rear of the subject site**

**Figure 11: Residential flat development to the east of the subject site addressed to Anzac Parade**

### 3.3. South

To the south of the subject site, at 5-17 Robey Street, is an electricity generating works site.

**Figure 12: Southern neighbour**

### 3.4. West

To the west of the subject site, at 169-171 Maroubra Road and 1-3 Robey Street, are recently constructed 7 storey mixed use developments.

**Figure 13: Mixed use development at169-171 to the west of the subject site**


**Figure 14: Mixed use development at169-171 to the west of the subject site**


**Figure 15: East elevation of 1-3 Robey Street, as viewed from the subject site**

## 4. PROPOSAL

The proposal seeks to demolish the existing buildings to facilitate the construction of a part 6, part 7 storey shop top housing development comprising 3 levels of basement parking for 138 cars, 9 retail shops at the ground floor with 65 residential apartments split over 2 built forms on the levels above.

The proposed development is summarised as follows:

**Table 1: Proposal summary**

| Level | Proposal |
|---|---|
| **Basement 3** | ▪ 55 residential car spaces<br>▪ 18 storage lockers<br>▪ 3 lift cores |
| **Basement 2** | ▪ 47 residential car spaces, including 13 accessible spaces<br>▪ 4 residential motorbike spaces<br>▪ 1 service bay<br>▪ 18 storage lockers<br>▪ 2 lift cores |
| **Basement 1** | ▪ 17 visitor car spaces<br>▪ 17 commercial car spaces<br>▪ 42 bicycle storage spaces<br>▪ 1 visitor motorbike space<br>▪ 1 commercial motorbike space<br>▪ 1 service bay<br>▪ 3 lift cores |
| **Ground** | ▪ 9 commercial spaces (800 sqm)<br>▪ 2 residential foyers<br>▪ WC facilities<br>▪ Residential garbage<br>▪ Commercial garbage<br>▪ Vehicular access off Ferguson Street<br>▪ Plant area |
| **Level 1** | ▪ 4 x 1 bedroom units<br>▪ 9 x 2 bedroom units |
| **Level 2** | ▪ 4 x 1 bedroom units<br>▪ 7 x 2 bedroom units |
| **Level 3** | ▪ 6 x 1 bedroom units<br>▪ 7 x 2 bedroom units |
| **Level 4** | ▪ 6 x 1 bedroom units<br>▪ 7 x 2 bedroom units |
| **Level 5** | ▪ 3 x 1 bedroom units<br>▪ 8 x 2 bedroom units |
| **Level 6** | ▪ 2 x 1 bedroom units<br>▪ 2 x 2 bedroom units |
| **Roof** | ▪ 1,020m$^2$ communal roof terrace with lift access |
| **Total Development Summary** | **9 commercial / retail spaces**<br>**65 residential apartments, comprising:**<br>**25 x 1 bedroom**<br>**40 x 2 bedroom**<br>**138 car spaces, comprising:**<br>**102 residential spaces**<br>**17 commercial spaces**<br>**17 visitor spaces and 2 service spaces** |

## 5. ASSESSMENT UNDER RELEVANT CONTROLS

The following planning instruments are relevant to the proposed development:

- SEPP65 – Design Quality of Residential Flat Development / Apartment Design Guide;
- SEPP (Building Sustainable Index: BASIX) 2004;
- Randwick LEP 2012; and
- Randwick DCP 2013.

### 5.1. LEP AND DCP COMPLIANCE SUMMARY

Table 2 below provides a snapshot of compliance of the proposed shop top housing development with the relevant SEPP, LEP and DCP controls.

**Table 2: SEPP 65, LEP and DCP Summary Compliance Table**

| CONTROL | NUMERIC | PROPOSED | COMPLIANCE |
|---|---|---|---|
| **SEPP65 / ADG** | | | |
| **BUILDING SITING** | | | |
| **Communal Open Space** | Has a minimum area of 25% of the site area | Block A Communal Rooftop: 357.4 sqm<br>Block B Communal Rooftop: 337.4 sqm<br>**Total: 46.5%** | ✓ |
| | Achieves a minimum 50% direct sunlight to the principle usable open space with a minimum of 2 hours between 9am and 3pm on June 21 | The rooftop communal areas will be fully sunlit all day on June 21st | ✓ |
| **Separation Distances** | **Up to 12m (4 storeys)**<br>6m between non-habitable;<br>9m between habitable and non-habitable; and<br>12m between habitable rooms / balconies<br>**Up to 25m (5-8 storeys)**<br>9m between non-habitable rooms;<br>12m between habitable and non-habitable; and<br>18m between habitable rooms/balconies. | Varies – minimum 8m balcony to balcony<br>Varies – minimum 11m balcony to balcony | AS |
| **Solar access** | Living rooms and private open space of at least 70% of apartments receive 2 hours between 9am and 3pm in mid-winter for properties in dense urban areas in Sydney Metropolitan Area and | **75.4%** of apartments receive 2 hours solar access | ✓ |

| CONTROL | NUMERIC | PROPOSED | COMPLIANCE |
|---|---|---|---|
| | Newcastle and Wollongong LGA otherwise minimum 3 hours | | |
| | A maximum of 15% of apartments receive no direct sunlight between 9am and 3pm | **15.4%** | ✓ |
| **Overshadowing** | Living rooms and private open space to 70% of apartments receive 2 hours between 9am – 3pm | Yes | ✓ |
| | 50% direct sunlight to principle communal open space for a minimum 2 hours | Yes | |
| **Natural Ventilation** | All habitable rooms are naturally ventilated | Yes. | ✓ |
| | 60% of apartments are naturally cross ventilated in the first 9 storeys | **64.6%** of apartments are cross ventilated. | ✓ |
| | Overall depth of cross-over or cross-through apartment does not exceed 18m, glass line to glass line. | Yes | ✓ |
| **Floor to ceiling heights** | Habitable rooms – 2.7m<br>Non-habitable – 2.4m<br>**Mixed use areas:**<br>3.3m for ground and first floor | Yes<br><br><br>Yes | ✓ |
| **Minimum room and private open space requirements** | | | |
| **Min size for 1 bedroom apartment** | Internal > 50m$^2$ | Yes | ✓ |
| | External > 8m$^2$ with a minimum 2m depth | >8 sqm | ✓ |
| **Min size for 2 bedroom apartment** | Internal > 70m$^2$ | Yes | ✓ |
| | External > 10m$^2$ with a minimum 2m depth | >10 sqm | ✓ |
| **Bedroom configuration** | Master bedrooms have a minimum area of 10m$^2$ and other bedrooms are 9m$^2$ (excluding wardrobes) | Yes | ✓ |
| | Bedrooms have a minimum 3m dimension | Yes. | ✓ |
| **Living room configuration** | Habitable rooms have a maximum depth of 2.5m x ceiling height | Yes | ✓ |
| | In open plan layouts, the maximum depth from a window | Yes | ✓ |

| CONTROL | NUMERIC | PROPOSED | COMPLIANCE |
|---|---|---|---|
| | is 8m | | |
| | Living rooms or combined living / dining rooms have a minimum width of:<br>▪ 3.6m for studio and 1 bedroom apartments<br>▪ 4m for 2 and 3 bedroom apartments | Yes | ✓ |
| **Storage facilities** | | | |
| **1 bedroom** | 6m³ | >6m3 | ✓ |
| **2 bedroom** | 8m³ | >8m3 | ✓ |
| **Circulation** | Maximum number of apartments of a circulation core is 8 | Block A: 7<br>Block B: 6 | ✓ |
| **Randwick LEP 2012** | | | |
| **Zone** | B2 Local Centre | Mixed Use Development Residential + Commercial | ✓ |
| **Height** | 25m | 27.5m | See Clause 4.6 in Appendix 1. |
| **FSR** | N/A – See DCP building envelope controls | Not Applicable | N/A |
| **Randwick DCP 2013** | | | |
| **Height in storeys** | Maroubra Road: 6 storeys<br>Ferguson Street: 5 storeys | Maroubra Road: 7 storeys<br>Ferguson Street: 6 storeys | Alternative Solution |
| **Building Use** | Maroubra Road: 2 levels of commercial; residential above<br>Ferguson Street: 1 level of commercial, residential above | Maroubra Road: 1 level of commercial (with 1 level of 3.3m high ceiling space for either commercial if required), residential above<br>Ferguson Street: 1 level of commercial, residential above | ✓ |
| **Building depth** | Ferguson Street:<br>18m (15m glass line to glass line) | Varies – 25m max. | ✗ |
| **Setbacks** | <u>Front</u><br>Ferguson Street – 3m<br><u>Side</u><br>Maroubra Road – 0m<br>Ferguson Street – 1.5m<br><u>Rear</u><br>Maroubra Road – 10m<br>Ferguson Street – 6m | <u>Front</u><br>Ferguson Street – 3m<br><u>Side</u><br>Maroubra Road – 0m<br>Ferguson Street – 1.5m<br><u>Rear</u><br>Maroubra – varies (min. 31.5m)<br>Ferguson Street – varies | ✓ |

| CONTROL | NUMERIC | PROPOSED | COMPLIANCE |
|---|---|---|---|
| **Deep soil zone** | Maroubra Road: 1.5m deep soil along rear boundary | 1.5m deep soil zone along Maroubra road, rea boundary and Ferguson St rear boundary. | ✓<br>✓ |
| **Road Widening** | Ferguson Lane | Yes (+3m) | ✓ |
| **Parking** | <u>Residential</u><br>1 space per 1 bed<br>1.2 spaces per 2 bed<br>1 visitor per 4 dwellings<br>5% of car parking rate for motorcycles<br><br><u>Commercial</u><br>1 space per 40m2 GFA<br>5% of car parking rate for motorcycles | <u>Cars:</u><br><br>Residential = 102<br>Visitor = 17<br>Commercial = 17<br>Service = 2<br>TOTAL = 138<br><br><u>Motorcycles:</u><br><br>Residential = 5<br>Commercial = 1<br>Visitor = 1<br>TOTAL = 6<br><br><u>Bicycles:</u><br>42 spaces | ✓ |

## 5.2. SEPP 65 – DESIGN QUALITY OF RESIDENTIAL APARTMENT DEVELOPMENT

This report is accompanied by a detailed SEPP 65 Design Statement prepared by Sgammotta Architects, being the registered project architects. Sgammotta Architects have also completed a full response to the 80 Objectives and Design Criteria as contained in the Apartment Design Guide, which accompanies this Statement of Environment Effects in **Appendix 2.**

The proposal is considered to accord with the 9 Design Principles, in that the height, bulk and scale of the proposed development is appropriate for the site's prominent position on Maroubra Road, as well as within the surrounding built context, which is currently undergoing a transformation, in accordance with the Randwick LEP and DCP controls and in particular, the Maroubra Junction Town Centre.

The proposed development is considered to result in a substantial improvement from the existing outdated commercial buildings, providing for a high quality urban design outcome which will positively contribute to the economic growth and viability of the Maroubra Junction Centre.

The proposed density, high quality façade treatment and incorporation of a suitable degree of landscaping throughout the site and on the rooftops of both built forms is considered to achieve a suitable outcome that is compatible with the approved developments to the north and west.

The proposal provides for a high degree of internal amenity to all apartments in regards to unit size, private open space and provision of storage and access to high quality communal rooftop terraces. In addition, 75.4% of the apartments receive more than 2 hours solar access on June 21$^{st}$, whilst 64.6% of apartments are cross ventilated, as demonstrated on the architectural plans and the SEPP 65 Amenity Compliance report prepared by Steve King.

In addition, the proposal provides for 46.5%.% of the site to be dedicated as landscaped communal open space in the form of two rooftop terraces and passive communal space on Level 1, which outperforms the 25% ADG requirement and is considered to be a positive outcome in a dense commercial centre. A 1.5m wide landscape strip has been provided along the southern and western sides of the built form at ground floor level to act as a transition and buffer to the western units and the Ausgrid site to the south.

The proposed materials and finishes of the mixed use development are of a high quality nature which will further enhance the appearance of the subject site and result in an improved presentation to Maroubra Road and Ferguson Street.

Overall, the proposal is considered to be consistent with the 9 Design Principles contained within the SEPP 65 and the relevant objectives and design criteria contained within the Apartment Design Guide.

### 5.3. SEPP – BUILDING SUSTAINABILITY INDEX (BASIX) 2004

The proposal is accompanied by a compliant BASIX Certificate which demonstrates reduced reliance on artificial heating, cooling and lighting. The high internal performance of the apartments also assists in this regard. Water saving devices are also included in the proposal.

## 5.4. Randwick LEP 2012

### 5.4.1. Zoning

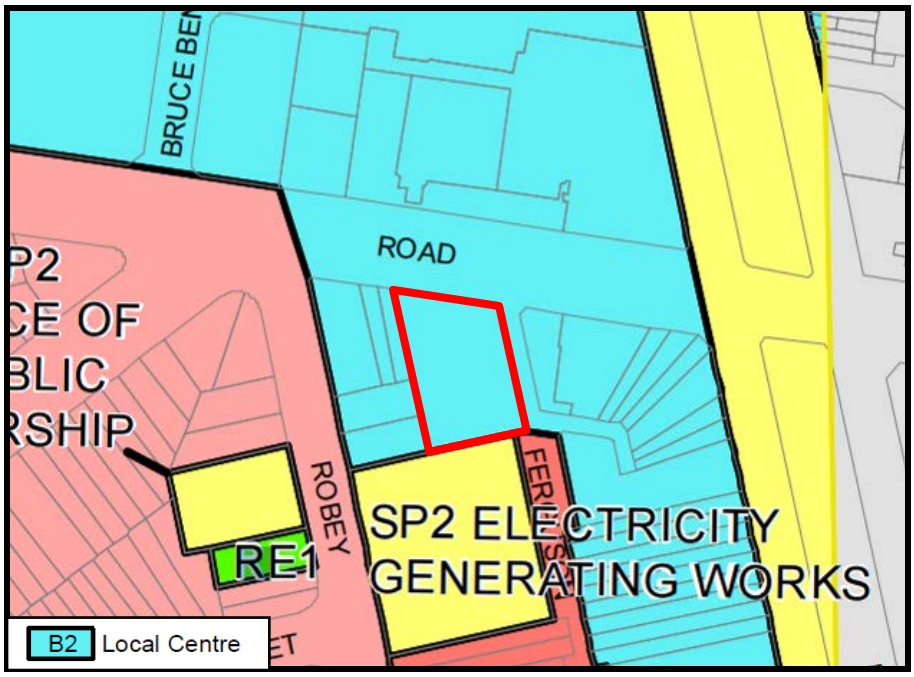



**Figure 16: Zoning Map**

***1. Objectives of zone***

- *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.*
- *To enable residential development that is well-integrated with, and supports the primary business function of, the zone.*
- *To facilitate a high standard of urban design and pedestrian amenity that contributes to achieving a sense of place for the local community.*
- *To minimise the impact of development and protect the amenity of residents in the zone and in the adjoining and nearby residential zones.*
- *To facilitate a safe public domain.*

***2. Permitted without consent***

*Home occupations; Recreation areas*

***3. Permitted with consent***

*Boarding houses; Child care centres; Commercial premises; Community facilities; Dwelling houses; Educational establishments; Entertainment facilities; Function centres; Group homes; Hostels; Information and education facilities; Medical centres; Passenger transport facilities; Recreation facilities (indoor); Registered clubs; Residential care facilities; Residential flat buildings; Respite day care centres; Restricted premises; Roads; Service stations;* ***Shop top housing****; Tourist and visitor accommodation; Any other development not specified in item 2 or 4*

**Assessment:** In accordance with the RLEP 2012, the subject site is located within the B2 Local Centre zone, of which the proposed shop top housing is a permissible use.

The proposal seeks to replace the outdated buildings with a modern shop top housing development comprising 2 built forms with ground floor retail fronting both Maroubra Road and Ferguson Street frontages, with 5 / 6 levels of residential accommodation above.

The subject site is located in an accessible area, which is supported by regular bus services, and in an area with higher densities, which fosters active modes of transport such as walking and cycling.

The proposed development forms an extension to the existing and approved mixed-use developments located to the west of the subject site, at 167 Maroubra Road and 169 – 171 Maroubra Road (DA-84/2013).

The proposal is of a high quality urban design that contributes to a safe and active public domain whilst being well integrated with this portion of the Maroubra Junction.

On this basis, the proposed development complies with the zone objectives.

### 5.4.2. Building Height


**Figure 17: Height Map**

1. *The objectives of this clause are as follows:*

a. *to ensure that the size and scale of development is compatible with the desired future character of the locality,*

b. *to ensure that development is compatible with the scale and character of contributory buildings in a conservation area or near a heritage item,*

c. *to ensure that development does not adversely impact on the amenity of adjoining and neighbouring land in terms of visual bulk, loss of privacy, overshadowing and views.*

**Assessment:** Pursuant to Clause 4.3 of the RLEP 2012, the subject site is afforded a maximum building height of 25m.

The proposed built form is mostly contained below the 25 height limit, with exception of the rooftop elements associated with the communal rooftop terrace on Block A. The maximum height to the top of the building elements is 27.5m, which provide for equitable access to the rooftop communal open space area.

Such outcome is commensurate with the outcomes sought by the ADG which encourages rooftop communal areas on sites where it is difficult to achieve full solar access to communal open space areas.

Furthermore, the height of the building is compatible with the surrounding built context and does not result in any additional adverse amenity impacts, beyond that of a building with a compliant height.

Block B is wholly contained below the LEP height limit.

A Clause 4.6 variation to the development standard accompanies this SEE in **Appendix A.**

### 5.4.3. Floor Space Ratio

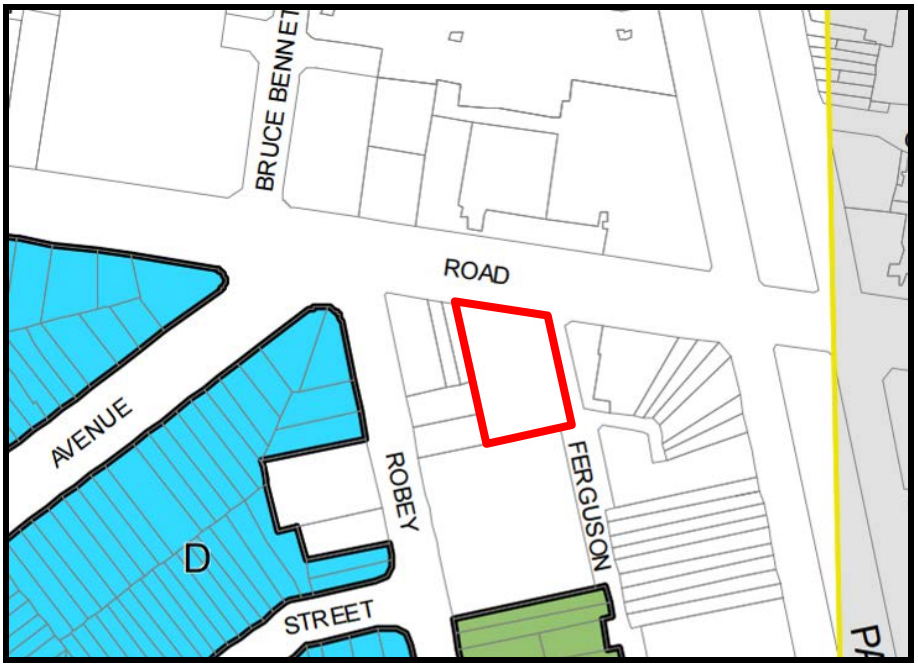



**Figure 18: FSR Map**

**Assessment**: In accordance with the RLEP 2012, the subject site is not governed by a floor space ratio control and is instead subject to the building envelope controls, in accordance with the *Randwick DCP 2013*.

In this regard, the subject site is located within Block 9 of the Maroubra Junction – D4 Controls.

### 5.4.4. Heritage Conservation

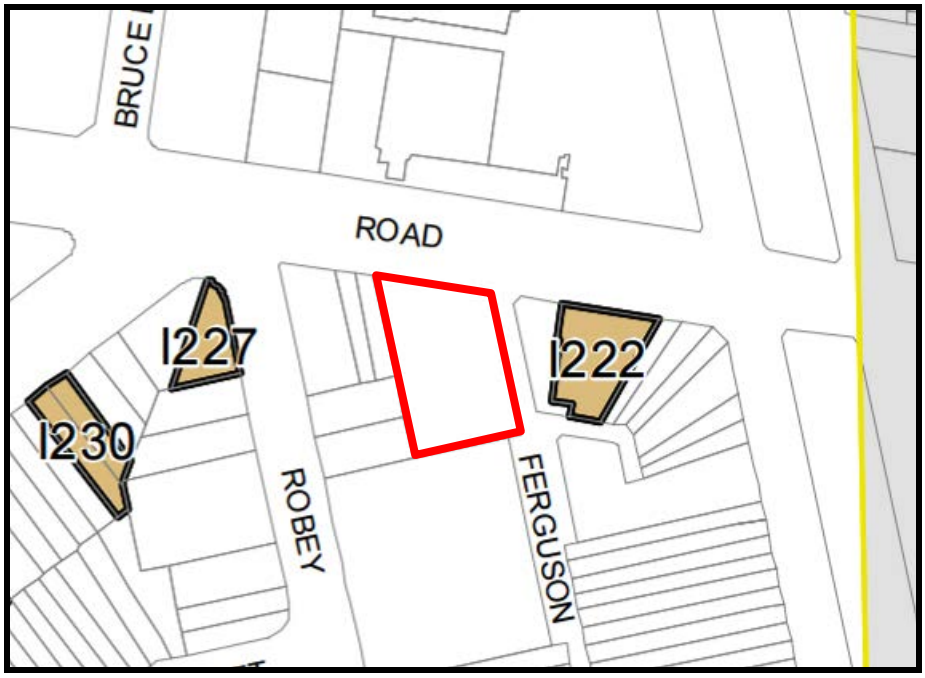



**Figure 19: Heritage Map**

**Assessment**: The subject site is not located in a heritage conservation area nor is it identified as a heritage item.

To the east of the subject site, at 195-199 Maroubra Road, is a heritage item, identified as the Maroubra Junction Hotel. It is considered that the proposed development will not detract from the heritage significance of the Maroubra Junction Hotel due to its compatible form with the remainder of buildings on this block and its separation from the item.

## 5.5. Randwick DCP 2013

### 5.5.1. General Provisions

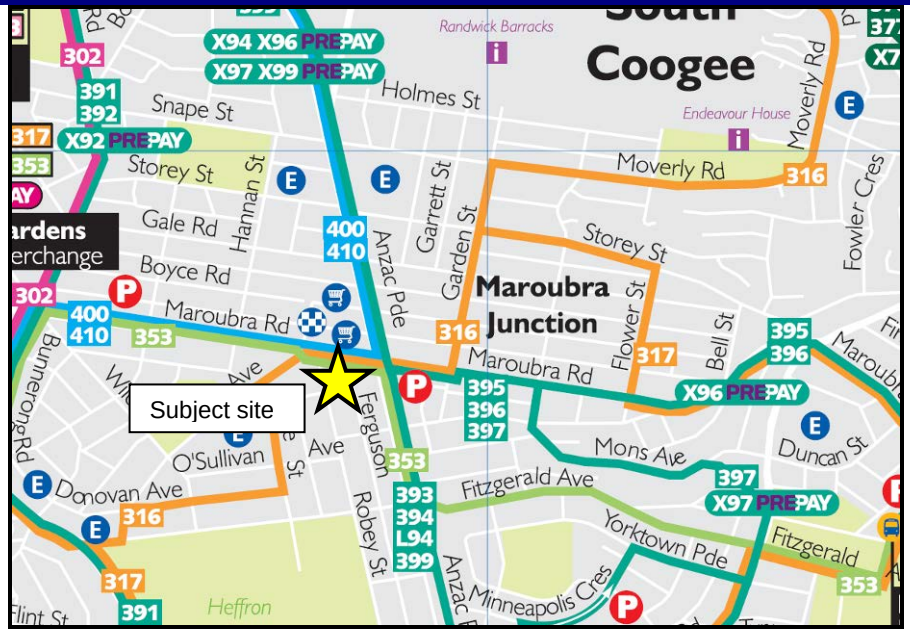
The table below sets out the General Provisions of the Randwick DCP 2013 that apply to the subject site and the proposed shop-top housing development.

**Table 3: Randwick DCP 2013 Compliance Table - Part B General Controls**

| Objectives | Response |
|---|---|
| **B1 - DESIGN** | |
| • To ensure that high quality urban design is a fundamental consideration for all development.<br>• To identify key components of urban design to be considered and addressed in development proposals. | **Complies**<br>As stated above, the proposal is accompanied by a detailed SEPP 65 Design Statement prepared by the project architects.<br>It is considered that the proposed design represents a high quality design outcome, which significantly improved the presentation of of the existing outdated buildings on the subject site.<br>The proposal activates the entire Maroubra Road frontage as well as the Ferguson Street frontage which represents a desirable urban design outcome.<br>The proposed residential units achieve excellent solar access, daylight and ventilation opportunities. |
| **B2 - HERITAGE** | |
| • To clarify the consent requirements for the conservation of Aboriginal objects, Aboriginal places of heritage significance and archaeological sites.<br>• To provide detailed guidelines for change to heritage items and properties within heritage conservation areas; which will allow their heritage significance to be retained. | **Complies**<br>The proposed shop top housing development does not impact the heritage significance of the Maroubra Junction Hotel at 195-199 Maroubra Road.<br>There are no other heritage items or conservation areas in the vicinity of the subject site that are affected by the proposal. |
| **B3 – ECOLOGICALLY SUSTAINABLE DEVELOPMENT** | |
| • To ensure that the design, construction and operation of development minimises adverse impacts on the natural and built environment. | **Complies**<br>The proposal is accompanied by a compliant BASIX Certificate which |

| Objectives | Response |
|---|---|
| • To reduce the use of resources, pollution and waste resulting from development activity.<br>• To improve the quality of life, health and wellbeing of residents and workers.<br>• To promote the use of renewable energy sources and materials.<br>• To promote education on key elements of sustainable development and maintenance. | achieves the appropriate thermal comfort, energy saving and water saving measures.<br>Furthermore, it is considered that replacement of the outdated buildings on the subject site with 9 commercial units and 65 residential units in 2 built forms with communal rooftop areas represents a more efficient and sustainable use of the subject site, as envisaged by the intent of the B2 Local Centre zoning and the Block 9 DCP Controls.<br>The provision of additional housing in an area close to transport, shops and recreational facilities represents a sustainable use which would reduce reliance on car use and encourage public transport and bicycle use. |
| **B4 – LANDSCAPING AND BIODIVERSITY** | |
| • To promote high quality landscape design as an integral component of the overall design of a development.<br>• To provide landscape design and plantings that are compatible with the site and locality.<br>• To contribute to the preservation of and extension to native fauna and flora habitats. | **Complies**<br>Currently, the subject site does not contain any significant landscaping.<br>The accompanying Landscape Plan demonstrates that the proposal will achieve the 1.5m deep soil planting zone along the southern and western boundaries, as required by the DCP Block 9 Controls.<br>The proposal also provides for 2 high quality rooftop communal areas that will contain landscaping and planting, as well as a passive communal space on Level 01 featuring planter boxes along the walkways between the two residential built forms. |
| **B5 – PRESERVATION OF TREES AND VEGETATION** | |
| • To effectively protect the urban forest in Randwick City, with particular emphasis on retaining trees with cultural, heritage and natural significance.<br>• To encourage the preservation of trees and vegetation that contribute to native flora and fauna habitat.<br>• To establish a clear framework and requirements for the proper management of trees and other vegetation. | **Complies**<br>No significant trees are located on the subject site.<br>The proposed Landscape Plan includes the provision of tree planting within the western boundary deep soil zone and within the communal rooftop areas. |

| Objectives | Response |
|---|---|
| **B6 – RECYCLING AND WASTE MANAGEMENT** | |
| • To encourage best practice in waste management that minimises waste generation, facilitates waste separation and maximises reuse and recycling.<br>• To ensure quality design of waste management facilities that complement the building design and minimise noise, odour and visual impacts on adjacent uses and the public domain.<br>• To ensure suitable and efficient waste storage, recycling and collection in all development. | **Complies**<br>Secure separate residential and commercial garbage rooms are located on the ground floor.<br>A Waste Management Plan accompanies the development application which details the projected volumes of waste generate by the commercial and residential uses and how the waste will be managed. |
| **B7 – TRANSPORT, TRAFFIC, PARKING AND ACCESS** | |
| • To promote sustainable transport options for development, particularly along transport corridors, in commercial centres and strategic/key sites.<br>• To manage the provision of car parking within the broader transport network.<br>• To support integrated transport and land use options which can demonstrate shared and effective car parking provision with car share facilities, motorbikes/scooters, bikes and links to public transport.<br>• To ensure car parking facilities, service and delivery areas and access are designed to enhance streetscape character and protect pedestrian amenity and safety. | **Complies**<br>The subject site is located in a highly accessible area with regular buses servicing the site along Maroubra Road and Anzac Parade, as shown on the transport map below: |

| Objectives | Response |
|---|---|
| |  <br>**Figure 20: Public transport map**<br><br>This convenient location reduces the reliance on car ownership and encourages public transport use.<br>Nevertheless, as demonstrated in the accompanying Traffic Impact Statement prepared by Traffix, the proposal meets the required parking rates, as well as provides bicycle and motor bike parking. |
| **B8 – WATER MANAGEMENT** | |
| • To promote the sustainable use of water across the City of Randwick.<br>• To minimise the development's reliance on mains supplied water and encourage water conservation and reuse. | **Complies**<br>The accompanying BASIX Certificate achieves the target of reducing water consumption by 40%. |

| Objectives | Response |
|---|---|
| **B11 – DEVELOPMENT IN LANEWAYS NOMINATED FOR ROAD WIDENING** | |
| • To facilitate widening and streetscape improvement of specially nominated laneways in Randwick City.<br>• To achieve the dedication of land for laneway widening purposes through permitting subdivision and dwelling house development on nominated sites fronting the lanes. | **Complies**<br>Ferguson Street is identified as being subject to Council's road widening policy. The concept proposal has accounted for the widening of Ferguson Street and provides a 3m setback to the street. |

### 5.5.2. Maroubra Junction Controls

| Objectives | Control | Response |
|---|---|---|
| **DEVELOPMENT CONTROLS** | | |
| **Primary Development Controls** | | |
| Amalgamation | | |
| • To ensure coherent redevelopment of the centre and avoid isolation of smaller land parcels.<br>• To facilitate high quality residential amenity.<br>• To minimise the number of driveway crossings and car park entries along a street.<br>• To maintain street rhythm and expression. | i. If a building/development requires vehicular access, then the site should:<br>a. have a minimum street frontage of 20m; or<br>b. have dual street frontage, with vehicular access from the secondary street<br>ii. Minimum lot widths are to be tested against the desired building types for each block to determine where amalgamation is necessary.<br>iii. When development/redevelopment/amalgamation is proposed, sites between and adjacent to developable properties are not to be limited in their future development potential. | **Complies**<br>The subject site is made up of one allotment. It has a street frontage to Maroubra Road of 39.46m and a frontage to Ferguson Street of 47.86m<br>The lot sizes and frontage allows for orderly development as desired by the DCP. |
| Building Envelope | | |
| • To define the bulk, height and scale of development throughout the centre.<br>• To create a transition between the centre and the surrounding residential area. | i. Residential floors: All developments are to demonstrate that the gross floor area achieved occupies not more than 70% of the maximum building envelope for residential floors.<br>ii. Commercial floors: All developments are to demonstrate that the gross floor area achieved occupies not more than 80% of the maximum building envelope for commercial floors above the ground floor. | **Alternative Solution**<br>The built form and footprint are beyond that shown on the DCP diagrams, however such building depths are consistent with that permitted on neighbouring allotments to the west and achieve the objectives of the controls. The high level of amenity afforded to the apartments (75.4% solar access and 64.6% cross ventilation) as well as the lack of impact to surrounding properties and compatibility with the scale of adjoining buildings confirms that the proposed building envelope is appropriate for the site and suitably justified. |

| Objectives | Control | Response |
|---|---|---|
| **Building Height** | | |
| • To ensure future development within the centre responds to the desired scale and character of the street and the centre.<br>• To ensure development at the edges of the centre responds to the scale and character of development and the streets surrounding the centre.<br>• To allow reasonable daylight and solar access to all developments and the public domain. | i. Developments are to be appropriately scaled with consideration to the broader urban structure principles on which the centre is based.<br>ii. Development is to comply with the building heights shown in colour in the block by block diagrams in 3.2 Block-by-Block Controls.<br>iii. The prominence of certain street corners should be reinforced by concentrating the tallest portion of the building on the corner, both the overall building height, and predominant street wall height (eg higher buildings on Maroubra Junction).<br>iv. The maximum allowable height on Anzac Parade is 7 storeys, unless otherwise specified in 3.2 Block-by-Block Controls.<br>v. The maximum allowable height on Maroubra Road is 6 storeys, unless otherwise specified in 3.2 Block-by-Block Controls.<br>vi. Maximum allowable building heights in metres [calculated as the distance measured vertically from ground level taken from each point on the boundary of the site to the underside of the ceiling of the topmost floor] are as follows:<br>▪ 1 storey 4.5m<br>▪ 2 storeys 9.0m<br>▪ 3 storeys 12.0m<br>▪ 4 storeys 15.0m<br>▪ 5 storeys 18.0m<br>▪ 6 storeys 21.0m<br>▪ 7 storeys 24.0m<br>▪ 8 storeys 26.7m<br>vii. For existing buildings shown as 9 storeys or more in 3.2: Block-by-Block Controls, any redevelopment of these sites will be limited to the current maximum height of the existing building on the site. | **Alternative Solution**<br><br>The proposal provides for a part 6, part 7 storey built form, mostly contained within the statutory height limit of 25m.<br><br>However, some minor elements associated with the rooftop communal open space of Block A, including the top of the stairwell, lift overrun and rooftop lobby exceed the 25m height plane to a maximum height of 27.5m.<br>Block B is wholly contained within the 25m height limit.<br>The proposed height variation associated with Block B is considered reasonable in this instance given the generous and appropriate ceiling heights for both the ground floor retail level and the residential levels above.<br>The height variation allows for enhanced amenity for residents by providing a high-quality communal rooftop terrace that outperforms the minimum ADG requirement and will receive abundant solar access. |
| **Building Depth** | | |
| • To ensure that the bulk of the | i. Maximum allowable depth of residential building envelopes is | **Complies** |

| Objectives | Control | Response |
|---|---|---|
| development is in scale with the existing and desired future context.<br>• To provide adequate amenity for building occupants in terms of sun access and natural ventilation.<br>• To provide for dual aspect apartments. | 22m (max 18m glass line to glass line), unless otherwise specified in 3.2 Block by Block Controls.<br>ii. Maximum allowable depth of commercial/retail building envelopes is 25m (max 23m glass line to glass line above the ground floor), unless otherwise specified in 3.2 Block by Block Controls. | The proposed building depth is beyond that contemplated by the DCP, however such depths are consistent with that permitted on neighbouring allotments to the west.<br><br>The building depth outcome on the subject site is considered reasonable given the corner location and 2 street frontages.<br><br>The proposed 2 built forms allow for the majority of units to have a dual aspect and reduce the visual bulk of the proposal.<br><br>Nevertheless, all units receive adequate amenity in regard to solar access and cross ventilation, with 75.4% of units receiving more than 2 hours solar access on June 21st and 64.6% of units being naturally cross-ventilated.<br><br>Therefore, the proposed building depths adequately meet the Building Depth objectives. |
| Building Separation- | | |
| • To ensure that the scale of new development is consistent with the desired character of the area as identified in this DCP (refer subsections 2 and 3).<br>• To provide visual and acoustic privacy for existing and new | i. Building separation is to increase in proportion to building height to ensure appropriate urban form, adequate amenity and privacy for building occupants. The following building separation requirements apply to all new development: | **Generally compliant with ADG**<br><br>The proposal generally complies with the separation distances specified in the ADG. However, due to the high density nature of the subject site and development along Maroubra Road, the building separation distances provided for |

<table>
<tr><th>Objectives</th><th>Control</th><th>Response</th></tr>
<tr><td>residents.<br>• To control overshadowing of adjacent properties and private and shared open space.<br>• To allow for the provision of usable open space between buildings.<br>• To provide deep soil zones for stormwater management and tree planting, where site conditions allow.</td><td><table><tr><th>Building Height</th><th>Building separation requirements</th></tr><tr><td>Up to 4 storeys/ 15 metres</td><td>- 12m between habitable rooms and balconies<br>- 9m between habitable rooms and balconies/non-habitable rooms<br>- 6m between non-habitable rooms</td></tr><tr><td>5 to 8 storeys/ 18-27 metres</td><td>- 18m between habitable rooms and balconies<br>- 13m between habitable rooms and balconies/non-habitable rooms<br>- 9m between non-habitable rooms</td></tr></table></td><td>in the ADG are not achievable.<br><br>Privacy has been achieved by orienting all balconies toward the street frontages or internally, as opposed west towards the adjoining residential development. South-facing balconies are also limited in size and number.<br>Privacy for internal-facing balconies has been achieved by not orienting balconies directly towards each other and the use of privacy screens.<br>It is considered that the building separation outcome is satisfactory for the subject site and won't result in any unreasonable amenity impacts.</td></tr>
<tr><td colspan="3">Articulation</td></tr>
<tr><td>• To promote articulated building facades that contribute to the character of the street.<br>• To provide active, continuous commercial retail frontages.<br>• To promote buildings with high quality amenity and usable private outdoor spaces.<br>• To ensure buildings respond to environmental conditions such as noise, sun, breezes, privacy and views.<br>• To promote integration of building and private open space.</td><td>i. All buildings are to be articulated to a minimum depth of 1m at the rear and the front, above any ground floor commercial/ retail.<br>ii. Balconies may extend beyond the maximum building envelope by a maximum of 600mm (to further encourage façade articulation), but must not extend beyond the property boundaries.</td><td>Complies<br>The proposed development provides articulation to the facades along Maroubra Road and Ferguson Street.<br>The proposal comprises of two separate building forms and both forms are articulated by way of:<br>• Recessed balconies<br>• Modulation of the façade<br>• Recessed upper levels<br>• Varying colours, materials and finishes<br>• Awnings over Maroubra Road and Ferguson Street commercial frontages<br>The proposal also achieves a continuous commercial frontage to both Maroubra Road and Ferguson Street.</td></tr>
</table>

| Objectives | Control | Response |
|---|---|---|
| **Street Setbacks** | | |
| • To establish the desired spatial proportions of the street and define the street edge.<br>• To create a clear threshold by providing a transition between public and private space.<br>• To assist in achieving visual privacy to apartments from the street.<br>• To create good quality entry spaces to lobbies, foyers or individual dwelling entrances.<br>• To allow an outlook to and surveillance of the street.<br>• To allow for street landscape character. | i. No setback is required from Anzac Parade and Maroubra Road, in order to maintain an urban street edge on the major streets, unless otherwise specified in 3.2 Block-by-Block controls.<br>ii. All development is to comply with the street setbacks outlined in 3.2 Block- by- Block controls. | **Complies**<br>The proposed development provides no setback to Maroubra Road which complies with the DCP (Block 9) requirement. A retail/commercial space is provided at the Maroubra Road and Ferguson Street level which allows activation of the street and opportunities for passive surveillance.<br>A 3m setback is provided to Ferguson Street which is also compliant with the Block 9 DCP controls. |
| **Side and Rear Setbacks** | | |
| Side Setbacks:<br>• To minimise the impact of development on light, air, sun, privacy, views and outlook for neighbouring properties, including future buildings.<br>• To retain or create a pattern of development that positively defines the streetscape so that the area between buildings is not just “left over” space.<br>Rear setbacks:<br>• To maintain deep soil zones to maximise natural site drainage and protect the water table. | i. All development must comply with the building separation requirements in 3.1.6; and the side and rear setback requirements in 3.2: Block-by-Block controls.<br>ii. Development fronting Anzac Parade and Maroubra Road may have a zero side setback unless otherwise specified in the Block-by-Block controls. | **Complies**<br>The proposal complies with the Block 9 DCP controls, as demonstrated in the next section. |

| Objectives | Control | Response |
|---|---|---|
| • To maximise the opportunity to retain and reinforce mature vegetation.<br>• To optimise the use of land at the rear and surveillance of the street at the front.<br>• To maximise building separation to provide visual and acoustic privacy. | | |
| Rights of Carriageway | | |
| • To facilitate vehicle access to properties fronting Anzac<br>• Parade and Maroubra Road whilst meeting the RMS requirements.<br>• To maximise pedestrian safety and maintain traffic flow. | i. Where Rights of Carriageway are required:<br>▪ They are to be a minimum of 6 metres wide. For larger developments, a carriage way width greater than 6 metres wide may be required.<br>▪ Applicants are to negotiate Rights of Carriageway with adjoining property owners.<br>▪ Evidence of adjoining property owners' agreement to a Right of Carriageway is to be submitted as part of the DA.<br>▪ If agreement cannot be reached, applicants are to submit evidence that an action under Section 88K of the Conveyancing Act 1919 has commenced in the Supreme Court.<br>ii. Doors and windows of habitable rooms are not to be located next to access ways. | **Complies**<br>A 6m rear right of carriageway is not identified as being required on the subject site.<br><br>Ferguson Street is identified as being subject to Council's road widening policy. The concept proposal has accounted for the widening of Ferguson Street. |
| **DESIGN CONTROLS** | | |
| **Site Design** | | |
| Deep Soil Zones | | |
| • To improve the amenity of developments through the retention mand planting of trees that are or will grow to a large or medium size.<br>• To assist with management of | i. As a minimum, deep soil zones are to be provided wherever indicated in the Block-by-Block Controls, and are to be considered for all development.<br>ii. Deep soil zones should accommodate existing mature trees, as well as allowing for the planting of trees/shrubs that will grow to be mature trees. | **Complies**<br>A 1.5m deep soil zone has been provided along a substantial section of the southern and western boundary which is in compliance with the Block 9 DCP controls. |

| Objectives | Control | Response |
|---|---|---|
| the water table.<br>• o assist with management of water quality. | iii. Deep soil zones are to have a pervious surface<br>iv. Deep soil zones are not to be built upon or have underground car parking areas underneath | |
| Fences and Walls | | |
| • To define the edges between public and private land.<br>• To define the boundaries between areas within the development having different functions or owners.<br>• To provide privacy and security.<br>• To contribute positively to the public domain. | i. Private and public domain are to be clearly defined by fences and walls which provide privacy and security whilst not eliminating views, outlook, light and air.<br>ii. Fences are to contribute to the amenity, beauty and useability of private and communal open spaces by incorporating design elements such as benches/seats, planter boxes, pergolas and trellises, barbeques, water features etc<br>iii. The amenity of the public domain is to be retained and enhanced by:<br>▪ avoiding the use of continuous blank walls at street level<br>▪ using planting to soften the edges of any raised terraces to the street, such as over sub-basement car parking, and reduce their apparent scale<br>iv. Fences are to be a maximum height of 1.2 metres. Variations may be permitted dependant upon the context, siting, safety, privacy and design of the building.<br>v. Fences and retaining walls are to be detailed on the DA plans and elevations accompanying the DA. | **Complies**<br>The public and private domain is clearly defined through the use of retail windows along Maroubra Road and Ferguson Street, whilst walls and fencing are provided on the southern and western boundary.<br>The retail entries off both street frontages will be clearly identifiable and 2 secure residential entries are provide from Ferguson Street. |
| Landscape Design | | |
| • To enhance the amenity, views and outlook within developments.<br>• To improve the microclimate and solar performance within the development.<br>• To create interest, variety and focal points.<br>• To improve stormwater quality and reduce the quantity of | i. Ensure that landscape design:<br>▪ relates to the street planting and the streetscape<br>▪ can be easily maintained<br>ii. Developments are to contribute to streetscape and public domain through landscaping which visually softens the bulk of large developments.<br>iii. Ensure amenity of private and communal open spaces by:<br>▪ providing shade from the sun and shelter from wind (via trees, landscaping, structures etc)<br>▪ providing accessible routes through the space and between buildings | **Complies**<br>A 1.5m landscape strip has been provided along the southern and western boundaries to act as a transition and buffer to the western units and the Ausgrid site to the south.<br>Soft landscaping has been provided in the communal walkways on Level 1, while both rooftop terraces will contain planting to provide shade.<br>The high-quality landscaped outcome on |

| Objectives | Control | Response |
|---|---|---|
| stormwater runoff.<br>• To improve urban air quality. | iv. Use landscape design to improve the energy and solar efficiency of apartments and the microclimate of open spaces by:<br>▪ using trees appropriately so as not to cast a shadow over solar collectors at any time of the year<br>▪ using varying heights of trees/shrubs to shade walls and windows where necessary<br>▪ locating pergolas on balconies and courtyards to create shaded areas in summer<br>v. Mulching and multi-storey planting is encouraged. | the subject site will improve amenity for residents as well as providing enjoyable communal settings. |
| Open Space | | |
| • To provide an area on site that enables soft landscaping and deep soil planting.<br>• To ensure that communal open space is consolidated and designed to be useable and attractive.<br>• To provide a pleasant outlook.<br>• To provide residents with passive and active recreational opportunities. | Communal Open Space<br>i. 25% of the total site area is to be communal open space.<br>ii. Communal open space is to:<br>▪ be located so that it forms a focus of the development and provides a landscape buffer between buildings<br>▪ provide a pleasant outlook<br>▪ be located so that solar access is maximised<br>▪ be consolidated into useable areas<br>▪ demonstrate that its size and dimensions allow for variety of uses, including active and passive recreation.<br>iii. Communal open space may be provided on a podium or roof(s).<br>iv. Communal open space design, is to provide shelter from wind.<br>v. Communal open space is to provide environmental benefits including habitat for native fauna, native vegetation and mature trees, and rainwater percolation.<br>vi. Ventilation duct outlets from basement car parks are to be carefully located.<br>vii. External areas for clothes drying, screened from the public domain, are to be provided. These should be located so they receive sunlight. | **Complies**<br>Communal open space has been provided in the form of 2 roof top terraces that will receive abundant solar access.<br>The proposal outperforms the DCP and ADG communal open space requirement by dedicating 46.5% of the subject site area to communal open space.<br><br>Passive communal open space is also provided at Level 01.<br><br>Landscaping is proposed in each communal open space area . |
| | Private Open Space | **Complies** |

| Objectives | Control | Response |
|---|---|---|
| | i. All dwellings are to have access to a private, useable, functional area of open space directly accessible from the main living area.<br>ii. Private open space of apartments at ground level, or similar space on a structure, (such as on a podium over a car park), is to have a minimum area of 25m2, and a minimum dimension in one direction of 4 metres. | Private open space has been provided for 100% of the units in the form of terraces on Level 01 and balconies on the levels above.<br>All private open space areas exceed the DCP and ADG minimum area requirements. |
| Planting on Structures | | |
| • To contribute to the quality and amenity of communal open space on roof tops, podiums and internal courtyards.<br>• To encourage the establishment and healthy growth of trees in the centre.<br>• To provide screening between private, communal and public spaces. | i. Plant growth is to be optimised by:<br>▪ providing soil depth, volume and area appropriate to the size of the plants selected,<br>▪ providing appropriate soil conditions and irrigation methods<br>▪ providing appropriate drainage.<br>ii. Planters are to be suitable for plant selection and achievement of maximum mature plant growth<br>iii. Planters are to accommodate the largest volume of soil possible [minimum soil depths will vary depending on the size of the plant - refer to iv. below]<br>iv. Minimum soil depths are to be increased in accordance with:<br>▪ the mix of plants in a planter for example where trees are planted in association with shrubs, groundcovers and grass<br>▪ the level of landscape management, including frequency of irrigation, anchorage requirements of large and medium trees, soil type and quality.<br>v. Minimum soil depths are to be provided as follows: | **Complies**<br>The proposed development provides for Level 01 and rooftop landscaping in appropriate planters of a size and depth as required by the ADG for planting on structures. |

<table>
<tr><th>Objectives</th><th>Control</th><th>Response</th></tr>
<tr><td></td><td>
<table>
<tr><th>Plant size</th><th>Minimum soil requirements</th></tr>
<tr><td>Large trees<br>(16 metre canopy diameter at maturity)</td><td>Volume - 150 cubic metres<br>Depth - 1.3 metres<br>Area - 10 x 10m (or equivalent)</td></tr>
<tr><td>Medium trees<br>(8 metre canopy diameter at maturity)</td><td>Volume - 35 cubic metres<br>Depth - 1 metre</td></tr>
<tr><td>Shrubs</td><td>Depth - 500-600mm</td></tr>
<tr><td>Ground Cover</td><td>Depth - 300-450mm</td></tr>
<tr><td>Turf</td><td>Depth - 100-300mm</td></tr>
</table>
</td><td></td></tr>
<tr><td colspan="3">SITE ACCESS</td></tr>
<tr><td colspan="3"><u>Parking</u></td></tr>
<tr><td>• To minimise car dependency for commuting and recreational transport use and to promote alternative means of transport public transport, bicycling, and walking.<br>• To provide adequate car parking for the building’s users and visitors.<br>• To integrate the location and design of car parking with the design of the site and the building.</td><td>i. Car parking provision is to be in accordance with Section B7: Transport, Traffic, Parking and Access.<br>ii. Parking is to be accommodated underground where possible.<br>iii. Basement and sub-basement car parking areas are not to be located on the primary street frontage as indicated in the section diagram (below right).<br>iv. Basement and sub-basement car parking areas are to have natural ventilation where possible.<br>v. Ventilation grilles or screening devices of car park openings are to be integrated into the overall façade and landscape design of the development.<br>vi. Safe and secure access is to be provided for building users, including direct access to residential apartments.<br>vii. A logical and efficient structural grid is to be provided. There may be a larger floor area for basement car parking than for upper floors above ground.<br>viii. Where above ground enclosed parking cannot be avoided, the car park (including vehicle entries) must be integrated</td><td>Complies<br>The proposed development provides for a total of 163 car spaces<br><br>The breakdown of proposed parking is as follows:<br><br>• 102 residential spaces (including 12 accessible)<br>• 17 commercial spaces<br>• 17 visitor spaces<br>• 42 bicycle spaces<br>• 5 motorbike spaces<br><br>In accordance with the Traffic Report prepared by Traffix, the DCP requires the development to provide a total of 109 spaces. In response, the provision of 163</td></tr>
</table>

| Objectives | Control | Response |
|---|---|---|
| | into the overall facade design of the building. The car park must not be located on the street frontage.<br>ix. Sub-basement car parking is to be not more than1.2m above existing ground level.<br>x. Podiums above basement or sub basement car parks are to be landscaped as private or communal open space.<br>xi. The impact of on-grade car parking is to be minimised by:<br>▪ locating parking on the side or rear of the lot away from street frontage<br>▪ screening cars from view of streets and buildings;<br>▪ allowing for safe and direct access to building entry points;<br>▪ incorporating car parking into the landscape design of the site (considerations include: vegetation between parking bays to ameliorate views, selection of paving material and screening from communal and private open space areas). | car spaces exceeds the DCP requirement, and allows for flexible use of the commercial areas for medical, restaurant or gym uses.<br><br>Appropriately, the high number of bicycle spaces is to encourage sustainable transport means within the Maroubra Junction Centre. The close proximity of the site to public transport is also reiterated.<br><br>Access to the basement parking from the southern side of Ferguson Street allows for a continuous retail frontage to Maroubra Road and Ferguson Street. |
| Pedestrian Access | | |
| • To promote development which is well connected to the street and contributes to the accessibility of the public domain.<br>• To ensure that residents, including users of strollers and wheelchairs and people with bicycles, are able to reach and enter their apartment and use communal areas via minimum grade ramps, paths, accessways or lifts. | i. High quality safe and accessible routes are to be provided to public and semi-public areas of the building and the site, including shopfronts, major entries, lobbies, communal open spaces, site facilities, parking areas, public streets and internal roads.<br>ii. Equity is to be promoted by:<br>▪ ensuring that the main building entrance for apartments is accessible for all from the street and from car parking areas.<br>▪ integrating ramps into the overall building and landscape design.<br>iii. Ground floor apartments are to be designed to be accessible from the street, where possible.<br>iv. The number of accessible and adaptable apartments in a building is to be maximised.<br>v. Pedestrian accessways and vehicle accessways are to be separate and clearly distinguishable.<br>vi. The provision of public through-site pedestrian accessways is | **Complies**<br>The proposed shop-top development incorporates 9 retail lots addressing two street frontages of the corner lot with access at ground level directly from the public footpath adjacent to Maroubra Road and Ferguson Street.<br><br>Pedestrian access to the upper level residential units is clearly located at two points on the Ferguson Street frontage.<br><br>Dedicated residential lifts are located in the basement levels 2 and 3 where residential parking is located, whilst the basement level 1 containing commercial and visitor parking has a dedicated lift to the ground level. |

| Objectives | Control | Response |
|---|---|---|
| | to be considered in large development sites.<br>vii. Pedestrian access from the street and car parking area to the apartment entrance, are to be clearly identified on the DA plans.<br>viii. The accessibility standard set out in Australian Standard AS 1428 (parts 1 and 2), is to be followed as a minimum.<br>ix. Barrier-free access is to be provided to and within at least 1 in 15 dwellings in all development. | |
| Vehicle Access | | |
| • To integrate adequate car parking and servicing access without compromising street character, landscape or pedestrian amenity and safety.<br>• To encourage the active use of street frontages. | i. Vehicular access is not permitted from Anzac Parade or Maroubra Road for new developments. Vehicular access to sites fronting these roads is to be provided from secondary streets or via 6m (minimum) wide rights-of-carriageways running parallel to their rear boundaries, where identified on the block-by-block diagrams.<br>ii. Basement carpark access must comply with the requirements of B8: Water Management.<br>iii. Potential pedestrian/vehicle conflict is to be minimised by:<br>▪ limiting the width and number of vehicle access points (whilst complying with the relevant Australian Standards)<br>▪ ensuring clear sight lines at pedestrian and vehicle crossings<br>▪ utilising traffic calming devices<br>▪ separating and clearly distinguishing between pedestrian and vehicular accessways.<br>iv. Adequate separation distances are required between vehicular entries and street intersections.<br>v. Active street frontages are to be optimised by consolidating vehicle access within sites under single body corporate ownership.<br>vi. The appearance of car parking and service vehicle entries are to be improved by:<br>▪ screening and locating garbage collection, loading and servicing areas away from the street ecessing car park entries from the main façade line; | **Complies**<br>Vehicle access is not provided from Maroubra Road and is provided from the site's secondary frontage of Ferguson Street at the southern side of frontage, thereby maximising the retail frontage to Ferguson Street and avoiding conflict with pedestrian entries. |

| Objectives | Control | Response |
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| | ▪ avoiding black holes in the façade by providing security doors to car park entries;<br>▪ where doors are not provided, ensuring that the visible interior of the car park is incorporated into the façade design and material selection and that building services pipes and ducts are concealed;<br>▪ continuing the façade material into the car park entry recess for the extent visible from the street.<br>vii. The width of driveways is to comply with the relevant Australian Standards. | |
| **SITE AMENITY** | | |
| Building Entry | | |
| • To create entrances which are clearly identifiable and provide a desirable residential identity for the development.<br>• To orient the visitor.<br>• To contribute positively to the streetscape and building façade design. | i. Building entries are to be:<br>▪ oriented to, and clearly visible from the street<br>▪ convenient for pedestrians; and<br>▪ a clearly identifiable element of the building in the street.<br>ii. Building entries must be designed to provide equal access to all people.<br>iii. Safe and secure access is to be provided by:<br>▪ avoiding ambiguous spaces in entry areas;<br>▪ providing a clear line of sight between one circulation space and the next;<br>▪ providing sheltered, well lit and highly visible spaces for building entry and for the collection of mail.<br>iv. Separate entries from the street are to be provided for:<br>▪ pedestrians and cars;<br>▪ different uses (for example, for residential and commercial users in a mixed-use development);<br>▪ ground floor apartments.<br>v. Entries, lifts and their associated circulation space are to be of an adequate size to allow movement of furniture between public and private spaces. | **Complies**<br>The proposed shop top development provides for 9 retail lots at the street level and this ensures the multiple entries to each of the individual shops is easy, safe and secure for all people.<br>The proposed awnings are designed to provide legible entries to the two pedestrian lobbies. |
| Visual Privacy | | |
| • To provide reasonable levels | i. New development is to be located and oriented to maximise | **Complies** |

| Objectives | Control | Response |
|---|---|---|
| of visual privacy externally and internally, during the day and at night.<br>• To maximise outlook and views from principal rooms and private open spaces without compromising visual privacy. | visual privacy between buildings on site and adjacent buildings by providing adequate:<br>▪ building separation (refer to 3.1.6); and<br>▪ rear and site setbacks (refer to 3.1.8 and 3.1.9)<br>ii. Building layouts are to be designed such that direct overlooking of rooms and private open spaces is minimised in apartments by: - separating communal open space, common areas and access routes from windows of rooms, particularly habitable rooms;<br>▪ changing the level between ground floor apartments (including their associated private open space), and the public domain or communal open space.<br>iii. Building and site design are to increase privacy without compromising access to light and air through:<br>▪ offsetting windows of apartments in new development to windows in adjacent development;<br>▪ recessing balconies and/or providing vertical fins between adjacent balconies;<br>▪ using solid or semi-solid balustrades to balconies;<br>▪ using louvres or screen panels to windows and/or balconies;<br>▪ providing appropriate fencing;<br>▪ providing landscape screening;<br>▪ incorporating planter boxes into walls or balustrades to increase the visual separation between areas;<br>▪ utilising pergolas or shading devices to limit overlooking of lower apartments or private open space. | The balconies in all apartments respond to the surrounding developments appropriately with regards to visual privacy by orientating the majority of balconies toward the street frontages. Internal balconies between the two built forms have been oriented to avoid direct overlooking into other units.<br><br>The use of privacy screens and recessed balconies further minimises privacy impacts.<br><br>The nil setback and blank wall of the western neighbour will be matched by a nil setback and blank wall of the proposed development. |
| Safety and Security | | |
| • To ensure that residential flat developments are safe and secure for residents and visitors.<br>• To contribute to the safety of the public domain. | i. The development boundary should clearly define public and private space through one or more of the following:<br>▪ a level change at the site and/or building threshold<br>▪ signs<br>▪ entry awnings<br>▪ fences, walls and gates<br>▪ change of material in paving between the street and | **Complies**<br><br>The proposed development is provided with secure pedestrian access to the lobbies off Ferguson Street. Secure access is also provided within the lifts and to the basement car parking area. All |

| Objectives | Control | Response |
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| | the development.<br>ii. Casual surveillance opportunities should be provided by:<br>▪ orienting living areas with views over public or communal<br>▪ open spaces<br>▪ providing clear lines of sight between building entrances, foyers and the street<br>▪ using bay windows and balconies, which protrude beyond<br>▪ the building line and enable a wider angle of vision to the street<br>▪ using corner windows, which provide oblique views of the street<br>▪ providing casual views of common internal areas, such as lobbies and foyers, hallways, recreation areas and car parks.<br>iii. Opportunities for concealment are to be minimised by:<br>▪ avoiding blind or dark alcoves near lifts and stairwells, at the<br>▪ entrance and within indoor car parks, along corridors and walkways<br>▪ providing well-lit routes throughout the development<br>▪ providing appropriate levels of illumination for all common areas<br>▪ providing graded illumination to car parks and illuminating entrances higher than the minimum acceptable standard.<br>iv. Access to the development is to be controlled by:<br>▪ making apartments inaccessible from the balconies, roofs and windows of neighbouring buildings<br>▪ separating the residential car parking component from any other building use<br>▪ providing direct access from car parks to apartment lobbies for residents<br>▪ providing separate access for residents in mixed use buildings<br>▪ controlling car park access from public and common | north and east facing balconies, as well as ground floor commercial space, provide opportunities for passive surveillance over Maroubra Road and Ferguson Street. |

| Objectives | Control | Response |
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| | areas.<br>v. A formal crime risk assessment, consistent with the Crime Prevention and the Assessment of DAs guidelines, is to be carried out for all residential developments of 20 or more new dwellings. | |
| **BUILDING CONFIGURATION** | | |
| Apartment Layout | | |
| • To ensure that apartment layouts are efficient and provide high standards of residential amenity.<br>• To maximise the environmental performance of apartments. | i. The following minimum sizes (internal area) of apartments are to be complied with:<br>Apartment size and Minimum area;<br>▪ - studio apartment 40m2<br>▪ - 1 bedroom apartment 50m2<br>▪ - 2 bedroom apartment 80m2<br>▪ - 3 bedroom apartment 125m2<br>For each additional bedroom above 3 bedrooms, an additional 20m2 is required.<br>ii. Single-aspect apartments are to have a maximum depth of 8 metres.<br>iii. The back of a kitchen should be no more than eight metres from a window.<br>iv. The width of cross-over or cross-through apartments over 15 metres deep is to be 4 metres or greater to avoid deep narrow apartment layouts.<br>v. Apartment layouts must be designed to<br>▪ provide appropriate room size for their use<br>▪ accommodate a variety of furniture arrangements<br>▪ provide for a range of activities and privacy levels between different spaces within the apartment<br>▪ incorporate flexible room sizes and proportions or open plans<br>▪ provide adequate window locations and sizes appropriate for their use<br>▪ ensure circulation by stairs, corridors and through rooms is planned as efficiently as possible thereby increasing the amount of floor space in rooms.<br>vi. Apartment layouts are to be designed to respond to the | **Complies**<br><br>All residential apartments meet the minimum size and dimensions for 1 and 2 bedroom apartments as required by the ADG.<br><br>All single-aspect apartments have a maximum depth of 8m.<br><br>All units are provided with private open spaces in the form of Level 1 terraces and balconies for the units above. All private open space areas are located off the main living area of each apartment. |

| Objectives | Control | Response |
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| | natural environment and optimise site opportunities by:<br>▪ locating the primary private open space (eg. balcony, terrace, courtyard or garden) adjacent to the main living area<br>▪ orienting main living spaces toward the primary outlook and aspect and away from neighbouring noise sources or windows<br>▪ locating habitable rooms, and where possible kitchens and bathrooms, on the external face of the buildings thereby maximising the number of rooms with windows<br>▪ maximising opportunities to facilitate natural ventilation and to maximise natural daylight, for example by providing:<br>▪ corner apartments<br>▪ cross-over or cross-through apartments<br>▪ split-level or maisonette apartments<br>▪ shallow, single-aspect apartments | |
| Apartment Mix | | |
| • To provide a diversity of apartments types, which cater for different household requirements now and in the future.<br>• To maintain equitable access to new housing by cultural and socio-economic groups. | i. A mix of studio, one, two, and three or more bedroom apartments is to be provided.<br>ii. The number of accessible and adaptable apartments is to be optimised to cater for a wider range of occupants.<br>iii. The possibility of flexible apartment configurations is to be investigated, which supports change in the future. | **Complies with objectives**<br>The residential component of the proposed mixed use development is made up of a mix of 1 bedroom and 2 bedroom apartments.<br><br>25 x 1 bedroom units are proposed whilst 40 x 2 bedroom units are proposed.<br><br>It is considered that the proposed unit mix is suited to a wide range of occupants. Furthermore, 13 of the units are adaptable units which cater for occupants who seek adaptability opportunities.<br><br>The proposed unit mix is consistent with developments already approved in the |

| Objectives | Control | Response |
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| | | Maroubra Junction Town Centre and reflects market demands. |
| Balconies | | |
| • To provide all apartments with private open space.<br>• To ensure balconies are functional, responsive to the environment, and promote outdoor living for apartment residents.<br>• To ensure that balconies are integrated into the overall architectural form and detail of residential flat buildings.<br>• To contribute to the safety and liveliness of the street by allowing for casual overlooking and address. | i. Each apartment is to have at least one primary balcony.<br>ii. Primary balconies are to have a minimum depth of 2.5 metres) The minimum area of primary balconies is to be as follows:<br>Apartment type Min area of primary balcony<br>▪ Studio and 1 bedroom<br>▪ 2 and 3 bedrooms<br>▪ 4 or more bedrooms<br>▪ 6m2<br>▪ 10m2<br>▪ 15m2<br>iii. iv) Primary balconies are to be:<br>▪ located adjacent to the main living areas (such as living room, dining room, kitchen) to extend the living space; and sufficiently large and well proportioned to be functional and promote indoor/ outdoor living (a dining table and two to four chairs should fit on the majority of balconies in any<br>▪ development. Consideration should be given to supplying a tap and gas point).<br>iv. Additional amenity and choice is to be provided in the following situations, via secondary balconies (including Juliet balconies or operable walls with balustrades):<br>▪ in larger apartments<br>▪ adjacent to bedrooms.<br>v. Balconies are to be detailed and designed in response to the local climate and site context. This may be achieved by:<br>▪ locating balconies facing predominantly north, east or west to provide solar access<br>▪ utilising sun screens, pergolas, shutters and operable walls to control sunlight and wind<br>▪ providing balconies with moveable screens, Juliet | **Complies**<br>Each apartment has access to at least one private open space in the form of Level 01 terraces or upper level balconies.<br>All private open space areas exceed the minimum dimensions required by the ADG.<br>All primary balconies are located off each apartment's main living area.<br><br>Some balconies feature privacy screens to avoid overlooking or privacy impacts on neighbouring apartments. |

<table>
<tr><th>Objectives</th><th>Control</th><th>Response</th></tr>
<tr><td></td><td>balconies or sliding doors with a balustrade in locations where noise or high winds prohibit other solutions (such as on busy roads or in tower buildings);<br>▪ the use of cantilevered, partially cantilevered and/or recessed balconies in response to daylight, wind, acoustic privacy and visual privacy<br>▪ ensuring that balconies do not prevent sunlight entering apartments adjacent or below.<br>vi. Balustrades are to be designed 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 privacy, sight lines from the street, public domain or adjacent development (note: full glass balustrades do not provide privacy for the balcony or apartment interior, especially at night and are to be avoided).</td><td></td></tr>
<tr><td colspan="3">Ceiling Heights</td></tr>
<tr><td>• To increase the sense of space in apartments and provide well proportioned rooms.<br>• To promote the penetration of daylight into the depths of the apartment.<br>• To contribute to flexibility of use.<br>• To achieve quality interior spaces while considering the external building form requirements.</td><td>i. All development must comply with the following minimum floor to ceiling levels:<br><table><tr><th>Floor</th><th>Minimum Ceiling Height</th></tr><tr><td>Ground</td><td>3.6m</td></tr><tr><td>First floor</td><td>3.3m *</td></tr><tr><td>All floors above first floor</td><td>2.7m</td></tr><tr><td colspan="2">* to allow flexibility for this floor to be commercial/retail or residential</td></tr></table>ii. Ceilings are to:<br>▪ enable better proportioned rooms (for example, smaller rooms often feel larger and more spacious when ceilings are higher)<br>▪ maximise heights in habitable rooms by stacking wet areas from floor to floor (ensuring that services and their bulkheads are located above bathroom and storage areas rather than habitable spaces)<br>▪ reduce reliance on air conditioning by promoting the use of ceiling fans for cooling and heating</td><td>Complies<br>The proposed development achieves the required ceiling heights specified in the ADG and meets the intent of the Ceiling Height objectives of the DCP.<br><br>In this regard, the DCP requires a minimum 3.3m ceiling height at ground level and 2.7m ceiling heights for residential floor above.<br><br>The proposal provides for 4m floor to ceiling heights at ground floor, 3.3m at first floor and 2.7m floor to ceiling heights for all residential floors above.<br><br>Such heights provide compliance with the intent of the objectives in that the height</td></tr>
</table>

| Objectives | Control | Response |
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| | distribution.<br>iii. Better access to natural light is to be facilitated by using ceiling heights which<br>▪ promote the use of taller windows, highlight windows and<br>▪ fan lights (this is particularly important for apartments with<br>▪ limited light access, such as ground floor units and<br>▪ apartments with deep floor plans)<br>▪ enhance the effectiveness of light shelves in providing daylight into deep interiors.<br>iv. Ceiling heights are to be designed to promote building flexibility over time for a range of other uses, including retail or commercial, where appropriate.<br>v. Double height spaces with mezzanines are to be counted as two storeys. | allows appropriate space for the penetration of daylight into apartments, provides adequate height for creating a well-proportioned sense of space, and contributes to flexibility of use, particularly for the ground floor commercial units. |
| Corner Buildings | | |
| • To ensure that corner buildings, are well designed and respond to the different characteristics of the streets they address. | i. Buildings are to align and reflect the corner conditions. This is to:<br>▪ accentuate the topography<br>▪ clarify the street hierarchy; and<br>▪ reinforce the spatial relationships.<br>ii. Corner buildings are to reflect the architecture, hierarchy and characteristics of the streets they address. | **Complies**<br><br>The proposed development reflects the hierarchy and characteristics of both street frontages by siting the 7-storey block fronting Maroubra Road and the 6-storey block fronting Ferguson Street.<br><br>The proposed scale of the development reinforces the corner allotment. |
| Flexibility | | |
| • To encourage housing designs which meet a broad range of needs.<br>• To promote buildings which can be adapted to accommodate whole or partial changes of use over time.<br>• To encourage adaptive re- | i. Building configurations are to utilise multiple entries and circulation cores, especially in larger buildings over 15 metres in length.<br>ii. Buildings are to be designed to accommodate future change in building use or configuration by incorporating:<br>▪ slim building cross sections (suitable for both residential and commercial uses a mix of apartment types; | **Complies**<br><br>The proposed development provides a range of unit types and a range of sizes within these types, which allows the rooms to be redesigned in the future, if required. |

| Objectives | Control | Response |
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| use.<br>• To save the embodied energy expended in building demolition. | ▪ separate entries for the ground floor level and the upper levels;- aligning structural walls, columns and services cores throughout the building<br>▪ knock-out panels between apartments to allow two adjacent apartments to be amalgamated; and<br>▪ minimising internal structural walls.<br>iii. Apartment layouts are to be designed to accommodate flexibility in room use through:<br>▪ adequate room sizes or open-plan apartments, which provide a variety of furniture layout opportunities<br>▪ dual master-bedroom apartments, which can support two independent adults living together or a live/work situation<br>▪ incorporate flexible room sizes.<br>iv. A minimum of 10% of all ground floor apartments are to comply with AS4299-1995 Adaptable House Class A.<br>v. A minimum of 10% of all ground floor apartments are to comply with AS4299-1995 Adaptable House Class C.<br>vi. All commercial/retail components of mixed use buildings are to comply with Australian Standards AS1428-2001. | |
| Internal Circulation | | |
| • To create safe and pleasant spaces for the circulation of people and their personal possessions.<br>• To facilitate quality apartment layouts, such as dual aspect apartments.<br>• To contribute positively to the form and articulation of the building façade and its relationship to the urban environment.<br>• To encourage interaction and recognition between residents to contribute to a sense of | i. Optimise safety and security by grouping apartments to a maximum of ten (10) around a common lobby. Council may consider a variation in the maximum number of apartments per floor where the Applicant can demonstrate that a high level of amenity of the common lobby, corridors and apartments is achieved (for example through light wells).<br>ii. Where apartments are arranged off a double-loaded corridor, the number of units accessible from a single core/corridor is to be limited to eight.<br>iii. Amenity and safety in circulation spaces is to be increased by:<br>▪ providing generous corridor widths and ceiling heights, particularly in lobbies, outside lifts and apartment entry doors<br>▪ providing appropriate levels of lighting, including the | **Complies**<br><br>A total of 7 units for Block A and 6 units for Block B are proposed around their respective lobbies.<br><br>The generous lobby width of almost 2m is also provided with clear sight lines and no tight corners through within the internal circulation space.<br><br>1 lift is provided for each Block to residential floors. |

| Objectives | Control | Response |
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| community and improve perceptions of safety. | use of natural daylight, where possible<br>▪ minimising corridor lengths to give short, clear sight lines<br>▪ avoiding tight corners<br>▪ providing adequate ventilation.<br>iv. Building layouts are to utilise multiple cores to<br>▪ increase the number of entries along a street<br>▪ increase the number of vertical circulation points<br>▪ give more articulation to the façade<br>▪ limit the number of units off a circulation core on a single level.<br>v. Longer corridors are to be articulated by<br>▪ changing the direction or width of a corridor<br>▪ utilising a series of foyer areas<br>▪ providing windows along or at the end of a corridor.<br>vi. Durable, low maintenance materials are to be used in common circulation areas. Details of proposed materials are to be provided on DA plans and in the Statement of Environmental Effects. | |
| Storage | | |
| • To provide adequate storage for everyday household items within easy access of the apartment.<br>• To provide storage for sporting, leisure, fitness and hobby equipment. | i. Storage is to be located conveniently for apartments.<br>ii. At least 50% of the required storage within each apartment is to be accessible from either the hall or living area. Storage within apartments is best provided as cupboards accessible from entries and hallways and/or from under internal stairs.<br>iii. Dedicated storage rooms may be provided on each floor within the development, which can be leased by residents as required.<br>iv. Storage can be provided in dedicated and/or leasible storage in internal or basement car parks. Where this is provided, it must be contained in fire-safe compartments and must comply with fire regulations.<br>v. Storage is to be provided to accommodate larger items such as surfing and skiing equipment, bicycles, etc.<br>vi. Storage which is provided separate from the apartments is to be safe and secure for individual use. | **Complies**<br><br>The proposed development complies with the ADG requirement for storage. |

<table>
<tr><th>Objectives</th><th>Control</th><th>Response</th></tr>
<tr><td></td><td>vii. Where basement storage is provided, it must not compromise natural ventilation in car parks.<br>viii. Additional storage may be provided in smaller apartments in the form of built-in cupboards to promote a more efficient use of small spaces. Details are to be shown on DA plans.<br>ix. In addition to kitchen cupboards and bedroom wardrobes, accessible storage facilities are to be provided at the following rates as a minimum requirement
<table>
<tr><th>Apartment Size</th><th>Accessible storage</th></tr>
<tr><td>Studio apartments</td><td>6m3</td></tr>
<tr><td>One-bedroom apartments</td><td>8m3</td></tr>
<tr><td>Two bedroom apartments</td><td>10m3</td></tr>
<tr><td>Three plus bedroom apartments</td><td>12m3</td></tr>
</table>
x. Storage spaces are to have a minimum height of 1.5m.</td><td></td></tr>
<tr><td colspan="3">Acoustic Privacy</td></tr>
<tr><td>• To ensure a high level of amenity by protecting the privacy of occupants of residential flat buildings, both within the apartments and in private open spaces.</td><td>i. All residential buildings are to be constructed so as to achieve the following internal acoustic amenity criteria, when tested in accordance with Australian Standard AS2107: 2000;<br>▪ In naturally ventilated residential units; the repeatable maximum LAeq (1hour) should not exceed:<br>▪ 35 dB(A) between 10.00 pm and 7.00 am in sleeping areas when the windows are closed;<br>▪ 45 dB(A) in sleeping areas when windows are open (24 hours);<br>▪ 5 dB(A) in living areas (24 hours) when the windows are closed, and<br>▪ 55 dB(A) in living areas (24 hours) when the windows are open<br>ii. Where natural ventilation cannot be achieved, in residential units provided with mechanical ventilation, air conditioning or other complying means of ventilation (in accordance with the ventilation requirements of the Building Code Of Australia) when doors and windows are shut, the repeatable maximum</td><td>Complies<br>Please refer to the Acoustic Report prepared by Acoustic Logic which provides discussion of the necessary acoustic treatments to achieve the necessary acoustic guidelines.</td></tr>
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| Objectives | Control | Response |
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| | LAeq (1hour) should not exceed:<br>▪ 38 dB(A) between 10.00 pm and 7.00 am in sleeping areas;<br>▪ 46 dB(A) in living areas (24 hours);<br>▪ 45 dB(A) in sleeping areas between 7.00 am and 10.00 pm<br>iii. A noise and vibration assessment report, prepared by an appropriately qualified professional, is to be submitted with DAs, addressing appropriate measures to minimise potential noise and vibration impacts for any proposed development. This assessment is to:<br>▪ be prepared having regard to the NSW Environmental Protection Authority's Industrial Noise Policy, Chapter 174 of the NSW Environmental Protection Authority's Noise Control Manual and relevant Australian Standards;<br>▪ incorporate external noise sources (such as traffic, plant & equipment) and internal noise sources (such as mechanical ventilation);<br>▪ specify if the findings and recommendations can be achieved and detail the measures needed to achieve the required acoustic environment.<br>iv. The site and building layout are to maximise acoustic privacy by providing adequate building separation within the development and from neighbouring buildings (refer 3.1.6: Building Separation).<br>v. Developments are to be designed to minimise noise transition between apartments by:<br>▪ locating busy, noisy areas next to each other and quieter areas next to other quiet areas, for example, living rooms next to living rooms, bedrooms with bedrooms<br>▪ locating bedrooms away from busy roads and other noise sources<br>▪ using storage or circulation zones within the apartment to buffer noise from adjacent apartments, mechanical services or corridors and lobby areas | |

| Objectives | Control | Response |
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| | ▪ minimising the amount of party (shared) walls with other apartments.<br>vi. Noise transmission is to be reduced from common corridors or outside the building by providing seals at entry doors.<br>vii. Conflicts between noise, outlook and views are to be resolved using design measures such as double glazing and operable screening.<br>viii. Comply with BCA requirements for acoustic control of airborne noise and impact of noise between apartments. | |
| Daylight Access | | |
| • To ensure that daylight access is provided to all habitable rooms and encouraged in all other areas of residential flat development.<br>• To provide adequate ambient lighting and minimise the need for artificial lighting during daylight hours.<br>• To provide residents with the ability to adjust the quantity of daylight to suit their needs. | Guidelines<br>i. The building configuration is to optimise northern aspect to new residential apartments where possible.<br>ii. Communal open spaces are to receive sunlight between March and September and appropriate shading is to be provided in summer.<br>iii. Habitable rooms and private open spaces are to be designed to maximise daylight access, particularly in winter.<br>iv. Living rooms and private open spaces for at least 70 percent of apartments in a development are to receive a minimum of three hours direct sunlight between 9 am and 3 pm in mid winter, unless existing overshadowing prevents this.<br>v. Skylights, clerestory windows and fanlights are to be used to supplement daylight access.<br>vi. Where daylight access is limited (eg due to orientation or adjoining development), two-storey and mezzanine apartments are encouraged to facilitate daylight access to living rooms and private open spaces.<br>vii. The depth of single aspect apartments is to be limited to 8 metres.<br>viii. Living areas are to be located on the northern side, and service areas located on the southern and western sides of the development, as much as possible.<br>ix. Single storey-single aspect apartments are to have a | **Complies**<br><br>The proposal has been designed so that all apartments will receive daylight access.<br><br>The proposed development has responded effectively to the northern and eastern outlook. |

| Objectives | Control | Response |
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| | northerly or north-easterly aspect.<br>x. The number of south-facing apartments is to be kept to a minimum. Single aspect apartments are not to be oriented to Anzac Parade or Maroubra Road.<br>xi. Buildings are to be designed for shading and glare control, particularly in summer, by<br>• using shading devices, such as eaves, awnings, colonnades, balconies, pergolas, external louvres and planting, particularly for north and western facing windows<br>• using high performance glass (note: the use of reflective glass is not permitted).<br>xii. Lightwells should not be used as a primary source of daylight to habitable rooms.<br>xiii. Submit shadow diagrams in elevation and plan form prepared by a suitably qualified professional with each DA. Refer to Council's DA guide for details. | |
| Natural Ventilation | | |
| • To ensure that apartments are designed to provide all habitable rooms with direct access to fresh air and to assist in promoting thermal comfort for occupants.<br>• To provide natural ventilation in non-habitable rooms, where possible.<br>• To reduce energy consumption by minimising the use of mechanical ventilation, particularly air conditioning. | i. Ensure that all apartments are single loaded or dual aspect, to allow the direct flow of air from one side of the apartment to the other.<br>ii. Development is to utilise natural breezes by<br>▪ determining prevailing breezes and orienting buildings to maximise use, where possible<br>▪ locating vegetation to direct breezes and cool air as it flows across the site; and<br>▪ selecting planting or trees that do not inhibit airflow.<br>iii. Building layout is to maximise the potential for natural ventilation through<br>▪ dual aspect apartments (eg cross through apartments and corner apartments), which allow cross ventilation<br>▪ apartment design which draws cool air in at lower | **Complies**<br>As discussed in the accompanying Sepp 65 Amenity Compliance Report prepared by Steve king, 64.6% of apartments are naturally cross ventilated, which outperforms the requirements of the ADG.<br><br>The corner site location and the 2 built forms allow for the majority of units to have a dual aspect, facilitating cross ventilation opportunities. |

| Objectives | Control | Response |
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| | levels and allow warm air to escape at higher levels (eg maisonette apartments and two-storey apartments).<br>iv. The internal layout of apartments is to be designed to promote natural ventilation by:<br>▪ minimising interruptions (such as corners and walls) to air flow through an apartment<br>▪ grouping rooms with similar usage together, for example, keeping living spaces together and sleeping spaces together (allowing the apartment to be compartmentalised for efficient summer cooling or winter heating).<br>v. Doors and operable windows are to maximise natural ventilation by:<br>▪ locating small windows on the windward side and larger windows on the leeward side of the building (utilising air pressure to draw air through the apartment) using higher level casement or sash windows, clerestory windows or operable fanlight windows (including above internal doors) to facilitate convective currents. This is particularly important in apartments with only one aspect; and<br>▪ selecting windows which can be reconfigured to funnel breezes into the apartment, such as vertical louvred and casement windows.<br>vi. Innovative technologies to naturally ventilate internal building areas or rooms such as bathrooms, laundries and underground car parks (eg using stack-effect ventilation or solar chimneys), are to be explored.<br>vii. Council may consider some double-loaded apartments only if specific site conditions create design difficulties and the applicant can provide appropriate verification/evidence (from suitably qualified professional) that innovative technologies will be employed to achieve natural ventilation. | |

| Objectives | Control | Response |
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| **BUILDING FORM** | | |
| Awnings and Signs | | |
| • To provide shelter for public streets.<br>• To ensure signs are in keeping with desired streetscape character and with development scale, detail and overall design. | **Awnings**<br>i. Awnings are to:<br>▪ complement the height, depth and form of the desired character or existing pattern of awnings, and<br>▪ provide sufficient protection from sun and rain.<br>ii. New awnings are to follow the general alignment of existing awnings in the street and there must be a minimum clearance of 3.5m between the footpath and the underside of the awning.<br>iii. Awnings must have a minimum setback of 600mm from the kerb.<br>iv. Continuous awnings are to be provided in busy pedestrian areas.<br>v. Awnings are to be located over building entries and should help identify the entry point.<br>vi. Pedestrian safety is to be enhanced by providing under awning lighting. | **Complies**<br>Awnings are proposed along the Maroubra Road and Ferguson Street frontages.<br><br>Awnings are a consistent form of development in the Maroubra Junction Town Centre and the proposed awnings will follow the alignment of the existing awnings along the street.<br><br>Awnings are located over the pedestrian entries and public footpaths along Maroubra Road and Ferguson Street.<br><br>The awnings are proposed in a sculptured manner which allows for legible entries and contributes to the attractive nature of the design. |
| | **Signs**<br>i. Signs are to be integrated with the design of the development by responding to scale, proportions and architectural detailing.<br>ii. Location and space for future signs is to be detailed on DA plans and elevations.<br>iii. Signs are to provide clear direction for residents and visitors.<br>iv. Signs on blinds are not permitted.<br>v. All signs are to comply with State Environmental Planning Policy No 64 - Advertising and Signage and Part F2 Outdoor Advertising and Signage. | **Not applicable**<br>No signs are proposed with this development application. |
| Facades and Articulation | | |
| • To promote high architectural quality in buildings. | i. A satisfactory relationship between the building form and the façade, including building elements, is to be established. | **Complies**<br>The proposed development provides |

| Objectives | Control | Response |
|---|---|---|
| • To ensure that new developments define and enhance the public domain and desired street character.<br>• To ensure that building elements are integrated into the overall building form and façade design. | ii. Facades are to have an appropriate scale and proportion, which respond to building use and desired character by:<br>▪ defining a base, middle and top related to the overall proportion of the building<br>▪ emphasising the vertical elements<br>▪ using cornices, a change in materials or building setback to articulate the façade<br>▪ expressing the variation in floor to floor height, particularly at the lower levels<br>▪ articulating building entries with awnings, porticos, recesses, blade walls and projecting bays<br>▪ use of balcony types which respond to the street context, building orientation and residential amenity and to add visual depth to the façade<br>▪ using a variety of window types to differentiate building uses<br>▪ incorporating architectural features which give human scale to the design of the building at street level (such as porches, awnings, colonnades, pergolas and fences).<br>iii. Important corners are to be expressed by giving visual prominence to parts of the façade (eg a change in building articulation, material or colour, roof expression or increased height).<br>iv. Building services such as drainage pipes are to be coordinated and integrated, with the overall façade and balcony design.<br>v. Security grilles/screens, ventilation louvres and car park entry doors are to be coordinated with the overall façade design. Grilles and transparent security shutters are to have a minimum of 70% transparency. Solid shutters, screens or grilles are not permitted. | articulation to the facades along Maroubra Road and Ferguson Street.<br>The proposal comprises of two separate building forms and both forms are articulated by way of:<br>• Recessed balconies<br>• Modulation of the façade<br>• Recessed upper levels<br>• Varying colours, materials and finishes<br>• Awnings over Maroubra Road and Ferguson Street commercial frontages<br>The proposal also achieves a continuous commercial frontage to both Maroubra Road and Ferguson Street. |
| Roof Design | | |
| • To provide quality roof designs, which contribute to the overall design and | i. Roof design is to be related to the desired built form. Design solutions include articulating the roof, or breaking down its massing on large buildings, to minimise the apparent bulk or | **Complies**<br><br>The roof design provides for communal |

| Objectives | Control | Response |
|---|---|---|
| performance of mixed use and residential flat buildings.<br>• To integrate the design of the roof into the overall facade and composition of the building. | to relate to a context of smaller building forms.<br>ii. The roof design, including any parapet, is to relate to the size and scale of the building, the building elevations and 3D building form.<br>iii. Roofs, particularly on large buildings, are to be articulated to minimise apparent bulk.<br>iv. Roof design is to respond to the orientation of the site, for example, by using eaves and skillion roofs to respond to sun access.<br>v. Roof design is to relate to the scale of the proposed development. 'Domestic' roof forms may not be appropriate on larger buildings.<br>vi. Service elements (such as lift over-runs, service plants, telecommunications infrastructure, satellite dishes, and vent stacks) are to be incorporated into roof design to minimise visual impact.<br>vii. Where roofs are used for open space, structures to provide shade and shelter from wind are to be incorporated into the design.<br>viii. The use of the roof for sustainable functions is to be facilitated by:<br>▪ allowing rainwater tanks for water conservation<br>▪ orienting surfaces so they are suitable for photovoltaic panels/cells<br>▪ allowing for future innovative design solutions, such as water features or green roofs. | open space in the form of rooftop terraces on both blocks.<br><br>The rooftop terraces will include built components including lift and stair access as well as an access lobby.<br><br>Landscaped areas are proposed on both rooftop terraces which will soften the visual appearance of the building elements.<br><br>The upper levels of Block A and Block B are recessed so that the rooftop terraces are not readily visible from the streetscape below.<br><br>The rooftop service elements are also isolated at the centre of each block, further reducing their visual impact when viewed from the streets surrounding the site.<br><br>The communal rooftop terraces will receive full solar access throughout the day on June 21st . |
| **ECOLOGICAL SUSTAINABLE DEVELOPMENT** | | |
| Maintenance | | |
| • To ensure long life and ease of maintenance for the development. | i. Windows are to be designed to enable their cleaning from inside the building, where possible.<br>ii. Manually operated systems, such as blinds, sunshades, pergolas and curtains are to be selected in preference to mechanical systems.<br>iii. Building maintenance systems are to be incorporated and integrated into the design of the building form, roof and façade. | **Complies**<br>The proposed materials and finishes are durable in nature to minimise the need for maintenance and cleaning, particularly on the external facades adjacent to boundaries. |

| Objectives | Control | Response |
|---|---|---|
| | iv. Durable materials, which are easily cleaned and are graffiti resistant, are to be selected.<br>v. Appropriate landscape elements and vegetation are to be selected and appropriate irrigation systems are to be provided.<br>vi. For developments with communal open space, a garden, maintenance and storage area are to be provided, which is efficient and convenient to use and is connected to water and drainage. Details are to be shown on DA plans. | |

### 5.5.3. Maroubra junction – Block 9

The table below outlines the specific Block 9 provisions that are relevant to the subject site and proposed shop top housing development.

**Table 4: Block 9 Provisions - Maroubra Junction Centre D4**

| Control | Response |
|---|---|
| **i. Building Envelope Plan** | |
| Maroubra Road: 6 storeys<br>Ferguson Street: 5 storeys | **Alternative Solution**<br>The amended proposal includes a part 6, part 7 storey built form which is considered to respond appropriately to the corner allotment and forms a compatible development outcome with the surrounding built forms, which consist of 7 – 10 storeys. |
| **ii. Building Use** | |
| Maroubra Road:<br>2 levels of commercial; residential above<br>Ferguson Street:<br>1 level of commercial; residential above | **Generally Complies**<br>The amended proposal includes 9 retail shops that wrap that front both Maroubra Road and Ferguson Street.<br><br>The provision of 1 level (ground floor) of commercial / retail uses is consistent with the eastern approved development at 169-171 Maroubra Road (DA-84/2013).<br><br>The first level ceiling heights are 3.3m which allows for adaptable use in the future for non-residential uses.<br><br>It is also noted that the proposed development forms a 2 built forms, which is consistent with the two building envelopes dictated within the building envelope controls.<br><br>The proposal is considered to provide for a sufficient degree of commercial floor space, as envisaged by the building envelope controls. Provision of ground floor commercial with upper level residential uses is consistent with other recently approved developments throughout the Maroubra Junction Centre. |
| **iii. Building Depth** | |
| Ferguson Street: 18m (15m glass line to glass line) | **Alternative Solution**<br>The proposed building depth is beyond that contemplated by the DCP, however such depths are consistent with that permitted on neighbouring allotments to the west and achieve the objectives of the controls. The high level of amenity afforded to the apartments (75.4% solar access and 64.6% cross ventilation) as well as the lack of impact to surrounding properties and compatibility with the scale of adjoining buildings confirms that the proposed building depth to Ferguson Street is appropriate for the site and suitably justified. |

| Control | Response |
|---|---|
| **iv. Setbacks** | |
| Front setback:<br>Ferguson Street: 3m<br>Side setback:<br>Maroubra Road: 0m<br>Ferguson Street: 1.5m<br>Rear setback:<br>Maroubra Road: 10m<br>Ferguson Street: 6m | **Generally complies**<br>The concept proposal includes a front setback to Ferguson Street of 3m<br>A 1.5m deep soil zone is proposed along the southern and western boundary. |
| **v. Deep soil zone** | |
| Maroubra Road:<br>Minimum 1.5m deep soil tree planting strip along rear boundary | **Complies**<br>A 1.5m deep soil zone has been provided along a substantial section of the southern and western boundary. |
| **vi. Vehicle Access and Road Widening** | |
| - Lots fronting Maroubra Road are to provide vehicular access via a minimum 6m wide rear right of carriageway.<br>- Road widening: lots on Ferguson Street are to comply with Part B11 Development in laneways nominated for widening | **Complies**<br>A 6m rear right of carriageway is not identified as being required on the subject site.<br><br>Ferguson Street is identified as being subject to Council's road widening policy. The concept proposal has accounted for the widening of Ferguson Street. |

### 5.5.4. Block 9 – Building Envelope Plan

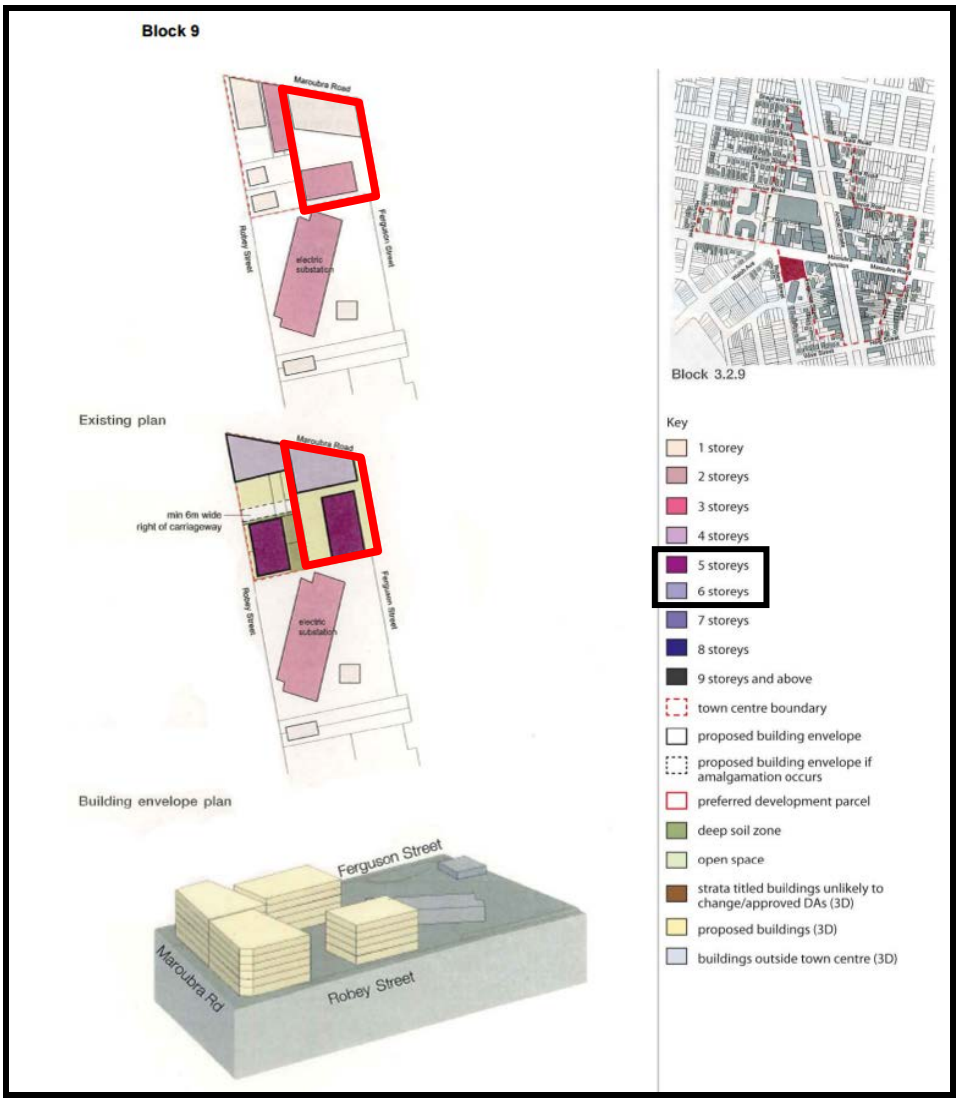


**Figure 21: Building envelope controls**

**Assessment:** In accordance with the Randwick DCP 2013, the subject site is identified as having an allowable 6 storey built form at the Maroubra Road frontage and 5 storeys along the Ferguson Street frontage.

The concept proposal has been design as built forms, with Block A fronting Maroubra Road and Block B fronting Ferguson Street. Block A will present as 7 storeys to Maroubra Road and Block B will present as 6 storeys to Ferguson Street.

The proposed development will fit comfortably within the context of the subject site and is compatible with the 8-10 storey development to the immediate north of the subject site, as well as having a compatible relationship with the 7 storey approved building at 167-171 and 1-3 Robey Street.

The proposal also provides an alternative distribution of building footprint in response to the developments already constructed on the western neighbouring sites at 169-171 Maroubra Road and 1-3 Robey Street. As shown on the aerial photograph in Figure 3 below, the recently constructed mixed use development at 169-171 Maroubra Road extends southwards well beyond the building envelope control illustrated in the Block 9 controls. Similarly, the mixed-use development at 1-3 Robey Street extends westwards beyond the building envelope control and contains no deep soil zone due to the basement below. In this

regard, the proposed building footprint has sought to align with the approved building footprint of 169-171 Maroubra Road and it is considered that a merit assessment is required in relation to the proposed building footprint rather than strict adherence to the Block 9 building envelope controls.

It is considered that the proposal demonstrates a high quality design that is suitable on the site's corner position.

## 6. SECTION 79C CONSIDERATIONS

In considering this development application, Council must consider the relevant planning criteria in Section 79 of the Environmental Planning and Assessment Act, 1979.

This assessment has taken into account the following provisions:

### STATUTORY POLICY AND COMPLIANCE – s.79C (1) (a)

The proposal has been assessed in relation to all relevant SEPPs LEPs and DCPs above in the *Statement of Environmental Effects*.

The planning instruments which are relevant to the subject site and proposed shop-top housing development include:

- SEPP65 – Design Quality of Residential Flat Development / Apartment Design Guide;
- SEPP (Building Sustainability Index: BASIX) 2004;
- Randwick LEP 2012; and
- Randwick DCP 2013.

**Comment:** The proposed development is consistent with the relevant provisions of SEPP65, ADG, Randwick LEP 2012 and the Randwick DCP 2013, including the site specific provisions under Part D4, which relate to the Maroubra Junction Centre.

The proposed shop-top housing development has been designed to have a high level of internal amenity, with the residential component complying with the relevant amenity factors contained within the ADG, whilst also achieving compliance with the sustainability requirements of BASIX.

The proposed development is considered to represent a significantly improved urban design outcome for this prominent site and is well suited to the transitional nature of the surrounding Maroubra Junction area.

### NATURAL ENVIRONMENT IMPACTS s.79C (1)(b)

Throughout the period of construction, all measures will be taken to ensure that any noise, dust, and vibration will be kept to a minimum. All construction works will comply with the Building Code of Australia and any other relevant legislation for the duration of the works.

Upon completion of the proposal, the day-to-day operations of the development are unlikely to cause undue impact in relation to noise, pollution, drainage and pedestrian / vehicular traffic flows.

The proposal will not result in the loss of views or outlook from any surrounding public or private place.

There are no wilderness areas on the site while no endangered fauna have been identified on or around the site.

The proposal does not involve the removal of any significant trees or vegetation on the site.

### SOCIAL AND ECONOMIC IMPACTS s.79C (1)(b)

The proposed development will not be detrimental to the social and economic environment in the locality.

**BUILT ENVIRONMENTAL IMPACTS s.79C (1)(b)**

The proposed development is considered appropriate and will not be responsible for any adverse environmental impacts in relation to loss of privacy, loss of view, noise, or traffic and parking impacts.

**SUITABILITY OF THE SITE FOR DEVELOPMENT s.79C (1)(c)**

The size and shape of the site is suitable for the proposed development and the proposal does not create any adverse bulk or scale impacts. The proposal will not result in any loss of amenity to neighbouring properties.

**THE PUBLIC INTEREST s.79C (1)(e)**

Amenity impacts have been minimised and the proposal is considered to be a positive contribution to the built and natural environment within the Maroubra Junction Town Centre.

## 7. CONCLUSION

This Statement of Environmental Effects has been prepared in support of the proposed development application for the demolition of the existing buildings on the subject site and construction of a part 6, part 7 storey shop-top housing development at 181-191 Maroubra Road, Maroubra.

The Statement of Environmental Effects addresses all relevant considerations within the SEPP 65 and Apartment Design Guide, Randwick LEP 2012 and Randwick DCP 2013, with specific reference to the Maroubra junction Centre and Block 9 controls.

The assessment demonstrates that the proposed development exhibits a high degree of compliance with the relevant provisions and intent for the Maroubra Junction Centre.

The proposed mixed use development is permissible in the B2 Local Centre zone and achieves an appropriate bulk and scale for the subject site.

The proposal is largely below the LEP height limit of 25m with the exception of the rooftop components on Block A which reach a maximum height of 27.5m. The proposed height variation is considered minor and reasonable in the circumstances, as justified in the accompanying Clause 4.6 variation in **Appendix 1.**

The proposed development has been designed to reflect the intent of the Block 9 DCP controls which apply to the subject site. In this regard, the proposal is compliant with the required setbacks, deep soil zone, road widening requirement and car parking.

The design responds with alternative solutions against DCP 'Block 9' which stipulates a maximum of 5 and 6 storeys. The proposal has been designed to fit within the context of the subject site and provides an appropriate transition between the 8-10 storey built forms to the north of the site and the 7 storey built forms to the west of the subject site.

The proposed residential component achieves a high degree of amenity in regard to solar access and natural ventilation, with the proposal outperforming both amenity indicators stipulated in the ADG.

The proposal is not considered to generate any unreasonable external amenity impacts in regard to overshadowing, view loss or privacy.

Overall, it is considered that the proposed mixed-use development will be a positive addition to both Maroubra Road and Ferguson Street streetscapes whilst providing upgraded and increased retail space to both frontages, as well as providing high quality residential apartments in the Maroubra Junction Town Centre.

Based on these considerations, the proposal is considered to be appropriate for the site and worthy of approval.

**APPENDIX 1**

CLAUSE 4.6 TO CLAUSE 4.3 OF RANDWICK LEP 2012
EXCEPTIONS TO DEVELOPMENT STANDARDS – **HEIGHT VARIATION**

*Demolition of the buildings and construction of a mixed use development*

181-191 Maroubra Road, Maroubra

SUBMITTED TO

RANDWICK COUNCIL

PREPARED BY

ABC PLANNING PTY LTD

DECEMBER 2017

## RANDWICK LEP 2012 - CLAUSE 4.6 EXCEPTION TO DEVELOPMENT STANDARDS

This Clause 4.6 submission has been prepared to accompany the Statement of Environmental Effects submitted to Randwick Council for the demolition of the existing buildings and construction of a mixed use development at 181-191 Maroubra Road, Maroubra.

The proposal seeks a variation to the development standard contained within clause 4.3 of the *Randwick LEP 2012* - maximum height of 25m.

The proposed maximum height of 27.5m represents a minor variation of 2.5m or 10% variation from the numerical height standard in the LEP.

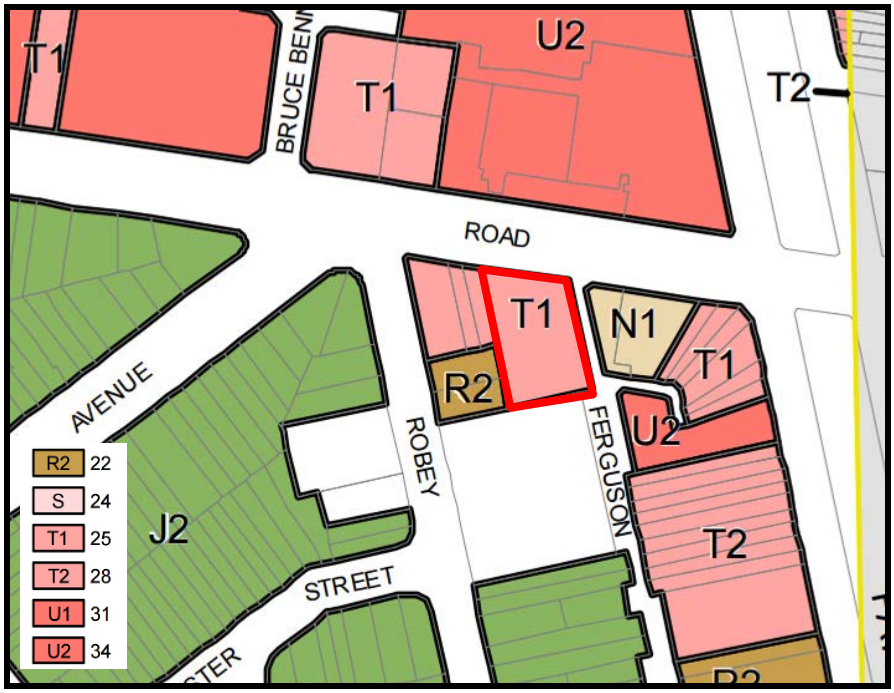


**Figure 22: Building Height Map**

***Clause 4.6 Exceptions to development standards***

*(1) The objectives of this clause are as follows:*

*(a) to provide an appropriate degree of flexibility in applying certain development standards to particular development,*

*(b) to achieve better outcomes for and from development by allowing flexibility in particular circumstances.*

*(2) Development consent may, subject to this clause, be granted for development even though the development would contravene a development standard imposed by this or any other environmental planning instrument. However, this clause does not apply to a development standard that is expressly excluded from the operation of this clause.*

*(3) Development consent must not be granted for development that contravenes a development standard unless the consent authority has considered a written request from the applicant that seeks to justify the contravention of the development standard by demonstrating:*

*(a) that compliance with the development standard is unreasonable or unnecessary in the circumstances of the case, and*

*(b) that there are sufficient environmental planning grounds to justify contravening the development standard.*

*(4)Development consent must not be granted for development that contravenes a development standard unless:*

*(a)the consent authority is satisfied that:*

*(i) the applicant's written request has adequately addressed the matters required to be demonstrated by subclause (3), and*

*(ii) the proposed development will be in the public interest because it is consistent with the objectives of the particular standard and the objectives for development within the zone in which the development is proposed to be carried out, and*

*(b) the concurrence of the Director-General has been obtained.*

*(5) In deciding whether to grant concurrence, the Director-General must consider:*

*(a) whether contravention of the development standard raises any matter of significance for State or regional environmental planning, and*

*(b) the public benefit of maintaining the development standard, and*

*(c) any other matters required to be taken into consideration by the Director-General before granting concurrence.*

It is considered that strict compliance with the development standard for height on the site is unreasonable and unnecessary in the circumstances for the following reasons:

- The proposed height variation is restricted to the rooftop building elements associated with the communal terrace on Block A, including the lift and stair access structures and lobby structure, as shown on the elevation below:

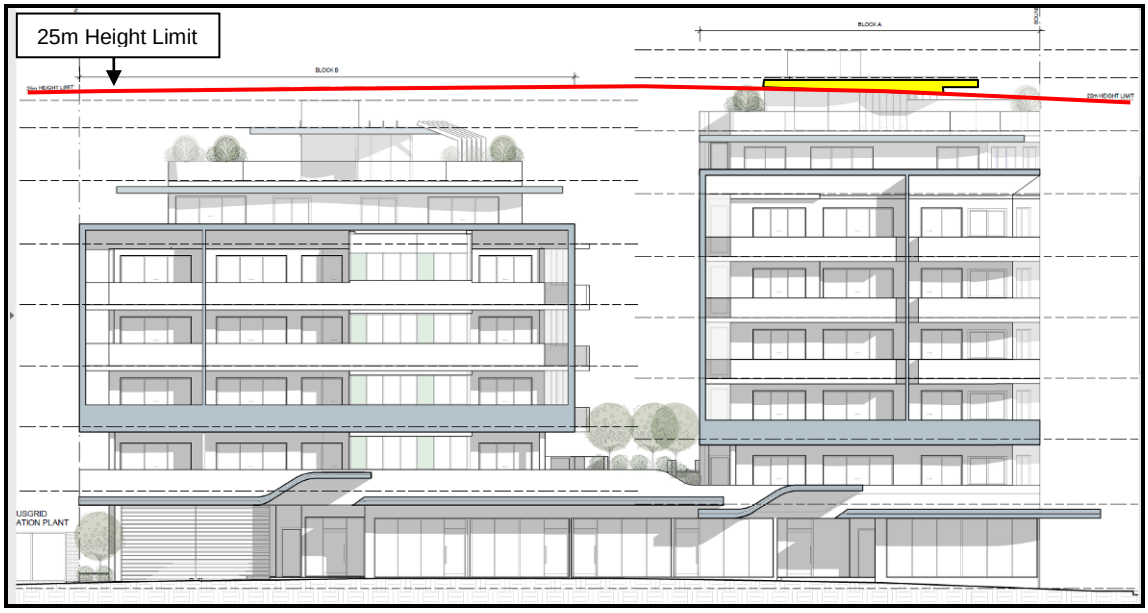


**Figure 23: East elevation showing the minor nature of the height variation highlighted in yellow**

- Block B is wholly contained within the LEP height limit, as is all floor space in Block A.
- The proposed height variation is isolated to the centre of Block and, with the upper floors being further recessed behind the floors below, ensuring that the height variation will be unapparent from the streetscape.
- The height variation allows for equitable access to the rooftop communal open space areas which will enhance the amenity for residents of the building.
- It is considered that the height non-compliance will not generate any additional amenity impacts to surrounding neighbours beyond that of a compliant built form, in regard to overshadowing, privacy or view loss impacts.

The above factors demonstrate that the LEP height standard is unreasonable and unnecessary in this instance.

The following assessment addresses each of the relevant criteria under Clause 4.6:

1. Consistency with the objectives of the height standard in the LEP

**Clause 4.3 Height:**

1. *The objectives of this clause are as follows:*

    a. *to ensure that the size and scale of development is compatible with the desired future character of the locality,*

**Assessment:** The proposal achieves a suitable bulk and scale for the corner site and its prominent position within the Maroubra Junction Town Centre. The proposed bulk and scale of the development is compatible with other mixed-use developments in the vicinity of the subject site including the recently constructed development adjoining the subject site to the west.

The proposed height is subservient to the 8-10 storey mixed use development to the north of the subject site and is consistent with the 7-storey scale of development to the west.

    b. *to ensure that development is compatible with the scale and character of contributory buildings in a conservation area or near a heritage item,*

**Assessment:** The subject site is not identified as a heritage item, nor is located in a conservation area. The subject site is not in the vicinity of any heritage items.

    c. *to ensure that development does not adversely impact on the amenity of adjoining and neighbouring land in terms of visual bulk, loss of privacy, overshadowing and views.*

**Assessment:** The proposed height does not adversely impact upon the amenity of the adjoining and neighbouring land.

It is considered that the proposal will not result in any additional adverse shadow impacts, particularly given the non-residential use of the southern neighbour.

The separation distance between the residential uses on the subject site and those of the western neighbour is further confirmation that there would be limited adverse mutual privacy or overlooking impacts.

The proposed height variation will not result in any loss of views from surrounding properties.

2. Consistency with the objectives of the B2 Local Centre zone

*Objectives of zone:*

- *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.*
- *To enable residential development that is well-integrated with, and supports the primary business function of, the zone.*
- *To facilitate a high standard of urban design and pedestrian amenity that contributes to achieving a sense of place for the local community.*
- *To minimise the impact of development and protect the amenity of residents in the zone and in the adjoining and nearby residential zones.*
- *To facilitate a safe public domain.*

**Assessment:** It is considered that the proposed height variation does not hinder the proposal's ability to achieve the objectives of the zone.

The proposal seeks to replace the outdated buildings with a modern shop top housing development comprising 2 built forms with ground floor retail fronting both Maroubra Road and Ferguson Street frontages, with 5 / 6 levels of residential accommodation above.

The subject site is located in an accessible area, which is supported by regular bus services, and in an area with higher densities, which fosters active modes of transport such as walking and cycling.

The proposed development forms an extension to the existing and approved mixed-use developments located to the west of the subject site, at 167 Maroubra Road and 169 – 171 Maroubra Road (DA-84/2013).

The proposal is of a high quality urban design that contributes to a safe and active public domain whilst being well integrated with this portion of the Maroubra Junction.

On this basis, the proposed development complies with the zone objectives.

3. Consistency with State and Regional planning policies

**Assessment:** The proposed height variation allows for the orderly and economic use of land as envisaged by the *Environmental Planning and Assessment Act, 1979*. The proposed height allows for achievement of the building envelope without creating a development with overbearing height, bulk or scale and without compromising the desired future character of the area.

The proposed height is therefore consistent with the State and Regional Policies, particularly urban consolidation principles which seek to provide additional densities near transport and established services.

4. The variation allows for a better planning outcome

**Assessment:** It is considered that the proposed height variation represents a more desirable planning outcome than if it were to maintain strict compliance with the LEP height limit.

The proposed minor height variation is associated with a high-quality mixed use development which provides for a high degree of amenity for residents of the building by providing communal rooftop terraces with equitable access. The communal rooftop space will receive abundant solar access as well as facilitating social gathering opportunities. The communal rooftop space provides for better amenity than if it were confined to the Level 01 podium.

The recessed and isolated location from surrounding properties also ensures that utilization of this space will not affect the amenity of dwellings either within or external to the subject proposal.

It is therefore considered that the variation to the height standard allows for a better planning outcome on the subject site as provision of the communal garden on the roof contributes to

an overall compliant communal open space as envisaged by the SEPP 65 and DCP controls.

5. There are sufficient environmental grounds to permit the variation

**Assessment:** Outperformance of the internal amenity indicators within the DCP and ADG in relation to solar access and cross ventilation demonstrate that there are sufficient environmental grounds to permit the variation. The height non-compliance does not compromise the internal performance of the units.

Externally, the lack of impact to surrounding properties, particularly in relation to retention of solar access further displays the suitability of the proposed height variation in this instance.

The height non-compliance will not be responsible for any greater shadowing to any surrounding property.

Furthermore, the height variation will not interfere with any views from surrounding properties. There will also be no additional adverse visual or acoustic privacy impacts generated by the additional height due to its recessed nature.

The lack of visual bulk impacts from either the streetscape or private properties surrounding the site ensures that the articulated and reasonable scale of development has no unreasonable visual impacts.

It is therefore considered that there are sufficient environmental grounds to permit the height variation.

6. The variation is in the public interest

**Assessment:** The above demonstrates assessment demonstrates that the proposed height satisfies the objectives of the standard and the zone and confirms that the proposed height allows for a better planning outcome on the subject site.

Furthermore, it is considered that the variation does not raise any matters of public interest as there are no public views or detrimental streetscape outcomes associated with the height variation.

Given that the proposal is consistent with the desired future character for the area nominated by the specific controls in the LEP and DCP, and that there are no adverse or unreasonable impacts to the broader community, it is considered that there are no public interest matters which would prevent a variation to the height control.

It is also noted that there is no public benefit in maintaining the height standard given the limited amenity impacts associated with the development and the positive streetscape outcome that would arise from the redevelopment of the subject site.

**Conclusion**

For reasons mentioned herein, this Clause 4.6 variation is forwarded to Council in support of the development proposal at 181-191 Maroubra Road, Maroubra and is requested to be looked upon favourably by Council.

**APPENDIX 2**

RESPONSE TO THE 80 OBJECTIVES OF THE APARTMENT DESIGN GUIDE

181-191 Maroubra Road, Maroubra

*Demolition of the buildings and construction of a mixed use development*

SUBMITTED TO

RANDWICK COUNCIL

DECEMBER 2017

**Table 1: Apartment Design Guide Compliance Table**

| Objective | Design Criteria | Compliance |
|---|---|---|
| **PART 3 – SITING THE DEVELOPMENT** | | |
| **3A – Site Analysis** | | |
| **3A – 1**<br>Site analysis illustrates that design decisions have been based on opportunities and constraints of the site conditions and their relationship to the surrounding context | Site analysis plan has been; provided<br>Design reflects the context and placement on site.<br>Glazing designed to maximise solar access and privacy<br>Complement the adjoining properties and streetscape | yes |
| **3B Orientation** | | |
| **3B – 1**<br>Building types and layouts respond to the streetscape and site while optimising solar access within the development | The majority of apartments will have direct solar access to living areas. The apartments maintain and enhance the streetscape | yes |
| **3B – 2**<br>Overshadowing of neighbouring properties is minimised during mid- winter | Adjoining properties on either side have a north aspect to their internal and external living areas. The proposed boundary are setback in part greater than required setback. | yes |
| **3C Public Domain Interface** | | |
| **3C – 1**<br>Transition between private and public domain is achieved without compromising safety and security | The main entry to the apartments is on the eastern boundary footpath. There are security points off Ferguson Street- and security access to each apartment and basement parking. | yes |
| **3C – 2**<br>Amenity of the public domain is retained and enhanced | Public amenity is maintained with the use of landscaping at the southern and western boundary, podium level and communal roof terraces to Block A and Block B. | yes |
| **3D Communal and Public Open Space** | | |
| **3D – 1**<br>An adequate area of communal open space is provided to enhance residential amenity and to provide opportunities for landscaping | Communal open space is provided on the podium level and on the upper roof level – garden terrace. The location providing an abundance of activities and open space and recreational activity. The individual units have more than adequate private space. | yes |
| **3D – 2**<br>Communal open space is designed to allow for a range of activities, respond to site conditions and be | Each Block has it own communal area and share a space at the podium level. The property is located 370m to Nagle Park and 500m to Heffron Park. The park has cycle ways, dedicated children's play area, sporting fields and the Des | yes |

| Objective | Design Criteria | Compliance |
|---|---|---|
| attractive and inviting | Rendford Leisure Centre The location responds well to its surrounding location and exceeds | |
| **3D – 3**<br>Communal open space is designed to maximise safety | The communal space is a restricted space and will only be accessible to the resident by either key or security card systems | yes |
| **3D – 4**<br>Public open space, where provided, is responsive to the existing pattern and uses of the neighbourhood | The surrounding properties rely on the abundance of communal activities provide within a short walking distance of their properties. Heffron Park is 500m to the south. Major shopping complex – Pacific Square across the road. | yes |
| **3E – Deep Soil Zones** | | |
| **3E – 1**<br>Deep soil zones provide areas on the site that allow for and support healthy plant and tree growth. They improve residential amenity and promote management of water and air quality | Deep soil planting provide will support healthy growth of plants. The plants have been selected by the Landscape Architect so that they can adapt to the coastal environment and improve amenity between properties. | yes |
| **3F – Visual Privacy** | | |
| **3F – 1**<br>Adequate building separation distances are shared equitably between neighbouring sites, to achieve reasonable levels of external and internal visual privacy | The design of the articulated floor plans achieve reasonable levels of external and internal visual privacy<br>The building forms responds to the boundaries of the property and it relationship to the adjoining properties | yes |
| **3F – 2**<br>Site and building design elements increase privacy without compromising access to light and air and balance outlook and views from habitable rooms and private open space | The proposal comprises of 2 blocks which have been designed to ensure privacy is maintained between each unit and that of the adjoining developments.<br>Design allows for sunlight to enter living areas and achieve good cross flow ventilation. The proposal provides access to light and air and balance outlook and views from habitable rooms and private open space | yes |
| **3G – Pedestrian Access and Entries** | | |
| **3G -1**<br>Building entries and pedestrian access connects to and addresses the public domain | There is a pedestrian access from Ferguson Street and this access connects directly to the public domain | yes |
| **3G – 2**<br>Access, entries and pathways are accessible and easy to identify | Access to the property is from the eastern boundary off Ferguson Street and is clearly visible and identifiable- by the awning room forms | yes |

| Objective | Design Criteria | Compliance |
|---|---|---|
| **3G – 3**<br>Large sites provide pedestrian links for access to streets and connection to destinations | No pedestrian link required- | |
| **3H Vehicle Access** | | |
| **3H – 1**<br>Vehicle access points are designed and located to achieve safety, minimise conflicts between pedestrians and vehicles and create high quality streetscapes | Vehicular access is from the south eastern corner of the property. Setbacks provide for vision of pedestrian and approaching vehicles along the Ferguson Street | yes |
| **3J – Bicycle and Car Parking** | | |
| **3J – 1**<br>Car parking is provided based on proximity to public transport in metropolitan Sydney and centres in regional areas | Parking has been provide in accordance with Randwick Council DCP requirements | yes |
| **3J – 2**<br>Parking and facilities are provided for other modes of transport | There is space available in the carpark for residents to use other modes of transport - | yes |
| **3J – 3**<br>Car park design and access is safe and secure | All pedestrian and vehicular access to the carpark are secure- | yes |
| **3J – 4**<br>Visual and environmental impacts of underground car parking are minimised | -design and articulated built form minimise the overall impact created by the driveway and entry to carpark | yes |
| **3J – 5**<br>Visual and environmental impacts of on-grade car parking are minimised | -no on-grade parking provided | yes |
| **3J – 6**<br>Visual and environmental impacts of above ground enclosed car parking are minimised | -no above ground parking provided | yes |

| Objective | Design Criteria | Compliance |
|---|---|---|
| **PART 4 – DESIGNING THE BUILDING** | | |
| **Amenity** | | |
| **4A – Solar and Daylight Access** | | |
| **4A – 1**<br>To optimise the number of apartments receiving sunlight to habitable rooms, primary windows and private open space | 1. Living rooms and private open spaces . all apartments in a building receive a minimum of 2 hours direct sunlight between 8am and 4 pm at mid-winter<br>3. A maximum of 15% of apartments in a building receive no direct sunlight between 9 am and 3 pm at mid-winter | yes |
| **4A – 2**<br>Daylight access is maximised where sunlight is limited | -Building forms have been designed to ensure that the required solar access has been achieved to the majority of units | yes |
| **4A – 3**<br>Design incorporates shading and glare control, particularly for warmer months | Solar screens are provided protect from afternoon sun. Generous overhangs to windows ensures that window areas are shaded and protected from glare | yes |
| **4B Natural Ventilation** | | |
| **4B – 1**<br>All habitable rooms are naturally ventilated | All apartments are naturally ventilated and the majority have cross flow ventilation | yes |
| **4B – 2**<br>The layout and design of single aspect apartments maximises natural ventilation | Single aspect apartments have a wide frontage that allows for circulation and natural air movement | yes |
| **4B – 3**<br>The number of apartments with natural cross ventilation is maximised to create a comfortable indoor environment for residents. | 65% of apartments are naturally cross ventilated | yes |
| **4C – 1**<br>Ceiling height achieves sufficient natural ventilation and daylight access | All living areas have a 2.7m ceiling level. | yes |
| **4C – 2**<br>Ceiling height increases the sense of space in apartments and provides for well-proportioned rooms | All living areas have a 2.7m ceiling level. | yes |
| **4C – 3**<br>Ceiling heights contribute to the flexibility of building use over the life of the building | Level 1 has a potential ceiling height of 3.1m allowing for flexible use for commercial purposes | yes |

<table>
<tr><th>Objective</th><th>Design Criteria</th><th>Compliance</th></tr>
<tr><td></td><td>-</td><td></td></tr>
<tr><td colspan="3">4D Apartment size and layout</td></tr>
<tr><td>4D – 1<br>The layout of rooms within an apartment is functional, well organised and provides a high standard of amenity</td><td>All apartments meet the minimum internal floor space requirements. With each habital room having a window in an external wall with a total minimum glass area of not less than 10% of the floor area of the room.</td><td>yes</td></tr>
<tr><td>4D – 2<br>Environmental performance of the apartment is maximised</td><td>1. Habitable room depths are limited to a maximum of 2.7 x the ceiling height<br>2. In open plan layouts (where the living, dining and kitchen are combined) the maximum habitable room depth is 8m from a window</td><td>yes</td></tr>
<tr><td>4D – 3<br>Apartment layouts are designed to accommodate a variety of household activities and needs</td><td>1. Master bedrooms have a minimum area of 10m2 and other bedrooms 9m2 (excluding wardrobe space)<br>2.Bedrooms have a minimum dimension of 3m (excluding wardrobe space)<br>3.Living rooms or combined living/dining rooms have a minimum width of:<br>▪ 3.6m for studio and 1 bedroom apartments<br>▪ 4m for 2 and 3 bedroom apartments</td><td>yes</td></tr>
<tr><td colspan="3">4E – Private Open Space and Balconies</td></tr>
<tr><td>4E – 1<br>Apartments provide appropriately sized private open space and balconies to enhance residential amenity</td><td>1. All apartments have the required primary balconies as follows:<br><table><tr><th>Dwelling Type</th><th>Minimum area</th><th>Minimum depth</th></tr><tr><td>2 bedroom</td><td>10m$^2$</td><td>2m</td></tr><tr><td>3+ bedroom</td><td>12m$^2$</td><td>2.4m</td></tr></table>The minimum balcony depth to be counted as contributing to the balcony area is 1m<br>2. For apartments at ground level or on a podium or similar structure, a private open space is provided instead of a balcony. It must have a minimum area of 15m$^2$ and a minimum depth of 3m</td><td>yes</td></tr>
</table>

<table>
<tr><th>Objective</th><th>Design Criteria</th><th>Compliance</th></tr>
<tr><td>4E – 2<br>Primary private open space and balconies are appropriately located to enhance liveability for residents</td><td>Primary private open space and balconies are appropriately located to enhance liveability for residents</td><td>yes</td></tr>
<tr><td>4E – 3<br>Private open space and balcony design is integrated into and contributes to the overall architectural form and detail of the building</td><td>Private open space and balcony design have been integrated into and contributes to the overall architectural form and detail of the building -</td><td>yes</td></tr>
<tr><td>4E – 4<br>Private open space and balcony design maximises safety</td><td>All balconies have been designed to comply Australian Standards and BCA requirements-</td><td>yes</td></tr>
<tr><td colspan="3">4F Common Circulation and Spaces</td></tr>
<tr><td>4F – 1<br>Common circulation spaces achieve good amenity and properly service the number of apartments</td><td>Common circulation space has natural light and ventilation</td><td>yes</td></tr>
<tr><td>4F – 2<br>Common circulation spaces promote safety and provide for social interaction between residents</td><td>Access to common areas can only be accessed by security clearance-</td><td>yes</td></tr>
<tr><td colspan="3">4G Storage</td></tr>
<tr><td>4G – 1<br>Adequate, well designed storage is provided in each apartment</td><td>1. In addition to storage in kitchens, bathrooms and bedrooms, the following storage is provided:<table><tr><th>Dwelling Type</th><th>Storage size volume</th></tr><tr><td>2 bedroom</td><td>8m$^3$</td></tr><tr><td>3+ bedroom</td><td>10m$^3$</td></tr></table></td><td>yes</td></tr>
<tr><td>4G- 2<br>Additional storage is conveniently located, accessible and nominated for individual apartments.</td><td>Additional storage is available in the basement</td><td>yes</td></tr>
</table>

| Objective | Design Criteria | Compliance |
|---|---|---|
| **4H Acoustic Privacy** | | |
| **4H – 1**<br>Noise transfer is minimised through the siting of buildings and building layout | Noise transfer has been minimised through the siting of buildings and building layout | yes |
| **4H – 2**<br>Noise impacts are mitigated within apartments through layout and acoustic treatments | Noise impacts are mitigated within apartments through layout and acoustic treatments There is a short common wall between properties - | yes |
| **4J Noise and Pollution** | | |
| **4J - 1**<br>In noisy or hostile environments the impacts of external noise and pollution are minimised through the careful siting and layout of buildings | The building is nor located in a noisy or hostile environments | yes |
| **4J – 2**<br>Appropriate noise shielding or attenuation techniques for the building design, construction and choice of materials are used to mitigate noise transmission | The building will be designed using cavity walls and materials that achieve and mitigate noise transmissions and be in compliance with the acoustic requirements of the BCA | yes |
| **Configuration** | | |
| **4K Apartment Mix** | | |
| **4K – 1**<br>A range of apartment types and sizes is provided to cater for different household types now and into the future | Mix includes - 40x 2 bed + 25 X 1 bed | yes |
| **4K – 2**<br>The apartment mix is distributed to suitable locations within the building | The apartment mix is distributed to suitable locations within the building | yes |
| **4L Ground Floor Apartments** | | |
| **4L - 1**<br>Street frontage activity is maximised where ground floor apartments are located | There are no ground floor apartments | n/a |

| Objective | Design Criteria | Compliance |
|---|---|---|
| **4L – 2**<br>Design of ground floor apartments delivers amenity and safety for residents | There are no ground floor apartments | n/a |
| **4M Facades** | | |
| **4M – 1**<br>Building facades provide visual interest along the street while respecting the character of the local area | This design of the facades provides visual interest along the street while respecting the character of the local area. The façade has been design to reflect the context of the site and its immediate surrounding environment | yes |
| **4M – 2**<br>Building facades provide visual interest along the street while respecting the character of the local area | The character of the street is diverse and the design of this building facades provide visual interest along the street while respecting the character of the local area - | yes |
| **4N Roof Design** | | |
| **4N – 1**<br>Roof treatments are integrated into the building design and positively respond to the street | The roof has been designed to be within the required height and the uppermost level setback greater than that required- | yes |
| **4N – 2**<br>Opportunities to use roof space for residential accommodation and open space are maximised | A communal garden terrace is provide on the roof area which allows for maximum solar access | yes |
| **4N – 3**<br>Roof design incorporates sustainability features | -The roof area is considered a garden terrace that will will have membrane covered with paving and timber decking and covered structure. Insulation will also be provide directly to the underside of the exposed concrete ceilings | yes |
| **4O – Landscape Design** | | |
| **4O – 1**<br>Landscape design is viable and sustainable | Landscape prepared by Conzept Landscape Architects– has been designed is viable and sustainable | yes |
| **4O – 2**<br>Landscape design contributes to the streetscape and amenity | Landscape prepared by Conzept Landscape Architects – contributes to the streetscape and amenity with common area planting | yes |
| **4P Planting on structures** | | |
| **4P – 1**<br>Appropriate soil profiles are provided | Landscape Architect have ensured that appropriate soil profiles are provided | yes |
| **4P – 2** | Landscape Architect have ensured that Plant growth is optimised with | yes |

| Objective | Design Criteria | Compliance |
|---|---|---|
| Plant growth is optimised with appropriate selection and maintenance | appropriate selection and maintenance | |
| **4P – 3**<br>Planting on structures contributes to the quality and amenity of communal and public open spaces | Landscape Architect have ensured that Planting on structures contributes to the quality and amenity of public open spaces | yes |
| **4Q Universal Design** | | |
| **4Q – 1**<br>Universal design features are included in apartment design to promote flexible housing for all community members | Adaptable unit design have been provided in this development- | yes |
| **4Q – 2**<br>A variety of apartments with adaptable designs are provided | 13 x Adaptable unit design have been provided - | yes |
| **4Q – 3**<br>Apartment layouts are flexible and accommodate a range of lifestyle needs | Easy access from Ferguson Street to the main lift lobbies and foyers leading to individual apartments. Commercial access from Maroubra Road and Ferguson Street. Separate lift provide for Commercial component | yes |
| **4R – Adaptive Reuse** | | |
| **4R – 1**<br>New additions to existing buildings are contemporary and complementary and enhance an area's identity and sense of place | n/a- | n/a- |
| **4R – 2**<br>Adapted buildings provide residential amenity while not precluding future adaptive reuse | n/a-- | n/a- |
| **4S Mixed use** | | |
| **4S – 1**<br>Mixed use developments are provided in appropriate locations and provide active street frontages that encourage pedestrian movement | The location in the centre of Maroubra CBD and provides for ease of access to the street | yes |
| **4S – 2**<br>Residential levels of the building are integrated within the development, and safety and amenity is maximised for residents | Residential levels located above commercial areas on the ground floor and provide for a high security level at street entry level | yes |

| Objective | Design Criteria | Compliance |
|---|---|---|
| | | |
| **4T Awnings and signage** | | |
| **4T – 1**<br>Awnings are well located and complement and integrate with the building design | The awning wraps around the corner building complementing and integrating with the building design. Different levels are created in the awning to reflect on the topography and define entrances to the lift lobby. | yes |
| **4T – 2**<br>Signage responds to the context and desired streetscape character | Under awning signage will be similar to that of surrounding | yes |
| **Performance** | | |
| **4U Energy Efficiency** | | |
| **4U – 1**<br>Development incorporates passive environmental design | Apartments have direct and indirect solar access throughout the day and have effective an efficient cross flow ventilation – | yes |
| **4U – 2**<br>Development incorporates passive solar design to optimise heat storage in winter and reduce heat transfer in summer | The development incorporates passive solar design to optimise heat storage in winter and reduce heat transfer in summer - | yes |
| **4U – 3**<br>Adequate natural ventilation minimises the need for mechanical ventilation | The cross flow ventilation minimises the need for mechanical ventilation | yes |
| **4V – Water Management and Conservation** | | |
| **4V – 1**<br>Potable water use is minimised | Watering of plants from stored stormwater will minimise the potable water- | yes |
| **4V – 2**<br>Urban stormwater is treated on site before being discharged to receiving waters | Urban stormwater will be treated on site before being discharged to receiving waters - | yes |
| **4V – 3**<br>Flood management systems are integrated into site design | n/a | n/a |

| Objective | Design Criteria | Compliance |
|---|---|---|
| | | |
| 4**W – Waste Management** | | |
| **4W – 1**<br>Waste storage facilities are designed to minimise impacts on the streetscape, building entry and amenity of residents | Waste storage facilities are designed to minimise impacts on the streetscape. The collection receptacles will be separated from the residents and commercial patrons | yes |
| **4W – 2**<br>Domestic waste is minimised by providing safe and convenient source separation and recycling | All domestic waste shall be provided in accordance with Councils waste management plan- | yes |
| **4X – Building Maintenance** | | |
| **4X – 1**<br>Building design detail provides protection from weathering | Masonry walls used throughout the project with composite aluminium sheeting used in conjunction wth painted masonry surfaces . Vertical solar blades to be out of composite timber cladding & aluminium which<br>provides protection from weathering **-** | yes |
| **4X – 2**<br>Systems and access enable ease of maintenance | Louvered windows are used to allow for easier cleaning and maintenance - | yes |
| **4X – 3**<br>Material selection reduces ongoing maintenance costs | The use of reputable type applications to the cladding materials will generally minimise ongoing maintenance. | yes |