



Statement of Environmental Effects

Residential Apartment Development

55 – 57 Railway Street, Griffith

Lot 3 DP 1224710



PREPARED FOR: JOSS CONSTRUCTIONS

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DATE OF FINAL 11 JUNE 2024

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1 Executive Summary

1.1 Overview

This Statement of Environmental Effects has been prepared in support of a development application for the proposed construction of a new residential apartment development at 55 – 57 Railway Street Griffith. The proposal includes construction of a four-level building containing 18 three-bedroom apartments. The proposal also seeks consent for the Strata Title subdivision of the apartments.

The subject site is located in Griffith’s Central Business District (CBD) with views to Memorial Park to the south and Scenic Hill to the north. The development site consists of one battle axe-allotment with a total site area of 3350 m². The site has frontage to Railway Street with vehicle access to Kooyoo Street which was established as part of the subdivision of the site by Council when they owned the land. The site is vacant of any structures and is clear of any native vegetation. There are a few small non-native trees which must be removed.

The proposal has been designed by CohenLeigh Architects for Joss Construction, with the design providing a high quality, contemporary, curvilinear building within Griffith’s commercial core. Each apartment has access to two private balconies, as well as an extensively landscaped communal courtyard.

The development complies with the standards specified in the *Griffith Local Environmental Plan 2014*, and the requirements of the *Apartment Design Guide* pursuant to Chapter 4 of State Environmental Planning Policy (Housing) 2021.

1.2 List of Drawings and Plans Relied On

Document	Responsible Author
Architectural Plans	CohenLeigh Architects
Quantity Surveyors Report	WT
Civil drawings	Van der Meer Consulting
Structural Concept Plans	Van der Meer Consulting
Traffic Report	Peter Meredith Consulting
Acoustic Report	Marshall Day Acoustics
Heritage Impact Statement	Urbis
Geotechnical & Contamination Investigation	Aitken Rowe

Plan of Subdivision	Spiire
Survey Plan	PHL Surveyors
Design Verification Statement	CohenLeigh Architects
BASIX Report and Certificates	JBA Smarter Engineering
Landscaping plans	Yonder Landscape Architecture
Statement of Environmental Effects	SKM Planning

Need & Justification

The *Griffith Housing Strategy 2019* highlights the low growth in strata units over the past 10-20 years, resulting in a supply-demand imbalance of smaller, well-located strata dwellings. The strategy identifies a need to provide more housing supply, specifically encouraging increased development of residential flat buildings in Central Griffith. Although the proposal is not applying for approval as affordable housing under the Housing SEPP, the proposal will provide increased housing options in Griffith by providing eighteen additional dwellings, which are well-located and provide high-quality apartment style accommodation in Griffiths Commercial Core.

2 Introduction and Summary

2.1 Overview

This Statement of Environmental Effects (SEE) has been prepared by SKM Planning Pty Ltd on behalf of Colin Joss & Co. Pty Limited to accompany an application to be submitted to Griffith City Council for a local development application which seeks Development Approval under Part 4 of the *Environmental Planning and Assessment Act 1979* (EP&A Act) for a residential flat building. The site is located in the CBD of Griffith on Railway Street adjacent to the Quest Service Apartment building and within the Griffith Local Government Area (LGA). The site is currently vacant and has been vacant for several years.

The Applicant is a regional construction company specialising in large scale commercial, industrial and residential development.

The purpose of this SEE is to assess the environmental, social and economic impacts of the proposed development in accordance with the *Environmental Planning and Assessment Act 1979* (EP&A Act) in particular clause 4.15 and also the requirements of the Environmental Planning and Assessment Regulation 2000 (EP&A Regulation).

2.2 General Summary of Development

The proposal includes construction of a contemporary four level residential flat building containing 18 new three-bedroom apartments. Parking has been provided on the ground floor for 39 vehicles. Other aspects of the development include:

- Garden and landscaping areas with footpaths to the Railway Street frontage and communal open space, and landscaping at the rear of the site adjacent to the rail corridor.
- The units would span the north-south alignment of the building to ensure a northern aspect is available to each unit. To facilitate this approach, a total of three lifts and staircases have been proposed. Each lift and staircase would provide access to six apartments.
- Each apartment would have three bedrooms (one with an ensuite), a bathroom, living and dining area, kitchen, two balconies and a laundry.

- Each apartment would have two allocated parking spaces and three additional parking spaces have been provided for visitors in accordance with Council’s DCP. Storage areas in the ground floor carpark have been provided for each unit as well.
- Vehicular access to the carpark at the ground level would be provided by the access handle created as part of the subdivision of land gaining frontage to Kooyoo Street.

The finished development will be a high quality, architecturally designed landmark for Griffith. The development complies with the standards specified in the Griffith Local Environmental Plan 2014 and the requirements of the NSW Apartment Design Guide pursuant to Chapter 4 of State Environmental Planning Policy (Housing) 2021. The development also complies with all development controls and design criteria of the Griffith Residential Development Control Plan 2020.

The development is not Regionally Significant Development, as it has a capital investment value of less than \$30 million.

Based on the detailed assessment provided in this SEE, Council should be confident in granting approval to the development.

Table 1: Overview of Development Proposal

	Details
Overview	Construction of a Residential Flat Building and Strata Title subdivision
LGA	Griffith City Council
Property	Lot 3 DP 1224710
Address	55 – 57 Railway Street
Surrounding Land Uses	Railway station and rail corridor, tourist and visitor accommodation (Quest apartments), public car park, public open space (Memorial Park), the commercial core of Griffith (Banna Avenue).
Local Environmental Plan	Griffith Local Environmental Plan 2014
Land Zoning	E1 – Local Centre
Development description	Residential Flat Building
Permissibility	Permitted in the zone with consent.
Capital Investment Value	\$17.7M

3 Strategic Context

3.1 Site Location & Description

The subject site is known as 55 – 57 Railway Street Griffith, Lot 3 DP 1224710, and is located within Griffith’s Central Business District (CBD). The development site (the site) consists of one lot with a total site area of 3350 m². The site has 62.27 m of frontage to Railway Street and 6 m of frontage via a battle axe access handle to Kooyoo Street. The site has a direct boundary to the railway corridor with a length of 102.18 m. The site is generally flat and is void of vegetation. The site was previously used for railway activities and has been the subject of site contamination investigations which have deemed the site is suitable in its current state for sensitive land uses including residential development.

The site is encumbered by easements for railway noise and vibration, a sewer easement, drainage of water and the supply of water (refer to **Figure 1**). The site contains two patches of non-native trees which will need to be removed. The proposal includes the removal of these trees shown on **Figure 1**

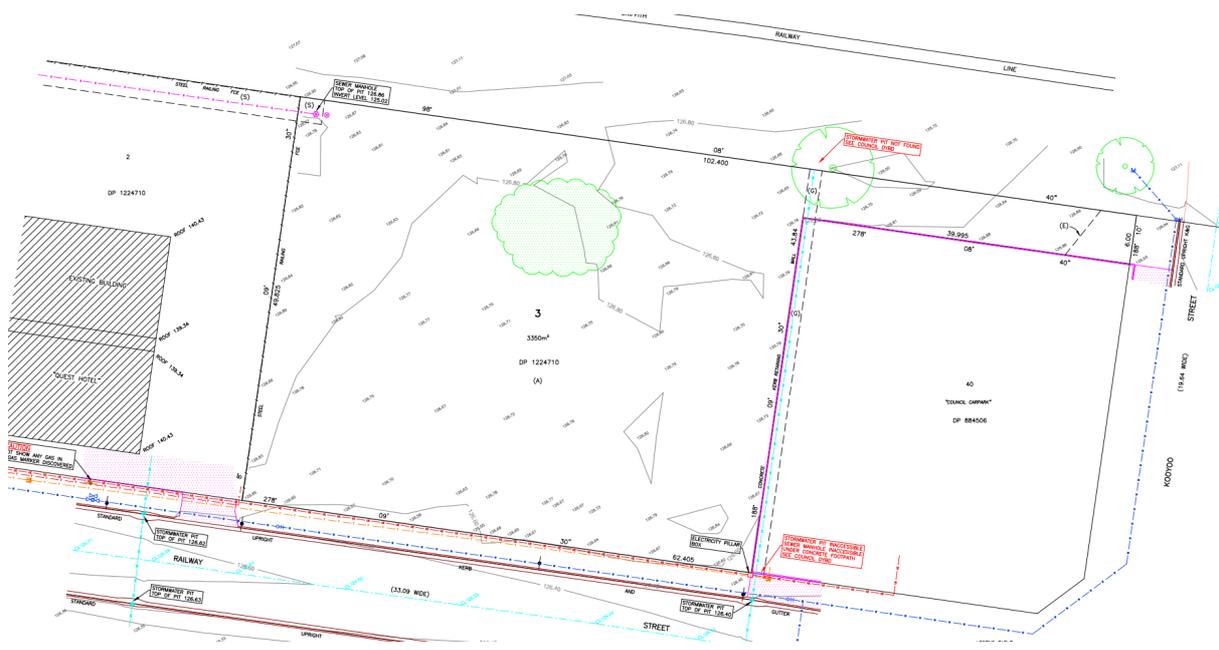


Figure 1: Site Survey



Figure 2: Site Location

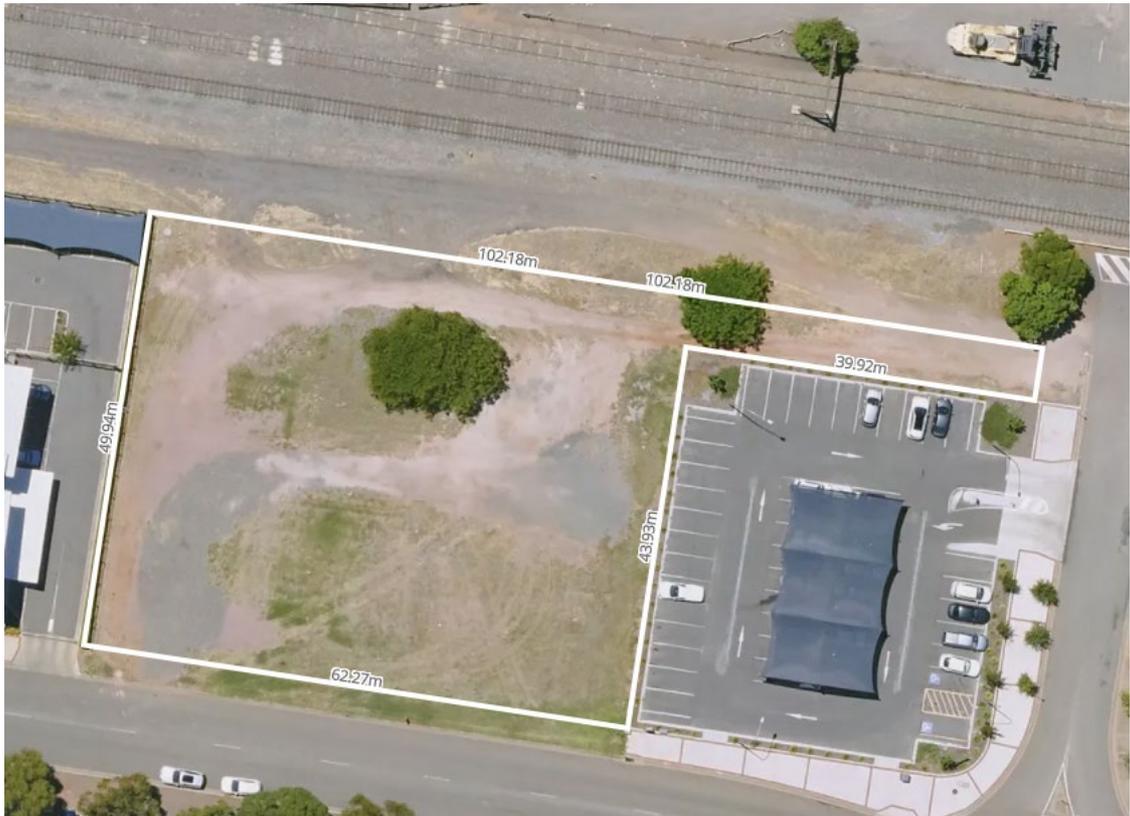


Figure 3: Site Particulars

3.2 Surrounding Land Uses

The site is located in the CBD of Griffith which is a thriving regional commercial centre with retail, food and service industries supporting Griffith residents and surrounding populations. The site is located immediately adjacent to a railway corridor which is used for freight transport and limited passenger trains. Up to three trains per day pass through the rail corridor (during the day) which has a width of 30 m. The Linx freight terminal is located around 100 m to the south-east of the site. An Acoustic Assessment has been prepared by Marshall Day Acoustics to inform the design of the development including the Rw rating of the glazing of Apartments. Memorial Park is located to the south of the site as well as the main Griffith Post Office and distribution centre. The area to the south of the site, including the Banna Avenue precinct is considered a Heritage Conservation Area which is protected through clauses in the Griffith Local Environmental Plan 2014. A Heritage Impact Statement has been prepared by Urbis to ensure the design of the development is considerate of the Conservation Area and the heritage items in the locality including:

- Former Rural Bank manager's residence, located at 18 Kooyoo Street and listed as I5 on the Griffith LEP 2014
- Court House, located at 363 Banna Avenue and listed as I8 on the Griffith LEP 2014
- Former Police Station, located at 369 Banna Avenue (corner of Ulong Street) and listed as I9 on the Griffith LEP 2014
- Railway Station Buildings, located at Railway Street and listed as I16 on the Griffith LEP 2014
- Griffith Railway Station Precinct, listed on the Transport Asset Holding Entity Section 170 Register.

Council has constructed two parking areas in proximity to the site at the 'bookends' of Railway Street at the intersection of Kooyoo Street and Ulong Street. These parking areas provide overflow parking for workers and customers of the businesses in Banna Avenue and surrounds. The nearest dwelling to the site is located in Wakaden Street around 150 m from the northern boundary.

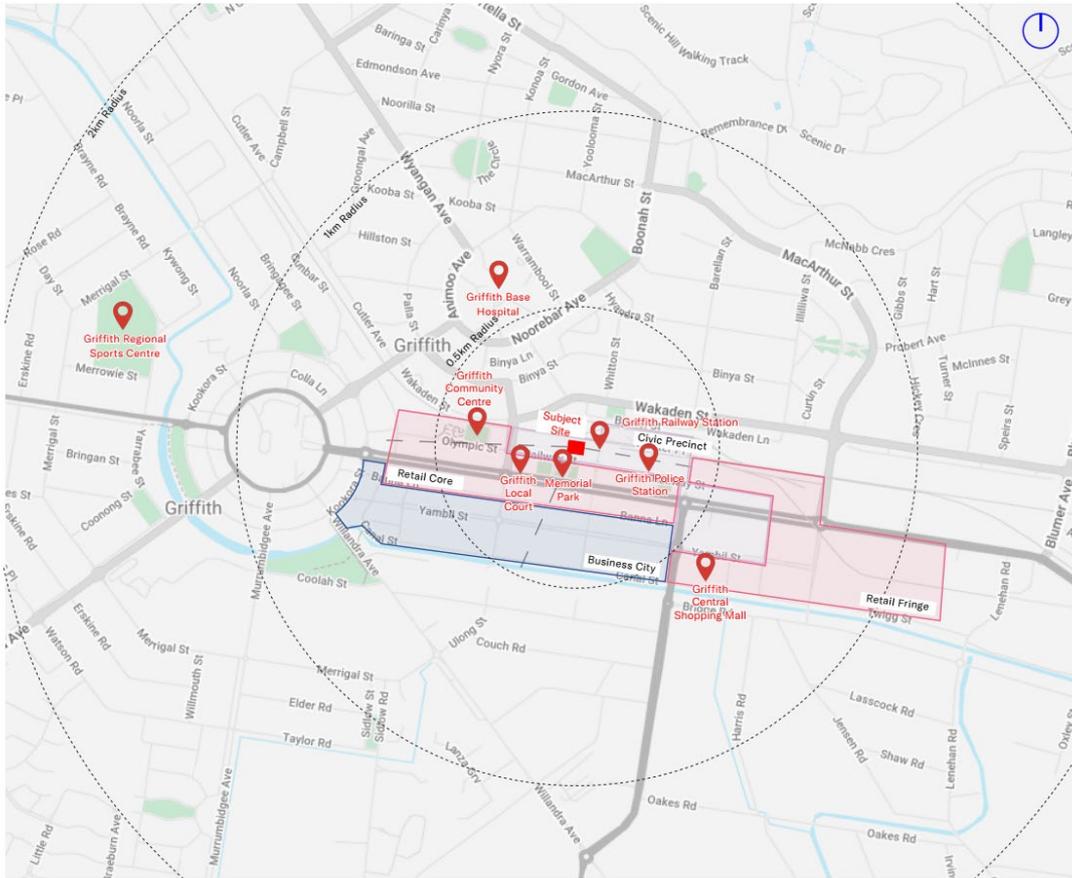


Figure 4: Surrounding Uses

3.3 Strategic Planning Context

Griffith Local Strategic Planning Statement

The Griffith LSPS outlines the land use planning vision for the growth and development of Griffith over the next 25 years and identifies the strategic framework to achieve the goals and assist in decision making and direction. The proposed development is in line with the following planning priorities, strategies and actions:

- **Planning Priority 1 – Increase Urban Density and Housing Affordability**
Greater residential density and mixed-use development throughout the city – which would alleviate the push to develop more greenfield sites and further encroach on valuable agricultural land. Further, more people living in the city centre creates a safer and more dynamic place.
- **Strategy 2.1 – Maintain and Revitalize Commercial Areas**
 - **Action 2.1a – support additional residential and mixed use lands in close proximity to the CBD (short term)**

The Structure Plan identifies areas around the CBD which should be zoned to permit additional residential development, including under a mixed-use zoning. Development of residential flat buildings, shop top housing and boarding houses should be supported on the south side of Yambil

Street and on vacant sites along Banna Avenue, Railway Street, Kookora Street and Benerembah Street.

- Action 2.1b – Retain the Banna Avenue Commercial Core

Banna Avenue is considered the beating heart of Griffith and provides for a range of social and economic interactions for residents and visitors. Ensuring the CBD and commercial zoning of the lands are retained while supporting increased residential density on the periphery of the main Banna Avenue commercial core should be supported.

Riverina Murray Regional plan 2041

The Riverina Murray Regional Plan 2041 is the NSW Government's strategy for guiding land use planning decisions for the Riverina Murray Region for the next 20 years. The plan identifies goals for land use planning and growth for the Riverina Murray Regional area and sets out directions and actions to implement those goals. Griffith is described in the plan as a: *major commercial centre providing higher order goods, services, jobs and facilities to a wider subregion of approximately 50,000 people. It sits within the Murrumbidgee Irrigation Area, one of the most diverse and productive agricultural regions in Australia.*

The proposal is in line with Objective 6: *Support housing in regional cities and their sub-regions: Higher residential densities will be a focus of urban growth in regional cities and should be supported by strategic planning, Strategy 6.1 Strategic and statutory planning for the regional cities will aim to: increase infill and residential densities within or close to the CBD.*

Griffith Housing Strategy 2019

The proposal also aligns directly with the Griffith Housing Strategy 2019 as it would provide additional Strata titled units within the CBD. In particular, the proposal aligns with Strategy 5 of the Housing Strategy:

- *Council will seek to facilitate the development of residential flat buildings within the Central Griffith Precinct.*

4 Proposed Development

4.1 Overview

The proposal is summarised in the table below:

Table 2: Development Summary

Aspect	Description
Development summary	Construction of a residential flat building with 18 units, Strata Title subdivision, a ground floor carpark with 39 parking spaces, landscaping, communal open space areas and associated infrastructure.
Site area and development footprint	<ul style="list-style-type: none"> Total Site: 3350 m² Maximum Gross Building Area: 5002 m² Gross Floor Area: 3189 m² Ground floor car parking footprint: 1356 m² Level 1 floor area: 1023 m² Level 2 floor area: 1050 m² Level 3 floor area: 1023 m² Total FSR: 0.95:1
Subdivision	<ul style="list-style-type: none"> 18 lot Strata Title subdivision. Each Strata Title lot would contain the allocated car parking space and storage area in the ground floor carpark. The Strata Corporation areas would consist of the external communal open space areas, the driveway and carpark manoeuvring areas, the lift, hallway and stairs, the roof area, bin store and fire pump room. A draft Plan of Subdivision has been prepared for the development. A detailed Strata Subdivision plan would be provided as part of a Subdivision Certificate application post approval.
Demolition	<ul style="list-style-type: none"> The proposal does not include any demolition works; the site is clear of any structures.
Built form	<ul style="list-style-type: none"> Construction of contemporary, curvilinear designed a four-storey residential apartment building consisting of 18 apartments. The structure will be setback 11.34 m from Railway Street and 13.98 m from the rail reserve. Ground floor carpark would have a zero-boundary setback with 1.8 m high fire rated walls. Residential levels 1-3 would be setback 3 m from side boundaries.

- The building consists of 18 apartments all with three bedrooms. Each apartment has the following key features:
 - one bedroom with an ensuite and two without;
 - a separate bathroom;
 - combined living and dining area;
 - kitchen,
 - two balconies;
 - apartments at the east and west extent of the building would have larger balconies which wrap around the building; and
 - a laundry.

Roof Plant	<ul style="list-style-type: none"> • Domestic hot water systems. • Air conditioning units (21). • Limited PVC panels. • Roof plant would be obstructed from view from the public domain.
Height	<ul style="list-style-type: none"> • 13.47 m above ground level excluding stair link to roof top plant. • 15.87 m above ground level to top of stair link to roof top plant.
Landscaping	<ul style="list-style-type: none"> • The area of landscaping provided at ground level is 1265 m² (soft and hard). • 37.7% of site area (inclusive of pathways) would be landscaped.
Access	<ul style="list-style-type: none"> • Vehicle access from Kooyoo Street via the existing access handle created as part of the subdivision of the parent parcel by Council. • The access handle is 6 m wide and the driveway would have a total width of 5.4 m. • A gate would be provided at the end of the access handle to restrict unauthorised access to the car park area.
Car parking	<ul style="list-style-type: none"> • 39 spaces including 12 tandem spaces and 3 allocated for visitor spaces. • Two parking spaces allocated to each unit.
Capital Investment Value (CIV)	<ul style="list-style-type: none"> • \$17,791,874
BCA class	<ul style="list-style-type: none"> • Class 2 Residential & Class 7A Carpark



Figure 5: Artist Impression of Building from Railway Street



Figure 6: Artist Impression of Building from the Railway Reserve

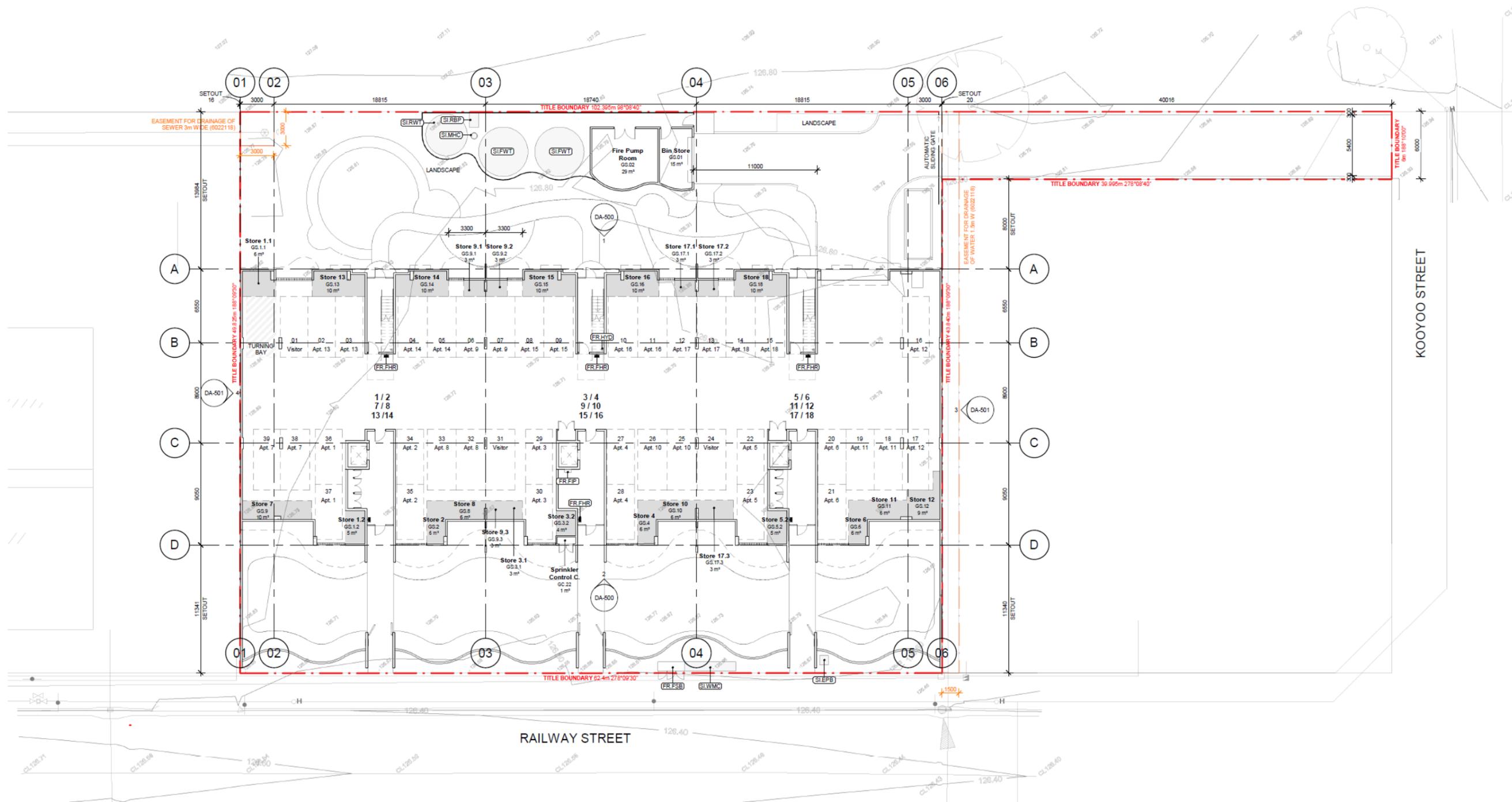


Figure 7: Site Plan with Car Park Level at Ground Floor

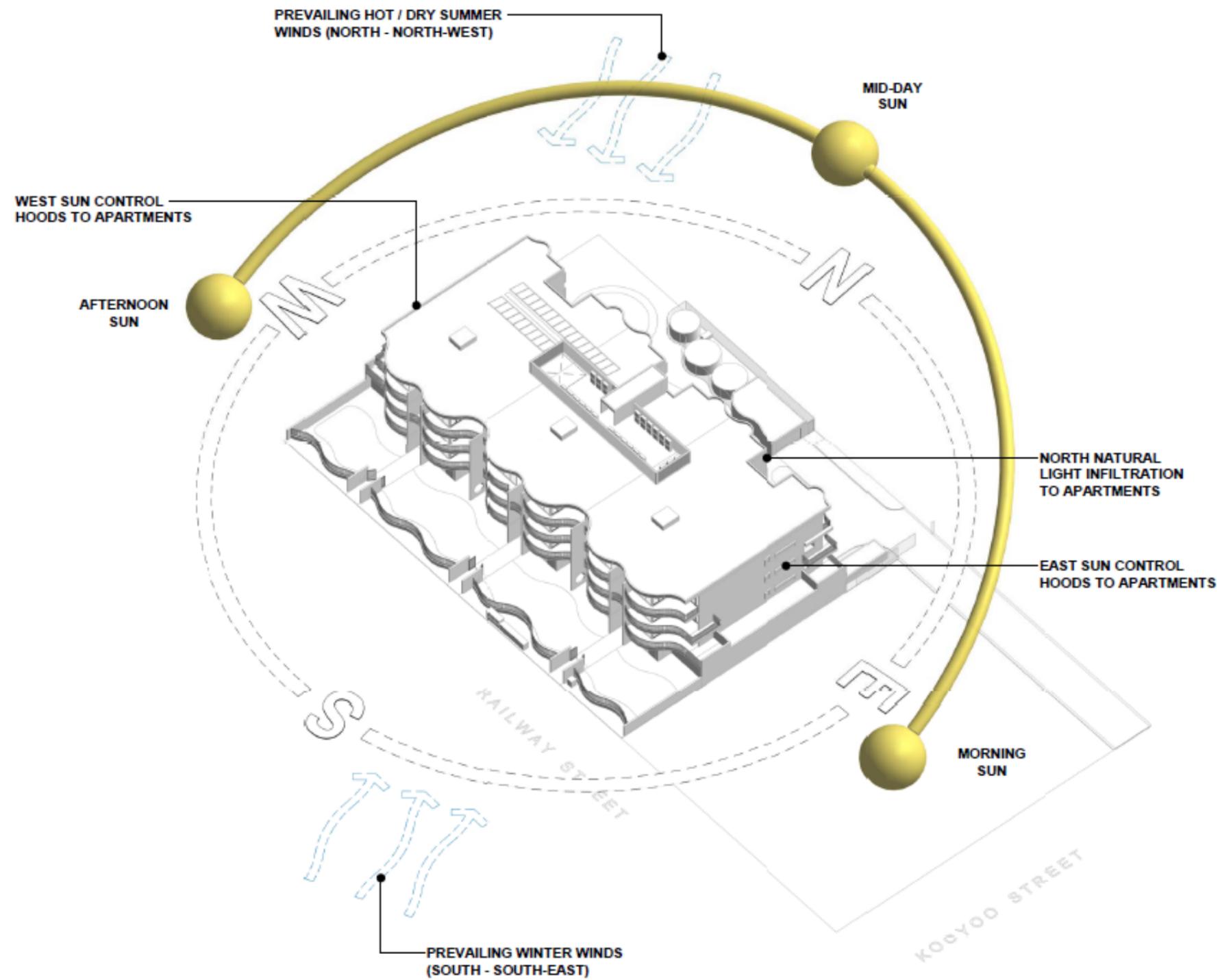


Figure 9: Site Analysis Plan

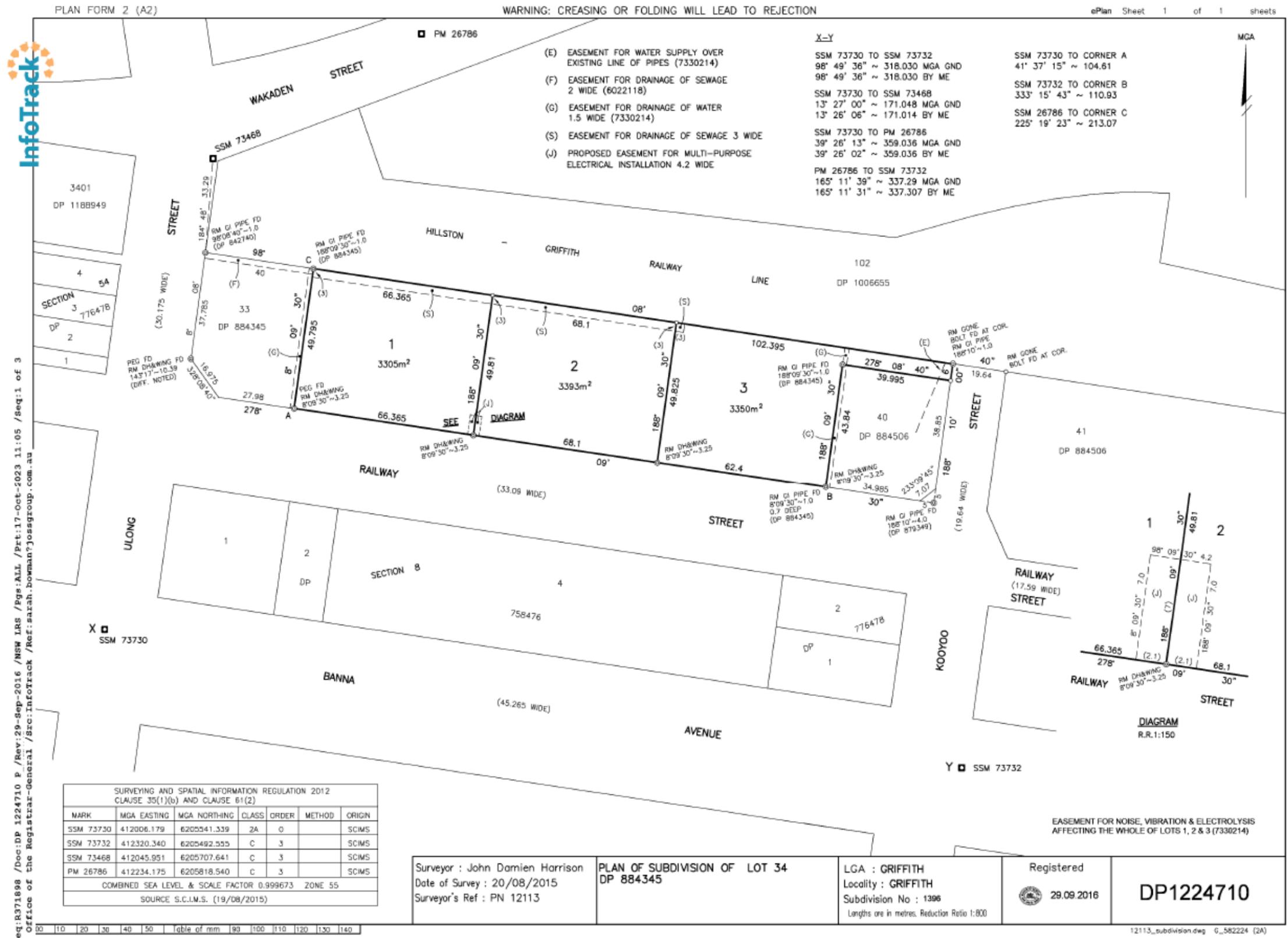


Figure 10: Deposited Plan

4.2 Floor Space Ratio and Design Elements Area Analysis

The proposal has been designed to meet all of the built form requirements of Council's DCP, the NSW Apartment Guide and SEPP Housing. A breakdown of the floor areas of the development is provided in the table below:

FLOOR SPACE RATIO AND BALCONY, BEDROOMS AND CARSPACE ANALYSIS											
PROJECT	RAILWAY ST GRIFFITH ISSUE A 240510										
PROJECT NO	220503										
CLIENT	JOSS GROUP										
LOCATION											
	GROSS BUILDING AREA	FSR AREA	FSR AREA/FLOOR	FSR(RATIO) SITE AREA = 3350M2	BALCONY/ TERRACE	% BALCONY/ TERRACE	NO OF BEDROOMS	NO OF B'MENT CARPARKS	INTERNAL STORE M3	GROUND CARPARK STORE M3	TOTAL STORE M3
LEVEL GROUND TOTAL	1449										
GROUND FLOOR CARPARK	1356										
GROUND FLOOR ENTRY 1-8	31										
GROUND FLOOR ENTRY 7-12	31										
GROUND FLOOR ENTRY 13-18	31		93								
LEVEL 1 (FIRST FLOOR)	1179										
APT 1		160			54	34%	3	2	6	15	21
APT 2		160			30	19%	3	2	6	18	24
APT 3		160			30	19%	3	2	6	21	27
APT 4		160			30	19%	3	2	6	18	24
APT 5		160			30	19%	3	2	6	15	21
APT 6		160			54	34%	3	2	6	18	24
CORE CIRCULATION		63	1023								
LEVEL 2 (SECOND FLOOR)	1179										
APT 7		160			54	34%	3	2	6	30	36
APT 8		160			30	19%	3	2	6	18	24
APT 9		160			30	19%	3	2	6	18	24
APT 10		160			30	19%	3	2	6	18	24
APT 11		160			30	19%	3	2	6	18	24
APT 12		160			54	34%	3	2	6	27	33
CORE CIRCULATION		90	1050								
LEVEL 3 (THIRD FLOOR)	1179										
APT 13		160			54	34%	3	2	6	30	36
APT 14		160			30	19%	3	2	6	30	36
APT 15		160			30	19%	3	2	6	30	36
APT 16		160			30	19%	3	2	6	30	36
APT 17		160			30	19%	3	2	6	18	24
APT 18		160			54	34%	3	2	6	30	36
CORE CIRCULATION		63	1023								
ROOF	16	0	0								
TOTALS	5002		3189	0.951940299			54	36	108	402	510

4.3 Design Concept

CohenLeigh Architects have designed a contemporary building which will have a lasting and positive impact on the Griffith CBD. The design is sensitive to the heritage themes of the locality while also providing an architectural style and visual impact which is unique for Griffith. The design has the following key elements:

- 100% of apartments receive a northern aspect.
- Strongly articulated frontage to Railway Street and the rail reserve which would be visible from Wakaden Street and north Griffith from elevated perspectives. Articulation includes curvilinear balconies and projecting orthogonal blades.
- Balconies have multiple orientations to allow flexibility of use. It is expected that the typical minimum 22 m² balconies to the south side formal living spaces will be used extensively in the

warmer months and conversely the minimum 8 m² balconies on the north side in the cooler months.

- Building materials include: Timberland Duratec powder coated aluminium balustrading, earthy coloured precast concrete blades and curvilinear off form concrete white texture finish.
- Timberland Duratec powder coated aluminium palisading fencing above 600 mm high rendered base is proposed.
- The linearity and recessiveness of the ground floor carparking area contrasts strongly with the cantilevered balcony forms to make them more dynamic. The natural ventilation louvres into the carpark are similarly finished in Timberland Duratec powder coat.
- All apartments are designed to capitalise on local views and particularly the views over the opposite Memorial Park.

4.4 Geotechnical & Land Contamination

The site was formerly utilised for rail activities including a locomotive turntable, locomotive sheds, engineering facilities and coal stages. As such there is potential for contamination to have impacted the soils. Council previously owned the site and commissioned a detailed Phase 2 Environmental Assessment (which has been submitted as part of this development application). The Assessment made the following conclusions:

- Asbestos was not detected in any samples.
- TPH, BTEX and PAH compounds were all below the laboratory detection limits and relevant guidelines.
- All heavy metals analysed throughout the samples were below the acceptable levels.
- Based on the test results, the site is considered clean and acceptable for sensitive land uses.

The site has not been utilised for any other potentially contaminating use since the Assessment was prepared. Therefore, the likelihood of contamination being present above human health limits in the soils is negligible.

4.5 Visual Impact

The development proposes a medium floor space ratio of 0.95:1. The apartments are setback from the front Railway Street boundary by 11.3 m. The rear boundary setback is 12.88 m to the boundary of the rail reserve and a total of 27.3 m from railway lines. The side setbacks to the west and east are 3 m for the residential levels and zero setback for the ground level parking component. The building proposes a height of 15.4 m above natural ground level,

which is similar to the adjoining Quest building, and similar to the adjacent Telstra exchange building.

In terms of privacy, the proposal has been designed to ensure the privacy of the residents of the apartments and any existing and future occupants in the locality. Surrounding lands are public streets and parks, and railway land of which privacy is not required to be maintained. The adjoining elevation of the Quest building does not include any windows, and privacy impacts would be non-existent.

Shadow diagrams have been provided for June 21 at hourly time periods of 9 am to 3 pm which do not show a significant impact on loss of solar access to surrounding properties (see **Figure 11**). Shadows cast during the morning period are confined to the street with some overshadowing of a small portion of the Quest building. Afternoon shadows are mostly cast on the road and public carpark to the east. There are no foreseeable likely negative impacts of the shadowing resulting from the proposed structure.

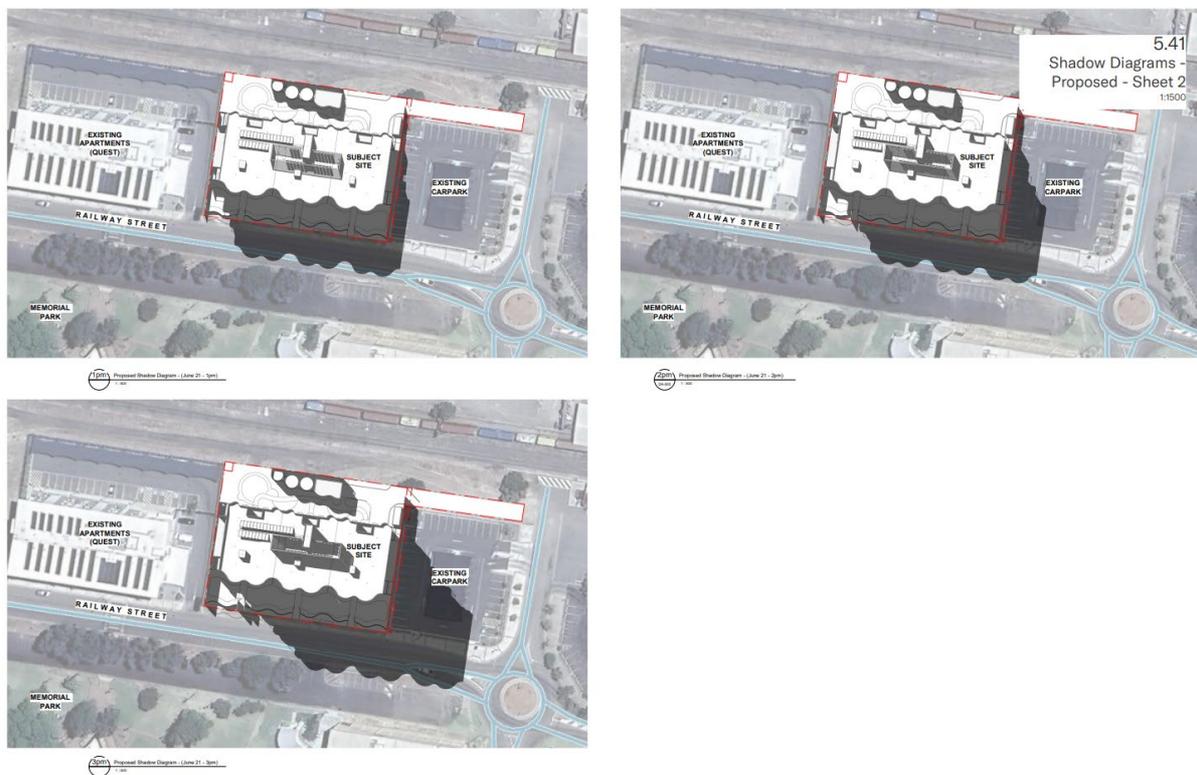


Figure 11: Shadow Diagrams of the development

The size and scale of the apartments are appropriate for the setting and consistent with desired future development within the CBD.

4.6 Heritage

The site is located in close proximity to a heritage conservation area and in the vicinity of the following heritage items:

- Former Rural Bank manager's residence, located at 18 Kooyoo Street and listed as I5 on the Griffith LEP 2014.
- Court House, located at 363 Bann Avenue and listed as I8 on the Griffith LEP 2014.
- Former Police Station, located at 369 Banna Avenue (corner Ulong Street) and listed as I9 on the Griffith LEP 2014.
- Railway Station Buildings, located at Railway Street and listed as I16 on the Griffith LEP 2014.
- Griffith Railway Station Precinct, listed on the Transport Asset Holding Entity Section 170 Register.
- Banna Avenue Precinct, listed at C1 on the Griffith LEP 2014.

A Heritage Impact Assessment (HIA) has been prepared by Urbis to determine the potential heritage impacts of the development on the heritage significance of the aforementioned vicinity heritage items and HCA. The HIA made the following conclusions:

- The proposed development will not result in an adverse impact on the visual character of the HCA or streetscape of Railway Street and will not obscure or interrupt significant views to from, or between vicinity heritage items.
- The proposed development will not result in an adverse impact on the visual character of the HCA or streetscape of Railway Street and will not obscure or interrupt significant views to from, or between vicinity heritage items.
- The proposed development will provide residential living and use in the area that is currently vacant, and in doing so will increase social and commercial use of the park and shopping areas in nearby Banna Avenue. This is a positive heritage development as the significance of the park and shopping area is tied to their use by people.
- Griffith never reached the population targets it was envisioned for, and so it is in keeping with the original vision of Griffith to support population growth.

4.7 Noise & vibration

An Acoustic Report has been prepared by Marshall Day to support the development addressing the noise and vibration impact of the adjoining rail corridor on the apartments and the likely noise emissions from air-conditioning units and roof plant. The report identifies that noise sources associated with the development would likely be from air conditioning systems and automatic carpark access doors. The following are the general conclusions of the Acoustic Report:

Railway noise and vibration impacts:

Noise exposure sources are expected from the adjoining railway line; however the train movements are low, assessed as two movements over a day, evening or night period. Data

suggests that vibration from the railway has been within the acceptable criteria. The report specifies acoustic glazing ratings for glazed areas in each apartment to minimise the noise impacts to occupants of the apartments. Based off this recommendation, all external glazing is proposed to be double glazed and acoustically sealed.

Mechanical Plant Noise Emissions:

The report advises that it is suitable to locate air conditioning and ventilation plant and equipment on the roof top, provided that final equipment selections comply with noise criteria.

Automatic carpark doors:

Final selection of carpark access doors should be a type which has a low operating noise level and mechanisms should be vibration isolated from the building to limit noise.

4.8 Access, Traffic & Parking

The site is located on Railway Street which is a two-way local collector road. The proposal includes a ground floor car park with a total of 39 car parks. Each apartment would have access to two parking spaces for use by tenants and visitors. Three visitor parking spaces have also been provided. Access to the site is provided from the existing access handle in the battle axe arrangement to Kooyoo Street which is a local urban access road. The access handle was created as part of the three-lot subdivision of the parent allotment under DA 190/2012.

The development has been sited and designed to utilise the access handle for two-way vehicular movement into the proposed ground floor carpark.

A Traffic Impact Assessment (TIA) for the development was prepared by Peter Meridith Consulting. The TIA found that both Kooyoo Street and Railway Street had relatively low levels of traffic and the development would not be expected to adversely impact the capacity or efficiency of the local road network. The proposal includes the use of an 8.8 m long garbage truck to be provided by a commercial contractor. A swept path analysis has been provided in the TIA which shows that a garage truck can turn around and reverse at the end of Kooyoo Street into the access handle and then to the garbage room area.

To ensure safety and to reduce traffic conflicts between the garbage truck and residents' vehicles, collections will be during the mid-morning on the day of collection. It is envisioned that most of the residents will be absent from the apartment building at this time of day. In addition, the garbage service will provide a spotter to advise any residents exiting in vehicles that the garbage truck is reversing onto the site. We believe given the context of the locality, the inclusion of the access handle as part of the subdivision of the site and the limited use of Kooyoo Street by vehicles, this arrangement should be supported by Council to avoid additional driveways from Railway Street which is a collector road and to support a high-density residential development in accordance with the recommendations of the Griffith Housing Strategy 2019. Essentially, the design has prioritised the use of the local access road rather than the collector road with increased traffic.

4.9 Stormwater

Van de Meer consulting has prepared preliminary Stormwater Plans for the development which provides an onsite detention (OSD) system including a tank and aboveground OSD landscaped areas which discharge to an existing stormwater pipe at the eastern boundary of the site which ultimately discharges to Railway Street.

4.10 Sustainability

The apartments have been designed to receive direct northern solar and light ingress, including summer sun protection and passive winter heating. Heat gains will be stored in the reinforced concrete frame of the building including the masonry and structural walls that also serve as dividing acoustic walls between apartments. Balconies have been designed to achieve sun or shade and part shelter from cold winds or exposure to cooling breezes. Sliding door and window openings have been positioned to encourage natural cross ventilation in accordance with the requirements of the ADG.

The ground floor carpark has been designed to negate the need for any mechanical air supply or exhaust as it is to be naturally ventilated through louvres. Rainwater collection is also proposed on site, as is a solar panel array on the roof.

The BASIX report and certificate indicates that the proposal meets and exceeds the targets for water, energy and thermal performance.

4.11 Landscaping

Yonder has prepared a preliminary landscaping plan for the development. The landscaping for the site has been well considered to provide a positive visual impact from Railway Street and through the rail reserve to Wakaden Street. The abundance of the communal open space at the rear of the property is to enhance the residential amenity and provide enjoyment for all residents. Pathways have been provided throughout the site to provide access to communal areas, Railway Street and the garbage room. A minor walking track frames a circular lawn. A continuous garden bed to the north and the west blurs the view to the water tanks, the refuse area, and the railway line.

Low deciduous trees are located closer to the building to highlight the path and entries to the rear doors. Low shrubs are located closer to the building at a height of 0.8 m to partially screen the rear wall of the building. Taller evergreen trees are located further away from the building so as to not impact the sunlight received in the apartments. Deep soil landscaping areas are provided across 30% of the site.



Figure 12: Preliminary Landscaping Plan. Prepared by Yonder Landscape Architecture

4.10 Waste

The proposal includes a garbage room located at the rear of the site. Secure service / bin rooms are located on every level at a ratio of one room per two apartments. The proposal has been designed to cater for the manoeuvring of an 8.8 m private garbage truck. The proposal includes the reversing of the garbage truck into the site. Although this is not an ideal arrangement, the Applicant wanted to avoid large manoeuvring areas at the rear of the building and prioritise communal landscaping areas. The reversing arrangement would occur once a week during mid-morning when occupants are less likely to drive to or from the apartment. A spotter would be utilised to ensure occupants vehicles hold while the garbage truck manoeuvres to the garbage room. This arrangement would be formalised through a Traffic Management Plan.

5 Legislative Context

This section provides an assessment of the proposal against the relevant planning legislation as prescribed in Section 4.15 of the Environmental Planning and Assessment Act 1979.

5.1 Environmental Planning and Assessment Act 1979 (EP&A Act)

Section 1.3 – Objects of the Act

- (a) to promote the social and economic welfare of the community and a better environment by the proper management, development and conservation of the State's natural and other resources,*
- (b) to facilitate ecologically sustainable development by integrating relevant economic, environmental and social considerations in decision-making about environmental planning and assessment,*
- (c) to promote the orderly and economic use and development of land,*
- (d) to promote the delivery and maintenance of affordable housing,*
- (e) to protect the environment, including the conservation of threatened and other species of native animals and plants, ecological communities and their habitats,*
- (f) to promote the sustainable management of built and cultural heritage (including Aboriginal cultural heritage),*
- (g) to promote good design and amenity of the built environment,*
- (h) to promote the proper construction and maintenance of buildings, including the protection of the health and safety of their occupants,*
- (i) to promote the sharing of the responsibility for environmental planning and assessment between the different levels of government in the State,*
- (j) to provide increased opportunity for community participation in environmental planning and assessment.*

Commentary:

The proposal is consistent with the objectives of the EP&A Act, particularly by orderly development of land for suitable purposes identified in the zoning of the land.

5.2 Ecologically Sustainable Development

The EP&A Act adopts the definition of ESD found in the Protection of the Environment Administration Act 1991 (PEA Act). Section 6(2) of the EPA Act states that ESD requires the effective integration of economic and environmental considerations in decision-making processes and that ESD can be achieved through the implementation of:

- (a) the precautionary principle
- (b) inter-generational equity
- (c) conservation of biological diversity and ecological integrity

d) improved valuation, pricing and incentive mechanisms.

Commentary:

The potential environmental impacts of the development have been assessed and, where potential impacts have been identified, mitigation measures and environmental safeguards have been recommended. The development does not require the removal of any native trees or vegetation and ESD measures have been built into the design of the development.

5.3 Roads Act 1993

The *Roads Act 1993* (Roads Act) provides a framework for the management of roads in NSW. It provides for the classification of roads and the declaration of the TfNSW and other public authorities for both classified and unclassified roads. The *Roads Act* confers functions on TfNSW and other roads authorities and allows distribution of such functions between RMS and other roads authorities. The *Roads Act* sets out procedures for the opening and closing of public roads and regulates the carrying out of various activities on public roads. As part of the development assessment, a Traffic Impact Assessment (TIA) has been prepared which outlines the requirements for use of roads in the area. Based on the findings of this TIA the proposal would not be expected to have a discernible impact to the safety, capacity and efficiency of the local road network.

5.4 Griffith Local Environmental Plan 2014

A thorough review of the Griffith Local Environmental Plan 2014 has been undertaken. An assessment of the proposal for compliance with the requirements of the relevant parts of the LEP has been provided below.

The subject land is zoned *E1 Local Centre* under the provisions of the GLEP2014.



Figure 13: Zoning Map of the Land from NSW Planning Viewer

Objectives

- *To provide a range of retail, business and community uses that serve the needs of people who live in, work in or visit the area.*
- *To encourage investment in local commercial development that generates employment opportunities and economic growth.*
- *To enable residential development that contributes to a vibrant and active local centre and is consistent with the Council's strategic planning for residential development in the area.*
- *To encourage business, retail, community and other non-residential land uses on the ground floor of buildings.*
- *To ensure that the density of commercial development reflects the needs of the local community and the capacity of the existing road and transport network.*
- *To generally conserve and enhance the business centre precincts by ensuring that new development integrates with the distinct urban scale, character, cultural heritage and landscape setting of the precincts.*
- *To enable development for residential purposes if adequate amenity is provided for residents of residential buildings and the land is not required for commercial use.*

Commentary:

The proposal is consistent with the zone objectives, particularly: *To enable residential development that contributes to a vibrant and active local centre and is consistent with the Council's strategic planning for residential development in the area.* Further, the development

is also consistent with *integrates with the distinct urban scale, character, cultural heritage and landscape setting of the precincts, and To enable development for residential purposes if adequate amenity is provided for residents of residential buildings and the land is not required for commercial use.*

Permissibility

Commentary:

The proposal is defined as a **residential flat building** which means a building containing 3 or more dwellings, but does not include an attached dwelling, co-living housing or multi dwelling housing.

Clause 1.2 – Aims of the Plan

(1) *This Plan aims to make local environmental planning provisions for land in Griffith in accordance with the relevant standard environmental planning instrument under section 3.20 of the Act.*

(2) *The particular aims of this Plan are as follows—*

- (aa) to protect and promote the use and development of land for arts and cultural activity, including music and other performance arts,*
- (a) to prevent unnecessary urban sprawl by promoting business, industrial, rural and residential uses within and adjacent to existing precincts related to those uses,*
- (b) to minimise land use conflict in general by creating areas of transition between different and potentially conflicting land uses,*
- (c) to provide a variety of development options to meet the needs of the community with regard to housing, employment and services,*
- (d) to manage and protect areas of environmental significance,*
- (e) to recognise the historical development of the area and to preserve heritage items associated with it.*

Commentary:

The proposal is not inconsistent with the aims of the GLEP2014, the proposal will provide a variety in housing options for the community in close proximity to the CBD of the Griffith.

Clause 2.6 Subdivision—consent requirements

(1) *Land to which this Plan applies may be subdivided, but only with development consent.*

Commentary: Strata subdivision is proposed as part of this application.

Part 4 Principal Development Standards

Clause 4.1 Minimum subdivision lot size

(1) *The objectives of this clause are as follows—*

- (a) to provide a minimum lot size for the subdivision of land,
- (b) to ensure that subdivision does not unreasonably impact on the natural and environmental values of the area and will not lead to fragmentation of natural areas,
- (c) to protect the productive capacity of agricultural land,
- (d) to prevent the fragmentation of rural lands,
- (e) to encourage a diversity of lot sizes, housing forms and densities in residential zones.

(2) This clause applies to a subdivision of any land shown on the Lot Size Map that requires development consent and that is carried out after the commencement of this Plan.

Commentary: There is no minimum lot size for the employment land zoned area of the CBD, however the proposed subdivision is pursuant to the *Strata Schemes Development Act 2015*.

Clause 4.3 Height of buildings

Commentary: This clause is not adopted in the GLEP2014.

Clause 4.4 Floor space ratio

Commentary: This clause is not adopted in the GLEP2014.

Part 5 Miscellaneous provisions

Clause 5.6 Architectural roof features

Commentary: Not adopted in the GLEP2014.

Clause 5.10 Heritage conservation

- (1) **Objectives** The objectives of this clause are as follows—
- (a) to conserve the environmental heritage of Griffith,
 - (b) to conserve the heritage significance of heritage items and heritage conservation areas, including associated fabric, settings and views,
 - (c) to conserve archaeological sites,
 - (d) to conserve Aboriginal objects and Aboriginal places of heritage significance.
- (2) **Requirement for consent** Development consent is required for any of the following—
- (a) demolishing or moving any of the following or altering the exterior of any of the following (including, in the case of a building, making changes to its detail, fabric, finish or appearance)—
 - (i) a heritage item,
 - (ii) an Aboriginal object,
 - (iii) a building, work, relic or tree within a heritage conservation area,
 - (b) altering a heritage item that is a building by making structural changes to its interior or by making changes to anything inside the item that is specified in Schedule 5 in relation to the item,
 - (c) disturbing or excavating an archaeological site while knowing, or having reasonable cause to suspect, that the disturbance or excavation will or is likely to result in a relic being discovered, exposed, moved, damaged or destroyed,

- (d) *disturbing or excavating an Aboriginal place of heritage significance,*
- (e) *erecting a building on land—*
 - (i) *on which a heritage item is located or that is within a heritage conservation area, or*
 - (ii) *on which an Aboriginal object is located or that is within an Aboriginal place of heritage significance,*
- (f) *subdividing land—*
 - (i) *on which a heritage item is located or that is within a heritage conservation area, or*
 - (ii) *on which an Aboriginal object is located or that is within an Aboriginal place of heritage significance.*

(3) When consent not required *However, development consent under this clause is not required if—*

- (a) *the applicant has notified the consent authority of the proposed development and the consent authority has advised the applicant in writing before any work is carried out that it is satisfied that the proposed development—*
 - (i) *is of a minor nature or is for the maintenance of the heritage item, Aboriginal object, Aboriginal place of heritage significance or archaeological site or a building, work, relic, tree or place within the heritage conservation area, and*
 - (ii) *would not adversely affect the heritage significance of the heritage item, Aboriginal object, Aboriginal place, archaeological site or heritage conservation area, or*
- (b) *the development is in a cemetery or burial ground and the proposed development—*
 - (i) *is the creation of a new grave or monument, or excavation or disturbance of land for the purpose of conserving or repairing monuments or grave markers, and*
 - (ii) *would not cause disturbance to human remains, relics, Aboriginal objects in the form of grave goods, or to an Aboriginal place of heritage significance, or*
- (c) *the development is limited to the removal of a tree or other vegetation that the Council is satisfied is a risk to human life or property, or*
- (d) *the development is exempt development.*

(4) Effect of proposed development on heritage significance *The consent authority must, before granting consent under this clause in respect of a heritage item or heritage conservation area, consider the effect of the proposed development on the heritage significance of the item or area concerned. This subclause applies regardless of whether a heritage management document is prepared under subclause (5) or a heritage conservation management plan is submitted under subclause (6).*

(5) Heritage assessment *The consent authority may, before granting consent to any development—*

- (a) *on land on which a heritage item is located, or*
- (b) *on land that is within a heritage conservation area, or*
- (c) *on land that is within the vicinity of land referred to in paragraph (a) or (b), require a heritage management document to be prepared that assesses the extent to which the carrying out of the proposed development would affect the heritage significance of the heritage item or heritage conservation area concerned.*

(6) Heritage conservation management plans *The consent authority may require, after considering the heritage significance of a heritage item and the extent of change proposed to it, the submission of a heritage conservation management plan before granting consent under this clause.*

(7) Archaeological sites *The consent authority must, before granting consent under this clause to the carrying out of development on an archaeological site (other than land listed on the State Heritage Register or to which an interim heritage order under the Heritage Act 1977 applies)—*

- (a) notify the Heritage Council of its intention to grant consent, and*
- (b) take into consideration any response received from the Heritage Council within 28 days after the notice is sent.*

(8) Aboriginal places of heritage significance *The consent authority must, before granting consent under this clause to the carrying out of development in an Aboriginal place of heritage significance—*

- (a) consider the effect of the proposed development on the heritage significance of the place and any Aboriginal object known or reasonably likely to be located at the place by means of an adequate investigation and assessment (which may involve consideration of a heritage impact statement), and*
- (b) notify the local Aboriginal communities, in writing or in such other manner as may be appropriate, about the application and take into consideration any response received within 28 days after the notice is sent.*

(9) Demolition of nominated State heritage items *The consent authority must, before granting consent under this clause for the demolition of a nominated State heritage item—*

- (a) notify the Heritage Council about the application, and*
- (b) take into consideration any response received from the Heritage Council within 28 days after the notice is sent.*

(10) Conservation incentives *The consent authority may grant consent to development for any purpose of a building that is a heritage item or of the land on which such a building is erected, or for any purpose on an Aboriginal place of heritage significance, even though development for that purpose would otherwise not be allowed by this Plan, if the consent authority is satisfied that—*

- (a) the conservation of the heritage item or Aboriginal place of heritage significance is facilitated by the granting of consent, and*
- (b) the proposed development is in accordance with a heritage management document that has been approved by the consent authority, and*
- (c) the consent to the proposed development would require that all necessary conservation work identified in the heritage management document is carried out, and*
- (d) the proposed development would not adversely affect the heritage significance of the heritage item, including its setting, or the heritage significance of the Aboriginal place of heritage significance, and*
- (e) the proposed development would not have any significant adverse effect on the amenity of the surrounding area.*

Commentary:

The site is not listed as a heritage item or in a conservation area. The subject site adjoins a number of locally heritage listed items including item 16 Railway Station Buildings and a Heritage Conservation Area which covers the Griffith CBD and Memorial Park. A Heritage Impact Assessment (HIA) has been prepared by Urbis to determine the potential heritage impacts of the development on the heritage significance of the vicinity heritage items and HCA. The HIA made the following conclusions:

- The proposed development will not result in an adverse impact on the visual character of the Heritage Conservation Area or streetscape of Railway Street and will not obscure or interrupt significant views to from, or between vicinity heritage items.
- The proposed development will not result in an adverse impact on the visual character of the Heritage Conservation Area or streetscape of Railway Street and will not obscure or interrupt significant views to from, or between vicinity heritage items.
- The proposed development will provide residential living in an area that is currently vacant, and in doing so will increase social and commercial use of Memorial Park and commercial areas in the Banna Avenue Precinct. This is a positive heritage development as the significance of the park and shopping area is tied to their use by people.
- Griffith never reached the population targets it was envisioned for, and so it is in keeping with the original vision of Griffith to support population growth.

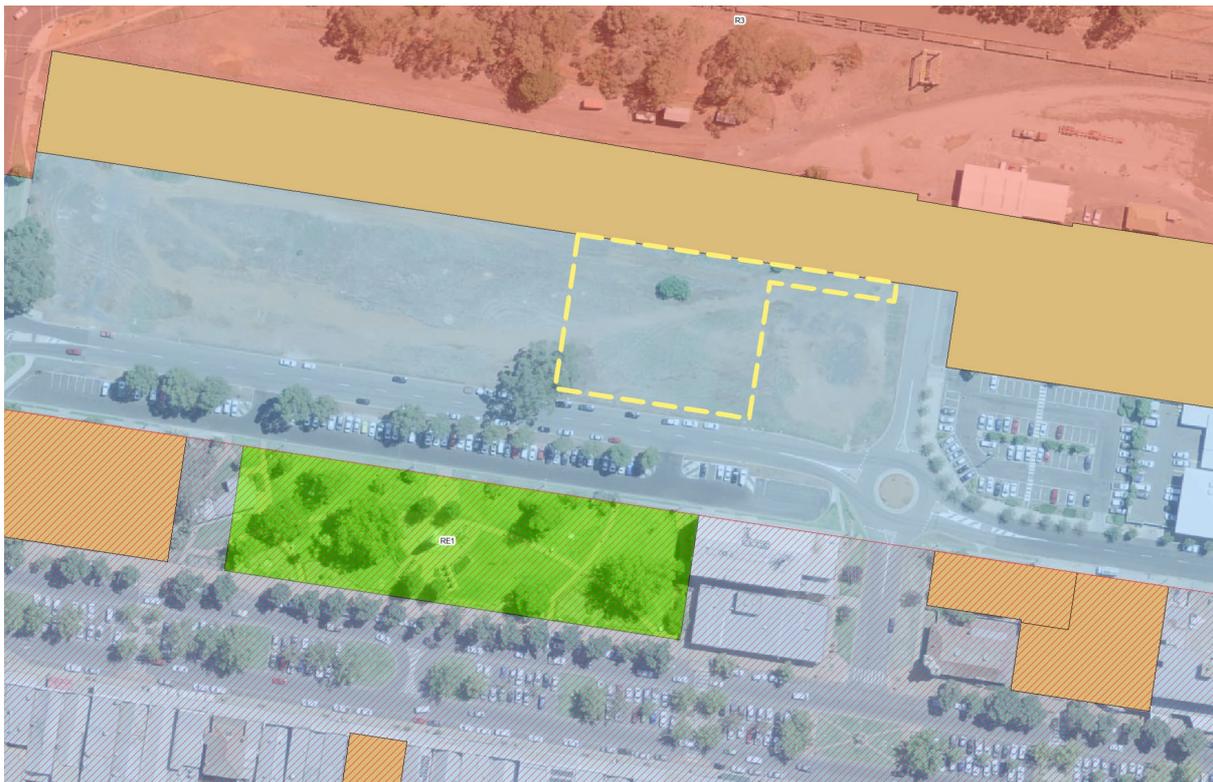


Figure 14: Heritage Conservation Areas and Heritage Items in the Locality.

Clause 5.21 Flood Planning

- 1) *The objectives of this clause are as follows—*
 - (a) *to minimise the flood risk to life and property associated with the use of land,*

- (b) to allow development on land that is compatible with the flood function and behaviour on the land, taking into account projected changes as a result of climate change,
 - (c) to avoid adverse or cumulative impacts on flood behaviour and the environment,
 - (d) to enable the safe occupation and efficient evacuation of people in the event of a flood.
- (2) Development consent must not be granted to development on land the consent authority considers to be within the flood planning area unless the consent authority is satisfied the development—
- (a) is compatible with the flood function and behaviour on the land, and
 - (b) will not adversely affect flood behaviour in a way that results in detrimental increases in the potential flood affectation of other development or properties, and
 - (c) will not adversely affect the safe occupation and efficient evacuation of people or exceed the capacity of existing evacuation routes for the surrounding area in the event of a flood, and
 - (d) incorporates appropriate measures to manage risk to life in the event of a flood, and
 - (e) will not adversely affect the environment or cause avoidable erosion, siltation, destruction of riparian vegetation or a reduction in the stability of river banks or watercourses.
- (3) In deciding whether to grant development consent on land to which this clause applies, the consent authority must consider the following matters—
- (a) the impact of the development on projected changes to flood behaviour as a result of climate change,
 - (b) the intended design and scale of buildings resulting from the development,
 - (c) whether the development incorporates measures to minimise the risk to life and ensure the safe evacuation of people in the event of a flood,
 - (d) the potential to modify, relocate or remove buildings resulting from development if the surrounding area is impacted by flooding or coastal erosion.

Commentary:

The site and locality is subject to the Griffith CBD Overland Flow Flood Study. The site is not considered flood prone for the 1 in 100 year ARI flood event. A Flood Report was provided by Griffith City Council which confirms the site is not flood prone.

Part 6 Urban Release Areas

Commentary: The site is not identified on the Urban Release Areas maps.

Part 7 Additional local provisions

Clause 7.1 – Earthworks

- (1) The objective of this clause is to ensure that earthworks for which development consent is required will not have a detrimental impact on environmental functions and processes, neighbouring uses, cultural or heritage items or features of the surrounding land.
- (2) Development consent is required for earthworks unless—
 - (a) the earthworks are exempt development under this Plan or another applicable environmental planning instrument, or

- (b) the earthworks are ancillary to development that is permitted without consent under this Plan or to development for which development consent has been given.*
- (3) In deciding whether to grant development consent for earthworks (or for development involving ancillary earthworks), the consent authority must consider the following matters—*
- (a) the likely disruption of, or any detrimental effect on, drainage patterns and soil stability in the locality of the development,*
 - (b) the effect of the development on the likely future use or redevelopment of the land,*
 - (c) the quality of the fill or the soil to be excavated, or both,*
 - (d) the effect of the development on the existing and likely amenity of adjoining properties,*
 - (e) the source of any fill material and the destination of any excavated material,*
 - (f) the likelihood of disturbing relics,*
 - (g) the proximity to, and potential for adverse impacts on, any waterway, drinking water catchment or environmentally sensitive area,*
 - (h) any appropriate measures proposed to avoid, minimise or mitigate the impacts of the development.*

Commentary:

The proposal includes substantial earthworks related to excavation for deep soil plantings and structural footings and seeks consent for these works. As part of a Construction Environmental Management Plan, the Applicant will provide detailed measures to avoid erosion, sediment and dust impacts.

Clause 7.3 – Terrestrial Biodiversity

- (1) The objective of this clause is to maintain terrestrial biodiversity by—*
- (a) protecting native fauna and flora, and*
 - (b) protecting the ecological processes necessary for their continued existence, and*
 - (c) encouraging the conservation and recovery of native fauna and flora and their habitats.*
- (2) This clause applies to land identified as “Biodiversity” on the Terrestrial Biodiversity Map.*

Commentary:

The site is not identified as having significance as per the terrestrial biodiversity maps. The site does not contain any vegetation.

Clause 7.8 Airspace operations

- (1) The objectives of this clause are as follows—*
- (a) to provide for the effective and ongoing operation of the Griffith Airport by ensuring that such operation is not compromised by proposed development that penetrates the Limitation or Operations Surface for that airport,*
 - (b) to protect the community from undue risk from that operation.*
- (2) If a development application is received and the consent authority is satisfied that the proposed development will penetrate the Limitation or Operations Surface, the consent*

authority must not grant development consent unless it has consulted with the relevant Commonwealth body about the application.

Commentary:

The subject site is not located within the Limitation or Operations Surface area for the Griffith Airport.

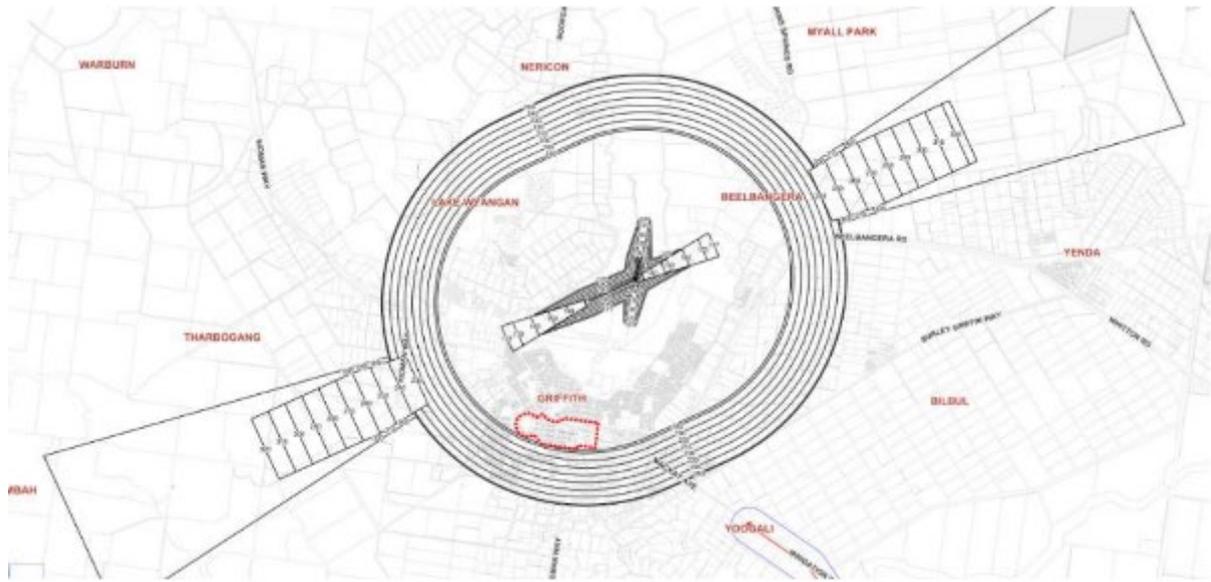


Figure 15: Griffith Airport OLS Plan

Clause 7.10 – Essential Services

Development consent must not be granted to development unless the consent authority is satisfied that any of the following services that are essential for the development are available or that adequate arrangements have been made to make them available when required—

- (a) the supply of water,*
- (b) the supply of electricity,*
- (c) the disposal and management of sewage,*
- (d) stormwater drainage or on-site conservation,*
- (e) suitable vehicular access.*

Commentary:

(a) the supply of water

Potable water is available to the site presently via a 100mm council water main in Railway Street. The proposal would be expected to have a water demand equivalent to 12 ET. Each three-bedroom apartment would be expected to have the equivalent of 0.67 ET as per the Water Directorate Guidelines.

(b) the supply of electricity

Electricity is presently available to the site via a transformer located within 56-63 Railway Street or within the Memorial Park carpark. Detailed investigations including a Development Information Package would be submitted to Essential Energy post approval.

(c) the disposal and management of sewage:

Council's sewer line is located at the rear of the site. A manhole is located within the site at the north-western corner including a registered easement. The proposal would discharge sewer into this manhole.

(d) stormwater drainage or on-site conservation

Van de Meer consulting has prepared preliminary Stormwater Plans for the development which provides an onsite detention system including a tank and aboveground OSD landscaped areas which ultimately discharge to existing stormwater pipe at the eastern boundary of the site which discharges to Railway Street.

(e) suitable vehicular access

The site is located on Railway Street which is a two-way local collector road. The proposal includes a ground floor car park with a total of 39 car parks. Each apartment would have access to two parking spaces for use by tenants and visitors. Three visitors parking spaces have also been provided. Access to the site is provided from the existing access handle in the battle axe arrangement to Kooyoo Street which is a local urban access road. The access handle was created as part of the three-lot subdivision of the parent allotment in 2015 as part of a DA 190/2012.

The development has been sited and designed to utilise the access handle for two-way vehicular movement into the proposed ground floor carpark.

A Traffic Impact Assessment (TIA) for the development was prepared by Peter Meridith Consulting. The TIA found that both Kooyoo Street and Railway Street had relatively low levels of traffic and the development would not be expected to adversely impact the capacity or efficiency of the local road network.

5.5 State Environmental Planning Policies (SEPP's)

State Environmental Planning Policy (Planning Systems) 2021

The purpose of *SEPP (Planning Systems)* is to identify development that is State Significant Development, State Significant Infrastructure, Critical State Significant Infrastructure and Regionally Significant Development.

The proposed development is not categorised under Schedule 6 as Regionally Significant Development, as the value of the development does not exceed \$30 million. A quantity

Surveyor Report has been prepared for the development which concluded that the development would have a CIV of around \$17 million.

State Environmental Planning Policy (Housing) 2021

The principles of *SEPP Housing* are to enable and encourage the development of affordable and diverse housing types in NSW. The proposal does not seek consent for affordable or diverse housing pursuant to the Housing SEPP.

Chapter 4 of the SEPP aims to improve the design quality of residential apartment development in New South Wales, including:

142 Aims of chapter

(1) The aim of this chapter is to improve the design of residential apartment development in New South Wales for the following purposes—

(a) to ensure residential apartment development contributes to the sustainable development of New South Wales by—

(i) providing socially and environmentally sustainable housing, and

(ii) being a long-term asset to the neighbourhood, and

(iii) achieving the urban planning policies for local and regional areas,

(b) to achieve better built form and aesthetics of buildings, streetscapes and public spaces,

(c) to maximise the amenity, safety and security of the residents of residential apartment development and the community,

(d) to better satisfy the increasing demand for residential apartment development, considering—

(i) the changing social and demographic profile of the community, and

(ii) the needs of a wide range of people, including persons with disability, children and seniors,

(e) to contribute to the provision of a variety of dwelling types to meet population growth,

(f) to support housing affordability,

(g) to minimise the consumption of energy from non-renewable resources, to conserve the environment and to reduce greenhouse gas emissions,

(h) to facilitate the timely and efficient assessment of development applications to which this chapter applies.

(2) This chapter recognises that the design of residential apartment development is significant because of the economic, environmental, cultural and social benefits of high quality design.

Commentary:

The proposal is not contrary to the aims of the chapter. A Design Verification Statement has been prepared by the CohenLeigh Architects which identifies that the proposal meets the requirements of the SEPP and the Apartment Design Guide.

145 Referral to design review panel for development applications

(1) *This section applies to a development application for residential apartment development, other than State significant development.*

(2) *Before determining the development application, the consent authority must refer the application to the design review panel for the local government area in which the development will be carried out for advice on the quality of the design of the development.*

(3) *This section does not apply if—*

(a) *a design review panel has not been constituted for the local government area in which the development will be carried out, or*

(b) *a competitive design process has been held.*

(4) *In this section—*

competitive design process means a design competition held in accordance with the Design Competition Guidelines published by the Department in September 2023.

Commentary: As no Design Review Panel exists for the Griffith LGA, no referral would be possible.

Part 4 Application of Design Principles

148 Non-discretionary development standards for residential apartment development—the Act, s 4.1

(1) *The object of this section is to identify development standards for particular matters relating to residential apartment development that, if complied with, prevent the consent authority from requiring more onerous standards for the matters.*

Note—

See the Act, section 4.15(3), which does not prevent development consent being granted if a non-discretionary development standard is not complied with.

(2) *The following are non-discretionary development standards—*

(a) *the car parking for the building must be equal to, or greater than, the recommended minimum amount of car parking specified in Part 3J of the Apartment Design Guide,*

(b) *the internal area for each apartment must be equal to, or greater than, the recommended minimum internal area for the apartment type specified in Part 4D of the Apartment Design Guide,*

(c) *the ceiling heights for the building must be equal to, or greater than, the recommended minimum ceiling heights specified in Part 4C of the Apartment Design Guide. If an application for the modification of a development consent or a development application for the carrying out of development to which this Policy applies satisfies the following design criteria, the consent authority must not refuse the application because of those matters*

Apartment Design Guide controls	Commentary
(a) <i>if the car parking for the building will be equal to, or greater than, the recommended minimum amount of car parking specified in Part 3J of the Apartment Design Guide</i>	<p>1. Objective 3J-1: <i>Car parking is provided based on proximity to public transport in metropolitan Sydney and centres in regional areas.</i></p> <p>2. Objective 3J-2: <i>Parking and facilities are provided for other modes of transport.</i></p> <p>3. Objective 3J-3: <i>Car park design and access is safe and secure.</i></p> <p>1. It is noted that Griffith is not a nominated regional centre in the ADG. Car parking has been provided in excess of the requirements for parking the precinct.</p> <p>2. Designated parking areas have been provided for motorbikes, bicycles and scooters.</p>

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| <ul style="list-style-type: none"> 4. Objective 3J-4: Visual and environmental impacts of underground car parking are minimised. 5. Objective 3J-5: Visual and environmental impacts of on-grade car parking are minimised 6. Objective 3J-6: Visual and environmental impacts of above ground enclosed car parking are minimised. | <ul style="list-style-type: none"> 3. The proposed car park design and access is safe and secure and complies with Council Engineering Standards, DCPs and Australian Standards. 4. Visual and environmental impacts of the proposed ground floor car parking negligible. All parking conforms with the Australian Standard 2890. 5. Visual and environmental impacts of on-grade car parking are minimised due to location and siting and significant landscaping areas and design, 6. The ground level carpark has been designed to have little visual impact when viewed from the public domain including louvres and landscaping. |
|---|---|

(b) if the internal area for each apartment will be equal to, or greater than, the recommended minimum internal area for the relevant apartment type specified in Part 4D of the Apartment Design Guide

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|--|---|
| <ul style="list-style-type: none"> 1. Objective 4D-1: The layout of rooms within an apartment is functional, well organised and provides a high standard of amenity, minimum apartments areas, windows to habitable rooms. Studio: 3-bedroom 90m². 2. Objective 4D-2: Environmental performance of the apartment is maximised. 3. Objective 4D-3: Apartment layouts are designed to accommodate a variety of household activities and needs. | <ul style="list-style-type: none"> 1. All apartments are functional and exceed the minimum apartment areas. 2. The design complies with design criteria. The room depth is exceeded. 3. The proposal meets the minimum design criteria for room sizes. |
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149 Apartment Design Guide prevails over development control plans

(1) A requirement, standard or control for residential apartment development that is specified in a development control plan and relates to the following matters has no effect if the Apartment Design Guide also specifies a requirement, standard or control in relation to the same matter—

- (a) visual privacy,*
- (b) solar and daylight access,*
- (c) common circulation and spaces,*
- (d) apartment size and layout,*
- (e) ceiling heights,*
- (f) private open space and balconies,*
- (g) natural ventilation,*
- (h) storage.*

Commentary:

The Apartment Design Guide has been extensively considered in the design of the development and a Design Verification Statement has been provided by CohenLeigh Architects. We have also considered Council's Residential DCP in the design of the development in **Section 5.10**.

State Environmental Planning Policy (Transport & Infrastructure) 2021

The aim of this SEPP is to facilitate the effective delivery of infrastructure across the State including identifying the environmental assessment category into which different types of development fall, identifying matters to be considered in the assessment of development adjacent to particular types of infrastructure, and providing for consultation with relevant public authorities about certain development during the assessment process. The below parts are identified as applicable to this proposal.

- ***Chapter 2 Infrastructure, Part 2.3 Development controls, Division 5 Electricity transmission or distribution, Subdivision 2 Development likely to affect an electricity transmission or distribution network***

Commentary: The proposal will not be located within 5 m of existing electrical lines or easements.

- ***Chapter 2 Infrastructure, Part 2.3 Development controls, Division 15 Railways, Subdivision 2 Development in or adjacent to rail corridors and interim rail corridors—notification and other requirements for development near rail infrastructure***

Commentary: The proposal is required to be referred to the rail authority as the proposal involves development and excavation adjacent to rail infrastructure.

- ***Chapter 2 Infrastructure, Part 2.3 Development controls, Division 17 Roads & Traffic, subdivision 2 Traffic-generating development***

Commentary: The proposal is not identified in Schedule 3 of the SEPP as traffic-generating development to be referred to TfNSW.

State Environmental Planning Policy (Resilience and Hazards) 2021

Chapter 4 Remediation of land

Chapter 4 of the Resilience & Hazards SEPP aims to promote the remediation of contaminated land for the purpose of reducing the risk of harm to human health or any other aspect of the environment. Clause 4.6 specifies that a consent authority must not consent to the carrying out of any development on land unless it has considered whether the land is contaminated:

4.6 Contamination and remediation to be considered in determining development application

(1) A consent authority must not consent to the carrying out of any development on land unless—

- (a) it has considered whether the land is contaminated, and
- (b) if the land is contaminated, it is satisfied that the land is suitable in its contaminated state (or will be suitable, after remediation) for the purpose for which the development is proposed to be carried out, and
- (c) if the land requires remediation to be made suitable for the purpose for which the development is proposed to be carried out, it is satisfied that the land will be remediated before the land is used for that purpose.

Commentary:

The site was formerly utilised for rail activities including a locomotive turntable, locomotive sheds, engineering facilities and coal stages. As such there is potential for contamination to have impacted the soils. Council previously owned the site and commissioned a detailed phase 2 Environmental Assessment. The Assessment made the following conclusions:

- Asbestos was not detected in any samples.
- TPH, BTEX and PAH compounds were all below the laboratory detection limits and relevant guidelines.
- All heavy metals analysed throughout the samples were below the acceptable levels.
- Based on the test results, the site is considered clean and acceptable for sensitive land uses.

The site has not been utilised for any other potentially contaminating uses since the Assessment was prepared. Therefore, the likelihood of contamination being present above human health limits in the soils is negligible.

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

The aims of SEPP BASIX are to encourage sustainable residential development. A BASIX report has been prepared by JBA -smarter Engineering and a BASIX Certificate has been issued for the development showing that the design exceeds all targets for water, thermal comfort and energy.

Disability (Access to Premises - Buildings) Standards 2010

The proposed development will be classed as a Class 2 Building and Class 7 carparking and has been designed to meet the mandatory performance requirements of the access standards and National Construction Code. Accessible rooms and parking facilities have been designed and provided in accordance with Part D3 *Access for people with a disability*.

5.6 Community Participation Plan (CPP) 2019

The Griffith CPP requires the public exhibition and neighbour notification for residential flat buildings. It is requested that Council provide any submissions received during the exhibition period.

5.7 The Apartment Design Guide

The Apartment Design Guide is to be used in conjunction with State Environmental Planning Policy (Housing) 2021 as a statutory requirement to help to achieve better design and planning for residential apartment development, by providing benchmarks for designing and assessing these developments. This Apartment Design Guide provides greater detail on how residential development proposals can meet the nine design quality principles through good design and planning practice. The proposal is architecturally designed to a high standard exceeding minimum criteria specified by the Apartment Design Guide. A Design Verification Statement (DVS) has been prepared by CohenLeigh Architects addressing all applicable components of the ADG document. The DVS has been lodged with this SEE and should be available to the public.

5.8 Onsite Detention Policy

The On-Site Stormwater Detention (OSD) Policy for the Griffith City Council LGA has been developed to manage the discharge of stormwater from new dwellings, developments, restrict peak flows from developments to which OSD restrictions apply, for all events up to and including the 100 yr ARI event, to estimated peak flows under pre-development conditions. The development site is located to the north of Main Drain J and within the CBD Sub Catchment. A draft Stormwater Management Plan has been prepared including an onsite detention system.

5.9 Griffith Pedestrian and Bicycle Strategy

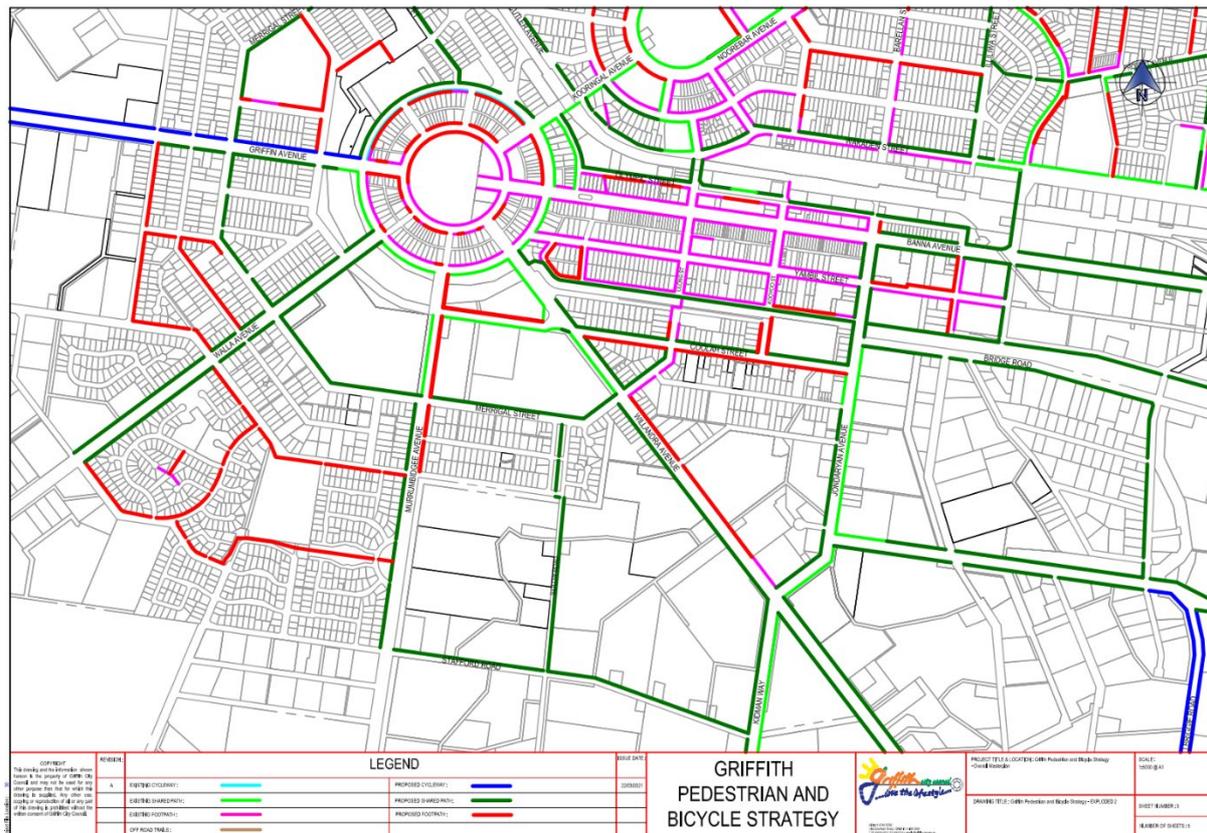


Figure 16: Griffith Pedestrian and Bicycle Strategy map of the locality.

The Griffith Pedestrian and Bicycle Strategy has identified that a new 2.5 shared footpath is required on Railway Street. The CBD area has a separate classification due to higher pedestrian usage and the construction is specified to be concrete or asphalt with paver edging.

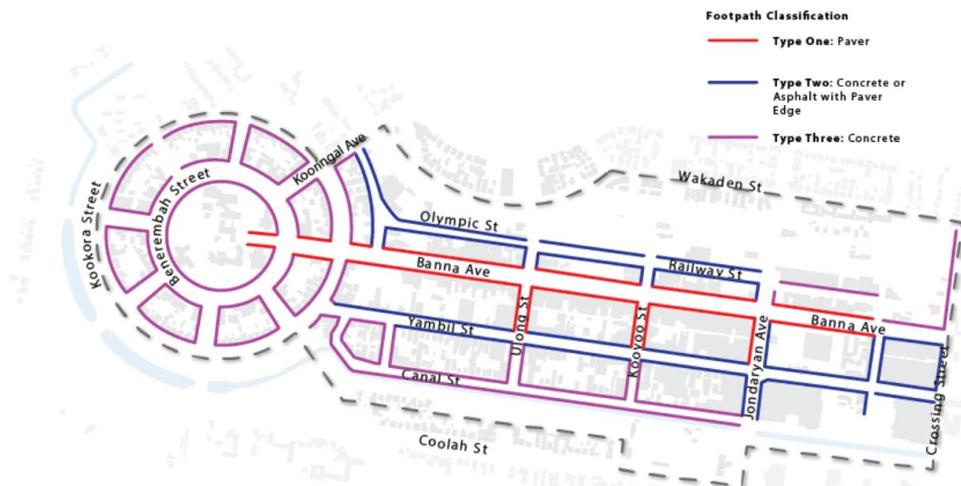


Figure 17: Griffith Pedestrian and Bicycle Strategy CBD construction material map

5.10 Development Control Plans (DCP)

Griffith Residential Development Control Plan 2020

The *Griffith Residential Development Control Plan 2020* does not apply to this proposal as the site is zoned E1 – Local Centre. However, the DCP represents best practices for residential development in Griffith and should be considered. An assessment of the proposed development and the objectives, aims and design requirements of the GRDCP2020 is provided in the following table:

Compliance With Griffith Residential Development Control Plan 2020

Control Type	Clause	Control	Proposal	Compliance?
Floor Space Ratio	N/A	<i>Has an FSR calculation been provided for the site in accordance with section 5.3? Does the FSR meet the maximum allowed in the precinct statement? Central Griffith (North) precinct specific max FSR: 2.5:1</i>	The estimated FSR is 0.95:1	Yes
Maximum Height	N/A	<i>Is the dwelling below the maximum height level for the precinct?</i>	No maximum height specified.	Yes
Parking	N/A	<i>Has parking been provided in accordance with the rates in the precinct statement? 1 bedroom unit = 0.5 spaces 2 bedroom unit = 1 space 3+ bedroom unit = 2 spaces + 1 visitor space per 6 units</i>	A total of 39 parking spaces have been provided, including two parking spaces for each unit and three parking spaces for visitors in accordance with the DCP.	Yes
Precinct Statement		<i>Has the Applicant provided justification the development achieves the outcomes in the Precinct Statement, if applicable?</i>	The site is not located within a defined precinct.	Yes
Minimum Site Controls	5.7c)	<i>Is the minimum lot area 800m² with a width at the building line of 20m?</i>	The site areas exceeds this.	Yes
Housing Mix	5.7d)	<i>Does the proposal include a mix of dwelling types and sizes 1, 2 & 3 bedroom units?</i>	No. The proposal includes all three bedroom dwellings. The Applicant is also proposing another apartment buildings at 65-67 Railway Street which contains a mixture of unit typologies.	No
Site Analysis Plan	4.2	<i>Has a Site Analysis Plan been submitted with the DA?</i>	Yes, see plan DA set, including local context plans and contextual views.	Yes

Streetscape	4.3(a)	<i>If the dwelling is on a corner block, does it address both street frontages?</i>	Not a corner block, however the design at each elevation addresses all aspects.	n/a
	4.3(b)	<i>The primary street façade of a dwelling should address the street and incorporate at least two of the design features:</i> <ul style="list-style-type: none"> • <i>entry feature or porch;</i> • <i>awnings or other features over windows;</i> • <i>recessing or projecting architectural elements;</i> • <i>open verandah; or</i> • <i>bay windows or similar features</i> 	The design incorporates architectural elements including building articulation, landscaping, balconies, various materials and textures.	Yes
	4.3 (c)	<i>Does the proposal fit in with the scale or character of surrounding development? Or, does the development achieve the future development goals of the precinct as described in the Precinct Statement?</i>	The development is the same scale as the Quest development to the west. The development is not considered to be out of place in the locality and the scale is supported by the DCP and Council's Housing Strategy.	Yes
	4.3 (e)	<i>Does a window to a habitable room face the street?</i>	Yes, there are windows to habitable rooms on each elevation.	Yes
Building Design	4.4(a)	<i>Is the design generally in accordance with the precinct statement?</i>	Yes, the proposal is specifically in accordance with the precinct statement.	Yes
	4.4(b)	<i>Are blank front walls spanning 5 m without a physical change avoided?</i>	There are no blank front walls spanning 5 m without a physical change.	Yes
	4.4(c)	<i>Do the side walls visible from the street have a length of 10 m without a physical change?</i>	Side walls visible from the street have a physical change in less than 10m lengths.	Yes
	4.4(d)	<i>Are windows facing the street provided in a balanced manner?</i>	Windows facing the streets are balanced.	Yes
	4.4(e)	<i>Are the materials generally consistent with other buildings in the locality? Have the materials been shown on the plans?</i>	The design is contemporary and suitable to an area undergoing redevelopment.	Yes

	4.4(f)	<i>Will the proposal overshadow adjacent private open spaces or habitable rooms?</i>	No private open space areas would be overshadowed. The car park to the east of the site would be overshadowed.	Yes
	5.7l)	<i>Dwellings are to have the following minimum internal floor areas: i. Studio – 35 m² ii. 1 bed – 50 m² iii. 2 bed – 70 m² iv. 3+ bed – 90 m²</i>	All apartments exceed the minimum internal floor areas (refer to Apartment Design Guide Assessment).	Yes
	5.7m)	<i>bedrooms are to be a minimum of 8 m² excluding wardrobe space</i>	All apartments exceed the storage space (refer to Apartment Design Guide Assessment).	Yes
	5.7n)	<i>Combined living and dining rooms have a minimum area of: i. 1 and 2 bed – 24 m² ii. 3+ bed –</i>	All apartments exceed the minimum internal floor areas for living/dining (refer to Apartment Design Guide Assessment).	Yes
	5.7o)	<i>In addition to storage in kitchens and bedrooms, the following storage with a minimum dimension of 500 mm is provided: i. 1 bed – 6 m³ ii. 2 bed – 8 m³ iii. 3 bed – 10 m³</i>	The development provides this. An area within all carparks has been allocated for this storage, with 12 m ³ provided in each car bay, well in excess of the minimum.	Yes
	5.7p)	<i>Bedrooms are not to be located next to vehicular accessways, parking areas, air conditioning units or other noise sources</i>	Bedrooms are located away from noise sources onsite.	Yes
Sustainability	4.5(a)	<i>Has a BASIX certificate been submitted?</i>	Yes, a BASIX report has been provided by JBA Engineering.	Yes
	4.5(b)	<i>Does the dwelling adopt general sustainable building practices?</i>	Yes	Yes
Height	4.6(a)	<i>Is the dwelling height less than 9 m?</i>	No. There are no height restrictions in this precinct.	n/a

	4.6(b)	<i>Does the height of the dwelling suit the streetscape?</i>	The height of the building is suitable for its setting in a high-density area adjoining the CBD.	Yes
	4.6(d)	<i>Are the proposed tree heights consistent with dwelling scale?</i>	The landscaping design is appropriate and suitable for the building, locality and context.	Yes
Solar Access and Energy Efficiency	4.7(a)	<i>Solar access must be available between the hours of 9 am and 5 pm for a minimum duration of 3 hours to any living area on the 22nd of June for each respective dwelling.</i>	All apartments receive a significant quantity of sunlight in accordance the ADG Design Guides.	Yes
	4.7(b-c)	<i>Where possible, buildings should be oriented on a north-south, east-west axis to maximise solar access to living areas. Windows should be located and shaded so as to reduce summer heat load and to permit entry of winter sunlight.</i>	The apartments have dual aspects. Sun protection devices are to be provided in accordance with the orientation of the facades by means of balcony overhangs, louvres, screens and protruding window frames.	Yes
	4.7(d)	<i>Has the location of outdoor clothes drying areas been provided with access to sunlight? Or is there a suitable location for such facilities?</i>	Laundry facilities are proposed in each apartment. Generous balcony space is available for drying of clothes.	Yes
Setbacks	5.7e)	<i>Front Setbacks must be a minimum of 6m</i>	All setbacks exceed 6m	Yes
	5.7f)	<i>Side and rear setbacks must be a minimum of 3m</i>	The first floor of the building is setback 3 m from the side boundaries.	Yes
Visual and Acoustic Privacy	4.9(a-b)	<i>Has the development considered the location of windows, and private open space of adjacent dwellings? Has overlooking been considered?</i>	Privacy has been prioritised and factored into the design.	Yes
	4.9(c)	<i>Are noise generating plant and equipment shown on the plans and located and screened away from bedrooms on adjacent properties?</i>	Designated plant locations away from apartments has been proposed.	Yes
	4.9(d)	<i>Does the dwelling include a balcony, if so has overlooking been considered?</i>	Balconies are a significant design feature of the proposal. Balconies include solid balustrades at upper	Yes

levels up to 600mm and glazed. Screens are provided between adjoining balconies, avoiding direct views by neighbours.

Principal Private Open Space		<i>Has PPOS in the form of a balcony or terrace with a minimum area of 8 m² and a width of 2 m been provided for all dwellings? Or has communal open space with a minimum area of 40 m² and a minimum dimension of 5 m been provided?</i>	All apartments are provided with private open spaces. The areas provided are well in excess of these requirements. The ADG also requires a minimum of 25% of the site to have communal open space, a total of 30 % of the site is landscaped.	Yes
Landscape Area Controls	5.7q) & r)	<i>Is a minimum landscape area of 20% of the total lot provided? Is a Landscape Plan submitted which includes: The nature strip, a combination of tree planting for shade, mid height shrubs, lawn and ground covers, 50% of the overall number of trees and shrubs are species native to the region, a reticulated sprinkler system, an ongoing maintenance plan?</i>	30% of the site is landscaped (1001m ² of 3350m ² .)	Yes
	4.11(b-c)	<i>Can the landscaping areas generally be planted and maintained in accordance with 4.11(b-c)?</i>	Yes	Yes
Street Trees	4.12(a-f)	<i>Have street trees been proposed in accordance with 4.12 (a-f)?</i>	Yes	Yes
Waste	5.7t)	<i>Are shared waste storage areas incorporated into the design of the RFB and located at the rear of the site or in the basement?</i>	Yes, designated garbage rooms are on each floor and a communal garbage room is provide at the rear of the site.	Yes
	5.7u)	<i>A minimum space for waste bin storage must be allocated per dwelling as follows: i. up to 5 dwellings – one shared 660 litre bin stored in a shared area accessible by all dwellings ii. up to 10 dwellings – one shared 1100 litre bin stored in a shared area accessible to all dwellings.</i>	This is achievable and can be reinforced as a condition of approval.	Yes
	5.7v)	<i>Waste storage areas must be accessible to all occupants while being secure</i>	A garbage room is shared between two apartments on the same floor.	Yes

	5.7w)	<i>The design of the development must accommodate safe collection of bins. The bins must be accessible by service vehicles without the need for manual manoeuvring of the bins, or reversing</i>	A concession to this requirement is sought. A rationale for the use of a spotter and the reversing of an 8.8 m long commercial garbage truck is provided in the Traffic Impact Assessment (TIA)	No, concession sought
	5.7x)	<i>Where waste storage must be in a lower-level basement or internal areas, the building must be designed to accommodate private waste collection vehicles entering and exiting.</i>	The proposal has been designed to accommodate private waste collection vehicles on site. Refer to the TIA for further information and discussion.	Yes
Vehicle Access and Parking	5.7g)	<i>Is parking located at the rear of the RFB or at the basement level?</i>	Ground level parking is proposed to make the development cost effective.	Yes
	5.7h)	<i>Tandem parking is permitted where two parking spaces are designated for a single unit?</i>	Tandem parking is proposed for some units.	n/a
	5.7i)	<i>RFB's should be designed with a single driveway supporting two-way traffic with a minimum width of 5.5 m</i>	A single driveway supporting two-way traffic is proposed to access the ground floor carpark.	Yes
	5.7j)	<i>Internal vehicle circulation must be: i. at least 0.5 m setback from a fence; ii. at least 1 m setback from another dwelling; iii. at least 2.5 m setback from a window in a habitable room if the window exceeds 1m²; and iv. the setbacks should contain plants to soften edges</i>	Internal vehicle circulation complies with this criteria.	Yes
	5.7k)	<i>All accessways, driveways, parking and vehicle manoeuvring areas must be in accordance with Council's Engineering Standards: Subdivision and Development (as amended).</i>	All accessways, driveways, parking and vehicle manoeuvring areas have been designed in accordance with these requirements.	Yes
Parking Design	Appendix 1 3.0			

3.2 Minimum standards for all other developments	3.2.1 Access	<ul style="list-style-type: none"> a) <i>Is the design of access points and internal circulation such that all vehicles can enter and leave the site in a forward direction?</i> b) <i>Is access to or from the site located where it causes the least interference to vehicular and pedestrian traffic on a public road?</i> c) <i>Access to loading facilities must be provided directly from a public road or lane that will not interfere with public convenience and that will permit orderly and safe movements of trucks</i> d) <i>Are the number of access points from the site to any one street frontage limited to 1 entrance and 1 exit (or 1 combined entrance/access)?</i> e) <i>access to a parking area is available from a road other than a major road, such alternative access is to be utilised in preference to direct access to the major road</i> f) <i>Is the potential for on-street queuing eliminated by the provision of sufficient standing area for vehicles entering the carpark and loading areas?</i> g) <i>Are driveway exits located so that there is adequate intersection sight distance to traffic on the frontage road and sight distance to pedestrians on the frontage road footpath?</i> h) <i>Driveway exits need to be located and constructed so that there is adequate intersection sight distance to traffic on the frontage road and sight distance to pedestrians on the frontage road footpath</i> i) <i>clear sight lines must be provided at the property line to ensure adequate visibility between vehicles on the driveway and pedestrians on the frontage road footpath.</i> j) <i>N/a</i> k) <i>Can the accessways be designed and constructed in accordance with Council's Engineering Standards: Subdivision and Development Standards?</i> 	<ul style="list-style-type: none"> a) a concession to this requirement is sought for the manoeuvring of garbage trucks due to site constraints. b) access is provided from Kooyoo Street to avoid impeding pedestrian movements on Railway Street. c) no loading facilities proposed. d) a combined entrance and exit from Kooyoo Street is proposed. e) Kooyoo Street is not a major road. f) Sufficient standing area within the access handle to Kooyoo Street is provided. g) There is adequate site distance on Kooyoo Street from the south. Kooyoo Street ends at the proposed driveway. h) good site distances provided. i) clear site lines provided. j) N/A k) the accessways can be constructed in accordance with Council's Engineering Standards. 	Small concession sought
parking area design, dimensions and driveway/aisle width	3.2.2	<p><i>Parking area design, dimensions and driveway/aisle widths</i></p> <p><i>The parking areas must adhere to the requirements of Australian Standard 2890. All parking spaces must have minimum dimensions of 2.6 m x 5.5 m; and all parking areas</i></p>	The parking area meets the requirements of the Australian Standards.	Yes

with 90 degree parking must have minimum aisle width of 6.2 m

tacking (tandem parking)	3.2.3	<i>Vehicle stacking (tandem parking)</i>	Tandem parking is proposed for some of the units.	Yes
Rainwater Tanks	4.15 (a-f)	<i>Are rainwater tanks proposed, if so, do they meet the requirements of 4.15(a-f)? Are all BASIX requirements for rainwater tanks shown on the plans?</i>	Rainwater tanks are proposed for the development for both OSD and to meet BASIX requirements. A BASIX report has been provided with the development applications	Yes
Fencing	4.16 (a-b)	<i>Front Fences</i>	The design of the proposed front fence meets the requirements of the DCP including	Yes
	4.16l	<i>Side and Rear Fences: location and height of side and rear fences on the plans, generally be a maximum of 1.8 m tall.</i>	Side and rear fences meet the requirements of the DCP.	Yes
Outbuildings, Garages and Carports	4.17	<i>Refer to separate checklist</i>	Not proposed.	n/a
Stormwater	4.18	<i>Draft plans for the proposed and existing stormwater system in accordance with Council's Engineering Standards: Subdivision and Development.</i> <i>Is onsite detention required in accordance with Council's Onsite Detention Policy (CS-CP-404)? Has the detention system been shown on the plans, if not can this be conditioned?</i>	Draft stormwater plans have been provided by Van de Meer consulting. Concept OSD plans have also been provided.	
Swimming Pools	4.19	<i>Refer to separate checklist</i>	Not proposed.	n/a
Essential Services	4.20(a)	<i>Is there Electrical Infrastructure located in proximity to the site? If so, has this been considered in the development application?</i>	No electrical infrastructure are located in proximity to the development.	Yes
	4.20(b)	<i>Are underground electrical lines proposed to the dwelling?</i>	Underground electrical lines would be proposed as part of the development.	Yes

	4.20(i)	<i>Have connections to Council's water and sewer infrastructure been shown on plans?</i>	Connections have been shown on the draft civil infrastructure plans.	Yes
Bushfire Risk	4.21	<i>Check if the site is considered bushfire prone land.</i>	Not identified on bushfire mapping.	n/a
Frost Control Fans	4.22	<i>Check if any frost control fans within 1000 m of the site.</i>	No frost control fans within 1000 m of the site	n/a
Subdivision	Appendix 2	<i>Infill subdivision a) To allow for a range of housing choices. b) To efficiently utilise existing essential services with capacity. c) To improve or maintain the amenity of the locality. d) To encourage subdivision and increase in housing in accessible locations. e) To ensure solar access and energy efficiency is considered in the subdivision of land.</i>	Once constructed, it is proposed to subdivide the apartments by strata subdivision,	Yes

Development Control Plan No. 20: Off Street Parking (2011)

We have used the parking requirements for the Wakaden Precinct in the Griffith Residential Development DCP which meet the parking rates for the area identified in the Griffith Housing Strategy 2019. The following parking ratios are required in that precinct:

- *1 bedroom unit = 0.5 spaces*
- *2 bedroom unit = 1 space*
- *3+ bedroom unit = 2 spaces*
- *+ 1 visitor space per 6 units*

The proposal has provided 39 parking spaces which equals two parking spaces for each unit and a total of three visitors spaces. The site is located in the CBD and section 1.7.2 permit a 30% reduction in parking requirements. The Applicant has not taken this concession up and has chosen to provide the required parking spaces without the reduction. The parking area has been designed in accordance with Australian Standards 2890.6:2009.

Development Control Plan No. 19 Mixed Development

Development Control Plan No. 19 Mixed Development specifies controls for multi-dwelling development in the CBD precinct. It is noted that this policy was made under the repealed Griffith Local Environmental Plan 1994 and does not reflect the current zones specified in the Griffith Local Environmental Plan 2014. The provisions in the DCP are not specific to residential flat developments and the requirements of this DCP are not relevant to this particular proposal. Regardless, the provisions of Chapter 4 of SEPP (Housing) 2021 are to take precedence over DCP 19. The proposal does satisfy the aims of the plan, specifically providing a variety of housing opportunities and residential lifestyle choices, promoting a high-quality environment through innovative design, and enabling residential development of commercial land where deemed suitable by Council.

1. What are the aims of this plan?

- to set minimum standards for quality multiple dwelling development.
- to protect the prime retail and commercial street level frontages of Banna Avenue and Yambil Street.
- to provide for a variety of housing opportunities and residential lifestyle choices.
- to promote the establishment of a high quality and varied environment through the implementation of innovative design standards.
- to enable development of business zoned land for residential use where the Council is satisfied that adequate amenity will be provided for residents and the land will not be required for commercial or retail use.
- to alert potential developers of Railway Operational Land to the possibility that part of the land may be contaminated.
- to ensure that development does not adversely affect the heritage significance of identified heritage items and Heritage Conservation area.

6 Impact Assessment

This section provides an assessment of the potential impact arising from the proposal. The impact assessment is based on the matters for consideration listed in Section 4.15 of the EP&A Act.

6.1 Context and Setting

The site is located in the CBD of Griffith with an established building form and height of between one and four storeys (Quest Apartments and Gem Hotel). The building has been sited and designed to have a similar bulk, scale and siting as the Quest Apartment building to the west. The Telstra building and Post office exchange to the south-east of the site are also of a similar scale. The height would not be considered unsympathetic to and will not overshadow the streetscape or heritage items in the vicinity.

The proposal has also been designed in recognition of Griffith City Council's Housing Strategy 2019 which promotes new residential flat buildings and apartments in Griffith's CBD. The proposal is therefore compatible with the existing built form and potential future-built form.

The materials and finishes of the development are considered appropriate to the setting and streetscape. The proposed building is contemporary and is consistent with the character of development in the immediate vicinity including the adjacent Quest Apartments. The new development have little impact on the streetscape or heritage items nearby through the use of a neutral colour scheme comprised of recessive whites and greys. The site has a visual buffer to the conservation area of a two-lane road with deep densely vegetated verge with established large trees and a carpark providing a visual transition zone between Memorial Park and the development.

A detailed Design Verification Statement has been provided by the Architect for the proposal CohenLeigh Architects.

6.2 Public Domain & Public Access

The proposal has been designed to interact well with the public domain including Railway Street, Memorial Park and visually across the rail reserve from Wakaden Street. The proposal includes three access points from the three entrances into the apartment building from the Railway Street footpath. These access points would have a secured gate with an intercom system to the Apartments to ensure the safety of occupants and visitors. Adequate lighting would be provided at each pedestrian access point, within the carpark and at the entrance to the car park to decrease the possibility of entrapment and anti-social behaviour. A detailed lighting plan can be provided post approval. In terms of the Railway Street footpath, adequate street lighting is provided in the road reserve.

6.3 Traffic and Parking

The site is located on Railway Street which is a two-way local collector road. The proposal includes a ground floor car park with a total of 39 car parks. Each apartment would have access to two parking spaces for use by tenants and visitors. Three visitors parking spaces have also been provided. Access to the site is provided from the existing access handle in the battle axe arrangement to Kooyoo Street which is a local urban access road. The access handle was created as part of the three-lot subdivision of the parent allotment in 2015 as part of DA 190/2012.

The development has been sited and designed to utilise the access handle for two-way vehicular movement into the proposed ground floor carpark.

A Traffic Impact Assessment (TIA) for the development was prepared by Peter Meridith Consulting. The TIA found that both Kooyoo Street and Railway Street had relatively low levels of traffic and the development would not be expected to adversely impact the capacity or efficiency of the local road network.

The proposal includes the use of an 8.8m long garbage truck to be provided by a commercial contractor.



Figure 18: Typical 8.8 m long Garbage Truck

A swept path analysis has been provided in the TIA which shows that a garbage truck can turn around and reverse at the end of Kooyoo Street into the access handle and then to the garbage room area.

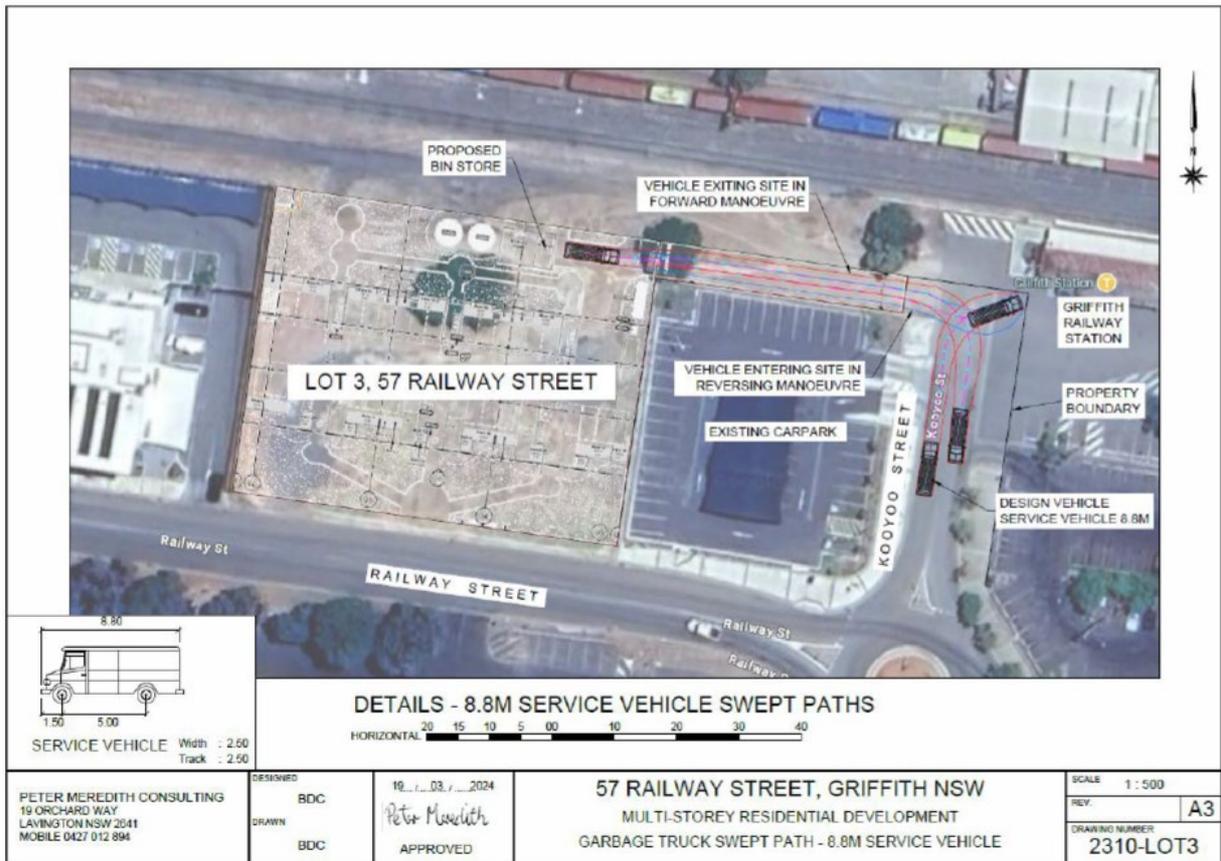


Figure 19: Garbage Manoeuvring Plan

To ensure safety and to reduce traffic conflicts between the garbage truck and resident's, collections will be during the mid-morning on the day of collection. Its envisage that most of the residents will be absent from the apartment building at this time of day. In addition, the garbage service will provide a spotter to advise any residents exiting in vehicles that the garbage truck is reversing onto the site. Kooyoo Street has a very limited amount of traffic at the point where the proposed driveway intersects the road reserve. A detailed traffic management and waste management plan would be provided post approval.

The TIA had the following conclusions regarding the proposal:

- The location of the new left-in/right-out residential ground floor car park access driveway in Kooyoo Street allows for the safe manoeuvring of traffic at Kooyoo Street and the additional low volumes (8vph) of traffic generated by the residential development will have no significant impact on the existing traffic operations of Kooyoo Street and Railway Street:
- The widths and gradients of the residential car park access driveway entrance meet the requirements of AS2890.1-2004 Off-Street Car Parking;
- Car parking bay dimensions for the 90-degree on-site car park are in accordance Griffith Residential DCP 2020 and AS2890.1 parking facilities Part 1: Off-street Car Parking and AS/NZS 2890.6 2009;

- Sight distance criteria is met for the Kooyoo Street access driveway.
- The proposed development is providing off-street parking that is above the requirements of the Griffith Residential DCP 2020 and there will be no significant impact on parking demand in the local area.
- Adequate facilities have been provided for the storage and collection of garbage from the proposed development.

It is not expected that the proposal would have any detrimental impacts to the safety, capacity or efficiency of the local network subject to the implementation of a traffic management plan (TMP) as part of an overarching Waste Management Plan to permit the reversing of garbage trucks into the access handle and towards the garbage room. A spotter would be utilised to hold traffic and direct the reversing garbage truck. With these measures in place Council should be confident in approving the proposal from a traffic management standpoint.

6.4 Heritage

The site is located in close proximity to a heritage conservation area and in the vicinity of the following heritage items:

- Former Rural Bank manager's residence, located at 18 Kooyoo Street and listed as I5 on the Griffith LEP 2014
- Court House, located at 363 Bann Avenue and listed as I8 on the Griffith LEP 2014
- Former Police Station, located at 369 Banna Avenue (corner Ulong Street) and listed as I9 on the Griffith LEP 2014
- Railway Station Buildings, located at Railway Street and listed as I16 on the Griffith LEP 2014
- Griffith Railway Station Precinct, listed on the Transport Asset Holding Entity Section 170 Register
- Banna Avenue Precinct, listed as C1 on the Griffith LEP 2014.

A Heritage Impact Assessment (HIA) has been prepared by Urbis to determine the potential heritage impacts of the development on the heritage significance of the vicinity heritage items and HCA. The HIA made the following conclusions:

- The proposed development will not result in an adverse impact on the visual character of the Heritage Conservation Area or streetscape of Railway Street and will not obscure or interrupt significant views to from, or between vicinity heritage items
- The proposed development will not result in an adverse impact on the visual character of the Heritage Conservation Area or streetscape of Railway Street and will not obscure or interrupt significant views to from, or between vicinity heritage items.

- The proposed development will provide residential living and use in the area that is currently vacant, and in doing so will increase social and commercial use of the park and shopping areas in nearby Banna Avenue. This is a positive heritage development as the significance of the park and shopping area is tied to their use by people.
- Griffith never reached the population targets it was envisioned for, and so it is in keeping with the original vision of Griffith to support population growth.

The proposal has been carefully designed with the heritage items and conservation areas front of mind. The Heritage Impact Assessment has been prepared to meet the requirements of the GLEP and has concluded that the proposal would not have a detrimental impact on the heritage significance and setting of the items and conservations area.

6.5 Soils & Contamination

The site was formerly utilised for rail activities including a locomotive turntable, locomotive sheds, engineering facilities and coal stages. As such there is potential for contamination to have impacted the soils. Council previously owned the site and commissioned a detailed phase 2 Environmental Assessment. The Assessment made the following conclusions:

- Asbestos was not detected in any samples
- TPH, BTEX and PAH compounds were all below the laboratory detection limits and relevant guidelines
- All heavy metals analysed throughout the samples were below the acceptable levels
- Based on the test results, the site is considered clean and acceptable for sensitive land uses.

The site has not been utilised for any other potentially contaminating uses since the Assessment was prepared. Therefore, the likelihood of contamination being present above human health limits in the soils is negligible. As part of DA 190/2012 which included the subdivision of the site, potential contamination impacts were considered, and remediation was not required. As per the conclusions of the contamination assessment prepared by Aitken and Rowe and commissioned by Council, we do not consider any additional investigations or remediation are necessary to facilitate the development.

6.6 Waste

The proposal would create 18 three-bedroom apartments. Each apartment would have a shared access to a services / bin room in the communal areas to store refuse prior to transfer to the garbage room. The communal garbage room would contain two 110-litre bins for putrescible landfill waste and segregated bins for recycling. The garbage room would be accessible to all residents at the ground floor. The manager of the site would be responsible for ensuring the garbage room is neat and tidy. A Waste Management Plan would be prepared as a post approval matter and would be followed as part of the occupation of the development.

6.7 Noise & Vibration Impacts

Marshall Day have prepared an Acoustic Assessment which has been lodged with the development application. The assessment is a desktop assessment which was utilised to inform the design of the development. The Assessment was prepared to ensure that rail noise did not impact the future residents of the Apartment by informing the Rw rating of the glazing of each apartment.



Figure 20: Required R_w Rating for Glazing

Should the glazing be installed correctly, the Acoustic Assessment has determined that the rail noise would not impact the amenity of the future residents of the apartments during both day and night-time periods (refer to **Figure 21**).

Description	Predicted noise level, dB with glazing as per Figure 2	Criteria dB windows closed	Complies
Calculated night L_{eq9hr} (including 2 train movements.) Diesel locomotives and carriages/wagons, moving slowly at 20 km/hr allowance for 1000m length train, 180 second pass-by	Bedroom 34 $L_{Aeq(9hr)}$	35 $L_{Aeq(9hr)}$	Yes
Calculated day L_{eq15r} (including 2 train movements.) Diesel locomotives and carriages/wagons, moving slowly at 20 km/hr allowance for 1000m length train, 180 second pass-by	Living room <30 $L_{Aeq(15hr)}$	40 $L_{Aeq(15hr)}$	Yes
Calculated L_{max} noise levels (for use night time period)	Bedroom 55 L_{Amax} Train horns may exceed this level, to be determined on site	Refer EPA RNP 50-55 maximum for awakening unlikely 65-70 maximum 1-2 times per night for health and well being	Yes, Train horns may exceed this level, to be determined on site. Compliance with health and well being criteria expected provided not more than 1-2 occasions per night

Figure 21: Acoustic Assessment Regarding Train Noise with Glazing Installed

The Acoustic Assessment provided the following conclusions regarding the potential noise impacts of the development:

Railway noise and vibration impacts:

Noise exposure sources are expected from the adjoining railway line, however the train movements are low, assessed as two movements over a day, evening or night period. Data suggests that vibration from the railway has been within the acceptable criteria. The report specifies acoustic glazing ratings for glazed areas in each apartment to minimise the noise impacts to occupants of the apartments. Based off this recommendation, all external glazing is proposed to be double glazed and acoustically sealed.

Mechanical Plant Noise Emissions:

The report advises that it is suitable to locate air conditioning and ventilation plant and equipment on the roof top, provided that final equipment selections comply with noise criteria.

Automatic carpark doors:

Final selection of carpark access doors should be a type which has a low operating noise level and mechanisms should be vibration isolated from the building to limit noise.

As part of the installation of the selected air conditioning units and roof plant, a further noise assessment should be undertaken and additional noise attenuation provided to avoid potential minor amenity impacts to occupants of the upper floors of the Quest Apartment's. The Applicant would carry out this due diligence as a post approval matter.

Subject to the installation of the proposed glazing and further acoustic assessments regarding the roof plant, the proposal is not expected to have a noise impact on future residents or receivers in the locality.

6.8 Suitability of the Site

The subject site is considered suitable for this development for the following reasons:

- The proposal is not contradictory to the planning framework, including the EP&A Act 1979, and the relevant state environmental planning policies.
- The development has demonstrated the ability to achieve compliance with Council planning policies and strategies.
- The site is suitably zoned and the proposal exemplifies the zone objectives of the E1 Local Centre.
- The development achieves desired outcomes recommended in the Griffith Housing Strategy 2019 by providing a solution to an identified lack of residential housing availability in Griffith.
- The development will provide a variety of housing (medium density) styles and lifestyle choices for living in Griffith's CBD.
- The proposal promotes outcomes identified in the Local Strategic Planning Statement: Growing Griffith to 2045 - Planning Priority 1 – increase urban density and housing affordability, Strategy 1.1 - Implement the recommendations of the Griffith Housing Strategy 2020, and Action 1.1a – Increase Residential Density Close to the CBD.
- The site contains all services required to support the development.
- The site is not constrained by any hazards such as bushfire, flooding, or biodiversity significance.
- The proposal is unlikely to have an unreasonable impact on the environment.
- The site contains all services required to support the development.
- The site is not constrained by any hazards such as bushfire, flooding, heritage, or biodiversity significance.
- The proposal is unlikely to have an unreasonable impact on the environment.

7 Contributions

7.1 Section 7.12 Contributions

The cost of the development is estimated at \$17,791,874, therefore a contribution of \$17,791.87 is payable.

7.2 Section 64 Contributions

Potable water is available to the site presently via a 100mm council water main in Railway Street. The proposal would be expected to have a water demand equivalent to 12 ET. Each three-bedroom apartment would be expected to have the equivalent of 0.67 ET as per the Water Directorate Guidelines. As such a total Section 64 Contribution of 12 ET would be expected. However, during the subdivision of the site under DA 190/2012 a credit of 1 ET for the vacant lot would have been provided. As such, it is expected that Council would levy a Section 64 contribution equivalent to 11 ET for the development.

8 Conclusion

This development application seeks consent under Part 4 of the EP&A Act and has been assessed against the provisions of Section 4.15 of the same Act.

As demonstrated by the detailed assessed of the proposed development in this SEE, the proposal satisfies the intent and requirements of the relevant legislation including the EP&A Act, SEPPs, Council's Policies, relevant Australian Standards, and ability to comply with building requirements by the Building Code of Australia.

The development should be supported as it delivers a part of the solution to the identified housing supply shortage in Griffith. The proposal utilises under-developed land in a central location ideal for medium density residential accommodation and the design complies with all development controls and design criteria listed the *Griffith Residential Development Control Plan 2020*. The proposal is compatible with the locality and existing established land uses.