

Attachment B – Compliance Tables

STATUTORY PLANNING INSTRUMENTS	
State Environmental Planning Policy (Housing) 2021	
Controls	Compliance
<p>Clause 13 – Affordable Housing Incomes—the Act, s 1.4(1)</p> <p>household income thresholds for a very low income household, low income household or moderate income household.</p>	<ul style="list-style-type: none"> The proposal can comply with these requirements. A condition has been imposed in this regard.
<p>Clause 15 - requirement for imposition of conditions—the Act, s 7.32(3)(a)</p> <p>Before imposing a condition under the Act, section 7.32, the consent authority must consider the following—</p> <p>(a) affordable housing must aim to create mixed and balanced communities,</p> <p>(b) affordable housing must be created and managed so that a socially diverse residential population, representative of all income groups, is developed and maintained in a locality,</p> <p>(c) affordable housing must be made available to very low, low and moderate income households, or a combination of the households,</p> <p>(d) affordable housing must be rented to appropriately qualified tenants and at an appropriate rate of gross household income,</p> <p>(e) land provided for affordable housing must be used for the purposes of the provision of affordable housing,</p> <p>(f) buildings provided for affordable housing must be managed to maintain their continued use for affordable housing,</p> <p>(g) affordable housing must consist of dwellings constructed to a standard that, in the opinion of the consent authority, is consistent with other dwellings in the area.</p>	<ul style="list-style-type: none"> The proposal can comply with these requirements. A condition has been imposed in these regards. Can comply Can comply Can comply Can comply N/A Can comply Can comply
<p>Clause 17 – Floor space ratio</p> <ul style="list-style-type: none"> An FSR bonus of 0.5:1 is permitted on the basis of 50% of the gross floor area being used for affordable housing, and on the basis that: 	<ul style="list-style-type: none"> The proposal complies with subsection (2) in the SEPP i.e., The additional floor space ratio must be used for the purposes of affordable housing. Refer to

<ul style="list-style-type: none"> ▪ The additional floor space ratio must be used for the purposes of affordable housing. ▪ The current proposal has: 50% of each, however, the additional 0.5:1 is required to be all affordable. The applicant has confirmed the proposal complies with this requirement. And the proposal can benefit from 0.5:1. The clause states the resultant building will result in an FSR of 1.35:1 to be used for affordable housing. ▪ The resultant building will result in more than 0.5:1 being for affordable housing and therefore complies with subclause 2 of this clause. <p>Clause 18 – Non-discretionary development standards—the Act, s 4.15</p> <ul style="list-style-type: none"> ▪ Landscaped Area – 30% of the site area ▪ Deep soil zones – 15% of the site area & if practicable, at least 65% of the deep soil is located at the rear of the site. ▪ Solar access – 70% living rooms and private open spaces receive a minimum of 3hrs between 9am -3pm. To comply with the ADG (138 out of 196 apartments). The objective of this clause is to provide a non-discretionary standard that, if complied with, prevents the consent authority from requiring more onerous standards for the matters. (I.e., strict compliance is not mandatory). 	<p>email from the applicant dated Tuesday 18 March 2023 i.e., can be 50% residential / 50% affordable)</p> <ul style="list-style-type: none"> ▪ Yes – applicant's figures provided which confirm the proposal complies with this requirement. The figures show the breakdown of the units which are consistent with the plans. ▪ Yes – 48.05% provided (3,024.8m²) based on the ADG. And 35.38% (2,227.9m²) based on the BLEP. ▪ No – 14.01% (based on the ADG definition the proposal is 1% deficient of the minimum deep soil area required for the entire site). The proposal includes usable open space between the buildings with ample separation from the side and rear boundaries. Given the size of the development with four attached buildings, the size of the site and configuration of usable space, the proposal appears to include sufficient deep soil area. The proposal is consistent with the objectives of this control. Accordingly, the proposal is acceptable in this regard. ▪ No – 70.4% receive solar access for 2 hours or more claimed (not 3 hours). (This equates to 138 units out of 196 units). There are 15.3% of units that receive less than 2 hours of direct solar access (This is 30 out of 196 units). ▪ Some units face south and reduced solar access is unavoidable. ▪ The proposal is not unreasonable given the consistency with the objectives in the SEPP and of Council's DCP: <ul style="list-style-type: none"> A. <i>To ensure that sunlight access is provided to private open space and habitable rooms within the development.</i> B. <i>To ensure that development does not unreasonably diminish sunlight to</i>
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<ul style="list-style-type: none"> Car parking – 0.5 spaces/1 bed, 1 space/2 bed, 1.5 spaces/3 bed. <p>DCP 2011</p> <p>1 & 2 bed res units = 160 spaces 3 & 4 bed res units = 18 = 36 0m2 commercial = 0 Visitor = 98/5 = 19.6 Total – 215.6 spaces</p> <p>The Guide = same as affordable units</p> <p>- 0.4 spaces per 1 bedroom unit.- 24 = 9.6 - 0.9 spaces per 2 bedroom unit.- 56 = 50.4 - 1.4 spaces per 3 bedroom unit.- 18 = 25.2 - 1 space per 5 units (visitor parking) – 19.6 Total = 104.8</p>	<p>neighbouring properties and within the development site.</p> <ul style="list-style-type: none"> Yes – For entire proposal SEPP requires 196 spaces (see individual breakdown below) $36 \times 0.5 + 124 \times 1 + 36 \times 1.5 = 196$ spaces. The proposal provides 226 parking spaces. As such, the number of parking spaces provided is compliant. Car parking breakdown under the two SEPPs: <p><u>SEPP Housing</u></p> <p>$24 \times 1 = 12$ $56 \times 2 = 56$ (no visitor spaces) $18 \times 3 = 27$ (required under SEPP) Total of 95</p> <p><u>SEPP 65</u></p> <p>Total of 105 spaces in The Guide Total of 216 spaces under Council's DCP Grand total required = 200 spaces –</p> <ul style="list-style-type: none"> The proposal provides 226 spaces and complies with this requirement
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SEPP No. 65 – Design Quality of Residential Apartment Development (key controls)

Controls	Compliance
<p>2F Building Separation & 3F Visual Privacy</p> <p>Up to 14m (4 storeys)</p> <ul style="list-style-type: none"> 12m between habitable rooms/balconies 9m between habitable and non-habitable rooms 6m between non-habitable rooms <p>Up to 25m (5-8 storeys)</p> <ul style="list-style-type: none"> 18m between habitable rooms/balconies 12m between habitable and non-habitable rooms 9m between non-habitable rooms <ul style="list-style-type: none"> Note: Separation distances between buildings on the same site should combine required building separations depending on the type of room. 	<ul style="list-style-type: none"> Yes – separation distance of 12.6m between the 2 buildings (i.e., entire site) for levels ground to 3 Yes – separation distance of 18.6m between the 2 buildings (i.e., entire site) levels 4 to 7 Yes – roof top setbacks are 25.975m between the two buildings, minimum of 12.92m to the eastern side boundary, 13.87m to the southern rear boundary and 12.96m to the western side boundary. Yes – the applicant claims compliance and adequate separation distances. The side setbacks are 6.3m on the ground floor and up to 3 storeys (ground to level 3), 9.3m on levels 4 up to level 7, between habitable rooms and balconies and relies on a 6m setback on the adjoining properties when redeveloped (total of 12m for lower levels). Yes – the rear setbacks are 9.245m on the ground and levels 1 to 7, at the rear for both buildings.

3D Communal Open Space <ul style="list-style-type: none"> Minimum 25% of the site to be communal open space 	<ul style="list-style-type: none"> Yes – applicant claims 2,340m² on both roof top and ground floor areas which equates to 37% of the site.
3E Deep Soil Zones <ul style="list-style-type: none"> E3-1, DC1 Minimum requirement of 7% and minimum dimension of 6m. 	<ul style="list-style-type: none"> Yes – The applicant's figures state 14.01%. While the amount of deep soil area on the site complies, a small section of the rear setback (10%) in the middle of each attached building contains hard paved areas that are less than the minimum 6m dimension.
4A Solar and daylight access 4A-1, DC1 Living rooms and private open spaces of at least 70% of apartments in a building receive a minimum of 2 hours direct sunlight between 9 am and 3 pm at mid-winter. 4A-1 Maximum of 15% of apartments to receive no direct sunlight between 9am and 3pm midwinter (15% of 196 = 29)	<ul style="list-style-type: none"> No – Applicant claims 70.4% receive 2 hours solar access comply with the ADG (138 out of 196 apartments) in SEE will receive the minimum amount of solar access – However, it appears that 122 apartments (total in both buildings) comply with 3 hours = 122 = 62.2% No – Plans reveal that 64 out of 196 apartments receive no sunlight (32.65%). The applicant contends only 38 units receive no direct sunlight (19.4%) and 20 receive less than 2 hours of solar access (10.2%).
4B Natural ventilation 4B-3, DC1 At least 60% of apartments are naturally cross ventilated in the first nine storeys of the building.	<ul style="list-style-type: none"> Yes - The applicant's figures claim that 148 out of 196 (75.5%) of all units are naturally cross ventilated.
4D Apartment size and layout 4D-1, DC1 requires: <ul style="list-style-type: none"> 1 bed unit: 50sqm 2 bed unit: 70sqm 3 bed unit: 90sqm 	<ul style="list-style-type: none"> Yes – the applicant maintains all the apartments comply with the minimum overall size requirements.
4E Private open space and balconies 4E-1, DC1 requires: <ul style="list-style-type: none"> 1 bed unit: 8sqm 2 bed unit: 10sqm 3 bed unit: 12sqm 	<ul style="list-style-type: none"> Yes – applicant maintains that all apartments comply with the minimum balcony size requirements.
4G Storage <ul style="list-style-type: none"> 1 bed unit: 8sqm 2 bed unit: 10sqm 3 bed unit: 12sqm 	<ul style="list-style-type: none"> Yes - the applicant maintains that all apartments comply with the minimum storage area requirements.
Bayside Local Environmental Plan 2021	
Controls	Compliance

<ul style="list-style-type: none"> Land Use Table 	<ul style="list-style-type: none"> R4 High Density Residential – residential flat buildings and affordable housing are permitted with consent.
<ul style="list-style-type: none"> Clause 4.3 Height of Buildings Building Height – 26.5m (T3) 	<ul style="list-style-type: none"> No – 27.7m – 1.2m variation or 4.5% (applicant's figure is 27.69m with a variation of 1.19m or 4.49% variation at the roof top terrace roof. Compliant height elsewhere at 25.4m (RL 27.9) to the parapet of the building (complies). A Clause 4.6 variation has been submitted with the application.
<ul style="list-style-type: none"> Clause 4.4 Floor Space Ratio FSR maximum – 2.2:1 	<ul style="list-style-type: none"> Yes – 2.7:1 (2.2:1 + the additional FSR bonus 0.5:1 under SEPP affordable housing = 2.7:1) SEE states compliance with FSR Plans show GFA of 16,984m² which is 2.7:1 and complies with the overall FSR control.
<ul style="list-style-type: none"> Clause 6.1 Acid Sulfate Soils 	<ul style="list-style-type: none"> Yes - Class 3 Acid Sulfate Soils - report submitted and acceptable
<ul style="list-style-type: none"> Clause 6.2 Earthworks 	<ul style="list-style-type: none"> Geotechnical assessment has been submitted and assessed
<ul style="list-style-type: none"> Clause 6.3 Stormwater and WSUD 	<ul style="list-style-type: none"> No - Plans inadequate – Deferred Commencement Conditions imposed requiring resubmission prior to activation of the consent.
<ul style="list-style-type: none"> Clause 6.7 Airspace Operations 	<ul style="list-style-type: none"> Referred to SACL who raised no objections subject to conditions.
<ul style="list-style-type: none"> Clause 6.10 Design Excellence 	<ul style="list-style-type: none"> The proposal is subject to the provisions of this clause by virtue of its location in the Arncliffe/Banksia Precinct. The application was considered by the DRP who responded by confirming the proposal exhibits design excellence.
<ul style="list-style-type: none"> Clause 7.1 Special Infrastructure Contribution 	<ul style="list-style-type: none"> Applies to the site
DEVELOPMENT CONTROL PLANS & POLICIES PART 7.7 – ARNCLIFFE AND BANKSIA	
<ul style="list-style-type: none"> Controls 	<ul style="list-style-type: none"> Compliance
CAHILL PARK NEIGHBOURHOOD (4) Built Form <ul style="list-style-type: none"> Deep soil zones along rear boundary to facilitate mid-block tree planting and visual privacy between properties. 	<ul style="list-style-type: none"> Yes - Rear deep soil zone provided from the basement wall to boundary.

<ul style="list-style-type: none"> ▪ Rear gardens with tree planting reinforce existing mid-block and provide landscape transition between new development and existing Princes Highway uses. ▪ Provision of high quality residential amenity in terms of privacy and built form by complying with SEPP 65, side and rear setback must follow built form separation standards as outlined in Part 2F of the ADG. ▪ Side setbacks are to include deep soil zones and appropriate landscaped treatment. 	<p>An appropriate deep soil outcome has been provided.</p> <ul style="list-style-type: none"> ▪ Changes to the rear setback area acceptable and benefit from the deep soil zone at the rear. The central open space is usable the communal open space areas in the rear setback provide a landscaped open space area. ▪ Yes - the building separation distances within the development comply with Council's DCP. Conditions have been imposed in respect to fencing. • Yes - the side setbacks contain deep soil zones capable of accommodating significant landscaping elements. The hard paved areas and the hard surfacing terraces have been reduced. Proper canopy trees can be provided to soften the proposal on the site.
<p>4.1 BUILDING SETBACKS</p> <p>4.2 STREET WALL HEIGHTS</p> <ul style="list-style-type: none"> ▪ New development within the Arncliffe and Banksia is to provide street wall heights in accordance with "Figure 7.7.42 Built Form & Character" – 6 storey street wall height within Innesdale Road ▪ 5m landscaped setbacks are to consist of 3m landscaping and 2m private courtyards. The landscape zone should include large and medium size tree planting, in accordance with Council guidelines. ▪ The building envelope shall be setback a minimum of 3m above the Street Wall Heights as identified in Figure 7.7.43 Street Wall Heights". 	<ul style="list-style-type: none"> ▪ Yes - A clearly defined 6 storey street wall height has been provided with the upper levels set further back 3m. ▪ Yes – the 5m landscaped setbacks to the front boundary have been provided. Deep soil is provided in the front 3m but is not embellished with canopy trees in order to create the leafy residential streets which the controls seek to create. ▪ Yes – The building elements proposed above 6 storeys provide the minimum 3m additional setback.
<p>4.3 ACTIVE FRONTAGES</p>	<ul style="list-style-type: none"> • N/A to this site

State Environmental Planning Policy No. 65 – Design Quality of Residential Apartment Development

In accordance with Section 28(2) of this policy, the consent authority must take into consideration the following:

a. The advice of the Design Review Panel (DRP)

The proposal has been referred to the Design Review Panel (the Panel) on 6 April 2023.

Before this, the previous two development applications (DA-2021/638 and DA-2021/639) which were lodged on the site (as two DAs) were referred to the Panel on 9 March 2022. While the applicant improved the scheme based on the advice from the March Panel meeting, the current application was put before the Panel once on 6 April 2023.

The Panel supports the amended proposal with their detailed comments provided in the information below. The Applicant amended their scheme and have provided a response on how the proposal has been modified to address the issues raised by the Panel.

The Panel supports the revised scheme, confirmed it demonstrated Design Excellence in accordance with Clause 6.10 of the Bayside LEP 2021, that it satisfied the design quality principles contained in SEPP 65 and recommended that the proposal did not require submission back to them on another occasion.

b. The design quality of the development when evaluated in accordance with the design quality principles.

The design quality principles have been considered in the assessment of the proposal and are found to be satisfactory as indicated below.

Principle 1 – Context and Neighborhood Character

Panel Comment:

The panel described the area and its context. The panel described the transitioning precinct from single storey cottages to large scale apartment and mixed use buildings around 8 stories. The R4 High Density Residential zone and neighbouring development from 5 storey hotel buildings to 10 to 13 storey apartments. Contextual form has been provided but should also be included in the site analysis to set the context.

Council Comment:

The area is undergoing change and the proposal is consistent with the future desired character. The proposal responds to the immediate context, has reduced overshadowing and the revisions are appropriate and improve the development for the site. Despite the 8 storey residential development adjoining single storey cottages to the south (rear), the proposal is consistent with the future desired character of the area. Accordingly, the proposal is acceptable in respect to its context and neighbourhood character.

Principle 2 – Built Form and Scale

Panel Comment:

The project massing has been re-organised since the sites were amalgamated. This has allowed for improved building separation and additional modulation. The built forms have been revised from a stepped form to a series of lower 4 storey 'module buildings' linked by a larger taller building with significant setbacks between the upper portions and lower modules. This strategy breaks the massing down along the street and creates a series of smaller identities. This is further reinforced by the individual access points and building architectural treatments. Both major buildings employ a similar design strategy.

It was noted that the DCP calls for a 6-storey street wall instead of the 4-storey proposed. While the proposal relies on architectural treatment to add variety to these module buildings, the Panel

would like to see some of these module buildings comply with the DCP 6-storey street wall to both add some additional variety and reference the desired future character of the precinct. This can be a limited portion of the building to avoid 6 storey portions facing each other and creating a noncompliance with ADG separations.

The Panel supports this approach and notes the incorporation of commentary previously made during previous design reviews.

The new layout is compliant with setbacks and ADG separation recommendations.

The site has a 26.5m height limit. It was noted that the proposal exceeds this slightly at 27.7m due to roof features and access needs. The proposed lift overruns and rooftop pergolas are higher than the HOB limit. Shadow diagrams demonstrate that this breach will have minimal shadow impacts to the precinct and the Panel has no adverse comment with this minor noncompliance.

Council Comment:

The development has been amended to employ a 6 storey wall height and the urban design matters resolved with a different colour combination of materials with minor changes to the materials making the two buildings different and unique in each case. The outcome of the amendments resolve the above issues in a satisfactory manner and the development has an improved relationship with the future desired character of the area.

Based on the above, the proposal has been amended to address all the built form issues raised by the panel and it represents a quality solution for the site in terms of its built form.

Principle 3 – Density

Panel Comment:

The Affordable Housing Bonus SEPP (Housing) 2021 of 0.5:1 has been applied across the site. The allowable FSR is 2.2:1. The application of the Affordable Housing Bonus takes the overall FSR to 2.7:1.

It was noted that the affordable housing is concentrated in a single building, and not distributed across the site with each having 50% affordable housing. Council is to assess this apparent inconsistency with the SEPP's objectives; as the sites have been amalgamated, it is the Panel's view that, from a design standpoint, this has no adverse impacts on the proposal.

The additional GFA has been satisfactorily incorporated into the building bulk and scale while remaining within the DCP envelopes.

Council Comment:

SEPP (Housing) 2021 states the following relevant principles:

- (a) enabling the development of diverse housing types, including purpose-built rental housing,
- (b) encouraging the development of housing that will meet the needs of more vulnerable members of the community, including very low to moderate income households, seniors and people with a disability,
- (c) ensuring new housing development provides residents with a reasonable level of amenity,

...

(h) mitigating the loss of existing affordable rental housing.

The proposal is consistent with the above objectives and will provide 50% of the units as affordable housing which is a significant contribution to achieve the objectives above. IN this regard, the SEPP does NOT prohibit the concentration of the affordable units in a scheme to a specific area on the site.

Council understands that every affordable housing development is different in the configuration, number and layout of affordable units. It considers the concentration of affordable dwellings into a single building as non-ideal and would prefer integration within the rest of the development. Nonetheless the proposed scheme may be more manageable. Despite this, the scheme represents a high quality outcome as it achieves design excellence and contains the same materials, construction, arrangement of units, communal open space and living conditions as the residential apartments. As such, the proposal will make a positive contribution and is not likely to result in any significant adverse impacts despite the affordable housing being in a separate building.

The proposal complies with the FSR controls that benefit from extra floor space under the SEPP. As stated by the DRP, the design of the building incorporates the additional floor space very well whilst complying with the setback controls. As such, the proposed density of the scheme is acceptable in this instance.

Principle 4 - Sustainability

Panel Comment:

A comprehensive report by Efficient Living has been provided to address sustainability requirements.

PV panels have been indicated on building roofs.

Cross ventilation is compliant with the ADG. The building modulation, with the use of lower 'module buildings' supports a robust approach to cross ventilation with the creation of a number of additional corner conditions. Building materials selections provide a robust and low maintenance approach. Where possible the use of recycled brick would be supported and may assist in developing character across such a large building.

Consideration should be given to electrifying all buildings and to providing direct PV connection for affordable housing units.

Council Comment:

The proposed development employs measures to increase its sustainability and is consistent with the provisions of the ADG and Council's DCP in this regard. A condition has been imposed requiring the provision of EV charging stations, the ability to easily convert them to EV charging stations, within the basement of each building.

The applicant has provided a BASIX Certificate which includes connection with the photo voltaic (PV) panels. The proposal includes measures that will reduce energy consumption and improve the cost effectiveness of the proposed dwellings both initially and during the life of the project. Accordingly, the proposal has been improved in respect to sustainability and is acceptable in this regard.

Principle 5 – Landscape

Panel Comment:

Much of the landscape appears to be overly formalised. This includes the area between the two buildings. This area is one of the few opportunities to get a significant amount of canopy and amenity into such a large project. Consideration should be given to reducing hardscape areas in this location and creating an 'urban forest' outcome that provides for cooling, improved privacy and wildlife habitat.

At roof levels additional landscape along the northern side of the roof common area should be provided to improve amenity and reinforce the idea that this space is a garden space. The selection of species along the rear property line should maximise the canopy outcome.

Several landscape areas appear to be under building form. These should be reconsidered, and any areas covered with overhangs or building should have careful species consideration to ensure that adequate ambient light reaches the landscape. Roof soil depths are not clear and should also be confirmed. Deep soil provision appears to be slightly below the required amount considering the rear site clear depth of less than 6m at front and rear setback areas. Given the desire to increase canopy cover and reduce paving areas, this should be remeasured once an updated landscape layout is completed and less paving covers deep soil areas.

Council Comment:

All the above recommendations of the panel have been implemented in the latest amended plans for the site. The area between the two buildings has been improved with more usable common open space areas with seating and pathway. The landscaping on the roof top terrace has been improved with increased soil depths and greater canopies to reduce privacy impacts to the rear. The amended landscape plan contains the changes requested by the panel and as such represents a significant improvement in respect to landscape planting.

In addition, conditions have been imposed in relation to soil depths and planting design for the scheme. The revised plans were referred to Council's Landscape Architect who has raised no objections to the proposal subject to the imposition of conditions of consent. Accordingly, the proposal complies with the panel and Council's requirements in respect to landscaping and is acceptable in this regard.

Principle 6 – Amenity

Panel Comment:

The Panel noted a number of amendments that would improve the layout of the units. These amendments included the following:

- Several apartments lack a defined entry space, which is a poor outcome. Given the size of the buildings, it should be possible to replan so as to provide all apartments with entries. A number of other minor refinements can also be made to internal layouts as the plans are finalised.*
- Some lower open spaces are essentially enclosed balcony areas. These spaces should be opened up so as to improve amenity. This was noted at the units along Cols 9 and 21.*
- A 'snorkle bedroom' has been created at units in the centre of each building. These should be revised to avoid this outcome.*

- *Although the planning is supported, it would appear that natural light air to lobbies could be markedly improved by removing circulation (and floor plate) from adjacent slots*

Solar access appears to be compliant with the ADG. As a portion of the Common Open Space is located on the roof, adequate solar access is achieved. See comments on the Landscape Section for amenity improvements to the roof terrace areas.

The Child play area is exposed to entry traffic and exhaust fumes from the garage. While this arrangement does improve amenity for drivers entering and leaving the project there are concerns about noise and fumes to people occupying this area for longer durations. Consider mitigation measures to ensure adequate airflow for these areas.

Lobbies are direct and logically arranged. Some amenity improvements should be incorporated into the plans such as seating and waiting areas for neighbours to meet should be improved and have better amenity.

Council Comment:

The applicant has indicated that attempts to amend the plans in accordance with the changes specified by the panel above were not entirely successful. In this regard, the changes relating to the entry spaces in each of the apartments were achieved for some and not for all units. The remaining units for which this change was not achieved, would have resulted in a loss of the number of units proposed. The applicant still believes the latest plans are the best alternative for the subject site.

The enclosed balcony areas on some of the lower level dwellings face north and were not required to have one of the enclosing walls removed. Structurally, they assist with the sharing of loads across the building and with no resulting direct amenity improvement by removing the wall, were not removed in this instance.

To address the issue of the “snorkel bedroom” for some units in the middle of the building, a reduction from 2 bedroom to 1 bedroom units would have occurred. The applicant claims that this would provide a significant increase in the provision of 1 bedroom units that not only exceed Council’s housing mix, but also the apartment mix for the market and would render most of them “unaffordable”. The same 1 bedroom argument was provided by the applicant when requested to increase the natural light and air to the lobby areas by removing floor plate to increase corridors to external walls. In this regard, the final layout is not unreasonable and still retains a window overlooking the rear yard at the end of the corridor.

The building has been redesigned to provide floor space and separation between the child play area and the ramp to the basement garages for each building to minimise any noise and fume issues for the development. In this regard, the applicant amended the plan in accordance with the requirements of the Panel.

The proposal provides an appropriate amenity given the lobby design, improved open space areas on the ground level, improved facilities and areas for the roof top terrace and appropriate setbacks.

Based on the above, the proposal is a significant improvement over the plans lodged with the application, is largely compliant with the recommendations of the panel despite not achieving all of the panels requests in relation to amenity and is acceptable in this regard.

Principle 7 - Safety

Panel Comment:

No major issues.

Good surveillance has been provided and the inclusion of a series of street level individual owner access points will help activate this residential area.

Council Comment:

The proposal has been improved in respect to safety and security within the development. In this regard, the proposal includes a design which provides quality public and private spaces with clearly defined areas that are fit for their intended purpose. The proposal has been improved with a more positive relationship with the public and private spaces that are more usable and open. The open space areas are easier to maintain and manage and better relate to adjacent internal spaces.

Principle 8 - Housing Diversity and Social Interaction

Panel Comment:

No major issues.

The Affordable Housing Bonus SEPP (Housing) 2021 of 0.5:1 has been applied across the site. The allowable FSR is 2.2:1. The application of the Affordable Housing Bonus takes the overall FSR to 2.7:1.

It was noted that the affordable housing is concentrated in a single building, and not distributed across the site with each having 50% affordable housing. Council is to assess the inconsistency but as the sites have been amalgamated the Panel, from a design standpoint, has no adverse comment on this issue.

Council Comment:

The proposal has been designed to integrate both the affordable housing component and the residential apartments into one site. In this regard, the proposal is consistent with the requirements of the SEPP and will include housing diversity and has been designed to encourage social interaction through the use of the common areas including the well landscaped rear setback and the middle setback between the two buildings. Even though the proposal concentrates the affordable housing into one separate building, the proposal includes sharing the ground floor common open space with ample landscaping and courtyards. The proposal is consistent with the principles under the SEPP and is acceptable in this regard.

Principle 9 – Aesthetics

Panel Comment:

The overall approach to the project is supported with 'module buildings' creating a breakdown in scale and bulk along the street with a larger built form behind. It was noted that the lower module buildings have a masonry treatment of various colours with a punched opening approach while the

upper levels have been treated with more continuous surface elements to create a lighter visual outcome. This approach is supported.

Further developments should include refinements to the upper levels to reduce the heaviness of these surfaces. This would include thickness of detailing and colour selections. Consideration should also be given to the tectonics of the lower buildings and how the masonry is detailed to reinforce the difference between lower and upper portions of the overall building.

Greater differentiation between individual module buildings, in terms of colour and detailing, should be also considered. The overall material palette is supported but buildings appear to be quite dark overall. Reconsider colour palette to provide additional distinction between the upper and lower portions.

The use of face brick is supported. However, consideration should be given to how the constraints (resolution of slab edges and soffits as well as limitations of using it for small “spandrel” panels as opposed to large wall areas) and opportunities (construction aesthetics and honesty) of this material.

Council Comment:

The application has been significantly improved in respect to its aesthetics and external appearance. The request of the Panel was implemented in that the two buildings are now different in finer details within the front elevation, whilst still relating each other through design and fenestration. The latest design submitted with the scheme achieves the above request from the Panel as it is a refined example of improved aesthetics that “reduces the heaviness of the surfaces” and a revised colour palette provides a distinction between the upper and lower proportions of the buildings.

Accordingly, the proposal satisfies the requirements of the DRP and is acceptable in respect to aesthetics.