

Item 3.**Development Application: 1-3 Goddard Street, Erskineville - D/2019/880**

File No.: D/2019/880

Summary

Date of Submission:	<p>The application was lodged on 13 August 2019.</p> <p>Amended drawings were submitted on 19 November 2019 and 20 March 2020. The amended drawings were re-notified to neighbouring properties.</p>
Applicant:	Benson McCormack Architects
Architect:	Benson McCormack Architects
Developer:	Milijo Developments Pty Ltd.
Owner:	Milijo Developments Pty Ltd.
Cost of Works:	\$4,467,121
Zoning:	The proposed boarding house is a permissible land use within the B4 Mixed Use zone.
Proposal Summary:	<p>The proposal involves the demolition of an existing warehouse building and the construction of a 4 storey boarding house, including a basement level plant room, site works and landscaping.</p> <p>The proposal provides accommodation in the form of 35 double rooms inclusive of a manager's room, for a maximum of 70 residents.</p> <p>The proposal is referred to the Local Planning Panel for determination as the development is reliant on clause 4.6 variation requests in order to vary the building height development standard of the Sydney LEP 2012 and the motorcycle parking space development standard of the Affordable Rental Housing SEPP 2009.</p> <p>The proposed development has a maximum height of 13.56m and exceeds the 12m height of buildings development standard by 1.56m (13%).</p>

The applicant has lodged a written statement addressing the provisions of clause 4.6 of the Sydney Local Environmental Plan 2012 with regard to non-compliance with the height standard.

The proposed development provides no motorbike parking spaces and does not comply with clause 30(h) of the Affordable Rental Housing SEPP 2009. The clause states that 1 motorbike parking space must be provided for every 5 boarding rooms (7 spaces to comply). The applicant has lodged a written statement addressing the provisions of clause 4.6 of the Sydney Local Environmental Plan 2012 with regard to non-provision of motorbike parking.

In accordance with the Environmental Planning and Assessment Regulation 2000 and the City's Community Participation Plan 2019, the application was advertised for a period of 21 days, between 19 August 2019 and 10 September 2019. 20 submissions were received, including 19 objecting to the proposal and 1 in support.

Issues raised in the submissions include the height and scale of the building, impacts on the amenity of the locality, of neighbouring dwellings and the Kirsova 1 Playground and the lack of on-site parking.

Amended drawings were re-notified to neighbouring properties between 24 April 2020 and 9 May 2020. Key amendments include that the number of boarding rooms has been reduced from 37 to 35 but that all rooms are double rooms (involving an increase from 68 to 70 residents). Internal communal rooms have been reconfigured and changes have been made to external landscaping. The south-western corner of the building has been set back by a further 3m from the western boundary to minimise the extent of pruning required to a tree located within 5 Goddard Street.

3 submissions were received following the re-notification of the amended proposal. Issues raised in the submissions include the height and scale of the building, the character of the locality, overshadowing and impacts on the demand for public transport.

The proposal is generally consistent with the relevant objectives and provisions of the Affordable Rental Housing SEPP 2009 and the Sydney Local Environmental Plan 2012. However, the development results in a shortfall in the number of adaptable dwellings required by the provisions of the Sydney Development Control Plan 2012 as well as a shortfall in bicycle parking spaces required by the Sydney Development Control Plan 2012.

The proposal is recommended for deferred commencement approval to allow for further refinement of the drawings, such that rooms 001 and 002 are consolidated to provide an additional adaptable room at the ground level of the boarding house and an additional bicycle parking area.

Summary Recommendation: The development application is recommended for deferred commencement approval.

Development Controls:

- (i) Environmental Planning and Assessment Act 1979 and Regulation 2000;
- (ii) State Environmental Planning Policy No. 55 – Remediation of Land;
- (iii) State Environmental Planning Policy (Infrastructure) 2007;
- (iv) Affordable Rental Housing SEPP 2009 ('ARHSEPP2009');
- (v) Sydney Local Environmental Plan 2012 (Gazetted 14 December 2012, as amended) ('SLEP2012');
- (vi) Sydney Development Control Plan 2012 (in force on 14 December 2012, as amended) ('SDCP2012'); and
- (vii) City of Sydney Development Contributions Plan 2015.

Attachments:

- A. Recommended Conditions of Consent
- B. Selected Drawings
- C. Clause 4.6 Variation Request – Height of Buildings
- D. Clause 4.6 Variation Request – Motorbike Parking

Recommendation

It is resolved that:

- (A) the variation requested to the Sydney LEP 2012 building height development standard in accordance with Clause 4.6 'Exceptions to development standards' of the Sydney Local Environmental Plan 2012 be upheld;
- (B) the variation requested to the Affordable Rental Housing SEPP 2009 motorbike parking development standard in accordance with Clause 4.6 'Exceptions to development standards' of the Sydney Local Environmental Plan 2012 be upheld; and
- (C) deferred commencement consent be granted to Development Application No. D/2019/880 subject to the conditions set out in Attachment A to the report.

Reasons for Recommendation

The application is recommended for approval for the following reasons:

- (A) the applicant's written requests have adequately addressed the matters required to be demonstrated by clause 4.6(3) of the Sydney LEP 2012, that compliance with the height of buildings development standard and motorbike parking rates is unreasonable or unnecessary and that there are sufficient planning grounds to justify contravening clause 4.3 of the Sydney Local Environmental Plan 2012 and clause 30(f) of the Affordable Rental Housing SEPP 2009;
- (B) The proposed development is consistent with the objectives of the B4 Mixed Use zone and the height of buildings development standard;
- (C) Having considered the matters in Clause 6.21(4) of the Sydney Local Environmental Plan 2012, the building displays design excellence because:
 - (i) The materials and detailing are appropriate to the building type and location;
 - (ii) The works will not have any significant impacts on the quality of the public domain; and
 - (iii) The proposed bulk, massing and modulation of the subject building is acceptable.
- (D) Subject to conditions, the proposed development will not result in adverse amenity impacts on the surrounding area and will result in a positive contribution to the public domain; and
- (E) Subject to conditions, the proposal will not result in unacceptable amenity impacts on surrounding properties. For this reason and as outlined in this report, the proposed development is in the public interest.

Background

The Site and Surrounding Development

1. The site is legally described as Lot 1 in DP 741276 and has a street address of 1-3 Goddard Street, Erskineville.
2. The site is rectangular, with an area of approximately 552.7sqm. The site has a primary street frontage of 18m to Goddard Street and no secondary street frontages. The site has a frontage of approximately 15.5m to the Kirsova 1 Playground, which is located to the north. The playground is accessed from Macdonald Street. Rail lines are located to the west at the top of a steep embankment. The rail lines are elevated by approximately 5m above the site ground levels.
3. The site contains a 1950s era single storey masonry warehouse building with internal mezzanine offices. The warehouse building has nil setbacks to site boundaries except for an open courtyard and minor setback to the western boundary. The warehouse was constructed by a sheet metal company and has since been used for light industrial and commercial uses.
4. The character of the Ashmore Neighbourhood has progressively changed from an industrial/ commercial character to residential. Sites to the north, east and south of the site now contain residential land uses. There are remnant industrial sites located to the south with frontages to Coulson Street (Figure 2 below).
5. Surrounding land uses include:
 - (a) adjoining the northern boundary and facing Goddard Street is a row of contemporary 3 storey terrace dwellings that were constructed in accordance with DA approval number D/2000/1115 (Figure 6). The terrace houses overlook the Kirsova 1 Playground from their living areas (Figure 7);
 - (b) adjoining the southern boundary and facing Goddard Street is located a single storey detached weatherboard dwelling (Figure 8). Further to the south of that site is located a remnant industrial site at 7-19 Coulson Street (Figure 10);
 - (c) to the north-east and south-east , on the opposite side of Goddard Street are located 6 storey residential apartment buildings that were constructed in accordance with DA approval numbers D/2014/2037 and D/2014/1609 (as amended) (Figure 9);
 - (d) to the west are railway lines, which are elevated above the surrounding locality.
6. The site is not a heritage item and is not located within a heritage conservation area.
7. Site visits were carried out in August 2019 and in April 2020. Photos of the site and surrounds are provided below:



Figure 1: Aerial image of subject site and surrounding area



Figure 2: The site is located within the Ashmore Neighbourhood, which is surrounded on 3 sides by residential land uses. Rail lines are located to the western boundary and remnant industrial uses are located to the south with frontages to Coulson Street.



Figure 3: Site viewed from Goddard Street, looking south-west.



Figure 4: Northern elevation of the subject site, viewed from the Kirsova 1 Playground, looking south from Macdonald Street. The rear facades of terrace dwellings at 1A-1F Goddard Street are visible at the left of picture.



Figure 5: Interior view of the subject warehouse.



Figure 6: 2 storey townhouses adjoining the northern boundary of the site (1A-1F Goddard Street).



Figure 7: Terrace dwellings at 1A-1F Goddard Street, viewed from the Kirsova 1 Playground, looking east.



Figure 8: Single storey dwelling adjoining the southern boundary of the site at 5 Goddard Street.



Figure 9: 6 storey residential apartment buildings located opposite the site on the eastern side of Goddard Street, viewed from Macdonald Street, looking south-east.



Figure 10: Remnant industrial premises with a street frontage to Coulson Street, viewed from the southern end of Goddard Street (7-19 Coulson Street).

Application history for the site and surrounds

8. Subject site: The City's Street Cards show that approval was granted in 1958 for the construction of a light sheet metal factory on the subject site. In 1986, approval was granted for the use of the factory for set construction associated with the film and television industry.
9. To the north at 69 Macdonald Street and 1A-1F Goddard Street are located 7 x 3 storey terrace dwellings (Figures 6 and 7 above). The dwellings were approved on 17 May 2001 under application number D/2000/1115, for the demolition of existing buildings and the construction of 7 x townhouses.
10. Located opposite the site on the eastern side of Goddard Street are 2 x 6 storey residential apartment buildings. The buildings were approved under application numbers D/2014/2037 and D/2014/1609 respectively (Figure 9).
11. There is no recent development application history for the 2 x sites located to the south of the site including 5 Goddard Street (Figure 8) and 7-19 Coulson Street (Figure 10).

Proposal

12. The proposal involves the demolition of an existing warehouse building and the construction of a 4 storey boarding house containing 35 double boarding rooms for up to 70 residents. The proposal provides an on-site managers room, a basement level, site works and landscaping.
13. No land clearing or tree removal is proposed, however some minor pruning of existing trees located within the Kirsova 1 Playground and within 5 Goddard Street to the south of the site will be required.
14. Proposed works include:
 - (a) **Basement Level:**
 - (i) a centrally located basement containing plant rooms.
 - (b) **Ground Floor:**
 - (i) the ground floor level of the building is proposed to be elevated by between 1.4m and 1.6m above existing ground levels in accordance with flood engineer's advice;
 - (ii) 4 x double rooms are proposed at the ground level including 2 x accessible rooms. 2 of the rooms will have direct access from the footpath at Goddard Street. The remaining 2 x double rooms will face west towards communal private open space;
 - (iii) waste bin storage rooms and an internal laundry;
 - (iv) a communal living room is proposed, facing north towards the Kirsova 1 Playground and west towards an outdoor communal terrace. An outdoor clothes drying area is proposed at the northern boundary;

- (v) a bicycle storage area for 10 x resident spaces is proposed at the western edge of the building at ground level. A further 4 x bicycle parking loops are provided at the entry for visitors; and
- (vi) landscaping works are proposed to the north and western setbacks including privacy hedges along the northern boundary, canopy trees at the western boundary and communal herb gardens.

(c) Levels 1 and 2:

- (i) Levels 1 and 2 will each contain 11 x double rooms. Rooms numbered 101-106 and 201-206 are provided with bay windows with external privacy screens (northern and western rooms). Rooms numbered 107-111 are provided with balconies facing east towards Goddard Street; and
- (ii) external circulation corridors are provided with planter boxes and privacy screens at their northern and western ends.

(d) Level 3:

- (i) 9 x double rooms. Rooms numbered 301-306 are provided with bay windows with external privacy screens (northern and western rooms). Rooms numbered 307-309 are provided with balconies separated by divider screens; and
- (ii) external circulation corridors with planter boxes and privacy screens at the northern and western ends.

(e) Roof level:

- (i) Non-trafficable roof and centrally located plant area behind a parapet wall.



Figure 11: Massing diagram showing a masonry facade to Goddard Street, looking west.

Application history and amended proposal

15. The proposal was amended during the course of assessment in response to issues raised by Council. Renders and drawings are provided below in Figures 12-19. A full set of drawings is provided at Attachment B.
16. Key amendments include:
 - (a) The materiality of the building where it faces Goddard Street and the Kirsova 1 Reserve has been changed from metallic panels to face bricks. The west elevation has been amended to be constructed using face bricks rather than rendered masonry (Figures 12-14);
 - (b) External balconies facing Goddard Street have been reduced in depth, to ensure canopy trees can reach maturity within the street setback;
 - (c) Internal and external communal areas have been reconfigured to increase their amenity and reduce visual privacy impacts for neighbouring dwellings to the north. An outdoor terrace area has been relocated from the northern edge of the communal living room to the western edge (Figure 16);
 - (d) The building envelope has been reduced at the south-western corner setback to minimise the extent of tree pruning required to a tree located within 5 Goddard Street;
 - (e) Privacy screens have been provided to boarding room windows where they face north to mitigate visual privacy impacts for existing terrace dwellings at 1A-1F Goddard Street. Privacy screens have been provided at the northern, western and southern ends of circulation corridors to minimise overlooking of potential (future) residential apartments located to the south;
 - (f) A centrally located plant area has been provided at the roof level where originally the building had a flat roof. The height of the building has increased by 500mm as a result of the provision of a parapet that will reduce the visibility of roof plant as viewed from neighbouring sites; and
 - (g) The Plan of Management (POM) has been amended to articulate the maximum number of residents (70) and to limit the hours of operation for the proposed external communal areas to between 7.00am and 10.00pm, daily.



Figure 12: The east elevation of the boarding house, at the time of lodgement and as amended.



Figure 13: The north elevation of the boarding house as viewed from the Kirsova 1 Playground, at the time of lodgement and as amended.



Figure 14: The west elevation of the boarding house as viewed from the rail lines, at the time of lodgement and as amended.

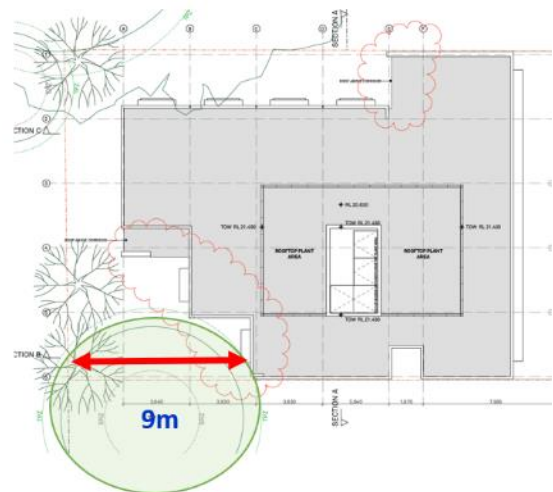
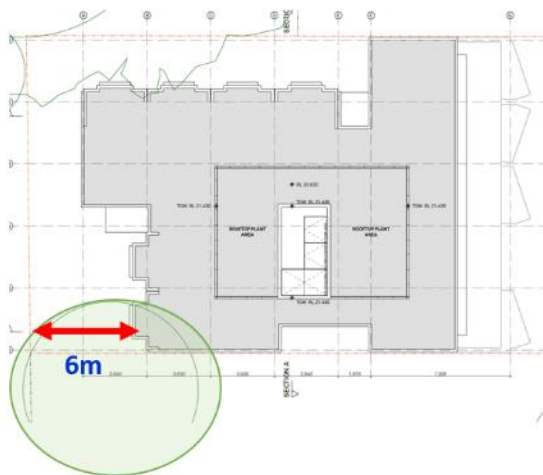


Figure 15: the setback at the western boundary has been increased from 6m to 9m at the south-western corner of the site, to minimise the extent of tree pruning required for a tree located within 5 Goddard Street.

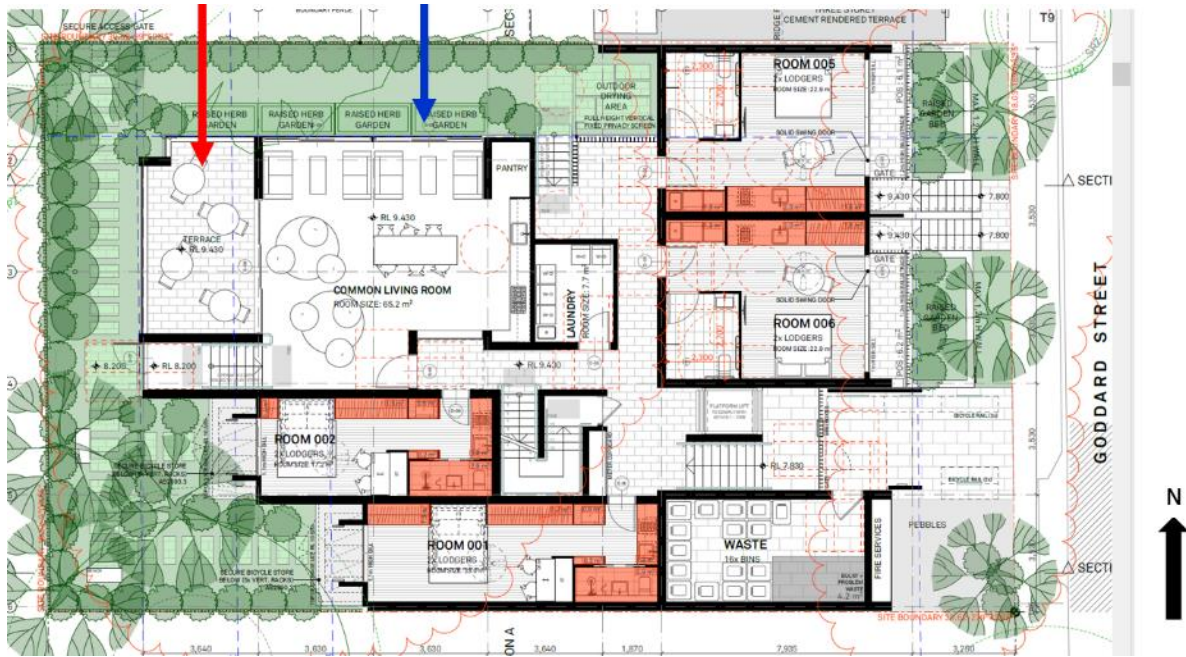


Figure 16: Amended ground level drawing showing an exterior terrace that was originally proposed at the northern edge of the building (blue arrow) has been relocated to the western edge of the building (red arrow) where it is further away from existing dwellings at 1A-1F Goddard Street.

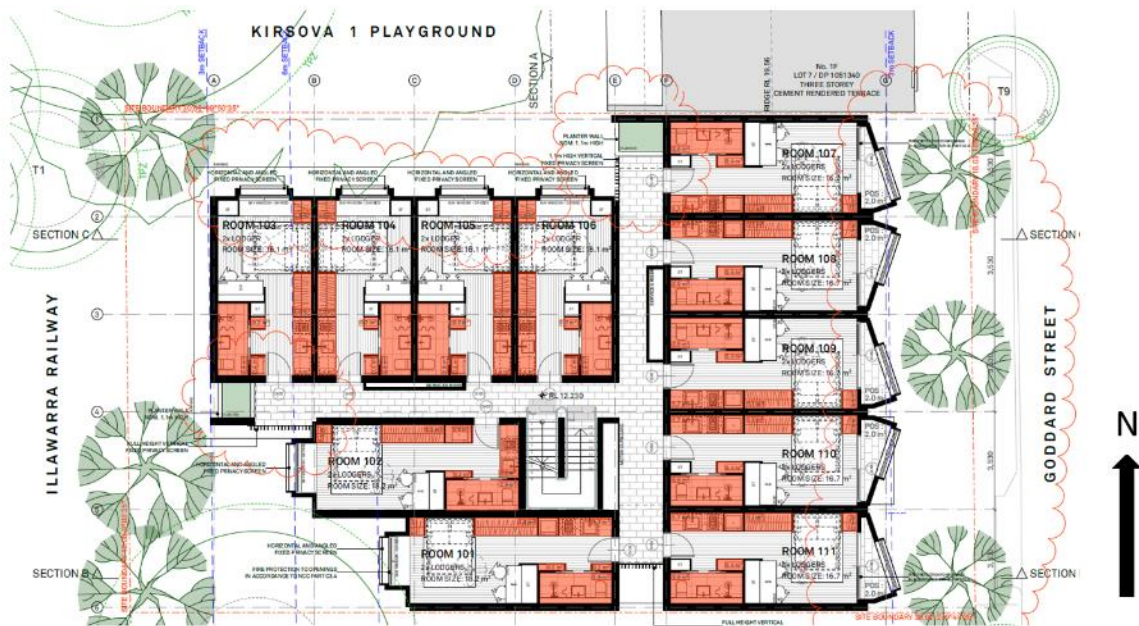


Figure 17: Levels 1 and 2 plan.

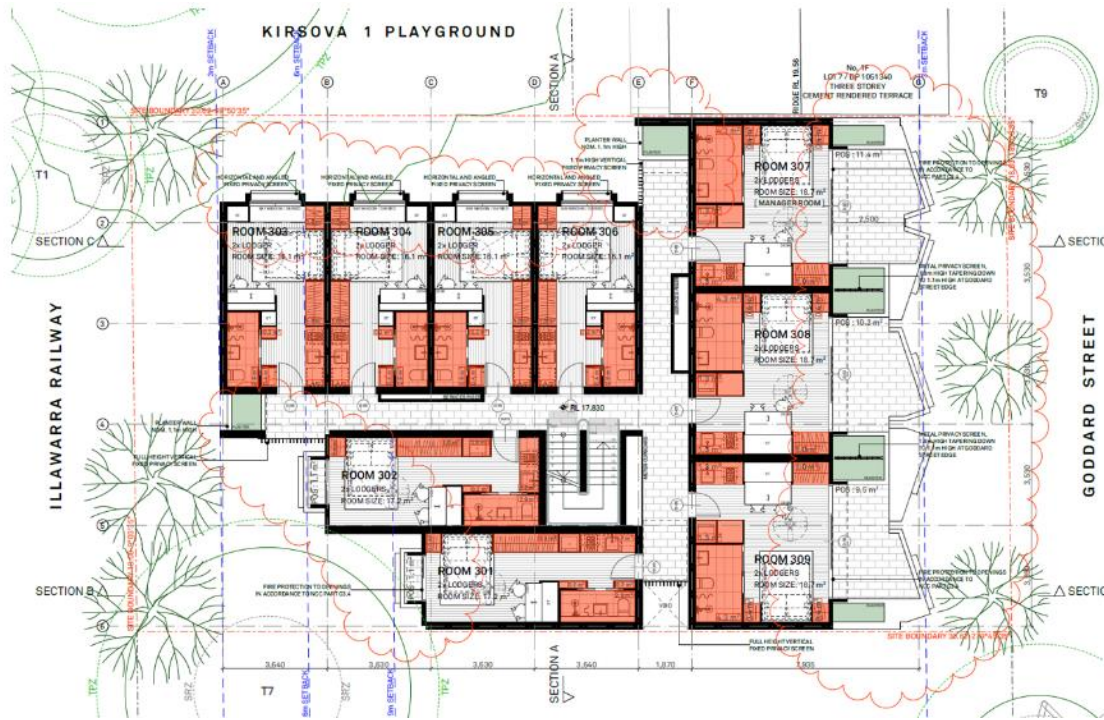


Figure 18: Level 3 plan.



Figure 19: Roof plan.

Economic/Social/Environmental Impacts

17. The application has been assessed against all the criteria outlined in Section 4.15 of the Environmental Planning and Assessment Act 1979, including consideration of the following matters:

- (a) Environmental Planning Instruments and DCPs.

State Environmental Planning Policy No 55—Remediation of Land

18. The aim of SEPP 55 is to ensure that a change of land use will not increase the risk to health, particularly in circumstances where a more sensitive land use is proposed.
19. The site has been used for a variety of industrial uses and as such, has been subject to several rounds of investigation in relation to site contamination during assessment. The City's health and building specialists have reviewed a Stage 2 Detailed Site Investigation for the site, a Remediation Action Plan (RAP) and a letter of Interim advice prepared by a site auditor.
20. The RAP provides a number of options in relation to the remediation of site soils. The preferred option put forward is the removal of a layer of contaminated site soils (approximately 500mm) and the replacement of the soil with clean fill.
21. The City's Health and Building Unit is satisfied that subject to conditions, the site can be made suitable for the proposed use.

State Environmental Planning Policy (Infrastructure) 2007

22. The provisions of SEPP (Infrastructure) 2007 have been considered in the assessment of the development application.

Clause 45 - Electricity Transmission or Distribution Network

23. The application is not required to be referred to Ausgrid because there are no ground penetration works proposed within 2m of electricity distribution poles and no works are proposed within 5m of an exposed overhead electricity power line.

Clause 86 - Excavation adjacent to rail corridors

24. The application was referred to Sydney Trains on 16 August 2019 given excavation is proposed within 25m of a rail corridor.
25. Concurrence was received from Sydney Trains on 27 September 2019. Sydney Trains raised no objections to the proposal, subject to the inclusion of recommended conditions of consent that are included at Schedule 3 of the notice of determination.
26. Amended drawings were referred to Sydney Trains for comment on 24 April 2020. A response was received on 24 April 2020. No further conditions were recommended.

Clause 87 - Impact of rail noise or vibration on non-rail development

27. Approval must not be granted unless the, the consent authority is satisfied that appropriate measures will be taken to ensure that specified LAeq levels are not exceeded.

28. The proposal satisfies the provisions of the clause. The development presents blank walls to the railway line and will be constructed in accordance with the recommendations of the acoustic report lodged with the application. The report specifies glazing, wall and roof materials that will mitigate noise impacts for residents.

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

29. Clause 3 of the Environmental Planning and Assessment Regulation 2000 defines a BASIX affected building as “any building that contains one or more dwellings, but does not include a hotel or motel”. Sydney LEP 2012 defines a dwelling as “a room or suite of rooms occupied or used or so constructed or adapted as to be capable of being occupied or used as a separate domicile”.
30. Given that all rooms are provided with kitchenettes and ensuite bathrooms, and that they will have their own keyed entry door, they comprise separate domiciles as defined above. A BASIX Certificate is therefore required.
31. A relevant BASIX Certificate has been submitted with the development application. The BASIX certificate lists measures to satisfy BASIX requirements which have been incorporated in the proposal. A condition is recommended ensuring the measures detailed in the BASIX certificate are implemented.

State Environmental Planning Policy (Vegetation in Non-Rural Areas) 2017

32. The provisions of the SEPP state that a person must not clear vegetation in any non-rural area of the State without the authority conferred by a permit granted by the council.
33. No vegetation is proposed to be cleared, however some minor pruning is proposed in relation to trees located within neighbouring properties. See referrals section below.

State Environmental Planning Policy (Affordable Rental Housing) 2009

34. Division 3 of the ARHSEPP2009 applies to new boarding house development in prescribed zones. As the site is zoned B4 Mixed Use, the ARHSEPP2009 applies to the development.
35. The relevant matters to be considered under Division 3 – Boarding Houses of ARH SEPP are outlined below.

ARHSEPP2009 Compliance Table		
Standards that cannot be used to refuse consent	Compliance	Comment
Clause 29(1) – Density / Scale On the grounds of density or scale for a proposal that complies with the maximum total FSR of 2:1.	Yes	The proposed development has a gross floor area of 1,103sqm, resulting in a FSR of 2:1.

ARHSEPP2009 Compliance Table		
<p>Clause 29(2)(a) – Building Height</p> <p>If proposal complies with the SLEP2012 Height of Buildings development standard.</p>	No	<p>The proposal has a maximum height of 13.56m and exceeds the 12m height of buildings development standard by 1.56m (a 13% variation).</p> <p>See discussion below in the Issues section.</p>
<p>Clause 29(2)(b) – landscaped area</p> <p>If the landscape treatment of the front setback area is compatible with the streetscape.</p>	Yes	<p>The proposal provides a planted setback to Goddard Street. The landscaped area is compatible with existing street plantings located on the opposite side of Goddard Street.</p>
<p>Clause 29(2)(c) – solar access</p> <p>If the communal living rooms receive a minimum of 3 hours direct sunlight between 9am and 3pm in mid-winter.</p>	Yes	<p>Communal living areas face north-west and receive direct sunlight in mid-winter.</p>
<p>Clause 29(2)(d) – private open space</p> <p>If the following private open space areas are provided:</p> <ul style="list-style-type: none"> - one area of at least 20 square metres with a minimum dimension of 3 metres is provided for the use of the lodgers; and - an area is provided adjoining the manager's room of at least 8sqm with a minimum dimension of 2.5 metres. 	Yes	<p>An area of approximately 40sqm is provided at the south-western corner of the site. An outdoor terrace is provided at the western end of the indoor communal areas with an area of 20sqm.</p> <p>The manager's room at level 3 is provided with a balcony with an area of approximately 10.6sqm and minimum dimensions of 2.5m.</p>

ARHSEPP2009 Compliance Table		
<p>Clause 29(2)(e) – Parking</p> <p>If at least 0.2 parking spaces are provided for each boarding room (7 spaces) and if not more than 1 parking space is provided for each person employed in connection with the development and who is resident on site.</p>	No	<p>Nil parking spaces are provided. The proposal does not provide any off-street parking, which is in accordance with the SLEP2012 controls for maximum parking rates and consistent with the SDCP2012 controls that do not specify a minimum parking rate for boarding houses.</p> <p>The non-provision of off-street parking spaces can be supported on the following basis:</p> <ul style="list-style-type: none"> • the site is well serviced by public transport routes, by way of Erskineville and St Peters train stations and bus lines at King Street, Newtown; • an existing vehicular access driveway is proposed to be removed, resulting in the provision of an additional on-street parking space on Goddard Street (3 in total); and • resident and visitor bicycle parking spaces are provided and additional are required by way of deferred commencement approval. See discussion below in the Issues section
<p>Clause 29(2)(f) – accommodation size</p> <p>If each boarding room has a gross floor area of at least 12 square metres in the case of single lodger rooms or 16 square metres in any other case.</p>	Yes	Rooms range in size from 16.1sqm to 22.9sqm.

Standards for boarding houses		
Standard	Compliance	Comment
<p>Clause 30(1)(a) – Communal living room</p> <p>Consent must not be granted unless at least one communal living room is provided.</p>	Yes	A indoor communal room is provided with an area of 65.2sqm.
<p>Clause 30(1)(b) - Gross Floor Area</p> <p>Rooms have gross floor areas of less than 25 square metres.</p>	Yes	Rooms range in size from 16.1sqm to 22.9sqm.
<p>Clause 30(1)(c) - Occupancy</p> <p>Rooms must not be occupied by more than 2 adult lodgers.</p>	Yes	A condition of consent is recommended to address the maximum occupancy of each room and total number of residents.
<p>Clause 30(1)(d) - Bathroom and kitchen</p> <p>Facilities Adequate bathroom and kitchen facilities available within the boarding house for the use of each lodger.</p>	Yes	All rooms are provided with a kitchenette in addition to a communal kitchen at the ground floor level.
<p>Clause 30(1)(e) - Accommodation for onsite</p> <p>Manager's room to be provided for a boarding house with a capacity to accommodate 20 or more lodgers.</p>	Yes	A room is provided for a boarding house manager.
<p>Clause 30(1)(h) - Bicycle and motorcycle Parking</p> <p>At least one parking space will be provided for a bicycle, and one will be provided for a motorcycle, for every 5 boarding rooms (requiring 7 motorcycle parking spaces and 7 bicycle parking spaces).</p>	Partial compliance	The proposal complies with the ARHSEPP2009 in relation to bicycle parking (7 spaces required). 10 x resident bicycle parking spaces and 4 x visitor bicycle parking loops are provided (14 in total). Notwithstanding this, a condition is recommended that additional bicycle parking spaces are required to be provided. See discussion below in the Issues section.

Standards for boarding houses		
		The development provides no motorcycle parking spaces. The applicant has lodged a written statement addressing the provisions of clause 4.6 of the Sydney Local Environmental Plan 2012 with regard to non-provision of motorbike parking. Refer to further discussion at the issues section of this report.

Character of the area		
Clause 30A – Compatibility of the design of the development with the character of the local area.	Yes	<p>The revised proposal is compatible with the character of the local area. The proposed building design is consistent with the existing and desired streetscape for Goddard Street.</p> <p>The local area is characterised by multi-storey residential apartment buildings and by existing terrace dwellings located to the east and north of the site.</p> <p>The revised scheme is sympathetic to the surrounding development in terms of its materiality, massing and proportions. The revised scheme has reduced impacts in relation to privacy as compared to the original scheme. See discussion below in the Issues section</p>
<p>Clause 52 – No subdivision of boarding houses</p> <p>A consent authority must not grant consent to the strata subdivision or community title subdivision of a boarding house.</p>	Yes	A suitable condition is recommended preventing the strata subdivision or community title subdivision of the proposed boarding house.

Sydney Local Environmental Plan 2012

36. The site is located within the B4 Mixed use zone. The proposed boarding house is a permissible land use within the zone.
37. The relevant matters to be considered under Sydney Local Environmental Plan 2012 for the proposed development are outlined below.

Development Control	Compliance	Comment
4.3 Height of Buildings	No	<p>A maximum height of 12m is permitted.</p> <p>The proposal has a maximum height of 13.56m and exceeds the 12m height of buildings development standard by 1.56m (13%).</p> <p>The applicant has lodged a written statement addressing the provisions of clause 4.6 of the Sydney Local Environmental Plan 2012 with regard to non-compliance with the height standard. See discussion below in the Issues section</p>
4.4 Floor Space Ratio	Yes	<p>The site is subject to a SLEP2012 development standard of 1.5:1. The provisions of ARHSEPP2009 allow the consent authority to approve a 'bonus' FSR amount of 0.5:1, resulting in a maximum permissible FSR for the site of 2:1.</p> <p>The development proposes a maximum FSR of 2:1 and complies with the combined maximum FSR and 'bonus' FSR specified by SLEP2012 and ARHSEPP2009.</p>
4.6 Exceptions to development standards	Yes	<p>The applicant is relying on the provisions of Clause 4.6 of SLEP2012 to seek exceptions to the height of buildings standard and the ARHSEPP2009 standard for motorcycle parking spaces. See further discussion below under the heading Issues.</p>

Part 6 Local Provisions - Height and Floor Space	Compliance	Comment
6.21 Design excellence	Yes	<p>Clause 6.21(3) states that development consent must not be granted unless, in the opinion of the consent authority, the proposed development exhibits design excellence.</p> <p>The proposed development will improve the quality and amenity of the public domain and will not detrimentally impact upon any existing view corridors.</p> <p>The proposal will not have any impacts upon heritage sites within the locality and presents a bulk, massing and modulation that is provides a transition between existing and future development within adjoining sites.</p> <p>The proposal has a 3 storey street frontage height that is appropriate and will not result in any significant impacts for neighbouring dwellings in relation to overshadowing and solar access, visual and acoustic privacy, noise, wind and reflectivity.</p> <p>The proposal addresses the principles of ecologically sustainable development by the provision of ceiling fans to all rooms, communal gardens and landscaped areas that can facilitate canopy that will shade the western walls of the development.</p> <p>The proposal does not interfere with the permeability of the pedestrian network and (subject to conditions) can provide adequate bicycle parking for residents.</p> <p>The proposal contributes positively to the public domain and will be constructed using masonry materials that are in keeping with those traditionally used within the Ashmore Neighbourhood. The building achieves an appropriate interface at the ground level between the building and the public domain and provides integrated landscape areas.</p>

Part 7 Local Provisions - General	Compliance	Comment
Division 1 Car parking ancillary to other development	Yes	<p>The parking provisions of SLEP2012 do not provide a maximum parking rate for a boarding house. However, the ARHSEPP2009 provides a minimum rate for bicycle and motorbike parking spaces.</p> <p>See further discussion of the motorbike parking spaces below under the heading Issues.</p>
7.14 Acid Sulphate Soils	Yes	<p>The site is identified as containing class 3 Acid Sulphate soils. A report addressing acid sulphate soils was submitted during the course of assessment. Council's health and building specialists have reviewed the report and are satisfied that no additional information is required in relation to acid sulphate soils on the site.</p>
7.15 Flood planning	Yes	<p>The submitted Flood Information Report has been reviewed by Council's public domain specialist. Proposed floor levels have been confirmed as being above free board flood levels.</p>
7.16 Airspace operations	Yes	<p>The proposed development will not penetrate the Obstacle Limitation Surface as shown on the Obstacle Limitation Surface Map for the Sydney Airport. CASA approval is not required.</p>

Sydney Development Control Plan 2012

38. The relevant matters to be considered under Sydney Development Control Plan 2012 for the proposed development are outlined below.

2. Locality Statements – Ashmore Locality

The subject site is located in the Ashmore Locality.

The proposed boarding house is considered to be in keeping with the unique character of the area and design principles in that it is of high quality, and sympathetic to the existing local character and history of Erskineville and its former industrial uses.

The development will contribute towards the coordinated and effectively managed delivery of community facilities and services via levies applicable in accordance with the City's Contributions Plan. The proposal introduces a type of dwelling that will contribute to the mix of dwelling types within the locality.

The proposal will create a strong landscaped character that unites development in Ashmore by setting back the development from the public domain and providing canopy planting that is in accordance with the Council's Landscape Code. The development will have no impacts on any key panoramic views from within the locality.

3. General Provisions	Compliance	Comment
3.1 Public Domain Elements	Yes	<p>A public domain plan must be submitted for Council approval prior to construction. The public domain plan will address the interface between the development and the Goddard Street frontage of the site, noting that plans have been amended to provide a greater setback for balconies within the front of the site.</p> <p>The proposal to use Kirsova 1 Playground for pedestrian site access is not supported as outlined below in the Issues section.</p>
3.2 Defining the Public Domain	Yes	<p>The proposed development will not overshadow any publicly accessible spaces and will not impede any public views.</p>

3. General Provisions	Compliance	Comment
		The development will contribute to the activity, safety, amenity and quality of the streetscape and the public domain and presents an appropriate frontage to Goddard Street. The development provides a legible and accessible entry at Goddard Street and uses appropriate finishes to contribute to the existing architectural character of Goddard Street.
3.5 Urban Ecology	Yes	The proposed development does not involve the removal of any trees and has been amended to ensure that only minimal pruning of a tree located within a neighbouring site is required. Council's Tree management specialists have reviewed an arborist's report and have recommended conditions of consent.
3.6 Ecologically Sustainable Development	Yes	The proposal satisfies the environmental requirements of the BASIX SEPP. Drawings have been amended to address the principles of Ecologically Sustainable Development. Ceiling fans are provided within all rooms to reduce the reliance on mechanical cooling for the boarding house. Communal gardens are proposed within the northern and western setbacks and canopy trees are proposed that will shade the western walls of the development once mature.
3.7 Water and Flood Management	Yes	The site is identified as being on flood prone land. Council's flooding specialists have reviewed a submitted a flood report lodged with the application and are satisfied no further information is required.
3.8 Subdivision, Strata Subdivision and Consolidation	Yes	Strata subdivision is not proposed.

3. General Provisions	Compliance	Comment
3.10 Significant Architectural Building Types	Yes	<p>The existing building is a post-war era warehouse that is not subject to the planning controls given it is not located within a conservation area.</p> <p>Notwithstanding this, the warehouse has a utilitarian character and does not have any prominent architectural features that are worthy of retaining by way of its adaptive reuse.</p>
<p>3.11 Transport and Parking</p> <p>3.11.3 Bike parking and associated facilities</p> <p>3.11.13 Design and location of waste collection points</p>	Yes	<p>The proposal does not provide any off-street parking, which is in accordance with the SLEP2012 and SDCP2012 controls. See discussion below in the Issues section.</p> <p>Part 3.11.3 of SDCP2012 specifies that one bicycle parking space must be provided per residential dwelling (35 spaces). The development has a shortfall of 25 spaces given only 10 Class 2 bicycle parking spaces are proposed to be provided within the rear yard of the site. A deferred commencement approval is recommended to allow for design refinements that can provide additional bicycle parking spaces. See discussion below in the Issues section.</p> <p>Waste collection is proposed to take place from a waste bin holding room that is within 10m of the Goddard Street frontage of the site. This is consistent with the City of Sydney's Guidelines for Waste Management in New Developments, which state that if waste collection and loading cannot take place within a building's basement, it should take place at grade within the building in a dedicated collection or loading bay.</p> <p>Bins may be held in the holding room until collection and will not be required to be stored on the street prior to collection. A condition to this effect has been included in Attachment A.</p>

3. General Provisions	Compliance	Comment
3.12 Accessible Design	Yes	<p>Part 3.12 states that 15% of rooms must be adaptable (5 rooms), however only 2 of the 35 boarding rooms (rooms 005 and 006) are shown as being suitable for occupation and visitation by people with a disability (6%).</p> <p>A deferred commencement approval is recommended to allow for design refinements that can provide additional adaptable boarding rooms. See discussion below in the Issues section.</p>
3.13 Social and Environmental Responsibilities	Yes	<p>The proposed development provides adequate passive surveillance over Goddard Street and the Kirsova 1 Playground and is generally designed in accordance with the CPTED principles.</p>
3.14 Waste	Yes	<p>Waste collection is proposed to take place from a waste bin holding room facing Goddard Street. See discussion above.</p> <p>A condition is recommended to comply with the relevant provisions of the City of Sydney Guidelines for Waste Management in New Development.</p>
3.17 Contamination	Yes	<p>The applicant has submitted sufficient information to allow Council to meet its obligations in relation to determining whether the development should be permitted in relation to site contamination. See SEPP55 discussion above.</p>

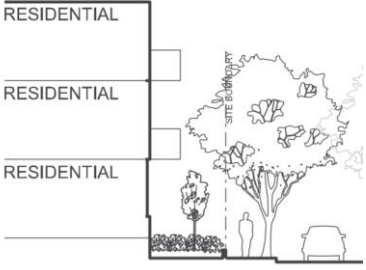
4. Development Types 4.4.1 Boarding houses and student accommodation	Compliance	Comment
4.4.1.1 Subdivision	Yes	Pursuant to Clause 52 of the ARHSEPP2009 and clause 4.4.1.1 of SDCP2012, a condition is recommended prohibiting strata subdivision or community title subdivision.
4.4.1.2 Bedrooms	Yes	<p>The proposal complies with the minimum bedroom areas:</p> <ul style="list-style-type: none"> - double rooms exceed 16spm (including 1.5sqm required for wardrobe space); - rooms are provided with additional area for ensuites and showers measuring at least 2.9sqm; - kitchenettes are greater than 2sqm including circulation space and are provided with sufficient area for a small fridge, cupboards, shelves and a microwave. <p>Each bedroom has access to natural light from a window and ceiling heights of 2.5m. A condition is recommended to ensure that bedrooms must not contain double or triple bunks.</p>
4.4.1.3 Communal kitchen areas	Yes	There are no minimum area controls for the communal kitchen given all rooms are provided with kitchenettes. The proposed communal kitchen has an area of approximately 9m including a storage pantry.
4.4.1.4 Communal living areas and open space	Yes	The development provides indoor and outdoor communal living areas with a combined area of approximately 85sqm. The communal indoor living area is adjacent to commonly used internal spaces, including the laundry and entry lobby entry area. The space is adjacent to the communal open space which has an area of 20sqm.

4. Development Types 4.4.1 Boarding houses and student accommodation	Compliance	Comment
		<p>The communal areas are screened from adjoining properties and the public domain by landscape plantings, face north and receive a minimum 2 hours solar access at the winter solstice.</p> <p>Greater than 30% of all bedrooms have access to a private open in the form of a balcony or terrace area (13 of 35 rooms or 37%). Whilst some of the balconies are 2sqm in area (4sqm is the control), they have high amenity for their occupants as they are connected to the living areas of those rooms. All rooms that do not have balconies have bay windows that provide greater internal amenity as compared to standard windows as a result of their increased surface area and articulated design.</p>
4.4.1.5 Bathroom, laundry and drying facilities	Yes	Communal laundry and drying facilities are provided in an accessible location for all residents. There is sufficient space within the communal laundry for 6 washing machines as required by SDCP2012.
4.4.1.6 Amenity, safety and privacy – internal to the site	Yes	<p>Communal spaces, including a laundry and living areas are located in safe and accessible locations.</p> <p>Bedrooms at the ground level of the development are located so that they are separated from noise sources.</p> <p>Clause 87 of the Infrastructure SEPP 2007 is applicable in relation to Noise intrusion from the railway. An acoustic report has been submitted and reviewed by Council's health and building unit. The report details construction and design elements required to achieve the internal noise transmission criteria. Suitable conditions are recommended in relation to achieving the relevant noise criteria during the construction and occupation processes.</p>

4. Development Types 4.4.1 Boarding houses and student accommodation	Compliance	Comment
		The proposal must be constructed in accordance with the submitted BASIX report that details all appliances achieving a high standard in relation to energy star ratings.
4.4.1.6 Amenity, safety and privacy – external to the site	Yes	<p>The proposal has been amended during assessment to address privacy impacts in relation to existing and potential residential development on neighbouring sites.</p> <p>A proposed external communal terrace has been relocated from the northern edge of the communal kitchen to the western edge and a privacy hedge is proposed at the northern boundary. North-facing boarding house rooms are provided with external privacy screens that allow for natural light to enter the rooms but that are fixed and angled to prevent the direct overlooking of neighbouring dwellings and the Kirsova 1 Playground. A condition is recommended requiring 1:20 scale construction drawings for the screens to be submitted for approval.</p> <p>The main entry point to the premises is located at the front of the site, away from side boundaries and sensitive noise receivers that are concentrated at the rear of the site. A condition is recommended that a proposed entry gate to the site from within the Kirsova Playground must be deleted. See discussion below in the Issues section.</p> <p>A condition is recommended that the premises must always be operated / managed in accordance with the 'enhanced' Plan of Management that was submitted during the course of assessment.</p>

4. Development Types 4.4.1 Boarding houses and student accommodation	Compliance	Comment
4.4.1.7 Plan of Management	Yes	<p>An operational Plan of Management (POM) was lodged with the development application. The POM is satisfactory in that it addresses the provisions of SDCP2012 relating to the management of the premises.</p> <p>The POM has been amended to specify the hours of use for external communal areas and to specify the maximum number of residents.</p> <p>The POM specifies that an on-site manager will monitor the behaviour of residents and that outdoor spaces will only be in use between 7.00am and 10.00pm.</p> <p>The Plan of Management is comprehensive and addresses issues raised by objectors in relation to the potential for noise disturbance and anti-social behaviour.</p> <p>A condition is recommended to ensure that the use must always be operated and managed in accordance with the Plan of Management.</p>

5. Specific Areas - Ashmore Neighbourhood	Compliance	Comment
5.5.1 Ashmore urban strategy 5.5.2 Urban design principles	Yes	<p>The proposal is consistent with the Ashmore urban strategy and design principles in that it is sympathetic to the existing surrounding local character and history of Erskineville.</p> <p>The development introduces a mix of dwelling types to provide flexibility and choice and contributes to a high quality streetscape character by setting the development back from the public domain to reduce the perception of scale of buildings at street level.</p>

5. Specific Areas - Ashmore Neighbourhood	Compliance	Comment
5.5.4 Accessibility and amenity in the public domain	Yes	<p>An appropriate setback is provided to the Goddard Street boundary in accordance with Figures 5.110 and 5.119 of SDCP2012 (Figure 20 below). The proposed 3 metre landscaped setback will be installed in accordance with the City's Landscape Code and will remain in the private domain with the maintenance being the responsibility of the building managers.</p>  <p>Figure 20: extract from Ashmore Neighbourhood controls showing a 3m landscaped setback within the private domain to Goddard Street.</p>
5.5.8 Building layout, form and design	Yes	<p>The proposal provides a building height and typology, and has an architectural style that creates diversity and visual interest.</p> <p>The building has an appropriate length and articulation, and provides individual ground floor entries to reduce the scale of the development as perceived from the public domain.</p> <p>Proposed side and rear building setbacks are provided in a manner that does not impede development on adjoining sites, noting that clause 5.5.6 of SDCP2012 requires that properties at 5 Goddard Street and 7-19 Coulson Street (to the south of the site) must be consolidated into one site prior to a development application being considered for the development of those 2 x sites.</p>

5. Specific Areas - Ashmore Neighbourhood	Compliance	Comment
		Residential development can be designed within those sites that can comply with the setback and amenity provisions of the Apartment Design Guide, pursuant to SEPP65 - Design Quality of Residential Apartment Development.
5.5.8.1 Height of buildings	No	The proposed development has a height of 4 storeys and exceeds the maximum number of storeys for the land as shown in the relevant SDCP2012 Ashmore Height in Storeys map (which is shown as 3-storeys for this site). Notwithstanding this, the proposed building height complies with the street height in storeys control and can be supported. See discussion below in the Issues section.
5.5.8.3 Dwelling type and location	No	Figure 5.132 of the Ashmore controls states that the preferred building type for the site is a maisonette or duplex form. Notwithstanding this, the proposal can be supported given it provides public benefit in the way of affordable housing and in that user and streetscape amenity is achieved. See discussion below in the Issues section.
5.5.8.4 Building form and design	Partial compliance	<p>The proposal achieves an architectural diversity that is consistent with the character of the neighbourhood and buildings that are opposite to the site. The proposal has been amended to show a larger proportion of the facades being constructed using masonry, which is required by the controls to reference Ashmore's former industrial heritage.</p> <p>Proposed boarding rooms on the ground floor facing Goddard Street have individual entries from the street and level 3 has been setback by 3.5m.</p>

5. Specific Areas - Ashmore Neighbourhood	Compliance	Comment
		Whilst the control states the upper level should be set back by 4m from the primary building line, the proposed 3.5m setback ensures the upper level of the building will be recessed from view, and less visible from the street level.
5.5.8.5 Typical ground floor condition for residential flat buildings	Partial compliance	<p>The proposal complies with the relevant SDGP2012 in relation to setbacks. The primary building setback is set back to full height by 2.5 metres and a deep soil landscape planting area is provided with a depth of 3 metres. Ground floor private open spaces exceed 1.2m in depth and present boundary fences that do not exceed 1.4 metres high (1.2m high is proposed).</p> <p>The controls state that ground floor private open spaces must not be elevated more than 1m above the street level. The proposal to elevate the private open spaces 1.6m above ground levels can be supported given this is in line with required measures to address flood levels for the site.</p>
5.5.8.7 Fences	Yes	Proposed front fences enable passive surveillance over Goddard Street and assist in creating a sense of entry and building identity within the streetscape. The fences provide visual interest to the streetscape through their design and detail and do not exceed 1.4m in height.
5.5.8.8 Building materials	Yes	The proposed external finishes complement and include materials that are predominantly used in the surrounding area including face brick.
5.5.10 Biodiversity	Yes	Amended landscape drawings have been submitted in accordance with the City's Landscape Code.

Issues

Height, Scale and Bulk

39. The proposed boarding house satisfies the character test at Clause 30A of the ARHSEPP2009, which is whether the design of the development is compatible with the character of the local area.
40. The eastern facade of the development will present as a 3 storey form as viewed from the opposite side of Goddard Street given the fourth storey will be set back from the primary building line (Figures 21 and 22 below).
41. The 3 storey form at the Goddard Street boundary is consistent with the height in storeys control for the lower level of 5 Goddard Street, which is the neighbouring site to the south. Figure 23 below sets out that future development within 5 Goddard Street must also be constructed as a 3 storey development as viewed from Goddard Street, with a 6 storey form able to be approved for the western portion of that site.
42. The proposed 4 storey height for the remainder of the subject development provides a suitable height transition between existing 3 storey terrace dwellings to the north of the site (1A-1F Goddard Street) and potential 6 storey development within 5 Goddard Street.

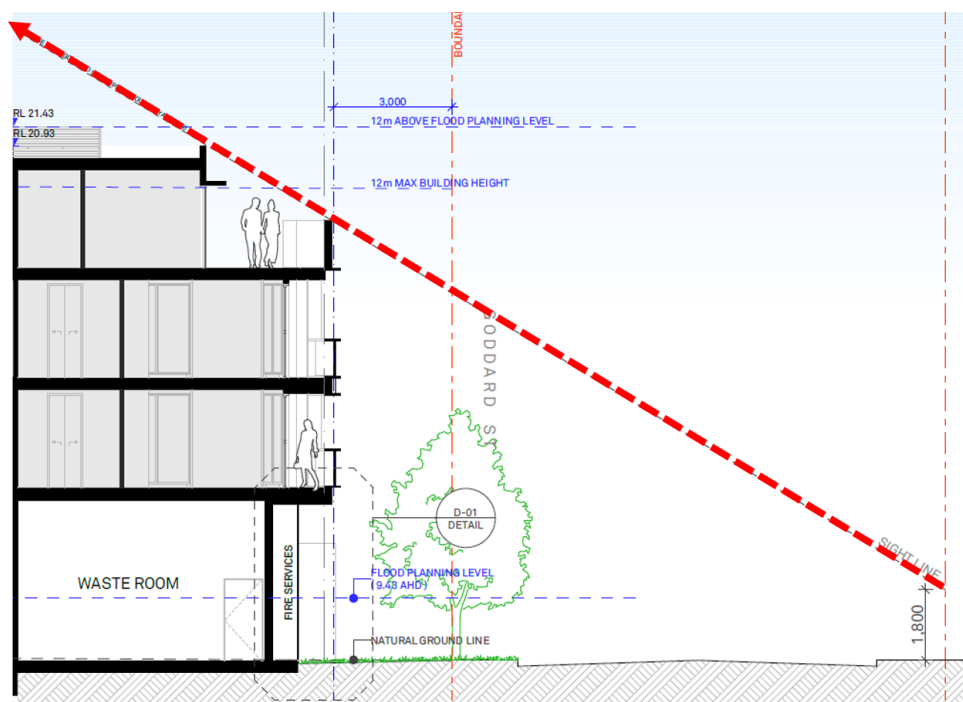


Figure 21: Extract from section drawing showing level 3 being setback from the building line to ensure it is not visible from Goddard Street. The dashed red line provides sightlines from Goddard Street.



Figure 22: Massing plan showing the eastern facade from Goddard Street. Level 3 is setback from the building line to reduce its visibility as viewed from the streetscape. 3-6 storey development is able to be approved on the neighbouring site to the south (5 Goddard Street - shaded grey at left of picture).

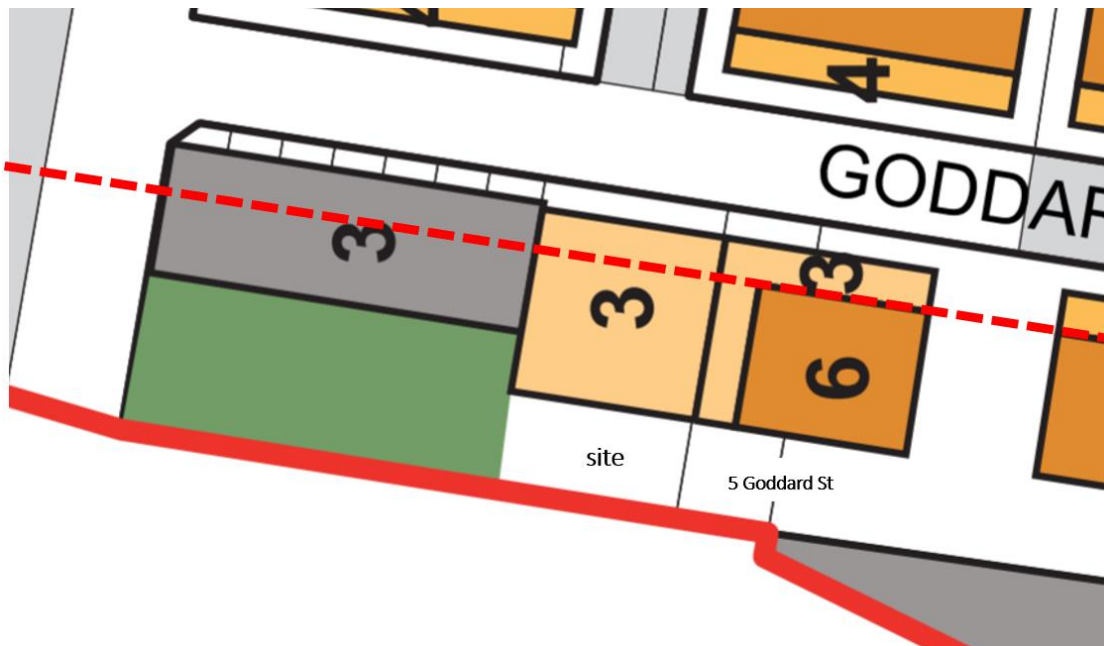


Figure 23: Street frontage heights are not to exceed the maximum height in storeys, shown in Figure 5.129 Ashmore Height in Storeys map. The dashed red line indicates the 3 storey building line for future development to the south of the site. The proposed fourth storey for the subject site (red dashed red line) provides a transition between the 3 storey dwellings to the north and future 6 storey development for 5 Goddard Street to the south.

Solar access and overshadowing

43. Solar access and overshadowing impacts of the proposal have been considered with regard to existing development located to the south and east and with regard to future development that is permissible to the south of the site (5 Goddard Street and 7-19 Coulson Street).
44. Located within 5 Goddard Street to the south is a single storey detached dwelling (Figure 8 above):
- (a) the provisions of part 4.1.3.1 of SDCP2012 specify that neighbouring dwellings are to achieve a minimum of 2 hours direct sunlight between 9.00am and 3.00pm on 21 June onto at least 1sqm of living room windows and at least 50% of the minimum amount of private open space; and that new development must not create any additional overshadowing where solar access is less than two hours between 9.00am and 3.00pm on 21 June.
 - (b) solar diagrams submitted for assessment demonstrate that overshadowing impacts are acceptable with regard to the existing dwelling at 5 Goddard Street:
 - (i) the dwelling receives solar access to the front balcony between 9.00am and 11.00am;
 - (ii) 5 Goddard Street is overshadowed for the remainder of the day by the existing warehouse on the subject site; and
 - (iii) additional overshadowing caused by the proposed boarding house will fall onto the roof of the dwelling from 2.00pm onwards (Figure 24 below). The rear private open space retains existing solar access in the afternoons from 2.00pm onwards on 21 June.

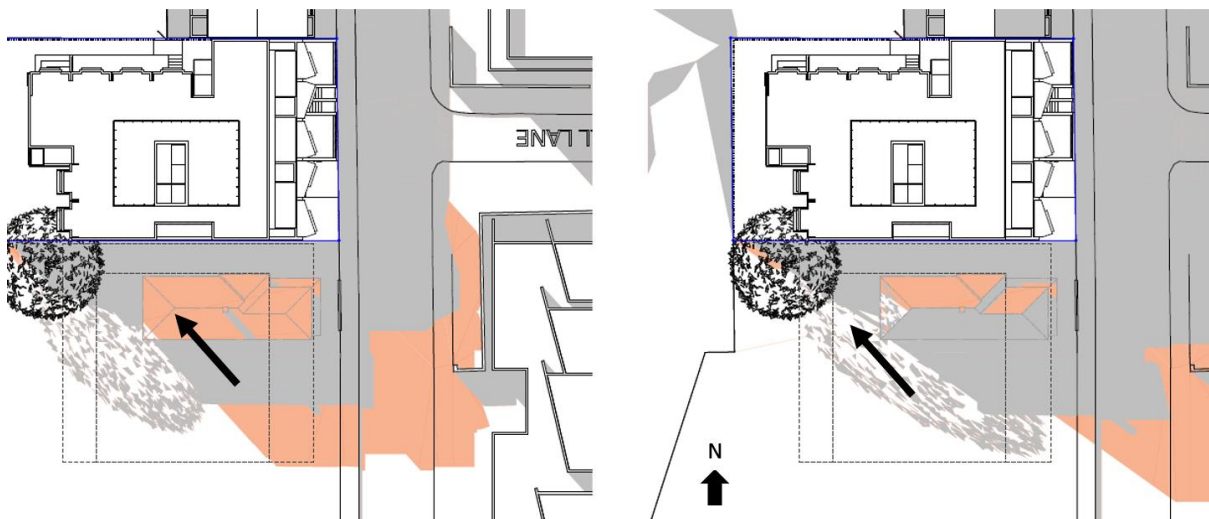


Figure 24: shadow diagrams for 2.00pm and 3.00pm on 21 June, showing that additional shadows will fall on to the roof of the existing dwelling at 5 Goddard Street. Black arrows indicate the roof of the dwelling and solar access retained from 2.00pm.

45. Located to the east at 3 Eve Street is a 6 storey residential apartment building. Whilst the proposed boarding house will overshadow ground level apartments facing Goddard Street from 2.00pm onwards on 21 June, the apartments receive direct solar access between 12.00 midday and 2.00pm. As such, these apartments receive the minimum solar provisions as specified by part 4.2.3.1 of SDCP2012 that are in line with those for part 4.1.3.1 of SDCP2012 outlined above (Figure 25).



Figure 25: solar diagrams show that apartments within 3 Eve Street receive solar access between 12.00 midday and 2.00pm on 21 June.

46. With regard to future development that is permissible within the sites to the south (5 Goddard Street and 7-19 Coulson Street), 'view from the sun' diagrams demonstrate that east-facing apartments will receive solar access between 9.00am and 11.00am on 21 June and that west-facing apartments will receive solar access from 1.00pm onwards on 21 June (Figures 26 and 27).



Figure 26: 'View from the sun' shadow diagrams show that future residential development within 5 Goddard Street will receive solar access to the eastern elevation prior to 11.00am on 21 June.

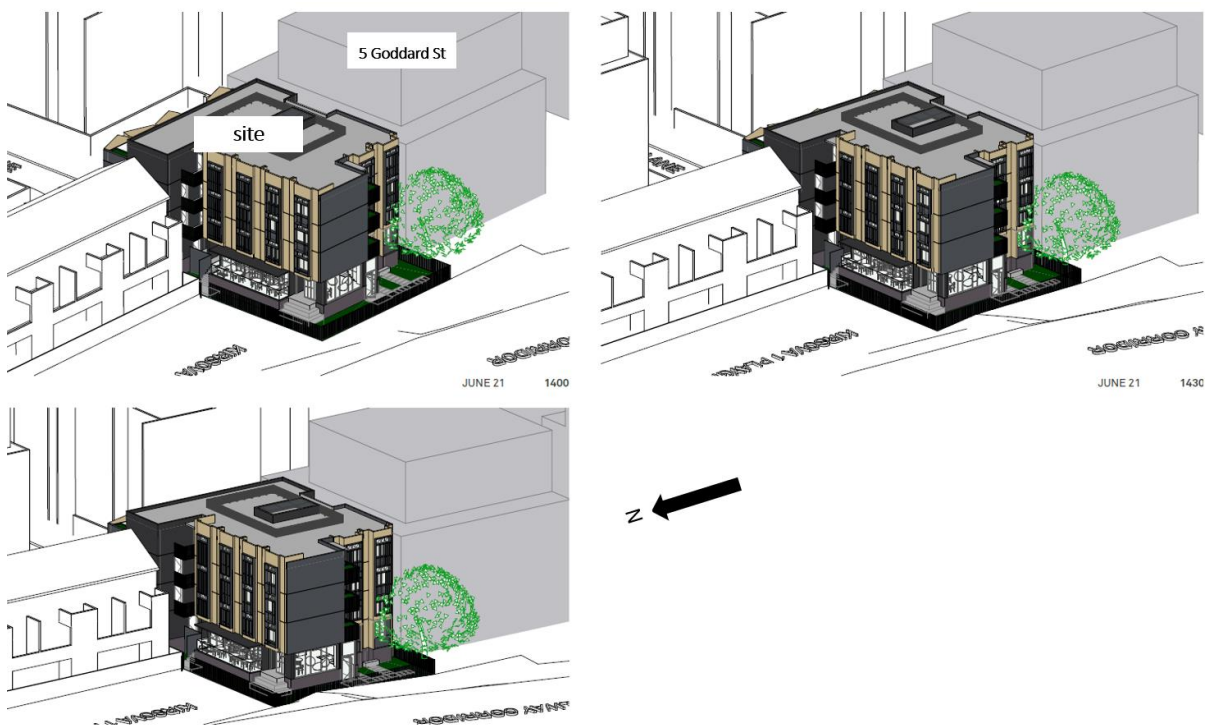


Figure 27: 'View from the sun' shadow diagrams show that future residential development within 5 Goddard Street will receive solar access to the western elevation from 1.00pm onwards.

Height of Buildings development standard – Written clause 4.6 Statement

47. The site is subject to a maximum building height control of 12m. The proposed development has a maximum height of 13.56m and exceeds the control by 1.56m (13%) - see Figure 28 below. The proposed development has a height of 4 storeys and exceeds the maximum 3 storey height control as shown in the relevant SDCP2012 Ashmore Height in Storeys map.

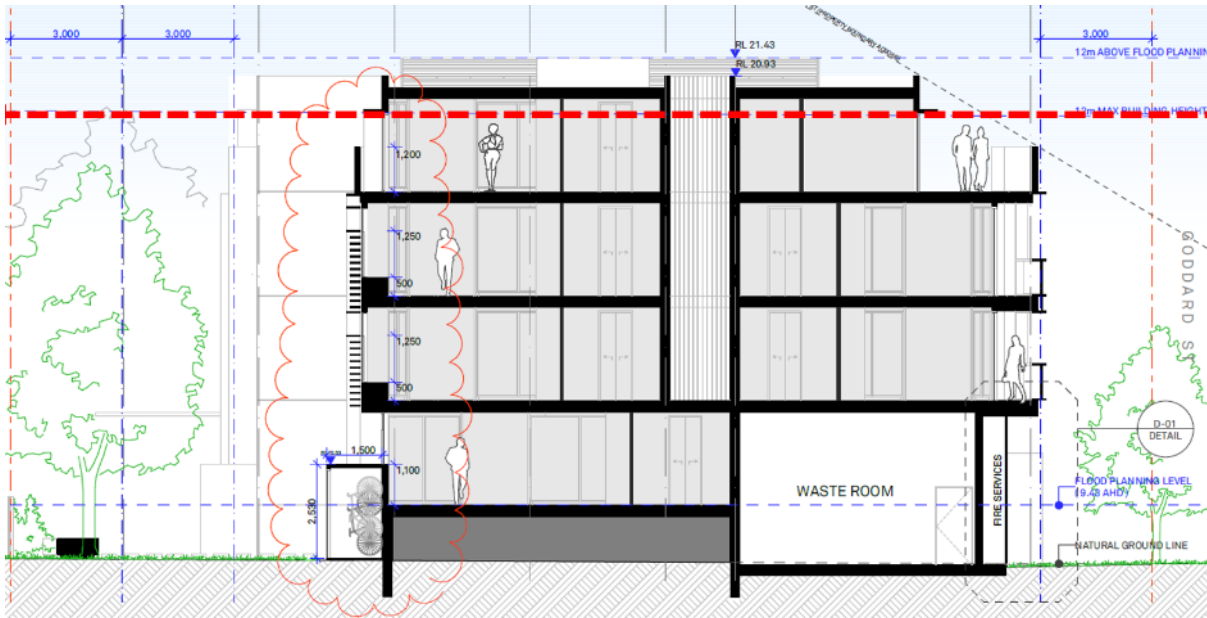


Figure 28: Section plan, showing the proposed building height exceeding the 12m SLEP2012 control (dashed red line added for emphasis). The proposed maximum building height is 12m above the required floor levels as per flood engineer's advice.

48. A written request has been submitted to Council in accordance with Clause 4.6(3)(a) and (b) of the Sydney LEP 2012 seeking to justify the contravention of the development standard by demonstrating:
- That compliance with the development standard is unreasonable or unnecessary in the circumstances of the case;
 - That there are sufficient environmental planning grounds to justify contravening the standard
 - The proposed development will be consistent with the objectives of the zone; and
 - The proposed development will be consistent with the objectives of the standard.
49. A copy of the applicants written request is provided at Attachment C.
50. The applicant seeks to justify the contravention of the maximum building height development standard on the following basis:
- That compliance with the development standard is unreasonable or unnecessary in the circumstances of the case. The proposal is consistent with the relevant objectives of clause 4.3(1) of SLEP2012.

- (b) With regard to objective 4.3(1)(a), which is to ensure the height of development is appropriate to the condition of the site and its context:
- (i) the part of the building that exceeds the height standard will have no impact upon the architectural quality of the built form, nor its expression;
 - (ii) the proposal presents itself as a 3 storey building to Goddard Street with the fourth floor having been setback from the street. The fourth storey, and thus the height breach is recessed from Goddard Street; and
 - (iii) a variation to the height of building standard, will still allow for a landscaped front setback to be provided along Goddard Street and will not detract from the proposal's capacity to offer a consistent streetscape presentation.
- (c) With regard to objective 4.3(1)(b), which is to ensure appropriate height transitions between new development and heritage items and buildings in heritage conservation areas or special character areas:
- (i) the proposed variation will result in a built form that is similar to existing residential apartment buildings that comprise a more contemporary housing typology within the locality. The transition of building heights is therefore not compromised by the proposed variation;
 - (ii) there are no heritage conservation areas or items of heritage which immediately adjoin the subject site. A heritage conservation area (C23) is located on the opposite side of the Rail Corridor but this is at an approximate distance of 85m to the west; and
 - (iii) given the distance of the site from any heritage items and conservation areas, the additional height of 0.56m is not considered to be perceived from such locations.
- (d) With regard to objective 4.3(1)(c), which is to promote the sharing of views:
- (i) There are no significant views to or from the subject site that would be impacted by the proposed variation.
- (e) That there are sufficient environmental planning grounds to justify contravening the standard:
- (i) the proposed breach in height is directly related to an environmental constraint at the subject site being its identified as a flood affected lot;
 - (ii) with respect to bulk and scale, the proposed level 4, being where the breach to height occurs, has been designed in a manner that mitigates its visibility to Goddard Street. The breaching elements do not result in a non-compliant FSR which reinforces an appropriate bulk and scale of development;
 - (iii) a flat roof form is proposed for the built form and the breaching elements which harmonises with the more contemporary nature of the proposal whilst also assisting to minimise the impression of bulk and scale from the breach to the neighbouring sites and to the public domain;

- (iv) there are no overshadowing impacts to northern sites. A degree of overshadowing is inevitable with respect to the southern neighbour, however the extent of overshadowing is acceptable;
 - (v) the breaching elements of the built form do not give rise to any adverse visual and acoustic privacy impacts.
51. As above, the applicant provides justification in their written statement addressing clause 4.6 of SLEP2012 that the proposed development will be consistent with the objectives of the height of buildings development standard.
52. In addition, the applicant provides justification in their written statement addressing clause 4.6 of SLEP2012 that the proposed development will be consistent with the objectives of the B4 Mixed Use zone:
- (a) The proposal provides for a residential land use. The surrounding development is also predominantly residential, with significant new housing stock being located within the area. A variation to the maximum height of buildings development standard would not impede upon the proposed use.

As such, the proposal is consistent with the first objective of the B4 zone, which is to provide a mixture of compatible land uses;
 - (b) It benefits from its proximate location to public transport infrastructure being situated approximately 500m walking distance to Erskineville Train Station, 650m walking distance to St Peters Railway Station, and between 350m-650m from a series of bus services.

As such, the proposal is consistent with the second objective of the B4 zone, which is to integrate suitable business, office, residential and other development in accessible locations so as to maximise public transport patronage and encourage walking and cycling; and
 - (c) It is located approximately 400m walking distance from the closest B2 Local Centre zone. It is considered that the provision of residential accommodation within walking distance to this local centre zoned land supports the viability and the vitality of the local centre.
 - (d) As such, it is consistent with the third objective of the B4 zone, which is to ensure uses support the viability of centres.
53. Development consent must not be granted unless the consent authority is satisfied that:
- (a) The applicant's written request has adequately addressed the matters required to be demonstrated by subclause 3 of Clause 4.6 being that compliance with the development standard is unreasonable or unnecessary in the circumstances of the case, and that there are sufficient environmental planning grounds to justify contravening the standard; and
 - (b) The proposed development will be in the public interest because it is consistent with the objectives of the particular standard and the objectives for development within the zone in which the development is proposed to be carried out.

54. The applicant has adequately addressed that compliance with the standard is unreasonable or unnecessary in the circumstances of the case. Primarily, the written statement justifies that the objectives of the development standard are achieved notwithstanding non-compliance with the standard.
55. With regard to Clauses 4.6(4) (a) (i) and Clause 4.6 (3) (b), the applicant has adequately addressed that there are sufficient environmental planning grounds to justify contravening the standard.
56. With regard to the objectives of Clause 4.3 of SLEP2012 (height of buildings development standard):
- (a) the proposal is consistent with objective (a) of Clause 4.3 of SLEP2012, which is to ensure the height of development is appropriate to site conditions and context:
 - (i) the proposed development presents as a 3 storey building as viewed from Goddard Street. The fourth storey will not be perceivable from street level due to the proposed setback for the fourth storey (Figures 21 and 22 above);
 - (ii) the 3-4 storey development will provide a suitable height transition between existing 3 storey terrace dwellings to the north of the site (1A-1F Goddard Street) and potential 6 storey development at the southern boundary (5 Goddard Street); and
 - (iii) the proposal is appropriate in the context of existing development within the Ashmore Neighbourhood that is flood affected. It has been established for other sites (including those located on the opposite side of Goddard Street), that maximum building heights should be considered as being acceptable if they do not exceed the maximum heights provided by SLEP2012, as measured from the required flood levels rather than from existing ground levels.
 - (b) there are no heritage items located within close proximity to the site and no significant views across the site. As such, the proposal is consistent with objectives (b) and (c) of Clause 4.3 of SLEP2012; and
 - (c) the site is not located within close proximity of Central Sydney and the Green Square Town Centre and clauses 4.3(d) and (e) do not apply.
57. With regard to the zoning objectives of the B4 Mixed Use zone:
- (a) the development provides a type of development that subject to conditions requiring adherence to a suitable plan of management for the premises, is compatible with neighbouring land uses; and
 - (b) it is located in an accessible location and provides suitable bike parking for residents, so as to maximise public transport patronage and encourage walking and cycling.

58. The applicant has by way of their written statement, addressed Clause 4.6 of SLEP2012, demonstrated that there are sufficient environmental planning grounds to justify contravening the standard:
- (a) as discussed in the Issues section below, that part of the development that exceeds the height of buildings control will not result in any significant impacts for neighbouring dwellings in relation to visual and acoustic privacy;
 - (b) that part of the development that exceeds the height of buildings control will not result in any significant impacts for existing and future neighbouring dwellings in relation to solar access (see discussion above); and
 - (c) the proposal will not result in any impacts for neighbouring dwellings in relation to view sharing.
59. The proposal is consistent with both the objectives of the particular standard and the objectives for development within the zone in which the development is proposed to be carried out. The environmental impacts of the proposal are acceptable. As such, the proposed development is in the public interest.
60. For the reasons provided above, the requested variation to the height development standard is supported. The applicant's written request has adequately addressed the matters required to be addressed by cl 4.6 of the Sydney Local Environmental Plan 2012 and the proposed development would be in the public interest because it is consistent with the objectives of the height of buildings standard and the B4 Mixed Use zone.

Motorcycle Parking Spaces – Written clause 4.6 Statement

61. Clause 30(1)(h) of ARHSEPP2009 requires the provision of 7 bicycle and 7 motorcycle parking spaces for a boarding house containing 35 rooms. The quantum of bicycle parking spaces is provided however no motorcycle parking spaces are provided.
62. A written request has been submitted to Council in accordance with Clause 4.6(3)(a) and (b) of the Sydney LEP 2012 seeking to justify the contravention of the development standard by demonstrating:
- (a) That compliance with the development standard is unreasonable or unnecessary in the circumstances of the case;
 - (b) That there are sufficient environmental planning grounds to justify contravening the standard
 - (c) The proposed development will be consistent with the objectives of the zone; and
 - (d) The proposed development will be consistent with the objectives of the standard.
63. A copy of the applicants written request is provided at Attachment D.

64. The applicant seeks to justify the contravention of the development standard on the following basis:
- (a) whilst there are no objectives provided for Division 3 of the ARHSEPP2009 (boarding houses), the proposal is consistent with the objectives of the ARHSEPP generally:
 - (i) the proposed variation to motorcycle parking would not impede upon a consistent planning regime to be provided for affordable rental housing. An affordable housing development can still be achieved with an appropriate amenity, notwithstanding the variation. As such, the proposal is consistent with objective (a) of the ARHSEPP2009, which is to provide a consistent planning regime for the provision of affordable rental housing;
 - (ii) no incentives are sought or relied upon with respect to the variation to motorcycle parking. As such, the proposal is consistent with objective (b) of the ARHSEPP2009, which is to facilitate the effective delivery of new affordable rental housing by providing incentives by way of expanded zoning permissibility, floor space ratio bonuses and non-discretionary development standards;
 - (iii) the proposed variation does not result in the loss of affordable rental housing and as such, is consistent with objectives (c) and (d) of the ARHSEPP2009, which are to facilitate the retention and mitigate the loss of existing affordable rental housing and to employ a balanced approach between obligations for retaining and mitigating the loss of existing affordable rental housing, and incentives for the development of new affordable rental housing.
 - (iv) the proponent is not a not-for-profit-provider of affordable rental housing. As such, objective (e) does not apply.
 - (v) the development is located within proximity to an array of local goods, services and amenities which promote employment opportunities within the immediate and broader locality. As such, it is consistent with objective (f) of the ARHSEPP2009, which is to support local business centres by providing affordable rental housing for workers close to places of work.
 - (b) The applicant submits that there are sufficient environmental planning grounds to justify contravening the standard. In particular:
 - (i) providing motorcycle parking would likely require a basement parking level given the proposed building footprint and alignments which are proposed. This would cause a disruption to the overall character of the development and streetscape presentation;
 - (ii) providing motorcycle parking is considered excessive and unwarranted in the context given its proximate location to public transport infrastructure. The site is also proximately located to a series of commuter cycle routes which further encourage the use of alternative transport modes;
 - (iii) adequate bicycle spaces are provided for the proposed development, exceeding the minimum requirement stipulated by the ARHSEPP2009. The additional provision of bicycle parking is deemed appropriate in compensating for the non-provision of motorcycle spaces.

- (iv) The residential amenity for future residents would in no way be impacted through the non-provision of motorcycle spaces as active modes of transport are encouraged through the additional provision of bicycle spaces and the alternative transport options made available in the locality.
65. Development consent must not be granted unless the consent authority is satisfied that:
- (a) The applicant's written request has adequately addressed the matters required to be demonstrated by subclause 3 of Clause 4.6 being that compliance with the development standard is unreasonable or unnecessary in the circumstances of the case, and that there are sufficient environmental planning grounds to justify contravening the standard; and
 - (b) The proposed development will be in the public interest because it is consistent with the objectives of the particular standard and the objectives for development within the zone in which the development is proposed to be carried out.
66. The applicant has adequately addressed that compliance with the standard is unreasonable or unnecessary in the circumstances of the case. Primarily, the written statement justifies that the objectives of the development standard are achieved notwithstanding non-compliance with the standard.
67. The applicant's written rationale justifying the objection to the motorcycle parking development standard is reasonable. Whilst there are no aims or objectives provided for Clause 30(1)(h) of ARHSEPP2009, it is likely the requirement for motorcycle parking spaces is intended to enable alternative forms of transport (to cars) within the development.
68. It is considered that in this instance and given that the development provides 15 bicycle parking spaces, that strict compliance with the motorcycle parking development standard specified by clause 30(1)(h) of ARHSEPP2009 is unreasonable and unnecessary pursuant to Clause 4.6(4)(a). The proposal is consistent with the aims of the ARHSEPP2009 in that it is providing affordable housing close to places of work. As such, it is consistent with the aims of the plan.
69. With regard to the zoning objectives of the B4 Mixed Use zone:
- (a) subject to conditions the development is compatible with neighbouring land uses; and
 - (b) the site is located in an accessible location and provides suitable bike parking, so as to maximise public transport patronage and encourage walking and cycling.
70. There are sufficient environmental planning grounds to justify exceeding the development standard that include:
- (a) close proximity to high-frequency transport nodes including bus and rail services at King Street and Erskineville and St Peters Stations;
 - (b) more than the requisite number of bicycle parking spaces than are required by Clause 30(h) of the ARHSEPP2009, with additional spaces required by way of deferred commencement approval; and

- (c) the requirement for motorcycle parking spaces is intended to enable alternative forms of transport within the development to cars, with bicycle and public transport options being available to the residents.

71. For the reasons outlined above, there are sufficient planning grounds to justify the departure from the motorcycle parking development standard specified by ARHSEPP2009. As such, the clause 4.6 statement is acceptable and it is recommended the proposal be supported.
72. For the reasons provided above, the requested variation to the development standard is supported. The applicant's written request has adequately addressed the matters required to be addressed by cl 4.6 of the Sydney Local Environmental Plan 2012 and the proposed development would be in the public interest because it is consistent with the objectives of the ARHSEPP2009 and with the B4 Mixed Use zone.

Adaptable housing

73. Only 2 of the 35 boarding rooms (ground level rooms 005 and 006) are capable of being adapted for occupation and visitation by people with a disability (6%). As such, the proposal does not comply with the provisions of Part 3.12 of SDCP2012, which state that 15% of new dwellings must be adaptable (5 dwellings to comply).
74. Adaptable dwellings cannot be provided at the upper levels of the boarding house given the proposal does not include the installation of a lift. However it is possible to maximise the provision of adaptable rooms within the ground level by consolidating boarding rooms numbered 001 and 002.
75. A deferred commencement approval is recommended to address the shortfall in the provision of adaptable dwellings, by way of consolidating boarding rooms 001 and 002 at ground level.
76. This condition will ensure that all ground level rooms are capable of being adaptable and will increase the quantum of adaptable rooms from 6% to 9%. This design refinement will also provide scope for additional bicycle parking spaces. See discussion below and Figure 29.

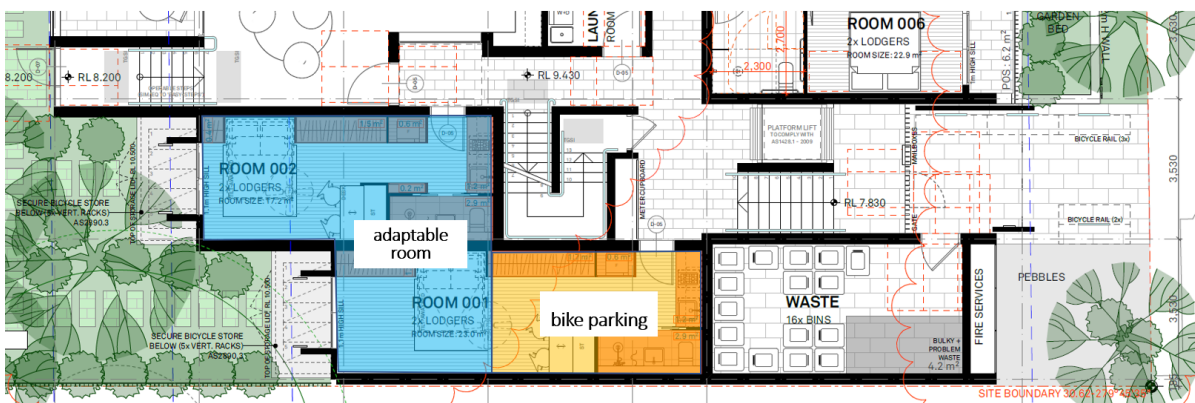


Figure 29: A condition is recommended that rooms 001 and 002 be consolidated to create an additional adaptable boarding room (shaded blue for emphasis) and additional bike parking spaces (shaded yellow for emphasis).

Bicycle parking spaces

77. The provisions of Part 3.11 of SDCP2012 state that one bicycle parking space must be provided per residential dwelling (35 spaces). Only 10 x Class 2 resident bicycle parking spaces are provided within the rear yard of the site. An additional 4 x visitor bike parking loops provided at the entry from Goddard Street.
78. Whilst the development complies with the bicycle parking provisions of the ARHSEPP2009, it proposes a significant shortfall with regard to the SDCP2012 control.
79. Given the proposal involves residential accommodation for a maximum of 70 residents and that no off-street parking spaces are proposed, a deferred commencement approval is recommended to allow for design changes that can provide additional bicycle parking spaces amongst other things.
80. The remnant portion of room 001 at the ground level of the building (where it has been consolidated with room 002 to provide an additional adaptable room) must be used to provide additional bike parking spaces and to maximise the provision of adaptable rooms as set out above.
81. With regard to the proposed 4 x visitor bike parking loops at the building's entrance:
 - (a) the entry to the premises is only 3.5m wide at the ground level, yet bike parking loops are proposed at both the northern and southern edges of the entry. When occupied, the bike parking loops would significantly reduce the width of the entry area, reducing its amenity for residents;
 - (b) the southern bike loop also has the potential to impede access to the fire services cupboard during emergencies. The fire services cupboard is located within the landscaped setback adjoining the southern bike loop.
82. A condition is recommended that the proposed bicycle parking loop located at the southern side of the entry must be deleted.

Access to the site via the Kirsova 1 Playground

83. The Kirsova 1 Playground is a rectangular park that is located at the northern property boundary of the subject site and that is accessed from Macdonald Street. The playground contains seating and play equipment and is substantially covered by canopy trees (Figure 4 above).
84. Existing dwellings at 1A-1F Goddard Street enjoy direct access to the park via gates at their western boundaries (Figure 7).
85. The development provides an access gate at the north-western corner of the subject site, to allow residents of the boarding house with direct access to the Kirsova 1 Playground and Macdonald Street.
86. Direct access to the site via the Kirsova playground is not supported by Council's assessing officers due to a lack of appropriate infrastructure. For example:
 - (a) there are no pathway structures within the playground to connect and service the proposed access gate. This is likely to result in the creation of de facto pathways by residents and other site visitors, and the compaction of tree root zones and other existing green landscaping features; and

- (b) there is insufficient lighting to ensure residents can safely access the park at night.
87. The playground would provide a short cut for the residents of the boarding house as they travel to the site from nearby Erskineville and St Peters railway stations and from King Street bus routes. It is therefore likely that residents would routinely use the playground for access and egress, resulting in significant impacts on the park's infrastructure as outlined above.
88. Conditions are recommended that the proposed access gate at the north-western corner is to be deleted and that the playground must not be used for access during construction works.

Other Impacts of the Development

89. The proposed development is capable of complying with the BCA.
90. It is considered that the proposal will have no significant detrimental effect relating to environmental, social or economic impacts on the locality, subject to appropriate conditions being imposed.

Suitability of the site for the Development

91. The proposal is of a nature in keeping with the overall function of the site. The premises are in a commercial/residential surrounding and amongst similar uses to that proposed.

Internal Referrals

92. The application was discussed with the City's:
- (a) Heritage and Urban Design Specialists;
 - (b) Building Services Unit;
 - (c) Environmental Health specialists;
 - (d) Public Domain Unit;
 - (e) Surveyors;
 - (f) Transport and Access specialists; and
 - (g) Tree Management specialists.
93. Where the internal discussions have identified that the proposal is acceptable subject to conditions, those conditions are included in Attachment A.
94. Conditions are recommended to address the following issues raised by the City's urban designer:
- (a) the southern bicycle rail is to be deleted as outlined above;
 - (b) construction drawings are required to articulate proposed external privacy screens to north-facing windows;

- (c) the clear glass balustrade to the ground floor communal room is to be replaced by an opaque material; and
 - (d) the 1.8m high northern side boundary fence is to be solid where it shares a boundary with 1F Goddard Street to the north.
95. Council's Tree Management specialists have reviewed a submitted arborist's report and have advised that the extent of tree pruning is acceptable. Objection was raised to the use of the Kirsova Playground for access as outlined above.
96. The City's Public domain officers advise the site is affected by 700mm depths during flood events at Goddard Street boundary. The proposal has been devised using appropriate flood levels and standard public domain conditions are recommended in Attachment A.

External Referrals

Notification, Advertising and Delegation

97. In accordance with Schedule 1 the Sydney DCP 2012, the proposed development is required to be notified and advertised. The application was notified and advertised for a period of 21 days between 19 August 2019 and 10 September 2019. 820 properties were notified and 20 submissions were received.
98. Amended drawings were re-notified to neighbouring properties between 24 April 2020 and 9 May 2020. 820 properties were notified and 3 submissions were received. The following issues were raised by the submissions.

Building height and shadow impacts

- (a) The proposal exceeds the permissible building height and height in storeys, resulting in overshadowing impacts for surrounding properties.
- (b) The development reads as a 5 storey building because of elevated ground floor level. The 'fifth' storey will result in loss of sunlight access to the future residential flat building at 5 Goddard Street.
- (c) The proposed building should not be permitted to extend beyond the rear building line of residential townhouses to the north.

Response

- (i) The proposed height that exceeds the relevant SLEP2012 and SDCP2012 controls can be supported as outlined in the Issues section above. The development will not have any significant impacts for neighbouring dwellings in relation to overshadowing and the proposal protects sun access for future development that can be located on sites to the southern boundary.
- (ii) Much of the height breach is in response to the flood level constraints that require an elevated ground level, this approach being consistent with recently constructed developments within the Ashmore neighbourhood.

- (iii) The proposal is appropriate in the context of the site in relation to its materiality. The proposal is supported in the context that existing development within close proximity has also been approved with heights that exceed the maximum standard with relevant flood levels informing the required ground levels.
- (iv) It would be suitable for the proposal to adopt the existing rear building line for dwellings at 1A-1F Goddard Street if they shared a common rear boundary. As discussed elsewhere in this report, the proposal has been amended to mitigate its impacts on the dwellings to the north of the site, in relation to visual privacy, landscaping works and its materiality.

Character of Erskineville

- (a) The target resident demographic is unclear for the proposed boarding house. It is unclear who will be managing for the proposed boarding house.
- (b) A boarding house is out of character for this section of Erskineville. The proposal does not complement the existing rental and owner-occupied houses and apartments.
- (c) The proposed development will increase the population density of southern Erskineville dramatically. The area is already densely populated and there is already significant pressure on local infrastructure, especially transport.
- (d) There are no additional car parking spaces proposed. There is already a shortage of parking on local streets.

Response

- (i) Boarding houses are a type of residential development that is permissible within the B4 Mixed Use zone. The proposed density is acceptable with consideration that the development does not exceed the permissible floor space ratio.
- (ii) The City's planning controls support development with no car parking provision that instead utilise alternative means of transport, such as cycling, walking and use of public transportation. Bicycle parking is to be provided and additional bicycle parking is required by way of a deferred commencement approval;
- (iii) an additional on-street parking space will be created by the removal of an existing vehicle crossing. Future residents are not entitled to participate in the City's residential parking permit scheme for on-street parking spaces. The use of street parking will therefore need to adhere to the signposted restrictions in terms of length of stay; and
- (iv) the premises must be operated in accordance with an approved plan of management, prepared to address any issues around noise and the residential amenity of neighbouring properties.

Planning controls relating to boarding houses

- (a) The rooms do not comply with ARHSEPP2009 and SDCP2012 provisions relating to boarding houses. Room sizes are too small, no storage is provided for residents and a communal kitchen is not provided.

Response

- (i) The proposal has been amended during assessment and the revised plans comply with the minimum provisions relating to room sizes, noting there are no controls around storage within boarding rooms and a communal kitchen is provided at the ground level. Individual rooms are provided with kitchenettes and ensuite bathrooms.

Crime, antisocial behaviour and safety within Kirsova 1 Playground

- (a) Children will not be able to independently walk to and from school and use the Kirsova 1 playground;
- (b) Unacceptable to have overlooking of the playground and direct access through it to enter the building;
- (c) Alcohol and drug consumption at the Kirsova 1 playground and smoking in the park, impacting on residents with dwellings that face Goddard Street.

Response

- (i) the proposal to use the Kirsova 1 Playground to access the site is not supported on the basis there is insufficient infrastructure in the park (see discussion above).
- (ii) Overlooking of the playground is addressed by the provision of external privacy screens to the north facing windows of boarding rooms.
- (iii) Antisocial behaviour will be moderated by the application of an approved plan of management.

Visual and acoustic privacy impacts, plan of management

- (a) Higher levels will be able to overlook the open space and living rooms of dwellings at 1A-1F Goddard Street;
- (b) The ground level communal living room and terrace will result in noise impacts for dwellings and the playground;
- (c) The Plan of Management imply that the owner/developer anticipates problems in relation to residents making noise, drinking and drug use;
- (d) The POM contains a clause that the POM may be altered with Council approval without the requirement for an application to Council to vary the conditions of consent. This would make it possible for the owner to reduce the minimum rental agreements to less than 3 months making the residence even more transient in nature.

Response

- (i) amended drawings have been submitted to address the issues of visual and acoustic privacy. Privacy screens are provided and external living areas have been relocated to the western side of the building from the northern side where they impact neighbouring dwellings;
- (ii) conditions are recommended that the approved plan of management is to be adhered to and that the minimum terms for a lease will be 3 months. It would not be possible for the managers of the property to dilute the terms of the plan of management without Council approval.

Tree and landscape issues

- (a) It is unclear whether the proposal will impact on existing trees located within the children's playground.
- (b) Limited green space is provided within the site.

Response

- (i) Council's tree management specialists have provided conditions of consent and are satisfied that minimal tree pruning will be required. The quantum of communal open space is acceptable noting canopy trees can be accommodated and that a landscape plan must be prepared prior to the issue of a construction certificate.

Construction impacts and compliance with building regulations

- (a) The construction management plan has been prepared by an architect rather than a professional builder. A construction traffic management plan has not been lodged with Council.
- (b) The proposal is a four floor walk up with no lift. There is no fire escape shown in the plans, only a central staircase.
- (c) Once the existing northern warehouse wall is removed, the rear courtyard at 1F Goddard Street will be exposed.

Response

- (i) A condition is recommended requiring the submission of a construction traffic management plan prior to construction commencing;
- (ii) conditions are recommended to mitigate impacts for neighbouring properties. The proposal is capable of complying with the NCC, noting a lift is not required to comply; and
- (iii) A condition is recommended that the 1.8m high northern side boundary fence is to be solid where it shares a boundary with 1F Goddard Street to the north.

Public Interest

99. It is considered that the proposal will have no detrimental effect on the public interest, subject to appropriate conditions being proposed.

S7.11 Contribution

100. The development is subject of a S7.11 contribution under the provisions of the City of Sydney Development Contributions Plan 2015. This contribution is calculated on the basis of the development's net increase in 34 rooms (noting the deferred commencement approval recommends reducing the number of rooms).
101. Credits have been applied for the most recent past use of the site as a warehouse used for general industry. A floor area of 501sqm has been used (from the survey) for calculations given existing floor plans have not been provided by the applicant.
102. The following monetary contribution is required towards the cost of public amenities:
- | | |
|---------------------------|--------------|
| (a) Open Space | \$266,154.90 |
| (b) Community Facilities | \$53,589.58 |
| (c) Traffic and Transport | \$53,866.68 |
| (d) Stormwater Drainage | \$21,300.68 |
| Total | \$394,911.84 |

Relevant Legislation

103. Environmental Planning and Assessment Act 1979.

Conclusion

104. The application seeks approval for the demolition of a post-war warehouse and for the construction of a 4 storey contemporary boarding house that is not located within a conservation area.
105. The applicant has submitted 2 written requests, pursuant to Clause 4.6 of SLEP2012, to vary development standards relating to the height of buildings by clause 4.3 of SLEP2012 and the motorbike parking provisions specified by the ARHSEPP2009. The requests to vary the development standards are supported.

106. The proposal has been amended to address a number of issues identified by Council's assessing officers during the assessment of the application. These issues relate to internal amenity for occupants and to the amenity of existing and future residential development on neighbouring sites. The proposal has also been amended in relation to its materiality, and will be in keeping with the character of the streetscape and the Ashmore Neighbourhood.
107. The proposal has a building envelope that is appropriate with consideration for the permissible floor space ratio and is set back at its upper level such that its upper level be not be visually dominating over the streetscape and neighbouring properties.
108. It is recommended that a deferred commencement consent be granted to allow for further refinement of the drawings, such that rooms 001 and 002 are consolidated to provide an additional adaptable room and additional bicycle parking spaces.

GRAHAM JAHN, AM

Director City Planning, Development and Transport

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