24 January 2023 Our ref: 2101

The General Manager
Northern Beaches Council

E: council@northernbeaches.nsw.gov.au

S4.55 Application for Modification of DA 2021/1426 51 Kalang Road Elanora Heights

Dear Sir/Madam

I am writing on behalf of the owners of the abovementioned property in relation to an application under S4.55 of the Environmental Planning and Assessment Act, 1979.

The amendments are shown on plans prepared by Fortey and Grant Architecture dated 25 November 2022.

Proposed amendments
It is proposed to modify the development consent to increase the height of the building by up to 210mm and the lift overrun by 560mm, raise part of the basement level by 425mm, reduce the GFA of a number of units, change the shape of the planter at ground floor level, change the layout to unit G2 and a minor change to the roof over the front of the building.

The amendments have become necessary as a result of the engineering design of the proposed development which caused an increase in the thickness of the floor slabs and an increase in the lift overrun as follows.

Ground floor 2	10mm
First Floor 1	110mm
First Floor 2	100mm
Second Floor 1	210mm
Second Floor 2	200mm
Roof 1	210mm
Roof 2	200mm
Lift Roof	560mm

Part of the basement floor level has been raised by 425mm to avoid the existing sewer line that runs under the building. This has not resulted in an increase in the height of the building as it has been accommodated in the ceiling height within this part of the

basement with the ceiling height being 2.340m.

The roof on the northern side has been extended by 350mm so that it extends to the norther side common boundary resulting in a minor increase in the height of this part of the building.

The internal layout of unit G2 has been amended in relation to the location of the bathroom and staff kitchen facilities and the planter adjacent to this unit has been altered in its shape for construction reasons.

Minor amendments have been made to the gross floor area of each unit including the commercial units as a result of the increase in the thickness of internal structural walls, however this has not resulted in an increase in the GFA of the building.

Conditions of consent
It is also proposed to amend Condition 2 of the consent as a result of the above amendments to the proposal to refer the amended plans submitted with this S4.55 application and to delete condition 19 of the consent as the plans submitted with the S4.55 application comply with this condition.

Pittwater LEP 2014
In relation to the provisions of the Pittwater LEP 2014, the amended proposal does not comply with the provisions of Clause 4.3 of the LEP as was the case with the approved DA.

The increase in the height of the building will result in a section of the bedroom at 1st floor level and bedroom and study at 2nd floor level encroaching up to 3.2m (3.0m approved) on the 8.5m height limit. The lift overrun will encroach up to 1.518m (0.958m approved) on the height limit and part of the 2nd floor level will encroach up to 1.2m (1m approved) on the 11m height limit.

The increase in height of the building is unlikely to have any additional amenity impacts on any adjoining site. The additional height of the lift overrun only relates to a small part of the building which is located towards the middle of the building and is only visible from some distance to the south of the site and will not be visually intrusive. The additional heigh proposed to the remaining part of the building is highlighted on the plans submitted is also not visually intrusive.

Further a review of the shadow diagrams indicates that the increase in height will not result in any significant increase in the overshadowing of the adjoining sites. The additional overshadowing is minimal and generally results in minor additional overshadowing of the car parking area located on the southern side of the development and to Kalang Street.

Pittwater 21 DCP
A review of the Pittwater 21 DCP in relation to the amended proposal indicates that it is generally consistent with the provisions of the DCP. The landscaped area has been increased with the increase in size of the landscaped area adjacent to Unit G2 at ground floor level. A detailed assessment of the amended proposal in relation to the provisions of the DCP is annexed. The amendments proposed do not result in any additional

noncompliance to the DCP.

SEPP 65
In accordance with the provisions of SEPP 65 a Design Verification Statement (DVS) was prepared by Fortey & Grant Architecture and submitted with the development application. This statement certifies that the design quality principles set out in Schedule 1 of the policy and the objectives in Parts 3 and 4 of the Apartment Design Code are achieved in respect of the proposed development. The proposed amendments are minor and will be consistent with the DVS prepared for the original proposal. Therefore, an updated DVS is not required.

Apartment Design Guide
In relation to the provisions of the Apartment Design Code (ADG) the amended proposal will not result in any additional non- compliance with the provisions of the ADG. The increase in the height of the building will maintain the minimum 2.7m ceiling height required by the ADG.

It is considered that the Council should be satisfied that the proposed modified development is of minimal environmental impact as it only relates to a minor change to the overall height of the building and minor internal changes to the layout.

Further, it is considered that the Council should be satisfied that the development proposal, as modified, will be substantially the same development as that for which development consent was originally granted.

Should you wish to discuss this matter please contact me.

Yours faithfully

Tony Tuxworth

Pittwater 21 Development Control Plan (PDCP)

The following information is provided in relation to the relevant provisions of the PDCP.

Section B: General Controls
B2.6 – Dwelling Density and Subdivision – Shop Top Housing
Clause B2.6 requires the commercial/retail component of the development to be a minimum of 25% of the gross floor area of the building. The application should demonstrate compliance with this requirement.

The amended proposal provides for a total Commercial GFA of 178.2m^2(29%) the total GFA of 611.8m^2 which complies with the requirements of the DCP.

Section C: Development Type Controls
C1 Design Criteria for Residential Development
The development is to achieve compliance with the outcomes and requirements of the following controls. Any variation is to satisfy the outcomes of the particular control:
C1.1 Landscaping
For shop top housing, a minimum landscaped area of 20%
of the site area, or 35m^2 per dwelling, whichever is the greater, shall be provided. The approved proposal had a shortfall of landscaped area of 41.3m^2.
The amended proposal provides for the landscaped area to be increased with the garden bed adjacent to Unit G2 being increased which will be more compliant with the DCP.

C1.2 Safety and Security (to be measured against the principles established in CPTED)

There are four Crime Prevention through Environmental Design (CPTED) principles that need to be used in the assessment of development applications to minimise the opportunity for crime they include the following:

1. **Surveillance**

Building design should allow visitors who approach the front door to be seen without the need to open the door.

The proposed development has been designed to allow occupants to overlook the street and common areas to maximise casual surveillance.

Development has been designed so that there are few opportunities for concealment and avoid blind corners.

Adequate lighting will be provided at the font of the site and within the carparking and common areas. The lighting will be designed and located so that it minimises the possibility of vandalism or damage. Security lighting will meet Australian Standard AS 4282-1997: Control of the obtrusive effects of outdoor lighting.

Lighting will be designed to minimise electricity consumption, and to minimise annoyance to neighbours.

The proposed landscaping and materials around the development has been designed, so that when it is mature it does not unreasonably restrict views of pathways, parking and open space areas.

2. **Access Control**

The entry to the building will be able to be locked and will incorporate an intercom system or the like to allow visitors to gain entry.

The Building entrance is clearly visible from the street, easily identifiable and will be appropriately lit.

A street number will be provided on the property that will be clearly identifiable.

Pedestrian access along the street frontage will not be impeded by landscaping, street furniture or other restrictions.

3. **Territorial reinforcement**

Walkways and landscaping at the font of the development has been used to delineate site boundaries and direct visitors to the correct entrance and away from private areas.

A single entry to the development has been provided in lieu of providing separate entries to the commercial and residential portions. The commercial shop at the font of the site can be accessed from the street. The office suite at the rear will only generate a minimal pedestrian traffic and should not cause unnecessary any crime risk to the residents and the occupant of the office suite.

There are no blank walls along the street frontage

4. **Space management**

The proposed open space at the front of the development will be appropriately utilised and well cared for.

Appropriate space management strategies will be incorporated in the development.

C1.9 Adaptable Housing and Accessibility
The DCP requires that 20% of the units are accessible. One of the five units will accessible and has been designed to meet the criteria of Australian Standard AS 4299:1995 Adaptable Housing.

C1.12 Waste and Recycling Facilities
All development that is, or includes, demolition and/or construction, must comply with the appropriate sections of the Waste Management Guidelines and Development Application will be accompanied by a Waste Management Plan.

C1.13 Pollution Control
Residential development has been designed, and will be constructed, maintained and used in a proper and efficient manner to prevent air, water, noise and/or land pollution.

Developments will comply in all respects with the *Protection of the Environment Operations Act 1997*, and other relevant legislation.

C1.23 Eave
The DCP allows for a variation to the controls in this section of the DCP for Shop Top Housing in this regard the proposed development is shop top housing and doesn't contain eaves to the perimeter of the building. The design of the building incorporates varies design elements that overcome the need to provide eaves.

C2.20 Public Road Reserve - Landscaping and Infrastructure
This control does not apply to the Elanora Heights Village Centre

Section D: Locality Specific Development Controls
D5 – Elanora Heights Locality

The subject site is located within the Elanora Heights locality as indicated on the locality map.

A4.5 Elanora Heights Locality

Land within the Elanora Heights Village Centre Locality as identified on the Elanora Heights Locality Map.

Hazards, Natural Environment and Heritage
Hazards
The Elanora Heights Locality is affected by various hazards. Land affected in the Elanora Heights Locality is shown on the hazard maps held in the offices of Council.

Natural Environment
The Elanora Heights Locality includes vegetation areas, threatened species, or areas of natural environmental significance. Land affected in the Elanora Heights Locality is shown on the natural environment maps held in the offices of Council.

The subject site is not identified as an area of environmental significance on the natural environment maps.

Heritage
The Elanora Heights Locality may include Heritage items and/or conservation areas. Land affected in the Elanora Heights Locality is shown on the Heritage Map held in the offices of Council.
The subject site does not have any heritage items or is not within a heritage conservation area.

Desired Character of Elanora Heights Village Centre
The design principles underpinning the desired character for Elanora Heights Village Centre are:

- To enhance and activate the existing character of Kalang Road;
- To create a high quality public domain environment;
- To encourage upgrades to existing properties and shops;
- To ensure development achieves design excellence;
- To create a strong sense of place as a small scale coastal village centre;
- To extend the village centre uses and activity to the southern block on Kalang Road;
- To ensure the whole length of the village centre is active and vibrant with increased visitation to the southern block;
- To ensure the village retains a low scale fine grain character;
- To maximize opportunities for cafes and restaurants;
- To announce arrival at the village centre through architectural and landscape markers;

- To improve visibility of the existing Community Centre and children's playground to Kalang Road and the rest of the village centre; and
- To encourage greater knowledge of Kywong Reserve

The proposed development has taken into consideration the design principles when designing the proposed development.

Elanora Heights is a small village centre with a great sense of community, making it one of the great places to live in the northern beaches.
Comment
The proposal will maintain the community feel within the small village

Local residents enjoy an easy-going lifestyle while shopping, dining and socializing in the lively village centre shops and cafes open onto the footpaths. The new town square on the western verge, south of St Andrews Gate, offers great choices for "breaky" or a good cup of coffee on the weekends. It offers public art and informal play opportunities for kids, and the favourite sunny spot of both young and senior residents.
Comment
The proposed shops will provide an opportunity to promote the lifestyle of the small shopping precinct.

Elanora Heights is a relaxed, easy-going place that has adapted gracefully over time with its improved public domain, tree-lined main street and characteristic, low scale, 3-storey built form with colourful facades and high quality architecture.
Comment
The proposal will maintain the tree lined street characteristic and present the 3 storey built form and high quality architecture.

The architecture reflects the village atmosphere and coastal location. Buildings abut each other along both sides of Kalang Road. Driveways do not interrupt the pedestrian verges. The deep balconies to the upper levels create a play of light and shade on the facades. The use of natural materials enhances the facades and streetscape. The lower scale edges of the buildings to the rear of the properties and St Andrews Gate create a gentle transition to the lower scale houses
Comment
The community centre, its adjacent open space with tall trees, shade canopies and playground space are ideal for the locals to meet and attend community events

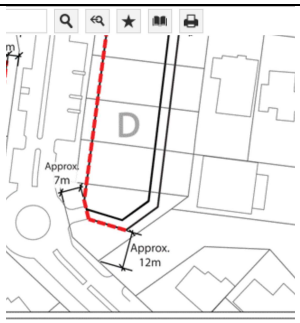
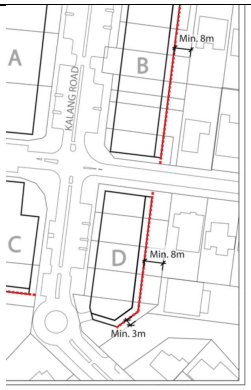
Lush planting and shading devices along generous footpaths give plenty of shade to pedestrians. The landscaped verges have regular seating areas that do not interrupt the flow of pedestrians past the shop fronts.
The extensive street trees give Kalang Road a dappled, leafy character emphasised by the tree planted central median.

The street frontages of the new buildings are active with well designed, fine grain shop fronts and high quality signage under the colonnade on the western verge along Kalang Road or under the awnings along the eastern verge. Together with the landscape master plan and the built form they create a holistic vision and character for the village centre.

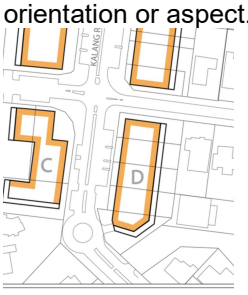
Comment
The design of the building reflects the low scale fine grain character of the village centre.

The following table relates to the provisions of the DCP relating to the Elanora Heights

shopping centre

	Compliance table		
	Requirement	Proposal	Compliance Y N
Front Building Line		7m at front and 12m at corner	N The setback of the amended proposal will be the same as the approved plans
Side and rear setbacks			N The setback of the amended proposal will be the same as the approved plans
	The minimum side setback to the southern end of block D is to be 3 metres	3m setback provided	Y
Setbacks to upper levels	A minimum setback of 3 metres is to be provided to the third floor of all development to the rear of the lot. A minimum setback of 3 metres is to be provided to the third floor of any development on Block D and to the southern lot.	3m setback to the rear of the building	Y
	An articulated setback to the front building line, as shown in Section Diagram AA and BB is required.	Articulation provided	Y
	A minimum setback of 3 metres is to be provided to the southern most lot of Block C to maintain reasonable solar access to the adjacent lot.	3m setback provided	Y
Separation	minimum of 50% of the required distance are to be provided within the boundary of any development site. This requirement is based on the	6m provided to habitable rooms and 3m to	N The site adjoins the

	reasonable expectation that the remaining 50% will be provided on the adjoining property. The required separation distances between buildings are: • 12 metres between windows of habitable rooms/balconies; • 9 metres between windows of habitable/balconies and non-habitable rooms; and • 6 metres between windows of non-habitable rooms or blank walls.	balconies at top floor level 3m setback to habitable rooms second floor level	car parking area for the community centre. 12m separation to community centre. Therefore setbacks area considered reasonable
Building depth	The maximum depth of a residential apartment building within the Elanora Heights Village Centre is to be 18 metres excluding balconies. Single-aspect apartments should be limited in depth to 8 metres from a window. The dual aspect apartments should not exceed 15 metres depth with minimum of 4 metres width to avoid deep narrow apartment layouts.	<18 building depth	Y
Ceiling height	• The provisions of the ADG apply	3.5m commercial floor level and 2.7 residential levels	Y
Building excellence	To achieve high quality of architecture, landscape architecture and urban design for Elanora Heights Village Centre. Quality buildings that respond to their prominent visual setting. Contemporary village character.	The building has been designed to comply with this requirement	Y
Façade Articulation	The village character is to be strengthened through the application of compatible ratios of open to solid walls with the rest of the village centre as well as the use of sympathetic fenestrations, horizontal and vertical alignments and the distribution of colours and materials. Provide articulation to building facades through the use of balconies, insets, projecting elements (not encroaching into setbacks) and vertical proportions that respond to the original fine grain subdivision pattern.	Appropriate façade articulation provided	Y

	Express the base and middle portions of building to create an interesting building form, including an interesting roof profile for the top of the building. Facades should not be totally occupied by balconies. Side walls are to provide visual interest through articulation, different materials or fenestration where they will be exposed to the public domain in the medium or long term. Shop fronts are to respect the existing narrow lot configuration. Maximise passive solar control and achieve visual interest through the use of sun shades, louvers, and screens as required by different orientations. Elevations and building forms are to be articulated to contribute to the overall visual aesthetics for building facades. Side facades are to enhance the visual quality of the village where they will be exposed in short to medium terms. The facade design, screening and fenestration should respond to its orientation or aspect. 		
Roof form	Preferred roof forms include skillion, low pitched, folded curved or 'floating' roof forms. Steeply pitched and flat roofs (other than green roofs) are not permitted along Kalang Road and St Andrews Gate. Articulated forms with multi-planar elements are preferred to ensure a varied roofscape. When roof profiles are visible at corners and side elevations along St Andrews Gate and Powder Works Road, the roof profile is to be articulated to address the corner and side elevation. Roof mounted plant rooms, air conditioning units and other services	Flat roof provided No roof mounted facilities	Y Y

	and equipment shall be integrated within roof structures and architectural elements. Roof articulation should be achieved within maximum building height and building envelope controls. Green roofs and sky gardens are encouraged.	provided Minor variation to roof height	 N
Materials	Maximise use of lightweight elements to respond to the contemporary village character. Maximise the use of natural materials to break up large expanses of solid masonry and continuous solid facades. Materials are to provide visual interest to all facades. Minimise blank and inactive walls. Materials and colours for new development are to be selected from the recommended palettes and material samples in order to enhance the village character. Innovative and creative architectural materials are encouraged. Building materials for corner buildings particularly those terminating views and vistas mark their 'gateway' or 'marker' status. Robust high quality materials e.g. stone, tiles, metal and timber cladding and brick are to be used. Renovations and fit outs are to use high quality and durable material that complement the rest of the streetscape. Minimise large areas of painted render that create long term maintenance issues. Use a combination of solid and glass balustrades to balconies. Green walls are encouraged.	Building designed to comply with the provisions of this clause	Y
Colours		Colour palette has been provided with the plans	Y
Active street frontages	Active uses are to be provided to all ground floor uses to Kalang Road, public open spaces and to 50% of the building frontage to St Andrews Gate. Active uses include retail/commercial	Commercial space provided to Kalang St N/A	Y

	tenancies and building entries leading directly to the street.		Y
	Buildings edging the public domain are to be designed to allow occupants to overlook public places (streets, parking, open space etc) and communal areas to maximise passive surveillance.	None provided	Y
	Where provided, public facilities (toilets, telephone, ATMs, etc) are to be located so as to have direct access and to be clearly visible from well-used public spaces.		Y
	Shop fronts should be predominantly glass with bi-folds for cafes/restaurants and should be capable of fully opening to the street.		Y
	Outdoor leased seating spaces attached to the cafes and restaurants are encouraged provided pedestrian circulation is not interrupted.		Y
	Shop fronts and building entries are to be appropriately lit at night.		Y
	Security grills are prohibited to shop fronts.	Car parking in basement	Y
	All car parking is to be underground and service exits and access are to be minimised or directed to the rear laneways unless where expressly permitted. Please refer to the landscape master plan.		Y
	Blank walls are to be minimised to Kalang Road, the new village square, St Andrews Gate and pedestrian links.		Y
	Building lobbies are to add interest and activation to the streetscape.	The access to the basement is provided at the side boundary of the site	Y
	Driveways are to be avoided on Kalang Road where possible to minimise the interruption to active frontages.		Y
	The location of required active frontages for Elanora Heights Village Centre is indicated on the Active		

	Frontage Diagram.  		
Entries	Where retail/commercial uses and residential dwellings are provided in the same development, separate entries are to be provided for the different uses. All entries to retail, commercial or residential uses are to be from Kalang Road or St Andrews Gate. Define residential entries in the design of the building with clearly legible architectural features. Pedestrian access is to be clearly defined, appropriately lit and visible in the development elevation. The street number of the property is to be clearly identifiable. Pedestrian access along the footpath shall not be impeded by landscaping, street furniture or other restrictions. Lift entries for residential uses should be visible from the street to maximise perceived safety. Post boxes are to be located in a lobby area close to the entry. Corridors to lobby and lift are to be a minimum of 2.5 metres in width.	Direct access provided to Commercial space at front shared entries to residential and office	N Only single office suite at rear utilised shared access Y Y Y Y Y Y Y
Signage		Signage will be subject to separate application	

Awnings and Colonnades	Continuous awnings should be provided above ground level shops, commercial/retail uses and building entries along all village centre footpaths except for the western verge of the northern block to Kalang Road (where a colonnade is required). Awnings to be cantilevered off the main facade; no awnings supported from below by post and beam are permitted (please refer to the Awning Diagram on the next page). The underside of awnings should not be less than 3.2m above the footpath. Awnings shall be constructed of suitable and durable materials. Awnings should be compatible in alignment and height to adjoining awnings. The top of awnings should be a maximum depth of 3.5m to ensure they do not conflict with tree canopies. No signage is allowed along the awning facia. Awnings are to integrate under-awning lighting to create a positive night time experience and improve safety and surveillance. Awnings using glass must be provided with a close white frit to minimise the visual impact of dirt. Colonnades to Block A, are required to the Kalang Road frontage. Colonnades are to be a minimum of 1-storey in height with a depth of 3m. Colonnades are to maximise the open frontage to the street. No bracing, screen or other facade devices are to block the connection from the colonnade to verge. SEE diagram below		Y Y Y Y Y Y Y N/A N/A N/A N/A Y
Fencing	Fencing is permitted along the rear		Y

	boundaries of the mixed use developments to a maximum height of 1.8 metres. It is to be screened by landscaping within the planting strip along the rear laneways of a minimum dimension of 2 metres. Fencing materials are to be at least 70% solid to provide visual interest and further opportunities for landscaping without restricting casual visual surveillance of rear laneways and the public domain. No fencing will be allowed to the front and side boundaries of shops and retail uses off Kalang Road except when ground floor uses include home office occupations along St Andrews Gate. Fences with open design are preferred along the edges with Kywong Reserve to facilitate for the passage of wildlife corridors while providing a delineation of the private domain and the public reserve. Where fences are constructed as extensions of retaining walls and terracing which are visible from a public place, preference is given to the use of sandstone or sandstone like materials. Materials are to be timber, brick, stone or open steel fencing. Lapped timber fencing is prohibited.		N/A Y Y Y Y
Ecological Sustainable development	Development Applications need to be accompanied by a BASIX certificate or equivalent energy efficiency certification for the residential component. A Green Star or equivalent energy efficiency certification is encouraged to be submitted with each Development Application for all commercial and retail components. Buildings are to be oriented so that		Y Y

	solar access is optimised.		Y
	Buildings are to be designed with a combination of passive and active solar energy systems to achieve greater energy efficiency in buildings.		Y
	The direction and strength of prevailing winds is taken into account in the design of buildings to maximise cooling effects during summer and for the provision of appropriate wind protection during winter months.		Y
	Orientation, layout and design of buildings and associated private open space takes into account of any overshadowing of the site by adjacent buildings or structures.		Y
	Reduced summer sun penetration is achieved along the eastern and western elevations along Kalang Road and north facing elevations along Powder Works Road and St Andrews Gate by the use of external solar shading devices, such as awnings, external venetians, balconies, pergolas, eaves and overhangs.		Y Y
	Building materials used in construction are to be from a sustainable or renewable resource wherever possible.		Y
	Buildings are designed keeping in mind the need to deconstruct or demolish them in the future.		Y
	Buildings are designed to be flexible and robust in their future use providing higher ceiling heights (3.3 metres) for ground level uses.		Y
	Planning for the sustainable disposal of waste is to be incorporated through the building process.		Y
	Recycled and low embodied energy materials are to be used in the construction of buildings wherever possible.		Y
	Recycling is to be encouraged through		No

	the design of the building and communal open spaces. Opportunities for edible gardens is provided in any communal open spaces. Opportunities for grey and black water reuse are to be maximised throughout the development. Grey water is to be used for the irrigation of public and communal open spaces. <u>Water Sensitive Design</u> Buffer strips and grass swales are integrated along the planting strips to the rear lanes to encourage water filtration. Impervious surfaces are reduced along the rear laneways whenever possible. Run-off is directed to a treatment point within the development site. Natural drainage lines are to be maintained within Kywong Reserve.		opportunities due to lot size Y Y Y refer to engineering plans
Public Domain	The new village square is to be designed to maximise the use of the space for community activities and is not to be overcrowded with planters, street furniture or signage. The new village square is to be landscaped to provide shade in summer and allow solar access in winter. The area for the new village square should be located so that a minimum of 50% of the open space area benefits from 3 hours of solar access between 11am and 2pm in mid-winter. This area is to be located adjacent to retail frontages that are appropriate for cafes, restaurants or seating areas within the space. The minimum area of the new village square is to be approximately 300 square metres (+/-10%). For specific dimensions, please refer to Front		N/A N/A N/A N/A

	Building Line diagram in D5.17.		
	Any public domain upgrades undertaken as part of a new development are to be consistent with Councils Elanora Heights Landscape Master Plan including materials, public domain elements and colours.		Y
	Any footpath areas designated for cafe or restaurant seating are to be designed to ensure they are functionally able to accommodate a reasonable number of chairs and tables plus circulation space.		
	New streets and public spaces are to be landscaped to provide shade in summer and allow solar access in winter		Y
	Understorey landscape, planters and location of trees are to be integrated along footpaths to ensure easy and safe access to avoid conflict with pedestrian flow and movement past the shopfronts.		Y
	Street and cafe outdoor furniture is to be high quality and is to contribute to the village character of Elanora Heights		Y
	Special effects lighting may be used to highlight key landscape design elements, major trees in public spaces and significant buildings in the streetscapes.		Y
	Alterations to the public domain as part of new development are to be prepared by a qualified landscape architect in accordance with the Elanora Heights Landscape Master Plan.		Y
	Street tree planting should be carried out in accordance with Elanora Heights Landscape Master Plan and reinforce view corridors down streets and laneways.		Y
	Street trees interspersed between car parking spaces are to be designed to Council's specification and as indicated in the Elanora Heights Landscape Master Plan.		Y
	Street tree planting and landscaping shall not unreasonably obstruct driver		

	and pedestrian visibility especially across both sides of Kalang Road. High planting beds and landscaped areas to the western verge of Kalang Road north of St Andrews Gate are to be located to ensure they do not impede pedestrian movement or the use of the space for suitable community activities.		
Landscaping	All canopy trees, and a majority (more than 50%) of other vegetation, shall be locally native species for the communal open space of the new development south of St Andrews Gate on the western verge of Kalang Road. For Block C located south of St Andrews Gate on the western verge of Kalang Road development shall provide for the reasonable retention and protection of existing significant trees, especially near property boundaries and retention of natural features such as rock outcrops. For Block C, development shall provide for a communal area for children's play and BBQ area. For areas above ground, the following soil depths are required in order to be counted as open space or landscaped areas: • 300mm for lawn; • 600mm for shrubs; and • 1m for trees. No planters are allowed at the front building facade (between the front boundary and any built structures) for shop top housing developments facing Kalang Road. Screening to adjacent residential uses shall be provided in the form of a minimum 1m wide planting strip along the edges of the rear laneway/driveways. Noxious and undesirable plants must be removed from the site.	Refer to landscape plans	Y

	For Block C, the development should provide for the possibility of a public pedestrian connection/link along the southern setback to connect Kalang Road to Kywong Reserve. This link will connect to the Reserve at the intersection of the adjacent property boundaries with 27 St Andrews Gate and 44 Kalang Road. The connection from Kalang Road to Kywong Reserve shall be provided as part of the redevelopment of Block C in the form of an informal trail connection for the use of the community to access the Reserve as shown on Kywong Reserve Link Diagram.		
sunlight	The provisions of the ADG apply		Y
Visual Privacy	The Provision of the ADG apply		Y
View sharing	All new development is to be designed to achieve a reasonable sharing of views available from surrounding and nearby properties. Where a view may be obstructed, built structures within the setback areas are to maximise visual access through the structure e.g. by the provision of an open structure or transparent building materials. Views are not to be obtained at the expense of existing vegetation. Non compliance with development controls that create view loss will not be supported.	No views impacted	Y
Acoustic privacy	Noise-sensitive rooms, such as bedrooms, should be located away from noise sources, including Kalang and Powder Works Roads, parking areas, living areas and retail tenancies where possible. Walls and/or ceilings for dwelling shall have a noise transmission rating in accordance with Part F(5) of the Building Code of Australia.		Y

	Noise generating plants, air conditioning units and the like shall not produce noise levels that exceed 5dBA above the background noise when measured from the nearest property boundary. Developments must comply in all respects with the *Protection of the Environment Operations Act 1997*, and other relevant legislation.		
Private open space	Dwellings are to be designed so that private open space is directly accessible from living areas enabling it to function as an extension of internal living areas. For dwellings above ground, private open space is to be provided by balconies. For ground floor dwellings, private open space is to be provided as a terrace or garden. The dimension of private open space should be sufficient so that the area can be usable for recreational purposes with minimum area of 10 square metres and a minimum width of 2.4 metres. First floor balconies are prohibited along side boundaries looking into an adjoining residential property. The primary orientation of balconies is to be to the streets or rear boundary. Balconies are not to be fully recessed into the building form. Balconies should not form the dominant architectural expression of the building. Private open space for new dwellings is not to be positions such that it 'borrows' amenity by overlooking adjoining dwellings.	All units provided with POS of 10m^2 and 2.4m wide Some side balconies provided but adjoin car parking area on adjoining site and suitable screening provided by 1.5m high balustrade. Upper level balconies provide on top of floor below	Y Y Y Y Y

	Balconies adjacent to rear boundary must be designed to limit overlooking and maintain privacy of adjoining residences. Private open space areas are to have good solar orientation (i.e. orientated to the north east or north west where possible). Private open space areas should include provision of clothes drying facilities, screened from the street and public places. Private open space is to include gas BBQ points and external power points.	Balcony at rear limits overlooking of community centre Limited opportunity for north orientation due to site location	Y Y Y Y
Natural ventilation	Buildings are to maximise natural ventilation by providing dual aspect apartments and by positioning openings (windows and doors) to prevailing winds to encourage cross ventilation. A minimum of 60% of dwellings in a development is to achieve cross ventilation. Innovative technologies to naturally ventilate internal building areas, in particular areas such as bathrooms, laundries and underground carparks are encouraged.		Y Y
Storage	In addition to kitchen cupboards and bedroom wardrobes, provide accessible storage facilities at the following rates: • studio apartments 6m^3; • one-bedroom apartments 6m^3; • two-bedroom apartments 8m^3; and • three plus bedroom apartments 10m^3. A minimum of 50% of the overall requirement for storage within individual unit shall be located in the	Storage provided with ADG	Y

	hall or near living areas, under internal stairs or near the entries. A maximum of 50% of the required storage area may be located within storage cages in basement carparks.		
Vehicle access	The number of access driveways is to be minimised from Kalang Road except where indicated on the Vehicular Access diagram. Access for service vehicles to loading docks are not permitted from Kalang Road except where indicated on the Vehicular Access diagram. Clear site lines are to be provided at pedestrian and vehicle crossings. All access driveways shall be constructed with an impervious pavement and gutter crossing construction in plain concrete. Where access driveways are unavoidable to Kalang Road and for driveways to St Andrews Gate small unit pavers are encouraged in dark earthy tones or match adjacent constructed footpaths. Driveways are to be recessed into the main facade of the building. All access driveways on the low side of Kalang Road are to be designed and constructed such that stormwater drainage is directed away from the access driveway. The cost for access driveways construction and maintenance and adjustment of any utility service is the responsibility of the applicant. See diagram below		Y Y Y Y Y Y
Laneway access and character	The consolidation of the entry/exit vehicular access point or access driveway is required for commercial/retail and residential uses. The location of the driveway is to maximise the retention of trees and		Y Y

	native vegetation along rear laneways. Clear sightlines down laneways are to be provided for increased safety and security.		 Y
Off street vehicle parking	Car parking is to be located within the basement of any new development. The line of the basement car park shall fit generally within the building footprint with considerations given to optimising consolidated areas of deep soil. Exposed basement car parking and extensive open ramps are prohibited. Potential pedestrian/vehicle conflicts are to be minimised by limiting the width of vehicle access points. 'Black holes' are to be avoided in the facade by providing well designed garage security doors to car park entries. Return the facade material into the car park entry recess for the extent visible from the street as a minimum to achieve a high quality outcome. Security enclosed bicycle storage facilities must be provided within the building for Residential Development at the rate of 1 bicycle rack per 3 dwellings and as per Australian Standards *AS 2890.3: Bicycle Parking Facilities*. Visitor parking spaces are to be easily accessible and clearly marked "Visitor". Residential parking areas need to be segregated from the commercial/retail parking areas to ensure safety of residents. Provision must be made within the development site for access and parking of all service vehicles, visitor parking and parking for people with disabilities.	Part of car park exposed due to levels of the land 3 bicycle spaces provided in the basement parking area Commercial spaces visitor and parking for disabled marked appropriately	Y Y N Y Y Y Y Y Y