



PLANNING REPORT & STATEMENT OF ENVIRONMENTAL EFFECTS

**Eight-storey commercial and residential building and
five-storey carpark building**

**580-584 Smollett Street and 470 Wodonga Place, Albury (Lots 201 and
203 DP1243276 and Lot 60 DP1115982)**

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Prepared by:

Blueprint Planning

For:

Zauner Construction Pty Ltd

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T: 02 6023 6844
E: office@blueprintplanning.com.au
W: www.blueprintplanning.com.au



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1.0 INTRODUCTION

1.1 Purpose of report

The purpose of this report is to provide information in accordance with the *Environmental Planning and Assessment Act 1979* (EP&A Act), the *Environmental Planning and Assessment Regulation 2000* (EP&A Regs), and relevant land use and development policies and guidelines to inform the statutory development application and development assessment process.

More specifically, this report has been prepared in accordance with clause 50(1)(a) of the EP&A Regs and is to be included in a development application (DA) to the Albury City Council (Council) seeking development consent.

Firstly, this report discusses the location of the proposed development and then an overview of surrounding land uses is provided. The statutory town planning development assessment framework applicable to the land and the development is then introduced, followed by a description of the land and the development. Then assessment responses to relevant land use and development planning policies and guidelines is provided followed by a Statement of Environmental Effects (SEE) and a section summarising information set out in this report.

1.2 The Proposal

This DA, in general terms, is for the construction of an eight-storey commercial and residential building (the Mixed-use Building Proposal) and a five-storey carpark building (the Carpark Building Proposal) collectively referred to as the Proposal/s in this report. The Proposals are more fully described below, and are shown respectively in the **attached** site, building floor, building elevation, building section, building detail, landscaping, stormwater drainage and building perspective image plans (the DA plan set).

1.3 The Site

The land is located at 580-584 Smollett Street and 470 Wodonga Place, Albury, and is otherwise known as Lots 201 and 203 DP1243276 and Lot 60 DP1115982) (the Site)¹.

The main 580-584 Smollett Street part of the Site comprises existing ground-level carpark areas.

¹ The land affected by the DA mainly concerns 580-584 Smollett Street (Lots 201 and 203 DP1243276): only a small area of 470 Wodonga Place (Lot 60 DP1115982) is affected.

Vehicle and pedestrian access to the Site is available via Smollett Street and Townsend Street. A location map of the Site is shown at **Figure 1** and an aerial photograph is shown at **Figure 2**. Title diagrams of the Site and related documentation are provided at **Appendix A**.

The Site is affected by a number of infrastructure easements as also shown in **Appendix A** including for reticulated electricity, water, sewer and stormwater.

A description of the Site and surrounding land use and development context is provided at **Section 2.1**.

Figure 1: Location map



Source: Street Directory (2020).

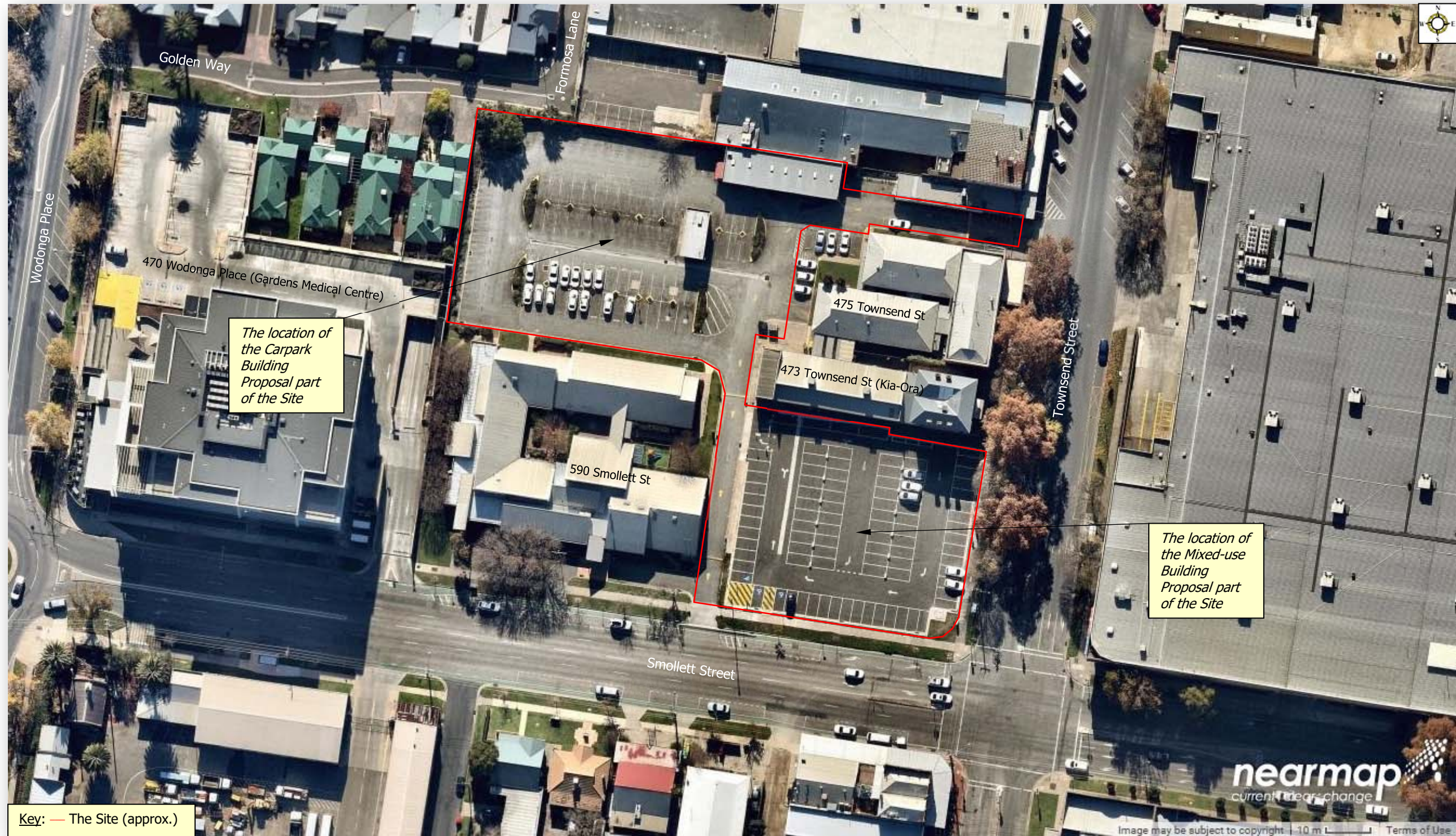
1.4 Current land use/s, previous development consents and background

The main part of the Site comprises two at-grade or ground-level carparks, with vehicle and pedestrian access from Smollett Street and Townsend Street as shown in **Figure 2**, **Appendix A** and in the attached DA plan set.

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(Lots 201 and 203 DP1243276 and Lot 60 DP1115982)

Figure 2: Aerial photograph of the Site and surrounding area



Source: Nearmap (1 June 2019).

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In the Title documentation in **Appendix A** it is noted that adjoining land described as follows currently benefits from the use of certain car parking spaces within the existing ground-level carpark at 584 Smollett Street (Lot 203 DP1243276):

- adjoining land at 475 Townsend Street (Lot 204 DP1243276) currently benefits from the use of **26** car parking spaces,
- adjoining land at 590 Smollett Street (Lot 202 DP1243276) currently benefits from the use of **63** car parking spaces, and
- adjoining land at 473 Townsend Street (Lot 21 DP1053711) currently benefits from the use of **8** car parking spaces.

These car parking space obligations total **97** car parking spaces and their provision carries forward in the Carpark Building Proposal. A summary table of overall car parking space allocation is provided at **Table 9** below.

The subdivision creating Lots 201-204 DP1243276 comprising the Site and most adjoining land was approved via Development Consent No. 10.2015.34215.1 on 2 December 2015 following the disposal of surplus NSW Department of Health land and building assets. The development consent included subdivision as well as building demolition on 580 Smollett Street (Lot 201 DP1243276).

Following building demolition at 580 Smollett Street (Lot 201 DP1243276) a temporary at-grade carpark was approved via Development Consent No. 10.2018.36377.1 on 9 September 2018. The temporary nature of the carpark was due to the intended longer-term use of the land for commercial and residential building development consistent with the *Albury CBD Masterplan* (Allen Jack & Cottier *et al*, 2009) as provided for by the Proposals.

The existing storage building along the northern lot boundary of the Site was approved for demolition via Development Consent No. 10.2019.36751.1 on 26 April 2019 but at the time of preparing this report demolition is yet to take place. These works do not form a part of the DA.

1.5 Statutory land use and development assessment framework

1.5.1 Legislation

Environmental Planning and Assessment Act 1979

Part 4 of the EP&A Act applies to the Proposals, and pursuant to sections 4.10 and 4.46 of the EP&A Act the Proposals are not respectively identified as “designated development” or “integrated development”.

The DA is required to be determined by a Joint Regional Planning Panel (JRPP) pursuant to section 4.5(b) of the EP&A Act as the Proposals have a “capital investment value” of more than \$30M in accordance with Part 4 and Schedule 7 of *State Environmental Planning Policy (State and Regional Development) 2011*.

Environmental Planning and Assessment Regulation 2000

The Proposal is identified as “biodiversity compliant development” (within the meaning of Schedule 1 of the EP&A Regs) as the *Albury Local Environmental Plan 2010* (LEP) is a “biodiversity certified EPI” (within the meaning of Part 8 of Schedule 7 of the former *Threatened Species Conservation Act 1995* (TSC Act)) and the Site is not an ‘area excluded from biodiversity certification’.

State Environmental Planning Policy

The Proposal is affected by considerations within *State Environmental Planning Policy No. 55—Remediation of Land* (SEPP55), *State Environmental Planning Policy No. 65—Design Quality of Residential Flat Development* (SEPP65), *State Environmental Planning Policy (Infrastructure) 2007* (SEPP Infrastructure) and *State Environmental Planning Policy (Vegetation in Non-Rural Areas) 2017* (SEPP Vegetation).

Local Environmental Plan

The Site is affected by considerations within the *Albury Local Environmental Plan 2010* (LEP).

1.5.2 Policy

State Environmental Planning Policy

SEPP55 (and *Managing Land Contamination: Planning Guidelines* (DUAP & EPA, 1998)) generally requires that consideration be given to whether or not land proposed to be developed is contaminated and fit for use for its intended purpose. The Site is not known to be contaminated and the Proposal is considered to comply with relevant considerations including those under Appendix J of the *Albury Development Control Plan 2010* (DCP).

The following provision of SEPP65 is considered relevant to assessment of the Proposal:

- Clause 28: *Determination of development applications.*

An assessment table which lists the content of this provision and detailed responses is provided below at **Table 6**.

The following provision of SEPP Infrastructure is considered relevant to assessment of the Proposal:

- Clause 104: *Traffic-generating development.*

An assessment table which lists the content of this provision and detailed responses is provided below at **Table 6**.

The following provision of SEPP Vegetation is considered relevant to assessment of the Proposal:

- Clause 10: *Council may issue permit for clearing of vegetation.*

An assessment table which lists the content of this provision and detailed responses is provided below at **Table 6**.

Local Environmental Plan

The following provisions of the LEP are considered relevant to assessment of the Proposal:

- Land Use Table – Zone B3 Commercial Core: *Objectives of zone;*
- Clause 4.3: *Height of buildings;*
- Clause 4.4: *Floor space ratio;*
- Clause 5.10: *Heritage conservation;* and
- Clause 7.6: *Essential services.*

An assessment table which lists the relevant content of these provisions and detailed responses are provided below at **Table 7**.

LEP definitions

For the purposes of this report the following definitions listed in the Dictionary of the LEP are considered relevant:²

commercial premises means any of the following—

- (a) *business premises,*
- (b) *office premises,*
- (c) *retail premises.*

office premises means a building or place used for the purpose of administrative, clerical, technical, professional or similar activities that do not include dealing with members of the public at the building or place on a direct and regular basis, except where such dealing is a minor activity (by appointment) that is ancillary to the main purpose for which the building or place is used.

residential flat building means a building containing 3 or more **dwelling**s, but does not include an attached dwelling or multi dwelling housing.

dwelling means a room or suite of rooms occupied or used or so constructed or adapted as to be capable of being occupied or used as a separate domicile.

car park means a building or place primarily used for the purpose of parking motor vehicles, including any manoeuvring space and access thereto, whether operated for gain or not.

² Planning Circular: PS 13-001 – How to characterise development (Department of Planning & Infrastructure, 2013).

gross floor area means 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 1.4 metres above the floor, and includes—

- (a) the area of a mezzanine, and
- (b) habitable rooms in a basement or an attic, and
- (c) any shop, auditorium, cinema, and the like, in a basement or attic, but excludes—
 - (d) any area for common vertical circulation, such as lifts and stairs, and
 - (e) any basement—
 - (i) storage, and
 - (ii) vehicular access, loading areas, garbage and services, and
 - (f) plant rooms, lift towers and other areas used exclusively for mechanical services or ducting, and
 - (g) car parking to meet any requirements of the consent authority (including access to that car parking), and
 - (h) any space used for the loading or unloading of goods (including access to it), and
 - (i) terraces and balconies with outer walls less than 1.4 metres high, and
 - (j) voids above a floor at the level of a storey or storey above.

Land use zoning

The Site is zoned “B3 Commercial Core Zone” (B3 zone) under the LEP, which is shown in the Land Zoning Map excerpt detailed below in **Figure 3**. In the Land Use Table for the B3 zone “office premises”, “residential flat building” and a “carpark” are ‘permitted with consent’. Further comment is made at **Table 7**.

Heritage conservation

“Heritage item” I174 adjoins the Site to the east at 473 Townsend Street (known as ‘Kia-Ora’) as well as other heritage items as shown in the Heritage Map excerpt detailed below in **Figure 4**, however no conservation area, an Aboriginal object, or a building, work, relic or tree within the meanings of clause 5.10 of the LEP are located within, adjoining, or nearby the Site. Further comment is made at **Table 7**.

Height of buildings

The Site is identified as having a maximum building height of 35 metres in the Height of Buildings Map under clause 4.3 of the LEP. The Mixed-use Building Proposal and the Carpark Building Proposal are under this height. Further comment is made at **Table 7** and **Table 8**.

Floor space ratio

The Site is identified as having a maximum floor space ratio (FSR) of 3:1 in the Floor Space Ratio Map under clause 4.4 of the LEP. The Site is well under this ratio, noting that car parking does not comprise “gross floor area”.

Figure 3: Excerpt of Land Use Zoning Map from the LEP

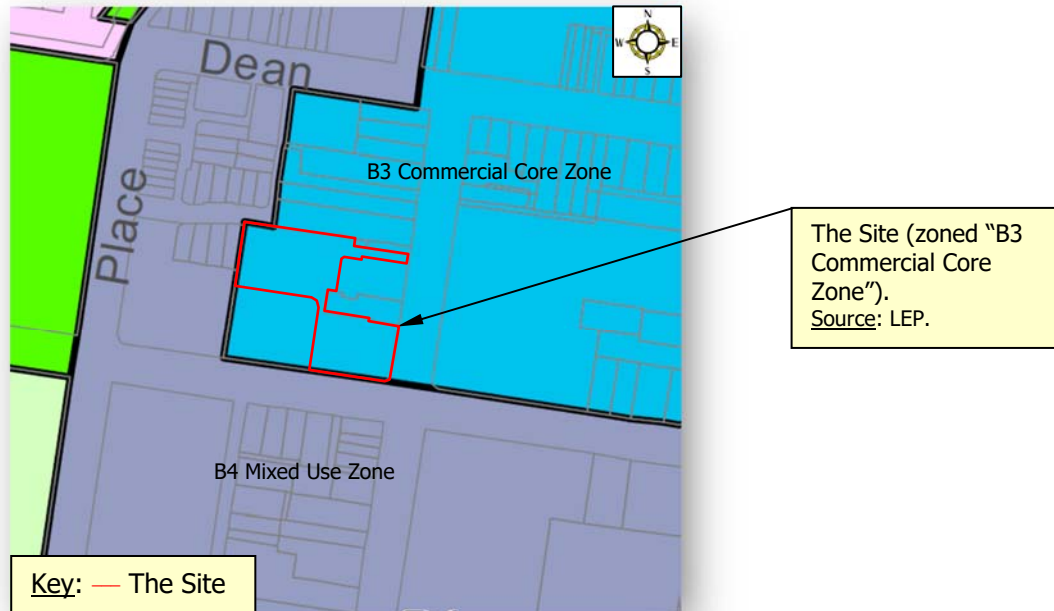
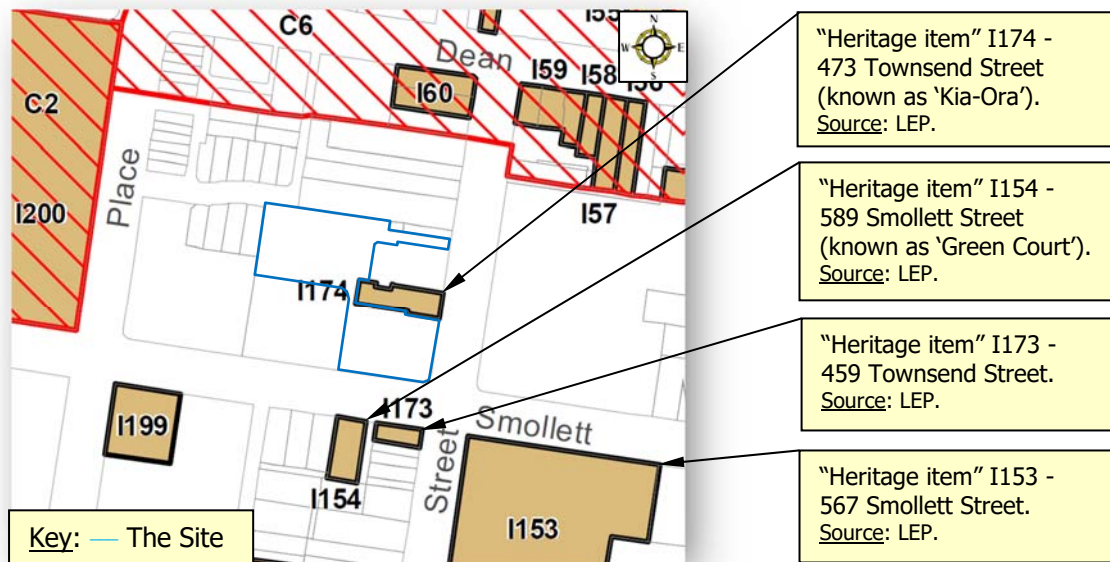


Figure 4: Excerpt of Heritage Map from the LEP



Water

The Site is not located within a "sensitive area" within the meaning of clause 7.2 of the LEP.

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Flood prone land

The Site is not located within a “flood planning area” within the meaning of clause 7.4 of the LEP.

Development on river front areas

The Site is not located within a “river front area” within the meaning of clause 7.5 of the LEP.

Bush fire prone land

The Site is not located within “bush fire prone land” within the meaning of the EP&A Act.

Development Control Plan

The Site is affected by the DCP and the following provisions are considered relevant to assessment of the Proposal:

- Part 5: *Tree Preservation*;
- Part 7.4.5: *Development in the vicinity of a Heritage Item or Conservation Area*;
- Part 10.8: *Residential development – residential flat buildings*;
- Part 11: *Development in the Commercial Zones*; and
- Part 17: *Off Street Car Parking*.

It is noted that the DA does not include business identification signs and any such signs will be the subject of a separate development application.

Similarly, for provisions of the LEP an assessment table is provided below at **Table 8**.

1.6 Other approvals or permits required

The Proposals would require separate Construction Certificates under Part 6 of the EP&A Act and relocation of the existing reticulated stormwater main traversing the southern boundary of the Carpark Building Proposal would require a separate Permit under section 68 of the *Local Government Act 1993*.

2.0 SITE CONTEXT

2.1 Site location, surrounding development, built form, and existing character

The location of the Site was briefly described in **Section 1.3** and is graphically shown in the aerial photograph in **Figure 2** and in the photographs of the Site and surrounding area at **Appendix B**. The built form location context of the Site is also shown in perspective images in the **attached** DA plan set. The Site is located in a developed mainly commercial area in the south-western area of the Albury CBD. Vehicle and pedestrian access to the Site is available via Smollett Street and Townsend Street. As shown in **Figure 2** the Site has commercial land uses surrounding the Site on all sides except to the northwest which is residential.

Built form in the vicinity of the Site comprises mainly one to two-storey commercial and residential buildings consisting mostly of detached development, however the five-storey Gardens Medical Centre adjoins the Site to the west and residential development adjoining the Site to the northwest comprises one to two-storey attached residential townhouse and terrace development.

2.2 Future character

Given the location of the Site and adjoining land and their uses and development, it is not expected that the future character of the area will significantly change in the immediate future or short-term, however the existing Council Depot site to the southwest at 440 Wodonga Place is expected to be redeveloped in the medium-term consistent with relevant land use and development aspirations in Part 11.7.15 of the DCP (c.f. the *Albury CBD Masterplan* (Allen Jack & Cottier *et al*, 2009)) which would be for similar high-rise commercial/residential development such as the Proposal.

2.3 Site description

2.3.1 Cadastre and topography

The Site is shown graphically in the Title survey plan at **Appendix A**, in the feature and level survey plan in the **attached** DA plan set, and in photographs at **Appendix B** (Site context descriptions provided).

The Site comprises three lots:

- Lot 201 DP1243276 – 580 Smollett Street – the Mixed-use Building Proposal,

- Lot 203 DP1243276 – 584 Smollett Street – the Carpark Building Proposal, and
- Lot 60 DP1115982 – 470 Wodonga Place – a pedestrian and disabled accessway associated with the Carpark Building Proposal.

As detailed in **Section 3.1** below, Lots 201 and 203 DP1243276 – 580 and 584 Smollett Street will be consolidated into one lot.

The combined Mixed-use Building Proposal and Carpark Building Proposal land has an irregular shape, no general axis, and has dimensions of approximately:

- 59.5 metres along its southern lot boundaries with Smollett Street,
- 49.8 metres along its eastern lot boundaries with Townsend Street,
- 122.8 metres along its northern lot boundaries with adjoining commercial land and Golden Way, and
- 101.2 metres along its western lot boundaries with adjoining commercial and residential land,

with an overall area of approximately 6,601 square metres.

The combined Site is generally flat over its entire area with no discernible aspect; however, the Site's existing carpark and vehicle access and manoeuvring areas have finished surface levels conducive to effective and efficient stormwater drainage. Overall reticulated drainage influences are to the southwest.

2.3.2 Vehicle and pedestrian access

The Site currently has vehicle and pedestrian access from Smollett Street (vehicle ENTRY to the Site only) and Townsend Street (vehicle EXIT from the Site only). These existing vehicle access arrangements carry forward in the Proposal.

2.3.3 Surrounding road network

The road network and traffic conditions surrounding the Site are described as follows:

- Hume Freeway – a State Highway and major arterial route linking Sydney and Melbourne;
- Wodonga Place (Riverina Highway) and Hume Street (Riverina Highway) – a State Road and sub-arterial route extending approximately east-west through Albury;
- Young Street/Mate Street – a north-south collector road route; and
- Smollett Street/Townsend Street – collector roads connecting Wodonga Place (Riverina Highway) and Hume Street (Riverina Highway).

Smollett Street has two lanes in each direction with supplementary right and left turn lanes at the Townsend Street intersection. Townsend Street has two lanes in each direction with supplementary right and left turn lanes at the Townsend Street intersection.

Existing traffic controls which have been applied to the road network serving the Site include:

- traffic signals at the Young Street/Guinea Street and Borella Road/Hume Freeway on/off ramp intersections;
- traffic signals at the Smollett Street/Townsend Street and Smollett Street/Wodonga Place (Riverina Highway) intersections; and
- 50 km/h speed limits.

2.3.4 Existing improvements

The main part of the Site has existing improvements consisting of at-grade (ground level) car parking facilities, an electrical substation and carpark landscaping.

2.3.5 Easements, covenants, and restrictions

The Title survey plan at **Appendix A** shows that the Site has existing infrastructure easements, covenants, restrictions, and rights-of-way within the meaning of the *Conveyancing Act 1919*. Existing infrastructure easements comprise water, sewer, stormwater and electricity. Existing covenants, restrictions and rights-of-way comprise the car parking space and access obligations mentioned in **Section 1.4** which all carry forward in the Proposal.

An additional 20 car parking spaces will also be provided benefitting the Gardens Medical Centre, 470 Wodonga Place (Lot 60 DP1115982) in addition to the 97 car parking spaces mentioned above at **Section 1.4**. The provision of this 20 car parking space obligation will serve to allow for a financial bank guarantee³ relating to 20 car parking spaces at the Gardens Medical Centre held by Council to be cancelled. It is expected that Council will consent to cancel the bank guarantee when an Occupation Certificate is issued for the Carpark Building Proposal in the context of the subject 20 car parking spaces being mentioned in the relevant updated covenant affecting the Site i.e. the bank guarantee will serve no further purpose.

It is also noted that a 3-metre-wide building separation easement for fire safety reasons is proposed to be created affecting the rear of adjoining land at 475 Townsend Street, Albury (Lot 204 DP1243276)⁴ in relation to a part of the eastern wall of the Carpark Building Proposal. No other similar easements are required for any other parts of the building either due to proposed building setbacks or due to proposed fire safety measures to be used i.e. automatic fire shutters (north building elevation).

³ Bank Guarantee No. DG397832070 dated 11 February 2015 for \$300,000 relating to 20 car parking spaces arising from Condition E8 of Development Consent No. 10.2007.27803.2.

⁴ Landowner's consent is provided as part of the DA.

2.3.6 Reticulated services and public road access

Reticulated water, sewer, stormwater, electricity, natural gas, and telecommunications services are connected to the Site. The Site has sealed public road access.

The Carpark Building Proposal requires a minor relocation of the existing Essential Energy electrical substation and an existing Council reticulated stormwater drainage pipe and easement location amendment to accommodate a proposed building pier.

The Mixed-use Building Proposal part of the Site contains a reticulated sewer above-ground vent pipe with diffuser tip in its southwest part. This infrastructure will be removed as a part of the Proposal and an alternative location solution negotiated with Council.

2.3.7 Vegetation

The Site has existing vegetation comprising car park landscaping at the Carpark Building Proposal part of the Site. This vegetation is mostly exotic and all has been planted (none are remnant). One exotic tree requires removal which is subject to amenity assessment⁵ (as opposed to biodiversity assessment⁶), being a tree over 4.5 metres in height and 3 metres in spread.

2.3.8 Site analysis and pre-DA lodgement consultation

Site analysis plans are provided in the **attached** DA plan set based on feature and level survey information. Pre-DA lodgement consultation with Council officers and Essential Energy took place during 2019 and early 2020.

2.4 The design response and concept

The design response and concept for the Proposal has generated following a thorough site analysis and investigation process: A process which has assisted design principals to comprehensively understand the nature of the Site and the area, and to provide a design response which responds to the land use and development policies and guidelines detailed in this report. The Proposal specifically responds to the aspirational land use and development outcomes sought for the Site and the area in the *Albury CBD Masterplan* (Allen Jack & Cottier *et al*, 2009).

⁵ Pursuant to sections 9 and 10 of SEPP Vegetation and Part 5.2 of the DCP development consent is required for removal of trees (native or exotic) over 4.5 metres in height and 3.0 metres in spread.

⁶ The Proposal is identified as "biodiversity compliant development" (within the meaning of Schedule 1 of the EP&A Regs) as the LEP is a "biodiversity certified EPI" (within the meaning of Part 8 of Schedule 7 of the former TSC Act) and the Site is not an 'area excluded from biodiversity certification'.

3.0 THE PROPOSAL

3.1 Development description

The DA is for development comprising the construction and use of an eight-storey commercial and residential building and five-storey carpark building, including demolition and vegetation removal works, landscaping works and lot consolidation, as summarised in **Table 1** and described in sections below in further detail.

Table 1: Development type summary

Type	Parameter		No.	Total
"Office premises"	"gross floor area" (GFA):			4,414m ²
"Residential flat building"	"dwelling" (residential apartments)	1 bedroom	12	25
		3 bedrooms	13	
Car parking	car parking spaces	Mixed-use Building	18	475
		Carpark Building	457	
Lot consolidation	580 Smollett Street (Lot 201 DP1243276)		2,338m ²	6,601m ²
	584 Smollett Street (Lot 203 DP1243276)		4,263m ²	

3.1.1 Demolition and vegetation removal works

Demolition works include the removal of all carpark facilities, fencing, landscaping, superfluous underground infrastructure, the Council reticulated sewer above-ground vent pipe (refer to **Section 2.3.6** above) and part of the Essential Energy electrical substation (refer to **Section 2.3.6** above).

One exotic tree in the Carpark Building Proposal part of the Site comprising existing car park landscaping requires removal. The tree is over 4.5 metres in height and 3 metres in spread.

3.1.2 Stormwater drainage works

Pre-building construction stormwater drainage works include minor relocation of the existing Council reticulated stormwater drainage pipe and easement location amendment to accommodate a proposed building pier for the Carpark Building Proposal as shown in the **attached** DA plan set.

3.1.3 The Carpark Building Proposal

Building construction works for the Carpark Building Proposal are characteristic of a regional city centre multi-level carpark building form being a five-storey building with five carpark levels and with open to semi-open side wall void areas and an open upper level with shade structures.

The carpark provides for 457 car parking spaces including 20 disabled spaces, bicycle racks and storage lockers. The building structure is of concrete construction with mechanical lifts and stairwells approximately 71 metres long, 47 metres wide and 16.5 metres high. An above-ground suspended weather-proof pedestrian walkway connects the building at Level 1 to the associated Mixed-use Building Proposal also at Level 1. Visitor car parking for the residential part of the Mixed-use Building Proposal is provided at the Ground Floor (given visitor access will be via the Ground Floor of the Mixed-use Building Proposal). Residential parking for the residential part of the Mixed-use Building Proposal is provided at Level 1 (given pedestrian access will be via the suspended walkway to Level 1 of the Mixed-use Building Proposal). An above-ground pedestrian and disabled accessway also connects the building at Level 1 to the adjoining Gardens Medical Centre land to the west, noting that one existing car parking space within the Gardens Medical Centre site would need to be removed (refer to Photograph No. 33 at **Appendix B**).

The building elevation plans in the **attached** DA plan set show that external building cladding materials and colours are proposed to be a mix of alternating colour painted precast grooved concrete panels, powder coated metal fencing, steel framed alternating colour painted perforated steel panels (with fire shutters located behind), vertical rod fencing at 125mm centres, and 20% transparency perforated metal privacy screens.

The following summarises key building development features in regard to the site analysis and design response:

- vehicle ENTRY is only via Smollett Street; vehicle EXIT is only via Townsend Street, which carries forward existing conditions,
- pedestrian and bicycle access is via either road frontage but if bicycle access is via Townsend Street then the bollard-protected pedestrian accessway must be used (as access will be against traffic flow),
- weather-protection pedestrian access via the above-ground suspended walkway connecting the building at Level 1 to the associated Mixed-use Building Proposal also at Level 1, with the ground-level pedestrian walkway being underneath and therefore also weather protected and also with bollard lighting,

- lockable storage provided for residents of the associated Mixed-use Building Proposal at ground-level,
- the public road reserve of Golden Way utilised for fire escape egress (with no removal of any existing trees within the road reserve required),
- secure carpark access boom or gates and vehicle queuing space available within the Site at both the carpark entry from Smollett Street and exit to Townsend Street,
- 1.8-metre-high privacy screens for adjoining residential property provided for Levels 1-3 along the western building elevation,
- passive natural light ingress to the adjoining residential dwelling to the west afforded through a 3-metre-wide setback,
- building siting and design in regard to overshadowing of adjoining residential property complies with relevant guidelines,
- upper level shade structures utilised for solar energy electricity generation,
- automatic fire shutters utilised for northern building elevation to avoid the requirement for mechanical ventilation of the building whilst also complying with fire safety requirements (all fire shutters remain open except if triggered to close by fire sensors),
- linking pedestrian and disabled accessway at Level 1 to the adjoining Gardens Medical Centre with security gate and lighting (landowner's consent provided with the DA) facilitating use of 20 car parking spaces as described at **Section 2.3.5**, and
- incorporation of Safer-by-Design principles throughout.

Table 2: Car parking summary – Carpark Building Proposal

		<i>Commercial</i>	<i>Residential</i>	Total
Ground floor	Parking	87	-	99
	Accessible	4	-	
	Visitor	-	8	
Level 1	Parking	49	25	78
	Accessible	4	-	
	Visitor	-	-	
Level 2	Parking	84	-	88
	Accessible	4	-	
	Visitor	-	-	
Level 3	Parking	84	-	88
	Accessible	4	-	
	Visitor	-	-	
Level 4	Parking	100	-	104
	Accessible	4	-	
	Visitor	-	-	
		424	33	457

The Carpark Building Proposal includes the following car parking and access design features:

- overall layout and design in accordance with AS2890.1, AS2890.2, and AS2890.6,

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- connecting pedestrian safe zone footpath thoroughfares from the Smollett Street and Townsend Street footpaths to building pedestrian accessways, including 'way finding' bollard and landscaping tree and shrub planting theme,
- secure carpark access boom or gates and vehicle queuing space available within the Site at both the carpark entry from Smollett Street and exit to Townsend Street, and
- landscaping and building perimeter security lighting sited and designed in accordance with Safer-by-Design principles (refer to **Section 4.4** for further comment).

3.1.4 The Mixed-use Building Proposal

Building construction works for the Mixed-use Building Proposal are characteristic of a regional city centre high-quality multi-level commercial/residential building form being an eight-storey building with seven commercial and residential levels on a road corner each with an active ground-level frontage/interface.

The building provides 4,414 square metres GFA of commercial space over seven levels and 25 residential apartments over seven levels with 18 ground-level car parking spaces, including one disabled space, bicycle racks and storage lockers. The building structure is of concrete construction with mechanical lifts and stairwells approximately 41 metres long, 48 metres wide and 30.8 metres high. An above-ground suspended weather-proof pedestrian walkway connects the building at Level 1 to the associated Carpark Building Proposal also at Level 1. Residential visitor car parking is provided at the Ground Floor and also at the Ground Floor of the Carpark Building Proposal (given visitor access will be via the Ground Floor). Residential car parking is provided at the Ground-Floor and also at Level 1 of the Carpark Building Proposal (given pedestrian access will also be via the suspended walkway to Level 1).

The building elevation plans in the **attached** DA plan set show that external building cladding materials and colours are proposed to be a mix of colour painted precast concrete panels, double glazed powder coated aluminium window panels (with box frames for residential windows), colour painted fibre cement main and secondary walls, Colorbond steel upper walls, aluminium bi-fold sun screen panels, colour painted blockwork planter boxes, vertical slat fencing at 100mm centres, and powder coat colour finish aluminium louvres.

The following summarises key building development features in regard to the site analysis and design response:

- active street frontages, with the principle pedestrian accessways for commercial and residential uses being from Smollett Street, with each access type being differentiated through design feature and articulation hierarchy, with separated lobbies and internal lifts,
- lot boundary setbacks and stepped-back upper level building design consistent with design objectives and guidelines under *Albury CBD Masterplan* (Allen Jack &

- Cottier *et al*, 2009) and north elevation void separation respect for the adjoining 'Kia-Ora' heritage item to the north fronting Townsend Street,
- partially open ground-level carpark to facilitate natural light ingress and ventilation,
 - vehicle ENTRY is only via Smollett Street; vehicle EXIT is only via Townsend Street, which carries forward existing conditions,
 - awning weather-protection pedestrian access via Townsend Street and Smollett Street with bollard lighting,
 - lockable storage provided for residents at ground-level,
 - secure carpark access sliding gates and vehicle queuing space available within the Site at both the carpark entry from Smollett Street and exit to Townsend Street,
 - internal waste management system and bin storage facilities with bin collection via Smollett Street by private contractors,
 - upper level utilised for solar energy electricity generation, and
 - incorporation of Safer-by-Design principles.

Table 3: Car parking summary – Mixed-use Building Proposal

		<i>Commercial</i>	<i>Residential</i>	Total
Ground floor	Parking	3	13	16
	Accessible	1	-	1
	Visitor	-	1	1
		4	14	18

3.2 Operational parameters

Table 4 provides a summary of the operational parameters of the Proposal during construction.

Table 4: Operational parameters of the Proposal during construction

<i>Parameter</i>	<i>Response</i>
• Days and hours of demolition/construction:	in accordance with <i>AS 2436:1981–Guide to noise control on construction, maintenance and demolition sites</i> , namely 7:00am to 7:00pm, Monday to Saturday (excluding public holidays)
• Traffic management:	in accordance with a Traffic Management Plan (TMP) for each stage of construction as relevant
• Shoring and adequacy of adjoining property:	dilapidation report to be prepared prior to construction work commencing; section 98E of the EP&A Regs to be complied with where relevant

<i>Parameter</i>	<i>Response</i>
• Car parking:	some onsite car parking provided in the 'construction zone'; temporary displacement of public car parking along Townsend Street and Smollett Street during the various stages of construction
• Loading/unloading:	onsite loading/unloading provided in the 'construction zone' and along Townsend Street and Smollett Street frontages in accordance with the relevant TMP
• Waste management:	waste is stored in dedicated containers within the 'construction zone' and collected by licensed contractors for offsite disposal
• Safety and security:	relevant WH&S and WorkCover standards and guidelines; hoardings along road frontages designed to facilitate safe pedestrian movement
• Lighting:	standard security lighting
• Plant and machinery:	standard building industry construction equipment
• Noise, dust, and vibration:	standard building industry construction equipment; construction carried out in accordance with <i>AS2436:1981–Guide to noise control on construction, maintenance and demolition sites</i>
• Stormwater:	construction carried out in accordance with <i>Managing Urban Stormwater, Soils & Construction, Volume 1</i> (Landcom, 2004) and <i>Managing Urban Stormwater, Soils & Construction, Volume 2</i> (DECC, 2008)
• Visual:	hoardings and security fencing erected along all construction area boundaries

3.3 Development guideline variation / s

Variations to the following development guidelines in the DCP are proposed as alternative solutions pursuant to section 79C(3A)(b) of the EP&A Act. It is noted that no variations to the *Apartment design Guide* are required.

Table 5: Development guideline variation summary

<i>DCP</i>		<i>Alternative solution</i>	<i>Justification</i>
<i>Part</i>	<i>Guideline</i>		
<i>DCP Part 10.8: Residential development – residential flat buildings – (iv)</i>	<i>Ingress/egress by access handles or right of ways will not be permitted.</i>	The intent of the guideline is met: EXIT from the Site is proposed using the existing access handle to Townsend Street which provides for safe pedestrian and bicycle ingress and egress to and from the Site.	Refer to Table 8
<i>DCP Part 10.8: Residential development – residential flat buildings – (v)</i>	<i>Residential flat buildings shall be a minimum distance of 500m apart (the separation distance is measured by the closest point between each lot)</i>	The intent of the guideline is met: The two relevant residential flat buildings (the Proposal and the other subject building) have entirely separate and distinct locations and therefore no streetscape relationship.	Refer to Table 8
<i>DCP Part 11.7.4: Street Wall Heights and Upper Level Setbacks – Albury (i)</i>	<i>Upper level setbacks shall comply with the following: ... • Along other streets – minimum 3 metres.</i>	The intent of the guideline is met: A variation of 0.31m is requested on the basis of the variation being minor and the building setback being significantly greater the closer the building gets to the corner of Smollett Street.	Refer to Table 8

4.0 PLANNING ASSESSMENT MATTERS

4.1 State Environmental Planning Policy

Table 6: Assessment Matters – State Environmental Planning Policy

	Response
<i>State Environmental Planning Policy No. 65—Design Quality of Residential Apartment Development</i>	
<i>SEPP65: Clause 28 - Determination of development applications</i>	
<i>(1) After receipt of a development application for consent to carry out development to which this Policy applies (other than State significant development) and before it determines the application, the consent authority is to refer the application to the relevant design review panel (if any) for advice concerning the design quality of the development.</i>	Not relevant – A design review panel does not exist (has never existed) for the Albury municipality.
<i>(2) In determining a development application for consent to carry out development to which this Policy applies, a consent authority is to take into consideration (in addition to any other matters that are required to be, or may be, taken into consideration):</i>	
<i>(a) the advice (if any) obtained from the design review panel, and</i>	Not relevant – A design review panel does not exist for the Albury municipality.

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(b) <i>the design quality of the development when evaluated in accordance with the design quality principles, and</i>	Refer to comments in response to the design quality principles below and also to a statement from the Proposal's architect at Appendix C which has replicated responses.
(c) <i>the Apartment Design Guide.</i>	Refer to the table compliance response to the <i>Apartment Design Guide</i> in the attached DA plan set for the Mixed-use Building Proposal in Drawing No. 580DA04.
SEPP65: Schedule 1 – Design quality principles	
SEPP65: Schedule 1 – Design quality principles – Principle 1: Context and neighbourhood character	
<i>Good design responds and contributes to its context. Context is the key natural and built features of an area, their relationship and the character they create when combined. It also includes social, economic, health and environmental conditions.</i> <i>Responding to context involves identifying the desirable elements of an area's existing or future character. Well designed buildings respond to and enhance the qualities and identity of the area including the adjacent sites, streetscape and neighbourhood.</i> <i>Consideration of local context is important for all sites, including sites in established areas, those undergoing change or identified for change.</i>	Located on a major street corner of Albury, the Mixed-Use Building Proposal will have a strong impact by virtue of its height and substantial mass. The commercial use on the corner is in keeping with current street character, while the residential component adds a new and desirable community use to the locality; this will enhance the neighbourhood character in providing a diverse use that enlivens the area during the day and night. Visually, it will balance and bookend the existing Gardens Medical Centre to the west giving due respect to that landmark structure whilst also being sympathetic to the listed heritage item No. I174 at 473 Townsend Street to the northeast through setback.
SEPP65: Schedule 1 – Design quality principles – Principle 2: Built form and scale	

<i>Good design achieves a scale, bulk and height appropriate to the existing or desired future character of the street and surrounding buildings.</i> <i>Good design also achieves an appropriate built form for a site and the building's purpose in terms of building alignments, proportions, building type, articulation and the manipulation of building elements.</i> <i>Appropriate built form defines the public domain, contributes to the character of streetscapes and parks, including their views and vistas, and provides internal amenity and outlook.</i>	By the very nature of its uses, the proposal takes on a dual character. The commercial and residential uses have been combined with a view to complement each other, despite their divergent uses. The commercial portion takes precedence by making a robust corner statement; an arc of glass and concrete spans across the corner of Smollett and Townsend Streets providing an individualistic architectural character that will be highly recognizable. The transformation into the residential portion on the south façade is gradual, not brutal. The arc is discontinued by a strong and colourful vertical element, reminiscent of masonry. As the building turns to the west, a different character is evolved that reflects its alternative use. We have attempted to make this transition a positive and desirable event in the Albury "Downtown" context. The height of the building is within the maximum height limit imposed and therefore abides by the desired character of the area.
SEPP65: Schedule 1 – Design quality principles – Principle 3: Density	
<i>Good design achieves a high level of amenity for residents and each apartment, resulting in a density appropriate to the site and its context.</i> <i>Appropriate densities are consistent with the area's existing or projected population. Appropriate densities can be sustained by existing or proposed infrastructure, public transport, access to jobs, community facilities and the environment.</i>	The residential component consists of apartments on levels 1-7. Ground floor level includes an entry lobby, car parking, services and a commercial tenant facing Smollett St, possibly a café. The entrance to the apartments is clearly defined by being located off the laneway, unambiguously separated from the commercial entry. While recessed, entry is still visible from Smollett Street by being slightly forward of the main ground floor wall. A car drop-off zone is provided

	there, along with generous planters to isolate it from passing traffic accessing the carpark. The apartments themselves are proposed as a dual occupancy use and are quite generous in size with a total area of around 240m² each. There are 25 apartments proposed consisting of 1 off 1 bedroom apartment, 11 off dual-occupancy apartments and 2 off penthouses on level 7. The apartments face west primarily, north and south. They will benefit from good views to the west and glimpses of the east panorama will also be provided by the protruding balconies.
SEPP65: Schedule 1 – Design quality principles – Principle 4: Sustainability <i>Good design combines positive environmental, social and economic outcomes.</i> <i>Good sustainable design includes use of natural cross ventilation and sunlight for the amenity and liveability of residents and passive thermal design for ventilation, heating and cooling reducing reliance on technology and operation costs. Other elements include recycling and reuse of materials and waste, use of sustainable materials and deep soil zones for groundwater recharge and vegetation.</i>	The proposal aims to set desirable benchmarks in sustainability, both in construction and in the continuing life of the building. A combination of passive design and active sustainable systems are proposed to minimise the environmental impact of the building while maximising the amenity of the occupants. These include meeting the requirements of BASIX, a generous PV cells roof landscape zone & planting of appropriate water hardy species. Features of the ESD inclusions are a/- laundry facilities in each apartment and generous balconies for drying of clothes. b/- passive solar design enhancing natural heating and cooling, c/- solar collection devises contribute to energy input from natural sources d/- generous window sizes to promote natural light usage, rather than electrical.

**SEPP65: Schedule 1 – Design quality principles – Principle 5:
Landscape**

Good design recognises that together landscape and buildings operate as an integrated and sustainable system, resulting in attractive developments with good amenity. A positive image and contextual fit of well designed developments is achieved by contributing to the landscape character of the streetscape and neighbourhood.

Good landscape design enhances the development's environmental performance by retaining positive natural features which contribute to the local context, co-ordinating water and soil management, solar access, micro-climate, tree canopy, habitat values and preserving green networks.

Good landscape design optimises useability, privacy and opportunities for social interaction, equitable access, respect for neighbours' amenity and provides for practical establishment and long term management.

The landscape design is appropriate for the urban context of this development. A generous roof top zone is earmarked for residents. It consists of a large open lawn area and a more intimate BBQ zone, facing north with a pergola and some lawn.

**SEPP65: Schedule 1 – Design quality principles – Principle 6:
Amenity**

Good design positively influences internal and external amenity for residents and neighbours. Achieving good amenity contributes to positive living environments and resident well being.

Good amenity combines appropriate room dimensions and shapes, access to sunlight, natural ventilation, outlook, visual and acoustic privacy, storage, indoor and outdoor space, efficient layouts and service areas and ease of access for all age groups and degrees of mobility.

The proposal has utilised the guidelines as set out in the *Apartment Design Guide*. Drawing 580DA04 of the DA documents sets out the main requirements of this guide and how they have been met. A summary of the most important criteria is noted:

1. Size. The various minimum requirements for apartment sizes, storage volume, balcony sizes and depths have been exceeded for all apartments

	2. Car parking facilities are provided in 2 locations; one on the site (20 cars) and the remainder on level 1 of the new proposed car parking station on Lot 203. Note that an enclosed bridge has been included to level 1, thereby providing convenient undercover secure access for residents 3. Daylight is a primary and essential element for the wellbeing and delight of the residents. A minimum of 3 hours of sunlight (to 70% of apartments) is required in any living room on the shortest day of the year (June 22). The project delivers this feature to 100% of apartments. 4. Natural ventilation is another important aspect of good design; the guide requires a minimum of 60% of apartments to be thus equipped. The proposal achieves this minimum; refer to Project Statistics drawing 580DA04. 5. Conclusion: the project is a high quality and generous proposal that will provide an enviable level of comfort and amenity to its residents.
SEPP65: Schedule 1 – Design quality principles – Principle 7: Safety	
<i>Good design optimises safety and security within the development and the public domain. It provides for quality public and private spaces that are clearly defined and fit for the intended purpose. Opportunities to maximise passive surveillance of public and communal areas promote safety.</i>	The proposal achieves a high level of personal security; a feeling of safety for residents in an essential prerequisite, consistent with Safer-By-Design principles. From car park to apartment, residents are sequestered within a monitored and enclosed environment both physical and electronic and have good visual surveillance from street to

<i>A positive relationship between public and private spaces is achieved through clearly defined secure access points and well lit and visible areas that are easily maintained and appropriate to the location and purpose.</i>	apartment door. As this project is a “high-end” type of development, security is a high priority.
SEPP65: Schedule 1 – Design quality principles – Principle 8: Housing diversity and social interaction	
<i>Good design achieves a mix of apartment sizes, providing housing choice for different demographics, living needs and household budgets.</i> <i>Well designed apartment developments respond to social context by providing housing and facilities to suit the existing and future social mix.</i> <i>Good design involves practical and flexible features, including different types of communal spaces for a broad range of people and providing opportunities for social interaction among residents.</i>	In apartment design a fair and reasonable mix of community and privacy must be achieved. A feeling of private security must be present while allowing for good community relations. The mix of 3 and 1 bedroom apartments will generate a good diversity of residents.
SEPP65: Schedule 1 – Design quality principles – Principle 9: Aesthetics	
<i>Good design achieves a built form that has good proportions and a balanced composition of elements, reflecting the internal layout and structure. Good design uses a variety of materials, colours and textures.</i> <i>The visual appearance of a well designed apartment development responds to the existing or future local context, particularly desirable elements and repetitions of the streetscape.</i>	Located on a fully exposed site, viewed from 4 directions and from distance, the development can be said to be “landmark”. It has been carefully considered for viewing from all directions and it attempts to achieve a well-proportioned, diverse and balanced spatial construct. The proportional sub division of the vertical elements has been carefully considered to provide a delightful object utilising the Golden Mean Proportion wherever possible.

	In general, a classical approach to architecture has been taken, providing a base, a main body and a roof; this classical construct is interpreted to fit within a modern paradigm. A high degree of contrast contributes to a level of tension engendered by the dual uses on the site. Strong vertical “orange” piers stitch together the primary “white” horizontal elements. These balance the apparent height of the building. The floor to floor height necessary for the commercial portion, 3,600mm has been continued in the residential building, resulting in pleasing high ceilings of 3 metres (minimum) for habitable rooms. The upper floor consists of 2 generous penthouses (200m² each) with equally generous balconies of over 80m². A pitched roof plane completes that portion of the building stating that this is the residential part of the building. The proposed architectural statement is, in our opinion, an attractive building that will enhance the residents, proprietors and the City of Albury.
<i>State Environmental Planning Policy (Infrastructure) 2007</i>	
<i>SEPP Infrastructure: Clause 104 - Traffic-generating development</i>	
<i>(1) This clause applies to development specified in Column 1 of the Table to Schedule 3 that involves:</i>	
<i>(a) new premises of the relevant size or capacity, or</i>	Relevant as the Proposal is specified in Column 1 of the Table to Schedule 3 of SEPP Infrastructure.

<i>(b) an enlargement or extension of existing premises, being an alteration or addition of the relevant size or capacity.</i>	Not relevant to the Proposal.
<i>(3) Before determining a development application for development to which this clause applies, the consent authority must:</i>	
<i>(a) give written notice of the application to the RTA within 7 days after the application is made, and</i>	...
<i>(b) take into consideration:</i>	
<i>(i) any submission that the RTA provides in response to that notice within 21 days after the notice was given (unless, before the 21 days have passed, the RTA advises that it will not be making a submission), and</i>	...
<i>(ii) the accessibility of the site concerned, including:</i>	
<i>(A) the efficiency of movement of people and freight to and from the site and the extent of multi-purpose trips, and</i>	Complies – The Proposal does not change existing vehicle access arrangements (for existing car parking at the Site). Vehicle ENTRY is only via Smollett Street; vehicle EXIT is only via Townsend Street. Refer to the attached DA plan set.
<i>(B) the potential to minimise the need for travel by car and to maximise movement of freight in containers or bulk freight by rail, and</i>	Complies – Bicycle rack spaces are provided onsite and footpath pedestrian facilities connect to the surrounding public domain. Refer to the attached DA plan set.
<i>(iii) any potential traffic safety, road congestion or parking implications of the development.</i>	Complies – Traffic generation arising from the Proposal can be accommodated within proposed onsite car parking and the existing road

	network and traffic facilities surrounding the Site. Further information is provided at Table 9 and Table 10 .
State Environmental Planning Policy (Vegetation in Non-Rural Areas) 2017	
SEPP Vegetation: Clause 9 - Vegetation to which Part applies	
(1) <i>This Part applies to vegetation in any non-rural area of the State that is declared by a development control plan to be vegetation to which this Part applies.</i>	The DCP is deemed to apply to this clause by virtue of repealed clause 5.9 of the LEP.
(2) <i>A development control plan may make the declaration in any manner, including by reference to any of the following:</i> <i>(a) the species of vegetation,</i> <i>(b) the size of vegetation,</i> <i>(c) the location of vegetation (including by reference to any vegetation in an area shown on a map or in any specified zone),</i> <i>(d) the presence of vegetation in an ecological community or in the habitat of a threatened species.</i>	Relevant insofar as trees over 4.5 metres in height and 3 metres in spread (c.f. Part 5.2 of the DCP).
SEPP Vegetation: Clause 10 - Council may issue permit for clearing of vegetation	
(1) <i>A council may issue a permit to a landholder to clear vegetation to which this Part applies in any non-rural area of the State.</i>	Applies as permitted by section 4.12(2) of the EP&A Act.
(2) <i>A permit cannot be granted to clear native vegetation in any non-rural area of the State that exceeds the biodiversity offsets scheme threshold.</i>	Not relevant to the Proposal.

<i>(3) A permit under this Part cannot allow the clearing of vegetation:</i>	
<i>(a) that is or forms part of a heritage item or that is within a heritage conservation area, or</i>	Not relevant to the Site.
<i>(b) that is or forms part of an Aboriginal object or that is within an Aboriginal place of heritage significance,</i>	Not relevant to the Site.
<i>unless the council is satisfied that the proposed activity:</i>	
<i>(c) is of a minor nature or is for the maintenance of the heritage item, Aboriginal object, Aboriginal place of heritage significance or heritage conservation area, and</i>	Not relevant to the Site.

4.2 Local Environmental Plan

Table 7: Assessment Matters – Albury Local Environmental Plan 2010

	Response
LEP Land Use Table - Zone B3 Commercial Core: Objectives of zone	
<i>To provide a wide range of retail, business, office, entertainment, community and other suitable land uses that serve the needs of the local and wider community.</i>	Complies – The Proposal provides 4,414 square metres of “commercial premises” floor area for a range of business and office uses that will serve the needs of the local and wider community.

<i>To encourage appropriate employment opportunities in accessible locations.</i>	Complies – The Proposal provides 4,414 square metres of “commercial premises” floor area in the Albury CBD which will generate employment opportunities.
<i>To maximise public transport patronage and encourage walking and cycling.</i>	Complies – The Proposal is located in the Albury CBD adjacent a public bus stop with dual road frontage on a corner with linking pedestrian and bicycle accessways to local networks.
<i>To encourage development and investment in the Albury and Lavington central business districts.</i>	Complies – The Proposal is located in the Albury CBD and comprises a \$39.2M development investment.
<i>To increase the permanent population within the commercial cores by encouraging the development of shop top housing and mixed use developments.</i>	Complies – The Proposal is located in the Albury CBD and comprises a mixed-use development and increases permanent population by providing 25 one and three-bedroom residential apartments.
LEP: Clause 4.3 - Height of buildings	
<i>(1) The objectives of this clause are as follows—</i>	
<i>(a) to ensure the height of buildings complement the streetscape or the historic character of the area in which the buildings are located,</i>	Complies – The Proposal is not located in a heritage conservation area but does adjoin multiple heritage items of local significance (refer to LEP Clause 5.10 comments below), including the ‘Kia-Ora’ building heritage item which adjoins the Site along its eastern edges fronting Townsend Street. All other adjoining heritage items to the southeast and south are separated by the large void road width of Smollett Street. The site analysis and design response for the Mixed-use Building Proposal has had special regard for ensuring that siting and design respects the ‘Kia-Ora’ building with its primary heritage significance being its Townsend Street frontage and side wall building returns. Key siting and design response features have been ground-floor
<i>(b) to protect the heritage character and significance of buildings and not adversely affect the heritage integrity of heritage items and heritage conservation areas identified in this Plan,</i>	

	level, Level 1 and upper level graduated building setbacks facilitating new-from-old visual separation through voids.
(c) to ensure the height of buildings protects the amenity of neighbouring properties in terms of visual bulk, access to sunlight and privacy,	Complies – The Carpark Building Proposal adjoins existing residential land uses to the west and northwest. The site analysis and design response for the Carpark Building Proposal has had special regard to ensure that siting and design has regard to amenity in terms of providing complaint privacy screens and overshadowing extent. The Site is located in the Albury CBD with a maximum 35 metre building height and maximum 3:1 floor space ratio limit and so the future desired character of the area reflects such development density and character of the area outcomes. Recent high-rise building developments adjoining and near these residential land uses have comprised the Gardens Medical Centre (470 Wodonga Place) established in 2007 and The Botanical (669 Dean Street) established in 2012.
(d) to nominate heights that will provide a transition in built form between varying land use intensities.	
(2) The height of a building on any land is not to exceed the maximum height shown for the land on the Height of Buildings Map.	Complies – The building height of both buildings is less than 35 metres (30.8 metres and 16.5 metres).
LEP: Clause 4.4 - Floor space ratio	
(1) The objectives of this clause are as follows—	
(a) to ensure that the density, bulk and scale of development is appropriate for a site,	Complies – The Proposal has appropriate density, bulk and scale in relation to the Site with the Mixed-use Building Proposal being located on the road corner of Smollett Street and Townsend Street with building design and articulation in accordance with the principle guidelines of the <i>Albury CBD Masterplan</i> (Allen Jack & Cottier <i>et al</i> , 2009) and the DCP. The Carpark Building Proposal is located to the rear of the Site and in regards to adjoining residential development to the west and northwest its amenity affects are not significant because its affords compliant privacy, overshadowing and visual impact outcomes.
(b) to ensure that the density, bulk and scale of development integrates with the streetscape and character of the area in which the development is located,	

<i>(c) to facilitate development that contributes to the economic growth of the Albury and Lavington Central Business Districts.</i>	Complies – The Proposal comprises development that contributes to the economic growth of the Albury CBD through employment and residential living opportunities and outcomes.
<i>(2) The maximum floor space ratio for a building on any land is not to exceed the floor space ratio shown for the land on the Floor Space Ratio Map.</i>	Complies – The FSR for the Proposal is significantly less than 3:1, noting that the Site is 6,601 square metres in area.
LEP: Clause 5.10 - Heritage conservation	
<i>(5) Heritage assessment - The consent authority may, before granting consent to any development—</i>	
<i>(a) on land on which a heritage item is located, or</i>	Not relevant to the Site.
<i>(b) on land that is within a heritage conservation area, or</i>	Not relevant to the Site.
<i>(c) on land that is within the vicinity of land referred to in paragraph (a) or (b),</i>	Relevant insofar as the heritage items adjoining or nearby the Site that are identified in Figure 4 above.
<i>require a heritage management document to be prepared that assesses the extent to which the carrying out of the proposed development would affect the heritage significance of the heritage item or heritage conservation area concerned.</i>	It is not considered necessary that a heritage management document be prepared in the case of the Proposal as the locations of the proposed works affords adequate new-from-old separation and built form and fabric disassociation consistent with the Burra Charter ⁷ .

⁷ Australia ICOMOS Charter for Places of Cultural Significance, *The Burra Charter* (2013).

LEP: Clause 7.6 - Essential services	
(2) <i>Development consent must not be granted to development unless the consent authority is satisfied that any of the following services that are essential for the proposed development are available or that adequate arrangements have been made to make them available when required:</i> (a) <i>the supply of water,</i> (b) <i>the supply of electricity,</i> (c) <i>the disposal and management of sewage,</i> (d) <i>stormwater drainage or on-site conservation,</i> (e) <i>suitable road access.</i>	Complies – All reticulated services are currently connected to the Site, with new connections or reconnection of relevant capped water, sewer, and stormwater services during previously approved demolition works by a licenced plumber in accordance with a permit under section 68 of the <i>Local Government Act 1993</i>. Connection of other services where relevant will be carried out by licenced trades in accordance with relevant trade standards and guidelines. The Site has sealed road access to collector roads controlled by Council.

4.3 Development guidelines

Table 8: Assessment Matters – Albury Development Control Plan 2010

	Response
DCP Part 5.2: Tree Preservation Order	
Objectives	

1. <i>To conserve and enhance the existing aesthetic character and public amenity of Albury.</i>	The Proposal conserves and enhances existing aesthetic character and public amenity through replacement landscaping as shown in the attached DA plan set.
2. <i>To control the management and/or removal of unsuitable trees.</i>	
3. <i>To assist the retention and ongoing protection of native vegetation that may have derived from endangered ecological communities and/or that may be habitat for threatened species.</i>	Not relevant to the Site – The Site does not contain any remnant native vegetation.
Controls	
i. <i>Clause 5.9 of the LEP provides that trees as prescribed by this DCP must not be ringbarked, cut down, topped, lopped or wilfully destroyed without the Council's approval and landowners consent.</i>	Noted.
ii. <i>Clause 5.9 of the LEP and this Section applies to all trees over 4.5 metres in height and 3 metres in spread.</i>	
iii. <i>An application for the Council's approval must be accompanied by an appropriately qualified specialist (i.e. Arborist) report outlining the following information:</i>	
<i>The location, size, species and condition (i.e. diseased, healthy, etc).</i>	The one carpark landscaping tree that is proposed to be removed is exotic and is not heritage listed and therefore a specialist report is not considered warranted in this instance.
<i>A statement that details any anticipated impacts on vegetation that may have derived from endangered ecological communities and/or that may be habitat for threatened species.</i>	Not relevant.

<i>The purpose of removal and whether the pruning of the tree would be a more practical and desirable alternative.</i>	Removal of the tree is required to implement the Proposal.
<i>Whether a replacement tree or trees should be planted.</i>	Refer to the attached DA plan set including the Landscaping Plan.
<i>The location, size and species of any trees proposed to replace those intended for removal.</i>	
<i>The owners consent to the application being lodged.</i>	Complies – Refer to the attached DA form.
<i>Any other relevant information regarding the tree to be removed (i.e. photographs).</i>	Complies – Refer to relevant photographs at Appendix B .
DCP Part 7.4.5: Development in the vicinity of a Heritage Item or Conservation Area	
<i>In assessing a development proposal, Council will consider the impact of the development on the heritage significance of the heritage item, work, Aboriginal object or character, objectives and controls of the relevant heritage conservation area.</i>	Refer to Table 7 above concerning comments arising from LEP Clause 5.10: <i>Heritage conservation</i> .
DCP Part 10.8: Residential development – residential flat buildings	
Objectives	
<i>To ensure residential flat buildings achieve:</i> <i>A diversity of housing types.</i> <i>Improved residential amenity.</i>	Complies – The residential flat building part of the Proposal comprises one and three-bedroom apartments, high residential living amenity and high building quality and design.

• <i>Higher design quality and presentation to the street.</i>	
2. <i>To ensure the design and development detail of residential flat buildings are consistent with established design codes.</i>	Complies – The residential flat building part of the Proposal complies with SEPP65 design quality principles and the <i>Apartment Design Code</i> – refer to comments in Table 6 above.
3. <i>To ensure that development sites have sufficient areas to provide adequate access, parking, landscaping and building separation.</i>	Complies – The Site has sufficient areas to provide adequate access, parking, landscaping and building separation – refer to the SEPP65 design quality principles and the <i>Apartment Design Code</i> related comments in Table 6 above.
4. <i>To reduce any potential adverse impacts of development on adjoining lands.</i>	Complies – The residential flat building part of the Proposal has no identified potential adverse impacts on adjoining lands.
General Controls	
i. <i>Residential flat buildings shall be designed and assessed in accordance with the requirements of State Environmental Planning Policy No. 65: Design Quality of Residential Flat Buildings.</i>	Complies – Refer to comments in Table 6 above.
<i>In addition to State Environmental Planning Policy 65 (Design Quality of Residential Flat Development) the following local controls must be satisfied.</i>	
Site Requirements	
Controls	
ii. <i>Lot size must exceed 1000m² (larger and wider sites preferred to long narrow sites).</i>	Complies – The Site is larger than 1,000m² (6,601m²).

iii. <i>The minimum lot width must be 24m.</i>	Complies – The Site has a minimum lot width greater than 24m.
iv. <i>Ingress/egress by access handles or right of ways will not be permitted.</i>	Complies in regard to ENTRY to the Site as the Site is to be consolidated into one lot, however does not comply in regard to the EXIT from the Site as the existing/proposed access handle to Townsend Street is to be used and so a variation to this guideline is requested on the basis of the proposed situation being an alternative solution under section 4.15(3A)(b) of the EP&A Act to the 'objective/s' to which this guideline control relates (it is not clear which 'objective' is relevant in this case so it has been assumed that it compliance with relevant vehicle, pedestrian, bicycle and Safer-by-Design access guidelines in SEPP65 which are all complied with).
<i>Locational Requirements</i>	
<i>Controls</i>	
v. <i>Residential flat buildings shall be a minimum distance of 500m apart (the separation distance is measured by the closest point between each lot)</i>	Does not comply – Using the required distance measuring methodology the nearest distance of the Site to the nearest distance of the nearest residential flat building which is at The Botanical, 669 Dean Street is 77 metres. A variation to this guideline is requested on the basis of the two residential flat buildings having entirely separate and distinct locations and therefore no streetscape relationship.
<i>Bulk and Scale</i>	
<i>Controls</i>	
<i>in the R1 General Residential, B1 Neighbourhood Centre and B2 Local Centre Zone</i>	Not relevant – The Site is located in the B3 zone.

vi. Must comply with Section 10.6.8 control (iv) in relation to building height envelope requirements relating to multi dwelling housing.	
in the R3 Medium Density Residential Zone	Not relevant – The Site is located in the B3 zone.
vii. The maximum building height shall not exceed 16m as contained within the LEP – Height of Buildings Map.	
viii. The maximum floor space ratio shall not exceed 2:1 as contained within the LEP – Floor Space Ratio Map.	
DCP Part 11.7: Development in the B3 Commercial Core and B4 Mixed use Zones	
DCP Part 11.7.1: Development in the B3 Commercial Core and B4 Mixed Use Zones – General objectives	The Proposal: • maintains and enhances Albury’s economic role in the region; • reinforces the structure and legibility of Albury through clear urban form; • provides high building design quality; • is sited appropriately to its setting and use, particularly in regards to overlooking and overshadowing of residential areas; • provides a high level of pedestrian amenity to create vibrant, safe and easy-to-navigate streets; • promotes the amalgamation of sites to deliver better quality development and adequate on-site car parking; • respects the existing scale and view corridors of heritage streetscapes; • promotes and encourages safer public spaces; and • provides a landmark building near a gateway to the Albury CBD (Townsend Street/Smollett Street entranceways to the Albury CBD).

<i>DCP Part 11.7.2: Land Use Precincts - Albury</i>	
<i>Objectives</i>	The Proposal: • facilitates mixed-use commercial and residential apartment land uses within the Albury CBD that increases the CBD's role as a regional retail, commercial and civic centre; and • strengthens the B3 zone that supports the CBD with complimentary uses.
<i>Controls</i>	The Proposal: • comprises land uses which comply with the LEP <i>Land Use Table</i> and the Land Use Plan contained in DCP Figure 11.7 ("CBD Fringe Mixed Use"); • comprises residential flat development which complies with SEPP65 and the <i>Apartment Design Guide</i> as required by DCP Part 10.8: <i>Residential Development – Residential Flat Buildings</i>; and • has commercial and no residential uses at ground floor level.
<i>DCP Part 11.7.3: Building Heights - Albury</i>	
<i>Objectives</i>	The Proposal: • complements the streetscapes in which the building is located; • protects the amenity of neighbouring residential properties in regard to the Carpark Building Proposal in terms of visual bulk (through building articulation, design and external cladding materials and colours), access to sunlight (compliant overshadowing) and privacy (privacy screens are proposed); and • has compliant building setbacks (refer below).
<i>Controls</i>	The Site:

	• complies with the Building Height Plan contained in DCP Figure 11.8 ("7 storeys"); and • complies with the Street Wall Heights and Upper Level Setback requirements contained within DCP Section 11.7.4 (refer below).
<i>DCP Part 11.7.4: Street Wall Heights and Upper Level Setbacks - Albury</i>	
<i>Objectives</i>	The Proposal maintains the scale of adjoining streets as incremental change occurs.
<i>Controls</i>	The Proposal: • complies with the Street Wall Height Plan contained within DCP Figure 11.9 ("3 storeys"); and • does not comply with the minimum 3m upper level setback to Townsend Street instead 2.69m is proposed and so a variation of 0.31m is requested on the basis of the building setback being significantly greater the closer the building gets to the corner of Smollett Street.
<i>DCP Part 11.7.5: Floor Space Ratio (FSR) - Albury</i>	
<i>Objectives</i>	The Proposal: • provides density, bulk and scale of development that is appropriate for the Site and which integrates with the streetscape and desired character of the area; and • includes lot consolidation to promote the efficient location of buildings and the minimisation of building bulk.
<i>Controls</i>	The Site complies with the FSR Plan contained within DCP Figure 11.10 ("3:1 FSR").

DCP Part 11.7.6: Building Design - Albury

Objectives

The Proposal:

- has regard to items and places of heritage significance and established residential areas – in particular in regard to the adjoining residential area to the northwest (through building articulation, design and external cladding materials and colours) and to 'Kia-Ora', 473 Townsend Street which adjoins the Site along its eastern frontages (through void building setback separation);
- promotes design quality by promoting a fit between overall height, car parking, building envelope and floor space;
- encourages the use of a combination of materials, articulation, and fenestration; and
- incorporates energy-efficiency, Environmentally Sustainable Development (ESD), and Safer-by-Design Principles.

Controls

The Proposal:

- incorporates building façade articulation such as punctuations, openings and repetition of architectural elements that contribute to the streetscape;
- complies with the relevant requirements of this Section in regards to setbacks (the intent) including in relation to DCP Figure 11.11, heights, FSR, open space and other like requirements relating to building design; and
- incorporates active edges to Smollett Street and Townsend Street to increase Albury CBD pedestrian level vibrancy and to provide opportunities for passive surveillance.

DCP Part 11.7.7: Building Setbacks - Albury

Development Application:

Eight-storey commercial and residential building and five-storey carpark building –
580-584 Smollett Street and 470 Wodonga Place, Albury
(Lots 201 and 203 DP1243276 and Lot 60 DP1115982)

<i>Objectives</i>	The Proposal protects and enhances the existing streetscape character.
<i>Controls</i>	The Proposal: • provides for street wall setbacks and build-to lines and complies with the Street Setback and Build to Lines Plan as contained within DCP Figure 11.11; • provides for landscaping; • complies with minimum rear setbacks for residential apartments; • complies with minimum side setbacks for commercial uses; • provides for BCA compliant fire separation building-to-boundary setbacks through deemed-to-comply provisions; and • has a secondary street boundary which covers a minimum distance of 50% of the length of the Site.
<i>DCP Part 11.7.8: Building Depth - Albury</i>	
<i>Controls</i>	The Proposal is designed to comply with the overarching <i>Apartment Design Guide</i> and BASIX requirements which set aside any DCP guidelines in regard to natural light and energy-efficiency. No variation mention in this regard is considered warranted.
<i>DCP Part 11.7.9: Building Separation - Albury</i>	
<i>Controls</i>	Not relevant to the Proposal.
<i>DCP Part 11.7.10: Open Space and Landscaping – Albury</i>	
<i>Objectives</i>	

<i>Controls</i>	The Proposal complies through provision of a 'green roof' and landscaping at ground floor level.
<i>DCP Part 11.7.11: Car Parking, Traffic and Access – Albury</i>	
<i>Objectives</i>	The Proposal provides car parking facilities which are both pedestrian and motorist friendly, with all required car parking provided onsite.
<i>Controls</i>	The Proposal: • provides at-grade and multi-level parking at the rear of the Site with shade structures at the upper level; and • provides car parking greater than 66% in accordance with the standards and rates provided for in DCP Part 17.
<i>DCP Part 11.7.12: Streetscape - Albury</i>	
<i>Objectives</i>	The Proposal facilitates a consistent streetscape in terms of building bulk, height, setbacks, signage and building design.
<i>Controls</i>	The Proposal: • does not include extensive blank walls to street frontages; • provides a weather protection entranceway fronting Smollett Street; • provides an active street frontage to the primary street frontage (Smollett Street); and • provides for building height, bulk and setbacks consistent with adjoining multi-level developments.
<i>DCP Part 11.7.13: Urban Design and Pedestrian Circulation – Albury</i>	

<i>Objectives</i>	The Proposal: • contributes to a high visual quality public domain that provides excellent amenity and encourages extended patronage; and • incorporates active edges and a building entry to minimise the impact of service access on pedestrians.
<i>Controls</i>	The Proposal avoids breaks in the continuity of active office fronts.
<i>DCP Part 11.7.14: Outdoor Advertising – Albury</i>	
<i>Objectives</i>	Not relevant to the Proposal – Any signage which requires the prior consent of Council will be the subject of a separate development application.
<i>Controls</i>	
<i>DCP Part 11.7.15: Key Sites - Albury</i>	
<i>Objectives</i>	Not relevant to the Site or the Proposal.
<i>Controls</i>	
<i>DCP Part 11.7.16: Opportunity Sites - Albury</i>	
<i>Objectives</i>	Not relevant to the Site or the Proposal.
<i>Controls</i>	
<i>DCP Part 11.7.17: Masterplan Requirement - Albury</i>	
<i>Objectives</i>	Not relevant to the Site or the Proposal.

<i>Controls</i>	
<i>DCP Part 11.7.18: Future Character Areas - Albury</i>	The Proposal complies with DCP Figure 11.13 ("CBD Mixed Use Character Area").
<i>DCP Part 11.7.19: Heritage – Albury</i>	
<i>Objectives</i>	Refer to comments above in response to LEP clause 5.10(4).
<i>Controls</i>	
<i>DCP Part 11.7.20: Awnings, Verandas and Balconies – Albury</i>	
<i>Objectives</i>	The Proposal provides for pedestrian amenity through the provision of a weather protection awning and entranceway along the Smollett Street frontage of the Site.
<i>DCP Part 17: Off Street Car Parking</i>	
<i>DCP Part 17.2: Parking Provision by Land Use</i>	
<i>Objectives</i>	
1. <i>To ensure that the provision of parking is appropriate for the proposed use or development of the land.</i>	Under the DCP a combination of the car parking rates shown in Table 9 and Table 10 apply to the Proposal. Table 9 and Table 10 demonstrate that the Proposal requires a total of 135 car parking spaces (110 commercial + 25 residential), which extrapolates to:

	• 135 car parking spaces, including 3 commercial spaces for persons with disabilities and 4 residential visitor spaces; • 4 motorcycle parking spaces; • 11 bicycle rack spaces; and • unloading/drop off bay. Table 9 also shows that 118 offsite car parking obligations are also required to be provided (for 97 existing and 21 proposed obligations) and therefore total required car parking is 253 spaces (135+118). Therefore, as the Proposal provides a total of 475 car parking spaces and only requires 253, a surplus of 222 car parking spaces is provided.
<i>2. To protect amenity, enhance streetscapes and provide shade.</i>	Complies – Refer to the attached DA plan set.
<i>3. To maintain traffic flow efficiency, improve safety and protect the environment.</i>	Complies – Refer to the attached DA plan set.
<i>4. To ensure convenient and safe provision of off street car parking for disadvantaged persons.</i>	Complies – Refer to the attached DA plan set.
<i>5. To allocate adequate bicycle and motorcycle standing areas.</i>	Complies – Refer to the attached DA plan set.
<i>6. To ensure convenient and safe space is provided for loading and unloading of goods.</i>	Complies – The largest vehicle required for loading/unloading would be a utility vehicle which would use provided onsite car parking.
<i>7. To provide convenient and safe access to car parking areas, minimising disruption to traffic and maximising pedestrian safety.</i>	Complies – Refer to the attached DA plan set.

8. To permit the payment of monetary contributions in certain areas for any short fall in off-street car parking.	Not relevant to the Proposal.
Controls	
i. Car parking spaces are to be provided in accordance with the standards set out in Table 17.1. For land uses not specifically listed, the car parking must be provided as per the most similar use of equivalent intensity, or otherwise in accordance with the requirements of the Council and/or RTA (whichever is the greater).	Complies – Refer to Table 9 and Table 10 below.
ii. Where a combination of uses is intended, the total parking requirements shall be the sum of the requirements for the various uses. This may be reduced at the Council's discretion in cases where the proponent can demonstrate that the lesser amount will satisfy the expected demand.	Complies – Refer to Table 9 and Table 10 below.
DCP Part 17.3: Car Parking Controls	
DCP Part 17.3.1: Car Parking Design	Complies – Refer to the attached DA plan set.
DCP Part 17.3.2: Disabled Persons Parking	Complies – Refer to the attached DA plan set.
DCP Part 17.3.3: Bicycle Racks and Motorcycle Parking Spaces	Complies – Refer to the attached DA plan set.
DCP Part 17.3.4: Off Street Loading Facilities	Complies – The largest vehicle required for loading/unloading would be a utility vehicle which would use provided onsite car parking.
DCP Part 17.3.5: Pedestrian Movements	Complies – Refer to the attached DA plan set.

Table 9: Summary of car parking requirements – commercial component

Land use ⁸	DCP car parking guideline rate	DCP car parking for persons with disabilities guideline rate	DCP motorcycle guideline rate	DCP bicycle guideline rate	GFA	DCP guideline rate requirements	Offsite car parking obligations provided ⁹	Provided on the Site	Variance	Summary
Business premises, Office premises, Food and drink premises (with the capacity of less than 50 seats) Shop	- Business premises: 1 per 40 m² GFA - Office premises: 1 per 40 m² GFA - Food and drink premises: 1 per 40m² GFA (for development in the B3 Commercial Core and B4 Mixed Use zones) - Shops < 3,000 m² GFA: 1 per 40 m² GFA	3 %	1 space per 30 car parking spaces	1 space per 10 car parking spaces	4,414 m ² total	110.3 or 110 cars, inc. 3.3 or 3 for persons with disabilities	118 cars	446 cars inc. 21 for persons with disabilities	+218 cars (446-(110+118)) inc. +17 for persons with disabilities	Complies
						3.7 or 4 motorcycles (110.3/30)	-	motorcycles provided in car parking spaces	+ motorcycles provided in car parking spaces	
						11.0 or 11 bicycles (110.3/10)	-	25 bicycles	+14 bicycles	

⁸ "Business premises", "office premises", "shop" and "food and drink premises" land uses are provided as a means of demonstrating that regardless of what land use might ultimately take place in the future given the "exempt development" land use change provisions under Subdivision 10A, Division 1, Part 2 of *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008* or "complying development" provisions under Subdivisions 2-3, Division 1, Part 5 under the same Instrument that car parking requirements of 1 space per 40 square metres GFA is all that applies.

⁹ In the Title documentation in **Appendix A** it is noted that adjoining land described as follows currently benefits from the use of certain car parking spaces within the existing ground-level carpark at 584 Smollett Street (Lot 203 DP1243276):

- adjoining land at 475 Townsend Street (Lot 204 DP1243276) benefits from the use of **26** car parking spaces,
- adjoining land at 590 Smollett Street (Lot 202 DP1243276) benefits from the use of **63** car parking spaces, and
- adjoining land at 473 Townsend Street (Lot 21 DP1053711) benefits from the use of **8** car parking spaces.

These car parking space obligations total **97** (26+63+8) and an additional 21 car parking spaces will also be reserved for the adjoining Gardens Medical Centre, 470 Wodonga Place (Lot 60 DP1115982) which is made up of 20 car parking spaces arising from Bank Guarantee No. DG397832070 dated 11 February 2015 for \$300,000 relating to 20 car parking spaces arising from Condition E8 of Development Consent No. 10.2007.27803.2 (refer to **Section 2.3.5**) and the loss of 1 car parking space to make way for the pedestrian and disabled access link from the Carpark Building proposal to the Gardens Medical Centre (refer to **Section 3.1.3** and to Photograph No. 33 in **Appendix B**) – therefore the total reserved car parking space obligations total **118** (97+20+1).

Table 10: Summary of car parking requirements – residential component

Land use	DCP guideline rates			DCP guideline rate requirements	Provided on the Site	Variance	Summary
<i>Residential flat building</i>	1 bedroom	1 space	More than 8 dwellings - 3 designated visitor spaces plus 1 visitor space for every 3 or part thereof additional dwellings	12 (12x1)	47 cars inc. 9 visitor spaces (12+26+9)	Nil	Complies Therefore, the minimum car parking requirement for residents and visitors is – • 47 spaces under the DCP, and • 25 spaces under the ADG.
	3 bedrooms	2 spaces		26 (13x2)			
Land use	ADG guideline rates ¹¹			ADG guideline rate requirements	Provided on the Site	Variance	
<i>Residential flat building</i>	1 bedroom	0.4 space	1 space per 7 units (visitor parking)	4.8 (12x0.4)	24.4 or 25 cars inc. 4 visitor spaces (4.8+15.6+4)	Nil	Therefore as 25 is less than 47, a minimum of 25 car parking spaces are required ¹⁰ and are provided (with a significant surplus).
	3 bedrooms	1.2 spaces		15.6 (13x1.2)			

¹⁰ The ADG prevails over the DCP in this regard.

¹¹ "On land zoned, and sites within 400 metres of land zoned, B3 Commercial Core, B4 Mixed Use or equivalent in a nominated regional centre 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" (c.f. ADG Objective 3J-1, p. 71).

4.4 Crime prevention through environmental design

Crime prevention through environmental design (CPTED) is a multi-disciplinary approach to deter criminal behaviour through environmental design. CPTED strategies rely upon the ability to influence offender decisions that precede criminal acts. CPTED principles include:¹²

- surveillance;
- access control;
- territorial reinforcement; and
- space management.

The application of these principles to the Proposal relates to the following design outcomes:

- good visual surveillance of building perimeters, pedestrian accessways and thoroughfares, and carpark areas and accessways;
- 'non-concealment' building and landscaping design; and
- security lighting and cameras.

Building and carpark design and pedestrian thoroughfares

The Proposal has been designed to provide acceptable CPTED outcomes. Relevant design features include: security lighting in accordance with *AS/NZS 1680.2.1:2008-Interior and workplace lighting-Specific applications-Circulation spaces* (AS/NZS 1680.2.1) and *AS/NZS 1158.3.1:2005-Lighting for roads and public spaces - Pedestrian area (Category P) lighting-Performance and design requirements* (AS/NZS 1158.3.1); good visual surveillance; and, non-concealment building internal perimeter and accessway design.

Landscaping

Landscaping has also been designed to provide acceptable CPTED outcomes, principally in relation to non-concealment opportunities.

Graffiti-prone areas

Security cameras will be installed. Carpark and pedestrian level construction materials and finishes have been selected for their durability and longevity. Generally, such materials have a low porosity and in graffiti-prone areas will be protected with a non-sacrificial protective coating that on application of graffiti can be easily removed with high pressure water (a new sacrificial protective coating would then need to be re-applied).

¹² *Crime prevention and the assessment of development applications: Guidelines under section 79C of the Environmental Planning and Assessment Act 1979* (DUAP, 2001).

4.5 Developer contributions

Water and sewer developer contribution financial credits apply to the Site under section 64 of the *Local Government Act 1993* (LG Act) as follows:

- The Site was formally occupied by a “medical centre” which was demolished via Development Consent No. 10.2015.34215.1 dated 2 December 2015. A floor plan of this building is available on Council’s property file relating to the currently known address of 580 Smollett Street (Lot 201 DP1243276) including trade waste discharge to sewer details.
- The Site comprises two (2) lots which will be consolidated into one (1) lot as a part of the Proposal.

4.6 Suitability of the Site for the Proposal

The Site is suitable for the Proposal as Site attributes are conducive for development and the Proposal would fit into the area in accordance with the *Albury CBD Masterplan* (Allen Jack & Cottier *et al*, 2009), specifically –

- There are no constraints posed by adjacent developments which are unresolvable, including privacy of residential property, overshadowing or building fire separation setbacks.
- There are adequate transport facilities in the area.
- Utilities and services are available to the Site and are adequate for the Proposal.
- There are no hazardous land uses or activities nearby which would prevent or limit the Proposal.
- The Site is not subject to natural hazards or land contamination, including subsidence, slip, mass movement, or bushfire constraints.
- Soil characteristics on the Site are appropriate for development.
- The Site is not subject to biodiversity constraints.

The Site is also suitable for the Proposal due to the Site being located in an established B3 zone area with maximum 35 metre building height and maximum 3:1 floor space ratio development opportunities. The Site also has adequate setbacks to sensitive land uses.

Visual impacts from proposed building bulk and scale, vegetation removal, and new landscaping to adjoining public domain along Smollett Street, Townsend Street and Golden Way are also acceptable in the circumstances assessed.

4.7 Public interest

The Proposal is considered to be in the public interest as the Proposal will not compromise the effective and ongoing operation and function of the commercial Albury CBD or adjoining mixed-use commercial and residential areas or detrimentally impact traffic safety or road congestion. Surplus onsite car parking is provided and all existing onsite car parking obligations are carried forward in the Proposal.

The Proposal also complies with ecological sustainable (ESD) principles relating to residential apartment design and living.

The Proposal will generate up to 250 temporary employment opportunities during the estimated 12-month construction period, with building construction works estimated at approximately \$39.2M.

The Proposal will also generate 25 new inner-city residential apartment living opportunities and 4,414 square metres of commercial floor area in the Albury CBD within one block of Dean Street.

All impacts to the natural and physical environment can be avoided and where they cannot be avoided (i.e. vegetation removal) they can be mitigated through replacement landscaping without significantly impacting assessable public domain streetscape, visual amenity and heritage conservation in the context of the location and juxtaposition of the Site.

5.0 STATEMENT OF ENVIRONMENTAL EFFECTS

Table 11 provides a summary of the environmental effects of the Proposal.

Table 11: Statement of Environmental Effects

What are the considered environmental impacts of the development?	How have the environmental impacts of the development been identified?	What are the steps to be taken to protect the environment or to lessen the expected harm to the environment?	Are there any matters required to be indicated by any guidelines issued by the Planning Secretary for the purposes of Part 1(2)(4) of Schedule 1 of the <i>Environmental Planning and Assessment Regulation 2000</i> ?
<i>Construction works (i.e. potential for the generation of dust, noise, vibration, traffic, water quality and sedimentation, litter etc).</i>	Site analysis; review of design documentation	- Temporary amenity impacts¹³ but only on and during acceptable days and hours in accordance with <i>AS 2436:1981–Guide to noise control on construction, maintenance and demolition sites</i>. - Construction works carried out in accordance with: ➤ <i>Managing Urban Stormwater, Soils & Construction, Volume 1</i> (Landcom, 2004) and <i>Managing Urban Stormwater, Soils & Construction, Volume 2</i> (DECC, 2008); and ➤ <i>AS 2436:1981–Guide to noise control on construction, maintenance and demolition sites</i>. - Connection of reticulated water, sewer, and stormwater services by a licenced plumber in accordance with a permit under section 68 of the <i>Local Government Act 1993</i>. - Construction waste management in accordance with the <i>Environmental Guidelines: Assessment, Classification and Management of Liquid and Non-liquid Wastes</i> (EPA, 1999).	No
<i>Social and economic disruption to surrounding landowners/ leaseholders during relevant stages of construction works</i>	Site analysis; review of design documentation	- TMP to be implemented for all stages of construction. - Hoardings along road frontages designed to provide a secure work environment and to facilitate safe pedestrian movement.	No
<i>Traffic safety of carpark generally, carpark ingress/egress locations, and traffic generation on surrounding road network (i.e. potential impacts to road efficiency and effectiveness, traffic safety, and pedestrian and cyclist safety)</i>	Site analysis; stakeholder consultation with Council	- Overall development layout and design, including carpark and delivery vehicle ingress/egress locations and external road works and traffic facilities designed in accordance with: ➤ <i>AS/NZS 2890.1:2004–Parking facilities—Off-street car parking</i>; ➤ <i>AS 2890.2:2002–Parking facilities—Off-street commercial vehicle facilities</i>; ➤ <i>AS 2890.3:2015–Parking facilities—Bicycle parking</i>; ➤ <i>AS/NZS 2890.6:2009–Parking facilities—Off-street parking for people with disabilities</i>; and ➤ <i>Guide to Road Design</i> (Austroads, 2009).	No
<i>Visual (i.e. potential for visual impacts arising from building works)</i>	Site analysis; review of design documentation	The Proposal will positively contribute to the streetscape of Smollett Street and Townsend Street through appropriate siting and design of building works, carpark works, landscaping, and signage.	No
<i>Waste management (i.e. potential for visual amenity, wind-blown rubbish, or vermin impacts if waste storage is not stored appropriately)</i>	Site analysis; review of design documentation	- Refuse and recycling bins stored at ground floor level within the Mixed-use Building Proposal (garbage room and bin store room) out of sight of any public domain. - Waste stored in dedicated refuse and recycling bins and collected via Smollett Street kerbside by licenced contractors for licenced disposal or recycling.	No

¹³ Which would not be out of character for the Albury CBD area.

What are the considered environmental impacts of the development?	How have the environmental impacts of the development been identified?	What are the steps to be taken to protect the environment or to lessen the expected harm to the environment?	Are there any matters required to be indicated by any guidelines issued by the Planning Secretary for the purposes of Part 1(2)(4) of Schedule 1 of the <i>Environmental Planning and Assessment Regulation 2000</i> ?
		Waste management in accordance with the <i>Environmental Guidelines: Assessment, Classification and Management of Liquid and Non-liquid Wastes</i> (EPA, 1999).	
<i>Traffic noise (i.e. potential impacts to sensitive receivers)</i>	Site analysis; review of design documentation	Given the number of residential apartments and the proposed commercial hours of operation for staff, customer and delivery vehicles to access the Site, the locations of accessways for vehicles, the locations of the carparks, and the locations of sensitive receivers, it is not reasonably expected that any significant noise impacts to sensitive receivers would arise.	No

6.0 CONCLUSIONS

This report concludes that the environmental impacts generated by the Proposal, whether considered individually or cumulatively in the context of the Site and the broader area, are not significant and therefore the Proposal warrants the support of the RMS and Council and the issue of development consent. In particular, the following determinative issues have been resolved as follows:

Heritage conservation and streetscape

It is considered that the scale, proportion, and form of the Proposal is compatible with the adjoining 'Kia-Ora' building heritage item at 473 Townsend Street due to the location of the proposed Mixed-use Building affording adequate new-from-old separation and built form and fabric disassociation consistent with the Burra Charter¹⁴.

The scale, proportion, and form of the Proposal is also compatible with the streetscapes of Smollett Street, Townsend Street and Golden Way and the commercial and mixed-use zone settings of the area because:

- their buildings heights proportionally relate to the large building and land areas that they are associated with;
- the locations of the buildings, the land to which they relate, and the area surrounding the buildings is generally flat, being unelevated land that is unable to be seen from afar or outside the local area surrounding the Site; and
- the Site and road corner are not located in or a part of any known important or recognised viewscape, view corridor, or landscape backdrop.

Traffic safety and car parking

- The Proposal does not propose access from a "classified road" as defined under the *Roads Act 1993*; instead access is via local roads.
- All vehicles are able to enter and exit the Site in a forward direction.
- Surplus car parking of 222 spaces is provided onsite (a total of 475 spaces less 253¹⁵ required and obligation spaces). Motorcycle parking is also provided as well as bicycle rack spaces.
- The Site will link to the existing pedestrian footpath network with safe zone access.
- Landscaping does not impact on traffic safety.
- The Proposal will not compromise the effective and ongoing operation and function of Smollett Street or Townsend Street or detrimentally impact traffic safety or road congestion.

Approval of the Proposal is therefore considered justified and warranted.

¹⁴ *Australia ICOMOS Charter for Places of Cultural Significance, The Burra Charter* (2013).

¹⁵ Commercial = 110, carryover commercial obligations = 118, residential = 25. Therefore 110+118+25=253.



Photograph 1:

The proposed Mixed-use Building part of the Site (looking northwest from the corner of Smollett Street and Townsend Street adjacent the Site).



Photograph 2:

The Smollett Street frontage of the Site and adjoining development (looking west-northwest from the corner of Smollett Street and Townsend Street adjacent the Site).



Photograph 3:

The Townsend Street frontage of the Site and adjoining development (looking north from the corner of Smollett Street and Townsend Street adjacent the Site).

Development Application:

Eight-storey commercial and residential building and five-storey carpark building –
580-584 Smollett Street and 470 Wodonga Place, Albury
(Lots 201 and 203 DP1243276 and Lot 60 DP1115982)



Photograph 4:

The Townsend Street frontage of the Site (looking north from the corner of Smollett Street and Townsend Street adjacent the Site).



Photograph 5:

The Smollett Street frontage of the Site (looking west from the corner of Smollett Street and Townsend Street adjacent the Site).



Photograph 6:

The existing one-way ENTRY and proposed one-way ENTRY vehicle crossover and accessway to the Site from Smollett Street (looking north from Smollett Street adjacent the Site).

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Photograph 7:

The Smollett Street frontage of the Site (looking east from the southwestern lot boundary corner of the Site).



Photograph 8:

The proposed Mixed-use Building part of the Site (looking northeast from the southwestern lot boundary corner of the Site).



Photograph 9:

Part of the western lot boundary of the Site (looking north from the southwestern lot boundary corner of the Site).

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Photograph 10:

The northern lot boundary of the Site with 'Kia-Ora' (looking west from Townsend Street adjacent the Site).



Photograph 11:

The proposed Mixed-use Building part of the Site (looking southwest from Townsend Street opposite 'Kia-Ora' adjacent the Site).



Photograph 12:

The Townsend Street frontage of the Site (looking south from Townsend Street opposite 'Kia-Ora' adjacent the Site).

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Photograph 13:

The existing one-way EXIT and proposed one-way EXIT vehicle crossover from the Site to Townsend Street (looking west from Townsend Street adjacent the Site).



Photograph 14:

The Townsend Street frontage of the Site (looking south from the existing and proposed one-way EXIT vehicle crossover from the Site to Townsend Street)



Photograph 15:

Adjoining land and commercial use to the north of the Site which is provided with bollard protected pedestrian access from Townsend Street (looking northeast from within the Site).

Development Application:

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Photograph 16:

The existing one-way ENTRY and proposed one-way ENTRY vehicle accessway to the Site from Smollett Street (looking east along part of the southern lot boundary of the Site from within the Site).



Photograph 17:

The proposed Mixed-use Building part of the Site (looking southeast from within the Site).



Photograph 18:

The northern lot boundary of the Site with 'Kia-Ora' (looking east from within the Site).

Development Application:

Eight-storey commercial and residential building and five-storey carpark building –
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Photograph 19:

The existing rear shed storage area part of 'Kia-Ora' which faces internal parts of the Site (looking northeast from within the Site).



Photograph 20:

The proposed Carpark Building part of the Site (the existing storage building in the distance is already approved for demolition) (looking north from within the Site).



Photograph 21:

The proposed Carpark Building part of the Site (looking northwest from within the Site).



Photograph 22:

The proposed Carpark Building part of the Site (looking west along part of the southern lot boundary of the Site from within the Site).



Photograph 23:

The proposed Carpark Building part of the Site (looking east along part of the southern lot boundary of the Site from the Gardens Medical Centre).



Photograph 24:

The proposed Carpark Building part of the Site (looking northeast from the Gardens Medical Centre).

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Photograph 25:

The proposed Carpark Building part of the Site (looking north-northeast along part of the western lot boundary of the Site from the Gardens Medical Centre).



Photograph 26:

The western lot boundary of the Site with adjoining residential land uses (looking south from the north-western lot boundary corner of the Site).



Photograph 27:

The proposed Carpark Building part of the Site (looking southeast from the north-western lot boundary corner of the Site).

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Photograph 28:

The northern lot boundary of the Site with adjoining commercial land uses (looking east from the north-western lot boundary corner of the Site).



Photograph 29:

Existing residential land uses adjoining the Site to the west with existing privacy fence treatments (looking west from within the Site).



Photograph 30:

The existing Essential Energy electrical substation which is proposed to be incorporated into the proposed Carpark Building (looking northeast from within the Site).

Development Application:

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Photograph 31:

A perspective photo of 'Kia-Ora' in the distance with its storage sheds to the rear and adjoining commercial development to its north (looking east-southeast from within the Site).



Photograph 32:

A perspective photo of 'Kia-Ora' with its storage sheds to the rear (looking northeast from within the Site).



Photograph 33:

The location of the proposed pedestrian and disabled accessway from the proposed Carpark Building to the Gardens Medical Centre and vice versa. The landscaping planter box and the car parking space occupied by the red vehicle would be demolished/removed to make way for the accessway. The car parking space to the right of the picture would remain (looking east from within the Gardens Medical Centre).

Development Application:

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580-584 Smollett Street and 470 Wodonga Place, Albury
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Photograph 34:

The north-western lot boundary corner of the Site and the location of the proposed fire escape pedestrian egress gate to Golden Way which is located to the left of the existing palm tree which does not require removal (looking southeast from Golden Way adjacent the north-western lot boundary corner of the Site).



Photograph 35:

The western lot boundary of the Site with adjoining residential land (looking south from Golden Way adjacent the north-western lot boundary corner of the Site).



Photograph 36:

The northern lot boundary of the Site with Golden Way and commercial land (looking east from Golden Way adjacent the north-western lot boundary corner of the Site).



Photograph 37:

The proposed Carpark Building in the distance (looking southeast from Formosa Lane adjacent the Site to the north).



Photograph 38:

The proposed Carpark Building in the distance (looking south from Formosa Lane adjacent the Site to the north).

APPENDIX C:

SEPP65 design quality principles and the Apartment Design Guide – Architect’s statement

DESIGN VERIFICATION STATEMENT

LOT 201 580 SMOLLETT ST ALBURY NSW

TO ACCOMPANY DA SUBMISSION 18 DEC 2019

ON BEHALF OF 590 SMOLLETT ST PTY LTD &
GARDEN PROPERTY DEVELOPMENTS PTY LTD

PREPARED BY LEFFLER SIMES ARCHITECTS
GEORGES RICH SENIOR ARCHITECT
REG (SA) 900



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DESIGN VERIFICATION STATEMENT
Lot 201 580 Smollett St Albury NSW

Leffler Simes Pty Ltd
Project No 4524

December 2019

1

DESIGN QUALITY PRINCIPLES

In all design principle matters the objectives of The Apartment Design Guide have been incorporated within the body of the application document. As such these responses are intended as a summary.

PRINCIPLE NO.1: CONTEXT AND NEIGHBOURHOOD CHARACTER

Good design responds and contributes to its context. Context is the key natural and built features of an area, their relationship and the character they create when combined. It also includes social, economic, health and environmental conditions.

Responding to context involves identifying the desirable elements of an area's existing or future character. Well designed buildings respond to and enhance the qualities and identity of the area including the adjacent sites, streetscape and neighbourhood.

Consideration of local context is important for all sites, including sites in established areas, those undergoing change or identified for change.

Located on a major street corner of Albury, the mixed use proposal will have a strong impact by virtue of its height and substantial mass. The commercial use on the corner is in keeping with current street character, while the residential component adds a new and desirable community use to the locality; this will enhance the neighbourhood character in providing a diverse use that enlivens the area during the day and night.

Visually, it will balance and bookend the existing Gardens Medical Centre to the west giving due respect to that landmark structure whilst also being sympathetic to the listed heritage item No I174 at 473 Townsend St to the northeast through setback.

PRINCIPLE NO.2: BUILT FORM AND SCALE

Good design achieves a scale, bulk and height appropriate to the existing or desired future

character of the street and surrounding buildings.

Good design also achieves an appropriate built form for a site and the building's purpose in terms of building alignments, proportions, building type, articulation and the manipulation of building elements.

Appropriate built form defines the public domain, contributes to the character of streetscapes and parks, including their views and vistas, and provides internal amenity and outlook.

By the very nature of its uses, the proposal takes on a dual character.

The commercial and residential uses have been combined with a view to complement each other, despite their divergent uses. The commercial portion takes precedence by making a robust corner statement; an arc of glass and concrete spans across the corner of Smollett and Townsend Streets providing an individualistic architectural character that will be highly recognizable.



The transformation into the residential portion on the South façade is gradual, not brutal. The arc is discontinued by a strong and colourful vertical element, reminiscent of masonry. As the building turns to the west, a different character is evolved that reflects its alternative use.

We have attempted to make this transition a positive and desirable event in the Albury "Downtown" context. The height of the building is within the maximum height limit imposed and

therefore abides by the desired character of the area.

PRINCIPLE NO.3: DENSITY

Good design achieves a high level of amenity for residents and each apartment, resulting in a density appropriate to the site and its context.

Appropriate densities are consistent with the area's existing or projected population. Appropriate densities can be sustained by existing or proposed infrastructure, public transport, access to jobs, community facilities and the environment.

The residential component consists of apartments on levels 1-7. Ground floor level includes an entry lobby, car parking, services and a commercial tenant facing Smollett St, possibly a café.

The entrance to the apartments is clearly defined by being located off the laneway, unambiguously separated from the commercial entry. While recessed, entry is still visible from Smollett St by being slightly forward of the main ground floor wall. A car drop-off zone is provided there, along with generous planters to isolate it from passing traffic accessing the carpark.

The apartments themselves are proposed as a dual occupancy use and are quite generous in size with a total area of around 240m² each.

There are 25 apartments proposed consisting of 1 off 1 bedroom apartment, 11 off dual-occupancy apartments and 2 off penthouses on level 7.

The apartments face west primarily, north and south. They will benefit from good views to the west and glimpses of the east panorama will also be provided by the protruding balconies.

PRINCIPLE NO.4: SUSTAINABILITY

Good design combines positive environmental, social and economic outcomes.

Good sustainable design includes use of natural cross ventilation and sunlight for the amenity and liveability of residents and passive thermal design for ventilation, heating and cooling reducing reliance on technology and operation costs. Other elements include recycling and reuse of materials and waste, use of sustainable materials and deep soil zones for groundwater recharge and vegetation.

The proposal aims to set desirable benchmarks in sustainability, both in construction and in the continuing life of the building. A combination of passive design and active sustainable systems are proposed to minimise the environmental impact of the building while maximising the amenity of the occupants.

These Include meeting the requirements of Basix, a generous PV cells roof landscape zone & planting of appropriate water hardy species.

Features of the ESD inclusions are a/- laundry facilities in each apartment and generous balconies for drying of clothes. b/- passive solar design enhancing natural heating and cooling, c/- solar collection devises contribute to energy input from natural sources d/- generous window sizes to promote natural light usage, rather than electrical.



PRINCIPLE NO.5: LANDSCAPE

Good design recognises that together landscape and buildings operate as an integrated and sustainable system, resulting in attractive developments with good amenity. A positive image and contextual fit of well designed developments is achieved by contributing to the landscape character of the streetscape and neighbourhood.

Good landscape design enhance the development's environmental performance by retaining positive natural features which contribute to the local context, co-ordinating water ad soil management, solar access, micro-climate, tree canopy, habitat values and preserving green networks.

Good landscape design optimised useability, privacy and opportunities for social interaction, equitable access, respect for neighbours" amenity and provides for practical establishment and long term management.

The landscape design is appropriate for the urban context of this development. A generous roof top zone is earmarked for residents. It consists of a large open lawn area and a more intimate BBQ zone, facing north with a pergola and some lawn.



PRINCIPLE NO.6: AMENITY

Good design positively influences internal and external amenity for residents and neighbours. Achieving good amenity contributes to positive living environments and resident well being.

Good amenity combines appropriate room dimensions and shapes, access to sunlight, natural ventilation, outlook, visual and acoustic privacy, storage, indoor and outdoor space, efficient layouts and service areas and ease of access for all age groups and degrees of mobility.

The proposal has utilised the guidelines as set out in the Apartment Design Guide. Drawing 580DA04 of the DA documents sets out the main requirements of this code and how they have been met . A summary of the most important criteria is noted:

1. Size. The various minimum requirements for apartment sizes, storage volume, balcony sizes and depths have been exceeded for all apartments
2. Car parking facilities are provided in 2 locations; one on the site (20 cars) and the remainder on level 1 of the new proposed car parking station on Lot 203. Note that an enclosed bridge has been included to level 1, thereby providing convenient undercover secure access for residents
3. Daylight is a primary and essential element for the wellbeing and delight of the residents. A minimum of 3 hours of sunlight (to 70% of apartments) is required in any living room on the shortest day of the year (June 22). The project delivers this feature to 100% of apartments.
4. Natural ventilation is another important aspect of good design; the guide requires a minimum of 60% of apartments to be thus equipped. The proposal achieves this minimum; refer to Project Statistics drawing

580DA04.

5. Conclusion: the project is a high quality and generous proposal that will provide an enviable level of comfort and amenity to its residents

PRINCIPLE NO.7: SAFETY

Good design optimises safety and security within the development and the public domain. It provides for quality public and private spaces that are clearly defined and fit for the intended purpose. Opportunities to maximise passive surveillance of public and communal areas promote safety.

A positive relationship between public and private spaces is achieved through clearly defined secure access points and well lit and visible areas that are easily maintained and appropriate to the location and purpose.

The proposal achieves a high level of personal security; a feeling of safety for residents in an essential prerequisite, consistent with Safety-By-Design principles. From car park to apartment, residents are sequestered within a monitored and enclosed environment both physical and electronic and have good visual surveillance from street to apartment door. As this project is a "high-end" type of development, security is a high priority. Details to be supplied at CC Stage.



PRINCIPLE NO.8: HOUSING DIVERSITY AND SOCIAL INTERACTION

Good design achieves a mix of apartment sizes, providing housing choice for different demographics, living needs and household budgets.

Well designed apartment developments respond to social context by providing housing and facilities to suit the existing and future social mix.

Good design involves practical and flexible features, including different types of communal spaces for a broad range of people and providing opportunities for social interaction among residents.

In apartment design a fair and reasonable mix of community and privacy must be achieved. A feeling of private security must be present while allowing for good community relations. The mix of 3 and 1 bedroom apartments will generate a good diversity of residents at various ends of the "spectrum".

PRINCIPLE NO.9: AESTHETICS

Good design achieves a built form that has good proportions and a balanced composition of elements, reflecting the internal layout and structure. Good design uses a variety of materials, colours and textures.

The visual appearance of a well designed apartment development responds to the existing or future local context, particularly desirable elements and repetitions of the streetscape.

Located on a fully exposed site, viewed from 4 directions and from distance, the development can be said to be "landmark". It has been carefully considered for viewing from all directions and it attempts to achieve a well-proportioned, diverse and balanced spatial construct.

The proportional sub division of the vertical elements has been carefully considered to provide a delightful

object utilising the Golden Mean Proportion wherever possible.

In general, a classical approach to architecture has been taken, providing a base, a main body and a roof; this classical construct is interpreted to fit within a modern paradigm.

A high degree of contrast contributes to a level of tension engendered by the dual uses on the site. Strong vertical “orange” piers stitch together the primary “white” horizontal elements. These balance the apparent height of the building.

The floor to floor height necessary for the commercial portion, 3600mm has been continued in the residential building, resulting in pleasing high ceilings of 3 metres (minimum) for habitable rooms.

The upper floor consists of 2 generous penthouses (200m² each) with equally generous balconies of over 80m². A pitched roof plane completes that portion of the building stating that this is the residential part of the building. The proposed architectural statement is, in our opinion, an attractive building that will enhance the residents, proprietors and the City of Albury.





blueprint

PLANNING
& DEVELOPMENT

22 May 2020

Ref: 1188

General Manager
Albury City Council
553 Kiewa Street
ALBURY NSW 2640

By email only: Marius Shepherd <MShepherd@alburycity.nsw.gov.au>

Dear Marius

Re: **Development Application No. 10.2020.37386.1 – Eight-storey commercial and residential building and five-storey carpark building – 580-584 Smollett Street, Albury**

Further to receipt of the request for further information from Council dated 14 May 2020 comments in response are provided at **Attachment 1, Attachment 2** and refer to the **attached** amended plans. Opportunity has also been taken to amend the Planning Report and Statement of Environmental Effects (Version 2, 22 May 2020) in regard to amended car parking space provision commentary.

It is noted that much of the information requested relates to detailed car parking design and construction, and the request for such information at the 'concept' development application stage of a project is generally held to be inconsistent with section 54(4) of the *Environmental Planning and Assessment Regulation 2000*, and so only the more determinative type matters have been addressed at this time as documented in the provided information. As an appropriate way forward, the following development consent condition is suggested in regard to detailed carpark design –

The development is to be designed and constructed in accordance with AS/NZS 2890.1:2004 Parking facilities - Off-street car parking. Prior to issue of a construction certificate for a building stage containing carpark facilities, a AS/NZS 2890.1:2004 Parking facilities - Off-street car parking design compliance report is to be provided to the principal certifying authority.

Should any further information be required I can be contacted on 02 6023 6844 or at james@blueprintplanning.com.au

Yours sincerely,
Blueprint Planning

James Laycock MP/IA, RPIA
PRINCIPAL PLANNER

/Encl.

Blueprint Planning, 3/576 Kiewa Street, ALBURY NSW 2640 T 02 6023 6844

ATTACHMENT 1:
Response to Council's further information request
dated 14 May 2020

Issue raised	Response
1. NSW Apartment Design Guide <i>Whilst the application as submitted addresses the Design Quality Principles as contained in State Environmental Planning Policy No 65 – Design Quality of Residential Apartment Development (SEPP 65) and echoed in the NSW Apartment Design Guide (the Design Guide), the report does not specifically address the objectives and design criteria of the Design Guide. Parts 3 and 4 of the Design Guide provide objectives, design criteria and design guidance for the siting, design and amenity of apartment development. Council considers it pertinent that the report demonstrates how the proposed development meets the objectives and design criteria.</i>	A design guide compliance summary with the <i>Apartment Design Guide</i> is provided in current Drawing No. 580DA04 and refer to the expanded information provided at Attachment 2. It is noted for context, even though the Proposal substantially complies with the <i>Apartment Design Guide</i>, consistent with <i>Planning Circular PS 17-001 - Using the Apartment Design Guide</i> (p. 1), that – <i>“The ADG is a guide containing design guidance to improve the planning and design of residential apartment development in NSW.”</i> <i>“...the ADG is not intended to be and should not be applied as a set of strict development standards.”</i>
2. Traffic and Parking	
Traffic Analysis <i>Council’s Traffic and Transport Team queries the rates used for residential buildings in the Traffic Impact Assessment (TIA). The NSW Guide to Traffic Generating Developments states under Section 3.3.2 Medium Density Residential Flat Building:</i> <i>Smaller units and flats (up to two bedrooms): Daily vehicle trips 4 - 5 per dwelling</i>	Notwithstanding that an explanation can be provided, if it is Council’s unequivocal position that no right-turn into the Site will be permitted from Smollett Street then providing such further information serves no meaningful purpose.

<i>Weekday peak hour = 0.4 - 0.5 trips per hour</i> <i>Larger units (three or more bedrooms):</i> <i>Daily vehicle trips: 5.0 - 6.5 per dwelling</i> <i>Weekday peak hour = 0.5 - 0.65 trips per hour</i> <i>This differs from the rates used in the TIA. Clarification must be provided for the reasoning behind the rates used.</i>	
<i>Further, the traffic analysis uses a 70/30 entry split – that is 30% of traffic will enter the site turning right from the east, and 70% will enter turning left from the west. Due to the proximity of the entry driveway to the Smollett/Townsend intersection, there is opportunity for conflict and queuing issues. As a result, right turns into the development from Smollett Street will not be permitted and must be restricted with the installation of appropriate infrastructure. The Smollett/Wodonga place roundabout to the west of the site, as well as the grid network of streets will ensure that left turn only from Smollett Street will provide more than adequate access for vehicles travelling from any direction. The TIA will need to be updated to reflect no right turn entry from Smollett Street.</i>	Again, if it is Council's position that no right-turn into the Site will be permitted from Smollett Street then providing an updated TIA in this regard serves no meaningful purpose.
<i>It is noted that appropriate signage and infrastructure need to be implemented at the egress onto Townsend Street. Any removal of on-street parking will need to be endorsed by the Local Traffic Committee.</i>	Noted.
<i>Provision of Parking</i>	
<i>The provision of 17 disabled spaces is adequate, however it is encouraged to include two spaces at the multi-use building rather than just one.</i>	The Proposal has been reviewed by an access consultant under the <i>National Construction Code</i> and the <i>Disability Discrimination Act 1992</i> and the Proponent is comfortable with the current location of disabled facilities.

The development should consider the provision of secure bicycle storage and end-of-trip facilities within the site. This development is significant and in close proximity to the heart of the Albury CBD. Alternative transport for residents and employees should be strongly encouraged and catered for. The provision of unsecured bicycle racks is inadequate for residents and employees. The presence of a boom gate will not prevent bicycle theft or vandalism and therefore the racks will not be used.

The assumptions that “*The provision of unsecured bicycle racks is inadequate for residents and employees*” and “*the racks will not be used*” are considered ill-informed because the development is a ‘private’ development (not public), bicycle rack provision complies with the DCP and the *Apartment Design Guide* and all building and access spaces will comply with ‘Safer-by-Design’ principles including visual surveillance, ability to secure bicycles, adequate lighting for both day and night-time periods and all accessible areas including bicycle racks will be monitored by overt CCT cameras with signage.

The Draft CBD Parking Strategy 2020 – 2025 identifies the need for significant improvements to end-of-trip facilities for cyclists in both the Albury and Lavington CBDs, and recommends that the DCP be reviewed to include additional requirements for new developments in the CBD. This strategy will be presented to Council shortly, with the aim to be placed on public exhibition and subsequently endorsed by mid 2020. It would be remiss to approve a development as significant as this without adequate consideration for cycling facilities.

The assumption that “*It would be remiss to approve a development...without adequate consideration for cycling facilities*” is considered ill-founded because adequate consideration for cycling facilities has been provided – namely bicycle rack provision complies with the DCP and the *Apartment Design Guide*.

Irrespective of this, in terms of planning law, it is noted that it is the planning legislation and policy which applies at the time a development application (DA) is lodged which is relevant to the consideration of that DA – not a draft policy which is yet to be placed on public exhibition or adopted (regardless of whatever perceived merit it may have).

Car Park Layout

Ground floor – mixed use building

- *The proximity of the boom gate to the location of the pedestrian walkway will result in vehicles propping over the walkway, which is a concern.*

The sliding gate (not a boom gate) will only be closed outside normal business hours including allowing for normal

	commercial employee arrival and departure times (in relation to the office premises part of the mixed-use part of the Proposal) i.e. only closed (automatically) prior to 7:00am and only after 6:00pm on weekdays (excluding public holidays). On this basis it is not considered that there would be unacceptable pedestrian conflict which would be inconsistent with available ameliorative awareness measures under AS2890 including signage.
<i>The “Parking drop off” area is unclear and the line marking is confusing. The depth of 2.03m is inadequate, even for parallel parking. Furthermore, pulling onto the right hand side of a one way access is undesirable. The purpose of this zone (Loading for deliveries, drop off/pick up of passengers) should be clarified.</i>	The area is intended to be used for passenger drop-offs and short-stay loading with appropriate signage to be erected. The attached amended plan provides for a widened 3.0 metre area. Given the private use of the development, familiarity with the facility is expected to result in safe use and operation.
<i>Dimensions should be provided for walkway with bollard lighting. It is also noted that centrally located bollards could present challenges for those with vision impairment.</i>	These issues will be resolved during detailed design for the construction certificate in accordance with the <i>National Construction Code</i> – options may be to move or remove the bollards and/or to install overhead or paver-level flush lighting instead.
<i>The exact location of the disabled bay is unclear, although this is assumed to be space 16. The disabled car park and its shared space must not be located either side of a column.</i>	Refer to the attached amended plans which comply with AS2890.6 (which result in a loss of one car parking space, which is inconsequential in the context of overall surplus car parking provided).
<i>Clarity must be provided on how the storage lockers for residents are accessed when vehicles are parked in front of it.</i>	For the mixed-use building – Vehicles parked in car parking spaces in front of storage lockers will be related to each other – that is the car parking space and the storage locker will belong to the same residential unit. Storage lockers can be accessed at any time, whether the car parking space is

	occupied or not, because the storage lockers incorporate sliding door design and the car parking spaces have wheel-stops. For the carpark building – Signs will be erected stating “No standing” in front of storage lockers.
Blind aisles of more than 6 car spaces must provide a turning facility at the end. This has not been provided.	Refer to the attached amended plans (which result in a loss of one car parking space, which is inconsequential in the context of overall surplus car parking provided).
Clarity must be provided on the anticipated users of the car park on the ground floor. Whether it is short term or long term parking, for residents, employees or consumers. The parking class to be confirmed. Parking width is determined on class of facility and 2.56m is not a standard width.	User class is “1”, “1A” and “4” under AS2890.1 which attracts a minimum car parking space width of 2.4 metres.
Pedestrian walkways must be provided within both ground floor car parks.	A review of AS2890.1 did not reveal that pedestrian walkways must be provided within both ground floor car parks. (Also a review of Council’s own public carpark facilities did not reveal the consistent application of this statement.) The design of the carpark building will comply with AS2890 and related standards and guidelines which will be resolved during detailed design for the construction certificate.
<i>Ground floor – car park building</i>	
The sight distances for the ramp down from L1 appears inadequate.	The design of the carpark building will comply with AS2890 and related standards and guidelines which will be resolved during detailed design for the construction certificate.
Overall circulation is poor and directional arrows is required in all aisles. One-way direction is required in aisles less than 5.2m wide.	
Dimensions should be provided on all aisles.	

Access from parking spaces adjacent to the lifts requires passengers to walk in and along the vehicle aisle, which is not supported.	It is noted that certain Council public carpark buildings owned and managed by Council have the exact same design. The design of the carpark building will comply with AS2890 and related standards and guidelines which will be resolved during detailed design for the construction certificate. In addition, this access issue has been reviewed by an access consultant under the <i>National Construction Code</i> and the <i>Disability Discrimination Act 1992</i> and the layout and design was found to be acceptable.
Council has concerns regarding parallel parks against a vertical wall. This creates access issues for the passenger sides of vehicles.	The design of the carpark building will comply with AS2890 and related standards and guidelines which will be resolved during detailed design for the construction certificate.
<i>Level 1 – car park building</i>	
There are concerns with the identified future vehicle connection from Gardens Medical Centre. Any reference to this link is to be removed from all plans and documentation.	The current plans (and the planning report) are very clear that this concept is not a part of the current DA.
Concerns with parallel parks as above. Additional width is required where this occurs	The design of the carpark building will comply with AS2890 and related standards and guidelines which will be resolved during detailed design for the construction certificate.
The storage lockers open onto the vehicle aisle with no protection for users, which is a concern.	Adequate lighting and sight-distance is available for all users of the area to mitigate any safety issues. It is considered reasonable that residents will only infrequently access their storage facilities and when doing so will be cognisant of and familiar with morning and afternoon peak traffic periods during

	normal business hours on weekdays (excluding public holidays). If necessary, following detailed design assessment under AS2890 for the construction certificate, appropriate signage can be erected.
<i>The sight distance and manoeuvring on the ramp up from Ground Level appears inadequate. Turn movements should be provided for all ramps on all levels.</i>	The design of the carpark building will comply with AS2890 and related standards and guidelines which will be resolved during detailed design for the construction certificate.
<i>Concerns regarding pedestrian access as above.</i>	
<i>Issues regarding pedestrian access to lifts as above.</i>	
<i>All aisle widths and directional arrows required as above.</i>	
<i>There are concerns regarding the aisle width at the choke point near ramp up to L2</i>	
<i>There is potential for significant conflict at the ramp down from L2 and the ramp down to GL. Vehicles on the ramps have right of way creating a difficult turn for vehicles attempting to enter to travel down to GL. Sight distances for both vehicles are poor. This should be rectified.</i>	
<i>Level 2 – car park building</i>	
<i>Pedestrian issues as above</i>	The design of the carpark building will comply with AS2890 and related standards and guidelines which will be resolved during detailed design for the construction certificate.
<i>Turn movement issues at ramps as above</i>	
<i>Sight distance at ramps as above</i>	
<i>Issues with parking adjacent to walls as above</i>	

• All aisle widths and directional arrows required as above	
• Issues regarding pedestrian access to lifts as above	
• There are concerns regarding access when travelling from the ramp down from L3 to the ramp down to L1 – vehicles are required to do a full loop of this level (Level 2).	
• There are concerns regarding the aisle width at the choke point near ramp up to L3	
Level 3 – car park building	
• Pedestrian access issues as above	The design of the carpark building will comply with AS2890 and related standards and guidelines which will be resolved during detailed design for the construction certificate.
• Disabled parking access issues as above	
• Parks adjacent to wall issues as above	
• All aisle widths and directional arrows required as above	
• Where is the ramp up to Level 4?	Refer to the attached amended plans which resolves this plan version typographical error.
Level 4 – car park building	
• Pedestrian access issues as above	The design of the carpark building will comply with AS2890 and related standards and guidelines which will be resolved during detailed design for the construction certificate.
• Disabled parking access issues as above	
• Parks adjacent to wall issues as above	

• All aisle widths and directional arrows required as above	
• Relevant concerns as above once ramp up from Level 3 is clarified.	
3. Waste Management	
<i>It is noted that you were previously informed of certain questions from Council's Waste Management Team to which you informally replied already. However, the following issue is raised again for a formal response: Internal and external bin storage locations are to be clearly identified on the plans. These areas should indicate their capacity as well as access and egress for users. Plans should show how and where the correct number of general waste, recycling and organics bins will be accommodated. It should be noted that no parking is permitted in front of the bins on bin days. If required, signs may need to be erected to advise people where not to park on bin day. It should further be noted that if the intent is to have the residents and the commercial occupants to have one contractor to pick up all the waste generated, (a commercial service) residents will not be eligible to receive vouchers to the Waste Management Centre. Only residents with a kerbside collection service paying a charge to be part of the domestic service will be eligible to receive vouchers.</i>	Internal and external bin storage locations are clearly identified on current plans (as previously advised) – • internal building areas comprise “bin store” and “garbage room/chute”, and • external building area comprises “garbage pickup”. The dimensions and therefore capacity of each area have been determined with reference to the <i>Apartment Design Guide</i>, consultation with a commercial waste contractor, and building management experience with similar mixed-use building projects. Commercial contractors will collect all waste (as previously advised). Any signs on public land which may be required will only be erected in consultation with Council.
<i>It is recommended that you supply additional information and potentially amended plans addressing the above issues. A response to this request would be appreciated within fourteen (14) days. Please note that in accordance with clause 109 of the Environmental Planning and Assessment Regulation 2000 the assessment period for this application is suspended from the date of this letter until the above information is provided, or Council is advised, in writing, that the information will not be provided.</i>	Please note that the assessment period under section 109 of the <i>Environmental Planning and Assessment Regulation 2000</i> is unable to be suspended because Council's request for further information occurred outside the relevant statutory period.

ATTACHMENT 2:

Description of how the proposed development achieves the relevant objectives and design criteria of the Apartment Design Guide

Objective /s and Design criteria	Design guidance	Response
<i>Objective 3A-1</i>	<i>Design guidance</i>	
<i>Site analysis illustrates that design decisions have been based on opportunities and constraints of the site conditions and their relationship to the surrounding context</i>	<i>Each element in the Site Analysis Checklist should be addressed (see Appendix 1)</i>	Complies – Each element in the Site Analysis Checklist has been addressed as variously documented in the <i>Planning Report and Statement of Environmental Effects</i> (Blueprint Planning, Version 1, February 2020)(PR&SEE) and the lodged development application concept plans (DA plan set).
<i>Objective 3B-1</i>	<i>Design guidance</i>	
<i>Building types and layouts respond to the streetscape and site while optimising solar access within the development</i>	<i>Buildings along the street frontage define the street, by facing it and incorporating direct access from the street (see figure 3B.1)</i>	Complies via short-length side entry in the context of the mix-use development of the Site.
	<i>Where the street frontage is to the east or west, rear buildings should be orientated to the north</i>	Not relevant to the Proposal.

	<i>Where the street frontage is to the north or south, overshadowing to the south should be minimised and buildings behind the street frontage should be orientated to the east and west (see figure 3B.2)</i>	Complies.
Objective 3B-2	Design guidance	
<i>Overshadowing of neighbouring properties is minimised during mid winter</i>	<i>Living areas, private open space and communal open space should receive solar access in accordance with sections 3D Communal and public open space and 4A Solar and daylight access</i>	Complies – Refer below.
	<i>Solar access to living rooms, balconies and private open spaces of neighbours should be considered</i>	Complies – All adjoining land to the east, south and west comprises only commercial land uses.
	<i>Where an adjoining property does not currently receive the required hours of solar access, the proposed building ensures solar access to neighbouring properties is not reduced by more than 20%</i>	Not relevant.
	<i>If the proposal will significantly reduce the solar access of neighbours, building separation should be increased beyond minimums contained in section 3F Visual privacy</i>	Not relevant.
	<i>Overshadowing should be minimised to the south or down hill by increased upper level setbacks</i>	Not relevant.
	<i>It is optimal to orientate buildings at 90 degrees to the boundary with neighbouring properties to minimise overshadowing and privacy impacts, particularly where minimum setbacks are used and where buildings are higher than the adjoining development</i>	Not relevant in the above context.

	<i>A minimum of 4 hours of solar access should be retained to solar collectors on neighbouring buildings</i>	Not relevant – None exist.
Objective 3C-1	Design guidance	
<i>Transition between private and public domain is achieved without compromising safety and security</i>	<i>Terraces, balconies and courtyard apartments should have direct street entry, where appropriate</i>	Not relevant.
	<i>Changes in level between private terraces, front gardens and dwelling entries above the street level provide surveillance and improve visual privacy for ground level dwellings (see figure 3C.1)</i>	Not relevant.
	<i>Upper level balconies and windows should overlook the public domain</i>	Complies.
	<i>Front fences and walls along street frontages should use visually permeable materials and treatments. The height of solid fences or walls should be limited to 1m Length of solid walls should be limited along street frontages</i>	Not relevant.
	<i>Opportunities should be provided for casual interaction between residents and the public domain. Design solutions may include seating at building entries, near letter boxes and in private courtyards adjacent to streets</i>	Complies.
	<i>In developments with multiple buildings and/or entries, pedestrian entries and spaces associated with individual buildings/entries should be differentiated to improve legibility for residents, using a number of the following design solutions:</i> • architectural detailing • changes in materials • plant species • colours	Complies via short-length side entry in the context of the mix-use development of the Site.
	<i>Opportunities for people to be concealed should be minimised</i>	Complies.

Objective 3C-2	Design guidance	
<i>Amenity of the public domain is retained and enhanced</i>	<i>Planting softens the edges of any raised terraces to the street, for example above sub-basement car parking</i>	Not relevant.
	<i>Mail boxes should be located in lobbies, perpendicular to the street alignment or integrated into front fences where individual street entries are provided</i>	Complies.
	<i>The visual prominence of underground car park vents should be minimised and located at a low level where possible</i>	Complies.
	<i>Substations, pump rooms, garbage storage areas and other service requirements should be located in basement car parks or out of view</i>	Complies.
	<i>Ramping for accessibility should be minimised by building entry location and setting ground floor levels in relation to footpath levels</i>	Complies.
	<i>Durable, graffiti resistant and easily cleanable materials should be used</i>	Complies.
	<i>Where development adjoins public parks, open space or bushland, the design positively addresses this interface and uses a number of the following design solutions:</i> <i>• street access, pedestrian paths and building entries which are clearly defined</i> <i>• paths, low fences and planting that clearly delineate between communal/private open space and the adjoining public open space</i> <i>• minimal use of blank walls, fences and ground level parking</i>	Not relevant.
	<i>On sloping sites protrusion of car parking above ground level should be minimised by using split levels to step underground car parking</i>	Not relevant.
Objective 3D-1	Design guidance	

<i>An adequate area of communal open space is provided to enhance residential amenity and to provide opportunities for landscaping</i> Design criteria <i>1. Communal open space has a minimum area equal to 25% of the site (see figure 3D.3)</i> <i>2. Developments achieve a minimum of 50% direct sunlight to the principal usable part of the communal open space for a minimum of 2 hours between 9 am and 3 pm on 21 June (mid winter)</i>	<i>Communal open space should be consolidated into a well designed, easily identified and usable area</i>	Complies – Communal open space is provided at rooftop level.
	<i>Communal open space should have a minimum dimension of 3m, and larger developments should consider greater dimensions</i>	Complies.
	<i>Communal open space should be co-located with deep soil areas</i>	Does not comply however planter boxes are provided.
	<i>Direct, equitable access should be provided to communal open space areas from common circulation areas, entries and lobbies</i>	Complies.
	<i>Where communal open space cannot be provided at ground level, it should be provided on a podium or roof</i>	Complies – Communal open space is provided at rooftop level.
	<i>Where developments are unable to achieve the design criteria, such as on small lots, sites within business zones, or in a dense urban area, they should:</i> <i>• provide communal spaces elsewhere such as a landscaped roof top terrace or a common room</i> <i>• provide larger balconies or increased private open space for apartments</i> <i>• demonstrate good proximity to public open space and facilities and/or provide contributions to public open space</i>	Complies – Communal open space is provided at landscaped rooftop level, larger balconies are provided and the Site is located nearby the existing Albury Botanical Gardens.
Objective 3D-2	Design guidance	
<i>Communal open space is designed to allow for a range of activities,</i>	<i>Facilities are provided within communal open spaces and common spaces for a range of age groups (see also 4F Common circulation and spaces), incorporating some of the following elements:</i>	Complies – Communal open space is provided at rooftop level with a

<i>respond to site conditions and be attractive and inviting</i>	• seating for individuals or groups • barbecue areas • play equipment or play areas • swimming pools, gyms, tennis courts or common rooms	BBQ facility, play area and seating areas with shading.
	<i>The location of facilities responds to microclimate and site conditions with access to sun in winter, shade in summer and shelter from strong winds and down drafts</i>	Complies.
	<i>Visual impacts of services should be minimised, including location of ventilation duct outlets from basement car parks, electrical substations and detention tanks</i>	Complies – Screening provided.
Objective 3D-3	Design guidance	
<i>Communal open space is designed to maximise safety</i>	<i>Communal open space and the public domain should be readily visible from habitable rooms and private open space areas while maintaining visual privacy. Design solutions may include:</i> • bay windows • corner windows • balconies	Complies – Screening provided (from Apartments 25 and 25).
	<i>Communal open space should be well lit</i>	Complies.
	<i>Where communal open space/facilities are provided for children and young people they are safe and contained</i>	Complies.
Objective 3D-4	Design guidance	
<i>Public open space, where provided, is responsive to the existing pattern and uses of the neighbourhood</i>	<i>The public open space should be well connected with public streets along at least one edge</i>	Not relevant – Public open space is not provided (only communal open space is provided).
	<i>The public open space should be connected with nearby parks and other landscape elements</i>	

	<i>Public open space should be linked through view lines, pedestrian desire paths, termination points and the wider street grid</i>	
	<i>Solar access should be provided year round along with protection from strong winds</i>	
	<i>Opportunities for a range of recreational activities should be provided for people of all ages</i>	
	<i>A positive address and active frontages should be provided adjacent to public open space</i>	
	<i>Boundaries should be clearly defined between public open space and private areas</i>	
Objective 3E-1	Design guidance	
<i>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</i> Design criteria 1. <i>Deep soil zones are to meet the following minimum requirements:</i>	<i>On some sites it may be possible to provide larger deep soil zones, depending on the site area and context:</i> <i>• 10% of the site as deep soil on sites with an area of 650m² – 1,500m²</i> <i>• 15% of the site as deep soil on sites greater than 1,500m²</i> <i>Deep soil zones should be located to retain existing significant trees and to allow for the development of healthy root systems, providing anchorage and stability for mature trees. Design solutions may include:</i> <i>• basement and sub basement car park design that is consolidated beneath building footprints</i> <i>• use of increased front and side setbacks</i> <i>• adequate clearance around trees to ensure long term health</i> <i>• co-location with other deep soil areas on adjacent sites to create larger contiguous areas of deep soil</i>	Not relevant – In context with the B3 Commercial Core Zone of the Site, the mixed-use nature of the Proposal and the impracticality of providing deep soil zones as a part of roof level communal open space design, deep soil zones have not been provided as a part of the Proposal.

<table border="1"> <thead> <tr> <th>Site area</th><th>Minimum dimensions</th><th>Deep soil zone (% of site area)</th></tr> </thead> <tbody> <tr> <td>less than 650m²</td><td>-</td><td rowspan="3">7%</td></tr> <tr> <td>650m² - 1,500m²</td><td>3m</td></tr> <tr> <td>greater than 1,500m²</td><td>6m</td></tr> <tr> <td>greater than 1,500m² with significant existing tree cover</td><td>6m</td><td></td></tr> </tbody> </table>	Site area	Minimum dimensions	Deep soil zone (% of site area)	less than 650m ²	-	7%	650m ² - 1,500m ²	3m	greater than 1,500m ²	6m	greater than 1,500m ² with significant existing tree cover	6m		<i>Achieving the design criteria may not be possible on some sites including where:</i> <i>• the location and building typology have limited or no space for deep soil at ground level (e.g. central business district, constrained sites, high density areas, or in centres)</i> <i>• there is 100% site coverage or non-residential uses at ground floor level</i> <i>Where a proposal does not achieve deep soil requirements, acceptable stormwater management should be achieved and alternative forms of planting provided such as on structure</i>	No significant existing trees exist within the Site. Achieving the design criteria is not possible within the Site because the Site is zoned B3 Commercial Core Zone (being located within the Albury CBD with attendant future character building typology and FSR expectations) and the Proposal does not include any residential apartments at ground-floor level. An acceptable stormwater management solution is provided together with raised planter landscaping provision.
Site area	Minimum dimensions	Deep soil zone (% of site area)													
less than 650m ²	-	7%													
650m ² - 1,500m ²	3m														
greater than 1,500m ²	6m														
greater than 1,500m ² with significant existing tree cover	6m														
Objective 3F-1	Design guidance														
<i>Adequate building separation distances are shared equitably between neighbouring sites, to</i>	<i>Generally one step in the built form as the height increases due to building separations is desirable. Additional steps should be careful not to cause a 'ziggurat' appearance</i>	Not relevant – The Proposal provides only one building part													

achieve reasonable levels of external and internal visual privacy

Design criteria

1. Separation between windows and balconies is provided to ensure visual privacy is achieved.

Minimum required separation distances from buildings to the side and rear boundaries are as follows:

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

		containing residential apartments and no adjoining building whether within or adjoining the Site contains residential apartments.
<i>For residential buildings next to commercial buildings, separation distances should be measured as follows:</i> • for retail, office spaces and commercial balconies use the habitable room distances • for service and plant areas use the non-habitable room distances		Complies – All buildings surrounding the residential apartment building part of the Proposal comply with the minimum setback distance of 6-9 metres as applicable.
<i>New development should be located and oriented to maximise visual privacy between buildings on site and for neighbouring buildings. Design solutions include:</i> • site layout and building orientation to minimise privacy impacts (see also section 3B Orientation) • on sloping sites, apartments on different levels have appropriate visual separation distances (see figure 3F.4)		Complies.
<i>Apartment buildings should have an increased separation distance of 3m (in addition to the requirements set out in design criteria 1) when adjacent to a different zone that permits lower density residential development to provide for a transition in scale and increased landscaping (figure 3F.5)</i>		Complies (adjoining B4 Mixed Use Zone to the south).
<i>Direct lines of sight should be avoided for windows and balconies across corners</i>		Not relevant.
<i>No separation is required between blank walls</i>		Noted.

Objective 3F-2	Design guidance	
<i>Site and building design elements increase privacy without compromising access to light and air and balance outlook and views from habitable rooms and private open space</i>	<i>Communal open space, common areas and access paths should be separated from private open space and windows to apartments, particularly habitable room windows. Design solutions may include:</i> • setbacks • solid or partially solid balustrades to balconies at lower levels • fencing and/or trees and vegetation to separate spaces • screening devices • bay windows or pop out windows to provide privacy in one direction and outlook in another • raising apartments/private open space above the public domain or communal open space • planter boxes incorporated into walls and balustrades to increase visual separation • pergolas or shading devices to limit overlooking of lower apartments or private open space • on constrained sites where it can be demonstrated that building layout opportunities are limited, fixed louvres or screen panels to windows and/or balconies	Complies.
	<i>Bedrooms, living spaces and other habitable rooms should be separated from gallery access and other open circulation space by the apartment's service areas</i>	Complies.
	<i>Balconies and private terraces should be located in front of living rooms to increase internal privacy</i>	Complies.
	<i>Windows should be offset from the windows of adjacent buildings</i>	Not relevant.
	<i>Recessed balconies and/or vertical fins should be used between adjacent balconies</i>	Complies.
Objective 3G-1	Design guidance	

<i>Building entries and pedestrian access connects to and addresses the public domain</i>	<i>Multiple entries (including communal building entries and individual ground floor entries) should be provided to activate the street edge</i>	Complies.
	<i>Entry locations relate to the street and subdivision pattern and the existing pedestrian network</i>	Complies.
	<i>Building entries should be clearly identifiable and communal entries should be clearly distinguishable from private entries</i>	Complies.
	<i>Where street frontage is limited and multiple buildings are located on the site, a primary street address should be provided with clear sight lines and pathways to secondary building entries</i>	Complies (supported by signage)
Objective 3G-2	Design guidance	
<i>Access, entries and pathways are accessible and easy to identify</i>	<i>Building access areas including lift lobbies, stairwells and hallways should be clearly visible from the public domain and communal spaces</i>	Complies.
	<i>The design of ground floors and underground car parks minimise level changes along pathways and entries</i>	Complies.
	<i>Steps and ramps should be integrated into the overall building and landscape design</i>	Complies.
	<i>For large developments 'way finding' maps should be provided to assist visitors and residents (see figure 4T.3)</i>	Complies (to be provided).
	<i>For large developments electronic access and audio/video intercom should be provided to manage access</i>	Complies (to be provided).
Objective 3G-3	Design guidance	

<i>Large sites provide pedestrian links for access to streets and connection to destinations</i>	<i>Pedestrian links through sites facilitate direct connections to open space, main streets, centres and public transport</i>	Complies.
	<i>Pedestrian links should be direct, have clear sight lines, be overlooked by habitable rooms or private open spaces of dwellings, be well lit and contain active uses, where appropriate</i>	Complies.
Objective 3H-1	Design guidance	
<i>Vehicle access points are designed and located to achieve safety, minimise conflicts between pedestrians and vehicles and create high quality streetscapes</i>	<i>Car park access should be integrated with the building's overall façade. Design solutions may include:</i> <i>• the materials and colour palette to minimise visibility from the street</i> <i>• security doors or gates at entries that minimise voids in the façade</i> <i>• where doors are not provided, the visible interior reflects the façade design and the building services, pipes and ducts are concealed</i>	Complies.
	<i>Car park entries should be located behind the building line Vehicle entries should be located at the lowest point of the site minimising ramp lengths, excavation and impacts on the building form and layout</i>	Complies.
	<i>Car park entry and access should be located on secondary streets or lanes where available</i>	Complies.
	<i>Vehicle standing areas that increase driveway width and encroach into setbacks should be avoided</i>	Complies.
	<i>Access point locations should avoid headlight glare to habitable rooms</i>	Complies.
	<i>Adequate separation distances should be provided between vehicle entries and street intersections</i>	Complies.
	<i>The width and number of vehicle access points should be limited to the minimum</i>	Complies.

	<i>Visual impact of long driveways should be minimised through changing alignments and screen planting</i>	Complies (planter landscaping is utilised).
	<i>The need for large vehicles to enter or turn around within the site should be avoided</i>	Complies.
	<i>Garbage collection, loading and servicing areas are screened</i>	Complies (except for temporary periods during collection days).
	<i>Clear sight lines should be provided at pedestrian and vehicle crossings</i>	Complies.
	<i>Traffic calming devices such as changes in paving material or textures should be used where appropriate</i>	Complies.
	<i>Pedestrian and vehicle access should be separated and distinguishable. Design solutions may include:</i> • <i>changes in surface materials</i> • <i>level changes</i> • <i>the use of landscaping for separation</i>	Complies.
Objective 3J-1	Design guidance	
<i>Car parking is provided based on proximity to public transport in metropolitan Sydney and centres in regional areas</i>	<i>Where a car share scheme operates locally, provide car share parking spaces within the development. Car share spaces, when provided, should be on site</i>	Not relevant.
	<i>Where less car parking is provided in a development, council should not provide on street resident parking permits</i>	Not relevant.
Design criteria		
1. <i>For development in the following locations:</i>		Complies in regard to the design criteria – The Site is located in a “nominated regional

- on sites that are within 800 metres of a railway station or light rail stop in the Sydney Metropolitan Area; or
- on land zoned, and sites within 400 metres of land zoned, B3 Commercial Core, B4 Mixed Use or equivalent in a nominated regional centre 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

The car parking needs for a development must be provided off street

centre” and in the B3 Commercial Core Zone and the following car parking requirements apply –

- *Guide to Traffic Generating Developments –*
 - o *0.4 spaces per 1 bedroom unit.*
 - o *0.7 spaces per 2 bedroom unit.*
 - o *1.20 spaces per 3 bedroom unit.*
 - o *1 space per 7 units (visitor parking).*
- *DCP –*
 - o *1 space per 1 bedroom unit.*
 - o *2 spaces per 3 bedroom unit.*
 - o *More than 8 dwellings – 3 designated visitor spaces plus 1 visitor space for every 3 or part thereof additional dwellings*

Therefore the minimum car parking requirement

		for residents and visitors is – • 25 spaces under the <i>Guide to Traffic Generating Developments</i>, and • 47 spaces under the DCP. Therefore as 25 is less than 47, a minimum of 25 car parking spaces are required and are provided (with a significant surplus).
Objective 3J-2	Design guidance	
<i>Parking and facilities are provided for other modes of transport</i>	<i>Conveniently located and sufficient numbers of parking spaces should be provided for motorbikes and scooters</i>	Complies (provided via surplus car parking spaces).
	<i>Secure undercover bicycle parking should be provided that is easily accessible from both the public domain and common areas</i>	Complies.
	<i>Conveniently located charging stations are provided for electric vehicles, where desirable</i>	Not provided as a part of the Proposal (but can be retrofitted in the future).
Objective 3J-3	Design guidance	

<i>Car park design and access is safe and secure</i>	<i>Supporting facilities within car parks, including garbage, plant and switch rooms, storage areas and car wash bays can be accessed without crossing car parking spaces</i>	Complies – For the mixed-use building – Vehicles parked in car parking spaces in front of storage lockers will be related to each other – that is the car parking space and the storage locker will belong to the same residential unit. Storage lockers can be accessed at any time, whether the car parking space is occupied or not, because the storage lockers incorporate sliding door design and the car parking spaces have wheel-stops. For the carpark building – Signs will be erected stating “No standing” in front of storage lockers.
	<i>Direct, clearly visible and well lit access should be provided into common circulation areas</i>	Complies.

	<i>A clearly defined and visible lobby or waiting area should be provided to lifts and stairs</i>	Complies.
	<i>For larger car parks, safe pedestrian access should be clearly defined and circulation areas have good lighting, colour, line marking and/or bollards</i>	Complies.
Objective 3J-4	Design guidance	
<i>Visual and environmental impacts of underground car parking are minimised</i>	<i>Excavation should be minimised through efficient car park layouts and ramp design</i>	Not relevant (no underground car parking provided).
	<i>Car parking layout should be well organised, using a logical, efficient structural grid and double loaded aisles</i>	
	<i>Protrusion of car parks should not exceed 1m above ground level. Design solutions may include stepping car park levels or using split levels on sloping sites</i>	
	<i>Natural ventilation should be provided to basement and sub basement car parking areas</i>	
	<i>Ventilation grills or screening devices for car parking openings should be integrated into the façade and landscape design</i>	
Objective 3J-5	Design guidance	
<i>Visual and environmental impacts of on-grade car parking are minimised</i>	<i>On-grade car parking should be avoided</i>	On grade car parking is unavoidable.
	<i>Where on-grade car parking is unavoidable, the following design solutions are used:</i> • parking is located on the side or rear of the lot away from the primary street frontage • cars are screened from view of streets, buildings, communal and private open space areas	Complies (however shade structures instead of shade trees are used for the top level of the carpark building).

	• safe and direct access to building entry points is provided • parking is incorporated into the landscape design of the site, by extending planting and materials into the car park space • stormwater run-off is managed appropriately from car parking surfaces • bio-swales, rain gardens or on site detention tanks are provided, where appropriate • light coloured paving materials or permeable paving systems are used and shade trees are planted between every 4-5 parking spaces to reduce increased surface temperatures from large areas of paving	
Objective 3J-6	Design guidance	
Visual and environmental impacts of above ground enclosed car parking are minimised	Exposed parking should not be located along primary street frontages	Complies.
	Screening, landscaping and other design elements including public art should be used to integrate the above ground car parking with the façade. Design solutions may include: • car parking that is concealed behind the façade, with windows integrated into the overall façade design (approach should be limited to developments where a larger floor plate podium is suitable at lower levels) • car parking that is 'wrapped' with other uses, such as retail, commercial or two storey Small Office/Home Office (SOHO) units along the street frontage (see figure 3J.9)	Complies.
	Positive street address and active frontages should be provided at ground level	Complies.
Objective 4A-1	Design guidance	
To optimise the number of apartments receiving sunlight to habitable rooms, primary windows and private open space	The design maximises north aspect and the number of single aspect south facing apartments is minimised	Complies.
	Single aspect, single storey apartments should have a northerly or easterly aspect	Not relevant.

Design criteria	<i>Living areas are best located to the north and service areas to the south and west of apartments</i>	Complies.
<i>1. Living rooms and private open spaces of at least 70% of apartments in a building receive a minimum of 2 hours direct sunlight between 9 am and 3 pm at mid winter in the Sydney Metropolitan Area and in the Newcastle and Wollongong local government areas</i>	<i>To optimise the direct sunlight to habitable rooms and balconies a number of the following design features are used:</i> • dual aspect apartments • shallow apartment layouts • two storey and mezzanine level apartments • bay windows	Complies.
<i>2. 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 9 am and 3 pm at mid winter</i>	<i>To maximise the benefit to residents of direct sunlight within living rooms and private open spaces, a minimum of 1m² of direct sunlight, measured at 1m above floor level, is achieved for at least 15 minutes</i>	Complies.
<i>3. A maximum of 15% of apartments in a building receive no direct sunlight between 9 am and 3 pm at mid winter</i>	<i>Achieving the design criteria may not be possible on some sites. This includes:</i> • where greater residential amenity can be achieved along a busy road or rail line by orientating the living rooms away from the noise source • on south facing sloping sites • where significant views are oriented away from the desired aspect for direct sunlight	Not relevant.
	<i>Design drawings need to demonstrate how site constraints and orientation preclude meeting the design criteria and how the development meets the objective</i>	Not relevant.
Objective 4A-2	Design guidance	
<i>Daylight access is maximised where sunlight is limited</i>	<i>Courtyards, skylights and high level windows (with sills of 1,500mm or greater) are used only as a secondary light source in habitable rooms</i>	Complies.
	<i>Where courtyards are used:</i> • use is restricted to kitchens, bathrooms and service areas	Not relevant.

	• building services are concealed with appropriate detailing and materials to visible walls • courtyards are fully open to the sky • access is provided to the light well from a communal area for cleaning and maintenance • acoustic privacy, fire safety and minimum privacy separation distances (see section 3F Visual privacy) are achieved	
	Opportunities for reflected light into apartments are optimised through: • reflective exterior surfaces on buildings opposite south facing windows • positioning windows to face other buildings or surfaces (on neighbouring sites or within the site) that will reflect light • integrating light shelves into the design • light coloured internal finishes	Complies.
Objective 4A-3	Design guidance	
Design incorporates shading and glare control, particularly for warmer months	A number of the following design features are used: • balconies or sun shading that extend far enough to shade summer sun, but allow winter sun to penetrate living areas • shading devices such as eaves, awnings, balconies, pergolas, external louvres and planting • horizontal shading to north facing windows • vertical shading to east and particularly west facing windows • operable shading to allow adjustment and choice • high performance glass that minimises external glare off windows, with consideration given to reduced tint glass or glass with a reflectance level below 20% (reflective films are avoided)	Complies.
Objective 4B-1	Design guidance	

<i>All habitable rooms are naturally ventilated</i>	<i>The building's orientation maximises capture and use of prevailing breezes for natural ventilation in habitable rooms Depths of habitable rooms support natural ventilation</i>	Complies.
	<i>The area of unobstructed window openings should be equal to at least 5% of the floor area served</i>	Complies.
	<i>Light wells are not the primary air source for habitable rooms</i>	Complies.
	<i>Doors and openable windows maximise natural ventilation opportunities by using the following design solutions:</i> • adjustable windows with large effective openable areas • a variety of window types that provide safety and flexibility such as awnings and louvres • windows which the occupants can reconfigure to funnel breezes into the apartment such as vertical louvres, casement windows and externally opening doors	Complies.
Objective 4B-2	Design guidance	
<i>The layout and design of single aspect apartments maximises natural ventilation</i>	<i>Apartment depths are limited to maximise ventilation and airflow (see also figure 4D.3)</i>	Complies.
	<i>Natural ventilation to single aspect apartments is achieved with the following design solutions:</i> • primary windows are augmented with plenums and light wells (generally not suitable for cross ventilation) • stack effect ventilation / solar chimneys or similar to naturally ventilate internal building areas or rooms such as bathrooms and laundries • courtyards or building indentations have a width to depth ratio of 2:1 or 3:1 to ensure effective air circulation and avoid trapped smells	Complies.
Objective 4B-3	Design guidance	

<i>The number of apartments with natural cross ventilation is maximised to create a comfortable indoor environment for residents</i>	<i>The building should include dual aspect apartments, cross through apartments and corner apartments and limit apartment depths</i>	Complies.
Design criteria	<i>In cross-through apartments external window and door opening sizes/areas on one side of an apartment (inlet side) are approximately equal to the external window and door opening sizes/areas on the other side of the apartment (outlet side) (see figure 4B.4)</i>	Complies.
1. <i>At least 60% of apartments are naturally cross ventilated in the first nine storeys of the building.</i>	<i>Apartments are designed to minimise the number of corners, doors and rooms that might obstruct airflow</i>	Complies.
<i>Apartments at ten 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</i> 2. <i>Overall depth of a cross-over or cross-through apartment does not exceed 18m, measured glass line to glass line</i>	<i>Apartment depths, combined with appropriate ceiling heights, maximise cross ventilation and airflow</i>	Complies.
Objective 4C-1	Design guidance	
<i>Ceiling height achieves sufficient natural ventilation and daylight access</i> Design criteria	<i>Ceiling height can accommodate use of ceiling fans for cooling and heat distribution</i>	Complies.

1. Measured from finished floor level to finished ceiling level, minimum ceiling heights are:

Minimum ceiling height for apartment and mixed use buildings	
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 room with a 30 degree minimum ceiling slope
If located in mixed used areas	3.3m for ground and first floor to promote future flexibility of use

These minimums do not preclude higher ceilings if desired

Objective 4C-2

Design guidance

Ceiling height increases the sense of space in apartments and provides for well proportioned rooms

A number of the following design solutions can be used:

- *the hierarchy of rooms in an apartment is defined using changes in ceiling heights and alternatives such as raked or curved ceilings, or double height spaces*
- *well proportioned rooms are provided, for example, smaller rooms feel larger and more spacious with higher ceilings*
- *ceiling heights are maximised in habitable rooms by ensuring that bulkheads do not intrude. The stacking of service rooms from floor to floor and coordination of bulkhead location above non-habitable areas, such as robes or storage, can assist*

Complies.

Objective 4C-3

Design guidance

<i>Ceiling heights contribute to the flexibility of building use over the life of the building</i>	<i>Ceiling heights of lower level apartments in centres should be greater than the minimum required by the design criteria allowing flexibility and conversion to non-residential uses (see figure 4C.1)</i>	Complies.										
Objective 4D-1	Design guidance											
<i>The layout of rooms within an apartment is functional, well organised and provides a high standard of amenity</i>	<i>Kitchens should not be located as part of the main circulation space in larger apartments (such as hallway or entry space)</i>	Complies.										
	<i>A window should be visible from any point in a habitable room</i>	Complies.										
	<i>Where minimum areas or room dimensions are not met apartments need to demonstrate that they are well designed and demonstrate the usability and functionality of the space with realistically scaled furniture layouts and circulation areas. These circumstances would be assessed on their merits</i>	Not relevant.										
Design criteria												
1. Apartments are required to have the following minimum internal areas: <table><tr><th>Apartment type</th><th>Minimum internal area</th></tr><tr><td>Studio</td><td>35m²</td></tr><tr><td>1 bedroom</td><td>50m²</td></tr><tr><td>2 bedroom</td><td>70m²</td></tr><tr><td>3 bedroom</td><td>90m²</td></tr></table> <i>The minimum internal areas include only one bathroom. Additional bathrooms increase the minimum internal area by 5m2 each</i> <i>A fourth bedroom and further additional bedrooms increase the minimum internal area by 12m2 each</i>	Apartment type	Minimum internal area	Studio	35m ²	1 bedroom	50m ²	2 bedroom	70m ²	3 bedroom	90m ²		
Apartment type	Minimum internal area											
Studio	35m ²											
1 bedroom	50m ²											
2 bedroom	70m ²											
3 bedroom	90m ²											

2. Every habitable room must have a window in 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		
Objective 4D-2	Design guidance	
Environmental performance of the apartment is maximised	Greater than minimum ceiling heights can allow for proportional increases in room depth up to the permitted maximum depths	Complies.
Design criteria	All living areas and bedrooms should be located on the external face of the building	Complies.
1. Habitable room depths are limited to a maximum of 2.5 x the ceiling height 2. In open plan layouts (where the living, dining and kitchen are combined) the maximum habitable room depth is 8m from a window	Where possible: • bathrooms and laundries should have an external openable window • main living spaces should be oriented toward the primary outlook and aspect and away from noise sources	Complies (except in regard to most bathrooms).
Objective 4D-3	Design guidance	
Apartment layouts are designed to accommodate a variety of household activities and needs	Access to bedrooms, bathrooms and laundries is separated from living areas minimising direct openings between living and service areas	Complies.
Design criteria	All bedrooms allow a minimum length of 1.5m for robes	Complies.
	The main bedroom of an apartment or a studio apartment should be provided with a wardrobe of a minimum 1.8m long, 0.6m deep and 2.1m high	Complies.

1. Master bedrooms have a minimum area of 10m² and other bedrooms 9m² (excluding wardrobe space) 2. Bedrooms have a minimum dimension of 3m (excluding wardrobe space) 3. Living rooms or combined living/ dining rooms have a minimum width of: • 3.6m for studio and 1 bedroom apartments • 4m for 2 and 3 bedroom apartments 4. The width of cross-over or cross-through apartments are at least 4m internally to avoid deep narrow apartment layouts	Apartment layouts allow flexibility over time, design solutions may include: • dimensions that facilitate a variety of furniture arrangements and removal • spaces for a range of activities and privacy levels between different spaces within the apartment • dual master apartments • dual key apartments Note: dual key apartments which are separate but on the same title are regarded as two sole occupancy units for the purposes of the Building Code of Australia and for calculating the mix of apartments • room sizes and proportions or open plans (rectangular spaces (2:3) are more easily furnished than square spaces (1:1)) • efficient planning of circulation by stairs, corridors and through rooms to maximise the amount of usable floor space in rooms	Complies.
Objective 4E-1	Design guidance	
Apartments provide appropriately sized private open space and balconies to enhance residential amenity	Increased communal open space should be provided where the number or size of balconies are reduced	Not relevant.
	Storage areas on balconies is additional to the minimum balcony size	Not relevant.
Design criteria	Balcony use may be limited in some proposals by: • consistently high wind speeds at 10 storeys and above • close proximity to road, rail or other noise sources • exposure to significant levels of aircraft noise	Not relevant.

1. All apartments are required to have primary balconies as follows:

Dwelling type	Minimum area	Minimum depth
Studio apartments	4m ²	-
1 bedroom apartments	8m ²	2m
2 bedroom apartments	10m ²	2m
3+ bedroom apartments	12m ²	2.4m

The minimum balcony depth to be counted as contributing to the balcony area is 1m

2. 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 15m² and a minimum depth of 3m

- heritage and adaptive reuse of existing buildings

In these situations, Juliet balconies, operable walls, enclosed wintergardens or bay windows may be appropriate, and other amenity benefits for occupants should also be provided in the apartments or in the development or both.

Not relevant.

Natural ventilation also needs to be demonstrated

Complies.

Objective 4E-2

Design guidance

Primary private open space and balconies are appropriately located to enhance liveability for residents

Primary open space and balconies should be located adjacent to the living room, dining room or kitchen to extend the living space

Complies.

Private open spaces and balconies predominantly face north, east or west

Complies.

Primary open space and balconies should be orientated with the longer side facing outwards or be open to the sky to optimise daylight access into adjacent rooms

Complies.

Objective 4E-3	Design guidance	
<i>Private open space and balcony design is integrated into and contributes to the overall architectural form and detail of the building</i>	<i>Solid, partially solid or transparent fences and balustrades are selected to respond to the location. They are designed to allow views and passive surveillance of the street while maintaining visual privacy and allowing for a range of uses on the balcony. Solid and partially solid balustrades are preferred</i>	Complies.
	<i>Full width full height glass balustrades alone are generally not desirable</i>	Complies.
	<i>Projecting balconies should be integrated into the building design and the design of soffits considered</i>	Complies.
	<i>Operable screens, shutters, hoods and pergolas are used to control sunlight and wind</i>	Complies.
	<i>Balustrades are set back from the building or balcony edge where overlooking or safety is an issue</i>	Complies.
	<i>Downpipes and balcony drainage are integrated with the overall façade and building design</i>	Complies.
	<i>Air-conditioning units should be located on roofs, in basements, or fully integrated into the building design</i>	Complies.
	<i>Where clothes drying, storage or air conditioning units are located on balconies, they should be screened and integrated in the building design</i>	Complies.
	<i>Ceilings of apartments below terraces should be insulated to avoid heat loss</i>	Complies.
	<i>Water and gas outlets should be provided for primary balconies and private open space</i>	Complies.

Objective 4E-4	Design guidance	
<i>Private open space and balcony design maximises safety</i>	<i>Changes in ground levels or landscaping are minimised</i>	Complies.
	<i>Design and detailing of balconies avoids opportunities for climbing and falls</i>	Complies.
Objective 4F-1	Design guidance	
<i>Common circulation spaces achieve good amenity and properly service the number of apartments</i> Design criteria 1. The maximum number of apartments off a circulation core on a single level is eight 2. For buildings of 10 storeys and over, the maximum number of apartments sharing a single lift is 40	<i>Greater than minimum requirements for corridor widths and/or ceiling heights allow comfortable movement and access particularly in entry lobbies, outside lifts and at apartment entry doors</i>	Complies.
	<i>Daylight and natural ventilation should be provided to all common circulation spaces that are above ground</i>	Complies.
	<i>Windows should be provided in common circulation spaces and should be adjacent to the stair or lift core or at the ends of corridors</i>	Complies.
	<i>Longer corridors greater than 12m in length from the lift core should be articulated. Design solutions may include:</i> <i>a series of foyer areas with windows and spaces for seating</i> <i>wider areas at apartment entry doors and varied ceiling heights</i>	Complies.
	<i>Design common circulation spaces to maximise opportunities for dual aspect apartments, including multiple core apartment buildings and cross over apartments</i>	Complies.
	<i>Achieving the design criteria for the number of apartments off a circulation core may not be possible. Where a development is unable to achieve the design criteria, a high level of amenity for common lobbies, corridors and apartments should be demonstrated, including:</i> <i>sunlight and natural cross ventilation in apartments</i> <i>access to ample daylight and natural ventilation in common circulation spaces</i>	Not relevant.

	• common areas for seating and gathering • generous corridors with greater than minimum ceiling heights • other innovative design solutions that provide high levels of amenity	
	Where design criteria 1 is not achieved, no more than 12 apartments should be provided off a circulation core on a single level	Not relevant.
	Primary living room or bedroom windows should not open directly onto common circulation spaces, whether open or enclosed. Visual and acoustic privacy from common circulation spaces to any other rooms should be carefully controlled	Complies.
Objective 4F-2	Design guidance	
Common circulation spaces promote safety and provide for social interaction between residents	Direct and legible access should be provided between vertical circulation points and apartment entries by minimising corridor or gallery length to give short, straight, clear sight lines	Complies.
	Tight corners and spaces are avoided	Complies.
	Circulation spaces should be well lit at night	Complies.
	Legible signage should be provided for apartment numbers, common areas and general wayfinding	Complies.
	Incidental spaces, for example space for seating in a corridor, at a stair landing, or near a window are provided	Complies.
	In larger developments, community rooms for activities such as owners corporation meetings or resident use should be provided and are ideally co-located with communal open space	Not relevant.
	Where external galleries are provided, they are more open than closed above the balustrade along their length	Not relevant.

Objective 4G-1	Design guidance											
<i>Adequate, well designed storage is provided in each apartment</i> Design criteria 1. <i>In addition to storage in kitchens, bathrooms and bedrooms, the following storage is provided:</i> <table><tr><th>Dwelling type</th><th>Storage size volume</th></tr><tr><td>Studio apartments</td><td>4m³</td></tr><tr><td>1 bedroom apartments</td><td>6m³</td></tr><tr><td>2 bedroom apartments</td><td>8m³</td></tr><tr><td>3+ bedroom apartments</td><td>10m³</td></tr></table> <i>At least 50% of the required storage is to be located within the apartment</i>	Dwelling type	Storage size volume	Studio apartments	4m ³	1 bedroom apartments	6m ³	2 bedroom apartments	8m ³	3+ bedroom apartments	10m ³	<i>Storage is accessible from either circulation or living areas</i>	Complies.
	Dwelling type	Storage size volume										
	Studio apartments	4m ³										
	1 bedroom apartments	6m ³										
2 bedroom apartments	8m ³											
3+ bedroom apartments	10m ³											
	<i>Storage provided on balconies (in addition to the minimum balcony size) is integrated into the balcony design, weather proof and screened from view from the street</i>	Not relevant.										
	<i>Left over space such as under stairs is used for storage</i>	Not relevant.										
Objective 4G-2	Design guidance											
<i>Additional storage is conveniently located, accessible and nominated for individual apartments</i>	<i>Storage not located in apartments is secure and clearly allocated to specific apartments</i>	Complies.										
	<i>Storage is provided for larger and less frequently accessed items</i>	Complies.										
	<i>Storage space in internal or basement car parks is provided at the rear or side of car spaces or in cages so that allocated car parking remains accessible</i>	Complies.										

	<i>If communal storage rooms are provided they should be accessible from common circulation areas of the building</i>	Not relevant.
	<i>Storage not located in an apartment is integrated into the overall building design and is not visible from the public domain</i>	Complies.
Objective 4H-1	Design guidance	
<i>Noise transfer is minimised through the siting of buildings and building layout</i>	<i>Adequate building separation is provided within the development and from neighbouring buildings/adjacent uses (see also section 2F Building separation and section 3F Visual privacy)</i>	Complies.
	<i>Window and door openings are generally orientated away from noise sources</i>	Complies.
	<i>Noisy areas within buildings including building entries and corridors should be located next to or above each other and quieter areas next to or above quieter areas</i>	Complies.
	<i>Storage, circulation areas and non-habitable rooms should be located to buffer noise from external sources</i>	Complies.
	<i>The number of party walls (walls shared with other apartments) are limited and are appropriately insulated</i>	Complies.
	<i>Noise sources such as garage doors, driveways, service areas, plant rooms, building services, mechanical equipment, active communal open spaces and circulation areas should be located at least 3m away from bedrooms</i>	Complies.
Objective 4H-2	Design guidance	
<i>Noise impacts are mitigated within apartments through layout and acoustic treatments</i>	<i>Internal apartment layout separates noisy spaces from quiet spaces, using a number of the following design solutions:</i> • <i>rooms with similar noise requirements are grouped together</i>	Complies.

	• doors separate different use zones • wardrobes in bedrooms are co-located to act as sound buffers	
	Where physical separation cannot be achieved noise conflicts are resolved using the following design solutions: • double or acoustic glazing • acoustic seals • use of materials with low noise penetration properties • continuous walls to ground level courtyards where they do not conflict with streetscape or other amenity requirements	Complies.
Objective 4J-1	Design guidance	
In noisy or hostile environments the impacts of external noise and pollution are minimised through the careful siting and layout of buildings	To minimise impacts the following design solutions may be used: • physical separation between buildings and the noise or pollution source • residential uses are located perpendicular to the noise source and where possible buffered by other uses • non-residential buildings are sited to be parallel with the noise source to provide a continuous building that shields residential uses and communal open spaces • non-residential uses are located at lower levels vertically separating the residential component from the noise or pollution source. Setbacks to the underside of residential floor levels should increase relative to traffic volumes and other noise sources • buildings should respond to both solar access and noise.	Complies.
	Where solar access is away from the noise source, nonhabitable rooms can provide a buffer • where solar access is in the same direction as the noise source, dual aspect apartments with shallow building depths are preferable (see figure 4J.4) • landscape design reduces the perception of noise and acts as a filter for air pollution generated by traffic and industry	Complies.
	Achieving the design criteria in this Apartment Design	Complies.

	<i>Guide may not be possible in some situations due to noise and pollution. Where developments are unable to achieve the design criteria, alternatives may be considered in the following areas:</i> • solar and daylight access • private open space and balconies • natural cross ventilation	Complies.
Objective 4J-2	Design guidance	
<i>Appropriate noise shielding or attenuation techniques for the building design, construction and choice of materials are used to mitigate noise transmission</i>	<i>Design solutions to mitigate noise include:</i> • limiting the number and size of openings facing noise sources • providing seals to prevent noise transfer through gaps • using double or acoustic glazing, acoustic louvres or enclosed balconies (wintergardens) • using materials with mass and/or sound insulation or absorption properties e.g. solid balcony balustrades, external screens and soffits	Complies.
Objective 4K-1	Design guidance	
<i>A range of apartment types and sizes is provided to cater for different household types now and into the future</i>	<i>A variety of apartment types is provided</i>	Complies.
	<i>The apartment mix is appropriate, taking into consideration:</i> • the distance to public transport, employment and education centres • the current market demands and projected future demographic trends • the demand for social and affordable housing • different cultural and socioeconomic groups	Complies.
	<i>Flexible apartment configurations are provided to support diverse household types and stages of life including single person households, families, multi-generational families and group households</i>	Complies.
Objective 4K-2	Design guidance	

<i>The apartment mix is distributed to suitable locations within the building</i>	<i>Different apartment types are located to achieve successful façade composition and to optimise solar access (see figure 4K.3)</i>	Complies.
	<i>Larger apartment types are located on the ground or roof level where there is potential for more open space and on corners where more building frontage is available</i>	Complies.
Objective 4L-1	Design guidance	
<i>Street frontage activity is maximised where ground floor apartments are located</i>	<i>Direct street access should be provided to ground floor apartments</i>	Not relevant.
	<i>Activity is achieved through front gardens, terraces and the façade of the building. Design solutions may include:</i> • both street, foyer and other common internal circulation entrances to ground floor apartments • private open space is next to the street • doors and windows face the street	
	<i>Retail or home office spaces should be located along street frontages</i>	
	<i>Ground floor apartment layouts support small office home office (SOHO) use to provide future opportunities for conversion into commercial or retail areas. In these cases provide higher floor to ceiling heights and ground floor amenities for easy conversion</i>	
Objective 4L-2	Design guidance	
<i>Design of ground floor apartments delivers amenity and safety for residents</i>	<i>Privacy and safety should be provided without obstructing casual surveillance. Design solutions may include:</i> • elevation of private gardens and terraces above the street level by 1-1.5m (see figure 4L.4) • landscaping and private courtyards	Not relevant.

	• window sill heights that minimise sight lines into apartments • integrating balustrades, safety bars or screens with the exterior design	
	Solar access should be maximised through: • high ceilings and tall windows • trees and shrubs that allow solar access in winter and shade in summer	
Objective 4M-1	Design guidance	
Building facades provide visual interest along the street while respecting the character of the local area	Design solutions for front building facades may include: • a composition of varied building elements • a defined base, middle and top of buildings • revealing and concealing certain elements • changes in texture, material, detail and colour to modify the prominence of elements	Complies.
	Building services should be integrated within the overall façade	Complies.
	Building facades should be well resolved with an appropriate scale and proportion to the streetscape and human scale. Design solutions may include: • well composed horizontal and vertical elements • variation in floor heights to enhance the human scale • elements that are proportional and arranged in patterns • public artwork or treatments to exterior blank walls • grouping of floors or elements such as balconies and windows on taller buildings	Complies.
	Building facades relate to key datum lines of adjacent buildings through upper level setbacks, parapets, cornices, awnings or colonnade heights	Complies.
	Shadow is created on the façade throughout the day with building articulation, balconies and deeper window reveals	Complies.
Objective 4M-2	Design guidance	

<i>Building functions are expressed by the façade</i>	<i>Building entries should be clearly defined</i>	Complies.
	<i>Important corners are given visual prominence through a change in articulation, materials or colour, roof expression or changes in height</i>	Complies.
	<i>The apartment layout should be expressed externally through façade features such as party walls and floor slabs</i>	Complies.
Objective 4N-1	Design guidance	
<i>Roof treatments are integrated into the building design and positively respond to the street</i>	<i>Roof design relates to the street. Design solutions may include:</i> • special roof features and strong corners • use of skillion or very low pitch hipped roofs • breaking down the massing of the roof by using smaller elements to avoid bulk • using materials or a pitched form complementary to adjacent buildings	Complies.
	<i>Roof treatments should be integrated with the building design. Design solutions may include:</i> • roof design proportionate to the overall building size, scale and form • roof materials compliment the building • service elements are integrated	Complies.
Objective 4N-2	Design guidance	
<i>Opportunities to use roof space for residential accommodation and open space are maximised</i>	<i>Habitable roof space should be provided with good levels of amenity. Design solutions may include:</i> • penthouse apartments • dormer or clerestory windows • openable skylights	Complies.
	<i>Open space is provided on roof tops subject to acceptable visual and acoustic privacy, comfort levels, safety and security considerations</i>	Complies.

Objective 4N-3	Design guidance	
<i>Roof design incorporates sustainability features</i>	<i>Roof design maximises solar access to apartments during winter and provides shade during summer. Design solutions may include:</i> • <i>the roof lifts to the north</i> • <i>eaves and overhangs shade walls and windows from summer sun</i>	Complies.
	<i>Skylights and ventilation systems should be integrated into the roof design</i>	Complies.
Objective 4O-1	Design guidance	
<i>Landscape design is viable and sustainable</i>	<i>Landscape design should be environmentally sustainable and can enhance environmental performance by incorporating:</i> • <i>diverse and appropriate planting</i> • <i>bio-filtration gardens</i> • <i>appropriately planted shading trees</i> • <i>areas for residents to plant vegetables and herbs</i> • <i>composting</i> • <i>green roofs or walls</i>	Complies.
	<i>Ongoing maintenance plans should be prepared</i>	Complies.
	<i>Microclimate is enhanced by:</i> • <i>appropriately scaled trees near the eastern and western elevations for shade</i> • <i>a balance of evergreen and deciduous trees to provide shading in summer and sunlight access in winter</i> • <i>shade structures such as pergolas for balconies and courtyards</i>	Complies (planter facilities).
	<i>Tree and shrub selection considers size at maturity and the potential for roots to compete (see Table 4)</i>	Complies.
Objective 4O-2	Design guidance	

<i>Landscape design contributes to the streetscape and amenity</i>	<i>Landscape design responds to the existing site conditions including:</i> • changes of levels • views • significant landscape features including trees and rock outcrops	Complies.
	<i>Significant landscape features should be protected by:</i> • tree protection zones (see figure 4O.5) • appropriate signage and fencing during construction	Complies.
	<i>Plants selected should be endemic to the region and reflect the local ecology</i>	Complies.
Objective 4P-1	Design guidance	
<i>Appropriate soil profiles are provided</i>	<i>Structures are reinforced for additional saturated soil weight</i>	Complies (planter boxes).
	<i>Soil volume is appropriate for plant growth, considerations include:</i> • modifying depths and widths according to the planting mix and irrigation frequency • free draining and long soil life span • tree anchorage	Complies.
	<i>Minimum soil standards for plant sizes should be provided in accordance with Table 5</i>	Complies.
Objective 4P-2	Design guidance	
<i>Plant growth is optimised with appropriate selection and maintenance</i>	<i>Plants are suited to site conditions, considerations include:</i> • drought and wind tolerance • seasonal changes in solar access • modified substrate depths for a diverse range of plants • plant longevity	Complies.

	<i>A landscape maintenance plan is prepared</i>	Complies.
	<i>Irrigation and drainage systems respond to:</i> • <i>changing site conditions</i> • <i>soil profile and the planting regime</i> • <i>whether rainwater, stormwater or recycled grey water is used</i>	Complies.
Objective 4P-3	Design guidance	
<i>Planting on structures contributes to the quality and amenity of communal and public open spaces</i>	<i>Building design incorporates opportunities for planting on structures. Design solutions may include:</i> • <i>green walls with specialised lighting for indoor green walls</i> • <i>wall design that incorporates planting</i> • <i>green roofs, particularly where roofs are visible from the public domain</i> • <i>planter boxes</i> <i>Note: structures designed to accommodate green walls should be integrated into the building façade and consider the ability of the façade to change over time</i>	Complies (planter boxes).
Objective 4Q-1	Design guidance	
<i>Universal design features are included in apartment design to promote flexible housing for all community members</i>	<i>Developments achieve a benchmark of 20% of the total apartments incorporating the Livable Housing Guideline's silver level universal design features</i>	Complies.
Objective 4Q-2	Design guidance	
<i>A variety of apartments with adaptable designs are provided</i>	<i>Adaptable housing should be provided in accordance with the relevant council policy</i>	Not relevant (no such policy exists).
	<i>Design solutions for adaptable apartments include:</i> • <i>convenient access to communal and public areas</i>	Complies.

	• high level of solar access • minimal structural change and residential amenity loss when adapted • larger car parking spaces for accessibility • parking titled separately from apartments or shared car parking arrangements	
Objective 4Q-3	Design guidance	
Apartment layouts are flexible and accommodate a range of lifestyle needs	Apartment design incorporates flexible design solutions which may include: • rooms with multiple functions • dual master bedroom apartments with separate bathrooms • larger apartments with various living space options • open plan 'loft' style apartments with only a fixed kitchen, laundry and bathroom	Complies.
Objective 4R-1	Design guidance	
New additions to existing buildings are contemporary and complementary and enhance an area's identity and sense of place	Design solutions may include: • new elements to align with the existing building • additions that complement the existing character, siting, scale, proportion, pattern, form and detailing • use of contemporary and complementary materials, finishes, textures and colours	Complies.
	Additions to heritage items should be clearly identifiable from the original building	Not relevant.
	New additions allow for the interpretation and future evolution of the building	Not relevant.
Objective 4R-2	Design guidance	
Adapted buildings provide residential amenity while not precluding future adaptive reuse	Design features should be incorporated sensitively into adapted buildings to make up for any physical limitations, to ensure residential amenity is achieved. Design solutions may include: • generously sized voids in deeper buildings • alternative apartment types when orientation is poor • using additions to expand the existing building envelope	Not relevant (the Proposal does not apply to an adapted building).

	<i>Some proposals that adapt existing buildings may not be able to achieve all of the design criteria in this Apartment Design Guide. Where developments are unable to achieve the design criteria, alternatives could be considered in the following areas:</i> • <i>where there are existing higher ceilings, depths of habitable rooms could increase subject to demonstrating access to natural ventilation, cross ventilation (when applicable) and solar and daylight access (see also sections 4A Solar and daylight access and 4B Natural ventilation)</i> • <i>alternatives to providing deep soil where less than the minimum requirement is currently available on the site</i> • <i>building and visual separation – subject to demonstrating alternative design approaches to achieving privacy</i> • <i>common circulation</i> • <i>car parking</i> • <i>alternative approaches to private open space and balconies</i>	Not relevant.
Objective 4S-1	Design guidance	
<i>Mixed use developments are provided in appropriate locations and provide active street frontages that encourage pedestrian movement</i>	<i>Mixed use development should be concentrated around public transport and centres</i>	Complies.
	<i>Mixed use developments positively contribute to the public domain. Design solutions may include:</i> • <i>development addresses the street</i> • <i>active frontages are provided</i> • <i>diverse activities and uses</i> • <i>avoiding blank walls at the ground level</i> • <i>live/work apartments on the ground floor level, rather than commercial</i>	Complies (except for live/work apartments on the ground floor level).
Objective 4S-2	Design guidance	
<i>Residential levels of the building are integrated within the development,</i>	<i>Residential circulation areas should be clearly defined.</i>	Complies.
	<i>Design solutions may include:</i>	Complies.

and safety and amenity is maximised for residents	• residential entries are separated from commercial entries and directly accessible from the street • commercial service areas are separated from residential components • residential car parking and communal facilities are separated or secured • security at entries and safe pedestrian routes are provided • concealment opportunities are avoided	
	Landscaped communal open space should be provided at podium or roof levels	Complies.
Objective 4T-1	Design guidance	
Awnings are well located and complement and integrate with the building design	Awnings should be located along streets with high pedestrian activity and active frontages	Complies.
	A number of the following design solutions are used: • continuous awnings are maintained and provided in areas with an existing pattern • height, depth, material and form complements the existing street character • protection from the sun and rain is provided • awnings are wrapped around the secondary frontages of corner sites • awnings are retractable in areas without an established pattern	Complies.
	Awnings should be located over building entries for building address and public domain amenity	Complies.
	Awnings relate to residential windows, balconies, street tree planting, power poles and street infrastructure	Complies.
	Gutters and down pipes should be integrated and concealed	Complies.
	Lighting under awnings should be provided for pedestrian safety	Complies.
Objective 4T-2	Design guidance	

<i>Signage responds to the context and desired streetscape character</i>	<i>Signage should be integrated into the building design and respond to the scale, proportion and detailing of the development</i>	Complies.
	<i>Legible and discrete way finding should be provided for larger developments</i>	Complies.
	<i>Signage is limited to being on and below awnings and a single façade sign on the primary street frontage</i>	Complies (any signage will be the subject of a separate future development application if prior consent is required).
Objective 4U-1	Design guidance	
<i>Development incorporates passive environmental design</i>	<i>Adequate natural light is provided to habitable rooms (see 4A Solar and daylight access)</i>	Complies.
	<i>Well located, screened outdoor areas should be provided for clothes drying</i>	Complies.
Objective 4U-2	Design guidance	
<i>Development incorporates passive solar design to optimise heat storage in winter and reduce heat transfer in summer</i>	<i>A number of the following design solutions are used:</i> • the use of smart glass or other technologies on north and west elevations • thermal mass in the floors and walls of north facing rooms is maximised • polished concrete floors, tiles or timber rather than carpet • insulated roofs, walls and floors and seals on window and door openings • overhangs and shading devices such as awnings, blinds and screens	Complies.
	<i>Provision of consolidated heating and cooling infrastructure should be located in a centralised location (e.g. the basement)</i>	Complies (ground floor and Level 7 roof).
Objective 4U-3	Design guidance	

<i>Adequate natural ventilation minimises the need for mechanical ventilation</i>	<i>A number of the following design solutions are used:</i> • rooms with similar usage are grouped together • natural cross ventilation for apartments is optimised • natural ventilation is provided to all habitable rooms and as many non-habitable rooms, common areas and circulation spaces as possible	Complies.
Objective 4V-1	Design guidance	
<i>Potable water use is minimised</i>	<i>Water efficient fittings, appliances and wastewater reuse should be incorporated</i>	Complies.
	<i>Apartments should be individually metered</i>	Complies.
	<i>Rainwater should be collected, stored and reused on site</i>	Complies (facilities for planter box watering).
	<i>Drought tolerant, low water use plants should be used within landscaped areas</i>	Complies.
Objective 4V-2	Design guidance	
<i>Urban stormwater is treated on site before being discharged to receiving waters</i>	<i>Water sensitive urban design systems are designed by a suitably qualified professional</i>	Complies.
	<i>A number of the following design solutions are used:</i> • runoff is collected from roofs and balconies in water tanks and plumbed into toilets, laundry and irrigation • porous and open paving materials is maximised • on site stormwater and infiltration, including bio-retention systems such as rain gardens or street tree pits	Complies (facilities for planter box watering).
Objective 4V-3	Design guidance	

<i>Flood management systems are integrated into site design</i>	<i>Detention tanks should be located under paved areas, driveways or in basement car parks</i>	Complies (detention tank facilities for planter box watering).
	<i>On large sites parks or open spaces are designed to provide temporary on site detention basins</i>	Not relevant.
Objective 4W-1	Design guidance	
<i>Waste storage facilities are designed to minimise impacts on the streetscape, building entry and amenity of residents</i>	<i>Adequately sized storage areas for rubbish bins should be located discreetly away from the front of the development or in the basement car park</i>	Complies.
	<i>Waste and recycling storage areas should be well ventilated</i>	Complies.
	<i>Circulation design allows bins to be easily manoeuvred between storage and collection points</i>	Complies.
	<i>Temporary storage should be provided for large bulk items such as mattresses</i>	Complies.
	<i>A waste management plan should be prepared</i>	Complies (to be complied with).
