



STATEMENT OF ENVIRONMENTAL EFFECTS

Accompanying a development application for:

Demolition of existing dwelling houses, tree removal, and construction of a three storey residential flat building containing fifteen (15) units, basement car parking for sixteen (16) vehicles, and consolidation into a single lot

at

77-79 Trafalgar Street, Peakhurst NSW 2210
Lots 227 & 228 DP 36317

November 2018

Department of Family and Community Services
Land & Housing Corporation
Postal address: Locked Bag 4009, Ashfield BC NSW 1800
W www.facs.nsw.gov.au | **E** facsinfo@facs.nsw.gov.au
T (02) 8753 9000

ABN 45 013 643 721

This document may only be used for the purposes associated with the development application it supports to the extent authorised under the provisions of the *Environmental Planning and Assessment Act 1979* and *Environmental Planning and Assessment Regulation 2000*, for the express purposes set out under that legislation, and may not otherwise be copied, reproduced, distributed or used without the written permission of the authors.

September 2017

CONTENTS

EXECUTIVE SUMMARY	4
1 INTRODUCTION	5
2 SITE DESCRIPTION AND ANALYSIS.....	6
2.1 Property description & location	6
2.2 Site characteristics	7
2.3 Surrounding development.....	9
2.4 Areas or items of cultural heritage significance	13
2.5 Access to services & facilities	13
3 PROPOSED DEVELOPMENT	15
3.1 Plans & supporting information	15
3.2 Detailed description of proposed development	16
3.3 Proposed unit details	17
3.4 Traffic, parking and access	17
3.5 Building articulation	17
3.6 Landscaping	18
3.7 Open space	18
3.8 Fencing and walls.....	19
3.9 Site Facilities	19
3.10 Waste Management	19
3.11 Pre-DA meeting	20
4 ASSESSMENT OF PROPOSED DEVELOPMENT	21
4.1 Environmental planning instruments	21
4.2 Draft, exhibited environmental planning instruments.....	26
4.3 Development control plans	26
4.4 Environmental impacts	37
4.5 Suitability of the site for the development.....	38
4.6 Submissions made in accordance with this Act or the regulations	38
4.7 The public interest	39
4.8 Matters prescribed by the Regulation	39
5 CONCLUSION	40

APPENDICES

- Appendix A** Architectural, survey, stormwater, landscape plans & photomontages
- Appendix B** Section 10.7 Planning Certificates & Title searches
- Appendix C** AHIMS search results
- Appendix D** Site Investigation Report
- Appendix E** Arboricultural impact assessment
- Appendix F** Traffic & parking assessment
- Appendix G** External Colours Sample Board
- Appendix H** Certificate of compliance (Architect)
- Appendix I** Certificate of compliance (Landscape)
- Appendix J** Certificate of compliance (Stormwater)
- Appendix K** SEPP 65 and ADG Design Verification Statement
- Appendix L** Geotechnical Report
- Appendix M** BASIX & NatHERS Certificate
- Appendix N** Waste Management Plan
- Appendix O** Council Pre-DA Advice Letter

EXECUTIVE SUMMARY

This Statement of Environmental Effects (SEE) has been prepared under Section 4.12 of the *Environmental Planning and Assessment Act 1979* (EP&A Act) to accompany a Crown Development Application (DA) by the New South Wales Land & Housing Corporation (LAHC).

The subject site is located at 77-79 Trafalgar Street, Peakhurst NSW 2210, and is legally described as Lots 227 & 228 in Deposited Plan 36317.

The proposed development activity is described as follows:

Demolition of existing dwelling houses, tree removal, and construction of a three storey residential flat building containing fifteen (15) units, basement car parking for sixteen (16) vehicles, and consolidation into a single lot

Development for the purposes of a 'Residential Flat Building' (RFB) is permitted with consent within the R3 Medium Density Residential zoning under the *Hurstville Local Environmental Plan 2012* (HLEP 2012). The proposed development complies with the relevant development standards of the HLEP 2012 and is generally consistent with the Hurstville Development Control Plan No. 1 (HDCP).

The proposal is also consistent with the objectives and provisions of the EP&A Act, the associated *Environmental Planning and Assessment Regulation 2000* (EP&A Regulation) as well as relevant State Government policies, including the *State Environmental Planning Policy 65 – Design Quality of Residential Apartment Development* (SEPP 65) and the associated *Apartment Design Guide* (ADG), the HLEP 2012 and the Hurstville Development Control Plan No. 1 (HDCP).

A Pre-DA meeting was held on the 27th June 2018 between LAHC and Georges River Council to discuss the concept proposal prior to the preparation of this SEE. Council Staff did not object to the proposal however, they provided recommendations to inform the development of the design. These have been incorporated into the proposal.

An assessment of the proposed development indicates that the proposal will not result in any unacceptable environmental impacts and that any potential impacts can be mitigated to an acceptable level. Accordingly, it is recommended that this DA be approved subject to any conditions put forward by the consent authority.

1 INTRODUCTION

This SEE has been prepared under Section 4.12 of the EP&A Act to accompany a Crown DA by the New South Wales LAHC for the proposed development at 77-79 Trafalgar Street, Peakhurst, NSW 2210. The LAHC is constituted a public authority under Section 226 of the EP&A Regulation, accordingly the proposal is Crown Development under Division 4.6 of the EP&A Act.

LAHC seeks to provide affordable housing for people living in NSW on low incomes who are unable to rent privately. LAHC therefore plays a key role in implementing the objective of providing and maintaining affordable (social) housing under the EP&A Act.

The proposed development will contribute to LAHC's implementation of the State Government's *Future Directions for Social Housing* which requires growth of the social housing portfolio that is fit for purpose, well located, and offers a better tenant experience.

The proposed development is consistent with the Greater Sydney Commission's (GSC) *Greater Sydney Region Plan* and *South District Plan* by accelerating the supply of housing in suitable locations and contributing to the housing supply target of 23,250 by 2021.

The proposed development comprises:

- Demolition of existing two (2) dwelling houses and structures;
- Removal of eleven (11) trees/shrubs;
- Excavation and construction of a three (3) storey residential flat building comprising 15 units and basement car parking for 16 vehicles;
- Vehicular access to the site from Lawrence Street;
- Landscaping;
- Lot amalgamation to consolidate two (2) lots into one (1) allotment;

The following sections of this report:

- Describe the site and provide analysis of the surrounding locality;
- Detail the proposed development; and
- Provide an assessment of the proposal against the applicable statutory planning framework.

2 SITE DESCRIPTION AND ANALYSIS

2.1 Property description & location

The site is located in the Georges River Council (formerly Hurstville City) Local Government Area (LGA). It consists of two (2) lots legally described as Lot 227 & 228 in DP 36317 and known as 77-79 Trafalgar Street, Peakhurst. The site is owned by LAHC.

The site is located approximately 900 metres south of Riverwood station and town centre.

Refer **Figure 1** below for site context.



Figure 1 Context location map
Source: Google Maps

2.2 Site characteristics

The site has an area of 1,352m² and is currently occupied by two (2) single storey fibro cottage houses as shown at **Figure 3** overleaf. The architectural style of these are not contributory to the emerging character of the area.



Figure 2 Existing site

Source: Nearmaps

The site has three street frontages, being Trafalgar Street (north), Lawrence Street (east) and Jacques Street (west). The site adjoins a wide verge to the west, identified as Jacques Avenue Reserve. Trafalgar Street, Jacques Avenue and Lawrence Street are local roads and accommodate two-way movements. The locality provides unrestricted street parking.

The site has a gentle slope of approximately 3.5m in a south-westerly to north-easterly direction. A sewer easement additionally bisects the north-eastern corner of the site as identified on the Survey Plan (refer **Appendix A**).

One large tree is situated at the frontage of the site, identified as a Broad-leaved Paperbark. fifteen (15) trees/shrubs are planted within the site. There is an additional existing tree located near the boundary of the site within the adjoining property to the south. These trees have been identified within the Arborist Report at **Appendix E** and Survey Plan at **Appendix A**.

Sewer, water, electricity, telecommunications and gas are available to the site. The locations of these services are shown on the Survey Plan (**Appendix A**).

Pedestrian and driveway access to 79 Trafalgar Street is provided from Trafalgar Street. Driveway access to 77 Trafalgar Street is from Lawrence Street, with an additional vehicular cross over and informal driveway from Trafalgar Street.

Photographs of the site are provided below.



Figure 3 The subject site at 77-79 Trafalgar Street, Peakhurst
Source: Architectus



Figure 4 77 Trafalgar Street, Peakhurst
Source: Architectus



Figure 5 79 Trafalgar Street, Peakhurst
Source: Architectus

2.3 Surrounding development




The site is located within an established residential area characterised by a mix of housing types.

Recent development indicates that the locality is currently undergoing a transition from low to medium density housing. The locality is characterised by a number of contemporary multi-dwelling housing and residential flat buildings interspersed with older single detached dwellings. This pattern of change is particularly evident in the blocks to the north and east of the site.

The streetscape in the immediate surrounds of the site is likewise characterised by a diversity of dwelling types. To the north across Trafalgar Street is a two-storey multi dwelling development and a single storey detached house; to the west across Jacques Avenue are a number of dual occupancy and attached dwellings; and to the east across Lawrence Street is a recently constructed three-storey residential flat building.

Table 1 overleaf contains examples of recently constructed residential redevelopment as well as development under construction in the vicinity of the site, including LAHC development.

Table 1 Recent development in the locality

Location & Description	Street view
<p>75 Trafalgar Street</p> <p>A recently constructed three-storey residential flat building containing 8 units and basement car parking.</p> <p>The building is sited adjacent to the site to the east across Lawrence Street.</p> <p>(Source: Architectus)</p>	
<p>39 & 41 Jacques Avenue</p> <p>Recently constructed two-storey dual occupancy dwellings.</p> <p>The properties lie adjacent to the west of the site across Jacques Avenue.</p> <p>(Source: Architectus)</p>	
<p>67 Trafalgar Street</p> <p>A three-storey multi dwelling development containing 4 dwellings and basement car parking.</p> <p>The development is located approximately 160 metres to the east of the subject site.</p> <p>(Source: Google Maps)</p>	

61-65 Trafalgar Street

A three-storey residential flat building containing 21 units and basement car parking.

The property is located adjacent to 67 Trafalgar Street, approximately 190m to the east of the subject site.

(Source: Google Maps)



4-6 Lawrence Street

A three-storey residential flat building containing 14 units with basement car parking.

The development is located approximately 120m north of the subject site.

(Source: Nearthmap)



3-7 Gover Street

A three-storey residential flat building containing 23 units and basement car parking.

The development is located approximately 150m north of the subject site.

(Source: Google Maps)



LAHC development in Peakhurst

LAHC has several land holdings in Peakhurst. Over recent years, an asset rationalisation strategy has been implemented, involving selective disposal and redevelopment of sites, to reduce maintenance liabilities and modernise ageing housing stock. Examples of recent LAHC redevelopment are shown below.

25-27 Lawrence Street

A four-storey residential flat building owned by LAHC and containing 16 units with basement car parking.

The development is located approximately 50m to the south-east of the subject site.

(Source: Nearmap)



15-17 Arnold Street

A two-storey townhouse and villa development containing 8 dwellings.

It is located approximately 150m south-west of the subject site.

(Source: Google Maps)



6-8 Richards Avenue

Under construction. A seniors housing development approximately 250m north-west of the subject site.

The development will contain 15 units.

(Source: Nearmap)



2.4 Areas or items of cultural heritage significance

A search of the Office of the Environment and Heritage AHIMS (Aboriginal Heritage Information Management System) conducted on 18 September 2018 (**Appendix C**) has shown:

- no Aboriginal sites are recorded on or near the subject site; and
- no Aboriginal places have been declared in or near the subject site.

2.5 Access to services & facilities

Riverwood Station is located within the Riverwood town centre approximately 900m north of the site and is accessible via bus (approximately 6 minutes) or is approximately 12 minutes' walk from the site. The railway station services the T8 line, providing frequent services east toward the City Circle via Airport; and west via Revesby towards Macarthur. Riverwood town centre provides a range of eateries, retail, medical, beautician, banking and other services. It also contains the Riverwood Plaza.

The site is also serviced by bus, with a number of bus stops located within a 400m radius of the site. To the south along Jacques Avenue is a bus stop servicing Route 944 which journeys north towards Bankstown Central via Riverwood and Punchbowl. To the west are bus stops along Belmore Road providing journeys north-east towards Roselands Shopping Centre and Campsie, as well as south towards Lugarno. To the east along Trafalgar Street are bus stops servicing Route 944 which provide local journeys to Mortdale Station, and which connects to the T4 rail line, allowing journeys to Bondi Junction. Mortdale town centre contains a variety of retail, eateries and services. Mortdale Plaza is additionally located 1.4km south-east of the site and is accessible via the Route 944 bus (taking approximately 18 minutes) from the site.

Hospitals & medical facilities

A number of medical clinics are located in nearby town centres in Riverwood and Mortdale. These are accessible by bus services.

Hurstville Private Hospital and Waratah Private Hospital lie approximately 4km east of the site and are accessible by bus from Forest Road to the south (Stop ID: 2210149). Canterbury Hospital is located at 575 Canterbury Rd, Campsie, approximately 6km north-east of the site, and is accessible by bus services.

Schools

There are a number of primary schools in close vicinity to the site, with a selection of high schools located in surrounding suburbs such as Revesby/East Hills, Beverly Hills/Hurstville, and Kogarah.

Primary schools include Peakhurst West Public School to the south-west and Peakhurst Public School to the north-east. Both schools are roughly 800 metres walking distance from the site. Other primary schools in the site's vicinity include:

- St Joseph's Catholic Primary School, 500m north;
- Hannans Road Public School, 1.5km north;
- Riverwood Public School, 1.5km north-west;
- Aspect South East Sydney School, 1.5km south; and
- Peakhurst South Public School, 1.5km south.

High schools and secondary colleges in the site's surrounds include, but are not limited to:

- Georges River College (Peakhurst Campus for Years 7-10), 900m south;
- Georges River College (Penshurst Girls Campus), 3km east;
- Beverly Hills Girls High School, 2.5km north-east;

- Marist Catholic College, 2.8km south-east; and
- Georges River College (Oatley Senior Campus for Years 11-12), 3.1km southeast.

Tertiary education

Padstow TAFE College is located approximately 3km north-west of the site and Bankstown TAFE College is located approximately 5.7km north. These are readily accessible by public transport serving the site.

The site will be approximately 5km from the future Western Sydney University (Bankstown Central campus) to the north, which will open following the closure of the current Milperra campus. The University of Sydney (Cumberland Campus) is located approximately 8.5km north of the site and is accessible by bus and train.

Community services

The Riverwood Library and Knowledge Centre is located on Belmore Road 1.3km north of the site, and accessible by bus into the Riverwood town centre (approximately 10-15 minutes) or an 18 minute walk from the site. The Padstow Library and Knowledge Centre is located 2.3km north-west and is similarly accessible by bus from Henry Lawson Drive (approximately 23 minutes) into the Padstow town centre.

Penshurst Branch Library is located 2.1km east of the site and is accessible by bus from Forest Road (approximately 20 minutes).

Open space

The site is surrounded by several large parks catering to sporting activities. The site is located approximately 100m from Peakhurst Park to the east, which is a large park accommodating a shaded children's playground and barbecue facilities, sporting fields, amenities, and parking facilities.

Other large open spaces in the vicinity include:

- Gannons Park, 1km south;
- Riverwood Park and Salt Pan Reserve, 1.5km north-west;
- Hurstville Golf Course, 1.5km south-east; and
- Olds Park and Sports Club, Penshurst, 1.8km east.

3 PROPOSED DEVELOPMENT

3.1 Plans & supporting information

The following plans (refer **Appendix A**) and reports, detailed in the below **Tables**, have been referenced in the preparation of this SEE and form part of the development application.

Table 4: Plans of the proposed development

Plan Title	Sheet No.	Date	Revision/ Issue	Prepared by
Architectural Plans				
Drawing List & Location Plan	1 of 15	27/08/18	D	Hely Horne Perry Architects
Existing Site Plan	2 of 15	27/08/18	C	Hely Horne Perry Architects
Proposed Site Plan	3 of 15	27/08/18	D	Hely Horne Perry Architects
Basement Floor Plan	4 of 15	27/08/18	E	Hely Horne Perry Architects
Ground Floor Plan	5 of 15	27/08/18	G	Hely Horne Perry Architects
First Floor Plan	6 of 15	27/08/18	G	Hely Horne Perry Architects
Second Floor Plan	7 of 15	27/08/18	G	Hely Horne Perry Architects
Roof Plan	8 of 15	27/08/18	F	Hely Horne Perry Architects
North & East Elevations	9 of 15	27/08/18	G	Hely Horne Perry Architects
South & West Elevations	10 of 15	27/08/18	G	Hely Horne Perry Architects
Sections A-A & B-B	11 of 15	27/08/18	C	Hely Horne Perry Architects
Furniture Layout Plan – Ground Floor	12 of 15	27/08/18	E	Hely Horne Perry Architects
Furniture Layout Plan – First & Second Floor	13 of 15	27/08/18	E	Hely Horne Perry Architects
Shadow Diagrams Winter & Summer Solstice	14 of 15	27/08/18	C	Hely Horne Perry Architects
Shadow Diagrams Winter Solstice	15 of 15	-	A	Hely Horne Perry Architects
Photomontage	1 of 2	-	-	Hely Horne Perry Architects
Photomontage	2 of 2	-	-	Hely Horne Perry Architects
Survey				
Contour & Detail	1 of 1	11/04/17	-	Cardno
Stormwater Plans				
Basement Stormwater Drainage Plan & Details	C01	27/08/18	A	Michael Ell Consulting Engineer
Site Stormwater Drainage Plan	C02	27/08/18	B	Michael Ell Consulting Engineer
Stormwater Details	C03	27/08/18	A	Michael Ell Consulting Engineer
Erosion and Sediment Control Plans				
Erosion & Sediment Control Plan	C04	27/08/18	-	Michael Ell Consulting Engineer
Erosion & Sediment Control Details	C05	27/08/18	-	Michael Ell Consulting Engineer
Landscape Plans				
Landscape Plan	L01	5/11/18	4	In View Design
Landscape Plan	L02	5/11/18	4	In View Design

Table 5: Technical reports & supporting documentation

Section 10.7 Planning Certificates & Title searches	Appendix B
AHIMS search results	Appendix C
Preliminary Site Investigation Report	Appendix D
Arborist Report	Appendix E
Traffic Report	Appendix F
External Colours Sample Board	Appendix G
Certificate of Compliance (Architect)	Appendix H
Certificate of Compliance (Landscape)	Appendix I
Certificate of Compliance (Stormwater)	Appendix J
SEPP 65 and ADG Design Verification Statement	Appendix K
Geotechnical Report	Appendix L
BASIX & NatHERS Certificate	Appendix M
Waste Management Plan	Appendix N
Council Pre-DA Advice Letter	Appendix O

3.2 Detailed description of proposed development

The proposed development will be undertaken by LAHC, or on behalf of LAHC, for the purposes of social housing and comprises the construction of a three-storey residential flat building with 15 units, consisting of 3 x 1 bedroom and 12 x 2 bedroom dwellings, and basement car parking for 16 vehicles.

The pedestrian main entry is provided from Trafalgar Street, with vehicular access provided from Lawrence Street. Some dwellings are provided direct access from Lawrence Street including dwellings 1, 2, 4 and 5. All ground floor units are provided private outdoor terraces, with units on upper levels provided with balconies.

A new driveway is proposed over the location of the existing driveway off Lawrence Street to accommodate two-way movements and provides entry to the basement. The basement level accommodates car parking, waste and storage, and a lift and staircase to upper levels.

Eleven (11) trees and shrubs are proposed to be removed to accommodate the development. New tree planting is provided in the form of five (5) new street trees to Jacques Avenue, Trafalgar Street and Lawrence Street, and fourteen (14) new small to medium trees across the site. This results in a total of nineteen (19) new trees. A comprehensive landscaping scheme is proposed as part of the DA, which accommodates the new trees as well as screening hedges and feature planting to all site boundaries. Screening hedges are provided to the whole length of the rear common boundary to 21 Lawrence Street, Peakhurst. The existing boundary fence will be retained.

Lot amalgamation is proposed for Lots 227 & 228 to become one consolidated lot with a total area of 1,352m². An easement will be provided at the north-eastern corner of the site, with Council as the beneficiary, for access and maintenance of the existing subsurface drainage infrastructure which undercuts the site.

3.3 Proposed unit details

Key details regarding the proposed units are provided at **Table 2** below.

Table 2 Proposed unit details

Unit No.	Level	Dwelling Type	Bedroom No.	Dwelling Area (m ²)	Terrace/ Balcony (m ²)
1	Ground	Liveable*	2	70.6	17.9
2	Ground	Liveable	1	53.5	16.6
3	Ground	Liveable	2	71.4	40.8
4	Ground	Liveable	2	71.5	10.1
5	Ground	Liveable	2	72	38
6	1	Liveable	2	70.6	17.9
7	1	Liveable	1	53.5	9.8
8	1	Liveable	2	71.4	18
9	1	Liveable	2	71.5	10.1
10	1	Liveable	2	72	10.2
11	2	Liveable	2	70.6	17.9
12	2	Liveable	1	53.5	9.8
13	2	Liveable	2	71.4	18
14	2	Liveable	2	71.5	10.1
15	2	Liveable	2	72	10.2
Total 1 Bedroom units = 3					
Total 2 Bedroom units = 12					

*"Liveable" is a LAHC term, which has similar meaning to 'adaptable' housing or 'universal design'. The *Apartment Design Guide* describe the latter terms as "...ensuring apartments are able to change with the needs of the occupants."

3.4 Traffic, parking and access

The development proposes off-street parking in the form of a single-level basement accommodating 16 car parking spaces. Vehicular entry to the basement is provided from a new entry/exit driveway over the existing driveway at the southern end of Lawrence Street.

A Traffic Report has been prepared by Varga Traffic Planning which undertakes a study of vehicle and parking within the surrounding locality and concludes that no additional traffic and access measures are required to accommodate the proposed development. Refer report at **Appendix F**.

3.5 Building articulation

The development is of a predominantly face brick and masonry construction which is consistent with the developing character of the locality. The proposal minimises the

appearance of scale and building bulk through the use of recessed steps on the elevations. Visual interest and sympathy to the site's surrounds are created through the use of various materials, colours and articulation to the façade such as concrete blades to the wall and roof, screening louvres and semi-transparent concrete and glazed balustrades. Colorbond metal sheet roofing is proposed.

For further details, refer to the Architectural Drawings and External Colour Sample Board provided at **Appendix A**.

3.6 Landscaping

A comprehensive landscaping scheme is proposed across the site which will provide a positive contribution to the streetscape.

Landscaped open space includes a mix of native trees, screening and feature planting are proposed to all elevations to enhance visual amenity of the site whilst allowing for appropriate levels of privacy.

Approximately 20% of the site is proposed as deep soil zones to accommodate the planting of fourteen (14) new trees.

Tree removal

An arborist was engaged to assess the health and condition of seventeen (17) trees and shrubs located within and adjacent to the site. Two trees were found to be of high significance and a priority for retention; six were of medium significance and were to be considered for retention; eight (including three shrubs) were of low significance; and one tree was considered a priority for removal.

To accommodate the proposal, a total of eleven (11) trees and shrubs are proposed to be removed. Of these, one (1) tree was identified as being of significance, five (5) trees were of low to medium retention value and five (5) are being removed on the recommendation of the Arborist Report as they did not pass the visual tree assessment.

Tree preservation

Six (6) trees identified and assessed in the arborist report will be retained, including four (4) trees on-site as well as the large tree identified as a Broad-leaved Paperbark at the Trafalgar Street frontage, as well as a Sweet Viburnum to the south-east of the site.

Replacement Planting

To compensate for the removal of eleven (11) trees from the site, it is proposed to provide nineteen (19) replacement trees ranging in mature heights from 6m to 15m. Five (5) of these will be new trees in Council's street verges on Jacques Avenue, Trafalgar Street and Lawrence Street.

Trees species have been selected to complement the proposed development and to enhance privacy and visual amenity of the site and surrounds.

3.7 Open space

Communal Open Space

485m² or 36% of the site area is proposed as communal open space. These areas have been designed to allow for passive recreation and outlook, and are generally oriented to maximise solar access and benefit from the north-facing aspect of the site. A paved common area which provides bench seating is proposed at the ground level, connected to landscaped communal open space in the southern part of the site.

Private Open Space

All units are provided with private open space in the form of terraces for ground level units, or balconies for those at the first and second floor. All private open spaces are directly accessible from living areas and have been designed to face the north, east or west and maximise solar access.

Private open space has been provided in a mix of layouts and sizes, ranging from 9.8m² to 40.8m². Terraces/balconies contain useable spaces with minimum depths of 2m. Accordingly, all private open spaces meet or exceed the recommended guidelines for space and dimensions under the ADG. Where appropriate, screening panels have been incorporated to allow climate control and provide visual privacy for residents and neighbours.

3.8 Fencing and walls

No fencing is proposed to the development. Landscaping is proposed to the site's boundaries by way of screen hedges. It is proposed to retain the existing Colorbond fencing at the southern boundary of the site.

3.9 Site Facilities

The following on-site facilities are proposed as part of the development:

- A garbage bin room (accommodating nine (9) bins) and a storage room in the basement level which are accessible via lift and stairs;
- Collapsible clothes lines which will be installed below balustrade level for each unit on their terrace or balcony, that are shielded via screening panels while optimising sunlight;
- On-site detention tank below the basement level; and
- Letter boxes at the Trafalgar Street frontage.

3.10 Waste Management

Nine (9) bins are provided within an enclosed garbage bin room located at the basement and accommodate 240L bins for general refuse and 120L bins for recycling.

A Waste Management Plan (**Attachment N**) has been prepared and identifies that garbage and recycling bins will be moved to the footpath by an appointed site manager for collection by Council. Green waste will be collected centrally and disposed of by an appointed contractor. On-site green waste composting will be encouraged.

A final Waste Management Plan will be prepared prior to the commencement of works and will include the following measures:

Demolition

Demolition materials will be stored wholly within the site prior to removal for recycling or disposal. Demolition waste will be removed from the site to an approved waste management facility or will be recycled, as follows:

- Excavation materials, concrete, and bricks will be crushed to be reused for filling, levelling or temporary road base or removed from site for recycling or local landfill.
- Useable organic material will be used to contribute to deep soil or removed from site to local landfill.
- Any asbestos sheeting and fibrous insulation will be handled according to SafeWork NSW requirements and disposed of to an approved building waste collection facility.

- Mixed demolition materials will be transported to an approved building waste collection facility.
- Timber, metal, wall and roof cladding and other salvageable materials will be disposed of at an approved waste collection or recycling facility.

Specific intentions for recycling/re-use/disposal of demolition waste will be determined by the demolition contractor prior to commencement of demolition.

During Construction

Construction materials must be stored wholly within the site prior to removal for recycling or disposal. Construction materials waste will be removed from the site to an approved waste management facility or will be recycled, as follows:

- Bricks and concrete to be crushed and reused for filling, levelling or temporary road base or removed from site for recycling or local landfill.
- Timber, plasterboard and other materials to be removed from site toward local landfill.

During Occupation

General and non-recyclable waste will be separated and disposed of by residents. A garbage bin storage area is provided in the basement level. Site management will be responsible for placing bins at the kerb for collection by Council.

3.11 Pre-DA meeting

A pre-DA meeting was held between Georges River Council and LAHC on the 27th June 2018 to discuss the concept proposal prior to the preparation of this SEE. Below is summary of the key issues discussed, which informed the design of the proposed development:

- Adaptable dwellings: two (2) adaptable dwellings are required to be provided;
- Balconies: balconies are to comply with relevant setbacks in the ADG and be treated to minimise bulk of the building;
- Car parking: the site is in a non-accessible area and thus Division 1 of the ARH SEPP does not apply;
- Trees: removal of Tree 9 is supported subject to compensatory mature planting of five (5) trees to Council's footpath.

4 ASSESSMENT OF PROPOSED DEVELOPMENT

4.1 Environmental planning instruments

This section assesses the proposal against the provisions of Section 4.15 of the EP&A Act and considers the following Environmental Planning Instruments (EPI):

- *State Environmental Planning Policy (Affordable Rental Housing) 2009*
- *State Environmental Planning Policy No. 65 – Design Quality of Residential Apartment Development and the Apartment Design Guide*
- *State Environmental Planning Policy No. 55 – Remediation of Land*
- *State Environmental Planning Policy (BASIX: Building Sustainability Index) 2004*
- *State Environmental Planning Policy (Vegetation in Non-Rural Areas) 2017*
- *Hurstville Local Environmental Plan 2012*
- *Hurstville Development Control Plan No.1*

State Environmental Planning Policy (Affordable Rental Housing) 2009

The site is not located within an ‘accessible area’ as defined by State Environmental Planning Policy (Affordable Rental Housing) 2009, so Division 1 of the SEPP does not apply under the circumstances. Additionally, given ‘residential flat buildings’ are permitted with consent in the zone, Division 5 of the SEPP also does not apply under the circumstances. Consent will therefore be sought under the relevant provisions of the HLEP 2012 and HDCP.

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

SEPP 65 and the ADG aim to improve the design quality of residential apartment buildings across NSW and apply to the proposed development.

In determining the development application, the Council is required to consider:

- the advice (if any) obtained from a design review panel,
- the design quality of the development when evaluated in accordance with the design quality principles, and
- the Apartment Design Guide.

A SEPP 65 Design Verification Statement has been prepared by Hely Horne Perry Architects and is provided at **Appendix K**. The Statement demonstrates that the proposed development achieves the desired design outcomes held within SEPP 65 Design Quality Principles and guidelines of the ADG. 12 of 15 units (80%) achieve solar access, and 12 of 15 units (80%) achieve natural cross-ventilation and are consistent with the requirements of SEPP 65. Accordingly, the development will be provided with a high degree of residential amenity.

Clause 30 of SEPP 65 prescribes development standards which cannot be used as grounds to refuse a development application when a development satisfies those standards. The proposal’s compliance with these standards is demonstrated in the **Table** below.

Table 3 Standards that cannot be used as grounds to refuse development consent or modification of development consent

Provision	Compliance
(1) If an application satisfies the following design criteria, consent must not refuse the application because of those matters:	

Provision	Compliance
<p>(a) If the car parking for the building will be equal to, or greater than, the recommended minimum amount of car parking specified in Part 3J of the Apartment Design Guide.</p>	<p>Part 3J of the ADG states that where sites are within 800 metres of a railway station or light rail stop, the applicable parking rate is that provided within the <i>RMS Guide to Traffic Generating Developments</i> or the relevant Council, whichever is less.</p> <p>The site is located more than 800 metres from Riverwood train station. The parking rates under the HDCP therefore apply to the site.</p> <p>The required car parking provision is as follows: 1-bed units: $3 \times 1 = 3$ spaces 2-bed units: $12 \times 1 = 12$ spaces Visitors: 1 per 4 units (or part thereof) = 3.8 spaces Total required: $18.8 = 19$ spaces 16 car spaces are proposed, including two accessible spaces.</p> <p>Although there is a shortfall of 3 spaces, it is noted that the provision of car parking exceeds that which would be required for a development which is not within an accessible area under the ARH SEPP. Under the SEPP, 13.5 spaces would be required.</p> <p>The Traffic Report at Appendix F compares the numerical parking requirements under the DCP, RMS Guidelines and ARH SEPP and finds that 13 to 17 resident parking spaces are required, with 3 to 4 visitor spaces. In consideration of the above, the report considers that the proposed 16 spaces is appropriate, also noting that the site is in a unique location by way of three frontages that can accommodate kerbside parking.</p> <p>Although under the circumstances the provisions of the ARH SEPP do not apply, it is accordingly requested that Council give consideration to the intent of the development, being for the delivery of much needed 1 and 2-bedroom dwellings by the LAHC. Refer Traffic Report at Appendix F.</p>
<p>(b) if the internal area for each apartment will be equal to, or greater than, the recommended minimum internal area for the relevant apartment type specified in Part 4D of the Apartment Design Guide,</p>	<p>The <i>Apartment Design Guide</i> requires a minimum internal area of 50m² per 1 bedroom dwelling and 70m² per 2 bedroom dwellings.</p> <p>All units comply and are proposed as follows:</p> <ul style="list-style-type: none"> - 1 bedroom – 54.8m² - 2 bedroom – 70.9m² to 72.5m²
<p>(c) if the ceiling heights for the building will be equal to, or greater than, the recommended minimum ceiling heights specified in Part 4C of the Apartment Design Guide.</p> <p>Note. The Building Code of Australia specifies minimum ceiling heights for residential flat buildings.</p>	<p>The <i>Apartment Design Guide</i> specifies a ceiling height of 2.7m for habitable rooms and 2.4m for non-habitable rooms.</p> <p>Complies. All units are provided with a minimum floor to ceiling height of 2.7m for habitable rooms. Non-habitable rooms achieve a minimum of 2.4m.</p>
<p>(2) Development consent must not be granted if, in the opinion of the consent authority, the development or modification does not demonstrate that adequate regard has been given to:</p> <p>(a) the design quality principles, and</p>	<p>The provided Design Verification Statement demonstrates the proposal is consistent with the SEPP's Design Quality Principles (Appendix K).</p>

Provision	Compliance
(b) the objectives specified in the Apartment Design Guide for the relevant design criteria.	The provided Design Verification Statement demonstrates the proposal is consistent with the objectives of the ADG (Appendix K).

State Environmental Planning Policy No. 55 – Remediation of Land

State Environmental Planning Policy No. 55 – Remediation of Land (SEPP 55) requires the consent authority to consider whether the land is contaminated prior to granting consent for development. If the land is contaminated then the consent authority must be satisfied that it is either suitable in its contaminated state, or will be made suitable through remediation, for the proposed development. The land is currently used for residential purposes and there is no known history of the site being used for potentially contaminating uses.

A Preliminary Site Investigation has been prepared by STS GeoEnvironmental at **Appendix D** which assesses the potential for site contamination.

The Report states that due to the age of the existing dwellings, there is the potential for asbestos containing materials and lead-based paint to be present in the fabric of the structures. Minor filling of undetermined origins has also been identified on-site.

The Report finds that chemical contaminants present are low, with the exception of the presence of zinc and TPH F2 Fraction, and that the site is likely to be made suitable for the development provided that the area of zinc and TPH F2 Fraction impacted soil, which falls outside the proposed basement excavation footprint, is further investigated and remediated if necessary.

Accordingly, the Report recommends that the following studies be undertaken:

- Limited soil sampling in areas of the site (which will remain unexcavated) in order to demonstrate that impacted soils do not extend outside the footprint of the bulk excavation zone;
- Further soil sampling to ensure that soils removed from the site are appropriately classified for off-site disposal during construction works; and
- That following demolition of existing buildings, that site inspection of underlying soils be undertaken, including soil sampling near the footprint of buildings to confirm that near surface soils have not been impacted with asbestos.

The above additional studies may be undertaken as conditions of consent, following demolition of the existing dwellings on the site and prior to the commencement of construction works on the site.

Refer also to the Geotechnical Report prepared by SMEC Testing Services at **Appendix L**.

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

A BASIX Certificate has been provided at **Appendix M** and demonstrates that the proposal can achieve the established targets for water and energy efficiency and thermal comfort.

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

The SEPP seeks to protect the biodiversity values of trees and other vegetation, and to preserve the amenity of non-rural areas of the State.

The proposed development has sought, where possible, to retain significant trees on the site.

The proposal, however, will require the removal of one (1) tree of high significance on site, identified as 'Eucalyptus microcorys' in the Arborist Report, as it lies within the proposed building footprint and is thus necessary to be removed to facilitate the proposed housing development.

Removal of this tree was discussed in the Pre-DA meeting held on 27th June 2018 and was supported for consideration on the condition that the remaining trees be sought for retention, and that compensatory planting be provided including five (5) new mature trees to the site's frontages within Council's verge. Accordingly, the proposal accommodates five (5) new mature trees to requirements as well as a comprehensive landscaping scheme which provides new trees in excess of those requiring removal from the site.

Hurstville Local Environmental Plan 2012

The site is zoned R3 Medium Density Residential under the *Hurstville Local Environmental Plan* (HLEP) 2012. The proposed development is defined as a 'residential flat building', which is defined by the HLEP 2012 as being "a building containing 3 or more dwellings, but does not include an attached dwelling or multi dwelling housing."

'Residential flat buildings' are permitted with consent in the R3 zone under the HLEP 2012.

The relevant objectives of the R3 zone, as set out in HLEP 2012 are:

- To provide for the housing needs of the community within a medium density residential environment.
- To provide a variety of housing types within a medium density residential environment.
- To enable other land uses that provide facilities or services to meet the day to day needs of residents.
- To ensure that a high level of residential amenity is achieved and maintained.
- To provide for a range of home business activities, where such activities are not likely to adversely affect the surrounding residential amenity.



Figure 6 Land use zoning map

The site (outlined in blue) is zoned R3 Medium Density Residential under the HLEP 2012.

Refer to Table 4 below for an assessment against the objectives and relevant clauses of the HELP 2012.

Table 4 HLEP 2012 Compliance table

Clause	Compliance	Comment
Clause 2.3 Zone objectives and land use table Zone R3 Medium Density Residential (1) The objectives of this zone are: <ul style="list-style-type: none"> To provide for the housing needs of the community within a medium density residential environment. To provide a variety of housing types within a medium density residential environment. To enable other land uses that provide facilities or services to meet the day to day needs of residents. To ensure that a high level of residential amenity is achieved and maintained. To provide for a range of home business activities, where such activities are not likely to adversely affect the surrounding residential amenity. 	Yes	The proposed development provides housing to meet the needs of the community and is consistent with the objectives, in that: <ul style="list-style-type: none"> It contributes to the housing needs of the community in a form that reflects the emerging character of the locality, which is changing from a low to medium density character; It provides much-needed social housing with dwelling layouts that cater to different living styles and needs within a high quality development; and The building has been designed to minimise adverse impacts on adjoining properties and the locality, through building height, setbacks and location of open space areas.
Permitted with consent Animal boarding or training establishments; Attached dwellings; Bed and breakfast accommodation; Boarding houses; Building identification signs; Business identification signs; Car parks; Centre-based child care facilities; Community facilities; Dual occupancies; Dwelling houses; Environmental protection works; Exhibition homes; Exhibition villages; Flood mitigation works; Group homes; Home-based child care; Home businesses; Home industries; Multi dwelling housing; Neighbourhood shops; Places of public worship; Recreation areas; Recreation facilities (indoor); Residential flat buildings; Respite day care centres; Roads; Secondary dwellings; Semi-detached dwellings; Seniors housing; Shop top housing; Water recycling facilities; Water reticulation systems	Yes	The proposed development, being a 'residential flat building', is permitted with consent in the zone.
Clause 4.1 Minimum subdivision lot size The minimum lot size applying to the site is 450m ² .	Yes	The proposal will result in the consolidation of two lots to an area of 1,352m ² to accommodate the proposed Residential Flat Building and is therefore consistent.
Clause 4.3 Height of buildings The maximum building height for the subject site is 12m.	Yes	The total building height is 11.65m and complies.
Clause 4.4 Floor space ratio The Floor Space Ratio Map provides that the maximum FSR for the site is 1:1.	Yes	The proposal achieves an FSR of 1:1 and therefore complies.
Clause 6.1 Acid Sulfate soils		

The site is not identified as having potential acid sulfate soils.	N/A	N/A
Clause 6.7 Essential Services Development consent must not be granted unless the consent authority is satisfied that essential services are provided.	Yes	Essential services will be made available to support the proposed residential flat building. The detailed survey plan indicates that these services are available to the site.

4.2 Draft, exhibited environmental planning instruments

No exhibited draft environmental planning instruments apply to the site.

4.3 Development control plans

Hurstville Development Control Plan No. 1

The HDCP applies to the proposed development. Clause 6A of SEPP 65 applies in respect of the objectives, design criteria and design guidance set out in Parts 3 and 4 of the ADG, such as solar and daylight access, apartment size and layout, and private open space. Clause 6A states that where a DCP contains provisions relating to these standards, the provisions of the DCP are of no effect.

With regard to Clause 6A, **Table 5** below provides an overview of compliance with the key development controls under the DCP.

Table 5 HDCP No. 1 Compliance table

Control	Compliance	Comment
3.3 Access and Mobility In developments containing five or more dwellings, a minimum of one adaptable dwelling, designed in accordance with relevant Australian Standards must be provided for every ten dwellings or part thereof.	Yes	All apartments have been designed as liveable apartments. Two adaptable units (Units 1 and 2, located on the ground floor) have been provided to Australian Standards and are therefore consistent with this part.
Access for all persons through the principal entrance and access to any common laundry, kitchen, sanitary or other common facilities in accordance with relevant Australian Standards.	Yes	Development complies.
One accessible parking space for every adaptable dwelling designed in accordance with Australian Standards. In developments containing five or more dwellings, a minimum of one adaptable dwelling must be provided for every ten dwellings or part thereof.	Yes	The proposal provides for 15 units and includes two adaptable dwellings (units 1 and 2). Accordingly, the proposal includes two accessible car parking spaces and complies.
3.4 Crime Prevention Through Environmental Design		
Site and building layout DS1.12 Ensure that the multi dwelling housing or residential flat buildings address the street, or both streets if located on a corner. DS1.13 Position habitable rooms with windows at the front of the dwelling. DS1.14 Garages and carports should not dominate the front façade of the building.	Yes	The proposal addresses all streets and includes habitable rooms at all elevations. The proposed driveway has been sited appropriately to the southern end of the Lawrence Street frontage to the site.
Car parks DS1.25 Avoid large expanses of car parks. Where large expanses of car parks are	Yes	The proposed basement car park has been designed to maintain clear sight

<p>proposed, surveillance such as security cameras should be provided.</p> <p>DS1.26 Where possible, locate entry/exit points in close proximity and close to the car park operator or shops, cafes etc.</p> <p>DS1.27 Minimise the number of entry and exit points to car parks.</p> <p>DS1.28 Access to lifts, stairwells and pedestrian pathways should be clearly visible within the car parks.</p> <p>DS1.29 Car park design should avoid hidden recesses.</p> <p>DS1.30 Locate car parks in areas that can be observed by adjoining uses.</p> <p>DS1.31 Pedestrian corridors/routes should be clearly identified in car parks servicing large developments.</p> <p>DS1.32 Locate disabled parking spaces in highly visible and convenient areas.</p>		<p>lines to vehicles and pedestrians. The basement avoids the creation of recesses and areas for concealment.</p> <p>Storage rooms and other services/ facilities have been collocated with pedestrian entry points.</p> <p>Disabled parking spaces are located closer to entries and exits.</p>
<p>Open Space</p> <p>DS1.34 Open spaces should be clearly designated and situated at locations easily observed by people. Parks and playgrounds should be located in front of buildings</p> <p>DS1.35 Seating, play equipment, BBQ areas etc should be provided to encourage the use of open spaces.</p> <p>DS1.36 Seating should be conveniently located and easily seen.</p> <p>DS1.37 Facilities e.g. toilets and telephones, should be located close to areas of active uses and access to facilities should be direct and free of obstruction.</p> <p>DS1.38 Pathways should be direct, follow pedestrian desire lines and avoid blind corners</p>	Yes	<p>Communal open spaces have been provided in locations with high visibility to the streetscape. Communal open space to the rear contains benches to promote use and is visible from Lawrence Street.</p>
<p>Lighting</p> <p>DS2.1 Dwelling and commercial unit main entries should be well lit at night.</p> <p>DS2.2 Use diffused lights and/or movement sensitive lights.</p> <p>DS2.3 All lighting must be vandal resistant and easy to maintain.</p> <p>DS2.4 Direct lights towards access/egress routes and possible hiding places to illuminate potential offenders, rather than towards buildings or resident observation points.</p> <p>DS2.5 Illuminate possible places for intruders to hide.</p> <p>DS2.6 Lighting should have a wide beam of illumination, which reaches to the beam of the next light, or the perimeter of the site or area being traversed, thereby avoiding dark shadows.</p> <p>DS2.7 Generally areas should be lit to enable users to identify a face 15 metres away.</p> <p>DS2.8 Avoid light spillage onto neighbouring properties as this can cause nuisance and reduce opportunities for natural surveillance.</p> <p>DS2.9 Use energy efficient lamps/fittings/ switches to save energy.</p>	Yes	<p>Light controlled sensors are proposed in lift lobbies and stairways. Pathways, entrances and open spaces will be appropriately lit.</p> <p>Refer Design Verification Statement (Appendix K).</p>

<p>Car Parks</p> <p>DS2.12 Illuminate all external edges and access points to car parks during its opening hours.</p> <p>DS2.13 Ensure that the intensity of lighting to covered or underground car parks is graded to allow for the adjustment of driver and pedestrian vision. Brighter light should be used at entrance and pedestrian access ways and dimmer light should be used elsewhere.</p> <p>DS2.14 Lighting should be sufficiently bright to enable a car park user to see into the rear seat of a parked car before they enter the car.</p>	Yes	The basement car park will be appropriately illuminated throughout and lighting placed at entrances and access ways.
<p>Open space</p> <p>DS2.15 Illuminate access points to areas of open space and pathways.</p> <p>DS2.16 Locate brighter lights in highly used areas.</p> <p>DS2.17 Ensure lighting does not produce dark shadows close to pathways and entries/exits.</p> <p>DS2.18 Lighting should be increased where parks are used by pedestrians as a thoroughfare or shortcut. As a guide, areas should be lit to enable users to identify a face 15 metres away.</p> <p>Note: Details of all lighting (location, type and intensity) for public areas must be submitted with a development application for multi dwellings housing, residential flat buildings, commercial premises and car parks.</p>	Yes	See above. Lighting will be provided to communal open spaces.
<p>Landscaping</p> <p>DS2.19 Avoid medium height vegetation with concentrated top to bottom foliage. Plants such as low hedges and shrubs, creepers, ground covers and high canopied vegetation are good for natural surveillance.</p> <p>DS2.20 Trees with dense low growth foliage should be spaced or crown raised to avoid a continuous barrier.</p> <p>DS2.21 Use low ground cover or high canopied trees, clean trunks, to a height of 2m around children's play areas, car parks and along pedestrian pathways.</p> <p>DS2.22 Avoid vegetation, which conceals the building entrance from the street.</p> <p>DS2.23 Select planting species having regard to their type and location to minimise possible places for intruders to hide.</p> <p>DS2.24 When planting is provided within 5m of a pedestrian pathway, it should be lower than 1 metre or thin trunked with high canopy.</p> <p>DS2.25 Planting should not prevent informal surveillance by adjacent residents.</p> <p>DS2.26 Prickly plants can be used as effective barriers. Species include bougainvilleas, roses, succulents, and berberis species.</p> <p>DS2.27 Avoid large trees, carports, skillion extensions, fences, and downpipes next to second storey windows or balconies that could provide a means of illegal access to the building.</p>	Yes	<p>Landscaping is provided at suitable locations to provide amenity and privacy to occupants, while avoiding the creation of areas for concealment.</p> <p>Screen hedging and feature planting allow for natural surveillance and delineate entrances and pathways.</p>

DS2.28 Ensure vegetation is maintained regularly.		
Fencing DS4.1 Front fences are to be predominantly open in design to allow sight through the fences eg picket fences, wrought iron. DS4.2 If noise insulation is required, install double-glazing at the front of the building rather than a high solid fence (greater than 1 metre). DS4.3 Fences are not to inhibit surveillance of the communal areas, pathways, and footpath by occupants of the building. Both the height of the fence in relation to the building as well as the nature of the construction materials need to be considered.	Yes	No fencing to street frontages is proposed. It is proposed to retain the existing Colorbond fencing to a maximum 1.8m high.
Security and Operational Management	Yes	Proposal will be made to comply. The building will operate in accordance with LAHC management requirements.
Building identification	Yes	Proposal will be made to comply.
Building ownership	Yes	The proposed development including the landscaping scheme distinguishes dwellings and associated terraces from communal open space.
Building materials PC8. Building materials: a. minimise opportunities for criminal damage and can be easily maintained b. reduce the opportunity for intruder access c. minimise opportunities for vandalism d. are regularly maintained and include swift removal of graffiti to enhance 'cared for' image	Yes	The building primarily consists of a masonry construction. The main building and walls are appropriately setback from the street at all frontages, within clearly defined unit terraces and edged garden beds. Materials have been selected to maintain robustness and aesthetic quality over time. Refer below for material selections.
Building maintenance PC9. Development a. creates the impression that the site is well looked after and well cared for b. uses materials that reduce the opportunity for vandalism	Yes	The proposal uses resistant materials including face brickwork, rendered blockwork and prefinished steel to minimise required maintenance of the building. The building will renew in ownership. Materials and finishes will be durable, and the building will be maintained, and any repairs undertaken, in accordance with LAHC standard processes.
3.5 Landscaping		
PC1. Development contributes to the creation of a distinct, attractive landscape character for streets and neighbourhoods	Yes	Landscaping scheme will provide for an attractive landscape setting for the development, and improve the appearance of the site from the street and wider neighbourhood.
PC2. The size and dimensions of landscaping areas are adequate to minimise the visual impact of buildings and structures and provides areas of a high level of utility and amenity	Yes	High quality and varied landscaping is proposed, reducing the visual impact of the building and also providing a high level of amenity to building occupants.
Significant trees and vegetation PC3. Development protects existing significant trees and vegetation	See comment	The Arborist Report identifies three trees planted within the site and in adjoining property as being of high significance.

		<p>One of these is identified as 'Eucalyptus microcorys' and is located within the centre-rear of the site.</p> <p>The Report states that the tree should be sought to be retained however it lies within the proposed building footprint and thus its removal is necessary to facilitate the proposed housing. Refer Report at Appendix E.</p> <p>The tree was also identified as being able to be considered for removal by Council on the condition that retention of remaining trees be sought and that compensatory planting be provided. Please refer Council Pre-DA Advice Letter at Appendix O.</p>
<p>Front, side and rear boundaries</p> <p>PC4. Landscaping in front setbacks:</p> <p>a. integrates the public and private domain</p> <p>b. is co-ordinated with the street planting pattern and species</p> <p>c. reduces the visual impact of buildings, structures and hardstand</p>	Yes	<p>The proposed landscape scheme to the street frontages of the development has been designed to reduce the visual impact of the proposed building and complement the streetscape. The proposal incorporates edged garden beds at the frontage and sympathises with the recently constructed apartment building to the east at 75 Trafalgar Street.</p> <p>Refer Landscape Plan provided at Appendix A.</p>
PC5. Landscaping alongside boundaries reduces the visual impact of buildings on adjoining premises	Yes	Screen hedging is proposed along the length of the rear boundary to 21 and 21A Lawrence Street. The rear boundary also incorporates tree planting planter boxes at the ground level common area to reduce visual impact.
PC6. Landscaping in communal open space and private open space contributes to their useability and amenity	Yes	Proposed landscaping increases the amenity of communal open space via plantings which provide screening and reasonable levels of privacy to occupants.
<p>DS11.1 Opportunities for on-site stormwater infiltration are provided through measures such as:</p> <p>a. turf and raised planting beds</p> <p>b. minimising the extent of impervious surfaces</p> <p>DS11.2 Landscaped areas and suitably drained and ensure the soil and sediment does not exit the site.</p>	Yes	<p>The development provides for over 36% of the site area as landscaped open space for the additional benefit of on-site stormwater infiltration.</p> <p>Use of impervious surfaces has been minimised and is restricted to pedestrian pathways and the rear common area, ground level terraces, and the driveway.</p>
<p>Safety</p> <p>DS13.1 Landscaping is sited and designed in accordance with the principles of CPTED.</p> <p>DS13.2 Landscaping enables clear sight lines to be achieved along pathways and minimise opportunities for concealment.</p> <p>DS13.3 Dense screening vegetation is not provided within front setbacks</p>	Yes	The proposed landscaping is considered to appropriately address CPTED principles, providing areas with clear sightlines and a planting scheme that avoids concealment areas.
3.6 Public domain		
PC1. Development contributes to the creation of attractive, comfortable and safe streets that comprise consistent and high quality paving,	Yes	The proposal provides five new street trees to be planted within Council verges.

street furniture and street tree plantings.		A new concrete footpath will be constructed to the Jacques Avenue, Trafalgar Street and Lawrence Street frontages. Public domain works will be undertaken to Council requirements.
3.7. Stormwater		
Landscaping area and dimensions PC1. Stormwater management is provided on site: a. to not increase the existing level of hazard to persons or property b. to ensure rainwater run-off and overland flow is directed into an approved stormwater drainage system c. to reduce and control rainwater run-off in order to minimise overland flows, soil erosion and siltation in streams and water ways. d. to encourage an environmentally sustainable regime of stormwater management that achieves a balance between collecting and re-using rainwater, maintaining acceptable environmental flows in streams and allowing for on-site surface infiltration via landscaping.	Yes	Stormwater Drainage Plans have been prepared at Appendix A . Impervious surfaces have been minimised where possible to reduce excess stormwater run-off. Roof rainwater will drain via downpipes and pits to an underground rainwater tank at the Trafalgar Street frontage. Site stormwater will be drained via pits across the site to an above ground detention basin at the north-eastern corner of the site, with overflow discharge to Sydney Water's drainage system. An underground pump-out tank is provided below the basement. It is noted that an underground sewer drain intersects the site at its north-eastern corner. It is proposed that an easement be created as part of lot consolidation, for access and maintenance with Sydney Water as the beneficiary.
4.1 Residential flat buildings		
Neighbourhood character PC1. Development is sited and designed to respect existing or desired future neighbourhood and streetscape character, including: a. the pattern of development of the neighbourhood, including elements that shape the streetscape such as the relationship and interface between the public and private domain b. the built form, scale and character of surrounding development including height, setbacks, front fencing, roofs and the location and proportions of private open space c. notable natural features of the site, including topography and vegetation	Yes	The siting and design of the proposed residential flat building is consistent with the emerging character of the locality as described in Section 2.3 . The building has been designed to respect and complement the pattern of recent development in the neighbourhood, which is seeing a transition toward medium scale residential typologies, particularly three-storey residential flat buildings. The proposal sympathises with the height, scale and building articulation of these recently constructed buildings and in particular with the adjacent development opposite Lawrence Street.
Site frontage DS2.1. The minimum street frontage is 24m.	Yes	The site has three street frontages, all of which are in excess of the minimum length.
Building height DS4.1. The maximum building height is in accordance with the Hurstville LEP 2012 and 3 storeys.	Yes	Proposal is three storeys and remains under 12m.
Excavation		

<p>DS5.1. The natural ground level is not excavated more than 0.5m for the finished ground floor level.</p> <p>DS5.2. The maximum excavation for any building's finished ground floor level facing a public street is 0.5m below natural ground level.</p>	See comment	<p>The site contains a south-west to north-east slope of approximately 3 metres.</p> <p>The proposal incorporates stepped levels to account for the slope of the land and to ensure ground floor units are at, or close to, street level. Units fronting Jacques Avenue are 1.5m higher than those fronting Lawrence Street.</p>
<p>Setbacks and building separation</p> <p>DS6.1. The minimum setback to a primary or secondary street is 6m.</p> <p>Note: Setbacks to the side and rear boundary and building separations are to be provided in accordance with the design criteria in the Visual Privacy section of the Apartment Design Guide (ADG).</p>	See comment	<p>Setbacks are generally in excess of 6m, however, in certain locations it is proposed that balconies be projected up to 0.65m at the frontage to Trafalgar Street, 1.85m at the frontage to Lawrence Street, and 2m at the frontage to Jacques Street. These inconsistencies are only for terraces/balconies, and not for the bulk of the building, which is setback in excess of 6m.</p> <p>At each of these frontages the built form is highly articulated to create visual interest and the external walls are generally setback 7.5m from the street.</p> <p>To the east of the site at the frontage to Jacques Street is an extra wide verge, meaning that the building will not have the appearance of encroaching into this setback.</p> <p>Setbacks are further discussed in the Design Verification Statement at Appendix K which demonstrates the proposal satisfies the street setback objectives of the ADG.</p>
<p>Vehicle access, parking and manoeuvring</p> <p>PC7. Vehicle access, parking and manoeuvring is provided on site and:</p> <ul style="list-style-type: none"> a. caters for the needs of residents and visitors b. minimises visual impact on scenic quality or streetscapes c. ensures the safe movement of vehicles and pedestrians 	Yes	<p>The proposal provides sixteen (16) car parking spaces (including two (2) accessible spaces) within a proposed basement level. The basement has been designed so as to maximise clear paths of travel for pedestrians and vehicles.</p> <p>Vehicular entry to the basement is proposed from Lawrence Street and replaces the existing driveway to 77 Trafalgar Street.</p> <p>The alignment of the driveway adjacent the southern boundary of the site will minimise visual obstruction to the streetscape.</p> <p>Pedestrian access to the basement is provided in the form of the internal lift and stairway from upper levels, separate from vehicular access. An additional pedestrian stairway and pathway to the basement is provided from Lawrence Street.</p>
<p>DS7.1. Carparking is provided on site in accordance with the following rates:</p>	See comment	<p>The required car parking provision is as follows:</p>

<p>a. 1 resident space for every studio, 1 or 2 bedroom dwelling</p> <p>b. 2 resident spaces for every 3 or more bedroom dwelling</p> <p>c. for developments of 4 dwellings or more, one visitor space per 4 dwellings or part thereof</p>		<p>1-bed units: 3 x 1 = 3 spaces</p> <p>2-bed units: 12 x 1 = 12 spaces</p> <p>Visitors: 1 per 4 units (or part thereof) = 3.8 spaces</p> <p>Total required: 18.8 = 19 spaces</p> <p>16 car spaces are proposed, including two accessible spaces.</p> <p>While this represents a shortfall of 3 spaces, it is noted that the provision of car parking exceeds that which would be required for a development which is not within an accessible area under the ARH SEPP. Under the SEPP, 13.5 spaces would be required.</p> <p>The Traffic Report at Appendix F compares the numerical parking requirements under the DCP, RMS Guidelines and ARH SEPP and finds that 13 to 17 resident parking spaces are required, with 3 to 4 visitor spaces. In consideration of the above, the report considers that the proposed 16 spaces is appropriate, also noting that the site is in a unique location by way of three frontages that can accommodate kerbside parking.</p> <p>Although under the circumstances the provisions of the ARH SEPP do not apply, it is accordingly requested that Council give consideration to the intent of the development, being for the delivery of much needed 1 and 2-bedroom dwellings by the LAHC.</p> <p>Refer Traffic Report at Appendix F.</p>
<p>Landscaped open space</p> <p>DS8.1. The minimum amount of landscaped open space is 20% of the site area.</p> <p>DS8.2. The minimum dimension of landscaped open space is 2m in any direction.</p>	Yes	<p>485m² (36% of site area) is proposed as landscaped open space.</p>
<p>Solar access</p> <p>DS9.1. Development allows for at least 3 hours of sunlight on the windows of main living areas and adjoining principal private open space of adjacent dwellings between 9.00 am and 3.00 pm on 22 June.</p>	Yes	<p>To the south adjoining the site are 21 & 21A Lawrence Avenue, the two-storey attached dwellings.</p> <p>The proposal allows these neighbouring properties to receive a minimum of 3 hours of sunlight (occurring mostly between 9am to midday) to the main living areas and private open space during midwinter.</p> <p>Overshadowing of 21 Lawrence Street at the winter solstice does not occur until shortly before midday, when minor overshadowing of its northern boundary occurs. Overshadowing increases through the afternoon.</p> <p>Refer to Shadow Diagrams (Appendix A).</p>

<p>Noise</p> <p>DS10.1 Windows of adjacent dwellings are separated by a distance of at least 3m</p> <p>DS10.2. Site layout separates active recreation areas, parking areas, vehicle access-ways and service equipment areas from bedroom areas.</p> <p>DS10.3. Dwellings are designed so that the internal noise level from outside sources does not exceed the parameters established by the NSW Environment Protection Authority (EPA).</p> <p>DS10.4. Habitable rooms located within 60m of a railway or facing a classified major road satisfy the acoustic criteria contained within the NSW Government's Development Near Rail Corridors and Busy Roads – Interim Guideline (2008), or the most recent version</p> <p>DS10.5. Where development is likely to be subject to noise from a railway line, arterial or state road or Sydney airport flight path, council may require the submission of a report prepared by a qualified acoustic engineer to demonstrate that internal noise levels will be acceptable.</p>	Yes	<p>The development appropriately minimises impacts from noise, incorporating landscape buffers, and satisfies this part given the site fronts unclassified local roads which do not give rise to high levels of noise.</p> <p>Units and associated private open spaces are fully contained within the 6m setback to the rear boundary to 21 and 21A Lawrence Street.</p>
<p>Streetscape</p> <p>DS11.1. Development on corner sites addresses both street frontages and provides opportunities for passive casual surveillance of the public domain from main living areas and principal private open space through the use of large transparent windows and other openings.</p> <p>Note: Large expanses of blank, unarticulated walls on any street frontage is not supported.</p>	Yes	<p>Unit terraces and balconies address all street frontages and provide opportunities for passive casual surveillance.</p> <p>The building has been appropriately articulated at all elevations.</p>
<p>DS11.3. Roofs:</p> <ul style="list-style-type: none"> a. have a pitch of up to 350, or up to 450 where an attic is involved b. provide a varied shape with hips, gables or other forms c. mark the entrance to a building by the use of a porch, portico or similar element. 	Yes	<p>Varying roof heights are proposed and breaks in roof form have been proposed to strengthen entrances to the building.</p>
<p>DS11.5. To reduce the appearance of building bulk and provide visual interest through articulation, maximum wall length in one plane is 6m at the street frontage</p> <p>Note: Lengths greater than this may be acceptable where the elevation incorporates visually significant changes in massing and form and the use of articulation such as recesses, projections, balconies, blade walls and similar</p>	Yes	<p>The proposal has been articulated through the use of stepped walls and recessed entries, balcony and terrace projections and a variety of materials and colours to mitigate perceived building bulk.</p>
<p>Stormwater</p> <p>DS12.1. Stormwater management is in accordance with section 3.7 of this DCP</p>	Yes	<p>Complies. Refer Stormwater Plans at Appendix A.</p>
<p>Fencing</p> <p>DS13.1. Fencing is in accordance with Appendix 2 – Fences Adjacent to Public Roads</p>	N/A	<p>No fencing is proposed to street frontages.</p>

<p>Site facilities</p> <p>DS14.1. Electricity and telephone lines are provided underground unless there is the connection of electricity and telephone lines directly from the service pole to the fascia of the front dwelling.</p> <p>DS14.2. Mail and garbage collection areas are integrated into the overall design of the development.</p>	Yes	<p>The site contains services and connections required to service the development.</p> <p>Letterboxes are provided at the Trafalgar Street frontage.</p> <p>Residential garbage and recycling bins are provided within the basement level. Bins will be moved to the footpath by a site manager for collection by Council.</p>
<p>DS14.3. Development provides space for the storage of recyclable goods, either in the curtilage of each dwelling or in a central storage area in larger developments.</p> <p>DS14.4. A master TV antenna is provided for any development of more than two dwellings.</p> <p>DS14.5. Storage is provided in accordance with the design criteria of the ADG.</p> <p>Note: Storage in a basement means all non-habitable, secure (i.e. lockable) space located in a basement or similar underground part of a building or structure that is used solely for the purposes of domestic storage. The extent of the area is measured from the boundaries of its enclosure to the top of the building or structural slab above.</p> <p>DS14.6. Communal outdoor clothes drying facilities must be visually screened from the street</p>	Yes	<p>The development provides storage in accordance with the ADG.</p> <p>All units are provided an area for clothes drying within their own balcony /terrace, appropriately screened by solid balustrades and privacy screens.</p>

Detailed comments regarding DCP assessment

Setbacks

The HDCP requires that 6m setbacks be provided to primary and secondary streets. For side and rear setbacks, the HDCP refers to the design criteria for visual privacy under the ADG which states:

- Separation between windows and balconies is provided to ensure visual privacy is achieved. Minimum required separation distances from buildings to the side and rear boundaries are as follows:*

Building height	Habitable rooms and balconies	Non-habitable rooms
up to 12m (4 storeys)	6m	3m
up to 25m (5-8 storeys)	9m	4.5m
over 25m (9+ storeys)	12m	6m

The proposal provides a minimum 6.5m setback from the southern boundary adjoining the property at 21 and 21A Lawrence Street (inclusive of units and associated private open spaces) and is consistent with the ADG.

Whilst a 6m setback is provided from the main building line to all street frontages, the terraces and balconies of some units encroach into these setbacks at varying degrees. Below is a detailed description on these areas of non-compliance:

Ground level:

- Terraces of Units 1, 4 and 5 encroach into the front setback to Trafalgar Street by approximately **0.6m**;
- Terraces of Units 3 and 4 encroach into the western setback to Jacques Avenue by approximately **2m**;
- Terraces of Unit 2 encroach into the eastern setback to Lawrence Street by approximately **1.9m**.

Upper levels:

- Terraces of Units 6, 9, 11 and 14 encroach into the front setback by approximately **0.6m**;
- Terraces of Units 9 and 14 encroaches into the western setback by approximately **0.8m**;
- Terraces of Units 8 and 13 encroach into the western setback by **1.7m**;
- Terraces of Units 7 and 12 encroach into the eastern setback by **0.6m**.

It is noted that to the west of the site at the frontage to Jacques Avenue is an extra wide verge, and when accounting for its width in addition to the proposed setbacks, the proposal maintains a separation of approximately 11m from unit terraces to the Jacques Avenue footpath. In this regard the non-compliance is considered indiscernible and does not result in adverse impacts to the streetscape.

At each of these frontages the built form is highly articulated to create visual interest and the external walls are generally setback 7.5m from the street. The proposal achieves the aims under 2G – Street Setbacks of the ADG, including creating opportunities for landscape character, delineating public and private space, and promoting passive surveillance and outlook to the street.

The proposed balcony projections beyond the building line do not create substantial overshadowing to the open space areas of adjoining properties, as the proposal allows for these properties to retain 3 hours solar access in accordance with the DCP. Refer photomontages and shadow diagrams at **Appendix A**.

Car parking

Under the provisions of the HDCP, a total of nineteen (19) car parking spaces are required as part of the development, including four (4) visitor spaces, as detailed below:

- 1-bed units: $3 \times 1 = 3$ spaces
- 2-bed units: $12 \times 1 = 12$ spaces
- Visitors: 1 per 4 units (or part thereof) = 3.8 spaces
- Total required: $18.8 = 19$ spaces

The proposal provides for sixteen (16) residential car parking spaces, including two (2) accessible spaces. A comparative analysis of parking requirements under the HDCP, RMS Guidelines and ARH SEPP is provided within the Traffic Report at **Appendix F**, which finds that on average, 13 to 17 resident parking spaces are required for a development of this nature, including 3 to 4 visitor spaces. Accordingly, the proposed provision of 16 spaces is considered appropriate, and is also noted to exceed the requirement for development not within an accessible area as held under the ARH SEPP, being 13.5 spaces.

The report also notes the site's location as having three frontages, capable of holding up to fifteen (15) kerbside parking spaces, where visitors parking can be readily accommodated. Considering that the locality is generally provided with unrestricted parking and that the

anticipated traffic generation has been assessed as minimal, it is considered that the proposed parking provision is acceptable to accommodate the development.

Accordingly, it is requested that Council give consideration to the intent of the development, being for the delivery of much needed 1 and 2-bedroom dwellings by the LAHC And exercise its discretion in relation to car parking provision under the circumstances.

Tree removal

The proposal will result in the removal of one (1) significant tree at the centre-rear of the site to accommodate the development.

An Arborist Report has been prepared at **Appendix E** which identifies the species as a 'Eucalyptus microcorys' and which passes the visual tree assessment test to be suitable for retention. It is noted that the tree, which due to its location lays within the proposed building envelope, has been previously discussed within the Pre-DA meeting held on 27th June 2018. Support was given for consideration of removal of the tree, subject to fulfilment of the following:

- That all remaining trees on site listed for retention be retained in accordance with the relevant AS4970-2009;
- That compensatory mature planting be reintroduced on site within one of the front boundary setbacks;
- An Arboricultural Report be prepared providing conclusions and recommendations to the proposed tree retention on site, including to the required retention of Council's *Melealeuca quinquenervia* and any impacted tree on the neighbouring site; and
- The provision of five (5) native canopy trees to be planted in Council's verge.

The proposal has sought to retain all remaining trees on site, where impact upon these trees is acceptable, and has provided compensatory mature planting to the above requirements. The proposal is further supported by an Arborist Report which satisfies the above.

4.4 Environmental impacts

Impact on natural & built environments

The site is unaffected by hazards and natural constraints:

- Heritage restrictions do not apply to the site,
- The subject site is not affected by the provisions of the Coastal Management Act 2016,
- The subject site is not within a mine subsidence district within the meaning of Section 15 of the Mine Subsidence Compensation Act 1961,
- The land is not affected by a road widening or road realignment proposal,
- The land is not affected by a policy restriction for landslip,
- The land is not bushfire prone,
- The land is not affected by a policy restriction relating to tidal inundation,
- The land is not affected by acid sulphate soils,
- The land is not subject to flood related development controls,
- The land is not reserved for acquisition under any environmental planning instrument as referred to in section 3.15 of the EP&A Act,
- The site lays outside the Australian Noise Exposure Forecast (ANEF) affectation zone, and
- The land is not biodiversity certified land.

As detailed by this assessment, the proposed development is unlikely to have any unacceptable or significant negative impacts on the natural or built environments.

The design meets BASIX & ABSA (**Appendix M**) energy efficiency and sustainability standards.

According to the Section 10.7 planning certificates issued for the site, the land is not affected by other environmental conditions which require assessment, including ecology, bush fire, tree preservation and aircraft noise.

Socio-economic Impacts

The proposal will have a positive impact on the community by contributing to the supply and diversity of high-amenity social housing in Peakhurst. Given the site's proximity to high frequency public transport, shopping, educational, community, recreational and cultural facilities, the site represents an opportunity for a more efficient use of resources and to provide additional housing for those in need.

Specifically, the proposed development will:

- assist LAHC to meet the significant, long-standing and continually-growing demand for public housing in the Greater Sydney Region,
- enable LAHC to revitalise and increase housing stock with a much-improved design, that responds to its surrounds and improves living conditions for tenants,
- provide suitable accommodation for some of the neediest members of our community and utilise government resources more efficiently,
- support the sustainable growth of the Georges River LGA by providing additional housing, highly accessible to services and public transport, and
- diversify the locality's housing stock, contributing to more affordable and equitable accommodation.

4.5 Suitability of the site for the development

The site is considered suitable for the following reasons:

- The proposed development is compatible with the site's land use zoning,
- There are no inherent significant on-site constraints to prevent development, and constraints have been addressed in the siting and design of the proposal,
- The proposed scale and form of the development is consistent with the Peakhurst residential character, which is undergoing transition from low to medium density housing as evident by the recent constructions of multi-dwelling housing and residential flat buildings in the locality;
- The location is well-sited to accommodate additional residents, being serviced by public transport and other services in the locality and district, and
- The proposal's design is based on sound site analysis and contributes positively to the locality.

4.6 Submissions made in accordance with this Act or the regulations

It is anticipated that Council will give consideration to any submissions made during the notification and public exhibition process.

4.7 The public interest

The proposed development is in the public interest, as it will provide well-designed housing for people on low incomes and assist in meeting a growing demand for social housing in the area.

The proposed development has been designed to improve the streetscape by replacing older housing stock with high quality residential buildings, designed to be compatible with local character and scale, while ensuring reasonable impacts on the amenity of nearby residential development and its occupants.

4.8 Matters prescribed by the Regulation

No matters relevant to the site or the proposed development are prescribed by the *Environmental Planning & Assessment Regulation 2000*.

5 CONCLUSION

The proposed residential development at 77-79 Trafalgar Street, Peakhurst, has been evaluated in accordance with Section 4.15 of the EP&A Act.

In summary, the proposed development:

- Satisfies the NSW Government's and Georges River Council's strategic planning objectives,
- Is considered consistent with all applicable statutory requirements and standards,
- Is consistent with relevant planning and design guidelines and any non-compliances are reasonable and justified,
- Will have no significant or likely negative environmental impacts, and
- Is consistent with the principle of locating new housing in or around centres which delivers a range of economic, environmental and social benefits to the community.

Prepared by:

Architectus

Reviewed by:

Lisa Heniedi
Principal Planner

Appendix A – Architectural, survey, stormwater, landscape plans & photomontages

Appendix B – Section 10.7 Planning Certificates & Title searches

Appendix C – AHIMS search results

Appendix D – Site Investigation Report

Appendix E – Arboricultural impact assessment

Appendix F – Traffic & parking assessment

Appendix G – External colours sample board

Appendix H – Statement of compliance (Architect)

Appendix I – Statement of compliance (Landscape)

Appendix J – Statement of compliance (Stormwater)

Appendix K – SEPP 65 and ADG Design Verification Statement

Appendix L – Geotechnical Report

Appendix M – BASIX & NatHERS Certificate

Appendix N – Waste Management Plan

Appendix O – Council Pre-DA Advice Letter