

# **ENVIRONMENTAL ASSESSMENT REPORT**

## **3-5 PYMBLE AVENUE, PYMBLE**



**Meriton Apartments Pty Limited**  
**Builders and Developers**  
**Level 11, 528 Kent Street**  
**SYDNEY NSW 2000**

**T: 9287 2888**  
**F: 9287 2777**

**MARCH 2009**



## STATEMENT OF VALIDITY

### Submission of Environmental Assessment

Prepared under Part 3A of the Environmental Planning and Assessment Act 1979.

### Environmental Assessment prepared by

<b>Name</b>	Walter Gordon
<b>Qualifications</b>	BA, MURP, Assoc. Dip. Valuation, MAPI
<b>Address</b>	Meriton Apartments Pty Ltd Level 11, 528 Kent Street SYDNEY NSW 2000
<b>In respect of</b>	3-5 Pymble Avenue, Pymble

### Applicant & Land Details

<b>Applicant</b>	Meriton Apartments Pty Ltd Level 11, 528 Kent Street SYDNEY NSW 2000
<b>Subject Site</b>	3-5 Pymble Avenue, Pymble
<b>Lot &amp; DP</b>	Lot 1 DP 537543; Lot 7, DP 5448; and Lot 12, DP 546480
<b>Project Summary</b>	Development of one new residential building containing 25 apartments with basement car parking, and associated landscaping and infrastructure.

### Environmental Assessment

An Environmental Assessment is attached.

### Declaration

I certify that I have prepared the contents of the Environmental Assessment in accordance with the requirements of the *Environmental Planning and Assessment Act 1979* and Regulation and that, to the best of my knowledge, the information contained in this report is not false or misleading.

<b>Signature</b>	.....
<b>Name</b>	Walter Gordon
<b>Date</b>	9 March 2009



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## EXECUTIVE SUMMARY

This Environmental Assessment report accompanies a Project Application under Part 3A of the Environmental Planning and Assessment Act, 1979. The report addresses the Director General's Requirements.

### Subject Site

The subject site is located at the southwestern side of the intersection of Avon Road and Pymble Avenue, Pymble. The site is part of a broader redevelopment site that is the subject of a separate Major Project approval (506\_12\_2003). The site contains the approved "future Building E envelope" that was identified on the approval of 506\_12\_2003.

### Proposal

The proposed development is for construction of an apartment building over an excavated basement area. The development is to provide for 25 residential apartments and parking for 26 vehicles in the basement. All dwellings will be provided with private open space in the form of courtyard areas or balconies. The proposal also includes the construction of associated landscaping and infrastructure.

### Key Issues

The assessment concludes that the proposal is generally consistent with the relevant controls. Where a variation is sought, it is concluded that the variation is acceptable. The development is consistent with the objects of the EP&A Act.

It is concluded that the proposal relates well to its approved future surroundings and will have an appropriate scale. No impact will result on views or overshadowing.

The development has been designed with extensive articulation and modulation to provide an interesting architectural form and will have a positive contribution to the streetscape. It is concluded that the proposal will have good acoustic and visual privacy. The apartments have good internal floor layouts and will provide a high level of amenity.

The subject site is located within close proximity to a railway connection to the CBD and bus services along Pacific Highway. During construction, the site will be secured to ensure that no conflicts occur with pedestrians. A construction management plan is submitted with the application and the draft Statement of Commitments contains methods to ameliorate impacts during construction.

A BASIX Certificate accompanies the application, which ensures that the development will be built to appropriate ESD standards.

The subject site has no heritage significance. The adjoining site to the south contains an item of environmental heritage. The heritage impact assessment concludes that the proposal will be acceptable with respect to any heritage impacts.

The proposed development is part of a larger redevelopment on the broader site. All consultation has been undertaken relating to the other approved buildings on the site. The connection of all relevant services will occur to all buildings on the site in a coordinated manner.

The proposed development does not involve staging. The building will be erected in a single stage.

### **Potential Impacts**

The proposed development is part of a larger redevelopment on the broader site. The development will be constructed at the same time as the existing approved development on the broader site. The buildings will form a group that has been designed in accordance with the relevant planning controls. There will be no adverse impacts on the other dwellings approved on the broader site.

The proposed development is well separated from existing surrounding dwelling houses and will not have any adverse impact on those surrounding properties.

### **Draft Statement of Commitments**

The draft Statement of Commitments contains all the necessary identification of issues and mitigation measures to be implemented during the construction phase. This has been prepared as a requirement by the Director General but also in recognition that such considerations need to be made to minimise any adverse impacts associated or arising from construction activities on the site.

### **Conclusion**

This Environmental Assessment concludes that the proposed development is well designed and is compliant with the requirements of the relevant planning controls. The report addresses all the Director General's Requirements. The proposed development should receive endorsement from the Department of Planning in the form of an approval.

# 1 INTRODUCTION

## 1.1 BACKGROUND

On 6 February 2009, a request was made to the Minister for Planning to declare the proposed development a Major Project under Part 3A of the Environmental Planning and Assessment Act, 1979.

On 24 February 2009, the Minister declared the proposal a 'Part 3A project' and the Department of Planning provided a copy of the Director Generals Environmental Assessment Requirements under Part 3A of the Environmental Planning and Assessment Act 1979 (as amended) (the Act). A copy of the Director Generals Environmental Assessment Requirements is at **Annexure 1**.

This Environmental Assessment Report accompanies a Project Application in accordance with the Act. The Project Application is accompanied with the relevant documentation listed under Stage 1 of the *"Draft Guidelines – Major Infrastructure and Other Projects under Part 3A of the Environmental Planning and Assessment Act"*, as detailed below.

Application Requirement	Documentation
(a) A written graphical description of the project and any ancillary components, including relevant preliminary plans.	Written description - Section 3. Graphical plans - <b>Annexure 2, 7 and 9</b> .
(b) The location(s) and a map identifying the site(s) / alignment / corridor.	Section 2.
(c) The capital investment value and other relevant information in relation to parameters set out in the major project SEPP for determining whether Part 3A applies to the project.	<b>Annexure 15</b> contains a Quantity Surveyor's report.
(d) The planning provisions applying to the site and whether the project is permitted under the prevailing EPI.	Section 5.1.
(e) The views of other agencies, local Council or the community if known.	Section 5.9.
(f) List any other approvals required in particular if a licence from the Dept Environment and Conservation under the Protection of the Environment Operations Act is required.	Not applicable. No additional approvals required.
(g) If relevant, justification as to why the project should be considered to be a major project under Part 3A taking into consideration the relevant criteria.	Section 1.2.
(h) Preliminary assessment to identify the likely environmental issues.	Section 6.
(i) Completed application form.	Lodged with documentation.
(j) The prescribed application fee.	Lodged with the application.
(k) Number of copies.	Noted.
(l) Any other matters required by the director-general, following consultation with the Department.	Noted. Will be provided where required.

## 1.2 STATUTORY CONTEXT

Clause 6(1)(a) of SEPP (Major Projects) states that in the opinion of the Minister development described in Schedule 2 is declared to be a project to which Part 3A of the Act applies.

The subject site is identified as a 'specified site' under item 15 of Schedule 2 of State Environmental Planning Policy (Major Projects) 2005. Item 15 states as follows:

- (a) *Development for the purpose of multi unit housing (including related subdivision and demolition including demolition of a heritage item) on sites in the area of Ku-ring-gai listed in Schedule 4 to State Environmental Planning Policy No 53—Metropolitan Residential Development.*

For these purposes, the subject site is located on land identified as 'Site 1' in Schedule 4 to State Environmental Planning Policy No 53—Metropolitan Residential Development. The proposed development has a capital value of \$6,145,000, with the estimated annual employment cost for this development being \$215,520. Details are provided in the Quantity Surveyors Certificate at **Annexure 15**.

In accordance with Clause 6 of SEPP (Major Projects) the proposed development is considered to come within the major project assessment procedures.

## 1.3 PROPOSED DEVELOPMENT

The proposed development seeks approval to:

- excavate the site and construct one basement level to accommodate car parking for 26 vehicles;
- erect one residential building containing a total of 25 residential apartments; and
- undertake associated landscaping works
- removal of trees within and next to basement walls.

## 2 SITE DESCRIPTION AND LOCATION

The subject site is located at the southwestern side of the intersection of Avon Road and Pymble Avenue, Pymble. The site location is shown in **Figure 1** and its context is shown in the aerial photograph at **Figure 2**.

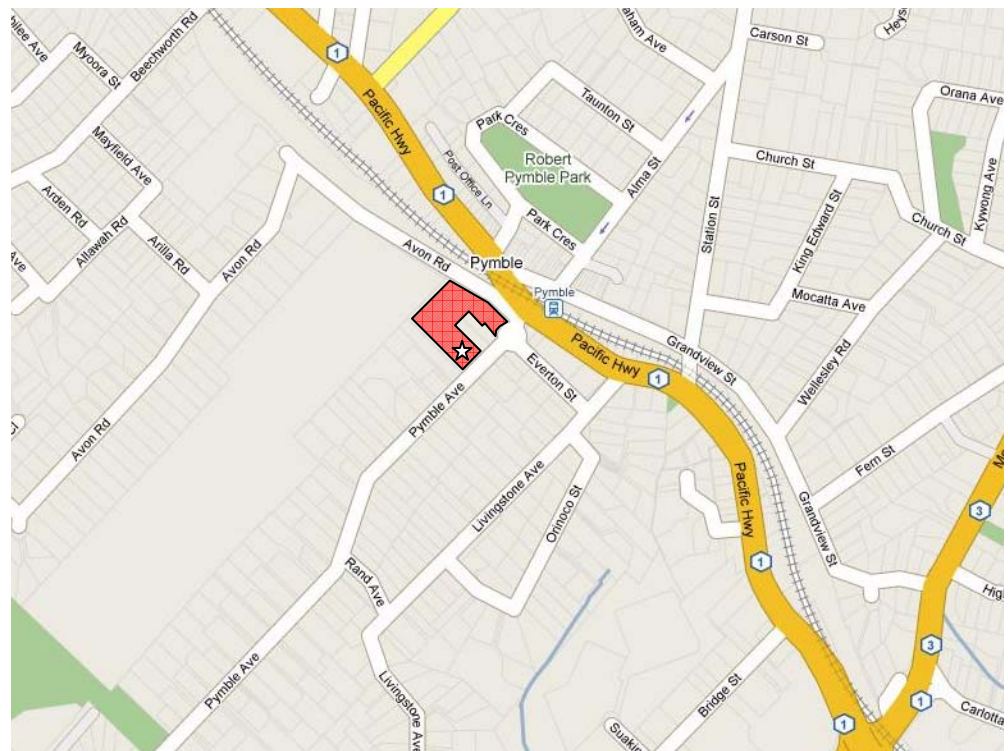
The site occupies 3 allotments being Lot 1 DP 537543; Lot 7, DP 5448; and Lot 12, DP 546480.

It has a steep crossfall towards the northwest. A site survey plan is at **Annexure 4**.

Previously existing dwelling houses have recently been demolished on the site.

The broader redevelopment site has been approved for a multi-unit housing development containing 103 apartments and basement parking. The subject site was identified as "Future Building E Envelope" on the approved plans, a copy of which is at **Annexure 5**.

The area surrounding the subject site (and the broader redevelopment site) comprises residential dwelling houses on large allotments. The dwellings in the surrounding area are generally large and set well back from their boundaries. Pymble Ladies College defines the northwestern boundary of the site.



**Figure 1: Site location shown with a star. The broader redevelopment site shown outlined and shaded**



**Figure 2: Aerial photograph of the site (shown with a star) and its surroundings (broader redevelopment site shown dotted outline)**

### 3 DESCRIPTION OF DEVELOPMENT PROPOSAL

The proposed development seeks approval to:

- excavate the site and construct one basement level to accommodate car parking for 26 vehicles;
- erect one residential building containing a total of 25 residential apartments; and
- undertake associated landscaping works
- removal of trees within and next to basement walls.

#### 3.1 OVERVIEW

This development application proposes the erection of one apartment building containing 25 residential apartments and basement parking for 26 vehicles. The proposal also includes the construction of associated landscaping and infrastructure.

The proposed development incorporates the elements contained in the following table.

ELEMENT	PROPOSED DEVELOPMENT
Unit Mix	One Bed 4 Two Bed 18 Three Bed 3 <b>Total 25</b>
Car Parking	26 spaces
Building Height (storeys)	3-6 storeys

The proposed development is shown on a reduced copy of the drawings that can be found at **Annexure 2**.

#### 3.2 LEVEL BY LEVEL DESCRIPTION

##### 3.2.1 Basement (Level 1)

The proposed basement level of the building is to connect with the approved basement level below Building D. Vehicular access into the basement will be via approved vehicular entrance below Building D.

The proposed basement area provides car parking for 26 vehicles. The main garbage room is located behind the lift and stair.

##### 3.2.2 Lower Ground Floor Level (Level 2)

Level 2 will accommodate 3 x 2-bedroom apartments and 1 x 1-bedroom apartment. Each apartment will have direct access to generously sized courtyard/terrace areas.

Pedestrian access to the building can be gained from this level via a centrally located entry. The lobby provides direct access to the apartments and a lift and stair provide connection to the other levels on the building.

The southeastern corner of Level 2 will accommodate an area dedicated for personal storage requirements for the apartments.

### **3.2.3 Upper Ground Floor Level (Level 3)**

Level 3 will accommodate 4 x 2-bedroom apartments and 1 x 1-bedroom apartment. Each apartment will have direct access to generously sized balcony/terrace areas.

Pedestrian access to the building can be gained from this level a ramp, which enables disabled access. The entry lobby provides direct access to the apartments and a lift and stair provide connection to the other levels on the building.

### **3.2.4 Level 4 and 5**

Levels 4 and 5 will each accommodate 4 x 2-bedroom apartments and 1 x 1-bedroom apartment. Each apartment will have direct access to generously sized balconies.

### **3.2.5 Level 6**

Level 6 will accommodate 2 x 2-bedroom apartments and 2 x 3-bedroom apartments. Each apartment will have direct access to generously sized balcony/terrace areas.

The northwestern end of Level 6 is set back to address the height requirements of the planning controls. This provides for large terrace areas for the apartments at that end of the building.

### **3.2.6 Level 7**

Level 7 is the top floor of the development. 1 x 2-bedroom apartment and 1 x 3-bedroom apartment are located at this level of the building. Due to the setback requirements for the top floor of the building, the apartments at this level have large terrace areas.

## **3.3 INFRASTRUCTURE**

The application is accompanied by drawings that provide detail on the proposed new road and footpath. Also proposed is a series of retaining walls to ensure the structural integrity of the proposed road. These works are a continuation of the approved road and footpath design for remainder of the site.

## **3.4 LANDSCAPING**

The landscaping of the site includes areas of communal and private open space. The communal areas involve a series of retained garden beds and planting to provide a buffer to the adjoining property to the northeast and to visually soften the development when viewed from Pymble Avenue.

The landscape plan also shows areas of landscape treatment to the side of the proposed road extension.

The design of the proposed landscaping is shown on the drawings at **Annexure 9**.

### 3.5 COLOURS AND MATERIALS

The proposed development has been designed to incorporate and display a subdued and modern palette of colours and materials. The building will contain a careful balance of materials incorporating masonry, glass, metal and cladding. A colours and materials sample board accompanies the application.

### 3.6 TRAFFIC, ACCESS AND PARKING

Vehicular access to the building is via the existing approved vehicular entrance to the adjoining building D. A Traffic Report, prepared by TTPA, is at **Annexure 10**.

### 3.7 WASTE MANAGEMENT

The development has been designed to include garbage chutes to the basement level. The development has also been designed to enable waste collection, by Council and/or contractor, in collaboration with the other approved buildings on the broader redevelopment site. A Waste Management Plan, prepared by Elephant's Foot, provides details and is at **Annexure 11**.

### 3.8 ENERGY EFFICIENCY

The buildings have been designed to ensure that their dwellings have maximum energy efficiency. A BASIX Certificate, prepared by Efficient Living, is at **Annexure 12**.

### 3.9 ACOUSTIC QUALITIES

The development has been designed with consideration to relevant surrounding background noise. An acoustic report, prepared by Acoustic Logic Consultancy, is at **Annexure 16**.

## 4 THE DIRECTOR GENERAL'S ENVIRONMENTAL ASSESSMENT REQUIREMENTS

The table below addresses the General Requirements of the Director General.

REQUIREMENT	COMMENT / REFERENCE
An Executive Summary	An Executive Summary is at the beginning of this report, at page i (before the Introduction).
A thorough site analysis including site plans, aerial photographs and a description of the existing and surrounding development.	A site analysis is at <b>Annexure 6</b> . A description of the existing and surrounding development as well as aerial photographs is at section 2 of this report.
A thorough description of the proposed development.	Section 3 of this report contains a full description of the proposed development.
An assessment of the key issues specified above and a table outlining how these key issues have been addressed, including an assessment against the objectives of the EP&A Act.	Section 5 contains an assessment of the proposal against the key issues and includes a summary table of response to the issues.
An assessment of the potential impacts of the project and a draft Statement of Commitments, outlining environmental management, mitigation and monitoring measures to be implemented to minimise and potential impacts of the project.	Sections 5 and 6 contain an assessment and consideration of all potential environmental impacts. Section 7 contains the draft Statement of Commitments for the proposed development.
The plans and documents outlined in the DG requirements.	All required plans and documents have been provided with the Environmental Assessment.
A signed statement from the author of the Environmental Assessment certifying that the information contained in the report is neither false nor misleading.	The page following the front cover of the report includes a signed statement declaring that the report does not contain false or misleading information.
A Quantity Surveyors Certificate of Cost to verify the capital investment value of the project (in accordance with the definition contained in the Major Projects SEPP).	<b>Annexure 15</b> contains a Quantity Surveyor's report.
A conclusion justifying the project, taking into consideration the environmental impacts of the proposal, the suitability of the site, and whether or not the project is in the public interest.	A conclusion is at section 8 of the report. It is concluded that the proposal is acceptable and should be supported with approval.
Details demonstrating that any fill brought onto the site is contamination free, and from where obtained.	The proposal does not involve importing any fill onto the site. Any fill material will be from on-site.
Details of where all excavated material leaving the site is to be placed.	Details of where excavated material is to be placed will be provided in the detailed construction management plan submitted with the construction certificate.

## 5 KEY ISSUES

This section of the Environmental Assessment Reports addresses each of the Key Issues identified in the Director General's Requirements. The table below provides a summary and response relating to each Key Issue.

KEY ISSUE	RESPONSE
<b>CORE ISSUE:</b>	
<i>Relevant EPI's policies and guidelines to be addressed.</i>	Section 5.1 below contains an assessment of the proposal against the relevant planning controls for the site. The assessment concludes that the proposal is generally consistent with the relevant controls. Where a variation is sought, it is concluded that the variation is acceptable. The development is consistent with the objects of the EP&A Act.
<i>Built form.</i>	Section 5.2 below contains an assessment of the proposal with respect to built form and scale. It is concluded that the proposal relates well to its approved future surroundings and will have an appropriate scale. No impact will result on views or overshadowing.
<i>Urban Design.</i>	Section 5.3 below contains an assessment of the proposal relating to urban design. The development has been designed with extensive articulation and modulation to provide an interesting architectural form and will have a positive contribution to the streetscape.
<i>Environmental and Residential Amenity.</i>	Section 5.4 below contains an assessment of the proposal relating to environmental and residential amenity. It is concluded that the proposal will have good acoustic and visual privacy. The apartments have good internal floor layouts and will provide a high level of amenity.
<i>Transport and Accessibility.</i>	Section 5.5 below contains an assessment of the proposal relating to transport and accessibility. The subject site is located within close proximity to a railway connection to the CBD and bus services along Pacific Highway. During construction, the site will be secured to ensure that no conflicts occur with pedestrians.
<i>Construction Impacts.</i>	Section 5.6 below contains an assessment of the proposal relating to construction impacts. A construction management plan is submitted with the application and the draft Statement of Commitments contains methods to ameliorate impacts during construction.
<i>Ecologically sustainable development (ESD).</i>	Section 5.7 below contains an assessment of the proposal relating to ESD principles. A BASIX Certificate accompanies the application, which ensures that the development will be built to appropriate ESD standards.
<i>Contributions.</i>	Section 5.8 below contains an outline of the developer contributions that are payable under the proposed development.
<i>Consultation.</i>	Section 5.98 below contains a summary of the consultation that has been undertaken relating to the proposed development.

KEY ISSUE	RESPONSE
<b>OPTIONAL ISSUE:</b>	
<i>Heritage.</i>	Section 5.10 contains an assessment of the proposal relating to heritage issues. The subject site has no heritage significance. The adjoining site to the south contains an item of environmental heritage. A Statement of heritage Impact is at <b>Annexure 19</b> .
<i>Drainage.</i>	The proposed stormwater drainage system integrates with the approved system for the other buildings in the broader redevelopment site. A stormwater plan is at <b>Annexure 20</b> .
<i>Utilities.</i>	The proposed development is part of a larger redevelopment on the broader site. All consultation has been undertaken relating to the other approved buildings on the site. The connection of all relevant services will occur to all buildings on the site in a coordinated manner.
<i>Staging.</i>	The proposed development does not involve staging. The building will be erected in a single stage.

## 5.1 PART 1: ENVIRONMENTAL PLANNING INSTRUMENTS AND GUIDELINES

### 5.1.1 OBJECTS OF THE EP&A ACT

The following table contains an assessment of the proposal against the objects of the EP&A Act, as contained in Clause 5 of that Act. The assessment concludes that the proposal is consistent with the objects of the Act.

OBJECT	EVALUATION	CONSISTENCY
(a) <i>to encourage:</i>		
(i) <i>the proper management, development and conservation of natural and artificial resources, including agricultural land, natural areas, forests, minerals, water, cities, towns and villages for the purpose of promoting the social and economic welfare of the community and a better environment,</i>	The proposal involves construction of high quality apartments that will be sensitive to the surroundings. The addition of new housing will be of benefit to the economic welfare of the community.	Yes
(ii) <i>the promotion and co-ordination of the orderly and economic use and development of land,</i>	To proposed development involves the construction of apartments in a manner that is compliant with the relevant planning controls.	Yes
(iii) <i>the protection, provision and co-ordination of communication and utility services,</i>	The proposed development will utilise the existing available communications infrastructure that is available to the site.	Yes
(iv) <i>the provision of land for public purposes,</i>	The proposed development includes communal open space for the use of the residents on the site.	Yes
(v) <i>the provision and co-ordination of community services and facilities, and</i>	The proposed development does not include any community facilities.	N/A

OBJECT	EVALUATION	CONSISTENCY
<i>(vi) the protection of the environment, including the protection and conservation of native animals and plants, including threatened species, populations and ecological communities, and their habitats, and</i>	The proposed development will not adversely interfere with any known threatened flora or fauna communities in the area.	Yes
<i>(vii) ecologically sustainable development, and</i>	The proposed development has been designed to comply with BASIX to ensure sustainability.	Yes
<i>(viii) the provision and maintenance of affordable housing, and</i>	The proposed addition of housing stock to the area will increase supply and provide greater housing choice, which positively contributes to affordability factors.	Yes
<i>(b) to promote the sharing of the responsibility for environmental planning between the different levels of government in the State, and</i>	The proposed development is to be assessed by the State with consideration to local Council controls, which promotes the sharing of responsibility.	Yes
<i>(c) to provide increased opportunity for public involvement and participation in environmental planning and assessment.</i>	The proposed development is to be publicly notified for comment.	Yes

### 5.1.2 SEPP 53 AND ACCOMPANYING GUIDELINES/CONTROLS

State Environmental Planning Policy No. 53 (SEPP 53) commenced on 26 September 1997. It aims to encourage the provision of residential housing. Originally, SEPP 53 applied to various Council areas across the Metropolitan area, however, the Policy now applies only to the Ku-ring-gai LGA.

### Design Requirements

Clause 32 of SEPP 53 requires an assessment against design principles. The following table demonstrates that the proposal remains consistent with the relevant design principles.

DESIGN PRINCIPLE	EVALUATION	CONSISTENCY
<b>(a) Streetscape</b> <i>The proposed development should:</i> <i>(i) contribute to an attractive residential environment with clear character and identity, and</i> <i>(ii) where possible, retain, complement and sensitively harmonise with any heritage conservation areas in the vicinity and any relevant heritage items that are identified in a local environmental plan.</i>	<i>The proposed development will fit within its context comfortably and be well separated from adjoining properties. This will ensure that the residential amenity is protected and the heritage significance of the property to the south is protected.</i>	Yes

DESIGN PRINCIPLE	EVALUATION	CONSISTENCY
<p><b>(b) Visual and acoustic privacy</b></p> <p>The proposed development should, where practicable, consider the visual and acoustic privacy of neighbours in the vicinity and residents by:</p> <p>(i) appropriate site planning, the location and design of windows and balconies, the use of screening devices and landscaping, and</p> <p>(ii) ensuring acceptable noise levels in internal living and sleeping areas of new dwellings.</p>	<p>The proposed development will be well constructed to ensure that internal acoustic amenity is provided to the apartments. The acoustic impact assessment provides details in this respect (see <b>Annexure 16</b>).</p> <p>The building has been sited in accordance with the approved building envelope for the site and to comply with the planning controls. Well positioned/orientated balconies and the use of privacy screens will ensure acoustic and visual privacy for the future occupants.</p>	Yes
<p><b>(c) Solar access and design for climate</b></p> <p>The proposed development should, where possible:</p> <p>(i) ensure adequate daylight to the main living areas of neighbours in the vicinity and residents and adequate sunlight to substantial areas of private open space, and</p> <p>(ii) involve site planning, dwelling design and landscaping that reduces energy use and makes the best practicable use of natural ventilation solar heating and lighting.</p>	<p>The apartments will receive good solar access and the siting of the building will ensure that overshadowing impacts are minimised.</p> <p>The building has been designed to comply with the requirements of BASIX. A Certificate is at <b>Annexure 12</b>.</p>	Yes
<p><b>(d) Stormwater</b></p> <p>The proposed development should, where possible:</p> <p>(i) control and minimise the disturbance and impacts of stormwater runoff on adjoining properties and receiving waters, and</p> <p>(ii) include, where practical, on-site stormwater detention or re-use for second quality water uses, and</p> <p>(iii) be designed with regard to the scope for on-site infiltration of water.</p>	<p>The proposed stormwater drainage system integrates with the approved system for the other buildings in the broader redevelopment site. The development has been designed to accommodate the overland flowpath during heavy storm events. Details are provided in the stormwater plan is at <b>Annexure 20</b>.</p>	Yes
<p><b>(e) Crime prevention</b></p> <p>The proposed development should, where possible, provide personal property security for residents and visitors and encourage crime prevention by:</p> <p>(i) site planning that allows, from inside each dwelling, general observation of the street, the site and the approaches to the dwelling's entry, and</p> <p>(ii) providing shared entries that serve a small number of dwellings and are able to be locked, and</p> <p>(iii) providing dwellings designed to allow residents to see who approaches their dwellings without the need to open the front door.</p>	<p>The apartments will have good casual surveillance of the street. The secure entries to the building will provide a safe residential environment with the ability to visually communicate with visitors.</p>	Yes

DESIGN PRINCIPLE	EVALUATION	CONSISTENCY
<p><b>(f) Accessibility</b></p> <p>The proposed development should, where appropriate:</p> <p>(i) have convenient, obvious and safe pedestrian and bicycle links from the site that provide access to public transport services and local facilities, and</p> <p>(ii) provide attractive, yet safe, environments for pedestrians, cyclists and motorists with convenient access and parking for residents and visitors, and</p> <p>(iii) where feasible, involve site layout and design that enables people with a disability to access, on one continuous accessible path of travel, the street frontage, car parking, and all buildings, facilities and open spaces within the site.</p>	<p>The proposed development provides a positive interface with the pedestrian environment. The entry to the building has also been designed to provide disabled access into the building.</p> <p>The proposed road extension and associated footpath will continue the approved design and provide connection to Pymble Avenue. This will accommodate vehicular and pedestrian traffic into the site.</p>	Yes
<p><b>(g) Waste management</b></p> <p>The proposed development should, where possible, be provided with waste facilities that maximise recycling by the provision of appropriate facilities.</p>	<p>The basement of the proposed building provides storage for waste and recycling. Each level of the building contains short term storage for recycling and a garbage chute for waste.</p>	Yes
<p><b>(h) Visual Bulk</b></p> <p>The proposed development should, where practicable, maintain reasonable neighbour amenity and appropriate residential character by:</p> <p>(a) providing building setbacks that progressively increase as wall heights increase to reduce bulk and overshadowing, and</p> <p>(b) using building form and siting that relates to the site's land form, and</p> <p>(c) adopting building heights at the street frontage that are compatible in scale with adjacent development, and</p> <p>(d) considering, where buildings are located on the boundary, the impact of the boundary walls on neighbours.</p>	<p>The proposed development generally complies with the setback requirements of the relevant planning controls. The proposal also generally complies with the height controls, ensuring that the scale of the development is consistent with the other approved buildings on the broader redevelopment site.</p> <p>In accordance with the planning controls, the building is stepped down the site to respect the sloping topography.</p>	Yes

## Development Standards

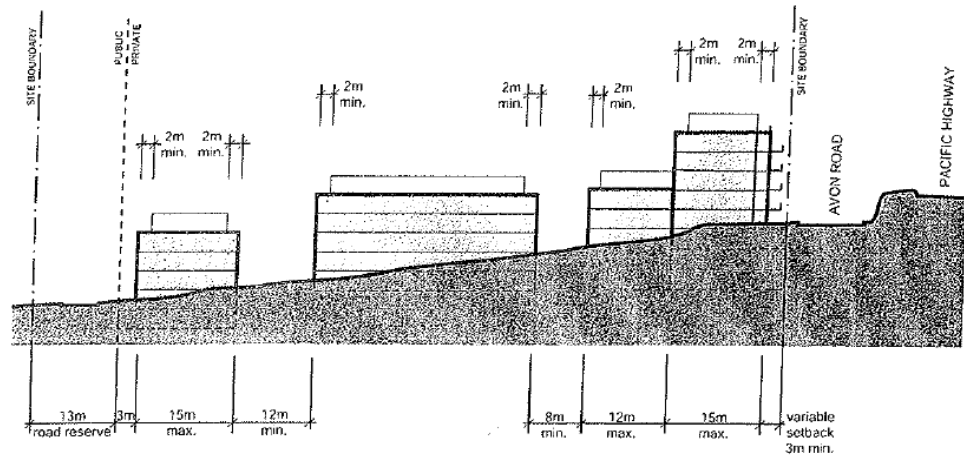
Clause 26 of SEPP 53 refers to development standards contained in Schedule 4 of the Policy. The relevant provision in Schedule 4 is clause 6, which states as follows:

*Consent must not be granted to a development application for consent to carry out development for multi unit housing in relation to a site specified in subclause (1) unless the consent authority is satisfied that the proposed development generally conforms to the deemed development standards set out in the sheets of the Ku-ring-gai Reference Plan that relate to the site*

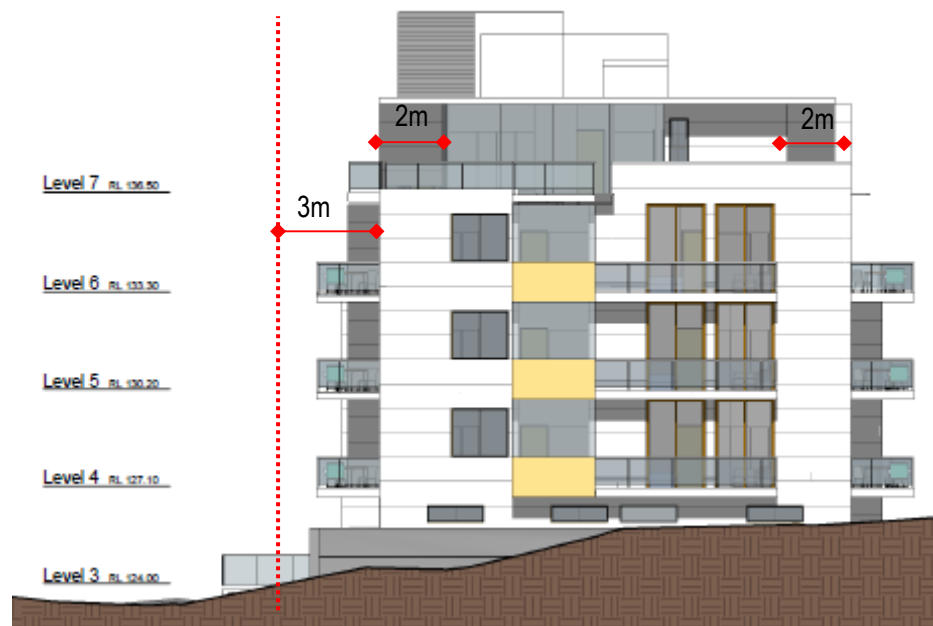


## SETBACKS

The Pymble Avenue diagram below shows the required setbacks for the proposed development

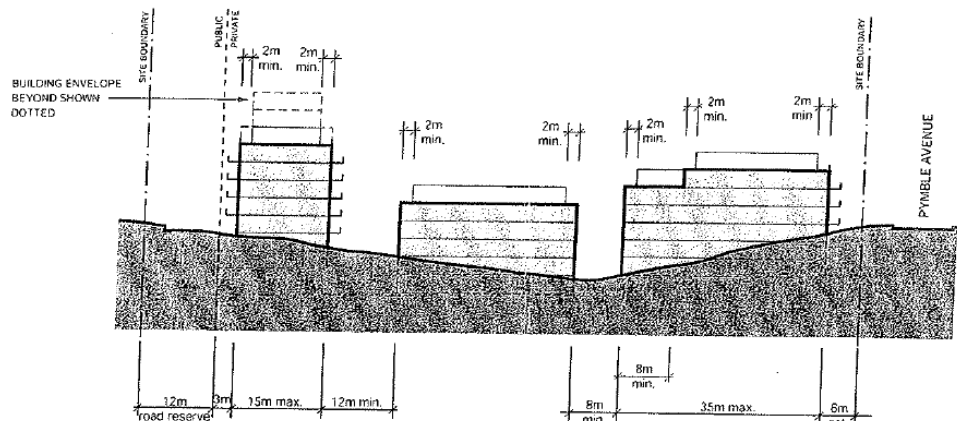


The east elevation below shows that the proposed development generally complies with the setback requirements. There are some projections into the setback zone including balconies and associated privacy screens, and bay windows. These elements are permitted to project into the setback zone.

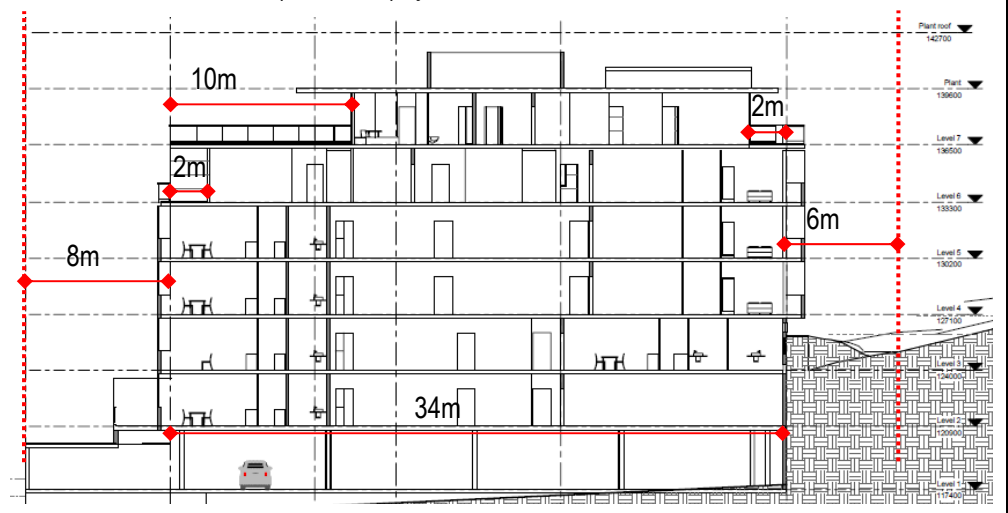


## SETBACKS

The new street elevation diagram below shows the required setbacks for the proposed development



The section below shows that the proposed development generally complies with the setback requirements. There are some projections into the setback zone including balconies and associated privacy screens, and bay windows. These elements are permitted to project into the setback zone.



## SEPP 53 Ku-ring-gai Sites Design Guidelines

The SEPP 53 Ku-ring-gai Sites Design Guidelines apply to the subject site. The Guidelines provide detailed development provisions, which complement the provisions of SEPP 53. The Guidelines aim to achieve a high quality urban development on the SEPP 53 identified sites in the Ku-ring-gai LGA.

**Annexure 18** contains an assessment against the relevant provisions of the Guidelines. The assessment shows that the proposed development is consistent and compliant with the objectives, performance criteria and the controls of the Guidelines.

### 5.1.3 SEPP 55 – REMEDIATION OF LAND

Clause 7 of State Environmental Planning Policy No 55 (Remediation of Land) requires the consent authority to consider whether land is contaminated, prior to granting of consent to the carrying out of any development on that land.

The most recent use of the site was for residential purposes. Dwelling houses most recently occupied the site, but they have since been demolished. All indications are that the site has only ever been used for residential purposes.

On the basis of the above, the site is not considered to be contaminated and will be suitable for the proposed residential use.

### 5.1.4 SEPP 65 – DESIGN QUALITY OF RESIDENTIAL FLAT BUILDINGS

#### Objectives

This Policy applies to residential flat building developments of three or more storeys comprising four or more self-contained dwellings. The Policy is a matter for consideration in assessment of development applications for residential flat buildings 3-storeys and above.

The Policy aims to improve the design quality of residential flat developments in New South Wales as: -

- To contribute to the sustainable development of New South Wales;
- To achieve a better built form and aesthetic of buildings, of the streetscape and the public spaces they define;
- To better satisfy the needs of all members of the community including those with disabilities;
- To maximise amenity, safety and security of the occupants and the community;
- To conserve the environment and to reduce greenhouse gas emissions.

#### Application

Clause 30(2) of the Policy stipulates as follows:

*“(2) In determining a development application for consent to carry out residential flat development, a consent authority is to take into consideration (in addition to any other matters that are required to be, or may be, taken into consideration):*

- (a) the advice (if any) obtained in accordance with subclause (1), and*
- (b) the design quality of the residential flat development when evaluated in accordance with the design quality principles, and*
- (c) the publication Residential Flat Design Code (a publication of the Department of Planning, September 2002).”*

**Annexure 8** contains the Design Verification Statement for the development, as required by Section 50 of the Environmental Planning and Assessment Regulation, 2000. **Annexure 8** also contains an assessment against the 10 Design Principles of the Policy.

### **Residential\_Flat Design Code**

At **Annexure 17** is a table that outlines the compliance of the proposed development against the relevant guidelines contained in the SEPP 65 Residential Flat Design code. The assessment in that table demonstrates that the proposed development is generally compliant with the policy and is consistent with its aims and objectives.

### **5.1.5 KU-RING-GAI PLANNING SCHEME ORDINANCE AND ANY RELEVANT DCPS**

#### **Ku-ring-gai Planning Scheme Ordinance**

Under the provisions of the Ku-ring-gai Planning Scheme Ordinance (KPSO), the subject site is zoned Residential 2(c). The table at Clause 23 of the KPSO prohibits residential flat buildings on the site. However, as SEPP 53 prevails over KPSO where the two documents are inconsistent (SEPP 53 clause 5), multi unit housing is permissible on the site with the consent of the relevant consent authority.

Clause 53 of the KPSO prevents the responsible authority from granting consent to the erection or use of a building for the purpose of a residential flat building, unless provision is made for one parking space for each apartment. A total of 26 parking spaces are proposed in the basement, which allows for allocation of one space per apartment.

An item of environmental heritage is located on the adjoining site to the south. Clause 61E requires that an assessment be made of the impacts that the proposed development may have on the heritage significance of the item. A heritage impacts statement is at **Annexure 19**, which concludes that the proposed development on the broader redevelopment site is acceptable.

Schedule 9 of the KPSO sets out aims and objectives for Residential Zones. The general aims in relation to land within all residential zones are:

- a) To maintain and, where appropriate, improve the amenity and environmental character of residential zones; and*
- b) To permit new residential development only where it is compatible with the exiting environmental character of the locality and has a sympathetic and harmonious relationship with adjoining development.*

The proposal is considered to be consistent with these general aims, in that:

- The proposed building is of a high architectural standard and has been designed to ensure no adverse impacts will occur on the surrounding properties; and
- The building is to be located on the site that allows for multi-unit housing, and the development is compatible with its existing and future surroundings.

The relevant specific objectives in relation to land within all residential zones are to ensure that:

- c) *Any building or development shall maintain or encourage replacement of tree cover whenever possible to ensure the predominant landscape quality is maintained and enhanced; and*
- d) *Any new building or development work on a site avoids total or near total utilization by maintaining a reasonable proportion of the site as soft landscaping area.*

The proposal is considered to be consistent with these specific objectives, in that:

- The proposal includes new landscaping for the site including the planting of extensive vegetation including new trees; and
- The proposed includes 720 sqm of deep soil area, which is adequate to meet the requirements of the relevant planning controls.

### **Ku-ring-gai Development Control Plan No.43 – Car Parking**

The Ku-ring-gai Development Control Plan No.43 requires parking at the rate of 1 space per 1 and 2 bedroom apartments and 1.5 spaces per 3 bedroom apartment. This would generate a requirement for 27 parking spaces.

The parking requirements contained in the SEPP 53 Ku-ring-gai Sites Design Guidelines prevail over the Council's DCP 43. Car parking on the site has been provided in accordance with the Ku-ring-gai Sites Design Guidelines.

### **Ku-ring-gai Development Control Plan No.31 - Access**

Ku-ring-gai Development Control Plan No.31 applies to the site. The proposed development has been designed to provide accessible areas and an accessible entry via a ramp from Pymble Avenue. Details in respect of full compliance with the relevant requirements will be provided with the Construction Certificate.

### **5.1.6 KU-RING-GAI COUNCIL'S DRAFT TOWN CENTRES LEP**

The Ku-ring-gai Town Centres Local Environmental Plan is currently in draft form. The draft LEP zones the subject site as R4 (High Density Residential). The proposed development is permissible under the provisions of the draft Plan.

The draft LEP imposes a 7-storey height limit on the subject site. The proposed development has a maximum of 6 storeys and, therefore, complies with the draft height limit.

The draft LEP imposes a maximum FSR for the site of 1.3:1. The proposed building in addition to the approved buildings on the broader redevelopment will be of a scale that is generally consistent with the 1.3:1 control.

The proposed development is generally consistent with the provisions of the draft Ku-ring-gai Town Centres LEP.

### 5.1.7 NATURE AND EXTENT OF NON-COMPLIANCES

The proposed development is generally consistent with all the relevant planning controls. There are **NO** non-compliances that require further particular consideration in this section of the Environmental Assessment.

## 5.2 PART 2: BUILT FORM

The proposed development has been designed to generally comply with the height and building envelope requirements of the relevant planning controls. This will ensure that the development has an appropriate scale and will relate well to the approved buildings on the broader redevelopment site. The stepped design is driven by the planning controls and results in a built form that follows the topography of the site.

Due to the orientation of the site and the sloping topography, the proposal will have minimal overshadowing impacts. The only time of day that the proposal will have some shadowing impacts is in the morning and will only affect part of the adjoining property to the southwest. At all other times of the day the proposal will not overshadow any adjoining property. Therefore, the proposal is considered to have minimal impact in terms of overshadowing.

## 5.3 PART 3: URBAN DESIGN

The proposed development has been designed to provide a well articulated façade with projecting balconies and regular placement of windows. All other elevations have a similar style of treatment to ensure that the building has a coordinated design approach and presentation to all publicly accessible areas.

The proposed development has been designed to incorporate and display a subdued and modern palette of colours and materials. The building will contain a careful balance of materials incorporating masonry, glass, metal and cladding. A colours and materials sample board accompanies the application.

The landscaping of the site provides extensive vegetation to assist in blending the proposed building into the landscape and its surroundings. The 6-metre setback from the street is to be landscaped.

The siting and design of the proposed building ensures that no hiding places will result on the site. The apartments have good casual surveillance of the street and all surrounding communal areas on the site.

## 5.4 PART 4: ENVIRONMENTAL AND RESIDENTIAL AMENITY

The proposed apartments offer a high level of internal amenity and comfort to future occupants. The building has been designed so that all balconies have suitable privacy and are separated adequately to ensure acoustic privacy.

The building is well-sited, in accordance with the relevant planning controls, to ensure that the apartments receive good solar access and ventilation.

The internal layout of the apartments is conducive to modern living and a high standard of residential accommodation.

## 5.5 PART 5: TRANSPORT AND ACCESSIBILITY

The subject site is located within close proximity to the railway station and the bus services on Pacific Highway. This proximity will ensure that the future residents have the option to be less car dependant.

The site contains a new road and pedestrian sidewalk that will provide pedestrian access to other buildings on the site. Connection is made to the existing pedestrian environment of Pymble Avenue.

Disabled access is proposed from Pymble Avenue directly to the main entrance of the proposed building.

The site will be secured with fencing and other appropriate means during the construction period to prevent authorised access and maintain the pedestrian access of the public domain.

## 5.6 PART 6: CONSTRUCTION IMPACTS

A construction management plan is provided at **Annexure 14**. The plan provides details on how the site will be managed during the construction period. The draft Statement of Commitments, at section 7, provides further details about how potential construction impacts will be mitigated during the construction phase.

## 5.7 PART 7: ECOLOGICALLY SUSTAINABLE DEVELOPMENT

The proposed development has been designed to comply with the requirements of BASIX. A certificate is at **Annexure 12**.

The apartments have good solar access and cross ventilation, which will assist in passive climate control.

Recycling facilities are provided on each floor of the building to encourage residents to recycle and minimise waste.

## 5.8 PART 8: CONTRIBUTIONS

The Ku-ring-gai Town Centres Development Contributions Plan 2008 applies to the subject site and the proposed development. The table below sets out what contributions are payable under the Plan.

	1 Bedroom	2 Bedroom	3 Bedroom
Access and Transport Facilities	\$777	\$1,096	\$1,312
Community Facilities	\$306	\$432	\$517
Streetscape and Public Domain Facilities	\$4,405	\$6,211	\$7,439
Other	\$24	\$34	\$41
<b>Total</b>	<b>\$5,513</b>	<b>\$7,773</b>	<b>\$9,309</b>
	x 4 x 1-bed	x 18 x 2-bed	x 3 x 3-bed
	<b>\$22,052</b>	<b>\$139,914</b>	<b>\$27,927</b>
<b>Total Contributions Payable</b>	<b>\$189,893</b>		

## 5.9 PART 9: CONSULTATION

Consultation has occurred with the Department of Planning in relation to the proposal. Two meetings have been held with Department of Planning officers in relation to the proposal. At the first meeting, held on 3 November 2009, a discussion was held regarding the general approach that should be taken relating to the subject site. This guided the architects to produce a preliminary design, which was tabled at a meeting held on 21 November 2009. Guidance from the Department of Planning has resulted in the submission of the final plans in the form of the subject application.

## 5.10 PART 10: HERITAGE

An item of environmental heritage is located on the adjoining site to the south. The proposed development is well separated from the heritage item by way of the proposed new road and landscaping. It is considered that the proposed development will not adversely affect the significance of the item and its setting. A heritage impact statement is at **Annexure 19**, which concludes that the proposed development on the broader redevelopment site is acceptable.

## 6 POTENTIAL IMPACTS

The proposed development is part of a larger redevelopment on the broader site. The development will be constructed at the same time as the existing approved development on the broader site. The buildings will form a group that has been designed in accordance with the relevant planning controls. There will be no adverse impacts on the other dwellings approved on the broader site.

The proposed development is well separated from existing surrounding dwelling houses and will not have any adverse impact on those surrounding properties. Similarly, the proposal will not have any adverse impacts on the heritage significance of the adjoining property to the southwest.

No adverse traffic impacts will result from the development and all traffic movements will occur on the site and all vehicles will exit the site from the new road along the southern side of the site.

The buildings have been designed to comply with BASIX to ensure that the development provides apartments that meet the energy efficiency requirements. In addition, the apartments offer a high level of amenity by having good solar access and cross ventilation.

The key issues addressed in section 5 of this report provide a detailed assessment of the proposal and consideration of potential environmental impacts.

## **7 DRAFT STATEMENT OF COMMITMENTS**

### **7.1 PROPOSED MITIGATION AND MANAGEMENT OF RESIDUAL IMPACTS**

Relevant to the proposed development, statement of commitments relate to stormwater management, construction impacts, project waste management, waste collection and crane management. Each of these issues and commitments are made in the paragraphs that follow in this section.

### **7.2 STORMWATER MANAGEMENT**

Stormwater management of the site will be designed in accordance with the relevant guidelines of Ku-ring-gai Council.

An undertaking is to be made that stormwater will be removed from the development lot by way of pipes and pits connected to the drainage system (currently being designed on behalf of Meriton Apartments Pty Ltd).

Where possible, stormwater will be captured and stored for irrigation purposes for landscaping. The use of any such water will be undertaken in accordance with the relevant standards and regulations.

### **7.3 CONSTRUCTION IMPACTS**

Noise emissions are primarily from machinery on the site and trucks entering and leaving a development site. To minimise noise impacts, the hours of work will be restricted to between 7am-6pm Monday-Fridays 7am-5pm Saturdays and Sundays.

Sediment run off will be managed with the provision of siltation traps, silt meshing at sensitive locations along the perimeter of the site during construction of the buildings. Sediment control management will be based on the Ku-ring-gai Council's guidelines.

### **7.4 WASTE GENERATION AND COLLECTION**

Waste collection for the final development has been designed to take place from a central collection point in approved Building A. Elephant's Foot Pty Ltd has advised on the location and size of garbage rooms in accordance with Council's requirements (refer to **Annexure 11**).

Where possible, grey water will be captured and stored for irrigation purposes for landscaping. The use of any such water will be undertaken in accordance with the relevant standards and regulations.

### **7.5 USE OF CRANES**

Cranes and other equipment will not intrude above rail corridor land.

Wiring will be appropriately covered where equipment or cranes are over transmission lines.

To reduce the impact of existing residents, operating hours of 7am-6pm Monday to Friday and 7am-5pm Saturdays and Sundays will be undertaken by construction companies and subcontractors.

## **7.6 MITIGATION OF AMENITY IMPACTS FROM CONSTRUCTION ACTIVITIES**

Relevant mitigation matters have been identified and addressed above. A complete Construction Management Plan will be prepared and submitted with an application for a Construction Certificate for the development.

## 8 CONCLUSION

In accordance with Part 3A of the Act, the proposed development is a major project application by virtue of Schedule 2 pursuant to SEPP (Major Projects) and is an appropriate form of development.

The proposed development of 25 residential apartments at 3-5 Pymble Avenue, Pymble, is permissible with the Minister's consent and provides a high quality development, which exhibits a high standard architectural design and excellent residential amenity. The development will make a notable contribution to the Pymble area utilising the immediate convenient access to public transport and other facilities.

The proposal satisfies the planning principles and requirements of State Environmental Planning Policy No. 53 and the associated Design Guidelines as well as the other relevant planning instruments. The apartments provide a high level of residential amenity through their spacious design, orientation, natural ventilation and visual outlook to contribute to providing a mix of housing choices in the Pymble area.

This Environmental Assessment Report has demonstrated that the development is an appropriate residential development in terms of building height, quality of design and finishes, provision of active street frontages, provision of quality open space, access to natural light, traffic, parking and waste management.

Occupants of the development will enjoy immediate access to excellent public transport, recreational, cultural, and retail, services of the Pymble area. The development supports and reinforces Pymble as a comfortable, sustainable, and pleasant place to live.