

# 165 – 171 Milton Street, Ashbury

## Statement of Environmental Effects



On behalf of  
Ashbury Developments Pty Ltd  
January 2022



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\* This document is for discussion purposes only unless signed and dated by the persons identified. This document has been reviewed by the Project Director.

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## General Information

This submission to Canterbury-Bankstown Council (Council) relates to a Development Application (DA) under Part 4 of the *Environmental Planning and Assessment Act 1979* (EP&A Act) for the redevelopment of the site located at 165 – 171 Milton Street, Ashbury.

### Project Overview

The application seeks approval for a residential flat development accommodating 76 units and 62 terraces across five (5) buildings. It also proposes extensive public domain upgrades comprising the provision of a high quality communal open space area located centrally to the site; a through site link and multiple pedestrian connections to improve connectivity to Wagener Oval.

A detailed description of the development is provided in **Section 5.0** with a summary of the proposal against the key controls outlined in **Table 1**.

Table 1 - Summary of Proposed Development	
Item	Total
Site Area	14,876m <sup>2</sup>
Floor Space Ratio	1.1:1
Gross Floor Area	16,335m <sup>2</sup>
Height*	<ul style="list-style-type: none"><li>• Building A 1 – 7.5m</li><li>• Building A2 – 12.4m</li><li>• Building B – 20.8m</li><li>• Building C – 16.2m</li><li>• Building D – 9.8</li><li>• Building E – 14.3</li></ul>
Storeys	<ul style="list-style-type: none"><li>• Building A – Part 2 / 3 storeys</li><li>• Building B – Part 5 / 6 storeys</li><li>• Building C – 5 storeys</li><li>• Building D – 3 storeys</li><li>• Building E – Part 3 / 4 storeys</li></ul>
Units	138
Unit Mix	<ul style="list-style-type: none"><li>• 27 x 1 bed (19%)</li><li>• 26 x 2 bed (19%)</li></ul>

Table 1 - Summary of Proposed Development	
Item	Total
	<ul style="list-style-type: none"> <li>• 84 x 3 bed (61%)</li> <li>• 1 x 4 bed (1%)</li> </ul>
Adaptable Units	14 dwellings
Liveable Units	32 units
Deep Soil Planting	2,470m <sup>2</sup> (16.6%)
Communal Open Space	4,070m <sup>2</sup> (27% inclusive of the through-site link)
Solar Access (SEPP 65 - 2 hrs)	<ul style="list-style-type: none"> <li>• Building A – 77%</li> <li>• Building B – 82%</li> <li>• Building C – 79%</li> <li>• Building D – 62%</li> <li>• Building E – 57%</li> <li>• Total – 72%</li> </ul>
Cross Ventilation	<ul style="list-style-type: none"> <li>• Building A – 100%</li> <li>• Building B – 63%</li> <li>• Building C – 63%</li> <li>• Building D – 100%</li> <li>• Building E – 100%</li> <li>• Total – 80%</li> </ul>
Car Parking	A total of 258 spaces including 26 accessible spaces.

\*Note: Height measured from existing ground level.

## The Site

The site is known as 165 – 171 Milton Street, Ashbury and is located within the Canterbury-Bankstown Local Government Area (LGA). It is located approximately 8.5 km south-west from the Sydney CBD and 3.6km south-east from the Strategic Centre of Burwood.

The site has an area of 14,876m<sup>2</sup> and is positioned on the western side of Milton Street. The western boundary of the site interfaces with Whitfield Reserve, which is a Council owned park incorporating WH Wagener Oval.

The site was previously zoned IN2 Light Industrial and was recently subject to a Planning Proposal which amended the zoning to R4 High Density Residential. It was

previously occupied by a number of commercial and warehouse buildings ranging in height from 2 – 4 storeys. The rear of the site is occupied by hardstand area. Dense canopy tree planting is located along the western perimeter and provides a buffer between the subject site and WH Wagener Oval.

The site's former industrial use was an anomaly for the area, with the surrounding development predominantly consisting of detached residential dwellings, consistent with the surrounding R2 Low Density Residential zone. These properties also form part of the Ashbury Heritage Conservation Area.

The site is irregular in configuration with a single frontage of 47.7m to Milton Street. The site's generous size combined with its positioning in a heritage conservation area provides the unique opportunity to deliver a high quality residential development that complements the surrounding built form that is of heritage significance.

## Planning Context

The proposal has been prepared in response to Amendment 18 to the Canterbury Local Environmental Plan 2012 (CLEP 2012) gazetted on 20 March 2020. A CLEP 2012 amendment relates to the subject site and the adjoining site to the immediate north at 165 – 171 Milton Street Ashbury which is subject to a separate residential development application (DA).

The amendment sought the following changes to the CLEP 2012:

- Rezone land from IN2 Light Industrial to R4 High Density Residential;
- Amend the Floor Space Ratio (FSR) from 1:1 to 1.1:1; and
- Introduce a variety of height controls ranging from 8.5m to 21m.

The amendments proposed by the Planning Proposal were formally gazetted on 20<sup>th</sup> April 2020 and were accompanied by a site-specific Development Control Plan (DCP) which now forms part of the Canterbury Bankstown DCP (CBDCP 2012).

## Justification

The site is located in a strategically significant position and provides ample opportunity to redevelop an under-utilised site recently rezoned for increased density.

Council's vision for the site is to facilitate medium density residential development up to a maximum height of six (6) storeys. Development is to provide a transition to the lower scale development in the surrounds by decreasing in height to a maximum of two storeys where adjacent to the surrounding R2 Low Density Residential zone. In particular, when viewed from Milton Street, future development is to have a perceived maximum height of two (2) storeys.

The redevelopment of the site for higher density residential development is entirely consistent with the prevailing strategic planning framework. The site is subject to the *South District Plan* which provides a more detailed guide for implementing *A Metropolis of Three Cities – The Greater Sydney Region Plan*. The Plan nominates a target of 83,500 new dwellings by 2036 around new and existing infrastructure and infill developments. The South District Plan states that higher intensity land uses should be delivered in accessible locations. In light of this, the site is not within a 1km radius of a strategic or district centre nor is it positioned in proximity to an urban renewal corridor. Additionally, the site is surrounded by low-density residential and is therefore better

suited to accommodating residential uses that are more in keeping with the area and sympathetic to the surrounding Heritage Conservation Area.

## Conclusion

It is considered that the proposal will deliver on Council's aspirations and will contribute to the renewal of an underutilised site that is no longer suited for industrial uses. As will be evidenced from this report, the proposal results in an improved outcome for the site and provides acceptable environmental impacts. Accordingly, it is considered that the proposal therefore warrants approval by the Consent Authority.

# 1 Introduction

This Statement of Environmental Effects (SEE) report has been prepared on behalf of Ashbury Developments Pty Ltd to support a Development Application (DA) to Canterbury-Bankstown Council in support of a residential development application for 165 – 171 Milton Street, Ashbury (the site).

In summary approval is sought for:

- Demolition of all existing buildings;
- Site preparation works, bulk excavation and remediation;
- Construction and use of five (5) residential flat buildings (ranging in height from 3 to 6 storeys), including:
  - Two (2) residential flat buildings containing 76 units;
  - Three (3) residential flat buildings containing 62 terraces;
  - Shared basement with vehicular access from the proposed northern internal road;
  - A single level shared basement containing 258 spaces;
- Associated landscape works, including the provision of through-site links and communal open space areas; and
- Extension and augmentation of physical infrastructure and utilities as required.

The SEE includes an assessment of the proposed works in terms of the matters for consideration as listed under Section 4.15(1) of the *Environmental Planning and Assessment Act 1979* (EP&A).

Pursuant to Section 4.46 of the EP&A Act, the proposed development constitutes Integrated Development under the *Water Management Act 2000*. It therefore requires concurrence from Natural Resources Access Regulator (Water NSW).

This report should be read in conjunction with the information annexed as outlined in the Table of Contents.

Specifically, the SEE includes the following information:

- Description of the site in its local and regional context;
- Identification of the proposed works;
- Assessment of the project against relevant planning instruments and Development Control Plans (DCPs);
- Assessment of all potential environmental impacts of the project;
- The suitability of the site and whether it is in the public interest; and
- Identification of measures for managing the potential environmental impacts.

Napier and Blakeley on behalf of Ashbury Developments Pty Ltd has calculated the cost of development for the proposal to be \$72,753,160 (incl. GST). Refer to **Appendix 1** for the Cost Estimate of the proposed.

This SEE is accompanied by the following reports:

- Appendix 1 – QS Report
- Appendix 2 – Site Survey
- Appendix 3 – Architectural Plans
- Appendix 4 – Architectural Design Report
- Appendix 5 – Landscape Drawings
- Appendix 6 – Acoustic Impact Assessment
- Appendix 7 – Waste Management Plan
- Appendix 8 – Remediation Action Plan
- Appendix 9 – Contamination Report
- Appendix 10 – Stormwater Civil Engineering Drawings
- Appendix 11 – Erosion and Sediment Control Plans
- Appendix 12 – BASIX Report and Certificates
- Appendix 13 – SEPP 65 Compliance Statement
- Appendix 14 – Canterbury LEP Compliance Assessment 2012
- Appendix 15 – Canterbury DCP Compliance Assessment 2012
- Appendix 16 – Heritage Impact Assessment
- Appendix 17 – Arboricultural Impact Appraisal and Method Statement
- Appendix 18 – Traffic and Parking Assessment
- Appendix 19 – Geotechnical Report
- Appendix 20 – BCA Report
- Appendix 21 – Access Report
- Appendix 22 – Legal Advice regarding Applicability of SEPP 65

## 1.1 Proponent and Project Team

The Development Application and SEE Report have been prepared on behalf of the applicant, Ashbury Developments Pty Ltd. The Project Team's details are provided in **Table 2**.

Table 2 – Project Team	
Item	Description
Proponent	Ashbury Developments Pty Ltd
Urban Planning	Mecone
Architectural Plans	SJB
Surveyor	SDG
Landscape Design	360 Degrees
Acoustic Assessment	JHA Services
Civil Engineering / Stormwater	Mance Arraj
Arborist	Naturally Trees
Traffic Consultant	TTPA
Waste Consultant	Mike Ritchie and Associates Consulting Group
Geotechnical	El Australia
Contamination	Arcadis
Heritage	NBRS Architecture
Access	Vista Access Architects
Arborist Assessment	Naturally Trees
BCA Compliance Assessment	BCA Logic
Quantity Surveyor	Napier and Blakeley
Legal Advice regarding Applicability of SEPP 65	Boskovitz Lawyers

## 2 Planning Background

This application has been prepared in direct response to Amendment 18 of CLEP 2012 gazetted on 20 March 2020 relating to the site and the adjoining site to the north at 165 - 171 Milton Street Ashbury.

The Planning Proposal sought the following amendments to the CLEP 2012:

- Rezone land from IN2 Light Industrial to R4 High Density Residential;
- Amend the floor space ratio from 1.0:1 to 1.1:1; and
- Introduce varying height controls ranging from 8.5m to 21m to facilitate high density residential development.

The amendments proposed by the Planning Proposal were formally gazetted on 20 April 2020. They were accompanied by revisions to the CDCP 2012 (Part F Site Specific Controls).

As part of the rezoning process, Council commissioned an economic analysis known as the *Tower 2032 – City of Canterbury Economic Development & Employment*. The findings of the analysis confirmed that the subject site is suitable for conversion from its historic light industrial use to mixed-use residential. This decision is predicated on findings which identified the site is not serviced adequately by public transport to support large scale employment generating uses. Further, the site is surrounded by residential uses which result in a land use conflict.

The applicant's objective is to redevelop the site into a vibrant residential precinct which delivers on the aims of the CDCP 2012 which establishes the requirement to achieve a high quality development outcome that positively contributes to the character of Ashbury and enhances the area's local identity.

### 2.1 The Objectives of the Proposal

The fundamental planning and design objectives of the development are to:

- Respond to the site's constraints, including uneven topography and proximity to a heritage conservation area by providing an appropriate massing strategy that aligns with Council's planning controls;
- Contribute to meeting the housing targets for the Canterbury-Bankstown LGA;
- Facilitate an appropriate transition to the residential areas and WH Wagener Oval;
- Concentrate the proposal's greatest mass in the northern portion of the site where it will interface with the denser development proposed on the adjacent site;
- Provide a highly articulated built form that provides visual interest in the streetscape without detracting from the streetscape;
- Ensure the development presents as being two storeys when viewed from Milton Street and surrounding residential dwellings;



- Ensure that the development is scaled and articulated to limit the visual impacts to WH Wagener Oval;
- Provide high quality communal open space areas that are highly functional and offer a high standard of amenity;
- Provide a mix of dwelling typologies, including terraces and apartments, which will assist in meeting the demand for a diversity of dwelling types at varying price points;
- Provide a high quality built form that scores well on a range of residential amenity standards;
- Provide a fine-grained built form that is sympathetic to the surrounding Ashbury Heritage Conservation Area; and
- Deliver a range of through-site links and internal pathways which improve connectivity to WH Wagener Oval.

### 3 Consultation

The Applicant has engaged with Council since the proposal's inception. On the 10 June 2020, the applicant attended a pre-lodgment meeting with Council's strategic and statutory planning team. Pre-lodgement meeting minutes were provided to the Applicant on 30 June 2020.

The Applicant has considered the feedback received and, where appropriate, amended the design accordingly.

A detailed response to Council's pre-DA feedback is provided in **Table 3**.

Table 3 - Response to Pre-Lodgement Feedback	
Council's Comment	Response
Confirmation is provided that Council will not accept private contractors for the collection of residential waste (see also Waste Collection Issues below).	Waste will be collected by a Council waste HRV truck and therefore complies with the CDCP 2012.  Refer to <b>Section 5.11</b> .
The current plans show 400sqm of commercial floor space, which will be inconsistent with any possible new provision under the DCBLEP 2020. This will need to be considered in any future DA submission on the subject site.	The proposal no longer seeks consent for commercial floor space.
Access into the site (including any basement areas) must be designed to accommodate the Heavy Rigid Vehicle (HRV) as per AS2890, facilitate entry and exit in a forward direction and without requiring reversing manoeuvres.	The proposed waste collection arrangements allow the site to be serviced by a Heavy Rigid Vehicle which will be able to access and leave the site in a forward direction. A turntable will be included to assist with the internal waste collection in the basement.  Refer to <b>Section 7.3</b> for further discussion.

Table 3 - Response to Pre-Lodgement Feedback

Council's Comment	Response
Bulky waste storage areas and carting distances also need to be considered.	Bulky waste storage areas are accommodated within the basement. The bulky waste storage areas are located in an accessible location in proximity to the lift cores. They are distributed throughout the basement to ensure equality of access for the various buildings.
Details of the townhouses needs to be included in the waste management plan. As there appears to be only 3 townhouses and their access is via basement parking, their waste systems should be included to the RFB (Building A) attached to them and not presented to the street front.	<p>The waste collection arrangements for the terraces are detailed in the Waste Management Plan.</p> <p>Residents in the terraces associated with buildings A, D and E will individually take their waste to the waste chute inlet and recycling bin cupboard provided on the ground floor.</p> <p>Refer to <b>Section 5.11</b> for further discussion.</p>
The new street needs to comply with Clause F11.13 C2 of the CDCP and Figure F11.10.	A separate DA will be lodged for the northern internal roadway.
<b>Stormwater</b>	
The application needs to comply with the relevant provisions of the CDCP (CI F11.16) which relate to the collection of groundwater and stormwater and the connection of both to the existing council drainage system in Wagener Oval (near the north-west corner of the adjoining site to the north).	A Stormwater Management Report accompanies this SEE. The report confirms compliance with the requirements of the CDCP 2012 (refer to <b>Section 7.9</b> ).
<p>The collection of groundwater should occur along the eastern boundaries of the development, before it has a chance to enter into the main part of the site.</p> <p>Any drainage system will need to consider the capacity of the downstream system and whether it can handle additional volumes from both the subject site, and the likely future volumes from the adjoining property (149-163 Milton).</p>	<p>A Stormwater Management System has been prepared for the site and is addressed in Section. The proposal seeks consent for the construction of a below ground OSD. Water will be conveyed through a typical pit and pipe system to the OSD tank.</p> <p>Further discussion is provided in <b>Section 7.9</b>.</p>
Consideration will need to be given to changes to any relevant existing easement/s, or the creation of easements if the relevant ones do not exist, over the downstream property to the north.	Easements will be considered prior to the occupation phase.
<b>Urban Design</b>	
The proposal contravenes the site specific CDCP with regard to size of building envelopes and building separation between Buildings B, C and E.	The proposal provides minor variations to the building envelope footprint prescribed by the CDCP 2012. The alternative envelope configuration is discussed in <b>Section 7.1.2</b> and is proposed as it is considered to result in an improved outcome with respect to

Table 3 - Response to Pre-Lodgement Feedback

Council's Comment	Response
	architectural expression and articulation and solar access.
The proposal lacks the chamfer required for Building E as set out by the DCP. The intent for chamfering Buildings B and E is to open up views and create an approach to the communal open space.	<p>Building E does not adopt a chamfered built form. The removal of the chamfer results in a superior outcome with respect to internal floor planning as it allows for a rectangular building footprint. View corridors are still permitted to the communal open space area and Building B has been reconfigured to open up viewed from the Entry Courtyard.</p> <p>Further discussion is provided in <b>Section 7.1.2.</b></p>
The proposed width of Building C up to level 4 is 24m, while the DCP requirement for building depth is maximum 18m from glass line to glass line.	<p>Building C adopts a staggered built form which breaks down the depth of the building. In addition, Building C complies with the cross ventilation and solar access requirements of the ADG. Therefore, the proposed building depth does not preclude the achievement of a high standard of residential amenity.</p> <p>Further discussion is provide in the CDCP 2012 Compliance Table included at <b>Appendix 15.</b></p>
Communal Open Space	
<p>The proposal provides for 15% of the site area as communal open space. The 15% proposed communal open space includes the centrally located area enclosed between Buildings C, D and E as well as the linear space between Buildings C and D and the deep soil area west of Building D.</p> <p>One of the objectives for the siting and development under CDCP F11.3 is to ensure areas of open space are consolidated. The deep soil area west of Building D is quite detached from the central open space and hence not consistent with the CDCP objective of providing a consolidated open space. The pedestrian link will not be able to compensate for the deficiency in the communal open space.</p>	<p>The proposal accords with the CDCP 2012 in that it provides a consolidated area of communal open space which is located centrally to the site. This communal open space area amounts to 27% of the site and is supplemented by a range of other communal areas located to the south and north.</p> <p>The proposed amount complies with the minimum 15% requirement established by the CDCP 2012.</p> <p>The supplementary communal areas will incorporate comprehensive landscaping and will provide useable space for occupants.</p>
Private Domain Interface	
The interface treatment between the private and public domain is vital to the quality of the pedestrian spine as well as the communal open space. Height and materiality of the private courtyard boundary wall adjacent the pedestrian link and the communal open	The proposed courtyards that interface with the pedestrian spines will incorporate solid walls which will provide privacy for occupants. The upper portions of these walls incorporate fencing which will permit sightlines from certain locations to maintain

Table 3 - Response to Pre-Lodgement Feedback	
Council's Comment	Response
space should not only provide privacy but also passive surveillance.	some level of surveillance over the park (refer to <b>Appendix 3</b> ).
<b>Building Design</b>	
The majority of building entries proposed are recessed and not readily visible or identifiable and may pose a safety risk. Detail design of the buildings should include colour, lighting and features such as awnings, blade walls and signage to emphasis the building entries.	The building entrances have been revised and are no longer recessed from the building line. Appropriate signage will be included in the post construction phase.
The maximum number of apartments off a circulation core on a single level of a building less than 10 storeys is 8. The service core of Buildings D and E cater to 12 and 13 apartments respectively.  For the proposal to be acceptable, minor design amendments should be undertaken to incorporate articulation given the length of the corridors from the lift.	The terraces within Building E are afforded individual access points. The northern located terraces in Building D are provided with individual access points.  The southern located terraces are accessible via a circulation core. Therefore eight dwellings are reliant on the circulation core for access.  Further discussion is provided in <b>Section 7.2.3</b> .
Heritage specialist advice should be sought to ascertain the impact of the proposed development on the conservation area and integration of heritage interpretation.	NBRS Architecture have prepared a Heritage Impact Statement which accompanies this application and have been involved with the project since its inception to ensure the design is sympathetic to the surrounding heritage conservation area.
<b>Tree Removal</b>	
The removal of 21 trees is not supported by Council in terms of urban design. Effort should be made to retain as many trees as possible through thoughtful design process.	The tree removal proposed for the site has been reconsidered. The building footprints / driveway necessitate the removal of 23 trees. These trees are of moderate health. Their removal is essential to facilitate the proposal and will be offset by replacement planting and landscaping provided in and around the site.  Further discussion is provided in <b>Section 7.5</b> .
Any DA will need to be accompanied by a Phase 2 Environmental Site Investigation (ESI) and will likely require the preparation of a Remediation Action Plan (RAP).	A RAP has been prepared by EI Australia and details the proposed remediation strategy for the site.  Further discussion is provided in <b>Section 7.5</b> .

In addition to the above, the proponent attended a post follow up pre-lodgement meeting on the 21 April 2021 . The details of the proposal were discussed with Council's planning officers. No formal written feedback was provided.

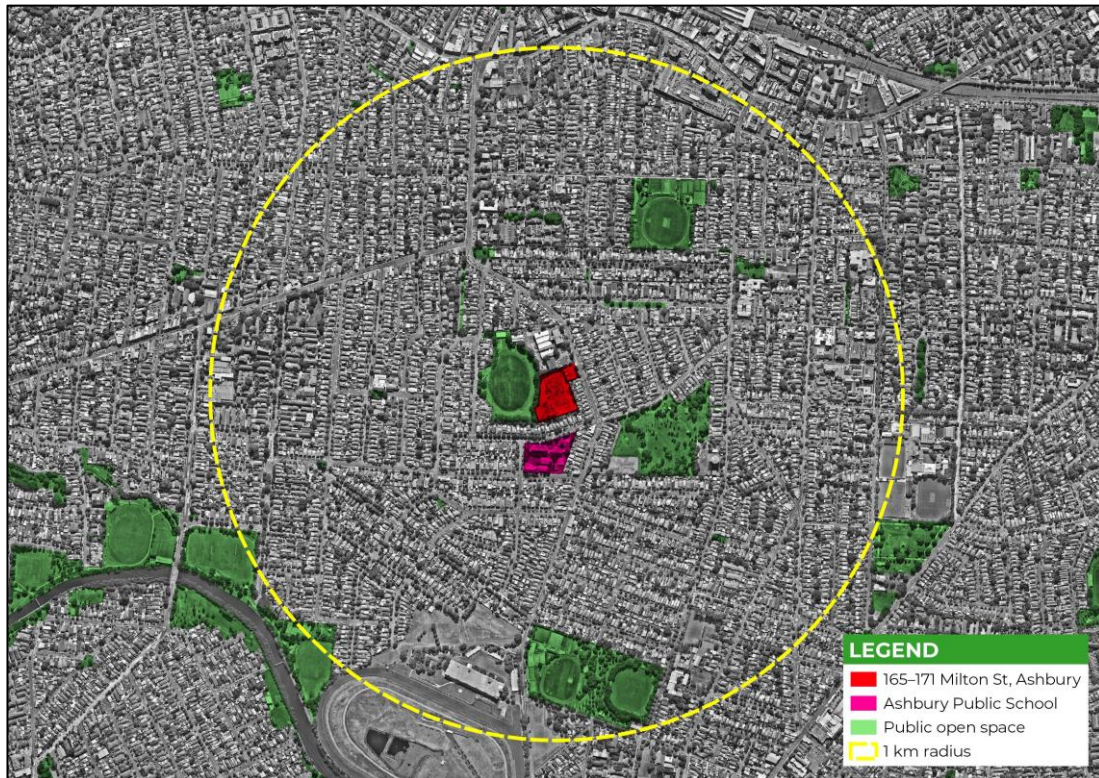


## 4 The Site

### 4.1 Site Location

The site is located at 165-171 Milton Street, Ashbury, within the Canterbury-Bankstown LGA. It is approximately 12km from the Sydney Central Business District (CBD) and 3.6km from the Burwood Strategic Centre. The site interfaces with Whitfield Reserve to the immediate west which incorporates WH Wagener Oval.

A site context map is provided at **Figure 1**.



**Figure 1** – Site Context Map

Source: Mecone Mosaic

### 4.2 Site Description

The site comprises a single lot which is legally described as Lot 1 in DP 30778. It is approximately 14,876m<sup>2</sup> in size and is irregular in shape. It has an eastern frontage to Milton Street of 47.7m and a frontage to WH Wagener Oval of 133.9m.

The site has an uneven topography with an approximate 7m change in level from the north eastern corner (RL 41) to the south western corner (RL 35.5m).

At the eastern frontage, only a small portion of the site's frontage interfaces with Milton Street. The remainder is setback behind low scale residential dwellings which extend southward along Milton Street. These dwellings form part of the Ashbury Heritage Conservation Area.

An aerial map is included in **Figure 2**.



**Figure 2 – Aerial Image of the Site's Location**

Source: Mecone Mosaic

### 4.3 Existing Development

The former warehouse building has been demolished and the site is now occupied by only a small office building to Milton Street. When viewed from Milton Street, the development presents as being a 2-storey light-industrial warehouse building that is set back from the frontage of Milton Street. This building is currently vacant but historically has been occupied by a mix of light industrial and office uses.

A hardstand area is accommodated in the western portion of the site and is demarcated from WH Wagener Oval by dense tree planting.

Photos of the existing development contained within the site are included below.





**Figure 3 – Site Looking East from Milton Street**  
Source: Mecone



**Figure 4 – Site Viewed from Wagener Oval**  
Source: Mecone



**Figure 5 – Site Viewed from Milton Street**  
Source: Mecone



**Figure 6 – Site Looking South Down Milton Street**  
Source: Mecone

## 4.4 Surrounding Development

The surrounding area is predominantly characterised by low-density residential dwellings which are largely contained within the Ashbury Heritage Conservation Area. The surrounding development is as follows:

- **West:** The site abuts a dense row of trees which are located within WH Wagener Oval positioned further westward of the site. This oval forms part of Whitfield Reserve which is a public park owned by Council.
- **East:** The site is bounded by single and two-storey detached bungalows oriented towards Milton Street. These dwellings form part of the Ashbury Heritage Conservation Area. Residential dwellings are located further eastward.
- **South:** The site is bounded by detached dwellings that predominantly reach one (1) storey and orientate away from the site towards the south so as to

face Trevenar Street. Further southward the development relates to Ashbury Public School and the residential suburb of Ashbury.

- **North:** The site adjoins a similar light-industrial property known as the “Chubb site” which defines the eastern edge of the WH Wagener Oval. This site is subject to a development application (DA/826/2020) which seeks consent for a number of residential flat buildings.

The surrounding development is illustrated in the figures below.



**Figure 7** – Milton Street Looking North from the Site  
Source: Mecone



**Figure 8** – Intersection of Milton and Trevenar Street  
Source: Mecone



**Figure 9** – Wagener Oval to the West of the Site  
Source: Mecone



**Figure 10** – Dwellings on Trevenar Street  
Source: Mecone



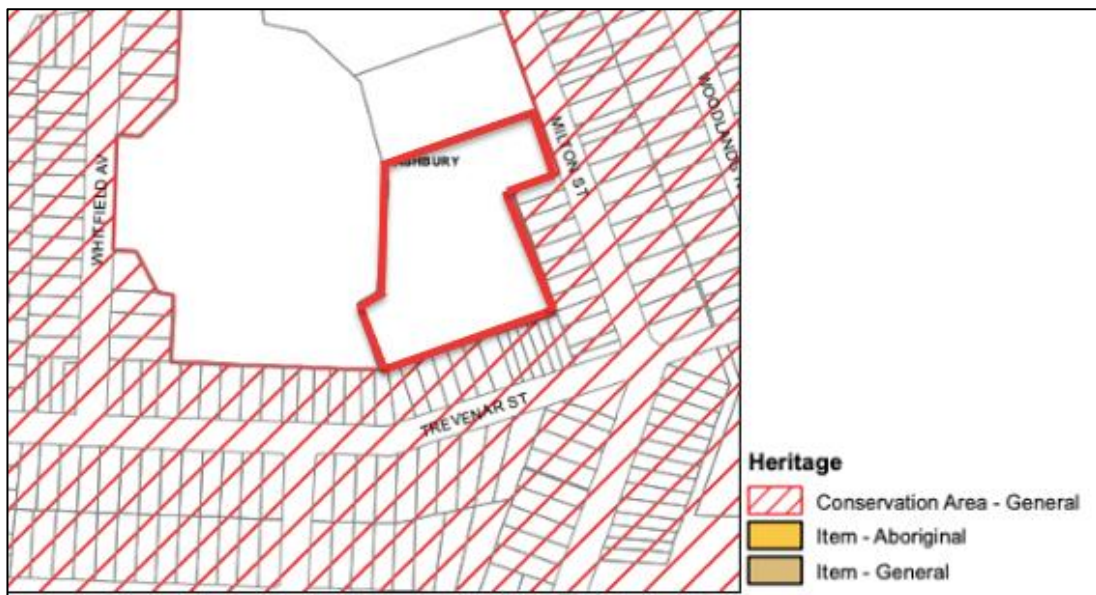
**Table 4** provides the legal description, and a brief summary of the site and surrounding context.

Table 4 - Site Description	
Item	Description
Legal Description:	Lot A in DP 30778
Total Area	14,876m <sup>2</sup>
Location	<p>The site is located within the Canterbury-Bankstown LGA. It is positioned approximately 8.5km from the Sydney CBD and 3.6km south east from the Strategic Centre of Burwood.</p> <p>The site lies within the suburb of Ashbury. The majority of this suburb is classified as a Heritage Conservation Area.</p> <p>The site has a frontage to Milton Street. The rear of the site adjoins Whitfield Reserve which includes WH Wagener Oval.</p>
Frontages	The site has a single frontage to Milton Street of 47.7m. The site has a frontage to WH Wagener Oval of 118m.
Site Description	The site is largely devoid of existing structures as the former industrial buildings have been demolished. The only structure that remains is a small office building that orientates to the street.
Previous uses	The site has historically accommodated light industrial uses contained within a collection of commercial and warehouse buildings ranging in height from 2 to 4 storeys. The rear of the site was covered by a hardstand area. The development was previously occupied by 'Tyres 4 U'. Prior to this the site operated as a brick quarry known as the 'Ashfield Brick Company'.
Surrounding Context	<p>Being located within a R4 High Density Residential zone, the surrounding development comprises a mix of uses, including:</p> <ul style="list-style-type: none"> <li>• <b>North:</b> the site located at 149 – 163 Milton Street which was the Former Chubb Security Services, warehousing and administration building that is now subject to redevelopment.</li> <li>• <b>South:</b> the site interfaces with residential dwellings that orientate towards Trevenar Street away from the site.</li> <li>• <b>West:</b> the site interfaces with dense canopy tree planting and beyond this lies WH Wagener Oval and Whitfield Reserve.</li> <li>• <b>East:</b> lies low scale residential dwellings that form the broader suburb of Ashbury.</li> </ul>

Table 4 - Site Description	
Item	Description
Public Transport	The site is serviced by a bus stop which is located at the intersection of Milton Street and Trevenar Street. It provides access to bus services 413 and 491 which facilitate access to Hurstville, Campsie, and Earwood.

## 4.5 Heritage

The site is not within a Heritage Conservation Area nor does it contain or is in vicinity of any heritage items of significance. The site does however adjoin the Ashbury Heritage Conservation Area to the south and east (refer to **Figure 11**).



**Figure 11** – Location of Ashbury Heritage Conservation Area

Source: Mecone / CLEP 2012

## 5 The Proposal

### 5.1 Development Summary

SJB have provided the design for the proposed development. The Architectural Plans are included at **Appendix 3**.

The proposed development comprises:

- Demolition of all existing buildings;
- Site preparation works, bulk excavation;
- Construction and use of five (5) residential flat buildings (ranging in height from 3 to 6 storeys), including:
  - Two (2) residential flat buildings containing 76 units;
  - Three (3) residential flat buildings containing 62 terraces;
  - Shared basement with vehicular access from the proposed northern internal road;
  - A single level shared basement containing 258 spaces;
- Associated landscape works, including the provision of through-site links and communal open space areas; and
- Extension and augmentation of physical infrastructure and utilities as required.

A photomontage of the proposed development is provided in the **Figure 12**.



**Figure 12** – Proposal Viewed from Milton Laneway / The Through-Site Link

Source: SJB

## 5.2 Built Form and Design Principles

An Architectural Design Report has been prepared by SJB Architects and is provided at **Appendix 4**. The Architectural Design Report outlines the design objectives adopted for the proposal to ensure it responds to the site's opportunities and constraints, Council's vision for the area and the surrounding Heritage Conservation Area.

The planning and design objectives adopted for the proposed development are summarised below:

- To provide a design that complements the residential character of the area and the heritage qualities of the dwellings in the immediate surrounds;
- To provide a series of buildings that reflect a shared architectural expression whilst presenting as having distinct visual identities;
- Establish an appropriate streetscape fronting Milton Street by providing an appropriate scaled form and massing that integrates the surrounding development;
- Express a two (2) storey appearance when viewed from the Milton Street frontage and surrounding residential areas;
- Minimise the perceived bulk and scale of the development when viewed from WH Wagener Oval;
- Encourage tree retention to the greatest extent possible and provide comprehensive landscaping throughout the site;
- Contribute high quality communal areas that are dispersed across the site and encourage equality of access;
- To deliver a through-site link that improves connectivity to the WH Wagener Oval in accordance with Council's vision for the site; and
- To generally comply with the CDCP 2012 site specific master plan and provided variations where an improved design /amenity outcome is attainable.

## 5.3 Dwelling Typology

The proposed siting of each building has been designed and sited in response to the building envelopes established by the Indicative Master Plan contained in the CDCP 2012 (refer to **Section 7.1.2**).

The building envelopes accommodate a mix of terraces and apartments. Specifically, Building B and Building C contain apartments and Building E, Building D and Building A comprise terrace style dwellings.

The location of the buildings containing either terraces or apartments is illustrated in the figure below.





**Figure 13** – Proposed Location of Apartment Buildings (Bottom) and Terraces (Top)

Source: SJB

## 5.4 Building Description and Massing Strategy

The developments massing is distributed over five (5) buildings as shown in the **Figure 14**. The massing of Building A, Building D and Building E has been broken down into smaller elements to facilitate the provision of through-site links and to reduce the perceived massing and scale of the development.

A detailed discussion of each building is provided below.

### Building A

Building A orientates towards Milton Street and the proposed through-site link between Milton Street and WH Wagener Oval. It is broken down into two distinct forms which reach a minimum of two (2) storeys where the building orientates towards Milton Street and increases to three (3) storeys towards the west where the building interfaces with the through-site link. Building A accommodates terrace houses defined by dark brown face-brickwork, arches and skillion and sawtooth roofs.

### Building B

Building B reaches six (6) storeys in height and contains apartments. Its western elevation orientates towards WH Wagener Oval and adopts a strong horizontal expression consistent with the adjacent Building C. The eastern elevation fronting the internal communal open space area incorporates a distinct base consisting of dark face-brick work.

### Building C

Building C reaches a maximum of five (5) storeys in height and accommodates apartments. Where the building orientates towards the internal communal open space area, the envelope adopts a staggered built envelope.

The western elevation adopts a linear configuration with a strong horizontal architectural expression. The apartments at this aspect are orientated towards the west and maximise surveillance over WH Wagener Oval.

### Building D

Building D aligns with the site's southern boundaries and reaches three (3) storeys in height. The buildings massing is broken down into two (2) distinct components to accommodate a pedestrian link. The building accommodates terrace houses with an architectural expression consistent with Building A.

### Building E

Building E is positioned on the eastern boundary and reaches four (4) storeys in height. It is separated into three (3) distinct components to allow for pedestrian paths of travel that connect to the internal principal communal area.



**Figure 14** – Proposal Building Envelope Locations and Massing

Source: SJB

## 5.5 Dwelling Unit Mix and Size

A total of 138 dwellings are proposed, including 62 terraces and 76 units across each building. The proposed unit mix and size of apartments is detailed in the table below.

Type	Size	Building A	Building B	Building C	Building D	Building E	Total
1 bed	55.9 – 78m <sup>2</sup>	0	17	10			27
2 Bed	77.7 – 98.8m <sup>2</sup>	0	12	14			26
3 Bed	101.2 – 197.4m <sup>2</sup>	13	8	14	21	28	84
4 Bed	156m <sup>2</sup>	0	1				1
<b>Total</b>		<b>13</b>	<b>38</b>	<b>38</b>	<b>21</b>	<b>28</b>	<b>138</b>
Adaptable		0	6	5		3	14

Table 5 - Unit Mix and Size							
Liveable			6	5		21	32

## 5.6 Schedule of Gross Floor Area

**Table 6** identifies the proposed schedule of GFA. The GFA has been calculated in accordance with the CLEP 2012.

Table 6 - GFA Distribution	
Building	GFA (m <sup>2</sup> ) (Calculated as per CLEP 2012)
Basement	125
Building A	1,747
Building B	4,075
Building C	3,719
Building D	2,894
Building E	3,776
<b>Total</b>	<b>16,335m<sup>2</sup></b>

*\*Note: GFA as defined by the CLEP 2012 is the sum of the floor area of each floor of a building measured from the internal face of external walls, or from the internal face of walls separating the building from any other building, measured at a height of 1.4m above the floor.*

## 5.7 Materials and Finishes

The proposed development includes a variety of materials and finishes that have been selected to complement the surrounding Ashbury Heritage Conservation Area and residential dwellings.

The facades are proposed to be treated with dark brown face brickwork. The facades will be complemented by metal clad roofing with a red materiality and timber framed windows and doors.

The proposed materials are included in the Architectural Drawings prepared by SJB at **Appendix 3**.

## 5.8 Landscaping

The landscaping scheme has been prepared by 360 Degrees and is illustrated on the Landscape Plans included at **Appendix 5**. The proposed landscaping scheme has been designed to complement the proposed built form and provide residents with the highest level of amenity.

There are four (4) key components of the landscaping scheme, including:

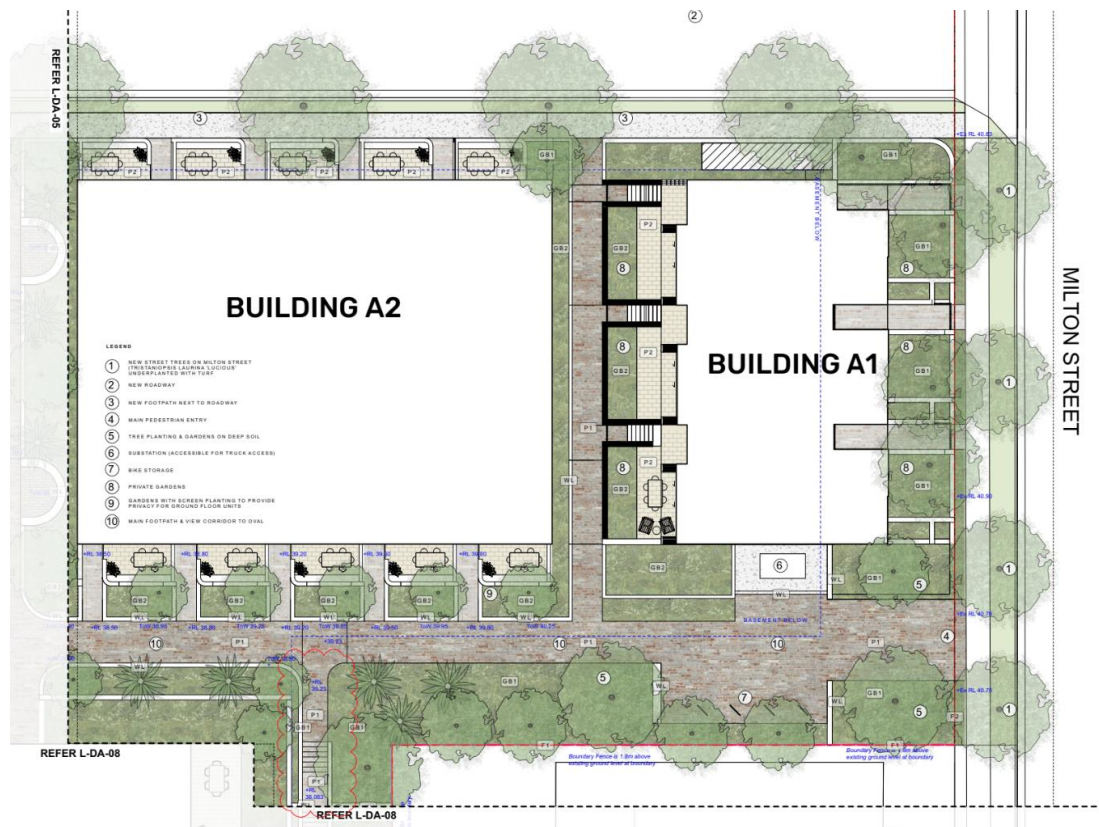


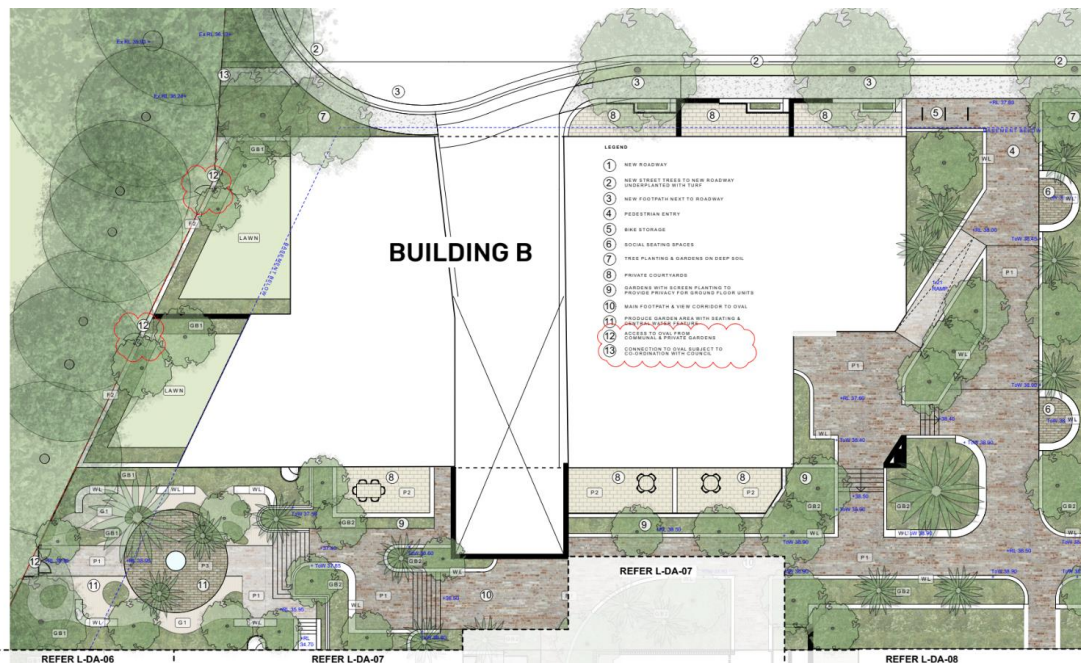
- The 'Milton Street Laneway' consisting of an east west through-site link;
- The entry court off the future internal road;
- The central communal open space area; and
- A pedestrian link where the site interfaces with WH Wagener Oval.

The details of each component are discussed below.

### Milton Street Laneway

The proposal incorporates a through-site link which connects Milton Street to WH Wagener Oval (refer to **Figure 15**). The laneway will be embellished with brick paving and perimeter planting consisting of low lying shrubs. Level platforms will be included at the edges and will accommodate seating for respite.





**Figure 16** – Proposed Landscaping Within the Entry Court

Source: 360 Degrees

### WH Wagener Oval Edge / Pedestrian Link

The interface with WH Wagener Oval is acknowledged as being an important element of the design as it is a public and private interface.

A paved brick pedestrian spine connects to the oval. Seating pods and a raised timber deck are provided off this pathway. Buffer planting along the western boundary will be delivered at this sensitive interface and will complement the existing tree canopy (refer to **Figure 17**).

Buffer planting is also provided to Building B and Building C to promote privacy.



**Figure 17** – Proposed WH Wagener Oval Edge and Pedestrian Link

Source: 360 Degrees

### Central Communal Open Space

The central communal open space area relates to the proposed development's principle communal open space area (refer to **Figure 18**). It includes a centrally located lawn area surrounded by an elevated path of travel of travel that is proposed to be embellished with sandstone, a water feature, seating nooks and concrete blocks.

Buffer planting will be provided at the perimeters to promote privacy and soften the appearance of the built form.





## 5.10 Access and Parking Provisions

### 5.10.1 Pedestrian Access

The ground plane of the development has been designed to achieve a high degree of permeability, allowing residents to easily move throughout the development.

Entry to the individual buildings is proposed as follows:

- Building A – Each terrace will be afforded individual access from the proposed pedestrian through-site link and the northern internal road;
- Building A1 – Each dwelling will be accessible from an internal lobby / circulation core;
- Building B – Each dwelling will be accessible from an internal lobby / circulation core accessible from the entry courtyard;
- Building C – Is provided with two separate lobby areas accessible from the central communal open space area;
- Building D1 and D2 – Each individual terrace is accessible from a central pathway or alternatively from the ground plane; and
- Building E1 and E2 – Each terrace will be provided with access from an internal path of travel that surrounds the building's perimeters.

As addressed above, the proposed development will provide a new through-site link that connect Milton Street to WH Wagener Oval.

### 5.10.2 Vehicular Access

The proposed development incorporates a singular egress / ingress access point from the internal road along the site's northern boundary. This access point will provide entry to the shared basement.

Consent for this internal roadway will be sought under a separate development application and will be delivered prior to the construction of the proposed development.

### 5.10.3 Vehicular and Bicycle Parking

The shared basement makes provision for the following parking:

- 258 off-street vehicle spaces comprising:
  - 229 residential car spaces (including 25 accessible);
  - 28 visitor car parking spaces (including 1 accessible);
  - 1 car wash
- Nine (9) motorcycle parking spaces; and
- 28 residential bicycle spaces.

The parking arrangements have been designed in accordance with the relevant *Australian Standard (AS 2890.6)*.

#### 5.10.4 Loading Arrangements

Loading and servicing arrangements will be provided within the shared basement. One (1) loading bay is proposed and includes a turn table to assist with vehicle turning.

A vehicle swept path analysis is provided in the Traffic and Parking Impact Assessment at **Appendix 18**.

### 5.11 Operational Waste Management

A Waste Management Plan has been prepared by MRA Consulting Group and is included at **Appendix 7**. The Waste Management Plan outlines the proposed waste collection methods and storage requirements.

Each dwelling will be equipped with waste storage bins. Residents within Building B and Building C will be responsible for transporting their waste to a general waste chute inlet or recycle bin provide on each level.

Residents in the terraces within Building A, Building D and Building E will be responsible for transporting their waste to the waste chute inlet and recycling bin cupboard provide at the ground floor of each building.

Residents will also be able to dispose of garden or bulky goods waste in the designated waste storage area located within the shared basement.

General waste and recycling will be collected weekly by a Council appointed waste contractor. Further discussion is provided in **Section 5.11**.

### 5.12 Demolition and Excavation

The following site preparation works are required to facilitate the proposal:

- Site clearing and the demolition of existing structures and tree removal;
- Excavation to a depth of between 3m and 4m below ground level to facilitate the construction of the shared basement;
- Implementation of erosion and sediment controls measures; and
- Associated earthworks.

Demolition Plans are included within the Architectural Package at **Appendix 3**.

### 5.13 Site Remediation

A Remediation Action Plan (RAP) prepared by El Australia and a Contamination Report prepared by Arcadis are included at **Appendix 8** and **Appendix 9**, respectively.

The RAP details the remediation measures to be adopted to enable the site to be considered suitable for the proposed use. The proposed remediation works are set out in **Section 7.10**.

## 5.14 Infrastructure and Services

All services within the existing buildings are proposed to be decommissioned, demolished and removed. As part of the proposed scope of works, these services will be replaced and augmented with existing surrounding infrastructure.



## 6 Statutory Planning Assessment

The following environmental planning assessment has been undertaken in accordance with the requirements of Section 4.15(1) of the *Environmental Planning and Assessment Act 1979* (EP&A Act 1979). It should be read in conjunction with information annexed to this report as outlined in the Table of Content.

This section provides an assessment of the proposal's compliance with the relevant strategic, planning policies, legislation, environmental planning instruments and DCP, including:

- NSW State Priorities (NSW 2021);
- A Metropolis of Three Cities;
- South District Plan;
- Canterbury Bankstown Community Strategic Plan: CBCity 2028;
- Canterbury Bankstown LSPS: Connective City 2036;
- Canterbury Bankstown Housing Strategy 2020;
- Canterbury Bankstown Community Participation Plan;
- *Environmental Planning and Assessment Act 1979*;
- *State Environmental Planning Policy (Infrastructure) 2007*;
- *State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004*;
- *State Environmental Planning Policy No 55 – Remediation of Land*;
- *State Environmental Planning Policy (Vegetation in Non-Rural Areas 2017)*;
- *State Environmental Planning Policy No 65 – Design Quality of Residential Apartment Development*;
- *State Environmental Planning Policy No 64 – Advertising and Signage*;
- *State Environmental Planning Policy (Affordable Rental Housing) 2009*;
- *Draft State Environmental Planning Policy (Environment)*;
- *Canterbury Local Environmental Plan 2012*;
- *Canterbury Development Contributions Plan 2013*;
- *Canterbury Development Control Plan 2013*;
- *Draft Canterbury-Bankstown LEP 2020*; and
- *Draft Canterbury-Bankstown DCP 2020*.

## 6.1 Compliance with Strategic Plans and Policies

The table below provides an assessment of the proposal against the relevant State and local strategic plans.

Table 7 - Compliance with Strategic Plans	
Plan	Comment
NSW State Priorities (NSW 2021)	<p>The NSW State Priorities are a series of reforms aimed at growing the economy, delivering infrastructure and improving health, education and other services across NSW. Whilst not directly related to the proposed development, the proposal will facilitate the achievement of a well-connected community and a strong economy by providing a high quality design with employment generating uses and an active public domain.</p>
A Metropolis of Three Cities	<p>The Greater Sydney Region Plan – <i>A Metropolis of Three Cities</i> establishes a 40-year vision for Sydney and a 20-year plan to guide its growth. The proposal is consistent with the plan for the following reasons:</p> <ul style="list-style-type: none"> <li>• The proposal will provide a range of dwellings at varying price points across an accessible precinct.</li> <li>• The proposal will contribute to meeting the demand for an additional 725,000 homes to meet the growing population over the next 20 years.</li> <li>• The proposed residential uses will facilitate the provision of housing in proximity to transport and will deliver on the vision to achieve a 30-minute city.</li> <li>• The proposal will address the demand for a diversity of housing types by proposing a mix of apartments and terraces..</li> </ul>
South District Plan	<p>The District Plan sets out the priorities and actions for the growth and development of the Southern District. The proposal is entirely consistent with the key priorities of the plan, including:</p> <ul style="list-style-type: none"> <li>• The proposal will revitalise an underutilised site and replace the existing outdated building stock with a high quality residential development (Priority S6).</li> <li>• The proposal will provide communal places and links to surrounding public places such as WH Wagener Oval (Priority S4).</li> <li>• It will increase the provision of housing, providing greater choice and dwellings at varying price points within a locality well serviced by public transport (Priority S5); and</li> </ul>

Table 7 - Compliance with Strategic Plans

Plan	Comment
	<ul style="list-style-type: none"> <li>Will deliver on the aspiration to integrate land use and transport planning to achieve a 30-minute city (Priority S12).</li> </ul>
Canterbury Bankstown Community Strategic Plan (CBCity 2028)	<p>CBCity 2028 is the community strategic plan for the City of Canterbury Bankstown. A key aspiration identified by the Plan is to deliver an attractive, sustainable, and affordable built environment which preserves the identity and character of the area.</p> <p>The proposal is consistent with this aspiration in that it reflects a high quality built form that exhibits design excellence and will provide a range of dwelling types at varying price points. The design is sympathetic to the surrounding Ashbury Heritage Conservation Area and has sought to preserve the existing character of the area</p>
Canterbury Bankstown LSPS: <i>Connective City 2036</i>	<p><i>Canterbury Bankstown LSPS: Connective City 2036</i> (the LSPS) is the 20 year plan to guide Canterbury-Bankstown's renewal. It highlights that the Canterbury-Bankstown LGA will need to plan for an additional 135,000 residents and 44,000 workers by 2036.</p> <p>The LSPS nominates 10 directions. The proposal is entirely consistent with the directions in that it:</p> <ul style="list-style-type: none"> <li>Deliver a built form outcome that reflects the character of the locality and contributions to the creation of a high quality urban place;</li> <li>Will provide a diversity of housing types, including terraces and units, which will provided needed housing for the local population;</li> <li>Will contribute to the provision of high quality open space; and</li> <li>Fosters design led planning that will assist in evolving the locality's public domain and character.</li> </ul>
<i>Draft Canterbury Bankstown Housing Strategy 2020</i>	<p>The <i>Draft Canterbury Bankstown Housing Strategy 2020 (Housing Strategy)</i> has been developed to reflect the vision and priorities of the <i>Community Strategic Plan</i> and guide future housing development. The Housing Strategy nominates a target of 50,000 new dwellings by 2036. Of this amount, 10,100 dwellings are to be delivered in suburban areas outside of local and village centres. The proposal will contribute to meeting this target and will provide a diversity of dwellings types at varying price points.</p>

Table 7 - Compliance with Strategic Plans	
Plan	Comment
Canterbury Bankstown Community Participation Plan 2020	<p>The <i>Community Participation Plan</i> provides detail on the mandatory and best practice approaches to ensuring meaningful and timely participation in planning across the Canterbury Bankstown LGA.</p> <p>The proposal will be notified in accordance with the nominated exhibitions timeframes. Submissions received during the notification will be considered by the Applicant. Where appropriate changes will be made in response to the feedback received.</p>

## 6.2 State Environmental Planning Policies

### 6.2.1 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.

#### Clause 104 - Traffic Generating Development

Under the provisions of Schedule 3 of the ISEPP (Column 3), the proposal does not constitute traffic generating development as it does not exceed the relevant threshold (300 dwellings with access to a local road). Accordingly, concurrence from TfNSW (formerly Roads and Maritime Services) is not required.

### 6.2.2 State Environmental Planning Policy (Building Sustainability Index: Basix) 2004

A BASIX Report and Certificate is provided at **Appendix 12**. The BASIX Certificate confirms that the proposal meets the BASIX targets. Further discussion is provided in **Section 7.14**.

### 6.2.3 State Environmental Planning Policy No. 55 – Remediation of Land (SEPP 55)

*State Environmental Planning Policy No. 55 – Remediation of Land* (SEPP 55) requires the consent authority to consider whether a site is contaminated and the methods necessary to facilitate its remediation prior to granting consent.

A RAP has been prepared by El Australia and is included at **Appendix 9**. It details the measures necessary to facilitate the remediation of the site to make it suitable for the proposed use. The RAP is accompanied by a Site Audit Statement which confirms that should the remediation be completed in accordance with the RAP prepared by NSW EPA, the land can then be made suitable for the proposed residential use.

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

The proposal is consistent with the nine (9) design principles set out in Schedule 1 of the *State Environmental Planning Policy No.65 – Design Quality of Residential Flat Development* (SEPP 65) (refer to **Appendix 13**). A detailed assessment of the proposal's consistency with these principles and the associated *Apartment Design Guide* (ADG) is provided in **Section 7.2** of this report.

#### 6.2.5 State Environmental Planning Policy (Affordable Rental Housing) 2009

The *State Environmental Planning Policy (Affordable Rental Housing) 2009* (ARH SEPP) Part 3 includes provisions relating to the retention and removal of existing affordable housing. It requires that a consent authority assess whether there will be a reduction in affordable housing. The proposal will not result in a reduction of affordable housing.

#### 6.2.6 Draft State Environmental Planning Policy (Environment)

The Draft SEPP Environment was released for public exhibition in October 2017 and aims to repeal and replace a number of SEPPs and SREPs that currently apply in NSW. Under the SEPP, the site is identified as 'Urban Bushland'.

The proposal requires the removal of 23 trees due to conflicts with the building envelope. Replacement planting will be proposed to offset the loss of trees. In light of this, the design has been located to minimise the impact on existing trees. Trees are only proposed for removal where absolutely necessary.

A suite of protection measures will be implemented to prevent impacts to the trees proposed for retention during the construction phase.

### 6.3 Canterbury Local Environmental Plan 2012

The *Canterbury LEP 2012* is the principal environmental planning governing development within the Canterbury – Bankstown LGA. The table included at **Appendix 15** provides an assessment of the proposed development against the relevant standards and provisions, including Amendment 18 which was gazette on 20 March 2020 to facilitate the proposed development.

### 6.4 Draft Canterbury Bankstown Local Environmental Plan 2020

The draft *Canterbury Bankstown Consolidated LEP 2020* updates and consolidates the provisions contained in both the existing *Canterbury LEP 2012* and *Bankstown LEP 2015*. Once gazetted, the consolidated LEP will be the principal environmental planning instrument to govern development within the Canterbury – Bankstown LGA.

The LEP Compliance Assessment included at **Appendix 14** provides an assessment of the proposed development against the relevant standards and provisions. It is noted that the applicable development standards largely remain unchanged. The proposal is entirely consistent with the CLEP 2020 and draft *Canterbury Bankstown Consolidated LEP 2020*.

## 6.5 Canterbury Development Control Plan 2012

The CDCP 2012 is the principal Development Control Plan (DCP) that applies to the site. **Appendix 15** provides an assessment of the application against the relevant provisions.

In accordance with Section 4.15(3A) of the EP&A Act, a consent authority is required to apply DCP provision flexibility and allow variations where appropriate. Alternative solutions to the provisions of the DCP are addressed in **Section 7.0**.

## 6.6 Draft Canterbury Bankstown Development Control Plan

The Draft Canterbury Bankstown DCP was released for public exhibition in December 2020. It proposes to consolidate the existing DCPs that apply to Canterbury and Bankstown LGAs. The consolidated DCP has been considered at **Appendix 15**.



## 7 Planning Merit Assessment

Mecone has undertaken an assessment of the proposal against the relevant planning and environmental legislation and guidelines to identify potential impacts and mitigation measures. The potential environmental impacts and associated mitigation measures are discussed below.

### 7.1.1 Architectural Expression and Built Form

The built form is derived from site specific planning controls for the site which are established by the CDCP 2012. These planning controls establish a framework for the site's future development and dictate the siting of the proposed envelopes and public open space areas.

The built form has been designed in response to the site specific planning controls and to integrate with the surrounding locality whilst maximising the opportunities presented by the site. Whilst the architectural expression of each building allows for a distinct visual identity, the buildings will exhibit a similar materiality allowing for the achievement of a consistent visual language.

The materiality is characterised by metal roof cladding, timber framed windows and doors, concrete and dark face brickwork. The purpose for using dark brick work is to acknowledge the site's historical associations as a former brick quarry known as the 'Ashfield Brick Company'.

In designing the proposal due consideration has been given to ensuring that the development integrates with the surrounding built form. The proposal will be visible from Milton Street. The existing dwellings located along Milton Street consist of single storey residential bungalows with a consistent height and pitched roof forms. These dwellings are setback from the streetscape with landscaping accommodated within this setback.

The expression of the brickwork will include traditional craft and detail with elements such as expressed arches and deep reveals. This expression contributes to a fine-grained appearance and is sympathetic to the character of the Ashbury Heritage Conservation Area.

An additional level of detail and texture will be added to the brickwork to emphasise focal points of the development. This includes entries, openings, common space and the ground level 'base' to the apartment buildings orientated towards the central communal courtyard.

The proposed terraces fronting Milton Street have sought to acknowledge the architectural expression of these existing dwellings albeit whilst adopting a contemporary appearance. The terraces are expressed as a series of detached single storey modules. They are defined by sawtooth and skillion roof forms which mirror the roof forms of the neighbouring dwellings (refer to **Figure 18**).

The residential buildings located towards the rear of the site where it interfaces with WH Wagener Oval reflect a more contemporary appearance with a strong horizontal expression. A more neutral colour pallet is adopted to ensure the development does not present as being overly dominant when viewed from the adjoining oval.

**Figure 19** illustrates the proposed architectural expression of the terrace house typology.



**Figure 19** –Proposal Viewed from the Corner of Milton Street and Trevenar Street

Source: SJB

### 7.1.2 Envelope Siting and Configuration

The CDCP 2012 requires that future development be located and sited in accordance with the Indicative Master Plan shown in **Figure 20**. The Indicative Master Plan relates to both the subject site and the adjoining northern site at 149 – 163 Milton Street, Ashbury.

The DCP Master Plan is predicated on the need to provide an appropriate built form that enhances the character of Milton Street and WH Wagener Oval and increases opportunities for landscaping and deep soil planting. It also aims to facilitate view corridors and to minimise bulk and scale of the development as a whole.



**Figure 20** – Indicative DCP Master Plan with Site Outlined in Red

Source: Mecone / CDCP 2012

The proposal is largely consistent with the Indicative Master Plan. Specifically:

- The building envelopes are sited generally in accordance with the prescribed building footprints;
- The siting of the envelopes allow for the provision of a consolidated area of communal open space located centrally to the site;
- The through-site links are consistent with the Indicative Master Plan;
- The proposal is setback from Milton Street, WH Wagener Oval and the future street to the north in accordance with Canterbury DCP's requirements; and
- The proposal complies with the maximum FSR and Height development standards prescribed by the CLEP 2012 and therefore achieves the density envisaged for the site.

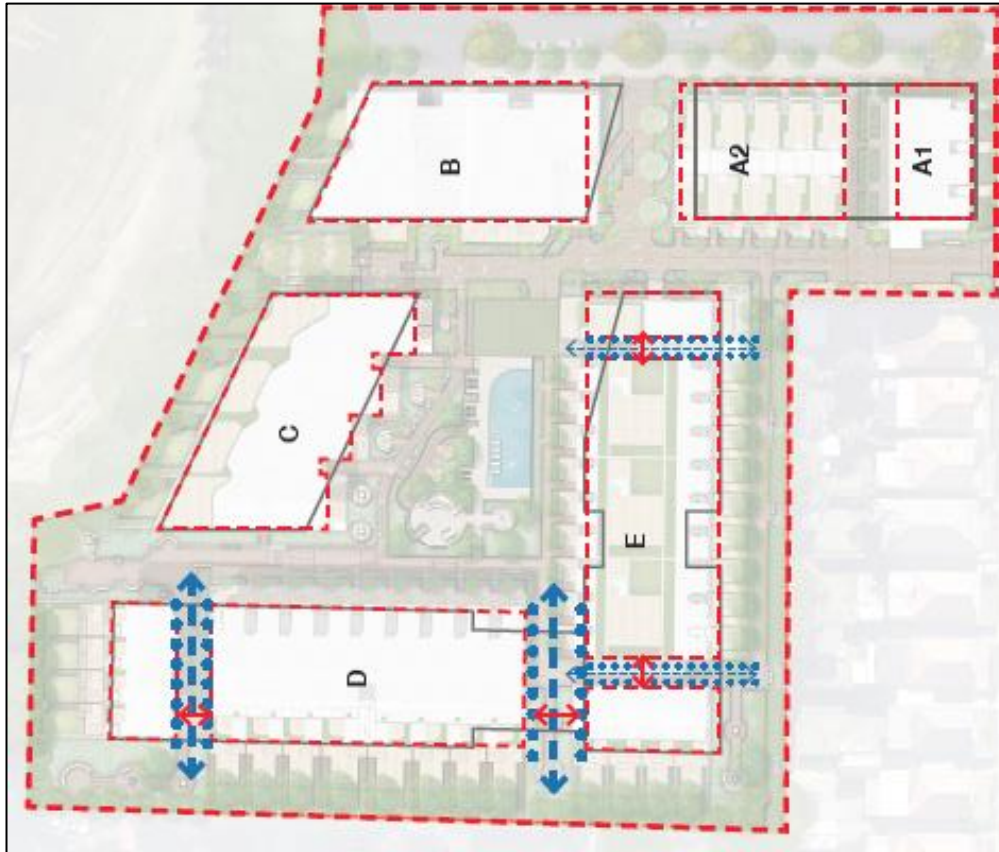
The proposed envelopes provide minor variations to Council's Indicative Master Plan. The variations include the following:

- Additional building breaks to Buildings D, E and A to facilitate the provision of pedestrian connections that improve connectivity across the site;
- The stepping of the eastern elevation of Building C to improve the articulation of the built form, provide visual interest and deliver improvements to the amenity of the dwellings; and
- The minor reconfiguration of Building E's envelope to remove the required chamfer in the north western corner to facilitate the provision of a rectilinear envelope and improved internal floor planning; and
- The minor reconfiguration of Building B's envelope to provide a straight building alignment along the southern elevation to increase the size of the courtyard and maximise sightlines to the communal open space area.

A comparison between the DCP envelope and the proposed envelopes is presented in the figure below.







**Figure 21** – Comparison Between Indicative Master Plan (Bottom) and Proposed (Top)

Source: SJB/ CDCP 2012

The proposal seeks minor variations to the Indicative Master Plan. Section F11.3 Siting the Development of the CDCP 2012 permits variations to the Indicative Master Plan provided the objectives set out in the table below are achieved.

As demonstrated by the responses below, it is considered that the alternative envelope configurations result in an improved design outcome and a reasonable alternative solution to the CDCP 2012.

Table 8 - Proposed Envelope Arrangement's Compliance with the CDCP 2012	
Objective	Consistency
Scale and transition across the site.	<p>The proposal complies with the maximum height and FSR development standards that apply to the site. In addition, the alternative envelope configuration:</p> <ul style="list-style-type: none"> <li>• Reduces the perceived bulk of Building C by stepping the building footprint in away from the communal area which has the effect of reducing the perceived massing in this location;</li> <li>• Assists in breaking down the envelopes associated with Buildings A, D and E to reduce the density of</li> </ul>

Table 8 - Proposed Envelope Arrangement's Compliance with the CDCP 2012

Objective	Consistency
	<p>each building and allow for the provision of through-site links which provide visual relief and permit additional sightlines between buildings;</p> <ul style="list-style-type: none"> <li>• Sightlines from the Entry Courtyard through to the central communal open space area from the proposed through-site link. Landscaping will be included along the northern elevation of Building E to enhance the quality of the view corridor.</li> <li>• A greater sense of openness when standing within the internal courtyard due to the adoption of a straight building alignment for Building B.</li> </ul>
<i>Response to the conservation character and scale of Milton Street.</i>	<p>A Heritage Impact Statement (HIS) has been prepared by NBR Architecture and is provided at <b>Appendix 16</b>. The HIS confirms that the development, inclusive of the alternative envelope arrangements, will have no impact on the surrounding Ashbury Heritage Conservation Area.</p> <p>The HIS also notes that the architectural expression and reduced two storey built form fronting Milton Street responds positively to the development along this frontage.</p>
<i>Amenity to adjacent residential lots, the oval and dwellings within the site itself.</i>	<p>The variations permit the achievement of more regular shaped envelopes that are more suited to accommodating apartments that achieve a high standard of residential amenity.</p> <p>The envelopes comply with the FSR and Height of Buildings Development Standards as well as the CDCP 2012 setback provisions.</p>
<i>Visibility to and visual impact from the conservation area.</i>	<p>As noted above, the HIS included at <b>Appendix 16</b> confirms that the proposal will not result in any adverse visual impacts to the Ashbury Heritage Conservation Area.</p>
<i>Visual and physical permeability through and into the site.</i>	<p>The additional through site links will improve the permeability through and into the site and will provide additional opportunities for view corridors where building breaks are proposed.</p>
<i>Consolidated landscape areas throughout the site.</i>	<p>The proposal incorporates multiple landscaped areas which provide opportunities for deep soil.</p>



Table 8 - Proposed Envelope Arrangement's Compliance with the CDCP 2012	
Objective	Consistency
	<p>The location and configuration of the deep soil areas are generally in accordance with the Indicative Master Plan set out in the CDCP 2012.</p> <p>With these landscaped areas, 16.6% of the site comprises deep soil area. The proposal therefore complies with the ADG and DCP requirement for 15% of sites greater than 1,500m<sup>2</sup> to consist of deep soil area.</p>

### 7.1.3 Building Height and Density

The proposal's built form has been designed in accordance with the maximum storey heights prescribed under the Indicative Master Plan and the associated LEP height limits.

In complying with the massing requirements for the precinct the proposal provides an appropriate bulk and scale that is sensitive to the surrounding Ashbury Heritage Conservation Area and the fine-grained built form along Milton Street.

#### Building Height

A summary of the proposal's compliance with the CLEP 2012 and CDCP 2012 height controls, including both height in metres and storeys, is set out in **Table 9** and on Drawing DA-6021 of the Architectural Plans. When read in the context of the LEP measuring height above existing ground level and the DCP measuring height above finished ground level, the proposed development is fully compliant with the LEP and DCP height controls.

Table 9 - Compliance with CDCP 2012 Storey Height Controls									
	LEP Maximum Building Height			DCP No. of Storeys			DCP Maximum Storey Height in Metres (CDCP 2012, Section F11.4)		
Building	Standard	Proposed	Complies	Control	Proposed	Complies	Control	Proposed (Finished Floor Level)	Complies
A	8.5m	8.5m	✓	2	2	✓	8.5m	7m	✓
	14m	13.1m	✓	3	3	✓	11m	10.7m	✓
B	21m	20.8m	✓	6	6	✓	21m	19.9m	✓
				5	5	✓	18m	16.7m	✓
C	18m	17.9m	✓	5	5*	✓	18m	16.3m	✓
D	11	10.4m	✓	2	2	✓	8.5m	8m	✓

Table 9 - Compliance with CDCP 2012 Storey Height Controls									
	LEP Maximum Building Height			DCP No. of Storeys			DCP Maximum Storey Height in Metres (CDCP 2012, Section F11.4)		
Building	Standard	Proposed	Complies	Control	Proposed	Complies	Control	Proposed (Finished Floor Level)	Complies
	14m	11m	✓	3	3	✓	11m	10.1m	✓
E	14m	14m	✓	2	2	✓	8.5m	NA	
				4	4	✓	14m	13.9m	✓

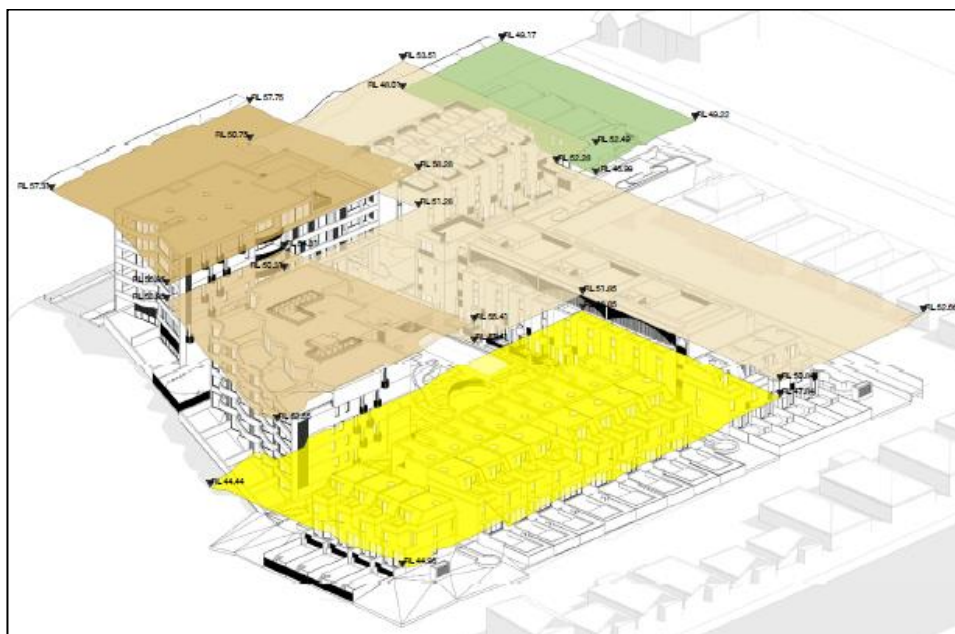
The proposed development is also consistent with the relevant objectives set out in *Section 11.4 Building Height and Density* of CDCP 2012 as:

- All buildings comply with the maximum storey height requirement;
- Each building complies with the Maximum Height of Buildings Development Standards which apply to the site;
- The proposal complies with the minimum requirement to provide 3.1m floor to floor heights;
- The proposal has a two (2) storey appearance when viewed from sensitive areas such as Milton Street and surrounding residential areas;
- The development will have minimal visibility when viewed from WH Wagener Oval due to the canopy tree planting along the oval's edge and the proposal's compliance with the maximum LEP height limits; and
- Taller developments are located towards the west to capitalise on views towards the oval.

The proposal's compliance with the LEP height limits is illustrated in **Figure 22** to **Figure 23**. A discussion regarding the proposal's perceived bulk and scale is provided in **Section 7.1.6**.



**Figure 22** – LEP Height Limits Prescribed by the Canterbury LEP 2012  
Source: SJB / CLEP 2012



**Figure 23** – Compliance with the CLEP 2012 Height Limits  
Source: SJB

#### 7.1.4 Floor Space Ratio

The maximum floor space ratio is established by the FSR Development Standard in the CLEP 2012 which applies a maximum FSR of 1.1:1 and equates to an allowable GFA of 16,363m<sup>2</sup>.

The development has a total GFA of 16,335m<sup>2</sup>. Based on a site area of 14,876m<sup>2</sup>, this amounts to a maximum FSR of 1.1:1. Therefore, the proposed density for the site complies with the FSR Development Standard.

#### 7.1.5 Setbacks and Building Separation

The development's setbacks are governed by the CDCP 2012. The required setbacks are illustrated in **Figure 24**.

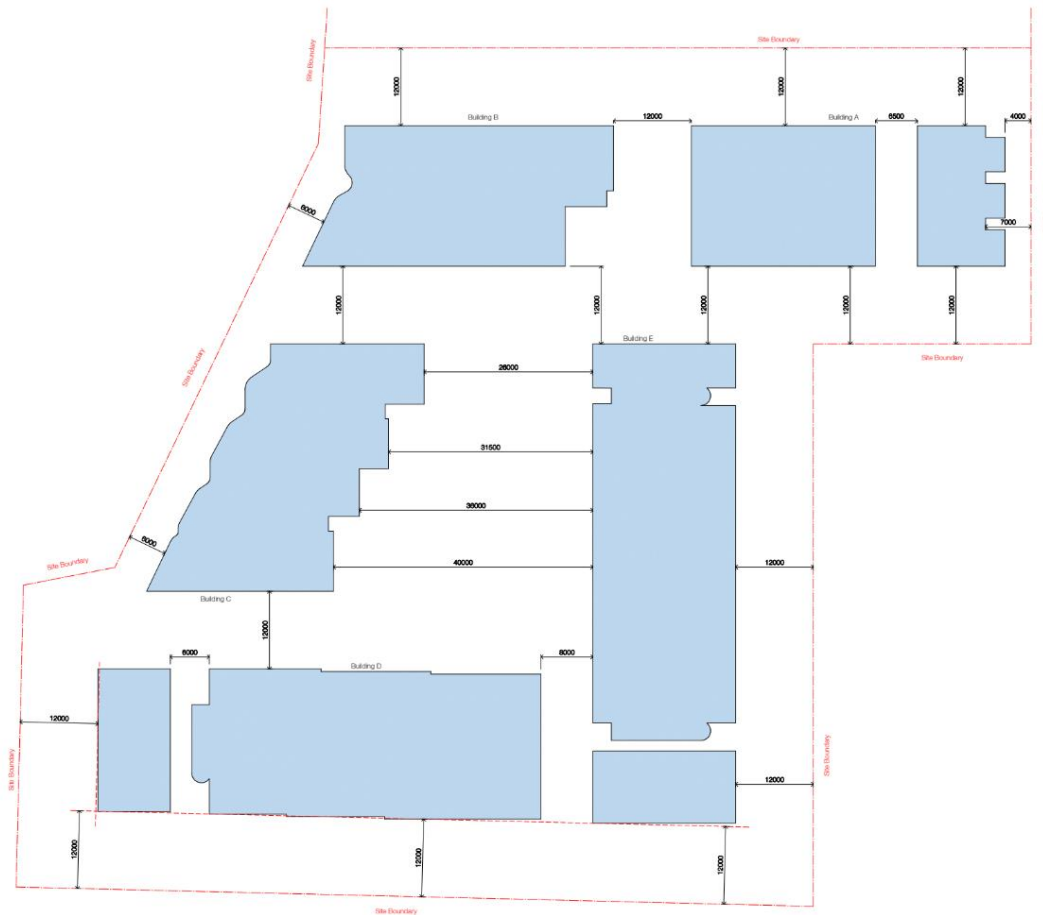
The proposal is consistent with the setback requirements. Specifically:

- **Northern Boundary** - A consistent 12m setback is provided from Building A and Building B to the northern site boundary where it interfaces with the future internal road;
- **Western Boundary** - A 6m setback is provided to the western boundary where the site adjoins WH Wagener Oval. This setback increases to 12m towards the south in the location of Building E;
- **Eastern Boundary** - A setback ranging between 4m and 7m is provided to Milton Street. This setback increases to 12m where Building E interfaces with the dwelling located along Milton Street;
- **Southern Boundary** - A 12m setback is provided from Building D to the southern boundary;
- **Internal Separation (Building C and D)** - A 12m setback is provided between Buildings C and D; and
- **Internal Separation (Buildings C and B)** - A 12m setback is provided between Buildings C and B.



**Figure 24** – CDCP 2012 Required Setbacks

Source: CDCP 2012



**Figure 25** Proposed setbacks

Source: SJB

### Internal Building Separation (Building C and Building E)

The proposal is required to provide a minimum building separation ranging from 33m to 45m (refer to **Figure 25**). As shown in the Architectural Plans at **Appendix 3**, the proposal provides a minor variation to the minimum setback requirement where the separation distance ranges from 26m to 46m.

The variation is a consequence of the alternative envelope configuration for Building C which adopts a staggered footprint (refer to **Figure 20**). This envelope also has an increased building depth to accommodate generous sized dwellings which exceed the minimum sizing requirements of the ADG.

As outlined in *Section F11.7 Building Setbacks* of the CDCP 2012, the internal setback is predicated on the following:

- *Providing generous spaces between buildings to create an appropriate opportunity for a landscape setting, view corridors between building forms, sky exposure and communal open space where appropriate.*
- *To ensure that development has appropriate spacing between buildings to balance the scale of the building.*



The variation to the minimum setback requirement does not prevent the proposal from achieving the aforementioned objectives. The variation continues to permit a generous communal open space area with comprehensive landscaping between Building C and Building E, and is therefore consistent with the intent of Council's Indicative Master Plan.

The reduced separation does not prevent the proposal from providing adequate deep soil. Specifically, the communal area accommodates complies with and exceeds the minimum 15% deep soil requirement, being approximately 27%.

The variation to the minimum requirement internal building separation needs to be considered in the context of the building's staggered built form. Council's Indicative Master Plan recommends a trapezoidal building envelope for Building C. The proposal adopts a staggered floorplate to assisting in breaking down the building's massing when perceived from the internal communal area.

For the reasons set out above, it is contended that the proposed internal separation provides a superior design outcome.

### Upper Level Setbacks

The proposal is required to provide upper level setbacks in accordance with the CDCP 2012. The setbacks are illustrated in the **Figure 26**. The proposal complies with the upper level setbacks; however, Building B provides a consistent 12m setback to the northern boundary which represents a variation to the 3m upper level setback requirement (refer to **Figure 26**).



**Figure 26** – Required Upper Level Setbacks

Source: SJB

The proposal is consistent with the associated objectives of the control. The objectives of the upper level setback control are as follows:

- To mitigate the scale of buildings adjacent to Milton Street and side boundaries adjacent to low scale residential lots.
- To minimise the visibility of higher built form from when viewed from adjoining residential properties and surrounding public domain and conservation area.
- To reduce amenity impacts to adjoining properties and the public domain.
- To provide definition to the top of higher building forms.

The 3m upper level setback requirement applies to the eastern portion of Building B. Whilst the building adopts a consistent 12m setback to the upper level, the bulk is massed in the western portion of the site. The proposed massing approach minimises the perceived bulk of the development and provides definition to the upper building form.

It is important to highlight Building B does not interface with adjoining low density residential dwellings. The building instead orientates towards the northern site which is earmarked to accommodate medium to high density residential buildings. In turn, the variation to the control will have no impact on the low scale residential development in the surrounds. For these reasons, the variation to the upper setback control does not result in an inconsistency with the control's objectives.



**Figure 27** – Proposed Upper Level Setbacks of Building B

Source: SJB

### 7.1.6 Visual Impacts

The desired building height and density controls that apply to the site are premised on the need to minimise the visual impact of the development to adjoining sensitive residential uses and to provide an appropriate scale and massing to the Ashbury Heritage Conservation Area.

In designing the proposal due consideration has been given to minimising the perceived bulk and scale of the development when viewed from WH Wagener Oval, the Milton Street frontage and the surrounding residential dwellings.

Buildings B and C interface with WH Wagener Oval and will have minimal visibility when viewed from this vantage point. Each building complies with the maximum height limit and adopts a recessive colour pallet with a strong horizontal expression which minimises their visual prominence.

In addition, the interface between WH Wagener Oval and the site is characterised by dense canopy tree planting. In consequence, the existing tree planting which is proposed for retention will conceal the visual appearance of the building (refer to **Figure 28**).



**Figure 28** – Site Viewed Looking East from WH Wagener Oval

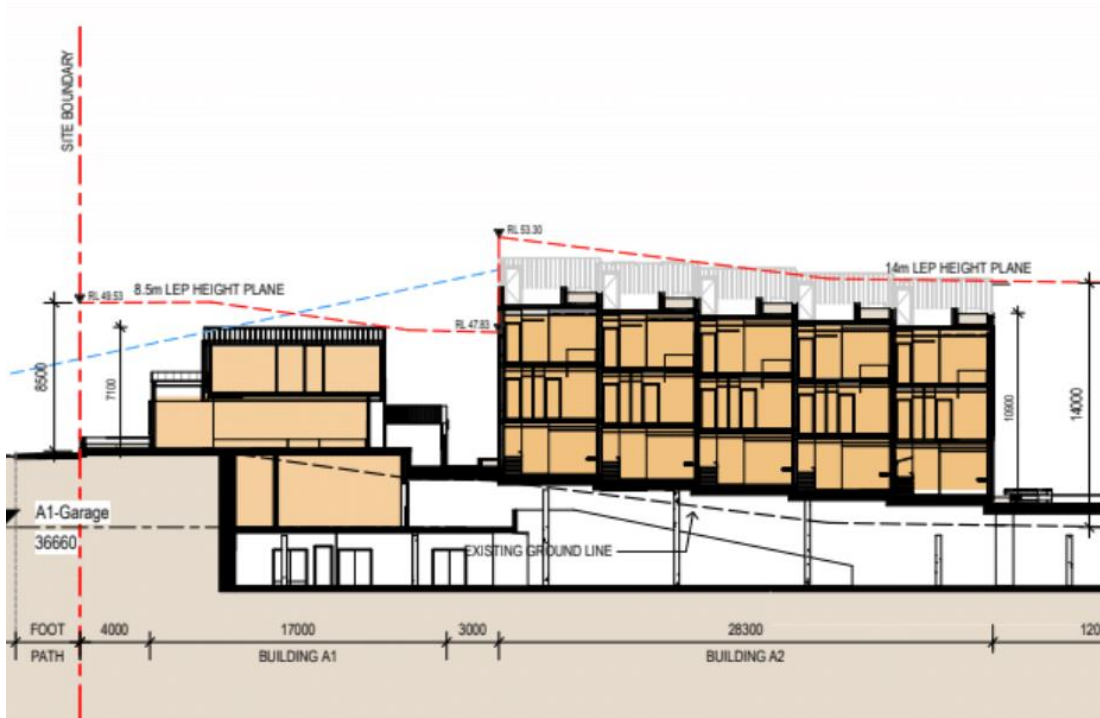
Source: SJB

Section F11.4 *Building Height and Density* of the CDCP 2012 requires that the development provide a two (2) storey presentation when viewed from the following vantage points:

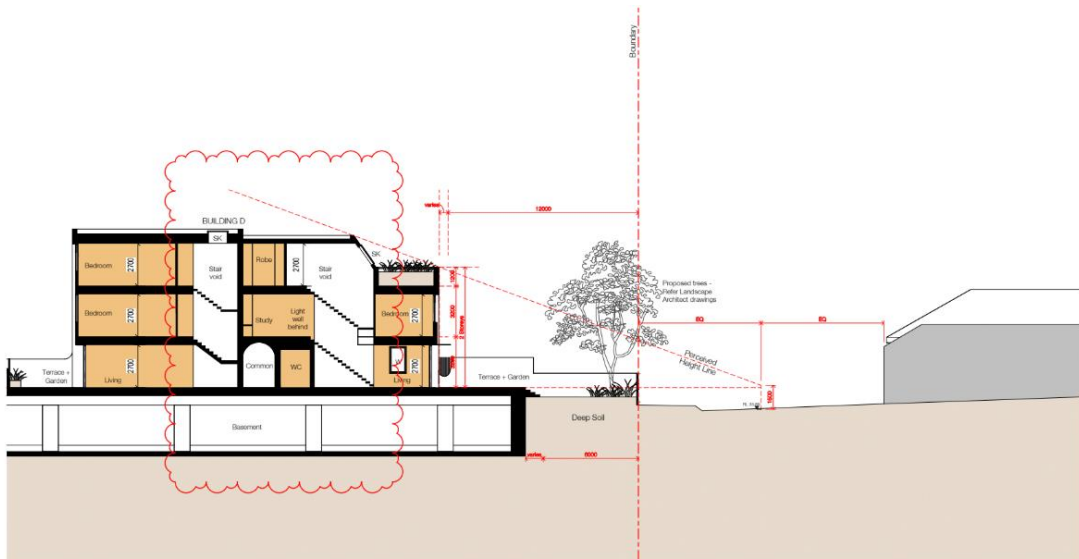
- Vantage Point 1 - The eastern footpath of Milton Street as seen over the roofs of existing houses;
- Vantage Point 2 - The southern footpath of Trevenar Street as seen over the roofs of existing houses; and
- Vantage Point 3 - The centre of an adjoining residential rear private open space area.

As can be shown in the figures below, the building envelopes decreases in height and provide a two (2) storey presentation when viewed from the vantage points listed above (refer to **Figures 29 – 31**).

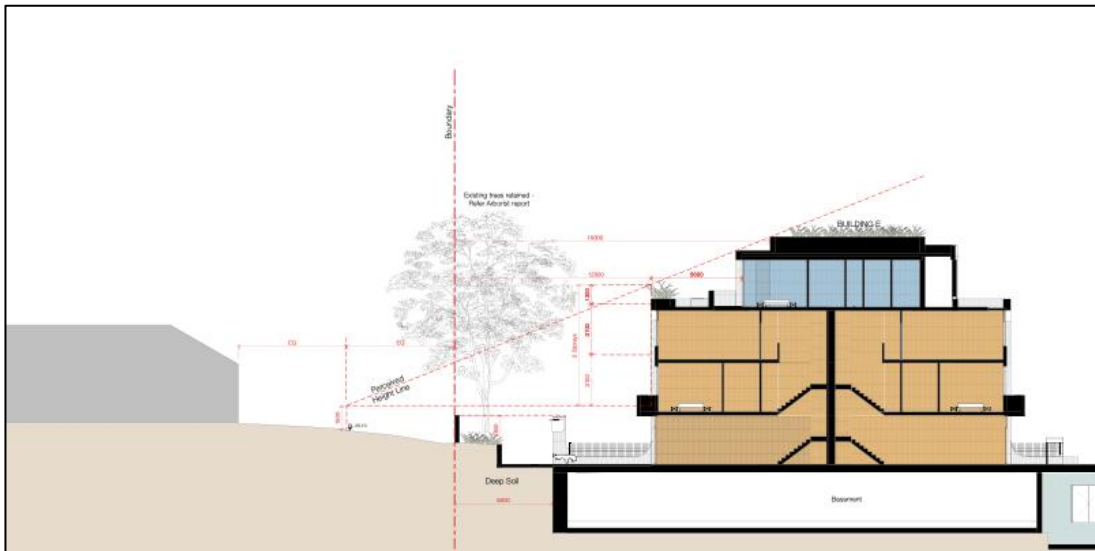
The envelopes perceived from these vantage points relate to Buildings A, E and D which accommodate the terrace house typology. In recognition of the site's proximity to the surrounding Ashbury Heritage Conservation Area, due consideration has been given to ensuring the architectural expression integrates with the surrounding area. Further discussion regarding the architectural expression is provided in **Section 7.7**.



**Figure 29** – Perceived Two Storey Height of Building A from Vantage Point 1  
Source: SJB



**Figure 30** – Perceived Two Storey Height of Building D from Vantage Point 2  
Source: SJB



**Figure 31** – Perceived Two Storey Height of Building E from Vantage Point 3

Source: SJB

### 7.1.7 Roof Terraces

Roof terraces and balconies are proposed for Building A, Building E and Building C within the upper level setbacks. Section C4.3.1 - *Building Envelope* of the CDCP 2012 does not permit the inclusion of roof top terraces in a residential zone. The objective associated with the control is as follows:

*To ensure that development is of a scale that is visually compatible with adjacent buildings, the character of the area, and the objectives of the zone.*

The proposed roof terraces will not prevent the achievement of the above objectives. The roof terraces associated with Building E are setback from the building line and in consequence will have minimal visibility when viewed from the streetscape.

The terraces located within Building A are sited behind Building A1 and are physically separated from Milton Street. In turn, they will not be visible from its streetscape. These terraces are also orientated towards the north and south and therefore do not overlook Milton Street.

The rooftop balconies associated with Building C are concentrated along the western aspect of the building and orientate towards WH Wagener Oval. The visibility of these balconies will be concealed by the canopy tree planting along the edge of the oval. By virtue of their location next to this oval, the balconies will not provide visual privacy impacts to surrounding dwellings, nor will they be visible from Milton Street.

In addition, the terraces are sited within the maximum building height limit and therefore do not contribute to a bulk and scale in excess of what is anticipated for the area. As shown in the Architectural Plans at **Appendix 3**, each terrace incorporates perimeter planting which will further assist in minimising their visibility.

Overall, the proposed terraces are considered to be acceptable given that they do not contribute to an unacceptable bulk and will have minimal visibility when viewed



from the streetscape. Accordingly, they will not detract from the visual character of the area.

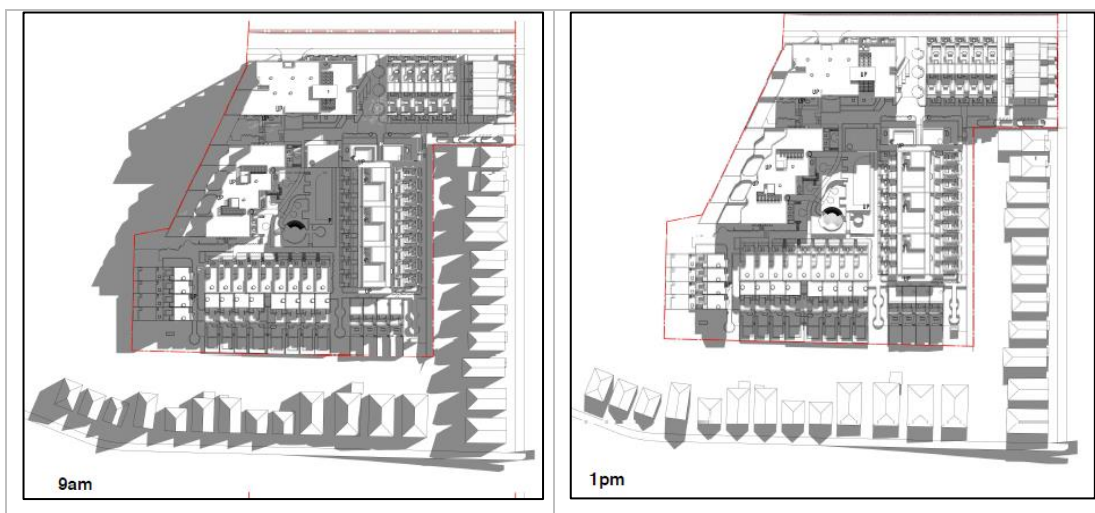
### 7.1.8 Overshadowing

An Overshadowing Analysis has been prepared by SJB and is included within the Architectural Plans (refer to **Appendix 3**). The analysis demonstrates that the proposal will have minimal overshadowing impacts during the Winter Solstice (21<sup>st</sup> June) and are reasonable in the context of the maximum density permitted for the site.

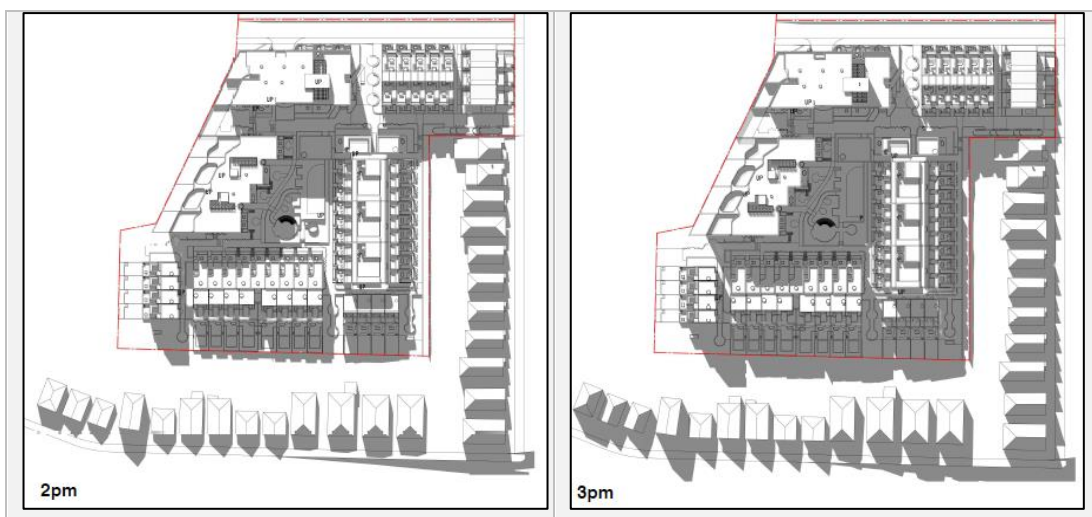
The shadow cast by the development predominantly falls to the south of the site towards Travenar Street. The shadow impacts the rear of the residential properties located along Travenar Street for a limited period between 1pm and 3pm during the Winter Solstice (refer to **Figure 32**). It is noted that the shadow cast will not affect the dwellings contained within these properties which will continue to receive unimpeded solar throughout the duration of the 21<sup>st</sup> of June.

In addition, the proposal provides a minor amount of overshadowing to the east where it adjoins WH Wagenar Oval (refer to **Figure 32**). The shadow impacts to the oval occur between 9am and 10am. Notwithstanding, the shadow cast impacts only a small portion of the oval and given the limited duration of the impacts, will not affect the amenity offered by this open space area, nor will impact the viability of the trees that grow within.

Furthermore, the proposal complies with the height and FSR development standards that apply to the site as well as the setback requirements. As such, the overshadowing resulting from the proposal is entirely consistent with what can reasonably be expected.







**Figure 32** – Overshadowing Diagrams at 9am, 1pm, 2pm and 3pm

Source: SJB

## 7.2 Residential Amenity

The proposal is generally consistent with the objectives and Design Quality Principles nominated by SEPP 65 and the Design Guidance and Criteria of the ADG. **Table 10** provides an assessment of the proposal against the Design Criteria. Alternative solutions to the Design Criteria are addressed in further detail table.

Table 10 - ADG Compliance Assessment - Objectives and Design Criteria	
Part 3 Sitting of the Development	Compliance
<b>3D Communal and Public Open Space</b>	
<i>Objective</i> An adequate area of communal open space is provided to enhance residential amenity and to provide opportunities for landscaping.	✓
<i>Design Criteria</i> Communal Open Space has a minimum area equal to 25% of the site.	✓ (27% of the site)
Developments achieve a minimum 50% direct sunlight to the principal useable part of the communal open space for a minimum of 2 hours between 9am and 3pm on 21 June (mid-winter)	✓ (More than 50% of the communal area receives sunlight between the hours of 10am – 1pm))
<b>3E Deep Soil Zones</b>	
<i>Objective</i>	✓

Table 10 - ADG Compliance Assessment - Objectives and Design Criteria

Deep soil zones provide areas on the site that allow for and support healthy plant and tree growth. They improve residential amenity and promote management of water and air quality.															
<p><i>Design Criteria</i></p> <p>Deep soil zones are to meet the following minimum requirements:</p> <table><tr><th>Site Area</th><th>Minimum Dimensions</th><th>Deep Soil Zone (% of site area)</th></tr><tr><td>Less than 650sqm</td><td>-</td><td rowspan="4">7%</td></tr><tr><td>650sqm – 1,500sqm</td><td>3m-</td></tr><tr><td>Greater than 1,500sqm</td><td>6m</td></tr><tr><td>Greater than 1,500sqm with significant existing tree cover</td><td>6m</td></tr></table> <p>Sites with an area greater than 1,500m<sup>2</sup> are required to provide 15% of the site area as deep soil.</p>			Site Area	Minimum Dimensions	Deep Soil Zone (% of site area)	Less than 650sqm	-	7%	650sqm – 1,500sqm	3m-	Greater than 1,500sqm	6m	Greater than 1,500sqm with significant existing tree cover	6m	<div>✓</div> <p>16.6% (2,350sqm) of the site comprises deep soil</p>
Site Area	Minimum Dimensions	Deep Soil Zone (% of site area)													
Less than 650sqm	-	7%													
650sqm – 1,500sqm	3m-														
Greater than 1,500sqm	6m														
Greater than 1,500sqm with significant existing tree cover	6m														
3F Visual Privacy															
<p><i>Objective</i></p> <p>Adequate building separation distances are shared equitably between neighbouring sites, to achieve reasonable levels of external and internal visual privacy.</p>			<div>✓</div>												
<p><i>Design Criteria</i></p> <p>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:</p> <table><tr><th>Building Height</th><th>Habitable Rooms and Balconies</th><th>Non-habitable rooms</th></tr><tr><td>Up to 12m (4 storeys)</td><td>6m</td><td>3m</td></tr><tr><td>Up to 25m (5-8 storeys)</td><td>9m</td><td>4.5m</td></tr><tr><td>Over 25m (9+ storeys)</td><td>12m</td><td>6m</td></tr></table>			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	<div>✓</div> <p>(Refer to <b>Section 6.6.1</b>).</p>
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													
3K Bicycle and Car Parking															
<p><i>Objective</i></p> <p>Car Parking is provided based on proximity to public transport in metropolitan Sydney and centres in regional areas.</p>			<div>✓</div>												
<p><i>Design Criteria</i></p> <p>For development in the following locations:</p> <ul style="list-style-type: none"><li>On sites that are within 800m of a railway station or light rail stop in the Sydney Metropolitan Area; or</li><li>On land zoned, and sites within 400m of land zoned, B3 Commercial Core, B4 Mixed Use or equivalent in a nominated regional centre.</li></ul>			<div>✓</div> <p>Car parking is provided in accordance with the CDCP 2012. The proposal complies with the minimum requirements of both the Guide to Traffic Generating</p>												

Table 10 - ADG Compliance Assessment - Objectives and Design Criteria	
<p>The minimum car parking requirement for residents and visitors is set out in the Guide to Traffic Generating Developments, or the car parking requirement prescribed by the relevant council, whichever is less.</p> <p>The car parking needs for a development must be provided off street.</p>	<p>Developments and the CDCP 2012.</p> <p>Refer to <b>Section 7.8.2.</b></p>
<b>Part 4 – Designing the Buildings</b>	
<b>4A Solar and Daylight Access</b>	
<p><i>Objective</i></p> <p>To optimise the number of apartments receiving sunlight to habitable rooms, primary windows and private open space.</p>	✓
<p><i>Design Criteria</i></p> <p>Living rooms and private open spaces of at least 70% of apartments in a building receive a minimum of 2 hours direct sunlight between 9am and 3pm at mid-winter in the Sydney Metropolitan Area.</p>	<p>✓</p> <p>The proposal (with the exception of Building A1) is defined as a singular building due to the inclusion of a shared basement. A total of 72% of units receive the required solar.</p>
In all other areas, living rooms and private open spaces of at least 70% of apartments in a building receive a minimum of 3 hours direct sunlight between 9am and 3pm at mid-winter.	N/A
A maximum of 15% of apartments in a building receive no direct sunlight between 9am and 3pm at mid-winter.	<p>✓</p> <p>11% of units receive no direct sunlight during the nominated period.</p>
<b>B4 Natural Ventilation</b>	
<p><i>Objective</i></p> <p>The number of apartments with natural cross ventilation is maximised to create a comfortable indoor environment for residents.</p>	✓
<p><i>Design Criteria</i></p> <p>At least 60% of apartments are naturally cross ventilated in the first nine storeys of the building. Apartments at 10 storeys or greater are deemed to be cross ventilated only if any enclosure of the balconies at these levels allows adequate natural ventilation and cannot be fully enclosed.</p>	<p>✓</p> <p>80% of units are naturally cross ventilated</p>
Overall depth of a cross-over or cross-through apartment does not exceed 18m, measured glass line to glass line.	✓
<b>C4 Ceiling Height</b>	
<p><i>Objective</i></p> <p>Ceiling height achieves sufficient natural ventilation and daylight access.</p>	✓
<i>Design Criteria</i>	✓

Table 10 - ADG Compliance Assessment - Objectives and Design Criteria

Measured from finished floor level to finished ceiling level, minimum ceiling heights are:		Habitable rooms have a minimum height of 2.7m and non-habitable are 2.4m										
<table><tr><th colspan="2">Minimum Ceiling Height</th></tr><tr><td>Habitable Rooms</td><td>2.7m</td></tr><tr><td>Non-habitable</td><td>2.4m</td></tr><tr><td>For 2 storey apartments</td><td>2.7m for main living area floor 2.4m for second floor, where its area does not exceed 50% of the apartment area.</td></tr><tr><td>Attic Spaces</td><td>1.8m at edge of rooms with a 30 degree minimum ceiling slope.</td></tr></table>			Minimum Ceiling Height		Habitable Rooms	2.7m	Non-habitable	2.4m	For 2 storey apartments	2.7m for main living area floor 2.4m for second floor, where its area does not exceed 50% of the apartment area.	Attic Spaces	1.8m at edge of rooms with a 30 degree minimum ceiling slope.
Minimum Ceiling Height												
Habitable Rooms	2.7m											
Non-habitable	2.4m											
For 2 storey apartments	2.7m for main living area floor 2.4m for second floor, where its area does not exceed 50% of the apartment area.											
Attic Spaces	1.8m at edge of rooms with a 30 degree minimum ceiling slope.											
These minimums do not preclude higher ceilings if desired.												
4D Apartment Size and Layout												
<p>Objective</p> <p>The layout of rooms within an apartment is functional, well organised and provides a high standard of density.</p>		✓										
<p>Design Criteria</p> <p>Apartments are required to have the following minimum internal areas:</p> <table><tr><th>Apartment Type</th><th>Minimum Area</th></tr><tr><td>Studio</td><td>35m<sup>2</sup></td></tr><tr><td>1 Bedroom</td><td>50m<sup>2</sup></td></tr><tr><td>2 Bedroom</td><td>70m<sup>2</sup></td></tr><tr><td>3 Bedroom</td><td>90m<sup>2</sup></td></tr></table> <p>The minimum internal areas include only one bathroom. Additional bathrooms increase the minimum internal area by 5sqm each.</p> <p>A fourth bedroom and further additional bedrooms increase the minimum internal areas by 12sqm each.</p>		Apartment Type	Minimum Area	Studio	35m <sup>2</sup>	1 Bedroom	50m <sup>2</sup>	2 Bedroom	70m <sup>2</sup>	3 Bedroom	90m <sup>2</sup>	✓  All dwellings comply and some significantly exceed the minimum internal area requirements.  (Refer to <b>Table 5</b> ).
Apartment Type	Minimum Area											
Studio	35m <sup>2</sup>											
1 Bedroom	50m <sup>2</sup>											
2 Bedroom	70m <sup>2</sup>											
3 Bedroom	90m <sup>2</sup>											
<p>Every habitable room must have an external wall with a total minimum glass area of not less than 10% of the floor area of the room. Daylight and air may not be borrowed from other rooms.</p>		✓										
<p>Objective</p> <p>Environmental performance of the apartment is maximised.</p>		✓										
<p>Design Criteria</p> <p>Habitable rooms depths are limited to a maximum of 2.5 x the ceiling height.</p>		✓										
<p>In open plan layouts (where the living, dining and kitchen are combined) the maximum habitable room depth is 8m from a window.</p>		✓										
<p>Objective</p> <p>Apartment layouts are designed to accommodate a variety of household activities and needs.</p>		✓										

Table 10 - ADG Compliance Assessment - Objectives and Design Criteria

Design Criteria	✓															
Master bedrooms have a minimum area of 10sqm and other bedrooms 9sqm (excluding wardrobe space).																
Bedrooms have a minimum dimension of 3m (excluding wardrobe space).	✓															
Living rooms or combined living/dining rooms have a minimum width of: <ul style="list-style-type: none"><li>- 3.6m for studio and 1 bedroom apartments</li><li>- 4m for 2 and 3 bedroom apartments.</li></ul>	✓															
The width of cross-over or cross-through apartments are at least 4m internally to avoid deep narrow apartment layouts.	✓															
4E Private Open Space and Balconies																
Objectives	✓															
Apartments provide appropriately sized private open space and balconies to enhance residential amenity.																
Design Criteria																
All apartments are required to have primary balconies as follows: <table><tr><th>Dwelling Type</th><th>Minimum Area</th><th>Min Depth</th></tr><tr><td>Studio Apartment</td><td>4m<sup>2</sup></td><td>-</td></tr><tr><td>1 Bedroom Apartment</td><td>8m<sup>2</sup></td><td>2m<sup>2</sup></td></tr><tr><td>2 bedroom Apartment</td><td>10 m<sup>2</sup></td><td>2m<sup>2</sup></td></tr><tr><td>3 Bedroom Apartment</td><td>12m<sup>2</sup></td><td>2.4m<sup>2</sup></td></tr></table>	Dwelling Type	Minimum Area	Min Depth	Studio Apartment	4m <sup>2</sup>	-	1 Bedroom Apartment	8m <sup>2</sup>	2m <sup>2</sup>	2 bedroom Apartment	10 m <sup>2</sup>	2m <sup>2</sup>	3 Bedroom Apartment	12m <sup>2</sup>	2.4m <sup>2</sup>	✓  All dwellings comply and some significantly exceed the minimum internal balcony area requirements.
Dwelling Type	Minimum Area	Min Depth														
Studio Apartment	4m <sup>2</sup>	-														
1 Bedroom Apartment	8m <sup>2</sup>	2m <sup>2</sup>														
2 bedroom Apartment	10 m <sup>2</sup>	2m <sup>2</sup>														
3 Bedroom Apartment	12m <sup>2</sup>	2.4m <sup>2</sup>														
The minimum balcony dept to be counted as contributing to the balcony area is 1m.																
For apartments at ground level or on a podium or similar structure, a private open space is provided instead of a balcony. It must have a minimum area of 15sqm and a minimum depth of 3m.	✓															
4F Common Circulation Spaces																
Objective	✓															
Common circulation spaces achieve good amenity and property service the number of apartments.																
Design Criteria																
The maximum number of apartments off a circulation core on a single level is eight.	Alternative Solution  Building D provides 16 dwellings off a circulation core. However, nine (9) of these dwellings are afforded direct access from the ground plane.  Further discussion is provided in <b>Section 7.2.3.</b>															

Table 10 - ADG Compliance Assessment - Objectives and Design Criteria										
For buildings of 10 storeys and over, the maximum number of apartments sharing a single lift is 40.	✓									
4G Storage										
Objective	✓									
Adequate, well designed storage is provided in each apartment.										
Design Criteria										
In addition to storage in kitchens, bathrooms and bedrooms, the following storage is provided:										
<table><tr><th>Dwelling Type</th><th>Minimum Area</th></tr><tr><td>Studio Apartment</td><td>4m<sup>2</sup></td></tr><tr><td>1 Bedroom Apartment</td><td>6m<sup>2</sup></td></tr><tr><td>2 Bedroom Apartment</td><td>8m<sup>2</sup></td></tr><tr><td>3 + Bedroom Apartment</td><td>10m<sup>2</sup></td></tr></table>		Dwelling Type	Minimum Area	Studio Apartment	4m <sup>2</sup>	1 Bedroom Apartment	6m <sup>2</sup>	2 Bedroom Apartment	8m <sup>2</sup>	3 + Bedroom Apartment
Dwelling Type	Minimum Area									
Studio Apartment	4m <sup>2</sup>									
1 Bedroom Apartment	6m <sup>2</sup>									
2 Bedroom Apartment	8m <sup>2</sup>									
3 + Bedroom Apartment	10m <sup>2</sup>									
At least 50% of the required storage is to be located within the apartment.										

### 7.2.1 Building Separation / Visual Privacy

The siting of the proposed envelopes combined with the internal floor planning and the provision of blank walls ensure the development achieves full compliance with the numerical building separation requirements established by *Section 2F Building Separation* of the ADG.

- A 12m setback is provided to the site's southern and eastern boundaries which interface with residential dwellings. The setbacks comply with both the ADG and the CDCP 2012 and will allow surrounding sites to be redeveloped;
- A 12m building separation is proposed between Building B and Building C where the interface is characterised by habitable rooms. Notwithstanding, Building C only reaches five storeys which necessitates a maximum separation of only 6m.
- An 8m building separation is proposed between Building D and Building E; however, blank walls that interface with balconies characterise the interface and necessitate the provision of a reduced 3m separation distance.
- A 12m separation distance is proposed between Building A and Building B. The interface is characterised by blank walls which removes the need for building separation.
- A 26m building separation provided between Building C and Building E which significantly exceeds the minimum requirement.

In light of the above, the proposal has been designed to comply with the minimum building separation requirements of the ADG. Overall, the proposed setbacks and



the location of blank walls and habitable rooms result in a suitably scaled development which promotes visual privacy.

## 7.2.2 Solar Access

Objective 4A-1 of the ADG establishes that residential developments should optimise the number of apartments receiving sunlight to habitable rooms, primary windows and private open space. In support of this objective, the associated Design Criteria requires that at least 70% of living rooms and private open spaces receive a minimum of 2 hours direct sunlight between 9am and 3pm at mid-winter.

An assessment of the proposal against Objective 4A – Solar and Daylight Access of the ADG is provided in the table below. The proposal complies with the minimum 70% requirement.

A total of 15 units do not receive sunlight which equates to 11% of all dwellings and is less than the maximum 15% nominated by the design criteria.

Table 11 - ADG Compliance Assessment - Objectives and Design Criteria			
Location	Units (total)	Minimum 2 Hours (21 June)	No Sunlight
Building A	13	77%	23%
Building B	38	82%	16%
Building C	38	79%	0
Building D	21	62%	19%
Building E	28	57%	7%
<b>Total</b>	<b>138</b>	<b>72%</b>	<b>11%</b>

When assessed individually, 62% and 57% of dwellings within Building D and Building E receive the required solar access during the Winter Solstice, respectively.

The Design Guidance recognises that strict compliance with the numerical requirement may not be achievable in some instances due to site specific constraints and site orientation. In light of this, Building D has a southerly orientation whilst Building E is orientated towards both the south and east which limit solar access to both buildings.

To address this site-specific constraint, the internal floor planning has been strategically designed ensure consistency with the Design Guidance and maximise solar access. Specifically:

- Primary living areas are positioned along the building's far southern and western aspects to optimise access to sunlight;
- Terraces are provided with large full height windows;

- Additional building breaks are introduced to increase the number of dual aspect apartments; and
- Two storey terraces are provided to maximise solar as opposed to providing a greater portion of ground floor dwellings.

For the reasons listed above, it is considered that the proposal has been strategically designed to respond to the site's constraints and increase the quantity of units that receive access to solar to the greatest extent possible. The proposal is therefore considered to accord with the intent of *Objective 4A-1*.

### 7.2.3 Common Circulation

Objective 4F-1 of the ADG prescribes that the maximum number of apartments off a circulation core off a single level is eight. The objective for the provision is to:

*Ensure common circulation spaces achieve good amenity and property service the number of apartments.*

Building D provides a variation to this requirement. A total of 17 terraces are provided off a circulation core at ground level (refer to **Appendix 3**). However, it should be noted that the northern orientated terraces benefit from a secondary entrance point from the central communal area.

Whilst the provision of 17 terraces of a circulation core represents a non-compliance with the ADG, the proposal is consistent with the associated Design Guidance. The circulation core is located at the ground plane and opens to the surrounding communal open space. As it is not enclosed it will benefit from increased access to daylight and natural ventilation. Furthermore, the corridors are articulated by a recessed area that provides opportunities for planting that will improve the amenity of the corridor.

## 7.3 Operational Waste Management

MRA Consulting Group have prepared an Operational Waste Management Plan which is included at **Appendix 7**. It outlines the waste management systems and processes for the site during its post development / operational phase. It provides guidance on waste minimisation, management, waste separation, recycling and re-use measures.

### Waste Storage

MRA Consulting Group have identified the likely waste streams and quantities to be generated by the proposed development during operation along with the waste storage requirements. Based on the anticipated waste generation, the proposal will be required to make provision for the waste storage facilities detailed in the Table below.

Table 12 – Bins Assumed for Weekly Waste Generation				
Location	Residential Dwellings	General Waste (660L)	Recycling (660L)	Garden Waste (240L)
Building A	13	2	2	

Table 12 – Bins Assumed for Weekly Waste Generation				
Location	Residential Dwellings	General Waste (660L)	Recycling (660L)	Garden Waste (240L)
Building B	38	7	5	12 for the site
Building C	38	7	5	
Building D	21	4	3	
Building E	28	5	4	
<b>Total</b>	<b>138</b>	<b>25</b>	<b>19</b>	<b>12</b>

MRA Consulting Group confirm that each dwelling will have sufficient space to store one-day's waste generation within separate receptacles. Further, the waste storage requirements set out in the table above can be accommodated within the dedicated waste storage area within the basement.

The site will be serviced by a Council waste contractor who will be responsible for the collection of general and recycling waste on a weekly basis. Garden waste will be collected on a fortnightly basis. The Waste Management Report confirms that the loading dock is sufficient in size to accommodate a Council waste collection vehicle.

## 7.4 Construction Waste Management

A Waste Management report has been prepared by MRA Consulting Group which is included at **Appendix 7**. The report identifies the likely waste streams and possible volume of each waste stream during construction. Where possible waste will be separated, recycled and reused.

Contaminated waste will be disposed of in accordance with the relevant requirements. During the construction phase the site will be serviced by a preferred waste collection contractor. The contractor will be required to comply with the relevant EPA Guidelines.

## 7.5 Tree Removal

An Arboricultural Impact Appraisal and Method Statement has been prepared by Naturally Trees and is included at **Appendix 17**. The report provides an assessment of 91 trees that may be impacted by the proposal.

The report confirms that 23 trees will require removal due to conflicts with the building envelope's footprint. These trees are contained within the site and located southern, eastern and south western boundaries. It is noted the trees along Wagener Oval outside the bounds of the site are not proposed for removal.

Five (5) of these trees are considered to be of moderate to high significance and display good health and condition. The report recommends that their removal be

offset by replacement planting. The remaining 18 are of low and very low retention value and are not considered to be worthy of retention.

In addition to the above, the report identifies that a further 43 trees could potentially be affected through disturbance to their Tree Protection Zones (TPZs).

Notwithstanding, Naturally Trees conclude that these trees can be retained through the use of protective measures at the construction phase and that generally the proposed works do not impact the TPZs of the affected trees.

## 7.6 Acoustic

An Acoustic Report has been prepared by JHA and is included at **Appendix 6**. It identifies that the following impact assessments have been undertaken:

- Internal Noise Intrusion Assessment; and
- Noise Emission Assessment.

### 7.6.1 Internal Noise Intrusion Assessment

The Internal Noise Intrusion Assessment has evaluated the anticipated internal noise levels for the proposed residential apartments. The assessment has relied on the criteria prescribed by the NSW DECC Road Noise Policy. The assessment notes that the primary source of noise emissions affecting the development will be traffic noise from Milton Street. The report confirms that subject to the adoption of the glazing recommendations detailed in *Table 8* of the report, the development will not be impacted by traffic noise emissions.

### 7.6.2 Noise Emissions Assessment

JHA have provided an assessment of the noise impacts likely to emanate from the proposal. Their report notes that noise from plant rooms and mechanical plant are likely to be the key sources of noise emissions. The report concludes that the mechanical plant can be acoustically treated at the Construction Phase and can readily meet the noise limits prescribed by the *NSW Noise Policy for Industry (NPI)* 2017.

## 7.7 Heritage

An HIS has been prepared by NBRS Architecture and is included at **Appendix 16**. The report provides an assessment of the proposal's impacts to the Ashbury Heritage Conservation Area which surrounds the site.

The HIS has been prepared in accordance with the guidelines set out in the Australia ICOMOS *Charter for Place of Cultural Significance*, 2013 and the Heritage Division of NSW Office of Environment and Heritage Publication, the NSW Heritage Manual.

The HIS confirms that the site is not of heritage significance but is however located in the vicinity of the Ashbury Heritage Conservation Area (item number C1) as listed in Schedule 5 of the CLEP 2012. The HIS notes that the site is not located in immediate proximity to any locally listed heritage items. Where heritage items are located in the surrounds, they are visually and geographically separated from the subject site.

The HIS identifies that the existing development contained within the site does not complement or reflect the character of the Ashbury Heritage Conservation Area due to its industrial quality which is incompatible with the surrounding residential area. In light of this, the buildings reflect an industrial expression typified by large concrete elements and expansive areas of glazing that detract from the area.

The HIS provides an assessment of the proposal's visual impact to the surrounding area. It concludes that the proposal will be physically separated from the dwellings that form part of the Ashbury Heritage Conservation Area. In consequence, there will no impact to any fabric of heritage significance. NBSR Architecture confirm that the proposal has an appropriate architectural expression for the area and will integrate with the existing residential character of the area.

NBSR Architecture notes that the proposal is predominantly located behind the dwellings that extend along Milton Street and Travenar Street. Where the development is visible from Milton Street, it has a two (2) storey built form which is massed so as to have a single storey presentation. In consequence, the proposal development will have no visual impact on the heritage significance of the Ashbury Conservation Area given that the dwellings located within will continue to be interpreted from key vantage points in the surrounds. The HIS notes only isolated views will be impacted; however, the level of impact is considered to be minor.

The HIS has considered the architectural expression and its compatibility with the Ashbury Heritage Conservation Area. It notes that the adoption of the terrace style typology has the effect of minimising the perceived bulk and scale of the development. This is further achieved through the provision of through-site links which further assist in breaking down the perceived massing and scale of the development.

The HIS concludes that the proposed design approach is effective in reducing the perceived bulk and scale of the development. Further, the sawtooth and skillion roof forms associated with the terraces effectively reinterpret the former industrial buildings contained within the site and will contribute visual interest.

In addition to the above, the HIS identifies that the proposed landscaping combined with the distribution of massing with respect to the uneven topography will reduce the visibility of the taller built form elements situated to the west. When viewed from WH Wagener Oval looking west, these buildings will have minimal visibility.

Overall, the HIS concludes that the proposal will have no adverse impact on the surrounding heritage conservation area. Further, it notes that the proposed design will improve the visual appearance of the site and will contribute positively to the locality.

## 7.8 Traffic and Transport Assessment

A Traffic and Parking Assessment has been prepared by Motion Traffic Engineers and is included at **Appendix 18**. It outlines the traffic related implications of the proposal and addresses the proposal's compliance with the statutory parking controls.

### 7.8.1 Operational Traffic Generation

Motion Traffic Engineers have provided an assessment of the traffic generation associated with the proposal. The traffic generation has been calculated in accordance with the traffic generation rates for high density development prescribed by the *NSW RTA Guide to Traffic Generating Developments*. The rates are as follows:

- 0.19 trips per unit for AM peak hour; and
- 0.15 trips per unit for PM peak house.

The SIDRA results confirm that the proposal will produce minor additional traffic generation. Based on the proposed 138 units, the proposal will generate 21 origin trips and 5 destination trips during the morning peak period and 17 destination trips and 4 origin trips during the evening peak period.

Motion Traffic Engineers conclude that the traffic generation arising from the future development will not compromise the operation of the surrounding road network. In particular, the traffic generation associated with the proposal will have no impact on the intersection of Georges River Road and Milton Street nor will it impact the intersection with Milton Street, King Street and Trevenar Street.

### 7.8.2 Car Parking

The Traffic and Parking Assessment has reviewed the proposed parking arrangements against the parking controls prescribed by the *RMS Guidelines to Traffic Generating Development*.

Motion Traffic Engineers have assessed the proposed statutory parking against the requirements of the CDCP 2012. The rates and proposed quantum of spaces are set out below. The assessment demonstrates that the proposal complies with the minimum parking requirements for residential and adaptable parking.

Table 13 - Minimum CDCP 2012 Parking Requirements			
Type	Rate	Required Spaces	Proposed
1 bedroom	1 spaces	27	258
2 bedroom	1.2 spaces	29	
3 bedroom	2 spaces	172	
4 bedrooms	2 spaces	2	
Residential Visitor	0.2 spaces	28	
<b>Total Vehicle Parking</b>		<b>258</b>	<b>258</b>
Adaptable Spaces*	1 per adaptable dwelling	13	26



### 7.8.3 Motorcycle and Bicycle Parking

The proposal accommodates bicycle and motorcycle parking within the proposed two (2) level basement. The CDCP 2012 does not require the provision of motorcycle spaces. Notwithstanding, the proposal incorporates nine (9) spaces.

The proposal is required to provide 42 bicycle parking spaces and complies with this requirement. The proposed quantities of motorcycle and bicycle parking are set out in **Table 13**.

Table 13 - Minimum CDCP 2012 Bicycle and Motorcycle Parking Requirements			
Type	DCP Parking Rate	Required Spaces	Proposed
Motorcycle	NA	Nil	9
Residential Bicycle	1 per 5 dwellings	28	28
Visitor Bicycle	1 pr 10 dwellings	14	
<b>Total Bicycle</b>		<b>42</b>	<b>51</b>

## 7.9 Stormwater Management

Stormwater Civil Plans have been prepared by Mance Arraj and are included at **Appendix 10**. The CDCP 2012 define the requirements for the control, treatment and discharge of stormwater from the development site within the Council area and have been used as the basis for the design of the proposed stormwater system.

Stormwater from the development area of the site will be captured and conveyed through a typical pit and pipe system to an on-site detention tank located along the northern boundary below ground.

Mance and Arraj have also prepared an Erosion and Sediment Control Plan for the site (refer to **Appendix 11**). It details the erosion and sediment controls that will be established during the construction phase. These measures include the silt fencing, sandbags and inlet filters to prevent sediment bearing water discharge to maintain the quality of stormwater discharge during construction.

## 7.10 Contamination

A Contamination Site Audit has been prepared by Arcadis and is included at **Appendix 9**. It assesses the general conditions of the site, including any soil contamination and groundwater quality, the potential for contamination and the overall suitability of the site for its intended use.

The Site Audit has been conducted in accordance with the requirements of the *Contaminated Land Management (CLM) Act 1997*. A review of the site's history as a formal industrial use indicates that the site has the potential to be contaminated by heavy metals, hydrocarbons, benzene, toluene, asbestos, landfill gases, polychlorinated biphenyles and pesticides.

Arcadis performed an intrusive sampling of soil, gas and groundwater to determine the level of contamination across the site. The findings indicated that the site is affected by the aforementioned contaminants. Soil vapour contaminant impacts were also assessed where it was determined that the site is not affected by methane.

Based on the above assessment Arcadis identify the need for a RAP that recommends the following:

- Ground gas monitoring to vary that no changes have occurred to the presence of gas in and around the site due to the nearby landfill; and
- Validation sampling, including the assessment of material imported to the site.

The report confirms that with the implementation of the RAP which is included at **Appendix 8**, the site can be made suitable for the proposed residential use.

## 7.11 Geotechnical

A Geotechnical Report has been prepared by El Australia and is included at **Appendix 19**. The report details the findings of a geotechnical investigation undertaken to assess the subsurface soil and groundwater conditions. The methodology employed to prepare the assessment relied on a desktop review and field work investigations using borehole tests.

El Australia identify that the subsurface conditions of the site consist of fill comprising concrete hardstand and landfill waste; residual soil; and shale. Groundwater was measured to a maximum depth of RL 37.8.

The report details that the construction of the proposed basement will necessitate excavation to a depth of 3m to 4m below existing ground level. The report nominates a number of recommendations relating to excavation, excavation support, foundations and monitoring which have been considered and are capable of being adopted at the construction phase.

Key measures include an engineered retention system which must be installed prior to excavation and groundwater seepage monitoring which should be carried out during bulk excavation works. Further, the report recommends that basement excavation retention systems be installed to ensure the structural stability of adjacent structures. With the adoption of the recommendations, the proposed excavation works will have no impact on adjoining properties.

## 7.12 Building Code Compliance

BCA Logic have undertaken a review of the proposed building's compliance with the current BCA (refer to **Appendix 20**). The report has assessed the proposal against the *Building Code of Australia 2019 (Amendment 1)* and the *Disability Access to Premises (Buildings) Standard 2010*.

The report confirms that the proposal is capable of complying with the relevant BCA requirements subject to the submission of further design information at the construction phase.

It also confirms that a detailed Fire Safety Engineering Report will be completed prior to the CC stage and that the BCA matters pertaining to fire safety can readily be addressed.

### 7.13 Access

An Access Report has been prepared by Accessible Building Solutions and is included at **Appendix 21**. The report confirms that the proposal is capable of achieving compliance with the relevant accessibility standards nominated by the BCA 2019, Volume 1, Amendment 1.

### 7.14 Environmentally Sustainable Development

The proposal is consistent with the requirements of *State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004* that apply to residential development. A BASIX Report and Certificates are included at **Appendix 12** and demonstrate that the proposal adopts best practice sustainability measures and meets the relevant BASIX targets.

### 7.15 Site Suitability

Having regard to the characteristics of the site and its proximity to the Ashbury Heritage Conservation Area, the proposed development is considered suitable in that:

- It will deliver additional housing that provides excellent amenity for residents and will improve access to a range of building typologies at varying price points;
- It has been designed with consideration given to the visual significance of WH Wagener Oval, with a built form that complies with the applicable density controls and does not present as being visually obtrusive;
- It has been designed in a manner that minimises impacts on surrounding developments;
- It will contribute to the revitalisation of the area by redeveloping an underutilised site that is no longer suitable for its former light industrial uses;
- The environmental impacts associated with the development can be appropriately managed and mitigated;
- Provides a contemporary built form outcome that is sympathetic to the surrounding Heritage Conservation Area in that it reflects the residential quality, proportions and character of the locality; and
- Is permissible with consent in the zone and complies with the development standards and controls that govern its bulk and scale.

### 7.16 Public Interest

The proposed development is in the public interest given that it will:

- Provides a new pedestrian through-site link that improves public connectivity to WH Wagener Oval;

- Provides a mix of housing typologies at a range of sizes and price points that are capable of meeting the diverse household needs of the community;
- Exhibits design excellence and provides a high standard of amenity given the development as a whole scores well on a number of amenity standards;
- Complements the heritage in the surrounds by providing an appropriately scaled form and architectural articulation that integrates with the existing built form;
- Provides a contemporary architectural expression that is distinct from but respectful of the heritage context of the surrounding locality;
- Support sustainable modes of transport by providing bicycle facilities and a range of new pedestrian connections which will improve connectivity to the surrounds;
- Revitalises an underutilised site and will positively contribute to the visual amenity of the area.

## 8 Conclusion

This SEE has been prepared on behalf of Ashbury Developments Pty Ltd to support a development application to Canterbury-Bankstown Council for a proposed residential development valued at \$72,753,160 (incl. GST).

This statement describes the proposed works in the context of relevant planning controls and policies applicable to the form of the development proposed. In addition, the statement provides an assessment of those relevant heads of consideration pursuant to section 4.15(1) of the EP&A Act.

An environmental assessment has been undertaken in **Section 7.0** of this report, supported by additional consultant studies as per the requirements of Council. The environmental assessment found the associated impacts of the proposal are considered to be minimal and manageable. Hence, the outcomes of the proposal:

- Is a suitable development for the subject site;
- Will redevelop a site that is currently underutilised and in need of revitalisation;
- Provides an array of communal areas that will contribute to a high standard of residential amenity;
- Is largely consistent with Council's vision for the site as prescribed by CLEP 2012 and CDCP 2012;
- Responds to the master plan and the desired built form for the site;
- Delivers a design which is sympathetic to the surrounding Ashbury Heritage Conservation Area and responds to the desired future character of the area;
- Provides adequate visual and acoustic privacy;
- Includes best practice ESD measures to reduce water and energy consumption;
- Has obtained BASIX certification;
- Ensures traffic impacts are within acceptable levels;
- Is sympathetic to the surrounding Heritage Conservation Area;
- Provides comprehensive landscaping that will enhance the visual character and amenity of the site; and
- Provides for housing diversity and affordability in accordance with the prevailing market demand.

Therefore, we recommend that the proposed development be granted development approval.



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