

Statement of Environmental Effects
Demolition of 4 Existing Dwellings and
Construction of A New Public East West
Pedestrian Link and Mixed Use Residential
Development
13 – 19 Canberra Avenue,
St Leonards South

October 2021

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20 Wylde Street
Potts Point NSW 2011

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1.0 Introduction

This report has been prepared on behalf of Hyecorp Property Group by Mersonn Pty Ltd and is submitted to Lane Cove Council in support of a development application for the demolition of four existing dwellings and construction of a new public east west pedestrian link and mixed use residential development at 13-19 Canberra Avenue, St Leonards (Lots 11, 12, 13, & 14 Sec 3 DP 7259).

The proposal seeks approval for demolition of 4 existing dwellings and construction of a new public east west pedestrian link and mixed use residential development at 13-19 Canberra Avenue, St Leonards comprising:

- 84 residential apartments including:
 - 1 x studio
 - 26 x one bedroom units
 - 28 x two bedroom units
 - 29 x three bedroom units
- 4 levels of basement car parking including:
 - 19 x childcare car spaces
 - 2 x car share spaces
 - 1 x restaurant/cafe car space
 - 17 x residential visitor car spaces
 - 95 x residential car spaces
 - 10 x motorcycle spaces
 - 30 x bicycle spaces
- Vehicular access off Canberra Avenue
- Communal residential rooftop terrace space
- Communal residential facilities
- Solar PV panels at the rooftop
- Childcare centre for 60 children including outdoor play area
- Community facility
- Ground floor restaurant/cafe space
- Tree removal
- Stratum and strata subdivision

The Plan for St Leonards South illustrates a unified and over-arching plan for the area. It combines and details the actions and directions identified in the St Leonards South DCP and Landscape Masterplan 2020. The plans focus on improving connectivity across and between the area of St Leonards South through a network of green streets, activity areas and public spaces. The desired future character of the St Leonards South Precinct is for a liveable, walkable, connected, safe, Precinct which builds upon the transit and land use opportunities of St Leonards and Metro Stations and commercial centre.

The proponent met with Council and the Design Review Panel throughout the design development process, and the feedback has been incorporated into the development proposal and as a result the proposal has been refined to deliver design excellence.

The development is centralised within St Leonards South Precinct, at a prominent gateway site to the St Leonards station, linking various key community aspects of the precinct, including Newlands Park and Green Spine. Apart from fulfilling the needs for accommodation, the project also provides important precinct infrastructures for the community including, the pedestrian link, public lift, restaurant/cafe facility, community hall and childcare.

The built form results from careful evaluation of the site context, identifying the constraints including height plane, setbacks and preserving light to key public spaces. Identify the opportunities to manipulate the massing to achieve feasibility for the site and maximize the benefit for the public domain. The street wall and stepped back upper levels are an important contribution to the streetscape and urban context of Canberra Avenue. The green spine setback sets a limit to floor plate depth that is consistent with the objectives of the DCP.

Exploration of setbacks to the north and south can be undertaken in keeping with the objectives of ADG and the St Leonards South DCP with regard to amenity and form articulation. Using the grid, modules are pushed and pulled to maximise floor plate efficiency without departure

from the objectives of the DCP envelope. The resulting mass contributes no additional overshadowing to Newlands Park.

The proposed development achieves an appropriate density that is consistent with the objectives of the St Leonards South Precinct DCP. The proposal is compliant with the 44m height control and has a floor space ratio of 3.42 :1, much lower than the prescribed 3.7:1 in the precinct LEP. All apartments in the development enjoy a high level of amenity, with both views and generous private open space.

The proposed development achieves good quality amenity for residents and neighbours. There are extensive communal open spaces at the precinct level; after hour/weekend use of the expansive childcare outdoor play area; the upper ground floor indoor community facility; and the rooftop communal open space with uninterrupted city views.

The site being situated in the heart of the St Leonards South Precinct, has direct access to a number of shared community amenities. These include a Council operated childcare centre, indoor community hall, BBQ areas, landscaped areas, child play zones, small parks, bench and picnic spaces. The site offers two key community spaces to the precinct and its residents being the Childcare and community hall which totalling 1050m² of indoor and outdoor space as well as large civic pedestrian link through the precinct. Residents of the building have direct access to the green spine and pedestrian link via level one connection.

The child care outdoor space is able to be used by the precinct residents outside of the childcare hours. This will provide around 530 m² of engaging outdoor play zone for both the residents and the public.

The upper ground floor provides functional and exclusive resident facilities including private wine storage room, music room, fitness Studio room, cinema, swimming pool and spa. The rooftop community space provides kitchen, BBQ and accessible toilet. Plus shaded outdoor seating areas which can accommodate multiple groups at a time.

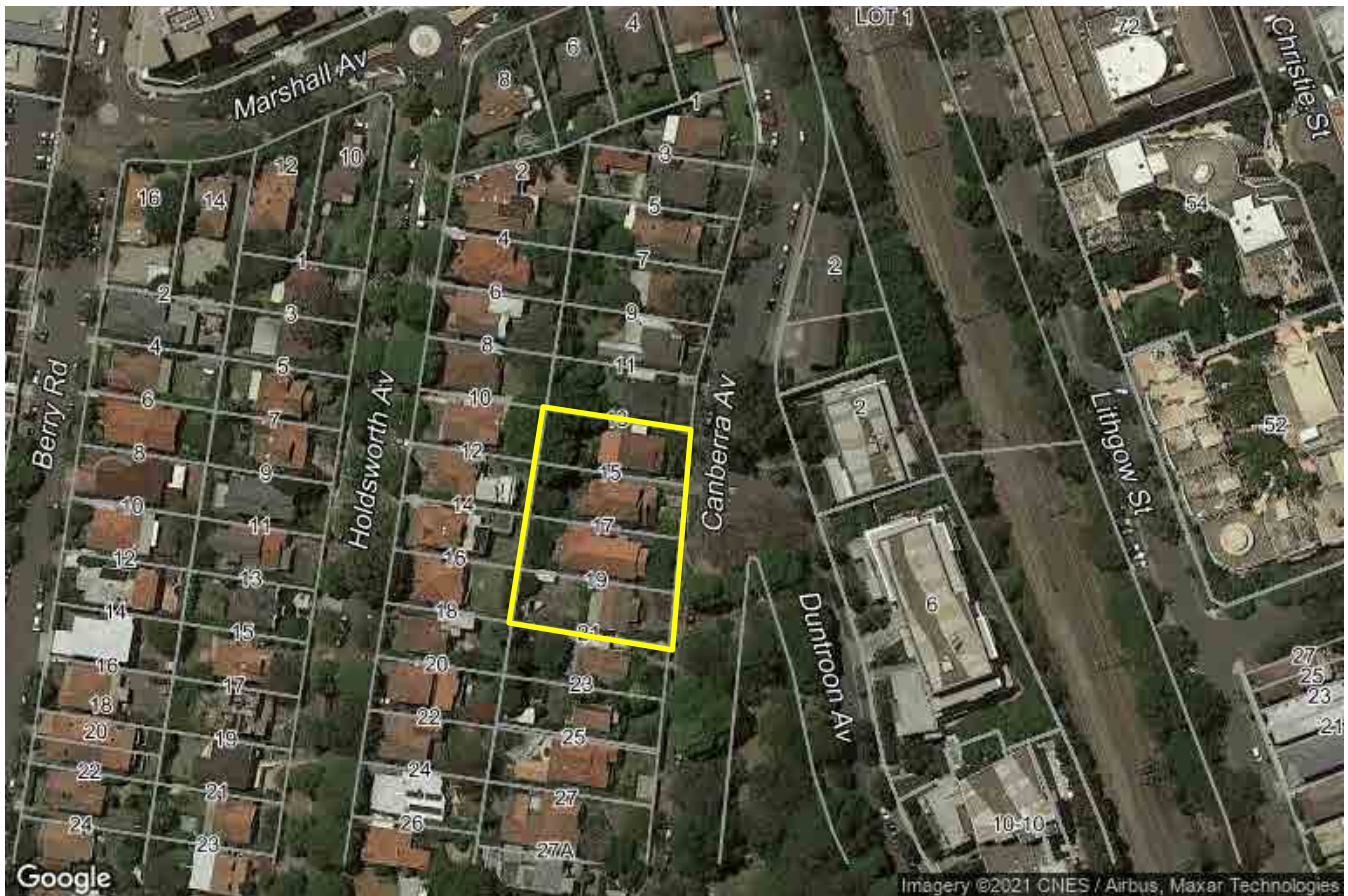
The development contributes to the general public amenity at ground floor level through the activation of frontages via an inviting east-west pedestrian link, new amphitheatre and public square, visible restaurant/cafe corner, public lift, lobby spaces, access and balcony orientation.

This Statement has been prepared pursuant to Section 4.12 of the Environmental Planning and Assessment Act, 1979 and Clause 50 of the Environmental Planning and Assessment Regulation, 2000. The purpose of this document is to describe the existing improvements on the site, detail the proposed development, review the applicable planning regime relating to the proposal, assess the degree of compliance and examine the environmental effects of the development when measured against the Evaluation Criteria prescribed under Section 4.15(1) of the Environmental Planning and Assessment Act, 1979. In respect of the assessment of the proposal, where impacts are identified, measures proposed to mitigate any harm to environmental amenity have been addressed in this report.

This report should be read in conjunction with:

- Architectural plans prepared by SJB Architects;
- Shadow diagrams prepared by SJB Architects;
- SEPP 65 and Design Verification Statement prepared by SJB Architects;
- Survey prepared by DSP;
- ESD Report prepared by Efficient Living;
- Access report prepared by Accessible Building Solutions;
- Arboriculture Impact Assessment prepared by Margot Blues;
- Preliminary Site Investigation prepared by EIAustralia;
- Hazardous Materials Survey prepared by EIAustralia;
- Acoustic report prepared by PWNA;
- BCA report prepared by Credwell;
- Stormwater plans prepared by Acor Consultants;
- Landscaped plan prepared by Site Image;
- Traffic report prepared by TTPA;
- Pedestrian Wind Environment Statement prepared by Windtech;

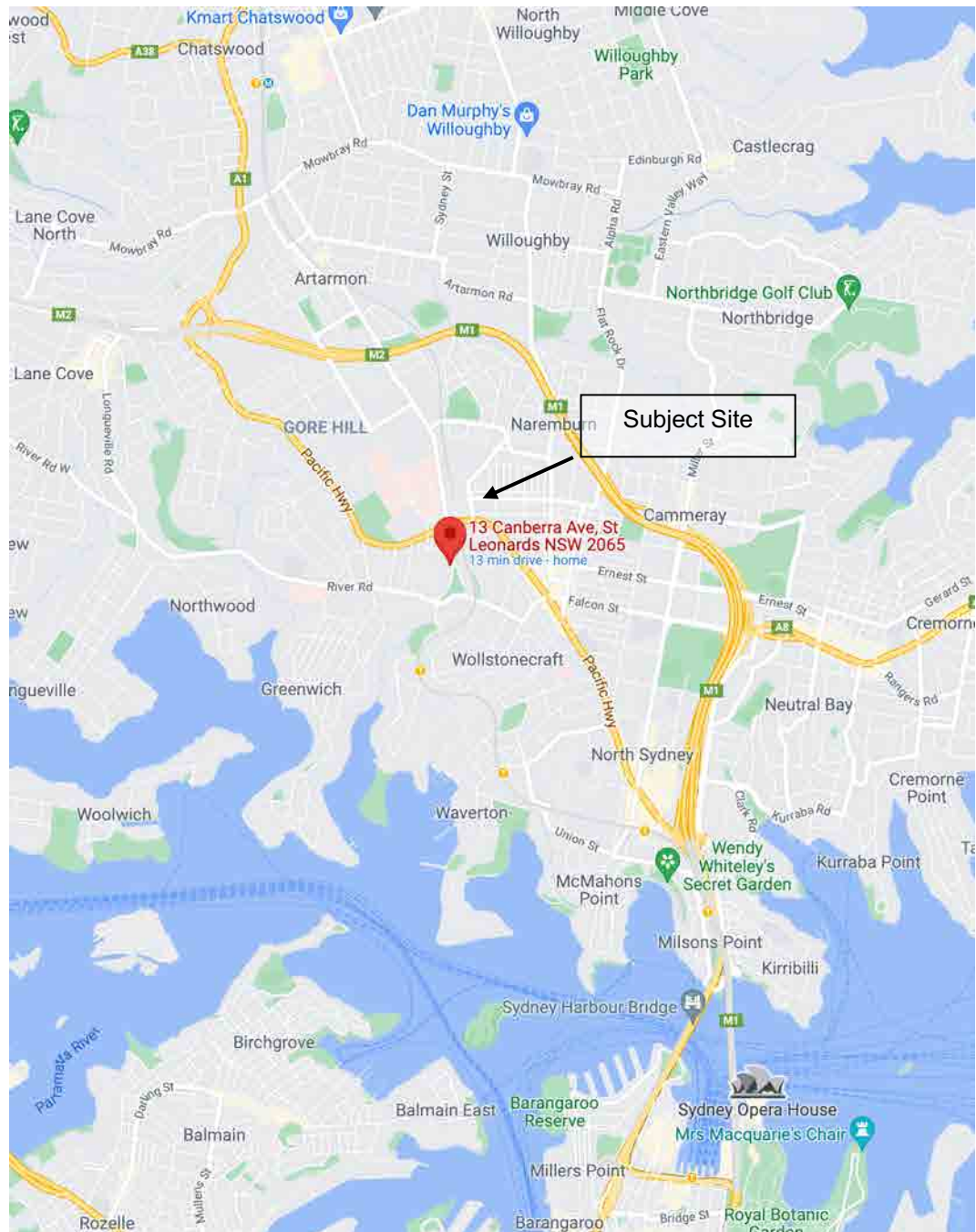
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- Operational Waste Management Plan prepared by Elephants Foot;
 - Construction and Demolition Waste Management Plan prepared by Elephants Foot;
 - Construction Traffic Management Plan prepared by SBMG Planning;
 - Public Art Strategy prepared by UAP;
 - Cost Report prepared by Mitchell Brandtman;



Aerial Photograph

Source: RPData 2021

2.0 The Site and Context



Location Plan
GoogleMaps 2021

The site is located on the western side of Canberra Avenue, south of its intersection with Marshall Avenue and west of Duntroon Avenue. The site

comprises the amalgamation of four residential allotments with frontage to Canberra Avenue in the east. The site is known as 13 - 19 Canberra Avenue, St Leonards South. It has a total site area of 2,629.2m² and is regular in shape. The site is known as Lots 11, 12, 13, & 14 Sec 3 DP 7259. The site features four brick and tile roofed dwelling houses being 13, 15, 17 and 19 Canberra Avenue.

The site has a frontage of 61.08m to Canberra Avenue (east) and a common western boundary of 60.96m. The common northern boundary is approximately 41.37m and the common southern boundary is approximately 44.89m. The site falls from north to south by approximately 6.83m (RL65.10 to RL58.27).



5m Contour Overlay

Source: RPData 2021



5m Contour Overlay
Source: RPData 2021



13 Canberra Avenue



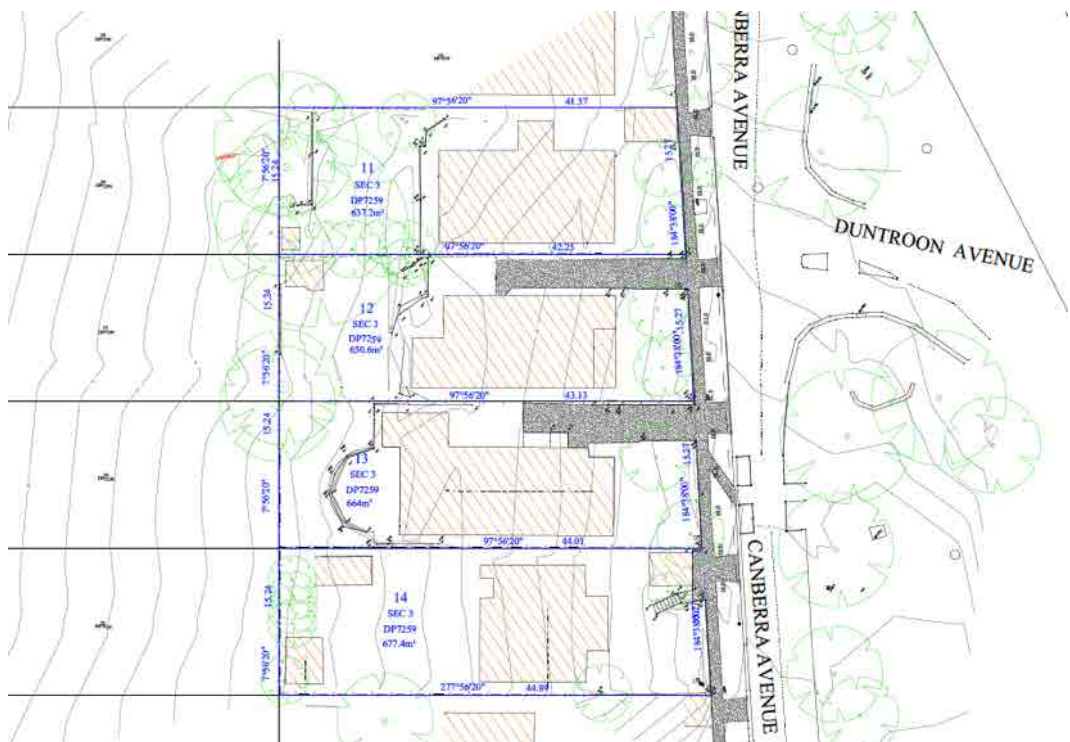
15 Canberra Avenue



17 Canberra Avenue



19 Canberra Avenue



Survey Extract Source: DSP Surveyors 2020

Existing vegetation on the site includes large mature trees and shrubs on the street frontage and around the periphery of the site. The area has recently been rezoned R4 High Density and has been subject to the Plan for St Leonards South illustrates a unified and over-arching plan for the area. It combines and details the actions and directions identified in the St Leonards South DCP and Landscape Masterplan 2020. The plans focus on improving connectivity across and between the area of St Leonards South through a network of green streets, activity areas and public spaces. The desired future character of the St Leonards South Precinct is for a liveable, walkable, connected, safe, Precinct which builds upon the transit and land use opportunities of St Leonards and Metro Stations and commercial centre.

The area is in transition towards a desired future character which is reflected in the planning instruments and recently constructed developments. Recently constructed residential flat buildings adjoin the site to the north, east and south-east.

The dwellings adjoining the subject site to the south and west with frontage to Canberra Avenue and Holdsworth Avenue are currently under demolition and subject to a development application for the site known as 21 – 41 Canberra Avenue and 18 – 32 Holdsworth Avenue, St Leonards.



21 Canberra Avenue

The development application on the site at 21 – 41 Canberra Avenue and 18 – 32 Holdsworth Avenue, St Leonards seeks approval for the demolition and site preparation works and the construction of five residential flat buildings (ranging in height from 6 to 10 storeys) comprising a total of 319 residential apartments and 10 terraces fronting Canberra Avenue. The application includes a 2,500m² communal garden (with tree removal and replacement planting and associated landscape works including the provision of a through-site link connecting Canberra Avenue and Holdsworth Avenue) and roof terraces. The proposal includes a 4 storey split basement with a total of 372 car parks and vehicular access is provided from Canberra Avenue via a single egress/ingress point.



21 – 41 Canberra Avenue and 18 – 32 Holdsworth Avenue, St Leonards
Source: RPData 2021



21 – 41 Canberra Avenue and 18 – 32 Holdsworth Avenue, St Leonards
Source: Bates Smart SEPP 65 Report 2021

The surrounding development relates to the broader residential suburb of Lane Cove and typically comprises low scale detached residential dwellings with high rise residential flat buildings to the north and east.



1 Marshall Avenue north of the subject site



1 Marshall Avenue ground plane, north of the subject site



2 Duntroon Avenue east of the subject site



View north on Canberra Avenue

The development to the immediate north relates to two residential dwellings located at 11 Canberra Avenue and 8 Holdsworth Avenue. The dwelling at 11 Canberra Avenue is single storey and is orientated east-

west away from the site. It is setback from the northern common boundary shared with the site. These dwellings fall within the bounds of the St Leonards South Precinct and will be redeveloped in the near future for medium to large scale residential flat buildings.



11 Canberra Avenue north of the subject site.

The dwelling at 8 Holdsworth Avenue is single storey and is orientated east-west away from the site. It is setback from the northern common boundary shared with the site. These dwellings fall within the bounds of the St Leonards South Precinct and will be redeveloped in the near future for medium to large scale residential flat buildings.



8 Holdsworth Avenue north-west of the subject site.

The development to the immediate west comprises four residential dwellings located at 10 - 16 Holdsworth Avenue. The dwellings are single storey and are orientated east-west and share a common boundary with the subject site. The dwellings are setback from the western common boundary shared with the site. These dwellings fall within the bounds of the St Leonards South Precinct and will be redeveloped in the near future for medium to large scale residential flat buildings.



10 - 16 Holdsworth Avenue

The development to the south-east comprises Newlands Park. Newlands Park is an open space area that incorporates play equipment and pedestrian paths of travel that link to Duntroon Avenue and River Road. It features natural landscaping comprising predominantly canopy tree planting. Beyond Newlands Park, Duntroon Avenue supports a range of contemporary multi-storey residential flat buildings addressing the park.



Newlands Park to the south-east of the subject site



Newlands Park to the south-east of the subject site adjoining River Road

3.0 Proposed Development

The proposal seeks approval for demolition of 4 existing dwellings and construction of a new public east west pedestrian link and mixed use residential development at 13-19 Canberra Avenue, St Leonards comprising:

- 84 residential apartments including:
 - 1 x studio
 - 26 x one bedroom units
 - 28 x two bedroom units
 - 29 x three bedroom units
- 4 levels of basement car parking including:
 - 19 x childcare car spaces
 - 2 x car share spaces
 - 1 x restaurant/cafe car space
 - 17 x residential visitor car spaces
 - 95 x residential car spaces
 - 10 x motorcycle spaces
 - 30 x bicycle spaces
- Vehicular access off Canberra Avenue
- Communal residential rooftop terrace space
- Communal residential facilities
- Solar PV panels at the rooftop
- Childcare centre for 60 children including outdoor play area
- Community facility
- Ground floor restaurant/cafe space
- Tree removal
- Stratum and strata subdivision

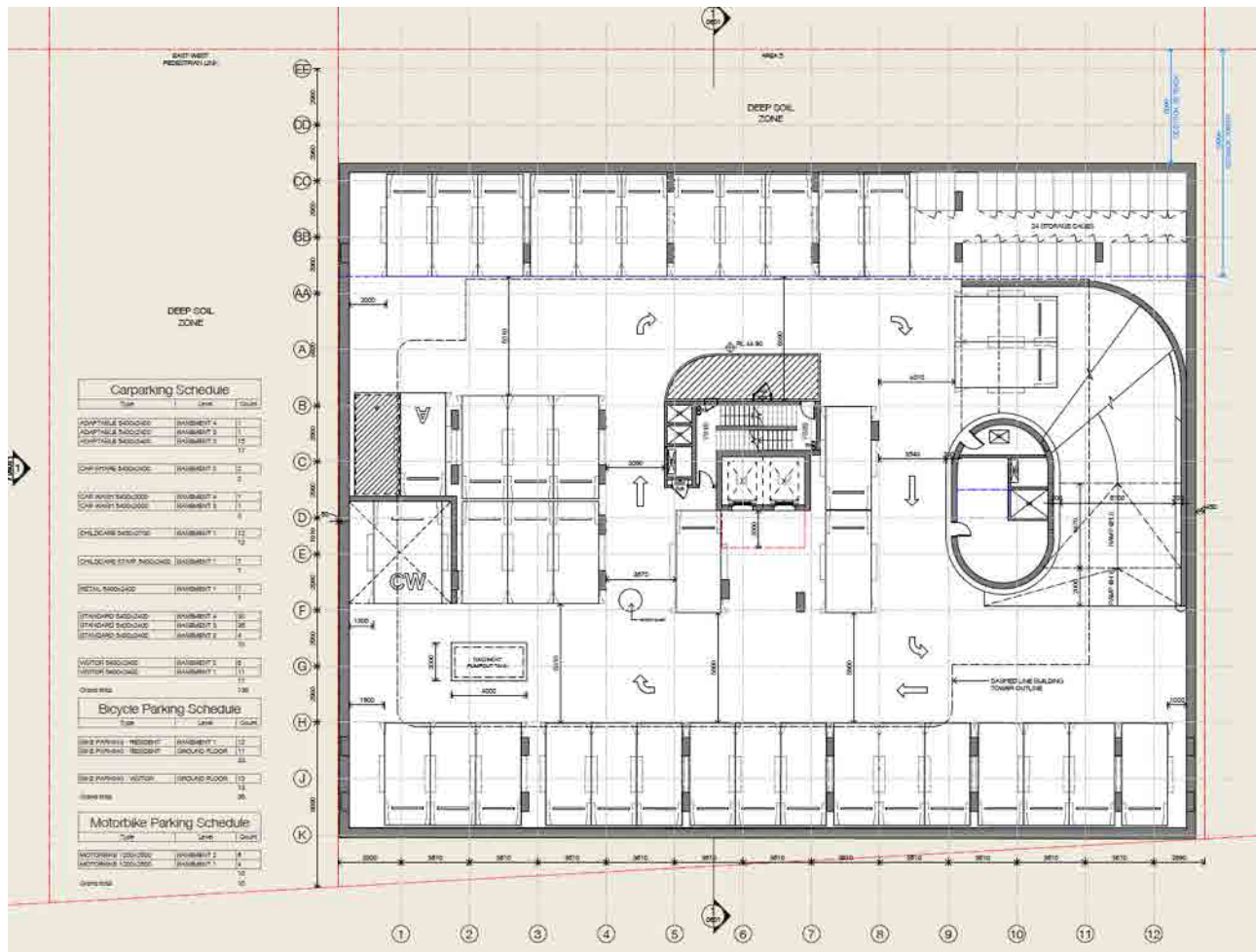


Photomontage 13 – 19 Canberra Avenue, St Leonards: View North-west

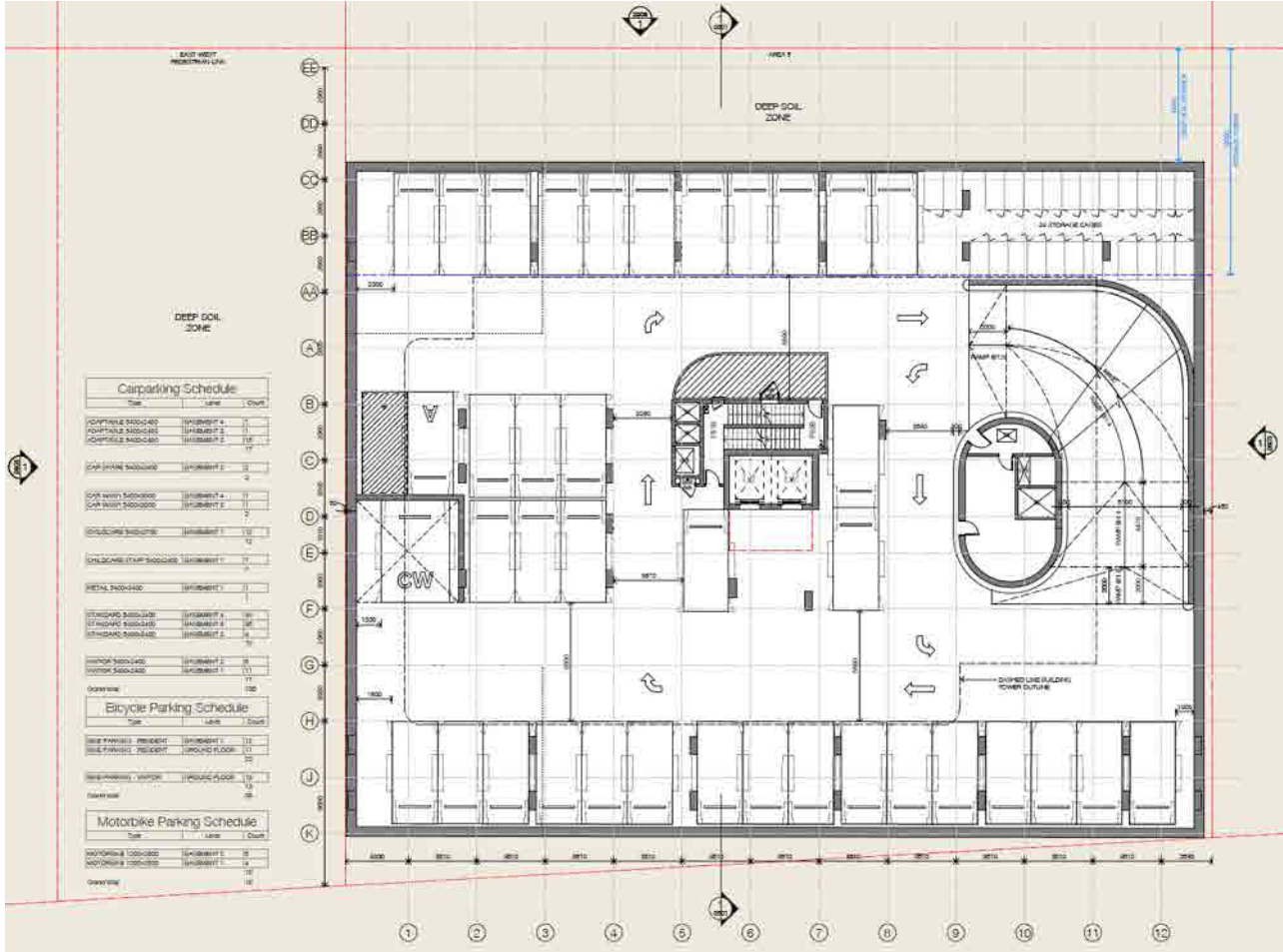


Photomontage 13 – 19 Canberra Avenue, St Leonards Green Spine: View North

Basement Level 4



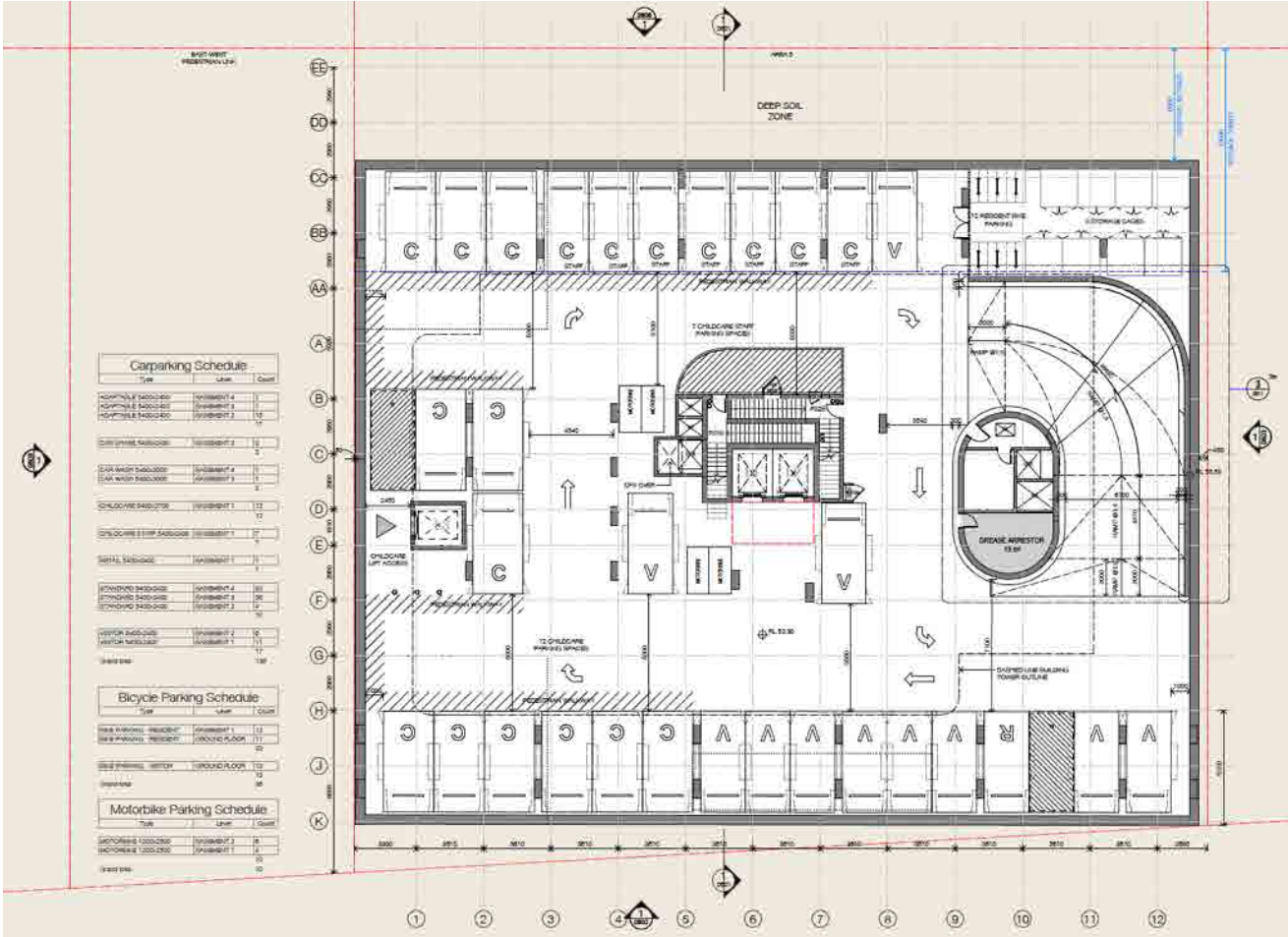
- RL44.90;
- Lifts to levels above;
- Stairs to levels above;
- 24 x Resident storage cages;
- Basement pumpout;
- Ramp to levels above;
- Parking;
 - 38 x Residents parking spaces;
 - 1 x Accessible;
 - 1 x Car wash;



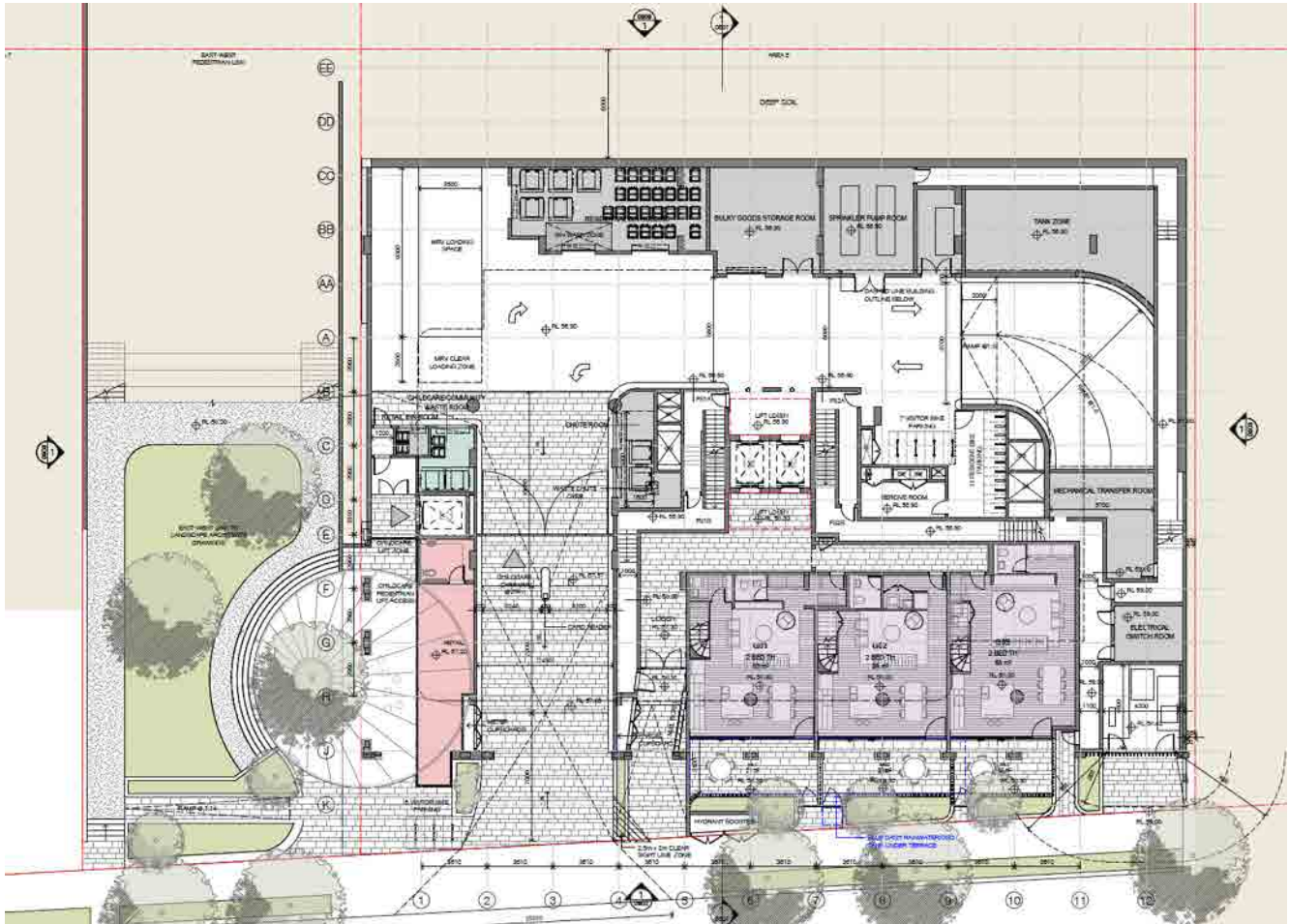
- RL47.90;
- Lifts to levels above and below;
- Stairs to levels above and below;
- 24 x Resident storage cages;
- Ramp to levels above and below;
- Parking;
 - 36 x Residents parking spaces;
 - 1 x Accessible;
 - 1 x Car wash;



- 26



Ground Floor Plan

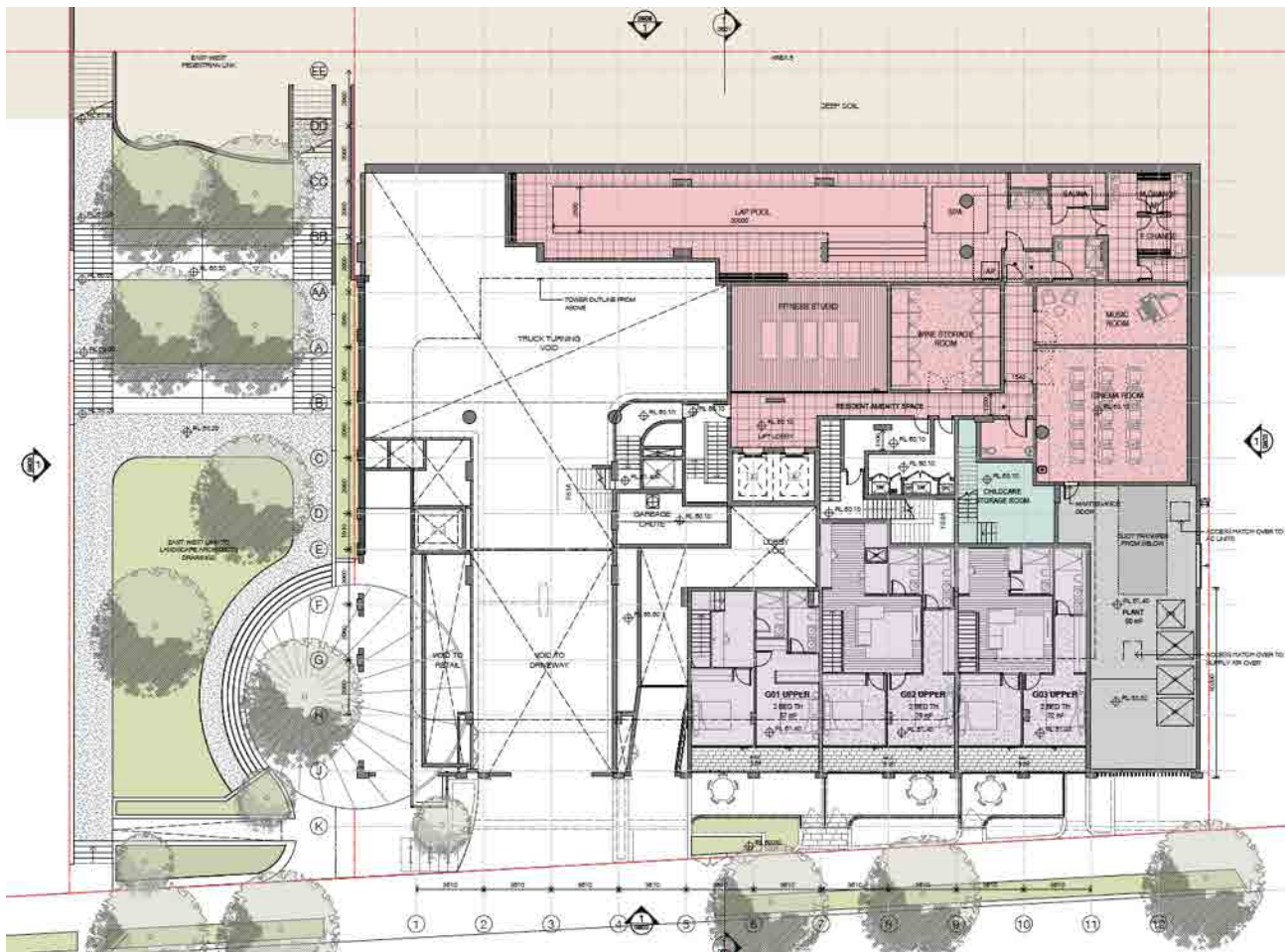


- RL56.90 – RL58.30;
 - East-west pedestrian link;
 - Restaurant/cafe;
 - Restaurant/cafe bin room;
 - 6 x Bicycle spaces;
 - Childcare lift access;
 - Childcare bin room;
 - Vehicular access;
 - Waste chute;
 - Bin holding room;
 - Bin wash zone;
 - MRV Loading space;
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-
- Bulky goods storage;
 - Sprinkler pump room;
 - Tank zone;
 - Bicycle parking;
 - 11 x resident spaces;
 - 7 x visitor spaces;
 - Service rooms;
 - Electrical switch room;
 - Ramp to levels above and below;
 - Substation;
 - Lift lobby;
 - Lifts to levels above and below;
 - Stairs to levels above and below;
 - G01
 - Lower level;
 - 2 bed, two storey townhouse;
 - Street entry;
 - Courtyard (21m²);
 - Living;
 - Kitchen;
 - Dining;
 - Powder room;
 - Laundry;
 - Internal entry;
 - Stairs to level above;
 - G02
 - Lower level;
 - 2 bed, two storey townhouse;
 - Street entry;
 - Courtyard (22m²);
 - Living;
 - Kitchen;
 - Dining;
 - Powder room;
 - Laundry;
 - Internal entry;
-

-
- Stairs to level above;
 - G03
 - Lower level;
 - 2 bed, two storey townhouse;
 - Street entry;
 - Courtyard (16m²);
 - Living;
 - Kitchen;
 - Dining;
 - Powder room;
 - Laundry;
 - Internal entry;
 - Stairs to level above;

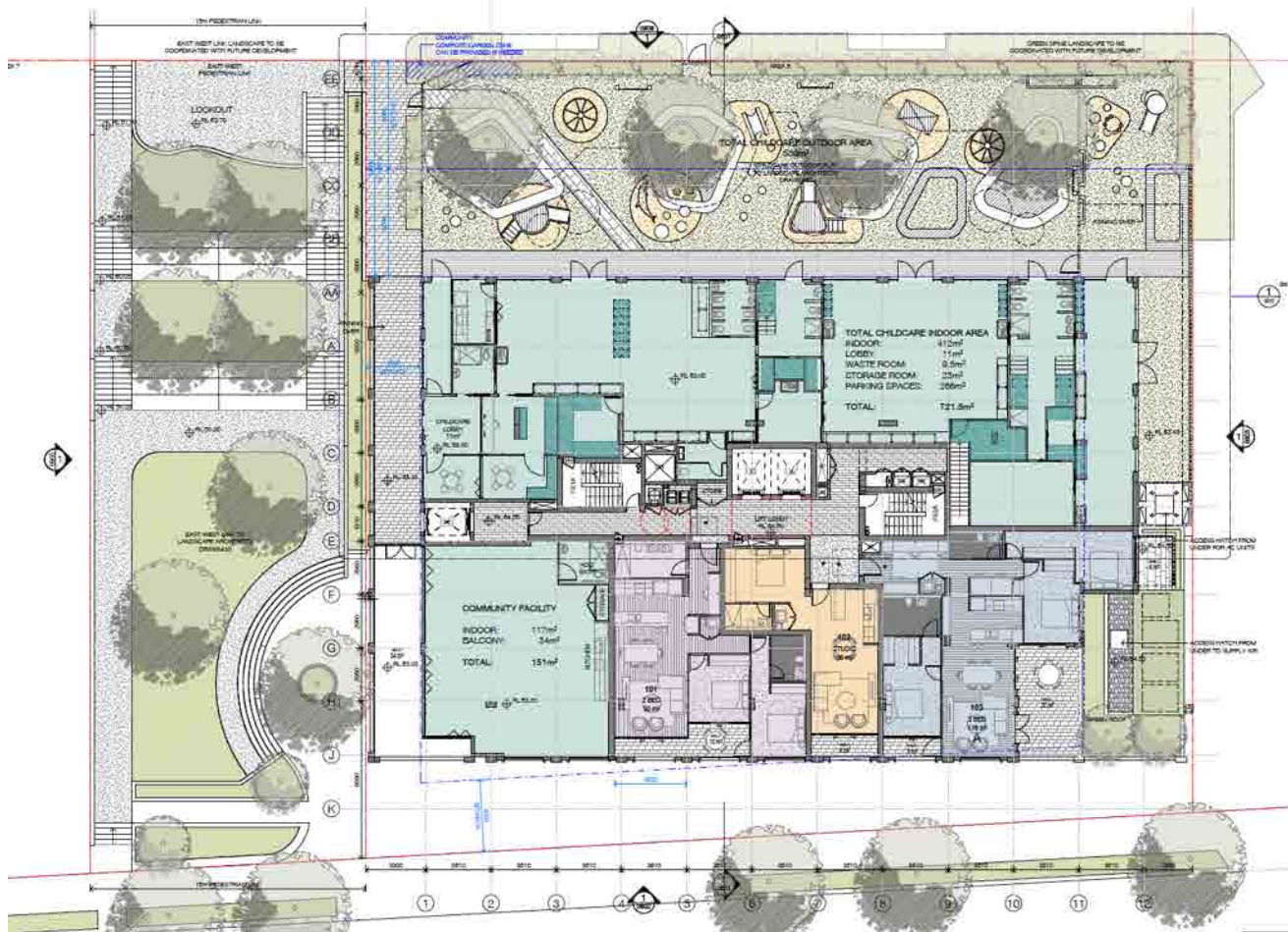
Upper Ground Floor Plan



- RL60.10;
- East-west pedestrian link;
- Waste chute;
- Childcare storage room;
- Plant room;
- Lap pool;
- Spa;
- Sauna;
- Change rooms;
- Music room;
- Cinema room;
- Wine storage;

-
- Fitness studio;
 - Lift lobby;
 - Lifts to levels above and below;
 - Stairs to levels above and below;
 - G01
 - Upper level;
 - 2 bed, two storey townhouse;
 - Balcony (9m²);
 - Bed 1;
 - En-suite;
 - Bed 2;
 - Bathroom;
 - Stairs from level below;
 - G02
 - Upper level;
 - 2 bed, two storey townhouse;
 - Balcony (9m²);
 - Bed 1;
 - En-suite;
 - Bed 2;
 - Bathroom;
 - Stairs from level below;
 - G03
 - Upper level;
 - 2 bed, two storey townhouse;
 - Balcony (9m²);
 - Bed 1;
 - En-suite;
 - Bed 2;
 - Bathroom;
 - Stairs from level below;

Floor Plan 1



- RL63.80 - RL64.50;
- East-west pedestrian link;
- Childcare (423m²) [total of 721.5m² across all levels];
 - Lobby;
 - Lift from level below;
 - Reception;
 - Office;
 - Staff amenities;
 - Indoor play 1;
 - Toilets;
 - Indoor play 2;
 - Toilets;

-
- Indoor play 3;
 - Toilets;
 - Outdoor play area (530m²);
 - Community facility (151m²);
 - Lift lobby;
 - Lifts to levels above and below;
 - Stairs to levels above and below;
 - Exit to communal open space;
 - 101
 - 2 bed unit (90m²);
 - Balcony (10m²);
 - Living;
 - Dining;
 - Kitchen;
 - Bed 1;
 - En-suite;
 - Bed 2;
 - Bathroom;
 - Laundry
 - 102
 - Studio unit (50m²);
 - Balcony (4m²);
 - Living;
 - Dining;
 - Kitchen;
 - Bed 1;
 - Bathroom;
 - Laundry;
 - 103
 - 3 bed unit (119m²);
 - Balcony (22 + 3m²);
 - Living;
 - Dining;
 - Kitchen;
 - Bed 1;
 - En-suite;
 - Bed 2;
-

-
- Bed 3;
 - Bathroom;
 - Laundry;

Floor Plan 2



- RL67.60;
- Lift lobby;
- Lifts to levels above and below;
- Stairs to levels above and below;
- 201
 - 3 bed unit (97m²);
 - Balcony (41 + 4m²);
 - Living;
 - Dining;
 - Kitchen;
 - Bed 1;
 - En-suite;
 - Bed 2;
 - Bed 3;

-
- Bathroom;
 - Laundry;
 - 202
 - 1 bed unit (61m²);
 - Balcony (8m²);
 - Living;
 - Dining;
 - Kitchen;
 - Bed 1;
 - Bathroom;
 - Laundry;
 - 203
 - 1 bed unit (54m²);
 - Balcony (8m²);
 - Living;
 - Dining;
 - Kitchen;
 - Bed 1;
 - Bathroom;
 - 204
 - 2 bed unit (81m²);
 - Balcony (33 + 3m²);
 - Living;
 - Dining;
 - Kitchen;
 - Bed 1;
 - En-suite;
 - Bed 2;
 - Bathroom;
 - Laundry;
 - 205
 - 1 bed unit (65m²);
 - Balcony (12m²);
 - Living;
 - Dining;
 - Kitchen;
 - Bed 1;
-

-
- Bathroom;
 - 206
 - 2 bed unit (88m²);
 - Balcony (10m²);
 - Living;
 - Dining;
 - Kitchen;
 - Bed 1;
 - En-suite;
 - Bed 2;
 - Bathroom;
 - Laundry;
 - 207
 - 2 bed unit (95m²);
 - Balcony (8 + 3m²);
 - Living;
 - Dining;
 - Kitchen;
 - Bed 1;
 - En-suite;
 - Bed 2;
 - Bathroom;
 - Laundry;
 - 208
 - 3 bed unit (103m²);
 - Balcony (35m²);
 - Living;
 - Dining;
 - Kitchen;
 - Bed 1;
 - En-suite;
 - Bed 2;
 - Bed 3;
 - Bathroom;
 - Laundry;
-

Floor Plan 3



- RL70.70;
- Lift lobby;
- Lifts to levels above and below;
- Stairs to levels above and below;
- 301
 - 3 bed unit (96m²);
 - Balcony (9 + 4m²);
 - Living;
 - Dining;
 - Kitchen;
 - Bed 1;
 - En-suite;
 - Bed 2;

-
- Bed 3;
 - Bathroom;
 - Laundry;
 - 302
 - 1 bed unit (60m²);
 - Balcony (8m²);
 - Living;
 - Dining;
 - Kitchen;
 - Bed 1;
 - Bathroom;
 - Laundry;
 - 303
 - 1 bed unit (54m²);
 - Balcony (8m²);
 - Living;
 - Dining;
 - Kitchen;
 - Bed 1;
 - Bathroom;
 - 304
 - 2 bed unit (80m²);
 - Balcony (8 + 3m²);
 - Living;
 - Dining;
 - Kitchen;
 - Bed 1;
 - En-suite;
 - Bed 2;
 - Bathroom;
 - Laundry;
 - 305
 - 1 bed unit (56m²);
 - Balcony (8m²);
 - Living;
 - Dining;
 - Kitchen;
-

-
- Bed 1;
 - Bathroom;
 - 306
 - 2 bed unit (88m²);
 - Balcony (10m²);
 - Living;
 - Dining;
 - Kitchen;
 - Bed 1;
 - En-suite;
 - Bed 2;
 - Bathroom;
 - Laundry;
 - 307
 - 2 bed unit (95m²);
 - Balcony (8 + 3m²);
 - Living;
 - Dining;
 - Kitchen;
 - Bed 1;
 - En-suite;
 - Bed 2;
 - Bathroom;
 - Laundry;
 - 308
 - 3 bed unit (103m²);
 - Balcony (8 + 4m²);
 - Living;
 - Dining;
 - Kitchen;
 - Bed 1;
 - En-suite;
 - Bed 2;
 - Bed 3;
 - Bathroom;
 - Laundry;
-

Floor Plan 4



- RL73.80;
- Lift lobby;
- Lifts to levels above and below;
- Stairs to levels above and below;
- 401
 - 3 bed unit (96m²);
 - Balcony (9 + 4m²);
 - Living;
 - Dining;
 - Kitchen;
 - Bed 1;
 - En-suite;

-
- Bed 2;
 - Bed 3;
 - Bathroom;
 - Laundry;
 - 402
 - 1 bed unit (60m²);
 - Balcony (8m²);
 - Living;
 - Dining;
 - Kitchen;
 - Bed 1;
 - Bathroom;
 - Laundry;
 - 403
 - 1 bed unit (54m²);
 - Balcony (8m²);
 - Living;
 - Dining;
 - Kitchen;
 - Bed 1;
 - Bathroom;
 - 404
 - 2 bed unit (80m²);
 - Balcony (8 + 3m²);
 - Living;
 - Dining;
 - Kitchen;
 - Bed 1;
 - En-suite;
 - Bed 2;
 - Bathroom;
 - Laundry;
 - 405
 - 1 bed unit (56m²);
 - Balcony (8m²);
 - Living;
 - Dining;
-

-
- Kitchen;
 - Bed 1;
 - Bathroom;
 - 406
 - 3 bed unit (111m²);
 - Balcony (44m²);
 - Living;
 - Dining;
 - Kitchen;
 - Bed 1;
 - En-suite;
 - Bed 2;
 - Bed 3;
 - Bathroom;
 - Laundry;
 - 407
 - 3 bed unit (112m²);
 - Balcony (33m²);
 - Living;
 - Dining;
 - Kitchen;
 - Bed 1;
 - En-suite;
 - Bed 2;
 - Bed 3;
 - Bathroom;
 - Laundry;

Floor Plan 5



- RL76.90;
- Lift lobby;
- Lifts to levels above and below;
- Stairs to levels above and below;
- 501
 - 3 bed unit (96m²);
 - Balcony (9 + 4m²);
 - Living;
 - Dining;
 - Kitchen;
 - Bed 1;
 - En-suite;
 - Bed 2;

-
- Bed 3;
 - Bathroom;
 - Laundry;
 - 502
 - 1 bed unit (60m²);
 - Balcony (8m²);
 - Living;
 - Dining;
 - Kitchen;
 - Bed 1;
 - Bathroom;
 - Laundry;
 - 503
 - 1 bed unit (54m²);
 - Balcony (8m²);
 - Living;
 - Dining;
 - Kitchen;
 - Bed 1;
 - Bathroom;
 - 504
 - 2 bed unit (80m²);
 - Balcony (8 + 3m²);
 - Living;
 - Dining;
 - Kitchen;
 - Bed 1;
 - En-suite;
 - Bed 2;
 - Bathroom;
 - Laundry;
 - 505
 - 1 bed unit (56m²);
 - Balcony (8m²);
 - Living;
 - Dining;
 - Kitchen;
-

-
- Bed 1;
 - Bathroom;
 - 506
 - 3 bed unit (110m²);
 - Balcony (13m²);
 - Living;
 - Dining;
 - Kitchen;
 - Bed 1;
 - En-suite;
 - Bed 2;
 - Bed 3;
 - Bathroom;
 - Laundry;
 - 507
 - 3 bed unit (112m²);
 - Balcony (12m²);
 - Living;
 - Dining;
 - Kitchen;
 - Bed 1;
 - En-suite;
 - Bed 2;
 - Bed 3;
 - Bathroom;
 - Laundry;

Floor Plan 6



- RL80.00;
- Lift lobby;
- Lifts to levels above and below;
- Stairs to levels above and below;
- 601
 - 3 bed unit (96m²);
 - Balcony (9 + 4m²);
 - Living;
 - Dining;
 - Kitchen;
 - Bed 1;
 - En-suite;
 - Bed 2;

-
- Bed 3;
 - Bathroom;
 - Laundry;
 - 602
 - 1 bed unit (60m²);
 - Balcony (8m²);
 - Living;
 - Dining;
 - Kitchen;
 - Bed 1;
 - Bathroom;
 - Laundry;
 - 603
 - 1 bed unit (54m²);
 - Balcony (8m²);
 - Living;
 - Dining;
 - Kitchen;
 - Bed 1;
 - Bathroom;
 - 604
 - 2 bed unit (80m²);
 - Balcony (8 + 3m²);
 - Living;
 - Dining;
 - Kitchen;
 - Bed 1;
 - En-suite;
 - Bed 2;
 - Bathroom;
 - Laundry;
 - 605
 - 1 bed unit (56m²);
 - Balcony (8m²);
 - Living;
 - Dining;
 - Kitchen;
-

-
- Bed 1;
 - Bathroom;
 - 606
 - 3 bed unit (110m²);
 - Balcony (13m²);
 - Living;
 - Dining;
 - Kitchen;
 - Bed 1;
 - En-suite;
 - Bed 2;
 - Bed 3;
 - Bathroom;
 - Laundry;
 - 607
 - 3 bed unit (112m²);
 - Balcony (12m²);
 - Living;
 - Dining;
 - Kitchen;
 - Bed 1;
 - En-suite;
 - Bed 2;
 - Bed 3;
 - Bathroom;
 - Laundry;

Floor Plan 7



- RL83.10;
- Lift lobby;
- Lifts to levels above and below;
- Stairs to levels above and below;
- 701
 - 3 bed unit (96m²);
 - Balcony (9 + 4m²);
 - Living;
 - Dining;
 - Kitchen;
 - Bed 1;
 - En-suite;
 - Bed 2;

-
- Bed 3;
 - Bathroom;
 - Laundry;
 - 702
 - 1 bed unit (60m²);
 - Balcony (8m²);
 - Living;
 - Dining;
 - Kitchen;
 - Bed 1;
 - Bathroom;
 - Laundry;
 - 703
 - 1 bed unit (54m²);
 - Balcony (8m²);
 - Living;
 - Dining;
 - Kitchen;
 - Bed 1;
 - Bathroom;
 - 704
 - 2 bed unit (80m²);
 - Balcony (8 + 3m²);
 - Living;
 - Dining;
 - Kitchen;
 - Bed 1;
 - En-suite;
 - Bed 2;
 - Bathroom;
 - Laundry;
 - 705
 - 1 bed unit (56m²);
 - Balcony (8m²);
 - Living;
 - Dining;
 - Kitchen;
-

-
- Bed 1;
 - Bathroom;
 - 706
 - 3 bed unit (110m²);
 - Balcony (13m²);
 - Living;
 - Dining;
 - Kitchen;
 - Bed 1;
 - En-suite;
 - Bed 2;
 - Bed 3;
 - Bathroom;
 - Laundry;
 - 707
 - 3 bed unit (112m²);
 - Balcony (12m²);
 - Living;
 - Dining;
 - Kitchen;
 - Bed 1;
 - En-suite;
 - Bed 2;
 - Bed 3;
 - Bathroom;
 - Laundry;

Floor Plan 8



- RL86.20;
- Lift lobby;
- Lifts to levels above and below;
- Stairs to levels above and below;
- 801
 - 3 bed unit (97m²);
 - Balcony (9 + 4m²);
 - Living;
 - Dining;
 - Kitchen;
 - Bed 1;
 - En-suite;
 - Bed 2;
 - Bed 3;

-
- Bathroom;
 - Laundry;
 - 802
 - 1 bed unit (60m²);
 - Balcony (8m²);
 - Living;
 - Dining;
 - Kitchen;
 - Bed 1;
 - Bathroom;
 - Laundry;
 - 803
 - 1 bed unit (54m²);
 - Balcony (8m²);
 - Living;
 - Dining;
 - Kitchen;
 - Bed 1;
 - Bathroom;
 - 804
 - 2 bed unit (81m²);
 - Balcony (8 + 3m²);
 - Living;
 - Dining;
 - Kitchen;
 - Bed 1;
 - En-suite;
 - Bed 2;
 - Bathroom;
 - Laundry;
 - 805
 - 2 bed unit (87m²);
 - Balcony (10m²);
 - Living;
 - Dining;
 - Kitchen;
 - Bed 1;
-

-
- En-suite;
 - Bed 2;
 - Bathroom;
 - Laundry;
 - 806
 - 2 bed unit (79m²);
 - Balcony (8 + 3m²);
 - Living;
 - Dining;
 - Kitchen;
 - Bed 1;
 - En-suite;
 - Bed 2;
 - Bathroom;
 - Laundry;
 - 807
 - 3 bed unit (112m²);
 - Balcony (12m²);
 - Living;
 - Dining;
 - Kitchen;
 - Bed 1;
 - En-suite;
 - Bed 2;
 - Bed 3;
 - Bathroom;
 - Laundry;
-

Floor Plan 9



- RL89.30;
- Lift lobby;
- Lifts to levels above and below;
- Stairs to levels above and below;
- 901
 - 3 bed unit (97m²);
 - Balcony (9 + 4m²);
 - Living;
 - Dining;
 - Kitchen;
 - Bed 1;
 - En-suite;
 - Bed 2;
 - Bed 3;

-
- Bathroom;
 - Laundry;
 - 902
 - 1 bed unit (60m²);
 - Balcony (8m²);
 - Living;
 - Dining;
 - Kitchen;
 - Bed 1;
 - Bathroom;
 - Laundry;
 - 903
 - 1 bed unit (54m²);
 - Balcony (8m²);
 - Living;
 - Dining;
 - Kitchen;
 - Bed 1;
 - Bathroom;
 - 904
 - 2 bed unit (81m²);
 - Balcony (8 + 3m²);
 - Living;
 - Dining;
 - Kitchen;
 - Bed 1;
 - En-suite;
 - Bed 2;
 - Bathroom;
 - Laundry;
 - 905
 - 2 bed unit (87m²);
 - Balcony (10m²);
 - Living;
 - Dining;
 - Kitchen;
 - Bed 1;
-

-
- En-suite;
 - Bed 2;
 - Bathroom;
 - Laundry;
 - 906
 - 2 bed unit (79m²);
 - Balcony (8 + 3m²);
 - Living;
 - Dining;
 - Kitchen;
 - Bed 1;
 - En-suite;
 - Bed 2;
 - Bathroom;
 - Laundry;
 - 907
 - 3 bed unit (112m²);
 - Balcony (12m²);
 - Living;
 - Dining;
 - Kitchen;
 - Bed 1;
 - En-suite;
 - Bed 2;
 - Bed 3;
 - Bathroom;
 - Laundry;

Floor Plan 10



- RL92.40;
- Lift lobby;
- Lifts to levels above and below;
- Stairs to levels above and below;
- 1001
 - 3 bed unit (97m²);
 - Balcony (9 + 4m²);
 - Living;
 - Dining;
 - Kitchen;
 - Bed 1;
 - En-suite;
 - Bed 2;
 - Bed 3;

-
- Bathroom;
 - Laundry;
 - 1002
 - 1 bed unit (60m²);
 - Balcony (8m²);
 - Living;
 - Dining;
 - Kitchen;
 - Bed 1;
 - Bathroom;
 - Laundry;
 - 1003
 - 1 bed unit (54m²);
 - Balcony (8m²);
 - Living;
 - Dining;
 - Kitchen;
 - Bed 1;
 - Bathroom;
 - 1004
 - 2 bed unit (81m²);
 - Balcony (8 + 3m²);
 - Living;
 - Dining;
 - Kitchen;
 - Bed 1;
 - En-suite;
 - Bed 2;
 - Bathroom;
 - Laundry;
 - 1005
 - 2 bed unit (87m²);
 - Balcony (10m²);
 - Living;
 - Dining;
 - Kitchen;
 - Bed 1;
-

-
- En-suite;
 - Bed 2;
 - Bathroom;
 - Laundry;
 - 1006
 - 2 bed unit (79m²);
 - Balcony (8 + 3m²);
 - Living;
 - Dining;
 - Kitchen;
 - Bed 1;
 - En-suite;
 - Bed 2;
 - Bathroom;
 - Laundry;
 - 1007
 - 3 bed unit (112m²);
 - Balcony (12m²);
 - Living;
 - Dining;
 - Kitchen;
 - Bed 1;
 - En-suite;
 - Bed 2;
 - Bed 3;
 - Bathroom;
 - Laundry;

Floor Plan 11

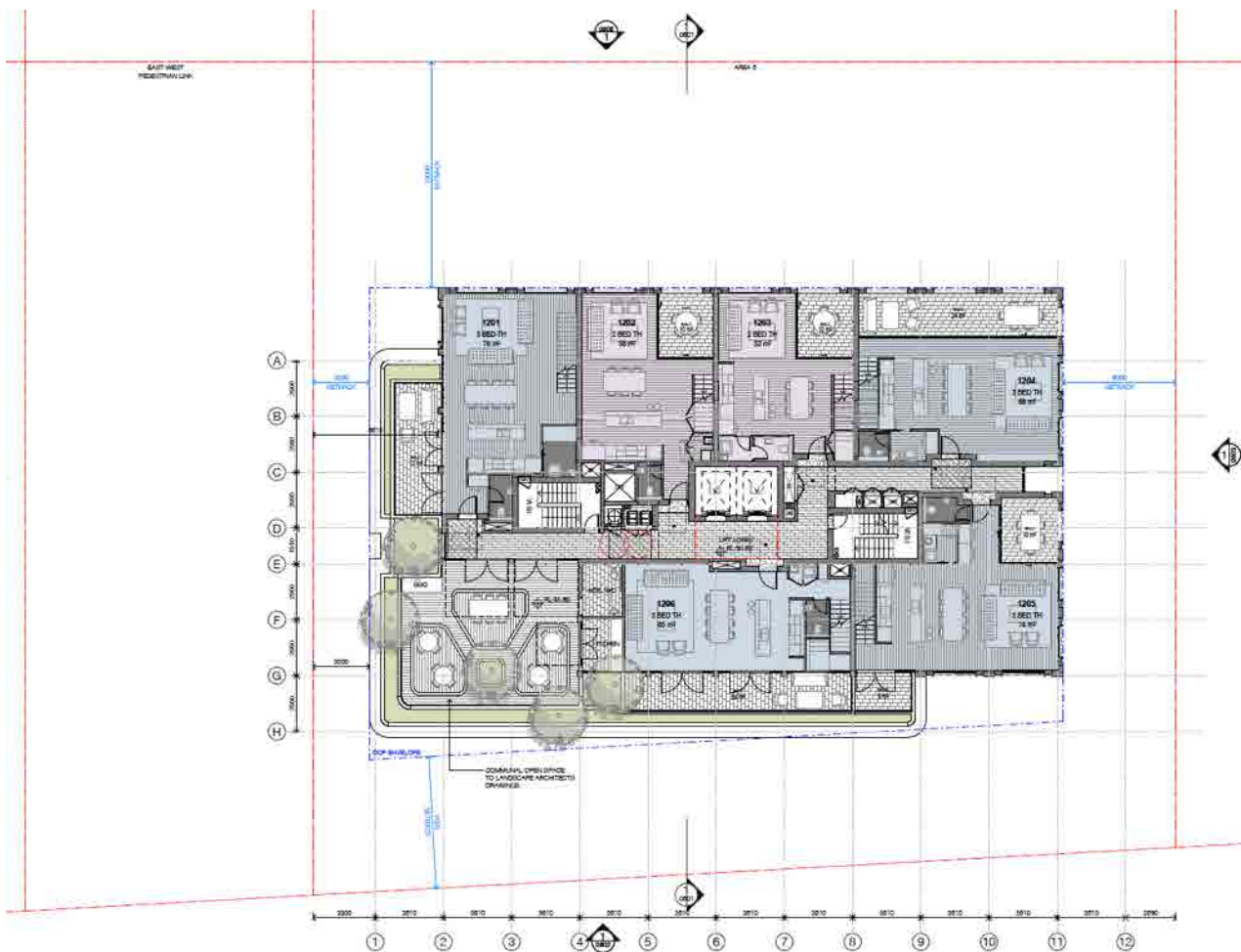


- RL95.50;
- Lift lobby;
- Lifts to levels above and below;
- Stairs to levels above and below;
- 1101
 - 3 bed unit (97m²);
 - Balcony (9 + 4m²);
 - Living;
 - Dining;
 - Kitchen;
 - Bed 1;
 - En-suite;
 - Bed 2;
 - Bed 3;

-
- Bathroom;
 - Laundry;
 - 1102
 - 1 bed unit (60m²);
 - Balcony (8m²);
 - Living;
 - Dining;
 - Kitchen;
 - Bed 1;
 - Bathroom;
 - Laundry;
 - 1103
 - 1 bed unit (54m²);
 - Balcony (8m²);
 - Living;
 - Dining;
 - Kitchen;
 - Bed 1;
 - Bathroom;
 - 1104
 - 2 bed unit (81m²);
 - Balcony (8 + 3m²);
 - Living;
 - Dining;
 - Kitchen;
 - Bed 1;
 - En-suite;
 - Bed 2;
 - Bathroom;
 - Laundry;
 - 1105
 - 2 bed unit (87m²);
 - Balcony (10m²);
 - Living;
 - Dining;
 - Kitchen;
 - Bed 1;
-

-
- En-suite;
 - Bed 2;
 - Bathroom;
 - Laundry;
 - 1106
 - 2 bed unit (79m²);
 - Balcony (8 + 3m²);
 - Living;
 - Dining;
 - Kitchen;
 - Bed 1;
 - En-suite;
 - Bed 2;
 - Bathroom;
 - Laundry;
 - 1107
 - 3 bed unit (112m²);
 - Balcony (12m²);
 - Living;
 - Dining;
 - Kitchen;
 - Bed 1;
 - En-suite;
 - Bed 2;
 - Bed 3;
 - Bathroom;
 - Laundry;

Floor Plan 12



- RL98.60;
- Lift lobby;
- Lifts to levels above and below;
- Stairs to levels above and below;
- Communal open space;
 - BBQ area;
 - Kitchen;
 - Accessible WC;
- 1201
 - 3 bed, two storey unit (76m²);
 - Balcony (17m²);
 - Living;
 - Dining;
 - Kitchen;

-
- Bathroom;
 - Laundry;
 - 1202
 - 2 bed, two storey unit (58m²);
 - Balcony (10m²);
 - Living;
 - Dining;
 - Kitchen;
 - Bathroom;
 - Laundry;
 - 1203
 - 2 bed, two storey unit (52m²);
 - Balcony (10m²);
 - Living;
 - Dining;
 - Kitchen;
 - Bathroom;
 - Laundry;
 - 1204
 - 3 bed, two storey unit (76m²);
 - Balcony (17m²);
 - Living;
 - Dining;
 - Kitchen;
 - Bathroom;
 - Laundry;
 - 1205
 - 3 bed, two storey unit (76m²);
 - Balcony (17m²);
 - Living;
 - Dining;
 - Kitchen;
 - Bathroom;
 - Laundry;
 -
 - 1206
 - 3 bed, two storey unit (76m²);
-

-
- Balcony (17m²);
 - Living;
 - Dining;
 - Kitchen;
 - Bathroom;
 - Laundry;

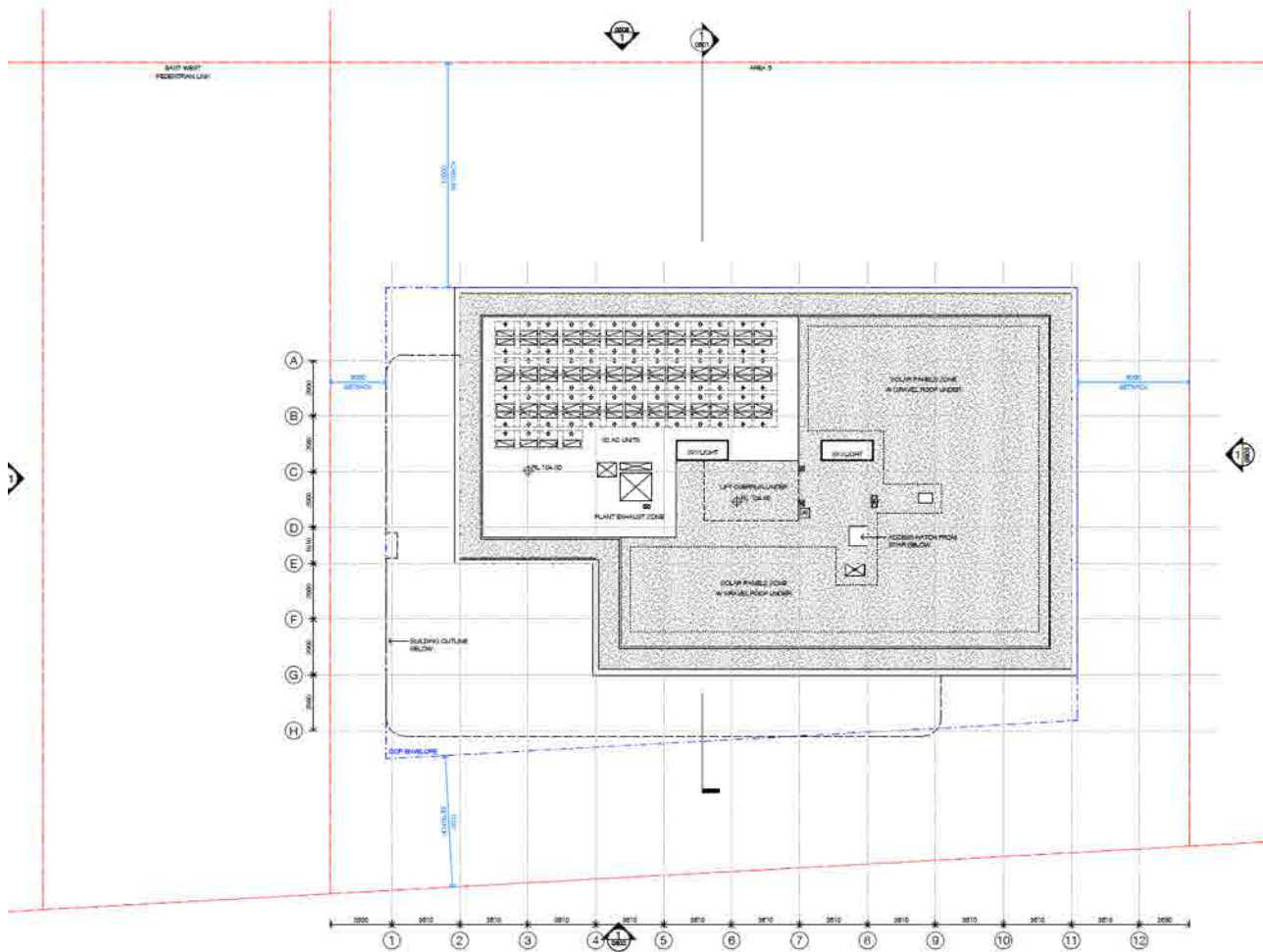
Floor Plan 13



- RL101.70;
- Lift overrun;
- Stairs to levels above and below;
 - Plant room;
- 1201
 - 3 bed, two storey unit (76m²);
 - Bed 1;
 - En-suite;
 - Bed 2;
 - Bed 3;
 - Bathroom;
 - Laundry;
- 1202
 - 2 bed, two storey unit (54m²);

-
- Balcony (4m²);
 - Bed 1;
 - Bathroom;
 - Laundry;
 - 1203
 - 2 bed, two storey unit (54m²);
 - Balcony (4m²);
 - Bed 1;
 - En-suite;
 - Bed 2;
 - Bathroom;
 - 1204
 - 3 bed, two storey unit (86m²);
 - Balcony (5m²);
 - Bed 1;
 - En-suite;
 - Bed 2;
 - Bed 3;
 - Bathroom;
 - 1205
 - 3 bed, two storey unit (82m²);
 - Balcony (6m²);
 - Bed 1;
 - En-suite;
 - Bed 2;
 - Bed 3;
 - Bathroom;
 - 1206
 - 3 bed, two storey unit (78m²);
 - Balcony (14m²);
 - Bed 1;
 - En-suite;
 - Bed 2;
 - Bed 3;
 - Bathroom;
-

Roof Plan



- RL104.80;
- Lift overrun RL104.80;
- AC units;
- Solar panels;
- Skylights;
- Plant exhaust;



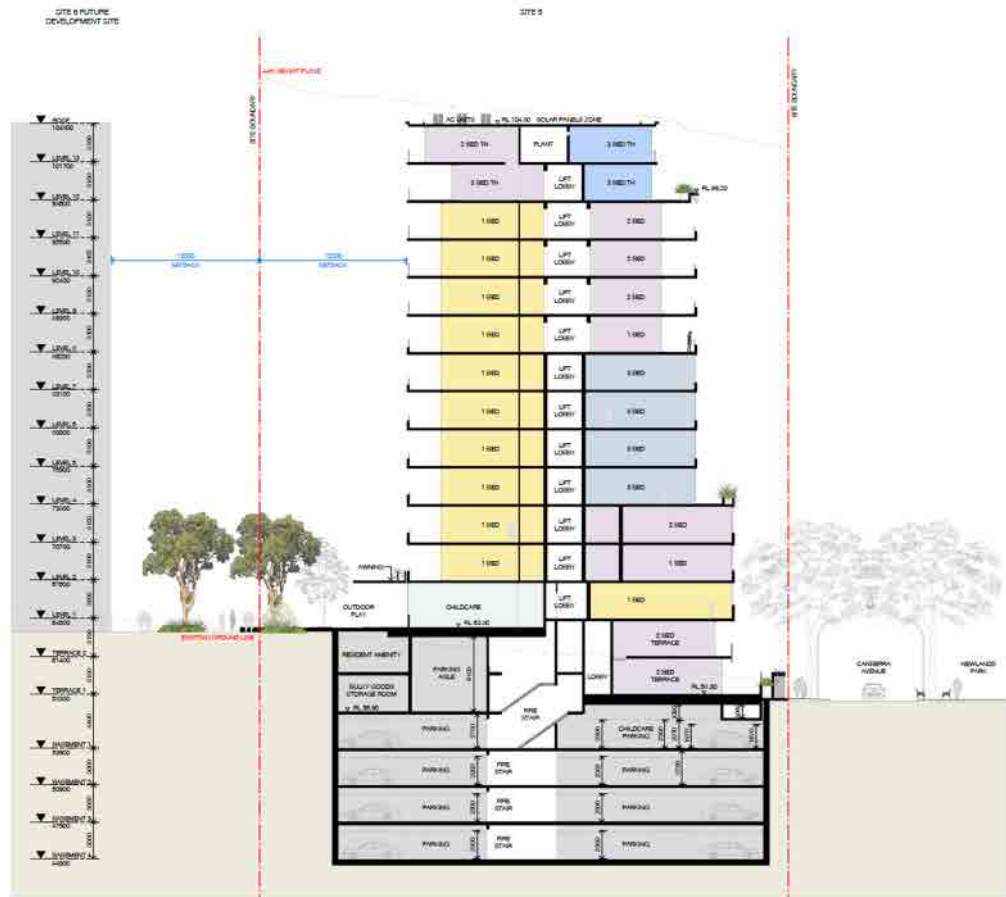
North Elevation



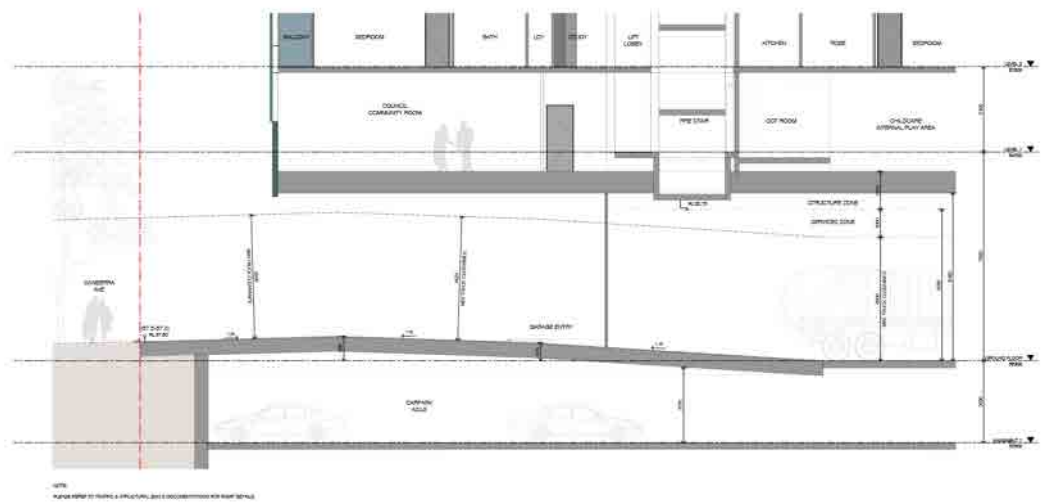
East Elevation (Canberra Avenue)



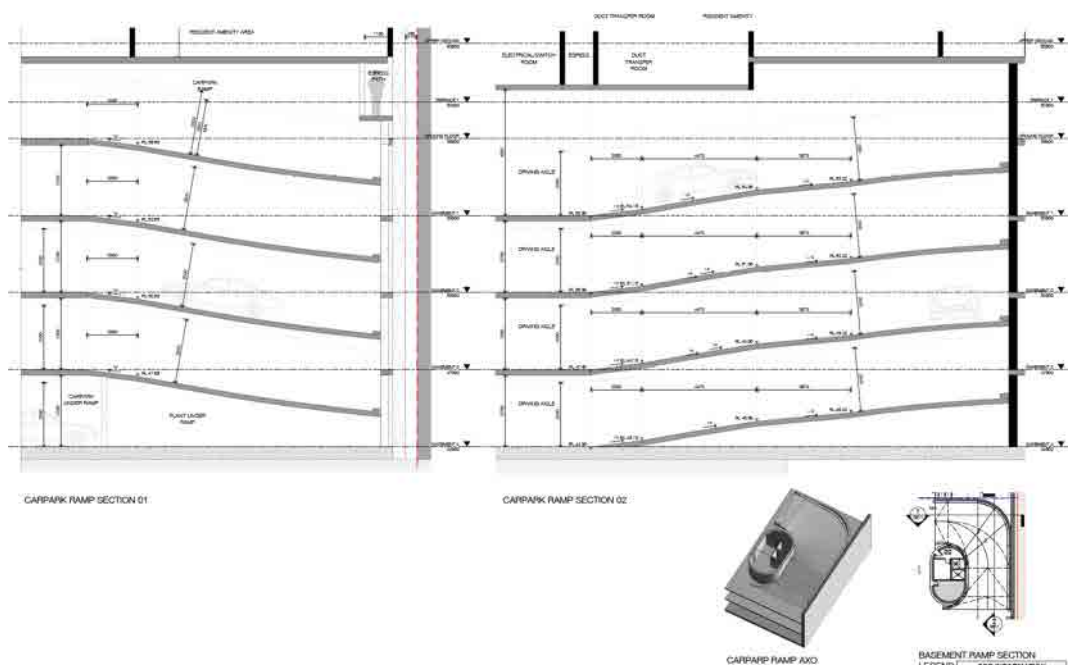
West Elevation



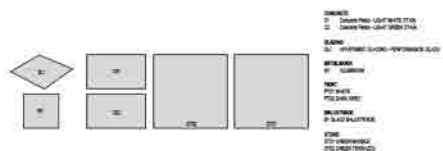
Section 1



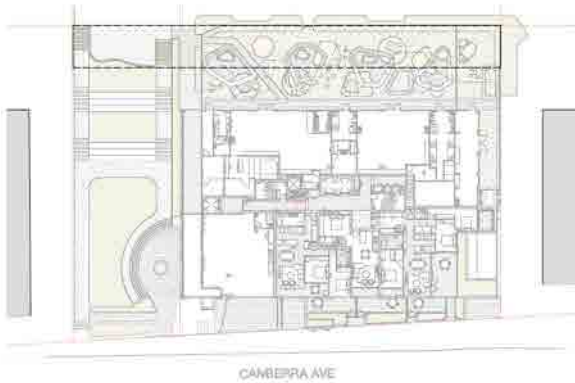
Car Park Entry Section



Car Ramp Section

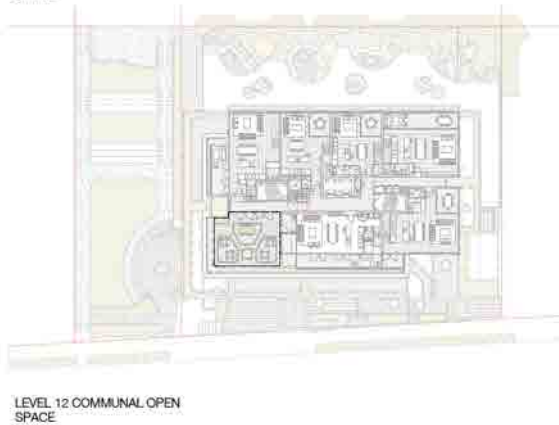


Deep Soil and Communal Open Space

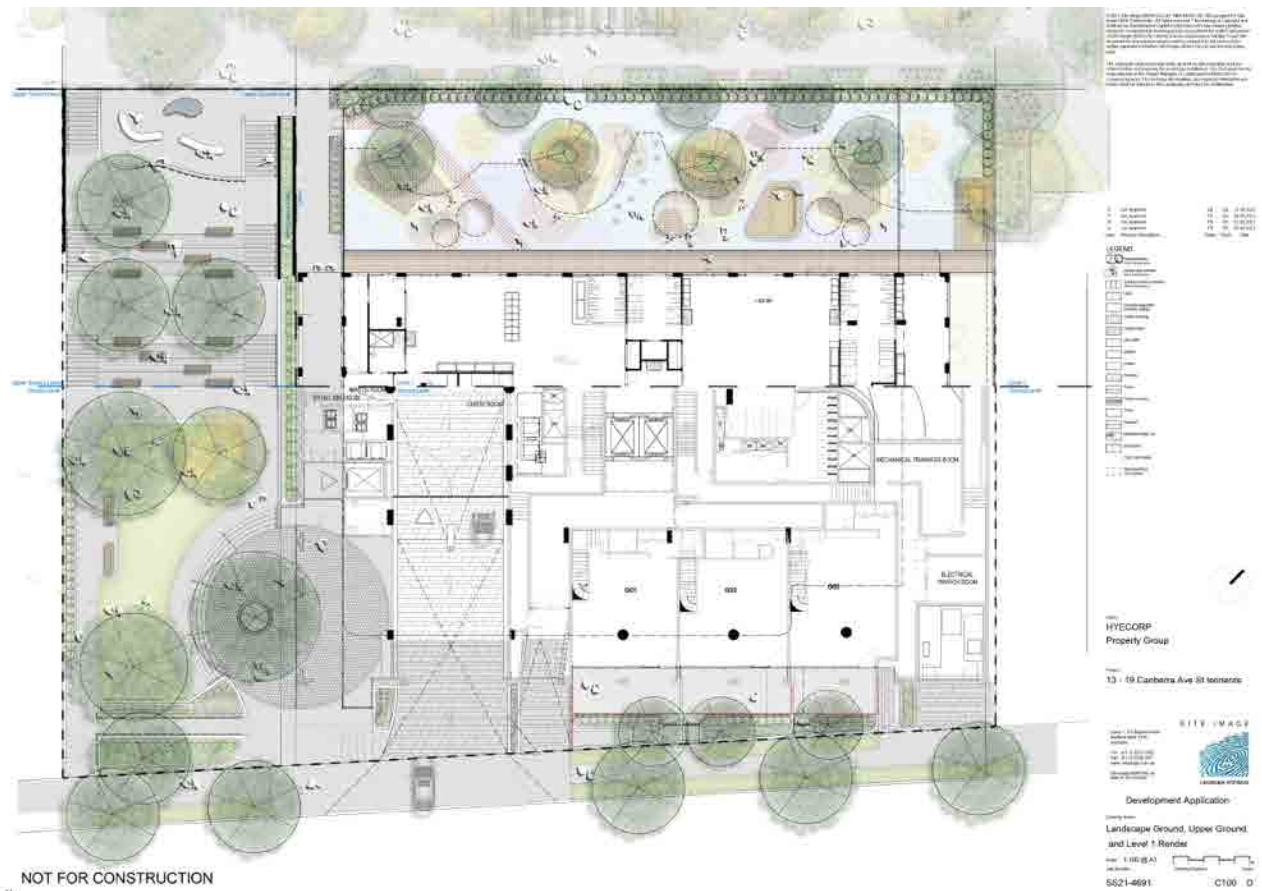


DEEP SOIL SUMMARY	
TOTAL SITE AREA	2520m ²
REQUIRED DEEP SOIL TOTAL	556.3m ²
TOTAL PROPOSED DEEP SOIL	205.7m ²
LEVEL 1	205.7m ²

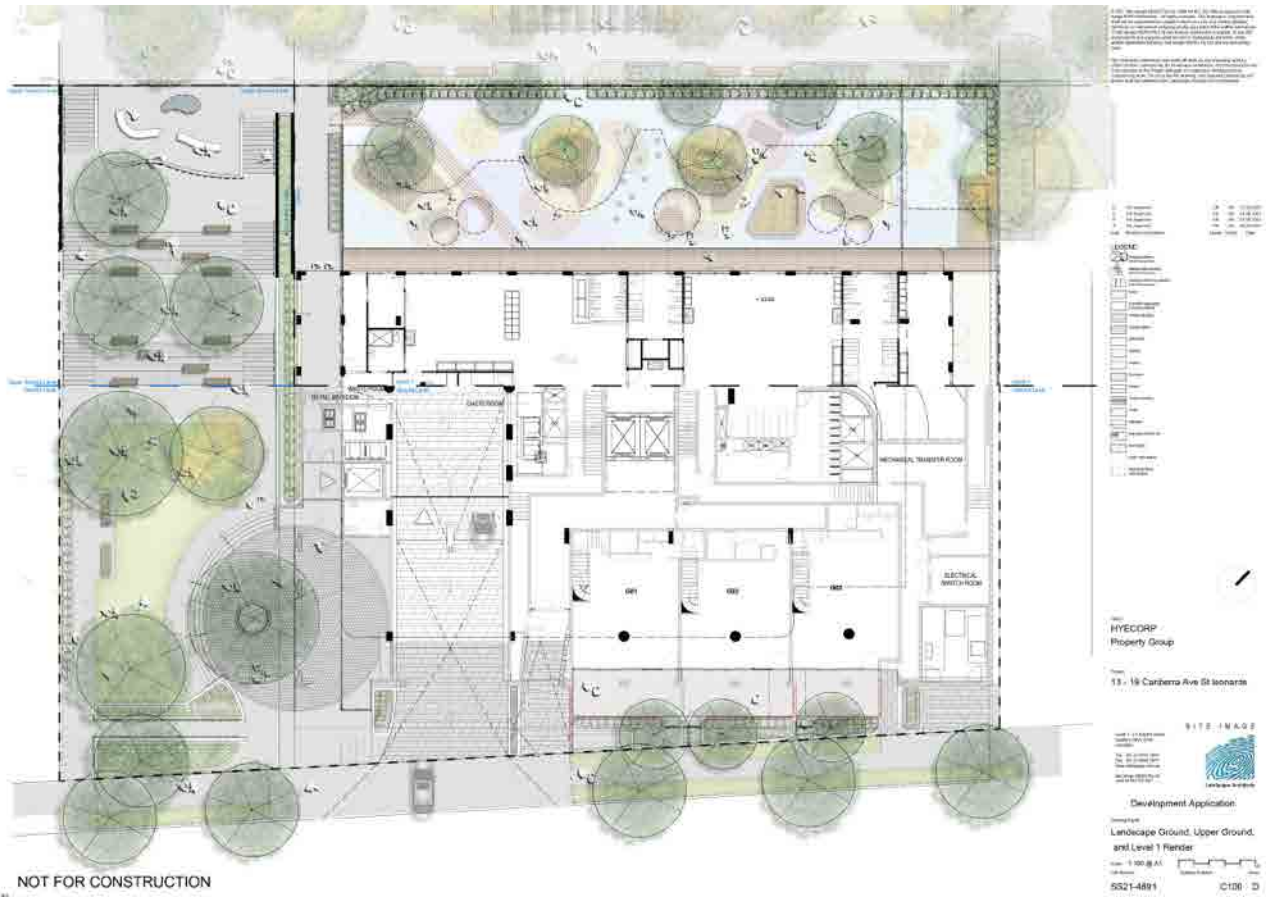
COMMUNAL OPEN SPACE SUMMARY	
TOTAL SITE AREA	2520m ²
REQUIRED COMMUNAL OPEN SPACE TOTAL	556.3m ²
PROPOSED COMMUNAL OPEN SPACE	137.9m ²
GROUND FLOOR LEVEL 1	137.9m ²
LEVEL 11 ROOF	137.9m ²
TOTAL COMMUNAL OPEN SPACE	137.9m ²



Landscaping



Ground/Upper Ground Floor Plan



Composite Landscaping Plan

5.0 Planning Controls

The proposed development has been assessed against the relevant requirements and guidelines set by Lane Cove Council. These are contained within the:

- SEPP 55 - Remediation Of Land
- SEPP (BASIX) 2004
- SEPP Infrastructure
- SEPP 65 – Design Quality of Residential Flat Development
- SEPP Education Establishments and Childcare Centres
- Lane Cove Local Environmental Plan (LEP) 2009
- Lane Cove Development Control Plan (DCP) 2009

5.1 State Environmental Planning Policy 55 - Remediation Of Land

Clause 7 (1) (A) of SEPP 55 requires Council to consider whether the land is contaminated. The long term residential use of the land makes contamination unlikely.

A Preliminary Site Investigation and a Hazardous Materials Survey have been prepared by EI Australia and are submitted with the application. The PSI concludes that the potential for contamination to exist on site is low and that the site is considered suitable for the proposed high density residential use and childcare and community uses.

5.2 State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004

The BASIX scheme requires residential flat development to stipulate ways in which that proposal can reduce energy and water consumption from the 'pre-BASIX' average home in NSW, as well as ensuring good levels of internal thermal comfort.

In accordance with the SEPP, a BASIX assessment has been undertaken for the proposal and a certificate issued for the proposal, confirming that the development can satisfy the BASIX requirements. The proposed development meets the targets set out in the Building & Sustainability

Index (BASIX). A detailed set of commitments are shown on the plans and listed within the BASIX report.

5.3 State Environmental Planning Policy (Infrastructure) 2007

State Environmental Planning Policy (Infrastructure) 2007 (ISEPP) aims to facilitate the effective delivery of infrastructure across the State and where relevant mandates consultation with relevant public authorities during the assessment process.

5.4 State Environmental Planning Policy 65 – Design Quality of Residential Flat Development

The proposed development has been given consideration under the provisions of SEPP 65, which apply to the development. They are considered in design verification prepared by SJB Architects. The proposal is considered to adequately address the provisions of the SEPP 65 and satisfy the rule of thumb requirements.

4.4 SEPP Education Establishments and Childcare Centres 2017



Part 3 Early education and care facilities—specific development controls

22 Centre-based child care facility—concurrence of Regulatory Authority required for certain development

(1) This clause applies to development for the purpose of a centre-based child care facility if:

- (a) the floor area of the building or place does not comply with regulation 107 (indoor unencumbered space requirements) of the *Education and Care Services National Regulations*, or
- (b) the outdoor space requirements for the building or place do not comply with regulation 108 (outdoor unencumbered space requirements) of those Regulations.

(2) The consent authority must not grant development consent to development to which this clause applies except with the concurrence of the Regulatory Authority.

(3) The consent authority must, within 7 days of receiving a development application for development to which this clause applies:

- (a) forward a copy of the development application to the Regulatory Authority, and
- (b) notify the Regulatory Authority in writing of the basis on which the Authority's concurrence is required and of the date it received the development application.

(4) In determining whether to grant or refuse concurrence, the Regulatory Authority is to consider any requirements applicable to the proposed development under the *Children (Education and Care Services) National Law (NSW)*.

(5) The Regulatory Authority is to give written notice to the consent authority of the Authority's determination within 28 days after receiving a copy of the development application under subclause (3).

Note.

The effect of section 4.13 (11) of the Act is that if the Regulatory Authority fails to inform the consent authority of the decision concerning concurrence within the 28 day period, the consent authority

may determine the development application without the concurrence of the Regulatory Authority and a development consent so granted is not voidable on that ground.

(6) The consent authority must forward a copy of its determination of the development application to the Regulatory Authority within 7 days after making the determination.

(7) In this clause:

Regulatory Authority means the Regulatory Authority for New South Wales under the *Children (Education and Care Services) National Law (NSW)* (as declared by section 9 of the *Children (Education and Care Services National Law Application) Act 2010*).

Note.

Concurrence to development may be granted subject to conditions. A development consent subject to concurrence may be voidable if it is granted not subject to any conditions of the concurrence. (See section 4.13 of the Act.)

Not applicable.

23 Centre-based child care facility—matters for consideration by consent authorities

Before determining a development application for development for the purpose of a centre-based child care facility, the consent authority must take into consideration any applicable provisions of the *Child Care Planning Guideline*, in relation to the proposed development.

This is considered below.

25 Centre-based child care facility—non-discretionary development standards

(1) The object of this clause is to identify development standards for particular matters relating to a centre-based child care facility that, if complied with, prevent the consent authority from requiring more onerous standards for those matters.

(2) The following are non-discretionary development standards for the purposes of section 4.15 (2) and (3) of the Act in relation to the carrying out of development for the purposes of a centre-based child care facility:

- (a) location—the development may be located at any distance from an existing or proposed early education and care facility,
 - (b) indoor or outdoor space
 - (i) for development to which regulation 107 (indoor unencumbered space requirements) or 108 (outdoor unencumbered space requirements) of the *Education and Care Services National Regulations* applies—the unencumbered area of indoor space and the unencumbered area of outdoor space for the development complies with the requirements of those regulations, or
 - (ii) for development to which clause 28 (unencumbered indoor space and useable outdoor play space) of the *Children (Education and Care Services) Supplementary Provisions Regulation 2011* applies—the development complies with the indoor space requirements or the useable outdoor play space requirements in that clause,
 - (c) site area and site dimensions—the development may be located on a site of any size and have any length of street frontage or any allotment depth,
 - (d) colour of building materials or shade structures—the development may be of any colour or colour scheme unless it is a State or local heritage item or in a heritage conservation area.
- (3) To remove doubt, this clause does not prevent a consent authority from:
- (a) refusing a development application in relation to a matter not specified in subclause (2), or
 - (b) granting development consent even though any standard specified in subclause (2) is not complied with.

The subject site is not a heritage item and is not in a heritage conservation area consequently the colour and colour scheme of building materials must not be considered by the consent authority.

26 Centre-based child care facility—development control plans

- (1) A provision of a development control plan that specifies a requirement, standard or control in relation to any of the following matters (including by reference to ages, age ratios, groupings, numbers or the like, of children) does not apply to development for the purpose of a centre-based child care facility:

- (a) operational or management plans or arrangements (including hours of operation),
- (b) demonstrated need or demand for child care services,
- (c) proximity of facility to other early education and care facilities,
- (d) any matter relating to development for the purpose of a centre-based child care facility contained in:
 - (i) the design principles set out in Part 2 of the *Child Care Planning Guideline*, or
 - (ii) the matters for consideration set out in Part 3 or the regulatory requirements set out in Part 4 of that Guideline (other than those concerning building height, side and rear setbacks or car parking rates).
- (2) This clause applies regardless of when the development control plan was made.

These aspects of Lane Cove DCP do not apply aside from building heights, side and rear setbacks and car parking rates.

4.3 Childcare Planning Guidelines

Design quality principles

Principle 1 - Context Good design responds and contributes to its context, including the key natural and built features of an area, their relationship and the character they create when combined. It also includes social, economic, health and environmental conditions. Well-designed child care facilities respond to and enhance the qualities and identity of the area including adjacent sites, streetscapes and neighbourhood. Well-designed child care facilities take advantage of its context by optimising nearby transport, public facilities and centres, respecting local heritage, and being responsive to the demographic, cultural and socio-economic makeup of the facility users and surrounding communities.

A feasibility study was prepared for the client in conjunction with Lane Cove Council at the onset of the proposal to assess the viability of a childcare centre on the site. It was understood that the area has recently, and continues to, experience significant growth with an

increasing number of young families living in these areas. This preliminary study also recognised that public transport is a feasible means of getting to and from the childcare centre for staff and families. The site is approximately a 200m walk to the St Leonards, despite this there are a number of high frequency bus routes and rail link within close proximity that link the site to surrounding high density communities. It is also considered that the existing, and planned future, local streets and pathways are suitable for walking, cycling and scootering.

To meet the parking requirements set out in the DCP the childcare centre will make use of basement level parking to accommodate the required minimum number of bays, provide accessible DDA compliant parking and safe pedestrian access to the childcare.

The application comprises an upper level to the west so that the outdoor play areas are located to the west of the site to minimise their impact upon the adjoining residential properties.

The application proposes child places to 12 x 0 – 2 years; 20 x 2 – 3 years, 28 x 3 – 5 years being a total of 60 places. The primary entry to the facility remains from Canberra Avenue and an accessible path of travel is provided for pedestrian access through a communal lift. The application has included a landscape plan to improve screen planting and integration with the north-south and east-west communal spaces and pedestrians links.

Beyond the site boundaries the proposed childcare resonates with the scale and form and desired future character of future buildings in the locality. The external materiality of the centre is intended to be durable, respectful, and well mannered.

Principle 2 - Built form Good design achieves a scale, bulk and height appropriate to the existing or desired future character of the surrounding area. Good design achieves an appropriate built form for a site and the building's purpose in terms of building alignments, proportions, building type, articulation and the manipulation of building elements. Good design

also uses a variety of materials, colours and textures. Appropriate built form defines the public domain, contributes to the character of streetscapes and parks, including their views and vistas, and provides internal amenity and outlook. Contemporary facility design can be distinctive and unique to support innovative approaches to teaching and learning, while still achieving a visual appearance that is aesthetically pleasing, complements the surrounding areas, and contributes positively to the public realm.

The form and scale of the Childcare responds directly to the desired future character of the buildings and provides a desirable northern and western exposure.

The layout of the application childcare centre is direct, designed to give excellent visibility for supervision and to optimise the northern-western orientation. The main external childcare play space occupy the western edge of the centre and the north-south building form serves to separate and buffer the play areas.

The exterior of the application childcare centre is respectful and contemporary. The walls are a combination of concrete and stone. The external walls are finished in a manner sympathetic to the surrounding streetscape.



Montage view from south-west

Principle 3 - Adaptive learning spaces Good facility design delivers high quality learning spaces and achieves a high level of amenity for children and staff, resulting in buildings and associated infrastructure that are fit-for-purpose, enjoyable and easy to use. This is achieved through site layout, building design, and learning spaces fit-out. Good design achieves a mix of inclusive learning spaces to cater for all students and different modes of learning. This includes appropriately designed physical spaces offering a variety of settings, technology and opportunities for interaction.

The gross floor area of the proposal accommodates the fundamental requirements of a 60-place childcare centre, exceeding the minimum legislated areas required for children's play spaces internally. An appropriate building footprint in line with the scale of the desired future character for development adjoining and future surrounding buildings is achieved with comfortable setbacks from the boundary and an improved presentation to the north-south and east-west communal spaces and pedestrians links.

The children's play rooms are arranged by age, with the younger children on the northern side 0 – 2 and 2-3 year-old room centrally located and the 3-5 year-old rooms on the south-west. Each room exhibits a simple and non-prescriptive floor plan that welcomes the likely variety of play and activities that are anticipated to occur within each space.

All play rooms are designed to ensure staff have clear sightlines throughout, including visual connections out to the landscaped play spaces, children's toilet facilities as well as into and from the reception and entry space.

The internal material palette is durable and warm and the building speaks to this with natural materials such as timber and a landscape design that is stimulating.

The office and kitchen sit at the heart of the centre and form a desirable connection between the play spaces and the landscape.

Principle 4- Sustainability Sustainable design combines positive environmental, social and economic outcomes. This includes use of natural cross ventilation, sunlight and passive thermal design for ventilation, heating and cooling reducing reliance on technology and operation costs. Other elements include recycling and re-use of materials and waste, use of sustainable materials and deep soil zones for groundwater recharge and vegetation. Well-designed facilities are durable and embed resource efficiency into building and site design, resulting in less energy and water consumption, less generation of waste and air emissions and reduced operational costs.

Planning for passive solar to the greatest extent possible, the primary orientation of the building is north-west with the play spaces opening out to a north facing landscape. Natural light is brought into all of the play spaces through wide, fully glazed sliding doors. Partially glazed internal walls and skylight also allow light to spill through to the play areas and central corridor and staff rooms.

The shade structures and continuous awnings shades the façades and significantly reduces sunlight entering the adjacent play rooms in summer while ensuring these same rooms have solar access during winter.

All external windows within the centre are operable to allow effective cross-ventilation through the play rooms. Fans are proposed in most areas of the centre and are anticipated to work effectively in summer together with the tall ceilings to reduce hot air build-up.

While excavation is required during construction, this is generally restricted to the building footprint where possible providing parking and drop-off with direct access to the Centre.

Rainwater collection is proposed for the centre with the water used for irrigation purposes to the surrounding landscape.

A waste management plan has been prepared and an appropriately sized waste storage area has been accommodated on site. Up to 4 meals are

prepared a day at the childcare centre and as such a composting station is proposed within the landscape for food waste.

Principle 5 - Landscape

Landscape and buildings should operate as an integrated and sustainable system, resulting in attractive developments with good amenity. A contextual fit of well-designed developments is achieved by contributing to the landscape character of the streetscape and neighbourhood. Well-designed landscapes make outdoor spaces assets for learning. This includes designing for diversity in function and use, age-appropriateness and amenity. Good landscape design enhances the development's environmental performance by retaining positive natural features which contribute to the local context, co-ordinating water and soil management, solar access, micro-climate, tree canopy, habitat values and preserving green networks.

The Landscape is an important component of the proposal with the prevalence of significant canopy trees forming a key component of the site's current character. New landscape works are proposed for all four edges of the centre and contribute to continuing the landscaped quality of the site while allowing the childcare centre to settle gently into its siting.

Open, flexible play space are provided for the children and are sized so as to meet the minimum legislative area required. Fixed shade structures are provided as well as shading from existing and proposed trees. Suitable surfaces are proposed for babies play.

The landscaped spaces to the north, south and the west are edged with planting, softening the outlook from within, reducing the extent of acoustic noise transfer out of the centre, and providing privacy to the play spaces from the public domain. Low water use and native species are proposed throughout.

Compatible fencing is proposed for the site boundaries as well as the internal play space edges to meet the childcare regulations. The height of these fences varies from 1.2m up to 2.2m, at the boundary, as required by the Childcare Planning Guidelines.

Principle 6 - Amenity Good design positively influences internal and external amenity for children, staff and neighbours. Achieving good amenity contributes to positive learning environments and the well-being of students and staff. Good amenity combines appropriate and efficient indoor and outdoor learning spaces, access to sunlight, natural ventilation, outlook, visual and acoustic privacy, storage, service areas and ease of access for all age groups and degrees of mobility. Well-designed child care facilities provide comfortable, diverse and attractive spaces to learn, play and socialise.

Careful consideration has been given to the quality of the spaces provided for children attending the centre and the staff working here. Open play spaces are provided and sized to exceed the Childcare Regulations, interiors are finished with natural, warm materials and generous glazing, allowing views to the outdoor play spaces and light into the play rooms. All play rooms allow for natural cross-ventilation with operable openings on both external and internal walls.

Consideration has been made toward the use of the landscape as both play space and learning space with well shaded areas for groups to gather. New planting is intended to offer a vibrant, natural landscape for children, staff and parents, as well as offering an enhanced landscape outlook for surrounding neighbours.

Built-in storage has been provided in all play rooms as well as additional storage rooms accessed via child-safe doors off each play room.

External storage spaces, including the bin store and play equipment stores, have been mindfully placed and well fenced so as not to impact on the visual amenity for surrounding neighbours and the internal users of the facilities on the site.

Principle 7 - Safety Well-designed child care facilities optimise the use of the built and natural environment for learning and play, while utilising equipment, vegetation and landscaping that has a low health and safety risk, and can be checked and maintained efficiently and appropriately. Good child care facility design balances safety and security with the need to create a welcoming and accessible environment. It provides for

quality public and private spaces that are inviting, clearly defined and allow controlled access for members of the community. Well-designed child care facilities incorporate passive surveillance and Crime Prevention Through Environmental Design (CPTED).

The boundary between public and private is clearly defined with fencing surrounding the childcare centre on the edges that are exposed to the public. In addition to this, the safety of children is further considered with a fence and gate surrounding the main entry door, separating it from the public domain as required by the Childcare Regulations.

In addition to the entry gate, it is proposed that the main entry door to the centre will be secure and controlled internally by childcare staff for access throughout the day.

The new boundary fence to the play area is proposed to be a solid, acoustic barrier to a height of 2.2m to achieve the necessary acoustic attenuation. Hedges and planting have been proposed along the boundary where public view into the centre is more likely and less desirable.

Proposed vegetation has been carefully selected by the Landscape Architects, who have selected species that are suitable for children and in particular are not poisonous. The proposed landscape contributes to a visually inviting environment. All species have been selected for their low water use and low maintenance qualities.

The interface between the childcare and the neighbours has been carefully considered, with substantial planted setbacks and separation.

Objective: To ensure that appropriate zone considerations are assessed when selecting a site.

C1 For proposed developments in or adjacent to a residential zone, consider:

- the acoustic and privacy impacts of the proposed development on the residential properties
- the setbacks and siting of buildings within the residential context
- traffic and parking impacts of the proposal on residential amenity.

For proposed developments in commercial and industrial zones, consider:

- potential impacts on the health, safety and wellbeing of children, staff and visitors with regard to local environmental or amenity issues such as air or noise pollution and local traffic conditions
- the potential impact of the facility on the viability of existing commercial or industrial uses.

For proposed developments in public or private recreation zones, consider:

- the compatibility of the proposal with the operations and nature of the community or private recreational facilities
- if the existing premises is licensed for alcohol or gambling
- if the use requires permanent or casual occupation of the premises or site
- the availability of on-site parking
- compatibility of proposed hours of operation with surrounding uses, particularly residential uses
- the availability of appropriate and dedicated sanitation facilities for the development. For proposed developments on school, TAFE or university sites in Special Purpose zones, consider:
- the compatibility of the proposal with the operation of the institution and its users
- the proximity of the proposed facility to other uses on the site, including premises licensed for alcohol or gambling
- proximity to sources of noise, such as places of entertainment or mechanical workshops
- proximity to odours, particularly at agricultural institutions
- previous uses of a premises such as scientific, medical or chemical laboratories, storage areas and the like.

The development application is located within a high density residential zone and has been sited with significant setbacks from residential neighbours to ensure acoustic and privacy impacts are achieved. The play areas are located to the west and screened with planting and separated to maintain amenity.

The proposal utilizes the separate driveway access on the lower level and egress points to meet contemporary standards. It is considered that the proposal meets these provisions.

Objective: To ensure that the site selected for a proposed child care facility is suitable for the use.

C2 When selecting a site, ensure that:

- the location and surrounding uses are compatible with the proposed development or use
- the site is environmentally safe including risks such as flooding, land slip, bushfires, coastal hazards
- there are no potential environmental contaminants on the land, in the building or the general proximity, and whether hazardous materials remediation is needed
- the characteristics of the site are suitable for the scale and type of development proposed having regard to: - size of street frontage, lot configuration, dimensions and overall size - number of shared boundaries with residential properties - the development will not have adverse environmental impacts on the surrounding area, particularly in sensitive environmental or cultural areas
- where the proposal is to occupy or retrofit an existing premises, the interior and exterior spaces are suitable for the proposed use
- there are suitable drop off and pick up areas, and off and on street parking
- the type of adjoining road (for example classified, arterial, local road, cul-de-sac) is appropriate and safe for the proposed use
- it is not located closely to incompatible social activities and uses such as restricted premises, injecting rooms, drug clinics and the like, premises licensed for alcohol or gambling such as hotels, clubs, cellar door premises and sex services premises.

The site is located on the northern section of Canberra Avenue and the development application is oriented away from the closest neighbors to compliment the community function and sited well removed from residential neighbours.

The site has been examined for contaminants and an appropriate remediation.

The site is not identified as at risks from flood, land slip, bushfires, coastal hazards. The site is considered appropriate to the scale and intensity of the proposed use given its extensive size and extensive frontages.

It is considered that the proposal meets these provisions.

Objective: To ensure that sites for child care facilities are appropriately located.

C3 A child care facility should be located:

- near compatible social uses such as schools and other educational establishments, parks and other public open space, community facilities, places of public worship
- near or within employment areas, town centres, business centres, shops
- with access to public transport including rail, buses, ferries
- in areas with pedestrian connectivity to the local community, businesses, shops, services and the like.

The childcare facility is located near the town centre, local schools and with access to public transport.

Objective: To ensure that sites for child care facilities do not incur risks from environmental, health or safety hazards.

C4 A child care facility should be located to avoid risks to children, staff or visitors and adverse environmental conditions arising from:

- proximity to: - heavy or hazardous industry, waste transfer depots or landfill sites - LPG tanks or service stations - water cooling and water warming systems - odour (and other air pollutant) generating uses and sources or sites which, due to prevailing land use zoning, may in future accommodate noise or odour generating uses
- extractive industries, intensive agriculture, agricultural spraying activities
- any other identified environmental hazard or risk relevant to the site and/ or existing buildings within the site.

The proposal is not located where it is at risk from environmental, health or safety hazards.

3.2 Local character, streetscape and the public domain interface

Objective: To ensure that the child care facility is compatible with the local character and surrounding streetscape.

C5 The proposed development should:

- contribute to the local area by being designed in character with the locality and existing streetscape
- reflect the predominant form of surrounding land uses, particularly in low density residential areas
- recognise predominant streetscape qualities, such as building form, scale, materials and colours
- include design and architectural treatments that respond to and integrate with the existing streetscape
- use landscaping to positively contribute to the streetscape and neighbouring amenity
- integrate car parking into the building and site landscaping design in residential areas.

The proposal observes the desired future building form, high density nature of the area and reflects it in its form and siting. The design and architectural treatments respond to and integrate with the existing streetscape and landscaping is used to contribute to the streetscape and amenity.

Objective: To ensure clear delineation between the child care facility and public spaces.

C6 Create a threshold with a clear transition between public and private realms, including:

- fencing to ensure safety for children entering and leaving the facility
- windows facing from the facility towards the public domain to provide passive surveillance to the street as a safety measure and connection between the facility and the community
- integrating existing and proposed landscaping with fencing.

The proposal includes a clear transition between public and private spaces, providing passive surveillance but retaining privacy and safety.

C7 On sites with multiple buildings and/or entries, pedestrian entries and spaces associated with the child care facility should be differentiated to improve legibility for visitors and children by changes in materials, plant species and colours.

The childcare is differentiated from the other uses in terms of its material choices yet remains sympathetic to the proximate buildings.

C8 Where development adjoins public parks, open space or bushland, the facility should provide an appealing streetscape frontage by adopting some of the following design solutions:

- clearly defined street access, pedestrian paths and building entries
- low fences and planting which delineate communal/ private open space from adjoining public open space
- minimal use of blank walls and high fences.

The street access is clearly defined and blank walls are avoided. The entry is supplemented with a café and extensive communal gathering space.

Objective: To ensure that front fences and retaining walls respond to and complement the context and character of the area and do not dominate the public domain.

C9 Front fences and walls within the front setback should be constructed of visually permeable materials and treatments. Where the site is listed as a heritage item, adjacent to a heritage item or within a conservation area front fencing should be designed in accordance with local heritage provisions.

The proposed fencing comprises palisade fencing complimentary to the streetscape character and is reflected on the landscape plans.

C10 High solid acoustic fencing may be used when shielding the facility from noise on classified roads. The walls should be setback from the property boundary with screen landscaping of a similar height between the wall and the boundary.

An Acoustic Assessment has been carried out which notes that the attenuation required from the centre to the nearest sensitive receivers.

3.3 Building orientation, envelope and design

Objective: To respond to the streetscape and site, while optimising solar access and opportunities for shade.

C11 Orient a development on a site and design the building layout to:

- ensure visual privacy and minimise potential noise and overlooking impacts on neighbours by: - facing doors and windows away from private open space, living rooms and bedrooms in adjoining residential properties - placing play equipment away from common boundaries with residential properties - locating outdoor play areas away from residential dwellings and other sensitive uses

- optimise solar access to internal and external play areas
- avoid overshadowing of adjoining residential properties
- minimise cut and fill
- ensure buildings along the street frontage define the street by facing it
- ensure that where a child care facility is located above ground level, outdoor play areas are protected from wind and other climatic conditions.

The development application is oriented away from neighbours and is screened by landscaping to ensure visual privacy and ensure satisfactory noise levels. The common boundaries with residential properties are to the north, south and west and are provided with substantial setbacks.

The centre is oriented north-west, away from the residential receivers and optimizing solar access. There is no significant overshadowing of adjoining residential properties.

The development application addresses the communal space and the east-west through-site link consistent with the DCP desired future character of the high density residential area and adopting consistent setbacks and presentation of the proposed development.

Objective: To ensure that the scale of the child care facility is compatible with adjoining development and the impact on adjoining buildings is minimised.

C12 The following matters may be considered to minimise the impacts of the proposal on local character:

- building height should be consistent with other buildings in the locality
- building height should respond to the scale and character of the street
- setbacks should allow for adequate privacy for neighbours and children at the proposed child care facility
- setbacks should provide adequate access for building maintenance
- setbacks to the street should be consistent with the existing character.

The development application addresses the street frontages in the same way as the desired future character of surrounding buildings with a complimentary height (which is compliant with the LEP height control) adopting consistent setbacks and presentation of the approved

development. The proposal provides adequate access for building maintenance.
<p>Objective: To ensure that setbacks from the boundary of a child care facility are consistent with the predominant development within the immediate context.</p> <p>C13 Where there are no prevailing setback controls minimum setback to a classified road should be 10 metres. On other road frontages where there are existing buildings within 50 metres, the setback should be the average of the two closest buildings. Where there are no buildings within 50 metres, the same setback is required for the predominant adjoining land use.</p>
The development application adopts consistent setbacks of 12m to the communal open space. The proposal does not have a street frontage.
C14 On land in a residential zone, side and rear boundary setbacks should observe the prevailing setbacks required for a dwelling house.
The proposal observes setbacks consistent with the DCP provisions.
<p>Objective: To ensure that the built form, articulation and scale of development relates to its context and buildings are well designed to contribute to an area's character.</p> <p>C15 The built form of the development should contribute to the character of the local area, including how it:</p> <ul style="list-style-type: none"> • respects and responds to its physical context such as adjacent built form, neighbourhood character, streetscape quality and heritage • contributes to the identity of the place • retains and reinforces existing built form and vegetation where significant • considers heritage within the local neighbourhood including identified heritage items and conservation areas • responds to its natural environment including local landscape setting and climate • contributes to the identity of place.
The built form of the development application contributes to the character of the local area sympathetically responding to the desired future character, streetscape and reinforcing the desired built form and reinforces the existing vegetation patterns.

Objective: To ensure that buildings are designed to create safe environments for all users.

C16 Entry to the facility should be limited to one secure point which is:

- located to allow ease of access, particularly for pedestrians
- directly accessible from the street where possible
- directly visible from the street frontage
- easily monitored through natural or camera surveillance
- not accessed through an outdoor play area.
- in a mixed-use development, clearly defined and separate from entrances to other uses in the building.

The entry to the facility is limited to one secure point which allows ease of access for pedestrians and is directly accessible and visible from the street.

Objective: To ensure that child care facilities are designed to be accessible by all potential users.

C17 Accessible design can be achieved by:

- providing accessibility to and within the building in accordance with all relevant legislation
- linking all key areas of the site by level or ramped pathways that are accessible to prams and wheelchairs, including between all car parking areas and the main building entry
- providing a continuous path of travel to and within the building, including access between the street entry and car parking and main building entrance. Platform lifts should be avoided where possible
- minimising ramping by ensuring building entries and ground floors are well located relative to the level of the footpath. NOTE: The National Construction Code, the Discrimination Disability Act 1992 and the Disability (Access to Premises – Buildings) Standards 2010 set out the requirements for access to buildings for people with disabilities.

The development application has been designed to be accessible to all and an access report is submitted with the application demonstrating compliance.

3.4 Landscaping

Objective: To provide landscape design that contributes to the streetscape and amenity.

<p>C18 Appropriate planting should be provided along the boundary integrated with fencing. Screen planting should not be included in calculations of unencumbered outdoor space. Use the existing landscape where feasible to provide a high quality landscaped area by:</p> <ul style="list-style-type: none"> • reflecting and reinforcing the local context • incorporating natural features of the site, such as trees, rocky outcrops and vegetation communities into landscaping.
<p>The development application retains the mature street tree planting and reinforces it consistent with these provisions as reflected in the submitted landscape plan.</p>
<p>C19 Incorporate car parking into the landscape design of the site by:</p> <ul style="list-style-type: none"> • planting shade trees in large car parking areas to create a cool outdoor environment and reduce summer heat radiating into buildings • taking into account streetscape, local character and context when siting car parking areas within the front setback • using low level landscaping to soften and screen parking areas.
<p>The development application provides a basement car park which is internal to the building.</p>
<p>3.5 Visual and acoustic privacy</p>
<p>Objective: To protect the privacy and security of children attending the facility.</p> <p>C20 Open balconies in mixed use developments should not overlook facilities nor overhang outdoor play spaces.</p>
<p>The levels within the future building form, and those which currently exist do not provide direct sightlines because of the siting and screening of the play areas by the proposed building and planting.</p>
<p>C21 Minimise direct overlooking of indoor rooms and outdoor play spaces from public areas through:</p> <ul style="list-style-type: none"> • appropriate site and building layout • suitably locating pathways, windows and doors • permanent screening and landscape design.
<p>The proposed orientation, setbacks and landscape screening minimise direct overlooking of indoor rooms and outdoor play spaces.</p>
<p>Objective: To minimise impacts on privacy of adjoining properties.</p>

<p>C22 Minimise direct overlooking of main internal living areas and private open spaces in adjoining developments through:</p> <ul style="list-style-type: none"> • appropriate site and building layout • suitable location of pathways, windows and doors • landscape design and screening.
<p>The proposed setbacks and street separation, together with landscape screening minimise direct overlooking of adjoining developments.</p>
<p>Objective: To minimise the impact of child care facilities on the acoustic privacy of neighbouring residential developments.</p> <p>C23 A new development, or development that includes alterations to more than 50 per cent of the existing floor area, and is located adjacent to residential accommodation should:</p> <ul style="list-style-type: none"> • provide an acoustic fence along any boundary where the adjoining property contains a residential use. (An acoustic fence is one that is a solid, gap free fence). • ensure that mechanical plant or equipment is screened by solid, gap free material and constructed to reduce noise levels e.g. acoustic fence, building, or enclosure.
<p>The proposal provides appropriate fencing as recommended by the acoustic report.</p>
<p>C24 A suitably qualified acoustic professional should prepare an acoustic report which will cover the following matters:</p> <ul style="list-style-type: none"> • identify an appropriate noise level for a child care facility located in residential and other zones • determine an appropriate background noise level for outdoor play areas during times they are proposed to be in use • determine the appropriate height of any acoustic fence to enable the noise criteria to be met
<p>The acoustic report has addressed each of these provisions in their report and made appropriate recommendations to the design of the proposal.</p>
<p>3.6 Noise and air pollution</p>
<p>Objective: To ensure that outside noise levels on the facility are minimised to acceptable levels.</p> <p>C25 Adopt design solutions to minimise the impacts of noise, such as:</p> <ul style="list-style-type: none"> • creating physical separation between buildings and the noise source

- orienting the facility perpendicular to the noise source and where possible buffered by other uses
- using landscaping to reduce the perception of noise
- limiting the number and size of openings facing noise sources
- using double or acoustic glazing, acoustic louvres or enclosed balconies (wintergardens)
- using materials with mass and/or sound insulation or absorption properties, such as solid balcony balustrades, external screens and soffits
- locating cot rooms, sleeping areas and play areas away from external noise sources.

The acoustic report has addressed each of these provisions in their report. No significant external noise or pollution sources are extant.

C26 An acoustic report should identify appropriate noise levels for sleeping areas and other non-play areas and examine impacts and noise attenuation measures where a child care facility is proposed in any of the following locations:

- on industrial zoned land • where the ANEF contour is between 20 and 25, consistent with AS 2021 – 2000
- along a railway or mass transit corridor, as defined by State Environmental Planning Policy (Infrastructure) 2007
- on a major or busy road • other land that is impacted by substantial external noise.

The acoustic report has addressed each of these provisions in their report and made appropriate recommendations to the design of the proposal.

C27 Locate child care facilities on sites which avoid or minimise the potential impact of external sources of air pollution such as major roads and industrial development.

The site is considered well located and not affected by these sources.

C28 A suitably qualified air quality professional should prepare an air quality assessment report to demonstrate that proposed child care facilities close to major roads or industrial developments can meet air quality standards in accordance with relevant legislation and guidelines. The air quality assessment report should evaluate design considerations to minimise air pollution such as:

- creating an appropriate separation distance between the facility and the pollution source. The location of play areas, sleeping areas and outdoor areas should be as far as practicable from the major source of air pollution
- using landscaping to act as a filter for air pollution generated by traffic and industry. Landscaping has the added benefit of improving aesthetics and minimising visual intrusion from an adjacent roadway
- incorporating ventilation design into the design of the facility.

The site is considered appropriate for childcare use.

3.7 Hours of operation

Objective: To minimise the impact of the child care facility on the amenity of neighbouring residential developments.

C29 Hours of operation within areas where the predominant land use is residential should be confined to the core hours of 7.00am to 7.00pm weekdays. The hours of operation of the proposed child care facility may be extended if it adjoins or is adjacent to non-residential land uses.

The use is proposed to operate between 7:00am and 7:00pm consistent with these requirements.

C30 Within mixed use areas or predominantly commercial areas, the hours of operation for each child care facility should be assessed with respect to its compatibility with adjoining and co-located land uses.

Not applicable.

3.8 Traffic, parking and pedestrian circulation

Objective: To provide parking that satisfies the needs of users and demand generated by the centre.

C31 Off street car parking should be provided at the rates for child care facilities specified in a Development Control Plan that applies to the land.

Where a Development Control Plan does not specify car parking rates, off street car parking should be provided at the following rates: Within 400 metres of a metropolitan train station:

- 1 space per 10 children
- 1 space per 2 staff. Staff parking may be stack or tandem parking with no more than 2 spaces in each tandem space.

In other areas:

- 1 space per 4 children.

A reduction in car parking rates may be considered where:

- the proposal is an adaptive re-use of a heritage item
- the site is in a B8 Metropolitan Zone or other high density business or residential zone
- the site is in proximity to high frequency and well connected public transport
- the site is co-located or in proximity to other uses where parking is appropriately provided (for example business centres, schools, public open space, car parks)
- there is sufficient on street parking available at appropriate times within proximity of the site.

A Traffic and Parking report is submitted with the application. The proposal with 19 spaces is compliant with DCP consistent with these provisions.

C32 In commercial or industrial zones and mixed use developments, on street parking may only be considered where there are no conflicts with adjoining uses, that is, no high levels of vehicle movement or potential conflicts with trucks and large vehicles.

Not applicable.

C33 A Traffic and Parking Study should be prepared to support the proposal to quantify potential impacts on the surrounding land uses and demonstrate how impacts on amenity will be minimised. The study should also address any proposed variations to parking rates and demonstrate that:

- the amenity of the surrounding area will not be affected
- there will be no impacts on the safe operation of the surrounding road network

A Traffic and Parking report is submitted with the application consistent with these provisions demonstrating that amenity impacts will be minimized and the use will create no impacts on the safe operation of the surrounding road network.

Objective: To provide vehicle access from the street in a safe environment that does not disrupt traffic flows.

C34 Alternate vehicular access should be provided where child care facilities are on sites fronting:

- a classified road

- roads which carry freight traffic or transport dangerous goods or hazardous materials.

The alternate access must have regard to:

- the prevailing traffic conditions
- pedestrian and vehicle safety including bicycle movements
- the likely impact of the development on traffic

Not applicable.

C35 Child care facilities proposed within cul-de-sacs or narrow lanes or roads should ensure that safe access can be provided to and from the site, and to and from the wider locality in times of emergency.

Not applicable.

Objective: To provide a safe and connected environment for pedestrians both on and around the site.

C36 The following design solutions may be incorporated into a development to help provide a safe pedestrian environment:

- separate pedestrian access from the car park to the facility
- defined pedestrian crossings included within large car parking areas
- separate pedestrian and vehicle entries from the street for parents, children and visitors
- pedestrian paths that enable two prams to pass each other
- delivery and loading areas located away from the main pedestrian access to the building and in clearly designated, separate facilities
- in commercial or industrial zones and mixed use developments, the path of travel from the car parking to the centre entrance physically separated from any truck circulation or parking areas
- vehicles can enter and leave the site in a forward direction

The proposal separates pedestrian and vehicular access to the facility. Delivery and loading areas are accommodated in the basement parking area.

C37 Mixed use developments should include:

- driveway access, maneuvering areas and parking areas for the facility that are separate to parking and maneuvering areas used by trucks
- drop off and pick up zones that are exclusively available for use during the facility's operating hours with spaces clearly marked accordingly, close to the main entrance and preferably at the same floor level.

Alternatively, direct access should avoid crossing driveways or maneuvering areas used by vehicles accessing other parts of the site

- parking that is separate from other uses, located and grouped together and conveniently located near the entrance or access point to the facility.

The proposed parking is separate from other uses, located and grouped together and conveniently located near the lift that provides direct access to the childcare centre.

C38 Car parking design should:

- include a child safe fence to separate car parking areas from the building entrance and play areas
- provide clearly marked accessible parking as close as possible to the primary entrance to the building in accordance with appropriate Australian Standards
- include wheelchair and pram accessible parking.

The proposed childcare is separated from the basement carpark. The accessible parking is located opposite the entry to the lift access.

Applying the National Regulations

The proposal has been designed in accordance with the National regulations and does not seek any variation to the standards.

5.5 Lane Cove Local Environmental Plan 2009

The site is zoned R4 High Density Residential under which the proposal is permissible with Council consent.

1 Objectives of zone

- *To provide for the housing needs of the community within a high density residential environment.*
- *To provide a variety of housing types within a high density residential environment.*
- *To enable other land uses that provide facilities or services to meet the day to day needs of residents.*
- *To provide for a high concentration of housing with good access to transport, services and facilities.*
- *To ensure that the existing amenity of residences in the neighbourhood is respected.*
- *To avoid the isolation of sites resulting from site amalgamation.*
- *To ensure that landscaping is maintained and enhanced as a major element in the residential environment.*

The proposal achieves the zone objective to establish a residential flat building on the site with community facilities and provide a variety of forms of residential accommodation. The amalgamation of the four residential properties to form a larger consolidated site, will not lead to isolation of sites given that the consolidation follows the masterplan. The precinct is currently dominated by detached dwellings, while the proposal is consistent with the future intent of the area to transform into a higher density residential precinct with good access to services and facilities.

The proposal meets the required built form and will deliver the desired built outcome sought by the controls. The proposal has had careful consideration to the amenity of adjoining dwellings ensuring that vegetation and particularly significant trees are maintained. When combined with the proposed landscaping, visual and privacy impacts to adjoining developments have been minimised.

The design responds to the topographic conditions and consequently no significant overshadowing impacts will occur on adjoining properties.

The proposal is assessed under the relevant controls within the LEP as follows:

Table 1: Lane Cove Local Environmental Plan 2009

<p>4.3 Height of buildings</p> <p>(1) The objectives of this clause are as follows:</p> <ul style="list-style-type: none">(a) to minimise any overshadowing, loss of privacy and visual impacts of development on neighbouring properties, particularly where zones meet, and(b) to maximise sunlight for the public domain, and(c) to relate development to topography. <p>(2) The height of a building on any land is not to exceed the maximum height shown for the land on the <u>Height of Buildings Map</u>.</p>
<p>This control is overridden by Clause 7.1.</p>
<p>4.4 Floor space ratio</p> <p>(1) The objectives of this clause are as follows:</p> <ul style="list-style-type: none">(a) to ensure that the bulk and scale of development is compatible with the character of the locality. <p>(2) The maximum floor space ratio for a building on any land is not to exceed the floor space ratio shown for the land on the Floor Space Ratio Map.</p>
<p>This control is overridden by Clause 7.1.</p>
<p>5.6 Architectural roof features</p> <p>(1) The objectives of this clause are as follows—</p> <ul style="list-style-type: none">(a) to facilitate innovative design without significant impact on local amenity. <p>(2) Development that includes an architectural roof feature that exceeds, or causes a building to exceed, the height limits set by clause 4.3 may be carried out, but only with development consent.</p>

(3) Development consent must not be granted to any such development unless the consent authority is satisfied that—

- (a) the architectural roof feature—
 - (i) comprises a decorative element on the uppermost portion of a building, and
 - (ii) is not an advertising structure, and
 - (iii) does not include floor space area and is not reasonably capable of modification to include floor space area, and
 - (iv) will cause minimal overshadowing, and
- (b) any building identification signage or equipment for servicing the building (such as plant, lift motor rooms, fire stairs and the like) contained in or supported by the roof feature is fully integrated into the design of the roof feature.

Not applicable.

5.10 Heritage conservation

Note—

Heritage items (if any) are listed and described in Schedule 5. Heritage conservation areas (if any) are shown on the Heritage Map as well as being described in Schedule 5.

(1) Objectives The objectives of this clause are as follows—

- (a) to conserve the environmental heritage of Lane Cove,
- (b) to conserve the heritage significance of heritage items and heritage conservation areas, including associated fabric, settings and views,
- (c) to conserve archaeological sites,
- (d) to conserve Aboriginal objects and Aboriginal places of heritage significance.

(2) Requirement for consent Development consent is required for any of the following—

- (a) demolishing or moving any of the following or altering the exterior of any of the following (including, in the case of a building, making changes to its detail, fabric, finish or appearance)—
 - (i) a heritage item,
 - (ii) an Aboriginal object,
 - (iii) a building, work, relic or tree within a heritage conservation area,

-
- (b) altering a heritage item that is a building by making structural changes to its interior or by making changes to anything inside the item that is specified in Schedule 5 in relation to the item,
 - (c) disturbing or excavating an archaeological site while knowing, or having reasonable cause to suspect, that the disturbance or excavation will or is likely to result in a relic being discovered, exposed, moved, damaged or destroyed,
 - (d) disturbing or excavating an Aboriginal place of heritage significance,
 - (e) erecting a building on land—
 - (i) on which a heritage item is located or that is within a heritage conservation area, or
 - (ii) on which an Aboriginal object is located or that is within an Aboriginal place of heritage significance,
 - (f) subdividing land—
 - (i) on which a heritage item is located or that is within a heritage conservation area, or
 - (ii) on which an Aboriginal object is located or that is within an Aboriginal place of heritage significance.
 - (3) When consent not required However, development consent under this clause is not required if—
 - (a) the applicant has notified the consent authority of the proposed development and the consent authority has advised the applicant in writing before any work is carried out that it is satisfied that the proposed development—
 - (i) is of a minor nature or is for the maintenance of the heritage item, Aboriginal object, Aboriginal place of heritage significance or archaeological site or a building, work, relic, tree or place within the heritage conservation area, and
 - (ii) would not adversely affect the heritage significance of the heritage item, Aboriginal object, Aboriginal place, archaeological site or heritage conservation area, or
 - (b) the development is in a cemetery or burial ground and the proposed development—
 - (i) is the creation of a new grave or monument, or excavation or disturbance of land for the purpose of conserving or repairing monuments or grave markers, and

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- (ii) would not cause disturbance to human remains, relics, Aboriginal objects in the form of grave goods, or to an Aboriginal place of heritage significance, or
 - (c) the development is limited to the removal of a tree or other vegetation that the Council is satisfied is a risk to human life or property, or
 - (d) the development is exempt development.
- (4) Effect of proposed development on heritage significance The consent authority must, before granting consent under this clause in respect of a heritage item or heritage conservation area, consider the effect of the proposed development on the heritage significance of the item or area concerned. This subclause applies regardless of whether a heritage management document is prepared under subclause (5) or a heritage conservation management plan is submitted under subclause (6).
- (5) Heritage assessment The consent authority may, before granting consent to any development—
- (a) on land on which a heritage item is located, or
 - (b) on land that is within a heritage conservation area, or
 - (c) on land that is within the vicinity of land referred to in paragraph (a) or (b),
- require a heritage management document to be prepared that assesses the extent to which the carrying out of the proposed development would affect the heritage significance of the heritage item or heritage conservation area concerned.
- (6) Heritage conservation management plans The consent authority may require, after considering the heritage significance of a heritage item and the extent of change proposed to it, the submission of a heritage conservation management plan before granting consent under this clause.
- (7) Archaeological sites The consent authority must, before granting consent under this clause to the carrying out of development on an archaeological site (other than land listed on the State Heritage Register or to which an interim heritage order under the *Heritage Act 1977* applies)—
- (a) notify the Heritage Council of its intention to grant consent, and

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- (b) take into consideration any response received from the Heritage Council within 28 days after the notice is sent.
- (8) Aboriginal places of heritage significance The consent authority must, before granting consent under this clause to the carrying out of development in an Aboriginal place of heritage significance—
- (a) consider the effect of the proposed development on the heritage significance of the place and any Aboriginal object known or reasonably likely to be located at the place by means of an adequate investigation and assessment (which may involve consideration of a heritage impact statement), and
- (b) notify the local Aboriginal communities, in writing or in such other manner as may be appropriate, about the application and take into consideration any response received within 28 days after the notice is sent.
- (9) Demolition of nominated State heritage items The consent authority must, before granting consent under this clause for the demolition of a nominated State heritage item—
- (a) notify the Heritage Council about the application, and
- (b) take into consideration any response received from the Heritage Council within 28 days after the notice is sent.
- (10) Conservation incentives The consent authority may grant consent to development for any purpose of a building that is a heritage item or of the land on which such a building is erected, or for any purpose on an Aboriginal place of heritage significance, even though development for that purpose would otherwise not be allowed by this Plan, if the consent authority is satisfied that—
- (a) the conservation of the heritage item or Aboriginal place of heritage significance is facilitated by the granting of consent, and
- (b) the proposed development is in accordance with a heritage management document that has been approved by the consent authority, and
- (c) the consent to the proposed development would require that all necessary conservation work identified in the heritage management document is carried out, and
- (d) the proposed development would not adversely affect the heritage significance of the heritage item, including its setting, or the heritage significance of the Aboriginal place of heritage significance, and

(e) the proposed development would not have any significant adverse effect on the amenity of the surrounding area.

The subject site is not a heritage item and is not located within a heritage conservation area. The subject site is not within the visual catchment of any heritage item.

5.21 Flood planning

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

- (a) to minimise the flood risk to life and property associated with the use of land,
- (b) to allow development on land that is compatible with the flood function and behaviour on the land, taking into account projected changes as a result of climate change,
- (c) to avoid adverse or cumulative impacts on flood behaviour and the environment,
- (d) to enable the safe occupation and efficient evacuation of people in the event of a flood.

(2) Development consent must not be granted to development on land the consent authority considers to be within the flood planning area unless the consent authority is satisfied the development—

(a) is compatible with the flood function and behaviour on the land, and

(b) will not adversely affect flood behaviour in a way that results in detrimental increases in the potential flood affectation of other development or properties, and

(c) will not adversely affect the safe occupation and efficient evacuation of people or exceed the capacity of existing evacuation routes for the surrounding area in the event of a flood, and

(d) incorporates appropriate measures to manage risk to life in the event of a flood, and

(e) will not adversely affect the environment or cause avoidable erosion, siltation, destruction of riparian vegetation or a reduction in the stability of river banks or watercourses.

(3) In deciding whether to grant development consent on land to which this clause applies, the consent authority must consider the following matters—

(a) the impact of the development on projected changes to flood behaviour as a result of climate change,

(b) the intended design and scale of buildings resulting from the development,

(c) whether the development incorporates measures to minimise the risk to life and ensure the safe evacuation of people in the event of a flood,

(d) the potential to modify, relocate or remove buildings resulting from development if the surrounding area is impacted by flooding or coastal erosion.

(4) A word or expression used in this clause has the same meaning as it has in the *Considering Flooding in Land Use Planning Guideline* unless it is otherwise defined in this clause.

(5) In this clause—

Considering Flooding in Land Use Planning Guideline means the *Considering Flooding in Land Use Planning Guideline* published on the Department's website on 14 July 2021.

flood planning area has the same meaning as it has in the Floodplain Development Manual.

Floodplain Development Manual means the *Floodplain Development Manual* (ISBN 0 7347 5476 0) published by the NSW Government in April 2005.

Not applicable.

6.1 Acid sulfate soils

(1) The objective of this clause is to ensure that development does not disturb, expose or drain acid sulfate soils and cause environmental damage.

(2) Development consent is required for the carrying out of works described in the Table to this subclause on land shown on the [Acid Sulfate Soils Map](#) as being of the class specified for those works.

(3) Development consent must not be granted under this clause for the carrying out of works unless an acid sulfate soils management plan has been prepared for the proposed works in accordance with the *Acid Sulfate Soils Manual* and has been provided to the consent authority.

(4) Despite subclause (2), development consent is not required under

this clause for the carrying out of works if:

- (a) a preliminary assessment of the proposed works prepared in accordance with the *Acid Sulfate Soils Manual* indicates that an acid sulfate soils management plan is not required for the works, and
- (b) the preliminary assessment has been provided to the consent authority and the consent authority has confirmed the assessment by notice in writing to the person proposing to carry out the works.

(5) Despite subclause (2), development consent is not required under this clause for the carrying out of any of the following works by a public authority (including ancillary work such as excavation, construction of access ways or the supply of power):

- (a) emergency work, being the repair or replacement of the works of the public authority that is required to be carried out urgently because the works have been damaged, have ceased to function or pose a risk to the environment or to public health and safety,
- (b) routine maintenance work, being the periodic inspection, cleaning, repair or replacement of the works of the public authority (other than work that involves the disturbance of more than 1 tonne of soil),
- (c) minor work, being work that costs less than \$20,000 (other than drainage work).

(6) Despite subclause (2), development consent is not required under this clause to carry out any works if:

- (a) the works involve the disturbance of less than 1 tonne of soil, such as occurs in carrying out agriculture, the construction or maintenance of drains, extractive industries, dredging, the construction of artificial water bodies (including canals, dams and detention basins) or foundations, or flood mitigation works, or
- (b) the works are not likely to lower the watertable.

The proposal is not within any Acid Sulfate Classified land.

6.1A Earthworks

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

- (a) to ensure that earthworks for which development consent is required will not have a detrimental impact on environmental functions and processes, neighbouring uses, cultural or heritage items or features of the surrounding land,

- (b) to allow earthworks of a minor nature without requiring separate development consent.
- (2) Development consent is required for earthworks unless—
- (a) the work is exempt development under this Plan or another applicable environmental planning instrument, or
 - (b) the work is ancillary to other development for which development consent has been given.
- (3) Before granting development consent for earthworks, the consent authority must consider the following matters—
- (a) the likely disruption of, or any detrimental effect on, existing drainage patterns and soil stability in the locality,
 - (b) the effect of the proposed development on the likely future use or redevelopment of the land,
 - (c) the quality of the fill or the soil to be excavated, or both,
 - (d) the effect of the proposed development on the existing and likely amenity of adjoining properties,
 - (e) the source of any fill material and the destination of any excavated material,
 - (f) the likelihood of disturbing relics,
 - (g) the proximity to and potential for adverse impacts on any watercourse, drinking water catchment or environmentally sensitive area.
- Note—
- The *National Parks and Wildlife Act 1974*, particularly section 86, deals with disturbing or excavating land and Aboriginal objects.

The proposal seeks consent for excavation up to a depth of 18.9m to facilitate the construction of the basement. Further discussion is provided in the Geotechnical Report included in the application addressing these provisions.

Part 7 Additional local provisions—St Leonards South Area

7.1 Development on land in St Leonards South Area

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- (1) The objective of this clause is to promote, by providing building height and floor space incentives, residential development within the St Leonards South Area that provides for—
- (a) community facilities, open space, including communal open space, and high quality landscaped areas, and
 - (b) efficient pedestrian and traffic circulation, and
 - (c) a mix of dwelling types in residential flat buildings, providing housing choice for different demographics, living needs and household budgets, including by providing affordable housing, and
 - (d) the amalgamation of lots to prevent the fragmentation or isolation of land.
- (2) This clause applies to development that involves the erection of 1 or more new buildings for the purposes of residential flat buildings on land within the St Leonards South Area.
- (3) Despite clauses 4.3 and 4.4, the consent authority may consent to development on land to which this clause applies that will result in a building with both of the following—
- (a) a building height that does not exceed the increased building height identified on the Incentive Height of Buildings Map,
 - (b) a floor space ratio that does not exceed the increased floor space ratio identified on the Incentive Floor Space Ratio Map.
- (4) Development consent must not be granted under this clause unless the consent authority is satisfied that—
- (a) at least 20% of the total number of dwellings (to the nearest whole number of dwellings) contained in the development will be studio or 1 bedroom dwellings, or both, and
 - (b) at least 20% of the total number of dwellings (to the nearest whole number of dwellings) contained in the development will be 2 bedroom dwellings, and
 - (c) at least 20% of the total number of dwellings (to the nearest whole number of dwellings) contained in the development will be 3 or more bedroom dwellings, and
 - (d) the development will provide appropriate building setbacks to facilitate communal open space between buildings, and
 - (e) the development will comply with the requirements of clause 7.2 in relation to the minimum site area of the development, and
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- (f) the development will, if applicable, comply with the requirements of clause 7.3 in relation to the minimum number of dwellings that will be used for the purposes of affordable housing, and
- (g) the development will, if applicable, comply with the requirements of clause 7.4 in relation to the minimum area that will be used for the purposes of recreation areas and community facilities, and
- (h) the development will, if applicable, comply with the requirements of clause 7.5 in relation to the provision of pedestrian links and roads.

(5) In this Part—

- (a) a reference to a numbered Area means an Area as identified on the Key Sites Map, and
- (b) for the purposes of the definition of *affordable housing* in the Act, a household is taken to be a very low income household, low income household or moderate income household if the household meets the requirements of clause 6(1) of *State Environmental Planning Policy (Affordable Rental Housing) 2009*.

Height of Buildings 44m

Floor Space Ratio 3.7:1

Studio/1 bed	20% min
2 bed	20% min
3 bed	20% min

The proposed development is comfortably below the 44m height of buildings control.

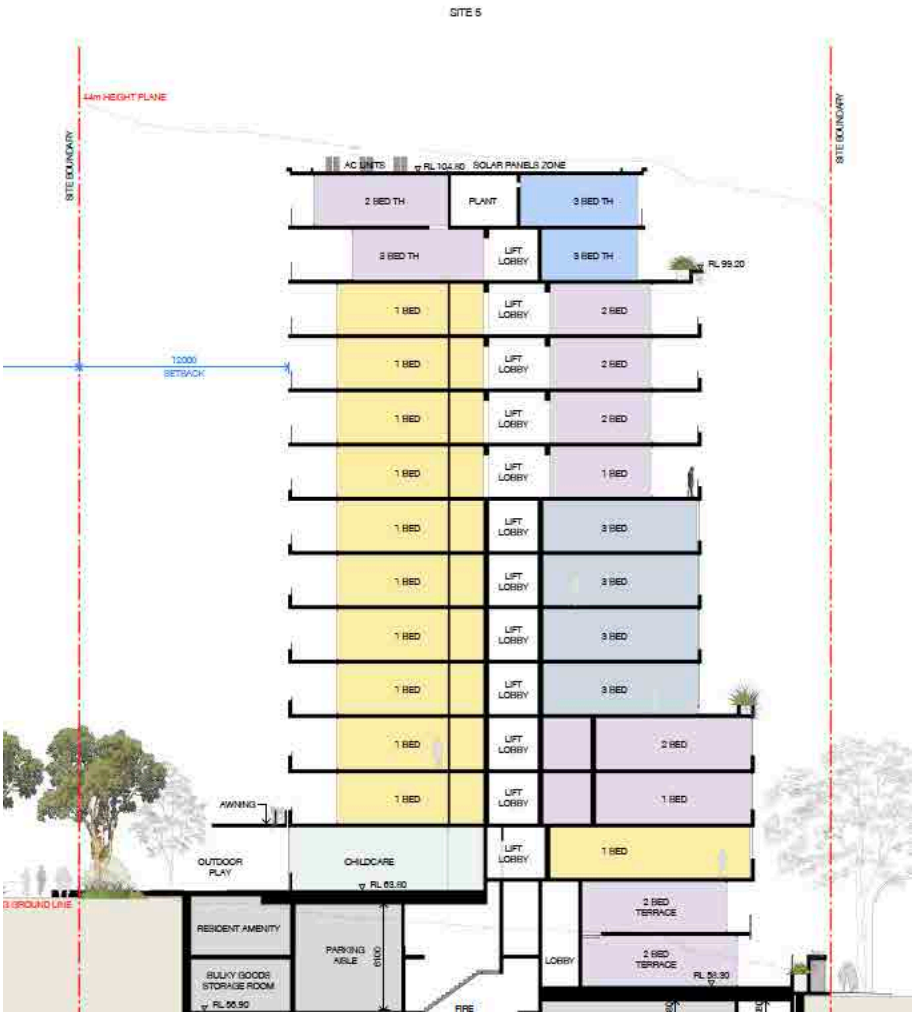
The proposed development has a floor space ratio of 3.42 :1 (8,985m²), much lower than the prescribed 3.7:1 in the LEP.

The proposed development provides for 84 residential apartments including:

- 1 x studio
- 26 x one bedroom units (32%)
- 28 x two bedroom units (33%)
- 29 x three bedroom units (35%)

Which is compliant with the required 20% minimum for each apartment type.

The development provides for the appropriate setbacks to facilitate communal open space along the green spine.



7.2 Minimum site area requirements	
For the purposes of clause 7.1(4)(e), the minimum site area for development on land to which clause 7.1 applies is the area specified in the table to this clause.	
Column 1	Column 2
Area 5	2,200 square metres

The subject site has an area of 2,629.2m² which is in excess of the minimum site area of 2,200m².

7.3 Minimum affordable housing requirements

For the purposes of clause 7.1(4)(f), the following is the minimum number of dwellings required to be used for the purposes of affordable housing in development on land to which clause 7.1 applies—

- (a) for Area 1—14 dwellings,
- (b) for Area 2, Area 3 or Area 4—7 dwellings,
- (c) for Area 6, Area 12 or Area 14—2 dwellings,
- (d) for Area 13 or Area 17—1 dwelling.

Not applicable to Area 5.

7.4 Minimum recreation area and community facility requirements

For the purposes of clause 7.1(4)(g), the following requirements apply to development on land to which clause 7.1 applies—

- (a) for Area 1—at least 900 square metres will be used for the purposes of recreation areas,
- (b) for Area 2 or Area 12—at least 400 square metres will be used for the purposes of recreation areas,
- (c) for Area 5 or Area 17—
 - (i) at least 450 square metres will be used for the purposes of a recreation area, and
 - (ii) at least 600 square metres will be used for the purposes of a community facility, and
 - (iii) the recreation area will be adjacent to the community facility.

The minimum recreation area and community facility requirements for the subject site are:

- (c) for Area 5 or Area 17—*
 - (i) at least 450 square metres will be used for the purposes of a recreation area,*
and
 - (ii) at least 600 square metres will be used for the purposes of a community facility,*
and
 - (iii) the recreation area will be adjacent to the community facility.*

The proposal provides for 530m² of recreation area which exceeds the requirement.

The proposal provides for 721.5m² of childcare centre and 151m² of community facility which exceeds the requirement of 600m² by 45.4%.

7.5 Requirements for pedestrian links and roads

For the purposes of clause 7.1(4)(h), the following publicly accessible pedestrian links and roads are required to be provided for development on land to which clause 7.1 applies—

- (a) for Area 5 or Area 6—a 15 metre wide pedestrian link through the land to enable a connection between Holdsworth Avenue and Canberra Avenue,
- (b) for Area 11—a 6 metre wide pedestrian link through the land to connect Holdsworth Avenue and Canberra Avenue,
- (c) for Area 15 or Area 16—a 15 metre wide pedestrian link through the land to enable a connection between Berry Road and Holdsworth Avenue,
- (d) for Area 20—a 6 metre wide pedestrian link through the land to connect Berry Road and Holdsworth Avenue,
- (e) for Area 22 or Area 23—a 12 metre wide road through the land to connect Park Road and Berry Road.

The proposal provides for (Area 5) a 15 metre wide pedestrian link through the land to enable a connection between Holdsworth Avenue and Canberra Avenue consistent with this provision.

7.6 Design excellence—St Leonards South Area

- (1) The objective of this clause is to deliver the highest standard of architectural, urban and landscape design.
- (2) This clause applies to land within the St Leonards South Area.
- (3) Development consent must not be granted for development to which this clause applies unless the consent authority considers that the development exhibits design excellence.
- (4) In considering whether the development exhibits design excellence, the consent authority must have regard to the following matters—

-
- (a) whether a high standard of architectural design, materials and detailing appropriate to the building type and location will be achieved,
 - (b) whether the form and external appearance of the development will improve the quality and amenity of the public domain,
 - (c) whether the development protects and enhances the natural topography and vegetation including trees or other significant natural features,
 - (d) whether the development detrimentally impacts on view corridors,
 - (e) whether the development achieves transit-oriented design principles, including the need to ensure direct, efficient and safe pedestrian and cycle access to nearby transit nodes,
 - (f) the requirements of the *Lane Cove Development Control Plan*,
 - (g) how the development addresses the following matters—
 - (i) the suitability of the land for development,
 - (ii) existing and proposed uses and use mix,
 - (iii) heritage issues and streetscape constraints,
 - (iv) the relationship of the development with other development (existing or proposed) on the same site or on neighbouring sites in terms of separation, setbacks, amenity and urban form,
 - (v) bulk, massing and modulation of buildings,
 - (vi) street frontage heights,
 - (vii) environmental impacts such as sustainable design, overshadowing, wind and reflectivity,
 - (viii) the achievement of the principles of ecologically sustainable development,
 - (ix) pedestrian, cycle, vehicular and service access, circulation and requirements,
 - (x) the impact on, and any proposed improvements to, the public domain,
 - (xi) the configuration and design of publicly accessible spaces and private spaces on the site.

(5) In this clause—

Lane Cove Development Control Plan means the *Lane Cove Development Control Plan*, as in force at the commencement of *Lane Cove Local Environmental Plan 2009 (Amendment No 25)*.

The proposal was presented to the Design Excellence Panel through a series of three meetings where the design was developed in response to the Design Excellence Panel minutes on each occasion. This design evolution which led to an on-going response to the matters raised by the Panel which in time led to the Panel accepting the overall design intent, height and form. In the final minutes the Design Excellence Panel commends the Applicant and Design Team on their well-considered design concept presentations and the high quality of their design drawings and reports.

5.5 Lane Cove Development Control Plan 2009

The relevant development controls within the DCP are listed below:

Table 2: Relevant Controls Under the Lane Cove Development Control Plan 2009

B7 Development near busy Roads and Rail Corridors LAeq levels: (i) In any bedroom 35dB(A) 10.00pm to 7.00am. (ii) anywhere else 40dB(A)
<p>An Acoustic report prepared by PWNA is submitted with the application and concludes:</p> <p>The report details the required acoustic constructions of the building's façade, including external windows, to ensure that the future internal noise levels comply with the relevant noise levels of the Australian Standard AS2107:2016. Providing the recommended constructions detailed in the report are included in the construction of the project the required internal noise levels will be achieved.</p> <p>External noise emissions from the site have been assessed and detailed in accordance with the NSW Environmental Protection Authorities Noise Policy for Industry. The future design and treatment of all building services associated with the project can be acoustically treated to ensure all noise emissions from the site comply with the EPA NPfl criteria. Details of the equipment and associated acoustic treatments will be provided as part of the CC submission of the project.</p> <p>An assessment of the proposed use of the childcare centre to be located on Level 1 of the development has been undertaken and recommended acoustic mitigations (including treatments and the controls) have been recommended to ensure the suitable noise emissions criteria will be achieved.</p>

An assessment of the use of the proposed childcare located on the ground floor of the project has been undertaken and the recommended acoustic treatments and controls are included in this report such that noise emissions will be acceptable to receivers within the future development as well as the surrounding areas (including future residential developments).

An assessment of noise and vibration impacts from the required processes to be undertaken during the construction period of the project has been undertaken and suitable treatments, management controls, perioding measurements and community engagement has been detailed in this report. The assessment has been undertaken in conjunction with the requirements of the EPA's Interim Construction Noise Guideline and detail the recommended noise and vibration mitigations and management which construction should be undertaken in accordance with. This report includes the recommended noise and vibration mitigations and management controls for the operation of construction activities on the site to ensure impacts to surrounding receivers are minimised as required by the EPA's Interim Construction Noise Guideline.

B8 Safety and Security

a) Ensure that the building design allows for casual surveillance of access ways, entries and driveways.

Development is to be well connected to the street and contribute to the accessibility of the public domain.

b) All ground floor apartments, villas, townhouses and attached or detached dwellings that have a street frontage other than battle axe blocks are to have direct access or entries from the street and at

least one habitable room with windows facing the street.

All development at ground level is to offer passive surveillance for safety and security of residents and visitors .

Crime Prevention Through Environmental Design (CPTED) principles have been considered and satisfactorily addressed in the design.

Design initiatives to ensure safety and security within the development and public domain include:

- Principle building entrances are clearly identifiable and allow for passive surveillance;
- Building entrances have secure access points with video intercom;
- The clear architectural facade treatment differentiate the public and private zones along Canberra Avenue. The restaurant/cafe corner together with the circular amphitheatre will provide a point of activation and surveillance;
- Pedestrian link and public lift has been carefully positioned to ensure no hidden alcoves, and signifies a clear pathway for the precinct users to traverse the site.
- Car park layouts are designed to minimise opportunities for alcoves. Columns or walls do not obstruct sight lines and the car parks are generally open. Security access in the form of swipe cards and remote controllers will be provided;
- Entries and public open spaces are well lit;
- Terrace house on ground floor has appropriate level and landscape to provide privacy to the residents.
- Passive surveillance improved along pedestrian link along Southern boundary with the inclusion of Ground floor

restaurant/cafe corner, L1 community rooms and podium apartments above.

- The increased pedestrian traffic as a result of this development will improve general safety in the area through passive surveillance.
- Childcare users has clearly signalled parking entrance leading directly down to B1, with designated childcare parking facilities, and lift lobby area leading to the separated lift.

3.1 General Objectives

Objectives

The objectives for residential flat buildings are:

- 1 To achieve a reasonable level of amenity for the residential flat buildings, neighbouring properties and the surrounding area.
- 2 To achieve sustainable development whilst providing a concentration of residents close to public transport and facilities.
- 3 To create entrances which provide a desirable residential identity for the development, orient visitors and contribute positively to the streetscape and building facade design.
- 4 To provide opportunities for lifestyle choice and dwelling mix.

The proposed development provides for a reasonable level of amenity for the occupants and the residents of the surrounding buildings while providing sustainable development close to public transport and facilities. The proposal provides identifiable entries positively contributing to the streetscape and façade design. The proposal provides opportunities for lifestyle choice and dwelling mix and is considered consistent with the objectives.

3.2 Density

Minimum site area 1,500m².

The proposal has a site area of 2,629.2m², which satisfies the control.

3.3 Building Depth

The objectives for building depth are:

- 1 To ensure that the bulk of the development is in scale with the existing or desired future context.
- 2 To provide adequate amenity for building occupants in terms of sun access, daylight and natural ventilation.
- 3 To provide for dual aspect dwellings.

Maximum building depth 18m.

The proposed building is generally of a compliant depth with inset balconies to the east and west reducing the depth.

This results in dwellings having a dual aspect frontage and achieving high levels of amenity in terms of sun access, daylight and natural ventilation.

It is considered that the proposal meets the objectives of the controls for the site.

3.4 Building Width

The objectives for building width are:

- 1 To avoid large continuous building bulk and massing.
- 2 To ensure that residential flat building responds to the character of the area.

The maximum overall width of the building fronting the street shall be 40m. Greater widths may be permissible if the proposed building articulation is satisfactory in the streetscape.

The proposal is consistent with the control. It is considered that the proposal meets the objectives with satisfactory articulation in the streetscape.

3.5 Setbacks

The objectives for setbacks are:

- 1 To establish the desired spatial proportions of the street and define the street edge and provide a transition between public and private space.
- 2 To assist in achieving visual privacy to dwellings from the street.
- 3 To allow for street landscape character.

Front/Street Setback

7.5m

Side and Rear

6m 4 storeys

9m 5-8 storeys

12m 9 storeys +

Not applicable.

3.5.3 Parking Podium height

Maximum 1.2m

The basement parking podium is below ground and observes the setback requirements where it protrudes above ground level it is sleeved with habitable areas.

3.6 Building Separation

There is only one building proposed in the development so that this requirement does not apply.

3.7 Fences

Fences at 1800mm are provided to the side and rear boundaries consistent with this clause. The acoustic fencing to the childcare centre play area is required to be provided at 2.2m in order to attenuate noise in accordance with the Childcare SEPP provisions.

3.8 Excavation

- a) All development is to relate to the existing topography of the land at the time of the adoption of this DCP.
- b) Excavation for major development is to be contained as close as practicable to the footprint of the development.
- c) For development within Centres, Council may consider full site coverage for underground excavation and podium footprints where it is demonstrated that mature landscaping, landscaped area and rainwater retention is able to be provided as roof terraces on podium structures.
- d) Uses at ground level are to respond to the slope of the street by stepping frontages and entries to follow the slope.
- e) The extent of excavation proposed for underground uses should not compromise the provision of deep soil areas or landscaped areas for residential flat buildings.

The proposal is considered to be consistent with the provisions of this clause.

3.9 Design of Roof Top Areas

- a) Roof top areas including podium area are to be designed for use as recreation facilities where practicable and should be of

<p>high standard of finish and design. A detailed landscape design and plan of roof top design is to be submitted with the DA.</p> <p>b) The design of exterior private open space such as roof top gardens is to address visual and acoustic privacy, safety, security, and wind effects.</p>
<p>The roof top and podium areas are incorporated into the recreation areas and finished to a high level as shown in the landscape plan.</p> <p>A communal open space is provided on roof level.</p>
<p>3.10 Size and Mix of Dwellings</p> <p>Studio Minimum 40m² Minimum of 10% each 1 bed 2 bed and 3 bed.</p>
<p>This is overridden by the LLEP Clause 7.1</p>
<p>3.11 Private Open Space</p> <p>The objectives for private open space are:</p> <ol style="list-style-type: none"> 1 To provide all dwellings with functional private open space. 2 To ensure that balconies and terraces are integrated into the overall architectural form and detail of residential flat buildings. 3 To contribute to the safety and liveliness of the street by allowing for casual overlooking of the street. <p>Balconies 2m deep and 10m² Terraces 4m deep and 16m²</p>
<p>The apartments are able to provide the required balcony and terrace areas.</p>
<p>3.12 Ceiling heights</p> <p>a) In residential flat buildings, including residential apartments in mixed use buildings, the floor to ceiling height shall be:</p>

- . for non-habitable rooms, a preferred minimum of 2.4m, however a minimum of 2.25m will be permitted
- . for the upper level of a 2 storey apartment, a minimum of 2.4m provided at least 50% of the apartment has a minimum of 2.7m height and
- . for all single level apartments, a minimum of 2.7m.

The proposal complies with this requirement.

3.13 Storage

b) In addition to kitchen cupboards and bedroom wardrobes, provide accessible storage facilities at the following rates:

studio dwellings 6m³

one-bedroom dwellings 6m³

two-bedroom dwellings 8m³

three plus bedroom dwellings 10m³

A minimum of 50% of this storage volume is to be provided within the dwelling accessible from the hall or living area as hall cupboards.

The proposal complies with the storage volume requirement. All storage allocation is detailed in the attached table.

3.14 Solar access

Provisions

These provisions apply to proposed developments and any residential development beyond the site.

-
- a) Habitable rooms in at least 70 percent of dwellings in high density residential developments, should receive a minimum of three hours direct sunlight between 9 am and 3 pm on 21st June, in total between any portions of those rooms. A reasonable proportion of both the common and private open space in those sites is also to receive sunlight during that period, according to the circumstances of the sites.
- b) The number of single-aspect dwellings with a southerly aspect (SW-SE) should be limited to a maximum of 10 percent of the total dwellings within a high density residential development. Developments varying from the minimum standard due to site constraints and orientation must demonstrate how energy efficiency is addressed.
- c) Where adjacent dwellings and their open space already receive less than the standard hours of sun, new development should seek to maintain this solar access where practicable.
- d) Council may accept a reduction in solar access for the subject site and adjacent development if the topography and lot orientation (as distinct from a preferred design) are such that the standard is considered unreasonable.

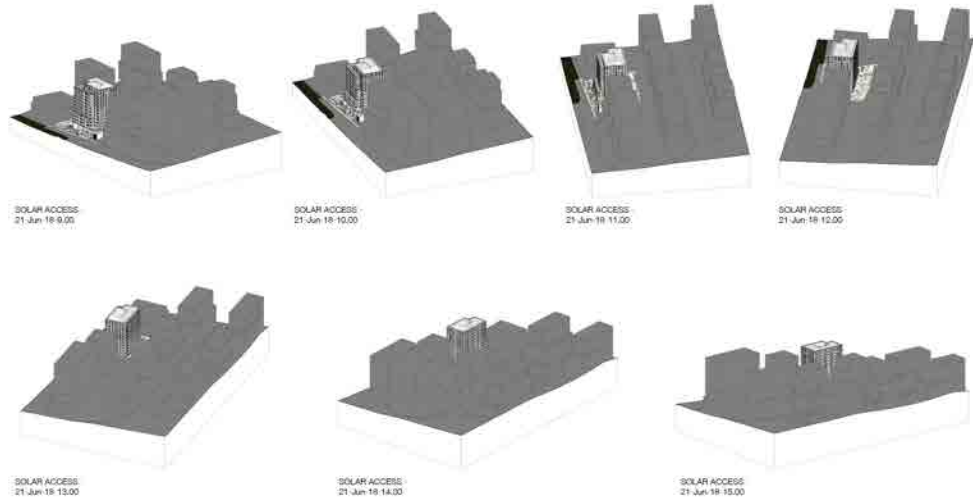
Shadow diagrams are required with the development application to show solar access and the extent of overshadowing.

The proposal has been analysed in detail for solar access compliance in the report included with the application.

The report demonstrates that 71% for 2 hours in accordance with the ADG to achieve the required solar access within the development.

The proposal has no southerly single aspect apartments.

All surrounding properties and open space retain their required solar access.



3.15 Natural Ventilation

- a) Sixty percent (60%) of dwellings should be naturally cross ventilated.
- b) Ventilation provided to one end of a dwelling via windows onto an open access corridor does not satisfy this requirement due to privacy and acoustics' impacts.
- c) Twenty five percent (25%) of kitchens within a development should have access to natural ventilation.

The proposal satisfies these requirements with 62% cross ventilated units.

3.16 Visual Privacy.

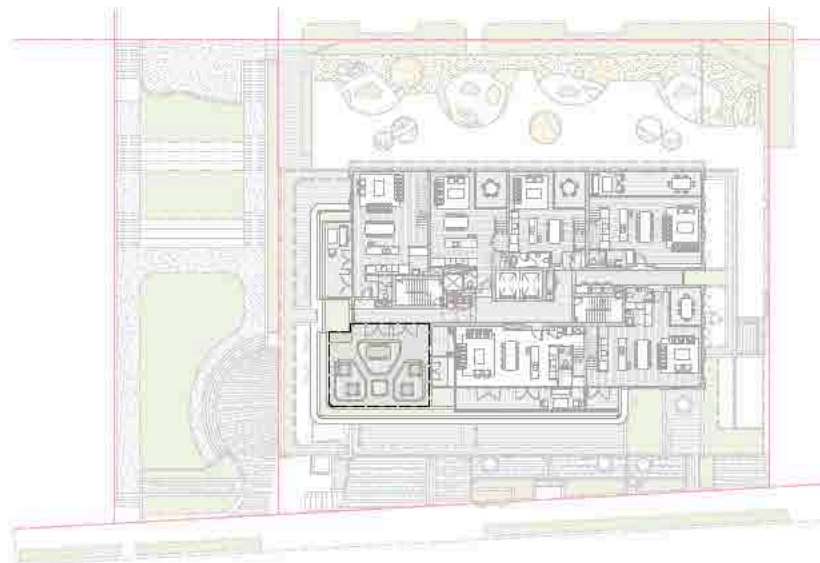
- a) Locate and orient new development to encourage visual privacy between buildings on site and adjacent buildings.
- b) Use detailed site and building design elements to increase privacy without compromising access to light and air. Detailing may include:

Offset windows of dwellings in new developments in

<p>relation to adjacent development windows</p> <p>Recessed balconies and/or vertical fins between adjacent balconies</p> <p>Solid or semi-solid balustrades to balconies</p> <p>Louvres or screen panels to windows and/or balconies</p> <p>Incorporating planter boxes into walls or balustrades to increase the visual separation between areas</p> <p>Utilise pergolas or shading devices to limit overlooking of lower dwellings or private open space.</p>
<p>The proposal satisfies these requirements offsetting windows and providing screening where necessary.</p>
<p>3.17 Communal Open Space</p> <p>a) A minimum of 25% of the site area is to be provided as communal open space.</p> <p>b) For mixed use sites, communal open space can be provided on podiums and roof terraces subject to achieving privacy for adjoining users.</p>
<p>The proposal provides for in excess of 1,444m² (54.7%) of communal open space on the ground plane and on the communal roof space well in excess with the requirements of this clause.</p>



GROUND & L1 COMMUNAL OPEN SPACE



LEVEL 12 COMMUNAL OPEN SPACE

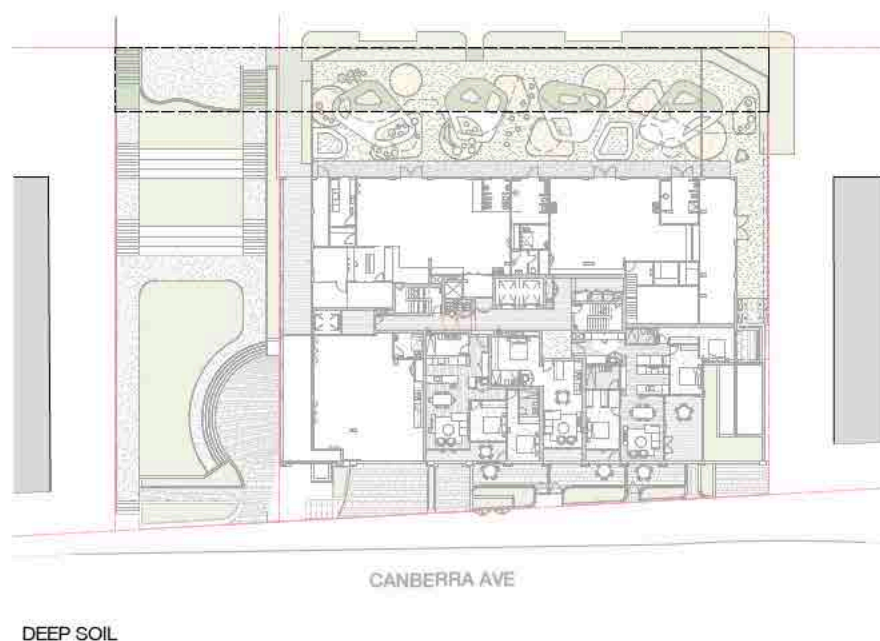
3.18 Landscaped Area

- a) A minimum of 40% of the site area is to be planted, comprising 25% landscaped area and a further minimum of 15% planting on structures or landscaped area.
- b) Exceptions may be made in centres for mixed use developments only. In these instances, stormwater treatment

measures must be integrated with the design of the residential flat building and sufficient soil depth and volumes to be provided to ensure that mature trees are achievable.

c) Landscaping to front boundaries shared with bicycle routes should be less than 900mm in height and should not impede pedestrian and bicycle routes or reduce visibility to these pathways.

The proposal provides for 1,373m² (51.9%) of the site as landscaped area) and 365.7m² (13.8%) as deep soil landscaped area comfortably satisfying the provisions.



3.19 Planting on structures

The following are recommended as minimum standards for a range of plant sizes:

a) Large trees (canopy diameter of up to 16m at maturity)

<p>minimum soil volume 150m³</p> <p>minimum soil depth 1.3m</p> <p>minimum soil area 10m x 10m area or equivalent</p> <p>b) Medium trees (8m canopy diameter at maturity)</p> <p>minimum soil volume 35m³</p> <p>minimum soil depth 1m</p> <p>approximate soil area 6m x 6m or equivalent</p> <p>c) Small trees (4m canopy diameter at maturity)</p> <p>minimum soil volume 9m³</p> <p>minimum soil depth 800mm</p> <p>approximate soil area 3.5m x 3.5m or equivalent</p> <p>d) Shrubs</p> <p>minimum soil depths 500-600mm</p> <p>e) Ground cover</p> <p>minimum soil depths 300-450mm</p> <p>f) Turf</p> <p>minimum soil depths 100-300mm</p> <p>Any subsurface drainage requirements are in addition to the minimum soil depths mentioned above.</p>
The proposed achieves these requirements as demonstrated in the landscape plan.
Locality 8 St Leonards South Precinct

The overall objectives are:

- 1 To create a highly liveable transit-orientated residential precinct that integrates with St Leonards Station and proposed over-rail public plaza that encourages community interaction, walking, cycling and use of public transport.
- 2 To ensure that all new development will achieve design excellence, as well as providing suitable transition and interfaces to adjoining zones and open space.
- 3 To provide a variety of housing (including affordable housing) that is sustainable, provides housing choice and that meet the needs of residents including access to community facilities.
- 4 To minimise traffic impacts within the precinct and to and from Pacific Highway and River Road.
- 5 To facilitate a new, accessible network for pedestrians, cyclists and families that integrate and connect to functional community infrastructure and open space.
- 6 To create an accessible, well-designed public open space network that provides a variety of recreation spaces (active and passive) and communal open space that is functional and shared by residents.
- 7 To create a Low Carbon Precinct that delivers sustainable and efficient buildings that provide energy, water and waste efficiency.

The proposal meets these objectives in protecting the environmentally sensitive parts of the site and providing a buffer from development.

The proposal responds the principles of transit- orientated development providing high-density development that is located within a walking catchment of St Leonards Railway Station.

The proposal complies with Council's minimum bicycle parking requirements and incorporates a range of pedestrian links that will encourage walking.

The proposal is the result of extensive design iterations and has been developed in response to the feedback provided by Council and Design Review Panel during the Pre- DA process.

The proposal complies with the St Leonards South Landscape Masterplan in that it proposes a consolidated area of communal open space within the Green Spine and responds to the requirements for pedestrian links and through-site links. In particular, it proposes a compliant through-site link to the south of the site to facilitate access between Canberra Avenue and Holdsworth Avenue.

4 Structure Plan

The Structure Plan sets the broad framework for development within the St Leonards South Precinct in close proximity to the St Leonards Railway Station (the Station) and the St Leonards mixed use/commercial centre.

The Urban Structure Plan builds on the existing urban framework, dramatically increases density around the Station and improves East-West connectivity and walkability to the Station.

The “perimeter block” building form is supported by communal open space (green spines) running North-South in the centre of each block.

Community infrastructure is also proposed along the East-West (E-W) links.

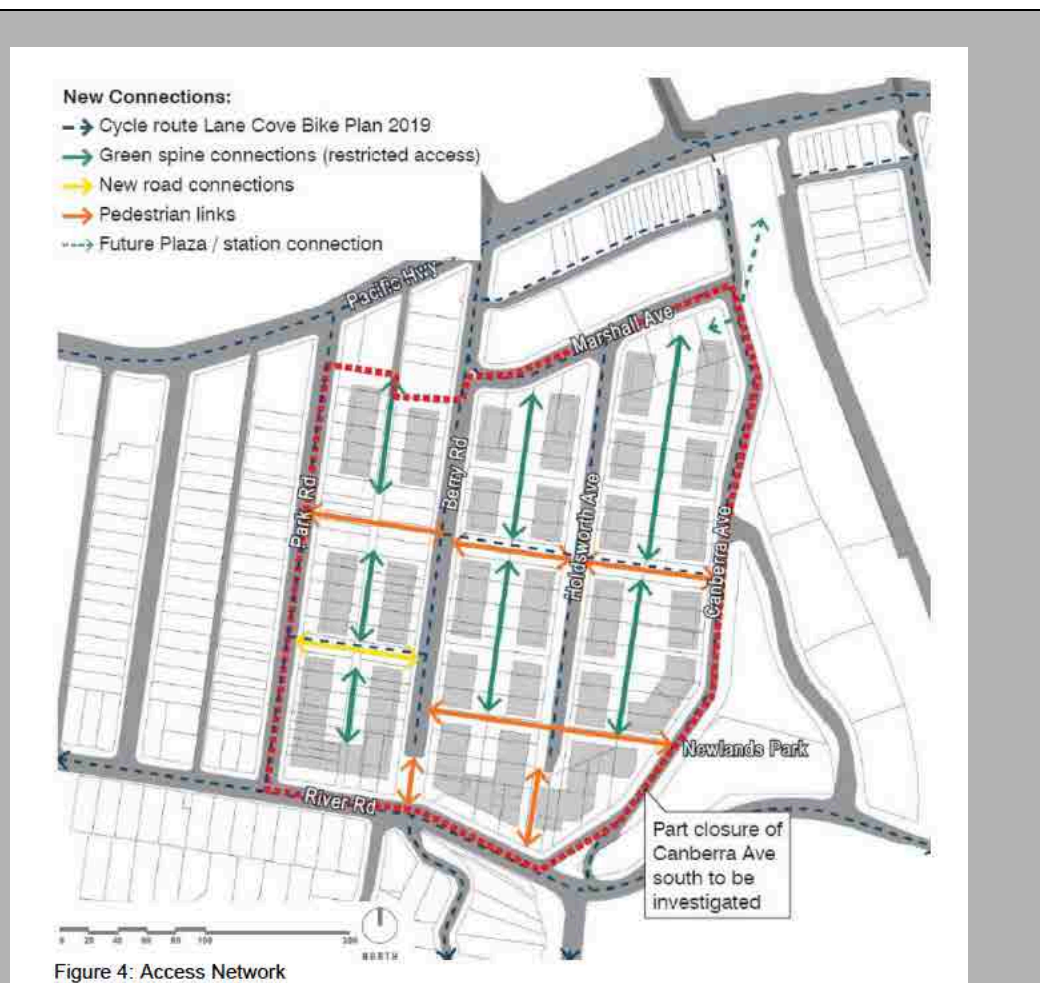


The proposal provides for the required four allotments and provides the required east-west pedestrian link and the north-south green spine. The proposal is entirely consistent with the Structure Plan.

5 Access

Objectives

- 1) To provide improved access and circulation (vehicular, pedestrian and bicycle) within the Precinct whilst not facilitating through vehicle traffic.
- 2) To improve connectivity within the Precinct and to the external context pedestrian and bicycle linkages to St Leonards and Wollstonecraft Railway Station, St Leonards Commercial Centre and the Lane Cove River.
- 3) Provide new public roads and pedestrian and bicycle links in accordance with Figure 4 - Access Networks.



The proposal does not facilitate through traffic. It proposes a single driveway point from the northern end of Canberra Avenue to limit traffic movements in the surrounding road network. The proposal provides pedestrian links in accordance with Figure 4 Above This includes a through-site link that connects Holdsworth Avenue and Canberra Avenue.

6 Infrastructure

Objectives

The objectives for Infrastructure are to identify and provide opportunities for additional public infrastructure including:

- a) Recreation Areas (Public Open Space)

- b) Community facilities that are multi-purpose
- c) Affordable housing
- d) Undergrounding of services

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- a) Recreation Areas (Public Open Space)
- b) Community facilities that are multi-purpose
- c) Affordable housing
- d) Undergrounding of services



Figure 6: Public Infrastructure

- _Create Recreation areas as indicated in Figure 6.
- _Locate driveways to maximise opportunity to convert the southern end of Berry Road and Holdsworth Avenue to a Recreation Area.

Recreation areas comprising the Green Spine and landscaped setbacks are provided in accordance with the Urban Design Guidelines.

Provide Community facilities including a multi-purpose facility of 600 sqm, comprising a child care centre (450sqm), community hall (150sqm) and an adjacent Recreation Area of 450sqm, as indicated in Figure 6.

The proposal is required to provide a community centre and a childcare centre which are included in the application consistent with these requirements.

- All utility services within a public road reserve are to be placed underground for the total frontage of each site.
- All utility services within each site are to be placed underground or within the building.
- Design and construction of these works is to be at the cost of the developer.
- Light poles are to be designed and provided as specified by Council.
- All utility infrastructure, including electricity kiosks, hydrants, and meters shall be screened from the public domain.

The proposal meets these requirements.

7 Built Form

Objectives

The objectives for Built Form are to:

- 1 Facilitate amalgamation opportunities that allow for economic and aesthetic redevelopment while preventing land fragmentation or isolation that detracts from the desired future character of the precinct.
- 2 Step the heights from tallest adjacent to the Railway Station, reducing with distance to the south and west (River Road and Park Road).
- 3 Provide transitional built form at edges of the precinct.

-
- 4 Locate building as “perimeter block” development fronting N-S streets in order to maximise solar access to building facades and open spaces.
 - 5 Limit the length of façade of buildings, to provide appropriate levels of articulation, and to use a complementary palette of materials which will relate positively to the streetscape and enhance the public domain.
 - 6 Encourage a stepped-back building form in order to reduce building bulk and scale to the street. To facilitate street and front setback (deep soil) tree planting to further reduce apparent bulk and scale.
 - 7 Ensure that parking basements are located beneath perimeter building footprints, wherever possible, in order to protect ‘central’ deep soil zones (Green Spines).
 - 8 Optimise solar access to all buildings, public domain and private open space.
 - 9 Activate and engage with the public domain in a manner which optimises public interaction and public safety.
 - 10 Encourage a mix and diversity of housing types within the precinct.

The proposal complies with Council's preferred amalgamation pattern and does not encourage land fragmentation or isolation.

The proposal complies with the maximum height limits that apply to the site and therefore provides an appropriate transition in scale.

The building is located in accordance with the Structure Plan that applies to the site.

The proposal satisfies the minimum length requirements; with appropriate breaks and articulation provided to provide visual relief and provide appropriate massing of the development.

The envelope has been articulated to provide a stepped built form that reduces the perceived bulk of the development. Upper level setbacks are incorporated to further assist in reducing the perceived massing.

The basement is located wholly below ground and significant amounts of deep soil are provided within the Green Spine and to the west of the site which is not impeded by the basement.

The proposal complies with the minimum ADG solar access requirements.

The public domain relating to the Canberra Avenue streetscape and the internal 'Green Spine' will be overlooked by the proposed building. These areas will therefore benefit from a high level of surveillance. The proposal complies with the minimum unit mix requirements set out by the LLEP 2009 under clause 7.1(4).

- Sites are to be amalgamated as per Figure 8 to comply with LEP minimum lot size.
- Alternative amalgamation patterns will only be considered if it can be demonstrated that all outcomes and objectives for this Locality can be delivered by the subject and other Areas.



The proposal does not seek to vary the required amalgamation pattern.

Building Envelope

Building Envelope			
No.	CONTROL	PROVISION	NOTES/LOCATION
1	Building Setbacks F (Refer to Figure 9)	<ul style="list-style-type: none"> 6m at park level + 3m at and above Level 5 	To Local Park (eastern buildings of Areas 21 and 22).
2	Rear Building Setback	Minimum 12m setback to rear boundary of an Area.	
3	Building Separation	As per ADG / SEPP 65	
4	Building Depth	Maximum depth 18-22m	As per Figure 9
5	Building Orientation/Length	<ul style="list-style-type: none"> Create north-south perimeter block buildings oriented to address N-S streets as shown in Figure 9. Maximum building length shall not be greater than 35m unless strongly articulated. River Road (lower levels) may be longer than 35m, but only with strong articulation to lower levels of River Road. 	<p>Optimise solar access to buildings and open space areas.</p> <p>Strongly articulated means for example a major indentation of 3-6m x 3m wide for the full height of the building.</p>
6	Building Articulation	<ul style="list-style-type: none"> A high degree of articulation is mandatory for the front façade and include balconies, overhangs, blades and other architectural features. Articulation elements shall not utilise contrasting 'bright' colours to emphasise the articulation. 	
7	Height in Storeys	<ul style="list-style-type: none"> Height of development in number of Storeys shall be as per Figure 10. Part storeys resulting from excavation of steep slopes or semi basement parking will not count as a storey. 	Refer to Clause 4.6 (8)(cb) and Part 7 of Lane Cove LEP.
8	Solar Access	<ul style="list-style-type: none"> Compliance with ADG solar access requirements. Building design must ensure that overshadowing of public (i.e. Newlands Park and Local Park) and private open spaces (Green Spines) is minimised. 	
9	Building Floor Levels	<ul style="list-style-type: none"> Building floor levels shall have regard to Figure 18, to facilitate the creation and access to "Green Spines". 	

Exploration of setbacks to the north and south have been undertaken in keeping with the objectives of ADG and the St Leonards South DCP with regard to amenity and form articulation. Using the grid, modules are pushed and pulled to maximise floor plate efficiency without departure from the objectives of the DCP envelope.

Furthermore, regrouping the volumes provides simpler geometry to the eye, the front tower volume has been shifted away from the Northern edge, to provide more building separation to the neighbouring development. The podium volume to Canberra Avenue has also been reduced to provide better scale to the street.

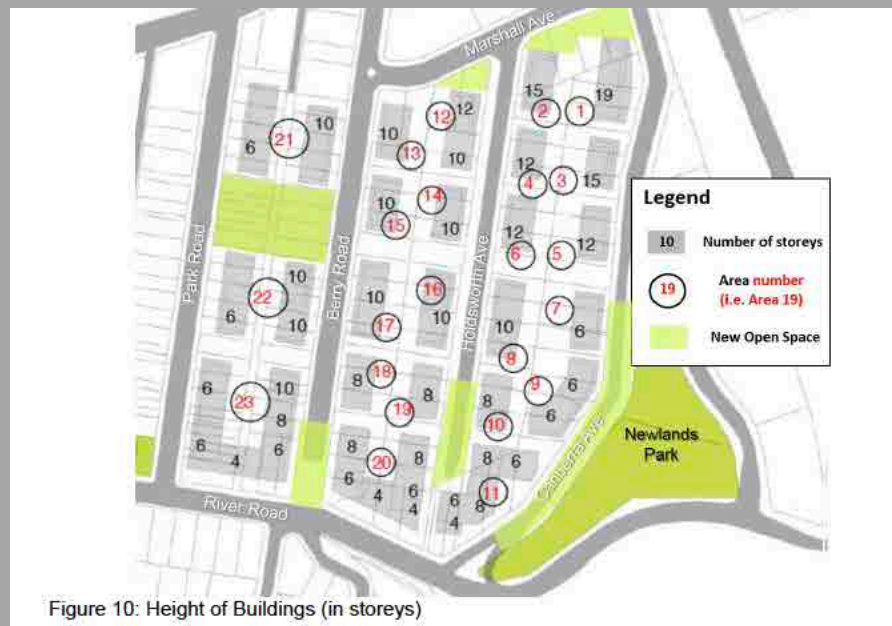
Other important aspects have been instrumental in carving out the building mass, including the residence's community space on roof, the indent on the Northern and Southern facade to provide light and ventilation to the corridors. And also lighten up the podium base adjacent to the pedestrian link to provide visual surveillance from the restaurant/cafe, community hall and corridor. The terrace houses on the street front reduce the visual scale of the building, and relate to the human scale street experience.

The proposal exceeds the building depth requirement of 22m being 26m. However, the building is split east-west through a substantial glazed corridor. The variation is required in order to achieve compliance with the *St Leonards South Urban Design Guidelines*. These guidelines nominate the setbacks for the area. The proposal is consistent with the setback requirements and the proposal complies with the height and FSR controls and therefore achieves an appropriate bulk and scale. Whilst the building exceed the minimum 22m requirement, the units receive a high standard of residential amenity. In particular, many of the units exceed the minimum internal area requirements. Further, cumulatively the scheme achieves compliance with the ADG solar and cross ventilation requirements.

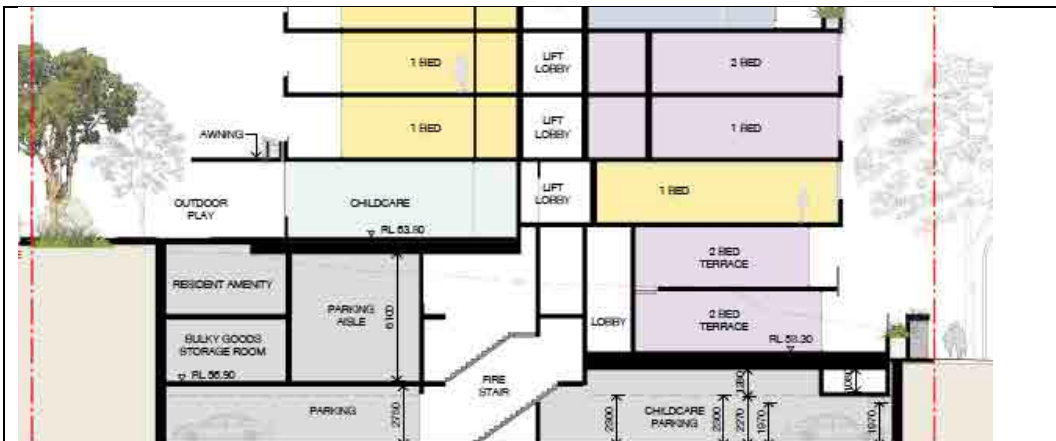
The proposed building is 37m in length but is strongly articulated in accordance with the provisions.

The proposal provides a high degree of articulation for the front façade and includes balconies, overhangs, blades and other architectural features. The articulation elements utilise contrasting colours to emphasise the articulation.

Height in Storeys



The subject site has a height of 12 storeys. It is noted that the DCP nominates part storeys resulting from excavation of steep slopes or semi-basement parking will not count as a story. The subject site rises steeply from east to west so that the childcare centre and community facility are located at RL63.8 almost 6m above the street frontage and these part levels as a consequence are excluded as part storeys and semi-basement parking.



Consequently, the proposal has a storey height of 13 storeys. However, this has been adopted in order to screen the upper level plant rooms and contain them within the building form “skinned” with apartments given that the upper level of the building is so visible from the north upslope from St Leonards centre. It is significant that the proposed development comfortably complies with the LEP 44m height control. The proposal could quite comfortably adopt greater floor to floor heights and present as exactly the same building form but would as a consequence lose even more floor space and even more units where the housing strategy and the LEP are attempting to create a high density residential area in close proximity to the transport centres. It is noted that proposed development has a floor space ratio of of 3.42 :1 (8,985m²), much lower than the prescribed 3.7:1 in the LEP which is a loss of 790m² of floor space. If the greater floor to floor heights were applied the building would present in the same form but would result in the loss of 1,232m² of floor space or the equivalent of sixteen homes. It is noted that the resulting building form does not result in any additional overshadowing to Newlands Park over and above that envisaged by the master plan.

It is of significance that the EPA Act 1979 was amended under Section 4.15 (3A) recently:

- (3A) **Development control plans** If a development control plan contains provisions that relate to the development that is the subject of a development application, the consent authority—*
- (a) if those provisions set standards with respect to an aspect of the development and the development application complies with those standards—is not to*

(b) if those provisions set standards with respect to an aspect of the development and the development application does not comply with those standards—**is to be flexible in applying those provisions and allow reasonable alternative solutions that achieve the objects of those standards for dealing with that aspect of the development**, and

(c) may consider those provisions only in connection with the assessment of that development application.

In this subsection, **standards** include performance criteria.

14m HEIGHT PLANE

AC UNITS

PLANT

SOLAR PANELS ZONE

2 BED TH

3 BED TH

3 BED TH

3 BED TH

1 BED

2 BED

LIFT LOBBY

LIFT LOBBY

RL 104.80

RL 99.20

SITE BOUNDARY

SITE BOUNDARY

In this instance it is considered that the design approach of wrapping the upper level plant is an appropriate design outcome and achieves design excellence sort by the LEP and DCP.

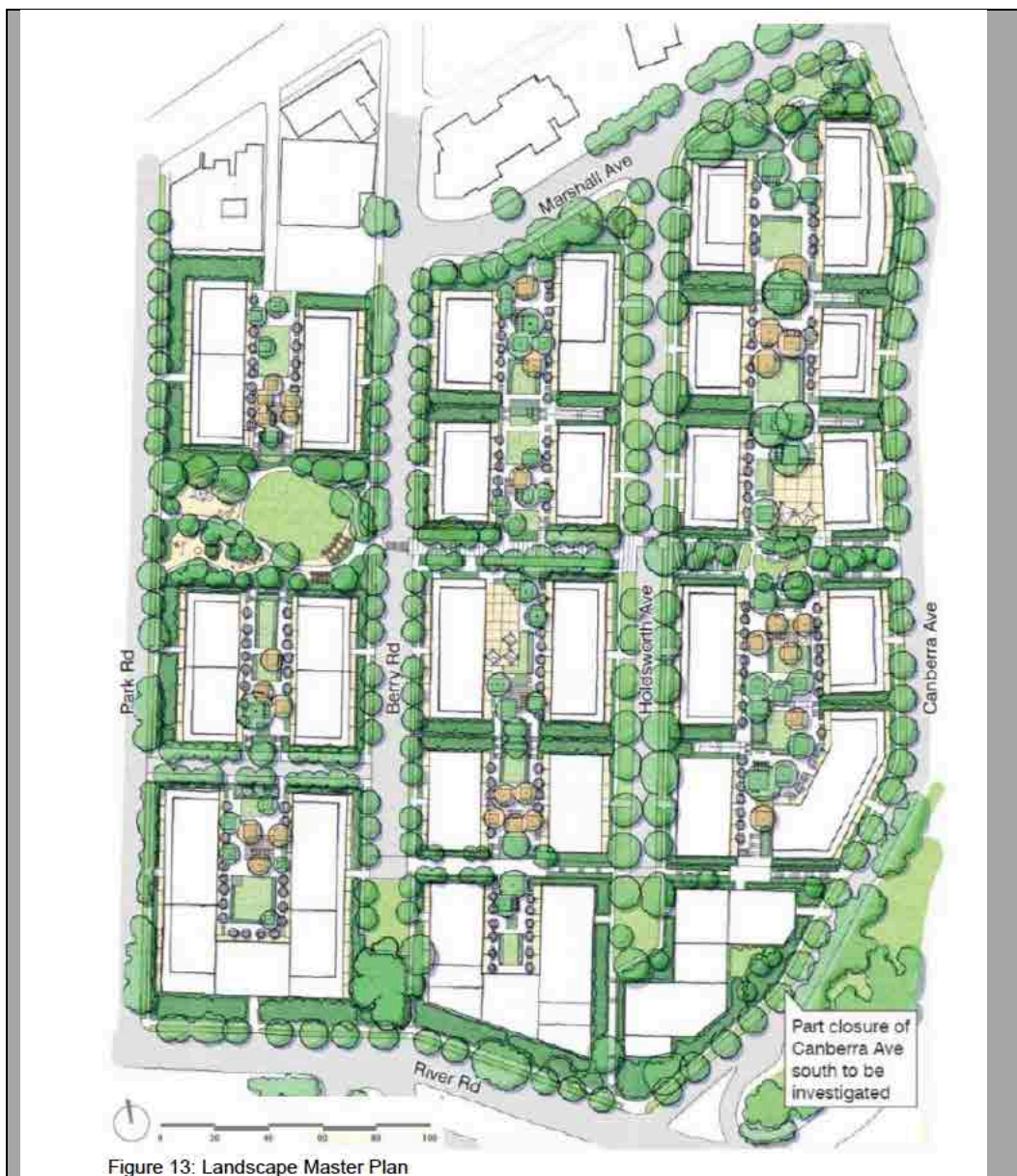
Incentives

- Minimum site area of 2,200m²
- A multi-purpose (child care centre and community hall) facility of 600sqm with direct connection to an outdoor play space of 450sqm provided in accordance with the “*Specifications for Community Facilities in the St Leonards South Precinct*” and dedicated to Council in perpetuity;
- Public lifts associated with multi-purpose facility, to provide accessibility;

<ul style="list-style-type: none"> Design Excellence is achieved in accordance with LEP Clause 7.6, including the Maximum Height of Buildings (in storeys);
All of these provisions of satisfied.
Pedestrian Entry/ Address <ul style="list-style-type: none"> Provide entries to properties generally as indicated in Figure 11. Design for passive surveillance of recreation areas and pedestrian and bicycle links from the public domain and from developments.
<p>Pedestrian access points are provided in accordance with Figure 11. The pedestrian access points are detailed in the Architectural Plans and each townhouse is accessible directly from Canberra Avenue as is the residential flat building.</p>
Edge Treatments <ul style="list-style-type: none"> Limit basement protrusions to 1.5m. Treat exposed basements with textural materials and landscaping as per the LMP to minimise visual impact. Provide 1.2m front fence/ hedge or other landscape combination at front boundary to create privacy for ground floor and semi-basement units.
<p>The basement does not protrude and is skinned with habitable space consistent with these provisions. Front boundary fencing is provided to the town houses.</p>
Transition to Lower Densities
Not applicable
Vehicle Access

<ul style="list-style-type: none"> • Provide vehicle access from street frontage at lower end/edge of site. • Where multiple areas are consolidated, minimise vehicle access points. • For Canberra Avenue South, locate vehicle access points to facilitate road closure to consolidate land into Newlands Park. • Restrict vehicle access from River Road.
<p>Vehicular access is provided from the lower end of Canberra Avenue to minimise conflicts with pedestrians and limit traffic generation in the surrounds.</p>
<p>Parking</p> <ul style="list-style-type: none"> • No parking is permitted within the front setback. • Parking is to be in basements under the building footprint but NOT: <ul style="list-style-type: none"> ○ under designated deep soil zones as per LMP; ○ under the front setback; ○ under the 'Green Spine'. Where justification is provided, intrusions into deep-soil Green Spine areas shall only be considered after two levels of basement parking has been provided under the building footprint.
<p>All parking is provided in basements under the building footprint consistent with these provisions.</p>
<p>8 Landscape Objectives</p> <p>The objectives for the Landscape are to:</p> <ul style="list-style-type: none"> • Ensure all development will have a high level of landscaping. • Conserve existing trees wherever possible and enhance tree planting. • Implement the Landscape Master Plan (LMP) and Typology Plan. • Create a “deep soil” network suitable for growing large trees.

The proposal provides a centrally located Green Spine which satisfies the St Leonards South Landscape Master Plan.
<ul style="list-style-type: none">• Landscaping for the Precinct shall be as set out in the Landscape Master Plan (LMP).
The proposal provides a centrally located Green Spine which satisfies the St Leonards South Landscape Master Plan.
<ul style="list-style-type: none">• Open space shall be located as shown in the LMP (See Figure 14).



The proposal provides a centrally located Green Spine which satisfies the St Leonards South Landscape Master Plan.

Private Domain

Objectives

The objectives for the Private Domain are to:

- Preserve and enhance, wherever possible, the existing vegetation and landscape character of the Precinct.

<ul style="list-style-type: none"> • Create a coherent and attractive private street-front landscape to support and enhance the Public Domain. • Facilitate the creation of integrated communal open space (Green Spines) with extensive deep soil zones. • Ensure that communal open space facilities (swimming pools, activity areas, playgrounds, barbeque areas etc) are located and designed to minimise negative impacts on adjacent residential apartments. • Facilitate private open space (balconies and courtyards) which will enhance residential amenity. • Facilitate roof gardens to provide further communal residential open space and contribute to sustainability. • Minimise off-site impacts such as stormwater run-off.
<p>Trees are only proposed for removal where they conflict with the building envelope and will be offset by replacement planting located throughout the Green Spine and within the building's setbacks. It is noted that trees are also proposed to be removed in the vicinity of the childcare outdoor play area in order to ensure the health and safety requirements under the Childcare SEPP are satisfied.</p>
<ul style="list-style-type: none"> • Tree retention shall be as per Figure 16. • An Arborist's Report is required for each Area which shall include: <ul style="list-style-type: none"> ○ Location, Age, condition, species and conservation value of all trees (SULE assessment) ○ Justification for any trees proposed to be removed ○ Trees to be retained and any measures needed to facilitate tree retention ○ Measures taken to minimise impacts of construction on deep soil zones and mature existing trees.

An arborist report is provided with the application addressing these provisions.
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- Green Spines are to be provided as set out on Figure 17
- The design of the Green Spines and provision of communal facilities shall be as set out in the LMP, in particular the nine specific landscape plans for contiguous Green Spine areas.
- The Green Spines shall comprise predominantly deep soil as per the LMP.
- Intrusions into deep-soil Green Spine areas shall only be considered after two levels of basement parking has been provided under the building footprint.
- Alternative arrangements to the requirements of the LMP for Deep Soil areas in Areas 11, 20 and 23 may be considered provided it can be demonstrated the intent of the deep soil zones can be achieved.
- Finished Green Spine levels shall generally comply with those shown on Figure 18 and (LMP) to relate to building floor levels.
- Level transition at property boundaries shall generally be as per LMP and Figures 20 and 21.
- Connections shall be provided (at levels shown in Figures 18 and 19) to adjacent areas and to areas of public domain as shown on LMP (particularly streets and E-W links)
- Planting on structure (Podia, basements, roof gardens etc) shall be as specified in Figure 25 and LMP.
- The Recreation Areas adjacent to the community facilities in Areas 5 & 17 Green Spine and all residual rear setback area are to be incorporated into the Green Spines
- Connect Green Spines to communal areas of buildings/foyers and lobbies to provide access.
- Edge treatments to private open space, buildings and parking basements shall be as detailed in Figures 22-24 and LMP

<ul style="list-style-type: none"> • Security gates shall be provided at the connection of Green Spines to Public Domain See Figure 11
<p>The outdoor play area of the childcare centre forms part of the landscaped north-south green spine with intensive landscaping and visual connectivity. The outdoor recreation area will also become an active part of the green spine outside of the childcare hours of operation and will add an additional level of communal use and active child play areas out of hours and on the weekends. Security gates will be provided at the connection to the green spine. The landscape architect has interacted with the development applications on the neighbouring properties to ensure that levels and planting is co-ordinated to ensure the cohesiveness of the green spine.</p>
<ul style="list-style-type: none"> • Front setbacks to be deep soil and to be treated as front gardens to GF units (or basements units) • Edge treatment to the boundary shall comprise a 1.2m max fence/hedge to provide screening as per the LMP. • Boundary treatments shall be as res 23-24 & LMP
<p>Comprehensive landscaping is proposed within the front setbacks as detailed in the Landscape Plans.</p>
<ul style="list-style-type: none"> • Private courts to be located as indicated on Figure 23. • Private courts may extend a maximum of 1 metre into Green Spines. • Direct access shall be provided from private courts to Public Domain and/or Spine. • Edge treatment between private courts and communal Green Spine shall be as detailed in Figures 22, 23 and 24.
<p>The private courtyards only front the street as the childcare centre and community centre front the green spine.</p>

<ul style="list-style-type: none"> • Edge treatments between private courts and communal green spine – see as detailed in Figures 22, 23 and 24.
<p>The private courtyards only front the street as the childcare centre and community centre front the green spine.</p>
<p>Roof Terraces</p> <p>Roof Terraces are encouraged, refer Figures 25 (a) and (b) and LMP for desired Roof Terrace design.</p>
<p>A communal roof terrace is proposed in accordance with these provisions along with private roof terraces on the upper level. The communal rooftop space shown in figure 25 is indicative. The proposal has responded to the slope of the site and wind conditions by providing communal open space at the south-western rooftop to maximise views and amenity for the community.</p>
<p>Enclosed space and shelter for communal amenities provided for roof terraces are not counted as a storey. These spaces should only contain non-habitable floor space.</p>
<p>The communal roof terrace includes communal amenities for the use of the occupants in accordance with these provisions.</p>
<p>Public Art</p> <ul style="list-style-type: none"> • Each Area shall prepare a public art strategy to integrate with their landscape plans (see LMP). • Each Area shall provide Public Art to a minimum value of 0.1% of the development construction value.
<p>A Public Art strategy has been prepared for the site and is submitted with the application.</p>
<p>9 - Environmental Sustainability</p> <ul style="list-style-type: none"> • The design, construction and operations of any new building in this precinct, including its services and fit outs, must be capable of achieving a minimum 6 star

<p>rating under the Nationwide House Energy Rating Scheme (NatHERS) by a suitably qualified person.</p> <ul style="list-style-type: none"> • Buildings shall comply Part B Cl 6.2 of Council's DCP. • All developments are encouraged to consider inclusion of a green roof to provide thermal efficiency.
<p>The proposal achieves the required 6 star rating under the Nationwide House Energy Rating Scheme.</p>
<p>10 – Water Management and Conservation</p> <p>Minimise potable water use by:</p> <ul style="list-style-type: none"> • Using water efficient appliances • Explore rainwater collection and reuse • Use drought tolerant plants
<p>The stormwater management system prepared for the site has been designed to comply with the DCP. Detail is provided in the stormwater documentation demonstrating compliance with these provisions.</p>
<p>Urban Stormwater</p> <ul style="list-style-type: none"> • Collect, store and treat on site. • Maintain maximum Green Spine and other deep soil for percolation. • Provide on-site stormwater and infiltration including bio-retention systems such as rain gardens. • Buildings shall comply with Part B Cl 6.3 of Council's DCP. • Provide detention tanks desirably under paved areas, driveways in retaining walls or in basement car parks.
<p>The stormwater management system prepared for the site has been designed to comply with the DCP. Detail is provided in the stormwater documentation demonstrating compliance with these provisions.</p>
<p>Part Q – Waste Management and Minimisation</p> <ul style="list-style-type: none"> • Each dwelling unit should be provided with an indoor waste/recycling cupboard (or other appropriate storage space)

for the interim storage of a minimum one day's garbage and recycling generation.

- Residential Flat Buildings containing four or more storeys must be provided with garbage chute system(s) for the transportation of general waste from each storey to the main waste storage/collection room(s). This is also desirable in Mixed Use developments where possible, depending on design and land uses.
- The garbage chutes must be designed in accordance with Appendix F: Garbage Chutes and the Building Code of Australia. Garbage chutes are not suitable for recyclable materials and must be clearly labelled to discourage improper use.
- A dedicated service room on each floor must be designed to include a garbage chute and 2x240L recycling bins for the storage of recyclable materials.
- The service room(s) must be located for convenient access by users and must be well ventilated and well lit.
- Residential flat buildings must include communal or main waste/recycling storage facilities in the form of a waste/recycling storage room (or rooms) designed in accordance with Appendix D Waste Recycling/Storage Rooms in Multi-Unit Dwellings.
- Communal waste storage areas should have adequate space to accommodate and manoeuvre Council's required number of waste and recycling containers.
- The main waste and recycling storage/collection room (s) must be located for convenient access by users and must be well ventilated and well lit
- For residential flat buildings that include ten or more dwellings, a dedicated room or caged area must be provided for the temporary storage of discarded bulky items which are awaiting removal. The storage area must be readily accessible to all residents and must be located close to the main waste storage room or area.
- Bulky waste storage rooms must be designed to the following minimum sizes > 21 units.

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- An open air on-site collection point for bulky waste presentation including the path of travel from the storage area to the collection point is required as larger trucks are used to collect bulky waste.
 - There must be an unobstructed and Continuous Accessible Path of Travel (as per Australian Standard 1428 Design for Access and Mobility - 2001) from the waste/recycling storage area(s) or room(s) to:
 - the entry to any Adaptable Housing (as per Australian Standard 4299 Adaptable Housing - 1995)
 - the principal entrance to each residential flat building
 - the point at which bins are collected/emptied.
 - The development must be designed to allow for on-site access by garbage collection vehicles (of dimensions detailed at Appendix E Garbage Truck Dimensions for Residential Waste Collection). In these instances, the site must be configured so as to allow collection vehicles to enter and exit the site in a forward direction and so that collection vehicles do not impede general access to, from or within the site. Access driveways to be used by collection vehicles must be of sufficient strength to support such vehicles.
 - When a collection vehicle is required to enter a property, access driveways and internal roads must be designed in accordance with Australian Standard 2890.2 Parking Facilities – Off-Street Commercial Vehicle Facilities – 2002.

A Waste Management report has been prepared by Elephants Foot and is submitted with the application.

Waste management strategies and audits are required for new developments in order to support the design and sustainable performance of the building. It is EFRS's belief that a successful waste management strategy contains three key objectives:

- i. *Promote responsible source separation* to reduce the amount of waste that goes to landfill by implementing convenient and efficient waste management systems.

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- ii. *Ensure adequate waste provisions and robust procedures that will cater for potential changes during the operational phase of the development.*
 - iii. *Comply with all relevant council codes, policies, and guidelines.*

To achieve these objectives, this operational waste management plan identifies the different waste streams likely to be generated during the operational phase of the development, as well as how the waste will be handled and disposed, details of bin sizes/quantities and waste rooms, descriptions of the proposed waste management equipment used, and information on waste collection points and frequencies.

Contributions

S7.11, 7.12 and 7.24 Contributions

It is noted that the contributions calculated have been provided in the draft VPA which is subject of review with Council and submitted as part of the application.

6.0 Environmental Planning Assessment

Section 4.15(1) of the Environmental Planning and Assessment Act 1979 as amended specifies the matters which a consent authority must consider when determining a development application.

6.1 s.4.15(1)(a)(i) the provision of any Environmental Planning Instrument (EPI)

Consideration of SEPP 55, SEPP (BASIX) 2004 and Local Environmental Plan 2009 are discussed under Section 4.

6.2 s.4.15(1)(a)(ii) the provision of any draft Environmental Planning Instruments

Not applicable to this application.

6.3 s.4.15(1)(a)(iii) any development control plan

Consideration of Development Control Plan 2009 is discussed under Section 4.

6.4 s.4.15(1)(a)(iv) any matters prescribed by the regulations

Not applicable to this application.

6.5 s.4.15(1)(b) the likely impacts of the development, including environmental impacts on both the natural and built environments, and social and economic impacts in the locality

Context and Setting

The site is located in a high density residential area, which is in transition to a high density desired future character. The proposal meets the requirements of the planning controls to produce a building, which fits very comfortably within the context and setting of future development in the surrounding area. The quality of the design and landscaping of the proposal will enhance the area.

Access, Transport and Traffic

The proposal provides for parking needs on site in four basements.

Public Domain

The proposal will be located on private land and will not impact adversely upon the public domain.

Utilities

Adequate utility services are currently provided on the site to cater for the proposed development.

Heritage

Not applicable to this application.

Other Land Resources

Not applicable to this application.

Water

Appropriate water saving fittings will be included in the new dwellings. Rainwater storage tanks are proposed to be located in the building.

Soils

Some excavation will be required to accommodate the lower levels of the proposed building. This will be sited well away from development on adjoining properties so as to prevent any adverse impacts.

Air and Microclimate

It is not considered the proposal will give rise to any significant air or microclimate impacts.

Flora and Fauna

The significant trees on site are retained through appropriate siting of the building.

Waste

Appropriate waste management practices will be undertaken during the construction phase. The Council garbage truck will pick up waste from the upper basement. Please refer to the Waste Management Plan submitted with the application.

Energy

A BASIX Assessment of the proposed building's energy efficiency has been prepared and is submitted with the application. The proposal has been designed to maximise daylight access and permit cross ventilation.

Noise and Vibration

Appropriate measures will be adopted during the construction stage to manage noise and vibration levels in accordance with Council requirements. After the initial construction period the residential development is not expected to cause any unacceptable noise impacts. Noting suitable measures will be implemented to mitigate noise impacts from the childcare centre and community facility in accordance with the recommendations of the acoustic report.

Natural Hazards

Part of the site is bushfire affected. A bushfire hazard assessment has been submitted with the development application recommending measures to address these concerns which remain in place for the amended application.

Technological Hazards

Not applicable to this application.

Safety, Security and Crime Prevention

The proposal has been designed for security and surveillance of public and common areas.

Social Impact in the Locality

The proposal is consistent with the plan to increase densities in this well serviced location. It is considered that the social impact is acceptable.

Economic Impact in the Locality

The proposed development will create employment during the construction stage. Once construction is completed the building will have no significant economic impact on the locality.

Site Design and Internal Design

The proposal has been sited with its orientation primarily to the north and is well setback from the boundaries of the site. The articulation of the proposed building will ensure that it does not present as having undue bulk or height. The variation of external forms and finishes will create an attractive modern building. The internal design provides appropriately dimensioned, contemporary living areas which is desirable for modern living.

Construction

The building process will be managed so as to minimise disruption to neighbours, the local community and the environment. The development proposal incorporates durable materials with low maintenance requirements.

Cumulative Impacts

The ability of the site to absorb the new building is demonstrated by the size of the allotment, the context of the property, general compliance with the objectives of Council's development controls, and the minimal impact on adjoining development. Accordingly, the cumulative impact of the development on the character of the neighbourhood is expected to be negligible. The proposal will enhance the neighbourhood.

6.6 s.4.15(1)(c) suitability of the site for development

Having regard to the location of the proposal, the site will adequately accommodate the development of the additions to the dwelling.

6.7 s.4.15(1)(d) submissions made in accordance with the Act or the Regulations

The Consent authority will need to consider the submissions received in response to the public exhibition of the proposed development.

6.8 s.4.15(1)(e) the public interest

There are no known Federal and/or state Government policy statements and/or strategies other than those discussed in this report that are of relevance to this particular case. We are not aware of any other circumstances that are relevant to the consideration of this development application.

7.0 Conclusion

The proposal comprises the demolition of four existing dwellings and construction of a new public east west pedestrian link and mixed use residential development at 13-19 Canberra Avenue, St Leonards (Lots 11, 12, 13, & 14 Sec 3 DP 7259).

The proposal seeks approval for demolition of 4 existing dwellings and construction of a new public east west pedestrian link and mixed use residential development at 13-19 Canberra Avenue, St Leonards comprising:

- 84 residential apartments including:
 - 1 x studio
 - 26 x one bedroom units
 - 28 x two bedroom units
 - 29 x three bedroom units
- 4 levels of basement car parking including:
 - 19 x childcare car spaces
 - 2 x car share spaces
 - 1 x restaurant/cafe car space
 - 17 x residential visitor car spaces
 - 95 x residential car spaces
 - 10 x motorcycle spaces
 - 30 x bicycle spaces
- Vehicular access off Canberra Avenue
- Communal residential rooftop terrace space
- Communal residential facilities
- Solar PV panels at the rooftop
- Childcare centre for 60 children including outdoor play area
- Community facility
- Ground floor restaurant/cafe space
- Tree removal
- Stratum and strata subdivision

The Plan for St Leonards South illustrates a unified and over-arching plan for the area. It combines and details the actions and directions

identified in the St Leonards South DCP and Landscape Masterplan 2020. The plans focus on improving connectivity across and between the area of St Leonards South through a network of green streets, activity areas and public spaces. The desired future character of the St Leonards South Precinct is for a liveable, walkable, connected, safe, Precinct which builds upon the transit and land use opportunities of St Leonards and Metro Stations and commercial centre.

The proponent met with Council and the Design Review Panel throughout the design development process, and the feedback has been incorporated into the development proposal and as a result the proposal has been refined to deliver design excellence.

The development is centralised within St Leonards South Precinct, at a prominent gateway site to the St Leonards station, linking various key community aspects of the precinct, including Newlands Park and Green Spine. Apart from fulfilling the needs for accommodation, the project also provides important precinct infrastructures for the community including, the pedestrian link, public lift, restaurant/cafe facility, community hall and childcare.

The built form results from careful evaluation of the site context, identifying the constraints including height plane, setbacks and preserving light to key public spaces. Identify the opportunities to manipulate the massing to achieve feasibility for the site and maximize the benefit for the public domain. The street wall and stepped back upper levels are an important contribution to the streetscape and urban context of Canberra Avenue. The green spine setback sets a limit to floor plate depth that is consistent with the objectives of the DCP.

Exploration of setbacks to the north and south can be undertaken in keeping with the objectives of ADG and the St Leonards South DCP with regard to amenity and form articulation. Using the grid, modules are pushed and pulled to maximise floor plate efficiency without departure from the objectives of the DCP envelope. The resulting mass contributes no additional overshadowing to Newlands Park.

The proposed development achieves an appropriate density that is consistent with the objectives of the St Leonards South Precinct DCP. The proposal is compliant with the 44m height control and has a floor space ratio of 3.42 :1, much lower than the prescribed 3.7:1 in the precinct LEP. All apartments in the development enjoy a high level of amenity, with both views and generous private open space.

The proposed development achieves good quality amenity for residents and neighbours. There are extensive communal open spaces at the precinct level; after hour/weekend use of the expansive childcare outdoor play area; the upper ground floor indoor community facility; and the rooftop communal open space with uninterrupted city views.

The site being situated in the heart of the St Leonards South Precinct, has direct access to a number of shared community amenities. These include a Council operated childcare centre, indoor community hall, BBQ areas, landscaped areas, child play zones, small parks, bench and picnic spaces. The site offers two key community spaces to the precinct and its residents being the Childcare and community hall which totalling 1,251m² of indoor and outdoor space as well as large civic pedestrian link through the precinct. Residents of the building have direct access to the green spine and pedestrian link via level one connection.

The child care outdoor space is able to be used by the precinct residents outside of the childcare hours. This will provide around 530 m² of engaging outdoor play zone for both the residents and the public.

The upper ground floor provides functional and exclusive resident facilities including private wine storage room, music room, fitness Studio room, cinema, swimming pool and spa. The rooftop community space provides kitchen, BBQ and accessible toilet. Plus shaded outdoor seating areas which can accommodate multiple groups at a time.

The development contributes to the general public amenity at ground floor level through the activation of frontages via the inviting east-west pedestrian link, new amphitheatre and public square, visible

restaurant/cafe corner, public lift, lobby spaces, access and balcony orientation.

The proposal has generally been designed in accordance with Council's policies and planning instruments and will make a positive contribution to the locality by maintaining the relationship of the approved building which enhances the character of the streetscape. Where non-compliances with the controls have occurred they have been designed so as not to adversely impact the amenity of surrounding residents.

The proposal also addresses the matters for consideration under Section 4.15 of the Environmental Planning and Assessment Act, 1979. It will deliver a suitable and appropriate development and is worthy of approval.

Statement of Environmental Effects prepared by:

Name: Andrew Darroch of Mersonn Pty Ltd
Qualification: BA (Enviro. Sc.) Master City and Regional
Planning Grad. Dip Urban Estate
Management MPIA, MEPLA, MPCA
Address: 20 Wylde Street, Potts Point

In respect of the following Development Application:

Land to be developed: 13 – 19 Canberra Avenue, St Leonards South

Proposed development:

Demolition of 4 Existing Dwellings and
Construction of A New Public East West
Pedestrian Link and Mixed Use Residential
Development.

Declaration:

I declare that I have prepared this
Statement and to the best of my knowledge:

1. The Statement has been prepared in accordance with clause 4.12 of the EP & A Act and Clause 50 of the EP & A Regulations.
2. The Statement contains all available information that is relevant to the environmental assessment of the development to which this Statement relates, and
3. That the information contained in the Statement is neither false nor misleading.



Signature:

Name: Andrew Darroch

Date: October 2021