

Statement of Environmental Effects

Concept and Detailed (Stage 1) Development Application for a Mixed Use Development

469-483 Balmain Road, Lilyfield (the Site).for Roche Group



'Gura Bulga'

Liz Belanjee Cameron

'Gura Bulga' – translates to Warm Green Country. Representing New South Wales.

By using the green and blue colours to represent NSW, this painting unites the contrasting landscapes. The use of green symbolises tranquillity and health. The colour cyan, a greenish-blue, sparks feelings of calmness and reminds us of the importance of nature, while various shades of blue hues denote emotions of new beginnings and growth. The use of emerald green in this image speaks of place as a fluid moving topography of rhythmic connection, echoed by densely layered patterning and symbolic shapes which project the hypnotic vibrations of the earth, waterways and skies.

Ethos Urban acknowledges the Traditional Custodians of Country throughout Australia and recognises their continuing connection to land, waters and culture.

We acknowledge the Gadigal people, of the Eora Nation, the Traditional Custodians of the land where this document was prepared, and all peoples and nations from lands affected.

We pay our respects to their Elders past, present and emerging.

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CHROFI
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CHROFI
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CHROFI
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CHROFI
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Place Design Group
- F** Transport Impact Assessment Report
People Transport
- G** Heritage Impact Assessment
NBRS
- H** Arboriculture Impact Assessment
Australis Tree Management
- I** Nosie Impact Assessment
Acoustic Logic
- J** Site Survey
Geometra
- K** Geotechnical Investigation
Douglas Partners
- L** Detailed Site Investigation
Douglas Partners
- M** Social Impact Statement
Ethos Urban
- N** Structural Engineering Report
Xavier Knight
- O** Apartment Design Guide Compliance Table
Ethos Urban
- P** Cost Summary Report
Arcadis
- Q** Flooding Risk Management Report
Xavier Knight
- R** Operational Waste Management Plan
Elephants Foot Consulting
- S** Construction and Demolition Waste Management Plan
Elephants Foot Consulting
- T** Access Report
Credwell
- U** BASIX Certificate
Planning Industry and Environment
- V** BASIX Report Assessment
ESD Synergy

W	Building Code Capability Assessment	<i>Code Consultancy Group</i>
X	Fire Engineering	<i>Minerva</i>
Y	Civil Design Engineering Report	<i>Xavier Knight</i>
Z	Tree Protection Plan	<i>Australis Tree Management</i>
AA	Assessment Against Architectural Excellence and Design Review Panel	<i>Ethos Urban</i>
BB	Leichhardt Development Control Plan Table of Compliance	<i>Ethos Urban</i>
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Abbreviations

Abbreviation	
ADG	Apartment Design Guide
AFCS	Australian forest certification scheme
BASIX	Building Sustainability Index
BH	Bore hole
CBD	Central Business District
CC	Construction Certificate
CPTED	Crime prevention through environmental design principles
DA	Development Application
DCP	Development Control Plan
DP&E	Department of Planning & Environment
EP&A Act	<i>Environmental Planning and Assessment Act 1979</i>
EPI	Environmental Planning Instrument
FSR	Floor space ratio
HCA	Heritage Conservation Area
HIS	Heritage Impact Statement
IWLEP 2022	<i>Inner West Local Environmental Plan 2022</i>
IWC	Inner West Council
LGA	Local Government Area
OSD	On site detention
OWPM	Operational waste plan of management
PP	Planning Proposal
PSA	Primary study area
RAP	Remedial Action Plan
RFB	Residential flat building
SCMs	Supplementary cementitious materials
SEE	Statement Environmental Effects
SEFIA	Socio-economic indexes for areas
SEPP	State Environmental Planning Policy
SIA	Social impact statement
SSDCP	Site-specific DCP
SSA	Secondary study area
SWMMP	Site waste minimisation and waste management plan
WELs	Water efficiency labelling scheme
WMP	Waste management plan
ESD	Ecologically sustainable development
WSUD	Water sensitive urban design

1.0 Introduction

This Statement of Environmental Effects (SEE) is submitted to Inner West Council (Council) in support of a Concept and Detailed (Stage 1) Development Application (DA) for a mixed use development comprising light industries and residential development (the proposal) at 469-483 Balmain Road, Lilyfield (the Site). The DA seeks development consent for:

Concept Proposal: Submitted pursuant to Sections 4.22 and 4.23 of the *Environmental Planning and Assessment Act 1979* (EPA&A Act) to satisfy the requirements for a development control plan (DCP) under Clause 6.25(3)(b) of the *Inner West Local Environmental Plan 2022* (IWLEP 2022). The Concept Proposal seeks consent for:

- Land uses consistent with those permitted under the IWLEP 2022, including for 'residential flat buildings' and 'light industries';
- Site layout and configuration;
- Maximum building envelopes;
- Retention of existing character buildings; and
- Design principles and controls that address each of the requirements set out under Clause 6.25(4) or the IWLEP 2022.

Detailed (Stage 1) DA: Detailed consent for Stage 1 of the proposed development, comprising:

- Partial demolition of existing buildings and structures within the site;
- Retention and adaptive reuse of existing character buildings;
- Site preparation works, including termination or relocation of site services and infrastructure, remediation, tree removal and the erection of site protection fencing;
- Construction and use of a new development comprising several buildings supporting residential apartments and permissible employment uses (indicative) as follows:
 - 6,000m² of light industrial uses, at least 1,200m² of which would be used for light industries associated with creative purposes;
 - 89 residential apartments; and
 - 5% of the gross floor area (GFA) of the residential accommodation proposed to be used for affordable housing.
- Basement excavation/construction including car parking for 151 vehicles for staff and residents (including 11 accessible parking spaces), services, plant, storage, waste management areas and loading facilities;
- Public domain, communal open space (COS), landscaping and tree planting; and
- Infrastructure and services augmentation (as required).

This SEE has been prepared by Ethos Urban on behalf of Roche Group, and is based on the Concept Plans, Detailed Architectural Plans and Design Statement prepared by CHROFI (**Appendix A, Appendix B and Appendix C**) and other supporting technical information appended to the report (**refer to Appendices**).

This report describes the site, its environs and the proposed development, and provides an assessment of the environmental impacts and identifies the steps to be taken to protect or lessen the potential impacts on the environment.

2.0 Background and Planning Framework

2.1 Planning Proposal

In November 2016, Roche Group lodged a Planning Proposal (PP) to Council, which sought to facilitate a mixed-use development on the site, comprising residential development and light industrial employment uses, including creative uses. The vision and key objectives of the PP were as follows:

- *The objective of the Proposal is to allow redevelopment of the light industrial site, to retain and improve the amount of industrial floor space on the Site, provide for the ongoing creative uses on the Site, and provide for a supply of residential dwellings in close proximity to employment and services. The proposed mix of uses is consistent with the current and future needs of the local area and will make a positive addition to the Balmain Road streetscape while providing significant amenity improvements to the surrounding residential development.*
- *The Proposal will ensure ongoing availability of modern industrial space on the Site, provide more local employment than currently exists on the Site of a type that matches the demographics of the local area. This type of employment is likely to prove more sustainable over the long term and will have the effect of reducing vehicle trips and improving quality of life as people have the choice to live and work locally. A substantial body of evidence has been provided that looks at the change in employment type and the supply of industrial land over the whole of the Inner West Council area, recognising the regional nature of employment and industry.*
- *The Proposal will result in no net loss of industrial floor space, and the provision of an adaptable modern employment space will increase employment density and ensure the ongoing presence and viability of light industrial and creative uses on the Site.*
- *The Proposal will retain a similar amount of creative floorspace.*
- *The Proposal will increase permeability and improve the public domain and streetscape around the Site.*
- *The Proposal will result in a more intensive use of space and increase in employment in a locality with good access to transport and employment including a proposed Technology Park at White Bay.*
- *This Proposal provides a catalyst for renewal of a key industrial landholding that would otherwise not be redeveloped and would remain underutilised. The range of uses proposed have significant potential to revitalise the Site, and positively contribute to the local area and meet several important strategic objectives.*

In November 2018, Gateway Determination was issued by the NSW Department of Planning and Environment (DP&E), which included several conditions that were to be satisfied, prior to public exhibition of the PP. Subsequently, a revised PP was submitted in June 2019, which was placed on public exhibition between 1 October to 29 October 2019.

On 17 September 2020, the Sydney Eastern City Planning Panel (SECPP) considered further refinements made to the PP in direct response to feedback from the relevant stakeholders during its public exhibition, including from the community. Subsequently, on 1 December 2020, the SECPP resolved to support the PP and recommended to the Minister for Planning and Public Spaces (the Minister) that it should proceed to finalisation, subject to refinements to the scheme and addressal of specific matters under a site-specific Development Control Plan (SSDCP). The key reasoning for their decision was as follows:

- *The Panel is satisfied that the proposal has been amended satisfactorily to warrant proceeding to make an LEP.*
- *In particular, the amended proposal provides for built form that will sit comfortably in its context.*
- *The proposal provides for a number of building elements, which reduce the bulk and scale and increase open space, deep soil planting and setbacks, in particular to Balmain Road.*
- *The Panel considers the builtform controls provide an appropriate relationship to Callan Park respecting its heritage to the adjoining area.*
- *That there are improved through site links and amenity for both the adjoining properties and future residents.*
- *The proposal provides for affordable housing.*

The PP was subsequently endorsed and approved by the Minster's delegate and an amendment (Amendment No. 18) was made on 26 February 2021 to the former Leichhardt Local Environmental Plan 2013 (LLEP 2013) (since being carried over into the IWLEP 2022), which included the following key provisions:

- A maximum building height of 23 metres for the Site, equivalent to 6 storeys;
- An increase in floor space ratio (FSR) to 2.2:1;
- Permitting a mixed-use development on the Site that includes residential flat buildings (RFBs) subject to:
 - Requiring at least 6,000m² of the total gross floor area (GFA) to be set aside for employment uses;
 - Requiring at least 1,200m² of the 6,000m² set aside for employment uses will be used for creative purposes;
 - Requiring the development to provide for the adaptive reuse of existing buildings on the land, as far as is practicable; and
 - Requiring at least 5% of the GFA that is to be used for the purposes of residential accommodation as affordable housing.
- Permitting RFBs on the Site with development consent under an Additional Permitted Use (APU) clause, for a period of 3 years after the day on which the amendment was made (this clause is set to be repealed on 26 February 2024, unless a DA for the purpose of RFBs has been made before that date). This DA satisfies this requirement, meaning that this clause will not be repealed.
- Requiring the preparation of a site specific DCP to address key design, built form and land uses matters.

The proposal submitted under this DA seeks to deliver upon the strategic vision and objectives of the PP approved for the Site. It intends to realise significant renewal of an existing underutilised industrial landholding, whilst retaining key existing elements including creative uses, light industrial employment and portions of the built form that exhibits good character and reflects the Site's history. The proposal provides new opportunities and spaces for employment, that are flexible, accessible and that will enjoy a high level of amenity.

The proposal also seeks to provide, well designed residential accommodation in an accessible location and which is afforded good amenity. It will integrate positively with the surrounding residential and industrial neighbourhood, that contains an eclectic mix of built form and uses; as well to achieve a sympathetic relationship with the nearby heritage significant Callan Park.

The proposal provides several public benefits including high quality-architecture, new pedestrian links and public spaces, landscaped elements/deep soil and employment opportunities. Overall, the proposal will provide a high-quality employment and residential development outcome, that complements but also enriches the Site and its context to the benefit of future residents, employees, visitors and the wider community.

2.2 Site Specific Development Control Plan (SSDCP)

As part of the PP for the Site, a draft site-specific amendment to Part G of the Leichhardt Development Control Plan 2013 (LDGP 2013) was prepared by the Proponent and submitted to Council. However, as it had not been adopted by Council at the time that the PP was approved by the SECPP, provisions were included under a site-specific clause within the IWLEP 2022 (Clause 6.25 (3)(b) and (4)) requiring that the site-specific DCP be prepared prior to the approval of a DA. These provisions require that prior to development consent being granted to mixed use development that includes an RFB, a SSDCP addressing certain design, planning and environmental impact related matters is to be prepared.

Roche Group prepared and submitted a Draft DCP Amendment to Council in early-2021. This Draft DCP Amendment responded to the feedback received from Council, DPE, the SECPP and the community during the assessment and determination of the PP. Subsequently, it was placed on public exhibition between 21 June to 30 July 2021 and referred to Council's Architectural Excellence and Design Review Panel (AEDRP) for review.

On 7 June 2022 the AEDRP provided advice to Council's Strategic Planning Team regarding certain matters within the Draft DCP Amendment that they recommended be addressed, including the description of the project objectives and vision, building envelopes and their effect on residential amenity, viability of industrial units, floorplate sizes, relationship between resident and industrial uses and compliance with the Apartment Design Guide (ADG).

The Draft DCP Amendment was subsequently reported to the elected Council at its meeting on 6 December 2022. A motion was carried for it to be revised to address the AEDRP recommendations. In addition, the Draft DCP Amendment was required to be resubmitted and referred back to the AEDRP for review; and if satisfactory, be publicly exhibited.

Following the outcome of Council's meeting on 6 December 2022, significant work has been undertaken to refine the Draft DCP Amendment in specific areas in response to the feedback received by the AEDRP, Council's Strategic Planning Team and the community. This has resulted in the massing of the scheme being refined and redistributed to better its relationship with surrounding development and between buildings within the Site. Further, buildings have been reorientated to improve amenity outcomes for future and surrounding occupants, particularly with respect to solar access and obtainment of views. Greater permeability has been achieved through the Site with the introduction of new pedestrian links that will be publicly accessible. Other minor amendments are proposed to the betterment of the scheme and to assist with the application of the DCP itself.

In January 2023, Council requested the submission of an amended Draft DCP and an urban design report to respond to the matters raised by the AEDRP. The Amended Draft DCP was submitted to Council on 7 February 2023. The Urban Design Report has been prepared by CHROFI and is provided at **Appendix D**.

Despite the abovementioned refinements to the Draft DCP Amendment, the essence and intent of the vision/objectives of the PP has been retained and a similar mix of uses, scale of buildings and development outcome will be achieved. A response to the matters raised by the AEDRP with respect to the Draft DCP Amendment has been undertaken in support of this proposal (refer to **Appendix AA**).

The Draft DCP addresses all matters required by Clause 6.25(4) of IWLEP 2022. Noting the time taken by Council to progress a decision in respect of the 2021 Draft DCP Amendment, and the time constraints imposed by Schedule 1 Clause 18 of the IWLEP 2022, it is not possible to further hold back the lodgement of a DA for the site.

Section 3.44 of the EP&A Act provides that where an environmental planning instrument (EPI) requires the preparation of a site-specific DCP (i.e. Clause 6.25(3)(b) of IWLEP 2022) and the relevant planning authority (Council) refuses to make (or delays making a decision by more than 60 days) said DCP as submitted by the landowner, the owners may make a DA despite the requirements of the EPI. In this instance, the Draft DCP was submitted to Council more than 2 years ago, and accordingly, Section 3.44(5)(a) of the EP&A Act allows the submission of a DA without the need for a DCP.

Separately, Section 4.23 of the EP&A Act permits the making of a Concept DA to satisfy the requirement in an EPI for a site-specific DCP. Out of an abundance of caution, should Section 3.44(5)(a) of the EP&A Act not apply, this DA includes a Concept Proposal to satisfy the requirements of Clause 6.25(4) of IWLEP 2022 pursuant to Section 4.23. Pursuant to Section 4.22(2) of the EP&A Act, the DA also sets out the detailed proposals for the first stage of the development, being the design, construction and use of the site for a mixed use development. The details of the Concept Proposal and Detailed (Stage 1) Development are set out in **Section 4.0**

2.3 Relevant Consent Authority

The estimated cost of the proposed development is \$82,276,742 and accordingly the DA will be assessed by Council and determined by the SECPP as required by *State Environmental Planning Policy (Planning Systems) 2021* (Planning Systems SEPP).

2.4 Concurrence and Referrals

The DA is required to be referred to Transport for NSW pursuant to Clause 2.122 of the *State Environmental Planning Policy (Transport and Infrastructure) 2021* (Transport and Infrastructure SEPP), as it proposes more than 75 dwellings and 50 car parking spaces that have access within 90 metres off Balmain Road, which is a classified road (State).

2.5 Consultation and Stakeholder Engagement

Consultation with a range of government agencies, infrastructure authorities, stakeholders, businesses and community members has occurred during the progression of the PP for the Site. This consultation is expected to continue to occur during the progression of this DA.

3.0 Site Analysis

3.1 Site Location and Context

The Site is located at 469-483 Balmain Road, Lilyfield within the Inner West Local Government Area (LGA), see **Figure 1**. The Site is approximately 500 metres southwest of Victoria Road and approximately 5km northwest of the Sydney Central Business District (CBD). The Site is well serviced by public transport and is located approximately 850 metres from Lilyfield Light Rail Station (on the Dulwich Line) which connects the Site to Central Station and 150-200 metres from several bus stops on Balmain Road, providing connections to surrounding suburbs.

The site is located 700 metres southeast of the Parramatta River and approximately 750 metres from the Iron Cove Bridge. Directly opposite the Site, on the north-western side of Balmain Road, is Callan Park, a historic site that has been made open to the public with the previous use of a mental health facility. Callan Park is a conservation area and contains various heritage items of State heritage significance.

The Site is located in the centre of Lilyfield in the Nanny Goat Hill Distinctive Neighbourhood as per the LDCP 2013, specifically the Commercial/Industrial Sub Area, see **Figure 2**. There is a range of industrial uses and businesses within the Commercial/Industrial Sub area, which includes light industrial uses, warehousing, high-tech industry, retail as well as cafes and restaurants, professional services and office spaces.

Immediately south, south-east and west of the Site is primarily residential development, which is characterised by an amalgam of low to medium density dwellings/buildings in the R1 General Residential Zone (Zone R1).

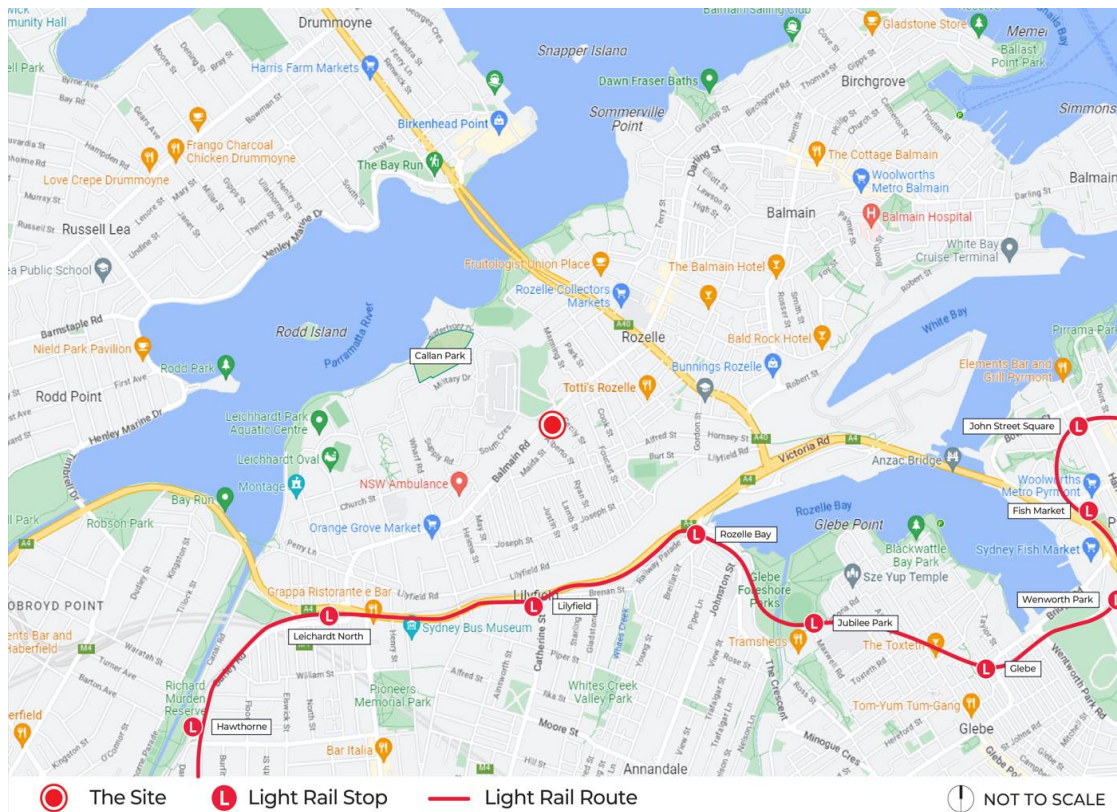


Figure 1 Site Context

Source: Google Maps/Ethos Urban

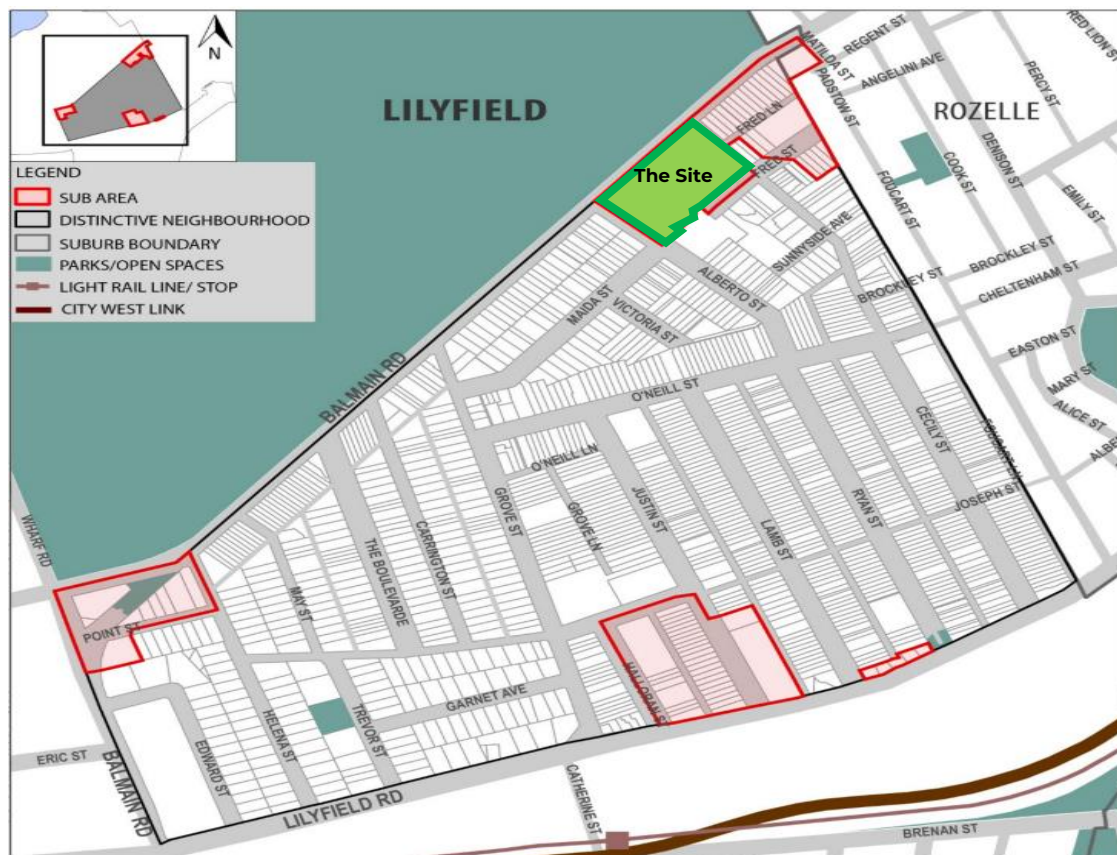


Figure 2 Commercial/Industrial Sub Area (Nanny Goat Hill)

Source: LDCP 2013/Ethos Urban

3.2 Site Description

A Survey Plan prepared by Geometra is provided at **Appendix J** and illustrates the property boundaries and existing Site features. The Site is owned by Roche Group, has a total area of 6,824m² and comprises Lot 2, DP1015843. It is currently occupied by a series of industrial buildings/structures. An ariel photo of the site is shown at **Figure 3**.



Figure 3 Site Aerial

Source: Nearmap/Ethos Urban

3.2.1 Topography

The Site has a fall from its northwest to its southeast (from the frontage at Balmain Road to its rear at Fred Street), with an approximate level difference of 2.85 metres. Given the Site's large approximate area of 6,824m² and frontage of 105 metres to Balmain Road, the fall is perceived as gentle. Further detail is provided on the Survey Plan at **Appendix J**.

3.2.2 Existing Development

The Site is currently occupied by multiple industrial buildings that have historically been utilised used predominately for light industrial and creative purposes. They typically range from 1 to 2 storeys in height and are built primarily to the Site's boundaries. An external, hardstand area is located at the Site's southwestern corner.

3.2.3 Vegetation

The Site has a minimal amount of trees/vegetation and its current percentage of canopy coverage is 2%. However, several mature trees are located immediately adjacent to the Site on road reserves/nature strips and within adjoining properties.

The trees located on the Site and within its surroundings are a mix of both native and exotic species, including Crepe Myrtles (located on Balmain Road), Water Gum (located on Alberto Street), Kentia Palm (located on an adjoining property), Blueberry Ashes (located on an adjoining property), Weeping Bottlebrushes (located on the Site and an adjoining property, respectively) and a series of London Plane Trees (located on Fred Street).

The Site's existing development and surrounding vegetation is illustrated in **Figures 4 to 7**.



Figure 4 Site Frontage (from Balmain facing South)

Source: Ethos Urban



Figure 5 Rear of the Site (from Fred Street facing northwest)

Source: Ethos Urban



Figure 6 Eastern Site boundary (from Cecily Street facing south-east)

Source: Ethos Urban



Figure 7 Western Site boundary (from Alberto Street, facing north-east)

Source: Ethos Urban

3.2.4 Heritage

The Site is not listed as a heritage item and is not located within a Heritage Conservation Area (HCA). However, the Site is located within proximity to the following heritage items or heritage significant areas:

- 'Timber Cottage' (IWLEP 2022 local item/no. I1195) at 8 Fred Street, Lilyfield; and
- 'Callan Park Conservation Area and Buildings' (State Heritage Register/item no. #00818).

The Site is physically separated from the above items via a roadway, as it is located on the opposite side of Fred Street and Balmain Road, respectively. In addition, other heritage listed items and a HCA, are further separated from the Site both visually and physically by means of intervening development, topographical features, roadways and distance. As such, these items are not worth noting for the purposes of this assessment. Refer to the Heritage Impact Statement (HIS) at **Appendix G** for further information.

3.2.5 Site History and Associated 'Character Buildings'

The Site was previously used for the purpose of a bakery known as 'Pilchers Bakery', which occurred in the early 19th century. Two buildings of note remain from this period of use, including the 1907 former Pilchers Bakery and the 1917 former Administrative Building.

Much of the fabric of these buildings have been adversely altered and modified from their original configuration and design. Neither building meets the criteria for heritage listing. Notwithstanding, the external appearance of these buildings has the potential to contribute positively towards the character of the Site and its context. Refer to the Heritage Impact Statement (HIS) at **Appendix G** for further information.

3.3 Site Access, Parking and Utilities

3.3.1 Vehicular Access and Parking

Vehicular access to the Site is concentrated on Alberto Street. The primary loading dock servicing the Site's existing uses is also accessed via Alberto Street, within its south-eastern corner. On-site parking is also contained near this area. A supplementary vehicular access point is provided to the Site along Fred Street.

3.3.2 Public Transport

The Site is located approximately 850 metres north of the Lilyfield Light Rail Station (an approximate 5 minute walk), which provides direct access to Central Station and suburbs within the Inner West, including Summer Hill, Leichhardt and Dulwich Hill. Frequent services operate along the 'Dulwich Line' (L1), which contains a total of 14 stops/stations. The total duration from Central Grand Concourse to Lilyfield Light Rail Station is approximately 25 minutes and is operational every day, including on weekends.

The Site is serviced by multiple bus stops located nearby along Balmain Road, which provide access to Balmain, Rozelle, Bondi Junction and Campsie (including the 440 and 445 lines). Bus stops further south of the Site along Lilyfield Road, (the 470-bus line) connects it to Martin Place.

The Site is located approximately 1.5 kilometres from the future 'Bays Station' (located between Glebe Island and White Bay Power Station), which forms part of the under-construction Sydney Metro West. Anticipated to be completed and operational by 2030, the Sydney Metro West will provide high frequency and capacity metro train services from Hunter Street in the Sydney CBD through the inner west and out to the Parramatta CBD. It is proposed to contain 24 kilometres of metro track and currently proposes stations at Westmead, Parramatta, Sydney Olympic Park, North Strathfield, Burwood North, Five Dock, The Bays (Rozelle), Pyrmont and Hunter Street.

3.3.3 Bicycle

Balmain Road currently contains 1.4 metre wide westbound and eastbound bicycle shoulder lanes, which are marked on the outside of the parked cars along Balmain Road. These lanes connect the Site to the wider Inner West Council cycle network.

3.3.4 Utilities and Services

The Site is currently serviced by water, electricity, gas, sewer and telecommunications.

3.4 Surrounding Development

The Site is in the centre of Lilyfield in the Nanny Goat Hill Distinctive Neighbourhood, specifically the Commercial/Industrial Sub Area (as per LDCP 2013). The Site is bound by Balmain Road to the northwest, Cecily Street to the northeast, Alberto Street to the southwest and Fred Street to the south/southeast.

The Site is located within an established industrial precinct/zone (E4 General Industrial (Zone E4) within the IWLEP 2022), which continues to the Site's northeast and east. This includes a mix of light industrial, showroom and creative type development.

West and northwest of the Site is the Balmain Road Sporting ground, and Callan Park, which is a conservation area of State significance, inclusive of several heritage items/structures.

To the south/southeast of the Site, at its rear boundary, is a mix of low to medium residential development; as is toward the southwest of the Site.

Surrounding development is illustrated in **Figure 8** to **Figure 11**.



Figure 8 Development north-east of the Site (from Fred Street, facing north-east)

Source: Ethos Urban

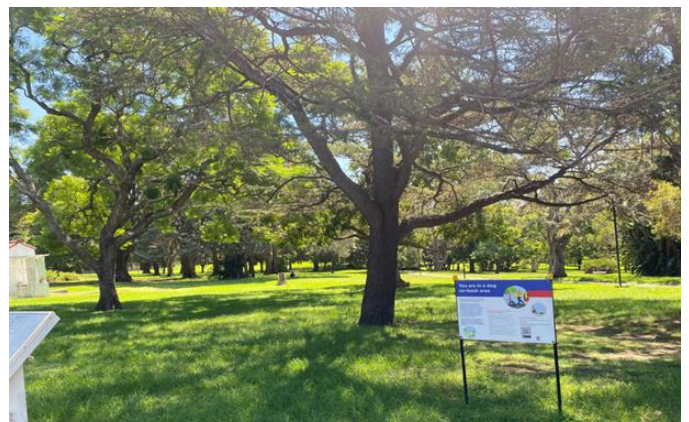


Figure 9 Callan Park to the north/north-west of the Site (from Balmain Road, facing north-west)

Source: Ethos Urban



Figure 10 Development west of the Site (from Alberto Street, facing west)

Source: Ethos Urban



Figure 11 Development south-east of the Site (from Fred Street, facing south-east)

Source: Ethos Urban

4.0 Description of Proposed Development

This Concept and Detailed (Stage 1) DA seeks consent for a mixed-use development, comprising light industries and residential development, and associated basement carparking/servicing, landscaping, public domain and Site infrastructure/remediation works. Specifically, this application seeks consent for the following development:

- Concept proposal for building envelopes, future land uses consistent with permissible uses under IWLEP 2022, including for 'RFBs' and 'light industries', site layout and configuration, publicly accessible spaces/links, retention of two-character buildings and mitigation of environmental impacts on residential and neighbourhood amenity.
- Detailed consent for Stage 1 of the proposed development, comprising:
 - Partial demolition of existing buildings and structures within the Site;
 - Retention and adaptive reuse of two existing character buildings;
 - Site preparation works, including termination or relocation of site services and infrastructure, remediation, tree removal and the erection of protection fencing;
 - Construction and use of a new development comprising several buildings supporting residential apartments and permissible employment uses (indicative) as follows:
 - 6,000m² of light industrial uses, at least 1,200m² of which would be used for light industries associated with creative purposes;
 - 89 residential apartments; and
 - 5% of the GFA of the residential accommodation proposed to be used for affordable housing.
 - Basement excavation/construction including car parking for 151 vehicles for staff and residents (including 11 accessible parking spaces), services, plant, storage, waste management areas and loading facilities;
 - Public domain, communal open space, landscaping and tree planting; and
 - Infrastructure and services augmentation (as required).

4.1 Concept Proposal

The following sets out the Concept Proposal for which development consent is sought as part of this Concept DA pursuant to Section 4.22 of the EP&A Act.

Pursuant to Section 4.23(3) of the EP&A Act, the Concept DA satisfies the requirements of Clause 6.25 of the IWLEP 2022 (subject to Amendment No. 18) to prepare a DCP for the land to which this DA applies and sets out all the information required to be contained in a DCP as prescribed in Clause 6.25(4) of the IWLEP 2022. The following sections outline how the Concept Proposal addresses each of these required matters.

4.1.1 Site Layout and Building Envelopes

The Concept Plans prepared by CHROFI (**Appendix A**) set out the Site configuration in terms of built form and establish maximum building envelopes (footprints, building separation, maximum heights and services/articulation zones) for future development within the Site. A total of 5 building envelopes are proposed; including the existing and retained character building envelopes.

The envelopes are separated from each other through the provision of through site links and a central square/plaza, with frontages to Balmain Road, Alberto Street, Cecily Street and Fred Street, respectively. Setbacks from the envelopes have also been provided to the Site's boundaries and surrounding development.

The maximum heights of the envelopes are concentrated toward Balmain Road, with a 'stepping down' in heights/scale occurring towards the Site's rear boundaries and the residential development beyond. The upper portions of two centrally located envelopes have their rear parts orientated towards the east to maximise views and amenity, including solar access. This orientation also adds visual interest to the development when viewed from the nearby public domain.

Figure 12 to Figure 13 illustrate the building footprints for which consent is sought, with the plans also identifying maximum heights and separation.

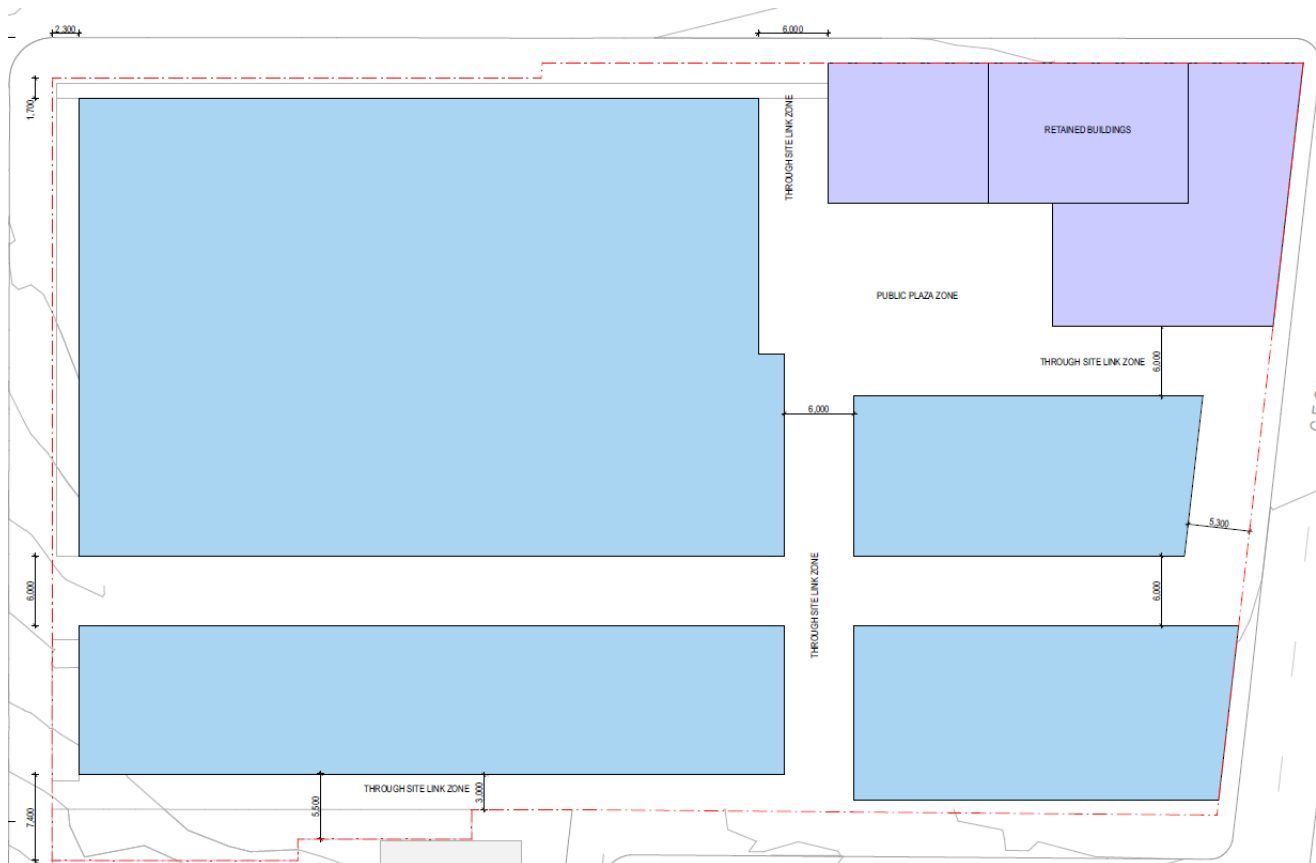


Figure 12 Concept DA building envelopes in ground floor plan (new envelopes in blue and retained character building envelopes in purple)

Source: CHROFI

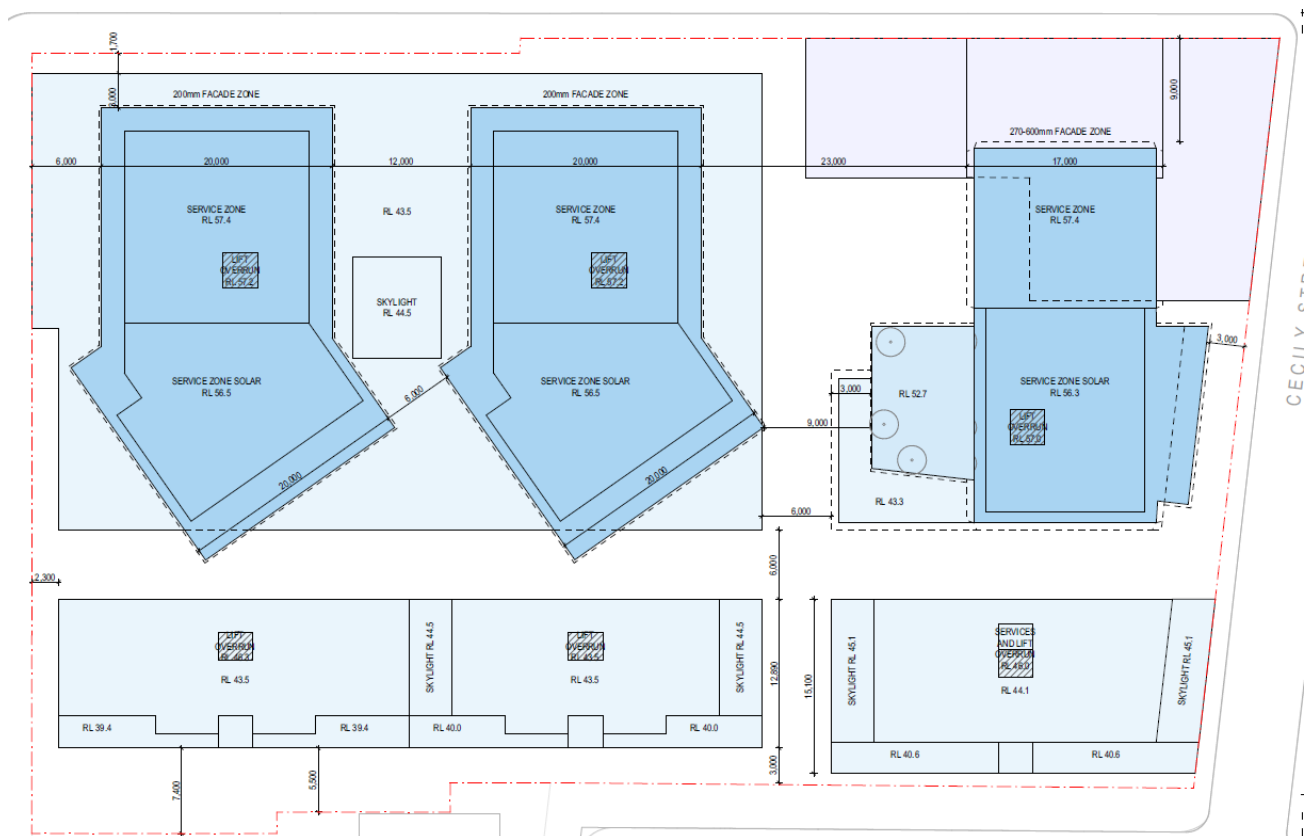


Figure 13 Concept DA building envelopes in roof plan form

Source: CHROFI

4.1.2 Land Use

The Concept Proposal seeks consent for future land uses on the Site, including residential development comprising RFBs/apartments, in addition to light industrial, employment generating uses, including for creative purposes. As detailed further under **Section 4.2**, the detailed Stage 1 development describes and seeks consent for these aspects of the proposal and is accompanied by Detailed Architectural Plans (**Appendix B**), Urban Design Report (**Appendix D**) and a Design Verification Statement (**Appendix C**), which have all been prepared by CHROFI.

4.1.3 Design Guidelines

The Concept Proposal provides a framework for future assessment of detailed DAs that satisfies the requirements of Clause 6.25 of the IWLEP 2022 (subject to Amendment No. 18). Accordingly, the Concept Proposal responds to the 'Design Guidelines', which reference the necessary DCP requirements under Clause 6.25(4) in the IWLEP 2022, as well as the most recent SSDCP submitted to Council.

The Design Guidelines are provided at **Appendix DD** and approval is sought for them by this DA. The proposed Concept and Detailed components under this DA are consistent with the objectives and provisions of the Design Guidelines.

4.2 Detailed Stage 1 Development

The detailed Stage 1 portion of this DA seeks development consent for demolition, construction and use of a mixed-use development comprising light industrial and residential uses. Specifically, detailed development consent is sought for the following:

- Demolition of the majority of the buildings and structures on the Site;
- Retention and adaptive reuse for future light industrial uses of existing character buildings on the Balmain Road, Cecily Street corner;
- Site preparation works, including termination or relocation of Site services and infrastructure, tree removal and erection of Site protection fencing;
- Site remediation works;
- Excavation for the construction of two basement levels for residents, staff and visitor use with associated entry and exit from Alberto Street. The basement levels are to include:
 - 95 residential car spaces;
 - 56 employment car spaces;
 - Provision of 12 motorcycle parking spaces and 2 car-share parking spaces;
 - Dedicated loading area and bay, storage areas, waste management areas, lift/stair access, building services and plant; and
 - A future light industrial tenancy (cold shell only) is proposed at Basement Level 1.
- A total of 128 bicycle parking spaces throughout the Site, including:
 - 49 for staff;
 - 22 for visitors; and
 - 57 for residents (including for their visitors).
- The construction of a mixed-use development (including new buildings A, B, C, D, E and F and retention/adaptive reuse of character buildings), that support:
 - Basement level 1, ground level and level 1 light industrial tenancies (cold shell only), including a total of:
 - 6,000m² to be used for future employment uses, including 1,200m² to be reserved for creative purposes
 - Note: separate applications are to be pursued in the future for permissible uses and fit outs, as tenants and uses have yet to be confirmed.
 - A total of 89 residential apartments (5% of its associated residential accommodation GFA being proposed as affordable housing).
- Public domain works and improvements, in addition to landscaping works and COS provision including:
 - Ground level, publicly accessible, through site pedestrian links connecting from Fred Street to Balmain Road and from Fred Street to Alberto Street; in addition to providing access within the Site;
 - A new publicly accessible square (known as 'Bakers Square') between the retained character buildings and Building C.
 - Native plantings throughout the Site in the form of large trees, shrubbery, ground coverings, green walls and green roofs;
 - Provision of COS areas at the ground level and on select upper levels of the buildings, including associated landscaping, structures and facilities; and
 - Embellishments of the public domain surrounding the Site.
- Provision of future signage and public art zones.

Future stages of development on the site, for which separate future planning approval will be sought, include the fitout and use of employment and creative tenancies and business identification signage.

Detailed Architectural Plans prepared by CHROFI illustrating the proposed development are included at **Appendix B**. Selected plans and photomontages of the proposed development are provided at **Figure 14** to **Figure 19**.

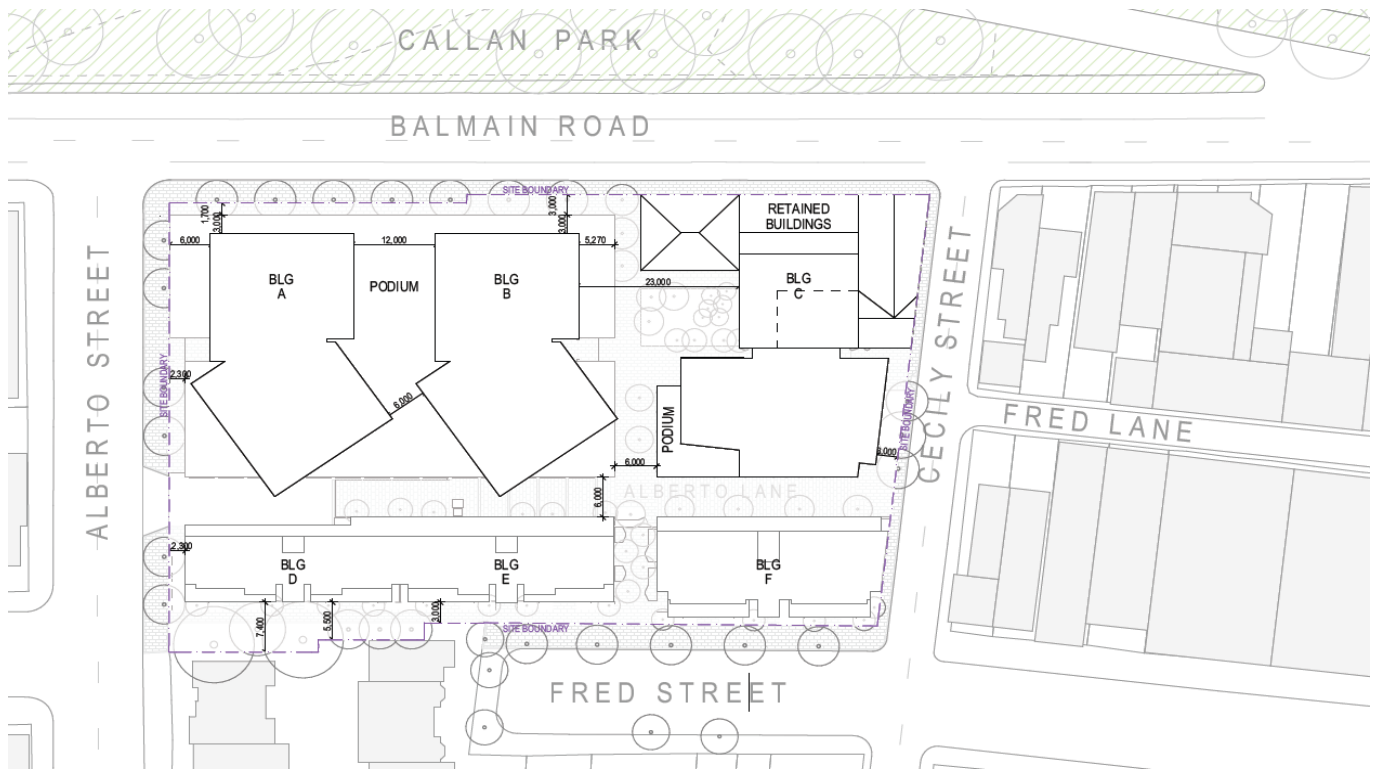


Figure 14 The Site Plan of the proposed development

Source: CHROFI

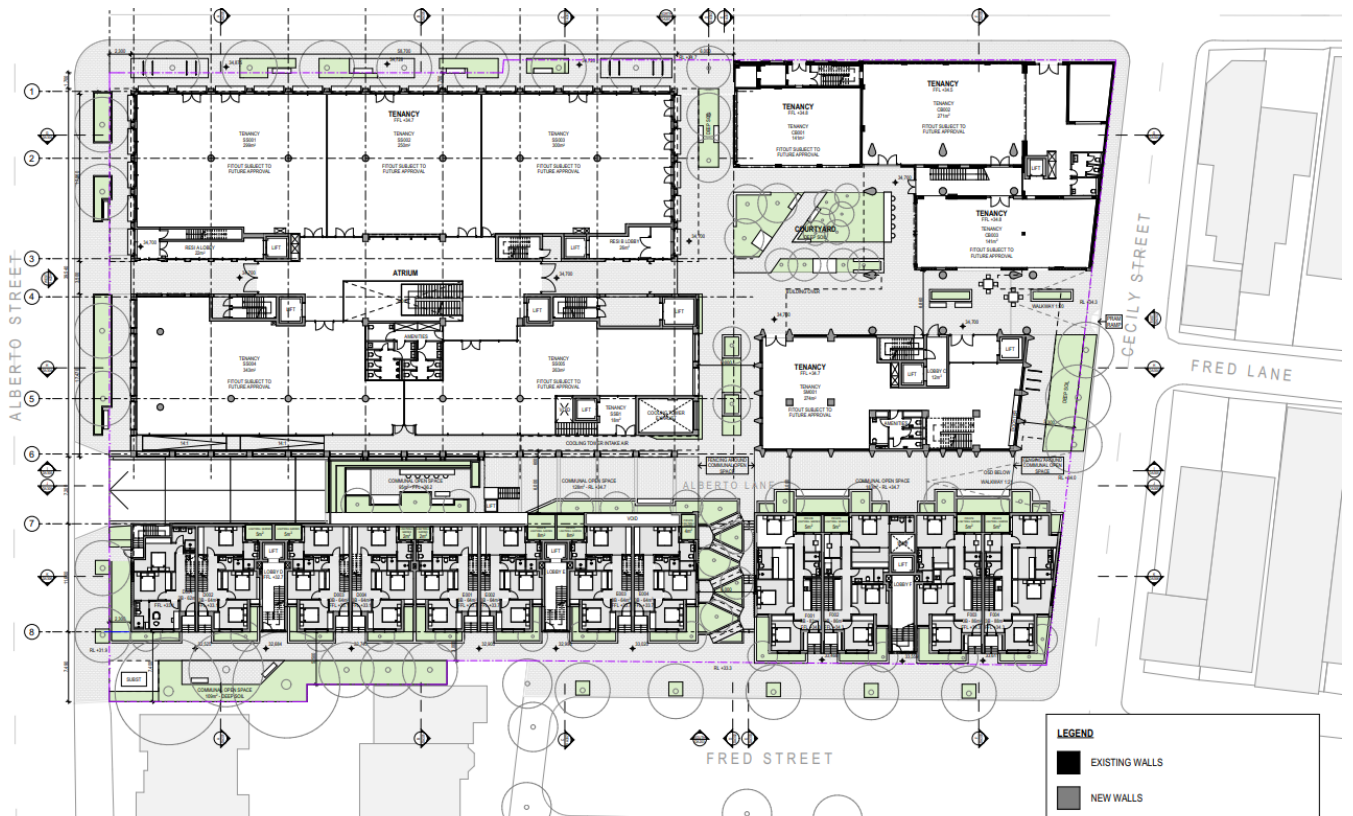


Figure 15 The Ground Floor Plan of the proposed development

Source: CHROFI



Figure 16 *Photomontage of the proposal viewed from Callan Park*

Source: CHROFI



Figure 17 *Photomontage of the proposal viewed near the corner of Cecily Street and Fred Street*

Source: CHROFI



Figure 18 Photomontage of the proposal viewed from near the corner of Maida Street and Alberto Street

Source: CHROFI



Figure 19 Photomontage of the proposal viewed from Balmain Road illustrating entry into the Site

Source: CHROFI

4.3 Numerical Overview

The key numeric development information is summarised in **Table 1** below.

Table 1 Numerical Overview

Component	Proposal
Site area	6,824m ²
New buildings	6 in total, including Buildings A, B, C, D, E and F (excluding retained character buildings)
GFA (total)	15,013m ²
FSR (total)	2.2:1
Maximum Building Height	23m
Boundary Setbacks	
• North	1.7m to 3m (podium) & 5.7m to 6.07m (upper levels)
• South	0m to 10.19m (upper levels)
• East	3m to 9m (upper levels)
• West	2.3m (podium) to 6m (upper levels)
Internal Building Separation	6m to 23m (varies up the buildings as per the ADG)
Apartment Mix	
• Studio/1 bedroom apartments	22 (25%)
• 2-bedroom apartments	40 (45%)
• 3-bedroom apartments	27 (30%)
• Total	89 (100%)
Including:	23 Liveable apartments 9 adaptable apartments
Affordable Housing	5% of residential accommodation GFA
Employment Uses	6,000m ² , at least 1,200m ² to be set aside for creative purposes (fitout and use subject to future planning approval).
Bicycle Parking & End of Trip (EOT)	
• Staff bicycle parking	49
• Staff visitor bicycle parking	22
• Resident bicycle parking (including visitor bicycle parking)	57
• EOT facilities.	Lockers and showers provided on Basement Level 1
• Total	128 (bicycle spaces)
Deep Soil	310m ² (4.5% of the total Site area)
Canopy Cover	1,678m ² (24.6% of the total Site area)
Communal Open Space (COS)	1,045m ² (15% of the total Site area)
Solar Access	
• 70% apt. receive 2h. Direct Sunlight (9am-3pm mid-winter)	74% of apartments
• 15% apt. receive no direct sunlight (9am-3pm mid-winter)	12.5% of apartments
Natural Cross Ventilation	
• 60% across all units	83% of apartments
Private Open Space	8m ² to 46m ² (as per the ADG)
Parking Spaces	
• Employment	56
• Residential	95
• Accessible	11 (included in total)
• Total (car parking)	151
• Motorcycle parking	12
• Carshare spaces	2

4.4 Tree Protection and Removal

Australis Tree Management has prepared an Arboricultural Impact Assessment (AIA) at **Appendix H**. It includes an assessment of 20 existing trees within the site and within 3 metres from the Site's boundaries on adjoining properties. The AIA establishes the tree retention values, health, condition and impacts related to the proposal.

To accommodate the development, the majority of trees on the Site and close to its boundaries on existing nature strips/road reserves are proposed for removal. This includes a total of 16 trees comprising trees numbered 1-3 (two Crepe Myrtles and one Water Gum) and trees 8-20 (one Weeping Bottle Brush and twelve London Plane Trees).

Despite the proposed removal, the proposed development includes measures to increase the amount of deep soil, canopy cover and landscaped areas within the Site, whilst also seeking to replace the trees removed with more appropriate species.

A Tree Protection Plan has also been included as part of the AIA and details the necessary measures for monitoring and protection of trees on adjoining properties that are proposed to be retained. These include Trees 4-7, comprising a Kentia Palm, Weeping Bottlebrush and two Blueberry Ash trees.

Figure 20 below illustrates the tree retention and removal plan under the AIA at **Appendix Z**.

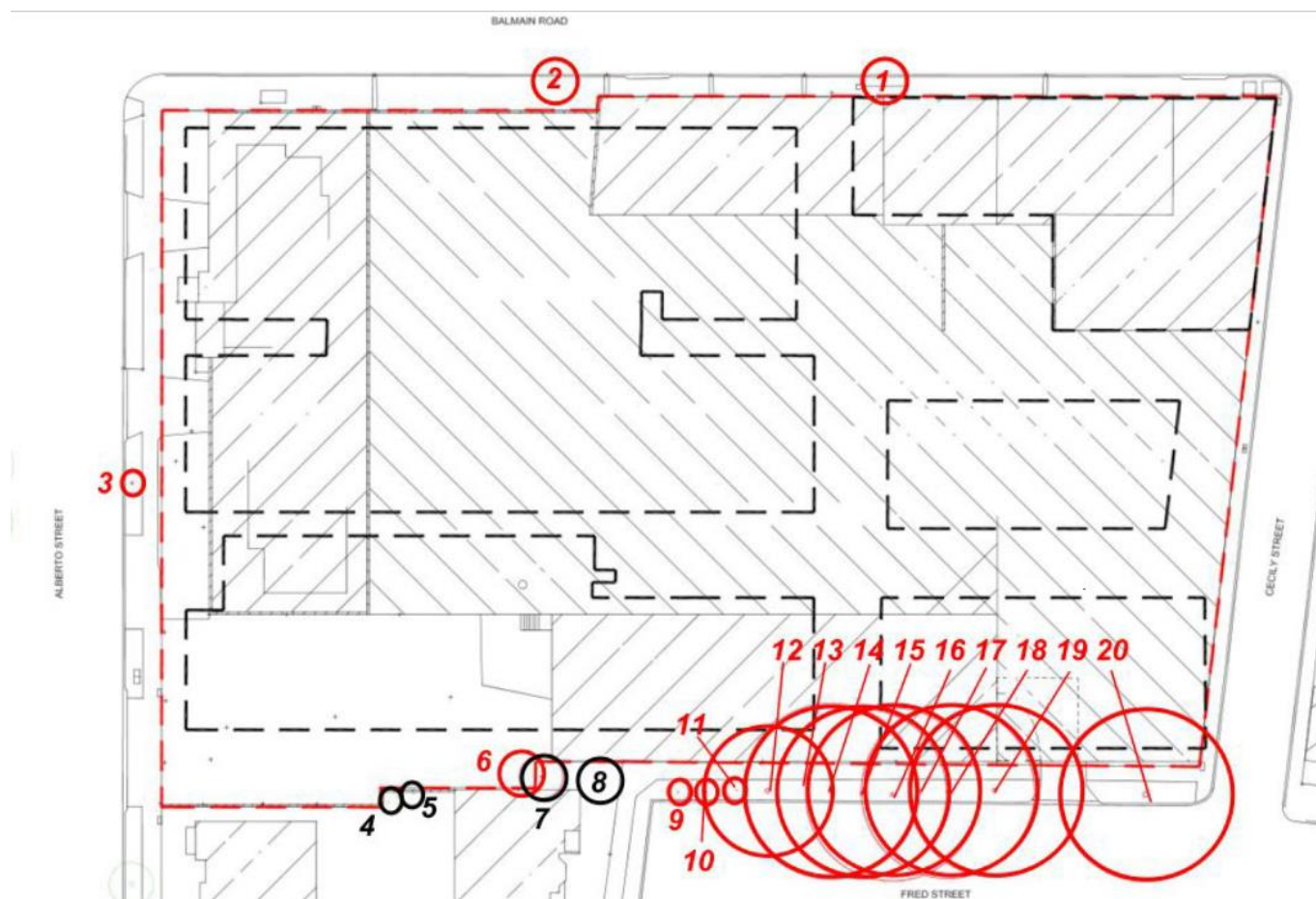


Figure 20 Tree retention and removal (trees in black to be retained and trees in red to be removed)

Source: Australis Tree Management

4.5 Demolition and Retention of Character Buildings

A detailed Demolition Plan forms part of the Detailed Architectural Plans prepared by CHROFI at **Appendix B** and illustrates the proposed demolition works the development seeks consent for. This includes the demolition of the majority of existing buildings on the Site, including the existing warehouse, showroom, office, common areas and loading areas on all levels. The extent of demolition at the ground floor is illustrated in **Figure 21** further below.

Retention works are also proposed as part of the demolition/site preparation process, which include the retention of the existing character buildings located toward the north-eastern corner of the Site, which front Balmain Road and Cecily Street, respectively. These buildings comprise the former Pilchers Bakery, in addition to its associated administrative building. The retention of these buildings will support their adaptive reuse and incorporation into the development.

To support the retention of these buildings, a Structural Engineering Report by Xavier Knight has been prepared and is provided at **Appendix N**. It includes a detailed method statement that has been guided by industry best practice. It includes a safety design register that identifies potential risks and mitigation measures for the retention works. It also includes a potential staging approach, as well as a master layout that incorporates a clear methodology for the retention works to be carried out safely and efficiently.

The extent of demolition and retention of the character buildings at the ground floor is illustrated in **Figure 21** below.

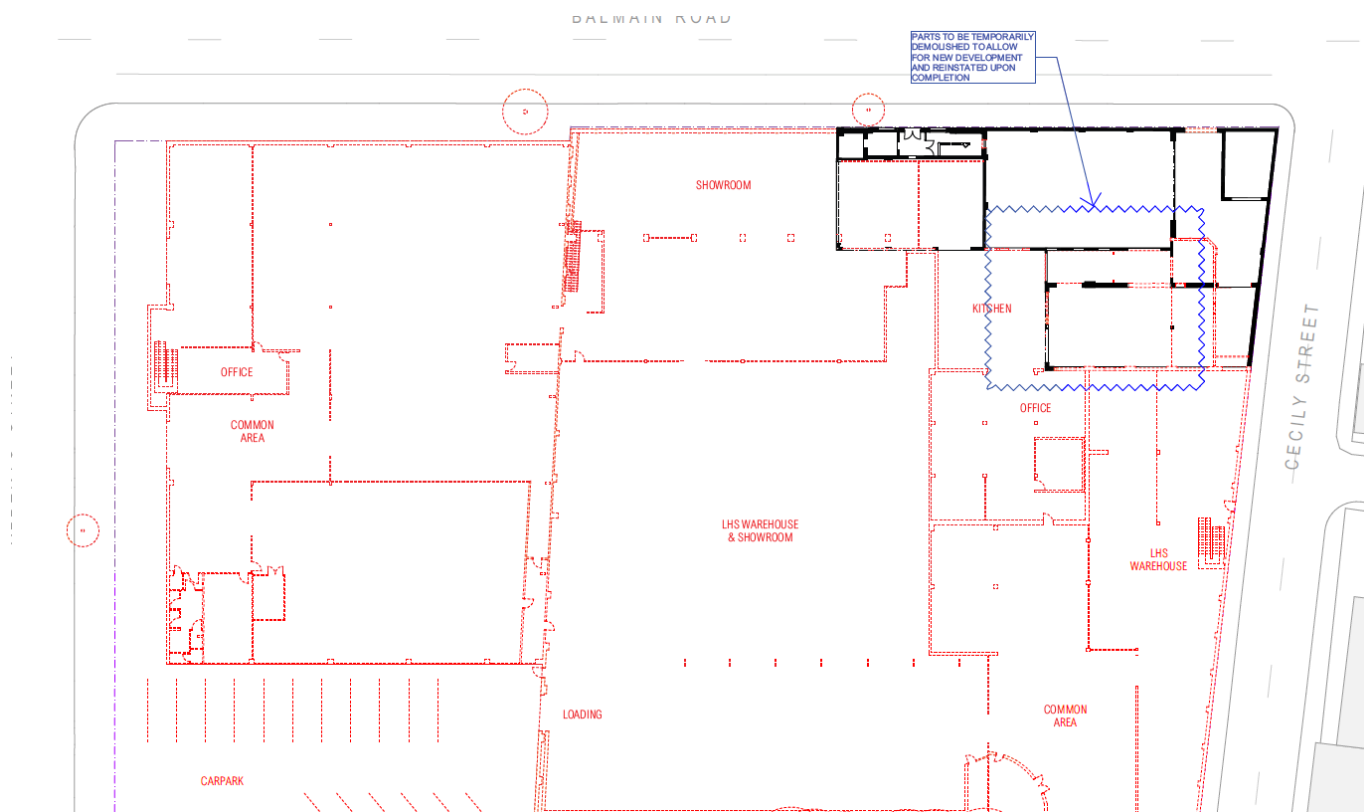


Figure 21 Ground floor demolition and retention plan (areas in red to be demolished/areas in black to be retained)

Source: CHROFI

4.6 Land Use

The proposed development seeks consent for a mixed-use development that includes employment and residential uses, including light industrial (comprising part creative purposes) and residential apartments.

4.6.1 Employment Spaces/Future Uses

The development provides for a mix of spaces/tenancies located at basement level 1, ground level and level 1, which range in terms of their size and configuration to ensure flexibility, adaptability and a variety of uses. These spaces are concentrated within Buildings A and B, which are linked by a podium, in addition to being located within Building C and the retained character buildings.

Notably, a total amount of 6,000m² of employment GFA has been set aside by the development, including 1,200m² of which will be used for creative purposes (light industrial); to ensure the satisfaction of specific related provisions under Clause 6.25 in the IWLEP 2022.

Consent under this DA is sought for 'cold shell' approval only, as tenants and uses have yet to be confirmed for the employment spaces/tenancies proposed. Notwithstanding, future uses will be subject to separate applications to obtain consent for their operations and associated fit outs. All future uses will be permissible within the Site's E4 zoning, as prescribed under the IWLEP 2022. Some of the potential permissible uses that could be accommodated by the development in the future include:

- **Light industries:** a building or place used to carry out an industrial activity that does not interfere with the amenity of the neighbourhood by reason of noise, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit or oil, or otherwise, and includes any of the following—
 - High technology industry;
 - Artisan food and drink industry; and
 - Creative industry.
- **Goods repair and reuse premises:** a building or place the principal purpose of which is to collect, repair or refurbish goods, including furniture and appliances, for the purpose of sale, hire or swap and includes premises known as op shops.

The employment spaces provided within Buildings A and B are serviced by a central atrium between the basement level 1 and level 1. Skylights are proposed at the top of the podium to ensure good levels of direct and ambient light is provided into the atrium and employment tenancies within the podium. The employment spaces provided within Building C and the character buildings will also enjoy good levels of amenity, due to their orientations to the north and east, respectively.

The employment spaces/tenancies provided throughout the development have been designed to address the majority of the Site's frontages, including Balmain Road, Alberto Street and Cecily Street. This is supported by glazed facades at the edges of them to enable passive surveillance of the public domain, as well to encourage activation. Generous floor to ceiling heights that range from 4.3 metres to 4.5 metres (excluding services zones) are provided, which not only assists to provide for good levels of occupant amenity, but also ensures future flexibility in terms of the types of light industrial uses that can occupy the spaces.

A 3D Visualisation of the proposed atrium space within the podium servicing Buildings A and B is illustrated in **Figure 22**. An overview of the land uses throughout the development is illustrated in **Figure 23** further below also.



Figure 22 3D Visualisation of the atrium space within the podium servicing Buildings A and B

Source: CHROFI

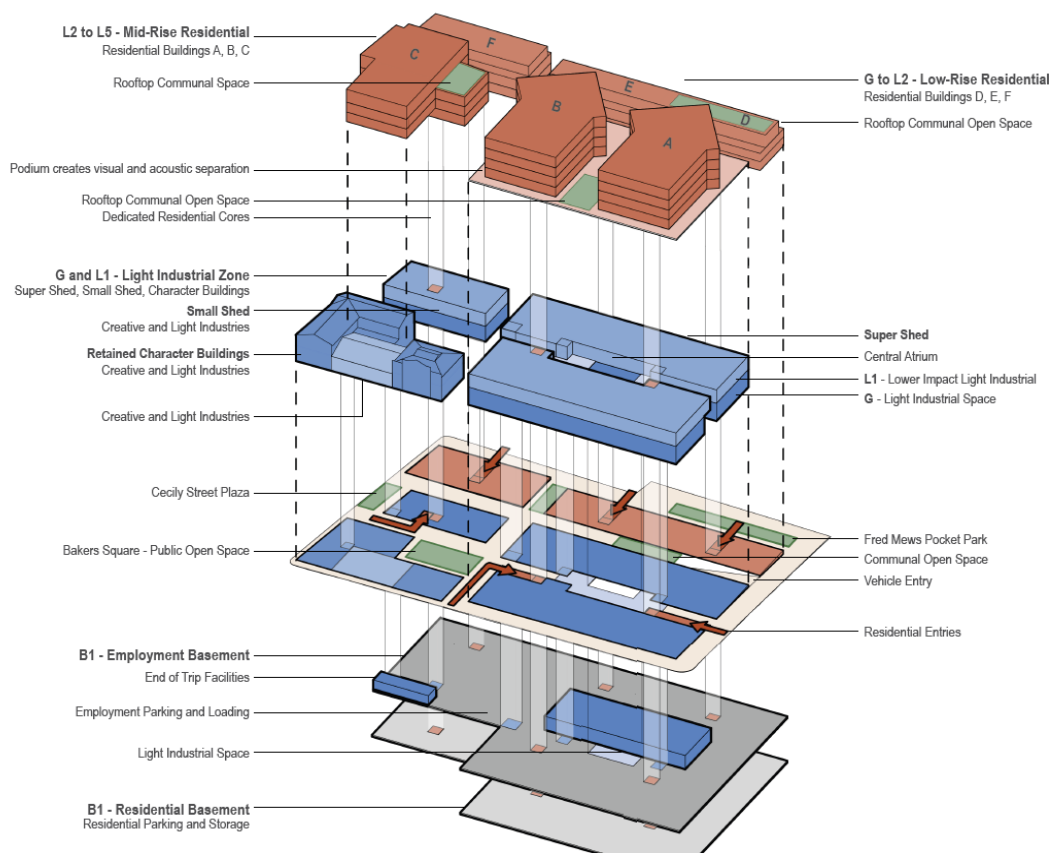


Figure 23 Illustration of the overview of land uses throughout the development (blue indicating employment, red indicating residential and green indication COS/public open space)

Source: CHROFI

4.6.2 Residential Uses (Apartments)

Above the employment spaces within the upper levels of Buildings A, B and C, in addition to the entirety of Buildings D, E and F located toward the Site's southern boundary, are residential apartments. As detailed further in **Section 5**, all apartments proposed have been designed to satisfy the relevant requirements under the ADG. In this regard, they will receive a high level of amenity in terms of solar access, cross ventilation, views/outlook and visual and acoustic privacy. In addition, they will benefit from their proximity to the employment spaces/tenancies within the development, which provide opportunities for employment and access to goods and services. Suitable measures are proposed, including specific slab thicknesses, to assist with the mitigation of noise and vibration transfer to the apartments from employment areas (refer to the Noise Impact Assessment at **Appendix I**).

4.7 Built Form and Design

The proposed built form reflects the surrounding context and the desired future character for the Site. The built form accommodates a variety of massing, setbacks and orientations to maximise amenity levels for future occupants, whilst protecting the amenity of surrounding occupiers. Further details regarding the built form, including its associated massing and design, is detailed within the accompanying Urban Design Report by CHROFI (**Appendix D**).

The built form's massing is primarily concentrated within the central portions of the Site, closer to the Balmain Road frontage, where it reaches a maximum of 6 storeys (Buildings A, B and C). The massing respectfully and gradually tapers to the Site's rear, southern boundary, which is adjacent to low to medium density, residential development, including multi-dwelling housing and dwelling houses.

The massing at the Site's rear portions reaches a maximum of 3 storeys (Buildings D, E and F), with the upper level setback. The massing and scale proposed in this location is more akin to and reflective of the residential neighbourhood beyond the southern and south-western extremities of the Site. It ensures a harmonious and sympathetic relationship between the new, proposed forms on the Site with the existing residential development within the immediate and wider surrounds.

The built form and massing proposed adopts suitable separation and setbacks between forms within the Site, as well to the boundaries. This assists with the obtainment of good levels of amenity in terms of solar access, ventilation, privacy and outlook/views as sufficient space is provided between forms. It also reduces the perceived scale of the built form when viewed from the public domain, Callan Park and surrounding developments.

The massing at the upper levels is suitably setback from the edges of the building podiums and public open spaces provided at the ground floor, including to the proposed Bakers Square and through site links. This ensures that these spaces will not be encumbered by the massing of the building forms, which will improve the enjoyment of them for future uses. It also assists to reinforce the podium height along Balmain Road, which is consistent with the height datums of the retained character buildings within the north-eastern corner of the Site. In this regard, the upper levels of Buildings A, B and C, respectively, are suitably setback from the edges of the podium, to reinforce the dominance of the podium and adjacent character buildings within the Balmain Road streetscape.

The pedestrian spaces and though site links themselves assist to create key breaks in the development's-built form. The east/west laneway connection from Cecily Street to Alberto Street and the north/south laneway connection from Balmain Road to Fred Street create a porous development that promotes pedestrian accessibility and a reduction in building width/length.

Buildings A and B have been designed to avoid apartments looking inward and to maximise amenity/outlook. This has resulted in the rotation of their rear portions to the south-east/east to maximise solar access, views toward the city and to reduce overlooking/direct facing apartments. The remainder of the buildings, including C, D, E and F are orientated/located to ensure high levels of amenity, as well as to ensure the outlook from most apartments is toward the public domain, internal through site links/public spaces or Callan Park (Building C only).

Below includes **Figure 24**, **Figure 25** and **Figure 26** that illustrate the key built form/design moves from the accompanying Urban Design Report (**Appendix D**). Figure 26

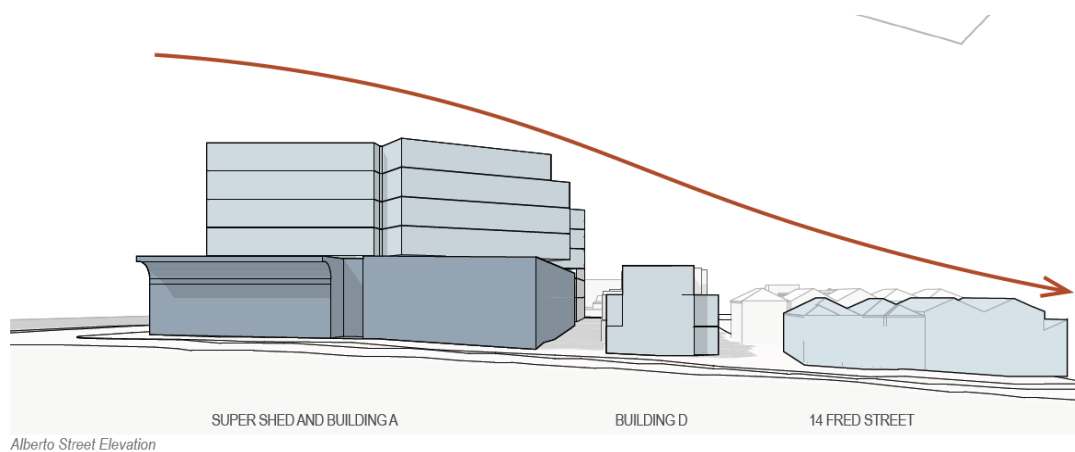


Figure 24 Alberto Street Elevation Diagrammatic Elevation and Transition

Source: CHROFI

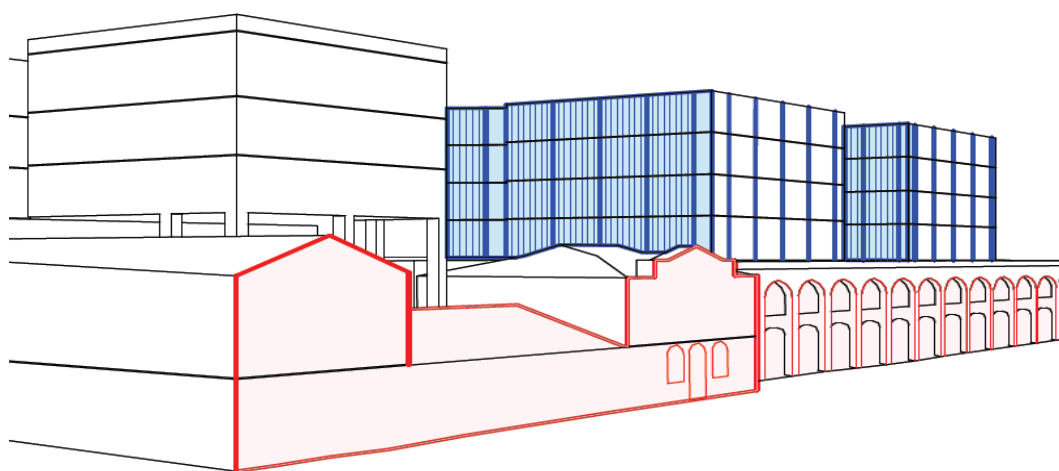


Figure 25 Podium reinforcement of the existing character and heights along Balmain Road Streetscape

Source: CHROFI

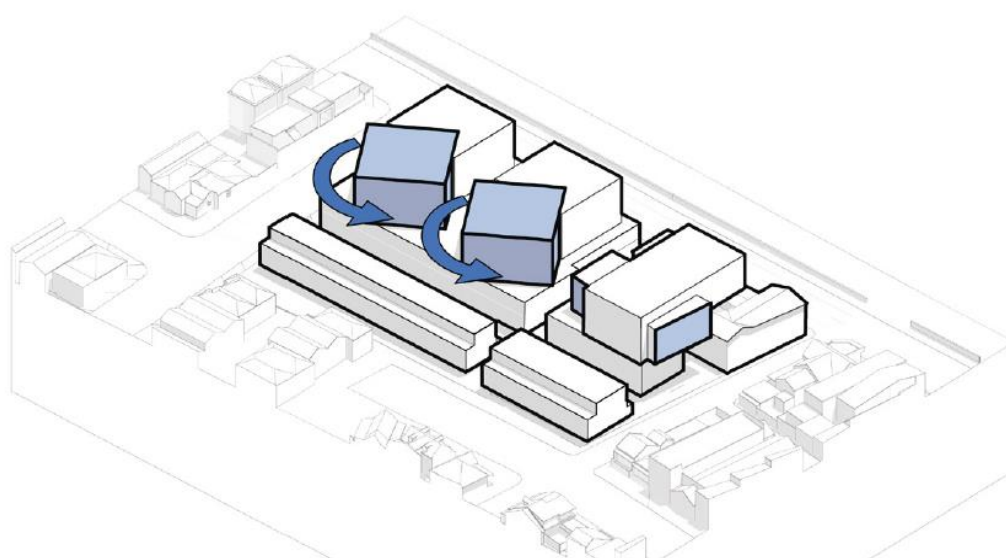


Figure 26 Orientation of rear forms of Buildings A and B to maximise amenity and outlook/views

Source: CHROFI

4.8 Materials and Finishes

The materials and finishes of the proposed development have been selected to complement and enhance the existing character buildings on the Site and the character of nearby industrial and residential development.

The brick, steel and rendered materiality reinforces the industrial past and future Site's light industrial context, whilst also ensuring a suitable juxtaposition between old and new elements. A variety of masonry types and finishes are proposed, in addition to a mix of colours, finishes, extrusion and perforation of all material elements. This will ensure visual interest and assist to soften the proposed built form.

Suitable amounts of glazing are proposed to service tenancies frontages, in addition to select balconies, to maximise passive surveillance, activation and views externally. Select green walls are proposed to soften certain materials and finishes, whilst also acting as a biophilic design element.

The materials selected also ensure a high design quality and finish, whilst exhibiting durability and longevity. As such, they should require minimal maintenance and maintain their original appearance over time.

Further details regarding the materials and finishes selected is detailed within the accompanying Urban Design Report by CHROFI (**Appendix D**). The material palette as illustrated within the accompanying Detailed Architectural Plans is provided in **Figure 27** below.

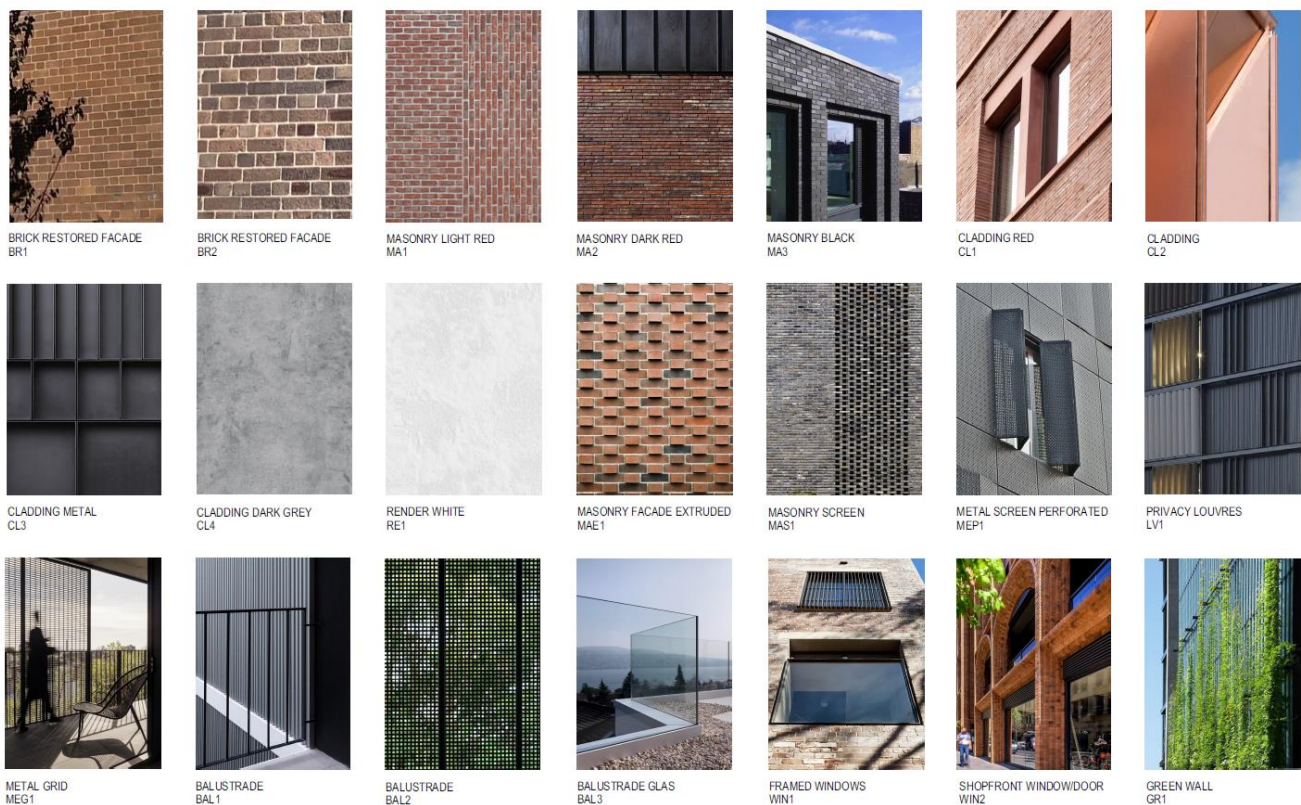


Figure 27 Material Palette

Source: CHROFI

4.9 Public Domain Features and Enhancements

The public domain has been designed to create vibrant, high quality public spaces which foster social interaction and the active movement of people. The Site's renewed Balmain Road frontage is setback and to include an expanded and embellished pedestrian zone, including bicycle parking, widened footpaths, informal seating and new tree plantings.

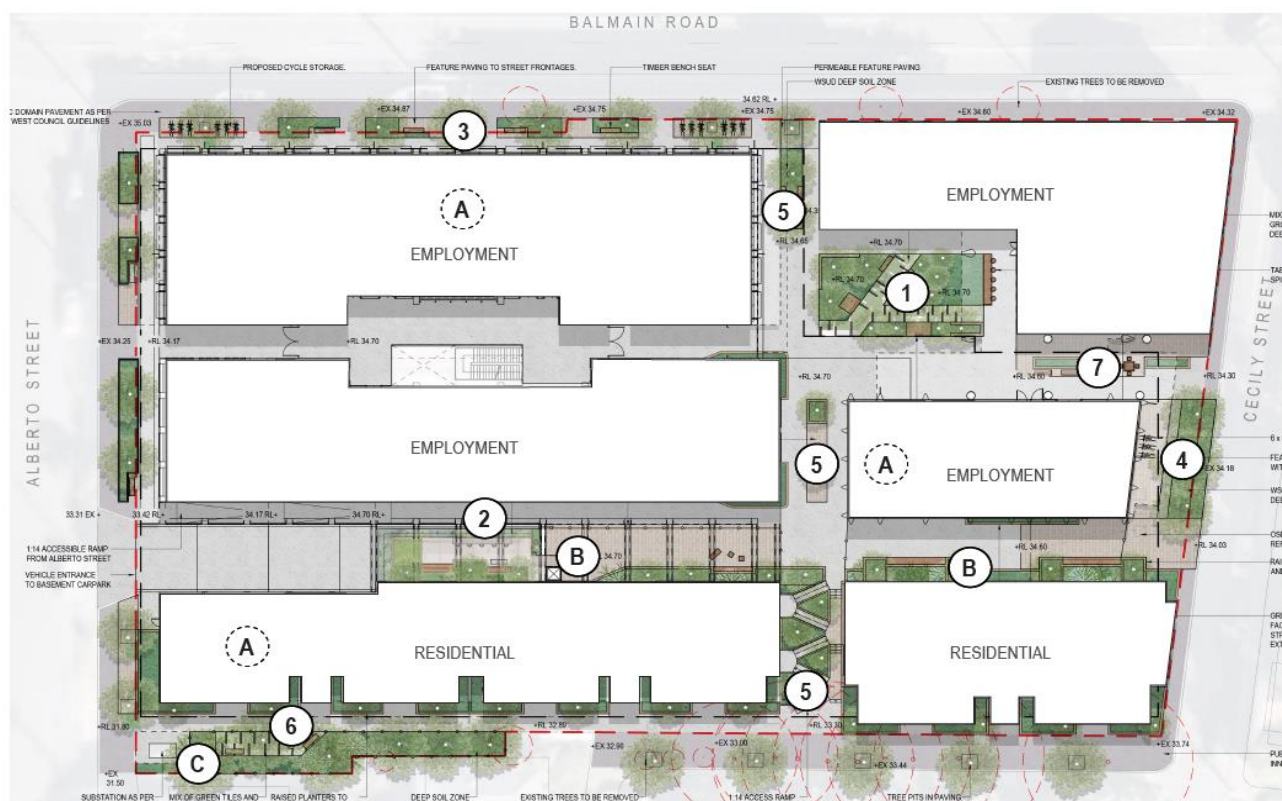
Alberto Lane provides access to a COS area for residents and a colonnade to the south of the podium supporting Buildings A and B. The colonnade is open to the public which connects to the Artists Way, the proposed through site link from Balmain Road to Fred Street, which provides publicly access into the new Bakers Square.

The Artists Way is 6 metres in width and will have a focus on activity through the employment uses and by providing pedestrian accessibility to the adjoining neighbourhoods on the west and east boundaries of the site. It also makes provision for deep soil planting areas, as well as landscaping. It includes an interesting terrace/ramping element and access at its southern portion, to gently manage the change in levels between the Site and Fred Street. A plaza is provided off Cecily Street, which includes bicycle parking, planting and informal meeting space. It is adjacent to the proposed Fred Lane extension, linking Cecily Street to the centrally located Bakers Square.

A publicly accessible through-site link is provided in the south-western corner of the Site and is known as Fred Mews Link. It is sufficiently wide enough to accommodate planting to soften the building forms and screen the development from nearby properties. In addition, it provides an alternative, pedestrian access for the public between Fred Street and Alberto Street, which is safe, green and legible. It also includes an additional area of communal space for residents to utilise and enjoy.

The Bakers Square central courtyard is positioned behind the character buildings and bound by the new buildings. Bakers Square has been designed to accommodate multiple uses and is well linked to the surrounding street network. It is directly linked to Balmain Road, Cecily Street and Fred Street and provides an outdoor meeting space for the public to enjoy and interact socially.

Overall, the public domain areas of the development are characterised by activated, green spaces that connect residents, workers and visitors within the Site and surrounding neighbourhood. **Figure 28** below provides an illustration of the key elements of the proposed and enhanced public domain network and features; in addition to its relationship with the proposed COS spaces. **Figure 29** over the next page shows a photomontage of the proposed Baker Square.



Key Public Domain Spaces

1. Bakers Square
2. Alberto Lane Colonnade Link
3. Balmain Road Frontage
4. Cecily Street Plaza
5. Artist's Way
6. Fred Mews Link
7. Fred Lane Extension

Key Communal Open Space

- A. Rooftop Gardens (Above)
- B. Alberto Lane Communal Space
- C. Fred Mews Communal Space

Figure 28 Overview of Public Domain, COS and Landscaped Spaces

Source: CHROFI



Figure 29 Bakers Square

Source: CHROFI

4.10 Landscaping

The Landscape Plans for the development have been prepared by Place Design Group at **Appendix E**. Key features of the landscaping design are discussed below.

4.10.1 Ground Floor Planting and Landscape Character/Treatment

The development as proposed is highly permeable with many opportunities for new trees and plantings. The landscape scheme proposes a variety of mostly native trees, shrubbery, and ground coverings throughout the ground level of the site and around the perimeter of the Site.

The landscape plan planting plan captured in **Figure 30**, illustrates a variety of native plantings throughout the Site; including large trees and smaller shrubbery, ground coverings and green roofs and walls to provide additional vegetation. The landscaping design incorporates water sensitive urban design.

Along the Balmain Road frontage, and Alberto Street frontage, *Eucalyptus Punctatas* (Grey Gums) extend up to the through site connection on Balmain Road at the first character building. Large trees are proposed in the middle of the eastern frontage, including two *Melaleuca Linarifolia* (Snow in Summer) trees and one *Fraxinus Pennsylvanica* (Green Ash).

The rear boundary of the Site is proposed to be densely vegetated to replace the existing Plane Trees. The rear boundary will be planted with large trees at the western corner including three *Fraxinus Pennsylvanica* (Green Ash) trees, one *Eucalyptus Moluccana* (Gum-Topped Box) tree and two *Eucalyptus Robusta* (Swamp Mahogany's). Lining the eastern portion of Fred Street will be four evenly spaced *Eucalyptus Punctata* (Grey Gums).

Figure 31 captures the various landscaped zones at ground level of the proposed development. The Bakers Square and COS areas will be densely vegetated. The apartments to the rear of the site, lining Fred Street, will be largely covered with green wall plantings that will cover majority of the building at ground level.

Within the through site links, multiple species of Maple Trees and gums will be planted including *Acer Rubrum*, *Acer Buergeranum*, *Betula Pendula* and *Tristaniopsis Laurina*. The Fred Street link will be lined with Maple Trees and the communal space from Cecily Street to Alberto Street will be embellished with green walls, low lying vegetation and multiple tree species including *Tristaniopsis Laurina* (Water Gums) and *Pyrus Chanticleer* (Callery Pears).

The through site links will be landscaped with a combination of cobblestone paving and concrete pavement, the seating areas proposed throughout the open space areas will be of timber materiality.

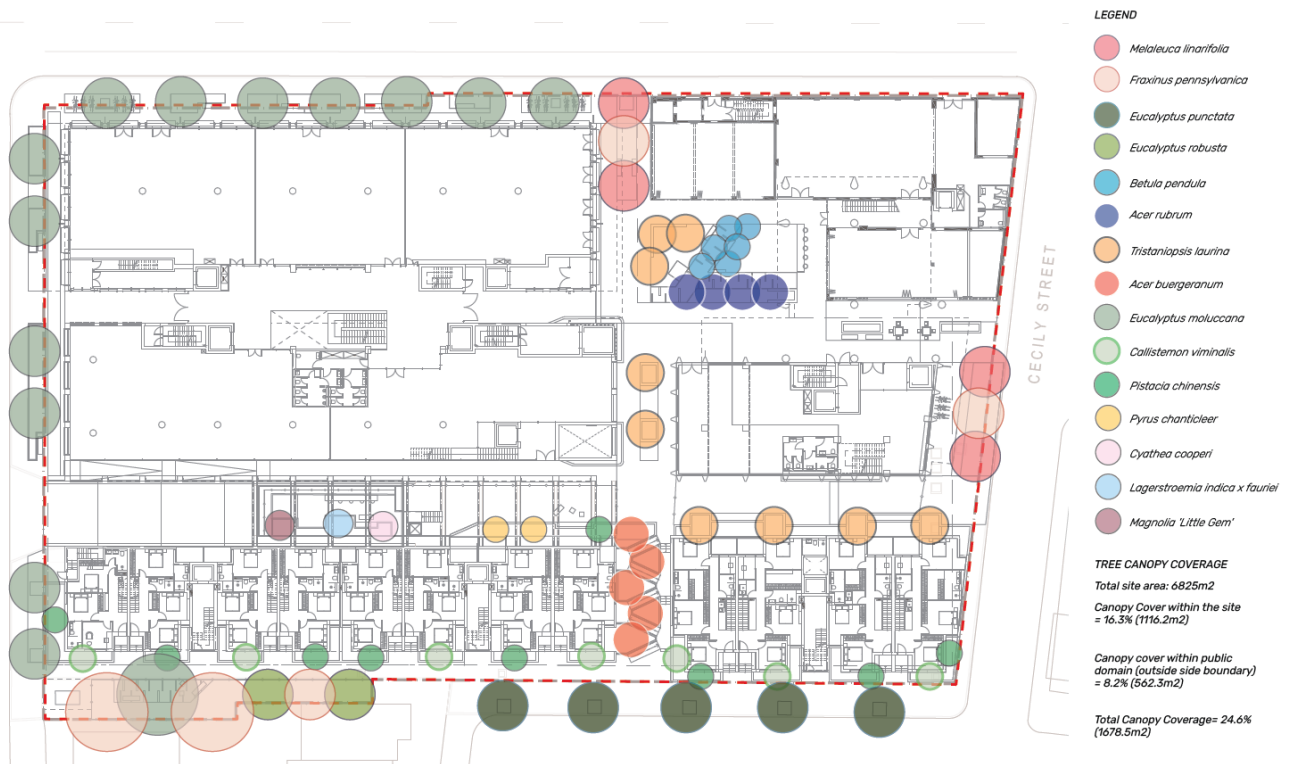


Figure 30 Tree Strategy Plan

Source: Place Group Design

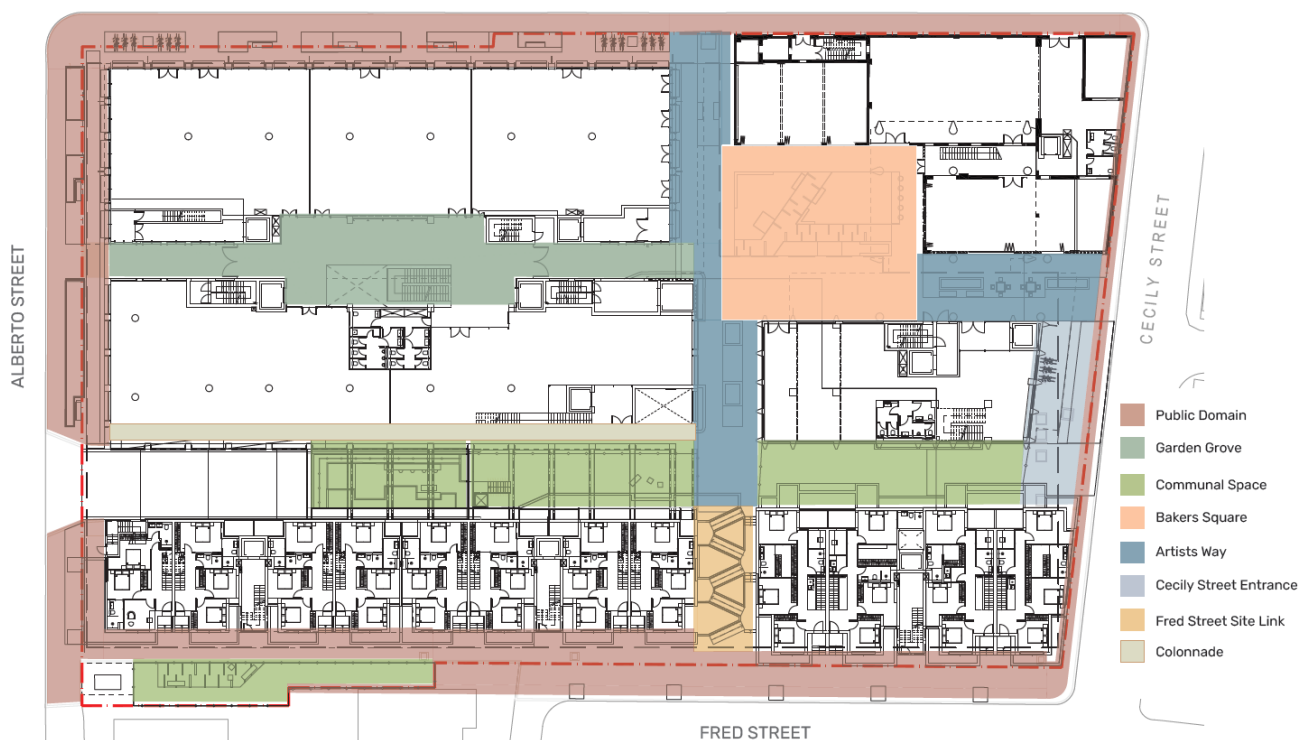


Figure 31 Landscape Character Precincts

Source: Place Design Group

4.10.2 Level 1 Landscaping/Communal Open Space

The landscaping on Level 1 of the development and accessible to residents, via a staircase and lift from Alberto Lane, and comprises the following and is illustrated in **Figure 32**.

- An artificial turfed area.
- Green roofing.
- Timber, lounge seating and bench seating.

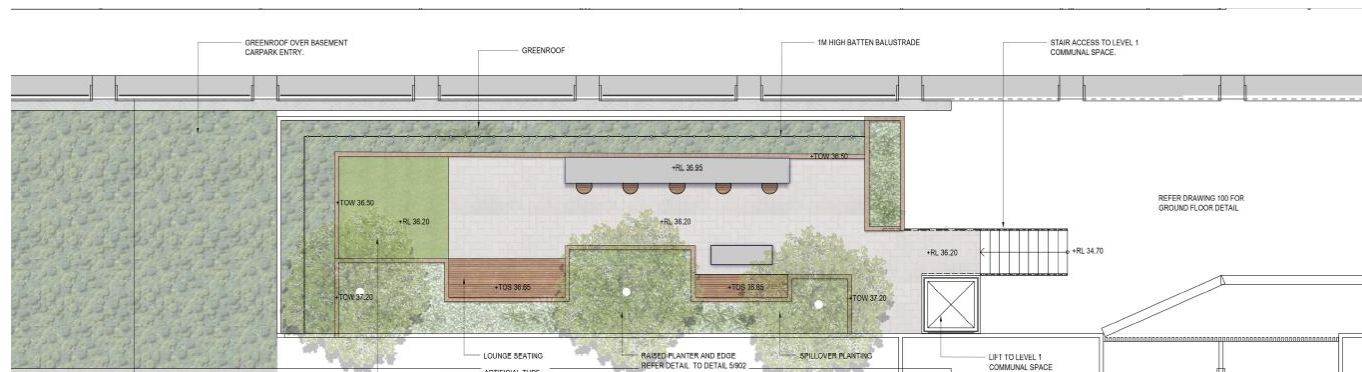


Figure 32 Level 1 Landscaping

Source: Place Design Group

4.10.3 Level 2 Landscaping/Communal Open Space

The Communal Terrace on Level 2, which services Buildings A and B, respectively and is accessible to residents, via a lift and staircase from Alberto Street or Artists Way. It incorporates a series of raised garden beds, a communal artificial turfed area and outdoor kitchen and seating to support a variety of activities including dining, relaxation and interaction, see **Figure 33**.

The communal terrace includes:

- An artificial turfed area that can be used for a variety of recreational uses.
- A communal outdoor barbeque and kitchen facilities.
- A green roof and sky lights to provide a sheltered area in the outdoor communal terrace.
- Large trees lining the terrace and raised spill over plantings.

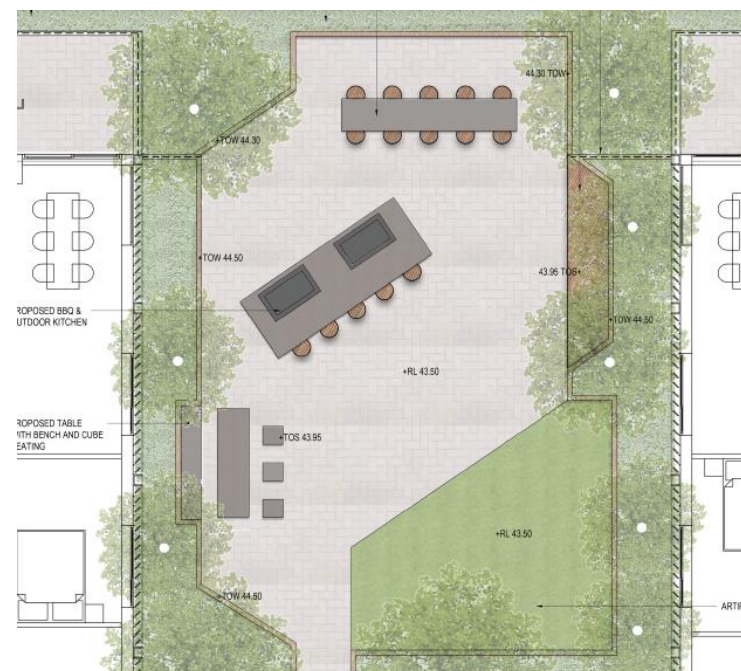


Figure 33 *Level 2 landscaping*

Source: Place Design Group

4.10.4 Level 3 Landscaping/Communal Open Space

Level 3 landscaping comprises a rooftop open space area and a communal garden at the Site's south-western corner, bordering Alberto Street and Fred Street, and servicing Building D via internal stairs and lift access. The rooftop area is facilitated by lift and stair access and provides a communal outdoor space with multiple uses illustrated in **Figure 34**.

Level 3 comprises the following:

- Raised planter boxers with glass balustrades.
- A communal barbeque.
- Table settings.
- A raised central community garden.
- Timber lounge seating.
- Trees in mounded garden beds.
- Boundary planting with spill over plantings.

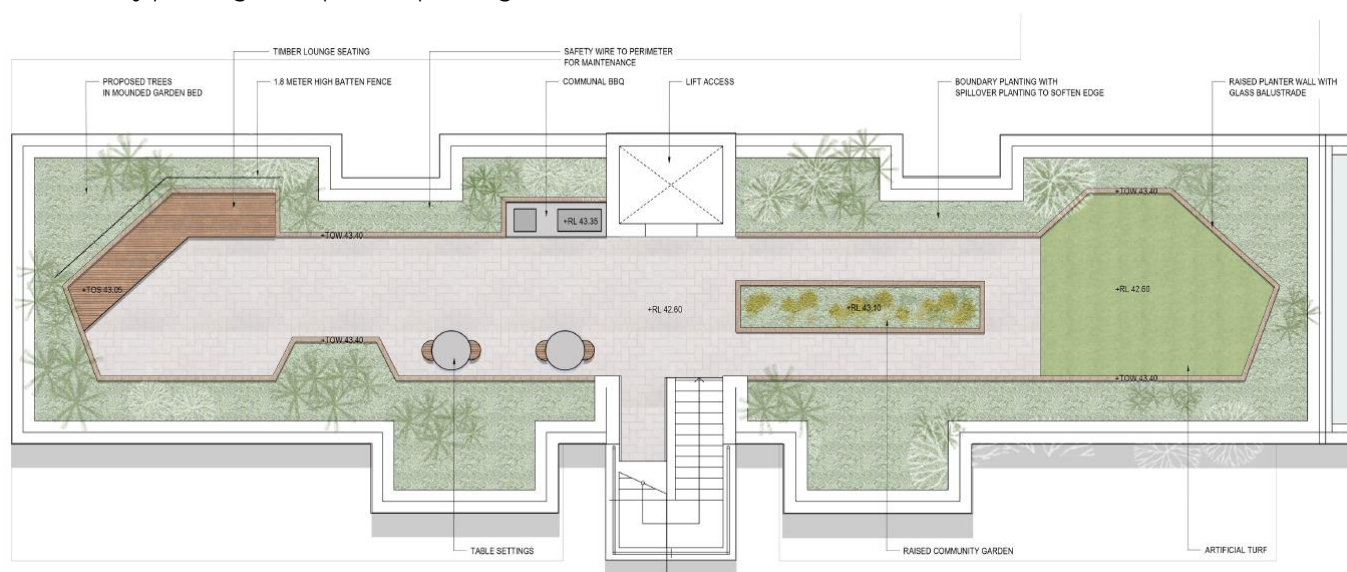


Figure 34 Level 3 Landscaping

Source: Place Design Group

4.10.5 Level 5 Landscaping/Communal Open Space

The Level 5 landscaped area servicing Building C provides a space of relaxation, physical activity, and communal interaction and is access to future residents via lift and stair access from Cecily Street or Artists Way. The Level 5 landscaping/COS area comprises the following and is illustrated in **Figure 35**:

- A central timber day bed.
- Turfed area for physical activity.
- Multiple trees and garden beds surrounding the perimeter.
- An outdoor barbeque and kitchen area.
- An outdoor table setting and accessible seating.

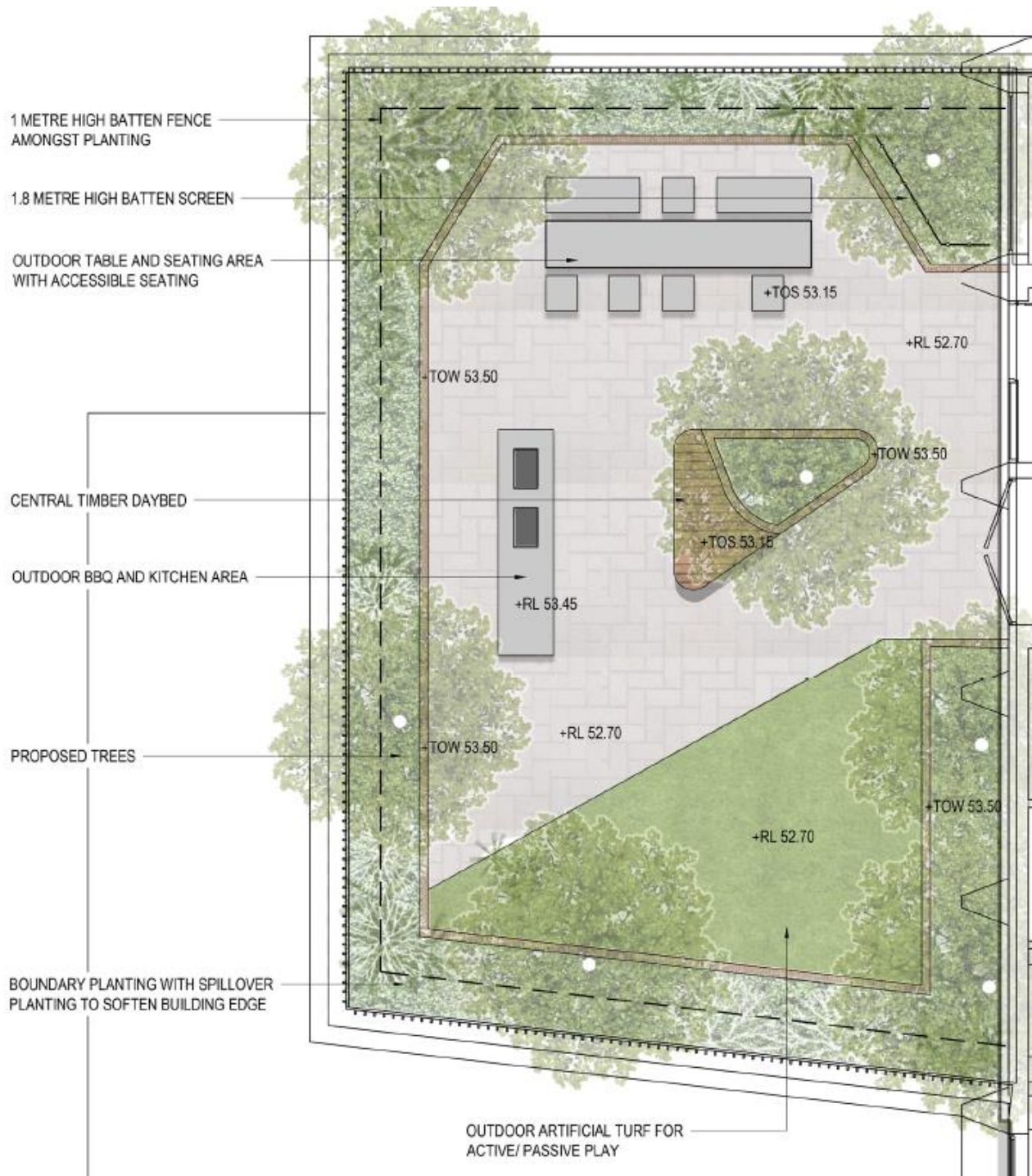


Figure 35 Level 5 landscaping

Source: Place Design Group

4.11 Parking, Access and Servicing

4.11.1 Basement Excavation and Construction

The development seeks consent for excavation works to accommodate the construction of a basement that contains a total of two levels. Excavation works and their associated impacts are detailed within an accompanying Geotechnical Investigation by Douglas Partners (**Appendix K**).

4.11.2 Basement Car Parking and Servicing

The basement is proposed to support the requisite amount of car and motorcycle parking for the development (including accessible spaces), in addition to the services, waste management areas, storage, loading and plant needed. Details regarding the design of the car parking spaces and areas are detailed within the TIA by Transpeople (**Appendix F**). The parking requirements under the relevant planning provisions have been satisfied by the development and are accommodated for within the proposed basement (refer to **Section 5** for further details).

4.11.3 Vehicle Access

The multiple vehicle accesses that currently service the Site are proposed to be consolidated by the development to aid traffic movements and improve pedestrian safety. The new consolidated access point will be from Alberto Street and will service the proposed basement. It will provide ramped access to the two basement levels which is inclusive of a number of facilities including car parking facilities, as well as loading and servicing areas located on basement level 1. For further details regarding the proposed vehicle access, refer to the TIA at **Appendix F**. Refer to image of vehicle access point at **Figure 36** below.

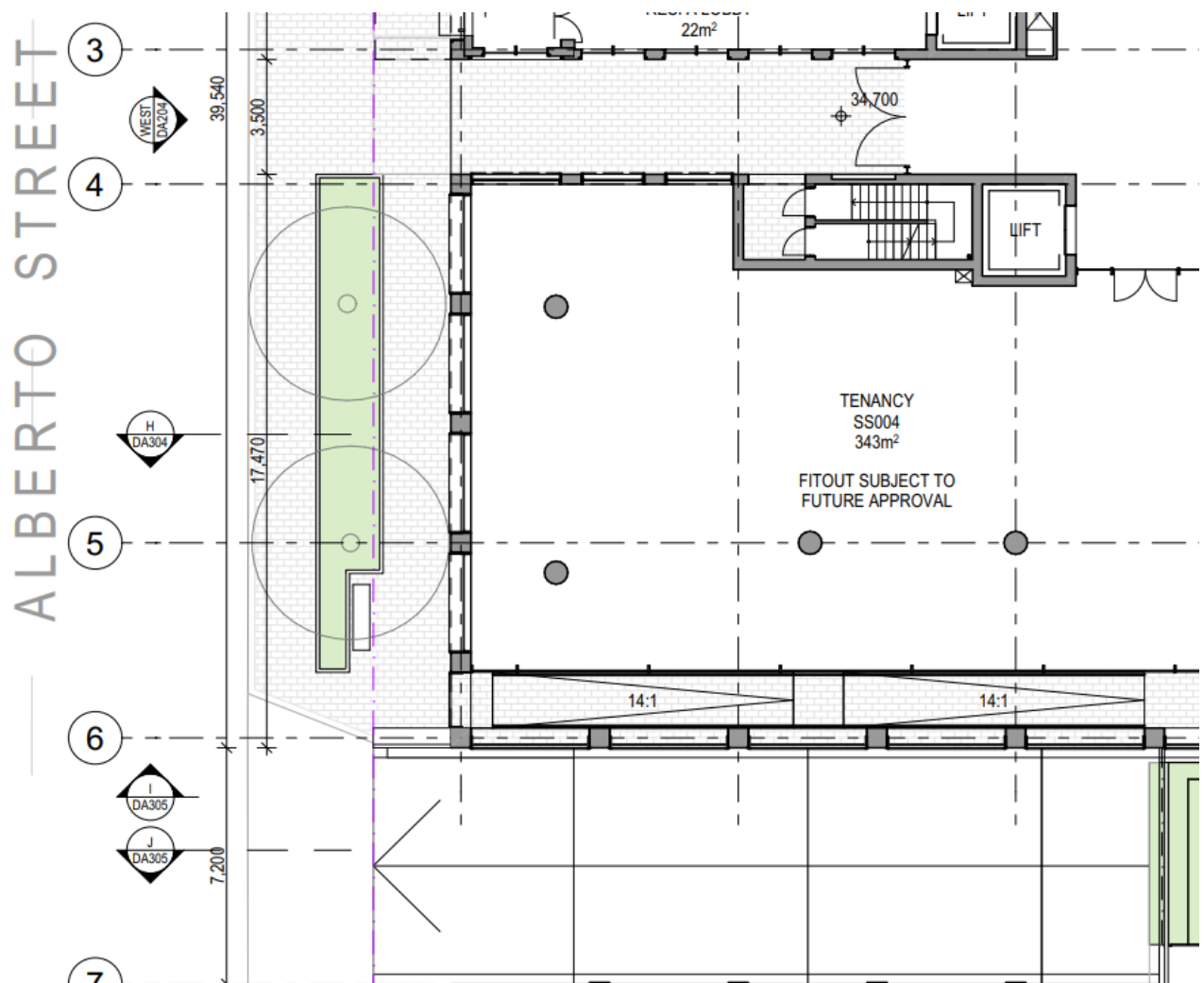


Figure 36 Extract from Ground Floor Plan illustrating vehicle access point from Alberto Street

Source: CHROFI

4.11.4 Loading and Waste Management Facilities

A dedicated loading area is proposed to be located on basement level 1 with access to it provided via a ramp from the Alberto Street entry. The loading area has been designed to accommodate 8.8m medium rigid and 12.5m heavy rigid vehicles, respectively; the largest vehicle types that are anticipated to service the development.

Vehicles will be able to enter the loading dock in a forward direction and exit the loading bay by reversing and exiting toward the ramp in a forward direction. The loading area is to be serviced by a larger sized lift to accommodate deliveries to the development. Further details regarding loading are detailed within the TIA at **Appendix F**.

The loading area has been conveniently located nearby to the waste management areas on basement level 1, to ensure the ease of waste removal for both residential and employment waste. Bin holding areas are also proposed nearby to the loading dock. Refer to the accompanying Operational Waste Management Plan (OWMP) by Elephants Foot for further information (**Appendix R**)

4.11.5 Bicycle Parking and End of Trip Facilities

The basement includes the majority of the development's bicycle parking, including for the employment spaces/tenancies, which is conveniently contained within basement level 1 and residential bicycle parking being contained within basement level 2.

End of trip facilities (EOTF) are also proposed for the future employment uses, which are contained within basement level 1 and provide for showers, changing facilities, lockers and amenities. The EOT and employment bicycle parking on basement level 1 are conveniently located adjacent to multiple lifts, which provide access to the ground floor and podium levels of the development. Further details regarding bicycle parking and EOTF are detailed within the TIA in **Appendix F**.

5.0 Planning Assessment

This section considers the planning issues relevant to the proposed development and provides an assessment of the relevant matters prescribed in Section 4.15(1) of the *Environmental Planning and Assessment Act 1979* (EP&A Act).

5.1 Environmental Planning Instruments

The DA's consistency and compliance with the relevant legislation, Environmental Planning instruments (EPIs) and policies is considered in the sections below. Compliance with the key standards and guidelines highlighted in the table are discussed in the following sections of this environmental assessment.

Table 2 Summary of Key Legislation

Plan	Comments
Acts	
EP&A Act 1979	<p>The proposal is consistent with the objects of the EP&A Act in that it represents the orderly and economic development of land. It seeks to enhance currently underutilised land with the provision of new/expanded spaces for light industrial and creative uses, in conjunction with the appropriate addition of residential apartments/uses. The proposal does not result in unreasonable environmental impacts to the surrounding natural and built environments and seeks to maintain the amenity of the area.</p> <p>Section 3.44 of the EP&A Act permits a DA to be made irrespective of an EPI requirement for a site-specific DCP, where the relevant planning authority has refused to support or make a decision in respect of said DCP within 60 days. A Draft DCP was submitted to Council for the site in 2021, more than two years ago. Accordingly, a DA may be made and determined notwithstanding Clause 6.25(3)(b) of IWLEP 2022).</p> <p>Section 4.23 of the EP&A Act permits the making of a Concept DA to satisfy the requirement in an EPI for a site-specific DCP. Out of an abundance of caution, should Section 3.44(5)(a) of the EP&A Act not apply, this DA includes a Concept Proposal to satisfy the requirements of Clause 6.25(4) of IWLEP 2022 pursuant to Section 4.23. Pursuant to Section 4.22(2) of the EP&A Act, the DA also sets out the detailed proposals for the first stage of the development, being the design, construction and use of the site for a mixed use development.</p>

5.2 State Environmental Planning Policies

The relevant State Environmental Planning Policies (SEPPs) are assessed in **Table 3** below.

Table 3 Summary of consistency with SEPPs

Plan	Comments
<i>State Environmental Planning Policy (Resilience and Hazards) 2021</i>	<p>Chapter 4 of the <i>State Environmental Planning Policy (Resilience and Hazards) 2021</i> (Resilience and Hazards SEPP) relates to the remediation of land. Clause 4.6 sets out contamination and remediation matters to be considered in a DA.</p> <p>Douglas Partners have undertaken a Detailed Site Investigation (DSI) that is provided at Appendix L and concludes there are no widespread contamination issues that would adversely impact or prevent the use of the Site for light industrial or residential uses. The consent authority can be satisfied that the site will be suitable, after remediation, for the purpose for which the development is proposed to be carried out.</p> <p>Refer to Section 5.16.2 for further assessment regarding this matter.</p>
<i>State Environmental Planning Policy (Transport and Infrastructure) 2021</i>	<p>A key aim of <i>State Environmental Planning Policy (Transport and Infrastructure) 2021</i> (Transport and Infrastructure SEPP) is to facilitate the effective delivery or function of infrastructure across the State, including requiring for consultation with relevant public authorities about certain development during the DA assessment process to occur.</p> <p>Clause 2.119 relates to development with a frontage to a classified road. The Site has a frontage to Balmain Road, which is a classified road (State). The objectives of this Clause are to ensure that new development does not compromise the effective and ongoing operation and function of a classified road and to prevent the potential impact of traffic noise and vehicle emission on development adjacent to a classified road. The proposed development satisfies the relevant matters under this Clause, as it proposes vehicle access to the development from Alberto Street,</p>

Plan	Comments
	<p>which is not a classified road, and the development will include measures, to ameliorate potential traffic noise arising from the classified road (refer to Section 5.14 for further assessment).</p> <p>As Balmain Road has an annual average daily traffic volume of less than 20,000 vehicles, Clause 1.120 does not apply. Internal noise conditions have nonetheless been addressed in the Noise Impact Assessment at Appendix O.</p> <p>Clause 2.122 relates to development that involves a new premises of a relevant size or capacity as per Schedule 3 in the Transport and Infrastructure SEPP. Any such development must be referred to TfNSW for assessment before consent can be granted. The development proposes more than 75 dwellings and 50 car parking spaces that have access within 90 metres off Balmain Road, which is a classified road (State). As such, a referral to TfNSW pursuant to this Clause must be made by the during this assessment of the DA and before consent can be granted. In support of this referral, a TIA has been prepared and is provided at Appendix F. Also, further assessment related to traffic impacts is detailed within Section 5.17.</p> <p>Clause 2.48 relates to development that is likely to affect electricity networks. The proposal involves excavation and construction works within 2 metres of electricity distribution infrastructure adjacent to the Site's boundaries. Pursuant to the provisions under this Clause, the consent authority must refer the DA to the relevant electricity supply authority and take in any considerations they may have.</p>
<i>State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004</i>	A BASIX Certificate and associated Assessment Report is included at Appendix U and V , respectively, which demonstrate that the proposal complies with the relevant BASIX and NATHERs commitments and result in a sustainable development outcome.
<i>State Environmental Planning Policy (Planning Systems) 2021</i>	The development has a capital investment value of more than \$30 million (see Appendix P). As such, Section 2.15 of the EP&A Act applies and the functions of the consent authority under Part 4 will be exercised by the Sydney Eastern City Planning Panel (SECPP).
<i>State Environmental Policy (Sustainable Buildings) 2022</i>	<p>The <i>State Environmental Policy (Sustainable Buildings) 2022</i> (Sustainable Buildings SEPP) identifies the importance of encouraging the delivery of sustainable buildings and aims to record accurate data about the sustainability of buildings to enable monitoring improvements.</p> <p>The Urban Design Report at Appendix D provides sustainable objectives/measures for the development and how they are intended to be achieved. A BASIX Certificate and associated Assessment Report is also included at Appendix U and V, respectively, which demonstrate that the proposal complies with the relevant BASIX and NATHERs commitments.</p>

5.2.1 State Environmental Planning Policy No. 65 -Design Quality of Residential Apartment Development

A detailed assessment of the development against SEPP 65 and its associated ADG has been undertaken and is provided at **Appendix O**. A Design Verification Statement by CHROFI is also provided at **Appendix C**. Based on these supporting documents, it has been demonstrated that the development satisfies the relevant design quality principles outlined in Schedule 1 of SEPP 65, in addition to the relevant considerations under the ADG. The development achieves a high level of design quality and ultimately satisfies the requirements under SEPP 65.

5.3 Inner West Local Environmental Plan 2022

The *Inner West Environmental Plan 2022* (IWLEP 2022) is the key EPI that applies to the Site, setting out relevant permissibility and development standards. **Table 4** provides an assessment of the proposal against the relevant provisions of the IWLEP 2022.

Table 4 Assessment against Inner West Local Environmental Plan 2022

Clause	Provision/Standard	Proposal	Commentary
2.3 Zone Objectives and Land Use Table	E4 General Industrial (Zone E4)	Mixed use development, including light industrial and residential uses	<p>The proposed development seeks consent for the provision of future light industrial uses, including some of which that will be used for creative purposes. These uses are permissible within Zone E4.</p> <p>The development is consistent with the objectives of Zone E4 as it will:</p> <ul style="list-style-type: none"> • Provide for a range of permissible industrial uses, through a variety of tenancy sizes and configurations that achieve high levels of amenity. • Ensure the efficient and viable use of land for industrial purposes, through the provision of a variety of tenancy sizes and configurations and the inclusion of suitable measures such as thicker slabs (where appropriate) between light industrial and residential uses. • Encourage employment opportunities through the provision of new and expanded tenancies that can support light industrial development and that will receive good levels of amenity. • Enable opportunities for future and limited non-industrial land uses that provide facilities and services to meet the needs of businesses and workers. • Retains the existing quantum of industrial floorspace currently on the Site, whilst encouraging new industrial uses through the provision of a variety of modern and fit for purpose tenancies to assist to meet the needs of the community. <p><u>Note:</u> The residential uses proposed on the Site are permitted under Schedule 1 (APU 18), which is discussed further below within this table.</p>
2.7 Demolition	The demolition of a building or work may be carried out only with development consent.	Demolition of the majority of the existing buildings and structures on the Site is proposed.	The proposal seeks consent for the demolition of the majority of buildings/structures on the Site. This is supported by a demolition plan that forms part of the Detailed Architectural Plans at Appendix B . Demolition works can be appropriately managed through suitable conditions of development consent.
4.3 Height of Buildings	23 metres	23 metres	Complies.
4.4 Floor Space Ratio	2.2:1	2.2:1	Complies.
5.10 Heritage conservation	To conserve the heritage significance of heritage items and heritage conservation areas	Results in an acceptable impact on heritage items within the vicinity of the Site, which conserves their significance.	Complies. Refer to Section 5.6 for further details.
5.21 Flood Planning	The Site is identified as being affected by the Probable Maximum Flood (PMF) event.	The development includes suitable measures to mitigate	The Site is identified as being affected by the PMF event. The development proposes appropriate measures to mitigate potential flooding impacts. Refer to Section 5.20.1 for further details.

Clause	Provision/Standard	Proposal	Commentary
		potential flooding impacts.	
6.1 Acid Sulfate Soils	The Site is mapped as 'Class 5'.	<p>The proposal seeks to excavate between 6.4-8.9 metres.</p> <p>Works within 500m of adjacent Class 1, 2, 3 or 4 land that is below 5m Australian Height Datum and by which the water table is likely to be lowered below 1m Australian Height Datum on adjacent Class 1, 2, 3 or 4 land.</p>	Refer to Section 5.23.3 for further details.
6.2 Earthworks	To ensure earth works will not have a detrimental impact on environmental functions and purposes, neighbouring uses, cultural items or features of the surrounding land	The proposal seeks to undertake excavation to accommodate two basement levels.	The proposed basement levels will be constructed within the Site's boundaries and will not have any adverse impacts on the surrounding neighbouring properties. A detailed assessment of the earthworks is detailed in within the Geotechnical Report at Appendix K .
6.3 Stormwater Management	This clause aims to minimise the impacts of urban stormwater in industrial, residential and business zones	The proposal provides a stormwater management plan that includes suitable measures to mitigate and minimise potential impacts.	The stormwater management plan adequately details the stormwater management design/infrastructure that will be provided as part of the development. For further details please refer to the Civil Design Engineering Report at Appendix Y and the discussion at Section 5.21.2 .
6.4 Terrestrial Biodiversity	This clause seeks to maintain and encourage the conservation of native fauna and flora.	The proposal seeks to remove existing trees within the Site or adjacent to its boundaries within nature strips/road reserves.	<p>The proposal seeks consent to remove 16 trees in order to facilitate the development. The trees proposed to be removed are not of biodiversity significance. Refer to the AIA at Appendix H for further details.</p> <p>The canopy coverage of the Site will increase from an existing 2% to 24.6% through extensive tree planting and landscaping measures to offset the proposed tree removal. Refer to the Landscape Plans at Appendix E for further details.</p>
6.8 Development in areas subject to aircraft noise	To assist to minimise the impact of aircraft noise from the airport and flights paths through appropriate attenuation measures.	The proposal is capable of providing suitable attenuation measures to achieve the relevant noise criteria.	Refer to Section 5.14 for further details.

Clause	Provision/Standard	Proposal	Commentary
6.9 Design Excellence	To ensure that development exhibits the highest standard of architectural and urban design as part of the built environment	The proposal achieves design excellence.	Refer to Section 5.3.1 for further details.
6.14 Diverse Housing	To ensure the provision of a mix of dwelling types within RFBs	Development consent must not be granted unless 25% of the dwellings will be studio or 1 bedroom dwellings and no more than 30% of dwellings containing at least 3 bedrooms	Complies. The development provides for: <ul style="list-style-type: none"> 25% (22) of dwellings are a studio or contain one bedroom. 30% (27) of dwellings of dwellings contain three bedrooms.
6.25 Development of land at 469-483 Balmain Road, Lilyfield	To ensure the going provision of employment, service and creative enterprise opportunities on the land.	The proposal satisfies the requirements of this Clause.	<p>Pursuant to Section 4.23(3) of the EP&A Act, the Concept DA satisfies the requirements of Clause 6.25 of the IWLEP 2022 (subject to Amendment No. 18) to prepare a DCP for the land to which this DA applies and sets out all the information required to be contained in a DCP as prescribed in Clause 6.25(4) of the IWLEP 2022.</p> <p>Further, the development proposed makes provisions for the requisite amount of employment GFA and affordable housing GFA.</p> <p>Refer to Section 5.3.1 for further details.</p>

Schedule 1: Additional Permitted Uses (APU)

18	<p>Applies to the Site and permits RFBs with development consent.</p> <p>The Clause ceases to have effect at the beginning of 26 February 2024, if a DA to carry out development for an RFB has not been made.</p>	This DA seeks consent for RFBs to be permitted as part of the development.	Refer to Section 5.3.1 for further details.
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5.3.1 Design Excellence

The proposed development exhibits a high degree of architectural design and achieves design excellence as required by Clause 6.9 of the IWLEP 2022. An overview of the proposal's consistency against its relevant provisions is provided in **Table 5** below.

Table 5 Design Excellence Assessment against Clause 6.9 within the IWLEP 2022

Provision	Assessment
(1) The objective of this clause is to ensure that development to which this clause applies exhibits the highest standard of architectural and urban design as part of the built environment.	Noted. As outlined within this table, the development achieves the highest standard of architectural and urban design.

Provision	Assessment
<i>(2) This clause applies to development involving the construction of a new building, or external alterations to an existing building, that will result in a building that is equal to, or greater than, 14m in height.</i>	The proposed development exceeds 14 metres in height and therefore the provisions under Clause 6.9 within the IWLEP 2022 apply.
<i>(3) Development consent must not be granted for development to which this clause applies unless the consent authority considers that the development exhibits design excellence.</i>	As outlined in the following sections, the consent authority may be satisfied that the development exhibits design excellence.
<i>(4) In considering whether the development exhibits design excellence, the consent authority must have regard to the following matters—</i>	See below.
<i>(a) whether a high standard of architectural design, materials and detailing appropriate to the building type and location will be achieved,</i>	This has been achieved. Refer to Section 4.9 for further details.
<i>(b) whether the form and external appearance of the development will improve the quality and amenity of the public domain,</i>	The external appearance of the development improves and enhances the quality of the public domain, through its expansion at the edges of the Site, in addition to the provision of new, publicly accessible through site links and spaces. Refer to Section 4.10 for further details.
<i>(c) whether the development detrimentally impacts on view corridors and landmarks,</i>	The proposed development is not considered to detrimentally impact on existing view corridors or landmarks, including toward Callan Park. Refer to the HIS at Appendix G , as well as Sections 4.8, 5.51 and 5.1.2 for further details.
<i>(d) whether the development detrimentally impacts on land protected by solar access controls established in the relevant development control plan,</i>	The LDCP 2013 does not identify any specific solar access controls that would be detrimentally impacted by the development. Whilst some overshadowing of neighbouring properties would occur as a result of the development, these impacts would be limited in duration. The proposed impacts are considered to be minor, and are reasonable in the circumstances of the development having regard to the site's planning controls established through the gazetted site-specific LEP Amendment.
<i>(e) the requirements of the relevant development control plan,</i>	The proposal generally satisfies the requirements under the LDCP 2013. Refer to Appendix BB for further details.
<i>(f) how the development addresses the following matters:</i>	See below.
<i>(i) the suitability of the land for development,</i>	The suitability of the Site has been detailed within Sections 3.0 and 5.19 , respectively. The site has been the subject of an extensive site-specific Planning Proposal process which has determined that the site is suitable for development of the nature proposed in this DA
<i>(ii) existing and proposed uses and use mix,</i>	The development seeks to enhance an existing underutilised industrial site, by providing fit for purpose and modern tenancies that will support future light industrial uses, including for creative purposes. It also provides an appropriate mix of residential accommodation, including a component of affordable housing. Suitable measures have been provided to ensure a harmonious and suitable relationship between uses, particularly in terms of acoustic mitigation (refer to Section 5.9 for further details).
<i>(iii) heritage issues and streetscape constraints,</i>	The Site is not listed as a heritage item, nor is it located within a HCA. Whilst, the Site is located nearby to the State heritage significant Callan Park and a local heritage item, including an existing residential dwelling. The proposed development has been designed to be respectful and unobtrusive to these items, given its massing, heights, setbacks and form (refer to Section 4.8 for further details). The significant separation distances between the Site and these items is also noted, which also assists in this regard. Refer to the HIS at Appendix G for further details.

Provision	Assessment
<i>(iv) the relationship of the development with other existing or proposed development on the same site or on neighbouring sites in terms of separation, setbacks, amenity and urban form,</i>	The proposal establishes an appropriate relationship with surrounding development on neighbouring sites by providing adequate building separation in accordance with planning requirements, and ensuring all surrounding residential properties continue to experience a high level of amenity. The urban form of the proposal will facilitate a high quality environment which improves pedestrian connectivity and permeability between the site and adjoining sites, and provides suitable transitions in scale and land use to surrounding site interfaces.
<i>(v) bulk, massing and modulation of buildings,</i>	The bulk, massing and modulation of the buildings have been well considered and are responsive to the sensitivity of residential uses around the Site, in addition to the surrounding built form context. Refer to Sections 4.8, 5.5.1 and 5.5.2 for further details.
<i>(vi) street frontage heights,</i>	The street frontage heights proposed reinforces the character and dominance of the existing character buildings at the northern corner of the Site and along Balmain Road. Providing taller building elements centrally and towards the Balmain Rd frontage allows for a more sensitive transition in building scale and establishment of a suitable street frontage height towards Fred Street. Refer to Sections 4.8, 5.5.1 and 5.5.2 for further details.
<i>(vii) environmental impacts, including sustainable design, overshadowing, wind and reflectivity and visual and acoustic privacy,</i>	The development will result in acceptable environmental impacts on its surroundings and adopts suitable sustainable design measures. Refer to the Urban Design Report at Appendix D for further details.
<i>(viii) the achievement of the principles of ecologically sustainable development,</i>	The development has been ground in suitable ecologically sustainable development (ESD) principles. Refer to the Urban Design Report at Appendix D for further details.
<i>(ix) pedestrian, cycle, vehicular and service access, circulation and requirements, including the permeability of any pedestrian network,</i>	The development enhances the local pedestrian and cycle network through provision of new, permeable and publicly accessible through site links and spaces (refer to Section 4.10 for further details). The development has been appropriately designed to enable suitable vehicular access and servicing arrangements (refer to Sections 4.7 and 5.10 for further details).
<i>(x) the impact on, and proposed improvements to, the public domain, including landscape design,</i>	The development provides substantial public benefits in terms of expanded the local pedestrian and public space network, through the provision of through site links and spaces, including a plaza. These spaces are also suitable treated with green elements, including tree planting and landscaping. Refer to Sections 4.10 and 5.9 for further details.
<i>(xi) the relationship of the development with the street and building frontage</i>	The development provides for an appropriate relationship with its surrounding streets and building frontage. This includes the adoption of suitable heights, massing, setbacks and public domain treatments. Refer to Sections 4.8, 4.10, 5.5.1 and 5.5.2 for further details.

5.3.2 Inner West Local Environmental Plan 2022 (Amendment 18)

As detailed in **Section 2.1**, following the endorsement of the PP for the Site, an amendment (Amendment No. 18) was made on 26 February 2021 to the former LLEP 2013 (since being carried over into the IWLEP 2022). This amendment includes Clause 6.25 and APU Clause 18 under Schedule 1 within the IWLEP 2022. The proposed development's satisfaction of these provisions is discussed in the sections below.

Clause 6.25 – Development on land at 469-483 Balmain Road, Lilyfield

The objective of this Clause is to ensure the ongoing provision of employment, service and creative enterprise opportunities on the land (the Site). It applies to Lot 2, DP 1015843, namely 469-483 Balmain Road, Lilyfield (the Site), identified as “Area 15” on the ‘Key Sites Map’ under the IWLEP 2022.

As detailed within the Detailed Architectural Plans at **Appendix B**, the development sets aside 6,000m² of its total GFA for employment uses. This GFA is concentrated within basement level 1, the ground floor and podium/level 1 of Buildings A and B, in addition to within the ground and podium/level 1 of Buildings C and the retained character building. Further, at least 1,200m² of this employment GFA set aside is proposed to be used for creative purposes (light industrial uses). Accordingly, the development as proposed satisfies the provisions under Clause 6.25(3)(a)(i) and (ii).

The proposed development also provides for the retention and adaptive reuse of the identified character buildings, which are located at the north-eastern corner of the Site, which satisfies Clause 6.25(3)(a)(iii) within the IWLEP 2022. As detailed within the accompanying HIS at **Appendix C**, the existing character buildings have been adversely altered from their original states. As such, there is minimal, worthy fabric that can be retained. Notwithstanding, the form and external appearance of the character buildings is to be enhanced through part restoration and new works. Further, extensive internal works and upgrades are proposed to enable them to provide high level of occupant amenity, satisfy future tenant requirements and comply with current Building Code of Australia (BCA) standards (refer to the Detailed Architectural Plans at **Appendix B** and BCA Capability Statement at **Appendix W**). This will allow them to support a range of future permissible, employment uses, including high technology industries or creative industries, associated with arts, crafts, design or other creative production.

The proposed development makes provision for 5% of its GFA that is to be used for the purposes of residential accommodation as affordable housing, which satisfies Clause 6.25(3)(a)(iv) of the IWLEP 2022. It is expected that a condition of consent being imposed to satisfy Clause 6.25(6) within the IWLEP 2022, which requires that:

- Prior to the issue of a Construction Certificate (CC) for the construction of any residential dwellings, a plan is to be submitted to Council identifying which apartments will be utilised for the purpose of affordable housing and confirming that these apartments comprise at least 5% of the total gross floor area to be used for residential accommodation on the site.
- Prior to the issue of an Occupation Certificate (OC) for any residential dwellings on the site, a restriction on title is to be registered on the dwellings nominated to be used for the purpose of affordable housing that:
 - Defines affordable housing in accordance with the EP&A Act.
 - Requires the use for the nominated dwellings for affordable housing purpose for a period of at least 30 years, commencing upon the date on which the OC is issued.
 - Requires the nominated dwellings to be managed by a registered Community Housing Provider for that period.

The above provisions are in accordance with Clause 6.25(6)(b) with the IWLEP 2022 is also satisfied.

Additional Permitted Use (Clause 18 – Use of certain land at 469-483 Balmain Road, Lilyfield)

This Additional Permitted Use (APU) Clause 18 applies to the Site. As per Schedule 1 Clause 18(2), development for the purposes of RFBs is permitted with development consent on the Site.

Schedule 1 Clause (18)(3) ceases to have effect if a DA for consent to carry out development for the purpose of residential flat buildings has not been made by 26 February 2024. This DA satisfies this requirement, and accordingly Schedule Clause(18)(3) shall not be repealed.

5.4 Leichhardt Development Control Plan 2013

The DA's consistency with the Leichhardt Development Control Plan 2013 (LDCP 2013) is detailed **Appendix BB**. As detailed within this Appendix, the development is consistent with the objectives and relevant provisions of the LDCP 2013.

IWLEP 2022 requires the preparation of a Site-Specific DCP for the land and specifies the matters which the DCP is to address. The intent of this provision is to recognise the need for, and to facilitate, departures from the generic provisions which apply under the existing DCP which may not be suitable for the intended development outcome. Accordingly, the generic provisions of the LDCP 2013 should be treated flexibly. The requirement for a Draft DCP is satisfied by the Concept Proposal component of this DA as outlined in **Section 2.2** and **5.1**. The Design Guidelines provided at **Appendix DD** address all of the requisite matters. The Detailed (Stage 1) DA complies with all of the applicable Design Guidelines.

As required under Section 4.15 (3A) of the EP&A Act, a consent authority is required to apply DCP provisions flexible and allow reasonable alternative solutions that achieve the objectives of those standards. Where alternate solutions to the provisions are proposed, they are identified in **Appendix BB** and discussed in the following sections of this environmental assessment.

5.5 Key Assessment Matters

The following sections includes specific assessment against key matters related to the proposed development.

5.5.1 Built Form

The built form and design of the development has been informed by an in-depth analysis of the Site. This includes consideration of its specific opportunities and constraints, in addition to the Site's contextual relationship with Callan Park and surrounding residential and industrial neighbourhoods. The Site's proximity to existing and future public transport has also been factored in, as has the importance to protect and enhance the amenity of surrounding and future residents, workers and visitors. This has resulted in the Design Guidelines as detailed in **Section 4.1.3**, which have guided the site layout, envelopes and land uses of the Concept Proposal at **Appendix A**.

The above analysis has also formed and shaped the iterative design process undertaken CHROFI for the Detailed DA and its design. The outcome is the achievement of a resolved and high-quality mixed-use development that supports light industrial and residential uses, whilst also adaptively reusing the existing character buildings that currently make a positive contribution to the Site and its context. Further, the development provides for good levels of occupant and resident amenity, and in certain instances, exceeds the amenity design requirements under the relevant EPIs and policies, including SEPP65/ADG (refer to SEPP65/ADG assessment at **Appendix O**).

The proposal has been designed with consideration to the character and setting of the Site and the surrounding area. The proposal retains the character buildings which are located at the Site's frontage on the corner of Cecily Street and Balmain Road. The proposal ensures that the setbacks of the new buildings are appropriate to enable suitable separation from the existing character buildings. This minimises the perceived height and scale of new building elements in the context/setting of the character buildings when viewed from the public domain. The proposed through site link that provides connection from Balmain Road to Fred Street, also assists to provide further separation between old and new elements. These deliberate design measures ensure the prominence and importance of the character to the Site and along the Balmain Road frontage is reinforced.

The façade of the proposed new buildings along Balmain Road is articulated by tall arches that mimics a ratio that is reflective of and complementary to that of the adjacent character buildings. The chosen materials and finishes provide further articulation of the character buildings and reflect the traditional, industrial characteristics of the Nanny Goat Hill Distinctive Neighbourhood. The design of the proposed façade contributes positively to the character of the area and ensures that the unique historical character of the streetscape and setting of Balmain Road is maintained. The character buildings are clearly defined and remain bold and prominent within the Balmain Road streetscape.

The development appropriately responds to the scale and character of the surrounding context, through well considered approaches to its massing, modulation, setbacks and materiality, which is detailed further within the relevant sections below. Key design issues relating to the built form and design approach are also detailed within the Urban Design Report at **Appendix D** and the Design Verification Statement at **Appendix C**.

5.5.2 Building Massing and Height

As previously detailed in **Section 4.8**, the proposed building massing and height of the development has been designed in response to the Site's surrounding context and to comply with the site-specific development standards approved by the Sydney Eastern City Planning Panel in the approval of the PP in 2020. In this regard, the development's massing and height is concentrated toward the Site's centre. A maximum height of 23 metres (compliant with the maximum prescribed by Clause 4.3 in IWLEP 2022) and 6 storeys is proposed by Buildings A, B and C, respectively; within these locations.

In comparison to the reference scheme considered as part of the Planning Proposal, the CHROFI design shifts taller building elements towards Balmain Road and away from the interface with lower-scale dwellings to the south on Fred Street in order to achieve a more orderly transition in building scale. This ensures the development maintains a respectful and relatable scale of massing adjacent to the nearby low to medium density residential development towards the Site's south and south-eastern boundaries, with a maximum of 2 to 3 storeys proposed for Buildings, D, E and F. The 2-storey podium height proposed along Balmain Road reinforces the height datum and dominance of the retained character buildings within the north-eastern corner of the Site, ensuring that their existing and positive contribution to the streetscape is maintained.

The massing of the upper and rear portions of Buildings A, B and C are highly modulated. This includes the deliberate orientation of the rear portions of Buildings A and B to the south and south-east, respectively, which provides for visual interest in addition to improving amenity outcomes for future residents through improved views/outlook and solar access. Building C has a staggered modulation at its upper level, which also seeks to break up its massing and provide for visual interest. Further details with respect to the development's massing strategy and height is detailed within the Urban Design Report at **Appendix D**.

5.5.3 Setbacks

Ground level setbacks

A varied setback of between 1.7 metres to 3 metres is proposed along the Balmain Road frontage from the podium to the Site's northern boundary. This allows for an expanded public domain, which will assist with pedestrian movement and new tree planting opportunities. Along Alberto Street, the podium servicing Building A and Building D is setback 2.3 metres from the Site's south-western boundary, which also provides for an expanded public domain, including increased planting/landscaping opportunities.

A varied setback of between 3 metres to 7.4 metres is proposed at the ground floor for Buildings D and E, which enables a generous landscaped zone including large tree plantings, in addition to providing communal space and public access between Fred Street and Alberto Street. Given the location of Building F in the south-eastern corner of the Site, it adopts minimal setbacks at ground floor. The ground floor of Building C is setback back 3 metres from the Site's north-eastern boundary, which allows for an expanded public domain.

The proposed through site links traversing the Site from Balmain Road to Fred Street (Artists Way) is a width of 6 metres. This width separates the ground floors of the respective Buildings which are located on either side of the link. This separation is sufficient to allow for an ease of pedestrian movement, landscaping opportunities and a sense of space for its users.

Upper-level setbacks

The upper levels above the podium of Buildings A and B adopt a varied setback of 5.7 metres to 6 metres to the Site's boundary along Balmain Road. This setback reinforces the podium height and its prominence within the Balmain Road Streetscape, which seeks to align with the scale and height datum of the retained character buildings. This enables the character buildings to maintain their contribution to the streetscape.

Building A and D at its upper levels are setback between 2.3 metres to 6 metres to the Site's Alberto Street boundary. Given the generous width of Alberto Street, considerable distance is provided between existing residential development on its western side to the development. As such, the setbacks proposed enable satisfactory built form and amenity impacts on these existing developments, relative to the desired future character envisioned for the Site.

The rear portions of Buildings D and E are setback between 3 metres to 7.4 metres towards the Site's southern and south-eastern boundary. Coupled with the proposed landscaped areas that include large tree planting within the south corner of the Site, suitable privacy and amenity outcomes will result for future and surrounding occupiers.

Setbacks provided between the proposed buildings internally have been designed to generally satisfy the separation requirements under the ADG (refer to **Appendix O** for further details). This ensures a suitable level of amenity for future residents of the development, including with respect to solar access, outlook/views and privacy.

5.5.4 Overshadowing

A shadow and solar access analysis has been prepared by CHROFI and is provided within the Detailed Architectural Plans at **Appendix B**. This analysis includes shadow diagrams in plan form and view from the sun diagrams. The shadow diagrams in plan form indicate overshadowing impacts at 9:00am, 12:00pm and 3:00pm both in mid-winter (21 June) and the equinox (21 September). The view from the sun diagrams demonstrates solar access at hourly intervals between 9:00am and 3:00pm in mid-winter (21 June).

The analysis illustrates that solar access to the living rooms and private open spaces of residential properties on the south-western side of Alberto Street will be impacted during mid-winter mornings, between 9:00am to 11:00am. However, between 11:00am to 12:00pm mid-winter, these properties begin to receive solar access and are not impacted by the shadows cast by the development.

The analysis illustrates that solar access to the living rooms and private open spaces of residential properties to the south-east of the Site, will be impacted during mid-winter afternoons, between 12:00pm to 3:00pm. However, these properties are not impacted by the proposed development during mid-winter mornings, between 9:00am to 12:00pm.

The above impacts are considered acceptable noting the desired future character for the Site set by the relevant zoning, development standards and site-specific provisions under the IWLEP 2022. An additional assessment has also been undertaken against the LDCP 2013 overshadowing and solar access provisions, and the development has been found to generally be acceptable against them (refer to LDCP 2013 Compliance Table at **Appendix BB**).



Figure 39 Shadow Diagrams – 21 June (mid-winter)

Source: CHROFI

5.5.5 Visual Privacy

The proposed siting and setbacks of the buildings ensure suitable levels of visual privacy will be maintained for future and surrounding residents. In this regard, the development generally accords with the privacy related designed requirements under the ADG (refer to ADG Compliance Table **Appendix O**). Balconies and living areas are appropriately setback from the Site's boundaries shared with neighbouring residential development, in addition to being mostly, separated a suitable distance from opposing balconies and living areas within the development.

In limited circumstances, where internal building separation as per the ADG is not achieved, appropriate measures such as solid walls, screen walls and screening blades are proposed to mitigate potential overlooking or direct views between living areas/balconies. Refer to the Detailed Architectural Plans at **Appendix B** and the Design Verification Statement at **Appendix C** for further details.

5.5.6 Apartment Mix

The proposal provides an apartment mix that is aligned with the demands and needs of the local community. As detailed in the **Section 4.3**, the proposed development will comprise of 89 apartments including:

- 25% (22) of the total of apartments as studio/1 bedrooms;
- 45% (40) of the total of apartments as 2 bedrooms; and
- 30% (27) of the total apartments as 3 bedrooms.

The mix provided allows for the development to be occupied by a range of different cohorts, including families, couples and single persons. Further, a good variety of apartment types of differing layouts and sizes has been provided to cater for the changing needs and demands of these cohorts over time (refer to the Detailed Architectural Plans at **Appendix B**, which include the X for apartment layouts).

5% of residential accommodation GFA provided is proposed for the purposes of affordable housing, which will support future residents from lower socio-economic backgrounds. The development also provides a suitable amount of liveable and adaptable apartments, as per the relevant ADG considerations (refer to the ADG Compliance table at **Appendix O**). This further supports a varied range of community members that can occupy the development, regardless of their physical needs or abilities.

5.6 Heritage

A HIS has been prepared by NBRS at **Appendix G**. The Site is not identified under any EPI as a heritage item and is not located within a HCA. Some buildings on the Site, although not containing any heritage fabric or significance, are deemed worthy of adaptive reuse as part of the development. The history of these buildings, including their association with the industrial use of the Site, has been discussed at **Section 3.2.5**.

5.6.1 8 Fred Street

The site is in the vicinity of a heritage item located at 8 Fred Street, Lilyfield, which is listed under Schedule 5 of the IWLEP 2022 as a 'Timber Cottage' (item No. I1195). This heritage item will not be adversely impacted by the proposed development, given the considerable separation distances between the new building elements on the Site to the item, coupled with the width of Fred Street. Further, the height of the buildings proposed at the rear boundary fronting Fred Street have been deliberately reduced to 2 to 3 storeys, which better relates to the residential development within this part of the Site's surrounding context, which includes the local heritage item.

5.6.2 Callan Park

Callan Park is located opposite the site on Balmain Road to the Site's north and north-west, respectively. Callan Park is listed on the NSW State Heritage Register as no #00818 as *Callan Park Conservation Areas and Buildings* and is of State heritage significance. The development of the Site includes the introduction of through site links which will improve views to Callan Park. Given the siting and orientation of the Site and the proposed buildings, the development will not overshadow Callan Park or impact any significant views towards it; noting also that the development complies with the relevant height and FSR standards prescribed under the IWLEP 2022.

The overall bulk and scale of the proposal and its impact on Callan Park and 8 Fred Street is mitigated through suitable massing and design measures. This includes a staggering of building heights both in metres and storeys throughout the Site and setting back of the upper levels of the buildings from the Site's boundaries, including to the Balmain Road and Fred Street frontages. This considered approach ensures impacts to the surrounding heritage significant items/areas are negligible and reinforces their pre-eminence within their respective settings and streetscapes. The retention and adaptive approach to the design of the character buildings, including their relationship with new built elements, ensures their contribution to the Site and streetscape is maintained and reinforced by the development.

5.7 Tree Removal and Replacement

Despite the loss of existing mature vegetation, as detailed within **Section 4.4** and the AIA at **Appendix H** the development proposes extensive new tree planting and landscaping throughout the Site (refer to **Section 4.11** and the Landscape Plan at **Appendix E** for further details). This has resulted in a significant increase in total canopy cover from 2% to over 24% on the Site.

The proposed plantings are mostly native trees that are better suited to the Site and its local context. The landscaped and public domain areas proposed within the Site are densely vegetated and facilitate a high level of amenity for their future users, including the public. The various species of native trees, shrubbery and ground covers facilitate an appropriate amount of tree/plant coverage that provides for vegetated outdoor amenity. The existing London Plane trees (*Plantus Acerifolia*) will be replaced with an array of trees that are native to the area, which will significantly improve canopy cover and biodiversity outcomes. The development also provides for extensive landscaped areas, features and plantings throughout the Site; including in through the form green roofs, wall gardens and within proposed communal spaces.

5.8 Public Domain

As detailed in **Section 4.10** and within the Urban Design Report at **Appendix D**, the proposed site configuration facilitates future connections and integration with surrounding Sites, and the immediate and wider pedestrian network. This is in the form of new and generous public pedestrian links and spaces, including a new public square. As a result, the development is highly permeable and provides new and expanded open spaces for the public to use, access and enjoy. Given this, the development satisfies the relevant matters under Part B Connections of the LDCP 2013 (refer to LDCP 2013 Compliance Table at **Appendix BB**), as well as the key objectives in Council's strategic policies/plans, which are based upon connecting people to each other, as well as to place, art and promoting good health. In summary, the public domain provides for:

- The use of cobblestone paving and concrete throughout the through site links is proposed, which is reflective of the Site's industrial past and ensures the character buildings fronting Balmain Road are enhanced. Landscaping throughout the Site is proposed to be of the highest quality and the stone and concrete elements will be of a similar quality.
- The Nanny Goat Hill Distinctive Neighbourhood, of which the Site is located within, is maintained as a distinct employment precinct through the expansion of industrial uses on the lower levels. The new public domain links and spaces provided will ensure suitable access to the employment uses on the Site, to support their function and viability.
- Pedestrian through site links to all surrounding streets are proposed including to Balmain Road, Cecily Steet, Fred Street and Alberto Street. The Balmain Road/ Fred Street through site connection provides improved pedestrian and cyclist access for people living southeast of the development to Callan Park. The Fred Mews Link along the southern boundary of the Site provides a green, safe and additional pedestrian, public access between Fred Street and Alberto Street. The through site links promote improved accessibility to the future, permissible industrial and creative uses located within the podiums and character buildings, in addition to the existing commercial development located further along on Balmain Road. The through site link from Balmain Road creates a new view/vista of Callan Park from the Site that commences at the Fred Street, Site boundary.
- The proposed through site linkages encourage people to dwell, whilst providing open spaces that promote social interaction. The through site linkages lead to green spaces within the public domain of the development including Bakers Square, which is characterised by seating areas and native and introduced tree species that create an inviting green open space. The plantings proposed on the Site are equal to a 24.6% canopy coverage creating a ground plane that is highly vegetated.
- The Balmain Road frontage is characterised by widened footpaths, seating, bike racks and new large street trees. It also provides a new access to within the Site through to Fred Street via the Balmain Road/Fred Street through site link. The new landscaping at the building frontage has been designed with care to ensure the frontage of the development promotes activity and usage by the public and future residents.
- A diverse variety of native plant species and plant types that are indigenous to the area are proposed to be planted throughout the site, promoting biodiversity and a sense of history/connection.

Overall, the public domain of the proposed development fosters cohesive, connected and safe spaces that are responsive to needs of the community. They include spaces for leisure, interaction and recreation. The public domain is vibrant, promotes an active street frontage and encourages active transport through the incorporation of permeable and relatively level through site links.

5.9 Acoustic Impacts

A Noise Impact Assessment has been prepared by Acoustic Logic at **Appendix I**. It has considered the potential noise emissions of the development, as well as the internal acoustic amenity for future building occupants, having regard to future light industrial uses, traffic and aircraft noise respectively.

5.9.1 Operational Noise

As detailed in **Section 4.6.1**, specific tenants and uses have yet to be confirmed. However, the proposed future employment uses on the Site will be required to be permissible under Zone E4 prescribed by the IWLEP 2022. Given this, the Noise Impact Assessment has undertaken a conservative approach to its assessment of the potential uses that are likely to occupy the Site, which includes a mix of light industrial development, such as artisan food and drink industries and light industries used for creative purposes (including for artists or design studios for example).

As per the light industrial definition within the IWLEP 2022, light industrial uses by their nature do not interfere the amenity of their contexts, including by way of noise, as their operations are typically less machinery focused or intensive. As such, these types of uses are suitable to be located near and adjacent to residential uses. The Noise Impact Assessment has found that all future tenancies will have acceptable impacts on residential development, including within the Site and located on adjacent sites. This will be assured through the adoption of suitable design measures or operational procedures. These measures include provision of a minimum of 400mm thick concrete slabs immediately between light industrial and residential levels of the buildings, in addition to selected glazing and walls for key areas of the development. With respect to the thickness of the concrete slabs, the development as proposed provides 600mm instead of the minimum 400mm as recommended by the Noise Impact Assessment (refer to Detailed Architectural Plans at **Appendix B**), which will provide additional acoustic attenuation.

Specific measures were also recommended in the Noise Impact Assessment to mitigate potential noise impacts from vehicle movements and deliveries within the Site's ramped driveway and basement. This includes specific times for waste removal, measures for delivery vehicles including avoiding idling and ensuring the speed hump is not located on the ramp to the basement car park. Further, it was found all mechanical plant servicing future employment tenancies is capable of being satisfactorily attenuated to ensure compliance with the relevant noise emission criteria, through its appropriation location (if required) or standard acoustic treatments. It was noted that the detailed design of these measures typically occurs at Construction Certificate (CC) and will be subject to standard related conditions of consent.

5.9.2 Internal Noise Conditions

Having regard to external noise from aircraft and traffic movements, the Noise Impact Assessment (refer to **Appendix I**), outlines design standards for roofing, glazing and external and internal walls, with specific additional tailored measures proposed where necessary. Subject to compliance with these recommendations, the assessment concludes that the development will achieve an acceptable level of internal acoustic amenity in accordance with the requirements of the LDCP 2013, Transport and Infrastructure SEPP, AS 2017-2000 'Acoustics – Recommended design sound levels and reverberation times for building interiors' and Australian Standards (AS) 2021-2015 'Acoustics – Aircraft noise intrusion'. As described previously under **Section 5.9.1**, acceptable acoustic impacts for the future residents of the apartments will result, subject to the recommendations within the Noise Impact Assessment (**Appendix I**).

5.10 Transport and Traffic

A TIA has been prepared by PeopleTrans at **Appendix F** in support of the proposal. The TIA includes an analysis of the Site based on the most suitable trip generation rate in comparison to the rates provided by TfNSW Guide to Traffic and Generating Development 2002 for business parks which calculated a peak hour rate of 1.1 trips per 100m² GFA.

5.10.1 Traffic Generation

The existing development on the Site is estimated to generate a total of 66 trips during the weekdays AM, PM and Saturday peak hours, respectively. Based on the proposed development, PeopleTrans have estimated that traffic generation from the proposed development is expected to generate up to an additional 17 vehicles during the AM peak hours and an additional 14 vehicles during the PM and Saturday peak. This increase is primarily associated with the residential component of the development.

Balmain Road is a classified Road (State) and facilitates the movement of approximately 15,000 vehicles a day. Overall, the assessment indicates that the Site has the potential to generate 75 vehicle movements in the weekday AM peak hour and 72 vehicle movements in the weekday PM peak hour. The additional traffic generated by the proposed development is considered negligible and is not expected to cause detrimental impacts or compromise the safety or function of the surrounding road network.

5.10.2 Intersection Performance

The key intersections near the Site have been surveyed and modelled with the anticipated traffic from the proposed development. Overall, the TIA concluded that the surveyed intersections will continue to operate satisfactorily in all the peak periods.

The intersections surveyed, and their performance based on the proposed development, include:

- **Balmain Road/Cecily Street/ Park Road** – This intersection is expected to experience an increase in the 95th percentile queues from 71.4 metres to 73.4 metres in the AM and a decrease in the PM from 136.6 to 145.5.
- **Balmain Road/ Alberto Street** – This intersection is expected to experience an increase in 95th percentile queues from 3.4 metres to 5.2 metres in the AM and an increase from 3.1 metres to 6.2 metres in the PM.

The TIA indicates that both of the intersections are expected to operate well post the development. Moderate queuing is experienced on Balmain Road east and west approaches during the AM and Saturday peak hours at the Balmain Road/Cecily Street/Park Drive Intersection. Delays are expected from all approaches during the AM and PM weekday and Saturday peak hours following the proposed development.

Overall, PeopleTrans concluded that the additional traffic generated by the proposed development could not be expected to compromise the safety or function of the surrounding road network.

5.10.3 Site Access

Site access will be significantly improved for vehicles and pedestrians post development. The proposal consolidates the multiple vehicular accesses currently servicing the Site into a single access point off Alberto Street. This ensures a minimisation of the potential pedestrian and vehicle conflicts and increases the vehicle-free areas of public

All vehicles including resident, employment, waste management and larger delivery vehicles will be required to enter the development's two basement levels via the single driveway access ramp point on Alberto Street. The positioning of the driveway located away from Balmain Road has been strategically chosen to minimise traffic impacts and queuing.

Following the Site's development, pedestrian access within the immediate area will be considerably improved due to the proposed widened footpaths, that will connect and bind surrounding streets with the proposed through site linkages. The through site linkages create a permeable ground plane that encourages active transport for future residents, workers, visitors and the wider community.

5.10.4 Parking/Loading Provision, Layout and Design

As detailed in **Section 4.6.1**, specific tenants and uses have yet to be confirmed. However, the proposed future employment uses on the Site will be permissible under Zone E4 prescribed by the IWLEP 2022. Notwithstanding, the TIA has made conservative assumptions about the type of uses that will likely occupy the proposed tenancies, including a variety of light industrial uses. Given the nature of certain light industrial uses, including creative uses, such as media, advertising or design, which are more akin to 'office' development in terms of their function and operation, a sensible approach was taken to estimating their likely demand.

Rates under Part C within the LDCP 2013 were used to determine the requisite amount of parking spaces for the future employment uses, in addition to the residential apartments proposed. A total parking requirement of between 106 (min.) to 151 (max.) (including 9 visitor spaces) is to be adhered to by the development. The development complies within the maximum rate.

The TIA concluded that based on the design of the development, the proposed parking layout is generally consistent with the dimensional requirements as set out in the Australian/New Zealand Standard for Off Street Car Parking (AS/NZS2890.1:2004, AS2890.2-2018 and AS/NZS2890.6:2009).

The design, location and size of the loading facilities were deemed appropriate by the TIA, accommodating the largest sized vehicle expected to service the development. Bicycle parking provision and design for both employment and residential uses were deemed satisfactory, complying with the relevant LDCP 2013 provisions and Australian Standards.

Overall, the development was deemed suitable in terms of providing for its future parking, loading and servicing needs.

5.11 Social Impact

A Social Impact Statement (SIS) has been prepared by Ethos Urban in relation to the proposed development and is provided at **Appendix M**. The SIS was undertaken in accordance with the necessary requirement for SIS's provided in the LDCP 2013. It provides a detailed assessment against the relevant strategic policy context, as well as the local and social context of the Site, in addition to outlining the potential social impacts of the proposed development.

The SIS suggests mitigation measures to ensure that any potential adverse impacts of the proposed development are managed appropriately. The SIS found that the community profile of both the Primary Study Area (PSA) (within a 400-metre radius of the Site) and the Secondary Study Area (SSA) (the entire Inner West LGA) is characterised by mostly a middle-aged population of Australian background. The households in the Site's surrounds are mostly made up of families with significantly higher than average incomes, who reside within a diverse range of dwelling structures which are typically in their ownership or subject to a mortgage.

The SIS concludes that the proposed mixed-used development has been designed in response to the needs of the PSA and wider SSA and has taken into consideration the relevant the DCP provisions and policies of Council, as well as the identified strategic needs and projections for the area. The proposal provides for a mix of employment uses, including for creative purposes, and a range of differing apartment types. In addition, it provides affordable housing and an expansion of the public domain network, which aligns with Council's social priorities and strategic vision.

5.12 Waste Management

Waste Management Plans (WMP) both for the development's construction and operation phases has been prepared by Elephants Foot Consulting at **Appendix R** and **Appendix S**, respectively.

5.12.1 Construction and demolition waste management

A construction and demolition waste management assessment has been prepared by Elephants Foot Company at **Appendix S** and details how waste will be managed during the construction and demolition phases of the development.

Construction and Demolition Waste Management

The Construction Contractor will be responsible for implementing the related WMP and monitoring staff responsibilities to ensure compliance at all times. Elephants Foot Consulting suggests that an Environmental Management Representative (EMR) be appointed to further implement compliance. Waste generated during the demolition and construction stage of the development will be managed by the principal contractors and sub-contractors, with materials being recycled or reused wherever possible.

Construction and demolition materials removed from site will be managed in accordance with the provisions of current legislation and may include segregation by material type classification in accordance with NSW EPA (2014) Waste Classification Guidelines. Part 1: Classifying Waste and disposal at facilities appropriate licenced to receive the particular materials.

5.12.2 Residential uses

The WMP details the key waste management requirements for the residential component of the proposal, which satisfy the relevant LDCP 2013 requirements and are inclusive of the following:

- General waste is recommended to be collected 1 x weekly.
- Recycling is recommended to be collected 1 x weekly.
- On the selected collection day, the building caretaker will be responsible for transferring the 660L and 240L MGBs to the residential waste room off the loading bay located on Basement level 1 via the goods lift.
- On the recycling collection day, the caretaker will be responsible for transporting the 240L MGBs to the loading bay on basement level 1 via the goods lift.
- A Council collection vehicle will access the site via Alberto Street and access the loading bay on basement level 1.
- Residents of buildings A, B and C will be provided with a communal waste room on basement Level 2, which is required to contain 660L MGBs for waste and 240L MGBs for recycling.

- Residents of buildings D, E and F will be provided with communal waste rooms on basement level 2 which contain 240L MGBs for waste and recycling.
- During operation, the building manager is responsible to maintain the number of bins required for the residential component of the development.
- Residential common areas such as lobbies and circulation areas are required to be suitably provided with waste and recycling bins, which should be placed in convenient locations and must be monitored by the building manager.

5.12.3 Light industrial

As detailed in **Section 4.6.1**, specific tenants and uses have yet to be confirmed. However, the proposed future employment uses on the Site will be required to be permissible under Zone E4 prescribed by the IWLEP 2022. Given this, the related WMP has taken a conservative approach to waste generation estimates and measures. In summary, it has been found that the development can accommodate its expected future demand from employment uses and accord with the LDCP 2013.

The WMP details the key waste management requirements for the employment component of the proposal, which is inclusive of the following:

- General waste: 5 x 1100L MGBs will be collected 3 x weekly.
- Cardboard, paper recyclables: 1 x 1100L MGBs will be collected 3 x weekly.
- Commingled Recyclables: 1 x 1100L MGBs will be collected 3 x weekly.
- At the end of each trading day, staff or contracted cleaners will utilise the lifts to transport all general waste and recyclables to the waste collection room and place the waste in their relevant bins.

On the waste collection day, a private waste collection vehicle will enter the site from Alberto Street and park in the loading bay on basement level 1 to collect the waste.

5.13 Water Cycle Management

5.13.1 Flood Management

A Flood Risk Management Report (FRMR) has been prepared by Xavier Knight at **Appendix Q**. It assesses the existing flood conditions and considers the impacts and suitability of the proposed development from a flood management perspective. The FRMR details a flood evacuation plan and a flood emergency response strategy and has been informed by the relevant flooding requirements under the LDCP 2013.

As part of the preparation of the FRMR, a Flood Certificate was obtained from Council, which identified that the Site is unaffected by the 1% flood event. However, it determined that the Site is affected by the PMF event. It was found the highest elevation on the Site is located at its western corner (at the corner of Balmain Road and Alberto Street), at RL 35.07. The lowest point of the Site was identified as being at its southern corner along Alberto Street frontage, at a height of RL 31.58.

The 1% ARI flood planning level was conservatively estimated at RL 31.5 at the gutter approximately 3.8 metres from the Site's boundaries. From this, the Flooding Planning Level was determined to be RL 32.00. It was also identified that the road level adjacent to the Site's vehicular entry that provides access to the basement, is approximately RL 33.00, which is above the Flood Planning Level. The RLs around the ground plane and within the proposed ground floor of the buildings are above RL 33.

An accompanying Flooding Emergency Response Strategy (FERS) was included within the FRMR and includes measures and actions to ensure the safety of the development during a flood event. Subject to adherence with the FRMR, including its FERS, the development is considered acceptable from a flood management and safety perspective.

5.13.2 Stormwater Management

A Civil Engineering Design Report has been prepared by Xavier Knight at **Appendix Y**. It includes suitable measures to manage the impacts of stormwater post development. This includes the provision of on-site detention (OSD) in accordance with the LDCP 2013, as well as water sensitive urban design (WSUD) measures, such as:

- **Rainwater tanks:** A single underground rainwater tank is provided onsite. All non-trafficable roof rainwater should be routed to this tank and be made available for reuse within the Site.
- **Gross Pollutant Trap:** A stormsack pit insert has been proposed as part of the development.
- **Tertiary treatment filter cartridges:** Tertiary treatment filter cartridges have been integrated within the OSD tank. Some of the site area has been designed to bypass the OSD water quality treatment train devices but will be captured and created by an additional WSUD chamber downstream of the OSD prior to its discharge to Council drainage network.

In accordance the relevant LDCP 2013 stormwater related provisions, the following performance criteria have been adopted within the design:

- 85% reduction in total suspended solids (TSS).
- 65% reduction in total phosphorus (TP).
- 45% reduction in total nitrogen (TN).
- 90% reduction in gross pollutants (size >5mm).

5.14 Environmentally Sustainable Development

The Urban Design Report by CHROFI at **Appendix D** includes high level sustainability measures for the development, including:

- Maximising the use of existing materials.
- Eliminating the use of gas for residential uses.
- Design climate responsive spaces.
- Minimise pedestrian exposure to at grade parking areas.
- Provision of green roofs and a vegetated public realm to mitigate the urban heat island effect.
- Enabling flexibility of design to enable the adaptive reuse of buildings where possible in the future.
- Design spaces that encourage social and community interaction.
- Provide pedestrian routes to support active transport, including cycling.
- Provide accessible spaces for all members of the community that caters to their needs.

As reflected in the Detailed Architectural Plans at **Appendix B**, the design of the development adopts the above measures. Ultimately, the development outcome proposed will be highly sustainable, providing new pedestrian links/spaces, landscaping/deep soil, adaptive reuse of existing buildings and a flexible approach to tenancy and apartment design that caters to the needs of all uses.

5.15 Accessibility

Credwell has prepared an Access Report which is provided at **Appendix T**. It assesses if the design of the proposal is equivalent to or exceeds the principles of the universal access considering all user groups and members of the public, visitors and staff for sensory impairment, mobility impairments and dexterity impairments.

The Access Report confirms that the proposed development will be capable of compliance with the accessibility requirements subject to detailed design at the CC stage. The proposed development is compliant or capable or complying with the following:

- All relevant clauses of the National Construction Code 2019 Volume 1 (BCA) relating to the provision of access for people with a disability.
- Objective 4Q-1 of the ADG.
- The LHGD (Liveable Housing Design Guidelines)- Silver Level.
- The adaptable housing requirements of the draft Site Specific DCP.
- Associated standards by the BCA including AS 1428.1-2009, AS 1428.4.1-2009, AS 2890.6-2009 and AS 4299-1995.

5.16 Ground Conditions

Douglas Partners have undertaken a Geotechnical Investigation, which is provided at **Appendix K**, to determine the suitability of the Site for the proposed development and identify any specific requirements for construction management and building design.

5.16.1 Groundwater

The Geotechnical Investigation by Douglas Partners finds that free ground water was not observed during auger drilling across installed sandpipes which were screened within the underlying rock. Groundwater chemistry measurements indicate that the water has similar properties in BH1 (bore holes) and BH142 compared with BH2 and BH3 with sandstone sourced groundwater being acidic (pH 4).

The potential groundwater inflows from faulted zones within the rock may increase seepage volumes. Douglas Partners suggests that monitoring of flow during the early phases of excavation be undertaken in order to assess the long-term pumping requirements. Pumps may also be needed to remove seepage from any bored excavations prior to placement of concrete.

The investigation found that under floor drainage will be necessary to safeguard against uplift pressures if the slabs are designed for drained conditions. A 100mm thick, durable open graded crushed rock with subsurface drains and sumps would be appropriate.

The groundwater observations and ground composition found during the investigations that given the existing presence of shallow basement excavations at neighbouring development at a lower elevation to the south, the groundwater drawdown effects to surrounding properties are likely to be negligible.

5.16.2 Foundations

The Geotechnical Investigation considered that medium or high strength sandstone is usually expected to be encountered at the bulk excavation level over majority of the Site. Spread footings are deemed to be suitable for within a uniform stratum for class 2 sandstone. Spread footings should be suitable for supporting the proposed building loads over most of the excavation footprint, however, foundations in the southern part of the Site may need to be taken deeper through the soil and weaker rock layers to the underlying stronger sandstone.

It is recommended that an experienced geotechnical engineer should inspect all pile excavations and spread the footings prior to the placement of concrete and steel. Maximum allowable bearing pressures, shaft adhesions and modulus values for the range of rock encountered in boreholes for the proposed development is recommended. The details are provided in the Geotechnical Investigation at **Appendix K**.

5.16.3 Contamination

Douglas Partners have prepared a Detailed Site Investigation (DSI), which is provided **Appendix L**. In addition, they have also prepared an associated Remedial Action Plan (RAP), which is provided at **Appendix CC**.

Given the Site's industrial history, an assessment was undertaken to determine the suitability of the site for the proposed development in accordance with the requirements the Resilience and Hazard SEPP.

The investigations confirmed some areas of potential environmental concern in relation to the presence of some residual hydrocarbon contamination that remains in groundwater. Douglas Partners have indicated that the potential source of these contaminants could be UST's (including those with records of containing mineral spirits and any additional USTs encountered during demolition/remediation/ earthworks or contaminated fill sourced from an unknown off-site source).

Given the presence of these contaminants, the report recommends the preparation and implementation of the RAP (refer to **Appendix CC**), as per the detailed recommendations in the DSI (refer to **Appendix L**). Subject to the implementation of the RAP, it was found the Site can be made suitable in accordance with Clause 4.6(1)(c) of the Resilience and Hazard SEPP, for the purpose of which is to be carried out, including for residential and light industrial uses.

5.16.4 Acid Sulfate Soils

Despite the identification within IWLEP 2022 mapping that the Site is affected by Class 5 Acid Sulfate Soils, the Geotechnical Investigation by Douglas Partners at **Appendix K**, concludes that the Site is not within or close to an area where they are known or expected to occur.

5.16.5 Vibration Control and Dilapidation Survey

The Geotechnical Investigation at **Appendix K** outlines that excavation works will likely cause noise and vibration. Vibration trials are recommended during the initial excavation of rock to verify vibration levels and the effects of the chosen excavation method.

Douglas Partners recommends that a dilapidation survey be carried out on adjacent properties prior to the commencement of works.

5.17 Building Code Australia Compliance

A BCA Capability Statement was prepared by Code Consultancy Group and is provided at **Appendix W**. As detailed in **Section 4.6.1**, specific tenants and uses have yet to be confirmed. However, the proposed future employment uses on the Site will be required to be permissible under Zone E4 prescribed by the IWLEP 2022. Notwithstanding, the BCA Capability Statement has provided an assessment against a range of likely permissible employment uses that will occupy the Site in the future.

The BCA Capability Statement confirms that the development is largely consistent with the Deemed to Satisfy provisions of the code. Its assessment is based on the Guide to the National Construction Code 2019, Amendment 1, Building Code of Australia and the National Construction Code (Volume 1).

The compliance with the National Construction Code will be achieved through a combination of Performance Solutions and Deemed to Satisfy Solutions which are detailed in the BCA Capability Statement at **Appendix W**.

5.18 Fire Safety

Minerva has prepared a Fire Engineering Letter of Support at **Appendix X**. It has assessed the capability of the development to satisfy the performance requirements of the BCA in relation to fire safety and engineering. The fire safety of the building will be developed to meet the BCA through the process set by the Australian Fire engineering Guidelines. Based on the review conducted by Minerva, it is concluded that there are no significant fire safety design issues that would prevent the issues of development approval for the project and satisfaction of necessary fire safety requirements at CC stage.

5.19 Suitability of the site for the development

The site is suitable for the proposed development for the following reasons:

- The Site has been specifically identified in earlier strategic planning, culminating in approval of the Planning Proposal by the Sydney Eastern City Planning Panel in 2020 and subsequently gazettal of Amendment 18 to the Leichhardt LEP 2013 (in 2021 (and carried over to the IWLEP 2022), for employment and residential uses of the nature and scale proposed in this DA.
- The Site enjoys a high level of amenity for future workers and residents, including immediate proximity to Callan Park, close access to future parklands at Rozelle Interchange, and is within walking distance of frequent public transport routes.
- The local road network and key intersections have been assessed as being able to accommodate the proposed traffic volumes that will be generated by the development, without adverse impact on performance or safety on the surrounding community or future residents.
- The Site will have access to all necessary utilities and services to accommodate the demand generated by the proposed development.
- The site is sufficiently sized to allow development to provide a sensitive design response which distributes density in the most suitable locations, facilitates retention and adaptive reuse of existing character buildings, and provides opportunities to facilitate new through-site pedestrian connections.
- The proposal will not result in any unacceptable environmental impacts for surrounding properties.

5.20 Public Interest

The proposed development is in the public interest for the following reasons:

- The proposed development will provide a diverse range of high-quality residential apartments of varying sizes and configurations. It will also provide 5% of its proposed residential accommodation GFA as affordable housing, which will support the housing needs of the community.
- The design and orientation of the buildings ensure that the development maximises amenity for future and surrounding occupiers. The height, massing and modulation of the development is highly resolved, and will contribute positively to the Site's context.
- The proposal seeks to revitalise an existing underutilised, but well located Site, through the provision of high quality and fit for purpose employment tenancies, that will support future permissible light industrial uses, including for creative purposes.
- The requirement to provide a SSDCP for the development in accordance with Clause 6.25(3) and (4) of the IWLEP 2022 is satisfied by this DA in accordance with Sections 4.22 and 4.23 of the EP&A Act. The Concept Proposal is ground in detailed Design Guidelines, which approval is also sought for, and which align with the requirements that are required to be addressed within a SSDCP under Clause 6.25(4).
- The development provides for an expanded and embellished public realm, through the provision of generous through site links and a new public square. The public domain enhancement and provision will foster community and encourage social interaction between residents, workers, visitors and the public.
- The development provides for the appropriate adaptive reuse of existing character buildings that reflect the Site's history and make a positive contribution to its context. In this regard, the proposed new built form is respectful of the retention of the character buildings, and as such, has been skilfully and appropriately designed in response.
- The redevelopment of the Site will benefit the wider Lilyfield community by creating a communal hub and meeting place that encourages people to gather, linger and spend time in several new public spaces that provide a high level of amenity.
- The proposal responds to the desired future character of the area, as encouraged by the IWLEP 2022. It provides an appropriate and gradual transition in height and density toward, lower scaled residential development at the Site's south and south-eastern boundaries.
- The proposed development has been designed in response to, and accords with, the relevant EPs, policies and plans, including the IWLEP 2022, LDCP 2013, and various SEPPs, including SEPP 65 and its associated ADG.

6.0 Conclusion

Planning for the redevelopment of this site for employment and residential uses has been in progress since 2016, when a Planning Proposal was first submitted by the Proponent. In 2021, the gazettal of the LEP Amendment brought into effect new planning controls which promote a mixed use development outcome with new maximum building heights, floor space ratio and site-specific requirements for affordable housing and creative uses. Whilst a site-specific DCP was submitted to Council at the time of the Planning Proposal, this has not yet been adopted by Council.

This DA seeks to satisfy the IWLEP 2022 requirement for a site-specific DCP, pursuant to Section 4.23 of the EP&A Act, and seeks consent for the detailed design and construction of the new mixed-use development which will facilitate the delivery of 89 apartments (5% affordable rental housing) and 6,000m² of employment and creative use floorspace. The high-quality architectural design by CHROFI and public domain and landscape design by Place Design Group demonstrate an outcome that achieves the intent and requirements of the LEP Amendment and demonstrates design excellence.

The proposal responds sensitively to key interfaces with adjoining residential development, including improved a transitional scale towards Fred Street compared to the reference scheme presented with the Planning Proposal, and presents an active frontage to Balmain Road which showcases the employment uses and adaptively-reused character buildings.

The site is suitable for the proposed development, with the former LLEP 2013, now the IWLEP 2022, being recently amended to allow such a development, and it is overwhelmingly in the public interest for the proposed development to proceed. Accordingly, the consent authority may be satisfied that this DA satisfactorily addresses all relevant considerations under section 4.15(1) of the *Environmental Planning and Assessment Act 1979*, and accordingly, it should be approved.