COUNCIL ASSESSMENT REPORT

Panel Reference	PPSSCC – 570
DA Number	DA-24-00435
LGA	Blacktown
Proposed Development	Consolidation of land, construction of a 5-storey residential apartment building containing build-to-rent residential apartments, basement car parking, a childcare centre at ground level, external landscaping, roof-level common open space, public domain and strata subdivision.
Street Address	2 Ayla Street, 40 Reis Street and closed part of Boundary Road, Tallawong
Applicant/Owner	Michael Stokes
Date of DA lodgement	3 June 2024
Number of Submissions	0
Recommendation	Refuse, based on the grounds listed in the report.
Regional Development Criteria - Schedule 6 of SEPP (Planning Systems) 2021	Council related development over \$5 million
List of all relevant s4.15(1)(a) matters	 State Environmental Planning Policy (Biodiversity and Conservation) 2021 State Environmental Planning Policy (Housing) 2021 State Environmental Planning Policy (Planning Systems) 2021 State Environmental Planning Policy (Precincts – Central River City) 2021 State Environmental Planning Policy (Resilience and Hazards) 2021 State Environmental Planning Policy (Sustainable Buildings) 2021 State Environmental Planning Policy (Transport and Infrastructure) 2021 State Environmental Planning Statement 2020 Blacktown Local Strategic Planning Statement 2020 Blacktown City Council Growth Centre Precincts Development Control Plan 2010
List all documents submitted with this report for the Panel's consideration	 Location map Aerial image Zoning extract Architectural Plans Applicant's Clause 4.6 Variation request Statement of Facts and Contentions (SOFAC)
Clause 4.6 requests	• Yes
Summary of key submissions	Nil submissions
Report prepared by	Jared Spies
Report date	6 June 2025

Have all recommendations in relation to relevant s4.15 matters been summarised in the Executive Summary of the	Yes
assessment report?	
Legislative clauses requiring consent authority satisfaction	
Have relevant clauses in all applicable environmental planning instruments where the consent authority must be satisfied	Yes
about a particular matter been listed, and relevant recommendations summarized, in the Executive Summary of the	
assessment report?	
e.g. Clause 7 of SEPP 55 - Remediation of Land, Clause 4.6(4) of the relevant LEP	
Clause 4.6 Exceptions to development standards	
If a written request for a contravention to a development standard (clause 4.6 of the LEP) has been received, has it been	Yes
_ attached to the assessment report?	
Special Infrastructure Contributions	
Does the DA require Special Infrastructure Contributions conditions (S7.24)?	Yes

Note: Certain DAs in the Western Sydney Growth Areas Special Contributions Area may require specific Special Infrastructure Contributions (SIC) conditions

Conditions

Have draft conditions been provided to the applicant for comment? Note: in order to reduce delays in determinations, the Panel prefer that draft conditions, notwithstanding Council's recommendation, be provided to the applicant to enable any comments to be considered as part of the assessment report

1.1 DA-24-00435 Assessment report to

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Sydney Central City Planning Panel

Panel reference: PPSSCC-570

Development applica	ation								
DA number	DA-24-00435	Date of lodgement	17 June 2024						
Applicant	Michael Stokes								
Owner	KDMC 22 Pty Ltd								
Proposed development	Consolidation of land, construction of a 5-storey residential apartment building containing build-to-rent residential apartments, basement car parking, a childcare centre at ground level, external landscaping, roof- level common open space, public domain and strata subdivision.								
Street address	2 Ayla Street, 40 Reis Street and Tallawong	2 Ayla Street, 40 Reis Street and closed part of Boundary Road (now closed), Tallawong							
Notification period	17 to 31 July 2024	Number of submission	IS 0						
Assessment									
Panel criteria Schedule 6 of the State Environmental Planning Policy (Planning Systems) 2021	Schedule 6 of the State Environmental Planning Policy (Planning Systems)								
Relevant section 4.15(1)(a) matters	 State Environmental Planning Policy (Biodiversity and Conservation) 2021 State Environmental Planning Policy (Housing) 2021 State Environmental Planning Policy (Planning Systems) 2021 State Environmental Planning Policy (Precincts – Central River City) 2021 State Environmental Planning Policy (Resilience and Hazards) 2021 State Environmental Planning Policy (Sustainable Buildings) 2021 State Environmental Planning Policy (Transport and Infrastructure) 2021 Central City District Plan 2018 Blacktown Local Strategic Planning Statement 2020 Blacktown City Council Growth Centre Precincts Development Control Plan 2010 								
Report prepared by	Jared Spies								
Report date	6 June 2025								
Recommendation	Refuse, based on the grounds lis	ted in the report.							
Checklist									
Summary of section 4.15 Have all recommendations the Executive summary of	s in relation to relevant section 4.1	5 matters been summarise	d in Yes						
Have relevant clauses in a	iring consent authority satisfact all applicable environmental planni satisfied about a particular matter	ng instruments, where the	Yes						



Clause 4.6 Exceptions to development standards				
If a written request for a contravention to a development standard (clause 4.6 of the LEP) has been received, has it been attached to the Assessment report?	Yes			
Special Infrastructure Contributions	Yes			
Does the DA require Special Infrastructure Contributions conditions (section 7.24)?				
Housing Productivity Contribution (for DA lodged on or after 1 October 2023)				
Does the DA require Housing Productivity Contribution Condition?	No			
Conditions				
Have draft conditions been provided to the applicant for comment?	N/A			
Biodiversity	Yes			
Is the land bio-certified land under the Biodiversity Conservation Act 2016?				

Attachments

- 1. Attachment 1 Location map [**1.1.1** 2 pages]
- 2. Attachment 2 Aerial image [**1.1.2** 1 page]
- 3. Attachment 3 Zoning extract [1.1.3 1 page]
- 4. Attachment 4 Architectural Plans [1.1.4 69 pages]
- 5. Attachment 5 Applicant's Clause 4.6 Variation request [1.1.5 28 pages]
- 6. Attachment 6 Statement of Facts and Contentions (SOFAC) [1.1.6 21 pages]



1 Executive summary

- 1.1 The key issues that need to be considered by the Panel in respect of this application are:
 - the application is a deemed refusal appeal to the NSW Land and Environment Court by the applicant. Council wants to defend this appeal on the basis of all the key issues that are now included as contentions in the Statement of Facts and Contentions
 - the applicant's Clause 4.6 variation request to exceed the 16 m height limit control by 2.6 m cannot be supported due to the precedent it will set and the proposal being an overdevelopment of the site
 - the development is not permissible on the portion of the site that is zoned SP2 infrastructure
 - the proposal fails to comply with key elements of the Apartment Design Guide and Blacktown City Council Growth Centre Precincts Development Control Plan including side and rear setbacks, building separation, communal and public open space, deep soil zones and apartment mix
 - the design of the residential waste storage room is inadequate and will result in operational waste management issues
 - the proposal fails to provide adequate water quality design which requires amended stormwater plans and an amended MUSIC model
 - insufficient information has been provided by the applicant pursuant to Clause 36 of the Environmental Planning and Assessment Regulation 2021 to enable a complete assessment of the proposed development in relation to planning, architectural design, drainage and waste management.
- 1.2 Assessment of the application against the relevant planning framework and consideration of matters by our technical departments have identified serious issues of concern that cannot be dealt with by conditions of consent. Basically, the proposal represents an overdevelopment of the site and is not in the public interest.
- 1.3 The application is considered to be unsatisfactory when evaluated against Section 4.15 of the Environmental Planning and Assessment Act 1979 as evidenced by the contentions in the attached Statement of Facts and Contentions at attachment 6.
- 1.4 This report therefore recommends that the Panel refuse the application based on the grounds listed in the Recommendation at section 13 below and support Council's defence of this appeal on these grounds.

2 Location

- 2.1 The site is located at 2 Ayla Street, 40 Reis Street and former section of Boundary Road (now closed), in Tallawong.
- 2.2 This area is in transition from rural and low density residential to a medium density urban centre supporting Tallawong Metro Station. Predominant surrounding land uses comprise residential development, ranging from detached dwellings to apartment buildings, and small farm holdings that are still in operation.
- 2.3 Ayla Street is to the north, with a small farm holding opposite the site. Reis Street is to the east with a residential flat building opposite the site. Land immediately to the south is currently vacant. Boundary Road is to the west.
- 2.4 The location of the site is shown at attachment 1.

3 Site description



- 3.1 The site is legally described as Lot 4 in DP1229154 and has an area of 2,950 m². The land is zoned part R3 Medium Density Residential and part SP2 Infrastructure under State Environmental Planning Policy (Precincts—Central River City) 2021.
- 3.2 The development site also includes 622 m² of Council-owned land associated with the closed portion of Boundary Road to the west of Lot 4 that the applicant is currently acquiring from Council. This closed portion of Boundary Road is still zoned SP2 Infrastructure. Therefore, the combined overall area of the site is 3,572 m².
- 3.3 The site is irregular in shape. It slopes downwards from west to east from RL 61.6 to RL 55.7 being a level change of 5.9 m across the site. The site is currently vacant.
- 3.4 An aerial image of the site and surrounding area is at attachment 2. The zoning plan for the site and surrounds is at attachment 3.

4 Background

- 4.1 Following a detailed assessment of the proposal, a request for information letter relating to planning, architectural design, engineering, drainage and waste issues was sent on 23 August 2024. The applicant provided a response on 2 October 2024 after an extension of time was granted.
- 4.2 A second request for information letter relating to planning, city architect, drainage and waste issues was sent on 19 December 2024. However, no response was received from the applicant.
- 4.3 A Class 1 Appeal against the deemed refusal of this application was filed with the Land and Environment Court on 22 January 2025 by the applicant. A Notice of Motion was granted by the Court for the applicant to rely on amended plans and reports received on 19 February 2025.
- 4.4 This report is written based on the amended information received on 19 February 2025 which was also assessed to prepare the Statement of Facts and Contentions.

5 The amended proposal

- 5.1 The development application was lodged by Michael Stokes on 17 June 2024.
- 5.2 The applicant now proposes development of the site as detailed below:
 - consolidation of the existing Lot 4 DP1229154 with the Council-owned land to form 1 lot having an area of 3,572 m²
 - construction of a 5-storey, 18.6 m high residential flat building containing:
 - o 50 build-to-rent residential units
 - 2 levels of basement car parking for 71 car spaces for residents and visitors, including a car wash bay and loading bay
 - o a non-habitable outdoor covered area at the roof level for common open space
 - residential unit mix will comprise:
 - 5 x 1-bedroom units
 - 1 x 1-bedroom plus media unit
 - o 30 x 2-bedroom units
 - 7 x 2-bedroom plus media units
 - o 7 x 3-bedroom units



- A childcare centre for 71 children with dedicated car parking for 12 staff and 12 visitors, and signage
- associated stormwater drainage, landscaping and street tree planting works
- onsite electricity substation with retaining walls as required by Endeavour Energy
- public domain works in the form of:
 - o vehicular driveway crossing off Reis Street
 - o footpaths and pram crossings off Boundary Road, Ayla Street and Reis Street
 - street tree planting.
- strata subdivision into 51 lots (50 residential lots and 1 childcare centre lot).
- 5.3 A copy of the amended development plans before the Court is at attachment 4.

6 Assessment against planning controls

6.1 A summary assessment of the development application against the section 4.15(1)(a) matters is below, but only for those planning controls that directly relate to refusal of the proposal.

Heads of Consideration	Comment					
a. The provisions of: (i) Any environmental planning instrument	State Environmental Planning Policy (Precincts – Central River City) 2021 applies to the site. The proposal exceeds the 16 m maximum building height limit applicable to the site by 2.6 m. The Clause 4.6 variation request is not supported for the reasons listed in section 8.6 below.					
	The proposed development is not permissible on the SP2 Infrastructure portion of the site under State Environmental Planning Policy (Precincts – Central River City) 2021.					
	The built form does not have sufficient regard to the design objectives of the Apartment Design Guide as required under Chapter 4, Clause 147(1) (b) of State Environmental Planning Policy (Housing) 2021.					
	The application is also unsatisfactory with respect to that part of the application relating to the design of the childcare centre which is not compliant with the requirements of the Education and Care Services National Regulations 2011 and the Child Care Planning Guidelines 2021 as required under Section 3.23 of State Environmental Planning Policy (Transport and Infrastructure) 2021.					
(ii) Any development control plan	Blacktown City Council Growth Centre Precincts Development Control Plan 2010 applies to the site.					
·	The built form pushes elements of the proposed development into the setback areas required under Part 4.3.5.2. The basement setback reduces to 3 m adjoining Boundary Road and to 2 m adjoining the southern boundary. Control 7 does not permit basements and basement parking within the setback (required at 6 m under Table 4-10). This also has consequences for deep soil planting that cannot be provided either.					
	Also, the submitted civil stormwater concept design plan and MUSIC model do not achieve the water quality targets of Part 2.3.1.2.					
	The bicycle parking area does not include a notation to confirm the requisite total of spaces (1 per 3 dwellings) will be provided in					

Section 4.15 'Heads of Consideration'



Heads	of Consideration	Comment
		the bike store in the basement.
(v a)	the regulations (to the extent that they prescribe matters for the purposes of this paragraph),	The development application is contrary to Clause 36 of the Environmental Planning and Assessment Regulation 2021 as the applicant is required to provide all the necessary and requested information to Council to allow for a proper assessment of the application.
dev env bot env and	e likely impacts of the velopment, including vironmental impacts on h the natural and built vironments, and social d economic impacts on locality	It is considered that the likely environmental impacts of the development cannot be adequately assessed in terms of planning, architectural design, waste management, drainage and social planning due to the insufficient information provided by the applicant. Therefore, the application cannot be supported in its current form.
	e suitability of the site the development	The site is not considered suitable for the development as the planning, architectural design, waste management, drainage and social planning impacts that will result from the development at this location have not been addressed to Council's satisfaction due to the limited information provided to Council to date.
acc	y submissions made in cordance with this Act, he regulations	The application was notified between 17 and 31 July 2024. No objections were received during notification.
e. The	e public interest	The application in its current form is not considered to be in the public interest due to the number of planning, drainage, waste, architectural design and social planning issues that have not been addressed to Council's satisfaction.

7 Issues raised by the public

- 7.1 The proposed development was notified to 14 property owners and occupiers in the locality between 17 and 31 July 2024. The proposal was also placed on Council's website for the public to view and a sign was erected at the front of the site.
- 7.2 We received no submissions.

8 Key issues and reasons for refusal

8.1 The application is a deemed refusal appeal to the NSW Land and Environment Court

- 8.1.1 All key issues are outlined as contentions in the Statement of Facts and Contentions, and relate to:
 - the development is not permissible in the SP2 infrastructure zoned portion of the site
 - there is a 2.6m non-compliance with the 16m maximum building height that applies to the site and the applicant's accompanying Clause 4.6 Variation Request is unsatisfactory
 - the proposed built form will not meet the design objectives of the Apartment Design Guide which also applies to build-to-rent units
 - the proposed built form does not comply with the 6 m side setback required by Blacktown City Council Growth Centre Precincts Development Control Plan



- the design of the childcare centre fails to comply with the Education and Care Services National Regulations 2011 and the State government's Child Care Planning Guidelines 2021
- the proposal is unsatisfactory as it also fails to provide adequate measures to control the noise expected from the outdoor play areas of the childcare centre
- all the built form issues that cumulatively will result in an overdevelopment of the site
- the proposal is unsatisfactory with respect to the design of the residential waste storage room
- the proposal is not in the public interest given all the concerns raised above.
- 8.1.2 Part B1 of the Statement of Facts and Contentions is at attachment 6 which details the contentions on which the application should be refused.

8.2 The applicant's Clause 4.6 variation request is not supported

- 8.2.1 State Environmental Planning Policy (Precincts Central River City) 2021 applies to the site. The proposal will exceed the 16 m maximum building height limit applicable to the site. The proposal (as amended in February 2025) will result in various height encroachments relating to the roof, rooftop common open space, and lift overrun. The maximum building height proposed is 18.6 m, representing a variation of 16.25% over the permitted height plane by 2.6 m.
- 8.2.2 The Clause 4.6 variation, dated 5 December 2023, submitted in support of the proposal significantly predates the amended plans that are now the subject of the appeal (as amended dated 27 January 2025) and so it still references the earlier proposal that has since been amended.
- 8.2.3 Notwithstanding 8.2.2 above, the Clause 4.6 Variation Request does not adequately satisfy those matters required to be addressed under Clause 4.6(3) of the SEPP in that it does not adequately demonstrate that compliance with the standard is unreasonable or unnecessary in the circumstances or that there are sufficient environmental planning grounds to justify the variations being sought by the applicant.
- 8.2.4 Based on the above, the applicant's clause 4.6 variation request is not supported.
- 8.2.5 Additionally, since the proposal represents an overdevelopment of the site, the development application itself is not supported, so any request to support a variation to a height limit control cannot consequentially be supported either.

8.3 Insufficient information has been provided to enable a thorough assessment of the proposed development

- 8.3.1 Insufficient information has been provided pursuant to Clause 36 of the Environmental Planning and Assessment Regulation 2021, to enable Council officers to undertake a proper assessment of the proposal and its potential environmental impacts in relation to planning, architectural design, drainage, social planning and waste matters. On this basis, the impact of the proposal on the amenity of the area cannot be fully assessed and so the site is not suitable for this development.
- 8.3.2 Part B2 of the Statement of Facts and Contentions at attachment 6, sets out all the inadequacies in the information provided by the applicant to date which has hindered Council's ability to conduct a full and proper assessment.

9 External referrals

9.1 The development application was referred to the following external authorities for comment:

Comments



Authority	Comments
Department of Education	Unacceptable. Additional information is outstanding in regards to how the proposal will satisfy the required solar access and natural ventilation for the proposed childcare centre's outdoor play area (presently by the proposed child care centre cannot be licenced by the Department of Education to operate due to these non-compliances).
NSW Police	Acceptable provided the recommendations in the Crime Prevention through Environmental Design by Metris Urban Planning assessment can to be implemented as conditions.
Sydney Water	Acceptable. Conditions provided.

10 Internal referrals

10.1 The development application was referred to the following internal sections of Council for comment:

Section	Comments
Asset Design	Acceptable, the proposed development is generally consistent with S7.11 infrastructure.
Building	Acceptable, subject to conditions.
City Architect	Unacceptable, as outlined in the Statement of Facts and Contentions
Drainage	Unacceptable, as outlined in the Statement of Facts and Contentions
Environmental Health	Acceptable, subject to conditions
Engineering	Unacceptable, drainage requires additional information before engineers can provide conditions for the application.
Greenspace Services	Acceptable, subject to conditions.
Recreational Planning and Design	Acceptable, no objections
Property	Acceptable. No objections, subject to the road closure process being finalised.
Social Planning	Unacceptable as outlined in the Statement of Facts and Contentions.
Traffic	Acceptable, subject to conditions.
Waste services	Unacceptable as outlined in the Statement of Facts and Contentions.

11 Conclusion

11.1 The proposed development has been assessed against all relevant matters and is not considered to be satisfactory. It is considered that the likely impacts of the development have not been satisfactorily addressed and that the proposal is not in the public interest. The



proposal is an overdevelopment of the site and the key issues cannot be resolved by conditions.

12 Disclosure of political donations and gifts

- 12.1 Under Section 10.4 of the Environmental Planning and Assessment Act 1979, a disclosure statement must be lodged in certain circumstances in relation to any planning application, i.e. a development application, an application to modify a consent and an application to make an environmental planning instrument or development control plan.
- 12.2 A disclosure statement of a reportable political donation or gift must accompany a planning application or submission (including a submission either objecting to or supporting the proposed development) if the donation or gift is made within 2 years before the application or submission is made. If the donation or gift is made after the lodgement of the application, a disclosure statement must be sent to Council within 7 days after the donation or gift is made. The provision also applies to an associate of a submitter.
- 12.3 A disclosure statement may be made available for viewing upon a written request to Council in line with Section 12 of the Local Government Act 1993.
- 12.4 Disclosures:

•	Political donations	Has a Disclosure statement been received in relation to this application?	No
		If yes, provide Disclosure statement register reference	Ref:
•	Gifts	Have staff received a 'gift', that needs to be disclosed, from anyone involved with this application?	No

13 Recommendation

- 1 Reject the Applicant's Clause 4.6 variation request to exceed the maximum building height because many aspects of the proposal itself are either not compliant or cannot be assessed due to the lack of information as outlined in the Statement of Facts and Contentions, so any request to support a variation to the height plane control cannot be considered in isolation and so cannot be supported either.
- 2 Refuse DA-24-00435 based on the following grounds:
 - a The proposed development is not permissible in the SP2 Infrastructure portion of the site under State Environmental Planning Policy (Precincts Central River City) 2021. The application is therefore is inconsistent with the provisions of Section 4.15(1)(a)(i) of the Environmental Planning and Assessment Act 1979.
 - b The proposed development does not comply with Appendix 7, Clause 4.3 Height of Buildings of State Environmental Planning Policy (Precincts – Central River City) 2021 and the accompanying Clause 4.6 Variation Request is unsatisfactory. The application is therefore inconsistent with the provisions of Section 4.15(1)(a)(i) of the Environmental Planning and Assessment Act 1979.
 - c The proposed built form design fails to have regard to the design objectives of the Apartment Design Guide as required under Chapter 4, Clause 147(1) (b) of State Environmental Planning Policy (Housing) 2021. The application is therefore inconsistent with the provisions of Section 4.15(1)(a)(i) of the Environmental Planning and Assessment Act 1979.
 - d The application is unsatisfactory with respect to the design of the proposed childcare centre as it fails to meet the key parameters of the Education and Care Services National Regulations 2011 and the Child Care Planning Guidelines 2021 as required under Section 3.23 of State Environmental Planning Policy (Transport and Infrastructure) 2021. The application is therefore not complying with key relevant



legislation and is inconsistent with the provisions of Section 4.15(1)(a)(i) of the Environmental Planning and Assessment Act 1979.

- e The application fails to address how the operational noise from the outdoor play areas at the childcare centre will be controlled and managed. Therefore, the noise impacts of the development makes this site unsuitable and also which is inconsistent with the provisions of Section 4.15(1)(b), (c) and (e) of the Environmental Planning and Assessment Act 1979.
- f The proposed built form is not compliant with the relevant planning controls and in combination will result in an overdevelopment of the site. These include the lack of outdoor play area of the childcare centre, reduced setbacks to the basement, reducing building separation and lack of solar access to the ground floor communal open space. The application is therefore considered to be inconsistent with the provisions of Section 4.15(1)(a)(i) and (iii) of the Environmental Planning and Assessment Act 1979.
- g The application is unsatisfactory with respect to the design of the residential waste storage room. The development is therefore considered to be unsuitable for the site since waste cannot be adequately managed on site [Section 4.15(1)(c) of the Environmental Planning and Assessment Act 1979].
- h Insufficient information has been provided by the applicant pursuant to Clause 36 of the Environmental Planning and Assessment Regulation 2021 to enable complete assessment of the proposed development in relation to planning, architectural design, drainage and waste management.
- i The proposal fails to provide adequate water quality design and requires an amended stormwater plans and an amended MUSIC model.
- j The development application is contrary to Clause 36 of the Environmental Planning and Assessment Regulation 2021 as the applicant is required to provide all the necessary and requested information to allow Council to properly assess the application. Inadequate information has been received to complete an assessment of the proposal in terms of planning, architectural design, social planning, drainage and waste management. Given that inadequate information has been received, approval of the application is not considered to be in the public interest under Section 4.15(i)(e) of the Environmental Planning and Assessment Act, 1979. The application can also not be thoroughly assessed to consider it to be consistent with the provisions of Section 4.15(1)(b) and (c) of the Environmental Planning and Assessment Act 1979.
- k Pursuant to Section 4.15(1)(e) of the Environmental Planning and Assessment Act 1979, given the contentions raised above, approval of the proposal is not in the public interest in the circumstances of the case.
- 3 Council officers notify the applicant of the Panel's decision.

14 Declaration and endorsement

We, the undersigned, declare, to the best of our knowledge that we have no interest, pecuniary or otherwise, in this development application or persons associated with it; and we have provided an impartial assessment.



Jared Spies Senior Development Assessment Planner

Kly

Judith Portelli Manager Development Assessment

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Peter Conroy Director City Planning and Development

Attachment 1

Location map





Attachment 2 Aerial image





Location of site

Attachment 3 **Zoning extract**



DEVELOPMENT APPLICATION Proposed Residential Apartments + Child Care Development

CALCULATIONS	8	IN	IDOOR PLA	AY ARFA	ADAPTABLE HOUS	ING LINITS							
Site Area	3,572,0 m ²			Age	Post-Adaptable	Count	%	R	EF: DA-24-00435		DRAWING SH	FTIIST	
Building Area		Name	Area	Occupancy Groups	YES	5	10%	L	ST OF AMENDMENTS IN RELATION			Current	Current Revision
	<u> </u>	Play Room 1	41 m ²	12 children 0-2 years			-	T	0 COUNCIL'S LETTER DATED 19.12.24	Sheet Numb		Revision	Date
Site Coverage	42.6%				NO	45	90%	1.	Section / Elevation provided on dwg no. 113 demonstrate compliance with	000	Cover Sheet Site Analysis	B	27-01-25 27-09-24
Gross Floor Area	5,147 m ²	Play Room 2	36 m ²	10 children 2-3 years					the privacy separation where necessary and building separation is not relevant as this development proposes only ONE building. 6m separation	001A 002	Site Analysis Apartment Schedule	B	27-09-24 27-09-24
Floor Space Ratio	1.44 : 1	Play Room 3	49 m ²	15 children 2-3 years	LHA SILVER LEV	EL UNIT		2.	lines and dimensions indicated on upper levels for compliance. Refer to updated SEE from the Planner for justification of current design.	003	BASIX Site Plan	C	27-09-24 27-09-24
		Play Room 4	49 m ²	15 children 3-5 years	NO	2	4%	3.	(a) Basement envelope has been revised and new Deep Soil Zone located to Boundary Road Common Open Space.	101	Basement Leve	C	27-01-25
TOTAL PARKING	G	Play Room 5	65 m ²		YES	48	96%		(b) Substation now excluded from Deep Soil calculations. (c) Hydrant Booster Services relocated to be excluded from Deep Soil	102	Lower Ground Floor Level Ground Floor Level	C	27-01-25 27-01-25
Description	Count	Total		71 children					calculations.	104	Level 01 Level 02	C C	27-01-25 27-01-25
CarWash Bay	1	00	ITDOOR PL	AY AREA	CROSS-VENTILATIO		:		(d) Provisions for the introduction of mature trees along Reis Street have been proposed, and pits relocated accordingly. 3m	106	Level 03 Level 04	C	27-01-25 27-01-25
,	1	Name	9	Area	Ventilated/not ventilated	1	%		landscaping area along Reis Street has been proposed to comply with the DCP.	108	Roof Plan Site Elevation	B	27-09-24 27-01-25
Child Care Staff	12	Outdoor Play Area	1	325 m ²		Count		4.	 1.8m high sills demonstrated on Section / Elevation provided on dwg no. 113 for further details. 	110	Site Elevation Building Elevation - East Wing	D	27-01-25 27-01-25
Child Care Visitor	12	Outdoor Play Area		173 m ²	YES	34	68%	5.	The basement setback to Boundary Road has partially been reduced (approx, 50%) to comply with 6m DCP setback requirement.	112	Building Elevation - East Wing	D	27-01-25
Resident	59		12		NO	16	32%	6.	Refer to Site Coverage Diagram on dwg no. 333 for compliance.	113 114	Building Elevation West Wing Building Elevation West Wing	C	27-01-25 27-01-25
Visitor	10	Total		498 m ²				7.	Ground Floor COS area increased and Roof Terrace COS area decreased. Refer to COS Diagrams on dwg no. 334 for further details.	115 116	Site Section 3D Views - Aeria	C	27-01-25 27-01-25
Total Carspace	94							8.	Outdoor Play Area Front Fencing amended to Palisade Fencing with Polycarbonate sheet backing as recommended.	117	3D Views - Perspective 3D Building Height Plane	C	27-01-25 27-01-25
		LAND	SCAPE CA	ALCULATION	Solar Access Ca	lculation		9. 10.	Addressed by others. Addressed by others.	200	Lower Ground Floor - Child Care Layout Ground Floor Level - Unit Layouts	C C	27-01-25
Dievele Deek	10	Description		Area %	Solar Access	Count	%	11.	Reduced masonry walls, planter boxes removed, and Palisade Fencing	202	Level 01 - Unit Layouts	C	27-01-25 27-01-25
Bicycle Rack	18	Softscape		1331.1 m ² 36.7 %	2 HOURS MINIMUM	38	76%		added to increase solar access to Outdoor Play Area. Translucent shading devices and screens ommitted from calculations - Diagrams on dwg no.	203 204	Level 02 - Unit Layouts Level 03 - Unit Layouts	C D	27-01-25 27-01-25
Loading Bay	2	Hardscape		1171.7 m ² 32.8 %	NO SOLAR ACCESS	7	14%	12.	335 to demonstrate compliance. Refer to Site Coverage Diagram on dwg no. 334 for compliance.	205	Level 04 - Unit Layouts Pre- & Post-Adaptable Layouts	C	27-01-25 27-09-24
Storage	61	Total Landscape /	Area	2482,8 m ² 69.5 %				13.	Refer to Planner's response. Balcony Area reduced, Blade Screening and Planter Shrubs added to	207 300	Pre- & Post-Adaptable Layouts Driveway Details	B	27-09-24 27-01-25
								45	improve privacy from balconies within 9m building setback. Refer to Planner's response.	301 302	Front Courtyard Sections Waste Management Details	B	27-09-24 27-01-25
GROSS FLOOR AF	REA	DEEP SOIL LANDS		693.0 m ² 19.4 %				16.	Refer to Planner's response for Solar Access issues;	302A	Bin Transportation Details	В	27-01-25
				L					Soft Landscaping increased to Ground and Roof COS; Shaded Cloth Pergola added over Play Area;	302B 303	Waste Management Section Details Shadow Diagram 9am 21st June	B C	27-01-25 27-01-25
Level	Area m ²	Calculated m	піп бхбт	490.6 m ² 13.7 %	3			17.	Deep Soil Area added to Ground Floor COS. Refer to Planner's response.	304 305	Shadow Diagram 10am 21st June Shadow Diagram 11am 21st June	B	27-01-25 27-01-25
Lower Ground	439 m ²	un	~~~	mm	•			18.	Refer to Stormwater Documentation. Refer to Waste Management Section Details on dwg no, 302B	306 307	Shadow Diagram 12 noon 21st June Shadow Diagram 1pm 21st June	C	27-01-25 27-01-25
Ground Floor	957 m ²							20.	Refer to Waste Management Section Details on dwg no. 302B Refer to Waste Management Details on dwg no. 302	308	Shadow Diagram 2pm 21st June Shadow Diagram 3pm 21st June	B	27-01-25 27-01-25
Level 01	1,013 m ²							21.	Refer to Waste Management Details on dwg no. 302	310 311	View from the Sun Diagrams View from the Sun Diagrams	C C	27-09-24
Level 02	1,138 m ²							23. 24.	Refer to updated Waste Management Report. Total Bin Calculations added to dwg no. 302	312	View from the Sun Diagrams	C	27-09-24
Level 03	1,103 m ²							25. 26.	Organic bin notation added and located in Recycle Bin Room. Refer to Chute Room Details on dwg no, 302	313 314	View from the Sun Diagrams Amalgamation Plan	C B	27-09-24 27-09-24
Level 04	497 m ²							27.	Refer to Waste Management Details on dwg no. 302 + 302A (and shown on GA Floors Plans where necessary)	315 316	Cut and Fill Plan Window Details	B C	27-09-24 27-09-24
Gross Floor Area	5,147 m ²							28.	Refer to Bin Transportation Details on dwg no. 302A 0. Addressed by others.	317 318	Sliding Door Details Window Assembly Details	CB	27-09-24 27-09-24
	,							31-3	3. Refer to Bin Transportation Details on dwg no. 302A	319 320	Window Assembly Details Window Assembly Details	CB	27-09-24 27-09-24
								34. 35.	Notation of Hinged Doors to Bulky Waste to swing outwards. Bollards shown and notated where necessary.	321 322	Wall Details	B	27-09-24 27-01-25
UNIT BREAKDOW	VN							36. 37.	Refer to Waste Management Details on dwg no. 302 Refer to updated Waste Management Report.	323	Fence Details	В	27-09-24
Unit Type Tota	%									324 326	Temporary Turning Head Details Deep Soil Calculation Diagram	B	27-09-24 27-01-25
1 Bed 5	10%					h				327 328	Open Space Diagram - Ground Floor Open Space Diagram - Level 01	B A	27-01-25 27-09-24
1 Bed + Media 1	2%		0							329 330	Open Space Diagram - Level 02 Open Space Diagram - Level 03	A	27-09-24 27-09-24
2 Bed 30										331 332	Open Space Diagram - Level 04 Typical Cross-Section Through Habitable Room	B	27-01-25 27-09-24
2 Bed + Media 7	14%						10 HUN			333	Site Coverage Diagram	A	27-01-25
		(
3 Bed 7	14%		56										
Total Units 50													
COMMON OPEN SF													
Ground Level	K					FFILI	PLAN A						
>	608 m ²												
Roof level	464 m ²					1							
Total	1,072 m ²			VII)		U							
30.0% of	the Site Area						t .						
Address: 2	Ayla and 40	Reis Stre	et, Ta	allawong			mann						

Client: Jasara Management Pty Ltd

4/17-19 Alberta Street Sydney, NSW 2000

Attachment 1.1.4 Attachment 4 Architectural Plans

T +61 2 9633 5888 email@architex.com.au Mijasu Pty Ltd t/as Architex ABN: 633 834 401 JOB NO. 2617

ARCHITEX

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Street View 3

1: 300 Site Analysis











LOCATION - AERIAL VIEW



LOCATION MAP

CONTEXT

The surrounding land uses are varied ranging from newly built apartments and detached dwellings. The area is in transition of being developed with a small farm holding across the road and large areas of undeveloped land. The subject site is located within walking distance from the land identified the Schofields neighbourhood centre to the south-west of the Riverstone Precinct as identified on the Growth Centres Precinct Centres map. This land is zoned B1 Neighbourhood Centre in the vicinity of Station Street and Railway Terrace. Hence, the subject site is located close to land identified for neighbourhood uses such as CCC and shops.

The completed developments off Ayla St comprise over 300 residential apartments. The adjacent subdivision will comprise another 300 apartments. In addition to other developments in Tallawong, the proposed childcare centre will serve approx. 600 households within 5-10 minutes walking distance.

LOCATION AMENITIES

- Schofields Public School 1km away
- Galungara Public School 750m away.
- Riverstone High School 2km away.
- Lankarama Buddhist Temple 600m away.
- Schofields Station - 1.65km away.
- Tallawong Station - 1.75km away.
- Three bus stops located within 400m on Boundary Road and Schofields Road.

COMMUNITY INFRASTRUCTURE

The Indicative Layout Plan within the Growth Centres DCP provides for a Sports Field less than 150m away along Boundary Road. Desired future character of the Schofields neighbourhood Centre proposed 1.5km away from the subject site, envisages Arts and Craft studios with markets and retails/commercial uses.





APARTMENT SCHEDULE								
Unit No.	No. of Bedroom	Area	Balc / Courtyard Area	Internal Storage Volume	Post- Adaptable	LHA Silver Level		

Ground Floor

G01	1 Bed	66 m ²	15 m²	6.1 m ³	NO	YES
G02	2 Bed	90 m²	14 m ²	4.5 m ³	NO	YES
G03	2 Bed	82 m ²	10 m ²	6.0 m ³	YES	YES
G04	2 Bed	83 m ²	10 m ²	6.5 m ³	YES	YES
G05	2 Bed	84 m ²	25 m ²	7.4 m ³	NO	YES
G06	2 Bed	79 m ²	34 m ²	4.7 m ³	NO	YES
G07	2 Bed	77 m ²	30 m ²	6.8 m ³	NO	YES
G08	3 Bed	105 m ²	121 m ²	5.7 m ³	NO	YES
G09	2 Bed + Media	79 m ²	41 m²	4.1 m ³	NO	YES
G10	2 Bed + Media	81 m²	29 m ²	4.1 m ³	NO	YES
O	40					

Ground Floor: 10

Leve	01	
------	----	--

101	2 Bed	89 m ²	14 m ²	6.5 m ³	NO	YES
102	2 Bed	90 m²	14 m²	4.5 m ³	NO	YES
103	2 Bed	80 m ²	10 m ²	6.3 m ³	YES	YES
104	1 Bed	57 m ²	8 m ²	4.8 m ³	NO	YES
105	2 Bed	84 m ²	10 m ²	4.5 m ³	NO	YES
106	2 Bed	78 m ²	16 m ²	5.9 m ³	NO	YES
107	2 Bed	77 m ²	11 m²	6.2 m ³	NO	YES
108	2 Bed	79 m ²	10 m ²	3.5 m ³	NO	YES
109	3 Bed	108 m ²	18 m²	5.7 m ³	NO	YES
110	2 Bed + Media	79 m ²	16 m ²	4.1 m ³	NO	YES
111	2 Bed	81 m ²	17 m²	5.7 m ³	NO	YES
1 1.04						

Level 01: 11

Level 02

004	0 Ded	0.02	1 /	C E	NO	VEO
201	2 Bed	89 m²	14 m ²	6.5 m ³	NO	YES
202	2 Bed	90 m²	14 m ²	4.5 m ³	NO	YES
203	2 Bed	80 m²	10 m ²	6.3 m ³	YES	YES
204	1 Bed	57 m ²	8 m ²	4.8 m ³	NO	YES
205	2 Bed	83 m ²	10 m ²	4.5 m ³	NO	YES
206	2 Bed	78 m ²	16 m ²	5.9 m ³	NO	YES
207	2 Bed	77 m ²	11 m²	6.2 m ³	NO	YES
208	3 Bed	104 m ²	17 m²	5.1 m ³	NO	YES
209	3 Bed	116 m ²	15 m²	10.6 m ³	NO	YES
210	2 Bed	92 m ²	18 m ²	6.1 m ³	NO	YES
211	2 Bed + Media	79 m ²	16 m ²	4.1 m ³	NO	YES
212	2 Bed	81 m²	17 m ²	5.7 m ³	NO	YES

Level 02: 12

APARTMENT SCHEDULE						
Balc / Internal Post- Silver						
Unit No.	No. of Bedroom	Area	Courtyard Area	Storage Volume	Adaptable	Level

Level 03

2 Bed	89 m ²	14 m²	6.5 m ³	NO	YES
2 Bed	90 m ²	14 m²	4.5 m ³	NO	YES
2 Bed	80 m²	10 m²	6.3 m ³	YES	YES
2 Bed + Media	80 m ²	10 m²	4.1 m ³	NO	YES
1 Bed	57 m ²	37 m ²	3.4 m ³	NO	NO
2 Bed	75 m ²	11 m²	5.0 m ³	NO	YES
3 Bed	104 m ²	17 m²	5.1 m³	NO	YES
3 Bed	117 m ²	15 m ²	10.6 m ³	NO	YES
2 Bed	92 m ²	18 m²	6.1 m ³	NO	YES
2 Bed + Media	79 m ²	16 m²	4.1 m ³	NO	YES
2 Bed	81 m ²	17 m²	5.7 m ³	NO	YES
1 Bed	51 m ²	26 m ²	3.7 m ³	NO	NO
	2 Bed 2 Bed 2 Bed + Media 1 Bed 2 Bed 3 Bed 3 Bed 2 Bed 2 Bed 2 Bed + Media 2 Bed	2 Bed 90 m² 2 Bed 80 m² 2 Bed + Media 80 m² 1 Bed 57 m² 2 Bed 75 m² 3 Bed 104 m² 3 Bed 117 m² 2 Bed + Media 79 m² 2 Bed + Media 79 m² 2 Bed 81 m²	2 Bed 90 m² 14 m² 2 Bed 80 m² 10 m² 2 Bed + Media 80 m² 10 m² 1 Bed 57 m² 37 m² 2 Bed 75 m² 11 m² 3 Bed 104 m² 17 m² 3 Bed 117 m² 15 m² 2 Bed 92 m² 18 m² 2 Bed 81 m² 17 m²	$\begin{array}{c c c c c c c c c c c c c c c c c c c $	$\begin{array}{c c c c c c c c c c c c c c c c c c c $

Level 03: 12

Level 04

401	1 Bed + Media	63 m ²	9 m²	3.2 m ³	NO	YES
402	3 Bed	117 m ²	15 m ²	10.6 m ³	NO	YES
403	2 Bed	92 m ²	18 m ²	6.1 m ³	NO	YES
404	2 Bed + Media	79 m ²	16 m ²	4.1 m ³	NO	YES
405	2 Bed	81 m ²	17 m ²	5.7 m ³	NO	YES

Total Unit: 50



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		IX COMMITMENTS		
WATER	1			
Fixtures	All Shower Heads	All toilet flushing systems	All kitchen taps	All bathroom taps
	4 star(>6but<=7.5L/min)	4 star	4 star	4 star
Appliances:	Dishwashers - 5.0 sta	ar water rating	1	
Rainwater tank		nk – 5000L to collect run-off f n of 300m2 of landscape area		of roof area. Connection
Fire sprinklers	Configure so that the re-use rather than di	e fire sprinkler test water is co sposed	ontained within the	fire sprinkler system for
ENERGY	Hot water system: Co	entral hot water system – Ga	s fired storage	
	Bathroom ventilation	n system: Individual fan, duct	ed to façade or roof	manual switch on/off
	Kitchen ventilation s	ystem: Individual fan, ducted	to façade or roof m	anual switch on/off
<u>REFER TO</u> APPROVED	Laundry ventilation	system: Individual fan, ducted	d to façade or roof m	anual switch on/off
BASIX	Cooling system: air-c	onditioning 1 Phase – EER 3.0	0-3.5 living/bed	
	Heating system: air-	conditioning 1 Phase – EER 3.	0-3.5 living/bed	
	Artificial lighting: As	per BASIX		
	Natural lighting: As	per BASIX		
	Appliances:			
	and a second	ic oven in the kitchen of the	dwellings	
	Dishwashers: 3.5 sta			
	Clothes dryers: 2.0 st		Deter d. els et al es de	
COMMON	Refer to approved BAS	upply: Photovoltaic system -	Rated electrical outp	out (min): 6.0 peak kw
AREAS				

Building Elements	Material	Detail
External walls	Lightweight cladded walls – as per wall details	R2.0 insulation (product value)
Internal walls within units	Plasterboard on studs	
Common walls between units	Hebel + stud + plasterboard	As per wall details
Common walls between units and lift	200mm Concrete lined	As per wall details
shafts/fire stairs		As per wan details
Common walls between units & corridors	Hebel + stud + plasterboard	As per wall details
Ceiling	Plasterboard	R2.5 insulation (product value) to ceilings exposed to outside air – Units 301, 302, 303, 304, 305, 306 & level 4 units
Floors	Concrete	 R2.0 insulation (product value) floors between carpark and floor above – units G07, G08, G09, G10
		 R2.0 insulation (product value) suspend floors exposed to outside air – units G02, G03, 106, 208, 209
Roof	Concrete	
	Awning windows:	
Windows/Doors – except as stated below	Aluminium frame, single glazed low e or similar	U value 5.40 or less and SHGC 0.49 +/- 10%
	Sliding windows/doors, & fixed windows:	
	Aluminium frame, double glazed or similar	U value 4.80 or less and SHGC 0.59 +/- 10%
Windows/Doors – Unit 401	Awning windows:	
	Aluminium frame, double glazed low e or similar	U value 4.30 or less and SHGC 0.47 +/- 10%
	Sliding windows/doors, & fixed windows:	
	Aluminium frame, double glazed low e or similar	U value 4.30 or less and SHGC 0.53 +/- 10%
U and SHGC values are according to NFRC. Alternate of glass required to meet Bushfire and acoustic regula	e products may be used if the U value is the same or lower and th	e SHGC is within 10% of the above figures. This also applies to changes to the type and thickness
Lighting: Units have been rated with non-ventil		
Note: In some climate zones, insulation should l	be installed with due consideration of condensation and a	ssociated interaction with adjoining building materials.
Note: Self-closing damper to bathroom, WC and	l ensuite exhaust fans.	
Note: Additional insulation may be required to	meet acoustic requirements	
This Development must comply with Section J o	f the BCA	
Building & Energy Consultants Australia dissolv	es itself from any responsibility associated with the select	ion of insulation, sarking type materials, thermal breaks and other componentry



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Basement Level

REF: DA-24-00435 LIST OF AMENDMENTS IN RELATION **TO COUNCIL'S LETTER DATED 19.12.24**

Section / Elevation provided on dwg no. 113 demonstrate compliance with the privacy separation where necessary and building separation is not relevant as this development proposes only ONE building, the separation lines and dimensions indicated on upper levels for compliance. Refer to updated SEE from the Planner for justification of current design.
(a) Basement envelope has been revised and new Deep Soil Zone located to Boundary Road Common Open Space.
(b) Substation now excluded from Deep Soil calculations.
(c) Hurden Bonder Services relocated to be excluded from Deep Soil Come

Hydrant Booster Services relocated to be excluded from Deep Soi

iccusions. ovisions for the introduction of mature trees along Reis Street we been proposed, and pits relocated accordingly. 3m ndscaping area along Reis Street has been proposed to comply with the DCP.

ied on dwa na

Addresses by ouners. Reduced masony walls, planter boxes removed, and Palisade Fencing added to increase solar access to Outdoor Play Area. Translucent shad devices and screens ommitted from calculations - Diagrams on dwg tr 335 to demonstrate compliance. Refer to Site Coverage Diagram on dwg no. 334 for compliance.

Balcony Area reduced, Blade Screening and Planter Shrubs added to mprove privacy from balconies within 9m building setback.

Refer to Planner's response for Solar Access issues; Soft Landscaping increased to Ground and Roof COS;

Sont Landscaping increases to dround and in Shaded Cloth Pergola added over Play Area; Deep Soil Area added to Ground Floor COS.



Do not scale, check and verify all dimensions before comencing new wor ground levels may vary due to site conditions.

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DEVELOPMENT APPLICATION



OUTDOOR PLAY AREA				
Name	Area			
Outdoor Play Area 1	325 m ²			
Outdoor Play Area 2	173 m ²			
Total	498 m ²			

INDOOR PLAY AREA						
Name	Area	Occupancy	Age Groups			
Play Room 1	41 m ²	12 children	0-2 years			
Play Room 2	36 m ²	10 children	2-3 years			
Play Room 3	49 m ²	15 children	2-3 years			
Play Room 4	49 m ²	15 children	3-5 years			
Play Room 5	65 m ²	19 children	3-5 years			
Total		71 Children				

2 Lower Ground Floor Level

REF: DA-24-00435 LIST OF AMENDMENTS IN RELATION **TO COUNCIL'S LETTER DATED 19.12.24**

Section / Elevation provided on dwg no. 113 demonstrate compliance with the privacy separation where necessary and building separation is not relevant as this development proposes only ONE building, dim separation lines and dimensions indicated on upper levels for compliance. Refer to updated SEE from the Planner for justification of current design. (a) Basement envelope has been revised and new Deep Soil Zone located to Boundary Road Common Open Space. (b) Substation now excluded from Deep Soil calculations. (c) Hydrant Booster Services relocated to be excluded from Deep Soil calculations.

accusmons. rovisions for the introduction of mature trees along Reis Street was been proposed, and pits relocated accordingly. 3m indscaping area along Reis Street has been proposed to comph discussion with the DCP.

with the DCP. 1.8m high sills demonstrated on Section / Elevation provided on dwg no. 113 for further details. The basement setback to Boundary Road has partially been reduced (approx. 50%) to comply with GDC setback requirement. Refer to Site Coverage Diagram on dwg no. 333 for compliance. Ground Floor COS area increased and Roof Terrace COS area decreased. Refer to COS Diagrams on dwg no. 334 for further details. Dutdoor Play Area Front Fencing amended to Palisade Fencing with Polycarbonate sheet backing as recommended. Addressed by others.

Adoresses of yonnes. Reduced masony walls, planter boxes removed, and Palisade Fencing added to increase solar access to Outdoor Play Area. Translucent shadil devices and screens ommitted from calculations - Diagrams on dwg no 335 to demonstrate compliance. Refer to SIE Coverage Diagram on dwg no. 334 for compliance. Refer to Planner's response.

Trever or remitter a response. Balcony Area reduced, Blade Screening and Planter Shrubs added to improve privacy from balconies within 9m building setback. Refer to Planner's response.



Do not scale, check and verify all dimensions before comencing new work ground levels may vary due to site conditions.

C Ssue	Amondmont	Issue descry ts addressing Cour		distord	Date 27-01-25
	19.12.24	-			
В		ts addressing Cour	ncilis RF	1	27-09-24
A	Developmen	nt Application			16-11-23
<u> </u>	<u> </u>				
4/17-	19 Alberta		Nom	inated Arc	hitect:
Sydn	ey, NSW 20	000		or Olivar A No. 9785	l cami
email	2 9633 58 Øarchitex.co .architex.co	com.au	T/As	au Pty Ltd Architex : 633 834	401
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DEVELOPMENT APPLICATION



Ground Floor Level

REF: DA-24-00435 LIST OF AMENDMENTS IN RELATION **TO COUNCIL'S LETTER DATED 19.12.24**

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Hydrant Booster Services relocated to be excluded from Deep Soil

sions for the introduction of mature trees along Reis Street have been proposed, and pits rel ated acc dingly. 3m landscaping area along Reis Street has been proposed to comply with the DCP.

1.8m high sills demonstrated on Section / Ele

(c)

(d)

An high bills demonstrated on Section / Elevation provided on dwg no. 113 for further details. The basement setback to Boundary Road has partially been reduced (aprox. 50%) to comply with 6m DCP setback requirement. Refer to Site Coverage Diagram on dwg no. 333 for compliance. Ground Floor COS area increased and Roof Transe COS area decreased. Refer to COS Diagrams on dwg no. 334 for further details. Outdoor Play Area Front Fencing amended to Palisade Fencing with Polycarbonate sheet backing as recommended. Addressed by others. Reduced masony walls, planter boxes removed, and Palisade Fencing added to increase solar access to Outdoor Play Area. Translucent shading devices and scenes onmitted from calculations – Diagrams on dwg no. 335 to demonstrate compliance. Refer to Plannets response. Balcony Area reduced, Bade Streening and Planter Shrubs added to improve privacy from balconies within 9m building setback. Refer to Plannets response.



Do not scale, check and verify all dimensions before comencing new work, ground levels may vary due to site conditions.







4 Level 01

Section / Elevation provided on dwg no. 113 de Section / Liercation provided on dwg no. 113 demonstrate compliance will the privacy separation where necessary and building separation is not relevant as this development proposes only ONE building. Gim separation lines and dimensions indicated on upper levels for compliance. Refer to updated SEE from the Planner for justification of current design. (a) Basement envelope has been revised and new Deep Soil Zone located to Boundary Read Common Open Space. (b) Substition now excluded from Deep Soil calculations. (c) Hurdrart Broster Senices Implant for Levelstors.

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culations. visions for the introduction of mature trees along Reis Street e been proposed, and pits relocated accordingly. 3m have been proposed, and pits relocated accordingi landscaping area along Reis Street has been propo with the DCP. osed to comp

with the DCP. 1.8 m high site demonstrated on Section / Elevation provided on dwg 113 for further details. The basement settack to Boundary Road has partially been reduced (approx. 50%) to comply with GnD CP settack requirement. Refer to Site Coverage Diagram on dwg no. 333 for compliance. Ground Floor COS area increased and Root Terrace COS area decreas: Refer to COS Diagrams on dwg no. 334 for further details. Outdoor Play Area Front Fencing amended to Palisade Fencing with Polycarchonate sheet backing as recommended. ted on Section / Elevation provided on dwo n

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Do not scale, check and verify all dimensions before comencing new work ground levels may vary due to site conditions.



DEVELOPMENT APPLICATION







A second r Levation provided on dwg no. 113 demonstrate compliance with the privacy separation is where necessary and building separation is not relevant as this development proposes only ONE building. On separation lines and dimensions indicated on upper levels for compliance.
 (a) Basement envelope has been revised and new Deep Soil Zone located to Boundary Road Common Open Space.
 (b) Substation now excluded from Deep Soil calculations.
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have been proposed, and pits relocated accordin landscaping area along Reis Street has been prop with the DCP. sed to com 1.8m high sills demonstrated on Section / Ele ied on dwa na

1.8m high sills demonstrated on Section / Elevation provided on dwg 113 for further details. The basement settack to Boundary Road has partially been reduced (approx. 50%) to comply with 6m DCP settack requirement. Refer to Site Coverage Diagram on dwg no. 333 for compliance. Ground Floor COS area increased and Root Terrace COS area decrease Refer to COS Diagrams on dwg no. 334 for further details. Outdoor Play Area Front Fencing amended to Palisade Fencing with Polycarbonate sheet backing as recommended.

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Outdoor Pay Area Front Frencing amended to Palisade Fencing with Polycarbonate sheet backing as recommended. Addressed by others. Reduced masony walls, planter boxes removed, and Palisade Fencing added to increase solar access to Outdoor Play Area. Translucent shadi devices and screens ommitted from calculations - Diagrams on dwg no 335 to demonstrate compliance. Refer to Site Overage Diagram on dwg no. 334 for compliance. Refer to Site response. Balcony Area reduced, Blade Screening and Planter Shrubs added to improve privacy from balconies within 9m building setback. Refer to Planner's response.

Impreve privacy from balconies within 9m building setback.
 Refer to Planner's response.
 Refer to Planner's response.
 Soft Landszaping increased to Ground and Root COS; Shaded Cloth Penglo added over Play Arae; Deep Soil Area added to Ground Floor COS.
 Refer to Vaste Management Section Details on dwg no. 3028
 Refer to Waste Management Section Details on dwg no. 3022
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Page 26 of 133







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DEVELOPMENT APPLICATION

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LIST OF AMENDMENTS IN RELATION

REF: DA-24-00435

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MATERIAL SCHEDULE LEGEND

	EXTERNAL FINISHES SCHEDULE					
	P1	PRE-PAINTED FINISH 1 Dulux- Endless Dusk				
	P2	PAINT FINISH 2 Dulux - Grid				
	PC1	FEATURE SCREEN SLATS Dulux - Beatnik				
	PC2	WINDOW FRAMES, BALUSTRADES, LOUVRES, FENCES Dulux Powdercoat Duratec Zeus Dark Grey				
	CL1	WALL PANELS / CLADDING Cemintel Surround Quinta				
	CL2	WALL PANELS / CLADDING James Hardie Scyon - Stria (Painted Finish - P1)				
1	G1	GLASS FENCES Grey Tinted Glass				



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LIST OF AMENDMENTS IN RELATION TO COUNCIL'S LETTER DATED 19.12.24

REF: DA-24-00435

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Section / Elevation provided on dwg no. 113 demonstrate compliance with the privacy separation where necessary and building separation is not relevant as this development proposes only ONE building, form separation lines and dimensions indicated on upper levels to compliance. Refer to updated SEE from the Planner for justification of current design. (a) Basement envelope has been revised and new Deep Soil Zone located to Boundary Read Common Open Space. (b) Substation now excluded from Deep Soil calculations.

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MATERIAL SCHEDULE LEGEND

EXTERNAL FINISHES SCHEDULE				
	P1	PRE-PAINTED FINISH 1 Dutux- Endless Dusk		
	P2	PAINT FINISH 2 Dulux - Grid		
	PC1	FEATURE SCREEN SLATS Dulux - Beatnik		
	PC2	WINDOW FRAMES, BALUSTRADES, LOUVRES, FENCES Dulux Powdercoat Duratec Zeus Dark Grey		
	CL1	WALL PANELS / CLADDING Cemintel Surround Quinta		
	CL2	WALL PANELS / CLADDING James Hardie Scyon - Stria (Painted Finish - P1)		
1	G1	GLASS FENCES Grey Tinted Glass		





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Roof Level 75.40 Level 04 72.20

Level 03 69.00

Level 02 65.90

Level 01 62.80

Ground Floor 59.70

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MATERIAL SCHEDULE LEGEND

	EXTERNAL FINISHES SCHEDULE				
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	P2	PAINT FINISH 2 Dulux - Grid			
	PC1	FEATURE SCREEN SLATS Dullux - Beatnik			
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MATERIAL SCHEDULE LEGEND

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	CL2	WALL PANELS / CLADDING James Hardie Scyon - Stria (Painted Finish - P1)			
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West Wing Bldg - South Elevation



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REF: DA-24-00435

Ground Floor 59.70

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ement Level 52.80

REIS STREET

LIST OF AMENDMENTS IN RELATION **TO COUNCIL'S LETTER DATED 19.12.24**







Aerial View 1 - Cnr. Boundary Rd + Ayla St

2 Aerial View 2 - Cnr. Reis + Ayla St.



3 Aerial View 3 - Reis Street



Aerial View 4 - Boundary Road

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TO	COUNCIL'S LETTER DATED 19.12.24
1. 2.	Section / Elevation provided on dwg no. 113 demonstrate compliance with the privacy separation where necessary and building separation is not relevant as this development proposes only ONE building. On separation lines and dimensions indicated on upper levels for compliance. Refer to updated SEE from the Planner for justification of current design.
3.	 Basement envelope has been revised and new Deep Soil Zone located to Boundary Road Common Open Space. Substation now excluded from Deep Soil calculations.
	 (c) Hydrant Booster Services relocated to be excluded from Deep Soil calculations. (d) Provisions for the introduction of mature trees along Reis Street
	have been proposed, and pits relocated accordingly. 3m landscaping area along Reis Street has been proposed to comply with the DCP.
4.	1.8m high sills demonstrated on Section / Elevation provided on dwg no. 113 for further details.
5.	The basement setback to Boundary Road has partially been reduced (approx. 50%) to comply with 6m DCP setback requirement.
6. 7.	Refer to Site Coverage Diagram on dwg no. 333 for compliance. Ground Floor COS area increased and Roof Terrace COS area decreased.
	Refer to COS Diagrams on dwg no. 334 for further details.
8.	Outdoor Play Area Front Fencing amended to Palisade Fencing with Polycarbonate sheet backing as recommended.
9. 10.	Addressed by others. Addressed by others.
11.	Reduced masonry walls, planter boxes removed, and Palisade Fencing
	added to increase solar access to Outdoor Play Area. Translucent shading devices and screens ommitted from calculations - Diagrams on dwg no. 335 to demonstrate compliance.
12.	Refer to Site Coverage Diagram on dwg no. 334 for compliance.
13.	Refer to Planner's response.
14. 15.	Balcony Area reduced, Blade Screening and Planter Shrubs added to improve privacy from balconies within 9m building setback. Refer to Planner's response.
16.	Refer to Planner's response for Solar Access issues;
	Soft Landscaping increased to Ground and Roof COS;
	Shaded Cloth Pergola added over Play Area; Deep Soil Area added to Ground Floor COS.
17.	Refer to Planner's response.
18.	Refer to Stormwater Documentation.
19.	Refer to Waste Management Section Details on dwg no. 302B
20. 21.	Refer to Waste Management Section Details on dwg no. 302B Refer to Waste Management Details on dwg no. 302
22.	Refer to Waste Management Details on dwg no. 302
23.	Refer to updated Waste Management Report.
24.	Total Bin Calculations added to dwg no. 302
25. 26.	Organic bin notation added and located in Recycle Bin Room. Refer to Chute Room Details on dwo no. 302
20.	Refer to Waste Management Details on dwg no. 302 + 302A
28.	(and shown on GA Floors Plans where necessary) Refer to Bin Transportation Details on dwg no. 302A
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34. 35.	Notation of Hinged Doors to Bulky Waste to swing outwards. Bollards shown and notated where necessary.
35. 36.	Bollards snown and notated where necessary. Refer to Waste Management Details on dwg no. 302
37.	Refer to updated Waste Management Report.
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(1) View to Lobbby Entry - Ayla Street



(2) View to Lobby Entry - Boundary Road



(3) View to Ground Floor Common Open Space







(1)^{3D Building Height Plane}

REF: DA-24-00435 LIST OF AMENDMENTS IN RELATION TO COUNCIL'S LETTER DATED 19.12.24

Section / Elevation provided on dwg no. 113 demonstrate compliance with the privacy separation where necessary and building separation is not relevant as this development proposes only ONE building. Gene separation lines and dimensions indicated on upper levels for compliance. Refer to updated SEE from the Planner for justification of current design. (a) Basement envelope has been revised and new Deep Soil Zone located to Boundary Read Common Open Space. (b) Substation now excluded from Deep Soil calculations. (c) Hydrant Booster Services relocated to be excluded from Deep Soil calculations.





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DEVELOPMENT APPLICATION

Page 40 of 133



	LHA SILVER LEVEL UNIT				ADAPTABLE HOUSING UNITS		CROSS-VENTILATIO	
NO 2 4%		1	Post-Adaptable	Count	%	Ventilated/not ventilated		
YES 48 96%			YES	5	10%	YES		
					NO	45	90%	NO

(2) Ground Floor - Unit Layouts

REF: DA-24-00435 LIST OF AMENDMENTS IN RELATION TO COUNCIL'S LETTER DATED 19.12.24

Section / Elevation provided on dwg no. 113 demonstrate compliance with the privacy separation where necessary and building separation is not relevant as this development proposes only ONE building, dim separation lines and dimensions indicated on upper levels for compliance. Refer to updated SEE from the Planner for justification of current design. (a) Basement envelope has been revised and new Deep Soil Zone located to Boundary Road Common Open Space. (b) Substation now excluded from Deep Soil calculations. (c) Hydrant Booster Services relocated to be excluded from Deep Soil calculations. (d) Provisions for the introduction of mature trees along Reis Street have been proposed, and oils relocated accordingly. 3m

have been proposed, and pits relocated accordingly. Sm landscaping area along Reis Street has been proposed to c with the DCP.



Issue descrption dments addressing Council's RFI ARCHITEX Nominated Architect: Victor Olivar Alcami Reg No. 9785 4/17-19 Alberta Street Sydney, NSW 2000 T +61 2 9633 5888 email@architex.com.au www.architex.com.au Mijasu Pty Ltd T/As Architex ABN: 633 834 401 Proposed Residential Apartments + Child Care Development Project Ac 2 Ayla and 40 Reis Street, Tallawong Jasara Management Pty Ltd Ground Floor Level -Unit Layouts SY As indicated 1 DW Job N 2617 201**174** C

ssue

CROSS-VENTILATIO	N TO UNITS	
ated/not ventilated	Count	%
YES	34	68%
NO	16	32%

DEVELOPMENT APPLICATION



CROSS-VENTILATION TO UNITS				
Ventilated/not ventilated	Count			
YES	34			
NO	16			

3 Level 1 - Unit Layouts

REF: DA-24-00435 LIST OF AMENDMENTS IN RELATION TO COUNCIL'S LETTER DATED 19.12.24

Section / Elevation provided on dwg no. 113 demonstrate compliance with he privacy separation where necessary and building separation is not relevant as this development proposes only ONE building. 6m separation lines and dimensions indicated on upper levels for compliance. Refer to update SEE from the Panner for ustification of current design. (a) Basement envelope has been revised and new Deep Soil Zone located to Boundary Road Common Open Space. (b) Substation now excluded from Deep Soil aclouktions. (c) Hydrant Booster Services relocated to be excluded from Deep Soil calculations.

calculations. Provisions for the introduction of mature trees along Reis Street

have been proposed, and pits relocated accordin landscaping area along Reis Street has been prop with the DCP. lingly, 3m 1.8m high sills demonstrated on Section / Fle

1.8m high slike demonstrated on Section / Elevation provided on dwg no.
 113 for further details.
 The basement setback to Boundary Road has partially been reduced
 (approx. 50%) to comply with 6m DCP setback requirement.
 Refer to Site Coverage Diagram on dwg no. 333 for further details.
 Outdoor Play Area Front Fencing amended to Palisade Fencing with
 Polycarbonate sheet backing as recommended.
 Addressed by others.
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Addressed by others. Addressed by others. Reduced masonry walks, planter boxes removed, and Palisade Fencing added to increase solar access to Outdoor Play Area. Translucent shadin devices and screens ommitted from calculations – Diagrams on dwg no. 335 to demonstrate compliance. Refer to Sito Cevenge Diagram on dwg no. 334 for compliance. Refer to Planner's response. Balcony Area reduced, Blade Screening and Planter Shrubs added to improve privacy from balconies within 9m building setback. Refer to Planner's response. Refer to Planner's response for Solar Access issues; Soft Landscaping increased to Ground and Roof COS; Shaded Cloth Pergola added over Play Area; Deep Soil Area added to Simuentation. Refer to Planner's response. Refer to Planner's response. Refer to Denner's response. Refer to Denner's response. Refer to Waste Management Section Details on dwg no. 3028 Refer to Waste Management Details on dwg no. 3020 Refer to Waste Managem

Refer to Chute Room Details on dwg no. 302
 Refer to Waste Management Details on dwg no. 302 + 302A (and shown on GA Floors Plans where necessary)
 Refer to Bin Transportation Details on dwg no. 302A
 29/30. Addressed by others.
 31-33. Refer to Bin Transportation Details on dwg no. 302A
 Notation of Hinged Doors to Bulky Waste to swing outwards.
 Bollards shown and notated where necessary.
 Refer to Waste Management Details on dwg no. 302
 Refer to Waste Management Details on dwg no. 302
 Refer to updated Waste Management Report.



Issue descrption ssue Date 27-01-28 essing Council's RF Nominated Architect: Victor Olivar Alcami Reg No. 9785 4/17-19 Alberta Street Sydney, NSW 2000 T +61 2 9633 5888 email@architex.com.au www.architex.com.au Mijasu Pty Ltd T/As Architex ABN: 633 834 401 Proposed Residential Apartments + Child Care Development Project Address 2 Ayla and 40 Reis Street, Tallawong Jasara Management Pty Ltd Level 01 - Unit Layouts Scale SY As indicated 1 DW 2617 202**175** C



%

68%

32%



CROSS-VENTILATION	l
Ventilated/not ventilated	I
YES	
NO	

Attachment 1.1.4 Attachment 4 Architectural Plans

Level 2 - Unit Layouts

REF: DA-24-00435 LIST OF AMENDMENTS IN RELATION **TO COUNCIL'S LETTER DATED 19.12.24**

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(c) Hydram Booster Services relocated to be excluded from Deep Soil calculations.
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have been proposed, and pits relocated accordingly. 3m landscaping area along Reis Street has been proposed to con with the DCP.

1 8m high sills demor rated on Section / Fl

with the DCP. 1.8m high sills demonstrated on Section / Elevation provided on dwg no. 113 for further details. The basement settack to Boundary Road has partially been reduced (approx. 50%) to comply with 6m CCP settack requirement. Refer to Sile Coverage Diagram on dwg no. 333 for compliance. Ground Floor COS area increased and Root Terrace COS area decreased. Refer to COS Diagrams on dwg no. 334 for further details. Outdoor Play Area Front Fencing amended to Palisade Fencing with Polycarchonais sheet backing as recommended. Addressed by others. Reduced masony wells, planter boxes removed, and Palisade Fencing added to increase solar access to Outdoor Play Area. Translucent shading devices and screens omnitted from calculations - Diagrams on dwg no. 335 to demonstrate compliance. Refer to Sile Overage Diagram on dwg no. 334 for compliance. Refer to Planner's response. Balcony Area reduced, Blade Screening and Planter Shrubs added to improve privacy from balconies within 9m building settack. Refer to Planner's response. Refer to Mass Management Section Details on dwg no. 3028 Refer to Waste Management Section Details on dwg no. 3028 Refer to Waste Management Section Details on dwg no. 3028 Refer to Waste Management Beaction Details on dwg no. 3028 Refer to Waste Management Details on dwg no. 3020 Refer to Waste Management Beaction Details on dwg no. 3020 Refer to Waste Management Beaction Details on dwg no. 3020 Refer to Waste Management Beaction Details on dwg no. 3022 Refer to Waste Management Beaction Details on dwg no. 3022 Refer to Waste Management Beaction Details on dwg no. 3022 Refer to Wast

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Refer to Chute Room Details on dwg no. 302
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 Refer to Waste Management Details on dwg no. 302 + 302A
 (and shown on GA Floors Plans where necessary)
 Refer to Bin Transportation Details on dwg no. 302A
 29/30. Addressed by others.
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 Notation of Hinged Doors to Bulky Waste to swing outwards.
 SoBards shown and notated where necessary.
 Refer to Waste Management Details on dwg no. 302
 Refer to Undated Waste Management Report.







TO UNITS

Count

34

16

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68%

32%



REF: DA-24-00435 LIST OF AMENDMENTS IN RELATION **TO COUNCIL'S LETTER DATED 19.12.24**

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|-------------------|-----|
| Count | % |
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| 16 | 32% |

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| 6 Level 4 - Unit Layouts | |
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| CROSS-VENTILATIO | N TO UNITS | |
|---------------------------|------------|-----|
| Ventilated/not ventilated | Count | % |
| YES | 34 | 68% |
| NO | 16 | 32% |

REF: DA-24-00435 LIST OF AMENDMENTS IN RELATION TO COUNCIL'S LETTER DATED 19.12.24

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ARCHITEX Nominated Architect: Victor Olivar Alcami Reg No. 9785 4/17-19 Alberta Street Sydney, NSW 2000 T +61 2 9633 5888 email@architex.com.au www.architex.com.au Mijasu Pty Ltd T/As Architex ABN: 633 834 401 roject Proposed Residential Apartments + Child Care Development Project Address 2 Ayla and 40 Reis Street, Tallawong Client Jasara Management Pty Ltd Level 04 - Unit Layouts As indicated 1 DW SY 2617 205**178** C

Issue descrption

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(2) Pre-Adaptable Layout - Typical (UNITS G03, 103, 203 & 303)

POST ADAPTABLE NOTES: General Notes - 35mm ramped threshold to external sliding doors - all floor surfaces to be slip resistant in accordance with AS/NZS 3661.1 door openings to be positioned in wall to allow circulation adjacent to the doorway in accordance with AS1428.1-2009 Electrical Notes - Hot Water System to deliver hot water at a maximum of 50° in accordance with AS4299 - electrical distribution board to be located within the unit and be accessible - allow for illumination levels in accordance with AS4209 - switch and power points to be located in accordance AS4209 AS4299 - a telephone outlet to be provided in the lounge/dining area adjacent to a G.P.O Laundry Notes - laundry tub dimension and height to comply with AS 4299. - taps to be provided at side of laundry tub - provide double G.P.O Bathroom Notes - selected slip resistant ceramic floor tiles laid to fall on screed, provide waterproof membran in accordance with AS 3740 1994 - tap sets to be capstan or lever handles with single outlet locate toilet paper holder in accordance with AS 1428.1-2009 accessible toilet in accordance with AS 1428.1-2009 provide for adjustable, detachable hand held shower rose mounted on a slider grab rail, clearance and heights to be in accordance with AS1428.1-2009 - vanity clearance to comply with AS 1428.1- 2009 Kitchen Notes - kitchen sink bowl 150mm deep max - sink & adjacent work space to be adjustable in height (750-850mm) or replaceable install floor/wall tiling under & behind removable/adjustable kitchen benches - tap set shall be capstan or lever handles or lever mix - cook tops to include either front or side controls with raised cross bars - cook tops to include isolating switch tap set located within 300mm of front of sink provision to be made for a microwave shelf to be installed or replaced at nay height between 750mm and 1200mm.



THIS DRAWING IS TO BE READ IN CONJUNCTION WITH AS1482.1 - 2009 DESIGN FOR ACCESS AND MOBILITY

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1. ENSURE THE PAN SEAT TO HAVE 30% LUMINANCE CONTRAST AGAINST BACKGROUND TILED FLOOR SURFACE;

LEVER CONTROLS FOR SHOWER AND BASIN (BASIN LEVER TO BE NO GREATER THAN 300mm FROMT FROMT OF TAPS);

1 x CLOTHING HANGING DEVICE TO BE INSTALLED BETWEEN 1200mm - 1350mm FROM FFL AND AT LEAST 500mm FROM AN INTERNAL CORNER FOR WC;

DOOR TO INCLUDE AN IN-USE INDICATOR AND A BOLT / CATCH THAT CAN BE OPENED FROM OUTSIDE IN AN EMERGENCY. IF SNIB TURN IS USED THE HANDLE IS TO 45mm FROM CENTRE;

6. LIGHT SWITCHES TO BE INSTALLED BETWEEN 900 - 1100mm ABOVE FFL AND 500mm MININUM ERON INTERNAL CORNER-

GPOs TO BE INSTALLED BETWEEN 600 - 1100mm ABOVE FFL AND 500mm MINIMUM FROM INTERNAL CORNER;

ROCKER ACTION / TOGGLE TYPE SWITCHES AT LEAST 30 x 30mm DIMENSIONS ARE REQUIRED TO ASSIST PEOPLE WITH DEXTERITY IMPAIRMENT;

9. ENSURE ALL ACCESSIBLE SHOWERS TO HAVE SHOWER RAIL / CURTAIN INSTALLED;

ENSURE HEIGHT OF THE HOSE WALL OUTLET TO BE 700mm HEIGHT ABOVE FFL, COMPLIAN WITH AST428.1 - fig.48 TO ENSURE SUITABLE HOSE LEWSTH WHEN SHOWERING, TO ALSO INCLUDE SUITABLE BACK-FLOW PREVENTION DEVICE;

11. SLIP-RESISTANCE OF FLOORS TO HAVE MINIMUM CLASS 'X' RATING.

- SLIP-RESISTANCE OF FLOORS TO HAVE MINIMUM CLASS \$2 RATING TO BATHROOM, KITCHENETTE, LAUNDRY AND BALCONY AS REQUIRED IN AS4299 CLAUSE 4.5.4

- AT LEAST ONE GPO IN EACH KEY ROOM / AREA TO BE INSTALLED BETWEEN 600 - 1100mm ABOVE FFL AND 500mm MINIMUM FROM CORNER.

- PROVIDE 1 x DOUBLE GPO WITHIN 300mm OF FRONT OF KITCHEN WORK SURFACE, TO BE REACHABLE BY A PERSON USING A WHEELCHAIR.

- ALL LIGHT SWITCHES TO BE INSTALLED BETWEEN 900 - 1100mm ABOVE FFL & 500mm MINIMUM FROM INTERNAL CORNER.

- ALL OTHER ELECTRICAL CONTROLS TO KEY FEATURES (EG. INTERCOM, SECURITY SWIPE ALC UNIT, SAFE SOUND SYSTEM ETC.) TO BE INSTALLED WITH OPERATIVE PART BETWEEN 900 - 1250mm ABOVE AFFL AND 500mm MINIMUM FROM INTERNAL CORNER.

- PROVIDE 1 x DOUBLE GPO BESIDE ADAPTABLE UNIT BATHROOM MIRROR AND ALSO WITHIN LAUNDRY IN ACCORDANCE WITH AS4299.

- ENSURE ANY PARTITION WALLS / FIXTURES TO BE RELOCATED / REMOVED AT POST ADAPTATION DO NOT HAVE ANY ELECTRICAL / GAS OR PLUMEING SERVICES INSTALLED AT PRE-ADAPTATION FOR EASE OF ADAPTATION IN ACCORDANCE WITH AS4299.

PROVIDE EXTRA CAPPED OFF SERVICES WITH SUITABLE SET-OUTS AND CLEARANCES TO ALLOW FOR RELOCATION OF FIXTURES IN POST-ADAPTATION LOCATIONS, COMPLIANT WITH AS1428.1,

WALL STREINGTHEINING AROUND PAN, SHOWEN AND BATH AND WATERPROOFING OF WALLS TO BE PROMOED AT PRE-ADAPTATION STACE IN ACCORDANCE WITH AST 423, LOLAUSE 44.4A, HAMERE PAR-UCARE. ENSIGE CAPPET PLEHEIGHT IS NO MORE THAN 11mm WITH Amm MAXMUM BACKING SURFACE (COMPLIANT WITH DOA PREMISES STANDARD).

















APARTMENT NOTES (RESIDENTIAL) Accessible WCs / Showers Will Require:

- DOOR TO INCLUDE AN IN-USE INDICATOR AND A BOLT / CATCH THAT CAN BE OPENED FROM OUTSIDE IN AN EMERGENCY. IF SNIB TURN IS USED THE HANDLE IS TO 45mm FROM CENTRE;
- 5, DOOR OPERATION TO BE LIGHTWEIGHT:

GENERAL NOTES.

ALL OTHER ELECTRICAL CONTROLS TO KEY FEATURES (EG. INTERCOM, SECURITY SWIPE A/C UNIT, SAFE SOUND SYSTEM ETC, ITO BE INSTALLED WITH OPERATIVE PART BETWEEN 900 - 1250mm ABOVE AFFL AND SOOmm MINIMUM FROM INTERNAL CORNER.

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- WALL STRENGTHENING AROUND PAN, SHOWER AND BATH AND WATERPROOFING OF WALLS TO BE PROVIDED AT FOR-ADAPTATION STAGE IN ACCORDANCE WITH AST 428.1, CLAUSE 4.4.4h, - WHERE APPLICALE ENSURE CAREFT PLA HEIGHT IS NO WORE THAN I TIMM WITH 4mm MAXIMUM BACKING SURFACE (COMPLIANT WITH DDA PREMISES STAMDARD).

Storage

THIS DRAWING IS TO BE READ IN CONJUNCTION WITH AS1482.1 - 2009 DESIGN FOR ACCESS AND MOBILITY

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ENSURE THE PAN SEAT TO HAVE 30% LUMINANCE CONTRAST AGAINST BACKGROUND TILED FLOOR SURFACE;

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11. SLIP RESISTANCE OF FLOORS TO HAVE MINIMUM CLASS X RATING.

- PROVIDE DOOR PEEPHOLE AT 1220mm ABOVE FFL.

- SLIP RESISTANCE OF FLOORS TO HAVE MINIMUM CLASS X RATING TO BATHROOM KITCHENETTE, LAUNDRY AND BALCONY AS REQUIRED IN AS4299 CLAUSE 4.5.4

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- PROVIDE 1 × DOUBLE GPO WITHIN 300mm OF FRONT OF KITCHEN WORK SURFACE, TO BE REACHABLE BY A PERSON USING A WHEELCHAIR.

- ALL LIGHT SWITCHES TO BE INSTALLED BETWEEN 900 - 1100mm ABOVE FFL & 500mm MINIMUM FROM INTERNAL CORNER.

- PROVIDE 1 \times DOUBLE GPO BESIDE ADAPTABLE UNIT BATHROOM MIRROR AND ALSO WITHIN LAUNDRY IN ACCORDANCE WITH AS4299,



APPLICATION

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Attachment 1.1.4 Attachment 4 Architectural Plans

U COUNCIL'S LETTER DATED 19.12.24
Section / Bevation provided on dwg no. 113 demonstrate compliance with the privacy separation where necessary and building separation is not melevant as this development proposes only ONE building. Sim separation lines and dimensions indicated on upper levels for compliance.
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1.8m high sills demonstrated on Section / Elevation provided on dwg no.



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Page 49 of 133



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ssue ssue descrp 26 . . addressing Councils RFI 4/17-19 Alberta Street Sydney, NSW 2000 T +61 2 9633 5888 email@architex.com.au www.architex.com.au Proposed Residential Apartments + Child Care Development **APPLICATION** Project Add Clien OPMENT Details DEVEL

REFER TO WASTE MANAGEMENT REPORT FOR FURTHER DETAILS



ARCHITEX Nominated Architect: Victor Olivar Alcami Reg No. 9785 Mijasu Pty Ltd T/As Architex ABN: 633 834 401

Date

2 Ayla and 40 Reis Street, Tallawong Jasara Management Pty Ltd

 $\sim\sim\sim\sim\sim$ Waste Management Scale Checks 1:50 @ A1 DW AW

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Page 50 of 133



Attachment 1.1.4 Attachment 4 Architectural Plans

REF: DA-24-00435 LIST OF AMENDMENTS IN RELATION TO COUNCIL'S LETTER DATED 19.12.24

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 Refer to Starmae's device added over Play Area; Deep Soil Area added to Ground and Root COS; Shaded Cloth Pergota dded over Play Area; Deep Soil Area added to Ground Floor COS.
 Refer to Waste Management Details on dwg no. 302B
 Refer to Waste Management Details on dwg no. 302B
 Refer to Waste Management Details on dwg no. 3022
 Refer to Waste Management Details on dwg no. 3022
 Refer to Waste Management Details on dwg no. 3022
 Refer to Waste Management Details on dwg no. 3022
 Refer to Waste Management Details on dwg no. 3022
 Refer to Waste Management Details on dwg no. 3022
 Refer to Waste Management Details on dwg no. 3022
 Refer to Waste Management Details on dwg no. 3022
 Refer to Waste Management Details on dwg no. 3022
 Refer to Waste Management Details on dwg no. 3022
 Refer to Waste Management Details on dwg no. 3023
 Refer to Waste Management Details on dwg no. 3024
 Refer to Waste Management Details on dwg no. 302A
 Refer to Wast



REFER TO WASTE MANAGEMENT REPORT FOR FURTHER DETAILS



















Shadow Diagram 9am 21st June

REF: DA-24-00435 LIST OF AMENDMENTS IN RELATION TO COUNCIL'S LETTER DATED 19.12.24

Section / Elevation provided on dwg no. 113 demonstrate compliance with the privacy separation where necessary and building, separation is not relevant as this development proposes only ONE building. 6m separation lines and dimensions indicated on upper levels for compliance. Refer to updated SEE from the Planner for justification of current design. (a) Bassment envelope has been revised and new Deep Soil Zone located to Boundary Road Common Open Space.



dimensions before comencing news ground levels may vary due to site conditions.





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Proposed Shadows

APPLICATION

DEVELOPMENT







2)1:250 Shadow Diagram 10am 21st June

REF: DA-24-00435 LIST OF AMENDMENTS IN RELATION TO COUNCIL'S LETTER DATED 19.12.24

Section / Elevation provided on dwg no. 113 demonstrate compliance with the privacy separation where necessary and building separation is not relevant as this development proposes only ONE building. Em separation lines and dimensions indicated on upper levels for compliance. Refer to updated SEE from the Planner for justification of current design. (a) Basement envelope has been revised and new Deep Soil Zone located to Boundary Road Common Open Space.

locate to soundary Hoad Common Upen Space. Substation now aculded from Deep Soil actuations. Hydrant Booster Services relocated to be excluded from Deep Soil calculations. Provisions for the introduction of mature trees along Reis Street have been proposed, and pils relocated accordingly. 3m landscaping area along Reis Street has been proposed to comply with the DCP.



dimensions before comencing new ground levels may vary due to site conditions.



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Proposed Shadows

APPLICATION

DEVELOPMENT







3 Shadow Diagram 11am 21st June

LIST OF AMENDMENTS IN RELATION TO COUNCIL'S LETTER DATED 19.12.24

Section / Elevation provided on dwg no. 113 demonstrate compliance with the princey separation where necessary and building separation is not relevant as this development proposes only ONE building. Som separation lines and dimensions indicated on upper levels for compliance. Refer to updated SEE from the Planner for justification of current design. (a) Basemet renvieto has base movies and new Deep Soil Zone located to Boundary Road Common Open Space.



dimensions before comencing news ground levels may vary due to site conditions.





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Proposed Shadows

APPLICATION

DEVELOPMENT



SHADOW LEGEND



A Shadow Diagram 12 noon 21st June

REF: DA-24-00435 LIST OF AMENDMENTS IN RELATION **TO COUNCIL'S LETTER DATED 19.12.24**

Section / Elevation provided on dwg no. 113 demonstrate compliance with the privacy separation where necessary and building, separation is not relevant as this development proposes only ONE building. 6m separation lines and dimensions indicated on upper levels for compliance. Refer to updated SEE from the Planner for justification of current design. (a) Bassment envelope has been revised and new Deep Soil Zone located to Boundary Road Common Open Space.

locate to soundary Hoad Common Upen Space. Substation now aculded from Deep Soil actuations. Hydrant Booster Services relocated to be excluded from Deep Soil calculations. Provisions for the introduction of mature trees along Reis Street have been proposed, and pils relocated accordingly. 3m landscaping area along Reis Street has been proposed to comply with the DCP.



dimensions before comencing news ground levels may vary due to site conditions.



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Proposed Shadows

APPLICATION

DEVELOPMENT







(5) Shadow Diagram 1pm 21st June

LIST OF AMENDMENTS IN RELATION TO COUNCIL'S LETTER DATED 19.12.24

Section / Elevation provided on dwg no. 113 demonstrate compliance with the privacy separation where necessary and building, separation is not relevant as this development proposes only ONE building. 6m separation lines and dimensions indicated on upper levels for compliance. Refer to updated SEE from the Planner for justification of current design. (a) Bassment envelope has been revised and new Deep Soil Zone located to Boundary Road Common Open Space.



dimensions before comencing news ground levels may vary due to site conditions.



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Proposed Shadows

APPLICATION

DEVELOPMENT



SHADOW LEGEND



Existing Shadows

6)1:250 Shadow Diagram 2pm 21st June

LIST OF AMENDMENTS IN RELATION TO COUNCIL'S LETTER DATED 19.12.24



dimensions before comencing news ground levels may vary due to site conditions.



APPLICATION DEVELOPMENT

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Section / Elevation provided on dwg no. 113 demonstrate compliance with the princey separation where necessary and building separation is not relevant as this development proposes only ONE building. Som separation lines and dimensions indicated on upper levels for compliance. Refer to updated SEE from the Planner for justification of current design. (a) Basemet renvieto has base movies and new Deep Soil Zone located to Boundary Road Common Open Space.



dimensions before comencing new ground levels may vary due to site conditions.



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Proposed Shadows

APPLICATION

DEVELOPMENT



Attachment 1.1.4 Attachment 4 Architectural Plans

| | Solar Access Diagram | | | | | | | | | | |
|------------|----------------------|-------|-------|-------|-----|-----|-------|---------------------------|--------------------------------|--|--|
| Unit No. | 9,00 | 10,00 | 11,00 | 12,00 | | | 15,00 | Sollar Access
(2H min) | Sollar Access
(15 mins min) | | |
| 101 | No | No | Yes | Yes | Yes | Yes | Yes | Yes | Yes | | |
| 102 | Yes | Yes | Yes | Yes | Yes | Yes | Yes | Yes | Yes | | |
| 103 | Yes | Yes | Yes | Yes | No | No | No | Yes | Yes | | |
| 104 | Yes | Yes | Yes | Yes | No | No | No | Yes | Yes | | |
| 105 | Yes | Yes | Yes | Yes | No | No | No | Yes | Yes | | |
| 106 | No | No | No | No | No | No | No | No | No | | |
| 107 | No | No | No | No | No | No | No | No | No | | |
| 108 | No | No | No | No | No | No | No | No | No | | |
| 109 | No | No | No | No | Yes | Yes | Yes | Yes | Yes | | |
| 110 | Yes | Yes | Yes | Yes | Yes | Yes | Yes | Yes | Yes | | |
| 111 | Yes | Yes | Yes | Yes | Yes | Yes | Yes | Yes | Yes | | |
| 201 | No | No | Yes | Yes | Yes | Yes | Yes | Yes | Yes | | |
| 202 | Yes | Yes | Yes | Yes | Yes | Yes | Yes | Yes | Yes | | |
| 203 | Yes | Yes | Yes | Yes | No | No | No | Yes | Yes | | |
| 203 | Yes | Yes | Yes | Yes | No | No | No | Yes | Yes | | |
| 205 | Yes | Yes | Yes | Yes | No | No | No | Yes | Yes | | |
| 206 | No | No | No | No | No | Yes | No | No | Yes | | |
| 200 | No | No | No | No | No | No | No | No | No | | |
| 207 | No | No | No | Yes | Yes | Yes | Yes | Yes | Yes | | |
| 200 | No | No | No | No | No | Yes | Yes | No | Yes | | |
| 209 | No | No | No | No | Yes | Yes | Yes | Yes | Yes | | |
| 210 | Yes | Yes | Yes | Yes | Yes | Yes | Yes | Yes | Yes | | |
| 211 212 | | Yes | Yes | Yes | Yes | Yes | | | | | |
| | Yes | | | | | | Yes | Yes | Yes | | |
| 301 | No | No | Yes | Yes | Yes | Yes | Yes | Yes | Yes | | |
| 302 | Yes | Yes | Yes | Yes | Yes | Yes | Yes | Yes | Yes | | |
| 303 | Yes | Yes | Yes | Yes | No | No | No | Yes | Yes | | |
| 304 | Yes | Yes | Yes | Yes | No | No | No | Yes | Yes | | |
| 305 | Yes | Yes | Yes | Yes | No | No | No | Yes | Yes | | |
| 306 | No | No | No | No | No | No | No | No | No | | |
| 307 | No | No | No | Yes | Yes | Yes | Yes | Yes | Yes | | |
| 308 | No | No | No | No | No | No | Yes | No | Yes | | |
| 309 | No | No | No | No | Yes | Yes | Yes | Yes | Yes | | |
| 310 | Yes | Yes | Yes | Yes | Yes | Yes | Yes | Yes | Yes | | |
| 311 | Yes | Yes | Yes | Yes | Yes | Yes | Yes | Yes | Yes | | |
| 312 | No | No | No | No | No | Yes | No | No | Yes | | |
| 401 | Yes | Yes | Yes | Yes | Yes | Yes | Yes | Yes | Yes | | |
| 402 | Yes | Yes | Yes | Yes | Yes | Yes | Yes | Yes | Yes | | |
| 403 | No | No | No | No | Yes | Yes | Yes | Yes | Yes | | |
| 404 | Yes | Yes | Yes | Yes | Yes | Yes | Yes | Yes | Yes | | |
| 405 | Yes | Yes | Yes | Yes | Yes | Yes | Yes | Yes | Yes | | |
| G01 | No | No | Yes | Yes | Yes | Yes | Yes | Yes | Yes | | |
| G02 | Yes | Yes | Yes | Yes | Yes | Yes | Yes | Yes | Yes | | |
| G03 | Yes | Yes | Yes | Yes | No | No | No | Yes | Yes | | |
| G04 | Yes | Yes | Yes | Yes | No | No | No | Yes | Yes | | |
| G05 | Yes | Yes | No | No | No | No | No | No | Yes | | |
| G06 | No | No | No | No | No | No | No | No | No | | |
| G07 | No | No | No | No | No | No | No | No | No | | |
| G07
G08 | No | No | No | No | Yes | Yes | Yes | Yes | Yes | | |
| G00
G09 | Yes | Yes | Yes | Yes | Yes | Yes | Yes | Yes | Yes | | |
| G10 | Yes | Yes | Yes | Yes | Yes | Yes | Yes | Yes | Yes | | |
| | 162 | 162 | 162 | 162 | 162 | 162 | 162 | 162 | 162 | | |



| ation | |
|-------|-----|
| Count | % |
| 38 | 76% |
| 7 | 14% |
| | |



Attachment 1.1.4 Attachment 4 Architectural Plans

| Unit No, | 9.00 | 10.00 | 11.00 | 12.00 | 13.00 | 14.00 | 15.00 | Solar Access | Solar Access |
|------------|------------|------------|------------|------------|------------|------------|------------|--------------|--------------|
| | | | | | | | | (2H min) | (15 mins min |
| 101 | No | No | Yes | Yes | Yes | Yes | Yes | Yes | Yes |
| 102 | Yes | Yes |
| 103 | Yes | Yes | Yes | Yes | No | No | No | Yes | Yes |
| 104 | Yes | Yes | Yes | Yes | No | No | No | Yes | Yes |
| 105 | Yes | Yes | Yes | Yes | No | No | No | Yes | Yes |
| 106 | No | No |
| 107 | No | No |
| 108 | No | No |
| 109 | No | No | No | No | Yes | Yes | Yes | Yes | Yes |
| 110 | Yes | Yes |
| 111 | Yes | Yes |
| 201 | No | No | Yes | Yes | Yes | Yes | Yes | Yes | Yes |
| 202 | Yes | Yes |
| 203 | Yes | Yes | Yes | Yes | No | No | No | Yes | Yes |
| 204 | Yes | Yes | Yes | Yes | No | No | No | Yes | Yes |
| 205 | Yes | Yes | Yes | Yes | No | No | No | Yes | Yes |
| 206 | No | No | No | No | No | Yes | No | No | Yes |
| 207 | No | No |
| 208 | No | No | No | Yes | Yes | Yes | Yes | Yes | Yes |
| 209 | No | No | No | No | No | Yes | Yes | No | Yes |
| 210 | No | No | No | No | Yes | Yes | Yes | Yes | Yes |
| 211 | Yes | Yes |
| 212 | Yes | Yes |
| 301 | No | No | Yes | Yes | Yes | Yes | Yes | Yes | Yes |
| 302 | Yes | Yes |
| 303 | Yes | Yes | Yes | Yes | No | No | No | Yes | Yes |
| 304 | Yes | Yes | Yes | Yes | No | No | No | Yes | Yes |
| 305 | Yes | Yes | Yes | Yes | No | No | No | Yes | Yes |
| 306 | No | No |
| 307 | No | No | No | Yes | Yes | Yes | Yes | Yes | Yes |
| 308 | No | No | No | No | No | No | Yes | No | Yes |
| 309 | No | No | No | No | Yes | Yes | Yes | Yes | Yes |
| 310 | Yes | Yes |
| 311 | Yes | Yes |
| 312 | No | No | No | No | No | Yes | No | No | Yes |
| 401 | Yes | Yes |
| 402 | Yes | Yes |
| 403 | No | No | No | No | Yes | Yes | Yes | Yes | Yes |
| 404 | Yes | Yes |
| 405 | Yes | Yes |
| G01 | No | No | Yes | Yes | Yes | Yes | Yes | Yes | Yes |
| G02 | Yes | Yes |
| G02
G03 | Yes | Yes | Yes | Yes | No | No | No | Yes | Yes |
| G04 | Yes | Yes | Yes | Yes | No | No | No | Yes | Yes |
| G04 | Yes | Yes | No | No | No | No | No | No | Yes |
| G05 | No | Na | No |
| G07 | No | Na | No |
| GD7
GD8 | No | No | No | NO | Yes | Yes | Yes | Yes | Yes |
| G08
G09 | | | | Yes | | Yes | Yes | | |
| GU9
G10 | Yes
Yes | Yes
Yes |



| t | % |
|---|-----|
| | 76% |
| | 14% |
| | |



| | Solar Access Diagram | | | | | | | | | | |
|----------|----------------------|-------|-------|-------|-------|-------|-------|--------------------------|-------------------------------|--|--|
| Unit No. | 9,00 | 10.00 | 11.00 | 12,00 | 13,00 | 14.00 | 15.00 | Solar Access
(2H min) | Solar Access
(15 mins min) | | |
| 101 | No | No | Yes | Yes | Yes | Yes | Yes | Yes | Yes | | |
| 102 | Yes | Yes | Yes | Yes | Yes | Yes | Yes | Yes | Yes | | |
| 103 | Yes | Yes | Yes | Yes | No | No | No | Yes | Yes | | |
| 104 | Yes | Yes | Yes | Yes | No | No | No | Yes | Yes | | |
| 105 | Yes | Yes | Yes | Yes | No | No | No | Yes | Yes | | |
| 106 | No | No | No | No | No | No | No | No | No | | |
| 107 | No | No | No | No | No | No | No | No | No | | |
| 108 | No | No | No | No | No | No | No | No | No | | |
| 109 | No | No | No | No | Yes | Yes | Yes | Yes | Yes | | |
| 110 | Yes | Yes | Yes | Yes | Yes | Yes | Yes | Yes | Yes | | |
| 111 | Yes | Yes | Yes | Yes | Yes | Yes | Yes | Yes | Yes | | |
| 201 | No | No | Yes | Yes | Yes | Yes | Yes | Yes | Yes | | |
| 202 | Yes | Yes | Yes | Yes | Yes | Yes | Yes | Yes | Yes | | |
| 203 | Yes | Yes | Yes | Yes | No | No | No | Yes | Yes | | |
| 204 | Yes | Yes | Yes | Yes | No | No | No | Yes | Yes | | |
| 205 | Yes | Yes | Yes | Yes | No | No | No | Yes | Yes | | |
| 205 | No | No | No | No | No | Yes | No | No | Yes | | |
| 207 | No | No | No | No | No | No | No | No | No | | |
| 208 | No | No | No | Yes | Yes | Yes | Yes | Yes | Yes | | |
| 200 | No | No | No | No | No | Yes | Yes | No | Yes | | |
| 210 | No | No | No | No | Yes | Yes | Yes | Yes | Yes | | |
| 210 | Yes | Yes | Yes | Yes | Yes | Yes | Yes | Yes | Yes | | |
| 211 | Yes | Yes | Yes | Yes | Yes | Yes | Yes | Yes | Yes | | |
| 301 | No | No | Yes | Yes | Yes | Yes | Yes | Yes | Yes | | |
| 301 | Yes | | Yes | Yes | Yes | Yes | Yes | Yes | Yes | | |
| | | Yes | | | | | | | | | |
| 303 | Yes | Yes | Yes | Yes | No | No | No | Yes | Yes | | |
| 304 | Yes | Yes | Yes | Yes | No | No | No | Yes | Yes | | |
| 305 | Yes | Yes | Yes | Yes | No | No | No | Yes | Yes | | |
| 306 | No | No | No | No | No | No | No | No | No | | |
| 307 | No | No | No | Yes | Yes | Yes | Yes | Yes | Yes | | |
| 308 | No | No | No | No | No | No | Yes | No | Yes | | |
| 309 | No | No | No | No | Yes | Yes | Yes | Yes | Yes | | |
| 310 | Yes | Yes | Yes | Yes | Yes | Yes | Yes | Yes | Yes | | |
| 311 | Yes | Yes | Yes | Yes | Yes | Yes | Yes | Yes | Yes | | |
| 312 | No | No | No | No | No | Yes | No | No | Yes | | |
| 401 | Yes | Yes | Yes | Yes | Yes | Yes | Yes | Yes | Yes | | |
| 402 | Yes | Yes | Yes | Yes | Yes | Yes | Yes | Yes | Yes | | |
| 403 | No | No | No | No | Yes | Yes | Yes | Yes | Yes | | |
| 404 | Yes | Yes | Yes | Yes | Yes | Yes | Yes | Yes | Yes | | |
| 405 | Yes | Yes | Yes | Yes | Yes | Yes | Yes | Yes | Yes | | |
| G01 | No | No | Yes | Yes | Yes | Yes | Yes | Yes | Yes | | |
| G02 | Yes | Yes | Yes | Yes | Yes | Yes | Yes | Yes | Yes | | |
| G03 | Yes | Yes | Yes | Yes | No | No | No | Yes | Yes | | |
| G04 | Yes | Yes | Yes | Yes | No | No | No | Yes | Yes | | |
| G05 | Yes | Yes | No | No | No | No | No | No | Yes | | |
| G06 | No | No | No | No | No | No | No | No | No | | |
| G07 | No | No | No | No | No | No | No | No | No | | |
| G08 | No | No | No | No | Yes | Yes | Yes | Yes | Yes | | |
| G09 | Yes | Yes | Yes | Yes | Yes | Yes | Yes | Yes | Yes | | |
| G10 | Yes | Yes | Yes | Yes | Yes | Yes | Yes | Yes | Yes | | |



| | | DPMENT APPLICATION |
|------|-----|--------------------|
| ion | | |
| ount | % | |
| 38 | 76% | |
| 7 | 14% |] Ш́ |
| | | |



View From Sun - 3.00 pm SOLAR ACCESS COMMENCES = 28 UNITS

| Solar Access Ca | alculation | |
|-----------------|------------|-----|
| Solar Access | Count | % |
| 2 HOURS MINIMUM | 38 | 76% |
| NO SOLAR ACCESS | 7 | 14% |

| Unit No.
101
102
103
104 | 9,00
No | 10.00 | | | | Solar Access Diagram | | | | | | | | | |
|--------------------------------------|------------|------------|------------|------------|------------|----------------------|------------|--------------------------|-------------------------------|--|--|--|--|--|--|
| 102
103 | 84. | | 11.00 | 12.00 | 13,00 | | 15.00 | Solar Access
(2H min) | Solar Access
(15 mins min) | | | | | | |
| 103 | | No | Yes | Yes | Yes | Yes | Yes | Yes | Yes | | | | | | |
| | Yes | Yes | Yes | Yes | Yes | Yes | Yes | Yes | Yes | | | | | | |
| 104 | Yes | Yes | Yes | Yes | No | No | No | Yes | Yes | | | | | | |
| 104 | Yes | Yes | Yes | Yes | No | No | No | Yes | Yes | | | | | | |
| 105 | Yes | Yes | Yes | Yes | No | No | No | Yes | Yes | | | | | | |
| 106 | No | No | No | No | No | No | No | No | No | | | | | | |
| 107 | No | No | No | No | No | No | No | No | No | | | | | | |
| 108 | No | No | No | No | No | No | No | No | No | | | | | | |
| 109 | No | No | No | No | Yes | Yes | Yes | Yes | Yes | | | | | | |
| 110 | Yes | Yes | Yes | Yes | Yes | Yes | Yes | Yes | Yes | | | | | | |
| 111 | Yes | Yes | Yes | Yes | Yes | Yes | Yes | Yes | Yes | | | | | | |
| 201 | No | No | Yes | Yes | Yes | Yes | Yes | Yes | Yes | | | | | | |
| 202 | Yes | Yes | Yes | Yes | Yes | Yes | Yes | Yes | Yes | | | | | | |
| 203 | Yes | Yes | Yes | Yes | No | No | No | Yes | Yes | | | | | | |
| 204 | Yes | Yes | Yes | Yes | No | No | No | Yes | Yes | | | | | | |
| 205 | Yes | Yes | Yes | Yes | No | No | No | Yes | Yes | | | | | | |
| 206 | No | No | No | No | No | Yes | No | No | Yes | | | | | | |
| 207 | No | No | No | No | No | No | No | No | No | | | | | | |
| 208 | No | No | No | Yes | Yes | Yes | Yes | Yes | Yes | | | | | | |
| 209 | No | No | No | No | No | Yes | Yes | No | Yes | | | | | | |
| 210 | No | No | No | No | Yes | Yes | Yes | Yes | Yes | | | | | | |
| 211 | Yes | Yes | Yes | Yes | Yes | Yes | Yes | Yes | Yes | | | | | | |
| 212 | Yes | Yes | Yes | Yes | Yes | Yes | Yes | Yes | Yes | | | | | | |
| 301 | No | No | Yes | Yes | Yes | Yes | Yes | Yes | Yes | | | | | | |
| 302 | Yes | Yes | Yes | Yes | Yes | Yes | Yes | Yes | Yes | | | | | | |
| 303 | Yes | Yes | Yes | Yes | No | No | No | Yes | Yes | | | | | | |
| 304 | Yes | Yes | Yes | Yes | No | No | No | Yes | Yes | | | | | | |
| 305 | Yes | Yes | Yes | Yes | No | No | No | Yes | Yes | | | | | | |
| 306 | No | No | No | No | No | No | No | No | No | | | | | | |
| 307 | No | No | No | Yes | Yes | Yes | Yes | Yes | Yes | | | | | | |
| 308 | No | No | No | No | No | No | Yes | No | Yes | | | | | | |
| 309 | No | No | No | No | Yes | Yes | Yes | Yes | Yes | | | | | | |
| 310 | Yes | Yes | Yes | Yes | Yes | Yes | Yes | Yes | Yes | | | | | | |
| 311 | Yes | Yes | Yes | Yes | Yes | Yes | Yes | Yes | Yes | | | | | | |
| 312 | No | No | No | No | No | Yes | No | No | Yes | | | | | | |
| 401 | Yes | Yes | Yes | Yes | Yes | Yes | Yes | Yes | Yes | | | | | | |
| 402 | Yes | Yes | Yes | Yes | Yes | Yes | Yes | Yes | Yes | | | | | | |
| 402 | No | No | No | No | Yes | Yes | Yes | Yes | Yes | | | | | | |
| 404 | Yes | Yes | Yes | Yes | Yes | Yes | Yes | Yes | Yes | | | | | | |
| 405 | Yes | Yes | Yes | Yes | Yes | Yes | Yes | Yes | Yes | | | | | | |
| 403
G01 | No | No | Yes | Yes | Yes | Yes | Yes | Yes | Yes | | | | | | |
| G02 | Yes | Yes | Yes | Yes | Yes | Yes | Yes | Yes | Yes | | | | | | |
| G02
G03 | Yes | Yes | Yes | Yes | No | No | No | Yes | Yes | | | | | | |
| G03 | Yes | Yes | Yes | Yes | No | No | No | Yes | Yes | | | | | | |
| G04
G05 | Yes | Yes | No | No | No | No | No | No | Yes | | | | | | |
| G05
G06 | No | No | No | No | No | No | No | No | No | | | | | | |
| G08
G07 | No | No | No | No | No | No | No | No | No | | | | | | |
| G07
G08 | No | No | No | No | Yes | Yes | Yes | Yes | Yes | | | | | | |
| G08
G09 | Yes | | Yes | Yes | | | Yes | | | | | | | | |
| G09
G10 | Yes
Yes | Yes
Yes | Yes
Yes | Yes
Yes | Yes
Yes | Yes
Yes | Yes
Yes | Yes
Yes | Yes
Yes | | | | | | |





Amalgamation Plan







Out and Fill Diagram





Page 65 of 133



| | | | | Window Schedule | |
|-----|-------|--------|------|---|----------|
| No. | Width | Height | SHGC | Description | Quantity |
| W1 | 500 | 2100 | | Single window with fixed pane. | 1 |
| W2 | 700 | 900 | | Single window with fixed pane | 4 |
| W3 | 700 | 1200 | | Single awning window panel with obscure glass. | 2 |
| W4 | 900 | 1200 | | Single window with fixed pane. | 2 |
| W5 | 1200 | 900 | | Single awning window pane. | 1 |
| W6 | 1500 | 900 | | Single window with fixed pane. | 6 |
| W7 | 1800 | 1200 | | Double window with fixed panes. | 2 |
| W8 | 2200 | 1200 | | Double window with side awning pane. | 1 |
| W9 | 2400 | 1200 | | Double window with fixed panes. | 1 |
| W10 | 700 | 900 | | Single awning window pane. | 2 |
| W11 | 700 | 700 | | Single awning window pane. | 2 |
| W12 | 700 | 2600 | | Double window with top awning pane. | 4 |
| W13 | 700 | 2800 | | Double window with top awning pane. | 41 |
| W14 | 700 | 2900 | | Double window with top awning pane. | 30 |
| W15 | 1250 | 2800 | | Double window with top awning pane. | 3 |
| W16 | 1250 | 2900 | | Double window with top awning pane. | 2 |
| W17 | 1600 | 2800 | | Triple window with side awning and lowlight pane. | 2 |
| W18 | 2200 | 2800 | | Triple window with side awning and lowlight pane. | 3 |
| W19 | 2200 | 2900 | | Triple window with side awning and lowlight pane. | 1 |
| W20 | 2300 | 2800 | | Triple window with side awning and lowlight pane. | 6 |
| W21 | 2300 | 2900 | | Triple window with side awning and lowlight pane. | 6 |
| W22 | 2300 | 700 | | High double window with side awning. | 5 |
| W23 | 2700 | 700 | | High double window with side awning. | 3 |
| W24 | 2700 | 725 | | High double window with side awning. | 3 |
| W25 | 2755 | 700 | | High double window with side awning. | 2 |
| W26 | 2755 | 725 | | High double window with side awning. | 1 |
| W27 | 2800 | 700 | | High double window with side awning. | 6 |
| W28 | 2800 | 725 | | High double window with side awning. | 4 |



| 1:50 | | | | |
|------|-----|----|------|---|
| 0 m | 0.5 | 1m | 2.5m | ı |





| | ssue | | ssue des | crption | Date |
|--|---|---------------------------|------------------------------|-------------------------------------|------------------------------------|
| A Development Application 19-11-2
A Development Application 19-11-2
Project Address 19-2
Project Ad | | | | | 27-09-2 |
| ATT-19 Alberta Street
ATT-19 Alberta Street
Systems, NSW 2000
ATT-19 Alberta Street
Systems, NSW 2000
Total Communication of the street
Reg No. 9783
Albert Pit M
TAS Architec:
Micro Olver Aleani
Reg No. 9783
Street Pit M
TAS Architec:
Albert Street Tallawong
Client | | | | ouncit's RFI | |
| 4/17-19 Alberta Street Nominated Architect:
Victor Oliver Alsemi
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email@architec.com.au Million Pp Ltdl
T/As Architect
ABR- 633 834 401 Project Proposed Residential Apartments +
Child Care Development Project Address 2 Ayla and 40 Reis Street, Tallawong Client Client | A | Developmer | nt Application | | 16-11-2 |
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Victor Oliver Alsemi
Reg No. 9785 T-41 2 8935 5989
email@architec.com.au Million Pp Ltdl
T/As Architect
ABR- 633 834 401 Project Proposed Residential Apartments +
Child Care Development Project Address 2 Ayla and 40 Reis Street, Tallawong Client Client | | | | | |
| 4/17-19 Alberta Street,
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Reg No. 9785 Nominated Architect:
Victor Oliver Aleami
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Attachment 1.1.4 Attachment 4 Architectural Plans







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| Door With Highlight Schedule | | | | | |
|------------------------------|--------|--------|----------|--|--|
| Mark | Length | Height | Quantity | | |
| | - | | | | |
| EDH01 | 1700 | 2800 | 1 | | |
| EDH02 | 3450 | 2597 | 1 | | |
| EDH03 | 1100 | 2800 | 2 | | |
| EDH04 | 2650 | 2700 | 1 | | |
| EDH05 | 2400 | 2800 | 1 | | |
| EDH06 | 1800 | 2800 | 1 | | |
| EDH07 | 2160 | 3000 | 1 | | |
| Glass Door Schedule | | | | | |
| Mark | Length | Height | Quantity | | |
| | | | | | |
| GD01 | 1175 | 2502 | 2 | | |

| Curtain Wall | | | | |
|--------------|--------|--------|----------|--|
| Mark | Length | Height | Quantity | |
| | | | | |
| CW1 | 2250 | 2489 | 1 | |
| CW2 | 2250 | 2489 | 1 | |
| CW3 | 2250 | 2578 | 1 | |
| CW4 | 2250 | 2578 | 1 | |
| CW5 | 2000 | 2800 | 2 | |
| CW6 | 2000 | 2900 | 1 | |
| CW7 | 2650 | 2700 | 1 | |



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Attachment 1.1.4 Attachment 4 Architectural Plans

Page 73 of 133



Temporary Turning Head







1 Deep Soil Calculation Diagram 3

LIST OF AMENDMENTS IN RELATION **TO COUNCIL'S LETTER DATED 19.12.24**

Section / Elevation provided on dwg no. 113 demonstrate compliance with Secon / Elevation provided on dwg no. 11.3 demonstrate compliance with the privacy separation where necessary and building separation is not relevant as this development proposes only ONE building. Gen separation lines and dimensions indicated on upper levels for compliance. Refer to updated SEE from the Plannet for justification of current design. (a) Basement envelope has been revised and new Deep Soil Zone located to Boundary Road Common Open Space. (b) Substation now excluded from Deep Soil calculations.

Hydrant Boos er Services relocated to be excluded from Deep Soi

visions for the introduction of mature trees along Reis Street have been proposed, and pits relocated accordingly. 3m landscaping area along Reis Street has been proposed to comply with the DCP.



Do not scale, check and verify all dimensions before comencing new work ground levels may vary due to site conditions.





Open Space Diagram - Ground Floor

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REF: DA-24-00435 LIST OF AMENDMENTS IN RELATION TO COUNCIL'S LETTER DATED 19.12.24

Section / Elevation provided on dwg no. 113 demonstrate compliance with the privacy separation where necessary and building separation is not relevant as this development proposes only ONE building. Generation lines and dimensions indicated on upper levels for compliance. (a) Basement envelope has been revised and new Deep Soil Zone located to Boundary Noad Common Open Space. (b) Substation now excluded from Deep Soil calculations. (c) Hydran Booster Services relocated to be excluded from Deep Soil calculations.

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Do not scale, check and verify all dimensions before comencing new work, ground levels may vary due to site conditions

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DEVELOPMENT APPLICATION

| G01
G02 | Ground Floor | |
|------------|--------------|-------------------|
| G02 | | 14 m ² |
| | Ground Floor | 13 m ² |
| G03 | Ground Floor | 10 m ² |
| G04 | Ground Floor | 10 m ² |
| G05 | Ground Floor | 10 m ² |
| G05 | Ground Floor | 14 m ² |
| G06 | Ground Floor | 34 m ² |
| G07 | Ground Floor | 40 m ² |
| G08 | Ground Floor | 121 m |
| G09 | Ground Floor | 40 m ² |
| G10 | Ground Floor | 29 m ² |
| 101 | Level 01 | 14 m ² |
| 102 | Leve 01 | 14 m ² |
| 103 | Level 01 | 10 m ² |
| 104 | Leve 01 | 8 m ² |
| 105 | Level 01 | 10 m ² |
| 106 | Level 01 | 19 m ² |
| 107 | Level 01 | 11 m ² |
| 108 | Level 01 | 11 m ² |
| 109 | Level 01 | 16 m ² |
| 110 | Level 01 | 15 m ² |
| 111 | Level 01 | 15 m ² |
| 201 | Level 02 | 13 m ² |
| 201 | Level 02 | 14 m ² |
| 202 | Level 02 | 10 m ² |
| 203 | Level 02 | 8 m ² |
| | Level 02 | 0 m ² |
| 205 | | 10 m ² |
| 206 | Level 02 | 19 m²
11 m² |
| 207 | Level 02 | |
| 208 | Level 02 | 4 m ² |
| 208 | Level 02 | 13 m ² |
| 209 | Level 02 | 15 m ² |
| 210 | Level 02 | 18 m ² |
| 211 | Level 02 | 16 m ² |
| 212 | Level 02 | 17 m ² |
| 301 | Level 03 | 14 m ² |
| 302 | Level 03 | 14 m ² |
| 303 | Level 03 | 10 m ² |
| 304 | Level 03 | 10 m ² |
| 305 | Level 03 | 8 m ² |
| 306 | Level 03 | 11 m ² |
| 307 | Level 03 | 4 m ² |
| 307 | Level 03 | 13 m ² |
| 308 | Level 03 | 15 m ² |
| 309 | Level 03 | 18 m ² |
| 310 | Level 03 | 16 m ² |
| 311 | Level 03 | 17 m ² |
| 312 | Level 03 | 9 m ² |
| 401 | Leve 04 | 9 m ² |
| 402 | Level 04 | 15 m ² |
| 403 | Leve 04 | 18 m ² |
| 404 | Level 04 | 16 m ² |
| 405 | Level 04 | 17 m ² |

| C | Leve | |
|----------|--------------|--------------------|
| Season | Level | Area |
| "Summer" | Ground Floor | 608 m ² |
| "Winter" | Leve 04 | 495 m ² |



AYLA STREET

Open Space Diagram - Level 1





| Unit | Level | Area |
|------|--------------|--------------------|
| G01 | Ground Floor | 14 m ² |
| G02 | Ground Floor | 13 m ² |
| G03 | Ground Floor | 10 m ² |
| G04 | Ground Floor | 10 m ² |
| G05 | Ground Floor | 10 m ² |
| G05 | Ground Floor | 14 m ² |
| G06 | Ground Floor | 34 m ² |
| G07 | Ground Floor | 40 m ² |
| G08 | Ground Floor | 121 m ² |
| G09 | Ground Floor | 40 m ² |
| G10 | Ground Floor | 29 m² |
| 101 | Level 01 | 14 m ² |
| 102 | Level 01 | 14 m ² |
| 103 | Level 01 | 10 m ² |
| 104 | Level 01 | 8 m² |
| 105 | Level 01 | 10 m ² |
| 106 | Level 01 | 19 m ² |
| 107 | Level 01 | 11 m ² |
| 108 | Level 01 | 11 m ² |
| 109 | Level 01 | 16 m ² |
| 110 | Level 01 | 15 m ² |
| 111 | Level 01 | 15 m ² |
| 201 | Level 02 | 14 m ² |
| 202 | Level 02 | 14 m ² |
| 203 | Level 02 | 10 m ² |
| 204 | Level 02 | 8 m² |
| 205 | Level 02 | 10 m² |
| 206 | Level 02 | 19 m ² |
| 207 | Level 02 | 11 m ² |
| 208 | Level 02 | 4 m ² |
| 208 | Level 02 | 13 m ² |
| 209 | Level 02 | 15 m ² |
| 210 | Level 02 | 18 m ² |
| 211 | Level 02 | 16 m ² |
| 212 | Level 02 | 17 m² |
| 301 | Level 03 | 14 m ² |
| 302 | Level 03 | 14 m ² |
| 303 | Level 03 | 10 m ² |
| 304 | Level 03 | 10 m ² |
| 305 | Level 03 | 8 m² |
| 306 | Level 03 | 11 m ² |
| 307 | Level 03 | 4 m ² |
| 307 | Level 03 | 13 m ² |
| 308 | Level 03 | 15 m ² |
| 309 | Level 03 | 18 m ² |
| 310 | Level 03 | 16 m ² |
| 311 | Level 03 | 17 m ² |
| 312 | Level 03 | 9 m² |
| 401 | Level 04 | 9 m² |
| 402 | Level 04 | 15 m ² |
| 403 | Level 04 | 18 m² |
| 404 | Level 04 | 16 m² |
| 405 | Level 04 | 17 m² |

| Common Open Space Schedule | | |
|----------------------------|--------------|--------------------|
| Season | Leve | Area |
| "Summer" | Ground Floor | 608 m ² |
| "Winter" | Level 04 | 495 m ² |



STREET

REIS

Open Space Diagram - Level 2





| Unit | Leve | Area |
|---------|----------------------|--------------------|
| G01 | Ground Floor | 14 m ² |
| G02 | Ground Floor | 13 m ² |
| G03 | Ground Floor | 10 m ² |
| G04 | Ground Floor | 10 m ² |
| G05 | Ground Floor | 10 m ² |
| G05 | Ground Floor | 14 m ² |
| G06 | Ground Floor | 34 m ² |
| G07 | Ground Floor | 40 m ² |
| G08 | Ground Floor | 121 m ³ |
| G09 | Ground Floor | 40 m ² |
| G10 | Ground Floor | 29 m ² |
| 101 | Level 01 | 14 m ² |
| 102 | Level 01 | 14 m ² |
| 103 | Level 01 | 10 m ² |
| 104 | Leve 01 | 8 m ² |
| 105 | Level 01 | 10 m ² |
| 106 | Level 01 | 19 m ² |
| 107 | Level 01 | 11 m ² |
| 108 | Level 01 | 11 m ² |
| 109 | Level 01 | 16 m ² |
| 110 | Level 01 | 15 m ² |
| 111 | Level 01 | 15 m ² |
| 201 | Level 02 | 14 m ² |
| 202 | Level 02 | 14 m ² |
| 202 | Level 02 | 10 m ² |
| 203 | Level 02 | 8 m ² |
| 204 | Level 02 | 10 m ² |
| 205 | Level 02 | 10 m ² |
| 200 | Level 02 | 11 m ² |
| 207 | Level 02 | 4 m ² |
| 208 | Level 02 | 4 m ² |
| 200 | Level 02 | 15 m ² |
| 209 | Level 02 | 18 m ² |
| 210 | Level 02 | 16 m ² |
| 211 212 | Level 02 | 17 m ² |
| 301 | | 17 m ^e |
| 302 | Level 03 | 14 m ² |
| 302 | Level 03
Level 03 | 14 m ² |
| 303 | Level 03 | 10 m² |
| | | |
| 305 | Level 03 | 8 m ² |
| 306 | Level 03 | 11 m ² |
| 307 | Level 03 | 4 m ² |
| 307 | Level 03 | 13 m ² |
| 308 | Level 03 | 15 m ² |
| 309 | Level 03 | 18 m ² |
| 310 | Level 03 | 16 m ² |
| 311 | Level 03 | 17 m ² |
| 312 | Level 03 | 9 m ² |
| 401 | Leve 04 | 9 m² |
| 402 | Level 04 | 15 m ² |
| 403 | Level 04 | 18 m² |
| 404 | Level 04 | 16 m ² |
| 405 | Level 04 | 17 m ² |

| Common Open Space Schedule | | |
|----------------------------|--------------|--------------------|
| Season | Leve | Area |
| "Summer" | Ground Floor | 608 m ² |
| "Winter" | Level 04 | 495 m ² |



REIS STREET

Open Space Diagram - Level 3







5) Open Space Diagram - Level 4

REF: DA-24-00435 LIST OF AMENDMENTS IN RELATION **TO COUNCIL'S LETTER DATED 19.12.24**

Section / Elevation provided on dwg no. 113 demonstrate compliance with the phracy separation where necessary and building separation is not relevant as this development proposes only ONE building. 6m separation lines and dimensions indicated on upper levels for compliance. Refer to update SEE from the Panner for justification of current design.

 (a) Basement envelope has been revised and new Deep Soil Zone located to Boundary Read Common Open Space.
 (b) Substation now excluded from Deep Soil calculations.
 (c) Hydrant Booster Services relocated to be excluded from Deep Soil calculations.

- Indicating the second s
- 1.8m high sills demonstrated on Section / Elevation provided on dwg no.
- 1.8m high sills demonstrated on Section / Elevation provided on dwg 113 for further details. The basement setback to Boundary Road has partially been reduced (approx, 50%) to comply with 6m DCP setback requirement. Refer to Site Coverage Diagram on dwg no. 333 for compliance. Ground Floor COS area increased and Root Terrace COS area decrease Refer to COS Diagrams on dwg no. 334 for further details. Outdoor Play Area Front Fencing amended to Palisade Fencing with Polycarbonals sheet backing as recommended. Addressed by others.

(d)



Do not scale, check and verify all dimensions before comencing new work, ground levels may vary due to site conditions.





Typical Unit - Cross Section Through Habitable Room



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(1) Site Coverage Calculation Diagram : 200

6

REF: DA-24-00435 LIST OF AMENDMENTS IN RELATION **TO COUNCIL'S LETTER DATED 19.12.24**

Section / Elevation provided on dwg no. 113 demonstrate compliance with the privacy separation where necessary and building separation is not relevant as this development proposes only ONE building. Bom separation lines and dimensions indicated on upper levels for compliance. Refer to updated SEE from the Planner for justification of current design. (a) Basement envelope has been revised and new Deep Soil Zone located to Boundary Road Common Open Space. (b) Substation now excluded from Deep Soil calculations.

Hydrant Boo er Services relocated to be excluded from Deep Soi

isions for the introduction of mature trees along Reis Street have been proposed, and pits relocated accordingly. 3m landscaping area along Reis Street has been proposed to comply with the DCP.

with the DCP. 1.8m high stills demonstrated on Section / Elevation provided on dwg no. 113 for higher details. The basement sethack to Boundary Road has partially been reduced (approx. 50%) to comply with 6m DCP setback requirement. Refer to Site Coverage Diagram on dwg no. 333 for complex compliance. Ground Floor COS area increased and Roof Terrace COS area decreased. Refer to COS Jagrams on dwg no. 334 for further details. Outdoor Play Area Front Fencing amended to Palisade Fencing with Polycarbonate sheet backing as recommended. Addressed by others.

(d)

Polycanoniae sneet backing as recommended. Addressed by others. Addressed by others. Reduced masony walls, banter boxes removed, and Palisade Fencing added to increase solar access to Outdoor Play Area. Translucent shading devices and screens ommitted from calculations - Diagrams on dwg no. 335 to demonstrate compliance. Refer to Site Coverage Diagram on dwg no. 334 for compliance. Refer to Site Coverage Diagram on dwg no. 334 for compliance.



Do not scale, check and verify all dimensions before comencing new work ground levels may vary due to site conditions.





12 Site Coverage Diagram - Child Care Unit · 200

LIST OF AMENDMENTS IN RELATION **TO COUNCIL'S LETTER DATED 19.12.24**

Section / Elevation provided on dwg no. 113 demonstrate compliance with the privacy separation where necessary and building separation is not relevant as this development proposes only ONE building. Bom separation lines and dimensions indicated on upper levels for compliance. Refer to updated SEE from the Planner for justification of current design. (a) Basement envelope has been revised and new Deep Soil Zone located to Boundary Read Common Open Space. (b) Substation now excluded from Deep Soil calculations.

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isions for the introduction of mature trees along Reis Street have been proposed, and pits relocated accordingly. 3m landscaping area along Reis Street has been proposed to comply with the DCP.

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Do not scale, check and verify all dimensions before comencing new work ground levels may vary due to site conditions.





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Clause 4.6 Variation to Maximum Building Height Limit

In support of a proposed Residential Flat Building (Build-to-Rent) and Centre Based Child Care Centre at 2 Ayla and 40 Reis Street, Tallawong

PREPARED BY Metris Urban Planning

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This report was prepared by:

Director: Project: Shivesh Singh MTRP RPIA Residential Flat Building (Build-to-Rent) and Centre Based Child Care Centre Ayla and 40 Reis Street, Tallawong



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| Version | Review | Date |
|---------|--------|------------|
| 01 | SS | 13/11/2023 |
| 02 | SS | 17/11/2023 |
| 03 | SS | 24/11/2023 |
| 04 | SS | 5/12/2023 |



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1. Introduction

Metris Urban Planning has prepared this Clause 4.6 request on behalf of the applicant, Jasara Management in support of a Development Application (DA) lodged with Blacktown City Council for a proposed Residential Flat Building (Build-to-Rent) and Centre Based Child Care Centre at 2 Ayla and 40 Reis Street, Tallawong (the subject site).

A 16m maximum building height limit applies to the subject site. The proposed maximum height of the development is 18.6m (2.6m) to the lift shaft over-run and 17.75m (1.750m) at the roof over the common open space room (roof level) to provide additional common open space and amenities for the residential tenants. The overall height of the building is well below the Maximum Building Height Plane as illustrated in the architectural drawings.

The proposed development seeks to vary the maximum height development standard pursuant to the *State Environmental Planning Policy (Precincts—Central River City) 2021* in relation to Clause 4.6 as a result of the breach of height standard by 2.6m.

Clause 4.6 of *State Environmental Planning Policy (Precincts—Central River City)* requires a Consent Authority to be satisfied that the applicant's written request has adequately addressed the matters required to demonstrate that compliance with the development standard is unreasonable or unnecessary in the circumstances of the case, and that there are sufficient environmental planning grounds to justify contravening the development standard.

This written statement has been prepared in accordance with the relevant principles established in the following NSW Land and Environment Court judgments Four2Five Pty Ltd v Ashfield Council [2015] NSWLEC 1009 (and appeal at NSWLEC 90) and Webbe v Pittwater Council [2007] NSWLEC 827.

In accordance with the relevant legislation and case law, this Clause 4.6 variation request:

- identifies the development standard to be varied (Sections 3);
- identifies the extent of the variation sought (Section 3.1)
- establishes that compliance with the development standard is unreasonable or unnecessary in the circumstances (Section 4.3)
- demonstrates that there are sufficient environmental planning grounds to justify the variation (Section 4.4)
- provides an assessment of the matters that the Secretary is required to consider before granting concurrence, namely:
 - o whether contravention of the development standard raises any matter of significance to the State or regional environmental planning (Sections 4.5);
 - o the public benefit of maintaining the development standard; and
 - o any other matters required to be taken into consideration by the Secretary before granting concurrence.

Once these matters have been addressed, the consent authority must be satisfied that pursuant to Clause 4.6(4)(a)(i) that this written request has reasonably addressed the matters required to be demonstrated by Clause 4.6(3).

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2. Site Locality and Surrounds

2.1. Site Context

The proposed development is located at 2 Ayla and 40 Reis Street, Tallawong (subject site) identified at **Figure** 1) and is legally described as Lot 4 in DP 1229154. The irregular shaped site has an area of 2,950m² and slopes from south-west to north-east. The adjoining redundant road reserve has an area of 622m². Once combined, a site area of 3,572m² is achieved.



Figure 1: Site locality

Source: Near Map

The surrounding land uses are varied as the area is in transition of being developed. Predominant surrounding development comprise of residential uses which range from detached dwellings to apartment buildings and small farm holdings which are still in operation (**Photo 1**). In terms of infrastructure, Boundary Road borders the sites south-western boundary whilst Schofields Road is less than 200m away to the south.





Photo 1: Aerial Photo Source: Near Map

2.2. Adjoining Land Uses

The surrounding land uses are varied as the area is in transition of being developed. Predominant surrounding development comprise of residential uses which range from detached dwellings to apartment buildings and small farm holdings which are still in operation. In terms of infrastructure, Boundary Road borders the sites south-western boundary whilst Schofields Road is less than 200m away to the south.

With regard to land immediately surrounding the subject site, Ayla Street is to the north with a small farm holding across the road (**Photo 1**). Land to the east, across from Reis Street, has a recently constructed residential flat building (**Photo 2**). Land to the south is currently vacant (**Photo 3**) with Boundary Road on the sites western boundary (**Photo 4**).

METRIS



Photo 1: Northern boundary (Alya Street)





Photo 2: Eastern boundary (Reis Street) Source: Google Maps



Photo 3: Southern boundary (vacant land) Source: Google Maps





Photo 4: Western boundary (Boundary Road)

Source: Google Maps

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3. Proposed Development

The proposed development comprises of a five storey residential flat building development (build-to-rent apartments) and childcare centre at the currently vacant development site being 2 Ayla and 40 Reis Street, Tallawong which is legally described as Lot 4 in DP1229154 (the subject site).

Development consent is sought for:

- The amalgamation of existing lot with the acquired land from Council (622m²) to form the total site area of 3,572m²;
- Construction of a five-storey residential flat building containing:
 - o 49 residential units;
 - two levels of basement car parking for 72 car spaces for residents and visitors, including a car wash bay and loading bay;
 - o a non-habitable roof level for common open space;
- The residential mixture comprised of the following:
 - 3 x one-bedroom units
 - o 1 x one-bedroom plus media unit
 - o 30 x two-bedroom units
 - 7 x two-bedroom plus media units
 - 8 x three-bedroom units
- Child Care Centre for 72 children, aged from 6 months to 5 years of age and dedicated car parking for 12 staff and 12 parent spaces;
- associated storm water drainage, landscaping and street tree planting;
- substation with retaining walls as required by Endeavour Energy; and
- public domain works in the form of:
 - driveway crossing off Reis Street;
 - footpaths and pram crossings to merge with Boundary Road and serve Ayla Street and Reis Street;
 - o street trees; and
 - landscaping to the road verge.



Vehicle access is from Reis Street and pedestrian access from Boundary, Ayla and Reis Street (Figure 2).



Figure 2: Site Plan

Source: Architex

The residential apartment generates a Gross Floor Area of 5,147m² and 1,137m² common open space at the ground and roof level. Architectural Plans prepared by Architex are attached to the Development Application which includes building specifications, materials, a schedule of external finishes and photomontages/ perspectives. Proposed Elevation Plans are attached at the following **Figures 3-6**.

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Figure 3: Northern Elevation

Source: Architex



Figure 4: Southern Elevation

Source: Architex



Figure 5: Western Elevation Source: Architex





Figure 6: Eastern Elevation

Source: Architex



4. The Proposed Variation

4.1. Section 4.3 Height Of Buildings

A maximum building height limit of 16m applies to the subject site under Section 4.3 of the *State Environmental Planning Policy (Precincts—Central River City) 2021* and as reflected on the Height of Buildings Map extract at **Figure 7**.



Figure 7: Height of buildings Source: SEPP (Precincts—Central River City) 2021

The Height of Buildings objectives in Section 4.3 are as follows-

- (1) The objectives of this section are as follows—
 - (a) to establish the maximum height of buildings for development on land within the Alex Avenue and Riverstone Precincts,
 - (b) to protect the amenity of adjoining development and land in terms of solar access to buildings and open space,
 - (c) to facilitate higher density development in and around the local centre, the neighbourhood centres and major transport routes while minimising impacts on adjacent residential, commercial and open space areas,
 - (d) to provide for a range of building heights in appropriate locations that provide a high quality urban form.
- (2) The height of a building on any land is not to exceed the maximum height shown for the land on the Height of Buildings Map.



4.2. Extent of Variation Sought

The proposed development has a maximum building height of 18.6m (2.6m) to the lift shaft over-run and 17.69m (1.69m) at the roof over the common open space room (roof level) to provide additional common open space and amenities for the residential tenants as illustrated on **Figures 8**. Whilst it is noted that the exceedance is over a small area, the height exceedance of 0.6m to the roof is even over a smaller area resulting in no additional accommodation.

The proposed development seeks to vary the maximum height development standard pursuant to the *State Environmental Planning Policy (Precincts—Central River City) 2021* in relation to Clause 4.6 as a result of the breach of height standard by 2.6m. The height exceedance at different points in the building is tabulated in **Table 1** below.

| Building | RL | Height | Difference | Percentage |
|------------------|---------|------------|------------|------------|
| Component | | Exceedance | | |
| Roof | RL75.50 | 16.6m | 0.6m | 3.75% |
| Roof over common | RL75.25 | 17.69m | 1.69m | 10.56% |
| open space room | | | | |
| Lift over-run | RL76.50 | 18.6m | 2.60m | 16.25% |

Table 1: Height Exceedance

Additional building height is required to accommodate the lift overrun but more importantly the additional common open space area and amenities for the residential tenants which is in the form of an outdoor room, toilet and lobby room as illustrated in the following.

By definition, building height (or height of building) means:

- (a) in relation to the height of a building in metres—the vertical distance from ground level (existing) to the highest point of the building, or
- (b) in relation to the RL of a building—the vertical distance from the Australian Height Datum to the highest point of the building, including plant and lift overruns, but excluding communication devices, antennae, satellite dishes, masts, flagpoles, chimneys, flues and the like.







Figure 8: Site Sections

Source: Architex



Figure 9: Building Height Plane Source: Architex



5. Assessment of Proposed Clause 4.6 Variation

Clause 4.6 Exceptions to Development Standards of the *State Environmental Planning Policy (Precincts— Central River City) 2021* permits Council the flexibility to grant consent where a development exceeds a development standard. As discussed earlier in the height of building assessment, a variation to the maximum building height limit pursuant to the *State Environmental Planning Policy (Precincts—Central River City) 2021* is required.

4.6 Exceptions to development standards

(1) The objectives of this section are as follows—

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

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

- (2) Consent may, subject to this section, be granted for development even though the development would contravene a development standard imposed by Chapter 3 or any other environmental planning instrument. However, this section does not apply to a development standard that is expressly excluded from the operation of this section.
- (3) Consent must not be granted for development that contravenes a development standard unless the consent authority has considered a written request from the applicant that seeks to justify the contravention of the development standard by demonstrating—

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

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

- (4) Consent must not be granted for development that contravenes a development standard unless—
 - (a) the consent authority is satisfied that—

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

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

- (b) the concurrence of the Planning Secretary has been obtained.
- (5) In deciding whether to grant concurrence, the Planning Secretary must consider—

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

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

(c) any other matters required to be taken into consideration by the Planning Secretary before granting concurrence.



(6) Consent must not be granted under this section for a subdivision of land in Zone E2 if—

(a) the subdivision will result in 2 or more lots of less than the minimum area specified for such lots by a development standard, or

(b) the subdivision will result in at least one lot that is less than 90% of the minimum area specified for such a lot by a development standard.

- (7) After determining a development application made pursuant to this section, the consent authority must keep a record of its assessment of the factors required to be addressed in the applicant's written request referred to in subsection (3).
- (8) This section does not allow consent to be granted for development that would contravene any of the following—
 - (a) a development standard for complying development,

(b) a development standard that arises, under the regulations under the Act, in connection with a commitment set out in a BASIX certificate for a building to which State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004 applies or for the land on which such a building is situated,

(c) section 5.4.

5.1. Objectives

The object of Clause 4.6 is to provide a degree of flexibility in considering the development standard and to achieve better outcomes for and from development by allowing flexibility in particular circumstances.

Exceedance of the development standard is limited to 2.6m for the lift over-run and a portion of the non-habitable outdoor room at the roof level for common open space only. This submission seeks a minor variation to the 16m development standard which will not result in significant environmental and amenity impacts to adjoining properties as justified throughout this submission. Additionally, no additional apartments are created as a result of the additional height and the proposed Floor Space Ratio (FSR) of 1.44:1 (5,147m² GFA) is well below the maximum permissible FSR of 1.75:1 for the site.

A better outcome is achieved for the development where strict compliance with the development standard would limit the provision of additional common open space and amenities for the residential tenants, result in the under-utilisation of the subject site and an unfeasible development in a strategic location.

5.2. Exclusions from the Operation of Clause 4.6

Council may grant development consent even though the development would contravene a development standard imposed by Chapter 3 or Section 4.3 of the *State Environmental Planning Policy (Precincts—Central River City) 2021.* The height of buildings development standard is not expressly excluded from the operation of this clause as noted in Clause 4.6(8).



5.3. Compliance with the development standard is unreasonable or unnecessary

Compliance with the development standard is unreasonable or unnecessary in the circumstances as justified using the Wehbe v Pittwater Council [2007] NSWLEC827 (Wehbe) court case where Preston CJ identified five (5) ways in which an applicant might establish that compliance with a development standard is unreasonable or unnecessary.

The five (5) ways outlined in Wehbe include:

- 1. The objectives of the standard are achieved notwithstanding non-compliance with the standard (First Way)
- 2. The underlying objective or purpose of the standard is not relevant to the development and therefore compliance is unnecessary **(Second Way). NA**
- 3. The underlying object or purpose would be defeated or thwarted if compliance was required and therefore compliance is unreasonable (Third Way). NA
- 4. The development standard has been virtually abandoned or destroyed by the Council's own actions in granting consents departing from the standard and hence compliance with the standard is unnecessary and unreasonable (Fourth Way)
- 5. The zoning of the particular land is unreasonable or inappropriate so that a development standard appropriate for that zoning is also unreasonable and unnecessary as it applies to the land and compliance with the standard would be unreasonable and unnecessary. That is, the particular parcel of land should not have been included in the particular zone (Fifth Way). NA

This submission relies on the First and Fourth Way to support the argument that compliance with the development standard is unreasonable or unnecessary.

5.3.1. Objective of the Development Standard

Building height objectives in *State Environmental Planning Policy (Precincts—Central River City) 2021* are achieved despite the non-compliance with the maximum building height limit as set out in **Section 4.1** of this submission.

Compliance with the height objectives are achieved (First Way) as discussed below:

5.3.1.1. Establish maximum height of buildings for development within the Alex Avenue and Riverstone Precincts

A 16m maximum building height limit has been established under *Appendix 7 Alex Avenue and Riverstone Precinct Plan 2010.* No other variations are sought and the other relevant controls which apply to the subject site have been assessed in the SEE which accompanies this submission.

5.3.1.2. Protect amenity of adjoining development and land for solar access

The development achieves the relevant height objectives as there would be minimal visual impact, loss of privacy and loss of solar access to surrounding development. The proposed bulk and scale of the development have been designed to be within the building setbacks for the Apartment Design Guidelines and the proposed Floor Space Ratio is well below the maximum permissible FSR for the site. Since the site is



bound by roads on all three elevations, except for the rear, which is yet to be developed, visual impacts to adjoining properties will be minimised.

The shadow diagrams prepared by Architex identifies future shadows mostly within the site except at 3pm which falls to the vacant land to the rear of the site. Since this area will receive morning and early afternoon sun, it is believed that the shadow cast to this land is acceptable.

Consequently, the amenity of adjoining development as identified in Section 2 of this submission will be protected and solar access will be achieved.

5.3.1.3. Minimising impacts on adjacent residential, commercial and open space areas

The currently vacant land on the southern boundary (**Photo 3**) and any future development on this land would not be negatively impacted by the benefits achieved from the additional building height from the southern elevation at **Figure 4**. Also, views to the roof area will be negligible from the street.

The privacy of adjacent land uses will be maintained as the proposed development is within the minimum setbacks, will have roads on all boundaries and adjoining properties will also have setbacks for their developments. The privacy of the proposed child care centre will be maintained as the play rooms will not be viewable from other apartments and the outdoor play areas will be screened by landscaping and fenced.

Proposed outdoor play areas are orientated away from Boundary Road and along the quieter Reis Street to maintain the amenity of this area. Considering all these elements, there would be minimal impacts to adjoining land uses as a result of the proposed building height.

Strict compliance with the numerical development standards is considered to be unreasonable and unnecessary in the circumstances of the case as the size of the development is proportionate to the size of the site as justified from the minimal impacts created. Further, the exceedance will only provide additional common open space and amenities for the residential tenants.

5.3.1.4. Range of building heights in appropriate locations that provide a high quality urban form

A high quality urban form is designed which with two buildings which do not over-burden the site. The development has sufficient common open space areas, landscaping around the site and basement car parking. The design of the building would also be compatible with the bulk and scale of the adjoining RFB with minimal, if any impacts to surrounding land uses as justified above.

5.3.2. Development Standard Abandoned

Whilst it cannot be affirmed that the standard has been 'virtually abandoned or destroyed' by Blacktown Council, it is acknowledged that several Development Applications have sought and have approval to vary the building height development standard. Hence, strict compliance with the maximum building height standard is unwarranted (**Forth Way**) in the circumstances of this particular case as Council has approved DAs with building height variations as follows:

| Address | Application | Description | Decision |
|----------------------|--------------|--|--|
| 34 Tallawong
Road | SPP-21-00013 | Construction of 9 residential flat
buildings over 6 stages, each 8 storeys,
comprising a total of 914 apartments, 2
retail premises, 998 parking spaces | Deferred
Determination
Date18/10/2022 |

METRIS

| | across two hasement levels a nublic | Standard Varied Height |
|--------------|--|---|
| | across two basement levels, a public
plaza and extensive landscaping works.
The proposal also includes demolition,
tree removal, associated infrastructure
works, construction of internal roads
and connections to service utilities. The
proposal is classified as Integrated
Development under Section 4.46 of the | Standard Varied Height
of building
Extent of Variation8%
(2.08m) |
| | Environmental Planning and
Assessment Act 1979, as concurrent
approval is required from the Natural
Resources Access Regulator under the
Water Management Act 2000. The
application will be determined by the
Sydney Central City Planning Panel. | |
| SPP-21-00011 | Alterations and additions to Stage 1 of | Decision |
| | development approved under JRPP-16- | Approved |
| | 03305 on this land including various
changes to the floorplate, façade,
internal layout, additional basement
level and an additional 3 floors. The | Determination Date 01/12/2022 |
| | | Standard Varied |
| | | Height |
| | | Extent of
Variation4.93m or7.7 %
roof feature, lift
overruns, roof, |
| SPP-21-00010 | Construction of a 25 storey mixed use | Decision |
| | building comprising of retail premises
on the ground level, commercial
premises on the 1st floor level with 200
residential apartments above including
a rooftop open space and 5 levels of
basement car parking. | Approved |
| | | Determination Date 11/11/2022 |
| | | Standard Varied |
| | | height Clause 4.3 of
BLEP 2015 |
| | | Extent of Variation |
| | | 4.5m (5.6%) |
| SPP-20-00004 | This development is the subject of NSW | Decision |
| | refusal appeal proceedings. Amended
plans have been lodged by the applicant
with the Court for a 3-stage | Appealed |
| | | Determination Date 17/08/2021 |
| | development to consolidate 3 lots into
1, Torrens title subdivision of | Standard Varied |
| | SPP-21-00010 | The proposal also includes demolition,
tree removal, associated infrastructure
works, construction of internal roads
and connections to service utilities. The
proposal is classified as Integrated
Development under Section 4.46 of the
Environmental Planning and
Assessment Act 1979, as concurrent
approval is required from the Natural
Resources Access Regulator under the
Water Management Act 2000. The
application will be determined by the
Sydney Central City Planning Panel.SPP-21-00011Alterations and additions to Stage 1 of
an approved 18 storey mixed-use
development approved under JRPP-16-
03305 on this land including various
changes to the floorplate, façade,
internal layout, additional basement
level and an additional 3 floors. The
consent authority will be the Sydney
Central City Planning Panel.SPP-21-00010Construction of a 25 storey mixed use
building comprising of retail premises
on the ground level, commercial
premises on the 1st floor level with 200
residential apartments above including
a rooftop open space and 5 levels of
basement car parking.SPP-20-00004This development is the subject of NSW
Land & Environment Court deemed
refusal appeal proceedings. Amended
plans have been lodged by the applicant
with the Court for a 3-stage
development to consolidate 3 lots into |

METRIS

| | | earthworks, associated civil works,
demolition of structures, tree removal,
construction of 3 x 4 storey residential
flat buildings of 176 units over 2 levels
of basement car park total of 235 car
parking spaces. Any submissions
received will be presented to the Land
and Environment Court for
consideration. | Height of building
Extent of Variation
between 0.8m -
2.6m(5.7%-18.5%)
across 3 buildings |
|--|--------------|--|--|
| 1 Zoe Place
MOUNT DRUITT
NSW 2770 | SPP-20-00003 | Construction of 2 additional floor levels
(Levels 11 - 12) to an approved mixed
use development and amendments to
existing Levels 9-10 resulting in an
increase in the number of apartments
from 266 to 372. The approved 10
storeys mixed use development on the
site included ground floor
retail/commercial units with apartment
units above, was determined under
JRPP-14-02628 by Sydney Planning
Panel on 20 August 2015. This consent
is valid as construction is currently
underway. | Decision
Approved
Determination Date
23/12/2020
Standard Varied
Clause 4.3 BLEP 2015
Extent of Variation
0.55m or 1.4% from
40m limit. |
| 2 Ultimo Place
MARSDEN PARK
NSW 2765 | DA-20-00391 | Site preparation works, construction of
a 2 storey building comprising: - a take
away food premises with drive thru on
the ground floor, - a bulky goods retail
premises with a floor area of 1.450sqm,
- a 98 place child care centre with
operating hours of 6:30am to 6:30pm
Monday to Friday, and - a gymnasium
with operating hours of 24 hour / 7 days
a week. Vehicular access is proposed via
a combined entry / exit driveway from
Ultimo Place, provision of 89 car parking
spaces at grade and within a basement
car park, landscaping and signage. The
applicant seeks a Clause 4.6 variation to
the permissible 12 metre height limit of
the site, with a proposed maximum
height limit of 14.18 metres. | Decision
Approved
Determination Date
21/05/2021
Standard Varied
4.3 of SRGC SEPP
Extent of Variation
0.575mm = 4.7% and
2.18m = 18.16% |
| 1070 Richmond
Road MARSDEN
PARK NSW 2765 | DA-18-02121 | Construction of a Residential Flat
Building comprising of 101 units and
associated works on proposed Lot 3 to
be created under current DA-18-00159 | Decision
Appealed
Determination Date
15/01/2021
Standard Varied |

METRIS

| 14 Gordon Street
BLACKTOWN
NSW 2148 | DA-19-00550 | Residential Flat Building including
demolition of existing structures, tree
removal, construction of a part 5 storey
/ part 6 storey residential building
containing 50 units including 8 x 1 | 21m max building
height due to rooftop
pergola
Extent of Variation
1.06m or 5%
Decision
Approved |
|---|-------------|---|--|
| | | | Determination Date |
| | | bedroom units, 36 x 2 bedroom units, 6 | 11/09/2020 |
| | | x 3 bedroom units, and 2 basement
levels of 58 car parking spaces, and
associated site works | Standard Varied |
| | | | Clause 4.3 Building
Height |
| | | | Extent of Variation |
| | | | 3.35 metres = 16.75% |
| 226 Grange | DA-19-00819 | Construction of a 6 storey mixed use | Decision |
| Avenue
MARSDEN PARK | | development, comprising a childcare
centre on the ground floor with 45
residential units above over 2 level of
basement car parking for 83 residential
spaces and 36 childcare spaces,
ancillary loading, plant and storage
area, and associated landscaping and
drainage works. | Approved |
| NSW 2765 | | | Determination Date |
| | | | 18/08/2020 |
| | | | Standard Varied |
| | | | Clause 4.3 Height of
Building 21m height
limit |
| | | | Extent of Variation |
| | | | 0.8m= 3.8% lift overrun,
1.6m= 7.6% roof feature |
| 8 William Street | DA-19-01257 | Demolition of existing structures and
construction of a 6 storey residential
flat building over 2 levels of basement
car parking. | Decision |
| SEVEN HILLS NSW
2147 | | | Approved |
| | | | Determination Date 23/04/2021 |
| | | | Standard Varied |
| | | | Cl 4.3 Height of
Buildings |
| | | | Extent of Variation |
| i | 1 | 1 | l |
Clause 4.6 Variation to Maximum Building Height Limit Proposed Residential Flat Building (Build-to-Rent) and Centre Based Child Care Centre 2 Ayla and 40 Reis Street, Tallawong

METRIS

| | | | 2.5 m lift overrun
12.5%, 0.5m Roof top
COS 2.5% |
|-----------------------------|--------------|--|--|
| 43 Cudgegong | SPP-20-00001 | Cudgegong Town Centre Stage 2 | Decision |
| Road ROUSE HILL
NSW 2155 | | development of Concept DA SPP-17-
00039 Construction of 4 shop top | Approved |
| | | housing buildings and delivery of 2
public plazas for Council acquisition +
associated road construction. | Determination Date |
| | | | 06/10/2021 |
| | | | Standard Varied |
| | | | Height |
| | | | Extent of Variation |
| | | | 6.2m above 26m height
limit |
| 22 Gordon Street | DA-20-01102 | Demolition, tree removal, site | Decision |
| BLACKTOWN
NSW 2148 | | amalgamation and construction of a 6 storey residential flat building | Approved |
| | | containing 40 units above 2 basement
levels consisting of 63 car parking | Determination Date |
| | | spaces. | 07/06/2021 |
| | | | Standard Varied |
| | | | Clause 4.3 of BLEP 2015
- Building height |
| | | | Extent of Variation |
| | | | 3.31m (16.55%) lift
overrun. Others 4.55%-
10.25%. |
| Richmond Road | SPP-19-00011 | Proposed 2 x 4 storey residential flat | Decision |
| MARSDEN PARK
NSW 2765 | | buildings on proposed Lot 1 in
Clydesdale Precinct 2 for 202
apartments with a mix of 1, 2 and 3
bedroom apartments, basement car
parking and associated work. | Approved |
| | | | Determination Date |
| | | | 22/12/2020 |
| | | | Standard Varied |
| | | | 14m maximum building
height limit |
| | | | Extent of Variation |
| | | | 1.9m or 14% due to the
rooftop maintenance
stairs |





| r | | | |
|-------------------------------|--------------|--|---|
| Sunnyholt Road | SPP-18-01555 | Development Application for tree | Decision |
| KINGS LANGLEY
NSW 2147 | | removal, construction of 2 x 5 storey residential flat buildings with 178 | Deferred |
| | | residential apartments over 2 levels of | Determination Date |
| | | basement car parking containing 256
car parking spaces. All vehicular access
via Vardys Road only. The proposal is an
Integrated Development under Section
4.46 of the Environmental Planning and
Assessment Act 1979 requiring the
concurrence of the Department of
Industry - Water under the Water
Management Act 2000. The application
will be determined by the Sydney
Central City Planning Panel. | 18/12/2020 |
| | | | Standard Varied |
| | | | Clause 4.3 – building
height |
| | | | Extent of Variation |
| | | | max5.6m=35%(lift
overrun, roof slab,
parapet) |
| 1270 Richmond | SPP-16-04469 | Integrated Development for concept | Decision |
| Road MARSDEN
PARK NSW 2765 | | design for future staged development
of 23 residential flat buildings | Approved |
| | | containing 1421 units on 8 superlots created under DA-19-00926 | Determination Date |
| | | | 23/12/2020 |
| | | | Standard Varied |
| | | | 14m maximum building
height |
| | | | Extent of Variation |
| | | | 2.2m or 15% due to rooftop maintenance stairs |
| Pelican Road | SPP-18-00008 | Construction of a 270 unit residential | Decision |
| SCHOFIELDS NSW
2762 | | flat building development arranged in 6
separate 5 storey buildings with
basement car parking for 379 vehicles,
landscaping and drainage works. | Approved |
| | | | Determination Date |
| | | | 26/02/2019 |
| | | | Standard Varied |
| | | | Cl 4.3 - Height of
Building - 16m
maximum |
| | | | Extent of Variation |
| | | | 0.8m = 5% (lift overrun,
parapet & roof features) |
| Grange Avenue | DA-16-03359 | Amended plans have been submitted | Decision |
| MARSDEN PARK
NSW 2765 | | for the proposed construction of a 4 storey residential flat building on | Approved |

Clause 4.6 Variation to Maximum Building Height Limit Proposed Residential Flat Building (Build-to-Rent) and Centre Based Child Care Centre 2 Ayla and 40 Reis Street, Tallawong



| proposed Lot 4 in the approved | Determination Date |
|--|---|
| subdivision of Lot 9 in DP 802880, comprising 71 units with basement car | 30/03/2021 |
| parking for 90 vehicles. The amended
plans include provision of rooftop | Standard Varied |
| communal open space. | Cl 4.3 building height of
SEPP SRGC 2006 - 14m |
| | Extent of Variation |
| | 10.7% (1.5m) to lift overruns, stairs and awning |

5.4. Sufficient environmental planning grounds to justify contravening the development standard

There are unique circumstances to this case and sufficient environmental planning grounds specific to the development and subject site which warrant contravening the development standard, including:

- A better design outcome is achieved where additional common open space and amenities for the residential tenants are provided at the rooftop level.
- Exceedance of the development standard is limited to only a small area where an exceedance of 2.6m to the lift shaft over-run and 1.69m at the roof over the common open space room (roof level) is created to provide additional common open space and amenities for the residential tenants.
- The built form has been appropriately distributed throughout the site which is supported by landscaping works along all boundaries (Figure 10 and Figure 11).
- The proposed development achieves the building setbacks for the Apartment Design Guidelines.
- No additional apartments are created as a result of the additional height.
- The variation to the development standard will not result in any significant adverse visual or privacy impacts upon adjoining properties.
- The development will deliver compatible land uses comprising residential dwellings and a child care centre which will have community benefits.
- The proposed development will contribute to housing diversity within the area. The development is closely aligned with Council's strategic direction for the area.

For the above reasons it is considered that there to be sufficient environmental planning grounds consistent with Clause 4.6(3)(b) to warrant support from Council.

Clause 4.6 Variation to Maximum Building Height Limit Proposed Residential Flat Building (Build-to-Rent) and Centre Based Child Care Centre 2 Ayla and 40 Reis Street, Tallawong

METRIS



Figure 10: Photomontage (Ayla Street view) Source: Architex



Figure 11: Photomontage (Boundary Road view) *Source: Architex*



5.5. State or regional environmental planning significance

Contravention of the development standard does not raise any matter of significance for State or regional environmental planning.

Clause 4.6 Variation to Maximum Building Height Limit Proposed Residential Flat Building (Build-to-Rent) and Centre Based Child Care Centre 2 Ayla and 40 Reis Street, Tallawong



6. Conclusion

This Clause 4.6 variation request demonstrates that compliance with the maximum building height standard contained at Clause 4.3 of the *State Environmental Planning Policy (Precincts—Central River City) 2021* is unreasonable and unnecessary in the circumstances of the proposal and that the proposed variation to the standard is considered an acceptable outcome.

The proposed variation acknowledges the unique circumstances of the proposal in Tallawong and would allow for a development which will provide a better planning outcome in the context of the site for the following reasons:

- Compliance with the height standard is unreasonable and unnecessary in the circumstances of the proposed development;
- There are sufficient environmental planning grounds to justify the contravention which results in a better planning outcome compared to a strictly compliant development in the circumstances of this particular case;
- The proposed development is consistent with the objectives of the height standard and the land use zone which is discussed in the SEE; and
- The proposed non-compliance with the height standard will not result in any matter of significance for State or regional environmental planning.

It is requested for Blacktown City Council to vary the maximum height development standard as requested in this submission. The variation is well founded and compliance with the standard in unreasonable in the circumstances of the case with minimal environmental and amenity impacts to adjoining properties.



Filed: 24 March 2025 12:18 PM



Statement of Facts and Contentions

| COURT DETAILS | |
|--------------------------------|--------------------------------------|
| Court | Land and Environment Court of NSW |
| Division | Class 1 |
| Registry | Land and Environment Court Sydney |
| Case number | 2025/00027438 |
| | |
| TITLE OF PROCEEDINGS | |
| First Applicant | KDMC 22 Pty Ltd |
| First Bassis last | |
| First Respondent | Blacktown City Council |
| | ABN 18153831768 |
| FILING DETAILS | |
| Filed for | Blacktown City Council, Respondent 1 |
| Thea for | Blacktown City Council, Respondent 1 |
| | |
| Legal representative | CATHERINE LOUISE MORTON |
| Legal representative reference | |
| Telephone | 02 9373 3555 |
| Your reference | BLA971-00119 |
| | |

ATTACHMENT DETAILS

In accordance with Part 3 of the UCPR, this coversheet confirms that both the Lodge Document, along with any other documents listed below, were filed by the Court.

Statement of Facts and Contentions (Final SOFAC signed 24.03.25.pdf)

[attach.]

aguy008

Page 1 of 1

Page 113 of 133

STATEMENT OF FACTS AND CONTENTIONS

| COURT DETAILS | |
|--------------------------------|------------------------------------|
| Court | Land and Environment Court of NSW |
| Class | Class 1 |
| Case number | 2025/00027438 |
| TITLE OF PROCEEDINGS | |
| Applicant | KDMC 22 Pty Ltd |
| Respondent | Blacktown City Council |
| FILING DETAILS | |
| Filed for | Blacktown City Council, Respondent |
| Legal representative | Sparke Helmore Lawyers |
| Legal representative reference | BLA971-00119 |
| Contact name and telephone | Catherine Morton, 9373 3599 |
| Contact email | Catherine.Morton@sparke.com.au |
| PART A $-$ FACTS | |

The Respondent states the facts relevant to the deemed refusal of Development Application DA-24-00435 are as follows:

The Proceedings

 These proceedings relate to an appeal under section 8.7 of the EP&A Act, against the deemed refusal by Blacktown City Council (the Respondent), of development application reference no. DA-24-00435 ('the DA'), at 2 Ayla Street and 40 Reis Street, Tallawong, and adjacent road reserve (recently registered as Lot 21) ('the Site').

The Proposed Development

 Under the DA, the Applicant seeks consent for the consolidation of land, construction of a 5-storey residential apartment building containing build-to-rent residential apartments, basement car parking, childcare centre at ground level, external landscaping, roof-level common open space, public domain and strata subdivision ('the Proposed Development').

- 3. More specifically:
 - a. The consolidation of the existing lot with 622m² of redundant road reserve (part of Boundary Road) acquired from Council. Subdivision Certificate SC-24-00155 for road closure was issued by Council on 3 January 2025.SC-24-00155 was registered on 14 March 2025 and is referred to as Lot 21 in DP 1314467.
 - b. The 5-storey residential flat building will comprise:
 - i. 50 residential units, including 6x 1 bedroom, 37x 2 bedroom, and 7x 3 bedroom units. Seven (7) units have an additional media room.
 - ii. Two (2) levels of basement parking, comprising 70x car spaces (including carwash, loading bay, and 6 accessible carparks).
 - c. The child care centre (as amended) will accommodate 71 children, with the following age spilt: 12 x 0-2 years; 25 x 2-3 years; and 34 x 3-5 years.
 - The child care centre will provide 24x dedicated parking spaces (12x staff and 12x visitor spaces, including 1 accessible);
 - e. The strata subdivision will create 51 lots (50 units and 1 childcare centre).

The Site

- 4. The Site comprises land located at the corner of 2 Ayla Street and 40 Reis Street, legally described as Lot 4 in DP 1229151 (**Existing Lot**) and adjacent (former redundant road reserve) Lot 21 in DP1314467 (**New Lot**).
- 5. The Existing Lot is an irregular shaped parcel with an area of 2,950m² which, combined with the New Lot (622m²) will result in a more regular shaped parcel with a total area of 3,572m².
- 6. The Site slopes towards the north-eastern corner , being the intersection of Ayla and Reis Streets.
- 7. The Site has the following dimensions:

| a. | Northern boundary (Ayla Street): | 54.015m |
|----|-----------------------------------|---------|
| b. | Eastern boundary (Reis Street): | 50.090m |
| C. | Southern boundary: | 68.265m |
| d. | Western boundary (Boundary Road): | 50.385m |

- The Ayla Street / Boundary Road and Alyla Street/ Reis Street property corners are splayed at 7.21m and 7.02m respectively.
- 9. At the time of inspection, the Site was predominantly vacant, grassed land with perimeter fencing. Two (2) storage containers exist over a temporary driveway close to the south-

eastern corner and stormwater pits at the north-eastern corner associated with on-site stormwater (as identified by signage).

10. The Site is shown in **Figures 1 and 2** below outlined in solid black (Existing Lot hatched yellow and New Lot hatched in blue):



Figure 1 Aerial image of the Site (Source: NSW Planning Portal Spatial Viewer)



Figure 2 Location Map - Site outlined black (Source: NSW Planning Portal Spatial Viewer)

- 11. The Site is largely zoned R3 Medium Density Residential pursuant to State Environmental Planning Policy (Precincts Central River City) 2021, except for a strip of land within Lot 21 which is zoned SP2 Local Road). is the adjoining land to the east, south and west (beyond Boundary Road, zoned SP2 Local Road) is also zoned R3 Medium Density Residential. Adjacent land to the north is zoned R2 Low Density. RE1 Public Recreation land is located approximately 150m to the north-west (See zoning map at Figure 3 below).
- 12. The Site is located within the Riverstone Precinct within the North West Growth Centre. The area has undergone transformation from rural residential to medium and high density residential development.
- 13. Surrounding development comprises of residential uses including detached dwellings up to residential apartments as well as small farm holdings that remain in operation.



Figure 3 Zoning Map site outlined in yellow dash (Source: NSW Planning Portal Spatial Mapping)

The Statutory Instruments:

State Environmental Planning Policies

- 14. The following statutory controls are relevant to the assessment of the Application:
 - a. Environmental Planning and Assessment Act 1979 ('EP&A Act')
 - b. Environmental Planning and Assessment Regulation 2021 ('EPA Regulation')

- c. State Environmental Planning Policy (Precincts Central River City) 2021 (SEPP Central River City).
- d. State Environmental Planning Policy (Planning Systems) 2021 ('Planning Systems SEPP');
- e. State Environmental Planning Policy (Sustainable Buildings) 2022 ('Sustainable Buildings SEPP');
- f. State Environmental Planning Policy (Resilience and Hazards) 2021 (NSW) ('Resilience and Hazards SEPP');
- g. State Environmental Planning Policy (Biodiversity and Conservation) 2021 ('B&C SEPP');
- h. State Environmental Planning Policy (Transport and Infrastructure) 2021 ('T&I SEPP'); and
- i. State Environmental Planning Policy (Housing) 2021 ('Housing SEPP').
- 15. The Site is zoned R3 Medium Density Residential under the provisions of the SEPP Central River City. The objectives of the R3 zone are:
 - To provide for the housing needs of the community within a medium density residential environment.
 - To provide a variety of housing types within a medium density residential environment.
 - To enable other land uses that provide facilities or services to meet the day to day needs of residents.
 - To support the well-being of the community by enabling educational, recreational, community, and other activities where compatible with the amenity of a medium density residential environment.
- 16. The Site is within the North West Growth Centre and the provisions under Appendix 7: Alex Avenue and Riverstone Precinct Plan 2010 of the SEPP are relevant.
- 17. The following SEPP Central River City maps apply to the Site:
 - a. Height of Buildings Map Sheet HOB_009 applies to the Site Maximum building height 16m. Variation sought under Clause 4.6.
 - b. Floor Space Ratio Map Sheet FR_009 applies to the Site Maximum FSR 1.75:1.
 - Land Application Map Sheet LAP_009 Alex Avenue and Riverstone Precinct Plan 2010 applies to the Site.
 - d. Land Zoning Map Sheet LZN_009 The Site is zoned R3 Medium Density Residential.
 - e. Precinct Boundary Map Sheet PCB_009 applies to the Site.

- f. Residential Density Map Sheet RDN_009 applies to the Site minimum 25 dwellings per hectare.
- 18. Residential flat buildings and centre based child care facilities are permissible with consent under the Central River City SEPP.
 - a. The minimum lot size for a residential flat building is 2,000m² if the dwelling density (per hectare) is 25 under Clause 4.1AB(9)(a).
- 19. Biodiversity Certification was conferred upon the former State Environmental Planning Policy - Sydney Growth Centres (Growth Centres SEPP) on 14 December 2007 via the gazettal of a Biodiversity Certification Order signed by the Minister for Climate Change and the Environment. The Order requires 2,000 hectares of "existing native vegetation" (ENV) to be retained across the Growth Centres. The majority of land within the Growth Centre Precincts is certified, meaning that development can occur without the need for further assessment under the *Threatened Species Conservation Act 1995*.

Local Environmental Plans

20. The Site is subject to SEPP Central River City and therefore *Blacktown Local Environmental Plan 2015* does not apply.

Development Control Plans

- Blacktown City Council Growth Centre Precincts Development Control Plan 2010 (BCC Growth Centre DCP) applies to the DA. The sections of the DCP are applicable:
 - a. Section 2.0 Precinct Planning Outcomes
 - b. Section 3.0 Neighbourhood and Subdivision design
 - c. Section 4.0 Development in the residential zones
 - d. Schedule 2 Riverstone Precinct.
- 22. Section 7.11 Contributions Plan No. 20 Riverstone & Alex Avenue Precincts is applicable
- 23. Blacktown City Council Engineering Guide for Development applies to the DA.
- 24. NSW Department of Planning Child Care Planning Guideline 2021.

Action of the Respondent Consent Authority

Date of lodgement of the Development Application

25. The DA was submitted to the NSW Planning Portal by the Applicant on 3 June 2024.

26. The DA was formally accepted and registered on the NSW Planning Portal on 17 June 2024.

Details of advertisement of proposed development

27. The DA was notified between 17 July 2024 and concluded on 31 July 2024 to surrounding properties ('**public notification**'). Council received no (0) submissions in response to the public notification.

Details of internal and external referrals and responses

28. The following table identifies internal and external referrals undertaken and responses provided following assessment of the proposal.

| Section | Referral comments |
|---------------------------|--|
| Internal | • |
| Building Section | No objections, subject to conditions. |
| | |
| Development Engineer | No objection subject to Deferred Commencement conditions |
| | and (no longer required as registration now finalised) and |
| | required drainage amendments raised by Drainage |
| | Engineer. |
| Drainage Engineer | Unsatisfactory – Design issues. Water quality targets not |
| | achieved. |
| | See contentions below. |
| Environmental Health Unit | No objections, subject to conditions. |
| Open Space | No objections. |
| Greenspace | No objections, subject to conditions. |
| Traffic Section | No objections, subject to conditions. |
| Waste | Unsatisfactory - Insufficient information and unresolved |
| | design. See contentions below. |
| Property | No objections, subject to road closure process being |
| | finalised (informed by Development Engineer conditions) |
| City Architect | Unsatisfactory – Design issues. |
| | See contentions below. |
| Social Planning | Unsatisfactory – Inadequate information and design |
| | issues. |
| | See contentions below. |
| Asset Design | No objections. |

External Agency

| Sydney Water | No objections, subject to conditions. | |
|-----------------------------|--|--|
| Riverstone Police | No objections, subject to implementation of Riverstone | |
| | Police Recommendations identified in Applicant's CPTED | |
| | Report – by condition. | |
| NSW Department of Education | Additional information requested by Department was | |
| | submitted 18 March 2025. Concurrence relating to filed plans | |
| | remains pending. | |

Details of consideration of the DA by Council

- 29. Prior to appeal, the consent authority for the application was the Sydney Central City Planning Panel triggered by the Capital Investment Value (CIV) exceeding the \$5 million estimated development cost (EDC) threshold and part of the land on which the DA is proposed is currently owned by Council.
- 30. Council issued a request for additional information on **23 August 2024**, raising the following concerns:
 - Extensive planning matters regarding compliance and design of residential flat building, amended plans required;
 - b. Extensive planning matters regarding insufficient information, compliance and design of child care centre, amended plans required.
 - c. Extensive Apartment Design Guide (ADG) compliance issues to be addressed;
 - d. Extensive general waste issues and issues specific to Residential Flat Building and Child Care centre components. Additional information (Swept paths, cross sections, loading dock management plan etc), revised plans and Waste Management Plan required.
 - e. Request for long section for drainage line connecting into existing pit within Reis Street;
 - f. Extensive drainage compliance issues. Amended MUSIC model, OSD Deemed to comply spreadsheet, and Stormwater Plans required.
- 31. A response submission was provided by the Applicant on **30 September 2024** including:
 - a. A written response;
 - b. Amended Architectural (Issue B, dated 27 September 2024);
 - c. Amended Landscape Plans (Issue B, dated 27 September 2024);

- d. SEPP Design Verification Statement;
- e. Childcare Certification;
- f. Civil Stormwater Documentation;
- g. Traffic Noise Assessment;
- h. Childcare noise assessment;
- i. Vehicle servicing arrangements letter; and
- j. Amended Watse Management Plan.
- 32. Following assessment of additional information, Council issued a further request for information on **19 December 2024**, raising the following issues:
 - Planning and waste matters regarding compliance and design of residential flat building;
 - b. Planning and waste matters regarding insufficient information, compliance and design of child care centre.
 - c. Apartment Design Guide (ADG) design issues; and
 - d. Insufficient drainage information.
- 33. The Applicant requested additional time to address the second request for information which was granted by Council to 13 February 2025.
- 34. On **21 January 2024**, the applicant filed the Class 1 Application in the Land and Environment Court of NSW appealing against Council's deemed refusal of the DA.
- 35. A response submission was provided by the Applicant on 12 February 2025 including:
 - a. A written response;
 - b. Amended Architectural Plans (Issue C/D dated 27 January 2025),
 - c. Amended Landscape Plans (Issue C, dated 12 February 2025)
 - d. Emergency Evacuation Plan;
 - e. Garbage swept paths;
 - f. Onsite detention documentation;
 - g. Waste management information; and
 - h. Revised noise impact assessment.
- On **19 February 2025**, the Applicant filed a notice of motion to amend its Class 1 application by relying on the amended plans (as consistent with those submitted to Council on 12 February 2025).
- The DA remained undetermined at the date this Statement of Facts and Contentions was filed.

B1 – CONTENTIONS THAT THE APPLICATION SHOULD BE REFUSED

The Respondent contends that the DA should be refused for the following reasons.

1. Permissibility of development (SP2 Infrastructure)

The DA should be refused because the Proposed Development is not permissible within the SP2 Infrastructure portion of the Site under SEPP (Central River City) 2021.

Particulars

- (a) The Site comprises the Existing Lot (Lot 4) and New Lot (redundant road reserve, Lot 21).
- (b) The Existing Lot is zoned R3 Medium Density Residential within which the proposed residential flat building and child care centre is permissible.
- (c) A small portion of the New Lot is zoned SP2 Infrastructure (shown in Figure 4).



Figure 4 – SEPP Zoning Map LZN_009

- (d) In accordance with the Land Use Table in the SEPP, the proposed residential flat building and child care centre is prohibited within the SP2 zone.
- (e) The Applicant has not demonstrated how the Proposed Development is permissible across the full Site upon which it is proposed.

2. Variation to Height of Buildings development standard

The DA should be refused because the Proposed Development does not comply with Appendix 7, Clause 4.3 Height of Buildings of SEPP (Precincts – Central River City) 2021 and the accompanying Clause 4.6 Variation Request is insufficient.

Particulars

 (a) A maximum building height of 16m is permitted under Clause 4.3 of Appendix 7 of the SEPP.

- (b) The DA (as amended) results in numerous height encroachments relating to the roof, roof over common open space, and lift overrun. The maximum building height proposed is 18.6m, representing a variation of 16.25%.
- (c) The Clause 4.6 variation dated 5 December 2023 submitted in support of the proposal significantly predates those plans the subject of this appeal (as amended dated 27 January 2025) and references earlier proposal details that have since been amended.
- (d) Notwithstanding (c) above, the Clause 4.6 Variation Request does not adequately demonstrate those matters to be addressed under Clause 4.6(3) of the SEPP in that it does not adequately demonstrate that compliance with the standard is unreasonable or unnecessary in the circumstances or that there are sufficient environmental planning grounds to justify the contravention.

3. Built Form

The DA should be refused because the built form does not have sufficient regard to the design objectives of the Apartment Design Guide (ADG).

- (a) Chapter 4, Clause 147(1) (b) requires consideration by the consent authority of the Apartment Design Guide (ADG). Whilst sub-clause (3) confirms compliance with the ADG is not required, a suitable regard for the design criteria remains necessary.
- (b) ADG 2A Primary controls and 2H side and rear setbacks: The structure to support the upper floors above the driveway are not minor elements and encroach within the 6m setback zone.
- (c) **ADG 2F Building separation:** Level 3 apartments 213 and 305 balconies encroach within the 9m setback zone.
- (a) ADG 3D Communal and public open space (COS): The principal useable area of communal open space (Ground Floor) provides less than 50% direct sunlight for 2 hours between 9am and 3pm in mid-winter. This is contrary to the requirement in point 2 of the design criteria under Part 3D of the ADG.

- (d) ADG Objective 3E Deep soil zones: All deep soil zones are located within setbacks and nominated deep soil zones within the child care centre outdoor play areas are artificial turf which do not constitute "deep soil".
- (e) ADG 4K Apartment mix: A range of apartment types and sizes should be provided to cater for different household types. The Proposed Development seeks to cater for a "family" demographic in the locality, further encouraged through build-to-rent accommodation and inclusion of a child care centre within the building, however the proposed unit mix (12% 1 bed, 74% 2 bed, and 14% 3 bed) does not cater for larger 3+ bedroom units.

4. Design and Management of Child Care centre

The DA should be refused because the DA is unsatisfactory with respect to the design of the child care centre pursuant to the *Education and Care Services National Regulations 2011* and the *Child Care Planning Guidelines 2021*.

- (a) Section 3.23 of SEPP (Transport and Infrastructure) 2021 requires the consent authority to take into consideration any applicable provisions of the *Child Care Planning Guideline*, in relation to the proposed development.
- (b) A suitable balance of sunlight and shade to the child care centre play areas is not provided in accordance with Design Guidance under Part 4.11 of the Guidelines which requires that: "adequate shade for outdoor play area is to be provided in the form of natural shade such as trees or built shade structures giving protection from ultra-violet radiation to at least 30% of the outdoor play area".
- (c) The Site is impacted by rising urban heat and orientation of the Site means that majority of outdoor play areas receive full sun and will become too hot for young children to use. The landscaping proposes minimal shade planting and proposed astro turf will contribute to this as it absorbs heat. This will limit the use of play areas to cooler days and mornings resulting in the play space being unusable for a significant proportion of the year. Ground cover should be replaced with natural planting and lawn alongside further shading methods, such as retractable awnings to harness winter sun.
- Regulation 109 of the Care Services Regulations requires 7m² of outdoor play area per child. The child care centre outdoor play areas include stormwater

grates within areas relied on as "unencumbered" outdoor play spaces. In addition, the location of required mechanical ventilation/ air-conditioning plant has not been provided. Exclusion of these areas would result in provision of outdoor play areas that do not meet the requirements of the Regulations for the proposed 71 children capacity (497m²).

- (e) Regulation 115 of the Care Services Regulations requires a child care centre to be designed to facilitate supervision. This involves windows into toilets and nappy change rooms. The design does not provide necessary satisfaction that these sensitive areas would be screened from public view from the street (which at Ayla Street is at a higher level to the centre) as required by design guidance under Part 4.7 of the Guidelines.
- (f) Traffic, parking and pedestrian safety The design of the child care centre visitor parking is contrary to 3.8 Traffic, parking and pedestrian safety of the Guidelines for the following reasons:
 - i. The location of child care centre drop off / pick up parking spaces CV1 through to CV5 are located close to the parking level entrance and opposite the lower basement ramp which may be subject to pedestrian/vehicular conflict. This poses an increased safety risk given the nature of the use of these spaces with young children and prams and lack of dedicated pathway addressed at (ii) below.
 - ii. The draft Plan of Management indicates "direct passageway to reception" however the Lower Ground Floor Plan does not demarcate any separate pedestrian path between parking spaces and the entrance to the centre from the basement.
 - iii. It has not been adequately demonstrated how safe and secure access management will be implemented to basement levels between the residential and child care uses, to avoid misuse of parking areas and access by general public.
- (g) **Pedestrian access control (safety and security)** The childcare centre includes multiple access points including:
 - i. Gate from Reis Street to main entrance;
 - ii. Entry from the basement parking at Lower Ground to main entrance;
 - iii. Gate from Reis Street into Play Area 1 (north-eastern corner); and
 - iv. Gate from Reis Street into Play area 2 adjoining basement driveway.

This contravenes Part 3.3, Clause 15 of the Guidelines as it generates safety risks for the facility and wayfinding complexities for visitors.

(h) Design of outdoor space – the proposed outdoor play area does not sufficiently identify how regulation 113 of the Regulations, which requires providers to ensure that outdoor spaces allow children to explore and experience the natural environment, is met. Further, Section 4.10 of the Guidelines provides that the design of outdoor spaces should:

> "Provide a variety of experience that facilitates the development of cognitive and physical skills, provide opportunities for social interaction and appreciation of the natural environment; and enhance outdoor learning, socialisation and recreation by positioning outdoor urban furniture and play equipment in configurations that facilitate interaction."

Council is not satisfied that this can be achieved as it is inconsistent with the recommendation within the Applicant's Acoustic Report (Rev 3, dated 12 February 2025) requiring that playground equipment which "*allows children to be more than 0.5m above the ground level should not be used*".

The DA provides limited information on what this would look like and how these aspects would translate within the front setbacks of the Site in combination with vegetation, shading and fencing.

5. Noise Management from Child Care Centre

The DA is unsatisfactory with respect to the management of operational noise from the outdoor play areas at the centre.

- (a) The noise criteria under the Association of Australian Acoustical Consultants (AAAC) Assessment Guideline limits noise level emission from an outdoor play area as follows:
 - i. Use of outdoor play area for up to 4 hours (total) per day: *not to exceed the background noise level by more than 10 dB*; and
 - ii. Use of outdoor play area for more than 4 hours (total) per day: *not to exceed the background noise level by more than 5 dB*.
- (b) The proposed Noise Impact Assessment by Rodney Stevens Acoustics (Rev 3, dated 12 February 2025) identifies play activities will be limited to 2 hours in the morning and 2 hours in the afternoon therefore does not exceed 4 hours per day and the criteria in (a) above is relevant.

- (c) In order to meet the criteria in (a) above, recommendations provided at Part 6 of the the Noise Impact Assessment must be implemented, including:
 - *i.* **Scenario 1:** All 12 children of 0-2 age group and only 13 children of 2-3 age group can engage in outdoor play area 1 at a time.
 - *ii.* **Scenario 2:** Only 14 children of 3-5 age group can engage in outdoor play area 1 and 8 children of 3-5 age group can engage in outdoor play area 2 at a time.
 - iii. The proposed child care centre will operate up to 4 hours (total) of outdoor play time per day (2 hours in the morning and 2 hours in the afternoon).
 - iv. No music is to be played in the outdoor areas.
 - v. The solid awning (polycarbonate) for the outdoor play areas should be in place.
 - vi. Playground equipment that allows a child to be more than 0.5 above the ground level should not be used.
 - vii. Children must be supervised at all times.
- (d) It is unclear how the capacity of outdoor play areas under (c)(i) and (ii) would be realistically managed without contravening the limitation and still allow each child a reasonable amount of outdoor play.
- (e) The draft Plan of Management dated November 2023 contradicts (c)(iii), it refers to access to the outdoor play area between 7am and 6pm without restrictions. This would facilitate well in excess of 4 hours of outdoor play, thereby engaging the stricter noise criteria of (a)(ii) – ie. not to exceed the background noise level by more than 5 dB.
- (f) The recommendation under (c)(vi) is unrealistic and contrary to Section 4.10 of the Child Care Planning Guidelines regarding opportunities for outdoor play.

6. Overdevelopment of the site

The DA should be refused as a number of built form outcomes raise issues and in combination reflect an overdevelopment of the site.

- (a) The child care centre outdoor play areas include stormwater grates within an area relied on as "unencumbered" outdoor play area and does not identify the proposed location for mechanical plant. Exclusion of these areas would result in provision of outdoor play areas that do not meet Regulation 109 of the Care Service Regulations requiring 7m² of outdoor play area per child.
- (b) The built form pushes elements of the Proposed Development into the setback areas required under Part 4.3.5.2 of BCC Growth Centres DCP:
 - a. The basement setback reduces to 3m adjoining Boundary Road and to 2m adjoining the southern boundary. Control 7 does not permit

basements and basement parking within the setback (required at 6m under Table 4-10).

- (c) The Level 3, units 312 and 305, include elements within the 9m setback area which is contrary to Part 2F Building Separation of the ADG which requires the proposed support structure to upper floors above the driveway to be located within the 6m setback area, .
- (d) The primary communal open space (Ground Floor) provides less than 50% direct sunlight for 2 hours between 9am and 3pm in mid-winter. This is contrary to point 2 of the design criteria under Part 3D of the ADG.

7. Waste Management

The DA is unsatisfactory with respect to the design of the residential waste storage room.

Particulars

(a) The configuration of the residential waste storage (general and recycling) on the Lower Ground Floor is not adequately resolved for safe / suitable access, function and management. Waste and recycling receptacles must be co-located and within same room as the caged bin-tug and trolley storage area, and the separated bulky waste storage area. An efficient and functional layout would benefit from a regular floor plan, use of roller doors (providing separate residential access outside loading bay), and amended bin placement to suit revised layout.

8. Public Interest

The DA should be refused because the proposed development is not considered to be in the public interest and is therefore inconsistent with Clause 4.15(1)(e) of the EPA&A Act.

Particulars

(a) Pursuant to Section 4.15(1)(e) of the Act, given the contentions raised above, approval of the Proposal is not in the public interest in the circumstances of the case.

<u>B2 – CONTENTIONS INVOLVING AN INSUFFICIENCY OF INFORMATION ON WHICH TO</u> CONDUCT AN ASSESSMENT

The Respondent contends that there is insufficient information for the Court in exercising the functions of the consent authority to assess the DA and therefore must refuse the DA.

9. Child Care Centre Management

The DA does not provide sufficient information regarding operational and management aspects of the child care centre.

Particulars

- (a) A revised Plan of Management is required to reflect the revised scheme (incorporating any amendments), include recommendations of the final Noise Impact Assessment (incorporating any amendments), clearly indicating any restrictions on play area use (capacity and time), windows required to be closed etc. The Emergency Evacuation Plan must also be annexed.
- (b) The Natural Ventilation Diagram (Sheet 337) shows compliance via natural ventilation (ie. open window to Playroom 1 and 2). However, the Noise Impact Assessment (Revision 3) requires that all windows to Playroom 1 and 2 are to remain closed in order to meet the noise criteria set by the AAAC Technical Guidelines. Information is required to demonstrate suitable ventilation of all indoor play areas as required under Regulation 110 of the Care Services Regulations. The location of anticipated mechanical ventilation equipment is required to demonstrate that this provision will not further reduce the provision of outdoor play area, ensuring compliance with Regulation 108.
- (c) A revised Landscape Plan must include a notation that any outdoor play surfacing will comply with AS 4422: 2016 Playground Surfacing.

10. Waste Management

The DA does not provide adequate information with respect to waste management across the development.

- (a) Requirement to provide vertical clearances (AutoCAD file in DWG format and 1:1 scale), for:
 - Entire travel path for trucks; and
 - Cross section cut through at the ramp.
- (b) Residential Flat Building Demonstrate on amended architectural plans that bulk cardboard storage in each residential waste chute room is a slot and how this will operate. The shelf is shown which is not suitable as residents/cleaners need to reach above shoulder height to stack/removal cardboard.
- (c) *Residential Flat Building* Demonstrate on amended architectural plans that the designated residential loading bay can accommodate the entire length of the

truck plus an additional 3m rear clearance for bin servicing and rotation. The truck must not overhang the loading bay as it would hinder traffic flow onsite.

- (d) Child Care Centre Provide updated written confirmation on company letterhead from two (2), established waste and recycling contractors that they can collect bulky waste with a vehicle no longer than 6.4m in length.
- (e) General Provide an amended Waste Management Plan that includes specification sheet for the proposed bin tug and trolley to ensure adequate storage provision within waste storage room (as amended per Contention 7, Particular (a)).
- (f) *General* Provide a Loading Dock Management Plan to ensure no conflicts, including the following details:
 - All site users;
 - Types of use (delivery, waste collection etc);
 - Hours of operation;
 - How the competing uses will be coordinated; and
 - All details relating to waste and collection vehicles accessing this area.

11. Stormwater

The DA does not provide adequate water quality design.

Particulars

- (a) The submitted civil stormwater concept design plan and MUSIC model must be amended as it does not achieve the water quality target in accordance with clause 2.3.1.2 of BCC GC DCP. The Blacktown only detention node must be used in the MUSIC model to calculate the pollutant removal target.
- (b) The stormwater concept design plan may need to be amended to reflect the change in MUSIC model.

12. Additional matters

Insufficient information has been provided to enable a full assessment of the following matters:

- (a) Architectural Plan must be updated to include:
 - i. Child Care centre acoustic fencing in accordance with Noise Impact Assessment (prepared by Rodney Stevens Acoustics, Rev 3, dated 12

February 2025). Including requisite surface density minimums to ensure adequate noise attenuation.

- The bicycle parking area must include notation to confirm requisite total of spaces (1 per 3 dwellings under BCC Growth Centres DCP) will be provided within bike store in basement.
- iii. Consistent communal open space figures between plan sheets. Different figure between Cover/Open Space Diagram and Level 4 Plan.
- (b) View diagrams demonstrating no visibility into the child care toilets occurs from the street or any public area. Particular reference from Ayla Street due to level difference.

B2 – CONTENTIONS THAT MAY BE ADDRESSED BY CONDITION

- (a) Operation and enrolment numbers differ across the assessment documents. The Noise Impact Assessment (revision 3, dated 12 February 2025) and Plan of Management dated November 2023 note 72 children, whilst Revision C of the Architectural plans notes 71 children, as per maximum capacity permitted by GFA. A condition to limit the approved capacity of the child care centre is required.
- (b) Due to the shorter-term living arrangements of rental housing, the basement should include loading areas for removalists and wayfinding signs to ensure no operational or safety impacts will result. A condition to require suitable wayfinding and directional information within the basement and ground floor levels is required.
- (c) Grant of consent would be for child care centre fit out and signage location only. Separate DA required for initial occupation and signage details (as required).
- (d) A specific mechanical plant selection has not been provided for the DA regarding assumed need for mechanical ventilation/air conditioning equipment. A condition to require an appropriately qualified acoustic consultant to review the mechanical plant associated with the development at the detailed design stage is necessary. As well as follow up certification prior to Occupation Certificate issue.

SIGNATURE

Signature of authorised officer of respondent consent authority

Dry Maekes

Name of authorised officer

Mary Macken

Capacity

Executive Corporate Counsel

Date of signature

24 March 2025