



STATEMENT OF MODIFICATION – DA 2017/142
SECTION 8.2 REVIEW

29 POMEROY STREET, HOMEBUSH
INTERNAL ALTERATIONS AND EXTERNAL ADDITIONS TO
FOUR (4) STOREY BOARDING HOUSE OVER BASEMENT CAR
PARKING

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Introduction

This report has been prepared in support of a Section 8.2 review of a modification application relating to 29 Pomeroy Street, Homebush (Lot 35 in DP 834) ('the Site'). The previously submitted Section 4.55(2) modification sought alterations and additions to Development Consent 2017/142 which increases the number of rooms from thirteen to nineteen.

The Site is a corner lot located within an established residential area which is within walking distance of North Strathfield Railway Station. The Site is zoned R3 Medium Density Residential under the provisions of the Strathfield Local Environmental Plan 2012. There are no heritage restrictions on the Site or on lots adjoining the Site. Figures 1, 2, 3, 4 and 5 demonstrate the site zoning and context of the site.

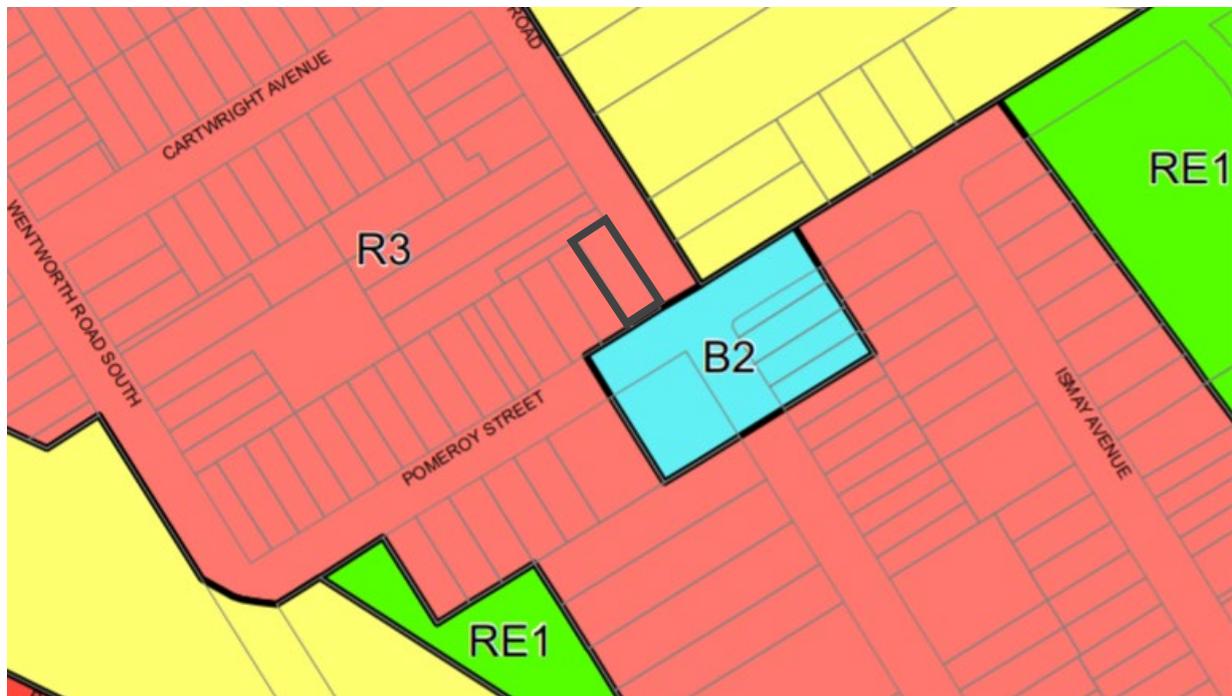


Figure 1. Zoning Map Extract –R3 Medium Density Residential - Strathfield Local Environmental Plan 2012(LZN_004)

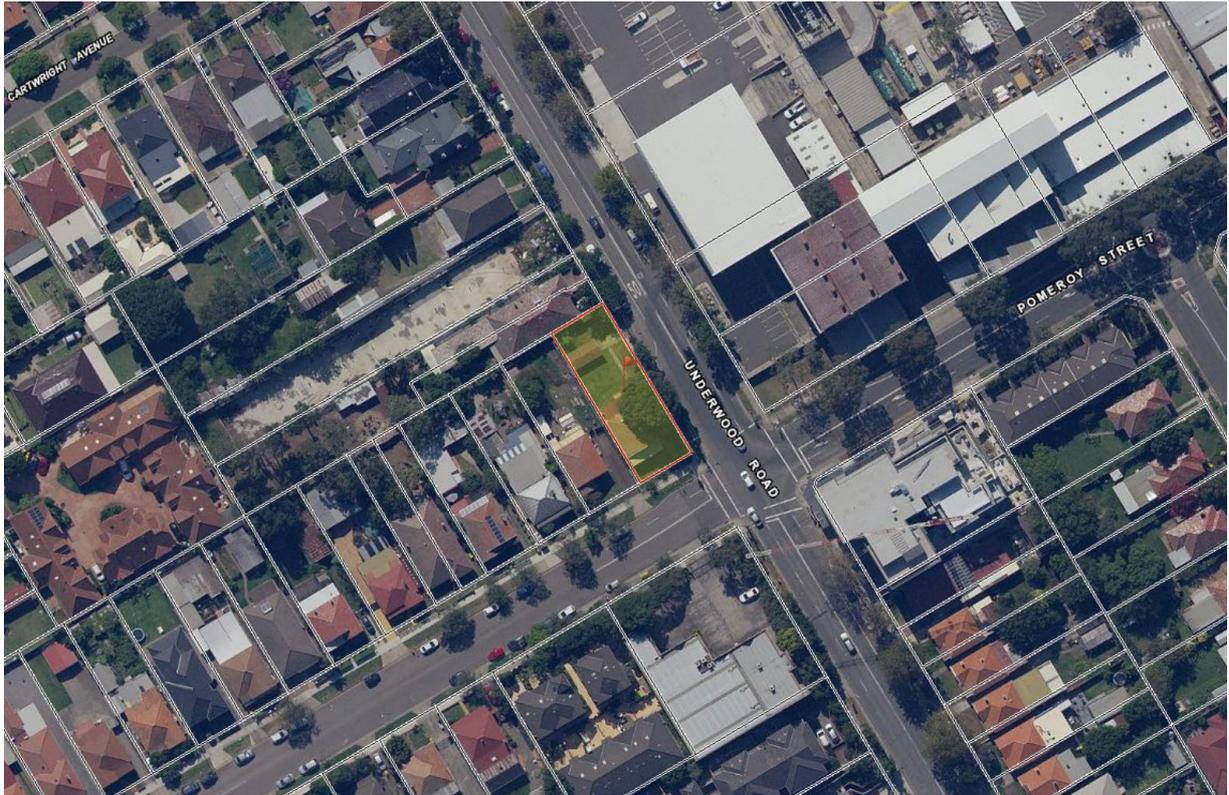


Figure 2. Ariel Map of Site (Six Maps)

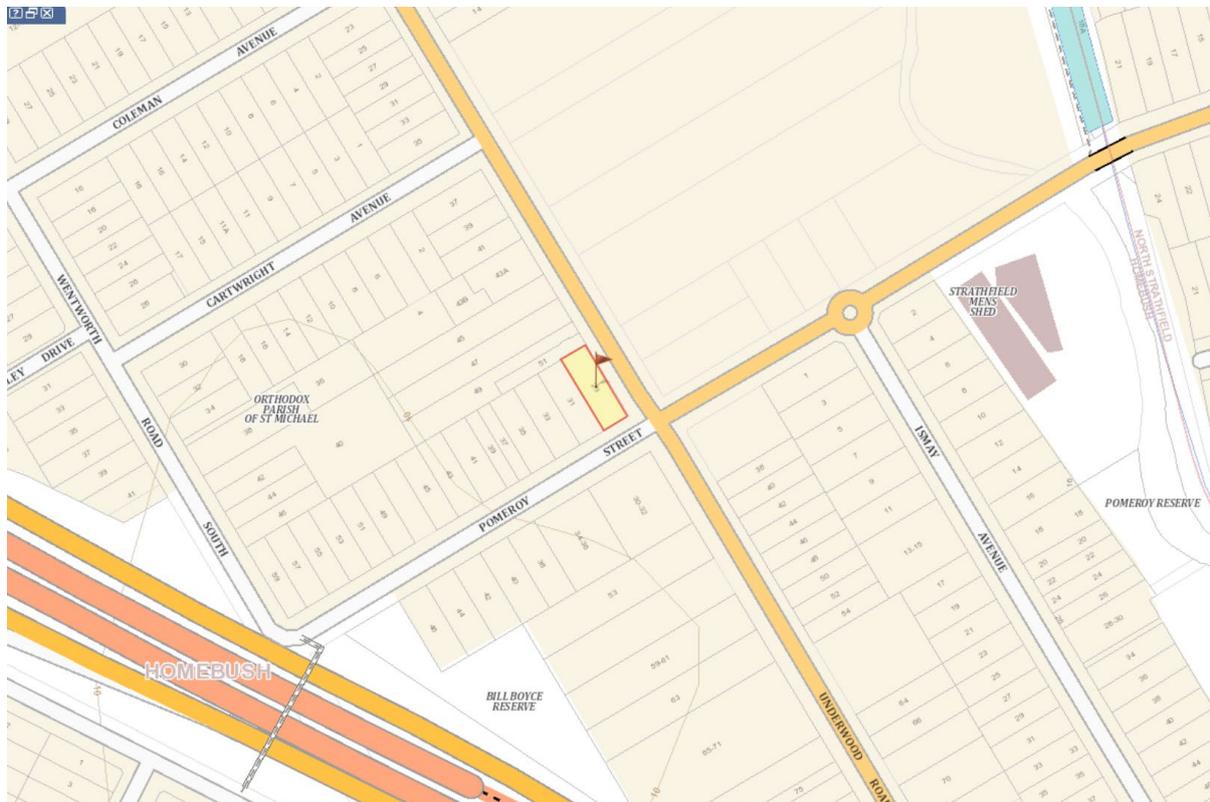


Figure 3. Road Map of Site (Six Maps)



Figure 4. 29 Pomeroy Street facing West (Google Street View)



Figure 5. 29 Pomeroy Street facing South (Google Street View)

Site Context

The subject Site is known as 29 Pomeroy Street (Lot 20 in DP 1101067) ('the Site'). The Site fronts Homebush Road with a lot area of 551m² and frontage of 13.715m. The Site is bound by residential dwellings to the North and West. The Site is within a locality that consists of residential, commercial and infrastructure uses.

The Site is zoned R3 Medium Density Residential under the provisions of the Strathfield Local Environmental Plan 2012. There are no heritage restrictions on the Site or the lots adjoining it. The Site is strategically located, fronting Underwood Road as well as being located in proximity to the below listed amenities and transport facilities:

- North Strathfield Railway Station, 590m
- Mason Park, 350m
- Sydney Olympic Park, 1.2km

- Flemington Markets, 650m
- Bakehouse Quarter, 600m

On the 7 December 2017, the Strathfield Independent Hearing Assessment Panel granted approval for Development Application No. 2017/142:

'Demolition of existing structures and construction of a four (4) storey boarding house containing thirteen (13) rooms over a single level of basement parking under the Affordable Rental Housing SEPP 2009'.

Proposal

This Section 4.55(2) modification seeks the below listed alterations and additions to Development Application 2017/142:

1. Increase in the number of boarding rooms from Thirteen to Nineteen
2. Increase in total gross floor area from 455.61m² to 511.48m² (12.2% increase)
3. Increase in the maximum building height from 11.67m to 11.93m (2.22% increase)
4. Alterations to the basement car spaces to facilitate 5 x car stackers which can facilitate 10 total car spaces
5. Introduction of a lift to the northern end of the building
6. Alterations to floor layouts to facilitate the above listed

As per the modification the Development is to have the below description:

"Demolition of existing structures and construction of a four (4) storey boarding house containing nineteen (19) rooms over a single level of basement parking under the Affordable Rental Housing SEPP 2009'."

Environmental Planning and Assessment Act 1979

Pursuant to Section 8.2(1)(c) of the Environmental Planning and Assessment Act 1979 a review is sought for the refusal of Modification Application DA2017/142 made by the Strathfield Local Planning Panel (SLPP) made on 2 November 2020. This application request is made within a timeframe that provides Council and SLPP adequate time to assess and determine the application.

Division 8.3 of the EP&A Act contains provisions relating to the amendment of applications in the event of a review of determination:

8.3 Application for and conduct of review (cf previous ss 82A (2)–(4) (6), 82B (2)–(4))

(1) An applicant for development consent may request a consent authority to review a determination or decision made by the consent authority. The consent authority is to review the determination or decision if duly requested to do so under this Division.

(2) A determination or decision cannot be reviewed under this Division:

(a) after the period within which any appeal may be made to the Court has expired if no appeal was made, or

(b) after the Court has disposed of an appeal against the determination or decision.

(3) In requesting a review, the applicant may amend the proposed development the subject of the original application for development consent or for modification of development consent. The consent authority may review the matter having regard to the amended development, but only if it is satisfied that it is substantially the same development.

The proposal has been modified to directly respond to each reason given for refusal as considered below:

1. The proposed modification results in a shortfall of 5 spaces from the minimum 10 off- street parking spaces required for the site contrary to Clause 29 of the Affordable Rental

- Housing SEPP 2009 which requires a minimum of 0.5 (9.5) off-street parking spaces to be provided per room (Section 4.15(1)(a)(i) of the Environmental Planning and Assessment Act 1979).

2. The proposed modification is likely to result in increased on-street parking demands as a result of significantly reduced off-street parking on the site. This is contrary to the aims (a)(b) and (e) of the Strathfield Local Environmental Plan which seek to achieve high quality urban form and to promote the efficient and spatially appropriate use of land (Section 4.15(1)(a)(i), Section 4.15(1)(a)(iii) and Section 4.15(1)(b), & of the Environmental Planning and Assessment Act 1979).

4. The proposed modification is not suitable for the site in that parking on the site results in a shortfall from the minimum off-street parking requirements. Accordingly, the parking proposed for the site is unable to adequately accommodate the needs of future residents on the site (Section 4.15 (1)(c) and (1)(iv) of the Environmental Planning and Assessment Act 1979).

Comment: The proposal has been amended to provide 10 car spaces within the basement to:

- Ensure strict compliance with Clause 29 of the SEPP ARH and as such directly addresses points 2 and 4 of the refusal, and
- Reduce the likely demand for on-street car parking that will result from the modification

Please refer to the Traffic Impact Assessment prepared by TTPA for details relating to the car stacker arrangement.

3. The proposal fails to provide sufficient information regarding the waste management of the facility to substantially satisfy the requirements of Part H of

the Strathfield Consolidated Development Control Plan 2005 (Section 4.15(1)(iii) of the Environmental Planning and Assessment Act 1979).

Comment: A Waste Management Plan prepared by Dickens Solutions has been included as part of this application and addressed Part H of the SDCP 20015.

The proposed modification is not considered to be in the public interest (Section 4.15(1)(d) and (e) of the Environmental Planning and Assessment Act 1979

Comment: The proposed modifications to this application ensure that is now in the public interest.

The modifications are considered to result in a development that is substantially the same as the application this review relates to and as such this application does not require a new development application.

Section 4.55 of the Environmental Planning and Assessment Act

Matters relating to Section 4.55 of the EP&A Act considered below as the Proposal involves the modification of Development Consent DA2017/142.

(2) Other modifications A consent authority may, on application being made by the applicant or any other person entitled to act on a consent granted by the consent authority and subject to and in accordance with the regulations, modify the consent if:

(a) it is satisfied that the development to which the consent as modified relates is substantially the same development as the development for which consent was originally granted and before that consent as originally granted was modified (if at all), and

Comment: It is considered that the Proposal will present as the same fundamental development, that being a four storey boarding house development with one level of basement car parking. The proposed modification will increase the total gross floor area of the Proposed Development from 455.61m² to 511.48m², the increase of 55m² will maintain compliance with the maximum FSR of 1.15:1 FSR afforded to the Site by the SEPP ARH. Moreover, the proposal will maintain the below listed:

- approved colours and materials
- acceptable solar, shadow and acoustic amenity impacts on the adjoining properties and greater locality.

(b) it has consulted with the relevant Minister, public authority or approval body (within the meaning of Division 4.8) in respect of a condition imposed as a requirement of a concurrence to the consent or in accordance with the general terms of an approval proposed to be granted by the approval body and that Minister, authority or body has not, within 21 days after being consulted, objected to the modification of that consent, and

(c) it has notified the application in accordance with:

- (i) the regulations, if the regulations so require, or*
- (ii) a development control plan, if the consent authority is a council that has made a development control plan that requires the notification or advertising of applications for modification of a development consent, and*
- (d) it has considered any submissions made concerning the proposed modification within the period prescribed by the regulations or provided by the development control plan, as the case may be.*

Subsections (1) and (1A) do not apply to such a modification.

Comment: It is anticipated Strathfield Council will advertise the proposal in accordance with its notification policy and consider any submissions in its assessment of the proposal.

(3) In determining an application for modification of a consent under this section, the consent authority must take into consideration such of the matters referred to in section 4.15 (1) as are of relevance to the development the subject of the application. The consent authority must also take into consideration the reasons given by the consent authority for the grant of the consent that is sought to be modified.

Comment: The relevant considerations of Section 4.15 of the EP&A Act are addressed throughout this document. In its approval of the Development Application the Strathfield Independent Hearing and Assessment Panel did not outline reasons for the decision in accordance with 2.16 of the EP&A Act, however, the resolution of the approval has been cited below:

We find the Clause 4.6 variation to be well founded and approve of the application subject to the recommended conditions of consent as amended by the panel.

The Proposed modification seeks a marginal increase to the maximum height of the Development from 11.67m to 11.93m, being a 4.55(2) modification, a Clause 4.6 Statement is not required, however it is considered that the reasons given for the variation are maintained in that:

- The height represents a suitable transition from that of the adjoining B1 Zone, from 16m down to 11.93m (to the lift overrun)
- The locality is transition from older style detached dwelling houses to multi-storey mixed use developments, town houses and residential flat buildings which are present within the visual catchment, this is best illustrated by the redevelopment of 32-36 Underwood Road, Homebush
- The proposal maintains consistency with (b), (d), (f) and (g) of the Aims of Policy listed in the SEPP ARH
- The proposal will ultimately be compatible with the Parramatta Road Corridor Urban Transformation – Planning and Design Guidelines' (Guidelines)
- The modification is compatible with the approved built forms at the Underwood Road and Pomeroy Street intersection

The proposed modification will not adversely impact any special condition original imposed on the Development Consent.

State Environmental Planning Policy (Affordable Rental Housing) 2009

The Site is zoned R3 Medium Density Residential under the SLEP 2012 and located within an accessible area as such the provisions of the State Environmental Planning Policy (Affordable Rental Housing) 2009 (SEPP ARH) applies to the proposal. The relevant SEPP ARH provisions have been considered in the compliance table below.

Table 2. SEPP ARH Compliance Table

State Environmental Planning Policy (Affordable Rental Housing) 2009		
Requirement	Proposal	Complies
Clause 26: Land to which Division applies		
This Division applies to land within any of the following land use zones or within a land use zone that is equivalent to any of those zones: (b) Zone R3 Medium Density Residential,	The Site is zoned R3 Medium Density residential in the SLEP 2012.	YES
Clause 27: Development to which Division applies		
(2) Despite subclause (1), this Division does not apply to development on land within Zone R3 Medium Density Residential or within a land use zone that is equivalent to that zone in the Sydney region unless the land is within an accessible area.	The Site is located within an accessible area as it is located within 800m of North Strathfield Railway Station.	YES
Clause 29: Standards that cannot be used to refuse consent		
(1) A consent authority must not refuse consent to development to which this Division applies on the grounds of density or scale if the density and scale of the buildings when expressed as a floor space ratio are not more than:	The Site is prescribed an FSR of 0.65:1 under the provisions of the SLEP 2012. The R3 Medium Density Residential zone permits 'residential flat buildings' and as such a maximum floor space ratio of 1.15:1 is permitted for 'boarding houses' on the Site.	YES
(c) if the development is on land within a zone in which residential flat buildings are permitted and the land does not contain a heritage item that is identified in an environmental planning instrument or an interim heritage order or on the State Heritage Register—the existing maximum floor space ratio for any form of residential accommodation permitted on the land, plus:	The proposed modification increases the gross floor area from 455.61m ² to 511.48m ² (12.2% increase) and maintains a compliant FSR of 0.93:1.	YES
(i) 0.5:1, if the existing maximum floor space ratio is 2.5:1 or less, or		YES
(2) A consent authority must not refuse consent to development to which this Division applies on any of the following grounds:	-	-

<p>(a) Building Height If the building height of all proposed buildings is not more than the maximum building height permitted under another EPI for any building on the land.</p>	<p>The Proposal seeks a maximum building height of 11.93m this results in a total increase of 2.22% of that previously approved (11.67m). The proposal is considered to maintain consistency with the reasons given for the approval of the Clause 4.6 Variation Statement relating to the original development application.</p>	<p>Variation</p>
<p>(b) Landscaped Area If the landscape treatment of the front setback area is compatible with the streetscape in which the building is located.</p>	<p>It is considered that the proposed front setback provides substantial landscaping which enhances the existing streetscape by replacing hard paved areas with deep soil and soft landscaping.</p>	<p>YES</p>
<p>(c) Solar Access Where the development provides for one or more communal living rooms, if at least one of those rooms receives a minimum of 3 hours direct sunlight between 9am and 3pm in mid-winter.</p>	<p>The common living room area has been located on the ground floor and benefits from a northern orientation and as such will receive more than three hours direct sunlight between 9.00am and 3.00pm during the mid-winter solstice.</p>	<p>YES</p>
<p>(d) Private Open Space If at least the following private open space areas are provided (other than the front setback area):</p> <p style="padding-left: 40px;">i) One area of at least 20sqm with a minimum dimension of 3 metres is provided for the use of the lodgers,</p> <p style="padding-left: 40px;">ii) If accommodation is provided on site for a boarding house manager – one area of at least 8sqm with a minimum dimension of 2.5 metres is provided adjacent to that accommodation</p>	<p>The private open space on the ground floor is proposed to be 31.9m² with a width of approximately 4m which will be directly accessible from the common room.</p>	<p>YES</p>
<p>(e) parking if— (i) in the case of development carried out by or on behalf of a social housing provider in an accessible area—at least 0.2 parking spaces are provided for each boarding room, and</p>	<p>The Site is located within an accessible area being located within 800m walking distance of North Strathfield Railway Station.</p> <p>Please refer to the 'Assessment of Traffic and Parking Implications' prepared by TTPA accompanying this submission.</p>	<p>YES</p>

<p>(ii) in the case of development carried out by or on behalf of a social housing provider not in an accessible area—at least 0.4 parking spaces are provided for each boarding room, and (iia) in the case of development not carried out by or on behalf of a social housing provider—at least 0.5 parking spaces are provided for each boarding room, and (iii) in the case of any development—not more than 1 parking space is provided for each person employed in connection with the development and who is resident on site,</p>	<p>It is noted that there is precedence in the LGA whereby car stackers have been used to achieve compliance with this standard, please refer to Paragraph 7 of Varga Pty Ltd ATF The Liverpool Road Unit Trust v Strathfield Municipal Council [2018] NSWLEC 1666: <i>Compliance to the SEPP ARH is achieved through sufficient parking spaces for the number of proposed rooms with a car stacker and a design that is in character with the local area, pursuant to cl 29(2)(e) and 30A, respectively.</i></p>	
<p>(f) Accommodation Size i) If each boarding room has a gross floor area of at least: 12sqm in the case of a boarding room intended to be used by a single lodger, or ii) 16sqm in any other case</p>	<p>Each of the boarding room are to be occupied by single lodgers are to have an internal area in excess of 12m².</p>	<p>YES</p>
<p>(3) A boarding house may have private kitchen or bathroom facilities in each boarding room but is not required to have those facilities in any boarding room.</p>	<p>Each of the boarding rooms will have kitchen and bathroom facilities.</p>	<p>YES</p>
<p>30 Standards for boarding houses</p>		
<p>(1) A consent authority must not consent to development to which this Division applies unless it is satisfied of each of the following:</p>	<p>Note.</p>	<p>-</p>
<p>(a) if a boarding house has 5 or more boarding rooms, at least one communal living room will be provided,</p>	<p>The Proposal includes a common living room on the ground floor.</p>	<p>YES</p>
<p>(b) no boarding room will have a gross floor area (excluding any area used for the purposes of private kitchen or bathroom facilities) of more than 25 square metres,</p>	<p>The Proposed Development does not include any rooms which exceed 25m² in size when excluding the area of the private kitchen or bathroom facilities.</p>	<p>YES</p>
<p>(c) no boarding room will be occupied by more than 2 adult lodgers,</p>	<p>No room is proposed to be utilised by more than two adult lodgers.</p>	<p>YES</p>
<p>(d) adequate bathroom and kitchen facilities will be</p>	<p>The proposal includes kitchen facilities in every room.</p>	<p>YES</p>

available within the boarding house for the use of each lodger,	Each of the rooms will benefit from access to a private bathroom	
(e) if the boarding house has capacity to accommodate 20 or more lodgers, a boarding room or on site dwelling will be provided for a boarding house manager,	Not Applicable.	-
(h) at least one parking space will be provided for a bicycle, and one will be provided for a motorcycle, for every 5 boarding rooms.	Please refer to the 'Assessment of Traffic and Parking Implications' prepared by TTPA accompanying this submission.	YES

30A Character of local area

A consent authority must not consent to development to which this Division applies unless it has taken into consideration whether the design of the development is compatible with the character of the local area.

It is considered that the amended flood space, height and general scale of the Proposed Development will be compatible with both the existing and future desired local area, particularly when having regard to the other corner allotments of Pomeroy Street and Underwood Road. The Site is located within the 'Homebush Precinct' of The Parramatta Road Urban Transformation Strategy which has identified this site, and those adjoining it as having a maximum FSR of 1.4:1 and height of 17m.

Despite the increase in gross floor area and height the Site will maintain a four-storey presentation to the streetscape. The amendments associated with this modification will not create any unreasonable environmental impacts to adjoining properties with regard to visual bulk, overshadowing, solar access or privacy impacts. The vehicle entry point is to be maintained as approved.

The proposed amendments presentation to the street is consistent with the existing streetscape. The Proposed Development contributes to the streetscape and more specifically the Pomeroy Street / Underwood Road intersection in a positive manner to the quality and identity of the locality. It is demonstrated that the proposal is consistent the relevant standards set out in the SEPP ARH and is therefore worthy of support.

Strathfield Local Environmental Plan 2012

The Site is zoned R3 Medium Density Residential under the provisions of the Strathfield Local Environmental Plan 2012 ('SLEP 2012'). Development for the purpose of a 'boarding house' is permissible with Development Consent. A boarding house is defined in the SLEP 2012 as:

boarding house means a building that:

- (a) is wholly or partly let in lodgings, and
- (b) provides lodgers with a principal place of residence for 3 months or more, and
- (c) may have shared facilities, such as a communal living room, bathroom, kitchen or laundry, and
- (d) has rooms, some or all of which may have private kitchen and bathroom facilities, that accommodate one or more lodgers,

but does not include backpackers' accommodation, a group home, hotel or motel accommodation, seniors housing or a serviced apartment.

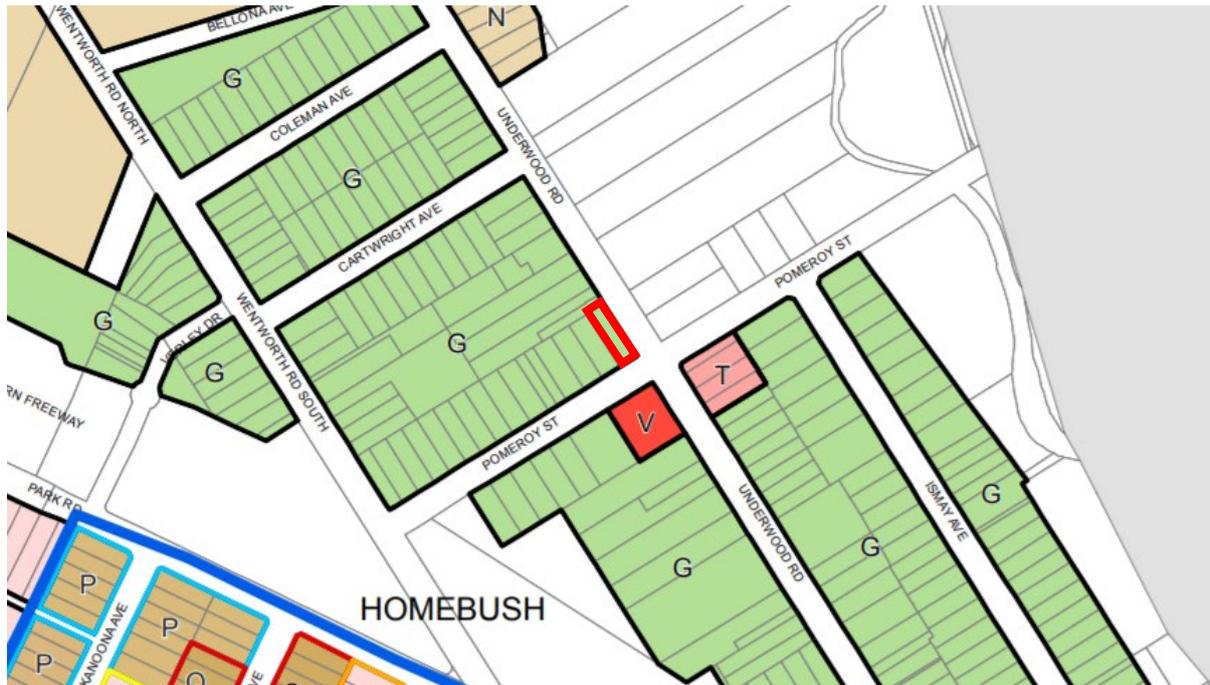


Figure 6. FSR Map Extract – G, 0.65:1 – Strathfield Local Environmental Plan 2012(LZN_004)



Figure 7. Height Map Extract – J, 9.5m – Strathfield Local Environmental Plan 2012(LZN_004)

The relevant SLEP 2012 controls have been considered in the compliance table below.

Table 3 – Strathfield Local Environmental Plan 2012 Compliance Table

Strathfield Local Environmental Plan 2012		
Clause	Comment	Complies
Zoning – R3 – Medium Density Residential	Development for the purposes of a Boarding House is permissible with Council consent in the R3 Medium Density Residential zone.	YES
Zone Objectives and Land Use Table	<p>The Proposed Development is consistent with each of the zone objectives of the R3 Medium Density Residential zone:</p> <ul style="list-style-type: none"> • <i>To provide for the housing needs of the community within a medium density residential environment.</i> • <i>To provide a variety of housing types within a medium density residential environment.</i> • <i>To enable other land uses that provide facilities or services to meet the day to day needs of residents.</i> <p>The proposal will provide for the housing needs of the locality within a quality residential environment which will be in proximity to the local facilities and amenities of Sydney Olympic Park.</p> <p>The development will be sympathetic to the context of the locality while generally being consistent with the relevant planning controls.</p>	YES
4.3 Height of Buildings J, 9.5m	<p>The Proposal seeks an increase in the total building height from 11.67m to 11.93m. The increase is sought to facilitate the lift overrun. It is considered that the reasons given for the original variation are maintained in that:</p> <ul style="list-style-type: none"> ▪ The height represents a suitable transition from that of the adjoining B1 Zone, from 16m down to 11.93m (to the lift overrun) ▪ The locality is transition from older style detached dwelling houses to multi-storey mixed-use developments, town houses and residential flat buildings which are present within the visual catchment ▪ The proposal maintains consistency with (b),(d), (f) and (g) of the Aims of Policy listed in the SEPP ARH ▪ The proposal will ultimately be compatible with the Parramatta Road Corridor Urban Transformation – Planning and Design Guidelines' (Guidelines) ▪ The modification is compatible with the approve built forms at the Underwood Road and Pomeroy Street intersection 	Variation

<p>4.4 Floor Space Ratio 0.65:1</p>	<p>The Site is prescribed an FSR of 0.65:1 under the SLEP 2012. Under the R3 Medium Density Residential zone 'residential flat buildings' are permissible as such a maximum floor space ratio of 1.15:1 is permitted for 'boarding houses' on the Site.</p> <p>The Proposal seeks a floor space of 511.48m² or 0.93:1.</p>	<p>YES</p>
<p>6.2 Earthworks</p>	<p>The proposed excavation associated with the modification is generally consistent with the current and future use of the land and will ensure a quality open space amenity is provided.</p>	<p>YES</p>

Strathfield Development Control Plan

The applicable controls which relate to Proposed Development in the Strathfield Development Control Plan (SDCP) 2005 have been addressed and discussed in **Appendix A**.

Section 4.15 Evaluation – Matters for Consideration

Context and Setting

The subject site is located in the suburb of Strathfield at 29 Pomeroy Street. Given the greater context of the Site with respect to transport nodes such as North Strathfield Railway Station and employment hubs such as Sydney Olympic Park, the Site is suitable for the amendments to the boarding house. It is considered that the proposed alterations and additions are generally sympathetic to the existing and intended character of the locality.

Social, Environmental and Economic Impacts

The construction process will assist in stimulating the local economy by providing a variety of jobs within the locality. Moreover, the construction of the rooms will ultimately create housing strategically located to provide great access to retail and commercial amenities within the locality as such is likely to increase expenditure within the local economy over the longer term.

The proposed modification will also provide a safe development that is consistent with the Crime Prevention through Environmental Design principles of surveillance, space management access control and territorial reinforcement.

The Suitability of the Site for the Development

The Proposed Development is a permissible development under the relevant zoning and the proposal complies with the fundamental planning controls for the Site as detailed in this statement. As such it is considered that the proposal is suitable for the site.

Any submissions made in accordance with the Act

It is anticipated Strathfield Council will consider any submissions in its assessment of the proposal.

The Public Interest

As stated in this report, it is considered that the Proposed Development is consistent with the objectives of the public interest as it provides social, environmental and economic benefits and results in a proposal that enhances the streetscape and the greater locality.

The proposal will provide much needed affordable boarding accommodation in the locality and will drastically improve the amenity of the Site and as such is consistent with Public Interest.

Conclusion and Recommendation

Following a review of the relevant planning controls, it is concluded that the Proposed Modification is generally consistent with the objectives, planning strategies, public interest and detailed controls of the relevant environmental planning instruments.

Careful consideration has been given to the potential environmental and amenity impacts and in the absence of adverse impacts the application is submitted to Strathfield Council for its assessment.

Appendix A: Strathfield Development Control Plan 2005 Compliance Table

Strathfield Development Control Plan 2013	
Standard	Proposal
Part H - Waste Management	
Please refer to the waste management report accompanying this submission.	
Part Q - Urban Design Controls	
<p>1.3 Relationship to other Planning Instruments and Development Control Plans This section of the DCP is to be read in conjunction with the SCDCP 2005 and the Strathfield LEP 2012. Development for the purpose of residential apartment buildings must also comply with the Apartment Design Guide (ADG) and State Environmental Planning Policy No. 65: Design Quality of Residential Apartment Development (SEPP 65). Development within the Parramatta Road Corridor within the Strathfield Local Government Area shall also refer to the Parramatta Road Urban Transformation Strategy</p>	<p>The Site is located within the 'Homebush Precinct' and as such the Parramatta Road Urban Transformation Strategy has been considered in Part 4.10 of this Table.</p>
2.1 Public Domain and place making	<p>The eastern elevation maintains a room on each level that has windows that are oriented toward Underwood Road ensuring there is passive surveillance and reinforcing its presentation to that streetscape.</p>
2.2 Streetscape	
2.3 Siting	
2.4 Building envelope	
2.5 Building massing and scale	
2.7 Building frontages to Public Domain	
2.8 Roof forms	
3.1 Accessibility and connectivity	
3.2 Building entries	
3.3 Visual and acoustic privacy	
3.4 Acoustic amenity and air quality	
3.5 Solar access and cross ventilation	<p>The Proposed modification maintains the approved colour scheme and materials of Development Consent 2017/142 which includes face brick and render along the first three levels and cladding that presents as timber on the fourth storey.</p>
3.6 Safety and security	
3.8 Views	
3.9 Landscaping	
3.10 Private and communal open space	
3.11 Energy efficient design	
	<p>The location of the modification building is considered appropriate as the Site is a corner Site and the introduction of additional bulk to the North-western end of the Site does not result in any undue amenity impacts on the adjoining properties. The presentation is also considered to be consistent with Figure 4 and 5 of this section.</p> <p>During the assessment of 2017/142 the setback to the northern boundary was considered a 'rear setback', however given the presentation of the proposal to Underwood Road in conjunction with the existing orientation of 49</p>

	<p>and 51 Underwood Road it is considered that the setback be considered a 'side setback', the proposal will relate to the front setback of those dwellings no to their rear private open space. The setback is consistent with Clause 2.2 of Part C of the SDCP.</p> <p>The windows along the northern elevation will have opaque glass to ensure there is no opportunity to overlook the adjoining properties (51 and 49 Underwood Road). The Proposed windows locations have been designed to ensure that they do not compromise the habitable and private open space of the adjoining properties.</p> <p>The modification results in a marginal increase in shadow impacts, however, each of the adjoining properties will still receive in excess of 3 hours sunlight in habitable rooms and in at least 50% of the private open space between 9am and 3pm during the winter solstice.</p> <p>The modification results in a presentation that is consistent with the local area, particularly the most recent developments within the visual catchment, namely 32-26 Pomeroy Street which presents as five storey mixed used development with a 0m setback to both Pomeroy Street and Underwood Road. The proposal represents a transition from that development.</p> <p>Each of the proposed additional rooms are to be cross-ventilated.</p> <p>The Proposal includes provision for a communal room which is adjacent to the private open space. The room and private open space area are to be in excess of 20m².</p>
<p>4.10 The Parramatta Road Urban Transformation Strategy. The Homebush Precinct is located immediately northwest of Strathfield Town Centre and Strathfield Railway Station. Sitting between Sydney's two main CBD's (Sydney and Parramatta), the Homebush Precinct will be transformed into a major high-density mixed use precinct focused on providing employment and housing opportunities, and supported by an extensive open space network and efficient vehicular, active, and public transport linkages.</p>	<p>The Site is located within the Homebush Precinct of the Parramatta Road Urban Transformation Strategy.</p> <p>The Planning and Design Guidelines of that Strategy identifies the Site as having an FSR of 1.4:1 (R) and height of 17m (P). The Proposed Development will have an FSR of 0.93:1 and maximum height of 11.93m and as such the modification will comply with the height/FSR identified in the strategy.</p>