

Item 3.**Development Application: 59-99 Belmont Street, Alexandria - D/2019/1249**

File No.: D/2019/1249

Summary

Date of Submission:	7 November 2019 Amended plans and information submitted 10 June 2020, 23 July 2020 and 24 August 2020
Applicant:	Aqualand Belmont Development Pty Ltd
Architect/Designer:	PBD Architects
Developer:	Aqualand
Owner:	Aqualand Belmont Development Pty Ltd
Cost of Works:	\$17,263,309
Zoning:	The site is in the B4 mixed use zone. Residential accommodation is permitted within consent.
Proposal Summary:	<p>The development application seeks consent for the substantial demolition of the existing building, site remediation and the construction of a 4-storey residential flat building containing 19 apartments and 4 terraces, with basement parking for 27 vehicles.</p> <p>The application is referred to the Local Planning Panel as the development is subject to State Environmental Planning Policy 65 - Design Quality of Residential Apartment Development (SEPP 65) and is subject of a voluntary planning agreement (VPA).</p> <p>The proposed development is also integrated development under the Water Management Act 2000.</p>

The site is located in the Green Square locality. The application is also accompanied by a public benefit offer to dedicate and embellish a 1.6m wide strip of land. This land is located on the eastern part of the site and will be used to widen the existing through site link which runs adjacent to Alexandria Park Community School connecting Buckland Street and Belmont Street. The public benefit offer also includes a monetary contribution towards community infrastructure.

A VPA has been drafted and was publicly notified for 28 days between 20 July and 22 August 2020. No submissions were received.

A deferred commencement condition is recommended which requires the VPA to be executed, the monetary contribution paid and the planning agreement registered on title, prior to the consent becoming operative.

The development was amended during the assessment.

The main changes included relocating the driveway entry to retain the existing paperbark tree on Belmont Street, reorientating the terraces so that they face the existing through site link rather than Belmont Street, and reducing the height so that the development complies with the 15m height standard.

The development was publicly notified on two occasions. The first notification related to the original proposal and was notified for 28 days between 22 November and 21 December 2019. There were 21 submissions received.

The second notification relating to the amended proposal and was notified for 14 days between 24 June and 9 July 2020. There were 10 submissions received.

The key issues raised in submissions include concerns with the density of the development, privacy impacts, apartment typology, traffic impacts and construction impacts.

The proposed development is compliant with the floor space ratio (FSR) and height standards under Sydney Local Environmental Plan 2012 (Sydney LEP 2012). The development is generally compliant with the Apartment Design Guide (ADG), including 78% of the development (that being 18 out of 23 apartments) being naturally cross ventilated and achieving compliance with the solar access provisions. The development is considered to provide acceptable amenity for future residents and acceptable amenity impacts on neighbouring developments.

Subject to the implementation of conditions as detailed in the report and Attachment A, it is considered that the proposed development is acceptable and generally compliant with the planning controls for the site.

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

Development Controls:

- (i) Environmental Planning and Assessment Act 1979
- (ii) Water Management Act NSW 2000
- (iii) Sydney Water Act 1994 No 88
- (iv) Environmental Planning and Assessment Regulation 2000
- (v) State Environmental Planning Policy No 55 - Remediation of Land
- (vi) State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004
- (vii) State Environmental Planning Policy (Infrastructure) 2007
- (viii) State Environmental Planning Policy No 65 - Design Quality of Residential Apartment Development
- (ix) Sydney Local Environmental Plan 2012
- (x) Sydney Development Control Plan 2012
- (xi) City of Sydney Development Contributions Plan 2012
- (xii) Green Square Affordable Housing Program

Attachments:

- A. Recommended Conditions of Consent
- B. Selected Drawings
- C. Public Benefit Offer
- D. Draft Voluntary Planning Agreement

Recommendation

It is resolved that pursuant to Section 4.16(3) of the Environmental Planning and Assessment Act 1979, a deferred commencement consent be granted to Development Application No. D/2019/1249 subject to the conditions set out in Attachment A to the subject report.

Reasons for Recommendation

The application is recommended for approval for the following reasons:

- (A) The development complies with the objectives of the B4 mixed use zone pursuant to Sydney Local Environmental Plan 2012.
- (B) The development is consistent with the permitted height and floor space ratio pursuant to clauses 4.3, 4.4 and 6.21 of Sydney Local Environmental Plan 2012.
- (C) The development demonstrates design excellence as per clause 6.21 of Sydney Local Environmental Plan 2012.
- (D) The development meets the objectives of the Apartment Design Guide and is consistent with the design quality principles as per the State Environmental Planning Policy No 65 - Design Quality of Residential Apartments.
- (E) The development is consistent with the objectives of the Sydney Development Control Plan 2012.
- (F) The development facilitates the improvement of the public domain. It includes the dedication and embellishment of land along the eastern side of the site to widen the existing through site link. The development also retains all street trees.

Background

The Site and Surrounding Development

1. A site visit was carried out by staff on 28 January 2020.
2. The site is legally defined as lots 1 to 5 in deposited plan 23212 and lot 1 in deposited plan 84566. It is approximately 1883m² in area. The site is 'L shaped' with a 53-metre frontage to Belmont Street and a 21.5-metre frontage to an existing through site link which connects Belmont Street and Buckland Street.
3. The site is located east of Mitchell Road, and west of Alexandria Park Community School. This section of Belmont Street forms a cul-de-sac at its eastern end and abuts the entrance to Alexandria Park School. An existing warehouse building is located on the west of the site, and vacant lots are located to the east.
4. Surrounding land uses are predominately residential, with an existing industrial and warehouse use on the opposite side of Belmont Street. There are terrace houses located east, north and west of the site. These are detailed in figure 1 below.
5. There are four (4) existing street trees on Belmont Street which will be retained, while there are no existing trees on the site.
6. The site is not a heritage item and is not located in a heritage conversation area. The warehouse building on the site does contain a gambrel roof. The development proposes to retain the front facade and one bay of the gambrel roof and structure.
7. Photos of the site and surrounds are provided below:



Figure 1: Aerial image of subject site and surrounding area. The through site link is shown in the blue arrow.



Figure 2: Photo of existing building from Belmont Street



Figure 3: Photo of vacant part of site from Belmont Street. Blade boundary wall in background is the southern end of 92 Buckland Street.



Figure 4: Photo looking south west along Belmont Street towards Fountain Street. The eastern existing driveway will be retained and utilised as part of this development.



Figure 5: Photo looking north from Belmont Street at terrace style residential development at 101-103 Belmont Street & 100-102 Buckland Street, Alexandria. The subject development adjoins this development on its western and part of its northern boundary.



Figure 6: Photo looking north west from Belmont Street at residential development at 101-103 Belmont Street & 100-102 Buckland Street, Alexandria.



Figure 7: Photo looking south west from Belmont Street at existing industrial warehouse buildings at 62-70 Belmont Street.



Figure 8: Photo looking south east from Belmont Street at residential development at 46-58 Belmont Street, Alexandria



Figure 9: Photo looking east from Belmont Street at Alexandria Park Community School. This school is undergoing redevelopment to add a learning space, a new administration area, new hall, new library, new gym, sports courts and outdoor spaces.



Figure 10: Photo looking north along existing through site link between the subject site and Alexandria Park Community School. A 1.6 metre strip of land from the subject site is being dedicated to widen this existing through site link and align with the width at the northern end of the link.

Proposal

8. The amended application seeks consent for demolition of the existing warehouse building, other than the front facade and one structural bay. The below image shows the part of the existing building which are being demolished in red, and the front elements of the building which are being retained.

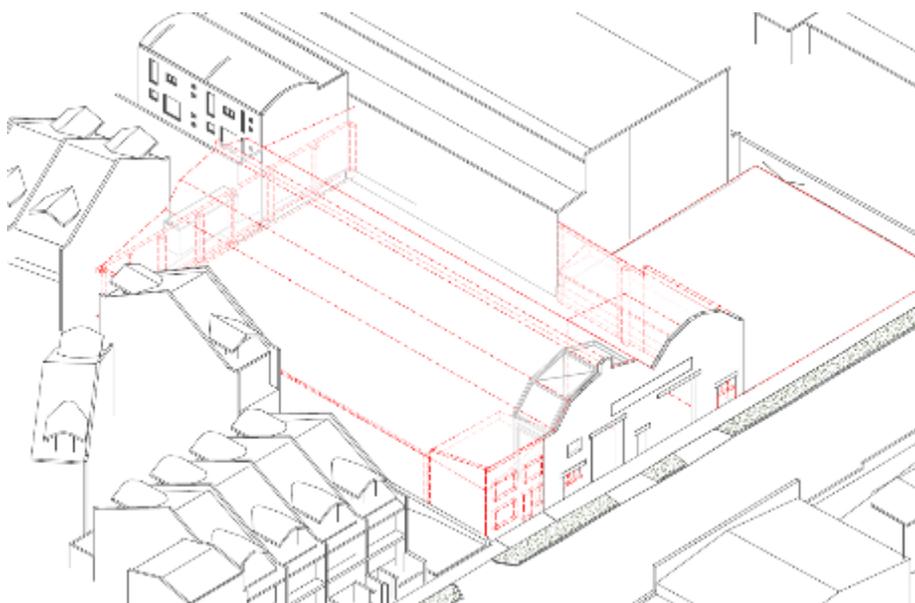


Figure 11: 3D drawing showing proposed demolition and elements to be retained

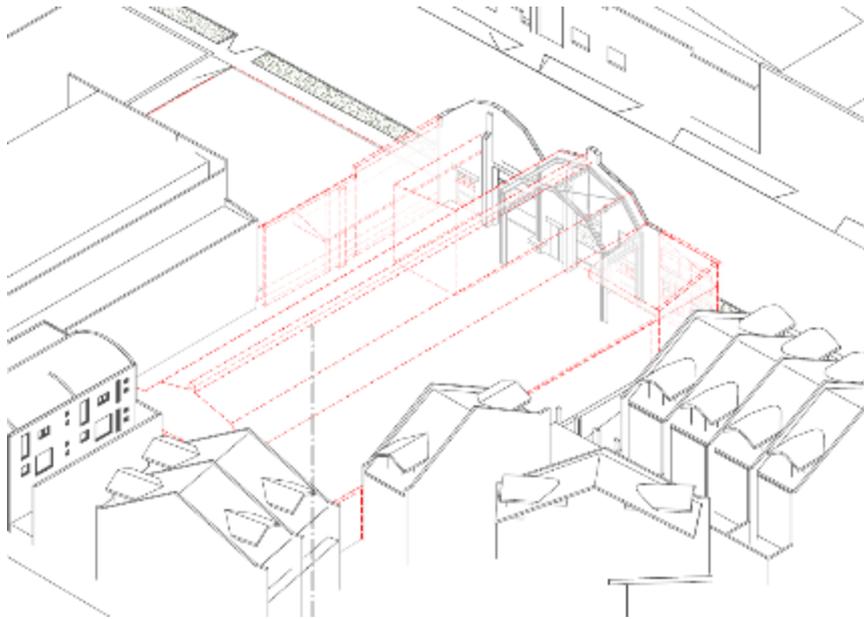


Figure 12: 3D drawing showing proposed demolition and elements to be retained

9. The amended application seeks consent for the construction of a 4-storey residential flat building (RFB) containing 19 apartments and four (4) terraces, with a combined basement underneath.
10. The mix of apartments include four (4) x two-bedroom apartments, 15 x three-bedroom apartments and three (3) x three (3) bedroom terraces.
11. The basement is accessed through the existing eastern access point. It allows for one-way vehicle movement in and out of the basement. Waste collection will occur from the street, with the bin storage room located adjacent to the driveway entry. The basement contains 25 residential spaces (including two tandem spaces), 2 visitors' parking spaces, 3 motorbike spaces, and 23 residential bike parking spaces.
12. The ground floor of the RFB contains five (5) apartments, including three (3) x two (2) storey apartments. Communal open space is located in the north east corner of the site and is accessed through the ground floor lobby. Deep soil is located at the northern portion of the site. The ground floor also contains 3 visitor bike parking spaces.
13. Level 1 of the RFB contains two two-bedroom apartments, including the upper level of the three (3) x (2) storey apartments. Levels 2 and 3 contain five apartments per floor. The five (5) apartments on level 3 have internal access to private open space areas on the roof.
14. The four (4) terraces front the existing through site link, matching the orientation of the development to the north at 92 Buckland Street. These terraces contain front and rear gardens and have internal access to the basement. They are three (3) storeys in height and have internally accessed roof terraces.

15. Site remediation is also proposed as part of this development application. A Remedial Action Plan (RAP), reference 57293-125370, revision 3, prepared by JBS&G and dated 21 July 2020 and interim letter of advice, reference S17725_003_1AA, prepared by NSW EPA accredited site auditor Melissa Porter and dated 12 August 2020 were submitted to demonstrate that the site can be remediated and made suitable for the proposed development.
16. Staging of the development is also requested. Three (3) stages are requested including demolition and excavation, structural works including construction of the building and finishes, facades and landscaping works.
17. The development application was also accompanied by a public benefit offer. The public benefit offer includes a \$425,146.50 monetary contribution to community infrastructure in Green Square. It also includes the dedication and embellishment of a 1.6 metre wide parcel of land along the eastern part of the site to widen the existing through site link, which has a value of \$6,897.60 for the land and \$12,484.65 for the embellishment works.
18. A voluntary planning agreement (VPA) has been drafted and publicly exhibited for 28 days. No submissions were received. The application is recommended for deferred commencement approval to allow the VPA to be executed, payment of the monetary contribution and registration on title.
19. Plans of the proposed development are provided below.



Figure 13: Photomontage of proposed development from Belmont Street



Figure 14: Photomontage of proposed development viewed from eastern end of Belmont Street

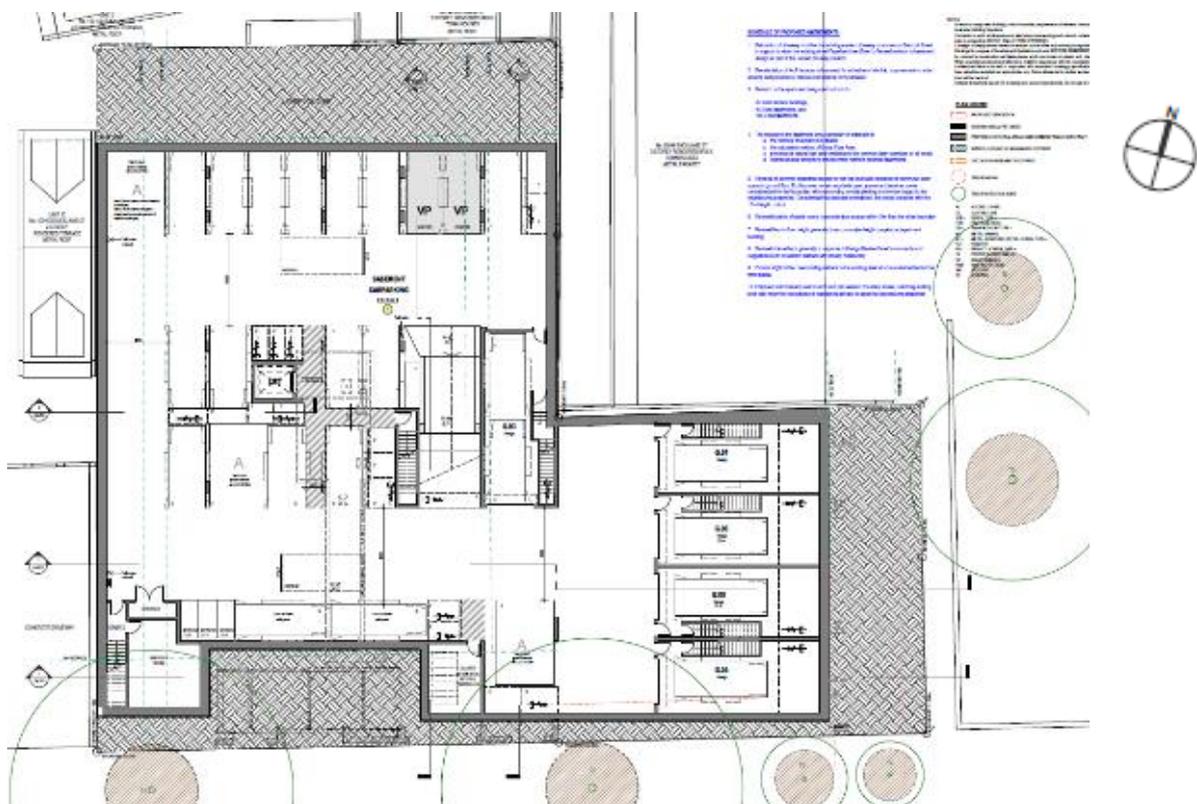


Figure 15: Proposed basement plan

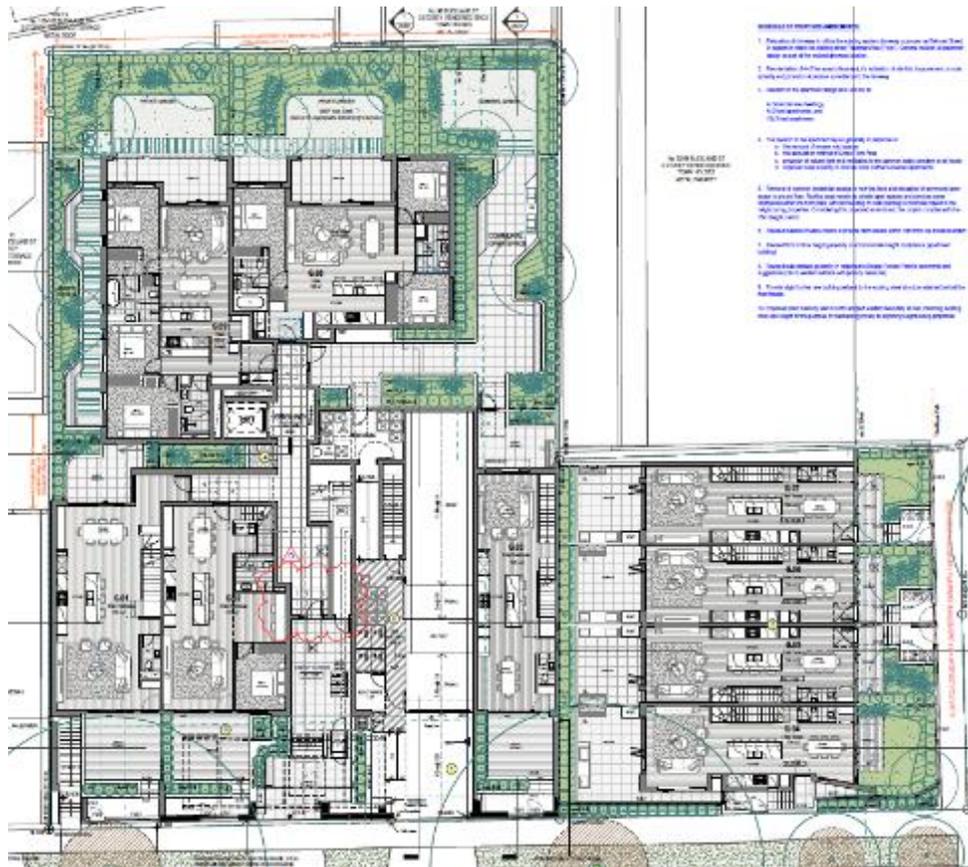


Figure 16: Proposed ground floor plan

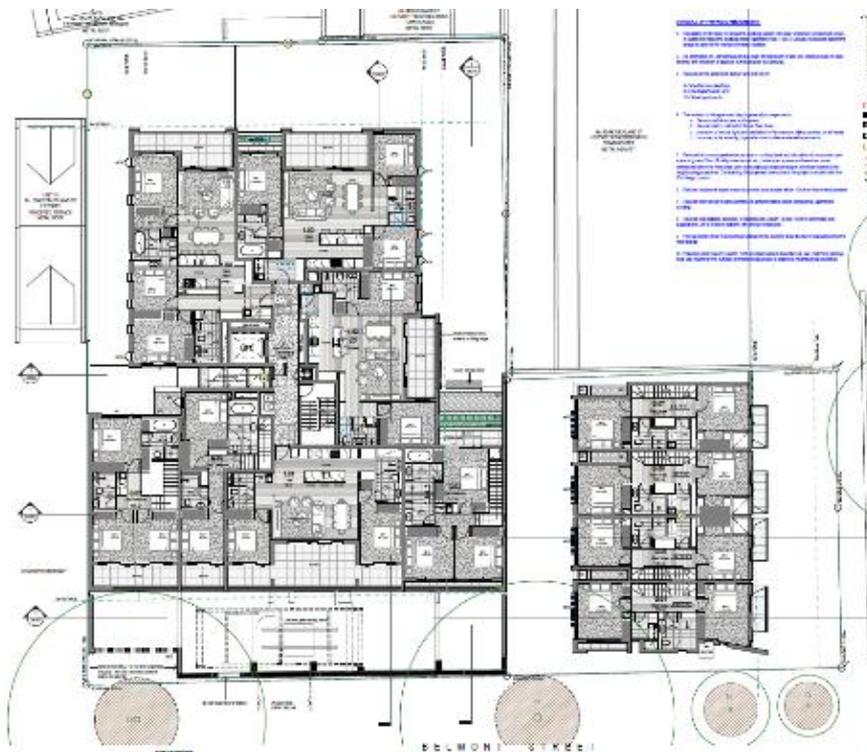


Figure 17: Proposed level 1 plan



Figure 18: Proposed level 2 plan

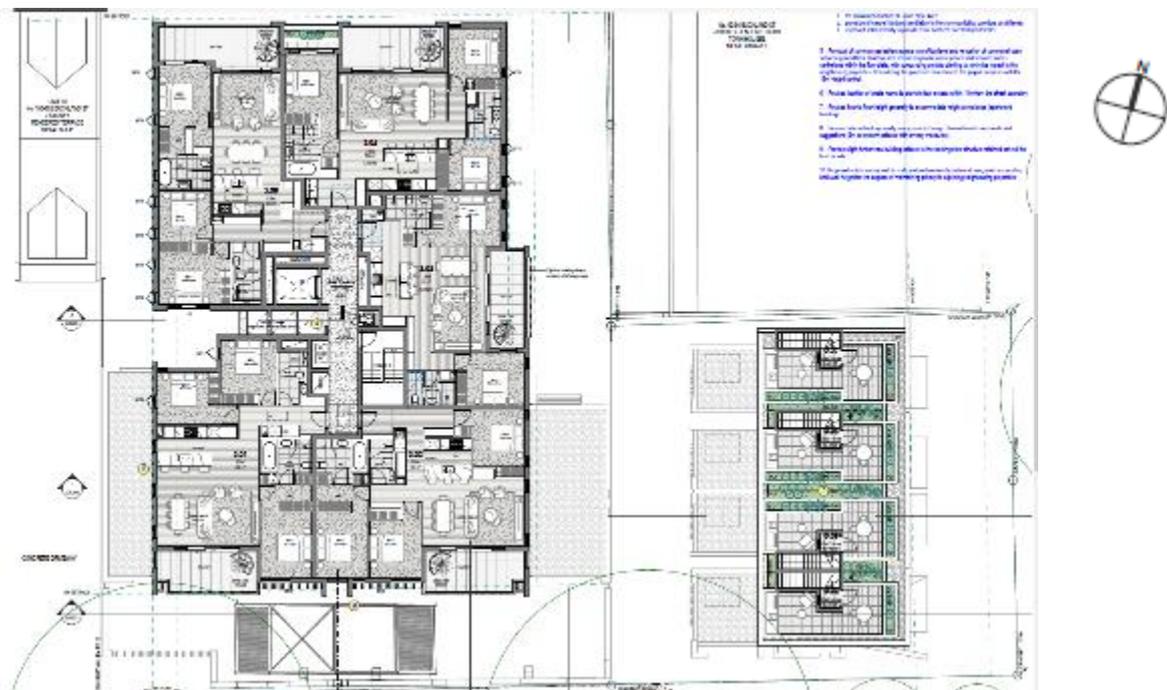


Figure 19: Proposed level 3 plan

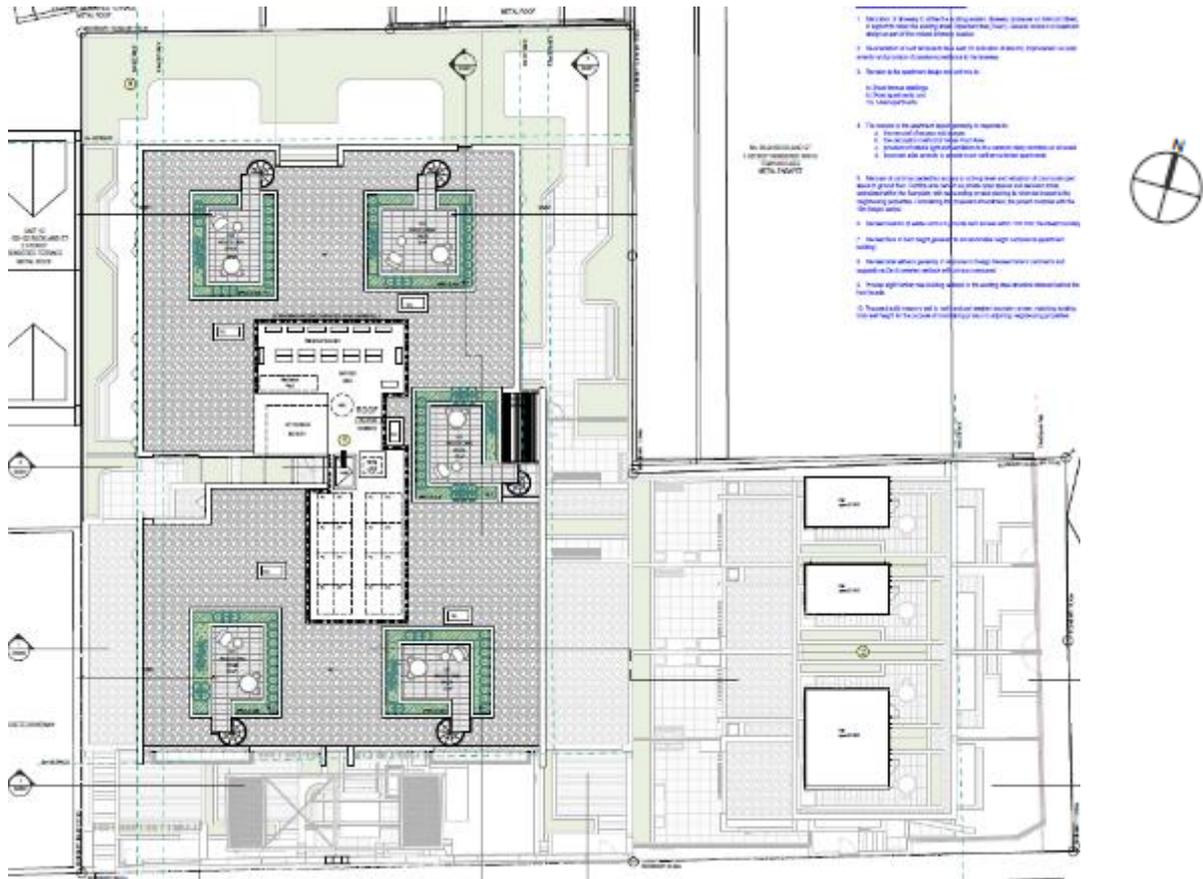


Figure 20: Proposed roof plan

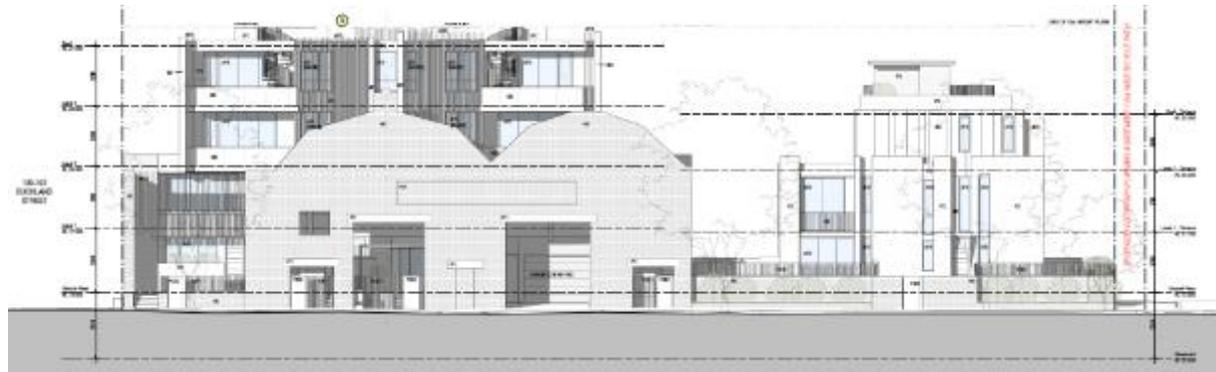


Figure 21: Belmont Street (southern) elevation



Figure 22: Through site link (eastern) elevation



Figure 23: Internal western elevation of terraces



Figure 24: Internal eastern elevation RFB

Economic/Social/Environmental Impacts

22. The application has been assessed under Section 4.15 of the Environmental Planning and Assessment Act 1979, including consideration of the following matters:

- (a) Environmental Planning Instruments and DCPs.

Water Management Act 2000

23. The proposed development is integrated development under the Environmental Planning and Assessment Act 1979. This is because the development will likely encounter groundwater during the excavation process, and therefore is required to obtain a Water Supply approval under the Water Management Act 2000.

24. As such, the application and submissions were sent to Water NSW, who provided General Terms of Approval (GTAs) on 3 February 2020. The amended plans and submissions were sent to Water NSW and no change was made to the GTAs. The GTAs are included at Schedule 3 of the Notice of Determination, at Attachment A.

Sydney Water Act 1994

25. In accordance with section 78 of the Sydney Water Act 1994, the application was referred to Sydney Water. This is because the development may increase the demand for water supplied by Sydney Water Corporation. A response was received, and conditions are recommended at Attachment A.

State Environmental Planning Policy No 55—Remediation of Land

26. 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.

27. The site has been used for industrial/commercial purposes since the 1930s. As per the submitted RAP, the site contains underground storage tanks and fill material is impacted by heavy metals, polycyclic aromatic hydrocarbons (PAHs) and asbestos in soils. The groundwater may also be contaminated.

28. The proposed remediation for the site includes:

- (a) Decommissioning and removal of the underground storage tanks and associated infrastructure, tank backfill, and any further petroleum impacted soils.
- (b) Materials within the basement footprint (and within the deep soil planting zones at some locations) will be excavated and disposed offsite.
- (c) Land to be dedicated to the City (being the 1.6metre strip of land along the eastern boundary) will be subject to further characterisation demonstrating residual soils are suitable for the proposed land use or remediated via excavation and offsite disposal. This portion of the site is not to be encumbered by an environmental management plan (EMP).
- (d) Materials external to the basement footprint (excluding land to be dedicated to Council) will be managed under a cap and contain strategy, unless soil data collected as part of the validation works indicates materials are suitable for the proposed land uses.

29. The RAP and interim letter of advice conclude that the site can be made suitable for the proposed development.

30. A condition is recommended which requires that any long-term management plan be passive and must not include any requirement for ongoing management or reporting. This LEMPT must be approved and added to the consent via a section 4.55(2) modification prior to construction certificate associated with the built form of the development (excluding building work directly related to remediation).
31. A condition is also recommended to ensure that the depth of the cap and contain strategy will need to be married with the requirements for deep soil planting. It is recommended that this be incorporated into conditions of consent.

State Environmental Planning Policy (Infrastructure) 2007

32. The provisions of SEPP (Infrastructure) 2007 have been considered in the assessment of the development application.
33. The application was referred to Ausgrid, pursuant to clause 45 (Subdivision 2 Development likely to affect an electricity transmission or distribution network). No response from Ausgrid was received.

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

34. SEPP 65 applies to this application. It requires that in determining an application for an RFB, the consent authority take into consideration advice from a design review panel, the design quality, including the 9 design principles, and the ADG.

Design Advisory Panel Residential Subcommittee

35. The design advisory panel residential subcommittee (DAPRS) were presented with application, as it was originally lodged, on 4 February 2020.
36. The issues raised by the DAPRS have been largely resolved by the submission of the amended plans. The key issues raised and amendments in response include the following:
 - (a) The original driveway location necessitated the removal of a street tree. The amended plans have relocated the driveway entry and basement ramp to rely on an existing crossover and the street tree is able to be retained as part of this development.
 - (b) The layout of the townhouses do not optimise solar access or activate the through site link. These have been reorientated to face the through site link.

Design Quality Principles

37. The development has been designed by PBD Architects and a design verification statement has been prepared and submitted by Paul Buljevic, who is the registered architect for the project. This statement verifies that the development has met the SEPP 65 design quality principles. Compliance with these principles are discussed below.

(a) **Principle 1: Context and Neighbourhood Character**

The development, as proposed, is suitable for its context and surrounding neighbourhood character. It meets the desired future character as expressed in the Sydney DCP 2012 for the Alexandria Park Locality. The development retains the significant street trees which contribute to the greenery and setting of Belmont Street. The proposal retains the gambrel roof and facade of the existing warehouse building and retains a minimum 6 metre setback from this existing facade. The development provides adequate setbacks to all boundaries with adjoining properties, and the terraces activate the adjoining through site link between the school and the subject development. The development supports the move from employment to residential land uses.

(b) **Principle 2: Built Form and Scale**

The height, massing and setbacks of the proposed building result in a development that is of a suitable bulk and scale. The development retains the existing front façade, and appropriately aligns the new buildings so that they achieve appropriate setbacks from neighbouring buildings, while providing good internal amenity.

(c) **Principle 3 & 6: Density and Amenity**

The development provides for a good level of amenity. There are some minor non-compliances with the separation distances noted, but these are considered acceptable as the building aligns with neighbouring blank wall conditions. All apartments exceed the minimum size and minimum dimension requirements, and the development exceeds the minimum compliance requirements for solar access and natural cross ventilation. Overall, the proposed density is considered suitable for this site.

(d) **Principle 4 & 5: Sustainability and Landscape**

As above, the development exceeds the minimum compliance standards for solar access and natural cross ventilation. The development also provides 10%, or 3% above the ADG requirement for deep soil, which provides opportunities for vegetation. An inaccessible and extensive green roof is also recommended to increase the greening of the site.

(e) **Principle 7: Safety**

The development provides for good passive surveillance of Belmont Street and the existing through site link to the east of the site. The communal open space is easily accessible, clearly defined and visible to optimise safety.

(f) **Principle 8:** Housing Diversity and Social Interaction

The development only provides for two (2) and three (3) bedroom dwellings. However, it provides a range of different sized dwellings, with terrace dwellings and large ground floor apartments being provided. While no studio and one (1) bedroom apartments are proposed, the development does provide for larger families, which is considered positive given the proximity of the site to Alexandria Park Community School.

(g) **Principle 9:** Aesthetics

The development retains the existing front facade and gambrel roof. This is considered positive, and the proposed materials respond appropriately to this feature. The size, portion and massing of the development is also considered appropriate.

Apartment Design Guide

38. The apartments proposed as part of the development are considered generally acceptable when assessed against the SEPP including the above stated principles and the associated Apartment Design Guide (ADG). These controls are generally replicated in the Sydney DCP 2012. Compliance against the ADG is detailed below.

3D Communal and Public Open Space	Compliance	Comment
Communal open space has a minimum area equal to 25% of the site.	No	13% of the site (being the land on which the RFB sits) provides for communal open space. When balanced against the design outcomes achieved by the development this is considered acceptable. This is discussed in the issues section below.
Developments achieve a minimum of 50% direct sunlight to the principal usable part of the communal open space for a minimum of two (2) hours between 9am and 3pm on 21 June (midwinter).	Yes	

3E Deep Soil Zones	Compliance	Comment
Deep soil zones are to have a minimum area equivalent to 7% of the site and have a minimum dimension of 6m	Yes	The Sydney DCP controls prevail over the ADG in relation to deep soil. Nonetheless, the development provides for 10% of the total site for deep soil, with a minimum dimension of 6m. In locations that add amenity to the site including in between the terraces and the existing through site link and at the rear of the site between the building and northern site boundary.

2F Building separation 3F Visual Privacy	Compliance	Comment
Up to four storeys (12 metres): <ul style="list-style-type: none"> • 6m between habitable rooms / balconies • 3m between non-habitable rooms 	Partial compliance	The development provides for generally compliant setbacks on all boundaries. Non-compliances are noted on the western boundary, where a 3 metre setback is provided for part of the building. An area of private open space is also provided with a 4.5m setback on the eastern side of the apartment building. This is discussed further in the issues section below.

4A Solar and Daylight Access	Compliance	Comment
70% of units to receive a minimum of 2 hours of direct sunlight in midwinter to living rooms and private open spaces.	Yes	78% (or 18 out of 23) of the development receives solar access. If the terraces were excluded from the calculation, 74% (or 14 out of 19) apartments achieve solar access.
Maximum of 15% of apartments in a building receive no direct sunlight between 9am and 3pm at midwinter.	Yes	Only 9% of the development (2 out of 23) apartments do not receive solar access. If the terraces were excluded 10.5% (2 out of 19) would not receive solar access.

4B Natural Ventilation	Compliance	Comment
All habitable rooms are naturally ventilated.	Yes	All habitable windows have access to light and air.
Minimum 60% of apartments in the first nine (9) storeys of the building are naturally cross ventilated.	Yes	78% of the development (18 out of 23) are naturally cross ventilated. If the terraces were excluded, 74% (or 14 out of 19) apartments are naturally cross ventilated.

4B Natural Ventilation	Compliance	Comment
Overall depth of a cross-over or cross-through apartment does not exceed 18m, measured glass line to glass line.	Yes	No apartments exceed a depth of 18 metres.

4C Ceiling Heights	Compliance	Comment
Habitable rooms: 2.7m	Yes	<p>The ground and first floor apartments have a floor to ceiling height of 3 metres. Level 2 and level 3 have floor to ceiling heights of 2.9 metres.</p> <p>Levels 1 and 2 of the terraces have floor to ceiling heights of 2.9 metres, and the upper level has a floor to ceiling height of 2.7 metres.</p>

4D Apartment Size and Layout	Compliance	Comment
Minimum unit sizes: <ul style="list-style-type: none"> • 2 bed: 70m² • 3 bed: 90m² 	Yes	The development exceeds the minimum size for all units.
8m maximum depth for open plan layouts.	Yes	The maximum depth for open plan layouts is 8m.
Minimum area for bedrooms (excluding wardrobes): <ul style="list-style-type: none"> • master bedroom: 10m² • all other bedrooms: 9m² Minimum dimension of any bedroom is 3m (excluding wardrobes).	Yes	The rooms all meet or exceed the minimum dimensions.

4D Apartment Size and Layout	Compliance	Comment
<p>Living and living/dining rooms minimum widths:</p> <ul style="list-style-type: none"> Two-bedroom or more: 4m <p>4m minimum width for cross over and cross through apartments.</p>	Yes	The living room layouts all meet or exceed 4m.

4E Private Open Space and Balconies	Compliance	Comment
<p>Two bed apartments are to have a minimum balcony area of 10m² with a minimum depth of 2m.</p> <p>Three bed apartments are to have a minimum balcony area of 12m² with a minimum depth of 2.4m.</p>	Yes	All apartments meet or exceed the minimum dimension and size requirements for private open space.
<p>Private open space for apartments on ground level, on a podium, or similar, must have a minimum area of 15m² and a minimum depth of 3m.</p>	Yes	All ground floor apartments have private open spaces that exceed 15m ² and minimum dimension.

4F Common Circulation and Spaces	Compliance	Comment
<p>The maximum number of apartments off a circulation core on a single level is eight (8).</p>	Yes	There are between 3 and 5 apartments off the core.
<p>Primary living room or bedroom windows should not open directly onto common circulation spaces, whether open or enclosed. Visual and acoustic privacy from common circulation spaces to any other rooms should be carefully controlled.</p>	Yes	Bedroom 3 in apartment G0.8 has a highlight window which fronts the common open space area. A condition is recommended to flip this window so that it adjoins trafficable part of the communal open space, as opposed to the BBQ area.
<p>Daylight and natural ventilation are provided to all common circulation spaces.</p>	Yes	All corridors have access to light and air.

4G Storage	Compliance	Comment
Minimum storage provision facilities: <ul style="list-style-type: none"> • 2 bed: 8m³ • 3 bed: 10m³ (Minimum 50% storage area located within unit)	Yes	The development meets or exceeds the minimum storage requirements.

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

39. The BASIX Certificate has been submitted with the development application.
40. 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.

Sydney Local Environmental Plan 2012

41. The site is located within the B4 mixed use zone. The proposed use is defined as residential accommodation and is permissible with consent.
42. 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	Yes	A maximum height of 15 metres is permitted. A height of 15 metres is proposed.
4.4 Floor Space Ratio 6.14 Community infrastructure floor space at Green Square	Yes	An FSR of 1:1 is permitted for the site, as per clause 4.4 of Sydney LEP 2012. An additional bonus 0.5:1 FSR is permitted pursuant to clause 6.14 of Sydney LEP 2012. This additional FSR is available as a public benefit offer was submitted proposing to provide community infrastructure for Green Square. This includes: <ul style="list-style-type: none"> • a monetary contribution to Green Square, and

Development Control	Compliance	Comment
		<ul style="list-style-type: none"> a 1.6 metre wide strip of land along the eastern boundary, which will be embellished and dedicated to the City. <p>This land will be used to create a wider through site link between the subject site and Alexandria Park Community School connecting Belmont Street and Buckland Street. This is captured by a VPA. A deferred commencement consent is recommended which requires the VPA to be executed, monies paid and registered on title prior to the consent becoming operative.</p> <p>Overall an FSR of 1.5:1 is permitted. A FSR of 1.5:1 (or gross floor area of 2824m²) is proposed.</p>
5.3 Development near zone boundaries	Yes	The subject site is located next to the SP2 infrastructure zone, that being land used for Alexandria Park Community School. The subject development is not inconsistent with the objective of the SP2 zones or the B4 mixed use zone. The development of residential accommodation next to a school is considered to be a desirable outcome.
5.10 Heritage conservation	Not applicable	While the existing warehouse on the site is not a heritage item or in a heritage conservation area, the development will retain significant fabric, that being the gambrel roof. Conditions are also recommended as part of this consent.
6.21 Design excellence	Yes	The subject development demonstrates design excellence and satisfies clause 6.21(4) of Sydney LEP 2012. The development will improve the quality of the public domain by dedicating land to facilitate the widening of the existing through site link. The proposed terraces front the through site link creating passive surveillance and activation of this space.

Development Control	Compliance	Comment
		<p>The height, massing and modulation of the building are appropriate given the existing and future character of the surrounding context. The terraces also align with height and form of the terraces at 92 Buckland Street.</p> <p>The development has been well designed to overcome environmental impacts, including achieving compliance with solar access and natural cross ventilation requirements.</p> <p>The development retains all street trees and provides for 10% of the site area as deep soil. Subject to conditions relating to landscaping, landscaping will be suitably integrated into the development.</p>
7.5 Car parking - residential flat buildings, dual occupancies and multi-dwelling housing	Yes	A maximum of 26 residential spaces and 5 visitor spaces are permitted by the Sydney LEP 2012. There are 25 residential spaces proposed and 2 visitor spaces proposed.
7.13 Contribution for purpose of affordable housing	Yes	The development is subject to an affordable housing contribution. This is discussed below under the heading 'contributions.'
7.15 Flood planning	Yes	The subject site is flood affected. A flood risk management plan has been submitted which includes a flood planning level. The development drawings match with the recommended flood planning levels.
7.16 Airspace operations	Not applicable	The subject development will be less than 15.24m above the existing ground level and therefore does not penetrate the Civil Aviation Safety Authority height. It also sits beneath the obstacle limitation surface for Sydney Airport.
7.19 Demolition must not result in long term adverse visual impact	Yes	While demolition is proposed as part of this application, the site will be comprehensively redeveloped as part of this consent.

Sydney Development Control Plan 2012

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

2. Locality Statements – Alexandria Park

The subject site is in the Alexandria Park locality. The proposed development retains the tree lined street, provides public domain improvements to the existing link between Belmont Street and Buckland Street and will contribute to the transition of the area from employment-based uses to residential land uses.

3. General Provisions	Compliance	Comment
3.1.2 Pedestrian and bike network	Yes	The proposed development will make a positive contribution to the public domain. A 1.6m strip of land along the eastern boundary of the site is being dedicated to the Council to enable the existing through site link to be widened. This will mean that the new property boundary will align with the neighbouring development at 92 Buckland Street.
3.2.2 Addressing the street and public domain	Yes	Terraces are orientated toward the widened through site link. The design also creates a positive interface between the public domain and the ground floor residential uses. This is discussed in more detail under section 4.2.5.2 below.
3.5 Urban Ecology	Yes	The development retains the existing street trees. The development also provides 10% of the site area as deep soil. A condition is recommended to include an inaccessible green roof to contribute to the greening of the site.
3.6 Ecologically Sustainable Development	Yes	The proposal satisfies BASIX and environmental requirements. A condition is also recommended to provide an inaccessible green roof to contribute to the greening of the site.

3. General Provisions	Compliance	Comment
3.7 Water and Flood Management	Yes	The development is on flood prone land. A flooding and stormwater report have been submitted. The development adequately demonstrates how flooding and stormwater will be managed by this development.
3.8 Subdivision, Strata Subdivision and Consolidation	Yes	The proposal does not include subdivision. This will need to be addressed via a separate development application.
3.10 Significant Architectural Building Types	Not applicable	This clause applies to warehouse buildings that are heritage items, draft heritage items or within heritage conservation areas. Therefore, this clause does not apply to this development. Notwithstanding, the front facade and one structural bay is being retained. This allows the gambrel roof to be retained and is considered as a positive outcome.
3.11 Transport and Parking	Partial compliance	<p>While the quantum of parking is consistent with the Sydney LEP 2012, the mix of visitor and residential spaces are not proportionate as per clause 3.11.4(6) of the Sydney DCP 2012. A condition is recommended in this respect.</p> <p>The development will reduce the number of vehicular access points. One of the existing driveways is being retained and will provide one-way access for cars entering and exiting the site. The one-way access will need to be managed by residents on site. This is addressed in the traffic report and a condition is recommended requiring the traffic signal system and access arrangement to be designed the construction certificate stage.</p>

3. General Provisions	Compliance	Comment
		<p>The development itself will have a net traffic generation of 4 vehicle trips per hour in the AM peak, and 7 vehicle trips in the PM peak. The anticipated net traffic volumes equate to a single additional trip every 15 minutes during the AM peak and 8 minutes during the PM peak. The submitted traffic report concludes that the volumes are envisaged to have minimal impacts on the performance of the surrounding road network.</p> <p>The DCP requires 26 bike parking spaces to be provided. The development provides for a mix of 7 x class B bike parking spaces; 11 x class A bike parking spaces; 5 spaces within internal garages and 3 visitor spaces on the ground floor. This is deemed acceptable.</p> <p>The development does not provide a car share space, service vehicle space or accessible visitor parking space. This is because of the low number of car spaces proposed and size of the development. This is considered acceptable, on the basis that the quantum of visitor spaces increases as per clause 3.11.4(6) of the Sydney DCP 2012.</p>
3.12 Accessible Design	Yes	A condition has been recommended for the proposed development to provide appropriate access and facilities for persons with disabilities in accordance with the DCP and the BCA.
3.13 Social and Environmental Responsibilities	Yes	The proposed development provides adequate passive surveillance and is generally designed in accordance with the CPTED principles.
3.14 Waste	Yes	A waste management plan has been submitted with this development. It generally complies with the relevant provisions of the City of Sydney Guidelines for Waste Management in New Development. It is therefore recommended for approval.

4. Development Types 4.1 Single dwellings, terraces and dual occupancies 4.2 Residential flat, commercial and mixed use developments	Compliance	Comment
4.1.1 Building height 4.2.1 Building height	Yes	The proposed height is considered acceptable. The permitted height in storeys for the development is 4 storeys, and 4 storeys are proposed. The development exceeds the required floor to ceiling heights for residential accommodation.
4.1.2 Building setbacks 4.2.2 Building setbacks	Yes	On balance, the development provides adequate setbacks. This is discussed further in the issues section below.
4.1.3 Residential amenity 4.2.3 Amenity	Yes	The development provides adequate residential amenity for the future occupants of the building, and does not compromise the existing or future residential amenity of neighbouring properties.
4.2.3.1 Solar access	Yes	The development achieves adequate solar access. The development also does not reasonably overshadow any neighbouring properties. This is discussed in more detail in the issues section.
4.2.3.5 Landscaping	Subject to condition	Landscape plans have been submitted by require further refinement. Rooftop greening with inaccessible and extensive green roofs is also required. This is addressed by condition.

4. Development Types 4.1 Single dwellings, terraces and dual occupancies 4.2 Residential flat, commercial and mixed use developments	Compliance	Comment
4.2.3.6 Deep soil	Yes	<p>The development provides for a minimum 10% of the site (or 188m²) as deep soil. It is located at the northern part of the site between the building and the boundary and between the terraces and the through site link. The site is over 1,000m² and provides a minimum dimension of 6m. While the DCP requires a minimum dimension of 10m, the ADG only requires a minimum dimension of 6m. Given the deep soil is all located in one section and has an area of 6mx 30m, it is considered acceptable.</p>
4.2.5.4 Residential uses on the ground floor	Yes	<p>The terraces which front the through site link have a deep soil setback of between 4.4 and 4.7 metres. The floor level is also proposed to be 0.5 metre higher than the adjacent footpath. The dwellings also have individual entries from the street.</p> <p>The terraces which front Belmont Street are setback 6m from the retained building facade. They are approximately 1m taller than the adjacent footpath. The retained facade will also provide added privacy to units G.02 and G.03.</p>
4.2.6 Waste and Recycling Management	Yes	This is addressed under section 3.14 above.
4.2.7 Heating and Cooling Infrastructure	Yes	The heating and cooling infrastructure is centrally located on the roof and surrounded by parapet.

4. Development Types 4.1 Single dwellings, terraces and dual occupancies 4.2 Residential flat, commercial and mixed use developments	Compliance	Comment
4.2.8 Letterboxes	Yes	The letterboxes are proposed to be located adjacent to the entry, behind the parapet wall to be retained. A condition is recommended, as per the comments from Redfern Police that the letter boxes be located within the building with swipe card access.

5. Specific Areas - Green Square	Compliance	Comment
5.2.3 Community infrastructure	Yes	The development includes a VPA which includes land dedication and embellishment to the existing through site link and a monetary contribution towards community infrastructure.
5.2.4 Local infrastructure 5.2.5.2 Through site links	Yes	<p>The development will contribute to the improvement of local infrastructure by providing an additional 1.6m wide parcel of land to facilitate the widening of the existing through site link which connects Buckland Street and Belmont Street.</p> <p>The development also activates the existing through site link by orientating the terraces to front the link. This is consistent with the development to the north at 92 Buckland Street.</p>
5.2.7 Stormwater management and waterways	Yes	This is addressed under section 3.7 of Sydney DCP 2012.

5. Specific Areas - Green Square	Compliance	Comment
5.2.9 Building design	Yes	The development appropriately addresses Belmont Street and the existing through site link. The development retains part of the character of the existing building, while ensuring the new building provides adequate setbacks to adjoining properties. The relationship between the ground floor terraces and units is discussed above under section 4.2.5.4.
5.2.10 Setbacks	Yes	Setbacks are addressed below and above under section 4.2.5.4. The proposed setbacks are considered acceptable.

Issues

Communal open space

44. The subject development provides less than 25% of the site as communal open space. The area on which the terraces sit has been excluded from the site area for the purposes of calculating communal open space, as these terraces have their own front and rear gardens, and private open space on the roof, and will appear and function separate to the RFB.
45. Overall, the development provides for 13% of the residual site area as communal open space. It is in the north west corner of the site, and the southern part of this space gets sun from 11.30am to 1.30pm in midwinter. An excerpt from the landscape plan is shown below.

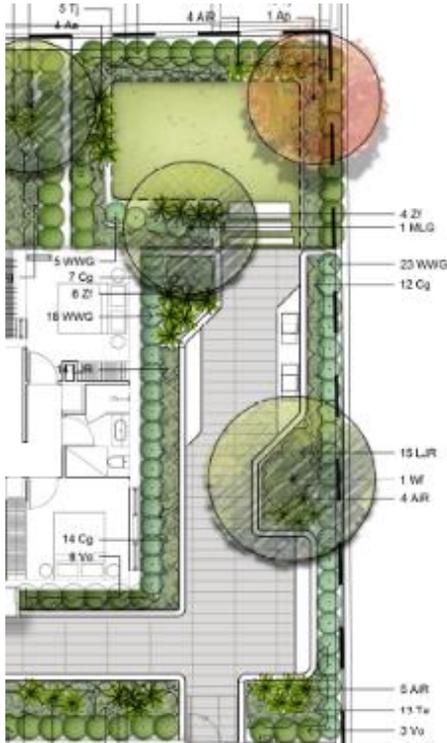


Figure 27: Proposed communal open space as per the landscape plan

46. Despite the numeric non-compliance, the communal open space is easily accessible, is co-located with the deep soil and allows good opportunities for landscaping. Although small, it does provide barbeque facilities, an area for tables and chairs, and a 50m² deep soil area for lawn and planting. While as not as large as the ADG recommends, it does provide for enhanced residential amenity and opportunities for landscaping and therefore meets objective 3D-1 of the ADG.
47. Further, the development also provides large areas of private open space for each dwelling. All apartments exceed the minimum private open space requirements. Of the 19 apartments which rely on the communal open space, 12 of these have in excess of between 16m² and 113m² more private open space than the minimum required by the ADG. As such, as the per ADG, where development is unable to achieve the design criteria for communal open, as in this instance, the ADG suggests, amongst other recommendations, to provide larger balconies or increased private open space for apartments. The development meets this design guidance.
48. The development could consider relocating the communal open space to the roof, as was originally proposed in this development application. However, the quantum of communal open space is unlikely to increase significantly, as it would need to be set in from the boundary.
49. The provision of communal open space on the roof would require a lift to provide accessible access. This lift would exceed the permitted height limit under the Sydney LEP 2012. Ordinarily, a development with a 15metre height control and 4 storey height limit would be able to accommodate a 4 storey building and rooftop communal open space within the LEP 2012 height limit.

- 50. However, this cannot be achieved on this development as the development currently provides for larger floor to ceiling heights than the minimum specified. It would be considered a worse amenity outcome to require the floor to ceiling heights to be reduced to achieve a 4-storey building with rooftop space within the permitted height limit.
- 51. As such, while not ideal, on balance the non-compliance with the design criteria for communal open space is considered reasonable in these circumstances and is recommended to be supported.

Setbacks, separation distances and privacy

Northern boundary

- 52. The design criteria in the ADG specifies a 6-metre setback from rear and side boundaries to maintain visual privacy. The development provides a compliant 6-metre setback to the northern rear boundary.
- 53. The neighbouring developments at 96-98 and 101-103 Belmont Street/100-102 Buckland Street have blank walls adjacent to the rear boundary. There are areas of private open space within these two sites that are located close to the boundary. This relationship is depicted in the images below.

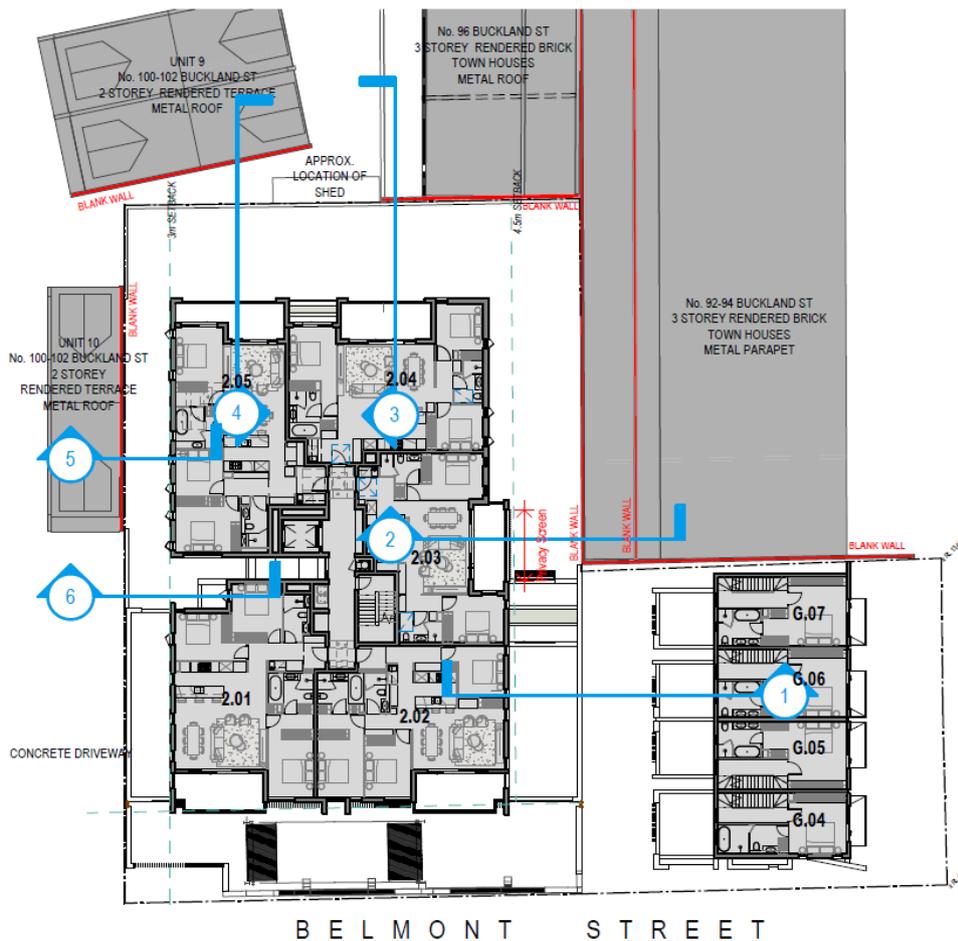


Figure 28: Level 4 plan showing relationship with developments to the north

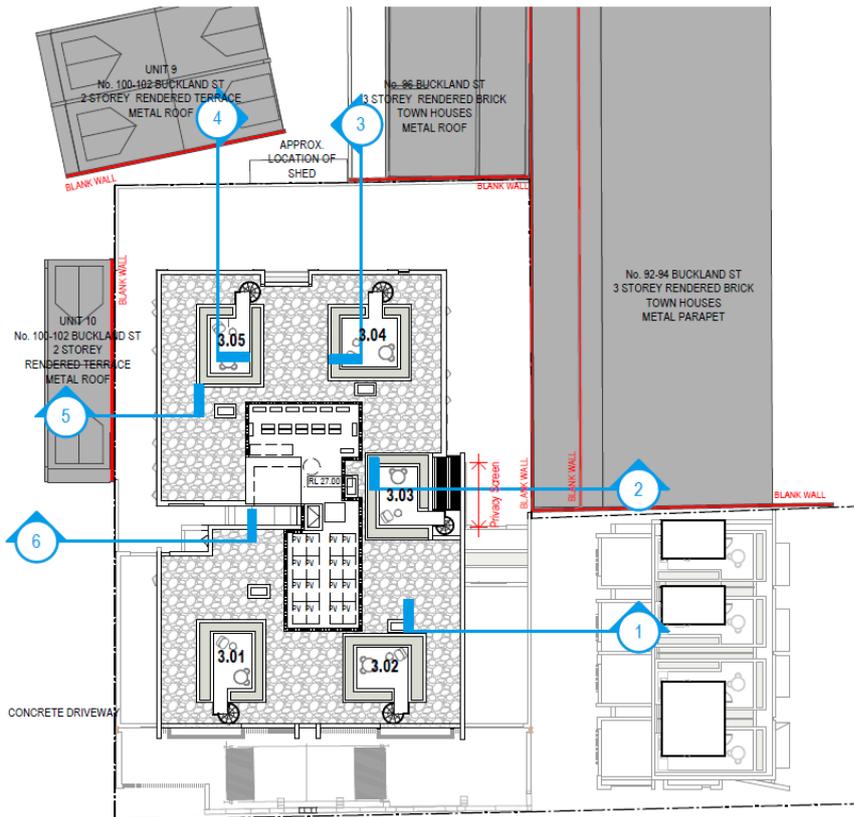


Figure 29: Roof 4 plan showing relationship with developments to the north

54. The amended design includes an approximately 5-metre tall rear boundary wall, which replicates the existing boundary condition. There will then be a 6-metre-deep soil landscape zone and then the building. This is shown in the sections below.
55. While some minor oblique overlooking at the upper level apartments may be possible into the private open spaces, the separation distances are compliant with the ADG and are deemed acceptable given the urban context.
56. There are also private roof top gardens, however, the usable areas of this private open space are 10-metres from the rear boundary. This is also shown in the images below. This is considered compliant with the ADG and therefore acceptable.

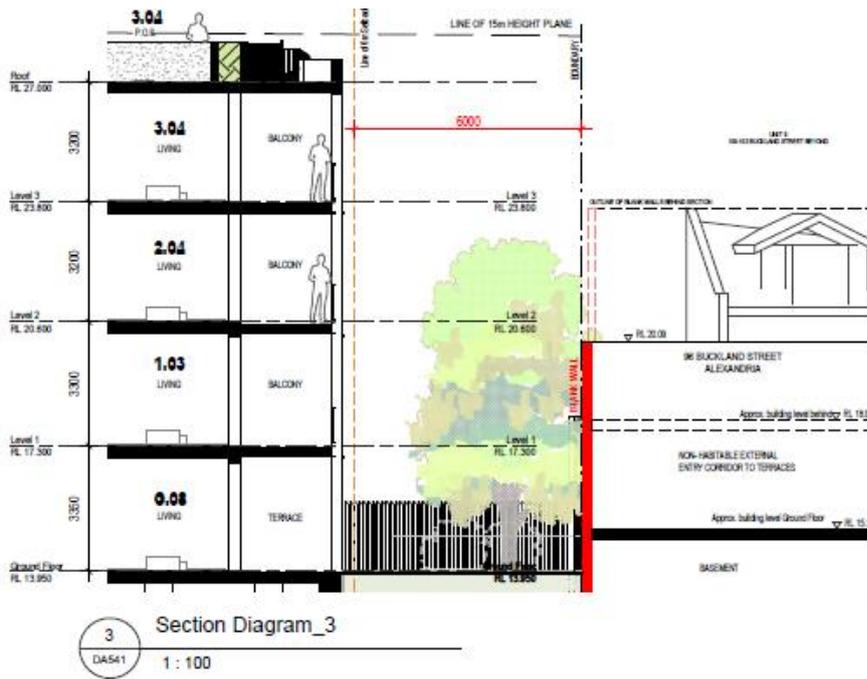


Figure 30: Section showing of apartment 3.04 and developments to the north

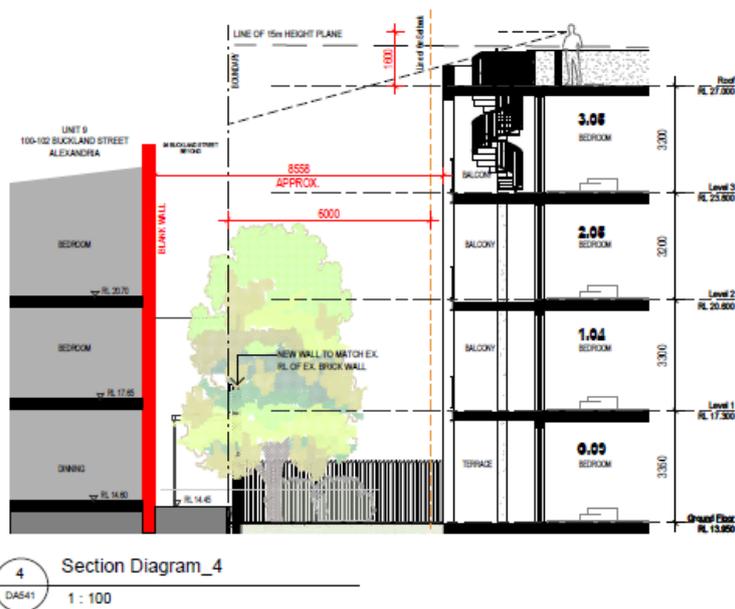
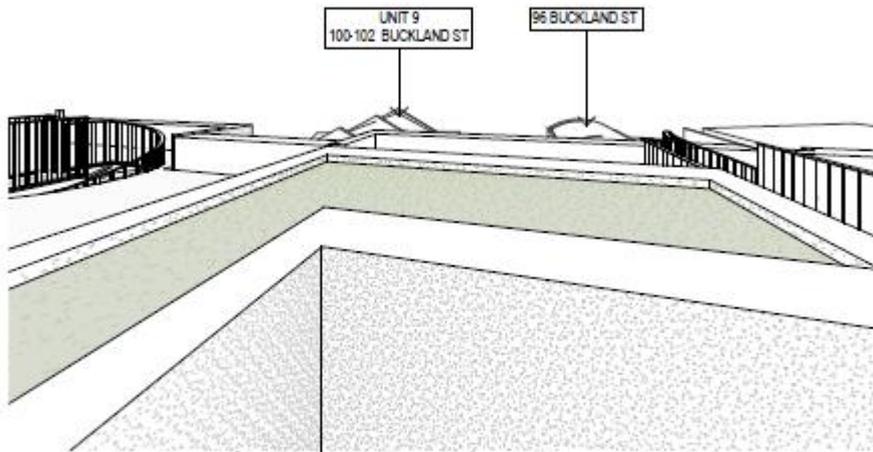
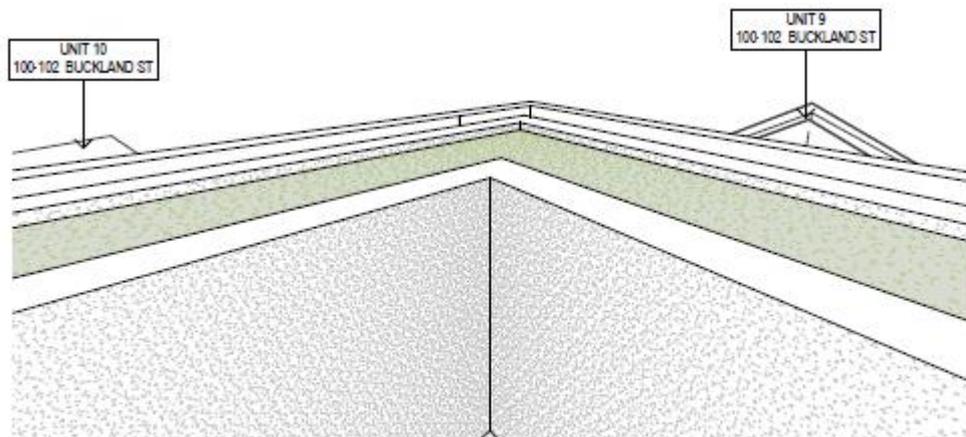


Figure 31: Section showing of apartment 3.05 and developments to the north



B View from 3.04 Private Open Space
DA542

Figure 32: View from private open space of apartment 3.04. This view is taken from 1.6m above the finished floor level.



C View from 3.05 Private Open Space
DA542

Figure 33: View from private open space of apartment 3.05. This view is taken from 1.6m above the finished floor level.

Western boundary

- 57. Habitable windows in the western facade have a 3m setback from a blank wall and boundary. This is inconsistent with the design criteria in part 3F of the ADG and considerations for building separation in part 2F, which recommend 6 metres.
- 58. However, the proposed 3-metre setbacks generally adjoin a blank wall condition created by the existing terrace at 101-103 Belmont Street/100-102 Buckland Street. This is shown in the image below.
- 59. Levels 2 and 3 of the southern part of the building also provide a 3-metre setback from the western boundary. This part of the building aligns with the neighbouring driveway and a blank wall condition. This is also shown below.

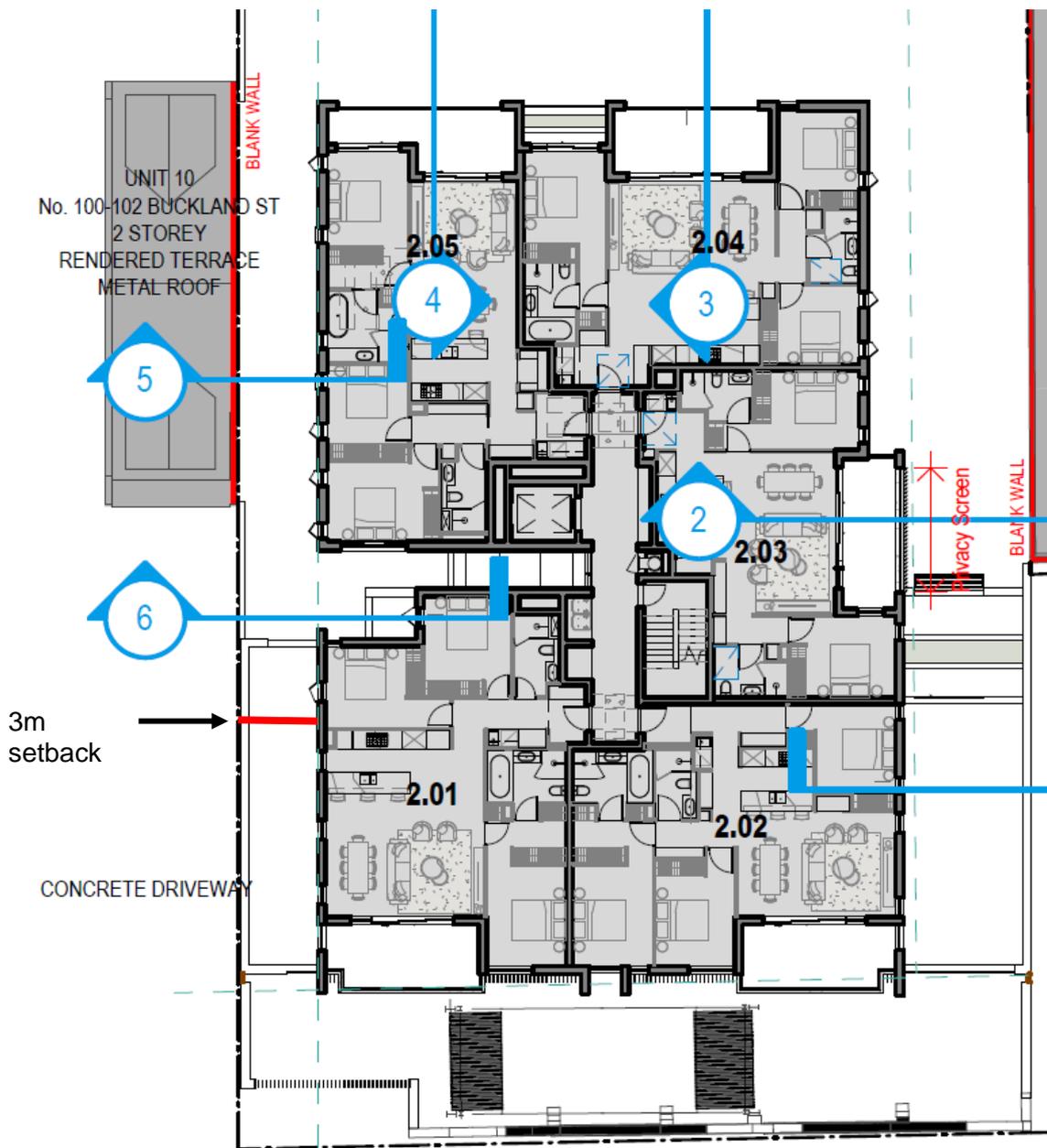


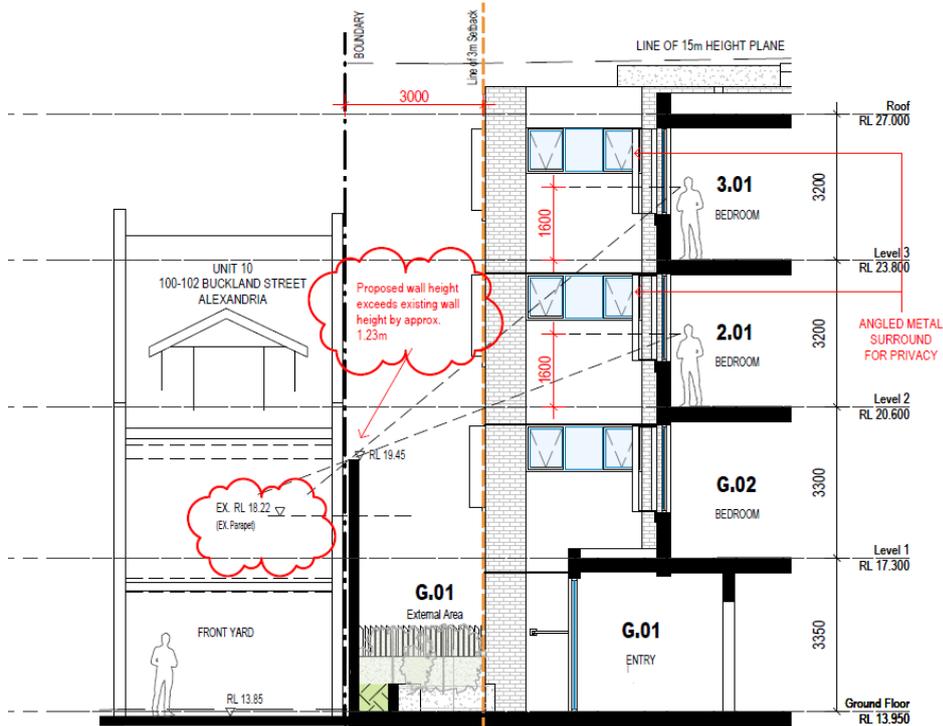
Figure 34: Proposed level 2 plan showing proposed openings in western facade 3m from boundary and blank wall relationship to neighbouring site

60. The building massing and setback is considered acceptable for the site. The use of the rooms as bedrooms, size of the windows, screening of the windows and floor levels of the proposed building mean that overlooking and noise transfer between windows will be very limited. This is illustrated in the images below (refer to image above for where section is cut through).



5 Section Diagram_5
DA541 1 : 100

Figure 35: Section through northern western apartment showing proposed openings in western facade 3m from boundary and blank wall relationship to neighbouring site



6 Section Diagram_6
DA541 1 : 100

Figure 36: Section through south western apartments showing proposed openings in western facade 3m from boundary and blank wall relationship to neighbouring site.

61. To mitigate any visual and acoustic privacy impacts on the adjacent terrace at 101-103 Buckland/100-102 Buckland Street, window hoods (labelled on the plans as angled metal surround for privacy) have been added to the windows.
62. A condition is recommended to require the window hoods on bedroom 3 of apartments 1.04 (southern window only), 2.05 and 3.05 to face towards Belmont Street, as opposed to the north. This is to obstruct any possible overlooking/noise transfer between the dormer window and the site. The image below shows the window hoods subject to the condition (circled in red), and the window hoods circled in green shows what the window hoods need to be changed to.

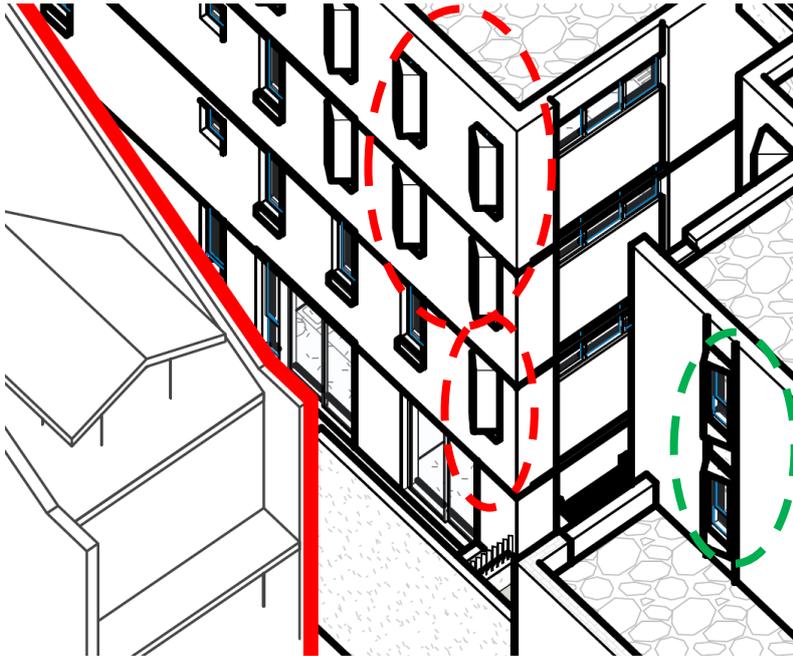
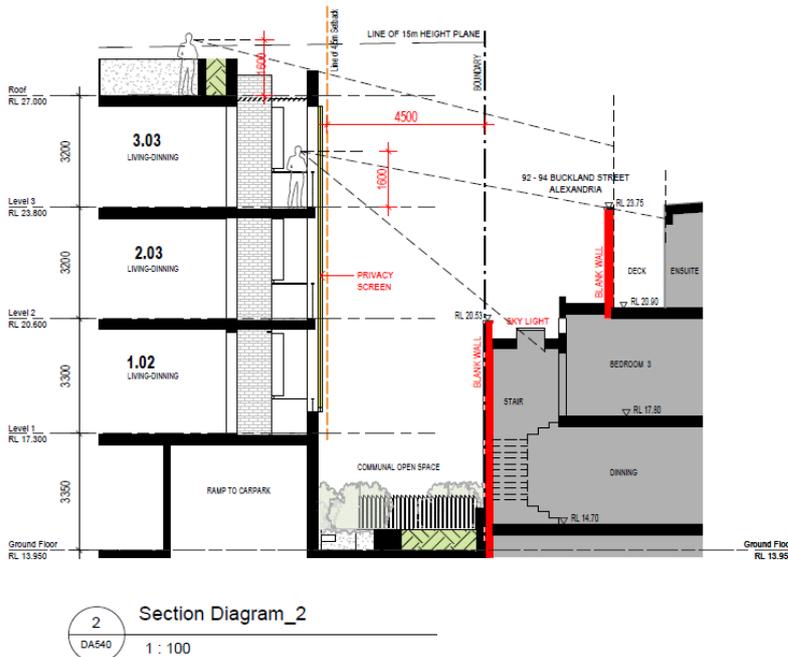


Figure 37: 3D image showing window hoods to be changed

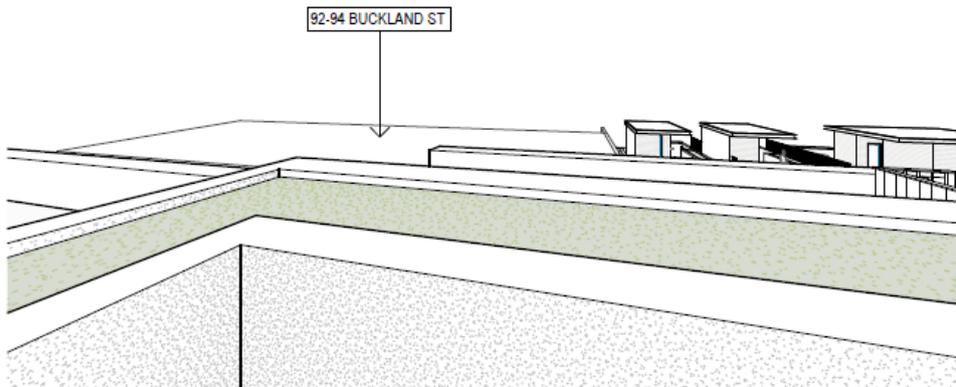
Eastern boundary

63. The eastern side of the building generally maintains a 6-metre setback from the boundary. There is a balcony on levels 1, 2 and 3 which have a 4.5metre setback. The ground floor and level 1 will face a blank wall, and level 2 will face high balustrade and recessed rooftop private open space areas. There is also a privacy screen proposed for the balconies which will prevent overlooking at the upper levels and internally between the pinch point of the building. This is shown in the image below. As such, the development will not result in any adverse visual or acoustic privacy issues.



2 Section Diagram_2
DA540 1 : 100

Figure 38: Section showing relationship to site at 92 Buckland Street



View from 3.03 Private Open Space

Figure 39: View from private open space of apartment 3.03. This view is taken from 1.6m above the finished floor level.

Overshadowing

64. The development also does not reasonably overshadow any neighbouring properties; including the residential developments to the west at 101-103 Belmont St/100-102 Buckland Street and the south at 46-58 Belmont Street, Alexandria.
65. The development creates additional shadow at units 20 and 21 at 101-103 Belmont Street/ 100-102 Buckland Street, Alexandria at 9am. These terraces start to see the sun from 10.15am/10.45am until 12.45pm/1.15pm, when they are overshadowed by a centrally located terrace within their own development. This is shown in the images below.
66. As such, this additional shadow is not inconsistent with the requirements of the ADG or section 4.2 of Sydney DCP 2012, and these developments will still receive 2 hours of sun on mid-winter.

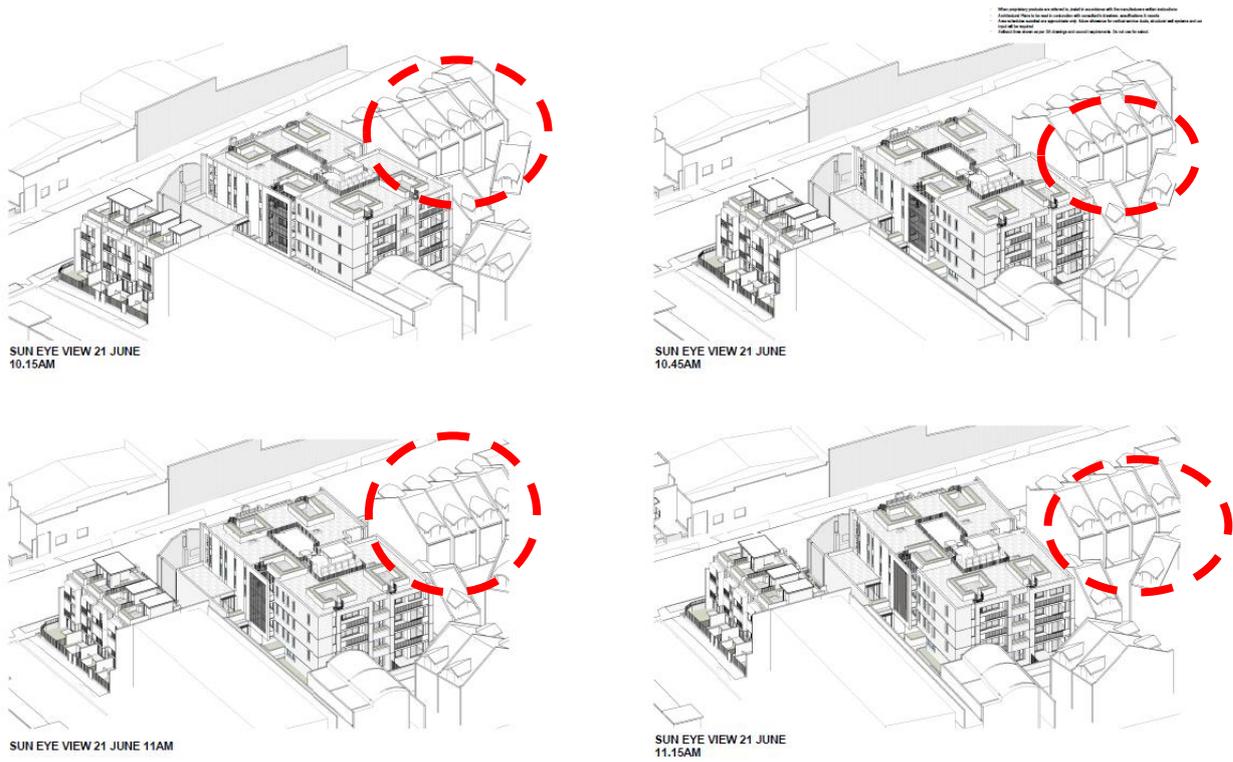


Figure 40: Sun's eyes from 10.15am to 11.15am

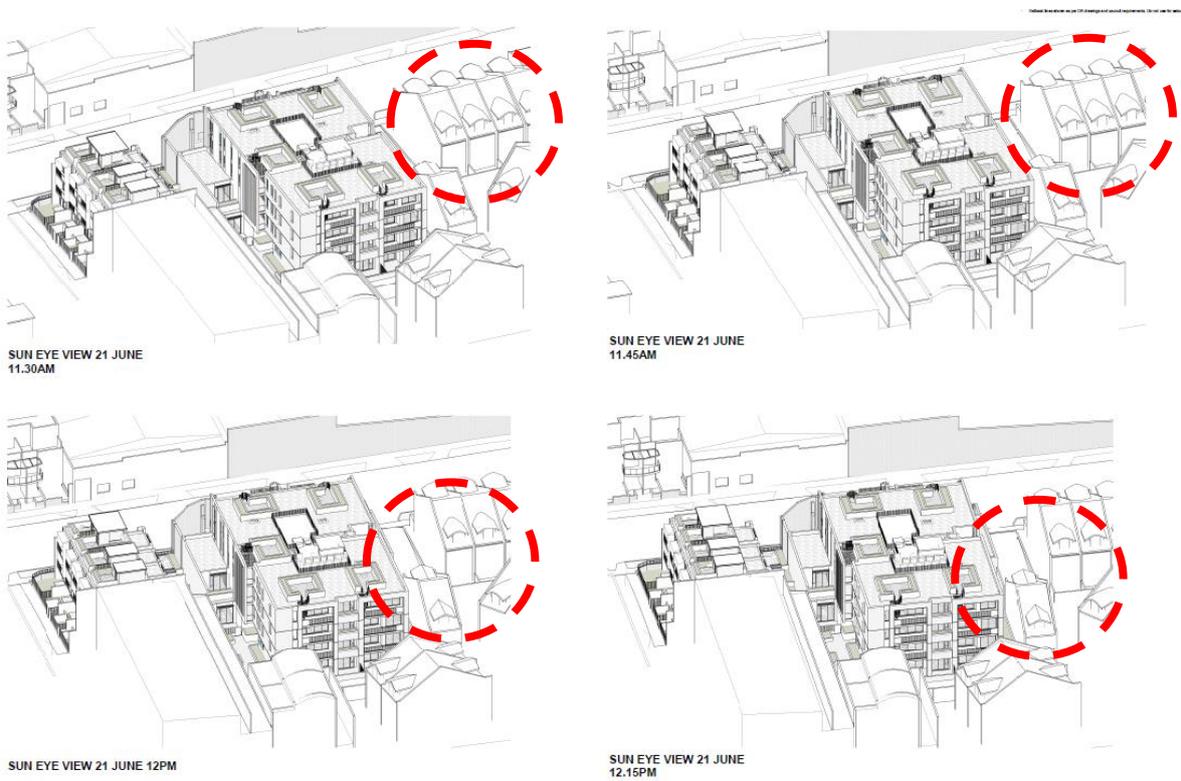


Figure 41: Sun's eyes from 11.30am to 12.15pm

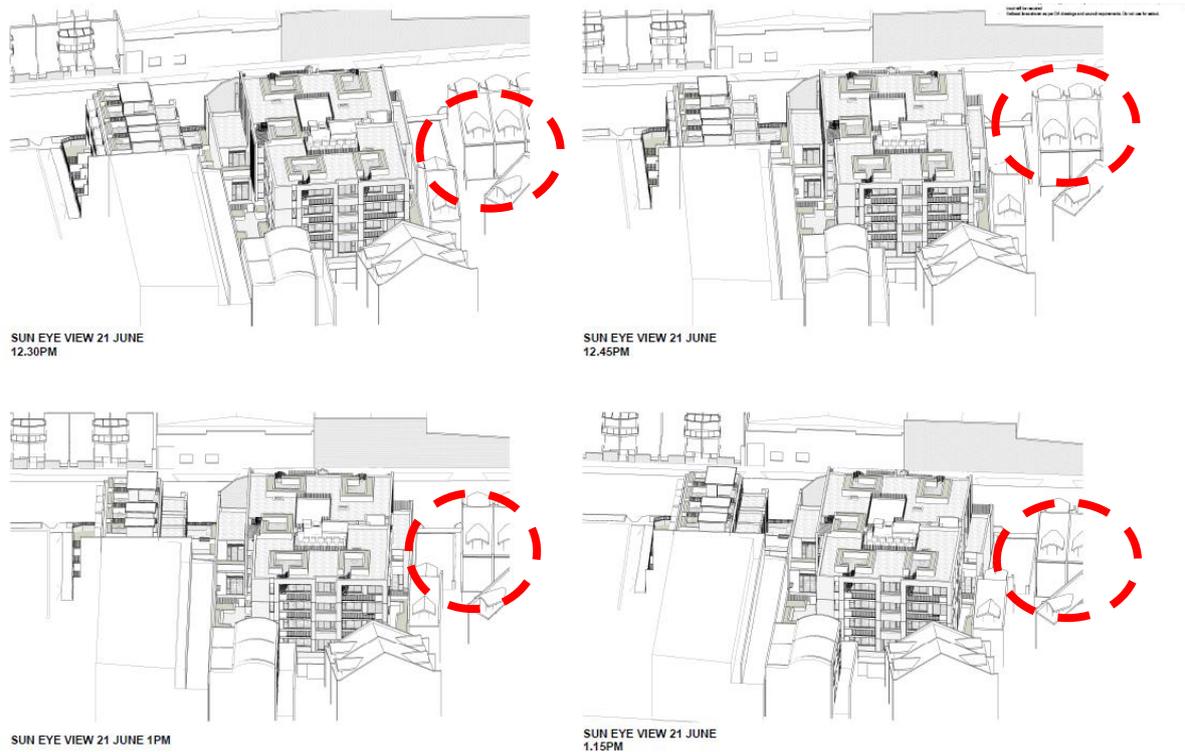


Figure 42: Sun's eyes from 12.30pm to 1.15pm

67. The development also creates additional shadow on the development to the south at 46-58 Belmont Street from 2pm. This limited overshadowing relates to a small section of the private open space areas located adjacent to the footpath. These face north and are in sun until 2pm. As such, this additional shadow is not inconsistent with the requirements of the ADG or section 4.2 of Sydney DCP 2012, and these developments will still receive 2 hours of sun on mid-winter.

Other Impacts of the Development

68. The proposed development can comply with the BCA.
69. 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

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

Internal Referrals

71. The conditions of other sections of Council have been included in the proposed conditions. The application was discussed with the Heritage and Urban Design Specialists; Environmental Health; Public Domain; Transport and Access; Tree Management and Waste Management; who advised that the proposal is acceptable subject to the recommended conditions.

External Referrals

72. The application constitutes integrated development and as such the application was notified and advertised for 28 days between 22 November 2019 and 21 December 2019 in accordance with the provisions of Environmental Planning and Assessment Regulations 2000. As a result of this notification, 21 submissions were received. These submissions raised concerns in relation to the following:

- (a) Removal of street tree

Response: The application has been amended so that the existing street trees are able to be retained.

- (b) Heritage

Response: Further information was requested in relation to the heritage of the existing building. Council's heritage officer is satisfied that the proposal is acceptable from a heritage perspective because it retains the existing front facade, gambrel roof and one structural bay.

- (c) Remedial Action Plan - groundwater contamination and extraction

Response: The remedial action plan is endorsed by a NSW accredited site auditor. The site auditor concludes that the site can be made suitable for the proposed use. A condition is recommended to require a section 4.55(2) application to be submitted and approved prior to the stage 3 construction certificate being issued to ensure any long-term management plan is passive and approved by Council. As a section 4.55(2) it will be publicly notified. The development conditions also require the submission of a site audit statement which certifies that the site is suitable for the proposed use.

The contaminated groundwater is addressed by dewatering conditions on the consent.

- (d) Current stormwater network

Response: Conditions are included in relation to stormwater.

- (e) Traffic management

Response: A construction traffic management plan is a required condition of consent. This will manage how vehicles get to and from the site, and how this is managed given other surrounding development sites.

- (f) 1.6m parcel of land to widen existing through site link

Response: The 1.6m wide parcel of land is being dedicated to Council and embellished as captured by the voluntary planning agreement. This will need to be dedicated occur prior to issue of any occupation certificate.

- (g) Traffic report doesn't consider changing surrounding context

Response: The traffic report, and updated traffic report are considered acceptable for the purposes of assessing this application.

- (h) Building height, bulk and scale, loss of outlook and proposed apartment typology.

Response: The amended plans reduce the height of the apartment building so that it complies with the permitted maximum height limit of 15metres. The bulk and scale of the development is considered reasonable and compliant. The development, while increasing in height and taking up more of the view of the sky than the existing building, is not inconsistent with the desired future character of the area. The development proposes both apartments and terraces. Apartments are a permitted type of residential accommodation within the B4 mixed use zone.

- (i) Privacy and overshadowing

Response: The development does not unreasonably overshadow adjoining developments. Privacy is discussed in the issues section above.

- (j) Location of driveway next to adjoining driveway

Response: The amended plans have relocated the driveway so that it is not next to the existing driveway at **101-103 Belmont Street/** 100-102 Buckland Street.

- (k) Communal open space on roof

Response: This has been deleted by the amended plans.

- (l) Treatment of boundary condition and location of walls as per survey plan.

Response: This has been resolved by amended plans, and the submission of an updated survey plan.

- (m) Geotechnical issues, soil subsistence and/or potential cracking as a result of works

Response: This will be addressed and managed by way of dilapidation reports as conditions of consent.

- (n) Density of the development and impact on surrounding area. Request for an assessment of the optimal population undertaken by a forensic civil engineer

Response: The development is consistent with the permitted floor space ratio for the site. The density is also considered appropriate. The application was referred to Ausgrid and Sydney Water, and conditions are included on the consent in this respect. the development is consistent with the planning controls for the site and the desired urban character and density established by these controls.

- (o) Lack of space for commercial/industrial businesses

Response: While the site is zoned B4 mixed use, a wholly residential development on this site is permitted within this zone. It also provides for varying house types close to a school, which is considered positive.

- (p) Impact of construction and any compensation for disruption because of construction

Response: The impacts of construction are managed by conditions on the consent.

- (q) Change to parking restrictions on street

Response: This will be assessed as part of the public domain plan condition

73. Following the submission of the amended plans and information, the application was renotified for a further 14 days between 24 June 2020 and 9 July 2020. As a result of this notification, there were 10 submissions received. These submissions raised concerns in relation to the following:

- (a) Overlooking and privacy impacts on the Buckland

Response - The development is setback a minimum of 6 metres from the rear boundary. This is consistent with the requirements of the ADG.

- (b) Geotechnical impacts and dilapidation report

Response: This is addressed by condition.

- (c) Overlooking and privacy impacts on Buckland Green - apartments 2.04, 2.05, 3.04 and 3.05

Response: This issue is assessed as acceptable under the issues section above.

- (d) Rooftop areas for apartments 3.04 and 3.05 be removed.

Response: These rooftop areas are set in from the boundary and are considered acceptable.

- (d) Traffic management plan and street parking.

Response: As above, this is addressed by a condition on the consent.

- (e) Number of apartments has increased to 35 apartments

Response: The number of apartments has not changed. There are 23 new dwellings proposed overall, with 19 in the unit block.

- (f) Capacity of the suburb to accommodate the development

Response: This is addressed above in response to the first set of submissions.

- (g) Impact of construction on neighbouring developments and opportunity for community involvement if construction does not meet community standard.

Response: As above, this is addressed by conditions on the consent.

Public Interest

74. It is considered that the proposal will be acceptable in terms of the public interest, subject to appropriate conditions being proposed.

Contributions

Affordable housing contributions

75. The development is subject to an affordable housing contribution under the provisions of clause 7.13 of Sydney LEP 2012. As per the Green Square affordable housing program, the contribution is \$814,702.68 based on the in lieu monetary contribution rate for residential development at \$214.17 per square metre of total residential floor area, being 3804sqm. Contributions will be indexed in accordance with the formula set out below.

S7.11 Contribution

76. 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 resident, worker and/or visitor populations.
77. Credits have been applied for the most recent past use of the site. The previous land use was defined as general industry and a credit of 21.8 workers was provided.
78. The following monetary contribution is required towards the cost of public amenities:

(a) Open Space	\$261,045.37
(b) Community Facilities	\$53,495.25
(c) Traffic and Transport	\$30,655.75
(d) Stormwater Drainage	\$12,129.86
Total	\$357,326.23

Relevant Legislation

79. Environmental Planning and Assessment Act 1979.
80. Water Management Act 2000.
81. Sydney Water Act 1994.

Conclusion

82. The proposal seeks approval for demolition of the existing building, other than the front facade and one structural bay, site remediation and the construction of a residential flat building containing 19 apartments and 4 terraces.
83. The proposal has been amended during the course of the assessment to address height, access, retention of street trees and activation of the through site link.
84. The proposal is compliant with the FSR and height standards under the Sydney LEP 2012. The development meets the objectives of the ADG, including achieving a compliant amount of solar access and natural cross ventilation, and demonstrates good design when considered against the design principles in SEPP 65.
85. Subject to the implementation of conditions, as detailed in the report and Attachment A, it is considered that the proposed development is generally compliant with the planning controls for the site. In the instance where numeric compliance is not achieved, for example communal open space and setbacks, there is considered to be reasonable justification to support the variations.

GRAHAM JAHN, AM

Director City Planning, Development and Transport

Erin Faulkner, Senior Planner