



CREATIVE**PLANNING**SOLUTIONS

## Statement of Environmental Effects

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Construction of a new residential flat building containing thirty-nine (39) dwellings, basement car parking to Chapter 2, Part 2, Division 1 – In-Fill Affordable Housing of *State Environmental Planning Policy (Housing) 2021*



15-17 Lupin Avenue & 82 Belmore Street, Fairfield East 2165  
Lots 1 & 2 DP1154467 and Lot 185 DP15560

Prepared for: BlueCHP Limited

Project No: E867

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# Contents

1.0	Introduction .....	5
1.1	Purpose .....	5
1.2	Cost of Proposal .....	5
1.3	Consent Authority .....	5
1.4	Pre-DA Meeting.....	5
2.0	Context of the Site and Surrounding Area.....	12
2.1	Location and site description .....	12
2.2	Site location and Context .....	15
2.3	Background on BlueCHP.....	16
3.0	Proposed Development.....	17
3.1	Project details.....	17
3.1.1	Demolition and tree removal .....	17
3.1.2	Residential flat building .....	17
3.1.3	Civil works.....	18
3.1.5	Landscaping works .....	18
3.1.6	Utilities .....	18
4.0	Planning Assessment.....	19
4.1	Section 4.15(1) - Evaluation.....	19
4.2	Environmental Planning Instruments – Section 4.15(1)(a)(i).....	19
4.2.1	State Environmental Planning Policies .....	19
4.2.1.1	State Environmental Planning Policy (Planning Systems) 2021.....	19
4.2.1.2	State Environmental Planning Policy (Housing) 2021 .....	20
4.2.1.3	State Environmental Planning Policy (Transport and Infrastructure) 2021 .....	25
4.2.1.4	State Environmental Planning Policy (Resilience and Hazards) 2021 .....	25
4.2.1.5	State Environmental Planning Policy No. 65 - Design Quality of Residential Flat Development .....	26
4.2.1.6	State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004 .....	27
4.2.1.7	State Environmental Planning Policy (Biodiversity and Conservation) 2021 .....	27
4.2.2	Fairfield Local Environmental Plan 2013 .....	28
4.2.2.1	Permissibility and zone objectives .....	28
4.2.2.2	Fairfield Local Environment Plan 2013 – Key Provisions.....	28
4.2.3	Draft Environmental Planning Instruments - Section 4.15(1)(a)(ii) .....	30
4.3	Fairfield Development Control Plan 2013 - Section 4.15(1)(a)(iii) .....	30
4.4	Planning Agreements .....	38

4.5	The Regulations .....	39
4.6	Likely Impacts of the Development .....	40
4.7	The Suitability of the Site .....	40
4.8	Any Submissions .....	40
4.9	The Public Interest.....	41
5.0	Conclusion .....	42
6.0	Appendices .....	43
6.1	Appendix A – Apartment Design Guide Compliance Table.....	43

## 1.0 Introduction

This Statement of Environmental Effects ('**SEE**') has been prepared to accompany a Development Application meeting ('**DA**') for the construction of a residential flat building, lodged pursuant to the provisions of Chapter 2, Part 2, Division 1 (In-fill affordable housing) of *State Environmental Planning Policy (Housing) 2021* ('**Housing SEPP**') and *Fairfield Local Environmental Plan 2013* ('**FLEP 2013**') at 15-17 Lupin Avenue, Fairfield East (Lots 1 & 2 DP1154467 and Lot 185 DP15560).

This DA is being lodged for consideration by Fairfield City Council ('**Council**') pursuant to Section 4.12 of the *Environmental Planning & Assessment Act 1979* ('**the Act**') by Creative Planning Solutions Pty Limited ('**CPS**').

This SEE includes a description of the site and proposed development, as well as an assessment of the proposed development pursuant to Section 4.15 of the Act and the relevant provisions of the *Environmental Planning and Assessment Regulation 2021* ('**the Regulations**').

### 1.1 Purpose

The purpose of this SEE is to outline the development proposal for the subject site, consider any environmental effects that may result from the proposed development and address how such effects can be mitigated.

### 1.2 Cost of Proposal

The Capital Investment Value ('**CIV**') of the proposal is \$25,845,320 (excluding GST). A Quantity Surveyors Report (prepared by Genius Advisory, dated 19 June 2023) has been submitted as part of the development application package. This document should be referred to when verifying the cost of the proposal.

### 1.3 Consent Authority

As detailed above the proposal has a CIV of over \$5 million. Pursuant to clause 5(b) within Schedule 6 of *State Environmental Planning Policy (Planning Systems) 2021*, the Sydney Western City Planning Panel ('**SWCPP**') is the consent authority for the proposed development.

### 1.4 Pre-DA Meeting

A Pre-DA meeting was conducted on 2 June 2022. The key matters raised by Council have been noted in the table below.

Key Pre-DA Comment	Key Response
<b>Key Issues</b>	
<b>Street Setbacks and Pedestrian Entry</b>	
The proposal does not provide a distinct and defined pedestrian entry into the premises. The current proposed pedestrian entry into the premises from	The Urban Design Study prepared by Unique Urban submits that the design of the building has clearly defined facades that is divided into distinct portions.

Key Pre-DA Comment	Key Response
<p>Belmore Street is sunken into the built form and setback substantially from the front building line. This proposed design does not promote a sense of arrival into the building and reduces the user experience and amenity for residents.</p> <p>Further, the design of the proposal does not present an easily identifiable primary frontage as the design of the premises is such that there is no definitive pedestrian entry or change in built form that would allow for the identification of the primary frontage of the building. As such, it is difficult to provide specific advice on the setbacks required to each frontage for the proposed development. Nevertheless, the development is required to comply with 7.4.3(b) of FCW DCP 2013 and give consideration to 7.4.2(c) relating to defining the corner.</p>	<p>Whilst the main entry door is set within the façade, the design emphasises the corner and whilst also providing a well-defined main entrance from Belmore Street as well as variation along Belmore Street and Lupin Avenue.</p>
<p><b>Communal Open Space</b></p> <p>The development proposes the required communal open space on the rooftop of the development. The proposal is required to provide the communal open space on the ground floor of the premises to promote accessibility and usability of the communal space. Further, the inclusion of the communal open space on the roof has the potential to result in privacy and acoustic issues that will have an adverse impact on the amenity of neighbouring properties and is not generally supported.</p>	<p>This pre-DA comment is at odds with Objective 4N-2 of the ADG. The proposed development maintains a communal open space and communal room on the rooftop which is accessed via the lift and stairs.</p> <p>Corner allotments are ideal locations for rooftop communal open spaces, particularly in instances where a northern aspect is available.</p> <p>There are notable challenges to the provision of communal open space within the side/rear setbacks at this site. The site narrows from west to east providing a relatively small area for communal open space to the east. The southern end of the site is not suitable for communal open space, given limited solar access will be available.</p> <p>There will be a high level of amenity within the proposed communal open space areas given the generous aspects and solar access available.</p> <p>The communal rooftop area is centrally located within the building footprint, preventing direct views into nearby private open space areas and habitable room windows. Being centrally located, there will be minimal visual impact of these facilities when viewed from the public realm and adjoining properties. A 0.5m glass acoustic screen is proposed along the planter boxes to mitigate future noise impacts on the adjoining residential properties. This measure was recommended by Renzo Tonn &amp; Associates.</p> <p>A secondary communal open space area is also provided on the ground floor to the eastern side of the building. This area will receive at least 3 hours sunlight between 9am and 12pm on 21 June as illustrated</p>

Key Pre-DA Comment	Key Response
	within the solar diagrams prepared by Loucas Architects.
<p><b>Driveway</b></p> <p>It is considered that the driveway's proposed location on the southern boundary of the property adjacent to the built form of the residential flat building is not acceptable. The proposal is required to integrate the driveway into the built form of the residential flat building in order to reduce amenity impacts to the southern neighbouring property and allow for additional landscaped open space on the site, as well as, presenting a unified built form.</p>	<p>The driveway has been relocated further to the north and integrated with the built form proposed above. A waiting area is proposed at the top of the ramp to, so as to minimise the width of the driveway. Adequate safety measures such as convex mirrors and / or traffic / flashing light system will be installed in accordance with Council requirements. The Traffic Impact Assessment prepared TTPP found that the traffic generated by the proposed development is minimal and not expected to have any impacts on the surrounding road network.</p> <p>Furthermore, an Acoustic Assessment prepared by Renzo Tonin &amp; Associates accompanies the development application. The assessment found that the additional traffic from the subject development is not predicted to increase noise levels by more than 2dB and complies with the RNP requirements. It is noted that an increase in 2dB or less in noise level is not perceptible to the human ear and is deemed negligible.</p> <p>In regards to landscaping, generous landscaped area is proposed between the dwelling at 13 Lupin Avenue and the driveway of the proposed development. The submitted landscape plan shows canopy tree planting which will assist with softening the driveway and the building.</p>
<p><b>Landscaped Area</b></p> <p>Pursuant to Clause 18(2)(b) of the Housing SEPP, the future development application is being made by a social housing provider and, as such, requires 35sqm of landscaped area per dwelling. Compliance with this clause results in a requirement for 1,365sqm of landscaped area on a site that has an area of 1,414sqm.</p> <p>It is considered that complete compliance with this clause is unachievable and inappropriate for this form proposed development. Clause 18(2)(c), prescribes that a development application that is not made by a social housing provider is required to provide 30% landscaped area on site.</p> <p>Despite the future development application being made by a social housing provider, it is considered compliance with Clause 18(2)(c) is more appropriate for this form of building typology and is consistent with the requirements of the Apartment Design Guide (ADG)</p>	<p>It is acknowledged that the landscaped area requirements at Clause 18(2)(b) of the Housing SEPP are unachievable and that the provisions at Clause 18(2)(c) are more appropriate.</p> <p>The total landscaped area is compliant with Clause 18(2)(c) as over 30% noting the Deep Soil Area is 433m<sup>2</sup> (30.62%).</p>

Key Pre-DA Comment	Key Response
<p><b>Amenity of Surrounding Residents</b></p> <p>The subject site, and immediate locality, is located in an area of transition from low/medium density residential development to high density residential developments. In this regard, development is required to consider the built form of the existing buildings surrounding the site to ensure the development does not significantly reduce the amenity of surrounding residents, particularly in regard to overshadowing, privacy and building separation.</p>	<p>The development has regard for the existing amenity of adjoining and nearby dwellings. Shadow diagrams prepared by Loucas Architects illustrate that at least 50% of the primary private open space of 13 Lupin Avenue and 16 Belmore Street will receive a minimum of 3 hours sunlight between 9am-12pm on 21 June.</p> <p>The design has regard for the visual privacy of adjoining residential development through the adoption of adequate setback to balconies and windows from boundaries, as well as the use of highlight windows.</p> <p>An Acoustic Assessment has been submitted which considers the noise generated by the future development. The assessment found there would be no acoustic impact to the surrounding environment, subject to noise mitigation measures recommended by Renzo Tonin &amp; Associates.</p>
<b>General Planning Matters</b>	
<p>The application shall demonstrate compliance with the relevant legislation including State Environmental Planning Policy (Housing) 2021, State Environmental Planning Policy No 65— Design Quality of Residential Flat Development (SEPP 65), Apartment Design Guide (ADG), Fairfield Local Environmental Plan (LEP 2013), Fairfield City Wide Development Control Plan 2013 (FCW DCP 2013) and Fairfield City Centre Development Control Plan 2013 (FCC DCP 2013).</p> <p>A Statement of Environmental Effects (SoEE) is required to be submitted providing full details of the proposed development and addressing all matters for consideration under Section 4.15 of the Environmental Planning and Assessment Act 1979 and the relevant development controls specified in the abovementioned applicable legislation.</p>	<p>A Statement of Environmental Effects (SEE) prepared by Creative Planning Solutions has been submitted accompanying the development application.</p> <p>The SEE has addressed the relevant legislation including:</p> <ul style="list-style-type: none"> <li>- State Environmental Planning Policy (Planning Systems) 2021</li> <li>- Housing SEPP</li> <li>- State Environmental Planning Policy (Transport and Infrastructure) 2021 (TI SEPP)</li> <li>- State Environmental Planning Policy (Resilience and Hazards) 2021 (RH SEPP)</li> <li>- State Environmental Planning Policy No. 65 - Design Quality of Residential Flat Development (SEPP 65)</li> <li>- State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004 (BASIX SEPP)</li> <li>- State Environmental Planning Policy (Biodiversity and Conservation) 2021 (BC SEPP)</li> <li>- Fairfield Local Environment Plan 2013; and</li> <li>- Fairfield Development Control Plan 2013.</li> </ul>
<p>The applicant shall prepare an Urban Design Statement for the development prepared by an appropriately qualified urban designer. The UDS shall clearly demonstrate how the design of the development is consistent with the Urban Design Framework, principles and development typologies for the site as prescribed in the FCW DCP 2013 and FCC DCP 2013.</p>	<p>An Urban Design Statement has been prepared by Unique Urban.</p> <p>The Statement found that proposal aligns with the FLEP 2013, FCW DCP 2013, and the ADG. Furthermore, the design of the building is suitable for the future context of the site considering the applicable land use zone and planning controls.</p>



Key Pre-DA Comment	Key Response
Plans shall be provided to detail the arrival experience and clearly indicate all key services within the setback zone, including dimensions and materials, illustrate letter box and numbering, signage for buildings main entry and any secondary entries. The proposal shall clearly detail the arrival experience and include fencing, entry gate structures in perspectives and elevations in amended plans.	
The design of the RFB must have regard to the development standards under Clause 6.12 (Design excellence) of FLEP 2013 and clearly demonstrate how the development is of a high quality and will deliver a high level of amenity for future residents and users.	
Consideration is to be given to the placement of any air conditioning units. Air conditioning units on balconies that are not fully integrated into the built and reduce the usable space of the balcony will not be accepted.	The Community Housing Provider is yet to document the air conditioning units on the development application plans. However, this requirement can be accepted and Council could impose this as a condition of consent.
Evidence that the applicant is a registered social housing provider is required to be submitted with any development application.	Accompanying the development application is a certificate confirming that Blue CHP is a Social Housing provider.
Documentation shall be submitted demonstrating that the development is able to achieve the required building separation as prescribed in the ADG.	The proposed development has been designed to achieve the minimum required building separation as prescribed by Part 3F of the ADG.
Solar access diagrams shall be submitted demonstrating that the development complies with the solar access requirements stipulated under SEPP 65 and the ADG.	Solar access diagrams have been prepared by Loucas Architects. Drawing Nos. A-4000 and A-4100 illustrate which apartments will receive a minimum of 2 hours sunlight. 30 of the 39 apartments will receive a minimum of 2 hours sunlight which is over the minimum 70% of apartments required (77%).
The plans submitted for the application shall demonstrate how the design of the development will allow for cross flow ventilation. Plans must demonstrate that at least 60% of apartments are naturally cross ventilated in accordance with the ADG.	Drawing Nos. A-4000 and A-4100 also demonstrate which apartments are to be cross ventilated. 24 (62%) of the of 39 apartments are to be cross ventilated complying with the Design Criteria of Objective 4B-3 of the ADG.
A Traffic and Car Parking Study shall be conducted by a qualified traffic engineer to determine the required number of car parking spaces on site. Disabled car parking spaces must be provided. The Study shall also demonstrate that the proposed development does not generate unreasonable impacts to the surrounding road network.	A Traffic Impact Assessment (TIA) has been prepared by The Transport Planning Partnership (TPPP) and accompanies the development application. The TIA illustrates that the estimated trip generation is minimal and is not expected to have a significant impact on the surrounding local road network.

Key Pre-DA Comment	Key Response
The elevation plans shall indicate the R.L of the roof and spot levels of natural ground.	Elevations prepared by Loucas Architects provide in RLs for each floor and ceiling and includes a level for the roof. Furthermore, spot levels have been nominated on the ground floor plan.
The number of lifts provided within the building shall comply with Objective 4F-1 of the ADGs.	The maximum number of apartments on any floor is seven (7). As such only one (1) is required to serve the building per Design Criteria 1 of Objective 4F-1.
A Materials and Finishes Schedule is to be submitted with any Development Application.	A Materials and Finishes Schedule has been prepared by Loucas Architects and is included with each elevation plans.
Dimensions should be provided to all proposed deep soil areas to confirm compliance with the ADG and DCP minimum dimension requirements.	Drawing No. A-5000 prepared by Loucas Architects confirms that 433m <sup>2</sup> of the site area is to be deep soil area, 367.16m <sup>2</sup> (25.95%) of which has a minimum dimension of 3m.
Internal dimensions and a summary of the internal floor areas for each unit shall be submitted.	The internal dimensions of each room within all apartments have been nominated on the architectural plans. The total area of each apartment is provided within the Unit Schedule (internal and balcony areas are listed in a separate column).
An Ongoing Waste Management Plan shall be provided with the application. The development shall also incorporate a garbage waste chute system.	An operation Waste Management Plan has been prepared by Elephants Foot. The development includes a waste chute on each level.
Adequate on-site manoeuvring shall be provided to enable vehicles to enter and exit the site in a forward direction, including waste vehicles. The development cannot be reliant on a vehicle turntable.	Both basement levels have been designed to allow adequate space for vehicles to enter and exit in a forward motion and without reliance on a vehicle turntable.  Waste is to be collected by Council in accordance with Council's collection schedule. The building caretaker is to ensure bins are transported to the street kerb for collection and returned to the designated waste storage area once emptied.
A Design Verification Statement prepared by a registered architect addressing the principles set out in SEPP 65 shall be submitted and shall include the architect's full name, signature and registration number.	A Design Verification Statement has been prepared by Loucas Architects which addresses the principles within SEPP 65. Loucas Architects are a registered architect.
<b>Engineering Matters</b>	
Car park spaces and aisle widths shall be designed in accordance with AS 2890.1. There are some car park spaces that do not comply, in particular the car parking spaces on the north western corner do not have enough clearance to enter and exit the space.	The widths of car parks spaces and aisle widths are in accordance with AS 2890.1. Furthermore, the proposed spaces within the north western corner have been reconfigured to ensure there is sufficient clearance to enter and exit the space. Refer to the TIA

Key Pre-DA Comment	Key Response
	prepared by TTPP which assesses the car parking and access requirements of the development.
Driveway shall be designed for two way traffic manoeuvring. The driveway width shall be a minimum of 5.5m to facilitate this.	The driveway has a width of 6 metres to allow vehicles to queue off street whilst waiting for vehicles exiting the site. This arrangement is in accordance with AS2890.1:2004. Refer to the TIA prepared by TTPP.
A stormwater plan prepared by a qualified engineer and designed in accordance with Council's Stormwater Management Policy. The stormwater flows generated by the development shall be controlled via an On Site Detention.	Stormwater plans have been prepared by Jones Nicholson and accompany the development application.
Swept paths shall be submitted to show vehicles can manoeuvre through the site and any critical car park spaces.	Appendix B of the TIA prepared by TTPP includes swept path diagrams to show vehicles can manoeuvre through each basement and enter/exit the site in a forward direction.

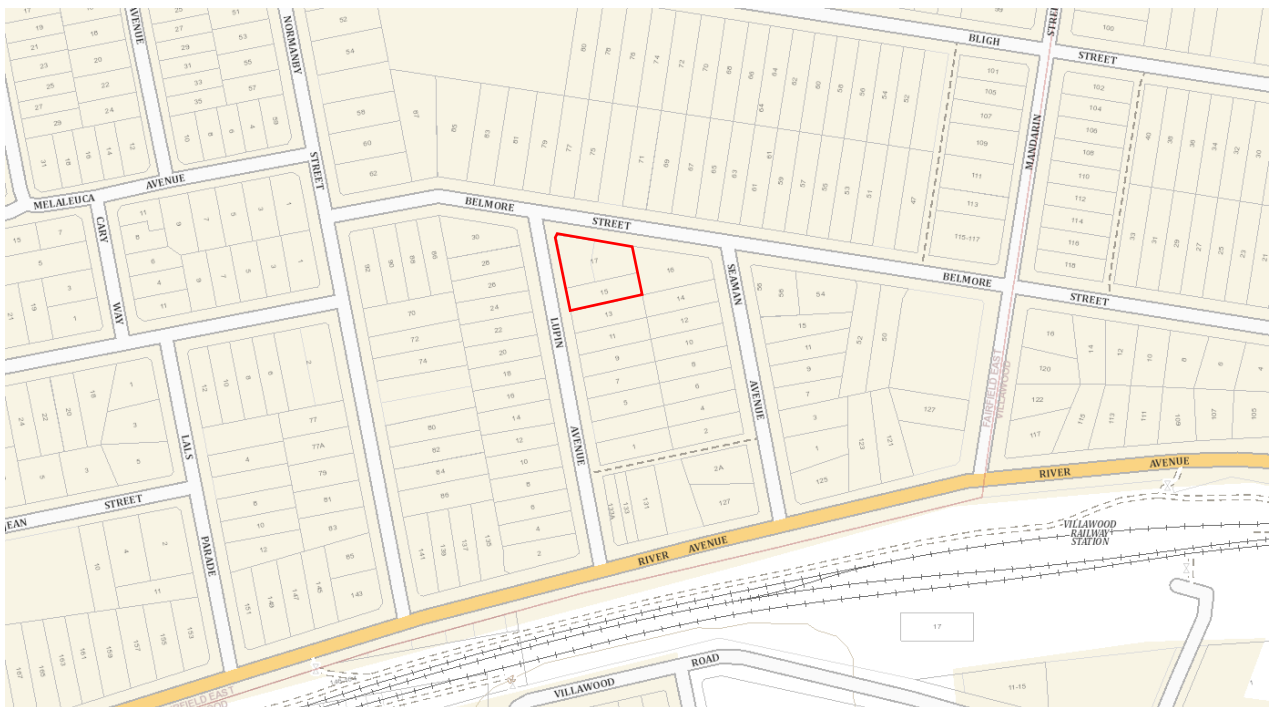
## 2.0 Context of the Site and Surrounding Area

### 2.1 Location and site description

The land which is the subject of this DA ('**subject site**') contains three (3) allotments that are addressed as 15 & 17 Lupin Avenue, Fairfield East (Lot 185 DP15560 and Lots 1 & 2 DP1154467). Combined, the two allotments form an irregular shaped allotment with an area of 1,414m<sup>2</sup>. The site falls from the south-eastern corner to the north-western corner adjacent to the intersection of Lupin Avenue and Belmore Street.

The site has four boundaries including two road frontages that are detailed as follows:

- **Northern boundary:**
  - Adjoins the Belmore Street road reserve
  - Total length: 41.29 metres (excluding corner splay)
- **Eastern boundary:**
  - Adjoins 16 Seaman Avenue, a residential allotment
  - Total length: 27.27 metres
- **Southern boundary:**
  - Adjoins 13 Lupin Avenue, a residential allotment
  - Total length: 40.255 metres
- **Western boundary:**
  - Adjoins the Lupin Avenue Road reserve
  - Total length 41.55 metres (excluding corner splay)



**Figure 1:** A map of the locality, showing the location of the site in relation to the surrounding area.

Source: Six Maps

15 Lupin Avenue (Lot 185 DP15560) is the southern lot and is improved by a double-storey detached dwelling house and associated development (carport, shed, paved areas etc.). 17 Lupin Avenue is located at the south-eastern corner of the intersection of Lupin Avenue and Belmore Street, and is currently occupied by two single-storey dwelling houses with same address but on two different lots being Lots 1 & 2 DP1154467. One dwelling house is accessed via Lupin Avenue, whilst the other is via Belmore Street and is informally addressed as 82 Belmore Street. Access is obtainable via driveway crossovers from Lupin Avenue.

The subject site is located within the suburb of Fairfield East, which is located within the Fairfield City Local Government Area ('LGA'). The site is approximately 250m to the west of the Villawood Town centre, approximately 1.6km south-east of the Fairfield Town Centre, and approximately 21.5km west of the Sydney Central Business District ('CBD').

The subject site is located within an R4 High Density Residential zone; land on the western side of the Normanby Street is zoned as R3 Medium Density Residential, whilst further west of Lals Parade the land is zoned as R2 Low Density Residential.

The subject site is not mapped as bushfire prone land. The site is not identified as being affected by any other hazards or major constraints and does not contain a heritage item nor is it within a heritage conservation area; the site is not in close proximity to a heritage item.



**Figure 2:** Aerial photo of the subject site (outlined by the red border) and the surrounding area.

Source: NearMap, 3 February 2023





**Figure 3:** A close-up aerial photo of the subject site, which is outlined by the red border.

Source: NearMap, Captured 3 February 2023



**Figure 4:** 15 & 17 Lupin Avenue (captured on Lupin Avenue)

Source: Google, October 2020





**Figure 5:** 17 Lupin Avenue, (Corner of Belmore Street and Lupin Avenue)

Source: Google, October 2020



**Figure 6:** 17 Lupin Avenue (captured from Belmore Street)

Source: Google, October 2020

## 2.2 Site location and Context

Development within the immediate surrounding area is a mixture of low and medium density residential development, consisting of detached dwelling houses, attached dual occupancies and multi dwelling housing.

In the wider context, the subject site is on the periphery of land zoned E1 Local Centre and E4 General Industry. Further east is the Villawood Industrial Precinct which is zoned IN1 General Industrial under

*Canterbury-Bankstown Local Environmental Plan 2023*. The area is serviced by the Villawood Station, on the T3 Train Line, and located within 800m walking distance of the subject site.

The allotments that directly adjoin the subject site contain detached dwelling houses. It is highlighted that land within the R4 High Density Residential Zone was only rezoned 17 December 2020. As such, it is anticipated that the area will experience intensification including residential flat buildings and multi dwelling housing.

The area has good access to public transport as Villawood Station is located to the south and approximately 570 metres walking distance from the subject site. Additionally, bus stops are located on River Avenue which is serviced by the S4 bus route. Bus Routes 4T3, 17T3 and N50 are also accessible from Villawood Station.

With the exception of numerous pocket parks, the nearest recreation area to the site is Fairfield Park which adjoins Orphan School Creek. The reserve is approximately 2 kilometres to the west and includes sporting ovals, a leisure centre, playgrounds and walking trails.

## 2.3 Background on BlueCHP

Since their inception in 2008, BlueCHP Limited (**BlueCHP**) has been a leading Community Housing Provider delivering both private and affordable housing in New South Wales and Queensland. To date, BlueCHP have built more than 1,700 dwellings; of these, a significant proportion include both social and affordable rental housing. A certificate is accompanying this development application confirming that Blue CHP is a registered social housing provider.

In June 2019, the National Housing Finance & Investment Corporation provided a construction loan to BlueCHP, the first such loan issued to a community housing provider. The loan covered two BlueCHP projects, one being in Lane Cove and another located in Liverpool, with a significant number of homes between the two projects to be provided as affordable housing (including affordable housing for people with disabilities).



## 3.0 Proposed Development

### 3.1 Project details

Pursuant to Section 4.12 (Application) of the Act, consent is sought for the construction of a six-storey residential flat building and two basement carpark levels, landscaping and civil works, and the consolidation of the three allotments that make up the subject site. The proposal is to be undertaken pursuant to Chapter 2, Part 2, Division 1 – In-fill Affordable Housing of the Housing SEPP.

The specifics and details of the proposal are contained within the following subsections.

#### 3.1.1 Demolition and tree removal

The proposal seeks demolition of all trees and removal of all buildings on site.

As part of demolition works, it is proposed for 13 trees to be removed. All trees proposed to be removed would occur within the site boundaries, with all trees on the adjoining Council road reserves to be preserved. All trees to be removed would be replaced with locally endemic species.

#### 3.1.2 Residential flat building

The application includes the construction of a six (6) storey residential flat building containing thirty-nine (39) residential apartments, plus two (2) basement car parking levels, and a partial seventh storey containing a communal room and open space. All thirty-nine (39) apartments are proposed to provide adaptable and affordable housing, to be managed by BlueCHP, a registered community housing provider. As such, 100% of the apartments within the development would be for in-fill affordable housing.

Lift access is to be provided to all apartments. Each of the residential apartments will have its own private open space ('POS') area, with varying areas and dimensions. A rooftop communal room and communal open space are also proposed.

The plans depict a contemporary and highly articulated design that would address all boundaries, including both Lupin Avenue and Belmore Street. The exterior of the residential flat building would also be finished with a variety of materials, including brick, render, and timber. The design of the building has also sought to pursue compliance with solar access and cross-ventilation requirements (refer to relevant planning assessments within Section 4 of this document).

In addition to six (6) residential apartments, the ground floor contains an entry lobby.

A breakdown of the proposed apartment mix and types are as follows:

Dwelling types:	Dwelling numbers	Proportion of total number of dwellings
1 bedroom	6	15.38%
2 bedrooms	30	76.92%
3 bedrooms	3	7.69%
<b>Total</b>	<b>39</b>	<b>100%</b>

The two basement levels would contain forty (40) car parking spaces as follows:

- Basement Level 1 (Level -01):
  - 21 car parking spaces, including:
    - 2 disabled spaces
    - 10 visitor spaces
- Basement Level 2 (Level -02):
  - 19 car parking spaces

### 3.1.3 Civil works

A range of civil works are proposed to facilitate the construction and ongoing use of the residential flat building. The existing crossover on Belmore Street and to 17 Lupin Avenue are to be removed. The existing crossover to 15 Lupin Avenue is to be reconstructed for the purpose of vehicular access/egress to/from the basement carpark.

Drainage infrastructure is to be constructed. Stormwater management is shown on the submitted stormwater management plans. The plans include details such as the location of the rain water tank and on-site detention system

### 3.1.5 Landscaping works

Substantial landscaping opportunities are proposed throughout the site, including a substantial amount of the site area as deep soil.

Detailed landscape plans have been prepared by Botanique Design and are accompanying the Development Application. The detailed landscape plans include details of the selected species, mature height and pot size and shows the selected location of each plant.

### 3.1.6 Utilities

The subject site is connected to all essential services. Utilities and connection points for necessary service will be provided in consultation with the particular agencies and authorities. Connection details will be provided as part of the Construction Certificate process.

## 4.0 Planning Assessment

### 4.1 Section 4.15(1) - Evaluation

In accordance with Section 4.15(1) of the *Environmental Planning and Assessment Act 1979*, the Consent Authority is to take into consideration matters that are of relevance and that are the subject of the development application, specifically:

- (a) *the provisions of:*
  - (i.) *any environmental planning instrument, and*
  - (ii.) *any proposed instrument that is or has been the subject of public consultation under this Act and that has been notified to the consent authority (unless the Planning Secretary has notified the consent authority that the making of the proposed instrument has been deferred indefinitely or has not been approved), and*
  - (iii.) *any development control plan, and*
  - (iiia) *any planning agreement that has been entered into under section 7.4, or any draft planning agreement that a developer has offered to enter into under section 7.4, and*
  - (iv.) *the regulations (to the extent that they prescribe matters for the purposes of this paragraph),*
  - (v.) *(Repealed)**that apply to the land to which the development application relates,*
- (b) *the likely impacts of that development, including environmental impacts on both the natural and built environments, and social and economic impacts in the locality,*
- (c) *the suitability of the site for the development,*
- (d) *any submissions made in accordance with this Act or the regulations,*
- (e) *the public interest.*

### 4.2 Environmental Planning Instruments – Section 4.15(1)(a)(i)

#### 4.2.1 State Environmental Planning Policies

##### 4.2.1.1 State Environmental Planning Policy (Planning Systems) 2021

As the proposal has a CIV of over \$5 million, pursuant to clause 5(b) within Schedule 6 of *State Environmental Planning Policy (Planning Systems) 2021*, the Sydney Western City Planning Panel ('SWCPP') is the consent authority for the proposed development.

#### 4.2.1.2 State Environmental Planning Policy (Housing) 2021

Compliance with the applicable provisions of Chapter 2, Part 2, Division 1 (In-fill affordable housing) of the Housing SEPP is demonstrated within the following table:

Division 1 - In-fill affordable housing			
Clause	Required	Proposed	Complies?
16 Development to which Division applies	(1) This Division applies to residential development if:		
	(a) the development concerned is permitted with consent under another environmental planning instrument.	With regard to clause (1)(a), 'Residential flat buildings' (as defined by the Standard Instrument) are permissible with consent within the R4 zone under FLEP 2013.	Yes
	(b) at least 20% of the gross floor area of the building resulting from the development will be used for the purposes of affordable housing, and	With regard to clause (1)(b), 100% of the development is to be used for affordable housing.	Yes
	(c) for development on land in the Greater Sydney region, Newcastle region or Wollongong region—all or part of the development is within an accessible area, and	The subject site is located within an accessible area as it is within 800 metres walking distance to Villawood Station.	Yes
	(d) for development on other land—all or part of the development is within 400m walking distance of land within 1 or more of the following zones or an equivalent land use zone— (ia) Zone E1 Local Centre, (ib) Zone MU1 Mixed Use, (i) Zone B1 Neighbourhood Centre, (ii) Zone B2 Local Centre, (iii) Zone B4 Mixed Use.	Subject site is located within the Greater Sydney Region.	N/A
	In this policy, 'accessible area' means land that is within:		
	(a) 800 metres walking distance of a public entrance to:		
	(i) a railway station or		
	(ii) a wharf from which a Sydney Ferries ferry service operates, or		
	(b) 400 metres walking distance of:		
	(i) a public entrance to a light rail station or,		
	(ii) for a light rail station with no entrance, a platform of the light rail station.		
	(c) 400 metres walking distance of a bus stop used by a regular bus service (within the meaning of the Passenger Transport Act 1990) that	The subject site is within 800 metres walking distance of Villawood Station.	Yes

	<p>has at least one bus per hour servicing the bus stop between:</p> <ul style="list-style-type: none"> <li>(i) 06.00 and 21.00 each day from Monday to Friday (both days inclusive) and</li> <li>(ii) between 08.00 and 18.00 on each Saturday and Sunday.</li> </ul>		
	(2) In this Division, residential development carried out by, or on land owned by, the Land and Housing Corporation is taken to be used for the purposes of affordable housing.	Not carried out by LAHC	N/A
<b>17 Floor space ratios</b>	<p>(1) The maximum floor space ratio for development to which this Division applies is the maximum permissible floor space ratio for residential accommodation on the land plus an additional floor space ratio of—</p> <ul style="list-style-type: none"> <li>(a) if at least 50% of the gross floor area of the building resulting from the development will be used for affordable housing—0.5:1, or <ul style="list-style-type: none"> <li>(i) if less than 50% of the gross floor area of the building will be used for affordable housing—Y:1, where—</li> </ul> <p><b>AH</b> is the percentage of the gross floor area of the building that is used for affordable housing.  <math>Y = AH \div 100</math></p> </li> <li>(b) the maximum permissible floor space ratio is more than 2.5:1— <ul style="list-style-type: none"> <li>(i) if at least 50% of the gross floor area of the building will be used for affordable housing—20% of the maximum permissible floor space ratio, or</li> <li>(ii) if less than 50% of the gross floor area of the building will be used for affordable housing—Z% of the maximum permissible floor space ratio, where—</li> </ul> <p><b>AH</b> is the percentage of the gross floor area of the</p> </li> </ul>	<p>The maximum floor space ratio prescribed by subclause (2)(b) of the FLEP 2013 is 2:1.</p> <p>100% of the gross floor area is to be used for affordable housing and therefore an additional 0.5:1 is applicable.</p>	

	building that is used for affordable housing. $Z = AH \div 2.5$		
	(2)		
	(3) The additional floor space ratio must be used for the purposes of affordable housing.	100% of the gross floor area is to be used for affordable housing.	Yes
<b>18 Non-discretionary development standards—the Act, s 4.15</b>	(1) The object of this section is to identify development standards for particular matters relating to development for the purposes of in-fill affordable housing that, if complied with, prevent the consent authority from requiring more onerous standards for the matters.		Noted.
	(2) The following are non-discretionary development standards in relation to the carrying out of development to which this Division applies—		
	(a) a minimum site area of 450m <sup>2</sup> ,	Site area exceeds 450m <sup>2</sup>	Yes
	(b) for a development application made by a social housing provider—at least 35m <sup>2</sup> of landscaped area per dwelling,	Unreasonable for building of this height; Given 39 apartments are proposed, 1,365m <sup>2</sup> of landscaped area is required, and this would require majority of the site to be landscaped area given the site area is 1,414m <sup>2</sup> . Compliance would not be reasonable, and the proposal instead complies with (c) below.	No
	(c) if paragraph (b) does not apply—at least 30% of the site area is landscaped area,	At least 30% of the site is to be landscaped area.	Yes
	(d) a deep soil zone on at least 15% of the site area, where—	25.95% (367.16m <sup>2</sup> ) of site area is deep soil with a minimum dimension of 3m	Yes
	(i) each deep soil zone has minimum dimensions of 3m, and		
	(ii) if practicable, at least 65% of the deep soil zone is located at the rear of the site,		
	(e) living rooms and private open spaces in at least 70% of the dwellings receive at least 3 hours of	Refer to ADG assessment.	Yes

	direct solar access between 9am and 3pm at mid-winter,		Yes																				
(f)	for a development application made by a social housing provider for development on land in an accessible area—	The application seeks a total of five (5) x one-bedroom apartments, thirty-one (31) x two-bedroom and three (3) three-bedroom apartments. Blue CHP is a social housing provider.																					
(i)	for each dwelling containing 1 bedroom—at least 0.4 parking spaces, or																						
(ii)	for each dwelling containing 2 bedrooms—at least 0.5 parking spaces, or	As such, a total of 20.4 car parking spaces are required for the thirty-nine (39) proposed affordable housing apartments. Refer to calculations in the table below.																					
(iii)	for each dwelling containing at least 3 bedrooms—at least 1 parking space,	<table border="1"> <thead> <tr> <th>Type</th><th>Qty</th><th>Rate</th><th>Req.</th></tr> </thead> <tbody> <tr> <td>1-bed</td><td>6</td><td>0.4</td><td>2.4</td></tr> <tr> <td>2-bed</td><td>30</td><td>0.5</td><td>15</td></tr> <tr> <td>3-bed</td><td>3</td><td>1</td><td>3</td></tr> <tr> <td>Total</td><td>39</td><td></td><td>20.4</td></tr> </tbody> </table>	Type	Qty	Rate	Req.	1-bed	6	0.4	2.4	2-bed	30	0.5	15	3-bed	3	1	3	Total	39		20.4	
Type	Qty	Rate	Req.																				
1-bed	6	0.4	2.4																				
2-bed	30	0.5	15																				
3-bed	3	1	3																				
Total	39		20.4																				
(g)	if paragraph (f) does not apply—		N/A																				
(i)	for each dwelling containing 1 bedroom—at least 0.5 parking spaces, or	Blue CHP is a social housing provider, parking rates under (f) are applicable.																					
(ii)	for each dwelling containing 2 bedrooms—at least 1 parking space, or																						
(iii)	for each dwelling containing at least 3 bedrooms—at least 1.5 parking spaces,		Yes																				
(h)	for development for the purposes of residential flat buildings—the minimum internal area specified in the Apartment Design Guide for each type of apartment,	Apartments have been designed to comply with the internal area requirements specified by the ADG.																					
(i)	for development for the purposes of dual occupancies, manor houses or multi dwelling housing (terraces)—the minimum floor area specified in the Low Rise Housing Diversity Design Guide,	The proposal is a residential flat building, refer to (h).	N/A																				
(j)	if paragraphs (h) and (i) do not apply, the following minimum floor areas—		N/A																				
(i)	for each dwelling containing 1 bedroom—65m <sup>2</sup> , or	The proposal is a residential flat building, refer to (h).																					

	<p>(ii) for each dwelling containing 2 bedrooms—90m<sup>2</sup>, or</p> <p>(iii) for each dwelling containing at least 3 bedrooms—115m<sup>2</sup> plus 12m<sup>2</sup> for each bedroom in addition to 3 bedrooms.</p>		
<b>19 Design requirements</b>	<p>(1) Development consent must not be granted to development to which this Division applies unless the consent authority has considered the following, to the extent to which they are not inconsistent with this Policy—</p> <p>(a) the Seniors Living Policy: Urban Design Guidelines for Infill Development published by the Department of Infrastructure, Planning and Natural Resources in March 2004,</p> <p>(b) for development for the purposes of dual occupancies, manor houses or multi dwelling housing (terraces)—the Low Rise Housing Diversity Design Guide.</p>	Not applicable, see clause 19(2) below.	N/A
	<p>(2) Subsection (1) does not apply to development to which <i>State Environmental Planning Policy No 65—Design Quality of Residential Apartment Development</i> applies.</p>	Refer to the assessment of SEPP 65 within Section 4.2.1.5 of this statement.	-
	<p>(3) Development consent must not be granted to development to which this Division applies unless the consent authority has considered whether the design of the residential development is compatible with—</p> <p>(a) the desirable elements of the character of the local area, or</p> <p>(b) for precincts undergoing transition—the desired future character of the precinct.</p>	Subject site is located within the R4 High Density Residential zone. The objectives of the zone seek to provide a variety of housing types within a high-density residential environment. Given this area was rezoned in 2020, the proposed residential flat building is deemed to respond to the desired future character of the precinct.	Yes
<b>20 Continued application of SEPP 65</b>	Nothing in this Policy affects the application of State Environmental Planning Policy No 65—Design Quality of Residential Flat Development to any development to which this Division applies.	The development has been designed with regard to SEPP 65.	-



21 Must be used for affordable housing for at least 15 years	(1) Development consent must not be granted under this Division unless the consent authority is satisfied that for a period of at least 15 years commencing on the day an occupation certificate is issued— (a) the affordable housing component of the residential development will be used for affordable housing, and (b) the affordable housing component will be managed by a registered community housing provider.	Blue CHP is not opposed to a condition of consent requiring compliance with this provision.	Yes
	(2) Subsection (1) does not apply to development on land owned by the Land and Housing Corporation or to a development application made by, or on behalf of, a public authority.		
	(3) In this section— <b>affordable housing component</b> , in relation to development to which this		

As demonstrated above, the proposed development would satisfy the relevant provisions of Division 1 of the Housing SEPP, with the exception of landscaped area which has been adequately justified.

#### 4.2.1.3 State Environmental Planning Policy (Transport and Infrastructure) 2021

The provisions of the TI SEPP would not be applicable to this application. The site is not burdened by, nor does it adjoin Infrastructure to which Part 2.3, Division 5 (Electricity transmission or distribution) of the SEPP applies. The site does not adjoin any classified road corridors.

Further, the development is not of a size that is identified by Schedule 3 of the SEPP as 'traffic generating development'. Council is therefore not required to make a referral to Transport for NSW (TfNSW).

#### 4.2.1.4 State Environmental Planning Policy (Resilience and Hazards) 2021

*State Environmental Planning Policy (Resilience and Hazards) 2021* applies to the subject DA. Section 4.6(1)(a) requires a consent authority to consider the contamination status of the land and be satisfied the land is, or will be made, suitable for the purpose for which the development is proposed to be carried out.

The subject site and surrounding sites are located within a well-established residential area that has been both zoned and used as such for an extended period of time. The Preliminary Site Investigation (PSI) prepared by Trace Environmental found the following potential contaminant sources identified on site:

- Possible importation of fill material to develop the site in its current layout; and
- Potential lead-based paint, ACM and/or other hazardous materials in the on-site structures.

Upon observation there was no evidence that there were widespread impacts, such as ACM, stained soils or stressed vegetation. As such, the results of the PSI considered that there is to be low potential for widespread contamination to have occurred on the site as a result of the current and historical land uses.

On this basis, the site is considered suitable for the proposed residential redevelopment subject to the following recommendations being adopted:

- A Hazardous Materials (HAZMAT) Survey should be prepared prior to demolition or removal of any onsite structures, with any control measures outlined in the HAZMAT survey to be implemented during demolition or removal works. The removal and disposal of asbestos (if any) during future site works must be managed in accordance with the Work Health and Safety Regulation (2017) and Work Health and Safety Act (2011), the NSW codes of practice (including *How to Manage and Control Asbestos in the Workplace* and *How to Safely Remove Asbestos*) and the NSW EPA (2014) *Waste Classification Guidelines*;
- An unexpected finds protocol (UFP) should be prepared and implemented for the proposed redevelopment works to outline the procedures that should be followed in the event that signs of contamination are encountered (such as the presence of ACM in fill materials or stained soils/buried debris);
- During site redevelopment works, any excess soil that is generated during construction works that is surplus to site development requirements (including materials excavated as part of removal of any unexpected finds) will require classification in accordance with NSW EPA (2014) *Waste Classification Guidelines* and disposed at a facility licensed to receive the waste; and
- Any imported fill material brought onto the site for any purpose must be validated as being suitable for the intended land use.

With regard to the above, the site is considered to be suitable in its present state for the proposed development, and no further investigations of site contamination is warranted.

#### 4.2.1.5 State Environmental Planning Policy No. 65 - Design Quality of Residential Flat Development

As the proposed development is for a Residential Flat Building that contains at least four dwellings and is more than two storeys high, the provisions of *State Environmental Planning Policy No.65 – Design Quality of Residential Flat Development* ('SEPP 65') apply to the proposal.

The proposal has been designed to comply with both the prescriptive and non-prescriptive provisions of SEPP 65 and the Apartment Design Guide ('ADG'), the latter of which provides design criteria and guidance about how development proposals can achieve the nine design quality principles contained within Schedule 1 of the SEPP.

Pursuant to Section 29(1) of the Regulations, a development application that relates to residential apartment development must be accompanied by a statement by a qualified designer. Accompanying the development application is a Design Verification Statement (DVS) prepared by Loucas Architects. Theodore Lucas is a registered architect, therefore is qualified to prepared the DVS. The DVS submits that the proposed development achieves the nine design quality principles contained within Schedule 1 of the SEPP.

As discussed within Section 1.4 of this SEE, an Urban Design Study was sought as an application requirement for the future development application. An Urban Design Study has been prepared by Unique Urban and accompanies the development application. Ultimately, the study found that the development is suitable when considering the applicable planning controls noting the site's zone is R4 High Density Residential zone. It was considered that the bulk and scale is fitting for the site future context given the anticipated growth.

The design of the building was directed by Loucas Architects. The ADG Compliance Table at **Appendix A** demonstrates the building has been designed with regard to the ADG.

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

*State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004* operates to encourage sustainable residential development. Pursuant to Clause 6(1) of the SEPP, the SEPP would apply to 'BASIX affected development' (as defined by the Regulations). In accordance with the Regulations, a BASIX certificate is to be lodged as part of the development application package.

BASIX Certificate No. 1397779M is accompanying documentation therefore accompany this application, and demonstrate that the proposal is able to achieve all targets relating to water, thermal comfort and energy. Refer to the accompanying documentation for further information.

#### 4.2.1.7 State Environmental Planning Policy (Biodiversity and Conservation) 2021

Chapter 2 Vegetation in non-rural areas of State Environmental Planning Policy (Biodiversity and Conservation) 2021 applies to the subject DA. Chapter 2, Part 2.6 of the SEPP states that a person must not clear non-exempt vegetation in any applicable area without the authority conferred by a permit granted by the Council.

In accordance with Part 2.3, the subject site is located within an applicable area as is it within the R4 – High Density Residential Zone and within City of Fairfield LGA.

The aims of Part 2.1 are as follows:

- a. *to protect the biodiversity values of trees and other vegetation in non-rural areas of the State, and*
- b. *to preserve the amenity of non-rural areas of the State through the preservation of trees and other vegetation.*

Thirteen (13) trees are sought for removal, and all aside from one of these trees is deemed of low retention value. A Council street tree is sought to be retained and protected. Refer to the Arboricultural Impact Assessment accompanying this application.

## 4.2.2 Fairfield Local Environmental Plan 2013

### 4.2.2.1 Permissibility and zone objectives

‘Residential flat buildings’ are a form of development that is permissible with consent within the R4 zone under FLEP 2013.

The objectives of the R4 zone are as follows:

- *To provide for the housing needs of the community within a high density residential environment.*
- *To provide a variety of housing types within a high density residential environment.*
- *To enable other land uses that provide facilities or services to meet the day to day needs of residents.*
- *To maximise opportunities for increased development on all land by encouraging site amalgamations.*

The proposal would satisfy the objectives of the zone as follows:

- It would provide for the housing needs of the community including those with a lower-income and/or those experiencing disadvantage, within a form of development that is consistent with a high-density residential environment,
- A variety of housing would be provided in the forms of one, two and three-bedroom affordable dwellings,
- The development would not affect the ability of surrounding allotments to provide services and/or facilities that would serve the daily needs of local residents,
- As demonstrated by this Statement, the development would concentrate housing in close proximity to a number of frequent public transport services, including Villawood Station and the S4 bus route which would provide short and direct travel routes to railway stations, local shops, services and facilities within Fairfield and Greater Sydney,
- The proposal seeks the amalgamation of land, and in a manner that would not fragment surrounding sites or prevent the future development of high-density residential developments on those sites.

### 4.2.2.2 Fairfield Local Environment Plan 2013 – Key Provisions

The following table provides an assessment of the proposed development against the relevant provisions of FLEP 2013.

Fairfield Local Environment Plan 2013			
Clause	Requirement	Proposed	Complies
4.3 Height of buildings	<p>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.</p> <p>Maximum permitted height: 20m</p>	<p>Maximum proposed height: 22.35 metres to the lift overrun.</p> <p>Whilst the lift overrun and communal area will exceed the 20 metre permitted height, they will be centrally located and therefore not visible from the surrounding streetscape nor adjoining properties.</p>	No – Refer to Clause 4.6 variation request.

		It is also noted that the height of building measured to the roof of level 5 will be below the 20-metre permitted height.	
4.4 Floor space ratio	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.	Refer to Clause 4.4A.	N/A
4.4A Exceptions to maximum floor space ratio in Zone R4	<p>(1) This clause applies to land in Zone R4 High Density Residential (excluding any land in Bonnyrigg, Cabramatta, Canley Vale and Fairfield Heights).</p> <p>(2) Despite clause 4.4, the maximum floor space ratio for a building on land to which this clause applies is as follows—</p> <p>(a) if the building has a street frontage of less than 30 metres—0.8:1,</p> <p>(b) if the building has a street frontage of at least 30 metres, but less than 45 metres—</p> <p>(i) 1.25:1 if the site has a depth of less than 40 metres, or</p> <p>(ii) 1.5:1 if the site has a depth of at least 40 metres,</p> <p>(c) if the building has a street frontage of at least 45 metres—</p> <p>(i) 1.5:1 if the site has a depth of less than 40 metres, or</p> <p>(ii) 2:1 if the site has a depth of at least 40 metres.</p>	<p>Noted. Provided accompanying the development application is legal advice prepared by Bartier Perry. The legal advice demonstrates that Clause 4.4(2)(c)(ii) of the FLEP 2013 is applicable and given the additional FSR prescribed at Section 17(1)(a)(i) of the Housing SEPP, a maximum FSR of 2.5:1 applies to the development site.</p> <p>The subject site is a corner allotment that fronts Lupin Avenue (41.55m) and Belmore Street (41.29m), generating a total frontage of 82.84 metres.</p> <p>The depth of the site from Lupin Avenue to the eastern boundary is 40.255 metres.</p> <p>Given these dimensions, the applicable maximum floor space ratio is 2:1.</p> <p>In total, the permitted FSR is 2.5:1, as an additional 0.5:1 is permitted under Clause 17(1)(a)(i) of the Housing SEPP.</p> <p>The total gross floor area of the development is 3,054m<sup>2</sup>. The proposed development has a compliant FSR of 2.16:1. (refer to discussion below)</p>	-
6.12 Design Excellence	The objective of this clause is to ensure that development exhibits design excellence that contributes to the natural, cultural, visual and built character values of Fairfield.	Refer to comments in relation to clause 19(3) of the Housing SEPP.	Yes

### 4.2.3 Draft Environmental Planning Instruments - Section 4.15(1)(a)(ii)

The Accelerated FLEP Review Program (Stage 2) is at the finalisation stage where the Planning Proposal has been returned to the Department for assessment and drafting of the LEP. This Planning Proposal seeks changes to height and floor space ratios within the suburb of Fairfield; however, no changes are proposed to the subject site.

On this basis the Draft Environmental Planning Instruments have no bearing on the subject development application.

### 4.3 Fairfield Development Control Plan 2013 - Section 4.15(1)(a)(iii)

Fairfield Development Control Plan 2013 (FDCP 2013) provides guidelines and controls for development in the Fairfield Council LGA. An assessment of the proposed development against relevant provisions is provided below, along with a comment on how the proposed development performs against each of these objectives.

A number of controls within the FDCP 2013 are superseded by the provisions of *State Environmental Planning Policy No. 65 - Design Quality of Residential Flat Buildings*.

Fairfield Development Control Plan 2013		
7.1 Introduction		
Requirement	Proposed	Complies
<b>7.1.1 Development</b> This chapter applies to residential flat buildings and shop top housing.  Definitions for residential flat buildings and shop top housing are provided in Fairfield Local Environmental Plan (LEP) 2013.  <b>Residential flat building</b> means a building containing 3 or more dwellings, but does not include an attached dwelling or multi dwelling housing.	The proposal is the development of a six (6) storey residential flat building, including a basement and partial seventh storey. Therefore, the definition within the FDCP is met.	Yes
<b>7.1.2 Zones</b> Residential flat buildings are permitted under Fairfield LEP 2013 in the following zones:  (a) R1 General Residential Zone – Refer to the Bonnyrigg Living Communities Masterplan for residential flat building controls. (b) R4 High Density Residential Zone.	The subject site is within the R4 High Density Residential zone.	Yes
<b>7.1.3 Site requirements</b> Regular lots are defined as rectangular lots.  <b>Minimum lot area</b> – there is no minimum lot size requirement for residential flat buildings and shop top housing. Development standards and other requirements will determine viable lot areas.	There are no minimum requirements.	Yes

**Minimum lot width-** there is no minimum lot width requirement for residential flat buildings housing. Any proposed Residential Flat Buildings will be required to address the development standards identified within the FLEP 2013 relating to building heights and FSRs as well as other controls contained within this Chapter.

**Minimum lot depth** - there is no minimum requirement for residential flat buildings and shop top housing. Development standards and other requirements will determine the minimum viable lot depth.

**Note:** Lot width and depth will impact on the Floor Space Ratio that is able to be achieved. For more information, refer to Clause 7.3.1 Floor Space Ratio

A residential flat building development proposed on irregular lots will be assessed on its merits and maximum FSR and height controls may not be achieved. The appropriate FSR and height will be assessed taking into consideration the objectives and controls that apply to similar sized regular lots and the opportunities and constraints of the site and the ability of the design to comply with all other existing relevant controls.

An irregular lot is defined as a lot that is not rectangular in shape.

#### 7.4 Built form

##### Requirement

##### Controls

For residential flat buildings within the R4 High Density Residential Zone (excluding Clause 4.4A (1) of the Fairfield LEP 2013, the Zone R4 High Density Residential in Cabramatta and Canley Vale), the maximum floor space ratio for residential flat buildings is contained within the following table:

Column 1	Column 2
Frontage up to 30m	0.8:1
Frontage between 30m and 45m and depth less than 40 metres	1.25:1
Frontage between 30m and 45m and depth of 40 metres or more	1.5:1
Frontage greater than 45m and depth less than 40m	1.5:1
Frontage greater than 45m and depth greater than 40m	2:1

##### Proposed

Refer to Housing SEPP and FLEP 2013 discussion.

The subject site fronts two streets being Lupin Avenue and Belmore Street. Therefore, the total frontage is over 45 metres. The site depth is over 40 metres.

On this basis a 2:1 FSR is applicable (2.5:1 with additional 0.5:1 prescribed under the Housing SEPP).

The proposal has a total gross floor area of 3,054sqm, equating to an FSR of 2.16:1. The FSR is under the prescribed allowance of the FLEP and Housing SEPP (2.5:1).

##### Complies

Yes

#### 7.4.2 Building Heights

- (a) **Building height in metres** – Maximum permissible building height for any development must be consistent with the building height standards prescribed on the Fairfield LEP 2013 Building Height Map
- (b) **Building height in storeys** – The maximum height of building within the R4 high Density Residential zone varies across Fairfield City, depending on the sites location. This clause seeks to remove any uncertainty regarding the maximum height in storeys. The maximum building height in storeys compared to its respective height in metres is listed below:
- 9 metres (3 storeys),
  - 13 metres (4 storeys),
  - 16 metres (5 storeys), and
  - 20 metres (6 storeys).

The building height is approximately 22.35 metres, resulting in a 2.35 non-compliance with the 20 metre allowance prescribed within FLEP 2013. A Section 4.6 Variation request has been prepared by CPS Planning and accompanies this development application.

No – Refer to S4.6 request.

The number of storeys is seven (7) storeys. The seventh storey is confined to a communal room and open space area. A Section 4.6 Variation request has been submitted accompanying the development application.

No – Refer to S4.6 request.

#### 7.4.3 Building Setback

- a) The 6m front setback area of a Residential Flat Building developments shall not be used for any purpose other than landscaping only. In this regard, private open spaces, car parking spaces including visitor spaces, garbage bays, above ground rainwater tanks, pergola or the like are not permitted in the front setback area.
- b) Street setbacks – buildings, including balconies, generally shall be set back from the street in accordance with the following tables:
- R4 High Density Residential Housing Zone – Areas zoned before making of LEP 2013

Street setbacks	Minimum
Primary Street – shorter length	6 metres
Secondary street/lane – longer length	6 metres

R4 High Density Residential Housing Zone – Areas zoned after making of LEP 2013

Street setbacks	Minimum
Primary Street – shorter length	Any part of the development (except landscaping and retaining walls) must be located within 1.5 metres of the average existing front street setback.
Secondary street/lane – longer length	6 metres

The subject site was only rezoned to R4 High Density Residential Zone in 2020. On this land the requirements of (b) are applicable.

Yes

It is highlighted that each of the boundaries adjoining Belmore Street and Lupin Avenue are similar in dimension being 41.29 metres and 41.55 metres respectively. Whilst, Lupin Avenue is marginally longer, the proposed development has been designed to front Belmore Street.

There is likely to be only one further development site which fronts Belmore Street in this block, being the lot which adjoins to the east, at 16 Seaman Avenue. The setback in this location will therefore be determined by two development sites at the northern end of this block.

The existing dwelling of 16 Seaman Avenue fronts towards Belmore Street and is setback approximately 4 metres from the front boundary. Existing dwellings located on the southern side of Belmore Street (including 17 Lupin Avenue) that front the street have varying setbacks ranging from 3 metres to 6 metres.



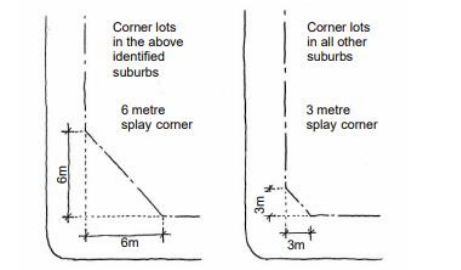
	<p>As such, the front setback of 4.5 metres responds to the existing pattern of development on the southern side of Belmore Road.</p> <p>A 6 metre setback is proposed to Lupin Avenue complying with the secondary street frontage requirement.</p>									
<p>c) Secondary Street Setbacks – A minor encroachment allowing a reduced setback may be considered where the:</p> <ul style="list-style-type: none"><li>(i) Development does not result in any part of the building being closer than 3 metres to the secondary street boundary and for no more than 25% of the secondary street frontage only.</li><li>(ii) Reduction in setback does not unreasonably impact the internal residential amenity of the proposed development.</li><li>(iii) Development provides a feature on the corner of the development that results in a good urban design outcome and enhances the streetscape.</li><li>(iv) Reduction in setback does not result in the development being inconsistent with any other development control in this DCP.</li></ul>	<p>There is no encroachment of the development into the 6 metre setback area towards Lupin Avenue. Despite this, the building is sited to emphasis the corner.</p>	<p>Yes</p>								
<p>d) Side and rear setbacks</p> <table><tr><td rowspan="3">Up to four storeys/ 12 metres</td><td>12 metres between habitable rooms/balconies</td></tr><tr><td>9 metres between habitable/balconies and non-habitable rooms</td></tr><tr><td>6 metres between non-habitable rooms</td></tr><tr><td rowspan="3">Five to six storeys/ up to 20 metres</td><td>18 metres between habitable rooms/balconies</td></tr><tr><td>13 metres between habitable rooms/balconies and non-habitable rooms</td></tr><tr><td>9 metres between non-habitable rooms</td></tr></table>	Up to four storeys/ 12 metres	12 metres between habitable rooms/balconies	9 metres between habitable/balconies and non-habitable rooms	6 metres between non-habitable rooms	Five to six storeys/ up to 20 metres	18 metres between habitable rooms/balconies	13 metres between habitable rooms/balconies and non-habitable rooms	9 metres between non-habitable rooms	<p>Not Applicable, refer to ADG.</p>	<p>N/A</p>
Up to four storeys/ 12 metres		12 metres between habitable rooms/balconies								
		9 metres between habitable/balconies and non-habitable rooms								
	6 metres between non-habitable rooms									
Five to six storeys/ up to 20 metres	18 metres between habitable rooms/balconies									
	13 metres between habitable rooms/balconies and non-habitable rooms									
	9 metres between non-habitable rooms									
<p>e) Land Required for Road Improvements</p> <p>a. All corner lots at the intersections of public roads will be required to maintain a setback to the corner of the public road to improve site distances at intersections. In this splay corner setback, no buildings, fences or other structures will be permitted and landscaping will be restricted to lawn or low growing shrubs and other plant species. Splay corner setbacks will generally be required to be 6 metres x 6 metres in the following suburbs: Wetherill Park, Bossley Park, Prairiewood, Wakeley, Greenfield Park, Edensor Park, St Johns Park,</p>	<p>The subject site is located in Fairfield which is not one of the listed suburbs. As such a 3 metre by 3 metre splay is required at the intersection of Lupin Avenue and Belmore Street. The architectural drawings prepared by Loucas Architects shows a 3 metre by 3 metre splay which is clear of any structures including fences.</p>	<p>Yes</p>								

<p>Abbotsbury and Bonnyrigg Heights. Splay corner setbacks in the others suburbs will generally be required to be 3 metres by 3 metres.</p> <p>Development on properties adjoining Boundary Lane, Cabramatta should be set back at least 9 metres from the centre line of the road. Council may seek to acquire up to 3 metres width of land for road widening.</p>		
<p><b>7.4.4 Building Articulation</b></p> <p>a) Building facades shall:</p> <ol style="list-style-type: none"> <li>define a base, middle and top related to the overall proportion of the building by using cornices, a change in materials or building setback;</li> <li>reflect the orientation of the site using elements such as sun shading, light shelves and bay windows as environmental controls, depending on the facade orientation;</li> <li>express the internal layout of the building, for example, vertical bays or its structure, such as party wall-divisions and the variation in floor to floor height, particularly at the lower levels;</li> <li>articulate building entries with awnings, porticos, recesses, blade walls and projecting bays</li> <li>use recessed balconies and deep windows to create articulation and define shadows thereby adding visual depth to the façade;</li> <li>express important corners by giving visual prominence to parts of the facade, for example, a change in building articulation, material or colour, roof expression or increased height;</li> <li>co-ordinate and integrate building services and utility items, such as drainage pipes; and security grills/screens, ventilation louvers and car park entry doors with overall facade and balcony design.</li> </ol>	<p>A high level of articulation has been incorporated throughout the development and on all elevations, through the incorporation of recessed balconies and windows, a variety of materials, and the absence of long blank walls.</p> <p>A detailed materials and colours schedule is accompanying the development application.</p>	<p>Yes</p>
<b>7.5 Amenity</b>		
<b>Requirement</b>	<b>Proposed</b>	<b>Complies</b>
<p><b>7.5.1 Ventilation</b></p> <p>a) Buildings should be designed in accordance with the provisions of Part 4B –Natural Ventilation of the Apartment Design Guide.</p>	<p>Yes – refer to ADG assessment.</p>	<p>Yes</p>
<p><b>7.5.2 Visual Amenity and Acoustic Privacy</b></p>	<p>Yes – refer to ADG assessment</p>	<p>Yes</p>

<p>a) Buildings should be designed in accordance with the provisions of Part 3F – Visual Privacy of the Apartment Design Guide.</p> <p><b>Acoustic Amenity</b></p> <p>a) Noise transmission BCA requirements - development must comply with the noise transmission requirements of the Building Code of Australia 2004. Noise transmission must be minimised through the design of internal layouts of apartments and the location of courtyards, terraces / balconies, and openings.</p> <p>b) Noise impact assessments may be required. An assessment of the existing and expected future noise levels together with a mitigation strategy must be provided in the noise impact assessment.</p> <p>c) Noise attenuation measures must be incorporated in all new developments along Classified State and Regional Roads and Unclassified Regional Roads and properties in proximity to the railway line. Developments adjacent to rail corridors, shall take into consideration the provisions within SEPP (Infrastructure) 2007 relating to impact of rail noise or vibration on non-rail development.</p> <p>d) Land uses/activities noise conflicts minimised - In mixed-use developments, the design must minimise the transfer of noise between business and commercial activities and residential development by using measures that will address noise associated with:</p> <p>a. Goods and service deliveries as well as waste and garbage disposal and collections, particularly if this is occurring early in the morning or late at night;</p> <p>b. Restaurants and cafes particularly those operating at night or those with outdoor seating; and</p> <p>c. Extraction fans and air conditioning units.</p> <p>e) Land use conflicts between existing and new development – Noise attenuation measures must be incorporated into all new residential development proposed near an existing retail/commercial property that generates noise at times or levels not compatible with residential</p>		
<p><b>7.5.3 Solar Access</b></p> <p>a) Buildings should be designed in accordance with the provisions of Part 4A – Solar and Daylight Access of the Apartment Design Guide</p>	<p>Building has been designed in accordance with Part 4A of the ADG.</p>	<p>Yes</p>
<p><b>7.5.4 Private Open Space</b></p>		<p>No</p>

a) Buildings should be designed in accordance with the provisions of Part 4E – Private open space and balconies of the Apartment Design Guide.	Refer to assessment of Part 4E of the ADG.	
<b>7.5.5 Common Open Space</b> Common open space:		
a) should incorporate a minimum 25% of deep soil zone.	(a) – (d) Common open space areas are located on the ground floor and roof level of the development and benefit from a northern and eastern orientation.	Yes
b) be located within a north, north-east orientation.		
c) must be accessible from all dwellings within the development.	Both areas are accessible to all dwellings via the lobby and lift and are accessible from within the site.	
d) should only be accessible from within the site.		
e) should be overlooked by living areas.	The ground floor common open space is overlooked by private open space areas and living rooms.	Yes
f) Is not to include in its area calculation clothes drying areas, driveways and parking areas.	The calculation does not include drying areas, driveways and parking areas.	Yes
g) should ideally be centrally located rather than at the rear or front of a development site	The rooftop common open space is centrally located whilst the open space on the ground level wraps around the eastern and southern sides of the building.	Yes
h) should include features such as seating, shade structures, child play equipment or barbeques to satisfy the recreation needs of all residents.	Facilities to be provided include, seating, shade, barbeques and the like.	Yes
<b>7.5.6 Safety and Security</b>		
a) All areas in a development should be clearly recognisable as either private, common or public space.	All areas are clearly distinguishable as private or common. Refer also to Crime Risk Assessment which accompanies the development application.	Yes
b) A dwelling with street frontage should have a clear view of the footpath.	Apartments orientated to Lupin Avenue and Belmore Street have clear views of the street.	Yes
c) Wall mounted night lighting in internal and external common area including along all driveways and footpaths must be provided throughout the site. As part of the Development Application a lighting plan may be required to be submitted that incorporates the following elements: a. Use of energy efficient diffused lights and/or movement sensitive lights; b. Lights directed towards access/egress routes to illuminate potential offenders, rather than towards buildings or resident observation points;	External lighting is to be adopted throughout the development.	Yes

<ul style="list-style-type: none"> <li>c. Lighting with a wide beam of illumination reaching the beam of the next light, or the perimeter of the site or area being traversed</li> <li>d. Barriers to prevent movement between roof spaces of adjoining dwellings will be required.</li> <li>e. Dwellings must have a child-proof storage place for poisons or other dangerous substances.</li> </ul>		
7.6 Car Parking, loading and vehicle access		
Requirement	Proposed	Complies
<p><b>7.6.1 Car Parking</b></p> <ul style="list-style-type: none"> <li>a) Off-street parking spaces must be provided as set out below: <ul style="list-style-type: none"> <li>a. 1 space per dwelling, and</li> <li>b. 1 visitor space per 4 dwellings where a development has more than 2 proposed dwellings.</li> </ul> </li> <li>b) Dimensions for parking spaces and turning areas must be in accordance with AS/NZS 2890.1;2004 Parking Facilities – Off-Street Car Parking and the Car Parking Chapter of the City Wide DCP.</li> <li>c) Council gives preference to total or partial underground car parking wherever possible by: <ul style="list-style-type: none"> <li>a. Retaining deep soil zones,</li> <li>b. Providing natural ventilation to sub-basement parking areas, and</li> <li>c. Integrating ventilation grills into building design.</li> </ul> </li> </ul> <p>In cases of inconsistency between the controls contained within Part 7.5 and controls contained within Chapter 12 – Car Parking, Vehicle and Access Management, then the provisions of Chapter 12 will prevail to the extent of the inconsistency</p>	<p>Refer to Housing SEPP assessment.</p> <p>Car parking spaces have been dimensioned on the submitted plans and are in accordance with AZ/NZS 2890.1;2004 Parking facilities – Off-Street Car Parking and the Car Parking Chapter of the City Wide DCP.</p> <p>All parking is provided within the basement level.</p>	<p>N/A</p> <p>Yes</p> <p>Yes</p>
<p><b>7.6.3 Splay corner setbacks and road widening</b></p> <ul style="list-style-type: none"> <li>a) All corner lots at the intersections of public roads will be required to maintain a setback to the corner of the public road to improve site distances at intersections. In this splay corner setback no buildings, fences or other structures will be permitted. Landscaping will be restricted to lawn or low growing shrubs and other plant species. Splay corner setbacks will generally be required to be 6 metres x 6 metres in the following suburbs: Wetherill Park, Bossley Park, Prairiewood, Wakeley, Greenfield Park, Edensor Park, St</li> </ul>	<p>Fairfield East is not a listed suburb and therefore the splay is to be 3 metres by 3 metres.</p> <p>The building has been sufficiently setback to ensure there is allowance for a 3m by 3m splay.</p>	<p>Yes</p>

<p>Johns Park, Abbotsbury and Bonnyrigg Heights. Splay corner setbacks in the others suburbs will generally be required to be 3 metres by 3 metres.</p> 		
<p><b>7.8.1.1 Landscaping for Residential flat Buildings</b></p> <p>a) Landscaping is to:</p> <ol style="list-style-type: none"> <li>be prepared for the site by a landscape architect or other accredited professional with demonstrated experience. Refer to Landscape Planning Appendix for Landscaping Principles when seeking to prepare a landscape plan.</li> <li>provide a deep soil zone of no less than 25% of the required open space area which adjoins deep soil zones of neighbouring properties where possible.</li> </ol>	<p>The building footprint ensures that there will be generous space for meaningful landscaping. A Landscape Plan has been prepared by Botanique Design, which includes the location of trees, shrubs and groundcovers, and details the height and pot size.</p> <p>Deep soil zones are provided along both frontages and within the ground level communal open space adjoining 16 Seaman Avenue and 13 Lupin Avenue.</p>	<p>Yes</p>

## 4.4 Planning Agreements

Section 4.15(1)(a)(iiia) of the Act requires the consent authority to consider the provisions of any planning agreement that has been entered into under section 7.4, or any draft planning agreement that a developer has offered to enter into under section 7.4 to planning agreements. No planning agreements are expected to be relevant to the development.

Although not referred to within s4.15, it is worth noting that section 7.11(1) of the Act allows the consent authority to grant consent subject to a condition requiring the dedication of land free of cost or the payment of a monetary contribution if the development will likely increase the demand for public amenities and public services within the area.

Pursuant to Section 3.7 of the Fairfield City Council – Direct Development Contributions Plan, the exemptions to the development contribution plan area as follows:

*The Ministerial Direction of 14 September 2007 which exempts contributions for public amenities or public services in relation to **social housing providers** defined in the State Environmental Planning Policy (Seniors Living) 2004.*

*In accordance with this SEPP, a social housing provider means any of the following:*

*(a) The New South Wales Land and Housing Corporation,*

- (b) The Department of Housing,*
- (c) A community housing organisation registered with the Office of Community Housing of the Department of Housing,***
- (d) The Aboriginal Housing Office,*
- (e) A registered Aboriginal housing organisation within the meaning of the Aboriginal Housing Act 1998,*
- (f) The Department of Ageing, Disability and Home Care,*
- (g) A local government authority that provides affordable housing,*
- (h) A not-for-profit organisation that is a direct provider of rental housing to tenants.*

The proposed development is therefore exempt from Section 7.11 development contributions on the basis that Blue CHP are a community housing organisation registered with the Land and Housing Corporation (formerly known as the Department of Housing). Also refer to discussion of contributions 7.12 within section 4.5 of this SEE below.

## 4.5 The Regulations

Section 4.15(a)(iv) of the Act requires a consent authority to consider the Regulations, to the extent that they prescribe matters for the purposes of that paragraph (i.e., paragraph (iv)). There are no provisions within Section 61 - 65 of the *Environmental Planning and Assessment Regulation 2021* that would be expected to be of particular relevance to the proposal other than a requirement for demolition works to be carried out in accordance with Australian Standard AS 2601—2001: *The Demolition of Structures*. This can be addressed via condition of consent.

Although, compliance with Building Code of Australia is not a consideration at sections 61-65 of the Regulation, section 69(1) requires that a condition of the development consent to ensure building work must be carried out in accordance with the requirements of the *Building Code of Australia*.

Accompanying the development application is a BCA Assessment Report prepared by Credwell. The BCA Report has identified a potential non-compliance with the relevant Deemed-to-satisfy provision in relation to the location of a fire hydrant, and this may require a performance solution. It is proposed that the location of the fire hydrant is reconsidered as part of the construction certificate process and conditioned as part of any future development consent.

Further, although also sitting outside sections 61-65, section 208 of the Regulation directs how Section 7.12 development contributions are applied to development.

Section 208(4)(l) specifically excludes the costs for development that provides affordable housing as per the extract below (emphasis added);

***(4) The following costs and expenses must not be included in an estimate or determination of the proposed cost—***

- (a) the cost of the land on which the development will be carried out,*
- (b) the costs of repairs to a building or works on the land that will be kept in connection with the development,*

- (c) the costs associated with marketing or financing the development, including interest on loans,*
- (d) the costs associated with legal work carried out, or to be carried out, in connection with the development,*
- (e) project management costs associated with the development,*
- (f) the cost of building insurance for the development,*
- (g) the costs of fittings and furnishings, including refitting or refurbishing, associated with the development, except if the development involves an enlargement, expansion or intensification of a current use of land,*
- (h) the costs of commercial stock inventory,*
- (i) the taxes, levies or charges, excluding GST, paid or payable in connection with the development by or under a law,*
- (j) the costs of enabling access by people with disability to the development,*
- (k) the costs of energy and water efficiency measures associated with the development,*
- (l) the costs of development that is provided as affordable housing,***
- (m) the costs of development that is the adaptive reuse of a heritage item.*

Blue CHP is a registered Social Housing Provider that provides both social and affordable housing, which has been detailed within the documentation provided with this development application.

Whilst the proposed development self-contained dwellings, the development is also affordable housing. Tenants within the development need to meet the income eligibility test for affordable housing.

Based upon the above, Section 7.12 Contributions do not apply to the proposed development.

## 4.6 Likely Impacts of the Development

The likely impacts of the proposed development have been thoroughly considered throughout this SEE and the proposal is found to have reasonable and acceptable impacts on the natural and built environment. As such, the proposal is worthy of Council support.

## 4.7 The Suitability of the Site

The proposed development is considered to be suitable in context with the surrounding development within the area. The proposal contributes to the desired future character of the locality. There are no particular environmental constraints that would preclude the provision of the development at this site, and the site is suitable to accommodate the development.

## 4.8 Any Submissions

Any public submissions received in response to the development proposal are required to be considered in the light of Section 4.15 of the Act, having particular regard to:

- The stated and underlying objectives of the relevant planning controls
- The specific merits and circumstances that apply to the proposed development and the site
- The acceptable nature of the likely impacts of the proposal
- The suitability of the site in accommodating the proposed development



- The acceptable nature of the proposal when considering the wider public interest.

## 4.9 The Public Interest

The development proposes provides high levels of amenity, architectural integrity, and an early contribution to the desired future character of the locality. The proposal is therefore in the public interest as the development has been considered against the planning controls and are found to be consistent therein.

## 5.0 Conclusion

The proposed development has been assessed against the provisions of Section 4.15 of the Environmental Planning and Assessment Act 1979. The proposal is a high-quality development that warrants development consent, having regard to the following matters:

- The proposed development is permissible within the R4 zone under the FLEP 2013.
- The proposal is consistent with the relevant provisions of the Housing SEPP, FLEP 2013 and the FDCP. Consistency with the objectives of the relevant provisions within applicable EPIs and planning policies has been demonstrated; where non-compliances have been identified, appropriate justification and alternative solutions have been provided to achieve the objectives of those controls.
- The proposal makes use of existing infrastructure and resources and is compatible with the character of the locality.
- The proposed design is consistent with surrounding development and there will be no adverse impacts that will arise as a result of the proposed development.

Additionally, the proposed development will provide significant and positive economic, social and community impacts through the provision of affordable housing that will provide additional housing opportunities than the current conditions. The proposal is therefore in the public interest, has merit and will make a positive contribution to the suburb of Fairfield East and the Fairfield LGA more broadly. It is therefore recommended that the Fairfield City Council support and approve this DA.

## 6.0 Appendices

### 6.1 Appendix A – Apartment Design Guide Compliance Table

ADG Compliance Table		
Provision	Proposal	Complies Yes/No
<b>Part 3 – Siting the development</b>		
<b>3A Site Analysis</b>		
<b>Objective 3A-1</b> Site analysis illustrates that design decisions have been based on opportunities and constraints of the site conditions and their relationship to the surrounding context. Each element in the Site Analysis Checklist should be addressed (see Appendix 1)	Section 1 and 2 of the Urban Design Study prepared by Unique Urban the site preliminaries, constraints and opportunities. Section 3 to 6 demonstrates that the design response of the development has responded to the existing context as well as the future character envisaged for this pocket of Fairfield.	Yes
<b>3B Orientation</b>		
<b>Objective 3B -1</b> Building types and layouts respond to the streetscape and site while optimising solar access within the development	The proposed development responds to the existing and envisioned future streetscape. It is considered that the building defines the street and the corner, and has incorporated direct access to the site. The building achieves compliant levels of solar access.	Yes
<b>Objective 3B-2</b> Overshadowing of neighbouring properties is minimised during mid-winter	The proposal does not result in any unacceptable overshadowing to neighbouring properties.	Yes
<b>3C Public Domain interface</b>		
<b>Objective 3C-1</b> Transition between private and public domain is achieved without compromising safety and security	Direct entry to the residential levels of the building is provided from Belmore Street encouraging the activation of the public/private interface through the street frontage entrance. Windows and balconies at upper levels provide direct views to the public domain to promote casual surveillance.	Yes
<b>Objective 3C - 2</b>		Yes

ADG Compliance Table		
Provision	Proposal	Complies Yes/No
Amenity of the public domain is retained and enhanced	The amenity of the public domain has been maintained through appropriate articulation of the Lupin Avenue and Belmore Street building façades and no visually obtrusive elements are visible from the streetscape.	
<b>3D Communal and Public Open Space</b>		
<b>Objective 3D-1</b> An adequate area of communal open space is provided to enhance residential amenity and to provide opportunities for landscaping	The development is provided with two (2) separate communal open space areas on the ground floor and on the rooftop that facilitate a range of uses including open lawn areas, garden settings and passive seating areas.	Yes
<b>Design Criteria</b>		
1. Communal open space has a minimum area equal to 25% of the site (see figure 3D.3))	Two (2) separate communal open space areas are provided for the development, giving a total area of 572m <sup>2</sup> or 40.45% of the site.	Yes
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)	More than 50% of the communal open space area is located on the roof and achieves a minimum of 2 hours of solar access at mid-winter.	Yes
<b>Objective 3D-2</b> Communal open space is designed to allow for a range of activities, respond to site conditions and be attractive and inviting	The communal open space areas facilitate a range of uses including open lawn areas, garden settings, and passive seating areas.	Yes
<b>Objective 3D-3</b> Communal open space is designed to maximise safety	The Level 01 and roof top communal open space areas have been designed to maximise safety as it is only accessible from within the development. The rooftop communal open space has been designed to prevent areas of concealment and will be lit during the early evening. This open space area also overlooks the street and provide opportunities for casual surveillance.	Yes
<b>Objective 3D-4</b>	No public open space proposed.	N/A

ADG Compliance Table															
Provision	Proposal	Complies Yes/No													
Public open space, where provided, is responsive to the existing pattern and uses of the neighbourhood															
<b>3E Deep soil zones</b>															
<b>Objective 3E-1</b> 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	The deep soil areas will allow for the development of healthy root systems and landscape planting as provided within the accompanying landscape plan.	Yes													
<b>Design Criteria</b> Deep soil zones are to meet the following minimum requirements 1. Deep soil zones are to meet the following minimum requirements: <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 650m<sup>2</sup></td><td>-</td><td rowspan="3">7%</td></tr> <tr> <td>650m<sup>2</sup> - 1,500m<sup>2</sup></td><td>3m</td></tr> <tr> <td>greater than 1,500m<sup>2</sup></td><td>6m</td></tr> <tr> <td>greater than 1,500m<sup>2</sup> 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 <sup>2</sup>	-	7%	650m <sup>2</sup> - 1,500m <sup>2</sup>	3m	greater than 1,500m <sup>2</sup>	6m	greater than 1,500m <sup>2</sup> with significant existing tree cover	6m		The site has an area of 1414m <sup>2</sup> , as such the minimum dimension of the deep soil areas is 3 metres. The plans show 433m <sup>2</sup> of the site area is deep soil zones. 367m <sup>2</sup> (25.95%) of the deep soil zone will have a minimum dimension of 3 metres.	Yes
Site area	Minimum dimensions	Deep soil zone (% of site area)													
less than 650m <sup>2</sup>	-	7%													
650m <sup>2</sup> - 1,500m <sup>2</sup>	3m														
greater than 1,500m <sup>2</sup>	6m														
greater than 1,500m <sup>2</sup> with significant existing tree cover	6m														
<b>3F Visual privacy</b>															
<b>Objective 3F-1</b> Adequate building separation distances are shared equitably between neighbouring sites, to achieve reasonable levels of external and internal visual privacy	Refer to discussion within the SEE.	Generally compliant													
<b>Design criteria</b>															
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: <table border="1"> <thead> <tr> <th>Building height</th><th>Habitable rooms and balconies</th><th>Non-habitable rooms</th></tr> </thead> <tbody> <tr> <td>up to 12m (4 storeys)</td><td>6m</td><td>3m</td></tr> <tr> <td>up to 25m (5-8 storeys)</td><td>9m</td><td>4.5m</td></tr> <tr> <td>over 25m (9+ storeys)</td><td>12m</td><td>6m</td></tr> </tbody> </table>	Building height	Habitable rooms and balconies	Non-habitable rooms	up to 12m (4 storeys)	6m	3m	up to 25m (5-8 storeys)	9m	4.5m	over 25m (9+ storeys)	12m	6m	The separation distances comply with the ADG. It should be noted that blank wall setbacks along the southern boundary are consistent with the approach demonstrated within Figure 3F.2 and Figure 3F.6	Yes	
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													
Note: Separation distances between buildings on the same site should combine required building separations depending on the type of room (see figure 3F.2)	Not applicable as the proposal does not seek multiple buildings within the same site.	N/A													

ADG Compliance Table		
Provision	Proposal	Complies Yes/No
<b>Objective 3F-2</b> 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	Communal open space, common areas and access paths have been separated from private open space and windows through thoughtful design considerations, including the provision of landscaping, screening and high sill windows.	Yes
<b>3G Pedestrian access and entries</b>		
<b>Objective 3G-1</b> Building entries and pedestrian access connects to and addresses the public domain	Pedestrian access to the building is from the Belmore Street frontage. The entry to the building is located at the central portion of the street frontage and is provided with an awning to provide weather protection and to highlight the entry.	Yes
<b>Objective 3G-2</b> Access, entries and pathways are accessible and easy to identify	The proposed development provides a clear entry at Belmore Street. The entry has been designed to clearly identify the building address and entryway.	Yes
<b>Objective 3G-3</b> Large sites provide pedestrian links for access to streets and connection to destinations	Not applicable.	
<b>3H Vehicle access</b>		
<b>Objective 3H-1</b> Vehicle access points are designed and located to achieve safety, minimise conflicts between pedestrians and vehicles and create high quality streetscapes	Vehicular access is proposed at the Lupin Avenue frontage.	Yes
<b>Objective 3J-1</b> Car parking is provided based on proximity to public transport in metropolitan Sydney and centres in regional areas	The minimum car parking rate applicable to the development is prescribed by the Housing SEPP, given the development is for affordable housing.	Yes
<b>Design Criteria</b>		
1. For development in the following locations: <ul style="list-style-type: none"> <li>on sites that are within 800 metres of a railway station or light rail stop in the Sydney Metropolitan Area; or</li> </ul>	The subject site is zoned R4 High Density Residential zone and is located within 800m of Villawood Station. The applicable car parking rates are devised from the Housing SEPP as the development is for affordable housing. A total of 39 spaces is	Yes



ADG Compliance Table		
Provision	Proposal	Complies Yes/No
<ul style="list-style-type: none"> <li>on land zoned, and sites within 400 metres of land zoned, B3 Commercial Core, B4 Mixed Use or equivalent in a nominated regional centre</li> </ul> <p>The minimum car parking requirement for residents and visitors is set out in the Guide to Traffic Generating Developments, or the car parking requirement prescribed by the relevant council, whichever is less. The car parking needs for a development must be provided off street</p>	to be provided complying with the required 14 spaces.	
<b>3J Bicycle and car parking</b>		
<b>Objective 3J-2</b> Parking and facilities are provided for other modes of transport	The proposal includes the provision of bicycle spaces within the basement levels.	Yes
<b>Objective 3J-3</b> Car park design and access is safe and secure	Complies.	Yes
<b>Objective 3J-4</b> Visual and environmental impacts of underground car parking are minimised	The vehicular entry to the ground floor car park and basement has been integrated into the façade of the building to minimise any potential visual impacts.	Yes
<b>Part 4 – Designing the building</b>		
<b>4A Solar and daylight access</b>		
<b>Objective 4A-1</b> To optimise the number of apartments receiving sunlight to habitable rooms, primary windows and private open space	The development has been designed to maximise northern aspects for optimal solar access. Accordingly, the development receives the minimum required midwinter solar access.	Yes
<i>Design Criteria</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	The proposed development provides 77% (30) of living rooms and private open space of apartments with the minimum 2 hours direct sunlight between 9 am and 3 pm during mid-winter.	Yes
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	The proposed development is within the Sydney Metropolitan Area.	N/A

ADG Compliance Table		
Provision	Proposal	Complies Yes/No
3. A maximum of 15% of apartments in a building receive no direct sunlight between 9 am and 3 pm at mid winter	Five (5) apartments, equivalent to 13% of apartments within the development, do not receive direct sunlight between 9am and 3pm in mid-winter.	Yes
<b>Objective 4A-2</b> Daylight access is maximised where sunlight is limited	Sunlight is not limited, see above discussion.	Yes
<b>Objective 4A-3</b> Design incorporates shading and glare control, particularly for warmer months	Balconies are located above one another so as to provide natural shading. Suitable windows will also be installed in accordance with BASIX requirements to ensure minimal external glare.	Yes
<b>4B Natural ventilation</b>		
<b>Objective 4B-1</b> All habitable rooms are naturally ventilated	The submitted cross ventilation study and floor plans illustrates that the building and apartment depths are able to capture and support the use of the prevailing breezes for natural ventilation to habitable rooms. Operable windows are provided in all habitable rooms in the development and all habitable rooms are naturally ventilated.	Yes
<b>Objective 4B-2</b> The layout and design of single aspect apartments maximises natural ventilation	For single aspect apartments, natural ventilation is maximised across openings.	Yes
<b>Objective 4B-3</b> The number of apartments with natural cross ventilation is maximised to create a comfortable indoor environment for residents	The apartments achieve adequate natural cross ventilation to create a comfortable indoor environment for residents.	Yes
<b>Design criteria</b>		
1. At least 60% of apartments are naturally cross ventilated in the first nine storeys of the building. 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	Natural cross ventilation is provided to 61.5% (24) of proposed apartments.	Yes
2. Overall depth of a cross-over or cross-through apartment does not exceed 18m, measured glass line to glass line	The overall depth of each of the apartments does not exceed 18m.	Yes
<b>4C Ceiling heights</b>		

## ADG Compliance Table

Provision	Proposal	Complies Yes/No												
Design criteria														
<div>1. Measured from finished floor level to finished ceiling level, minimum ceiling heights are:</div> <div><table><tr><th colspan="2">Minimum ceiling height for apartment and mixed use buildings</th></tr><tr><td>Habitable rooms</td><td>2.7m</td></tr><tr><td>Non-habitable</td><td>2.4m</td></tr><tr><td>For 2 storey apartments</td><td>2.7m for main living area floor 2.4m for second floor, where its area does not exceed 50% of the apartment area</td></tr><tr><td>Attic spaces</td><td>1.8m at edge of room with a 30 degree minimum ceiling slope</td></tr><tr><td>If located in mixed used areas</td><td>3.3m for ground and first floor to promote future flexibility of use</td></tr></table></div> <div>These minimums do not preclude higher ceilings if desired</div>	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	<div>All floor to ceiling heights exceed the minimum ceiling heights.</div>	<div>Yes</div>
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													
<div>Objective 4C-2</div> <div>Ceiling height increases the sense of space in apartments and provides for well-proportioned rooms</div>	<div>Proposed ceiling heights and room sizes contribute to the provision of well-proportioned rooms that maximise the sense of space.</div>	<div>Yes</div>												
4D Apartment size and layout														
<div>Objective 4D-1</div> <div>The layout of rooms within an apartment is functional, well organised and provides a high standard of amenity</div>	<div>Apartment layouts have been designed to provide functional and useable spaces with high amenity.</div>	<div>Yes</div>												
Design criteria														
<div>Apartments are required to have the following minimum internal areas:</div> <div><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></div> <div>The minimum internal areas include only one bathroom. Additional bathrooms increase the minimum internal area by 5m² each.</div> <div>A fourth bedroom and further additional bedrooms increase the minimum internal area by 12m² each</div> <div>Every habitable room must have a window in an external wall with a total minimum glass</div>	Apartment type	Minimum internal area	Studio	35m²	1 bedroom	50m²	2 bedroom	70m²	3 bedroom	90m²	<div>The minimum apartment sizes have been achieved for all proposed apartments.</div> <div>All habitable rooms have windows to an external wall with a total glass area not</div>	<div>Yes</div> <div>Yes</div>		
Apartment type	Minimum internal area													
Studio	35m²													
1 bedroom	50m²													
2 bedroom	70m²													
3 bedroom	90m²													

ADG Compliance Table		
Provision	Proposal	Complies Yes/No
area of not less than 10% of the floor area of the room. Daylight and air may not be borrowed from other rooms	less than 10% of the floor area of the room.	
<b>Objective 4D-2</b> Environmental performance of the apartment is maximised	Minimum habitable room depths have been achieved.	Yes
<b>Design criteria</b>		
Habitable room depths are limited to a maximum of 2.5 x the ceiling height	Habitable room depths do not exceed the maximum 2.5 x ceiling height.	Yes
In open plan layouts (where the living, dining and kitchen are combined) the maximum habitable room depth is 8m from a window	The depth of rooms within each open plan apartment do not exceed the maximum habitable room depth of 8m from a window.	Yes
<b>Objective 4D-3</b> Apartment layouts are designed to accommodate a variety of household activities and needs	Minimum room area and dimensions have been achieved.	Yes
<b>Design Criteria</b>		
Master bedrooms have a minimum area of 10m <sup>2</sup> and other bedrooms 9m <sup>2</sup> (excluding wardrobe space)	Minimum bedroom areas have been achieved excluding wardrobe space.	Yes
Bedrooms have a minimum dimension of 3m (excluding wardrobe space)	Bedrooms have a minimum dimension of 3m excluding wardrobe space.	Yes
Living rooms or combined living/dining rooms have a minimum width of: <ul style="list-style-type: none"> <li>3.6m for studio and 1 bedroom apartments</li> <li>4m for 2 and 3 bedroom apartments</li> </ul>	All apartments comply with the minimum width requirements.	Yes
The width of cross-over or cross-through apartments are at least 4m internally to avoid deep narrow apartment layouts	As indicated above, all apartments comply with the minimum width requirements.	Yes
<b>4E Private open space and balconies</b>		
<b>Objective 4E-1</b> Apartments provide appropriately sized private open space and balconies to enhance residential amenity	Minimum POS and balcony sizes and dimensions have been achieved.	Yes
<b>Design Criteria</b>		
All apartments are required to have primary balconies as follows	Private open space areas meet the minimum area and dimension requirements as detailed further below.	Yes

ADG Compliance Table																	
Provision	Proposal	Complies Yes/No															
<table border="1"> <thead> <tr> <th>Dwelling type</th><th>Minimum area</th><th>Minimum depth</th></tr> </thead> <tbody> <tr> <td>Studio apartments</td><td>4m<sup>2</sup></td><td>-</td></tr> <tr> <td>1 bedroom apartments</td><td>8m<sup>2</sup></td><td>2m</td></tr> <tr> <td>2 bedroom apartments</td><td>10m<sup>2</sup></td><td>2m</td></tr> <tr> <td>3+ bedroom apartments</td><td>12m<sup>2</sup></td><td>2.4m</td></tr> </tbody> </table> <p>The minimum balcony depth to be counted as contributing to the balcony area is 1m</p>	Dwelling type	Minimum area	Minimum depth	Studio apartments	4m <sup>2</sup>	-	1 bedroom apartments	8m <sup>2</sup>	2m	2 bedroom apartments	10m <sup>2</sup>	2m	3+ bedroom apartments	12m <sup>2</sup>	2.4m		
Dwelling type	Minimum area	Minimum depth															
Studio apartments	4m <sup>2</sup>	-															
1 bedroom apartments	8m <sup>2</sup>	2m															
2 bedroom apartments	10m <sup>2</sup>	2m															
3+ bedroom apartments	12m <sup>2</sup>	2.4m															
For apartments at ground level or on a podium or similar structure, a private open space is provided instead of a balcony. A minimum area of 15m <sup>2</sup> and depth of 3m is required.	Ground floor apartments have a private open space over 15m <sup>2</sup> with a depth of at least 3m.	N/A															
<b>Objective 4E-3</b> Private open space and balcony design is integrated into and contributes to the overall architectural form and detail of the building	The proposed balconies have been integrated into the overall architectural form of the building. The materials proposed will not interfere with any views and will allow for passive surveillance to the site surrounds, whilst providing for a range of uses within balcony areas.	Yes															
<b>Objective 4E-4</b> Private open space and balcony design maximises safety	The balconies are designed so as to avoid opportunities for climbing and falls.	Yes															
<b>4F Common circulation and spaces</b>																	
<b>Objective 4F-1</b> Common circulation spaces achieve good amenity and properly service the number of apartments	The common circulation spaces achieve good amenity and properly service the apartments provided off each circulation space. The common circulation spaces are naturally ventilated and maximise opportunities for multiple aspect apartments.	Yes															
<b>Design Criteria</b>																	
The maximum number of apartments off a circulation core on a single level is eight	Maximum of seven (7) apartments are provided off the circulation core at each level.	Yes															
For buildings of 10 storeys and over, the maximum number of apartments sharing a single lift is 40	The proposed development is six (6) storeys, with a partial seventh storey associated with a communal room and open space.	N/A															
<b>Objective 4F-2</b> Common circulation spaces promote safety and provide for social interaction between residents	Direct and legible access between vertical circulation points and apartment entries	Yes															

ADG Compliance Table												
Provision	Proposal	Complies Yes/No										
	has been provided with no tight corners or spaces.											
4G Storage												
<b>Objective 4G-1</b> Adequate, well designed storage is provided in each apartment	Adequate storage has been provided for each apartment. Refer to below.	Yes										
<i>Design criteria</i>												
In addition to storage in kitchens, bathrooms and bedrooms, the following storage is provided: <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> At least 50% of the required storage is to be located within the apartment	Dwelling type	Storage size volume	Studio apartments	4m³	1 bedroom apartments	6m³	2 bedroom apartments	8m³	3+ bedroom apartments	10m³	Storage provided to each apartment which complies with the recommended minimums. Storage is provided within each apartment and allocated storage cages in the basement.	Yes
Dwelling type	Storage size volume											
Studio apartments	4m³											
1 bedroom apartments	6m³											
2 bedroom apartments	8m³											
3+ bedroom apartments	10m³											
4H Acoustic privacy												
<b>Objective 4H-1</b> Noise transfer is minimised through the siting of buildings and building layout	Complies.	Yes										
<b>Objective 4H-2</b> Noise impacts are mitigated within apartments through layout and acoustic treatments	The proposed internal apartment layout separates noisy spaces from quiet spaces, by grouping rooms with similar noise requirements.	Yes										
4J Noise and pollution												
<b>Objective 4J-1</b> In noisy or hostile environments, the impacts of external noise and pollution are minimised through the careful siting and layout of buildings	The proposal has been accompanied by an Acoustic Assessment to evaluate the existing acoustic environment and to ensure the development can comply with the required standards.	Yes										
<b>Objective 4J-2</b> Appropriate noise shielding or attenuation techniques for the building design, construction and choice of materials are used to mitigate noise transmission	Refer to the Acoustic Assessment which provides recommended building materials to minimise and mitigate noise transmission.	Yes										
4K Apartment mix												
<b>Objective 4K-1</b>												



ADG Compliance Table		
Provision	Proposal	Complies Yes/No
A range of apartment types and sizes is provided to cater for different household types now and into the future.	The proposed development includes a mixture of, 1-bedroom, 2-bedroom and 3-bedroom dwellings, to cater for the anticipated demographic. Some units are also provided with a study space to accommodate work from home arrangements.	Yes
<b>Objective 4K-2</b> The apartment mix is distributed to suitable locations within the building	The apartment mix remains generally the same at each floor of the development.	Yes
<b>4L Ground floor apartments</b>		
<b>Objective 4L-1</b> Street frontage activity is maximised where ground floor apartments are located	Ground floor apartments have been designed to be orientated towards Belmore Street and Lupin Avenue.	Yes
<b>Objective 4L-2</b> Design of ground floor apartments delivers amenity and safety for residents	Ground floor apartments have been designed to deliver amenity and safety for the residents.	Yes
<b>4M Facades</b>		
<b>Objective 4M-1</b> Building facades provide visual interest along the street while respecting the character of the local area	<p>The proposal provides well-articulated building facades, provided with a variety of colours and materials to attract visual interest.</p> <p>The building has a contemporary architectural style and incorporates a range of building materials that are compatible with the locality.</p> <p>Apartment layouts are expressed externally through facade features, angled balconies and suitable privacy/acoustic screening at the building facades.</p> <p>A number of different materials, textures and colours are also proposed to clearly define the base and upper levels of the building, particularly when viewed from the public domain.</p>	Yes
<b>Objective 4M-2</b> Building functions are expressed by the facade	The building entry is clearly defined with direct access from Belmore Street. The	Yes

ADG Compliance Table		
Provision	Proposal	Complies Yes/No
	building façade at the street elevation clearly defines the ground floor apartments with additional residential levels above, which is expressed through use of differing materials, textures and colours.	
<b>4N Roof design</b>		
<b>Objective 4N-1</b> Roof treatments are integrated into the building design and positively respond to the street	The proposed roof design relates to the street and is integrated with the building. The roof design is proportionate to the overall building size, scale and form.	Yes
<b>Objective 4N-2</b> Opportunities to use roof space for residential accommodation and open space are maximised	The roof is utilised for communal open space.	Yes
<b>Objective 4N-3</b> Roof design incorporates sustainability features	The roof provides shading to parts of the communal open space area.	Yes
<b>4O Landscape design</b>		
<b>Objective 4O-1</b> Landscape design is viable and sustainable	Refer to submitted landscape plan. The proposed landscape design will be sustainable, and incorporate substantial planting, including smaller shrubs, and trees that will reach a suitable size at maturity.	Yes
<b>Objective 4O-2</b> Landscape design contributes to the streetscape and amenity	Landscaping has been provided to the primary street frontage to assist in softening the built form and to provide landscaped amenity at the pedestrian scale.	Yes
<b>4P Planting on structures</b>		
<b>Objective 4P-1</b> Appropriate soil profiles are provided	Refer to submitted landscape plan. The development includes planting on the ground floor communal open space and the roof top communal open space area.	Yes
<b>Objective 4P-2</b> Plant growth is optimised with appropriate selection and maintenance	Refer to submitted landscape plan. The proposed landscape design includes plant	

ADG Compliance Table		
Provision	Proposal	Complies Yes/No
	species that are suited to the site conditions.	
<b>Objective 4P-3</b> Planting on structures contributes to the quality and amenity of communal and public open spaces	All planting proposed within communal open space contributes to quality and amenity of these spaces, by providing a user-friendly space for quiet enjoyment and passive recreation. The ground level communal open space area will also be visible from the private open space areas from upper level apartments.	Yes
<b>4Q Universal design</b>		
<b>Objective 4Q-1</b> Universal design features are included in apartment design to promote flexible housing for all community members	The proposed building provides four (4) adaptable apartments in accordance with the Council requirement.	Yes
<b>Objective 4Q-2</b> A variety of apartments with adaptable designs are provided	Refer above.	Yes
<b>Objective 4Q-3</b> Apartment layouts are flexible and accommodate a range of lifestyle needs	Apartment layouts incorporate flexible design solutions which include open plan apartments.	Yes
<b>4R Adaptive reuse</b>		
<b>Objective 4R-1</b> New additions to existing buildings are contemporary and complementary and enhance an area's identity and sense of Place	The development is for a new residential flat building.	N/A
<b>Objective 4R-2</b> Adapted buildings provide residential amenity while not precluding future adaptive reuse	Refer to above.	N/A
<b>4S Mixed use</b>		
<b>Objective 4S-1</b> Mixed use developments are provided in appropriate locations and provide active street frontages that encourage pedestrian movement	The proposed development is to be used for residential accommodation only.	Yes
<b>Objective 4S-2</b> Residential levels of the building are integrated within the development, and safety and amenity is maximised for residents	All levels of the development are to be residential, and have been designed to maximise amenity and safety for the residents.	Yes

ADG Compliance Table		
Provision	Proposal	Complies Yes/No
<b>4T Awnings and signage</b>		
<b>Objective 4T-1</b> Awnings are well located and complement and integrate with the building design	The building has been designed to provide a physical awning over the entrance way to the lobby.	Yes
<b>Objective 4T-2</b> Signage responds to the context and desired streetscape character	No signage is proposed.	N/A
<b>4U Energy efficiency</b>		
<b>Objective 4U-1</b> Development incorporates passive environmental design	Adequate natural light is provided to habitable rooms.	Yes
<b>Objective 4U-2</b> Development incorporates passive solar design to optimise heat storage in winter and reduce heat transfer in summer	Design includes passive solar design where necessary to assist in natural heating and cooling of the built form.	Yes
<b>Objective 4U-3</b> Adequate natural ventilation minimises the need for mechanical ventilation	As outlined elsewhere, natural ventilation has been maximised throughout the design of the proposed development.	Yes
<b>4V Water management and conservation</b>		
<b>Objective 4V-1</b> Potable water use is minimised	Water efficient fittings and appliances will be installed. Rainwater will be collected, stored and reused on site. Drought tolerant, low water use plants will be used within landscaped areas where appropriate.	Yes
<b>Objective 4V-2</b> Urban stormwater is treated on site before being discharged to receiving waters	Appropriate stormwater treatment is proposed. Refer to stormwater drainage plans submitted.	Yes
<b>Objective 4V-3</b> Flood management systems are integrated into site design	The subject site is not identified as being flood prone land.	N/A
<b>4W Waste management</b>		
<b>Objective 4W-1</b> Waste storage facilities are designed to minimise impacts on the streetscape, building entry and amenity of residents	The proposed residential waste storage for the site is located on the ground floor of the building. Reference should be made to Waste Management Plan submitted under separate cover.	Yes

ADG Compliance Table		
Provision	Proposal	Complies Yes/No
<b>Objective 4W-2</b> Domestic waste is minimised by providing safe and convenient source separation and recycling	All dwellings are provided with sufficient storage and cupboard space to enable for convenient waste and recycling storage. Reference should be made to the submitted Waste Management Plan.	Yes
<b>4X Building maintenance</b>		
<b>Objective 4X-1</b> Building design detail provides protection from weathering	The selection of materials will enable for the protection of surfaces from weathering.	Yes
<b>Objective 4X-2</b> Systems and access enable ease of maintenance	Window design generally enables cleaning from the inside and manually operated systems such as blinds.	Yes
<b>Objective 4X-3</b> Material selection reduces ongoing maintenance costs	Material selection will ensure that ongoing maintenance costs are reduced.	Yes