SJB Planning

# 41 Broadarrow Road, Narwee

Statement of Environmental Effects for Development Application


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Contact Details:

SJB Planning
Level 2, 490 Crown Street
Surry Hills NSW 2010
Australia

T: 61 2 9380 9911
planning@sjb.com.au
www.sjb.com.au

SJB Planning (NSW) Pty Ltd
ABN 47 927 618 527
ACN 112 509 501

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# Executive Summary

This Statement of Environmental Effects (SEE) has been prepared in support of a Development Application (DA) made to the City of Canterbury-Bankstown Council ("the Council") under Part 4 of the *Environmental Planning and Assessment* (*EP&A*) *Act 1979*.

The DA seeks consent to undertake the construction of a shop-top housing development with seven (7) levels of residential above ground floor retail/business tenancies, located at 41 Broadarrow Road, Narwee ('the site').

The proposed development includes:

- Demolition of all existing structures;
- Relocation of an existing power pole (on the Hurst Place footpath adjoining the site), subject to relevant requirements;
- Relocation of the existing taxi stand and associated seating (on the Hurst Place footpath adjoining the site), subject to Council's requirements; and
- Construction of a new shop-top housing building comprising:
  - Four (4) basement levels accommodating 99 parking spaces (22 commercial, 65 resident and 10 visitor), one (1) carwash bay, storage, bicycle parking, and various services;
  - One (1) commercial office, three (3) restaurants, loading/unloading areas, open tandem parking for two (2) vehicles, amenities, waste rooms, a substation, and two (2) residential lobbies at Ground Floor level;
  - 63 apartments (25 one (1) bedroom, 32 two (2) bedroom, and six (6) three (3) bed) over seven (7) levels; and
  - 191m$^2$ of communal open space on Level 1, and 257m$^2$ of communal open space on Level 7.

The DA and this SEE have been prepared in accordance with the *EP&A Act 1979* and the Environmental Planning and Assessment (EP&A) Regulation 2000.

The geotechnical consultant for the project has advised that temporary dewatering is likely to be required for all basements during the excavation phase of construction, and hence the proposed development constitutes Integrated Development, and referral to Water NSW will be required under the *Water Act 1912*.

The proposal incorporates excavation within 40m of a watercourse but since the watercourse is a concrete drainage channel, the proposal is exempt from the requirement for a controlled activity approval under the Water Management Act 2000.

This SEE addresses the relevant heads of consideration listed under Section 4.15(1) of the *EP&A Act 1979,* and provides an assessment of the proposed development against the relevant Environmental Planning Instruments (EPIs) and other planning controls applicable to the site and to the proposal.

The key planning controls are included within:

- Canterbury Local Environmental Plan (CLEP) 2012;
- Canterbury Development Control Plan (CDCP) 2012;
- State Environmental Planning Policy No. 65 – Design Quality of Residential Apartment Development (SEPP 65), and the Apartment Design Guide (ADG) in force under SEPP 65;

- State Environmental Planning Policy No. 55 – Remediation of Land (SEPP 55);
- State Environmental Planning Policy (Infrastructure) (ISEPP) 2007;
- State Environmental Planning Policy (Building Sustainability Index: BASIX) (BASIX SEPP) 2004; and
- State Environmental Planning Policy (Vegetation in Non-Rural Areas) 2017.

The proposed development is permissible with consent in the B2 Local Centre zone under CLEP 2012, and is consistent with the broad objectives of the zone. The development also generally complies with the maximum building height limit of 27m applicable to this site under CLEP 2012, apart from encroachments associated with roof plant, lift overruns, two (2) skylights, and a small portion of roof facing internally within the site. The extent of the non-compliance varies between 0.15m and 1.6m, and the non-compliant areas are not readily visible from the public domain in the vicinity of the site, nor do they create any adverse amenity impacts.

Based on the assessment undertaken, approval of the DA is sought.

# 1.0 Introduction

## 1.1 Overview

This SEE has been prepared in support of a DA for consent to undertake the demolition of all existing structures and construction of a shop-top housing development comprising four (4) levels of basement parking, a commercial tenancy, and three (3) restaurants located at ground floor level, with seven (7) levels of residential apartments above.

## 1.2 Scope and Format of the Statement of Environmental Effects

This statement has been prepared in accordance with the requirements of Schedule 1, Part 1, of the EP&A Regulation 2000, and provides an assessment consistent with the heads of consideration under Section 4.15 of the *EP&A Act 1979*, which are relevant to the consent authority's assessment of the DA.

Accordingly, the SEE is structured into sections as follows:

- Section 1 - provides an overview of the project and of this SEE;
- Section 2 - describes the site, locality and surrounding development;
- Section 3 - describes the proposed development and provides details of all of the proposed works;
- Section 4 - identifies the applicable statutory controls and policies, and provides an evaluation of the proposed development against the relevant controls;
- Section 5 - provides as assessment of the proposal and its likely impacts on the environment, and in particular the potential impacts on adjoining properties and the surrounding area; and
- Section 6 - provides a conclusion on the proposal.

## 1.3 Supporting Plans and Documentation

This statement has been prepared with input from a number of technical and design documents which have been prepared to accompany this DA. These documents are included as Attachments to this statement, and are identified in Table 1 below.

| Document Name | Prepared/Completed by |
|---|---|
| Clause 4.6 Variation Request (Height of Buildings) | SJB Planning (NSW) Pty Ltd |
| Architectural Package | Jackson Teece |
| Landscape Plans | Site Design Studios |
| Operation Waste Management Plan | Elephant's Foot |
| Demolition Waste Management Plan | Elephant's Foot |
| Acoustic Report | Wood & Grieve Engineers |
| Traffic and Parking Report | Stantec |
| BASIX Report | Wood & Grieve Engineers |
| Survey Plans | Geometra Consulting |

| Document Name | Prepared/Completed by |
|---|---|
| Construction Cost Estimate Report | Clifton Morgan |
| Statement of Compliance – BCA Access Provisions | Accessible Building Solutions |
| Ground Engineering Desk Study | Wood & Grieve Engineers |
| Stormwater Drainage Plans | Wood & Grieve Engineers |
| Stormwater Drainage Report | Wood & Grieve Engineers |
| Heritage Impact Statement | John Oultram Heritage & Design |
| BCA Assessment Report | Steve Watson & Partners |
| Erosions and Sediment Control Plans | Jackson Teece |
| Fire Engineering Comments | Wood & Grieve Engineers |
| SEPP 65 Checklist | Jackson Teece |
| SEPP 65 Design Verification Statement | Jackson Teece |

Table 1: Plans and Documents Prepared to Accompany this statement

### 1.4 Cost of Works

The cost of works for the purpose of determining the DA fee for the proposed development has been calculated in accordance with Clause 255(1) of the EP&A Regulation 2000, and is $36,369,063.00 including GST. The cost of works is detailed in the Construction Cost Estimate Report prepared by Clifton Morgan, and is provided at Attachment 10.

# 2.0 Site Description and Context

## 2.1 Site Description

The subject site is located at 41 Broadarrow Road, Narwee, in the Canterbury-Bankstown Council local government area (LGA). The site is located on the northern side of Broadarrow Road, on the eastern side of the intersection with Hurst Place (refer to Figures 1 and 2). The site is legally described as Lot 10 in DP 875415.

The location of the site is shown in Figure 1 below.


Figure 1: Aerial view of site and locality (Source: SIX Maps)

The site has an area of 1,696m$^2$, and is generally triangular in shape. The site has a 56.79m frontage to Broadarrow Road, a secondary frontage of 47.48m to Hurst Place, and a rear boundary of 56.25m adjacent to the T8 Airport and South railway line.

A Survey Plan of the site is provided at Attachment 9.

The topography of the site is relatively flat, with a fall of some 1.8m over the 56.785m length of the site from the west to the east.

A sewer main 3m in diameter traverses the rear of the site. The proposed basement and Ground Floor levels are setback 8m from the centre of the pipe.

## 2.2 Context and Locality

The site is located within the suburb of Narwee, in the south of Sydney. The site is located at the eastern end of the Narwee local centre, immediately adjacent to the T8 Airport and South railway line, including Narwee Railway Station.

The location of the site in this context is shown in Figure 2.

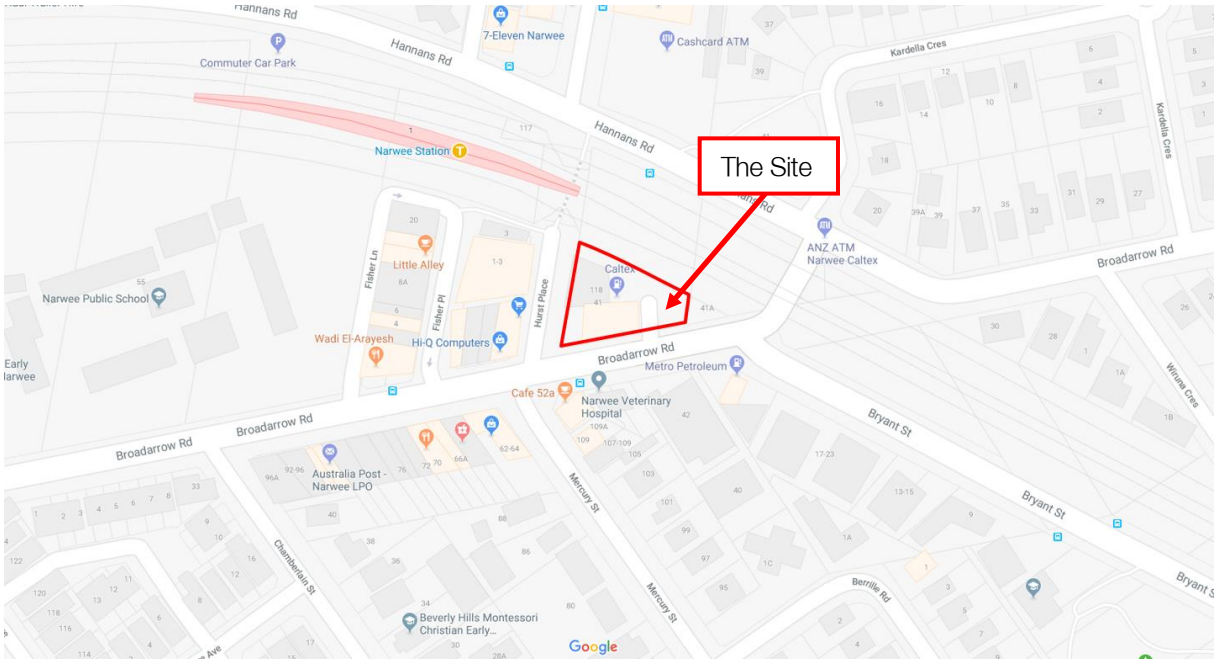


Figure 2: Location plan (Source: Google Maps)

## 2.3 Surrounding Development and Land Uses

To the north of the site is a concrete drainage channel along with the T8 Airport and South railway line (refer to Figure 3), connecting with T2 Inner West and Leppington Line and T5 Cumberland Line at Glenfield Station, and Southern Highlands Line at Campbelltown and Macarthur Stations beyond. The railway corridor is bounded by a concrete retaining wall so that the railway lines sit well above existing ground level at the rear of the site.


Figure 3: View of the elevated railway line to the rear of the site, looking east from Hurst Place

Narwee Station is located to the north west, accessed via a subway which extends from Hannans Road to Hurst Place, adjacent to the site (refer to Figure 4).

Figure 4: View of the Narwee Railway Station looking west from Hurst Place

To the east of the site is a small, triangular grassed area, understood to be owned by the Electricity Transmission Ministerial Holding Corporation, which is fenced off from the site and the public domain (refer to Figure 5).

Figure 5: View of the vacant infrastructure-based site to the east of the subject site, looking north from Broadarrow Road

To the south of the site is Broadarrow Road, and on the opposite side of Broadarrow Road the streetscape contains a series of one (1) and two (2) storey retail buildings, as well as a two (2) and three (3) storey residential flat building (RFBs), and Metro Service Station and associated mechanical repair station (refer to Figure 6).


Figure 6: View of the development to the south of the site, looking west along Broadarrow Road from Bryant Street

To the west of the site is Hurst Place with a range of one (1) and two (2) storey retail and shop-top housing buildings (refer to Figure 7).


Figure 7: View of the development to the west of the site, looking north west from Broadarrow Road

## 2.4 Existing Development on the Site

The existing development consists of a Caltex service station and motor vehicle workshop known as Belmore Auto Pit, which provides vehicle servicing and repairs for private motor cars and commercial vehicles. A residential apartment is located above the motor vehicle repair station.

Vehicular access to the site is provided via four (4) driveways to Hurst Place, and three (3) driveways to Broadarrow Road.

The rear of the site is formed by a concrete drainage channel with scrub vegetation growth along the northern boundary, adjacent to the rail corridor.

Photographs of the site and existing building are shown in Figures 8 and 9.


Figure 8: View of the site looking north west from Broadarrow Road


Figure 9: View of the site looking north east from Broadarrow Road, opposite its junction with Hurst Place

# 3.0 Proposed Development

## 3.1 Development Description

The proposed development incorporates the construction of a shop-top housing building with seven (7) levels of residential above four (4) ground floor retail/business tenancies. The works proposed generally include:

- Demolition of all existing structures;
- Relocation of an existing power pole (on the Hurst Place footpath adjoining the site), subject to relevant requirements;
- Relocation of the existing taxi stand and associated seating (on the Hurst Place footpath adjoining the site), subject to Council's requirements; and
- Construction of a new shop-top housing building comprising:
  - Four (4) basement levels accommodating 99 parking spaces (22 commercial, 67 resident, 10 visitor), one (1) carwash bay, storage, bicycle parking, and various services;
  - One (1) commercial office, three (3) restaurants, loading/unloading areas, open tandem parking for two (2) commercial vehicles, amenities, waste rooms, a substation, and two (2) residential lobbies at Ground Floor level;
  - 63 apartments (25 one (1) bedroom, 32 two (2) bedroom and six (6) three (3) bedroom) over seven (7) levels; and
  - 191m$^2$ of communal open space on Level 1 and 254m$^2$ of communal open space on Level 7.

The proposal is detailed in the Architectural Package prepared by Jackson Teece, included at Attachment 2 and is described in the following sections of this SEE. A photomontage of the proposed development has also been provided.

## 3.2 Development Statistics

The key statistics for the proposal are summarised in Table 2 below.

| Element | Proposal |
|---|---|
| Site Area | 1,696m$^2$ |
| Gross Floor Area (GFA) | 6,673m$^2$ |
| Floor Space Ratio (FSR) | 3.83:1 |
| Building Height | • Western lift overrun – 28.11m<br>• Screen around plant – 28.71m<br>• Eastern lift overrun – 27.30m |
| Dwellings | 63 dwellings including:<br>• 25 x one (1) bedroom (including four (4) adaptable)<br>• 32 x two (2) bedroom (including three (3) adaptable and six (6) liveable)<br>• 6 x three (3) bedroom |

| Element | Proposal |
|---|---|
| Dwelling mix | • 25 x one (1) bedroom dwellings (39.7%)<br>• 32 x two (2) bedroom dwellings (50.8%)<br>• 6 x three (3) bedroom dwellings (9.5%) |
| Dwelling sizes | • One (1) bedroom: 50m$^2$ (minimum) – 60m$^2$ (maximum)<br>• Two (2) bedroom: 77m$^2$(minimum) – 88m$^2$ (maximum)<br>• Three (3) bedroom: 95m$^2$(minimum) – 106m$^2$ (maximum) |
| Adaptable dwellings | Seven (7) adaptable dwellings<br>(L01-02, L01-03, L01-04, L02-02, L02-03, L02-04, L03-03) |
| Livable dwellings | Six (6) liveable dwellings<br>(L01-10, L02-10, L03-07, L04-07, L05-07, L06-07) |
| Commercial/retail tenancies | • One (1) x commercial tenancy<br>• Three (3) x restaurants |
| Floor to Ceiling height | • Basement 4: 2.8m<br>• Basement 3: 2.8m<br>• Basement 2: 2.8m<br>• Basement 1: 2.7m – 4.5m<br>• Ground Floor: 3.4m – 4.4m<br>• Levels 1 to 7: 2.7m |
| Open Space (including communal and private) | 445m$^2$ (26.2% site area) |
| Deep Soil | N/A |
| Private open space: | |
| • Courtyards | N/A |
| • Balconies | • One (1) bedroom: 8m$^2$ (min) - 13m$^2$ (max)<br>• Two (2) bedroom: 10m$^2$(min) – 122m$^2$ (max)<br>• Three (3) bedroom: 13m$^2$(min) - 14m$^2$ (max) |
| Car Parking: | 102 spaces in total |
| • Resident | • 67 (including seven (7) accessible spaces) |
| • Carwash | • One (1) |
| • Visitor | • 10 (including one (1) accessible space) |
| • Commercial | • 22 basement spaces (including one (1) accessible space)<br>• Two (2) spaces at Ground Floor level |
| Bicycle Parking | • 21 resident/visitor spaces at Basement 2<br>• Seven (7) retail/commercial spaces at Basement 1 |
| Motorcycle Parking | Nil |

Table 2: Key Development Statistics

### 3.3 Land Use

The proposed development incorporates a shop-top housing building, comprising the following main elements:

- 101 parking spaces, plus one (1) carwash bay and loading/unloading facilities;
- Three (3) ground floor level restaurant tenancies;
- One (1) ground floor level retail/commercial tenancy; and
- 63 residential dwellings.

Approval in principle is sought for the proposed restaurants and retail/commercial tenancy, while specific approvals for fitout and occupancy of these tenancies will be subject to separate applications.

### 3.4 External Materials and Finishes

Jackson Teece has prepared a Schedule of External Colours, Materials and Finishes, which accompanies this DA. In summary, the proposed finishes comprise the following:

- Lightweight cladding with exposed vertical joints;
- Brick tiles;
- Dark aluminium balustrades;
- Clear glazing;
- Expressed slabs; and
- Planter boxes.

### 3.5 Internal Layout and Apartment Design

The proposed development has been designed to provide a strong address to the two (2) street frontages of the site, and to maximise exposure to northern sunlight and opportunities for cross flow ventilation. Jackson Teece has provided a detailed Schedule of Unit Areas which provides confirmation that all apartments meet the minimum internal and external area requirements.

Storage is provided within each apartment, and additional storage is provided within the basement areas, as required. Details confirming compliance with the Apartment Design Guide in relation to solar access and natural ventilation are also provided by Jackson Teece. Table 3 below provides details in relation to the proposed apartments.

| Apartment | Type | Internal area | External area | Storage – Apartment | Storage – Basement | Compliant Solar Access | Compliant Ventilation |
|---|---|---|---|---|---|---|---|
| | | | | Level 1 | | | |
| L01-01 | 1 bed | 54m$^2$ | 13m$^2$ | 3.2m$^3$ | 2.3m$^3$ | Yes | Yes |
| L01-02 | 1 bed | 60m$^2$ | 10m$^2$ | 3.4m$^3$ | 2.6m$^3$ | Yes | No |
| L01-03 | 2 bed | 88m$^2$ | 19m$^2$ | 4.2m$^3$ | 3.8m$^3$ | Yes | No |
| L01-04 | 1 bed | 60m$^2$ | 10m$^2$ | 3.4m$^3$ | 2.6m$^3$ | Yes | No |
| L01-05 | 2 bed | 77m$^2$ | 11m$^2$ | 4m$^3$ | 4m$^3$ | Yes | Yes |
| L01-06 | 1 bed | 66m$^2$ | 11m$^2$ | 3.5m$^3$ | 2.5m$^3$ | No | Yes |
| L01-07 | 1 bed | 50m$^2$ | 9m$^2$ | 3.4m$^3$ | 2.6m$^3$ | Yes | Yes |

| Apartment | Type | Internal area | External area | Storage – Apartment | Storage – Basement | Compliant Solar Access | Compliant Ventilation |
|---|---|---|---|---|---|---|---|
| L01-08 | 2 bed | 88m$^2$ | 10m$^2$ | 4m$^3$ | 4m$^3$ | Yes | Yes |
| L01-09 | 2 bed | 51m$^2$ | 8m$^2$ | 3.2m$^3$ | 2.8m$^3$ | Yes | No |
| L01-10 | 2 bed | 80m$^2$ | 12m$^2$ | 4m$^3$ | 4m$^3$ | Yes | No |
| L01-11 | 2 bed | 83m$^2$ | 14m$^2$ | 6.1m$^3$ | 1.9m$^3$ | Yes | Yes |
| L01-12 | 1 bed | 50m$^2$ | 13m$^2$ | 3m$^3$ | 3m$^3$ | No | Yes |
| L01-13 | 1 bed | 50m$^2$ | 8m$^2$ | 3m$^3$ | 3m$^3$ | No | Yes |
| Level 2 | | | | | | | |
| L02-01 | 1 bed | 54m$^2$ | 12m$^2$ | 3.7m$^3$ | 2.3m$^3$ | Yes | Yes |
| L02-02 | 1 bed | 60m$^2$ | 8m$^2$ | 3.4m$^3$ | 2.6m$^3$ | Yes | No |
| L02-03 | 2 bed | 88m$^2$ | 15m$^2$ | 4.2m$^3$ | 3.8m$^3$ | Yes | No |
| L02-04 | 1 bed | 60m$^2$ | 8m$^2$ | 3.4m$^3$ | 2.6m$^3$ | Yes | No |
| L02-05 | 2 bed | 77m$^2$ | 17m$^2$ | 4m$^3$ | 4m$^3$ | Yes | Yes |
| L02-06 | 1 bed | 66m$^2$ | 9m$^2$ | 3.5m$^3$ | 2.5m$^3$ | No | Yes |
| L02-07 | 1 bed | 57m$^2$ | 10m$^2$ | 3.4m$^3$ | 2.6m$^3$ | Yes | Yes |
| L02-08 | 2 bed | 88m$^2$ | 10m$^2$ | 4m$^3$ | 4m$^3$ | Yes | Yes |
| L02-09 | 1 bed | 51m$^2$ | 8m$^2$ | 3.2m$^3$ | 2.8m$^3$ | Yes | No |
| L02-10 | 2 bed | 80m$^2$ | 12m$^2$ | 4m$^3$ | 4m$^3$ | Yes | No |
| L02-11 | 2 bed | 83m$^2$ | 14m$^2$ | 6.1m$^3$ | 1.9m$^3$ | Yes | Yes |
| L02-12 | 1 bed | 50m$^2$ | 13m$^2$ | 3m$^3$ | 3m$^3$ | No | Yes |
| L02-13 | 1 bed | 50m$^2$ | 8m$^2$ | 3m$^3$ | 3m$^3$ | No | Yes |
| Level 3 | | | | | | | |
| L03-01 | 2 bed | 79m$^2$ | 19m$^2$ | 4.3m$^3$ | 3.8m$^3$ | Yes | Yes |
| L03-02 | 1 bed | 52m$^2$ | 8m$^2$ | 3.4m$^3$ | 2.6m$^3$ | Yes | No |
| L03-03 | 2 bed | 79m$^2$ | 11m$^2$ | 3.7m$^3$ | 4.3m$^3$ | Yes | No |
| L03-04 | 3 bed | 95m$^2$ | 14m$^2$ | 5.3m$^3$ | 4.7m$^3$ | Yes | Yes |
| L03-05 | 2 bed | 88m$^2$ | 10m$^2$ | 4.1m$^3$ | 3.9m$^3$ | Yes | Yes |
| L03-06 | 1 bed | 51m$^2$ | 8m$^2$ | 3.2m$^3$ | 2.8m$^3$ | Yes | No |
| L03-07 | 2 bed | 80m$^2$ | 12m$^2$ | 4m$^3$ | 4m$^3$ | Yes | No |
| L03-08 | 2 bed | 83m$^2$ | 14m$^2$ | 5.4m$^3$ | 2.6m$^3$ | Yes | Yes |
| Level 4 | | | | | | | |
| L04-01 | 2 bed | 80m$^2$ | 10m$^2$ | 4.3m$^3$ | 3.8m$^3$ | Yes | Yes |
| L04-02 | 1 bed | 52m$^2$ | 8m$^2$ | 2.7m$^3$ | 2.6m$^3$ | Yes | No |
| L04-03 | 2 bed | 80m$^2$ | 11m$^2$ | 4.9m$^3$ | 4.3m$^3$ | Yes | No |
| L04-04 | 3 bed | 95m$^2$ | 14m$^2$ | 4.3m$^3$ | 4.7m$^3$ | Yes | Yes |
| L04-05 | 2 bed | 88m$^2$ | 10m$^2$ | 4.7m$^3$ | 3.9m$^3$ | Yes | Yes |

| Apartment | Type | Internal area | External area | Storage – Apartment | Storage – Basement | Compliant Solar Access | Compliant Ventilation |
|---|---|---|---|---|---|---|---|
| L04-06 | 1 bed | 51m$^2$ | 8m$^2$ | 3.2m$^3$ | 2.8m$^3$ | Yes | No |
| L04-07 | 2 bed | 80m$^2$ | 12m$^2$ | 4m$^3$ | 4m$^3$ | Yes | No |
| L04-08 | 2 bed | 83m$^2$ | 14m$^2$ | 5.4m$^3$ | 2.6m$^3$ | Yes | Yes |
| Level 5 | | | | | | | |
| L05.01 | 2 bed | 80m$^2$ | 10m$^2$ | 4.32m$^3$ | 2.8m$^3$ | Yes | Yes |
| L05-02 | 1 bed | 52m$^2$ | 8m$^2$ | 2.69m$^3$ | 2.6m$^3$ | Yes | No |
| L05-03 | 2 bed | 80m$^2$ | 11m$^2$ | 4.91m$^3$ | 4.3m$^3$ | Yes | No |
| L05-04 | 3 bed | 95m$^2$ | 14m$^2$ | 4.27m$^3$ | 4.7m$^3$ | Yes | Yes |
| L05-05 | 2 bed | 88m$^2$ | 10m$^2$ | 4.65m$^3$ | 3.9m$^3$ | Yes | Yes |
| L05-06 | 1 bed | 51m$^2$ | 8m$^2$ | 3.19m$^3$ | 2.8m$^3$ | Yes | Yes |
| L05-07 | 2 bed | 80m$^2$ | 12m$^2$ | 4m$^3$ | 4m$^3$ | Yes | No |
| L05-08 | 2 bed | 83m$^2$ | 14m$^2$ | 5.38m$^3$ | 2.6m$^3$ | Yes | Yes |
| Level 6 | | | | | | | |
| L06-01 | 2 bed | 80m$^2$ | 10m$^2$ | 4.32m$^3$ | 3.8m$^3$ | Yes | Yes |
| L06-02 | 1 bed | 52m$^2$ | 8m$^2$ | 2.69m$^3$ | 2.6m$^3$ | Yes | No |
| L06-03 | 2 bed | 80m$^2$ | 11m$^2$ | 4.91m$^3$ | 4.3 m$^3$ | Yes | No |
| L06-04 | 3 bed | 95m$^2$ | 14m$^2$ | 4.27m$^3$ | 4.7m$^3$ | Yes | Yes |
| L06-05 | 2 bed | 88m$^2$ | 10m$^2$ | 4.65m$^3$ | 3.9m$^3$ | Yes | Yes |
| L06-06 | 1 bed | 51m$^2$ | 8m$^2$ | 3.19m$^3$ | 2.8m$^3$ | Yes | No |
| L06-07 | 2 bed | 80m$^2$ | 12m$^2$ | 4m$^3$ | 4m$^3$ | Yes | Yes |
| L06-08 | 2 bed | 83m$^2$ | 14m$^2$ | 5.38m$^3$ | 2.6m$^3$ | Yes | Yes |
| Level 7 | | | | | | | |
| L07-01 | 2 bed | 80m$^2$ | 10m$^2$ | 4.3m$^3$ | 3.7m$^3$ | Yes | Yes |
| L07-02 | 1 bed | 52m$^2$ | 8m$^2$ | 3.4m$^3$ | 2.6m$^3$ | Yes | Yes |
| L07-03 | 2 bed | 80m$^2$ | 11m$^2$ | 4.9m$^3$ | 3.1m$^3$ | Yes | Yes |
| L07-04 | 3 bed | 95m$^2$ | 14m$^2$ | 3.6m$^3$ | 6.4m$^3$ | Yes | Yes |
| L07-05 | 3 bed | 106m$^2$ | 12m$^2$ | 7.3m$^3$ | 2.7m$^3$ | Yes | Yes |

Table 3: Apartment details (Source: Jackson Teece)

### 3.6 Landscaping and Open Space

The proposal incorporates the removal of three (3) trees in the north western corner of the site. Site Design Studios has prepared a Landscape Concept Plan which accompanies this DA. The primary areas of landscaping at the site comprise communal open spaces at Levels 1 and 7, as discussed below.

### *3.6.1 Private Open Space*

Each proposed dwelling is provided with an area of private open space in the form of a balcony, as outlined above in Table 3. Planter boxes are provided to the balconies of the south and west facing apartments at Level 2.

### *3.6.2 Communal Open Space*

The proposal incorporates 445m$^2$ or 26.2% site area as communal open space, comprising the following areas:

- Level 1: 191m$^2$ of communal area comprising a pergola and BBQ area along with planting; and
- Level 7: 254m$^2$ of communal area comprising a pergola and BBQ area along with planting.

The Level 1 communal area comprises substantial perimeter planting, particularly on its southern side, in order to provide physical and visual separation between common areas and the adjoining dwellings to the south, so as to ensure visual and acoustic privacy impacts are mitigated. Both areas of communal open space are accessible.

## 3.7 Stormwater

A Stormwater Concept Plan has been prepared by Wood & Grieve Engineers. The Plan proposes an On-site Detention (OSD) Tank within the north eastern corner of the site, discharging to a proposed new kerb outlet on Broadarrow Road.

## 3.8 Demolition and Excavation

The proposed development incorporates demolition of all existing structures, as well as removal of existing underground storage tanks associated with the service station located at the site.

A Ground Engineering Desk Study has been prepared by Wood & Grieve. The report makes the following recommendations:

- A geotechnical investigation is required to:
  - Assess groundwater conditions; and
  - Assess the soil and rock profile, strength, characteristics and depths.
- Modelling of the basement excavation will be necessary to understand likely ground movements that result from the excavations. The design of retaining walls should consider appropriate stiffness and propping of the wall elements to control excessive ground movements; and
- Monitoring of ground movements will be required prior, during and after the excavation of the basement. This should be specified and controlled through the use of Ground Movement Monitoring Plan.

Appropriate conditions of consent can be imposed in relation to the satisfactory carrying out of the above items, prior to the commencement of excavation. It is noted that the proposal will require temporary dewatering and is therefore Integrated Development, as discussed elsewhere.

A Preliminary Phase 2 Environmental Site Assessment has been prepared by Environmental Investigation Services. The Report concludes that:

> *"The site can be made suitable for the proposed development provided that the following recommendations are implemented to address the data gaps and to characterise the risks:*

- *Undertake a Hazardous Materials Assessment (Hazmat) for the existing buildings prior to the commencement of demolition work;*
- *Once all the buildings, canopy and USTs have been removed undertake a soil sampling and assessment program; and*
- *Undertake soil sampling and assessment from the base and walls of the UST pits and any other excavation pits.*

*Based on the findings of the above recommendations further works, including remediation and validation may be required.*

*In the event unexpected conditions are encountered during development work or between sampling locations that may pose a contamination risk, all works should stop and an environmental consultant should be engaged to inspect the site and address the issue."*

## 3.9 Parking and Vehicular Access

The site is currently accessed via provided via four (4) driveways to Hurst Place and three (3) driveways to Broadarrow Road. The proposal incorporates two (2) driveways accessing the site from Hurst Place, including a double driveway providing access to the basement parking levels, and a single driveway providing access for service vehicles and two (2) commercial/retail parking spaces.

### *3.9.1 Basement Access*

The proposed basement parking levels are accessed via a double driveway from Hurst Place. Details in relation to access and manoeuvrability are provided in the Traffic and Parking Assessment prepared by Stantec.

### *3.9.2 Service Vehicle Access*

A 3m wide driveway is provided at the rear of the site, accessed from Hurst Place, for use by delivery vehicles. The proposed loading area has been designed to accommodate small rigid vehicles (SRVs) and such vehicles will be able to enter and exit the site in a forward direction. Access from the loading dock is provided to the rear of each of the restaurants and the proposed commercial/retail tenancy so that all deliveries will be made on-site. Further details in relation to service vehicle access and manoeuvring is provided in the Traffic and Parking Assessment prepared by Stantec.

### *3.9.3 Car Parking*

The proposed development incorporates four (4) basement parking levels. In total, on-site car parking is provided for 102 vehicles, including the following:

- 22 basement and two (2) ground floor level commercial/retail parking spaces (including one (1) accessible space);
- 10 basement residential visitor parking spaces (including one (1) accessible space);
- 67 basement resident spaces (including seven (7) accessible spaces); and
- One (1) carwash bay.

### *3.9.4 Bicycle and Motorbike Parking*

The proposal incorporates 21 resident bicycle parking spaces within Basement Level 2, and seven (7) retail/commercial bicycle parking spaces with Basement Level 1.

## 3.10 Waste Management

### *3.10.1 Residential*

Two (2) waste chutes are provided to service the proposed residential apartments. The chutes transfer residential waste and recycling from the residential levels into the two (2) residential bin rooms at Basement Level 1.

A bin holding room is provided at Ground Floor level, adjacent to Hurst Place, for the temporary placement of bins prior to collection by Council's waste contractors. The room also accommodates space for the storage of bulky items.

Details in relation to the management of the chutes and bin storage rooms are provided in the Waste Management Plan prepared by Elephant's Foot.

### *3.10.2 Retail / Commercial*

A retail/commercial bin room is provided at the rear of ground floor level, adjacent to the loading dock. The room is capable of accommodating six (6) x 1,100L bins, and will be used by the occupants of the proposed restaurants and retail/commercial tenancy.

Details in relation to the management of commercial/retail waste are provided in the Waste Management Plan.

## 3.11 National Construction Code (NCC)

The proposed development has been designed having regard to the National Construction Code (formerly the Building Code of Australia(BCA)) and a report has been prepared by Steve Watson Partners in this regard. The report concludes that the proposed development complies or is readily capable of complying with the relevant requirements of the BCA, apart from several items requiring a Performance Solution. To this end, Wood & Grieve Engineers have concluded that the proposed building would be able to comply with the Performance Requirements of the BCA without major changes to the current design. Appropriate conditions can be imposed requiring additional details confirming compliance with the BCA, prior to the issue of a Construction Certificate (CC).

## 3.12 Accessibility

The proposed development has been designed to achieve compliance with relevant codes and standards in relation to accessibility, as discussed in the Access Report prepared by Accessible Building Solutions. Furthermore, the proposal incorporates seven (7) adaptable dwellings and six (6) liveable dwellings, along with a total of nine (9) accessible parking spaces.

## 3.13 Services and Infrastructure

Provision has been made for a new substation on the Broadarrow Road frontage of the site. A fire hydrant booster is proposed adjacent to the driveway to the basement parking levels, on the Hurst Place frontage. Basement Level 1 accommodates a switch room, communications room, plant room, hydrant pump room and OSD tank.

## 3.14 Pre-Development Application Consultation

Pre-lodgement consultation was conducted with Council staff on 10 September 2018. The proposal has been amended having regard to the issues raised by Council, most notably including the removal of several apartments at Level 6, and relocation of communal open space from Level 7 to Level 6, so that habitable areas are now generally located within the maximum permitted building height control.

# 4.0 Statutory Assessment

## 4.1 Section 4.15

Section 4.15 of the *EP&A Act 1979* sets out the statutory matters for consideration against which the proposed development is to be evaluated. The matters for consideration under Section 4.15 are as follows:

> *"(1) Matters for consideration—general*
>
> *In determining a development application, a consent authority is to take into consideration such of the following matters as are of relevance to the development the subject of the development application:*
>
> *(a) the provisions of:*
>
> *(i) any environmental planning instrument, and*
>
> *(ii) any proposed instrument that is or has been the subject of public consultation under this Act and that has been notified to the consent authority (unless the Secretary has notified the consent authority that the making of the proposed instrument has been deferred indefinitely or has not been approved), and*
>
> *(iii) any development control plan, and*
>
> *(iiia) any planning agreement that has been entered into under section 7.4, or any draft planning agreement that a developer has offered to enter into under section 7.4, and*
>
> *(iv) the regulations (to the extent that they prescribe matters for the purposes of this paragraph), and*
>
> *(v) any coastal zone management plan (within the meaning of the Coastal Protection Act 1979),*
>
> *that apply to the land to which the development application relates,*
>
> *(b) the likely impacts of that development, including environmental impacts on both the natural and built environments, and social and economic impacts in the locality,*
>
> *(c) the suitability of the site for the development,*
>
> *(d) any submissions made in accordance with this Act or the regulations,*
>
> *(e) the public interest."*

The matters for consideration identified in S4.15(1)(a) of the *EP&A Act 1979* are addressed in the following section. Subsections (b) to (e) of S4.15(1) of the *EP&A Act 1979* are addressed in Section 5 of this SEE.

## 4.2 Overview of Statutory and Policy Controls

The EPIs and other statutory planning documents and policies which are relevant to the assessment of the proposed development pursuant to S4.15(1)(a) are identified below.

### *4.2.1 State Environmental Planning Policies*

- State Environmental Planning Policy No. 55 – Remediation of Land (SEPP 55);
- State Environmental Planning Policy (Building Sustainability Index: BASIX) (BASIX SEPP) 2004;

- State Environmental Planning Policy No. 65 - Design Quality of Residential Apartment Development (SEPP 65), and the Apartment Design Guide (ADG), in force under SEPP 65;
- State Environmental Planning Policy (Infrastructure) (ISEPP) 2007; and
- State Environmental Planning Policy (Vegetation in Non-Rural Areas) 2017;
- Greater Metropolitan Regional Environmental Plan No. 2 – Georges River Catchment (GMREP 2).

#### *4.2.2 Local Environmental Plans*

- Canterbury Local Environmental Plan (CLEP) 2012.

#### *4.2.3 Proposed Environmental Planning Instruments*

- Draft SEPP (Environment).

#### *4.2.4 Development Control Plans*

- Canterbury Development Control Plan (CDCP) 2012.

#### *4.2.5 Provisions of any planning agreement*

There are no known planning agreements related to the site.

#### *4.2.6 Matters prescribed by the Regulations*

Clause 92 of the EP&A Regulation 2000 prescribes matters that Council must take into consideration prior to the determination of a development application, including:

> *"(1) For the purposes of section 4.15 (1) (a) (iv) of the Act, the following matters are prescribed as matters to be taken into consideration by a consent authority in determining a development application:*
>
> *(a) (Repealed)*
>
> *(b) in the case of a development application for the demolition of a building, the provisions of AS 2601,*
>
> *(c) in the case of a development application for the carrying out of development on land that is subject to a subdivision order made under Schedule 7 to the Act, the provisions of that order and of any development plan prepared for the land by a relevant authority under that Schedule,*
>
> *(d) in the case of the following development, the Dark Sky Planning Guideline:*
>
> *i. any development on land within the local government area of Coonamble, City of Dubbo, Gilgandra or Warrumbungle Shire,*
>
> *ii. development of a class or description included in Schedule 4A to the Act, State significant development or designated development on land less than 200 kilometres from the Siding Spring Observatory,*
>
> *(e) in the case of a development application for development for the purposes of a manor house or multi dwelling housing (terraces), the Medium Density Design Guide for Development Applications published by the Department of Planning and Environment on 6 July 2018, but only if the consent authority is satisfied that there is not a development control plan that adequately addresses such development.*
>
> *Note.*
> *A copy of the Guide is available on the website of the Department."*

Demolition

All demolition will be undertaken with the Australian Standard – AS 2601-1991: The Demolition of Structures. Further management, safety and waste plans in accordance with this standard will be provided prior to the commencement of works.

### 4.3 *Environmental Planning and Assessment (EP&A) Act 1979*

Under Section 2.12, Division 2.4 of Part 2 of the *EP&A Act 1979*, the Sydney South Planning Panel (SSPP) are nominated as the consent authority for certain types of development listed in Schedule 7 of State Environmental Planning Policy (State and Regional Development) (SEPP SRD) 2011.

Development that has a Capital Investment Value (CIV) over $30 million is identified in Schedule 7 of SEPP SRD 2011. As detailed in the estimate included at Attachment 10, the development has a CIV of more than $30million and therefore exceeds the threshold specified at Schedule 7. Accordingly, the Sydney South Planning Panel is the consent authority for this application.

#### *4.3.1 Section 4.46 – Integrated Development*

*Water Act 1912*

The geotechnical consultant for the project has advised that temporary dewatering is likely to be required for all basements during the excavation phase of construction and hence, the proposed development constitutes Integrated Development, and referral to Water NSW will be required under the *Water Act 1912.*

### 4.4 State Environmental Planning Policy No. 55 – Site Remediation (SEPP 55)

SEPP 55 prescribes a statutory process associated with the development of land that is contaminated and needs remediation.

Clause 7 of SEPP 55 provides the following:

> *"(1) A consent authority must not consent to the carrying out of any development on land unless:*
>
> *(a) it has considered whether the land is contaminated, and*
>
> *(b) if the land is contaminated, it is satisfied that the land is suitable in its contaminated state (or will be suitable, after remediation) for the purpose for which the development is proposed to be carried out, and*
>
> *(c) if the land requires remediation to be made suitable for the purpose for which the development is proposed to be carried out, it is satisfied that the land will be remediated before the land is used for that purpose."*

The site has been used as a service station and vehicle repair station for many years, and such uses typically result in some degree of land contamination. A Preliminary Phase 2 Environmental Site Assessment has been prepared by Environmental Investigation Services. The Report concludes that:

> *"The site can be made suitable for the proposed development provided that the following recommendations are implemented to address the data gaps and to characterise the risks:*
>
> - *Undertake a Hazardous Materials Assessment (Hazmat) for the existing buildings prior to the commencement of demolition work;*
> - *Once all the buildings, canopy and USTs have been removed undertake a soil sampling and assessment program; and*
> - *Undertake soil sampling and assessment from the base and walls of the UST pits and any other excavation pits.*

*Based on the findings of the above recommendations further works, including remediation and validation may be required.*

*In the event unexpected conditions are encountered during development work or between sampling locations that may pose a contamination risk, all works should stop and an environmental consultant should be engaged to inspect the site and address the issue."*

Appropriate conditions of consent can be imposed, requiring compliance with the above recommendations and to this end, it is considered that the proposal is consistent with the requirements of SEPP 55 and can be made suitable for the proposed land use.

### 4.5 State Environmental Planning Policy (Building Sustainability Index: BASIX) (BASIX SEPP) 2004

This SEPP operates in conjunction with EP&A Regulation 2000 to ensure the effective introduction of BASIX in NSW.

In accordance with Clause 6(1) of the SEPP, BASIX applies to BASIX affected development as defined by the Regulation. The proposed development is defined as a BASIX affected development as it involves construction of 63 new dwellings.

A BASIX Certificate has been prepared for the proposed development and demonstrates that the building satisfies the requirements of the BASIX SEPP.

### 4.6 State Environmental Planning Policy No. 65 – Design Quality of Residential Apartment Development (SEPP 65)

The proposal seeks to construct a shoptop housing development comprising three (3) restaurants, one (1) commercial/retail tenancy and 63 residential apartments over a total of seven (7) and eight (8) levels, and accordingly the provisions SEPP 65 and the ADG apply to the proposal.

SEPP 65 establishes nine (9) design quality principles to be applied in the design and assessment of residential apartment development.

As set out below, under Clause 6A, if a development control plan contains provisions that specify requirements, standards or controls in relation to a matter to which this clause applies, those provisions are of no effect.

*"6A Development control plans cannot be inconsistent with Apartment Design Guide*

*(1) This clause applies in respect of the objectives, design criteria and design guidance set out in Parts 3 and 4 of the Apartment Design Guide for the following:*

*(a) visual privacy,*

*(b) solar and daylight access,*

*(c) common circulation and spaces,*

*(d) apartment size and layout,*

*(e) ceiling heights,*

*(f) private open space and balconies,*

*(g) natural ventilation,*

*(h) storage.*

*(2) If a development control plan contains provisions that specify requirements, standards or controls in relation to a matter to which this clause applies, those provisions are of no effect.*

*(3) This clause applies regardless of when the development control plan was made."*

Clause 30 identifies standards that cannot be used to refuse an application.

Clause 50(1AB) of the EP&A Regulation 2000 requires:

> *"(1AB) The statement by the qualified designer must:*
>
> *(a) verify that he or she designed, or directed the design, of the development, and*
>
> *(b) provide an explanation that verifies how the development:*
>
> *(i) addresses how the design quality principles are achieved, and*
>
> *(ii) demonstrates, in terms of the Apartment Design Guide, how the objectives in Parts 3 and 4 of that guide have been achieved."*

A SEPP 65 Design Verification Statement has been prepared by Jackson Teece addressing the nine (9) design quality principles contained in the SEPP. The Verification Statement is supported by an ADG Compliance Assessment prepared by Jackson Teece.

As demonstrated in the ADG Compliance Assessment, and the summary included in Table 4 below, the proposal substantially complies with the design criteria and design guidance.

### *4.6.1 Apartment Design Guide*

| Design Criteria for relevant Objectives of ADG | Consistency with Objectives/Compliance with Criteria |
|---|---|
| Part 3 Siting the Development | |
| *3D Communal & Public Open Space* | |
| *1. Communal open space has a minimum area equal to 25% of the site.* | Complies.<br>The proposal provides 445m$^2$ or 26.2% of the site as communal open space. |
| *2. Developments achieve a minimum of 50% direct sunlight to the principal usable part of the communal open space for a minimum of 2 hours between 9 am and 3 pm on 21 June (midwinter)* | Complies.<br>Both communal open spaces enjoy northern orientations and will achieve well in excess of the minimum required solar access. |
| *3E Deep Soil Zones* | |
| *Deep soil zones for sites over 1,500m$^2$ are to meet the following minimum requirements:*<br>· *Minimum Dimension : 6m*<br>· *Percentage of site area: 7%* | Acceptable.<br><br>No deep soil zones are provided.<br><br>The ADG states that:<br><br>*"Achieving the design criteria may not be possible on some sites including where:*<br>· *The location and building typology have limited or no space for deep soil at ground level (e.g. central business district, constrained sites, high density areas, or in centres)*<br>· *There is 100% site coverage or non-residential uses at ground floor level* |

| Design Criteria for relevant Objectives of ADG | Consistency with Objectives/Compliance with Criteria |
|---|---|
| | *Where a proposal does not achieve deep soil requirements, acceptable stormwater management should be achieved and alternative forms of planting provided such as on structure."*<br><br>The site is located within the Narwee local centre and incorporates non-residential uses at ground floor level. Furthermore, the proposal incorporates onsite detention and stormwater measures to minimise impacts on the local stormwater system and areas of planting are proposed in the areas of communal open space located at Levels 1 and 7.<br><br>On this basis, and having regard to the above, it is considered that the lack of deep soil is consistent with that contemplated by the ADG in locations such as the site of the proposed development and having regard to the particulars of the proposed stormwater and landscape design, the proposal is considered acceptable. |
| *3F Visual Privacy* | |
| *Minimum required separation distances from buildings to the side and rear boundaries are as follows:*<br>• *Buildings up to 12m (4 storeys):*<br>– *Habitable rooms and balconies: 6m*<br>– *Non-habitable rooms: 3m*<br>• *Buildings up to 25m (5-8 storeys):*<br>– *Habitable rooms and balconies: 9m*<br>– *Non-habitable rooms: 4.5m* | Acceptable.<br><br>The rear boundary of the site adjoins a railway corridor which is not likely to be redeveloped in the future. As such, it is considered that building separation controls would not apply in relation to the northern boundary of the site.<br><br>The site is adjoined to the east by a small parcel of land owned by the Electricity Transmission Ministerial Holding Corporation which it is understood, is a NSW government entity which acts as landlord for 99 year lease of electricity transmission network.<br><br>On the basis of the public ownership of this land, its function associated with the electricity transmission network and modest area (approximately 120m$^2$), its redevelopment is considered unlikely. To this end, it is considered that building separation in relation to the eastern boundary of the site would not be required. Furthermore, this parcel is not included in the Narwee Local Centre Structure Plan contained in DCP 2012. |
| *3J Bicycle & Car parking* | |
| *For development in the following locations:*<br>• *on sites that are within 800 metres of a railway station or light rail stop in the Sydney Metropolitan Area; or*<br>• *on land zoned, and sites within 400 metres of land zoned, B3 Commercial Core, B4* | Complies.<br><br>As outlined in the Traffic and Parking Assessment accompanying this DA, the proposal meets the minimum car parking requirements of both the ADG and DCP. |

| Design Criteria for relevant Objectives of ADG | Consistency with Objectives/Compliance with Criteria |
|---|---|
| *Mixed Use or equivalent in a nominated regional centre*<br><br>*The minimum car parking requirement for residents and visitors is set out in the Guide to Traffic Generating Developments, or the car parking requirement prescribed by the relevant council, whichever is less*<br><br>*The car parking needs for development must b provided off street* | All car parking is provided on-site, as required. |
| Part 4 - | |
| *4A Solar & Daylight Access** | |
| 1. *Living rooms and private open spaces of at least 70% of apartments in a building receive a minimum of 2 hours direct sunlight between 9 am and 3 pm at mid winter in Sydney Metro Area and Newcastle and Wollongong LGAs* | Complies.<br><br>Jackson Teece has calculated that 57 (or 90.5%) of the proposed apartments receive at least two (2) hours of direct sunlight between 9:00am and 3:00pm on 21 June. |
| 2. *A maximum of 15% of apartments in a building receive no direct sunlight between 9 am and 3pm at mid winter* | Complies.<br><br>Jackson Teece has calculated that six (6) (or 9.5%) of the proposed apartments receive no direct sun between 9:00am and 3:00pm on 21 June. |
| *4B Natural Ventilation** | |
| 1. *At least 60% of apartments are naturally cross ventilated in the first nine storeys of the building.* | Complies.<br><br>Jackson Teece has calculated that 38 (or 60.3%) of the proposed apartments achieve cross flow ventilation. |
| 2. *Overall depth of a cross-over or cross-through apartment does not exceed 18m, measured glass line to glass line* | Complies. |
| *4C Ceiling Heights* | |
| • *Habitable rooms 2.7m*<br>• *Non-habitable 2.4m* | Complies.<br><br>As outlined in Table 1, a floor to ceiling height of 2.7m is provided to Levels 1 to 7 inclusive. |
| *4D Apartment Size & Layout ** | |
| *Apartments are required to have the following minimum internal areas:*<br>• *1 bedroom: 50m$^2$*<br>• *2 bedroom: 70m$^2$*<br>• *3 bedroom: 90m$^2$*<br>*The minimum internal areas include only one bathroom. Additional bathrooms increase the minimum internal area by 5m$^2$ each* | Complies, including 5m$^2$ for second bathrooms, where proposed. |

| Design Criteria for relevant Objectives of ADG | Consistency with Objectives/Compliance with Criteria |
|---|---|
| *4E Private Open Space & Balconies** | |
| *All apartments are required to have primary balconies as follows:*<br>• *1 bedroom apartments: 8m$^2$ area, minimum depth 2m*<br>• *2 bedroom apartments: 10m$^2$ area, minimum depth 2m*<br>• *3+ bedroom apartments:*<br>*12m$^2$ area, minimum depth 2.4m*<br><br>*Apartments at ground level or on a podium or similar structure, private open space is to be a minimum depth of 3m and area of15m$^2$.* | Complies.<br><br>Refer to Table 1. |
| *4F Common Circulation & Spaces** | |
| *The maximum apartments off a circulation core on a single level is eight* | Complies.<br><br>A maximum of seven (7) apartments are located off the proposed western core.<br><br>A maximum of six (6) apartments are located off the proposed eastern core. |
| *4G Storage** | |
| *In addition to storage in kitchens, bathrooms and bedrooms, the following storage is provided:*<br>• *1 bedroom apartments: 6m$^3$*<br>• *2 bedroom apartments: 8m$^3$*<br>• *3+ bedroom apartments: 10m$^3$*<br><br>*At least 50% of the required storage is to be located within the apartment* | Generally complies.<br><br>Details in relation to the proposed storage are provided in the Areas Schedule prepared by Jackson Teece. |
| ** Equivalent provisions in any Council DCP are not to apply.* | |

Table 4: Summary of response to design criteria of Apartment Design Guide objectives

### 4.7 State Environmental Planning Policy (Infrastructure) (ISEPP) 2007

ISEPP 2007 provides a consistent planning regime for infrastructure and the provision of services across NSW, along with providing for consultation with relevant public authorities during the assessment process. The SEPP supports greater flexibility in the location of infrastructure and service facilities along with improved regulatory certainty and efficiency.

The SEPP applies to the State and therefore applies to the subject site.

The SEPP is divided into three (3) parts being preliminary, general and development controls. The Development Controls in Part 3 are divided into 25 use based divisions. Each of the divisions have been considered and the proposal is subject to the following:

- Clause 86 – Excavation in, above or adjacent to rail corridors;

- Clause 87 - Impact of rail noise or vibration on non-rail development;
- Clause 101 - Development with frontage to a classified road;
- Clause 102 – Impact of road noise or vibration on non-road development; and
- Clause 104 – Traffic Generating Development.

### *4.7.1 Excavation In, Above or Adjacent to Rail Corridors (Cl 86)*

Clause 86 (1) and (2) applies to development that involves excavation of 2m or more in depth, or within 25m of the rail corridor, requires the concurrence of the relevant rail authority for such development. Subclause 86(3) requires that the following matters be considered by the rail authority in deciding whether to grant concurrence:

> *"(b) the potential effects of the development (whether alone or cumulatively with other development or proposed development) on:*
>
> *i. the safety or structural integrity of existing or proposed rail infrastructure facilities in the rail corridor, and*
>
> *ii. the safe and effective operation of existing or proposed rail infrastructure facilities in the rail corridor, and*
>
> *(c) what measures are proposed, or could reasonably be taken, to avoid or minimise those potential effects."*

The DA is supported by the following comprehensive investigations which consider potential excavation, construction and long-term impacts of the proposed development on the adjoining rail corridor and rail infrastructure.

- Geotechnical Desk Study prepared by Wood & Grieve Engineers; and
- Acoustic and Vibration Assessment, prepared by Wood & Grieve Engineers.

Collectively these investigations, combined with the architectural drawings, indicate that the proposed development will not compromise the safety or structural integrity of the rail corridor and rail facilities, or their safe and effective operation, subject to the implementation of the recommendations and measures including but not limited to:

- Further geotechnical investigation is required in order to assess groundwater conditions and the soil and rock profile, strength, characteristics and depths;
- Modelling of the basement excavation will be necessary to understand likely ground movements that result from the excavations. The design of the retaining walls should consider appropriate stiffness and propping of the wall elements to control excessive ground movements; and
- Monitoring of ground movements will be required prior, during and after the excavation of the basement. This should be specified and controlled through the use of a Ground Movement Monitoring Plan.

Appropriate conditions of consent can be imposed in relation to the above matters.

### *4.7.2 Clause 87 - Impact of Rail Noise or Vibration on Non-Rail Development*

Clause 87 requires consideration of rail noise or vibration for development that is in or adjacent to a rail corridor that the consent authority considers is likely to be adversely affected by rail noise or vibration including a building for residential use. The clause states that if the development is for the purposes of a building for residential use, the consent authority must not grant consent unless it is satisfied that appropriate measures will be taken to ensure that the following LAeq levels are not exceeded:

- In any bedroom in the building: 35 dB(A) at any time between 10:00pm and 7:00am; and

- Anywhere else in the building (other than a garage, kitchen, bathroom or hallway):40 dB(A) at any time.

An acoustic assessment has been prepared by Wood & Grieve Engineers in relation to the proposed development.

In relation to vibration from passing trains, the levels are significantly below the criteria that requires consideration for structural damage or human comfort.

In relation to railway noise, the report notes that the noise levels inside the most affected habitable rooms have been predicted to be between 30dB(A) and 35dB(A) due to the passing by of a train, and are not expected to exceed the Department of Planning and Environment (DP&E) criteria for ground borne noise, subject to appropriate glazing being provided to specified windows. Additional details in relation to alternative means of ventilation, to windows which are required to remain closed, will be provided prior to CC and a condition of consent can be imposed to this effect.

In relation to road traffic noise, the report does not identify any acoustic issues of concern.

#### *4.7.3 Clause 101 – Development with Frontage to a Classified Road*

Neither Broadarrow Road or Hurst Place are a classified road and hence, Clause 101 is not applicable to this DA.

#### *4.7.4 Clause 102 - Impact of Road Noise or Vibration on Non-Road Development*

The development includes appropriate acoustic attenuation measures so as to not be affected by noise or vibration.

#### *4.7.5 Clause 104 – Traffic Generating Development*

Pursuant to Schedule 1 of ISEPP 2007, the proposed development is not a traffic generating development as it does not meet the specified thresholds and the road access is not within 90m of a classified road.

As such, the proposal is considered acceptable with regard to the relevant objectives and provisions of the ISEPP 2007.

### 4.8 State Environmental Planning Policy (Vegetation in Non-Rural Areas) 2017

The proposal incorporates the removal of three (3) trees located in the site's north western corner and hence, State Environmental Planning Policy (Vegetation in Non-Rural Areas) 2017 applies to this DA and approval for the removal of the trees, as part of the proposed development is sought.

### 4.9 Greater Metropolitan Regional Environmental Plan No. 2 – Georges River Catchment (GMREP 2)

GMREP 2 applies to the proposal. Pursuant to Clause 7(b) of the Policy, Council is required to consider the planning principles specified in the Policy, when determining a development application.

#### *4.9.1 General Planning Principles (Clause 8)*

The general planning principles of GMREP 2 are as follows:

*"a) the aims, objectives and planning principles of this plan,*

*b) the likely effect of the proposed plan, development or activity on adjacent or downstream local government areas,*

*c) the cumulative impact of the proposed development or activity on the Georges River or its tributaries,*

*d) any relevant plans of management including any River and Water Management Plans approved by the Minister for Environment and the Minister for Land and Water Conservation and best practice guidelines approved by the Department of Urban Affairs and Planning (all of which are available from the respective offices of those Departments),*

*e) the Georges River Catchment Regional Planning Strategy (prepared by, and available from the offices of, the Department of Urban Affairs and Planning),*

*f) all relevant State Government policies, manuals and guidelines of which the council, consent authority, public authority or person has notice,*

*g) whether there are any feasible alternatives to the development or other proposal concerned."*

The proposed development is considered to be acceptable having regard to the general planning principles, as follows:

- The proposed development and land uses are consistent with the aims of the Policy as measures are proposed to ensure that potential impacts on water quality and the environment within the catchment are minimised;
- Stormwater concept plans and sediment and erosion control plans accompany this DA to ensure that discharge from the site will be suitably managed; and
- Appropriate conditions of consent can be imposed to ensure the proposal is consistent with the above requirements.

### *4.9.2 Specific Planning Principles (Clause 9)*

Clause 9 of GMREP 2 specifies the following specific planning principles which are required to be considered:

*"(1) Acid sulfate soils. Disturbance of acid sulfate soil areas is to be avoided or minimised and those areas are to be protected in accordance with the requirements set out in the Acid Sulfate Soils Assessment and Management Guidelines prepared by the Acid Sulfate Soils Management Advisory Committee. Measures to minimise that disturbance are to take into account the following:*

*(a) verification of the existence, locations and extent of acid sulfate soils,*

*(b) the capacity of land to sustain the proposed land uses, having regard to:*

*(i) potential impacts on surface and groundwater quality and quantity, and*

*(ii) potential impacts on ecosystems and on biodiversity, and*

*(iii) potential impacts on agricultural, fisheries and aquaculture productivity, and*

*(iv) any likely engineering constraints and impacts on infrastructure, and*

*(v) cumulative environmental impacts.*

*(2) Bank disturbance. Disturbance of the bank or foreshore along the Georges River and its tributaries is to be avoided and those areas and any adjoining open space or vegetated buffer area must be protected from degradation.*

*(3) Flooding. The following are to be recognised:*

*(a) the benefits of periodic flooding to wetland and other riverine ecosystems,*

*(b) the pollution hazard posed by development on flood liable land in the event of a flood,*

*(c) the cumulative environmental effect of development on the behaviour of flood water and the importance of not filling flood prone land.*

*(4) Industrial discharges. The discharging of industrial waste into the Georges River or its tributaries must be avoided and the requirements of the relevant consent authority and licensing authority must be met in those instances where industrial discharges into the river and its tributaries occur.*

*(5) Land degradation. Land degradation processes, such as:*

*(a) erosion,*

*(b) sedimentation,*

*(c) deterioration of soil structure,*

*(d) significant loss of native vegetation,*

*(e) pollution of ground or surface water,*

*(f) soil salinity and acidity, and*

*(g) adverse effects on habitats and sensitive natural environments (aquatic and terrestrial) within the Catchment,*

*must be avoided where possible, and minimised where avoidance is not possible.*

*(6) On-site sewage management. The potential adverse environmental and health impact associated with effluent disposal is to be recognised and guarded against by meeting the criteria set out in the Environment Health Protection Guidelines: On-site Sewage Management for single households and the provisions of the Local Government (Approvals) Regulation 1993.*

*(7) River-related uses. Uses located on immediate foreshore land on the Georges River and its tributaries must be water-related and public access to the foreshore of the river and its tributaries must be provided in order to enhance the environment of the Catchment.*

*(8) Sewer overflows. The adverse impact of sewer overflows, including exfiltration, on the environment within the Catchment, and specifically on the water quality of the river and its tributaries, is to be recognised and that issue is to be addressed through appropriate planning and management of development within the Catchment.*

*(9) Urban/stormwater runoff. The impacts of stormwater runoff, including sewage contaminated runoff into or near streams within the Catchment, is to be minimised and mitigation measures that address urban stormwater runoff are to be implemented in accordance with the local council requirements and the Managing Urban Stormwater series of documents. Development is also to be in accordance with the NSW State Rivers and Estuaries Policy available from offices of the Department of Urban Affairs and Planning. Stormwater management must be integrated so that quality, quantity and land use aspects are all encompassed.*

*(10) Urban development areas. The environment within the Catchment is to be protected by ensuring that new or expanding urban development areas are developed in accordance with the Urban Development Program and the Metropolitan Strategy and that the requirements of the NSW Floodplain Development Policy and Manual (prepared by and available from the Department of Land and Water Conservation) are also satisfied. It is important to ensure that the level of nutrients entering the waterways and creeks is not increased by the development.*

*(11) Vegetated buffer areas. Appropriate buffer widths (as identified in item 21 relating to Development in Vegetated Buffer Areas in the Planning Control Table in Part 3) must be retained as a means of improving surface runoff entering into the Georges River or its tributaries.*

*(12) Water quality and river flows. Water quality and river flows within the Catchment are to be improved through the implementation of environmental objectives for water quality and river flows agreed between the Minister for Environment and the Minister for Land and Water Conservation and by the application of consistent decisions affecting the use and management of land.*

*(13) Wetlands. Wetlands must be protected through the application of consistent land use and management decisions that take into account the potential impact of surrounding land uses,*

*incorporate measures to mitigate adverse effects and are in accordance with the NSW Wetlands Management Policy (prepared by and available from the Department of Land and Water Conservation). Wetlands must also be protected by requiring adequate provisions where clearing, construction of a levee, draining or landscaping is to be undertaken."*

The site is not affected by acid sulfate soils or flooding and is not located in the vicinity of any natural waterways, wetlands or river banks. As discussed above, this DA is accompanied by stormwater concept plans and sediment and erosion control plans which outline the measures proposed to ensure that stormwater and other discharge from the site will be suitably managed, Furthermore, appropriate conditions of consent can be imposed to ensure the proposal is consistent with the above requirements.

## 4.10 Canterbury Local Environmental Plan (CLEP) 2012

### *4.10.1 Land Use and Permissibility*

The site is located within the B2 Local Centre zone under CLEP 2012 as illustrated in the extract of the Land Zoning Map in Figure 10.

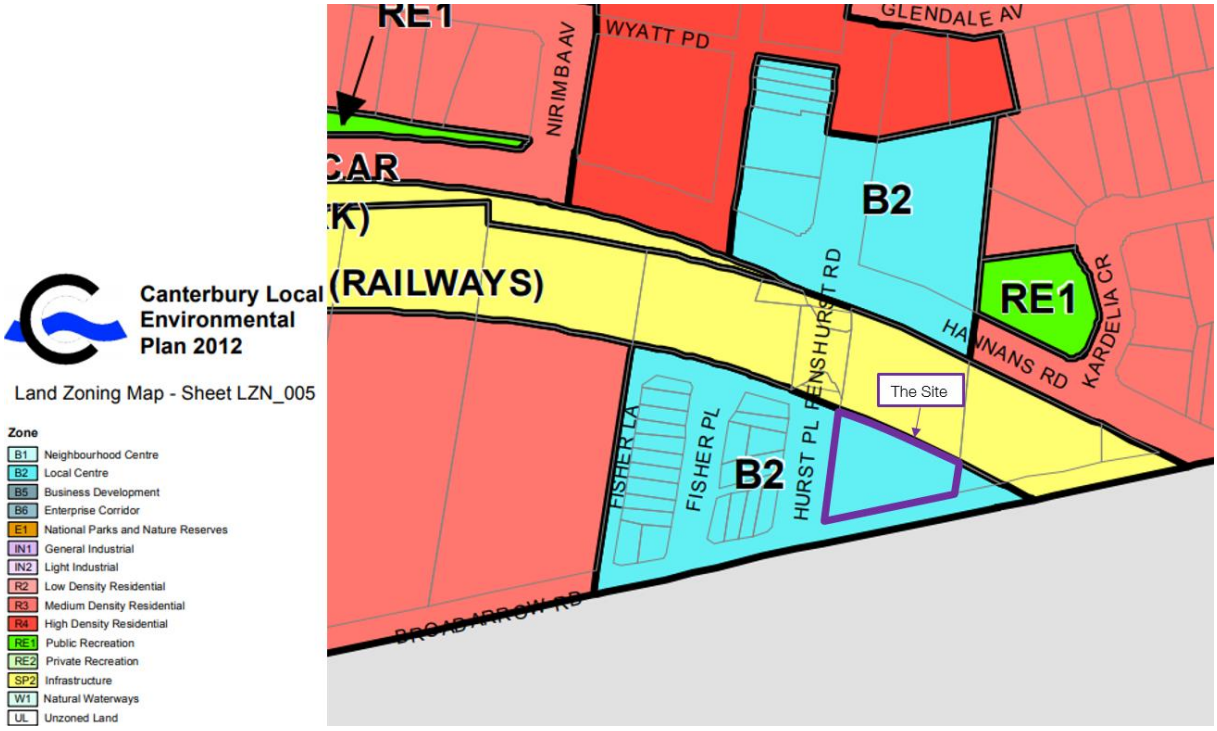


Figure 10: Extract of CLEP 2011 Land Zoning Map

The proposed development incorporates demolition of existing structures and construction of a new building containing three (3) restaurants and one (1) commercial tenancy at ground floor level with 63 apartments above, which would be specifically defined by CLEP 2012 in the following manner:

*"Shop top housing means one or more dwellings located above ground floor retail premises or business premises."*

Shop-top housing is permissible with consent in the B2 Local Centre zone, pursuant to the land use table of CLEP 2012.

The proposed development is also consistent with the objectives of the B2 Local Centres zone as detailed in Table 5.

| Objective | Comment |
|---|---|
| *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.* | The proposal provides tenancies for three (3) new restaurants and one (1) new commercial business, which will add to the range of business and entertainment uses available in the locality. |
| *To encourage employment opportunities in accessible locations.* | The site is located immediately adjacent to Narwee Railway Station and within approximately 50m of a bus stop on Broadarrow Road, thereby ensuring excellent levels of accessibility for persons both living at, working at or visiting the proposed new building. |
| *To maximise public transport patronage and encourage walking and cycling.* | The proximity of the site to Narwee Railway Station and local bus stops will maximise public transport patronage by persons living at, working at, and visiting the site. |
| *To facilitate and support investment, economic growth and development for active, diverse and well-designed centres.* | The proposal will encourage the activation and growth of the Narwee Centre as a consequence of the provision of three (3) new restaurants, one (1) new office, and 63 new apartments in a form commensurate with that envisaged by the applicable planning controls. |

Table 5: B2 Local Centres zone objectives assessment table

### *4.10.2 Height of Buildings (Clause 4.3)*

Clause 4.3 of CLEP 2012 establishes a 27m maximum building height for the site, as illustrated in the extract of the Height of Buildings Map included in Figure 11.

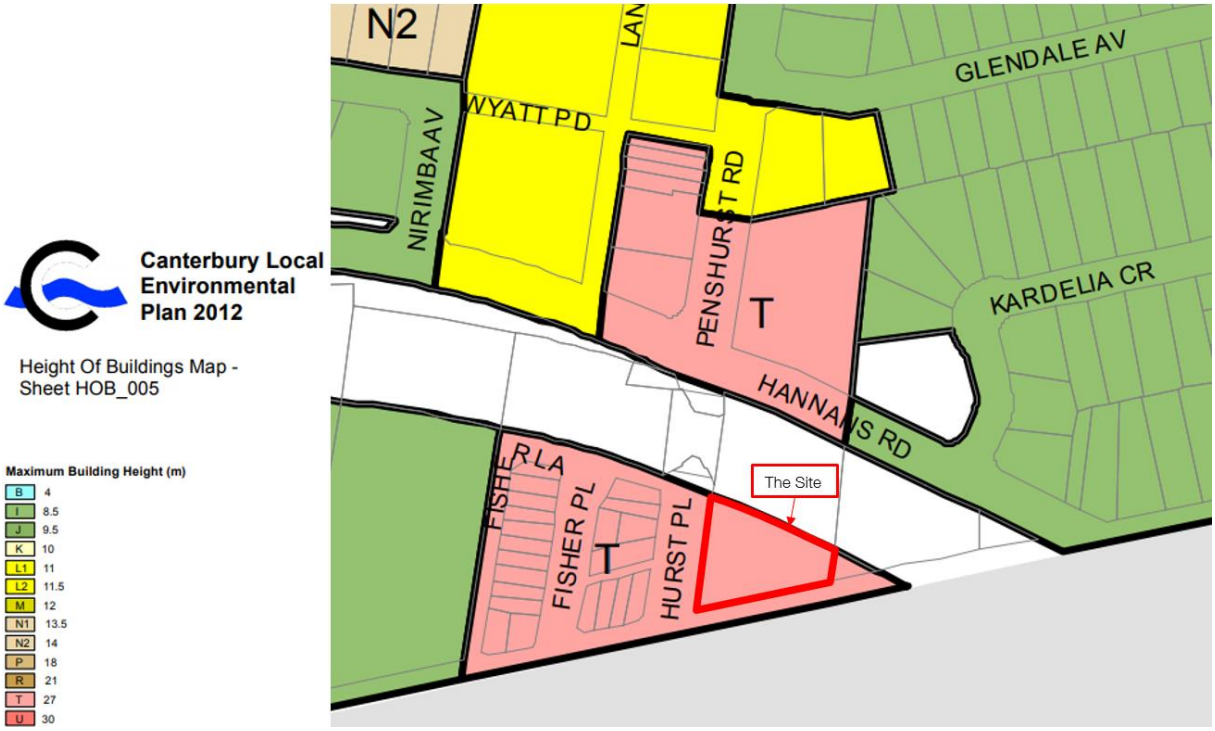


Figure 11: Extract of CLEP 2012 Height of Buildings Map

As outlined in Table 2, the proposed development is generally compliant with the maximum 27m building standard apart from the lift overruns and rooftop plant. These elements have maximum heights, as follows:

- Western lift overrun – 28.11m;
- Screen around plant – 28.71m; and
- Eastern lift overrun – 27.30m.

The non-compliant elements are located centrally within the site and will not be readily visually apparent from the public domain, as can be seen in Figure 13. A Clause 4.6 Variation Request accompanies this DA.

### *4.10.3 Floor Space Ratio (Clause 4.4)*

Clause 4.4 of CLEP 2012 does not specify a maximum FSR as being applicable to the site.

### *4.10.4 Architectural roof features (Clause 5.6)*

No architectural roof features are proposed by this DA.

### *4.10.5 Heritage Conservation (Clause 5.10)*

The site is located in the vicinity of Heritage Item No. 151, which is described in CLEP 2012 as *"Federation and inter war railway station buildings and pedestrian underpass"* and is located at 161A-161B Penshurst Road (Narwee Railway Station), as can be seen in Figure 12 below.

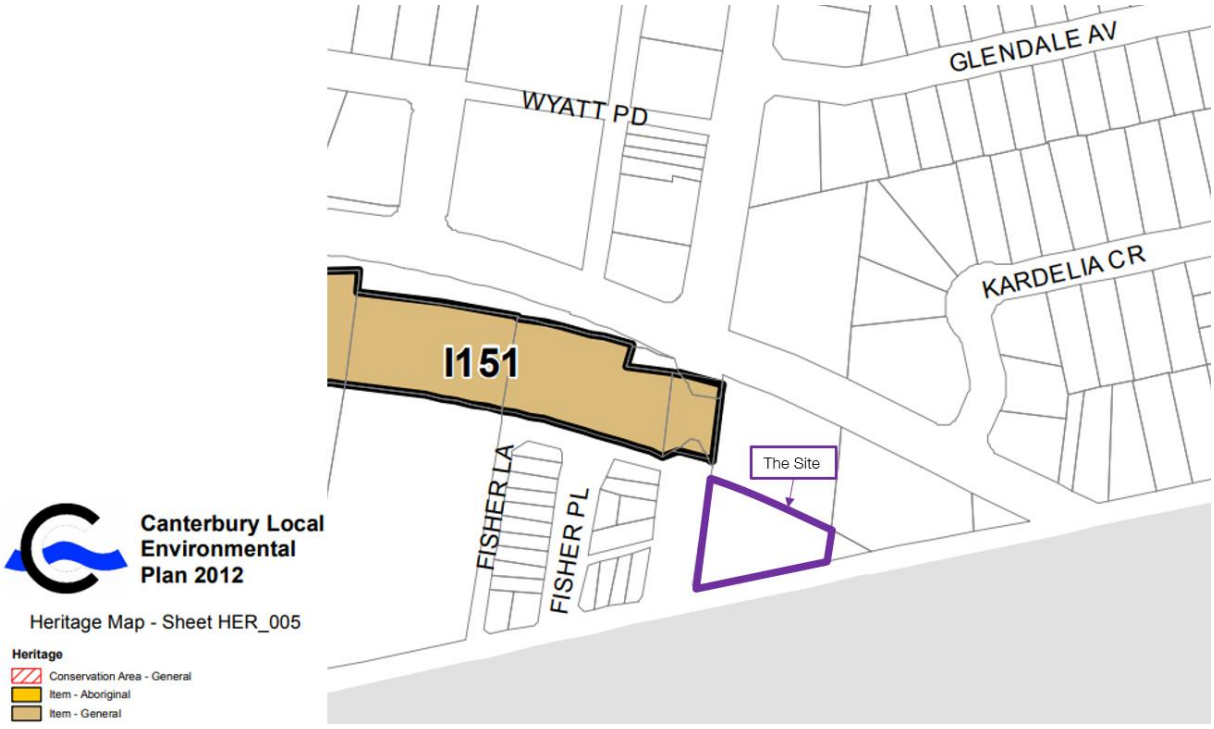


Figure 12: Extract of CLEP 2012 Heritage Map

Notwithstanding that there is no requirement for provision of a Statement of Heritage Impact to be provided, pursuant to Clause 5.10 of CLEP 2012, this DA is accompanied by such a report, prepared by John Oultram Heritage and Design, which undertakes an assessment of the impacts of the proposal on the heritage significance of the nearby heritage item.

The Statement of Heritage Impact accompanying this DA concludes the following:

> *"Overall we consider that the proposed development is a well-considered response to the development of a mixed-use site and the current planning controls applying.*
>
> *The proposed design is well articulated and scaled and uses appropriate forms and details. It will follow the ongoing pattern of development along the railway line and will have a limited and acceptable impact on the setting and significance of the heritage item in the vicinity.*
>
> *We consider that there are no heritage considerations that would preclude approval of the development."*

#### *4.10.6 Acid Sulfate Soils (Clause 6.1)*

The site is not identified as being affected by acid sulfate soils on the CLEP 2012 Acid Sulfate Soils Map and as such, consideration of Clause 6.1 is not required.

#### *4.10.7 Earthworks (Clause 6.2)*

Clause 6.2 of CLEP 2012 states that before granting development consent for earthworks (or for development involving ancillary earthworks), the consent authority must consider the following matters:

> *"(a) the likely disruption of, or any detrimental effect on, drainage patterns and soil stability in the locality of the development,*
>
> *(b) the effect of the development on the likely future use or redevelopment of the land,*
>
> *(c) the quality of the fill or the soil to be excavated, or both,*
>
> *(d) the effect of the development on the existing and likely amenity of adjoining properties,*
>
> *(e) the source of any fill material and the destination of any excavated material,*
>
> *(f) the likelihood of disturbing relics,*
>
> *(g) the proximity to, and potential for adverse impacts on, any waterway, drinking water catchment or environmentally sensitive area,*
>
> *(h) any appropriate measures proposed to avoid, minimise or mitigate the impacts of the development."*

This DA is accompanied by a Geotechnical Desk Study prepared by Wood & Grieve Engineers. The Report undertakes an assessment of the soil conditions at the site and provides recommendations in relation to construction methodology to ensure that impacts in relation to soil stability are managed.

A Preliminary Stage 2 Environmental Site Assessment also accompanies this DA, which concludes that:

> *"The site can be made suitable for the proposed development provided that the following recommendations are implemented to address the data gaps and to characterise the risks:*
>
> - *Undertake a Hazardous Materials Assessment (Hazmat) for the existing buildings prior to the commencement of demolition work;*
> - *Once all the buildings, canopy and USTs have been removed undertake a soil sampling and assessment program; and*
> - *Undertake soil sampling and assessment from the base and walls of the UST pits and any other excavation pits.*
>
> *Based on the findings of the above recommendations further works, including remediation and validation may be required."*

Finally, stormwater concept plans, prepared by Wood & Grieve Engineers accompany this DA. The plans provide details in relation to the management of stormwater resulting from the proposed development in order to minimise potential impacts on the stormwater system and catchment.

#### *4.10.8 Flood planning (Clause 6.3)*

The Flood Maps accompanying CLEP 2012 do not identify the site as being flood affected and as such, consideration of Clause 6.3 is not required.

#### *4.10.9 Stormwater management (Clause 6.4)*

The proposed development has been designed having regard to the intent of Clause 6.4 of CLEP 2012, as follows:

- Areas of planting are proposed within the communal terraces at Levels 1 and 7, so as to assist with stormwater infiltration;
- Onsite detention is proposed as part of the proposed development;
- Detailed stormwater concept plans accompany this DA, providing details in relation to the management of stormwater impacts associated with the site.

#### *4.10.10 Essential services (Clause 6.6)*

The proposal is considered satisfactory with regard to Clause 6.6 of CLEP 2012 as the site is serviced by water, electricity, sewerage and stormwater infrastructure. The proposal incorporates a new electricity substation to augment the existing infrastructure having regard to the additional demand generated by the proposed development. Furthermore, vehicular access is proposed from Hurst Place, as per the Traffic Report accompanying this DA.

### 4.11 Canterbury Development Control Plan (CDCP) 2012

#### *4.11.1 Part B - General Controls*

| Part/Section | Controls | Compliance |
|---|---|---|
| ***B1 Transport and Parking*** | | |
| B1.2 Transport and Parking Requirements | | |
| *B1.2.1 Public Transport* | *C1 Contribute to the upgrade of public transport facilities as identified by any relevant structure plan.* | Complies.<br><br>There are no known requirements for the upgrade of public transport facilities associated with this DA, however, S10.7 Contributions, levied in accordance with Council's S94 Contributions Plan 2013 will provide a contribution to the upgrade pf local infrastructure and facilities. |
| | *C2 Provide for adequate bus parking facilities if the use of buses is expected.* | N/A as no buses are required in conjunction with the proposed development. |
| *B1.2.2 General Parking Provisions* | *C1 Development must provide the number of car spaces, bicycle spaces and car wash bays as required by the rates in section B1.3.1 below.* | Complies.<br><br>Refer to Traffic and Parking Assessment. |

| Part/Section | Controls | Compliance |
|---|---|---|
| | *C2 If the parking calculation results in a fraction of a parking space, the number of spaces required is rounded up to the nearest whole number* | Noted. |
| | *C3 With a change of use of a building, the number of on-site parking spaces and facilities required may increase and Council will generally request the additional parking to be provided.* | N/A |
| | *C4 Centres in the Parking Rates Table in section B1.3.1 are defined as follows:*<br>*(a) Large Local Centres include: Belmore, Campsie and Lakemba;*<br>*(b) Accessible Local Centres include: Earlwood, Hurlstone Park, Narwee, Punchbowl and Wiley Park; and*<br>*(c) Other Local Centres include: Belfield, Croydon Park, and New Canterbury Road (Hurlstone Park).* | Noted. The site is located within an accessible local centre. |
| | *C5 Developments comprising more than one (1) land use must provide the combined parking requirement based on the individual rates of parking for each land use identified in the parking rates table (Table B1.2 of this DCP).* | Complies.<br><br>The proposed combined requirement for parking has been calculated. |
| | *C6 Minor alterations and additions to existing buildings which will result in an increase of up to 25m² in floor area will not attract a requirement to provide additional car parking.* | N/A |
| | *C7 In identified circumstances, or where the specified parking rates in the Table in section B1.3.1 do not include a rate for a proposed land use, a parking assessment is required to determine the specific parking required for the development. The assessment must be undertaken by a suitably qualified transport consultant and analyse:*<br>*a. Parking needs of occupants, staff and visitors;*<br>*b. Bicycle parking, storage and secure facilities;*<br>*c. Service and delivery needs and facilities;*<br>*d. Needs of people with disabilities; and*<br>*e. Surveys of similar establishments in comparable locations (or demonstrate requirements by other appropriate means).* | N/A<br><br>Table 1.3 provides the car parking rates for all of the proposed land uses. |

| Part/Section | Controls | Compliance |
|---|---|---|
| | *C8 Variations to the parking rates must be justified through a Parking Assessment, which demonstrates that the proposal will produce a better planning outcome, and meet the relevant objectives of this DCP.* | Complies.<br><br>Refer to Traffic and Parking Assessment. |
| | *C9 Refer to RTA Guide to Traffic Generating Developments 2002, particularly in relation to parking analysis and traffic study preparation.* | Complies.<br><br>Refer to Traffic and Parking Assessment. |
| | *C10 Car parking (and associated space such as access aisles) in excess of the requirements under the parking rates table in section B1.3.1 will be counted as gross floor area.* | Noted. |
| B1.3 Parking Provision Rates | | |
| *B1.3.1 General Parking Rates* | | Complies.<br><br>Refer to Traffic and Parking Assessment. |

| ***Land Use*** | ***Car Spaces*** | ***Servicing & Delivery*** | ***Bicycle Spaces*** |
|---|---|---|---|
| *Shop Top Housing* | *B2 Zones – Accessible Local Centres*<br>*Studio: 0.5/dwelling*<br>*1 bedroom: 1/dwelling*<br>*2 bedroom: 1/dwelling*<br>*3 bedroom or more: 1/dwelling*<br>*Visitor: 0.15/dwelling* | *10 or more dwellings minimum of 1 car wash bay.* | *Residents: Minimum 1 per 5 dwellings.*<br>*Visitors: Minimum 1 per 10 dwellings.* |
| *Shops, Business and Retail Premises* | *B2 Zones – Accessible Centres*<br>*1 per 50m² GFA (<120m²)*<br>*1 per 40m² GFA (120m² –1,000m²)*<br>*1 per 27m² GFA (>1,000m²)* | *Provide adequate bus parking facilities if the use of buses is required. In larger retail developments containing a supermarket, areas are to be provided in the car park for storage of shopping trolleys.* | *Staff: Minimum 1 per 300m² of GFA Patrons: Minimum 1 per 500m² GFA over 1,000m²* |
| *Restaurants* | *Less than 120m²: 1/40m² GFA.*<br>*120m² – 1,000m² : 1/30m² GFA.*<br>*Greater than 1,000m²: To be determined by a Traffic and Parking Assessment Report.* | | *Staff: Minimum 1 per 100m² GFA over 100m².*<br>*Patrons: Minimum 2 spaces.* |

| | | |
|---|---|---|
| *B1.3.2 Accessible Parking Rates* | *Residential Development*<br><br>*C1 Provide 1 (one) accessible parking space per required adaptable dwelling designed and constructed in accordance with AS 2890.1.* | Complies.<br><br>The proposal provides seven (7) adaptable dwellings and seven (7) accessible parking spaces. |

| Part/Section | Controls | Compliance |
|---|---|---|
| | *Commercial and Industrial Premises (BCA Classes 5-8)*<br><br>*C2 In a development containing 10 or more spaces, provide:*<br>*(a) 1 (one) accessible parking space per 50 parking spaces for employees;*<br>*(b) 1 (one) accessible parking space for visitors per 50 parking spaces where a car park has less than 500 spaces;*<br>*(c) 1 (one) additional accessible parking space per 100 parking spaces above 500 spaces for visitors; and*<br>*(d) Be designed and constructed in accordance with AS 2890.1.* | Complies.<br><br>The proposal provides one (1) accessible space for the commercial tenancies and one (1) accessible space for visitors.<br><br>The Traffic and Parking Assessment accompanying this DA concludes that the layout of the parking spaces meets the requirements of AS 2890.1. |
| *B1.3.3 Loading and Service Bay Provision* | *C1 The number of service bays required will be determined based on the merits of individual proposals.* | Complies.<br><br>The proposal provides a large area for loading and unloading within the rear of Ground Floor level, for use by SRVs. |
| B1.4 Design of Parking Facilities | | |
| *B1.4.1 General Design Requirements* | *C1 All parking, and associated infrastructure is to comply with Australian Standard 2890 Parking Facilities series, which includes:*<br>*(a) AS 2890.1: Off-Street Car Parking;*<br>*(b) AS 2890.2: Off-Street Commercial Vehicle Facilities;*<br>*(c) AS 2890.3: Bicycle Parking Facilities; and*<br>*(d) AS 2890.6: Off-street Parking for People With Disabilities.* | Complies.<br><br>Refer to Traffic and Parking Assessment. |
| | *Location of Entries*<br><br>*C2 Do not locate entries to car parking or delivery areas:*<br>*(a) Close to intersections and signalised junctions;*<br>*(b) On crests or curves;*<br>*(c) Where adequate sight distance is not available;*<br>*(d) Opposite parking entries of other buildings that generate a large amount of traffic (unless separated by a median);*<br>*(e) Where right turning traffic entering may obstruct through traffic;*<br>*(f) Where vehicles entering might interfere with operations of bus stops, taxi ranks,* | Complies.<br><br>The proposed driveways are located in the north eastern (rear) corner of the site on Hurst Place where adequate sightlines are provided.<br><br>Hurst Place is a cul-de-sac and as such, the proposed driveway will not obstruct any passing traffic. |

| Part/Section | Controls | Compliance |
|---|---|---|
| | *loading zones or pedestrian crossings; or*<br>*(g) Where there are obstructions which may prevent drivers from having a clear view of pedestrians and vehicles.* | |
| | *Aisles and Manoeuvring*<br><br>*C3 Design internal aisles and roadways for low-speed traffic – less than 10km/h if heavy pedestrian use is expected.* | Complies.<br><br>Refer to Traffic and Parking Assessment. |
| | *C4 Avoid long, straight internal roadways that might encourage high traffic.* | Complies.<br><br>No long straight roadways are proposed. |
| | *C5 Coordinate the location of turning areas and passing bays.* | Complies.<br><br>A manoeuvring area for delivery vehicles is provided at ground floor level.<br><br>Turning bays are also provided at Basement Levels 1 and 2. |
| | *C6 Provide on-site manoeuvring so that all vehicles enter and leave the site in a forward direction.* | Complies.<br><br>A manoeuvring area for delivery vehicles is provided at ground floor level.<br><br>Turning bays are also provided at Basement levels 1 and 2. |
| | *C7 Provide enough length of internal driveway at the entry to avoid on-street queuing of vehicles.* | Complies.<br><br>The proposed roller door to the basement parking levels is setback 6m from the property boundary so as to minimise the potential for queuing vehicles. |
| | *Pedestrians*<br><br>*C8 Pedestrian access and circulation routes within car parks shall be clearly visible, well lit, and located to minimise conflict with vehicle movements.* | Complies.<br><br>Appropriate lighting will be provided throughout the basement parking levels. Linemarking and signage in relation to pedestrian routes can be provided, by condition of consent, if required. |
| | *C9 Incorporate measures to reduce potential conflict at crossing points such as:*<br>*(h) Footpath / road markings;*<br>*(i) Designated pedestrian crossings;*<br>*(j) Traffic calming devices;*<br>*(k) Low speed limit signs; and/or*<br>*(l) Bollards.* | Complies.<br><br>The length and configuration of proposed driveways will minimise potential for motorists to speed. Good sightlines are provided throughout parking areas and linemarking and signage in relation to pedestrian routes can be provided, by condition of consent, if required. |

| Part/Section | Controls | Compliance |
|---|---|---|
| | *C10 Clearly identify and ground mark pedestrian routes to lifts, staircases entrances/exits.* | Complies.<br><br>Linemarking and signage in relation to pedestrian routes can be provided, by condition of consent, if required. |
| | *C11 Avoid solid blank walls and fences along pedestrian walkways.* | Complies.<br><br>No blank walls and fences are proposed along pedestrian walkways. |
| | *C12 Provide adequate separation between vehicle entries and street intersections.* | Complies.<br><br>The proposed driveway is approximately 40m from the intersection of Hurst Place and Broadarrow Road. |
| | *C13 Separate the entry points for pedestrians and vehicles.* | Complies.<br><br>Separate entrances are provided for pedestrians (residents and customers of the ground floor tenancies) and vehicles. |
| | *C14 One-way ramps and driveways may be acceptable if developments would not generate a large number of hourly vehicle movements.* | N/A<br><br>The proposal incorporates two (2) way ramps. |
| | *C15 If the size of a development or building would require two-way access to a basement, provide pairs of one-way ramps or driveways.* | Complies.<br><br>Two (2) way access ramps are proposed to the basement parking levels. |
| *B1.4.2 Visitor Parking* | *C1 Visitor spaces must not be located behind security grills and must be easily accessible.* | Complies.<br><br>Visitor parking spaces are proposed at Basement 2 and will be accessible by way of an intercom located at the entry to the site. |
| | *C2 Clearly mark and signpost visitor parking, and locate on the ground floor where possible, so that it is easy to find and access.* | Complies.<br><br>Visitor parking spaces are provided at Basement 2. Access is provided by communal lifts and the spaces are located close to the eastern lift. |
| | *C3 Visitor parking should be located near the main pedestrian entrance to the building and can be located in front of the building alignment, but not encroach upon the front setback areas.* | Complies.<br><br>Visitor parking is provided close to the eastern lift for convenient access. |
| *B1.4.3 Bicycle Parking* | *C1 Provide one (1) shower and change room per 10 staff bicycle parking spaces (over 5 spaces).* | No shower facilities are proposed for the three (3) restaurants and one (1) commercial tenancy. If required, showers can be provided in each of the separate tenancies at the time of their approval for |

| Part/Section | Controls | Compliance |
|---|---|---|
| | | use and fitout, and a condition of consent can be imposed to this effect. |
| | *C2 Provide a mix of bicycle storage facilities to cater for short and long stay parking.* | Complies.<br><br>The proposal provides bicycle parking for the restaurants and commercial tenancy at Basement 1 and additional parking for residents and visitors is provided at Basement 2. |
| | *C3 Bicycle racks or stands placed in open public areas that provide only means to lock one wheel of a bicycle to a fixture is not an acceptable secure arrangement. Devices requiring a wheel to be removed are also not acceptable.* | Complies.<br><br>All bicycle parking is provided within the secure basement. |
| | *C4 Incorporate the following into the design and location of bicycle parking:*<br>*(a) All facilities are clearly visible and as close as possible to the main entrances/exits to the street and within the building;*<br>*(b) Short-stay and visitor parking is at grade – floor and wall-mounted rails are acceptable;*<br>*(c) Long-stay and resident parking is on the uppermost level of a basement car park;*<br>*(d) A safe path of travel between bicycle parking and the main entrances/ exits is clearly marked;*<br>*(e) Bicycle facilities are not to hinder vehicle and pedestrian movements, or contribute to the likelihood of injury to passing pedestrians;*<br>*(f) Access paths to bicycle parking are a minimum of 1.5m wide for one way access path to allow the passage of a pedestrian pushing a bicycle; and*<br>*(g) Standardised information signs are to be used to give directions to bicycle parking areas.* | Complies.<br><br>Bicycle parking is located close to the eastern lift at Basement Levels 1 and 2. The proposed basement driveways provide access to and from the parking areas and signposting will be provided to allow easy identification of the location of the parking areas. |
| | *C5 Bicycle parking facilities are to be well lit to minimise theft, vandalism, reduce pedestrian hazard and to improve safety of the cyclists.* | Complies.<br><br>The proposed basement parking levels will be appropriately lit to ensure safety and security. |
| *B1.4.4 Carwash Bays* | *C1 Car wash bays are to be provided in addition to visitor parking as identified in section B1.4.2.* | Complies.<br><br>A carwash bay is proposed at Basement 4. |

| Part/Section | Controls | Compliance |
|---|---|---|
| | *C2 The minimum dimension for car wash bays is 3.5m x 5.4m.* | Complies. |
| | *C3 Car wash bays must be roofed and bunded to exclude rainwater.* | Complies.<br><br>The carwash bay is provided at Basement 4. Bunding and drainage can be provided by condition of consent, if required. |
| | *C4 All wastewater from car washing is to be discharged into the sewer (nonpresidential development requires a Trade Waste Agreement with Sydney Water Corporation).* | Can comply by condition. |
| | *C5 Alternative water management and disposal options may be considered where water is recycled, minimised or re-used on site, subject to Council's merit assessment.* | Noted. |
| *B1.4.5 Service Vehicles* | *C1 The layout of service areas shall be designed to facilitate the specific loading and unloading operations of the development.* | Complies.<br><br>The proposal incorporates three (3) modestly proportioned restaurants and one (1) commercial office. None of these uses requires loading and unloading by more than a small rigid vehicle, and the proposed development has been designed to accommodate SRVs. |
| | *C2 Access to and from the service area is to be convenient with a lift or ramp provided.* | Complies.<br><br>Ramped access is provided from the loading and unloading area into the rear of each of the ground floor tenancies. |
| | *C3 Service vehicles are to enter and leave a site in a forward direction.* | Complies.<br><br>Service vehicles will manoeuvre within the site so that they can enter and exit in a forward direction. |
| | *C4 The layout and dimensions of apron areas and circulation roadways is to allow manoeuvring into a service bay when all other bays are occupied.* | Complies.<br><br>Adequate area is provided within the site to accommodate service vehicles waiting if the loading dock is occupied. |
| | *C5 Service areas are to be separated from passenger vehicle and pedestrian movements both within the site and on adjoining sites wherever possible.* | Complies.<br><br>Proposed service areas are located in the "back-of-house" area and away from passenger vehicle and pedestrian movements. |

| Part/Section | Controls | Compliance |
|---|---|---|
| | *C6 Service areas must not be used for other purposes, such as the storage of goods and equipment.* | Complies.<br><br>No storage is proposed within the service area. |
| | *C7 Service areas are located to discourage on-street loading.* | Complies.<br><br>Access to the proposed service area is conveniently located so as to discourage delivery drivers from loading and unloading on the street. |
| | *C8 Provision is to be made to ensure that service vehicles entering a site do not queue across footpaths or onto external roads.* | Complies.<br><br>The driveway to the service areas is located at the end of the Hurst Place cul-de-sac so that service vehicles waiting to enter the site will not disrupt passing vehicles. |
| | *C9 Garbage storage and collection areas are to be conveniently located and designed so as not to cause unacceptable on street conflicts* | Complies.<br><br>The proposed commercial bin areas are located adjacent to the service area for easy access and to minimise on-street conflicts.<br><br>A temporary bin holding area for residential bins is located on the Hurst Place frontage of the site for ease of access for collection and to avoid disruption to motorists and pedestrians. |
| *B1.4.6 Basement Parking Requirements* | <u>General</u><br>*C1 Provide basement parking and loading bays.* | Complies.<br><br>The proposal incorporates basement car parking and a loading bay within the rear of ground floor level. |
| | *C2 Provide ventilation to basement parking. Location and details of mechanical ventilation design must be outlined in applications to Council.* | Details in relation to basement ventilation will be provided at CC stage and can be conditioned accordingly. |
| | *C3 Design and integrate basement parking so as not to accentuate the scale or bulk of a building, or detract from the streetscape or front setback character.* | Complies.<br><br>The proposed basement parking is located wholly below ground floor level and will not impact on the scale or bulk of the building nor its streetscape presentation. |
| | *C4 Basement podiums shall protrude a maximum of 1m above existing ground level, except where it forms a barrier to 1:100 year flood events (in which case it* | N/A<br>The proposed basement is located below ground floor level. |

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| | *may protrude to the 1:100 year flood level plus 0.5m).* | |
| | <u>Basement Access & Entrances</u> | |
| | *C5 New vehicle access to shop-top housing is not permitted from Canterbury Road, Beamish Street (Campsie) or Homer Street (Undercliffe Precinct), and is limited in other business centres.* | Complies.<br><br>The proposal reduces the number of driveways servicing the site from seven (7) to two (2) which will have a significant positive impact in relation to the pedestrian and road networks in the locality. |
| | *C6 Maximum 6m width for access driveways.* | Complies.<br><br>The proposed basement driveway is 6m wide. |
| | *C7 Vehicular access should be via secondary streets, rear lanes or internal driveways where possible.* | Complies.<br><br>Vehicular access is provided from Hurst Place rather than Broadarrow Road. |
| | *C8 Locate the entrance to basement parking below a terrace or balcony. Alternatively, setback the entrance at least 1m from the building line.* | Complies.<br><br>The proposed basement entry is recessed 6m into the site and will be screened from view by a roller door at the property boundary. |
| | *C9 Recess car park entries from the main building façade alignment.* | Complies.<br><br>The proposed basement entry is recessed 6m into the site and will be screened from view by a roller door at the property boundary. |
| | *C10 Integrate car parking, vehicle ramps, driveways and entries, ventilation grills and screens into the overall facade and landscape design.* | Complies.<br><br>The proposed basement entry is recessed 6m into the site and will be screened from view by a roller door at the property boundary. The entry to the service area is also located behind a roller door to minimise streetscape and public domain impacts, as well as ensuring safety and security. |
| | *C11 Avoid black holes in the façade by providing security doors or decorative grills to car park entry.* | Complies.<br><br>Roller doors are provided to both vehicle entries. |
| | *C12 Return façade material into the car park entry recess for the extent visible from the street.* | Complies. |

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| | | Façade material will be returned into the recessed basement entry. |
| | *C13 Use materials similar to the façade on any interior of the car park that is visible from the street.* | N/A |
| | *C14 Provide directions to areas of car parking that are not readily visible from the street.* | N/A<br><br>The car parking entry will be readily visible from the street. |
| | *C15 Provide signposting in accordance with AS 2890.1.* | Complies.<br><br>Conditions of consent can be imposed to this effect. |
| | *C16 Maintain pedestrian safety by minimising the potential for vehicular and pedestrian conflict, and in particular limit the number of vehicular access points:*<br>*(a) Provide clear sight lines at pedestrian and vehicular crossings,*<br>*(b) Separate and clearly distinguishing between pedestrian and vehicular entries,*<br>*(c) Use traffic calming devices where appropriate.* | Complies.<br><br>The proposal reduces the number of driveway entrances at the site from seven (7) to two (2). Adequate sightlines are provided at vehicle entries and pedestrian entrances are located away from driveways. |
| | *Basement Layout & Design* | |
| | *C17 Construct and line mark all parking areas to the correct size and standard in compliance with AS 2890.1.* | Complies.<br><br>Refer to Traffic and Parking Assessment. |
| | *C18 Covered car parking is required to have a floor to ceiling height in accordance to Australian Standard AS 2890.1.* | Complies.<br><br>Refer to Traffic and Parking Assessment. |
| | *C19 Provide secure bicycle parking at basement level which is easily accessible from ground level, from apartments and other uses within the development.* | Complies.<br><br>Secure bicycle parking for residents and their visitors is provided at Basement 2, and is easily accessible from the eastern lift. |
| | *C20 Provide shared multi-use parking and shared access driveways where possible.* | Complied.<br><br>Shared parking and access is provided to the basement levels. |
| | *C21 Where lifts are proposed, ensure safe and efficient lift access from all parking to the rest of the building.* | Complies.<br><br>Two (2) lifts are proposed to maximise convenience for future users. |
| | *C22 Keep all loading docks, parking areas and driveways clear of goods and do not use* | Complies. |

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| | *for storage, including garbage storage, so that free movement is available at all times.* | Dedicated bin storage and ancillary storage areas are proposed to minimise potential for the storage of waste and other items in the loading area. |
| | *C23 Locate and design so that impacts such as noise, exhaust fumes and headlight glare, are minimised on adjoining residential uses or residential zoned land.* | N/A<br><br>There is no residential development in the vicinity of the driveways to the site. |
| | *C24 Optimise opportunities for deep soil, active street frontages, and good streetscape design, and minimise loss of street parking.* | Complies.<br><br>The proposal activates both street frontages with the placement of the three (3) proposed restaurants and one (1) office. Residential lobbies are also proposed on both frontages.<br><br>Opportunities for on-street car parking will be improved with the removal of five (5) redundant driveways. |
| | *Visitor & Commercial Parking*<br>*C25 In shop-top housing development, separate long term (resident and employee) and short-term (shopper and visitor) car parking, separate parking for residential and non-residential users, and provide secure access to long-term parking.* | Complies.<br>All parking associated with the restaurants and commercial tenancy are proposed at Basement 1. Longer term resident parking and resident visitor parking is provided at the lower basement levels. |
| ***B2 Landscaping*** | | |
| B2.2 Landscape Plan | | |
| | *C1 A landscape plan is required for proposed development as identified in the following table, including shoptop housing.* | Complies.<br><br>A Landscape Plan is provided. |
| | *C2 A site analysis undertaken as part of the DA preparation is to inform the preparation of the landscape plan.* | Complies.<br><br>A Site Analysis Plan is provided. |
| | *C3 A landscape plan should be prepared by a qualified landscape architect or consultant.* | Complies.<br>A qualified Landscaper Architect prepared the Landscape Plan. |
| | *C4 A landscape plan must demonstrate an understanding of the site and its context.* | Complies. |
| | *C5 Landscape plans should comprise the details and specifications as described by Council's DA Guide* | Complies. |
| ***B4 Accessible and Adaptable Design*** | | |
| B4.2 General Controls | | |
| | *C1 All development must comply with the following:* | Complies. |

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| | *(a) All Australian Standards relevant to accessibility;*<br>*(b) The Building Code of Australia access requirements; and*<br>*(c) The Disability Discrimination Act 1992.* | Refer to Access and NCC Reports accompanying this DA. Appropriate conditions of consent can be imposed to ensure compliance is achieved. |
| | *C2 The provision of equitable access is to have minimal impact on the setting of heritage items and of contributory buildings within heritage conservation areas, and be reversible.* | N/A |
| | *C3 Submit a statement of consistency with the Disability Discrimination Act 1992 with the development application. A person qualified to comment on access and mobility issues, and accredited by the Association of Consultants in Access Australia (or an equivalent accreditation authority) must prepare and sign the statement. The statement must be signed by the person who prepared it, and must refer to the plans that were assessed.* | Complies.<br><br>An Access Report accompanies this DA. |
| | *C4 Accessible car parking requirements are set out in the BCA Part D3.5, and Australian Standard 2890.6 - Parking facilities Part 6 - Off street parking for people with disabilities.* | Complies.<br><br>Refer to Traffic and Parking Assessment. Appropriate conditions of consent can be imposed to ensure compliance is achieved. |
| | *C5 Provide and maintain a continuous accessible path of travel as part of the internal fit out of a building. A continuous accessible path of travel is a barrier-free path of travel, for all users of a premises, that provides access to all public spaces and facilities (such as toilets, service counters, meeting rooms that would be available to a person who does not have a disability). (Refer to the BCA Part D3: Access for People with Disabilities and AS 1428.1).* | Complies.<br><br>An Access Report accompanies this DA. Appropriate conditions of consent can be imposed to ensure compliance is achieved. |
| | *C6 When designing layouts consider the following:*<br>*(a) Avoid layouts where boxes, packaging materials and merchandise display stands may be placed in access ways and common space areas;*<br>*(b) Avoid a fit out that results in merchandise being located out of the reach of a person in a wheelchair;* | Complies. |

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| | *(c) Avoid signage that is too small, at the wrong height, or does not provide adequate colour contrast to enable it to be read by a person with vision impairment; and*<br>*(d) Avoid counters that are too high for ease of access by a person who uses a wheelchair.*<br><br>*Note: Refer to Chapter B1 Transport and Parking for accessible parking rates required for specific land uses (Section B1.3.2).* | |
| ***B6 Energy and Water Conservation*** | | |
| B6.2 Passive Energy Design | | |
| *B6.2.1 Shading and Glare* | *C1 Windows and openings shall be appropriately located and shaded to reduce summer heat load and maximise sunlight in winter.* | Complies.<br><br>Window and door openings are located having regard to providing optimal energy efficiency and amenity. Balcony and roof overhangs assist in providing shading. |
| | *C2 Use shading devices to allow direct sunlight to enter and heat a building in winter and prevent direct sunlight entering and heating the building in summer. Devices include eaves, awnings, shutters, louvres, pergolas, balconies, colonnades or external planting.* | Complies.<br><br>Balcony/roof overhangs and architectural design elements are incorporated to minimise heat load. |
| | *C3 Provide horizontal shading to north facing windows and vertical shading to east or west windows.* | Complies.<br><br>North-facing windows are shaded by balcony/roof overhangs. The few proposed east-facing windows are vertically proportioned and have shade elements above. West-facing windows also have shade from elements above. |
| | *C4 Use moveable shading devices on large windows facing east and west that are capable of covering 100% of glazed areas. Eaves shall be a minimum of 350mm wide and allow for an overhang of approximately 65 degrees above the horizontal.* | Complies.<br><br>Balcony and roof overhangs providing shading. |
| | *C5 Avoid reducing internal natural daylight or interrupting views with shading devices.* | Complies. |
| | *C6 Use double-glazing, solar coated windows, curtains, or internal shutters to prevent heat loss and provide extra summer protection.* | Complies.<br><br>Refer to BASIX Certificate. |
| | *C7 Use high performance glass with a reflectivity below 20%.* | Complies. |

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| | | Refer to BASIX Certificate. |
| | *C8 Minimise external glare by avoiding reflective films and use of tint glass.* | Complies. |
| *B6.2.3 Insulation and Thermal Mass* | *C1 Maximise thermal mass in floor and walls in northern rooms of the building.* | Complies.<br><br>Thermal mass is provided by way of the proposed construction materials, comprising concrete throughout. |
| | *C2 Provide insulation in the roof, ceiling, walls and floors in accordance with the following table:*<br><br>**Other Development** / **Industry**<br>Roof: Minimum 2.0 R-value / Minimum 2.5 R-value<br>Walls: Minimum 1.0 R-value / Minimum 1.5 R-value<br>Floor: Minimum1.0 R-value / Minimum 1.0 R-value<br>Table B6.1: Insulation<br><br>Note: R-value indicates how effective insulation is in blocking the transmission of heat. Insulation with an R-value of 3 is three ti effective as insulation with an R-value of 1. Thermal mass me material's capacity to store heat. | Generally complies.<br><br>As outlined in the BASIX Certificate, the following insulation is proposed:<br><br>• minimum R2.5 insulation to all external walls;<br>• minimum R1.5 insulation to partition walls between apartments and non-conditioned enclosed internal zones (ie lift lobbies, corridors and stairs);<br>• minimum R4.0 insulation to roof over apartment L02-06 and minimum R3.0 roof insulation elsewhere; and<br>• minimum R1.0 – R2.0 insulation to suspended floor slabs. |
| *B6.2.3 Ventilation* | *C1 Incorporate features to facilitate natural ventilation and convective currents such as opening windows, high vents and grills, high level ventilation (ridge and roof vents) in conjunction with low-level air intake (windows or vents).* | Complies.<br><br>The proposal incorporates awning windows, glass louvres, clerestory awning windows and sliding glass doors to provide maximum opportunity for natural ventilation. |
| | *C2 Where natural ventilation is not possible, energy efficient ventilation devices such as ceiling fans should be considered as an alternative to air conditioning. Explore innovative technologies to naturally ventilate internal building areas or rooms.* | Complies.<br><br>Jackson Teece has calculated that 60% of apartments are cross ventilated. The remaining apartments can be provided with ceiling fans, by condition of consent, if necessary. |
| **B6.3 Water and Energy Efficiency** | | |
| *B6.3.1 Water conservation* | *C1 Use 3 and 4 star rated devices in the bathroom and kitchen respectively.* | Complies.<br><br>The attached BASIX Certificate specifies kitchen and bathroom fixtures and fittings with rantings of between 3 and 5 stars. |
| | *C2 Install water-saving devices, such as flow regulators.* | Complies.<br><br>Refer to BASIX Certificate. |

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| *B6.3.2 Energy conservation* | *Hot Water Systems* | |
| | *C1 Installation of solar hot water systems boosted by gas is encouraged.* | A centralised hot water system (gas-fired boiler) is proposed. |
| | *C2 Electric hot water systems that are not as efficient as gas or gas-solar heaters are discouraged.* | A centralised hot water system (gas-fired boiler) is proposed. |
| | *C3 For industrial development hot water systems must have a minimum energy rating of 4 stars and be located close to the main areas of use.* | N/A |
| | *C4 For all other development, hot water systems must have a Greenhouse Rating of 3.5 or greater and should meet the needs of the development.* | Refer to BASIX Certificate. |
| | *Fittings and Appliances* | |
| | *C5 Maximise the efficiency of appliances by selecting an energy source with minimum greenhouse emissions.* | Complies. |
| | *C6 Use washing machines, clothes driers and dishwashers that have a Greenhouse Energy Star Rating of no less than 3.5 stars.* | 3.5 star dishwashers and 2 star clothes driers are proposed in the BASIX Certificate. |
| | *C7 Use a range of low energy lamps, ballasts and fittings.* | LED lighting is proposed. |
| | *C8 Use lower energy lightings such as:*<br>*(a) Compact fluorescent or tubular fluorescent lamps;*<br>*(b) Electronic ballast instead of magnetic ballast in fluorescent lights;*<br>*(c) Compact fluorescent or low voltage tungsten halogen lights instead of tungsten spotlights;*<br>*(d) Solar powered, metal halide or sodium discharge lamps for outdoor areas, such as car parks; and*<br>*(e) Energy efficient starters.* | LED lighting is proposed. |
| | *C9 Use automatic control systems that turn lights on and off when needed.* | N/A |
| | *C10 Use motion detectors for common areas, lighting doorways and entrances, outdoor security lighting and car parks.* | Motion sensors are proposed to fire stairs, fire egress corridors, residential bin rooms and plant rooms. |

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| B6.4 Active Energy | | |
| | *C1 Provide heating/cooling systems to target only those spaces that need heating or cooling – use zone system and isolate those areas that are difficult to heat.* | Complies.<br>Air-conditioning is proposed to living rooms and bedrooms. |
| | *C2 Consider the installation of active solar energy systems.* | Complies.<br>Solar panels are proposed. |
| | *C3 In residential and mixed use buildings:*<br>*(a) Allow entries to open into lobbies or vestibules that are isolated from areas within the apartment;*<br>*(b) Provide gas bayonets to living areas;*<br>*(c) Provide reversible-ceiling fans for improving air movement in summer and for distributing heated air in winter; and*<br>*(d) Provide or plan for future installation of solar collectors and photovoltaic panels.* | No ceiling fans are proposed. Further details will be provided at CC stage. |
| ***B7 Crime Prevention and Safety*** | | |
| B7.2 All Development Types | | |
| *B7.2.1 CPTED Principle: Surveillance* | *C1 Avoid blind corners in pathways, stairwells, hallways and car parks through:*<br>*(a) Designing and locating pathways so they are direct, with permeable features, such as landscaping and fencing;*<br>*(b) Considering the installation of mirrors to allow users to see ahead of them and around corners; and*<br>*(c) Installing glass panels in stairwells where appropriate.* | Complies.<br><br>Lines of sight are maintained in all common areas. |
| | *C2 Provide natural surveillance for communal and public areas, including:*<br>*(a) Position active uses or habitable rooms with windows adjacent to main communal/public areas (playgrounds, swimming pools, gardens, car parks);*<br>*(b) Design and locate communal areas and utilities (laundries and garbage bays) where they are easily seen;*<br>*(c) Use open style or transparent materials on doors and walls of elevators and stairwells;*<br>*(d) Locate waiting areas and entries to elevators and stairwells close to areas of active uses, and to be visible from the building entry; and*<br>*(e) Locate seating in areas of active uses.* | Complies.<br><br>Common open space areas are provided with opportunities for casual surveillance from windows and balconies of apartments above and nearby.<br><br>Residential lobbies are glazed to maximise visibility.<br><br>Seating is provided in residential lobbies and in common landscaped areas. |

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| | *C3 Provide clearly visible entries, through:*<br>*(a) Locating entrances in prominent positions.*<br>*(b) Designing entrances to allow users to see in before entering.* | Complies.<br><br>Entries are located prominently and are glazed to permit visibility into and out of these spaces. |
| | *C4 Design the fence to maximise natural surveillance from the street to the building, and from the building to the street, and minimise opportunities for intruders to hide. Consider:*<br>*(a) Using front fences that are predominantly open in design (such as pickets and wrought iron) or low in height;*<br>*(b) Light coloured fencing that can increase a sense of privacy; and*<br>*(c) Any high solid front fence has open elements above 1m.* | Complies.<br><br>Palisade style fencing is proposed along the northern boundary to permit visibility into and out of the site. |
| | *C5 Avoid landscaping that obstructs natural surveillance, including:*<br>*(a) Avoid medium height vegetation with concentrated top to bottom foliage. Plants such as low hedges and shrubs (1 - 1.2m high). Creepers, ground covers or high-canopied trees are good for natural surveillance;*<br>*(b) Space trees that have dense low growth foliage or have the crown raised to avoid a continuous barrier;*<br>*(c) Use low ground cover or high-canopied trees, clean trunked to a height of 2m around children's play areas, car parks and along pedestrian pathways;*<br>*(d) Minimise possible places for intruders to hide;*<br>*(e) Avoid vegetation that conceals the building entrance from the street; and*<br>*(f) When planting is provided within 5m of a pedestrian pathway, it is to be lower than 1m or thin trunked with high canopy.* | Complies.<br><br>Landscape design on the proposed communal terraces is appropriate for the location and function of these areas with minimal opportunities for concealment points and the like. |
| | *C6 Ensure lighting does not produce glare or dark shadows.* | Complies.<br><br>Appropriate lighting will be provided. |
| | *C7 Entrances, exits, service areas, pathways, car parks are to be well-lit after dark when they are likely to be used. Design considerations include:* | Complies.<br><br>Appropriate lighting will be provided to all common areas. |

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| | *(a) Use diffused floodlights and/or movement sensitive lights. Direct these lights towards access/egress routes to illuminate potential offenders, rather than towards buildings or resident observation points;*<br>*(b) Use lighting that has a wide beam of illumination, which reaches to the beam of the next light, or the perimeter of the site or area being traversed. As a guide, the areas are lit to enable users to identify a face 15m away; and*<br>*(c) Avoid lighting spillage onto neighbouring properties as this can cause nuisance and reduce opportunities for natural surveillance.* | |
| | *C8 Where permitted, provide appropriate mixed uses within buildings to increase opportunities for natural surveillance. Design considerations include:*<br>*(a) Locate shops and businesses on lower floors and residences on upper floors. In this way, residents can observe the businesses after hours while the residences can be observed by the businesses during business hours and*<br>*(b) Incorporate car wash services, taxi ranks and shop kiosks within car parks. Include kiosks and restaurants in parks.* | Complies.<br><br>Non-residential uses are proposed at ground floor level, to activate the street frontage in the vicinity of the site. The provision of residential apartments above introduces a 24 hour population to the site and provides maximum opportunity for passive surveillance of the public domain in the vicinity of the site.<br><br>The proposal incorporates a carwash bay and seeks consent to relocate the existing taxi stand on the Hurst Place footpath, subject to Council requirements. |
| | *C9 Security measures allow for natural observation and are sympathetic to the style of the building. Design considerations include:*<br>*(a) Security grilles and security doors should be visually permeable. Avoid solid shutters on front windows and doors.* | Complies.<br><br>The ground floor tenancies comprise glazing (i.e. no security grilles or solid shutters). |
| *B7.2.2 CPTED Principle: Access Control* | *C1 Ensure buildings, dwellings and other premises are clearly identified by street numbers which:*<br>*(a) Are at least 7cm high, and positioned between 0.6m and 1.5m above ground level on the street frontage;*<br>*(b) Are made of durable materials, preferably reflective or luminous, and unobstructed (by foliage); and* | Complies.<br><br>Prominent street numbering will be provided. |

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| | *(c) Provide location maps and directional signage for larger development.* | |
| | *C2 Provide clear entry points, including:*<br>*(a) Entrances that are easily recognisable through design features and directional signage; and*<br>*(b) Minimise the number of entry points.* | Complies.<br><br>Residential entry lobbies on both street frontages are clearly identifiable by virtue of the design of the ground floor level of the proposed development. Entrances to the non-residential tenancies are also easily identifiable. |
| | *C3 Use vegetation as barriers to deter unauthorised access.* | N/A |
| | *C4 Avoid large trees/shrubs and building works that could enable an intruder to access a dwelling, or a neighbouring dwelling. Include landscaping that:*<br>*(a) Uses prickly plants as effective barriers. Species include bougainvillea, rose, succulents, and berries; and*<br>*(b) Avoids large trees, carports, skillion extensions, fences, and downpipes in locations that could provide a means of access to second storey windows or balconies.* | N/A |
| | *C5 Use security hardware and/or human measures only where required to reduce opportunities for unauthorised access, including:*<br>*(a) Install quality locks on external windows and doors;*<br>*(b) Install viewers on entry doors;*<br>*(c) If security grilles are used on windows ensure they can be opened from inside in case of emergencies;*<br>*(d) Ensure skylights and/or roof tiles cannot be readily removed or opened from outside;*<br>*(e) Consider monitored alarm systems;*<br>*(f) Provide lockable gates on side and rear access ways; and*<br>*(g) Consider building supervisors or security guards.* | Complies.<br><br>Appropriate security will be provided to individual tenancies and apartments. Roller doors are provided to the driveway entrances. |
| *B7.2.3 CPTED Principle: Access Control* | *C1 Create a 'cared for' image through:*<br>*(a) Ensuring the speedy repair or cleaning of damaged or vandalised property;*<br>*(b) Providing for the swift removal of graffiti; and* | Complies.<br><br>An Owners Corporation, once established, will be responsible for the maintenance and timely removal of graffiti and the like, by way of appropriate by-laws. |

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| | *(c) Providing information advising where to go for help and how to report maintenance or vandalism problems.* | |
| | *C2 Use materials that reduce the opportunity for vandalism, including:*<br>*(a) Strong, wear resistant laminate, impervious glazed ceramics, treated masonry products, stainless steel materials, anti-graffiti paints and clear over sprays will reduce the opportunity for vandalism. Avoid flat or porous finishes in areas where graffiti is likely to be a problem.*<br>*(b) Where large walls are unavoidable, consider the use of vegetation or anti-graffiti paint. Alternatively, modulate the wall, or use dark colours to discourage graffiti.*<br>*(c) Use external lighting that is vandal resistant. High mounted and/or protected lights that are less susceptible to vandalism.*<br>*(d) Use communal/street furniture that is made of hardwearing, vandal resistant materials and secured by sturdy anchor points, or removed after hours.* | Complies.<br><br>Appropriate materials are proposed to minimise deterioration and graffiti and anti-graffiti paint can be applied to surfaces, if required.<br><br>Durable communal furniture will be provided. |
| | *C3 Clearly define spaces to express a sense of ownership and reduce illegitimate use/entry by including:*<br>*(a) Physical and/or psychological barriers (fences, gardens, lawn strips, varying textured surfaces) can be used to define different spaces.* | Complies.<br><br>Clear differentiation is provided between common and private spaces by way of design, fencing and landscaping. |
| | *C4 Encourage design that promotes pride and a sense of place for community, through:*<br>*(a) Encouraging community involvement in design;*<br>*(b) Encouraging volunteer management and maintenance of areas; and*<br>*(c) Encouraging wide community use of areas.* | Complies.<br><br>Maintenance will be the responsibility of the Owners Corporation, and residential involvement will be possible, where interest is shown. |
| **B7.3 Additional Provisions for Residential Development** | | |
| *B7.3.1 CPTED Principle: Surveillance* | *C1 Allow natural observation from the street to the dwelling, from the dwelling to the street, and between dwellings, through:*<br>*(a) For single dwellings and dual occupancies, orientate the main* | Complies.<br><br>Dwellings are oriented to overlook both street frontages as well as the railway corridor to the north of the site. |

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| | *entrance towards the street, or both streets and corners;*<br>*(b) Orientate secondary dwellings towards the main dwelling so that visibility is maintained between both dwellings;*<br>*(c) For multi dwelling housing, orientate some of the dwellings to address the street, or both streets and corners;*<br>*(d) Position habitable rooms with windows at the front of the dwelling;*<br>*(e) Do not allow garages and/or carports to dominate the front facade of the dwelling;*<br>*(f) Do not provide access to dwellings or other uses above commercial/retail development from a rear lane; and*<br>*(g) Offset windows, doorways and balconies to allow for natural observation while protecting privacy.* | Design measures are incorporated to minimise potential privacy impacts between dwellings within the building. There are no residential properties in the vicinity of the site which will be affected by the proposal in terms of privacy. |
| *B7.3.2 CPTED Principle: Access Control* | *C1 Provide an appropriate level of security for individual dwellings and communal areas, including:*<br>*(a) Installing intercom, code or card locks or similar for main entries to buildings, including car parks;*<br>*(b) Ensuring main entry doors for buildings are self-closing and signs are displayed requesting residents not to leave doors wedged open; and*<br>*(c) Consider installing user/sensor electronic security gates at car park entrances, garbage areas and laundry areas, or alternatively provide access controls.* | Complies.<br><br>Intercoms are proposed at the entries to the car park and residential lobbies. Self-closing doors will be provided at main entrances. |
| *B7.3.3 CPTED Principle: Territorial Reinforcement* | *C1 Design dwellings and communal areas to provide a sense of ownership, through:*<br>*(a) Distinguishing dwellings or groups of dwellings using design features (such as colouring, vegetation, paving, artworks, fencing or furniture); and*<br>*(b) Where possible, design so that no more than 6 to 8 dwellings share a common building entry.* | Complies.<br><br>A maximum of seven (7) dwellings are located off each lift. |
| B7.6 Additional Provisions for Open Space | | |
| | *C1 Illuminate access points to open spaces and pathways.* | Complies.<br><br>Common open spaces will be appropriately illuminated. |

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| | *C2 Locate brighter lights in highly used areas.* | Complies.<br><br>Appropriate lighting will be installed throughout various areas, having regard to proposed use and minimising impacts on nearby apartments. |
| | *C3 Encourage activity and allow natural surveillance.* | Complies.<br><br>Use of the common spaces will be encouraged by providing BBQ and seating facilities as well as passive recreation areas and natural surveillance will be provided from nearby apartments within the complex. |
| | *C4 Design and locate open space so it is clearly designated and situated at locations easily observed by people. Locate parks and playgrounds in front of buildings or facing streets rather than back lanes.* | Complies.<br><br>Both common terraces are clearly defined by planting and design. |
| | *C5 Provide seating, play equipment and BBQ areas to encourage use of open space.* | Complies.<br><br>The common landscaped areas incorporate BBQ facilities, seating and pergolas to maximise amenity and functionality of the spaces. |
| | *C6 Locate seating so that it is convenient and easily seen.* | Complies.<br><br>Seating is centrally located. |
| | *C7 Locate facilities (such as toilets and telephones) close to areas of active use.* | N/A |
| | *C8 Design and locate access to facilities so that it is direct and free of obstruction.* | Complies.<br><br>Accessibility is provided to all parts of the common open spaces to all persons. Lift access provides links to all levels of the building. |
| | *C9 Ensure that signage is clearly visible, easy to read and simple to understand.* | Complies.<br><br>Appropriate signage will be provided. |
| | *C10 Provide both directional and behavioural signage at entrances to parks.* | Complies.<br><br>Appropriate signage will be provided. |
| | *C11 Offer a choice of clearly defined pathways.* | N/A |
| | *C12 Design and locate pathways so they are direct and follow pedestrian desire lines.* | Complies.<br><br>Paths are well-located to ensure direct access to and within the common open spaces. |

| Part/Section | Controls | Compliance |
|---|---|---|
| ***B8 Heritage*** | | |
| B8.2 Analysis and Documentation | | |
| *8.2.1 Application Requirements* | *C1 A heritage impact statement is required to be submitted with development applications that affect any of the following:*<br>*(a) Heritage item;*<br>*(b) Land within a Heritage Conservation Area;*<br>*(c) Items on the State Heritage Register;*<br>*(d) Items subject to an Interim Heritage Order;*<br>*(e) Items on a Section 170 Heritage and Conservation Register;*<br>*(f) An building or place of potential heritage significance; and*<br>*(g) Land in the vicinity of a heritage item or a Heritage Conservation Area.* | Complies.<br><br>The site is located in the vicinity of a Heritage Item (Narwee Railway Station). A Heritage Impact Statement accompanies this DA. |
| | *C2 A structural condition report is required for an application that proposes the demolition of a heritage item or a building within a conservation area.* | N/A<br><br>The proposal does not involve demolition of a heritage item of building within a heritage conservation area. |
| | *C3 A heritage conservation management plan or archaeological assessment may also be required.* | N/A |
| | *C4 Where relevant, demonstration in the statement of environmental effects submitted with a development application that the proposed development meets the conservation incentives clause of the LEP.*<br><br>*Notes: Please contact Council's heritage officer to confirm application requirements before lodgement of any application to Council.* | N/A<br><br>This DA does not rely on any heritage conservation incentives. |
| *8.2.2 Heritage Impact Statement* | *C1 The heritage impact statement is structured according to the three stages of the conservation process: investigate, assess, and then manage significance.* | Complies.<br><br>The HIS prepared by John Oultram Heritage and Design is structured appropriately. |
| | *C2 A heritage impact statement is to address the following matters:*<br>*(a) Identify the location of the heritage item or building in a heritage conservation area;* | Complies.<br><br>The HIS prepared by John Oultram Heritage and Design addresses all relevant matters. |

| Part/Section | Controls | Compliance |
|---|---|---|
| | *(b) Describe the heritage item or building in a heritage conservation area; and its setting;*<br>*(c) Summarise the historical development of the heritage item or building in a heritage conservation area and its setting;*<br>*(d) Assess the condition and integrity of the fabric of the item or building in a heritage conservation area;*<br>*(e) State the heritage significance of the item or building in a heritage conservation area (a statement of significance);*<br>*(f) Describe the proposed development;*<br>*(g) Describe how the proposed development does or does not comply with other development controls in this DCP;*<br>*(h) State what the impact of the development would be on the heritage significance of the item or building in a heritage conservation area including both positive and negative impacts;*<br>*(i) Describe any other development options that were considered and the reasons for choosing the preferred option; and*<br>*(j) If applicable, describe measures intended to mitigate any noncompliances or negative impacts.*<br><br>*Note: A heritage impact statement may be prepared by the applicant if the proposed development is minor work and likely to have little or no impact on the heritage significance of the item or heritage conservation area. If Council is of the opinion that a heritage impact statement prepared by an applicant has not satisfied the provisions of this Part, Council may request in writing a revised heritage impact statement, prepared by a conservation architect or other heritage consultant. Council's Heritage Advisor can provide guidance on whether the applicant or a professional consultant should prepare the heritage impact statement.* | |

| Part/Section | Controls | Compliance |
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| *B8.3.5 Development in the Vicinity of a Place of Heritage Significance* | *C1 Applications for development in the vicinity of a heritage item or heritage conservation area are required to have a heritage impact statement lodged with them.* | Complies.<br><br>An HIS has been prepared by John Oultram Heritage and Design. |
| | *C2 The following design principles are to be complied with in the design of development in the vicinity of a heritage item or heritage conservation area:*<br>*(a) Development is to be sympathetic in scale to the heritage item;*<br>*(b) Set back new development adequately from site boundaries so that it does not visually dominate the heritage item;*<br>*(c) Development is to respond to the form and proportions of the heritage item;*<br>*(d) Development is to respond to the size, placement and proportions of window and door openings of the heritage item;*<br>*(e) Use materials and finishes that complement those of the heritage item; and*<br>*(f) Design landscaping, including the location of plantings and the choice of materials and finishes for fencing and hard surfaces that are typical for the period and style of the heritage item.* | Complies.<br><br>Refer to Heritage Impact Statement prepared by John Oultram Heritage and Design. |
| | *C3 Locate and design development in the vicinity of a heritage item so that it does not interrupt any important views towards the heritage item from the public domain. This includes both buildings and landscape elements.* | Complies.<br><br>Refer to Heritage Impact Statement prepared by John Oultram Heritage and Design. |
| ***B9 Waste Management*** | | |
| B9.4 Waste Storage and requirements for Residential Accommodation | | |
| | *C1 Facilities for the handling, storage, collection and disposal of waste are to form an integral part of the design process for every development. A waste bin storage area is to be provided for each dwelling. The waste bin storage area is to be of adequate size to accommodate all allocated bins.* | Complies.<br><br>Each dwelling will have bin storage within their kitchen cabinetry. |
| | *C2 Council's contractor services all residential premises. There are no exceptions to this arrangement. Waste bin storage areas and bin presentation areas are to be designed in accordance to the services provided by Council and bin allocations (Refer to control C5 below).* | Complies.<br><br>A temporary residential bin holding area is provided at Ground Floor level adjacent to Hurst Place. |

| Part/Section | Controls | Compliance |
|---|---|---|
| | *C3 Dwelling houses, dual occupancy and semi-detached dwellings are required to provide a waste bin storage area behind the building line and out of sight from the street. This area should be also located away from windows to reduce noise and odour nuisances.* | N/A |
| | *C4 An on-site bin presentation area is to be provided (excluding dwelling houses, dual occupancy and semi-detached dwellings). The bin presentation area must be located within 15m of the street kerb. If the bin storage area is within 15m of the street kerb, it can be considered to be the presentation area and a separate presentation area is not required. Refer to section B9.6 for detailed design for the waste bin storage area and bin presentation areas.* | Complies.<br><br>A temporary residential bin holding area is provided at Ground Floor level adjacent to Hurst Place. |
| | *C5 All waste bin storage areas and bin presentation areas are to be designed in accordance to the following bin service allocations:*<br>*(d) Residential Flat Buildings and Shop-top Housing:*<br>*i. For 25 units and under, the following bin allocations apply:*<br>· *Rubbish bin allocation is one x 240 litre bin per two units, plus one bin for any one unit over;*<br>· *Recycling bin allocation is one x 240 litre bin per three units plus one bin for any one/two units over;*<br>· *Garden vegetation allocation for is one x 240 litre bin per five units, plus one for any 1-4 units over; and*<br>· *Council's Waste Officer will need to be consulted for the allocation of bins for garden vegetation for shop-top housing developments.*<br>*ii. For 26 units and over, the following bin allocations apply:*<br>· *Rubbish bin allocation is one x 660 litre bin per six units, plus one bin for any three units over;*<br>· *Recycling bin allocation is one x 660 litre bin per eight units plus one bin for any four units over;* | Complies.<br><br>Refer to Waste Management Plan. |

| Part/Section | Controls | Compliance |
|---|---|---|
| | · *Garden vegetation allocation for is one x 240 litre bin per five units, plus one for any 1-4 units over with a maximum of 12 bins; and*<br>· *Council's Waste Officer will need to be consulted for the allocation of bins for garden vegetation for shop-top housing developments.*<br><br>*<u>Note:</u>*<br>*Service Frequency:*<br>· *Boarding houses, residential flat buildings and shop top housing (1-99 units):*<br>– *Weekly service for rubbish and recycling bins*<br>– *Fortnightly service for garden vegetation bins*<br>· *Residential flat buildings and shop top housing (100+ units):*<br>– *Twice a week service for rubbish and recycling bins*<br>– *Fortnightly service for garden vegetation bins* | |
| B9.5 Waste Storage for Non-Residential Development | | |
| | *C1 Council provides waste and recycling collection for separately titled properties (including strata titles) to non-residential development as per the following (see rates in B9.4 for the residential components of developments):*<br>*(a) Rubbish allocation is one x 240 litre rubbish bin per property;*<br>*(b) Recycling allocation is one x 240 litre recycling bin per property; and*<br>*(c) Council's Waste Officer will need to be consulted for the allocation of bins for garden vegetation.*<br><br>*<u>Note:</u>*<br>*Non-residential development has a weekly service for rubbish and recycling bins* | Complies.<br><br>Refer to Waste Management Plan. |
| | *C2 Provide waste bin storage area and bin presentation areas that are designed in accordance to the bin service allocations. The presentation area must be located within 15m of the street kerb. Presentation areas are the collection areas where Council's contractor will service rubbish and recycling bins and return the bins to* | Complies.<br><br>A temporary residential bin holding area is provided at Ground Floor level adjacent to Hurst Place. |

| Part/Section | Controls | Compliance |
|---|---|---|
| | *that location after collection (wheel out/wheel back service). If the waste storage area is within 15m of the street kerb, it can be considered to be the presentation area and a separate presentation area is not required. Refer to section B9.6 for detailed design for the waste bin storage area and bin presentation areas.* | |
| | *C3 Service capacity required over and above Council's standard service is to be supplied by a private contractor.* | Noted |
| | *C4 Private commercial contractors are permitted to service commercial or industrial premises, where Council's standard bin allocation is insufficient for the volume of waste generated.* | Noted |
| | *C5 Design and construct the waste bin storage area to meet anticipated waste generation rates and required construction standards. Refer to Appendix 2 Waste Requirements for guidance. The size and layout should be flexible to allow for future changes of use.* | Complies.<br><br>Refer to Waste Management Plan. |
| | *C6 Make provision for the separation, storage and collection of recyclables. Particular attention should be given to paper and cardboard from offices and commercial premises along with crates and pallets from industrial premises.* | Complies.<br><br>A large commercial bin room is proposed at ground floor level. |
| | *C7 Communal waste facilities may be appropriate for larger multi-occupancy developments such as shops, offices and the like (for waste only and excluding recycling and garden waste).* | Complies.<br><br>A large commercial bin room is proposed at ground floor level. |
| | *C8 The use of volume reduction equipment may be appropriate and is encouraged. In certain circumstances, there may be an allowance given for a smaller waste storage and recycling area based on the use of this equipment. Waste storage and recycling area requirements are to allow for changes to on-site management practices.* | N/A |
| | *C9 Provide specialised containment and consider frequency of service for food scrap generation from restaurants and staff kitchens. Refrigeration may be necessary under certain circumstances.* | Noted. Refer to Waste Management Plan. |

| Part/Section | Controls | Compliance |
|---|---|---|
| | *C9* [sic] *The generation of medical, special and hazardous wastes will require specific arrangements for storage and collection.* | N/A |
| | *C10 In business centres, wherever possible, the access to garbage collection should be from a rear laneway or side street in order to maintain on street parking.* | Complies.<br><br>Access for service vehicles is provided from Hurst Place. |
| | *C11 Any waste storage in a public place must first obtain approval under Council's Policy "Waste Storage Containers - Placement in Public Places" and comply with all requirements under that Policy.*<br>*Note:*<br>*It is recommended that applicants determine the waste storage requirements for non-residential development with Council's Waste Officer during the design phase of a proposed development.* | Complies.<br><br>No waste is proposed to be stored within a public place. |

Table 6: CDCP 2012, Part B - Compliance Table

### *4.11.2 Part C5 Shop-Top Housing*

| Part/Section | Controls | Compliance |
|---|---|---|
| ***C5 Shoptop Housing*** | | |
| C5.2.1 Site Planning | | |
| *C5.2.1.3 Balconies and Communal Open Space* | *Communal Open Space* | |
| | *C1 Provide a minimum of 15% of the site area for the purposes of communal open space on redevelopment sites larger than 500m.* | Complies.<br><br>The proposal provides 26.2% of the site as communal open space. |
| | *C2 Communal open space may be provided on podiums terraces, or in any deep-soil setback or separation between buildings. Roof top terraces will only be permitted in circumstances where there will be no adverse impacts to adjoining properties in terms of visual and acoustic privacy.* | Complies.<br><br>The proposal provides communal landscaped terraces at Levels 1 and 7. There are no adjoining residential properties which would be affected by the proposed roof terrace in terms of visual or acoustic privacy, given its location and orientation. |
| | *C3 Each area of communal open space must have a minimum dimension of 6m and larger developments should consider greater dimensions.* | Complies<br><br>Both communal open space areas have minimum dimensions of more than 6m apart from the triangular section of the space at Level 1. The dimension of this area does not diminish its functionality or amenity. |

| Part/Section | Controls | Compliance |
|---|---|---|
| | *C4 Provide consolidated areas of communal open space with reasonable area, facilities and landscape for the uses it will accommodate and design to generate a variety of visible pedestrian activity.* | Complies.<br><br>Both communal open spaces are provided with landscaping, pathways, seating, pergolas and BBQ facilities. |
| | *C5 Provide communal open space in locations that are sunny, and are adjacent to, as well as visible from, the main building lobby.* | Complies.<br><br>Both communal open spaces are sunny. The spaces are not visible from the main building lobbies which are located at ground floor level. |
| | *C6 Provide windows that overlook communal open space and the approaches to the main building lobby to generate a variety of visible pedestrian activity.* | Complies.<br><br>Both areas of communal open space are overlooked by windows and circulation corridors within the building. |
| | *C7 Screen walls surrounding any communal area are to be no higher than 1.2m, although screens with 50% transparency may be up to 1.8m high.* | Complies.<br><br>Both proposed open space areas have 1m high solid masonry balustrades with 500mm metal palisade fence above. |
| | *C8 Provision of child play areas within communal open space is encouraged.* | No dedicated child play areas are proposed however both common open space areas permit flexibility in terms of their future use. |
| | *C9 Indoor recreation areas such as gyms are encouraged and will count towards communal open space requirements.*<br><br>*Note: In addition to the above controls, developments must demonstrate how the design criteria and design guidance of the ADG in relation to communal open space is being met.* | No indoor recreation areas are proposed. |
| *C5.2.1.4 Layout and Orientation* | *C1 Orientate development to maximise solar access and natural lighting, without unduly increasing the building's heat load.* | Complies.<br><br>The proposed development has been designed to maximise northern sunlight access and cross flow ventilation. |
| | *C2 Site the development to avoid casting shadows onto neighbouring dwelling's primary living area, private open space and solar cells.* | Complies.<br><br>The proposal does not impact unreasonably on any nearby residential properties. The residential flat building on the southern side of Broadarrow Road is not affected by overshadowing from the proposed development at all between 8:00am and 10:30am on 21 June. |

| Part/Section | Controls | Compliance |
|---|---|---|
| | *C3 Coordinate design for natural ventilation with passive solar design techniques.* | Complies.<br><br>The proposal achieves excellent internal amenity as outlined in the ADG Report prepared by Jackson Teece. |
| | *C4 Site new development and private open space to avoid existing shadows cast from nearby buildings.* | Complies.<br><br>The site is not affected by overshadowing from nearby buildings. |
| | *C5 Site a building to take maximum benefit from cross-breezes and prevailing winds.* | Complies.<br><br>The proposal achieves excellent internal amenity as outlined in the ADG Report prepared by Jackson Teece. |
| | *C6 Do not compromise the creation of active street frontage or casual surveillance of the street, communal space and parking areas, through the required orientation.* | Complies.<br><br>The proposal incorporates two (2) active street frontages along with casual surveillance from the apartments on the upper levels. |
| C5.2.3 Building Design | | |
| *C5.2.3.1 Built Form* | *Building Entries* | |
| | *C1 Provide accessible entries for all potential use such as the transporting of furniture.* | Complies.<br><br>The proposed development incorporates generous lobbies to allow the easy movement of furniture and the like. |
| | *C2 Face habitable rooms towards the street, private open space, communal space, internal driveway or pedestrian ways in order to promote positive social interaction and community safety.* | Complies.<br><br>Habitable rooms are oriented to the street and common open spaces to provide casual surveillance. |
| | *Façade Treatment*<br><br>*Refer to Part D1 – Commercial Development of this DCP for objectives and controls relating to façade treatment for shop top housing development.* | Complies.<br><br>Refer to Table 7 below. |
| *C5.2.3.2 Roof Design and Features* | *Roof-Top Terraces* | |
| | *C1 Roof terraces are permitted with consent in all business zones except the B1 Zone.* | Complies.<br><br>A roof terrace is proposed at Level 7 and the site is located within the B2 zone. |
| | *C2 A management strategy is required, and must be approved by Council as part of the development application, for any proposed roof terrace.* | Complies.<br><br>A Plan of Management will be submitted under separate cover, if required. |

| Part/Section | Controls | Compliance |
|---|---|---|
| | *C3 Supplement open space on roof terraces by providing space and appropriate building systems to support the desired landscape design, incorporating shade structures and windscreens to encourage use of roof top open space.* | Complies.<br><br>The proposal incorporates landscaping and pergolas on the roof terrace at Level 7 to provide weather protection in order to encourage use of the spaces. |
| | *C4 Demonstrate that roof terrace has been designed so as to protect the privacy, solar access and amenity of adjoining buildings. Measures to minimise overlooking of adjoining properties include screening or planting between properties, and preventing rooftop users from standing at the edge of roof terraces that look into adjoining properties through planting and screens.* | Complies.<br><br>The proposed roof terrace at Level 7 is oriented to the north, towards the rail corridor. There are no properties which will be overlooked by the terrace. |
| | *C5 Allow for views and passive surveillance of streets and public open space from roof terraces.* | Complies.<br><br>The proposed roof terrace will permit casual surveillance over the rail corridor. |
| *C5.2.3.3 Dwelling Layout and Mix* | *C1 10% of dwellings in any development with 30 or more dwellings must be accessible or adaptable to suit current or future residents with special needs.* | Complies.<br><br>The proposal incorporates seven (7) (11.1% of all dwellings) adaptable dwellings. |
| *C5.2.3.4 Building Services* | *C1 All letterboxes be installed to meet Australia Post standards.* | Complies.<br><br>Letterboxes are proposed within both lobbies. Appropriate conditions can be imposed to ensure compliance with Australia Post requirements. |
| | *C2 Design and provide discretely located mailboxes at the front of the property.* | Complies.<br><br>Letterboxes are proposed within both lobbies. |
| | *C3 Integrate systems, services and utility areas with the design of the whole development – coordinate materials with those of the building and integrate with landscaping.* | Complies.<br><br>Services are appropriately integrated, including a substation, fire hydrant booster and other infrastructure. |
| | *C4 Facilities should not be visually obtrusive and should not detract from soft-landscaped areas that are located within the required setbacks or building separations.* | Complies.<br><br>Proposed facilities are suitably designed to minimise adverse visual impact. |

| Part/Section | Controls | Compliance |
|---|---|---|
| | *C5 Appliances that are fitted to the exterior of a building, and enclosures for service meters, do not detract from the desired architectural quality of new building, or the desired green character of streetscapes.* | Complies.<br><br>Appropriate conditions can be imposed in relation to location of metering and the like. |
| | *C6 Unscreened appliances and meters should not be attached to any facade that would be visible from a street or driveway within the site: (*<br>*(a) Screen air conditioning units behind balcony balustrades;*<br>*(b) Provide screened recesses for water heaters rather than surfacemounting them on exterior walls; and*<br>*(c) Locate meters in service cabinets.* | Complies.<br><br>Appropriate conditions can be imposed in relation to location and screening of appliances and meters. |
| | *C7 Screen or treat air conditioning units, TV antennae, satellite dishes, ventilation ducts and other like structures so they are not visible on the street elevation.* | Complies.<br><br>Appropriate conditions can be imposed in relation to location and screening of services and structures. |
| | *C8 Coordinate and integrate building services, such as drainage pipes, with overall façade and balcony design.* | Complies.<br><br>Building services are appropriately integrated. |
| | *C9 Location and design of service areas should include:*<br>*(a) Screening of clothes drying areas from public and semi-public places; and*<br>*(b) Space for storage that is screened or integrated with the building design.* | Complies.<br><br>No common clothes drying areas are proposed.<br><br>Storage is provided within basement levels and in the service area at the rear of ground floor level. |
| | *C10 Minimise visual impact of solar hot water systems by:*<br>*(a) Placing the system as unobtrusively as possible, both to the street and neighbouring properties;*<br>*(b) Using a colour that is consistent with the colour of roof materials;*<br>*(c) Designing solar panels, where possible, as part of the roof;*<br>*(d) Setting the solar panels back from the street frontage and position below the ridgeline; and*<br>*(e) Separate the water storage tank from the solar collectors and place on a less visually obtrusive part of the roof, or within the building (for example, the roof space or laundry).* | N/A |

| Part/Section | Controls | Compliance |
|---|---|---|
| *C5.2.3.4 Building Services* | *C1 All letterboxes be installed to meet Australia Post standards.* | Complies.<br><br>Letterboxes are proposed within both lobbies. Appropriate conditions can be imposed to ensure compliance with Australia Post requirements. |
| C5.2.4 Amenity | | |
| *C5.2.4.1 Solar Access and Overshadowing* | *C1 Daylight is to be provided to all common circulation areas (including lift wells) that are above ground.* | Complies.<br><br>Daylight is provided to both common circulation corridors. |
| *C5.2.4.2 Acoustic Privacy* | *C1 Locate sensitive rooms, such as bedrooms, from likely sources of noise such as major roads and neighbouring' living areas.* | Complies.<br><br>Bedrooms are appropriately located and noise attenuation measures proposed to ensure acceptable levels of acoustic amenity. |
| | *C2 Above ground access to new dwellings must not include communal balconies that would be located immediately next to a bedroom window.* | The proposed common open space at Level 1 is located in the vicinity of bedrooms to several units. However, the proposed landscape design incorporates substantial areas of planting adjacent to bedrooms in order to provide both visual and physical separation between the windows and communal open spaces. |
| | *C3 Bedroom windows in new dwellings that would be located at or close to ground level are be raised above, or screened from, any shared pedestrian pathway.* | Complies.<br><br>Privacy screens are proposed to north-facing units adjacent to the common open space at Level 1. Furthermore, the proposed landscape design incorporates substantial areas of planting adjacent to bedrooms in order to provide both visual and physical separation between the windows and communal open spaces. |
| | *C4 Screen balconies or windows in living rooms or bedrooms that would face a driveway or basement ramp.* | N/A |
| | *C5 On land adjoining railway or busy roads, address all requirements in 'Development Near Rail Corridors and Busy Roads - Interim Guideline' which has been published by the NSW Department of Planning and Environment.* | An acoustic and vibration report accompanies this DA.<br><br>The proposal incorporates balconies and windows within 20m of the railway lines, however balconies are generally provided with louvres, as recommended and awning windows are proposed which minimises opening distances, with respect to reducing the potential for persons throwing items onto the railway tracks or passing trains. |

| Part/Section | Controls | Compliance |
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| | | A geotechnical report accompanies this DA and issues relating to construction methodology, maintenance of the building and adjoining rail corridor can be conditioned. |
| | *C6 Design the layout of lower levels facing the road or rail to:*<br>*(a) The position of windows facing the noise source and ensure that total unprotected window area is minimal so as to limit the amount of airborne noise entering the built fabric;*<br>*(b) Ensure that the detailing of the window types addressing the corridors are designed and constructed to attenuate excessive noise - (double and triple glazing and insulated to manufacturers standards); and*<br>*(c) Ensure that balcony parapet walls are constructed of solid masonry or materials of similar sound attenuating qualities.* | Complies.<br><br>Proposed windows and balconies facing onto the railway corridor are treated in accordance with the acoustic assessment accompanying this DA. |
| | *C7 When designing the public spaces fronting busy roads and the rail corridor at ground level, consider the use of elements such as moving water and screens to achieve sound attenuation.* | Complies.<br><br>Noise attenuation measures are proposed as per the acoustic report accompanying this DA. |

Table 7: CDCP 2012, Part C5 - Compliance Table

### *4.11.3 Part D – Business Centres*

| Part/Section | Controls | Compliance |
|---|---|---|
| ***D1 Business Centres - General*** | | |
| D1.2 Site Planning | | |
| *D1.2.1 Minimum Frontage* | *C1 Where redevelopment is proposed in a B1 or B2 Zone of the LEP a minimum frontage of at least 18m shall be provided.* | Complies.<br><br>The site has frontages of 56.79m to Broadarrow Road and 47.48m to Hurst Place. |
| | *C2 Where redevelopment is proposed in the B5 zone, the minimum site frontage is 30m. This control is to be applied to Canterbury Road frontages and only when the consolidation of the B5 Business Development and B6 Enterprise Corridor zones are gazetted within the Canterbury Local Environmental Plan 2012 as resolved by Council on 31 October 2013.* | N/A |

| Part/Section | Controls | Compliance |
|---|---|---|
| D1.3 Building Envelope | | |
| *D1.3.3 Floor to Ceiling Height* | *C1 Floor to ceiling heights must:*<br>*(a) Provide a minimum 3.3m floor to ceiling height for the ground floor.*<br>*(b) Provide a minimum 3m floor to ceiling height per storey for development in the B6 Enterprise Corridor Zone.*<br>*(c) Car parking is required to have a floor to ceiling height in accordance to Australian Standard AS 2890.1.*<br>*(d) The floor to ceiling height may need to be increased to meet the requirements of the intended use, however, the maximum building height will still need to be complied with.*<br>*Note:*<br>*Developments with shop top housing must comply with the objectives and controls outlined in Chapter C5 Shop Top Housing of this DCP for ceiling heights.* | Complies.<br>Floor to ceiling heights vary between 3.5m and 4.6m at ground floor level.<br><br>Car parking levels meet AS 2890.1. |
| *D1.3.4 Setbacks* | *General* | |
| | *C1 Where a setback applies, buildings are to provide articulated and varied facades (Refer to D1.4.3 for façade design) that do not result in a ziggurat appearance (i.e. do not have the form of a terraced structure with successive receding storeys).* | Complies.<br><br>The proposed built form is suitably articulated and modulated without resulting in a ziggurat form. |
| | *Front Setbacks* | |
| | *C2 Development must comply with the minimum front setbacks as follows:* | Complies.<br><br>Levels 1 to 3 are built to both street frontages, with articulation zones for visual interest and to minimise the perception of bulk and scale.<br><br>Levels 4 to 7 are setback 5m from both street frontages. |
| | *Side Setbacks* | |
| | *C3 Except where a proposed development adjoins a residential zone boundary, setbacks are not required in the B1 or B2* | Complies.<br><br>A nil side setback is proposed to the east. |

| *Location* | *No. Storeys at the Street & Setback* | *Upper Level (Podium) Setback* |
|---|---|---|
| *B2 Zone* | *1-3 storeys Build to front boundary* | *Fourth storey – 3m Greater than four storeys – 5m (all storeys to be set back this distance including the fourth storey)* |

| Part/Section | Controls | Compliance |
|---|---|---|
| | *zones when the desired character is for a continuous street frontage.* | |
| | *C4 Proposed developments that adjoin residential zone boundaries to the side, are to comply with a side setback that is defined by:*<br>*(a) A 45° building height plane projected at 6m from the residential boundary;*<br>*(b) A minimum 1.5m setback to the residential zone side boundary; and*<br>*(c) A two-storey limit on the side boundary with the residential zone applies.* | N/A |
| | *Rear Setbacks* | |
| | *C5 A rear setback to a residential zone boundary, or land on which an existing dwelling is located, is not required if the land adjoins a lane.* | N/A |
| | *C6 Proposed developments that adjoin residential zone boundaries to the rear, or land on which existing dwellings are located, are to comply with a rear setback that is defined by:*<br>*(a) A 45° building height plane projected at 1.8m at the residential side boundary;*<br>*(b) A minimum 6m setback to the residential zone boundary; and*<br>*(c) A two-storey limit on the boundary with the residential zone applies.* | N/A |
| | *Exceptions* | |
| | *C7 The following minor building elements may project into the minimum side setback area:*<br>*(a) Roof eaves, awnings, pergolas and patios;*<br>*(b) Stair or ramp access to the ground floor; and*<br>*(c) Rainwater tanks.*<br>*Note:*<br>*Developments with shop top housing must comply with the objectives and controls outlined in Chapter C5 Shop Top Housing of this DCP for building separation.* | Noted. |
| D1.4 Building Design | | |
| *D1.4.1 Orientation and Layout* | *C1 Design and orient development to maximise solar access and natural light, without unduly increasing the building's heat load.* | Complies.<br><br>Solar access to proposed apartments is maximised as far as is possible given the |

| Part/Section | Controls | Compliance |
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| | | site's northern aspect. Jackson Teece has calculated that 90% of apartments achieve at least 2 hours of sunlight to their living areas between 9am and 3pm on 21 June. |
| | *C2 Design and site development to avoid casting shadows onto neighbouring dwelling's primary living area, private open space and solar cells.* | Complies.<br><br>The proposal has been designed to minimise overshadowing impacts. |
| | *C3 Coordinate design for natural ventilation with passive solar design techniques.* | Complies.<br><br>Refer to ADG Compliance Report prepared by Jackson Teece. |
| *D1.4.2 Ground Level Interface* | *Building entries* | |
| | *C1 Locate entries so they relate to the existing street, subdivision pattern, street tree planting and pedestrian access network and are clearly visible.* | Complies.<br><br>Building entries are sensibly located for ease of access and identification and provide visual interest to the ground floor level elevations. |
| | *C2 Provide entries to upper levels from the street front facade to encourage activities on the ground floor.* | Complies.<br><br>Both ground floor level lobbies are generously proportioned with glazing to permit visual interaction into and out of the spaces. Furniture is provided to encourage socialisation. |
| | *C3 Provide entries for service activities to rear of the buildings* | Complies.<br><br>Driveway access for cars and service vehicles is provided from Hurst Place. |
| | *C4 Provide an awning over the entry to contribute to the legibility of the development and the public domain.* | Complies.<br><br>Awnings are provided over both footpaths adjoining the site. |
| | *Ground level awnings* | |
| | *C5 The façade of the building shall be built to the front street boundary;* | Complies.<br>The ground floor level is generally built to the boundaries adjoining Hurst Place and Broadarrow Road. |
| | *C6 A cantilevered awning from the building facade shall overhang the footpath at a minimum width of 3m;* | Complies.<br><br>The proposed awnings have a width of 3m. |
| | *C7 Cantilevered awning height is to be in the range of 3.2m - 4.2m from natural ground level;* | Complies. |

| Part/Section | Controls | Compliance |
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| | | The proposed awnings have a height of approximately 4,1m above natural ground level. |
| | *C8 Awnings must complement the height, depth and form of the desired character or existing pattern of awnings and should match adjoining awnings so as to provide continuous pedestrian cover and eliminate gaps wherever possible;* | Complies.<br><br>There are no awnings on adjoining properties however the proposed awnings are consistent with those on the opposite side of Hurst Place. |
| | *C9 Awnings shall provide sufficient protection from sun and rain; and* | Complies.<br><br>The proposed awnings will provide weather protection. |
| | *C10 Posted awnings or colonnades will not be support.* | Complies.<br><br>No posts or colonnades are proposed. |
| | *Shop Fronts* | |
| | *C11 Windows on the street frontage must not be mirrored to provide visibility between interior and exterior spaces, allow for surveillance of the street and provide interest for pedestrians.* | Complies.<br><br>No mirrored windows are proposed. |
| | *C12 Do not place external solid roller shutters or brick walls on shopfronts.* | Complies.<br><br>No solid roller shutters or brick walls are proposed to ground floor level tenancies. |
| | *C13 Transparent or open grille shutters behind the glass of shopfronts are acceptable.* | Noted. |
| | *C14 Security grilles must be discreet, have minimal visual impact, and not dominate the shopfront.* | N/A as no security grilles are proposed. |
| | *C15 Consideration of alternatives to security grilles must be made such as the installation of a security alarm and well-lit shopfronts.* | Complies.<br><br>Illumination and casual surveillance will minimise the need for security grilles. |
| | *C16 Where shop use does not require a window shop display, incorporate expanding security doors or grilles behind the glass doors.* | N/A |
| *D1.4.3 Façade Treatment* | *C1 Façade Design:*<br><br>*(a) New building forms and design features shall not mimic traditional features, but should reflect these in a contemporary design.* | Complies.<br><br>The proposed development provides a contemporary response to the character of the locality as can be seen in the photomontages accompanying this DA. |

| Part/Section | Controls | Compliance |
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| | *(b) Avoid long spans of blank walls along street frontages and address both street frontages with façade treatment, and articulation of elevations on corner sites.* | Complies.<br><br>Proposed facades are articulated and modulated and comprise variations in materiality in order to minimise long spans of blank walls. |
| | *(c) Incorporate contrasting elements in façades.* | Complies.<br><br>Refer to Schedule of Colours and Finishes. |
| | *(d) Emphasise corner sites by using treatments to make the sites visually prominent. Retention of traditional facades will be given precedence over emphasising corner sites. Treatments may include:*<br>*i. Wrap around balconies;*<br>*ii. Vertical elements; and*<br>*iii. Changes in materials or colours.* | Complies.<br><br>The proposal appropriately addresses its corner location with a sculptural form at Levels 1 and 2 and the upper levels setback with a prominent corner angle. The built form incorporates a clear base, middle and top and provision of balconies and fenestration provides articulation and modulation. |
| | *(e) Use a harmonious range of high quality materials, finishes and detailing:*<br>*i. Define a base, middle and top related to the overall proportion of the building;*<br>*ii. Express key datum lines using cornices, change in materials or change in setback;*<br>*iii. Express the variation in floor to floor height, particularly at lower levels;*<br>*iv. Articulate building entries with awnings, porticos, recesses, blade walls and projecting bays;*<br>*v. Use a variety of window types to create a rhythm or express building uses and use recessed balconies and deep windows to create shadows, adding visual depth to the façade;*<br>*vi. Detail balustrades to reflect the type and location of the balcony and its relationship to the façade;*<br>*vii. Incorporate architectural features which give human scale at street level, including entrances, awnings, colonnades, pergolas and fences;*<br>*viii. Use colour, variation in the types of materials and arrangement of façade elements and materials to articulate different parts of a building façade -* | Complies.<br><br>The built form incorporates a clear base, middle and top and provision of balconies and fenestration provides articulation and modulation.<br><br>Awnings wrap around both street frontages and variations in balustrade materiality and depth of balconies adds to visual interest. |

| Part/Section | Controls | Compliance |
|---|---|---|
| | *a material palette can include brickwork, rendered masonry, sheet materials, glazing, sandstone and treated metals and timbers; and*<br>ix. *Incorporate horizontal and/or vertical elements, such as indentations in the façade plane, string courses and bandings, window openings and building entrances.* | |
| | *(f) Consideration in the design of commercial premises is to be made for mechanical ventilation required by potential future food shops and restaurants. Mechanical ventilation is to be located behind the building facade. Alternatively, ventilation for future uses must be considered in the facade design.* | Complies.<br><br>Jackson Teece has made provision for mechanical ventilation and a grease arrestor will be located at Basement 1 where ceiling heights permit. |
| | *(g) Design facades to reflect the orientation of the site using elements such as sun shading devices, light shelves and bay windows.* | Complies.<br><br>See preceding discussion. |
| | *(h) Modulate the wall alignment with a step in of at least 1m.* | Complies.<br><br>Articulation zones of 1m in depth are proposed on both street frontages. |
| | *(i) Refer to existing datum lines for any new developments integrated to heritage and/or existing buildings, such as eave and parapet line, as a guide to aligning the height to levels of adjoining development.* | N/A<br><br>There are no new developments in the immediate locality. |
| | *(j) Use a solid to void ratio of 50%, with each facade measured independently. Disharmony arises when the range of solid to void is extreme. Do not include shopfronts in the 50% solid to void ratio calculation.* | Complies.<br><br>The street elevations comprise a solid to void ratio as envisaged by the DCP while the rear elevation, adjoining the railway corridor differs as a function of the requirement to provide acoustic amenity by way of design. |
| | *(k) Locate and proportion windows to minimise scale and bulk of new building.* | Complies.<br><br>Window placement and proportion contributes to articulating the proposed facades and minimising the perception of bulk and scale. |

| Part/Section | Controls | Compliance |
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| ***D7 Local Centres*** | | |
| D7.6 Narwee | | |
| | *C1 Development in the Narwee Local Centre is to be in accordance to the structure plan shown in Figure D7.5* | Complies.<br><br>The proposal is consistent with the Structure Plan, with the provision of activation of both street frontages at ground floor level. The general form and siting of the proposed building is also consistent with the Structure Plan, so as to provide appropriate addresses to both Hurst Place and Broadarrow Road while the rear of the site provides opportunities for northern sunlight access and separation from the adjoining railway corridor. |

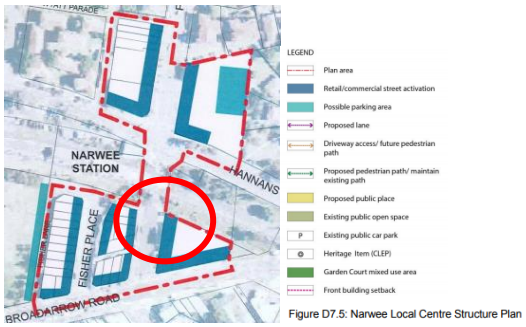

Figure D7.5: Narwee Local Centre Structure Plan

Table 8: CDCP 2012, Part D – Business Centres (Narwee)

# 5.0 Impacts of the Development

This section of the SEE identifies potential impacts which may occur as a result of the proposed development and are relevant matters for the consideration of the DA under S4.15(1)(b) to (e) of the *EP&A Act 1979*.

## 5.1 Construction Impacts

### *5.1.1 Construction Management*

A construction management plan is expected to have to be provided prior to the issue of a construction certificate, and will provide details of the management of the construction process.

### *5.1.2 Stormwater and Other Services*

A stormwater concept plan is included as part of this DA package.

### *5.1.3 Remediation*

The proposed remediation works will be carried out to ensure that the site is suitable for the proposed use.

## 5.2 Amenity Impacts on Neighbouring Properties

### *5.2.1 Bulk and Scale*

The proposed development has been designed having regard to the requirements of SEPP 65, the ADG, CLEP 2012 and CDCP 2012, as discussed throughout this report. The height, form and siting of the proposed development are generally as anticipated by the relevant planning controls and will provide a positive contribution to the local streetscape.


Figure 13: Height plane diagram (Source: Jackson Teece)

As can be seen from Figure 13, the proposed development is generally consistent with the building envelope controls applicable to the DA apart from a small part of the north western roof (located internally to the site) and the lift overruns and plant areas on the rooftop. The non-compliant elements will not be readily apparent from the public domain and no unreasonable adverse amenity impacts arise as a consequence of these areas, with particular regard to overshadowing and streetscape. A Clause 4.6 Variation Request accompanies this DA, providing further detail in relation to the height of the proposed development.

### *5.2.2 Privacy Impacts*

The proposed development has been designed to minimise potential privacy impacts both within and external to the site. There are no known residential properties in the locality which will be affected by overlooking as a consequence of the proposed development.

The design of the proposal incorporates fins and other architectural devices to minimise privacy impacts between adjoining balconies and separation distances between habitable rooms and balconies exceed the minimums specified by the ADG. Furthermore, the eastern side of the proposed form fronting onto Hurst Place primarily comprises a common circulation space, rather than habitable rooms, so as to minimise potential privacy impacts in relation to the north-facing apartments within the Broadarrow Road element of the proposed development.

The Acoustic Assessment accompanying this DA concludes that the proposal meets relevant acoustic amenity standards.

### *5.2.3 Solar Access and Overshadowing*

Jackson Teece Architecture has confirmed that 90% of the proposed apartments achieve solar access to their living rooms and private open spaces between 9:00am and 3:00pm on 21 June.

Shadow diagrams accompany this DA demonstrating that the proposal will have no unreasonable adverse overshadowing impacts in relation to nearby residential properties. The residential flat building to the south east of the site at 42 Broadarrow Road (on the opposite side of the carriageway), will be unaffected by overshadowing between 8am and approximately 10:30am on 21 June which ensures compliance with the solar access requirements of the ADG. It is noted that the elements of the proposed development which exceed the maximum building height development standard do not contribute to shadow impacts in relation to No. 42 Broadarrow Road, as shadows from these elements fall onto the roof of the proposed development itself.

### *5.2.4 Acoustic Impacts*

An Acoustic Assessment accompanies this DA. Noise associated with demolition and construction will be undertaken having regard to the *NSW Protection of the Environment Operations (PoEO) Act 1997*, the Department of Environment and Climate Changes' 'Interim construction noise guideline' and AS 2436-2010 – 'Guide to noise and vibration control on construction, demolition and maintenance sites' and appropriate conditions of consent can be imposed to this effect. Additional conditions of consent can be imposed requiring compliance with the Acoustic Report to ensure adequate amenity is provided within the site.

## 5.3 Traffic and Parking

A Traffic and Parking Assessment accompanies this DA. The report concludes that the proposal complies with the minimum car parking requirements applicable to the proposal and that adequate provisions have been made for service vehicles. The report concludes that the proposal will have no unreasonable impacts in relation to traffic generation or demand for on-street car parking in the locality and also demonstrates that the proposal complies with relevant Australian Standards in relation to parking, access and manoeuvrability.

## 5.4 Social Impacts and Economic Impacts

It is unlikely that any negative social economic impacts will arise as a result of the proposed development. Indeed, the proposal will provide three (3) new restaurants, one (1) new commercial tenancy and 63 new apartments, which will activate the public domain in the locality, and increase the population of the area, to the benefit of local businesses, which is considered to result in positive social and economic impacts.

## 5.5 The Suitability of the Site for the Development

The proposed development will not give rise to any adverse impacts on the amenity surrounding existing residential development or the amenity of future residents and local business owners. The site is considered to be an acceptable location for shoptop housing development given its zoning and location within the Narwee Local Centre. The location provides excellent access to transport, services, and employment and will introduce new residents to the area which coupled with the proposed new ground floor level restaurants and commercial tenancy, will enliven the public domain and enhance the amenity of the locality.

Therefore, it is considered that the site is suitable for the proposed development.

## 5.6 Consultation and Submissions

Council will publicly exhibit the DA and consider any issues raised as a result of this process, during its assessment of the DA.

## 5.7 The Public Interest

For the reasons set out above and elsewhere in this report the proposed shop-top housing development is considered to be in the public interest.

# 6.0 Conclusion

The proposed development is generally consistent with the requirements of SEPP 65, CLEP 2012, and CDCP 2012, and provides for a new shop-top housing building within the Narwee Local Centre.

Narwee railway station is located immediately adjacent to the site and bus stops are located in close proximity, ensuring a high level of accessibility is provided.

The proposed new building contains three (3) restaurants, one (1) commercial office and 63 apartments with generous private open spaces and two (2) areas of communal open space to ensure a high level of amenity is achieved. Vehicular access is provided to the site via Hurst Place, and the proposal complies with the minimum requirements for car parking and servicing.

The proposed development has been designed having regard to the proximity of the site to the adjoining railway line, and noise attenuation measures are proposed to ensure an appropriate level of amenity is achieved.

The bulk and scale of the proposed development is commensurate with that envisaged by the planning controls applicable to the proposal. The minor areas of non-compliance with the maximum building height standard are located where they are not readily visible from the public domain and will not create adverse streetscape or amenity impacts. The proposal is generally consistent with the building envelope controls applicable to the site in CDCP 2012.

The proposed new building is highly articulated and modulated so as to minimise potential bulk and scale impacts and the proposed external colours and materials will ensure a significant positive contribution to the Narwee centre. Good levels of amenity have also been provided for future residents and no unreasonable amenity impacts are anticipated in relation to nearby businesses and residences.

The proposed development is in the public interest providing high quality residential, commercial and retail accommodation in this highly accessible location.

Based on the assessment undertaken approval of the DA is warranted.

Attachments

Attachment 1: Clause 4.6 Variation Request – Height of Buildings, prepared by SJB Planning

Attachment 2: Architectural Package, prepared by Jackson Teece

Attachment 3:  Landscape Plans, prepared by Site Design Studios

Attachment 4: Operational Waste Management Plan, prepared by Elephant's Foot

Attachment 5: Demolition Waste Management Plan, prepared by Elephant's Foot

Attachment 6:  Acoustic Report, prepared by Wood & Grieve

Attachment 7:  Traffic and Parking Report, prepared by Stantec

# Attachment 8: BASIX Report and Certificates

Attachment 9:  Survey Plans, prepared by Geometra Consulting

Attachment 10: Construction Cost Estimate Report, prepared by Clifton Morgan

# Attachment 11: Statement of Compliance - BCA Access Provisions, prepared by Accessible Building Solutions

Attachment 12: Ground Engineering Desk Study, prepared by Wood & Grieve Engineers

Attachment 13: Stormwater Drainage Plans and Stormwater Management Report, prepared by Wood & Grieve Engineers

Attachment 14: Heritage Impact Statement, prepared by John Oultram Heritage & Design

Attachment 15: BCA Assessment Report, prepared by Steve Watson & Partners

Attachment 16: Erosion and Sediment Control Plans, prepared by Jackson Teece

# Attachment 17: Letter Relating to Fire Engineering Review from Wood & Grieve Engineers (dated 6 November 2018)

Attachment 18: SEPP 65 Checklist and SEPP 65 Design Verification Statement, prepared by Jackson Teece