

STATEMENT OF ENVIRONMENTAL EFFECTS

15 - 17 DENT STREET, SOUTH PENRITH

PROPOSED RESIDENTIAL FLAT BUILDING

6 Levels - 27 Units
2 Level Basement Parking
Demolition and Landscaping

Prepared for BISHI Constructions Pty Ltd
By PDC Maejiirs Consultants


APRIL 2017




PROJECT INFORMATION

In Brief: This Statement of Environmental Effects accompanies a development application lodged with consent of the registered property owner. The proposal seeks approval for the demolition of existing buildings and construction of a six (6) storey residential flat building (RFB) at Nos. 15 – 17 Dent Street, JAMISONTOWN. The proposed residential flat building will comprise 27 residential apartments, 2 levels basement parking, comprising 33 car spaces, and associated landscaping.

Site: Lot 1 SP 79056 & Lot 2 79056
No. 15 – 17 Dent Street
JAMISONTOWN NSW 2750

Architect: Alan Johnson
ALAN JOHNSON ARCHITECT
LINDFIELD NSW 2070


Town Planner: Josephine Maejiirs
PDC MAEJIIRS CONSULTANTS
PENRITH NSW 2750


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- II. ARCHITECTURAL DRAWINGS
- III. DESIGN VERIFICATION STATEMENT
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EXECUTIVE SUMMARY

This Statement of Environmental Effects accompanies a development application lodged with the consent of the registered property owner. The proposal seeks approval for demolition of the existing building and construction of a six storey residential flat building at Nos. 15 – 17 Dent Street, Jamisontown. The building will comprise 27 residential apartments over six storeys, with two levels of basement parking with 33 car spaces with access to the basement provided from Dent Street.

The site is located within the R4 High Density Residential Zone as identified by Penrith Local Environmental Plan 2010. Residential Flat Buildings are permissible with consent and are encouraged by the zone objectives. The proposed development seeks to provide a land use consistent with Council's Strategic Plan, Urban Growth Strategy, to provide 'A City with lifestyle and housing choice in our neighbourhoods by encouraging housing that provides choice, achieves design excellence, and meets community needs.

Penrith being identified as one of the Regional City in the Sydney Metro Strategy, it has experienced growth and has released a number of new areas that have now been developed, with an increase in an average number of new dwellings and growth in attractive high rise dwellings being constructed. Penrith's Residential Strategy study identified that the Penrith LGA has the capacity to accommodate the dwelling target set by the Department of Planning (DoP), of an additional 25,000 dwellings by 2031. Approximately 50% of this development will be within existing urban areas, with the remaining 50% in new release areas. Under current planning controls Council can meet housing target for the Penrith local government area (LGA) and also provide more affordable choice of housing such as studio, one bedroom and boarding house-style accommodation within the LGA.

The proposed development is a direct response to this need, whilst also seeking to provide a diversity of housing types which cater for different household requirements now and in the future, consistent with the aims and objectives articulated in Council's local plans and the Residential Flat Design Code.

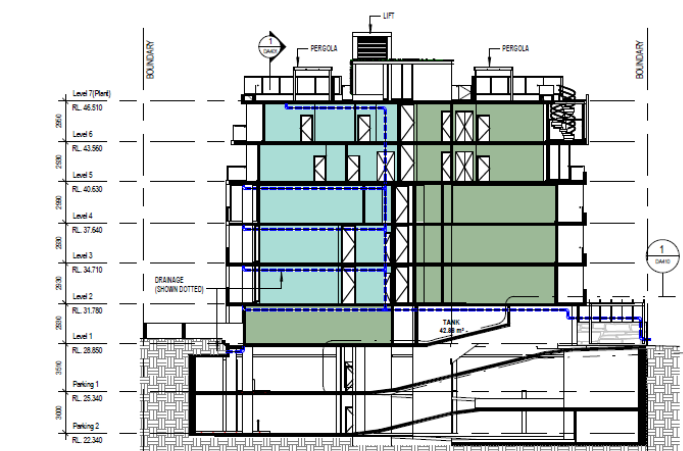
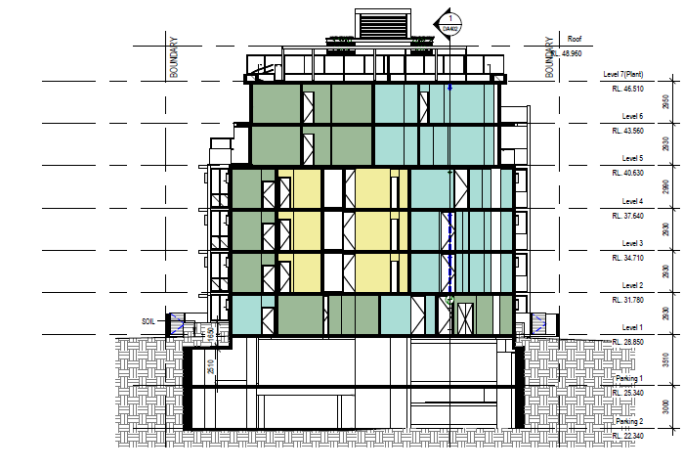
This Statement describes the proposal, the subject site and surrounding area in the context of relevant state, regional and local planning controls and policies applicable to the form of development proposed. It additionally provides an assessment of those relevant heads of consideration pursuant to Section 79C of the Environmental Planning and Assessment Act 1979.

The assessment concludes that development of the site in the manner proposed is wholly consistent with the State government's dual objectives of promoting urban consolidation that makes use of existing infrastructure, provides for the effective and efficient redevelopment of the site and improving the design quality of residential flat development.

The proposal presents a significant opportunity to revitalise a currently underutilised site through appropriate density and connectivity with the surrounding context. . The proposal will result in high density residential development which demonstrates design excellence of the highest quality architectural outcomes at a level not previously seen in Penrith.

The development is also consistent with Council's own desire to promote accessible and diverse housing types, to maintain and enhance Penrith's urban environment, and to minimise negative impacts of urban development on the natural, social, economic, physical and historical environment.

Economic capacity is tied to the physical ability of a locality to support growth and change, including the provision of community infrastructure and services. It is important to balance the interests of the public domain and the community's goals with realistic expectation, market demands, real estate and development profit.



SITE LOCATION

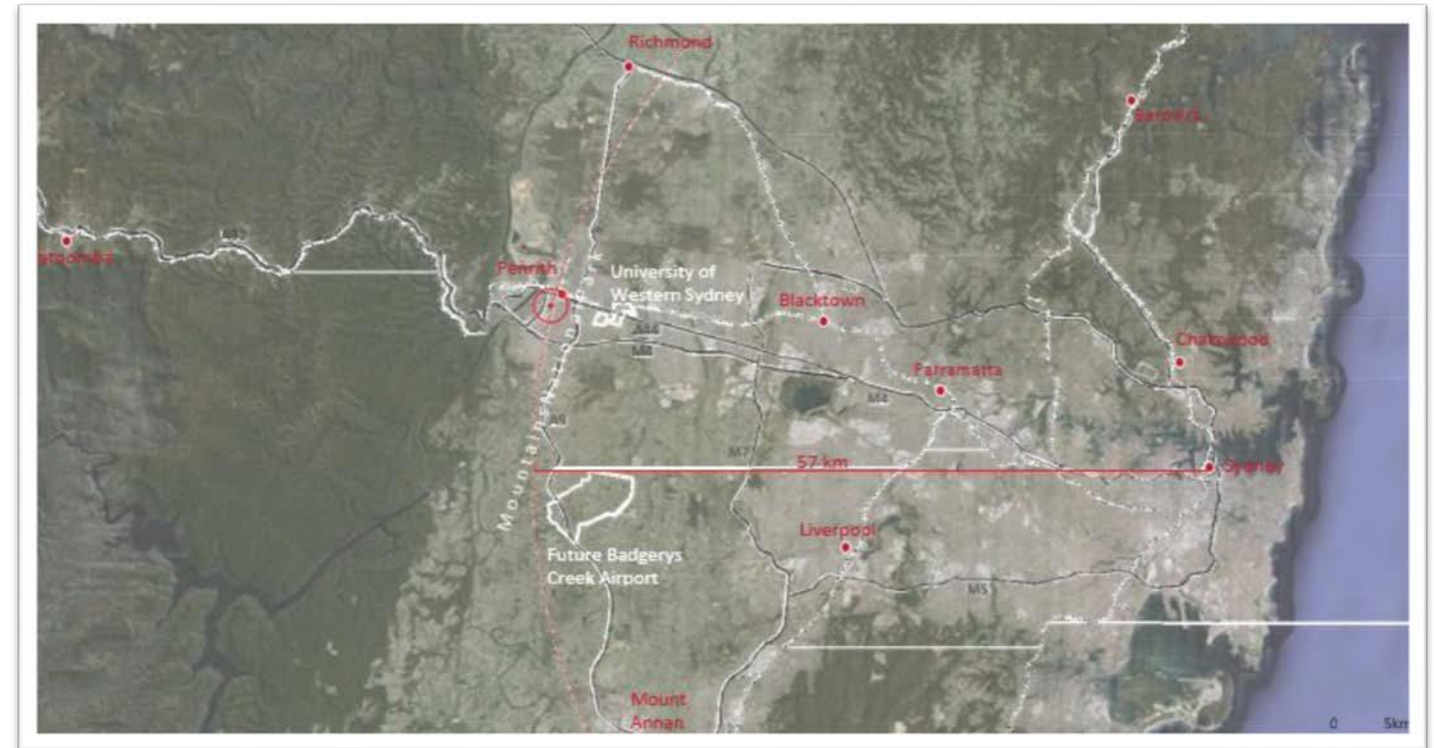
The site is located at the southern edge of Penrith City Centre. Penrith is a major commercial centre located approximately 57 kilometres west of the City of Sydney. The site is located within the centre of Penrith city and is in close proximity to Penrith railway station, Nepean Hospital and University of Western Sydney.

Penrith is well connected by train being on the Western Line. Also of interest is the proximity of the site to the proposed Badgerys Creek Airport.

URBAN CONTEXT

The surrounding urban context is defined by commercial centres to the north, open spaces and sporting uses to the north; Panthers Stadium and Penrith Pools, Jamison Oval to the east and medium to higher scale residential apartment uses to the east, south, and west.

The site is accessed by public transport with bus stops located along Preston Street, Regentville Road and Jamison Road. The site is also within walking distance of Penrith railway station.



5. STATUTORY PLANNING FRAMEWORK

5.1 State Environmental Planning Policy No. 55 – Remediation of Land

Clause 7(1)(a) of State Environmental Planning Policy 55 – Remediation of Land (SEPP 55) states that a consent authority must not consent to the carrying out of any development on land unless it has considered whether the land is contaminated. The Department of Planning publication “*Managing Land Contamination – Planning Guidelines SEPP 55 – Remediation of Land*” provides advice on the process of determination as to whether a site is contaminated. In this regard, Section 2.2 of the Guidelines states:

When carrying out planning functions under the EP & A Act, a planning authority must consider the possibility that a previous land use has caused contamination of the site as well as the potential risk to health or the environment from that contamination.

When an authority carries out a planning function, the history of the land use needs to be considered as an indicator of potential contamination. Where there is no reason to suspect contamination after acting substantially in accordance with these Guidelines, the proposal may be processed in the usual way.

The Guidelines continue at Section 3.2.1 by stating that:

The potential for contamination is often linked to past uses of land and a good early indicator of possible uses is land zoning. Contamination is more likely to have occurred if the land is currently, or was previously, zoned for industrial, agricultural or defence purposes.

An Environmental Site Assessment Report (ESA) has been prepared concluding the site is suitable for the proposed land uses subject to adherence with the requirements of the Remediation Action Plan. This Plan will be enacted on commencement of construction, rendering the site suitable for residential flat development. The Environmental Site Assessment Report is appended at **Attachment VI** and the Remediation Action Plan at **Attachment VII**.

5.2 State Environmental Planning Policy No. 65 – Design Quality of Residential Flat Development

State Environmental Planning Policy No. 65 – Design Quality of Residential Flat Development (SEPP 65) applies to residential flat buildings that comprise 3 or more storeys, and 4 or more self-contained dwellings. Its primary objective is to improve the design quality of residential flat development in New South Wales.

Clause 50 of the Environmental Planning and Assessment Regulation 2000 requires that a development application that relates to residential flat development must be accompanied by a design verification statement prepared by a qualified designer. In the statement, the qualified designer is required to verify:

- (a) *the design in terms of the design quality principles set out in Part 2 of State Environmental Planning Policy No. 65 – Design Quality of Residential Flat Development, providing an explanation of how the design principles are achieved by the proposed development, and*
- (b) *that he or she designed, or directed the design, of the residential flat development.*

Alan Johnson Architect, a registered architect in accordance with the Architects Act 1921, has directed the design. A Design Verification Statement is appended at **Attachment III**.

5.2.1 SEPP 65 – The Residential Flat Design Code

Clause 30(2)(c) of SEPP 65 requires that in determining a development application for consent to carry out residential flat development, a consent authority is to take into consideration the *Residential Flat Design Code* (RFDC), a publication of the Department of Planning, dated September 2002.

Whilst the RFDC does not contain development standards, it contains tools for improving the design of residential flat buildings, including ‘rules of thumb’ which recommend minimum standards as a guide for local decision making. The following table therefore provides a summary of the rules of thumb as a means of assessing the proposed design against the recommended minimum standards contained within the RFDC.

Table 3: Compliance with the RFDC ‘Rules of Thumb’.

RULES OF THUMB		COMMENTS
PART 01: LOCAL CONTEXT		
Primary Development Controls		
<i>Building Height</i>	Where there is an existing floor space ratio (FSR), test height controls against it to ensure a good fit.	Proposed height 17.57m up to Level 6 - building height and Level 7 – Plant
<i>Building Depth</i>	In general, an apartment building depth of 10 – 18 metres is appropriate.	Proposed depth: 17.66 metres. Level 7 – Plant level
<i>Building Separation</i>	Test building separation controls for daylight access to buildings and open spaces. For buildings up to 4 storeys, 12 metres should be provided between habitable rooms/balconies.	1 RFB building proposed 6 Storeys in height 7 th Floor – plant room level
<i>Street Setbacks</i>	Identify the desired streetscape character, the common setback of buildings in the street, the accommodation of street tree planting and the height of buildings and daylight access controls.	Front setback is aligned with the adjoining street setbacks. 5.4 front setback to Dent Street
	Identify the quality, type and use of gardens and landscaped areas facing the street.	See Landscape Plan
<i>Site + Rear Setbacks</i>	Relate side setbacks to existing streetscape patterns.	Side setback - 3m at the northern boundary, 2m at the southern boundary. Rear setback 6m at the western boundary
<i>Floor Space Ratio</i>	Test the desired built form outcome against proposed floor space ratio to ensure consistency with: - building height - building footprint - the three dimensional building envelope - open space requirements.	Penrith City Council does not provide floor space ratio provisions. However, the development has achieved the required building height, open space requirements, building footprint, and the building envelope. Being an infill development within an established street, the proposal has successfully proposed a high quality design achieving the desired built form outcome for the R4 high density zone area, Dent Street, and to the Penrith area.
PART 02: SITE DESIGN		
Site Configuration		
<i>Deep Soil Zones</i>	A minimum of 25% of the open space area of a site should be a deep soil zone. Site area: 1005.8sqm	Deep soil area proposed is 259.1sqm which is 25.7% of site area and complies.
<i>Open Space</i>	The area of communal open space required should generally be at least between 25–30% of the site area.	523sqm communal open space proposed which is 51% of site area and complies.

RULES OF THUMB		COMMENTS
	The minimum recommended area of private open space for each apartment at ground level or similar space on a structure, such as on a podium or car park, is 25m ² .	Common open space on roof terrace area of 306.4sqm which is equivalent to 30% and complies.
<i>Safety</i>	Carry out a formal crime risk assessment for all residential developments of more than 20 new dwellings.	The proposal includes 27 dwellings and the design has considered the crime risk assessment.
<i>Pedestrian Access</i>	Identify the access requirements from the street or car parking area to the apartment entrance.	Pedestrian access and permeability is considered in the building design. Pedestrian access into the building through ground level main entry from Dent Street through to the main foyer.
	Provide barrier free access to at least 20% of dwellings in the development.	The residential units enjoy barrier free access.
<i>Vehicle Access</i>	Generally limit the width of driveways to a maximum of 6m. Locate vehicle entries away from main pedestrian entries and on secondary frontages.	Complies. Access can only be provided off primary street frontage.
PART 03: BUILDING DESIGN		
Building Configuration		
<i>Apartment Layout</i>	Single-aspect apartments should be limited in depth to 8 metres from a window.	Under assessment, consistent
<i>Apartment Mix</i>	Provide a diversity of apartment types to cater for different household requirements.	Complies. The proposal is consistent with Council's required dwelling mix.
<i>Balconies</i>	Provide primary balconies for all apartments with a minimum depth of 2 metres.	Balconies range in depth is consistent
<i>Ceiling Heights</i>	In residential flat buildings, a 2.7 metre minimum floor to ceiling height is recommended for all habitable rooms on all floors, 2.4 metres is the preferred minimum for all non-habitable rooms, however, 2.25m is permitted.	Complies. 2.7m height proposed.
<i>Ground Floor Apartments</i>	Optimise the number of ground floor apartments with separate entries and consider requiring an appropriate percentage of accessible units.	The Ground floor apartment entries provided
	Provide ground floor apartments with access to private open space, preferably as a terrace or garden.	Considered
<i>Internal Circulation</i>	In general, where units are arranged off a double-loaded corridor, the number of units accessible from a single core/corridor should be limited to eight.	Considered
<i>Storage</i>	In addition to kitchen cupboards and bedroom wardrobes, provide accessible storage facilities at the following rates: - studio apartments 6m ³ - one-bedroom apartments 6m ³ - two-bedroom apartments 8m ³ - three plus bedroom apartments 10m ³	Complies. Ample storage space is provided in all proposed apartments. Additional storage may be provided in basement car park.
Building Amenity		
<i>Daylight Access</i>	Living rooms and private open spaces for at least 70% of apartments in a development should receive a minimum of three hours direct sunlight between 9am and 3pm in mid winter. In dense urban areas a minimum of two hours may be acceptable.	Aim to achieve 70% of units in the development will receive 3 hours direct sunlight. All units will receive at least 2.5 hours direct sunlight.
<i>Natural Ventilation</i>	Building depths, which support natural ventilation typically range from 10 to 18 metres.	The maximum building depth complies.

RULES OF THUMB		COMMENTS
Building Performance	60% of residential units should be naturally ventilated.	60% of units enjoy cross ventilation.
<i>Waste Management</i>	Supply waste management plans as part of the development application submission as per the NSW Waste Board.	See Waste Management Plan at Attachment V .
<i>Water Conservation</i>	Rainwater is not to be collected from roofs coated with lead or bitumen-based paints, or from asbestos-cement roofs. Normal guttering is sufficient for water collections provided that it is kept clear of leaves and debris.	N/A.

5.3 State Environmental Planning Policy (Building Sustainability Index - BASIX) 2004

State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004 was gazetted on 1 July 2004 and created the requirement for a state wide building sustainability index, which seeks to encourage sustainable residential development. This policy aims to ensure consistency in the implementation of the BASIX scheme throughout the State.

In accordance with the requirements of the SEPP, each application for residential development must be accompanied by a list of commitments made by the applicant as to the manner in which the development will be carried out, to become conditional upon the development consent. A BASIX Assessment has been prepared in accordance with the legislation and accompanies this application at **Attachment IX**.

5.4 Penrith Local Environmental Plan 2010

The Penrith Local Environmental Plan 2010 (the LEP) is an environmental planning instrument used to manage the development and conservation of all land in Penrith. The particular aims of the LEP are as follows:

- a) to provide the mechanism and planning framework for the management, orderly and economic development, and conservation of land in Penrith,
- b) to promote development that is consistent with the Council's vision for Penrith, namely, one of a sustainable and prosperous region with harmony of urban and rural qualities and with a strong commitment to healthy and safe communities and environmental protection and enhancement,
- c) to accommodate and support Penrith's future population growth by providing a diversity of housing types, in areas well located with regard to services, facilities and transport, that meet the current and emerging needs of Penrith's communities and safeguard residential amenity,
- d) to foster viable employment, transport, education, agricultural production and future investment opportunities and recreational activities that are suitable for the needs and skills of residents, the workforce and visitors, allowing Penrith to fulfil its role as a regional city in the Sydney Metropolitan Region,
- e) to reinforce Penrith's urban growth limits by allowing rural living opportunities where they will promote the intrinsic rural values and functions of Penrith's rural lands and the social well-being of its rural communities,
- f) to protect and enhance the environmental values and heritage of Penrith, including places of historical, aesthetic, architectural, natural, cultural, visual and Aboriginal significance,
- g) to minimise the risk to the community in areas subject to environmental hazards, particularly flooding and bushfire, by managing development in sensitive areas,
- h) to ensure that development incorporates the principles of sustainable development through the delivery of balanced social, economic and environmental outcomes, and that development is designed in a way that assists in reducing and adapting to the likely impacts of climate change.

The LEP includes a comprehensive list of aims for the plan, some more relevant to this proposal than others. However, it is considered that this proposal will facilitate the relevant aims of the plan by:

- Adopting a building design philosophy that will minimise land use conflict, preserve local amenity and not adversely impact on local heritage;
- Ensuring that appropriate design considerations articulated in the Council's development control plan and Residential Flat Design Code have been adopted in the final design of this proposal;
- Providing a building that will enhance the local amenity whilst presenting an opportunity for existing and future residents to access well located residential apartments
- Providing a built form that is consistent with Penrith urban environment;
- Meeting the Plan and Council's aim to provide housing that is accessible and diverse;
- Ensuring that this proposal is designed to not adversely impact on views;
- Proposing a built form that is of a scale, design and character that is consistent with the desired future character of the locality;
- Incorporating appropriate landscaping in the final design;
- Redeveloping an underutilised site with a development that will activate the street and contribute to the urban renewal of Dent Street and South Penrith;
- Incorporating principles of crime prevention in the final design of the proposal; and
- Ensuring that this proposal meets the BASIX requirements.

The site is located within the R4 High Density Residential Zone. The objectives of this Zone and will meet the relevant objectives of the zone 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 ensure that a high level of residential amenity is achieved and maintained.*
 - *To encourage the provision of affordable housing.*
 - *To ensure that development reflects the desired future character and dwelling densities of the area.*
- Introduce additional floor area to Dent Street precinct serving a variety of land uses, meeting the needs of the local community and those that visit or work in the area;
 - Provide the opportunity for employment in an accessible location;
 - Introduce an increased residential population into an area well served by public transport, thereby increasing the potential for patronage, walking and cycling;
 - Support the vitality of the local centre by introducing appropriate residential land uses; and
 - Provide the potential for a mix of appropriate land uses in the local centre.

Clause 2.7 – Demolition Requires Development Consent

Consent is sought for the demolition of all existing improvements upon the site.

Clause 4.3 – Height of Buildings

There maximum building height prescribed by the LEP is

Clause 4.6 – Exceptions to development standards

The objectives of this Clause are as follows:

- (a) to provide an appropriate degree of flexibility in applying certain development standards to particular development,
- (b) to achieve better outcomes for and from development by allowing flexibility in particular circumstances.

Development consent may, subject to this clause, be granted for development even though the development would contravene a development standard.

This proposal includes an application to vary the height standard as the roof features goes over the height limit. This is considered to be a minor and insignificant variation and can easily be considered by the council pursuant to clause 4.6. The variation of the height development standard is not excluded from consideration under clause 4.6 of the LEP. Refer to Section 5.6.1 of this statement for an application to vary the FSR development standard.

Clause 5.10 – Heritage Conservation

The subject site is not located within a Heritage Conservation Area.

Clause 6.1 – Acid Sulfate Soils

The site is not identified as being affected by Acid Sulfate Soils.

Clause 6.2 – Earthworks

A geotechnical investigation has been undertaken and is appended at **Attachment XI**.

Clause 6.4 – Stormwater Management

The objective of this clause is to minimise the impacts of urban stormwater on land to which this clause applies and on adjoining properties, native bushland and receiving waters. The management of stormwater has been investigated and stormwater management plan and design is appended at **Attachment XII**.

2. What is the zoning of the land?

R4 – High Density Residential

3. What are the objectives of the zone?

The zone objectives are:

- To provide a range of retail, business, entertainment and community uses that serve the needs of people who live in, work in and visit the local area.
- To encourage employment opportunities in accessible locations.
- To maximise public transport patronage and encourage walking and cycling.
- To ensure that development is appropriately designed to minimise amenity impacts.
- To allow appropriate residential uses to support the vitality of local centres.
- To ensure that uses support the viability of local centres.
- To provide a mixture of compatible land uses.

-
- To reinforce and enhance the role, function and identity of local centres by encouraging appropriate development to ensure that surrounding development does not detract from the function of local centres.
 - To integrate suitable business, office, residential, retail and other development in accessible locations.

It is considered the proposed development satisfies each of the zone objectives. The proposal will:

- Introduce additional floor area to the Dent Street precinct that will serve a variety of land uses, meeting the needs of the local community and those that visit or work in the area;
- Provide the opportunity for employment in an accessible location;
- Introduce an increased residential population into an area well served by public transport, thereby increasing the potential for patronage, walking and cycling;
- Support the vitality of the local centre by introducing appropriate residential land uses; and
- Provide the potential for a mix of appropriate land uses in the local centre.

The proposal satisfies the zone objectives and is permitted within the zone with consent.

6. SECTION 79C OF THE EPAA

6.1 Environmental Planning Instruments – Section 79C(1)(a)(i)

The proposal is permissible subject to the provisions of the Penrith Local Environmental Plan 2013. The impacts of other environmental planning instruments have been addressed in preparation of this development application. It is considered that the provisions of these relevant environmental planning instruments have been satisfactorily addressed within Section 5 of this statement.

6.2 Draft Environmental Planning Instruments – Section 79C(1)(a)(ii)

At the time of preparing this application the Government had exhibited draft amendments to SEPP 65 and a draft Apartment Design Guide. The making of these plans is neither certain or imminent. However, the impact of the plan and guide on the development potential of the subject site would not introduce further limitation. In fact, the Apartment Design Guide introduces considerable flexibility, particularly to apartment design in an urban/town centre context, such as the case for this proposal. For instance, solar access requirements, apartment orientation and deep soil requirements are significantly less stringent.

6.3 Development Control Plans – Section 79C(1)(a)(iii)

6.3.1 Penrith Development Control Plan 2014

The Penrith Development Control Plan 2013 (the DCP) applies to land administered by the LEP, and is identified in 'Figure A5: Land Covered by this Development Control Plan'. The principal aim of the DCP is to facilitate development that gives effect to the aims and objectives, including the objectives of the land zones under the LEP, to support and supplement its provisions, and to provide for the matters set out in Section 74C of the Environmental Planning and Assessment Act 1979.

The proposal is consistent with the broad aims of the DCP and generally compliant with the specific controls applicable to the site and the type of development proposed. A summary of the relevant controls prescribed by the DCP is addressed below.

Table 2: Penrith DCP 2014 Extract – D2 Residential Flat Development

PENRITH DEVELOPMENT CONTROL PLAN 2014			
CONTROL	REQUIREMENTS	COMMENTS	COMPLIES
<i>Residential Character</i>	In established areas, new developments should be planned and designed to reflect the character of traditional neighbourhoods established prior to 1970.	The proposed development is an infill development within the established residential fabric in Dent Street. It consists of residential flat buildings of about 10years or more. The proposed RFB its design maintains the high rise residential character.	Complies
<i>Configuration</i>	New residential flat building development should adopt key features of established suburban design. Dwellings, their entrances and private courtyards look towards the street, or to the rear boundary.	The proposed development has maintained the front setback aligned with the existing developments. The apartment addresses Dent Street, provides courtyards and view to the street and the rear of the site.	Complies
<i>Development site</i>	Identify planning and design options that are appropriate to the shape and size of each development lot, and to the location of neighbouring buildings. 1) Determine a minimum lot width for residential flat buildings: a) adopt a minimum lot width of 20m in the R4 High Density Residential zone. 2) For the purposes of calculating lot size and lot width, the lot does not include the area of any access corridor or right-of-carriageway.	The proposed RFB is limited due to the size and the existing developments around, the design has provided a development	Complies
<i>Urban Form</i>	New buildings should show characteristics of traditional suburban development: dwellings oriented to face the street, building forms stepped or articulated, and integrated with the shape of surrounding garden areas.	Development proposed faces the street, stepped built form, and articulated, and integrated with surrounding garden areas.	Complies
<i>Landscaped Area</i>	Retain a reasonable proportion of each site for landscaped garden areas, conserve significant existing vegetation, and provide reasonable separation between neighbouring dwellings.	Proposed Landscaping is shown on the Landscaping Plan. 35% Landscaping proposed.	Complies
<i>Front and Rear Setbacks</i>	Setbacks are to reflect the character of established garden suburbs, and provide for development of flora and fauna corridors.	Front – 5.5m towards Dent Street Rear – 6m Proposed setbacks have been achieved as compliant as possible for the development to be practical and workable on a limited site.	Complies
<i>Side Setbacks</i>	Minimise disturbance to existing topography and natural soil-profiles, and provide for reasonable landscaped separation between neighbouring buildings.	Proposed 3m side setbacks is designed as practical and workable on a limited site without impacting on the neighbouring buildings.	Complies
<i>Visual and Acoustic Privacy and Outlook</i>	Provide an outlook from dwellings and their private open space, and achieve levels of acoustic and visual privacy that are reasonable for a medium-density residential neighbourhood. b. To provide a high level of visual and acoustic privacy for residents and neighbours in dwellings and private open space. c. To ensure that building design minimises overlooking problems.	Proposed private open space are provided onsite that provides adequate visual privacy that are reasonable and maintains privacy from neighbouring properties.	Complies
<i>Solar Planning</i>	Improve the energy efficiency of dwellings and achieve a high standard of residential amenity. b. To ensure adequate residential amenity through the provision of sunlight access and good solar amenity to the living spaces and private open space areas of dwellings. c. To recognise the reasonable expectation for a dwelling to have the ability to access sunlight.	The residential units achieve residential amenity through solar access. Please refer to drawings.	Complies
<i>Significant Townscapes & Landscapes</i>	In areas of particular significance to urban conservation, environmental character, new development should demonstrate detailed design measures that protect and complement heritage significance or character.	The site is not located within a heritage conservation area or heritage item.	Complies

6.4 Impacts of the Development - Section 79C(1)(b)

The impacts of the proposal are considered acceptable in the circumstances of the case. Environmental, economic and social impacts, along with compliance with quantitative controls have been addressed throughout this report. Specific impacts of the development are addressed in the subsections below.

6.4.2 Waste Management and Collection

The management of waste has been assessed and considered appropriate for the proposed development. Reference should be made to **Attachment V**.

The Waste Collection proposed for the site will be provided on the site and wheeled out onto the site due to the site constraints restricting basement collection. A Traffic report has been provided to demonstrate that the limited area and being an infill development basement collection cannot be achieved. However, the proposed waste collection from on site is found acceptable.

6.4.3 Environmentally Sustainable Development

The proposal incorporates a number environmentally sustainable design initiatives. The proposal embraces environmentally sustainable development via the following:

- Ability to naturally ventilate 60% of units through environmentally responsive design;
- Embrace solar passive design strategies and the achievement of solar access requirements;
- Internal blinds to provide shade where required;
- Performance glazing to the façade;
- Individually controlled air conditioning units;
- Use of plants that are suitable to sheltered and shaded conditions of the outdoor courtyards as appropriate; and
- Bicycle storage and parking facilities to encourage transport oriented development.

Furthermore, BASIX Certificate at **Attachment IX** and the BCA Capability Report at **Attachment XV** demonstrate compliance with current statutory standards for environmentally sustainable development.

6.4.4 Crime Prevention Through Environmental Design

The CPTED principles applied in the proposed development as follows.

Surveillance: The redevelopment of the site will provide surveillance to Dent Street. The ground floor provides sufficient street activation which promotes improved surveillance of the street. The residential units are afforded external balconies and windows with the residential foyer will allow surveillance of the external domain from within a secure environment.

Access Control: Access points between the development and the public domain (including vehicular access and egress points) will be appropriately secured to permit access only to desired users, being residents and their guests. An electronic intercom system at the main entry to the development will regulate guest access to the basement parking. Windows and other access points at or near ground level will be lockable to further restrict unwelcome access.

Territorial Reinforcement: The differentiation between the public and private domains is unambiguous. In addition to access control, which clearly delineates public and private spaces, additional visual cues will be used to distinguish between public and private spaces. Where necessary (for example at basement entry), appropriate signage may be incorporated to inform resident and the members of the public of territorial boundaries.

Space Management: The publicly accessible areas of the site will be controlled and monitored by CCTV. Some of the most common criminal activities include malicious damage to property, assault, theft, break and enter to dwellings, and theft from a motor vehicle. These forms of incidents would be sensitive to the introduction of security hardware. CCTV

will be of a quality high enough to enable intruder identification.

6.4.5 Access and Traffic Impacts

A Traffic Impact Assessment has been prepared as part of this application (**Attachment IV**). The report concludes the following:

- *The development will generate in the order of 9 vehicles per hour during the critical afternoon peak period. This is actually less than currently associated with the site (31 veh/hr). As such, the proposal will reduce traffic volumes on the surrounding road network which is a beneficial outcome for the locality.*
- *Access to the site is proposed within the intersection of Dent Street / Macauley Street which is deemed acceptable having regard for the exemption provisions included in AS2890.1 and also noting that traffic volumes associated with the site will reduce post development. It is intended that this access be designed with a one-way width, under signal control, for urban design reasons. Notwithstanding, minor changes can be made to the plan to readily accommodate onsite passing within the property boundary should Council be unwilling to accept the low probability that vehicles will be required to wait or re-circulate on-street.*
- *The internal configuration of the basement car park and loading areas has been designed generally in accordance with the requirements of the relevant Australian Standards. Any minor amendments considered necessary (if any) can be dealt with prior to the release of a Construction Certificate through a suitable condition of consent requiring compliance with AS2890.*

In light of the above, it is therefore concluded that the application is supportable on traffic planning grounds, and should be approved from a traffic perspective.

6.4.6 Social Impacts

The proposed development will have a positive social impact to the established residents and future occupants of the residential units. Overall to the area, the new development brings new design, new character, raises the development profile in the street and with it brings the high profile occupants to the social fabric of the area.

6.4.7 Construction Management

Prior to the commencement of demolition and/or excavation work on site, the following details will be submitted to and be approved by the Principal Certifying Authority:

- (i) Plans and elevations showing distances of the subject building from the site boundaries, the location of adjoining and common/party walls, and the proposed method of facade retention.
- (ii) A Demolition Work Method Statement prepared by a licensed demolisher who is registered with the Work Cover Authority. (The demolition by induced collapse, the use of explosives or on-site burning is not permitted.)
- (iii) An Excavation Work Method Statement prepared by an appropriately qualified person.
- (iv) A Waste Management Plan for the demolition and or excavation of the proposed development.

These statements will, where applicable, be in compliance with *AS2601-1991 Demolition of Structures*, the *Construction Safety Act 1912* and *Demolitions Regulations*; the *Occupational Health and Safety Act 2000 and Regulation*; applicable *Council Policies for Waste Minimisation*, the *Waste Avoidance and Resource Recovery Act 2001*, and all other relevant acts and regulations, and will include provisions for:

- (i) A Waste Management Plan for the removal of refuse from the site in accordance with the *Waste Avoidance and Resource Recovery Act 2001*.
- (ii) The name and address of the company/contractor undertaking demolition/excavation works.
- (iii) The name and address of the company/contractor undertaking off site remediation/disposal of excavated materials.
- (iv) The name and address of the transport contractor.

- (v) The type and quantity of material to be removed from site.
- (vi) Location and method of waste disposal and recycling.
- (vii) Proposed truck routes, in accordance with this development consent.
- (viii) Procedures to be adopted for the prevention of loose or contaminated material, spoil, dust and litter from being deposited onto the public way from trucks and associated equipment and the proposed method of cleaning surrounding roadways from such deposits. (Note: With regard to demolition of buildings, dust emission must be minimised for the full height of the building. A minimum requirement is that perimeter scaffolding, combined with chain wire and shade cloth must be used, together with continuous water spray during the demolition process. Compressed air must not be used to blow dust from the building site).
- (ix) Measures to control noise emissions from the site.
- (x) Measures to suppress odours.
- (xi) Enclosing and making the site safe.
- (xii) A certified copy of the Public Liability Insurance indemnifying Council for \$10,000,000 against public prosecution for the duration of the demolition works.
- (xiii) Induction training for on-site personnel.
- (xiv) Written confirmation that an appropriately qualified Occupational Hygiene Consultant has inspected the building/site for asbestos, contamination and other hazardous materials, in accordance with the procedures acceptable to Work Cover Authority.
- (xv) An Asbestos and Hazardous Materials Clearance Certificate by a person approved by the Work Cover Authority.
- (xvi) Disconnection of utilities.
- (xvii) Fire Fighting. (Fire fighting services on site are to be maintained at all times during demolition work. Access to fire services in the street must not be obstructed).
- (xviii) Access and egress. (Demolition and excavation activity must not cause damage to or adversely affect the safe access and egress of the subject building or any adjacent buildings).
- (xix) Waterproofing of any exposed surfaces of adjoining buildings.
- (xx) Control of water pollution and leachate and cleaning of vehicles tyres (proposals must be in accordance with the *Protection of the Environmental Operations Act 1997*).
- (xxi) Working hours, in accordance with this development consent.
- (xxii) Any Work Cover Authority requirements.

Construction works include temporary fencing, hoarding and warning notices required to conduct the works and protect the general public. All construction and building work will be adequately managed so as to minimise disruption to the local community and the environment. Noise generated by construction activities will comply with the Council's standard construction times and conditions.

6.4.8 View Loss

The proposal is consistent with existing development and will not impact on views from principle living areas or areas of private open space. The proposal is built within an appropriate building envelope/

6.5 Suitability of the Site - Section 79C(1)(c)

The site is not affected by any known natural or technological constraint that would prevent development in accordance with the zone objectives.

Table 3: Does the proposal fit the locality?

Consideration	Outcome
Are the constraints posed by adjacent developments prohibitive?	No
Would development lead to unmanageable transport demands?	No
Are there adequate transport facilities in the area?	Yes
Will the locality contain adequate recreational opportunities and public spaces for new occupants?	Yes
Are utilities and services available to the site and adequate for the development?	Yes
Is the air quality and microclimate appropriate for the development?	Yes
Are there hazardous landuses or activities nearby?	No
Are ambient noise levels suitable for the development?	Yes
How critical is the site to the water cycle in the catchment?	N/A

Table 4: Are the site attributes conducive to development?

Consideration	Outcome
Is the site subject to natural hazards including floodplain, tidal inundation, subsidence, slip, mass movement, and bushfires?	No
Is the proposal compatible with conserving the heritage significance of the site?	Yes
Are the soil characteristics on the site appropriate for development?	Yes
Is development compatible with protecting any critical habitats or threatened species, populations, ecological communities and habitats on the site?	N/A
Is the site prime agricultural land and will development prejudice future agricultural production?	No
Will development prejudice the future use of the site for mineral and extractive resources?	N/A

6.6 Public Interest - Section 79C(1)(e)

Redevelopment of the site provides both an aesthetic improvement to the area, street level activation and an increase in the diversity of housing stock available in the local government area.

Reference should be made to the architectural drawings and the design verification at **Attachments II & III**.

Car Parking & Basement Storage

Reference should be made to the Traffic Study **attached at IV**

Residential Waste Collection

Residential waste handling is addressed in greater detail in the Waste Management Plan at **Attachment V**

7. CONCLUSION

Having taken into account the relevant heads of consideration pursuant to Section 79C of the Environmental Planning and Assessment Act 1979, the proposal is considered an appropriate development of the site, sensitively considering context, whilst promoting design excellence and urban consolidation as a suitable precedent for future development of infill sites in the locality.

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Josephine Maejiirs
Principal Planner