



CREATIVE**PLANNING**SOLUTIONS

Statement of Environmental Effects

Construction of an affordable multi dwelling housing development containing twenty (20) dwellings



8 – 13 Snaith Place, Griffith
Part of Lot 187 DP 705992

Prepared for: Argyle Housing
Project No: D948
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Document Control

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1.0 Introduction

This Statement of Environmental Effects ('**SEE**') has been prepared to accompany a Development Application ('**DA**') for Argyle Housing ('**Client**') for the construction of an affordable multi dwelling housing development pursuant to the *Griffith Local Environmental Plan 2014* at 8 – 13 Snaith Place, Griffith (part of Lot 187 DP 705992).

This DA is being lodged for consideration by Griffith 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 2000* ('**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 Consent authority

The proposal has a **Capital Investment Value ('CIV')** of over \$5 million. Pursuant to clause 5(b) within Schedule 7 of *State Environmental Planning Policy (State and Regional Development) 2011*, the Western Regional Planning Panel ('**WRPP**') is the consent authority for the proposed development.

2.0 Context of the Site and Surrounding Area

2.1 Site Location and Description

The land which is the subject of this DA contains part of one (1) large existing allotment legally described as part of Lot 187 in Deposited Plan 705992, and has an address of 8 – 13 Snaith Place, Griffith. The existing allotment is irregularly-shaped with a site area of 11,214m² (1.1214 hectares).

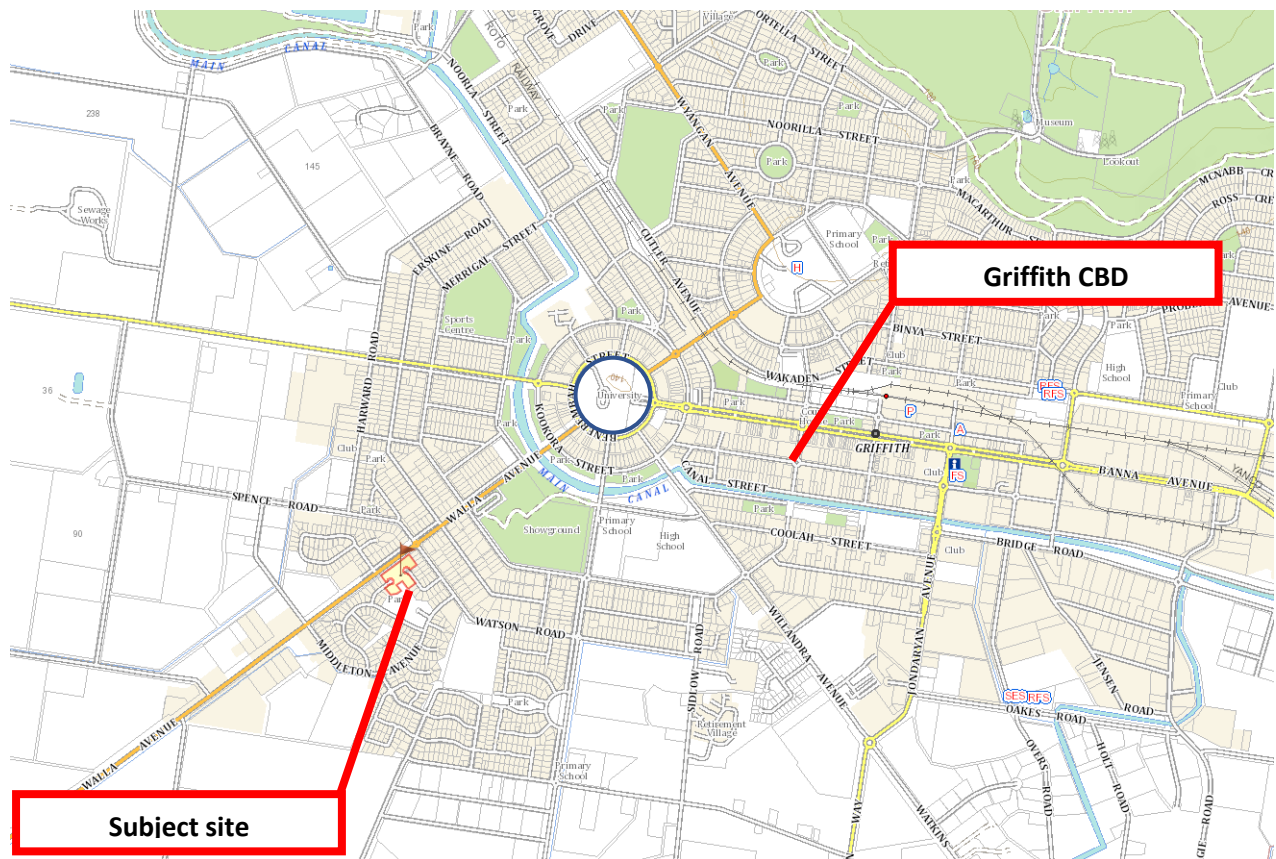


Figure 1 - A map of the locality, showing the location of the site in relation to the surrounding area and Griffith CBD (site outlined in red).

Source: SIX Maps, 2020

The part of the existing allotment where the proposed development is to be located (i.e. the 'subject site') is rectangular in shape and will be located within the northern part of the existing allotment; it is to be bordered by Walla Avenue to the northwest, residential development to the northeast and southwest and a future extension to Snaith Place immediately to the southeast.

This subject site has a total area of 3,420m² and is relatively flat, with a slight slope towards Walla Avenue of approximately 1.2 metres.

The boundaries of the subject site are as follows:

- **South-eastern (front) boundary:**
 - Adjoins the future extension section of Snaith Place that will connect this street and Garton Place.

- Total length: 88.4 metres, in addition to a 2.3 metre splay on the eastern side of this frontage
- **North-western (rear) boundary:**
 - Adjoins Walla Avenue
 - Total length: 91.7 metres
- **North-eastern boundary:**
 - Adjoins a part of the broader site that contains an existing multi dwelling housing development
 - Total length 34.8 metres
- **South-western boundary:**
 - Adjoins an allotment containing an existing detached dwelling house
 - Total length: 36.2 metres



Figure 2 - Locality aerial photo. The existing allotment is outlined by the red border, with subject site outlined by the green border.
Source: Nearmap, 11 May 2020

The subject site is vacant, with three (3) large trees located in the southwest portion of the site and one (1) tree located in the northern corner of the site.

The subject site is located within the Griffith City Council Local Government Area ('LGA'), and is approximately 800m southwest from the town centre of Griffith.

The site is not mapped as being affected by any major planning considerations nor hazards. The site is also not mapped as containing a heritage item or as being located within a heritage conservation area. Furthermore, there are no heritage items in close proximity to the subject site.



Figure 3 – A closer aerial photo of the subject site and surrounding area.

Source: Nearmap, 11 May 2020

2.2 Surrounding Area

The subject site and surrounding sites are located within a well-established residential area, consisting mainly of detached dwelling houses and multi dwelling housing.

Adjoining to the northeast of the subject site is a single-storey multi dwelling housing development consisting of four buildings and at-grade parking. The subject site also adjoins a single storey detached dwelling house that is located to the southwest.

Aside from the adjoining development, there are also some multi dwelling housing developments located on isolated sites to the east and north of the site. There are a number of large/vacant allotments also within the surrounding area. Areas on the northern side of Walla Avenue contain recently developed low-density residential subdivisions, while there is also a place of public worship (Griffith Seventh Day Adventist Church) approximately 100 metres to the west.

Within the wider locality, areas to the north and east contain predominantly low-density residential development with some recreation facilities, while areas further to the west and south contain rural industries (e.g. wineries, agriculture-based businesses, etc.).



Figure 4 – Image of site as viewed from the south-east (front boundary)

Source: Baumgart Clark Architects, January 2021



Figure 5 – Image of site as viewed from the north-west (rear boundary), illustrating Council's vegetated nature reserve which includes a 6.08 metre-wide water channel

Source: Baumgart Clark Architects, January 2021

2.3 Background of social housing provider

Argyle Housing is a not-for-profit community based housing provider that has delivered both private and affordable housing in New South Wales and the ACT over the past 30 years. Argyle Housing currently serve over 4,500 tenants and 2,400+ properties across NSW and the ACT.

Argyle Housing is a leading community housing provider who:

- Actively links tenants to services and support to strengthen overall wellbeing;
- Operates a widespread tenant participation program, fostering individual and community level growth;
- Creates partnerships aimed at reducing disadvantage and achieving social inclusion; and
- Provides services to the homeless.

Argyle Housing currently operates in seventeen local government areas – this property portfolio reflects the diversity of community needs and geographic areas in which we operate. Argyle Housing's portfolio consists of properties owned and managed, managed for Housing NSW, ACT Directorate of Community Services, and other community housing providers, and leasehold properties managed for private owners.

3.0 Proposed Development

3.1 Outline of proposal

Pursuant to Section 4.12 (Application) of the Act, consent is sought for the construction of an affordable multi dwelling housing development containing twenty (20) two-storey dwellings. The proposal will also include car parking, landscaping and associated civil works.

No demolition works are proposed as the subject site is vacant. Four (4) trees are to be removed as part of the proposed works.

Subdivision of the site is not proposed. The extension of the local road network to connect Snaith Place to Garton Place will also be undertaken as part of a separate development to be undertaken by Council. While it is shown on the plans, the road which will adjoin the southeast side of the proposed development does not form part of this development proposal.

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

3.2 Dwellings description

The application includes the construction of twenty (20) two-storey dwellings, which will be in an attached layout within five (5) main buildings on the site.

All of the proposed dwellings are to be for affordable housing.

An outline of the dwellings within the proposed development are as follows:

Dwelling Number	Number of bedrooms	Gross floor area	Private Open Space
Unit 1	2	95.02m ²	30m ²
Unit 2	2	106.98m ²	27m ²
Unit 3	2	106.49m ²	31m ²
Unit 4	3	126.7m ²	64m ²
Unit 5	3	113.96m ²	49m ²
Unit 6	2	95.16m ²	28m ²
Unit 7	2	104.07m ²	25m ²
Unit 8	2	100.87m ²	30m ²
Unit 9	2	96.4m ²	37m ²
Unit 10	3	122.29m ²	53m ²
Unit 11	2	100.81m ²	41m ²
Unit 12	2	96.31m ²	30m ²
Unit 13	2	103.51m ²	40m ²
Unit 14	2	102.99m ²	30m ²
Unit 15	4	134.41m ²	29m ²
Unit 16	2	98.49m ²	23m ²

Unit 17	3	117.31m ²	25m ²
Unit 18	2	103.63m ²	49m ²
Unit 19	2	106.05m ²	44m ²
Unit 20	2	104.38m ²	55m ²

Table 1: An outline of the dwellings within the proposed development.

With regard to the above, a breakdown of the proposed apartment mix and types are as follows:

Dwelling types:	Dwelling numbers	Proportion of total number of dwellings (%)
Two bedroom	15	75%
Three bedrooms	4	20%
Four bedrooms	1	5%
Total	63	100%

Table 2: Numbers and proportional mixes of dwelling types within the proposed development.

Each of the residential apartments will have its own Private Open Space ('POS') area at ground level, with varying areas and dimensions (refer to **Table 1**).

The exterior of the proposed buildings will be constructed with a variety of durable materials (consisting predominately of brick veneer and clad surfaces) that will be finished in a variety of colours and tones. The plans propose that all buildings will have contemporary and highly-articulated design and varying surfaces.

3.3 Car parking

Twenty (20) residential car parking spaces are to be provided, in addition to five (5) visitor car parking spaces.

Vehicular access and driveway works will primarily consist of two (2) large communal driveways which will diagonally traverse the site and provide direct vehicular and pedestrian access to seventeen (17) of the proposed dwellings. The remaining three (3) dwellings will obtain direct vehicular and pedestrian access from individual driveways and pathways from the future road extension. All four (4) visitor spaces will also be directly accessible from the future adjoining road reserve.

Vehicular access to Walla Avenue will not be provided, however pedestrian access is proposed from that road frontage to enable access from both road frontages.

3.4 Waste management

Communal waste management facilities are not proposed. All residential bins will be stored within respective private open space areas, and moved to the collection point within the road reserve by residents.

3.5 Landscaping works

The landscape scheme as proposed includes a connected series of open space areas designed to complement the proposed development and provide landscaped spaces of high amenity for future users of the site. The layout of all Private Open Space ('POS') will include a combination of landscaped and paved

areas, and will be directly adjacent to, and accessed from, internal living areas on the ground floor of those respective dwellings. Privacy to POS areas is afforded by internal fencing and landscaping.

Additional landscape planting is provided and includes a variety of low-water use native species of varied form, size, texture and foliage density to create a balanced softening effect to the built form. Large canopy trees have been provided where possible within deep soil areas with a number of small-medium amenity trees also included throughout the remainder of the scheme.

3.6 Stormwater Drainage

Drainage infrastructure is to be constructed, utilising an Onsite Stormwater Detention ('OSD') system; the tanks for this system will be located beneath the main driveways. Refer to the detailed engineering plans and information for further detail regarding onsite stormwater management.

4.0 Planning Assessment

4.1 Section 4.15 – 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.*

With regard to the above, the key environmental planning instruments and development control plans that are of relevance to the development and have been considered in the preparation of this statement include:

- State Environmental Planning Policy (State and Regional Development) 2011 ('**SRD SEPP**')
 - State Environmental Planning Policy – Affordable Rental Housing 2009 ('**ARHSEPP**')
 - State Environmental Planning Policy Infrastructure (2007) ('**ISEPP**')
 - State Environmental Planning Policy No. 55 – Remediation of Land ('**SEPP 55**')
 - State Environmental Planning Policy – (Building Sustainability Index: BASIX) 2004
 - Griffith Local Environmental Plan 2014 ('**GLEP 2014**')
 - Griffith Residential Development Control Plan 2020 ('**GRDCP**')
 -

4.2 Environmental Planning Instruments

4.2.1 State Environmental Planning Policies

4.2.1.1 State Environmental Planning Policy (State and Regional Development) 2011

The proposed development has a capital investment value of over \$5 million. Pursuant to clause 5(b) within Schedule 7 of the SEPP, reproduced below, the Western Regional Planning Panel will be the consent authority.

Development that has a capital investment value of more than \$5 million for any of the following purposes—

b) affordable housing, child care centres, community facilities, correctional centres, educational establishments, group homes, health services facilities or places of public worship.

4.2.1.2 State Environmental Planning Policy (Affordable Rental Housing) 2009

Part 2, Division 1 (In-fill affordable housing) of the *State Environmental Planning Policy (Affordable Rental Housing) 2009* ('ARH SEPP') does not apply, as the site is not located within an 'accessible area', as defined by the ARH SEPP.

4.2.1.3 State Environmental Planning Policy (Infrastructure) 2007

The provisions of *State Environmental Planning Policy (infrastructure) 2007* ('ISEPP') are not applicable to this application. The site is not burdened by, nor does it adjoin infrastructure to which Division 5 (Electricity transmission or distribute) of the SEPP applies. The site also 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 Roads and Maritime Services (RMS).

4.2.1.4 State Environmental Planning Policy No. 55 - Remediation of Land

The *State Environmental Planning Policy No. 55 – Remediation of Land* (SEPP 55) applies to the proposed development. Clause 7 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. With regard to existing and previous development both on the subject site and surrounding site, there is no information to suggest that the subject site has become contaminated. Further, the site was not previously zoned for purposes identified in Table 1 of the contaminated land-planning guide in SEPP 55, in particular, industrial, agricultural or defence uses.

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 (Building Sustainability Index: BASIX) 2004

State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004 operates in conjunction with the Environmental Planning and Assessment Amendment (Building Sustainability Index: BASIX) Regulation 2004 to ensure the effective introduction of BASIX in New South Wales.

Pursuant to Clause 6(1) of the SEPP, the SEPP applies 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.

A BASIX Certificate and accompanying documentation therefore accompanies this application, and demonstrates that the proposal is able to achieve all targets relating to water, thermal comfort and energy. Refer to the accompanying documentation for further information.

4.2.2 Griffith Local Environmental Plan 2014

4.2.2.1 Permissibility and zone objectives

The subject site is located within the R1 General Residential zone. The proposed development is defined as 'multi dwelling housing'.

Multi dwelling housing is permissible with consent in the R1 General Residential zone pursuant to GLEP 2014.

The objectives of the R1 zone, and a response to each are as follows:

To provide for the housing needs of the community.

Comment: The proposal will provide for the housing needs of the community, particularly those from lower-income and/or disadvantaged backgrounds, within a form of housing that is consistent with the surrounding residential environment.

To provide for a variety of housing types and densities.

Comment: The proposal a range of housing sizes (i.e. two, three and four bedroom dwellings), and contributes towards providing a variety of housing densities within the local area.

To enable other land uses that provide facilities or services to meet the day to day needs of residents.

Comment: The development will not affect the ability of surrounding sites to provide services and/or facilities that would serve the daily needs of local residents,

To facilitate development of social and community infrastructure to meet the needs of future residents.

Comment: The proposal will facilitate social infrastructure in the form of affordable housing. There is a need for affordable housing within the Griffith LGA, particularly for homes that cater for smaller family groups (i.e.

one-to-two-bedroom houses). The proposal will therefore provide for the needs of lower-income residents by providing modern and well-located housing in close proximity to public transport and the Griffith town centre.

To allow people to carry out a reasonable range of activities from their homes, if such activities do not adversely affect the living environment of neighbours.

Comment: The layouts of the proposed dwellings include substantial internal living areas and relatively large private open space areas that would enable future residents to undertake a variety of activities within their homes. The design and layout of the dwellings is such that they will not adversely affect the living environments of surrounding allotments, though impacts such as overshadowing or overlooking.

4.2.2.2 Development standards

The following table provides an assessment of the proposed development against the relevant provisions of GLEP 2014.

Griffith Local Environmental Plan 2014			
Clause	Requirement	Proposed	Complies
2.6 Subdivision—consent requirements	(2) Land to which this Plan applies may be subdivided, but only with development consent.	Subdivision of the site is not proposed.	N/A
4.1 Minimum subdivision lot size	(3) The size of any lot resulting from a subdivision of land to which this clause applies is not to be less than the minimum size shown on the Lot Size Map in relation to that land.	The proposal does not include subdivision of the site.	N/A
4.1 Minimum subdivision lot size	(3) The size of any lot resulting from a subdivision of land to which this clause applies is not to be less than the minimum size shown on the Lot Size Map in relation to that land.		N/A
4.3 Height of buildings	Not adopted.		N/A
4.4 Floor space ratio	Not adopted.		N/A
5.10 Heritage conservation	(5) Heritage assessment The consent authority may, before granting consent to any development— (a) on land on which a heritage item is located, or (b) on land that is within a heritage conservation area, or (c) on land that is within the vicinity of land referred to in paragraph (a) or (b),	The subject site does not contain a heritage item, is not within a heritage conservation, nor is it in proximity to a heritage item. With regard to indigenous heritage, the site is within an urban area that is highly	Yes

	(d) require a heritage management document to be prepared that assesses the extent to which the carrying out of the proposed development would affect the heritage significance of the heritage item or heritage conservation area concerned.	disturbed. It is therefore highly unlikely that items of indigenous heritage are located on the site. A condition could be imposed however for steps to be undertaken should any undiscovered finds be made during works.	
7.1 Earthworks	<p>(3) In deciding whether to grant development consent for earthworks (or for development involving ancillary earthworks), the consent authority must consider the following matters—</p> <p>(a) the likely disruption of, or any detrimental effect on, drainage patterns and soil stability in the locality of the development,</p> <p>(b) the effect of the development on the likely future use or redevelopment of the land,</p> <p>(c) the quality of the fill or the soil to be excavated, or both,</p> <p>(d) the effect of the development on the existing and likely amenity of adjoining properties,</p> <p>(e) the source of any fill material and the destination of any excavated material,</p> <p>(f) the likelihood of disturbing relics,</p> <p>(g) the proximity to, and potential for adverse impacts on, any waterway, drinking water catchment or environmentally sensitive area,</p> <p>(h) any appropriate measures proposed to avoid, minimise or mitigate the impacts of the development.</p>	The site is relatively level. Earthworks will therefore largely be limited to excavation to footings and construction of the underground OSD tanks. Such works will therefore not adversely affect surrounding sites or adjoining public land.	Yes

4.3 Draft Environmental Planning Instruments

Draft Remediation of Land State Environmental Planning Policy

The Draft SEPP is a relevant matter for consideration as it is an environmental planning instrument that has been placed on exhibition. The explanation of Intended Effects accompanying the draft SEPP advises:

As part of the review of SEPP 55, preliminary stakeholder consultation was undertaken with Councils and industry. A key finding of this preliminary consultation was that although the provisions of SEPP 55 are generally effective, greater clarity is required on the circumstances when development consent is required for remediation work.

This policy was exhibited by the Department of Planning and Environment between 25 January 2018 and 12 April 2018. The Explanation of Intended Effect which was exhibited with the draft policy explains that the

purpose of the new policy is to repeal SEPP 55 and replace it with the new policy, which establishes a modern approach to the management of contaminated land.

Clause 7 is the pertinent clause of SEPP 55, which relates to the consideration of development applications. In relation to such considerations, the new policy will incorporate information currently contained within the Managing Land Contamination: Planning Guidelines – a related policy document - into the instrument itself. However, it is not expected that the draft policy will influence any conclusions made within the consideration of SEPP 55.

4.4 Development Control Plans

4.4.1 Griffith Residential Development Control Plan 2020

Note: DCP No. 11 – Urban Subdivision is not applicable to this application as subdivision is not proposed.

Griffith Residential Development Control Plan 2020 (GRDCP 2020) was adopted by Council on 11 August 2020 and came into operation on 17 August 2020. The GRDCP 2020 applies to all land zoned R1 General Residential, which the subject site is zoned. An assessment of the proposed development against applicable provisions is provided below.

The subject site is identified by the Griffith Residential Development Control Plan as being located within the South Griffith Residential Precinct.

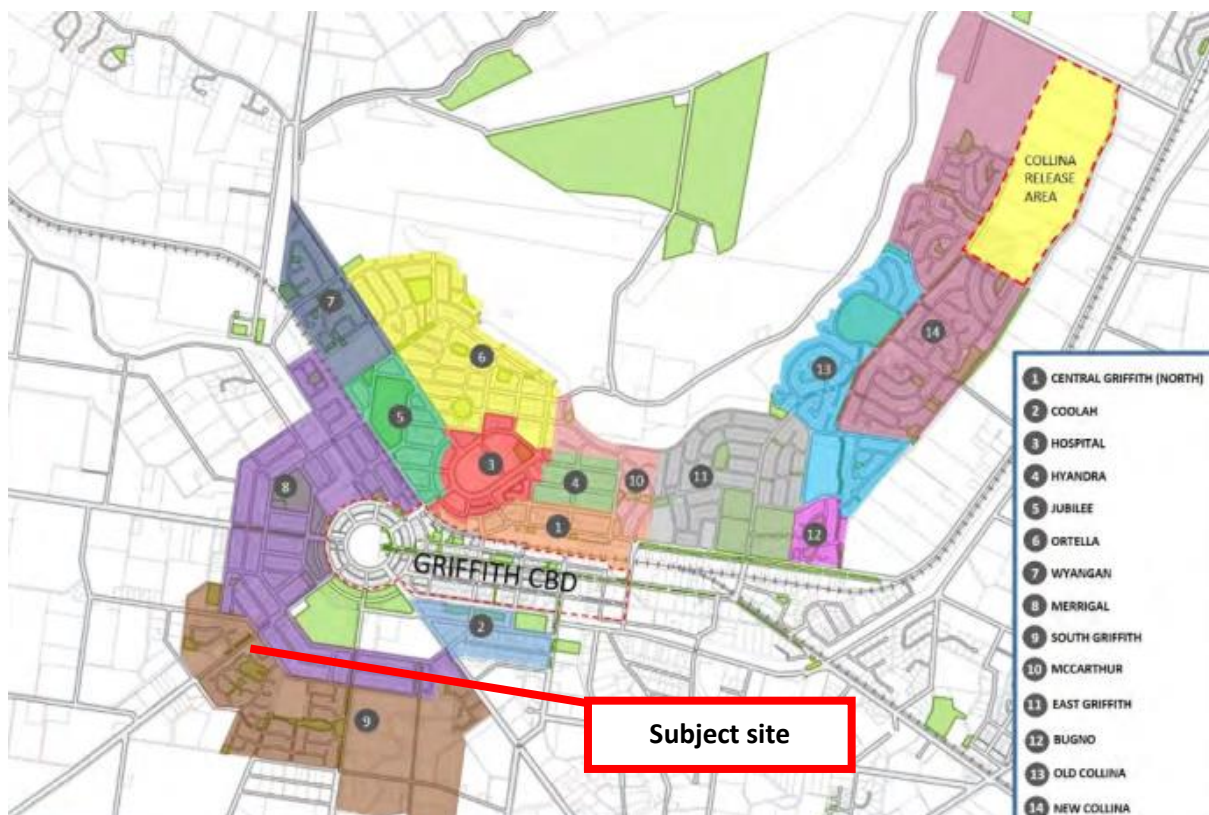


Figure 6 – An extract from the Griffith Residential Development Control Plan; the South Griffith precinct is denoted by the brown area on the lower left side of the image.

Source: Griffith City Council, 2020

The DCP states that the existing character of “(T)he Precinct is located in the southern most part of Griffith’s residential areas, containing the Pioneer subdivision in the west, the Murrumbidgee Estate subdivision in the centre and Willandra Gardens to the east. The planning layouts are informal with Murrumbidgee Estate having a series of traffic-controlled loop roads. A large portion of the lots in the Precinct are undeveloped. An average lot in the Precinct is 700m² with 20 metre frontages. The majority of the Precinct has been developed for single dwellings with some dual occupancies and secondary dwellings. The Precinct forms the southern extent of the Griffith urban area.”

The DCP envisions that the future character of the Precinct “...is predominantly low-density single dwellings with some dual occupancy and multi dwelling housing within undeveloped lots to promote affordable rental housing. Corner allotments should be promoted for multi dwelling housing, terraces or manor houses. Boarding houses should be located at the northern extent of the precinct closer to the CBD.”

The relevant provisions of GRDCP 2020 are listed below, along with a comment on how the proposed development performs against each of these objectives.

Griffith Residential Development Control Plan

3.9 South Griffith

Future character:

The projected future character of the area is predominantly low-density single dwellings with some dual occupancy and multi dwelling housing within undeveloped lots to promote affordable rental housing. Corner allotments should be promoted for multi dwelling housing, terraces or manor houses. Boarding houses should be located at the northern extent of the precinct closer to the CBD.

Comment: The proposal is consistent with the projected future character of the area, in that it provides for an isolated multi dwelling housing development within an undeveloped part of the precinct for the purpose of providing affordable housing for local residents.

Precinct Specific Controls

Max FSR	Max Height	Parking	
0.5:1	9m	1 Bedroom Unit	1 space
		2 bedroom Unit	1.5 spaces
		3+ Bedroom Unit	2 spaces
		Visitors	1 space per 5 units

Maximum FSR: The proposed Gross Floor Area (‘GFA’) of the proposed development is 2,135m²; based on the area to be occupied by the proposed development (i.e. 3,420m²), the floor Space Ratio (‘FSR’) of the development will be 0.63:1. It is acknowledged that the FSR floor area breaches the 0.5:1 FSR for the site, however as a 100% affordable housing project, the proposal has sought to maximise the number of dwellings on this allotment to augment the number of affordable housing dwellings (particularly smaller two-bedroom dwellings)

Aside from providing modern dwellings, the proposed design will provide sufficient space to incorporate internalised parking facilities, sufficiently-sized bedrooms and suitable internal and external living spaces that will enable both privacy and high levels of amenity for residents. The proposal will also not have adverse nor unreasonable impacts on the amenity of surrounding sites, in terms of visual privacy and overshadowing.

Further, the buildings accommodating the dwellings have been separated and contain varying heights and are heavily articulated, particularly on frontages addressing the public domain. Landscaped areas including areas for deep soil planting will also further soften the appearance of the development from both surrounding sites and the public domain.

With regard to the above, the proposed variation will therefore not have adverse impacts on the natural or built environments, nor the amenity of surrounding sites. Further, if compliance with the FSR control were to be enforced, then as many as seven of the dwellings would need to be removed; such a significant reduction to satisfy the DCP control will considerably reduce the amount of affordable housing stock within the local area, and will subsequently have significant and adverse social outcomes.

As such, the proposed variation to the control has merit and is worthy of support.

Maximum height: The maximum height for the proposal is 7.95m thereby attaining compliance with the 9m maximum building height for the site.

Comment: Despite the above rates, Appendix 1 (Griffith Parking Code) of the DCP requires that affordable rental housing be provided in accordance with the rates of the ARH SEPP. For reference, those rates are as follows:

- At least 0.4 parking spaces are provided for each dwelling containing 1 bedroom,
- At least 0.5 parking spaces are provided for each dwelling containing 2 bedrooms, and
- At least 1 parking space is provided for each dwelling containing 3 or more bedrooms

One (1) enclosed car parking space is to be provided for each dwelling, thereby satisfying such requirements. Four (4) visitor parking spaces are also proposed, thereby also satisfying the visitor parking rates of the DCP. Refer to further discussion below under Section 8.0.

4.0 Dwellings

Requirement	Proposed	Complies
4.1 Application of this Section		
This section applies to new dwellings or alterations or additions to existing dwellings in the following zones: a) R1 General Residential. b) R5 Large Lot Residential. c) RU5 Village.	Complies. The controls contained within Part 4.0 apply to the development as the site is within the R1 General Residential zone. Where they apply, controls contained within Part 5.0 (Medium Density Housing) of GRDCP 2020 replace those within Part 4.0 (Dwellings), as the proposed development is for multi dwelling housing.	Yes
4.3 Streetscape Controls		
a) Dwellings on corner blocks must be designed to address both street frontages.	N/A. The site is not a corner allotment.	N/A
b) The primary street façade of a dwelling should address the street and incorporate at least two of the following design features: <ul style="list-style-type: none"> • entry feature or porch; • awnings or other features over windows; • recessing or projecting architectural elements; • open verandah; or • bay windows or similar features. 	Garton Place is identified as the primary street frontage for the development. Units 6, 11 and 12 have entry features fronting the street. The proposal also includes articulation of the facades and architectural design features to enhance the amenity of the street scape and enhance visual interest.	Yes
c) Dwellings should be consistent with the scale and character of adjoining dwellings and the locality in general.	The proposal is consistent with the future locality of the area in terms of providing for multi dwelling housing. While the scale of the	Yes

	development in terms of height is greater than that of surrounding sites, this is a consequence of such surrounding development containing older and predominantly single-storey development (noting that the DCP contains controls that allow for higher/larger-scale development).	
d) Garages must not dominant the street frontage and must not exceed 50% of the building's front elevation.	Only three (3) garages are located within the street frontage, the openings of which account for significantly less than 50% of the building elevation addressing the Snaith Place frontage.	Yes
e) Dwellings should be designed to provide a major window to a habitable room facing the street.	Units 1, 6 and 16 have living room windows which will address the Snaith Place frontage. Windows from bedrooms and first floor passageways will also overlook adjoining street frontages.	Yes
f) Landscaping should be used to enhance the appearance of the development and the surrounding area including the road reserve.	Landscaping has been provided on site to enhance the appearance of the development.	Yes
g) Driveways must be located to preserve significant street trees.	The proposal will not impact on any street trees.	Yes
4.4 Building Design		
a) The design of dwellings must have regard to the character statement of the Precinct provided at Section 3.	The proposal achieves the desired future character of the area; refer to the discussion of the locality statement above.	Yes
b) Front walls of any dwelling visible from the street must not exceed 5 m in length without a physical change.	Wall elevations are highly articulated though the use of varying materials and colours; lengths without change do not exceed five metres.	Yes
c) The side walls in any one dwelling visible from the street or public place must not exceed 10 m in length without a physical change.	As above.	Yes
d) Windows and doors in facades facing the street must be provided in a balanced manner and respond to the orientation and internal uses.	A balance of door and window placement is achieved.	Yes
e) Materials must be selected to provide consistency within the locality.	External materials include brick veneer and clad surfaces, which is consistent with surrounding development.	Yes
f) Buildings must be sited and designed to ensure reasonable daylight to habitable rooms in adjacent dwellings and avoid overshadowing of neighbouring private open spaces.	Sufficient solar access is provided to dwellings within the development and surrounding sites; refer to more detailed comments below.	Yes
g) Dwellings are to have the following minimum internal floor areas:	Sufficient internal areas are provided; refer to Table 1 within Section 3.2 of this SEE.	Yes
i. 1 bed – 55m ²		
ii. 2 bed – 75m ²		
iii. 3+ bed – 90m ²		
h) Bedrooms are to be a minimum of 8m ² excluding wardrobe space.	Minimum bedroom areas are provided; refer to the submitted plans for further information.	Yes
i) Combined living and dining rooms must have a minimum area of:		Yes

<ul style="list-style-type: none"> i. 1 and 2 bed – 24m² ii. 3+ bed – 28m² 	<p>Minimum combined/open plan living areas are provided. refer to the submitted plans for further information.</p>	
<p>4.5 Sustainability</p> <ul style="list-style-type: none"> a) Development Applications for new dwellings and specified alterations and additions must be accompanied by a BASIX Certificate, issued by the NSW Government. b) The design of new dwellings should adopt the following principles which promote sustainable building practices: <ul style="list-style-type: none"> i. Plan the site so that new development is oriented to optimise northern aspect where possible; ii. Optimise the daylight access to habitable rooms and private open space; iii. Supplement daylight access through the use of skylights where possible; iv. Locate living spaces and private open space to the north or east where possible; v. Use shading devices such as eaves, awnings, colonnades, balconies, pergolas, external louvres and planting (see Figure 12); and vi. Facilitate natural cross ventilation by minimising interruptions in air flow through dwellings and grouping rooms with similar usage together (e.g. keep living spaces together and sleeping spaces together). Ceiling fans should be encouraged (see Figure 9) 	<p>Complies. Refer to the BASIX certificate which accompanies this application, which demonstrates that the development will adopt design principles to optimise solar access, thermal comfort and ventilation.</p>	<p>Yes</p>
<p>4.6 Height</p> <ul style="list-style-type: none"> a) The maximum height of new dwellings should not exceed 9.0m above the natural ground level measured to the ridge of the roof. b) The height of a dwelling should suit the streetscape, maintain view corridors and not unreasonably restrict sunlight to adjacent properties. c) Development plans submitted for two storey dwellings must show Reduced Levels (RL) taken from a fixed datum point (AHD) for the maximum ridge height and natural ground levels. d) Proposed tree planting should be consistent with the scale of the dwelling. 	<p>Complies. The proposed dwellings will not exceed 9m.</p> <p>The proposed height is greater than that of surrounding sites, however this is a consequence of such surrounding development containing older and predominantly single-storey development (noting that the DCP contains controls that allow for higher/larger-scale development. Despite the building height, the proposal will not significantly nor unreasonably affect solar access to surrounding sites.</p> <p>Refer to the submitted plans.</p> <p>Appropriate tree planting is proposed; refer to the submitted landscaping plans for further information.</p>	<p>Yes</p> <p>Yes</p> <p>Yes</p> <p>Yes</p>

4.7 Solar Access and Energy Efficiency

- a) Solar access must be available between the hours of 9 am and 5 pm for a minimum duration of 3 hours to any living area on the 22nd of June for each respective dwelling.
- b) Where possible, buildings should be oriented on a north-south, east-west axis to maximise solar access to living areas (see Figure 11).
- c) Windows should be located and shaded so as to reduce summer heat load and to permit entry of winter sunlight (see Figure 12).
- d) Outdoor clothes drying areas with access to sunlight and breezes should be provided
- e) Shadow diagrams or a solar study must be provided by the applicant for two storey buildings and for all other development where there is a reasonable likelihood of the development causing overshadowing impacts on adjoining property.

A minimum of 3 hours solar access to living areas has not been achieved. However, dwellings have been oriented to maximise solar access to dwellings.

No

4.8 Setbacks

4.8.1 Front Setbacks

- a) Front setbacks must be a minimum of 4.5 metres, or
- b) The average of the nearest two dwellings within 40 metre plus or minus 0.5 metres, whichever is greater.
- c) Garages must be setback a minimum of 5.5 metres.

Note: As the site is a parallel allotment, the 'front' setback to be applied is from the boundary adjoining the future extension to Snaith Place.

Comment: The proposed development has a varied front setback, with setback distances of 2.19-3.5 metres.

This variation is considered reasonable in this instance as the front setback includes high levels of building articulation and variable heights, with building massing to be broken up/separated by internal driveways, visitor parking and private open space areas.

Except for driveway areas, the front setback area will otherwise be entirely landscaped, with deep soil areas and associated tree planting to further soften and screen the proposed development.

The visual impact of the non-compliance is considered to be minimised given two (2) buildings of the adjoining multi-dwelling housing development to the north-east will be sited considerably forward of the proposed development. This in effect provides a gradual transition / staggering of building form from this adjoining development.

Combined with the variable front setbacks of the adjoining multi-dwelling housing development, visual impacts will also be further reduced by both deep soil landscaping within the front setback area and Unit 20 adopting a smaller width than other proposed dwellings (i.e. Units 1, 6, 11, 12 and 16) which will also address the Snaith Place frontage.

A larger front setback is provided to the neighbour developments southwest of the subject site. Visual impacts associated with this development will also be reduced by deep soil planting within the front and side setbacks that will incorporate larger plantings that will assist in filtering the development from persons approaching the site along Garton Place to the southwest. It should also be noted that dwellings to the southwest are also set back much further than minimum requirements (i.e. approximately 8.7-11.2 metres); in the event that these sites are redeveloped it is likely that the front setbacks would be reduced, thereby further reducing any visual impacts associated with the proposed development.

The character of the proposed development will be consistent with the existing and future character of surrounding development, noting that:

- There is a multi dwelling housing development located on the adjoining site to the north-east,
- Sites on the south-west side of the subject site are intended to be redeveloped as part of the original masterplan scheme that envisaged a complete urban renewal of the overall precinct, not just the subject site, with dwellings of a similar height and scale to that being proposed, and
- Sites on the south-east side of the subject site (i.e. on the opposite side of the street) are to be redeveloped to a similar height and scale to that being proposed.

As a result, the underlying objectives of the controls will be satisfied. Further, enforcement of the control will have significant social detriment, as compliance with the control will significantly reduce the developable area of the site, thereby reducing dwelling yield; this would subsequently reduce the number of affordable dwellings for low-income and disadvantaged households.

As such, the proposed variation to the control has merit and is worthy of support.

4.8.2 Building Articulation Zone a) The building articulation zone is 1.5 m for the primary street frontage and 0.75 m for the secondary street frontage. b) The building element must be external to the primary liveable floor area of the dwelling and not include garages or carports. c) Articulation elements must be a maximum of 25% of the area of the articulation zone. d) Articulation elements are permitted to start behind the required building lines	Noted. Articulation zones have been factored into the consideration of front setback distances; refer to the assessment above. Noted. Articulation features account for substantially less than 25% of the site frontage, noting that an articulation zone has not been established for this proposal. Noted.	- - Yes -
4.8.3 Side Setbacks a) Single storey dwellings: minimum setback is 0.9 m with the eaves (overhang) setback a minimum of 450 mm. b) Two storey dwellings: minimum setback of the upper storey is 1.5 m with the eaves (overhang) setback a minimum of 900 mm.	A minimum side setback of 2 metres is provided to the northeast side boundary and a minimum 2.87 metre setback to the southwest side boundary is proposed. A minimum side setback of 2 metres is provided to the northeast side boundary and a minimum 3.8 metre setback to the southwest side boundary is proposed.	Yes Yes

4.8.4 Rear Setbacks

- Ground level setback: Minimum 2 metres
- Upper storey setbacks: Minimum 3 metres

Comment: The proposed development has a varied rear ground floor setback of between 0.53 and 1 metre and a minimum setback to the first floor of 1 metre. The rear boundary of the site fronts Walla Avenue, and has a boundary adjoining Councils nature reserve which includes a 6.08-metre-wide water channel. This nature reserve is not developable due to the services contained within this nature reserve. The distance between the rear boundary of the site and the Walla Avenue road corridor would present in a manner that is similar to that of a rear setback area; the visual appearance of the development from the road corridor is such that it will appear to have a compliant rear setback. Combined with both deep soil areas and associated planting around the periphery of the site and existing trees within the road reserve, visual impacts of the noncompliant rear setback from the northeast and southwest will therefore be minimal.

The variation will also have no significant impacts within the site or on surrounding sites. As the rear of the site is oriented to the northwest, solar access is still obtainable to dwellings within the proposed development. The variation will also have no adverse visual impacts on the solar access and visual privacy of adjoining sites.

Enforcement of the control will have significant social detriment, noting that compliance will significantly reduce the developable area of the site benefit, thereby reducing dwelling yield and the availability of affordable housing to low income and vulnerable households.

As such, the proposed variation to the control has merit and is worthy of support.

4.9 Visual and Acoustic Privacy

a) Dwellings or additions should be designed so that windows, balconies and decks are not situated directly opposite windows of primary rooms (living, kitchen, dining) of any adjoining dwellings, unless privacy issues can be addressed.	The design of the dwellings is such that windows will be offset from each other to prevent overlooking impacts both internally and on adjoining sites. The design of windows is such that opaque glazing and screens will also assist in preventing adverse privacy outcomes.	Yes
b) Habitable room windows of adjacent dwellings within a distance of 9 m; <ul style="list-style-type: none"> • should be offset to limit views between windows; or • should have sill heights of 1.7 m above floor level, or should have fixed translucent glazing in any part of the window within 1.7 m of the floor level; or • Should use other means to obscure the view between windows. 	Complies. Where habitable rooms are adjacent dwellings within 9m on the site, opaque glazing is proposed for the windows.	Yes
c) Noise generating areas of development (e.g. air conditioning plant, swimming pool areas and the like) should be adequately screened or located away from the bedroom areas of neighbouring properties to minimise their impact.	Complies.	Yes
d) Balconies on the first floor of the side / or rear portion of the dwelling must be designed to ensure over-looking is minimised, including the use of screens.	Balconies are not proposed.	N/A

4.10 Private Open Space

a) Principal Private Open Space (PPOS) must incorporate an envelope with a width of a minimum of 3m and a minimum area of 15m ² which is directly accessible from a communal living area. 50% of this envelope should receive direct sunlight for three hours between 9am and 5pm on 22nd June.	PPOS area achieve a minimum area of 15m ² directly accessible off the living area. Most of the PPOS areas receive a minimum of three (3) hours of direct solar access except for Unit 17. This minor noncompliance is considered acceptable given that 19 units comply with this requirement.	Yes
b) The PPOS envelope should generally be provided in locations where boundary setbacks are 4 m or greater.	PPOS areas have been generally situated in areas of largest setbacks. Given the configuration of the site, not all PPOS envelopes are provided in the boundary setbacks.	Yes
c) PPOS must not include driveways, turning areas, car spaces, narrow elongated curtilage areas and service areas. Screening must be provided to	Complies. PPOS areas do not include the areas listed within 4.10(c).	Yes

ensure privacy to users of the PPOS which can include fencing or planted screens.		
4.11 Landscaped Area Controls		
<p>a) A minimum of 25% of the total site area should be comprised of landscaped area.</p> <ul style="list-style-type: none"> Development plans submitted to Council for approval must include calculations demonstrating compliance with this control in accordance with Figure 18. <p>b) Landscaping must include a suitable proportion of trees, other than palms, capable of reaching a mature height of 5 m or more in order to:</p> <ul style="list-style-type: none"> reduce the visual impact of buildings; shade their western elevations from the hot afternoon summer sun; promote privacy between sites; and promote shade for car parking areas, outdoor recreation areas and children's play areas. <p>c) Planting requirements for new dwellings:</p> <ul style="list-style-type: none"> Establish plant species that are appropriate for the climate, soil, aspect and drainage of the locality; Incorporate drought-resistant and native plant species wherever possible or appropriate; Ensure trees do not, and will not in the future interfere with underground and overhead utilities; and Landscaped area should establish adequate drainage, including the retention of stormwater on site and prevention of discharge runoff onto adjoining properties. 	<p>Not applicable; refer to the assessment of Part 5.6.2 below.</p> <p>Capable of compliance; refer to the submitted landscape plans which accompany this application.</p> <p>Capable of compliance; refer to the submitted landscape plans which accompany this application.</p>	<p>N/A</p> <p>Yes</p> <p>Yes</p>
4.12 Street Trees	The construction of the road to the south of the site is not part of this application therefore; the planting of street trees is therefore not applicable.	N/A
4.13 Vehicle Access and Parking		
<p>a) Each dwelling must have an exclusive entitlement to at least one secure, undercover private parking space.</p> <p>b) Parking must be provided in accordance with Council's Parking Code (Appendix 1) and the ratios provided in Section 3 for the Precinct.</p> <p>c) Parking and access facilities must be designed and constructed in accordance with the requirements of Council's Engineering Standards: Subdivision and Development (as amended).</p> <p>d) Accessways and driveways must be designed to enable vehicles to:</p> <ul style="list-style-type: none"> enter the parking space in a single turning movement; and 	<p>Each dwelling will contain one garaged space.</p> <p>Parking has been provided on site in accordance with Appendix 1; refer to the parking assessment above.</p> <p>Car parking facilities have been designed in accordance with relevant Australian Standards and Council's engineering standards.</p> <p>All car parking spaces have been designed to enable vehicles to both enter and leave in one and two movements respectively.</p>	<p>Yes</p> <p>Yes</p> <p>Yes</p> <p>Yes</p>

<ul style="list-style-type: none"> • leave the parking space in no more than two turning movements. <p>e) Internal driveways should generally be a minimum of 3.5 m in width.</p>	Two (2) internal driveways are proposed with a minimum width of 5.5m.	Yes
4.14 Site Facilities		
a) Waste and recycling bins should generally be located in areas and enclosures not visible from the street or a public space.	Waste and recycling bins will not be visible from the street frontage and will be contained within private open space areas and garages.	Yes
b) Open air clothes drying facilities must be provided in a secure and convenient location, which is adequately screened from streets and other public places, and where possible, should be separate from private open space. A minimum of 8 lineal metres should be provided for each dwelling.	Clothes drying facilities has been provided for each dwelling.	Yes
c) A mail box structure should be centrally located, close to the primary street frontage and all boxes should be lockable.	The site layout permits the placement of letter boxes within an area that is close to/accessible from the Snaith Street frontage.	Yes
4.15 Rainwater Tanks		
a) Tanks must be constructed in accordance with Council's Urban Water Tanks (WS-CP-211) Policy.	The design and placement of stormwater systems are in accordance with Council requirements; refer to the stormwater plans which accompany this application.	Yes
b) The overflow from tanks must be connected back into stormwater system for the site and not into sewer infrastructure.		
c) Tanks must be sited in areas which are not visible from the street, unless vegetative or other screening is provided.		
d) Where tank water is proposed to be connected to the same plumbing as Council's reticulated water supply, a backflow prevention device must be fitted (by a licenced plumber) to the reticulated water service on the customer's side of the water meter. No connections are permitted between the water meter & the backflow prevention device.		
e) Tanks should be fitted with a gutter flush, or first flush system to prevent foreign materials entering the tank.		
f) Where tanks are located along a side boundary they should not obstruct access.		
4.16 Fencing		
a) Front and side return fences should: <ul style="list-style-type: none"> • Generally be no higher than 1.2 m; • Generally be no higher than 0.9 m if it is a solid design; and • Reflect the design and character of the dwelling and other buildings along the street 	A combination of fencing materials has been utilised for the proposal, including timber fencing, timber look aluminium fencing and powdercoated metal picket fencing. Landscaping is also proposed in front of the metal picket fencing fronting Garton Place, which enhances the visual amenity of the primary street frontage. The height of the fencing ranges from 1.2m – 1.8m given that	Yes
b) Front fences higher than 1.2 m will be considered, but only where: <ul style="list-style-type: none"> • The maximum height of the fence is 1.8 m; 		

<ul style="list-style-type: none"> The lot has frontage to an arterial or collector road or the dwellings private open space is located in the front yard or where justification is provided in accordance with Section 1.5; Any solid fence must not exceed 2.5 m in length without some articulation, landscaping or alternative materials to provide visual interest. Alternatively, visually solid fences can be setback 1 m from the front boundary to facilitate screen plantings using tree and shrubs species capable of reducing the visual impact of the fence (i.e. height and maturity must be at least equal to the height of the fence)(see Figure 21). The fence will reflect the design and character of the dwelling and other buildings along the street; The fence will not impede sight distances for traffic on public roads – a splay in the fence may be required for some lots. Avoid the use of galvanised steel, corrugated galvanised iron, coated steel or pre-painted steel; and The water meter must be accessible from the road reserve, integrated into the design of the fence and shown on plans submitted with a development application 	<p>private open space is located within the front yards of dwellings 1, 6, 11 and 16.</p> <p>N/A.</p> <p>The proposed materials reflect the design of the proposed dwelling.</p>	<p>Yes</p>
<p>c) Side and Rear Fences:</p> <ul style="list-style-type: none"> Side and rear fences (behind the building line) are to have a maximum height of 1.8 m above ground level; A lattice extension or similar of 300 mm can be considered based on a variation request submitted under Section 1.5. Side fences forward of the building line are to have a maximum height of 1.2 m, unless approval is granted for a front fence higher than 1.2 m in accordance with 4.16(b); Fences higher than 1.8 m and up to a maximum of 2.2 m above existing ground level are only permitted adjacent to parks, drainage reserves, channels and laneways; Galvanised steel, corrugated galvanised iron, coated steel or pre-painted steel fences are not permitted on street frontages of corner allotments within 4 m of the front building line (see Figure 22); Fencing on corner lots should be designed in accordance with Figure 22; and Where fences are proposed in conjunction with a retaining wall, the combined height of the fence and retaining wall must not exceed 1.8 m above the existing ground level. 	<p>See commentary provided above.</p> <p>N/A.</p> <p>N/A.</p> <p>N/A.</p>	<p>Yes</p>

4.17 Outbuildings, Garages and Carports		
<p>a) General Controls</p> <ul style="list-style-type: none"> • Outbuildings must not be used as a dwelling, notwithstanding that a toilet, wash basin and / or shower may be installed with development consent; and • Development that is highly visible from a public place should be designed to integrate with the design and character of the dwelling. Where this is not possible, factory pre-coloured finishes will be required as a minimum and highly reflective surfaces are to be avoided. <p>b) Garage Controls</p> <ul style="list-style-type: none"> • Garages must be setback a minimum of 5.5m from the front boundary and 3.5m from a secondary street frontage; and • Garages doors must be a maximum of 6m wide. 	<p>The proposal does not include outbuildings.</p> <p>No. The garages proposed along the front boundary have been setback a minimum of 3.5m. However, this is considered reasonable in the circumstance as the garages have been appropriately articulated in an aesthetically pleasing fashion, to achieve a hidden panel look to form a feature of the façade rather than a typical garage.</p> <p>Further, only one car parking space is required per dwelling (refer to the parking assessment above) while visitor parking – despite not being required by the ARH SEPP – has been provided in accordance with DCP requirements. There is subsequently no need for a space within the front setback area that is large enough to accommodate a second vehicle (noting that dwellings with street-facing garages are all smaller two-bedroom dwellings).</p> <p>As such, the proposed variation to the control has merit and is worthy of support.</p>	<p>N/A</p> <p>No</p>
<p>c) Carport Controls</p> <ul style="list-style-type: none"> • Materials for carports must be sympathetic to the character of the street and design of the dwelling; and • Carports must be setback behind the building line and must not dominate the primary elevation of the dwelling. However, carports that are integrated into the original design of the dwelling may be built to the building line 	<p>Car ports are not proposed.</p>	<p>N/A</p>
<p>d) Outbuildings</p>	<p>Outbuildings are not proposed.</p>	<p>N/A</p>
4.18 Stormwater		
<p>a) Stormwater infrastructure must be designed and constructed in accordance with the requirements</p>	<p>The design and placement of stormwater systems are in accordance with Council</p>	<p>Yes</p>

<p>of Council's Engineering Standards: Subdivision and Development (as amended).</p> <p>b) Onsite detention must be provided for those lots captured by and in accordance with Council's Onsite Detention Policy (CS-CP-404).</p> <p>c) Applications for new dwellings and alterations and additions to existing dwellings must provide draft plans for the proposed and existing stormwater system in accordance with Council's Engineering Standards: Subdivision and Development (as amended) and Council's Onsite Detention Policy (CS-CP-404).</p> <p>d) All stormwater from dwelling sites must be properly managed and not permitted to flow onto adjoining land unless legally created easements are established</p>	<p>requirements; refer to the stormwater plans which accompany this application.</p>	
4.19 Swimming Pools	Swimming pools are not proposed.	N/A
4.20 Essential Services		
<p>a) All dwellings must be provided with an adequate energy supply that meets the requirements of BASIX and the relevant service provided.</p> <p>i. During the siting of new development, the Applicant must ensure all the requirements, setbacks and easements of relevant service providers are considered.</p> <p>Note: Applicants should refer to Clause 45 of the <i>State Environmental Planning Policy (Infrastructure) 2007</i> for referral requirements to electricity supply authorities.</p>	<p>The site is serviced by adequate electricity infrastructure.</p>	Yes
<p>b) Underground energy and telecommunications services should be provided where possible.</p>	<p>The site is capable of being serviced by underground electricity and telecommunication infrastructure. of being provided with underground energy and telecommunications. This will be addressed under a separate application.</p>	Yes
<p>c) All dwellings must be provided with adequate water and sewer services.</p> <p>i. If the service is directly available, dwellings must be connected to Council's reticulated water and sewer services in accordance with Council's Engineering Standards: Subdivision and Development (as amended).</p> <p>ii. Lots which cannot be connected to Council's reticulated sewer service must have a lot area of greater than 4000m² and must install an on-site sewage management system in accordance with Council's On-site Sewage Management Plan (as amended).</p> <p>i. The location and proposed method of wastewater</p>	<p>The site is capable of being serviced by water and sewage infrastructure.</p>	Yes

<p>disposal, ensuring a minimum area of 200m² for effluent disposal, must be shown on plans submitted with a development application for a dwelling.</p> <p>II. A Land Capability Assessment must be prepared by a suitably qualified Geotechnical Engineer and be provided with the development application for a dwelling on a lot with an area between 4000m² and 1 ha which is not connected to Council's reticulated sewer service.</p>		
<p>4.21 Bushfire Risk</p>	<p>The site is not identified as being bushfire prone.</p>	<p>N/A</p>
<p>4.22 Frost Control Fans</p> <p>a) New residential development, including subdivision, within 1000 m of the location of an existing or approved (but not yet constructed) frost control fan must comply with the requirements of Council's Frost Control Policy (CS-CP-309).</p>	<p>There are no known frost fans within 1,000 metres of the proposed development.</p>	<p>N/A</p>
<p>5.0 Medium Density Housing</p>		
<p>This section applies to medium density housing in the following zones:</p> <p>a) R1 – General Residential b) RU5 – Village</p> <p>The following housing types, as defined in the GLEP 2014 are considered medium density housing:</p> <p>a) Secondary dwellings; b) Dual occupancies; c) Semi-detached dwellings; d) Multi dwelling housing; and e) Residential flat buildings.</p> <p>Multi dwelling Housing Refers to three or more dwellings that are located on a single lot whether attached or not.</p>	<p>The site is zoned R1 General Residential.</p> <p>Noted. The proposal is for multi dwelling housing.</p> <p>The proposal includes 20 dwellings.</p>	<p>Yes</p>
<p>5.6.2 Multi Dwelling Housing</p>		
<p>a) MDH are to be developed in consideration of the Precinct Statement for the locality in Section 3 and in accordance with the controls in Section 4, except where the controls in this section differ, in which case the controls in this section take precedence.</p>	<p>Noted. Refer to the assessments of the DCP locality statement and Part 3 of the DCP above.</p>	<p>-</p>

Minimum Site Control b) The minimum lot size for carrying out MDH is 600m ² with a width at the building line of 18 m	The proposed development site has an area of 3,420m ² and a width of approximately 90.7 metres at the building line frontage.	Yes
Access and Parking c) Each dwelling must have access to at least one undercover parking space. d) Driveways must be a minimum of 3.5 m wide. e) Shared accessways should be used where possible. f) Should the lot have rear lane access, parking garages must be positioned at the rear of the site. g) Driveways must be designed to allow vehicles to enter and leave the site in a forward direction for frontages on busy roads or where driveway lengths are greater than 15m. h) Should three or more dwellings be proposed with a shared access on busy roads, the driveway is to be a minimum width of 5.5 m for the first 6 m in length. i) New internal lanes or driveways: <ul style="list-style-type: none"> i. are to be overlooked by windows for habitable rooms and or private open space; ii. should terminate with trees, open space of the window of a dwelling – not a garage or parking space iii. should be designed to accommodate appropriate service vehicles likely to access the site; and iv. have a maximum length of a dead-end laneway of 50 m or provide passing areas every 30 m. j) Where on street parking is currently available in front of the development, the proposed driveways are located so that at least one parking space remains. k) Visitor parking is to be located centrally within a development containing 5 or more dwellings where possible. l) Internal driveway and lanes are to have lighting designed in accordance with AS 1158.3.1 that avoids light spill into adjacent development. m) Footpaths are to be provided in accordance with Council's Pedestrian & Bicycle Strategy 2018 and Council's Engineering Standards: Subdivision and Development (as amended)	Each dwelling includes one (1) garaged space. The two (2) proposed driveways will have minimum 5.5 metre widths. Two (2) shared access ways are proposed, one accessway provides access to Units 1 – 10 and the other accessway provides access to Units 13 – 19 (Units 11, 12 and 20 each have internal driveways). The site does not have rear lane access. Forward vehicular access and egress is proposed. The site is not located on a main road. Internal rooms overlook both driveways. Both driveways will terminate at the rear of the site at landscaped areas. There is sufficient space for service vehicles to enter the site (noting that waste management vehicles will not access the site). Neither driveway has a length greater than 30 metres; their widths permit vehicles to pass each other throughout the site. The extension to the front of Snaith Place has not been constructed. The design of the development will however allow for multiple vehicles to be legally parked in front of the site once the road extension is constructed. Four (4) visitor parking spaces area located within the front setbacks of the development. Capable of compliance. Capable of compliance.	Yes Yes Yes N/A Yes N/A Yes Yes Yes Yes N/A Yes Yes Yes

Streetscape Controls

- n) At least 25% of the area forward of the building line is to be landscaped.
- o) The MDH should be designed to suit the scale and character of the area.

- p) The dwelling forming the front building line to a road is to be designed to address the street. Blank walls with little or no articulation are to be avoided.

- q) The maximum width of garage door openings facing a primary or secondary road is as follows:

Lot Width	Maximum width of Garage Door Openings
12m – 15m	5.2m
>15m – 20m	6m
>20m	9.5m
>25m	14m

Design Criteria

- r) MDH must be a maximum of two storeys above ground level (existing).
- s) Dwellings are to have the following minimum internal floor areas:
- 1 bed – 55 m²
 - 2 bed – 75 m²
 - 3+ bed – 90 m²
- t) Bedrooms are to be a minimum of 8m² excluding wardrobe space.
- u) Combined living and dining rooms have a minimum area of:
- 1 and 2 bed – 24 m²
 - 3+ bed – 28 m²
- v) In addition to storage in kitchens and bedrooms, the following storage with a minimum dimension of 500mm is provided:
- 1 bed – 6 m³
 - 2 bed – 8 m³
 - 3 bed – 10 m³
- w) Where possible, bedrooms should not to be located next to vehicular accessways, parking areas, air conditioning units or other noise sources.
- x) The windows of habitable rooms in dwellings on opposite sides of an accessway are to be screened by dense landscaping. The landscaping should reach a mature height of 1.5 m. Alternatively, the

35% forward of the building line is landscaped.

Refer to the assessment of Part 3 of the DCP for further information. In summary, surrounding development is predominantly older and of a single storey design; while taller, development controls envision development of the height and scale that is proposed by this application.

Six of the proposed dwellings will address the Snaith Place frontage, with three to obtain direct access from the street. High levels of building articulation, modulation and separation are proposed.

2.4 metre garage door openings proposed.

A maximum of two storeys is proposed.

Sufficient internal areas are provided; refer to **Table 1** within Section 3.2 of this SEE.

Minimum areas (excluding wardrobes) are proposed. Refer to the submitted plans for compliance.

Minimum living areas are proposed. Refer to the submitted plans for compliance.

Minimum storage areas are proposed. Refer to the submitted plans for compliance.

None of the proposed bedrooms are to be situated next to driveways and other likely noise sources.

Refer to the submitted landscape plans for demonstrated compliance.

<p>windows should be located or designed to respect the privacy of other dwellings.</p> <p>y) The minimum separation between two or more buildings containing a dwelling on the same lot is 1.8 m</p>	<p>Whilst sufficient separation is mostly achieved, the plans propose 1.7 and 1.5 metre separation distances between Units 8/11 and 12/13 respectively; the separation between Units 8/11 and 12/13 increases to 3.2 and 2.3 metres on the first floor respectively. The small variations on the ground floor are considered to be sufficient, as adequate privacy screening will be provided at ground level by internal fencing and landscaping.</p> <p>The proposed variations are therefore considered to have merit and are supportable.</p>	No
<p>Landscaping</p> <p>z) A minimum landscape area of 20% of the total lot area must be provided.</p> <p>aa) A preliminary Landscape Plan must be submitted with a development application for MDH which includes the nature strip and:</p> <ol style="list-style-type: none"> a combination of tree planting, for shade, mid height shrubs, lawn and ground covers; 50% of the overall number of trees and shrubs should be species native to the region; a reticulated sprinkler system should be provided; and an ongoing maintenance plan. 	<p>1,098m² of the site is landscaped. However, only 640m² of the landscaped area has a minimum dimension of 1.5m. This equates to 18.7% of the total site area. Although the proposal results in a minor non-compliance of 1.3% of landscaped area, this is considered reasonable as the proposal achieves the objective of the landscaped area control as the development will <i>provide attractive landscape areas which reinforce the function of a street and enhance the appearance, amenity and energy efficiency of urban housing through integrated landscape design.</i></p> <p>Refer to the landscape plan submitted with this application for further information.</p>	No
<p>Principal Private Open Spaces (PPOS)</p> <p>bb) PPOS must be provided for each dwelling in accordance with section 4.10.</p>	<p>Refer to the assessment under Section 4.10; compliance is attained with all relevant controls.</p>	Yes
<p>Site Facilities</p> <p>cc) Garbage bins associated with dwellings in a multi dwelling housing development are to be stored in the rear yard, side setback or garage of the dwelling.</p>	<p>All bins are to be stored within private open space areas or garages.</p>	Yes

dd) Mailboxes must be provided in accordance with Australia Post's requirements.	Capable of compliance.	Yes
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8.0 Parking

Refer to **Appendix A**.

Appendix A

- a) The number of parking spaces to be provided on-site is to be determined in accordance with the requirement specified under each use category and are summarised in Table 1 below.

Extract of Table 1

Affordable Rental Housing

Parking is to be in accordance with *State Environmental Planning Policy (Affordable Rental Housing) 2009*.

For reference, the requirements of clause 14(2)(a) of the ARH SEPP are that if a development application made by a social housing provider, at least:

- 0.4 parking spaces are provided for each dwelling containing 1 bedroom,
- 0.5 parking spaces are provided for each dwelling containing 2 bedrooms; and,
- 1 parking space is provided for each dwelling containing 3 or more bedrooms"

Comment: The proposal is for affordable rental housing made by a social housing provider. Therefore, the car parking rate applicable to the development is 0.5 parking spaces for two-bedroom dwellings and 1 parking space provided for 3 or more-bedroom dwellings. The development proposes 15 x 2-bedroom dwellings and 5 x 3-bedroom dwellings, which requires a total of 12.5 car parking spaces for the proposed development. The proposal includes one (1) parking space for each dwelling (twenty (20) residential spaces in total) and five (5) visitor parking spaces.

The proposed parking rates therefore comply with the DCP.

4.5 Planning agreements

No planning agreement has been found to apply to the subject site.

4.6 The Regulations

The pertinent considerations identified within the *Environmental Planning and Assessment Regulation 2000* relate to conformity with the Building Code of Australia (BCA).

4.7 Impact on the natural and built environment

4.7.1 Impact on the built environment

The proposal will have minimal impact on the natural environment. The proposal only includes the removal of four (4) existing trees on the site. There are no constraints on the site (i.e. biodiversity considerations etc) that would pose an identifiable risk to, or be affected by, the proposed development.

The development will not affect the amenity of surrounding sites and the public domain, as the orientation and highly articulated nature of the design would prevent excessive or unreasonable overshadowing of the surrounding area.

Impacts associated with demolition and construction works such as dust, noise, vibration and soil run-off can be satisfactorily mitigated by appropriate conditions of consent and the implementation of an Erosion and Sediment Control Plan and Waste Management Plan.

As the development constitutes affordable multi dwelling housing, such a residential land use will not result in foreseeable impacts (such as excessive noise generation) that would affect the amenity more broadly.

As such, the consent authority can be satisfied that the construction and ongoing use of the proposed development will not excessively or unreasonably affect the local environment and associated amenity.

4.7.2 Impact on the built environment

The proposed development includes the construction of a multi dwelling housing development that will include twenty (20) dwellings; such development is permissible within the R1 General Residential zone, and as demonstrated above will satisfy the objectives of the zone. The development will also provide additional affordable housing within a well-designed development.

The density of the development would not necessarily be consistent with surrounding site's, however, the current development context of the area is one that consists predominantly of older/single-storey dwellings. The desired future character of the South Griffith precinct envisages some medium density development in the form of multi dwelling housing, terrace houses and manor houses. Further, the development controls (such as height, number of storeys, landscaped area, etc.) envision future development to be of a greater height, bulk and scale than what is currently found within the surrounding area. Given that the development is one of the first of its type to be proposed within this particular part of the South Griffith precinct, some degree of inconsistency with existing low-density development and associated character is to be expected. This is reflected by relevant Land and Environment Court case law in *Project Venture Developments v Pittwater Council [2005] NSWLEC 191*, which recognises that initial inconsistency with existing character may occur within up-zoned areas, and that development would be consistent with streetscape character if it is consistent with the likely future character of development that is envisioned by relevant planning standards and controls.

As demonstrated by the assessments above, a high degree of compliance is obtained by the proposed design; there will subsequently be no adverse impacts on surrounding sites and the public domain.

With regard to the above, it is submitted that the proposal will not have any adverse impacts on the built environment and is therefore satisfactory.

4.7.3 Social and economic impacts

Social Impacts

The proposed development will have significant beneficial social impacts for the surrounding community through the provision of high-quality affordable housing. Such housing has been designed to cater for all members of the community, however the majority of the proposed dwellings will be of a two-bedroom layout; this will cater specifically for smaller households, where there is an identifiable need for such specific development.

The provision of such housing will significantly boost available stock for affordable housing within the LGA. The provision of affordable housing on the site is consistent with the *Griffith Housing Strategy 2019* (**'the Strategy'**) which has outlined the need for affordable housing in the future due to the social and economic benefits to Griffith and the region as a whole. The Strategy has delineated that within the Griffith context, the majority of people in housing need are very-low and low-income renting households and this is an increasing demographic. This proportionate of people make up two-thirds of those in housing stress in the Griffith LGA. The Strategy has illuminated that by 2036, 1,160 households will be in need of affordable housing in the LGA. Hence the proposed development assist in providing key affordable housing to the area, where housing stress and the need for affordable housing is a key concern.

As such, the proposed development will provide the following positive community/social impacts to the Griffith LGA area and the wider locality:

- Assist in providing for the significant, long-standing and continually-growing demand for affordable housing,
- Assist in improving the amenity of accommodation for persons seeking such housing, by providing new housing that offers very high levels of amenity,
- Provide additional housing choices to the local community by providing a greater range of dwelling sizes, and
- Improve the environmental sustainability of housing on the site, particularly through improved and up-to-date energy and water efficiency standards.

Accordingly, it is submitted that the proposed development will not contribute to any negative community/social impacts, but rather a positive community/social impact the local area.

Economic Impacts

Significant and positive economic impacts would be associated with the proposed development, both within the Griffith LGA as a result of the following:

- More efficient use of land resources, existing infrastructure and existing services,
- Employment of tradesmen and other construction-related professionals during construction,
- Ongoing employment of building managers, landscapers and other such professions,
- On-going consumption of local products and services by residents occupying the development, and
- Cost savings associated with improved energy and water efficiency of a new consolidated development.

The development will also not adversely affect the development potential of, and subsequent economic activity on, surrounding sites. As such, there are no adverse economic impacts that would be associated with the proposed development.

4.8 Suitability of the site for the development

The proposed development is permissible on the site and is consistent with the objectives of the R1 General Residential zone. There are no constraints or hazards on the subject site that would prevent the development from proceeding, and the particular attributes of the subject site would enable construction of the development without adverse impacts on the surrounding area. The site is well located, being in close proximity to public transport and within walking distance to both the Griffith town centre and local services

such as parks and schools. Further, it is envisioned that the surrounding area will eventually be redeveloped to accommodate development more similar to that being proposed by the subject development application.

Given the above, the site is considered suitable for the proposed development.

4.9 Public 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; and,
- The acceptable nature of the proposal when considering the wider public interest.

4.10 Public Interest – Section 4.15(1)(e)

The proposal will occupy part of a site that is currently vacant with an affordable housing development that will include twenty (20) dwellings. The development proposes high levels of amenity, architectural integrity, environmental sustainability within a modern presentation that will complement the future residential character of the South Griffith precinct.

The provision of affordable housing will provide a service to the broader community. The dwellings will offer affordable housing to those in need within the community, and will provide future residents with modern homes that feature efficient layouts and high levels of residential amenity.

The proposal will not adversely affect the natural and/or built environments, nor will it adversely affect the amenity of residents within surrounding sites. Further, the location of the site is within an LGA where there is a significant and growing need for social and affordable housing; there are subsequently significant social benefits associated with this proposal, particularly for affordable housing providers and the recipients of such housing.

Accordingly, the proposed development will result in a positive development outcome for Griffith, the LGA and regional NSW area more broadly. The proposed development is therefore in the public interest.

5.0 Conclusion

The proposed development has been assessed against the provisions of Section 4.15 of the Act. It is concluded that the proposed development is satisfactory and warrants development consent, having regard to the following matters:

- The proposed development will provide positive economic, social and community impacts through the delivery of twenty (20) new dwellings, which will significantly increase affordable housing stock (particularly for smaller households) within the Griffith LGA; an area identified as having a significant and growing need for such development.
- The proposed development is both permissible in, and consistent with the objectives of, the R1 General Residential zone.
- The proposal is generally consistent with the relevant provisions within GRDCP 2020. Consistency with the relevant objectives of the DCP has also been demonstrated.
- No excessive nor unreasonable impacts will arise as a result of the proposed development being approved.
- It is considered there are no matters that would warrant the refusal of the proposal on the grounds of it being contrary to the public interest.
- The proposal will not adversely affect the amenity of surrounding sites. Further, the development will have significant social and beneficial impacts. As such, the proposal is considered to be in the public interest.

The proposal has merit and will make a positive contribution to the locality, the Griffith LGA and the Regional NSW District more broadly. It is therefore recommended that the Western Regional Planning Panel support and approve this DA.