AUBURN CITY COUNCIL

To the Joint Regional Planning Panel

Director's Report
Planning and Environment
Department

307/11 (Block D) 41-45 Hill Road, Wentworth Point

DA-308/2010 GF : CC

SUMMARY

Applicant	SHD Services Pty Limited
Owner	SH Homebush Peninsula Pty Limited and Henlia No. 11 Pty Limited
Application No.	DA-308/2010
Description of Land	Lot 9 DP 776611, 41-45 Hill Road, WENTWORTH POINT
Proposed Development	Construction of 4 to 8 storey residential flat building consisting of 138 apartments above 2 levels of basement car parking with associated landscaping and drainage works - Integrated Development (Water Management Act 2000) (Block D)
Site Area	6,568m^2
Zoning	Sydney Regional Environmental Plan (Deferred matter under Auburn LEP 2010)
Disclosure of political donations and gifts	Nil disclosure

RECOMMENDATION

That Development Application No. DA-308/2010 for construction of 4 to 8 storey residential flat building consisting of 138 apartments above 2 levels of basement car parking with associated landscaping and drainage works – Integrated Development (Water Management Act 2000) (Block D) on land at 41-45 Hill Road, Wentworth Point be recommended for deferred commencement approval subject to the following 'deferred commencement' conditions which must be satisfied before consent can operate:

DC1. Development consent must be granted to the public domain works, which include the local road network over Lot 9 necessary to achieve vehicle access, as proposed under DA-462/2010 or any other subsequent development application or modification for these works.

DC2. Development consent must be granted for Torrens Title Subdivision of Lot 9 into 5 smaller Lots, as proposed under DA-109/2011 or any other subsequent development application or modification for these works.

DC3. Development consent must be granted to the residential flat building known as Block C within Lot 9, as proposed under DA-309/2010 or any other subsequent development application or modification for these works to ensure access is provided.

DC4 That evidence of registration of the covenant stating that the total floor space in Precinct F shall not exceed 227,484m^2 (i.e. 236,842m^2 (total floor space for Precinct F) – 8994m^2 (floor space transferred from Precinct F to Precinct C)) shall be provided to the Council.

REPORT

Consultations

The subject development application DA-308/2010 was lodged on 6 August 2010. Following a detailed assessment of the proposal a number of issues were identified regarding access to the site and compliance with the State Environmental Planning Policy No. 65 and associated Residential Flat Design Code and the Homebush Bay West Development Control Plan.

A briefing session was held between Council staff and the members of the Joint Regional Planning Panel – Sydney West on 21 October 2010.

Issues that were identified included vehicular access to the site, proposed building configuration, contamination and minor SEPP 65 and Homebush Bay West non compliances and other issues such as parking and stormwater drainage. These issues were raised with the applicant at a meeting on 28 October 2010 and provided in writing by letter dated 17 November 2010.

A formal response to the above correspondence was received by Council on 24 December 2010. The submission provided a new revision of plans overlaying the Concept plan approval envelope over onto the subject plan. The submission also included additional information regarding contamination and justifications for variations in regards to non compliances identified in the letter.

On 8 February 2011, Council advised the applicant that the issue of vehicular access to the site has not been satisfactorily resolved and as such a report will be prepared for the Joint Regional Planning Panel recommending refusal of the development application. The applicant was also given the option to withdraw the development applications being for Blocks A – D.

On 2 March 2011, meeting held between Council officers and the applicant to discuss access arrangements. The applicant also indicated their intention to withdraw development applications for Block A and Block B (sites closest to Hill Road) in order to provide access within Lot 9 to proposed Block C and to the subject development being Block D. A further issue was that a new subdivision application for Lot 9 shall be lodged to Council and public domain works application for Lot 9 currently being assessed by Council under (DA-462/2010) will be amended to reflect proposed access arrangement. (**NOTE:** *access arrangement is discussed later in the report*).

It is noted that the development applications for Block A and Block B were withdrawn by the applicant on 9 March 2011. The application for public domain works has been revised accordingly and currently under assessment by Council and the new application for subdivision works have been lodged (DA-109/2011) and also currently under assessment by Council.

On 29 March 2011, the applicant was advised by Council via email of additional issues to be addressed particularly in relation to the submission of revised plans demonstrating that the Block D design is 'generally consistent' with the Concept Plan approval.

On 12 April 2011 the applicant submitted amended plans and additional information/justifications to address all issues raised in Council's previous letters.

Following further discussion between the applicant and Council officers, the applicant provided amended plans and updated schedules for apartment amenity on 7 July 2011. The amended plan improved the proposal's performance in relation to the relevant planning control and they form the basis of this report.

On 17 October 2011 the applicant submitted a draft Deed and additional information regarding transferable floor space calculations.

History/Associated Applications

Wentworth Point and Subject site

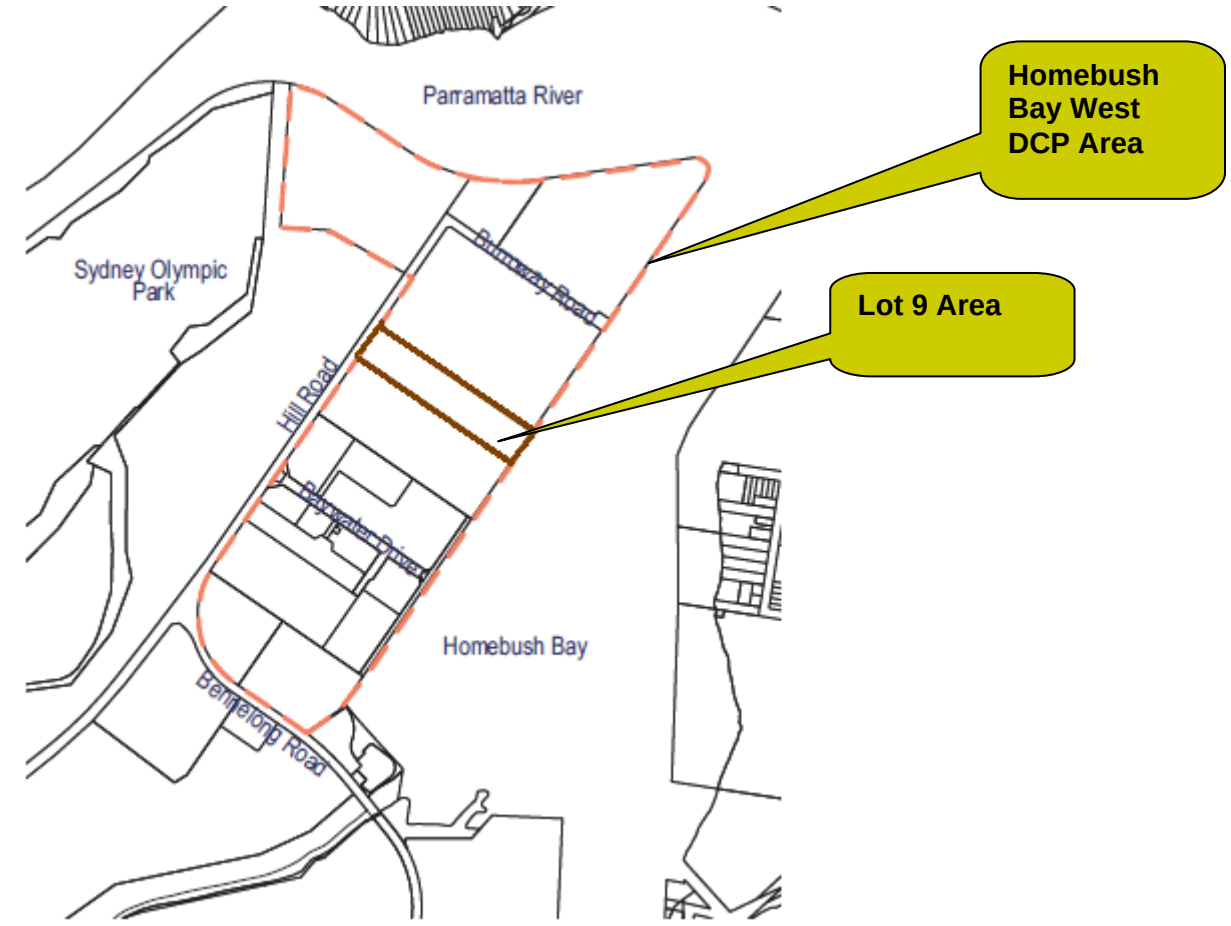
There are a number of historic approvals in the locality made by NSW Department of Infrastructure, Planning and Natural Resources, prior to consent authority status for the Homebush Bay peninsula being returned back to Auburn City Council.

The Wentworth Point area is an area undergoing significant redevelopment. Much of the peninsular is reclaimed land historically used for industrial uses. The 1999 Homebush Bay Development Control Plan established a broad direction for the urban structure and design controls which identified the site as suitable for residential and commercial uses.

After the staging of the 2000 Olympic Games, to secure the peninsula's continued development the Department of Planning reviewed the plan and subsequently adopted the Homebush Bay West Development Control Plan 2004.

All of Wentworth Point is subject to the *Homebush Bay West Development Control Plan*, however the subject development site is subject to an additional site specific Development Control Plan called the *Lot 9 Concept Plan* approved by the Department of Planning. The hierarchy is outlined in the diagram below:

(Block D) 41-45 Hill Road, Wentworth Point (cont'd)



The Lot 9 Concept plan approval sets out a structural design framework to guide development of four buildings for residential use across the site. This subject proposal represents the first "block" to be constructed in accordance with the plan being located adjacent to the foreshore.

Within the Lot 9 site area a number of related applications relevant to the subject development application are discussed below:-

MP No 06_0098

Concept Plan approved by the Minister for Planning for entire Lot 9 (Precinct C) in January 2008 to carry out residential development comprising around 685 dwellings in a mix of 1 bedroom, 2 bedroom and 3 bedrooms with a maximum 50,424sqm of floor space (i.e. maximum floor space ratio of 1.58:1). The approval also includes maximum building heights, public domain and foreshore works and pocket park. The approval for the Precinct relies on access being provided by adjoining properties.

In this regards, the provisions that applies under "*Special provisions in relation to development subject to concept plans*" in Schedule 6A Transitional arrangements – repeal of Part 3A, of the Environmental Planning and Assessment Act 1979, have been considered in the assessment of the application.

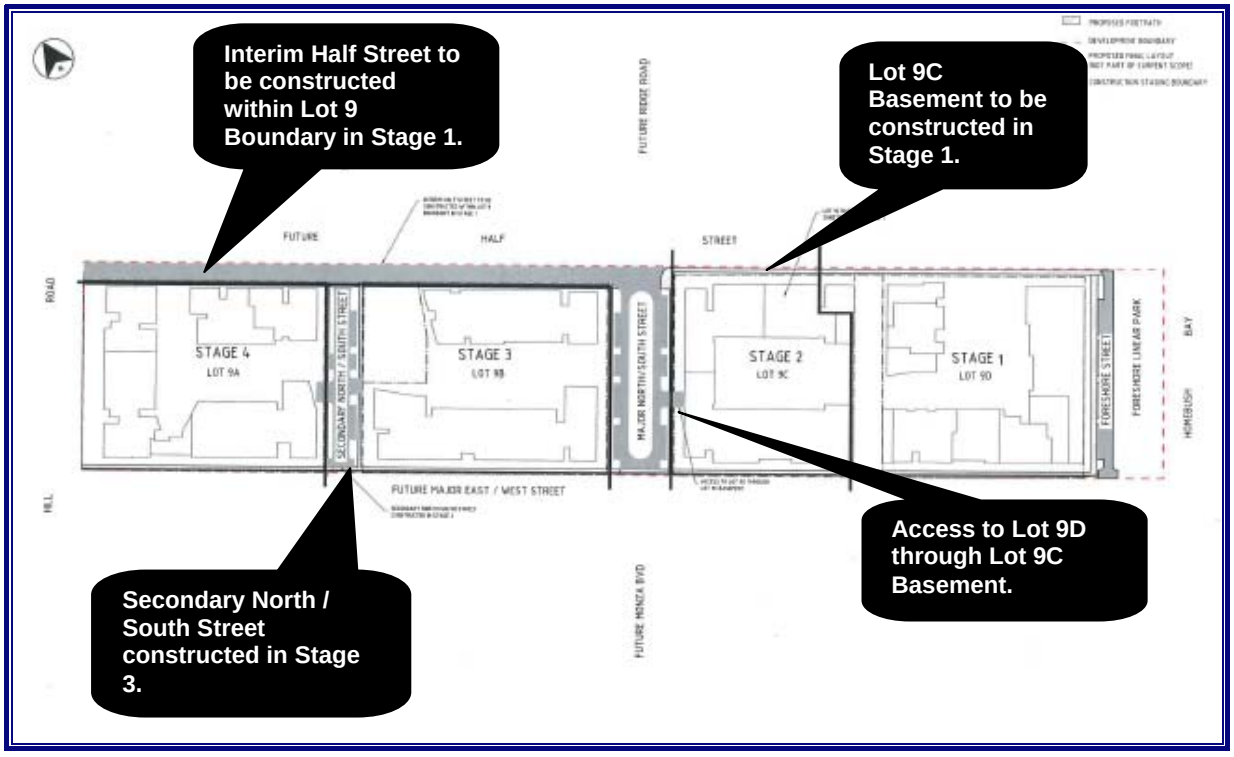
DA-235/2010 -: 41-45 Hill Road, Wentworth Point – Demolition

Development application for Demolition of the existing structures, importation of landfill and turfing of site with associated works including construction of retaining wall and fencing was approved by Council on 27 September 2010.

DA-462/2010 -: 41-45 Hill Road, Wentworth Point – Infrastructure

Development application for civil infrastructure works across Lot 9 which will comprise, roads (road works), footpaths, stormwater drainage and utility service infrastructure. The development application also includes landscaping of the public domain area across Lot 9. This application is currently under assessment by Council and is referred to in the deferred commencement conditions above as being required to be approved prior to any Construction Certificate being issued for the subject site. This consent will ensure that development consent exists for the works necessary to provide vehicle access to Block D. (*it is noted that works associated with DA-462/2010 are to be carried out in stages).*

SEE "indicative" staging plan below.



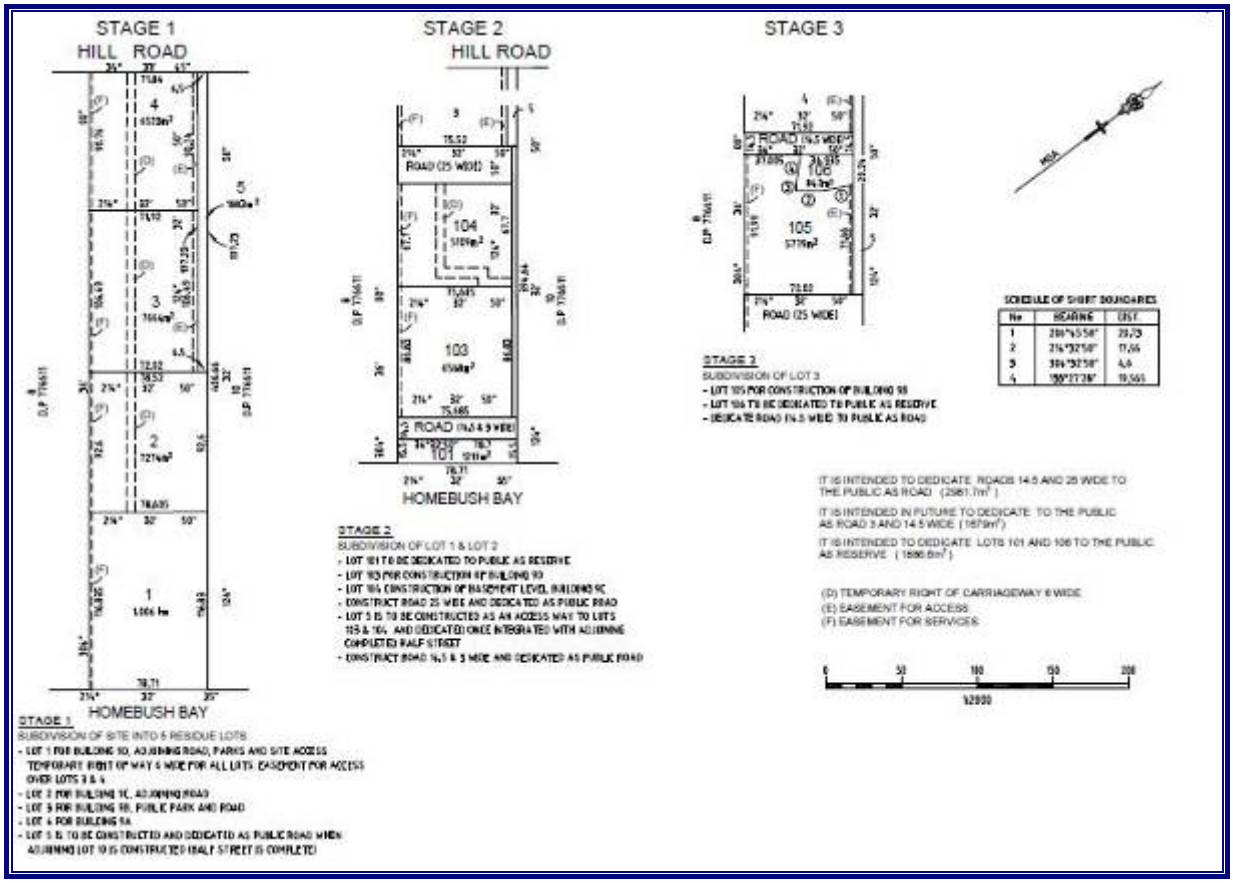
DA-109/2011 -: 41-45 Hill Road, Wentworth Point – Subdivision

Development application for Torrens Title subdivision of Lot 9 into five smaller allotments of varying sizes. The development application and subdivision plans propose to create the subdivision pattern and concept road layout but does not include the civil engineering works. This application is currently under assessment by Council and is also necessary for the subject application to ensure access to Block D during construction via the temporary right of carriageway and to ensure that those works required to ensure access to Block D are actually constructed prior to Block D being certified as suitable for occupation. It is noted that the subdivision is to be carried out in stages as follows:

- The subdivision certificate for Stage 1 to be released without the need for any physical works to be completed or utility services extended.

- The subdivision certificates for Stages 2 and 3 to be contingent upon the completion of the civil works. The works are the subject of development application 462/2010.

SEE "indicative" staging plan below.



DA-309/2010 -: Block C 41-45 Hill Road, Wentworth Point – Residential flat building

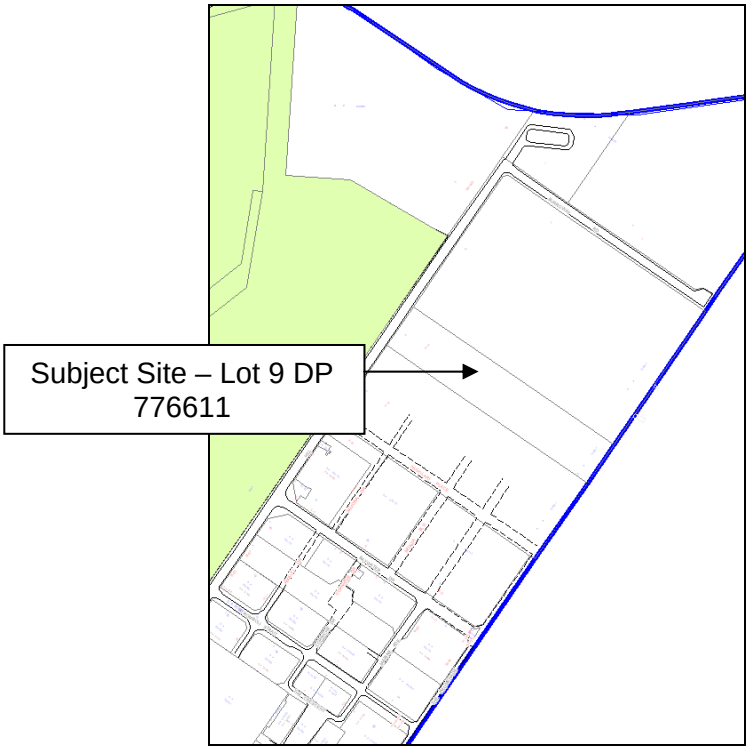
Development application for Construction of 4 to 8 storey residential flat building consisting of 148 apartments above 2 levels of basement car parking with associated landscaping and drainage works (Block C). This application is concurrently put up for determination by the Joint Regional Planning Panel and is referred to in the deferred commencement conditions above as being required to be approved prior to any development approval for the subject site. This consent will ensure that development consent exists for the works necessary to provide vehicle access to Block D.

Site and Locality Description

The subject site is identified as Lot 9 DP 776611 and is known as 41-45 Hill Road, Wentworth Point (formerly Homebush Bay). The site is located on the eastern side of Hill Road, between intersections with Burroway Road to the north and Baywater Drive to the

south. The site has dimensions of 78.34 metres to 78.71 metres (width) by 406.66 metres to 406.685 metres (depth) and a total area of 31,930sqm. It is noted that demolition works are currently being undertaken on site pursuant to Council's approval granted under DA-235/2010. There is a gentle slope in the land from west to east (waterfront).

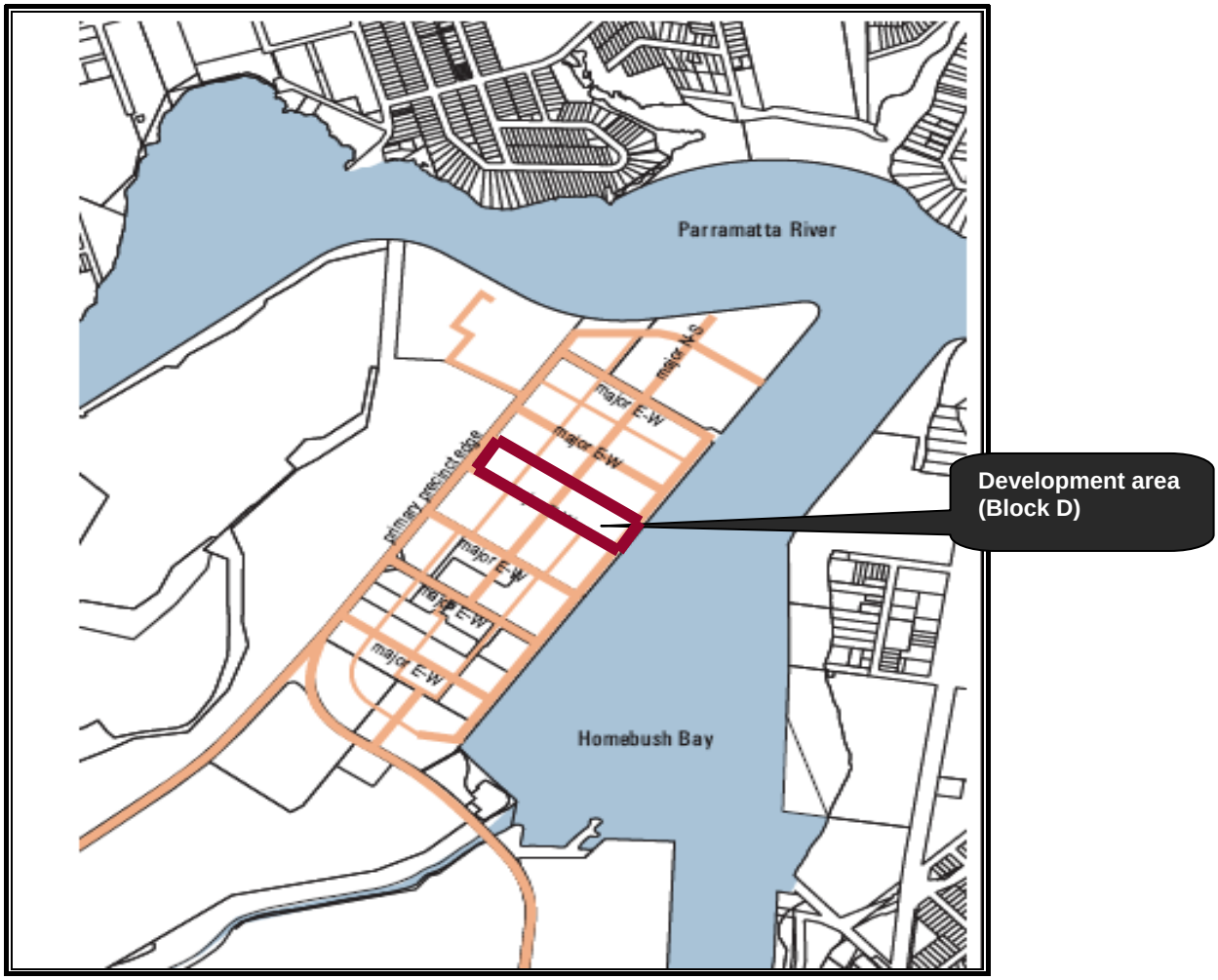
The site is identified on the map below.



The development area to which this proposal relates is referred to as Block D within Lot 9, with a site area of 6568sqm and a frontage of 76.68m to the Homebush Bay foreshore. It is adjoined by Lots 10 and 8 to the north and south respectively and proposed Block C within Lot 9, to the west.

Block D is identified on the map below.

(Block D) 41-45 Hill Road, Wentworth Point (cont'd)



Surrounding development consists of a mixture of industrial and residential developments of varying scale, form and age. Adjoining the site to the north is an industrial site featuring several buildings of varying scale and form. Development consent was granted on 3 September 2010 under (DA-111/2010) for redevelopment of part of the site for high density residential purposes. Adjoining to the south is a large industrial building on a site which is earmarked for the construction of new roads associated with the future redevelopment for high density residential purposes. Adjoining to the east and west are Homebush Bay and (across Hill Road) the Millennium Parklands of Sydney Olympic Park, respectively.

In the wider locality there are various industrial operations and the ferry terminal located to the north, while to the south the precinct has undergone transition from industrial to residential and features several large residential flat buildings which are consistent with the planning intentions for the future character of the locality.

Access to Lot 9

As noted earlier in the report, concern was raised by Council regarding access to the premises given that the Concept plan approval for the site required the applicant to submit a staging plan that addresses access during construction and occupation of the site as well as an agreement between the proponents and the owners of the adjoining site (Lot 10). This is particularly important given that the proposal, as originally proposed (for Blocks A – D) relied on the adjoining one way Half Street (within Lot 10) yet to be constructed.

The applicant has subsequently revised access arrangement to Lot 9 and particularly to Block D by withdrawing the applications for Blocks A and B and proposing the construction of two-way "Interim Half Street" within Lot 9 thereby replacing the need to rely upon the construction of Half Street on adjoining Lot 10.

Vehicle access to Block D is to be achieved as follows:

- Lot 9 will be subdivided into 5 allotments. Lots 1- 4 will support the 4 residential flat buildings, being Blocks 9A – 9D. Lot 5 will be used for access. This subdivision arrangement is reflected in DA-109/2011 (see indicative plan above under History/Associated Applications);

  The subdivision is to be completed in 3 Stages which reflect the progressive construction of the 4 residential developments and associated services, infrastructure and public amenities. All of those elements are, or in the case of residential Blocks 9A and 9B will be, the subject of separate development applications.

  Stage 1 of the subdivision is to create the 5 lots noted above, and will not involve the need to construct any works as stage 1 includes a Right of Way over Lots 2, 3 and 4 to allow for internal access to all lots.

  All site works are to occur in conjunction with stages 2 and 3 of the subdivision. These works are also linked with the sequencing of the construction of residential Block 9D and 9C - as set out below.

- Within Lot 5, a two way 6m wide road will be constructed, between Hill Road and the proposed major north-south Street. This road is referred to as 'Interim Half Street';

- Access to Block 9D from Hill Road will be achieved via 'Interim Half Street', the new major north-south Street and through the basement of Block 9C.

- Should the construction of Half Street on adjoining Lot 10 proceed in the future, then 'Interim Half Street' will be reconfigured and incorporated into that road as either landscaping/footpath, an additional lane to Half Street, or other options to be agreed between Council and relevant land owners.

In order for this arrangement to be implemented it is necessary to rely upon the registration of stage 2 of the Lot 9 subdivision, and the completion of certain elements of the works which are included in other associated Lot 9 applications being:

- DA 309/2010 for Block 9C; and
- DA 462/2010 for the civil and public domain works.

However, as those elements of DA-309/2010 and DA-462/2010 do not form part of the scope of works for Block 9D, a mechanism to link all of these matters is required. In this respect, it is recommended that Block D be granted "Deferred Commencement" approval with the following matters needing to be satisfied before the consent can operate:

DC1. Development consent must be granted to the public domain works, which include the local road network over Lot 9 necessary to achieve vehicle access, as proposed

under DA-462/2010 or any other subsequent development application or modification for these works.

DC2. Development consent must be granted for Torrens Title Subdivision of Lot 9 into 5 smaller Lots, as proposed under DA-109/2011 or any other subsequent development application or modification for these works.

DC3. Development consent must be granted to the residential flat building known as Block C within Lot 9, as proposed under DA-309/2010 or any other subsequent development application or modification for these works to ensure access is provided.

These conditions would ensure that development consent exists for the works necessary to provide vehicle access to Block D. The access plan as proposed ensures access to Block D during construction via the 6m proposed temporary Right of Carriageway of Stage 1 of the proposed subdivision application under DA-109/2011.

To ensure that the works above are actually constructed prior to Block D being certified as suitable for occupation, it is recommended that the following conditions be included in the consent for Block D if the application is to be approved:

- *Before any Occupation Certificate can be issued for Block D, the following matters must be completed:*

  i. *Registration of Stage 2 of the subdivision approved with DA-109/2011 (or any other subsequent DA for these works) including the required Right of Way over proposed Lot 104;*
  ii. *Issue of a compliance certificate, to the satisfaction of the Principal Certifying Authority, confirming that the works in Stage 1 of DA-309/2010 (Block C) have been completed;*
  iii. *Issue of a compliance certificate, to the satisfaction of the Principal Certifying Authority, confirming that the required components of DA-462/2010 (Civil infrastructure and public domain works) necessary to provide vehicle access from Hill Road to Block D have been completed.*
  iv. *Issue of a compliance certificate to the satisfaction of the Principal Certifying Authority, confirming that the Foreshore Street adjacent to the Foreshore Park is completed to the specification and satisfaction of Council.*
  v. *Issue of a compliance certificate, to the satisfaction of the Principal Certifying Authority, confirming that a shared zone is created and constructed to the north of Block C that would allow garbage truck access to the garbage collection loading area and disposal room at Block D.*

Such a condition would ensue that all elements of the vehicle access (including garbage collection) along 'Interim Half Street", the major north- south Street, and the Stage 1 elements of Block 9C are completed prior to Block 9D being occupied.

A second driveway access to Block 9D from Half Street, which will also be shared with Block 9C will also be constructed but will not be available for use until Half Street (within Lot 10), if it proceeds, is completed.

Overall, access to Block D is dependent on 3 associated applications for Lot 9 being DA-462/2010; DA-109/2011; and DA-309/2010. It is also dependent on having deferred commencement conditions imposed prior to the consent being operative and certain

conditions to be satisfied with any operative consent as stated above. These conditions will be imposed on any development consent should the application be recommended for approval.

Description of Proposed Development

Council has received a development application for the construction of a residential flat building complex comprising 138 units, associated car parking spaces set over two levels and open space. The proposal includes landscaping to the central common open space area and across the site boundary at the interface with the public domain and construction of a through site link between Block D and future Block C.

The development comprises the following:

- A residential flat building complex comprising 3 (three) residential towers ranging from four to eight storeys in height or maximum RL of 30.5 metres AHD (including plant and lift over-runs);
- A total of 138 residential units divided into 21 x 1 bedroom units, 95 x 2 bedroom units and 22 x 3 bedroom units including 27 adaptable units;
- Two levels of basement car parking for 211 vehicles

The detailed breakdown of the development is provided below:

Level 0
116 car parking spaces including 20 disabled spaces;
44 secure bicycle spaces;
9 motorbike parking spaces;
Ancillary storage spaces;
4 lobby area, associated lifts and stairs.

Level 1
95 car parking spaces including 9 disabled spaces and 28 visitor parking spaces;
30 bicycle parking spaces;
14 residential units;
Communal room;
Ancillary storage spaces;
Garbage rooms;
Car park access from Block 9C;
4 lobby area, associated lifts and stairs.

Level 2:- 26 residential units including 7 adaptable units and common open space.
Level 3:- 26 residential units including 7 adaptable units.
Level 4:- 26 residential units including 7 adaptable units.
Level 5:- 18 residential units including 4 adaptable units and roof deck (inaccessible for recreational use).
Level 6:- 16 residential units including 2 adaptable units and roof deck (accessible for communal use).
Level 7:- 9 residential units.
Level 8:- 3 residential units.

Further to this, there will be three residential towers within the complex. Of this, the east building facing Homebush Bay will be 4 storeys high; the south building adjoining future

Major East/West Street will be between 5 to 8 storeys high; and the north building adjoining Lot 10 and proposed Block C will be 7 storeys high.

The applicant proposes to stage the construction works associated with Block D into 5 stages and has provided a construction staging plan showing the progressive development of all elements across the site. It is noted that Block D and associated works shall be carried out progressively as follows:

I. Construct Block 9D building and associated landscape and public domain works;

II. Construct Block 9C Basement (level 0), Ground (level 1), level 2 slab and temporary dividing walls from apartments and lobbies at level 1 with Right of Way to Building 9D (DA-309/2010);

III. Construction of retaining wall adjacent to Lot 10, 2 way 'Interim Half Street' within Lot 9, 2m wide footpath adjacent to 'future' Block 9A and 9B, and intersection interface with Hill Road (DA-462/2010).

IV. Construct Major North-South Road including interim median layout to enable vehicles to turn around at end (DA-462/2010); and

V. Construct Foreshore linear park and new road (DA-462/2010).

Referrals

Internal Referrals

Development Engineer

The development application was referred to Council's Development Engineer for comment who has raised a number of issues. These issues raised may be addressed as conditions. Additional information will be required showing some amendments but it is considered that these amendments will not have a significant impact on the design for the development.

Building Surveyor

The development application was referred to Council's Building Surveyor for comment who has raised no objections to the proposed development subject to conditions to be incorporated into any consent that may be issued.

Environmental Health

The development application was referred to Council's Environmental Health Officer for comment who has raised no objections to the proposed development subject to conditions to be incorporated into any consent that may be issued.

External Referrals

The development application is considered Integrated Development requiring approval under *The Water Management Act 2000* as the proposal includes site works within 40m of a water body hence was required to be referred to the NSW Office of Water. The development

application was also referred to the RTA in accordance with the requirements of "Schedule 3 – Traffic Generating Developments to be referred to the RTA" of State Environmental Planning Policy (Infrastructure) 2007. Furthermore, the proposal was referred to Sydney Olympic Park Authority (SOPA) as required under Clause 14 of State Environmental Planning Policy No. 24 – Homebush Bay Area.

Outcomes of the various external referrals are summarised below:

NSW Office of Water

The development application was referred by letter dated 19 August 2010 to NSW Office of Water. By letter dated 20 October 2010, the NSW Office of Water indicated that the proposed works cannot commence before the applicant obtain a Controlled Activity Approval. In this regard, the NSW Office of Water recommended that "*The Construction Certificate will not be issued over any part of the site requiring a Controlled Activity Approval until a copy of the approval has been provided to Council".* Should the application be approved, an appropriate condition shall be included in any consent in this regards.

Furthermore, General Terms of Approval (GTA) were provided in relation to the proposal and include the following:

1. These General Terms of Approval (GTA) only apply to the controlled activities described in the plans and associated documentation relating to DA 308/2010 and provided by Council.

    - Any amendment or modifications to the proposed controlled activities may render the GTA invalid. If the proposed controlled activities are amended or modified the NSW Office of Water must be notified to determine if any variations to the GTA will be required.

2. Prior to the commencement of any controlled activity (works) on waterfront land, the consent holder must obtain a Controlled Activity Approval (CAA) under the Water Management Act from the NSW Office of Water. Waterfront land for the purposes of this DA is land and material in or within 40 metres of the top of the bank or shore of the river identified.

3. The consent holder must (i) carry out any controlled activity in accordance with approved plans and (ii) construct and/or implement any controlled activity by or under the direct supervision of a suitably qualified professional and (iii) when required, provide a certificate of completion to the NSW Office of Water.

4. The consent holder must reinstate waterfront land affected by the carrying out of any controlled activity in accordance with a plan or design approved by the NSW Office of Water.

5. The consent holder must ensure that no excavation is undertaken on waterfront land other than in accordance with a plan approved by the NSW Office of Water.

Should the proposal be considered for approval by the JRPP the GTA's are recommended to be included as an additional recommended conditions of approval. The NSW Office of Water also requests to be notified if there are any amendments made to the proposal and also

request to have a copy of the notice (whether approved or refused) provided to the Office of Water once a determination has been made.

It should be noted that amended plans were referred to the NSW Office of Water on 3 May 2011 and by letter dated 19 May 2011 the Office of Water advised that the modified plans would not require any changes to the GTA's as previously provided by letter dated 20 October 2010.

Sydney Olympic Park Authority

The development application was referred by letter dated 24 August 2010 to Sydney Olympic Park Authority (SOPA). By letter dated 22 September 2010, SOPA provided a written response in which some issues were raised generally in relation to compliance with Homebush Bay West DCP and SEPP 65. The issues raised in the response are detailed and commented upon as follows:

1. Building Height:

- *The Homebush Bay West DCP (HBW DCP) requires that the maximum height for buildings is not to exceed AHD 29 (the height of the Millennium Marker), including lift overruns, service or any other roof extrusions. The drawings indicate building heights up to 32 metres (top of highest lift overrun)..... , which breach this height limit.*

Comment: A maximum height of RL 29.6 is proposed to the top of the highest roof and a maximum height of RL 30.5 is proposed to the top of the highest lift overrun. No objection is raised to this non-compliance as to require strict compliance with the overall height by 600mm for the building and 1500mm for the lift overrun is not likely to result in a legible or improved outcome. The minor variation in height is considered as being acceptable and is further discussed later in the report.

- *Secondary East West Street: The HBW DCP requires that the maximum height for buildings along these streets is not to exceed 4 storeys (including lift overruns and plan). With provisions for up to 2 additional varied storeys, provided the gross floor area is no more than 10% of the total gross floor area of the building. The 7 storey block on the north-western corner of Block C is in breach of this height limit.*

Comment: This is not applicable to Block D. This matter is discussed under associated DA-309/2010 for Block C.

- *Other less significant height breaches were also identified across all 4 blocks and will need further assessment/claims against the performance criteria's set out in pages 49/50 of HBW DCP.*

Comment: It is noted that development application for Block A and B have been withdrawn by the applicant. Any height non compliance associated with Block C will be discussed under associated DA-309/2010. Apart from the overall height breaches identified earlier, Block D generally complies with the number of storeys.

2. Streets/Public Domain Design:

- *Though not specified in HBW DCP, the Authority recommends that all public footpaths be no less than 2 metres in width.*

Comment: Public footpaths, as proposed are considered satisfactory. Council's development engineer has raised no objections to the width of the proposed footpaths.

- *Proposed location of the garbage loading area at the base of mid-block connection between Block C and Block D is unfortunate. Large back of house loading areas blocking future pedestrian desire lines should be discouraged.*

Comment: The use of the garbage loading room once or twice a week for pick up is not likely to result in unacceptable impact on pedestrians using the pedestrian path. It is noted that in the interim, the applicant proposed that garbage bins will be transferred from the garbage collection loading room via an electronic tug to the Major North South Street for on-street collection. This shall be coordinated by the Building management. However, on-Street loading of garbage bins in high density residential flat buildings is not supported by Council and considered unacceptable. As an alternative, the applicant has indicated that appropriate condition could be imposed on any consent to create a shared zone to the north of proposed Block C that would allow only garbage truck access to the garbage loading room in Block D. This way, the garbage truck could drive in through Interim Half Street straight through the shared zone to the garbage loading area, utilising the future car park entry area beside the garbage loading area for turning. Should the application be recommended for approval, appropriate condition shall be imposed in this regards.

- *Setbacks: The HBW DCP has an allowance for private terraces to encroach 600 mm into a nominated setback, for a maximum of 50% of the frontage. It appears that most street frontages are in breach of this control. As an example, private terraces along future Major East/West Street frontage encroach approx. 1.25 metres into the 5 metre setback, which extends for c. 40% of this frontage.*

Comment: Private terraces of ground-floor apartments facing Major East/West of Block D project a maximum 1500mm and for 60.7% of the frontage rather than 600mm and for 50% of the frontage. This is considered acceptable as it is considered a better design outcome in terms of residential amenity to maximise areas of private open space where possible and where the impact is negligible. Indeed, the DCP and SEPP 65 actively promote this through the minimum ground-floor private open space requirements. An active frontage is ensured through the provision of living areas facing the outdoor space and individual entries to each ground-floor unit.

3. Site Configuration & Built Form:

- *The HBW DCP requires that a minimum of 15% of the private open space is a deep soil zone. It is questionable as to whether this has been achieved.*

Comment: Less than 15% of the private open space areas are to be deep soil zone. It is considered that this requirement is not realistically achievable as the majority of private open space will be provided as elevated balconies, which cannot contain deep soil. Furthermore, the communal open space is mainly located over the underground car parking, further limiting the opportunity for providing deep soil. It is noted that in general 894sqm of deep soil zone is provided around the perimeter of Block D. A variation is considered acceptable and consistent with adjoining development.

- *The floor to ceiling levels for ground and first floor residential units should be 3.3 metres, to allow for future flexibility of use, as per the requirements of the HBW DCP.*

They are currently shown as floor to floor height of 3 metres (i.e. approx. 2.7 metre floor to ceiling).

Comment: Lot 9 including Block D is approved under the Masterplan as 100% residential flat building development. Indeed, the proposed development is wholly residential and does not seek to utilise the commercial potential. Objection has already been raised to the overall height of the building, when increasing ceiling heights would add to the overall height of the building. Therefore, the proposed ceiling heights, being suitable for residential purposes and minimising unnecessary building height are considered acceptable, and consistent with adjoining development.

- *A large proportion of single aspect apartments shrouding the level 1 car park appear not to have sufficient provision for natural ventilation. This could be improved by extending the apartment layout down to level 0 and where possible loft style apartments that open out to the street.*

Comment: The Homebush Bay West DCP requires 60% of apartments to be naturally ventilated. 61% of units within Block D will meet this criterion. Whilst the 14 units on the level 1 ground floor are screened by car parking and thus does not have cross-ventilation, it is noted that the 7 units fronting Homebush Bay are split level units which provides improved ventilation to these units.

- *It appears that provision for secure bicycle storage have not been evenly distributed throughout Blocks a, B, C and D.*

Comment: It is noted that development application for Block A and B have been withdrawn by the applicant. Any non compliance associated with Block C will be discussed under associated DA-309/2010. Block D provided over 70 secure bicycle spaces whilst 68 spaces are required.

4. Built Amenity/SEPP 65 Provisions:

- *A large proportion of apartments fronting onto future Major East/West Street do not comply with SEPP 65 requirements for mid winter daylight access as they would receive no direct sunlight at all during the winter solstice. This could be addressed by providing dual aspect apartments along this frontage.*

Comment: The Residential Flat Design Code "rule of thumb" is for a minimum 70% of apartments to have 3 hours of solar access to living areas and private open spaces between 9am and 3pm in mid winter. The proposed development provides 41% apartments which will achieve this requirement. The Code also states that the requirement may be reduced to 2 hours of solar access (which was adopted for the Homebush Bay West DCP) for "dense urban areas" which the locality can be considered as given the density proposed under the DCPs. Approximately 55% of apartments will achieve at least 2 hours of solar access. Whilst this non-compliance is noted, the development is considered acceptable given that the apartments have good access to daylight through wide frontages, shallow depths and amenity of water views. Furthermore, the apartments achieve the recommended NatHERS and BASIX ratings to ensure energy efficiency. This is further discussed later in the report.

5. Apartment Mix:

- *A large proportion of 3 bedroom apartments should be provided, including more at ground level with direct access to private and communal open space.*

Comment: The Residential Flat Design Code requires a mixture of 1 and 3 bedroom apartments on the ground-floor, while the Homebush Bay West DCP requires a mix of 1, 2 and 3 bedroom apartments on the ground-floor. The proposal provided for a mix of 1, 2 and 3 bedrooms on all floors except for level 8 where 2 and 3 bedrooms are provided. Therefore, the proposal is consistent with the planning controls.

The amended proposal was referred to SOPA on 3 May 2011 and by email correspondence dated 31 May 2011, SOPA raised no further issues regarding the development application.

Roads and Traffic Authority

The development constitutes a "Traffic generating development" in accordance with Schedule 3 of the SEPP (Infrastructure) 2007. Therefore the application was referred to the Roads and Traffic Authority of New South Wales for consideration. The application was reviewed by the RTA at the SRDAC on the 8 September 2010 and the following concern was raised regarding the application:-

1. *Concern is raised with regard to the cumulative traffic impact of the proposed developments (Block A, B, C, D) and other developments within the Wentworth Point precinct on the existing intersection of Hill Road and Bennelong Road. In this regard, the traffic consultant is to review the previous assumption and methodology used in the traffic report submitted for the master plan for Wentworth Point and determine if revised traffic analysis is required for the intersection of Hill Road and Bennelong Road.*

2. *The layout of the proposed car parking areas associated with the subject development (including, driveways, grades, turn paths, sight distance requirements, aisle widths, aisle lengths, and parking bay dimensions) should be in accordance with AS 2890.1- 2004 and AS 2890 – 2002 for heavy vehicles.*

3. *Clear sight lines shall be provided at the property boundary line to ensure adequate visibility between vehicles leaving the car park and pedestrians along the frontage road footpath in accordance with Figure 3.3 of AS 2890.1 – 2004.*

4. *All vehicles are to enter and leave the site in a forward direction.*

5. *All vehicles should be wholly contained on site before being required to stop.*

6. *The swept path of the longest vehicle entering and exiting the subject site, as well as manoeuvrability through the site, shall be in accordance with AUSTROADS. In this regard, a plan shall be submitted to Council for approval, which shows that the proposed development complies with this requirement.*

7. *A Construction Traffic Management Plan detailing construction vehicle routes, number of trucks, hours of operation, access arrangements and traffic control should be submitted to Council, for approval prior to the issue of a Construction Certificate.*

8. *All works/regulatory signposting associated with the proposed development are to be at no cost to the RTA.*

The comments provided and issues raised are of a technical nature and specific to conditions that may be incorporated into any consent that may be issued. Regarding concern raised to the cumulative traffic impact of the proposed developments (Block A, B, C, D) and other developments within the Wentworth Point precinct on the existing intersection of Hill Road and Bennelong Road, it is noted that the application for Blocks A and B have been withdrawn and furthermore, it is considered onerous a requirement on the applicant to conduct traffic investigation for the whole precinct given that any amendments to surrounding developments that require formal modification will require consent from Council and traffic implications can be considered as part of the assessment of such applications.

The provisions of any Environmental Planning Instruments (EP& A Act s79C(1)(a)(i))

Lot 9 Concept Plan Approval (Major Project 06-0098)

The Minister of Planning granted approval on 21 January 2008 for a residential development Concept plan over the subject land under Part 3A of the Environmental Planning and Assessment Act. In summary, the ultimate development outcome for Lot 9 nominated by the Concept plan comprises:-

- Site layout and building footprints.
- A residential development of approximately 685 dwellings with a maximum of 50,424 square metres of floor space set across four residential allotments.
- Public domain works including roads, a foreshore park, pocket park, pedestrian through link, communal and private open space areas.
- The determination of future applications for development is to be generally consistent with the terms of approval of Concept Plan No. 06_0098 as described in Part A of Schedule 1 and subject to the modifications of approval set out in Parts B of Schedule 2.

This Concept Plan contains more specific controls in terms of maximum floor space ratio, maximum building height and setbacks including the general principles and requirements for residential flat building development within Lot 9. The Concept Plan requirements are considered in the following assessment table:

Schedule 2 - Part A

Condition	**Comment**
A1 Description Residential development comprising around 685 dwellings in a mix of 1, 2 and 3 bedrooms with a maximum 50,424m^2 floor space, within maximum building heights and envelopes Public domain in the form of foreshore park, pocket park and pedestrian through link including communal and private open space.	To be achieved cumulatively via separate applications. It is noted that Block D has a floor area of 11,872m^2 and a total of 138 dwellings proposed. Block D makes provision for all of these elements other than for the pocket park which is to be provided under future application.
A2 Plans and documentation Identifies approved plans and documentation	Noted
A3 Inconsistency between documents The modifications of the Concept Plan in Part B Schedule 2 are to prevail where there is any	Noted

(Block D) 41-45 Hill Road, Wentworth Point (cont'd)

inconsistency with the drawings/documents	
A4 Lapsing of approval Consent valid for 5 years from determination date	Noted. Approval remains valid until January 2013.
A5 Future applications Future applications to be generally consistent with Concept Plan approval	Whilst it is noted that the proposed Block D building footprint vary from the approved Concept Plan footprint, it is consistent with the Homebush Bay West DCP footprint. The applicant has argued that the test for consistency is not for detailed plans to conform with the precise footprint and envelopes of Concept plans as they are subject to further design considerations, which will eventually lead to changes. Further, the consideration of consistency must be viewed in the context of the extent of the development approved in the Concept plan. In this case, the Concept plan approval is for 4 buildings across the whole of the Lot 9 site. Therefore substantive changes to one building may not affect the fact that the overall development of Lot 9 remains generally consistent with the Concept plan approval. A comparative analysis of Concept plan for Block D and the proposed plans indicates that the proposed plans will provide a better design outcome to the streetscape and better amenity to the intended occupant. The Concept Plan building footprint is progressively setback from the street and further away from the foreshore park whilst Block D building footprint is aligned or parallel to the street edges and provides an appropriate definition of the public domain. This is as envisaged by the Homebush Bay West DCP where the building envelopes are shown as regular perimeter block forms aligned parallel to adjacent streets. The proposed plan significantly reduced the overlooking issues created between adjacent apartment balconies in the Concept plan and will increase the number of apartments with direct views to the water. The proposed plan will also reduce the number of apartments with southerly aspect as well as allow increased solar access to the communal open space.

Schedule 2 - Part B

Condition	**Comment**
B1 Built form Maximum of 50,424 residential floor space	To be achieved cumulatively via separate applications. It is noted that Block D has a floor area of 11,872m^2 and a total of 138 dwellings proposed.
Approval is given for the maximum heights/building envelopes nominated in approved plans	Building heights for Block D generally exceed those of the Concept plan by 0.25m. In the context of the sale of the buildings the minor increase in height would not be apparent and would not have any detrimental impact on the building or open space amenity. This is further discussed later in the report under HBW DCP section
Approval is given for 'pop ups' on the 4 & 6 storey buildings at the rates prescribed in the HBWDCP	Complies – Refer discussion under HBW DCP
'Pop ups' on 4 storey building fronting Half Street in	Not applicable to Block D

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Lots 9A and 9B not to exceed more than 1 level. No pop ups approved for the 4 storey building on Lot 9C. Lowest habitable floor level of units to Homebush Bay to be not more than 1.5m above finished footpath level. Separation distances between buildings to be in accordance with HBWDCP	Achieved-Footpath level RL of 2.0 is proposed and RL 3.5 proposed for lowest habitable floor level of units facing Homebush Bay. Generally achieved, Non-compliances are minor and are fully justified - Refer to HBW DCP section
B2 Building setback Building facing half Street must be setback minimum of 6m from the property boundary whilst maintaining a minimum of 3m from footpath	Achieved and shown on architectural plans
B3 Provision of Foreshore Street The Foreshore Street adjacent to Foreshore Park is to be a public road, accessible by vehicles and connecting with the street on Lot 10, and allowing connection to a future public road on Lot 8. To be designed to Auburn Council's specifications and completed to Council's satisfaction prior to issue of an Occupation Certificate	The design of Block D allows for the future construction of Foreshore Street. A separate application under DA-462/2010 has been lodged for construction of roads within Lot 9. Should the proposal be approved, appropriate condition shall be imposed to ensure that the works are completed to the specification and satisfaction of Council prior to the issue of any Occupation Certificate.
B4 Landscaping Future landscaping of the site and in particular the Foreshore Park shall comply with the requirements of HBWDCP	Achieved as shown on landscape plan
B5 SEPP 65 Future development applications to demonstrate compliance, or fully justify any non compliance with SEPP 65	Block D development application generally complies with the provisions of SEPP 65. Where compliance is not fully achieved, the applicant has provided justifications which are discussed later in the report under SEPP 65 assessment.
B6 Developer contributions Contributions required in accordance with Auburn Council's relevant S94 Contributions Plan applicable at the time the future DA for construction is determined.	Noted- should the application be approved, appropriate condition shall be imposed in this regards.
B7 Alignment of roadways Internal streets to align with approved or constructed network on Lot 10 to the north	The only approved internal street on Lot 10 is Waterways Street and does not have any impact on Block D application. It is noted that there is a slight misalignment for the Major North/South Street (adjoining Block C) of about 1m from the Lot 10 Major North/South Street, however no application has been lodged with Council for this road network (associated with Lot 10) nor has it been approved or construction. In any case, the owners of Lot 10 has indicated that if the proposed Major North/South Road within Lot 9 is approved, they can adjust their alignment when that part of their site is developed in the future.
B8 Floor Space in Precinct F **Covenant on title to Lots 24, 25 and 26 DP 270113, Lot 24 DP 270320, Lot 3 DP 776611 and Lot 21 DP 1044874 capping total floor space in Precinct F at maximum of 227,848m2. Evidence of registration to be provided to Auburn Council at the time of**	**Auburn Council received an amended Deed on 17 October 2011. The Deed is the subject of subsequent consultation with senior planning and assessment staff. The Deed is expected to be varied based on legal advice being obtained.** **It is however considered that this condition can be**

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lodging the first DA for construction of apartments in Precinct C.	**satisfactorily achieved via deferred commencement and should not hold up the determination of the application. Therefore, should the application be recommended for approval, appropriate deferred commencement condition shall be included in any consent that may be issued. (see DC Condition DC4)**
B9 Subsequent approvals regime All future DA's for development including construction of buildings, open space, roads etc to be subject to Part 4 of the EPA Act 1979.	Noted
B10 Staging Plan To be provided at time of the first DA for construction of apartments is lodged with Auburn Council. The staging plan is to address access during construction and occupation and include an agreement between the proponent and the owners of adjoining Lot 10.	A staging plan for the construction for Blocks A, B, C and D is included in the architectural drawing package. This arrangement is consistent with the proposed staging of the subdivision of Lot 9, which is to be the subject of DA-109/2011. Construction and occupation access for Block D has been discussed earlier in the report. Construction and occupation access for future Blocks A, B and C is also proposed to be located wholly within Lot 9. This arrangement negates the need for the applicant to obtain an agreement from the owners of adjoining Lot 10.

Schedule 3

Commitment & Timing	**Comment**
Restriction on development potential of Precinct F Payce to implement restriction of development potential of Precinct F with the mechanism and level of development on Precinct F being mutually agreeable to DoP and Payce. *Timing* *Prior to issue of first Occupation Certificate associated with re-development of Precinct C*	See discussion above under Schedule 2 – Part B8. This condition could be achieved via deferred commencement condition suggested in Condition DC4.
Compliance with relevant statutory EPI's Detailed design of the project to demonstrate compliance with provisions of relevant planning instruments, with the exception of minor, acceptable non-compliances. *Timing* *Addressed at detailed DA stage*	Block D development application generally complies with the provisions of relevant statutory EPI's. Where compliance is not fully achieved, the applicant has provided justifications which are discussed later in the report.
Environmental mitigation, management and Monitoring Detailed management plans to be prepared to address all relevant environmental issues including stormwater management, construction impacts waste generation and collection, construction traffic and pedestrian management, noise and vibration. *Timing* *Addressed at Construction Certificate stage – prior to commencement of works*	This application is accompanied by relevant technical reports and plans to address these matters. Any necessary amendments to those details can be addressed by conditions in the consent notice enabling final report/plans to be lodged with the Construction Certificate as required.

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Built form, urban and environmental design Demonstrate the project is capable of complying with the majority of provisions of the HBWDCP, SEPP 65 and BASIX. Non-compliances to be minor and supportable *Timing* *Addressed at detailed DA stage*	Block D development application generally complies with the provisions of relevant statutory EPI's. Where compliance is not fully achieved, the applicant has provided justifications which are discussed later in the report.
Access Traffic and Parking The access, traffic and parking assessment submitted with this application demonstrate the proposed street system is capable of accommodating the subject development. Suitable funding mechanisms are available for funding necessary road upgrading and traffic management measures (HBW Precinct Section 94 Development Contributions Plan) *Timing* *Addressed as part of this concept plan*	Notwithstanding that these matters were resolved with the concept plan, this application is accompanied by a project specific traffic and parking analysis.
Servicing Plan A servicing plan addressing waste collection and management of delivery vehicles *Timing* *Submitted with each detailed DA*	The application is accompanied by a Waste Management Plan and Servicing Plan addressing waste collection and management of delivery vehicles.
Public domain works Proposal will have regard to Homebush Bay West Public Domain Manual and the requirements of Auburn Council. *Timing* *Addressed at detailed DA stage*	The landscape plan was prepared with regard to this commitment.
Public Domain and Pedestrians The project will be consistent with the 'Safer by Design' principles and will address the mobility needs of people with disabilities, will minimise pedestrian/traffic conflicts, and the design and placement of units will enable passive surveillance of communal open space and the public domain. *Timing* *Addressed at detailed DA stage*	Block D development application is accompanied by CPTED Report and Access Report and is designed to minimise pedestrian/traffic conflicts. Furthermore, the apartments are provided with direct visual connections to the public domain and ensure high degree of passive surveillance around the communal open spaces.
Public Services and Infrastructure In accordance with the development agreement with Auburn Council, and other relevant service authorities *Timing* *Part of Construction Certificate stage for subsequent DAs*	The Concept Plan approval allows for this matter to be resolved at Construction Certificate stage. It is noted that there is no formal development agreement between the proponents of Lot 9 and the Council apart from the requirement of the Concept plan that Council be the "benefited authority' for the deed that transfers floor space from Precinct F to the Precinct C. All applications for public works and infrastructure associated with Lot 9 are considered under DA-462/2010 and DA-109/2011. Appropriate condition shall be imposed on Block D application to ensure that all works in construction stage 1 are constructed/completed prior to the occupation of Block D.

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Remediation An audit statement for the site confirms that it is suitable for the proposed development *Timing* *Addressed as part of this concept application*	Notwithstanding that this matter was resolved with the Concept plan, this application is accompanied by a Site Audit Statement (ref: BE056) by – HLA Envirosciences P/L confirming that the site is suitable for residential with minimal opportunity for soil access including units.
Utilities The site is capable of being connected with all essential utilities *Timing* *Addressed at detailed DA stage*	The application is accompanied by a Civil and Services Infrastructure Design Statement by AECOM Australia P/L dated 8 November 2010 (Ref: 60162066). The statement identified utilities/services required and detailed how utilities/services will be connected to the site.
Solar access and shadow analysis Detailed solar access and shadow analysis will demonstrate that the project is capable of complying with relevant controls and guidelines *Timing* *Part of each subsequent DA*	Shadow diagrams accompany the application. Non-compliances are fully justified - Refer to SEPP 65 and HBW DCP.
Stormwater Management A stormwater management concept plan has been prepared with this concept application. A detailed stormwater management plan will show the site can be adequately drained, and stormwater managed in accordance with best practice. *Timing* *Stormwater management concept plan – this concept application. Detailed stormwater management plan – part of each subsequent DA*	This application is accompanied by a detailed plan for stormwater management as required.
Acid Sulphate Soil Management Acid sulphate soils will be managed according to relevant guidelines and best practice, if the need arises *Timing* *Part of each subsequent DA, if required*	The application relies upon the Acid Sulphate Soils Management Plan approved with the Lot 9 Concept Plan approval – Council's environmental Health Officer has raised no objection to the submitted Acid Sulphate Soil Management Plan.
Geotechnical conditions A geotechnical report on the suitability of the site for development shows that the site is suitable for the proposed development. *Timing* *Addressed as part of this concept application*	The application relies upon the geotechnical report approved with the Lot 9 Concept Plan approval – No objection is raised in this regards. (Geotechnical Investigation Report by Consulting Earth Scientists dated 22/8/06 – Ref: CES 030911-PPL-02-F)
Electro-magnetic radiation Documents prepared for the site demonstrate that it is safe from electromagnetic radiation *Timing* *Addressed as part of this concept application*	Notwithstanding that this matter was resolved with the Concept plan, the applicant has provided additional information suggesting that there is no basis for concern over direct effects of radio-frequency radiation for prospective apartment occupants.
Landscape plan for private and communal Areas A detailed landscape plan is to be submitted for each	The application is accompanied by a detailed landscape plans and a maintenance strategy.

DA in accordance with relevant guidelines *Timing* *Part of each subsequent DA*	

State Environmental Planning Policies

State Environmental Planning Policy No.55 – Remediation of Land

The requirement at clause 7 of SEPP 55 for Council to be satisfied that the site is suitable or can be made suitable to accommodate the proposed development has been considered in the following table:

Matter for Consideration	**Yes/No**
Does the application involve re-development of the site or a change of land use?	☒ Yes ☐ No
In the development going to be used for a sensitive land use (e.g. residential, educational, recreational, childcare or hospital)?	☒ Yes ☐ No
Does information available to you indicate that an activity listed below has ever been approved, or occurred at the site? Acid/alkali plant and formulation, agricultural/horticultural activities, airports, asbestos production and disposal, chemicals manufacture and formulation, defence works, drum re-conditioning works, dry cleaning establishments, electrical manufacturing (transformers), electroplating and heat treatment premises, engine works, explosive industry, gas works, iron and steel works, landfill sites, metal treatment, mining and extractive industries, oil production and storage, paint formulation and manufacture, pesticide manufacture and formulation, power stations, railway yards, scrap yards, service stations, sheep and cattle dips, smelting and refining, tanning and associated trades, waste storage and treatment, wood preservation.	☒ Yes ☐ No
Is the site listed on Council's Contaminated Land database?	☒ Yes ☐ No
Is the site subject to EPA clean-up order or other EPA restrictions?	☐ Yes ☒ No
Has the site been the subject of known pollution incidents or illegal dumping?	☐ Yes ☒ No
Does the site adjoin any contaminated land/previously contaminated land?	☒ Yes ☐ No
Details of contamination investigations carried out at the site: A number of site investigations have been undertaken in relation to the subject site, the sites from which fill material is sourced and other adjoining sites within the Precinct. A site audit statement dated 30 June 2006 stated the subject site was suitable for "*Residential with minimal opportunity for soil access, including units*." In response to concerns raised by Council's Environmental Health Department an updated information from Daniel Smith of Consulting Earth Sciences was submitted and concludes that the previous findings are still valid but further environmental analysis of the soils directly underneath and around the heavy vehicle maintenance workshop and soil stockpiles be undertaken to confirm that the site is suitable for the proposed residential development. Council's Environmental Department has raised no objections to this finding but further recommended that validation of the site shall be undertaken following the demolition of the existing structures on the site and prior to the commencement of any earth works or construction works commencing on	

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Matter for Consideration	Yes/No
the site. The Health Department also recommended that "*Based on the findings of the additional sampling a report shall be prepared and submitted to the PCA verifying the suitability of the site for the proposed residential development.... Where necessary a Remedial Action Plan (RAP) is to be prepared and submitted to Council for approval".* Should the proposal be recommended for approval, appropriate condition shall be imposed in this regards.	
Has the appropriate level of investigation been carried out in respect of contamination matters for Council to be satisfied that the site is suitable to accommodate the proposed development or can be made suitable to accommodate the proposed development?	☒ Yes ☐ No

State Environmental Planning Policy Number 65 - Design Quality of Residential Flat Development

The relevant provisions and design quality principles of Part 2 of SEPP 65 have been considered in the assessment of the development application within the following table:

Requirement	Yes	No	N/A	Comment
Clause 2 Aims objectives etc. *(3) Improving the design quality of residential flat development aims:* *(a) To ensure that it contributes to the sustainable development of NSW:* *(i) by providing sustainable housing in social and environmental terms;* *(ii) By being a long-term asset to its neighbourhood;* *(ii) By achieving the urban planning policies for its regional and local contexts.* *(b) To achieve better built form and aesthetics of buildings and of the streetscapes and the public spaces they define.* *(c) To better satisfy the increasing demand, the changing social and demographic profile of the community, and the needs of the widest range of people from childhood to old age, including those with disabilities.* *(d) To maximise amenity, safety and security for the benefit of its occupants and the wider community.* *(e) To minimise the consumption of energy from non-renewable resources to conserve the environment and to reduce greenhouse gas emissions.*	☒ ☒ ☒ ☒ ☒ ☒ ☒	☐ ☐ ☐ ☐ ☐ ☐ ☐	☐ ☐ ☐ ☐ ☐ ☐ ☐	The proposal is generally considered to satisfy the aims and objectives of SEPP 65. Some aspects of non-compliance are identified with this policy, and these are discussed in greater detail below.
Part 2 Design quality principles				

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Requirement	Yes	No	N/A	Comment
Principle 1: Context *Good design responds and contributes to its context. Context can be defined as the key natural and built features of an area.* *Responding to context involves identifying the desirable elements of a location's current character or, in the case of precincts undergoing a transition, the desired future character as stated in planning and design policies. New buildings will thereby contribute to the quality and identity if the area.*	☒	☐	☐	The Wentworth Point precinct is a locality undergoing transition from industrial to residential land-use. The planning intentions and detailed development controls in place encourage redevelopment for the purpose of high-density residential with lesser elements of commercial and retail. The southern section of the precinct already has a number of established residential flat buildings and the proposed development will continue the pattern of redevelopment that is occurring in the locality.
Principle 2: Scale *Good design provides an appropriate scale in terms of the bulk and height that suits the scale if the street and the surrounding buildings.* *Establishing an appropriate scale requires a considered response to the scale of existing development. In precincts undergoing a transition, proposed bulk and height needs to achieve the scale identified for the desired future character of the area.*	☒	☐	☐	The scale of the development is considered to be appropriate and generally consistent with those approved in the locality. Block D is a waterfront site with 4 storey building facing Homebush Bay; stepping from 4 up to 8 storey along the southwest boundary as the building get further away from Homebush Bay; and 4 and 7 storey along the northeast boundary to Half Street separated by the communal courtyard at level 2 which forms a podium. The proposed design also maximise view availability and reduce the massing of the building at the waterfront creating an appropriate scale in the location. The development is acceptable in this regard.
Principle 3: Built form *Good design achieves an appropriate built form for a site and the building's purpose, in terms of building alignments, proportions, building type and the manipulation of building elements.* *Appropriate built form defines the public domain, contributes to the character of streetscapes and parks, including their views and vistas, and provides internal amenity and outlook.*	☒	☐	☐	The proposed design or architectural appearance is generally considered to be consistent with the adopted site Concept Plan approval (refer to detailed assessments earlier under Lot 9 Concept Plan approval). Block D built form is setback with a regular alignment to the street edges to provide the appropriate definition of the public domain. The built form is articulated into main building form; a 4 storey portion along the foreshore which steps from 4 to 8 storey along the southwest boundary and a free standing 7 storey portion in the northwest corner of the site, both of which are connected by centrally located courtyard space

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Requirement	Yes	No	N/A	Comment
Principle 4: Density *Good design has a density appropriate for a site and its context, in terms of floor space yields (or number of units or residents).* *Appropriate densities are sustainable and consistent with the existing density in an area, or in precincts undergoing a transition, are consistent with the stated desired future density. Sustainable densities respond to the regional context, availability of infrastructure, public transport, community facilities and environmental quality.*	☒	☐	☐	Wentworth Point is an area designated for high density residential development. It is a Master Plan precinct with new public domain network of streets, walkways and parks to support the redevelopment. The development will contribute 138 apartments in mid rise building forms that will contribute to the redevelopment of the area. The proposal is within the permissible total FSR allowable for Precinct C of the Homebush Bay West DCP. No objection is raised to the development in relation to density objectives.
Principle 5: Resource, energy and water efficiency *Good design makes efficient use of natural resources, energy and water throughout its full life cycle, including construction.* *Sustainability is integral to the design process. Aspects include demolition of existing structures, recycling of materials, selection of appropriate and sustainable materials, adaptability and reuse of buildings, layouts and built form, passive solar design principles, efficient appliances and mechanical services, soil zones for vegetation and reuse of water.*	☒	☐	☐	BASIX Certificates have been submitted with the development application. Further, a BASIX Assessment Report has been prepared to accompany the application. The certificates require sustainable development features to be installed into the development. The development incorporates appropriate energy efficient fixtures and fittings. A water reuse system is also provided. A non compliance has been identified with regard to solar access which will be discussed later in the report. Notwithstanding the non compliance the proposal is considered to deliver sufficient efficiency. In this regard the proposal is considered acceptable.

(Block D) 41-45 Hill Road, Wentworth Point (cont'd)

Requirement	Yes	No	N/A	Comment
Principle 6: Landscape *Good design recognises that together landscape and buildings operate as an integrated and sustainable system, resulting in greater aesthetic quality and amenity for both occupants and the adjoining public domain.* *Landscape design buildings on the existing site's natural and cultural features in responsible and creative ways. It enhances the development's natural environmental performance by co-ordinating water and soil management, solar access, micro-climate, tree canopy and habitat vales. It contributes to the positive image and contextual fit of development through respect for streetscape and neighbourhood character, or desired future character.* *Landscape design should optimise useability, privacy and social opportunity, equitable access and respect for neighbour's amenity, and provide for practical establishment and long term management.*	☒	☐	☐	Landscaping is to be used to distinguish boundaries of public/private spaces, provide visual privacy and to soften the built form at ground level surrounding the development, within the central communal open space area and within the surrounding public domain. The landscape communal courtyard at Level 2 is central to the building and will offer good outlook space for people living above and provide adequate space for active and passive uses. The landscape design integrates water elements, a lap pool, screen planting, trees and grassy mounded areas. It provides accessible paths through the courtyard that link all the building lobbies and also connects to the courtyard of Block C (under DA-309/2010. At the upper levels it is proposed that the roofs of the 4 storey portion is non-accessible outlook areas for upper level units and so are proposed to be landscaped with patterns of gravel and low planting as green roof with low maintenance and low irrigation required.

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Requirement	Yes	No	N/A	Comment
Principle 7: Amenity *Good design provides amenity through the physical, spatial and environmental quality of a development.* *Optimising amenity requires appropriate room dimensions and shapes, access to sunlight, natural ventilation, visual and acoustic privacy, storage, indoor and outdoor space, efficient layouts and service areas, outlook and ease of access for all age groups and degrees of mobility*.	☒	☐	☐	It is considered that the proposal will deliver sufficient amenity to residents of the building. The proposal substantially complies with the Residential Flat Design Code and Homebush Bay West DCP in this regard which contains many amenity controls. However there are a number of units in the development that are problematic with respect to daylight / sunlight access, ventilation and aspect. It is also noted that there is excellent view amenity to Block D due to the location adjacent to Foreshore Park and Homebush Bay. There are variations to the Residential Flat Design Code and the Homebush Bay West Development Control Plan specific to solar access to units and ventilation and are detailed later in the report. Overall, based on the outcome of the BASIX assessment and orientation of the site residential amenity is considered satisfactory.
Principal 8: Safety and security *Good design optimises safety and security, both internal to the development and for the public domain.* *This is achieved by maximising overlooking of public and communal spaces while maintaining internal privacy, avoiding dark and non-visible areas, maximising activity on streets, providing clear, safe access points, providing quality public spaces that cater for desired recreational uses, providing lighting appropriate to the location and desired activities, and clear definition between public and private spaces.*	☒	☐	☐	Passive surveillance of public and communal open space is maximised through orientation of units. The position and orientation of the various building elements allow balconies and habitable rooms of apartments to overlook the streets. The design permits passive surveillance of the internal common courtyard areas. Street level activity will be encouraged via the provision of multiple building entries and individual entries to ground floor units. Individual ground-floor units shall also have suitable fencing and landscaped buffers for security and privacy. Lift foyers, communal courtyard and basement car parking will be appropriately secured with security cards and intercom access for visitors.

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Requirement	Yes	No	N/A	Comment
Principal 9: Social dimensions *Good design responds to the social context and needs of the local community in terms of lifestyles, affordability, and access to social facilities.* *New developments should optimise the provision of housing to suit the social mix and needs in the neighbourhood, or in the case of precincts undergoing transition, provide for the desired future community.*	☒	☐	☐	The proposal provides an adequate mix of 1, 2 and 3 bed apartments as well as providing a significant number of adaptable units. Additional community facilities shall be provided as the wider locality is developed.
Principle 10: Aesthetics *Quality aesthetics reflect the appropriate composition of building elements, textures, materials and colours and reflect the use, internal design and structure of the development. Aesthetics should respond to the environment and context, particularly to desirable elements of the existing streetscape or, in precincts undergoing transition, contribute to the desired future character of the area.*	☒	☐	☐	The building responds well in this regard with its provision of good aesthetics though the use of high quality materials, attention to detail in its internal spaces and how it addresses the waterfront space. The elevations of Block D are generally composed of a base, middle and top, which articulate the scale and varying heights of the buildings.
Clause 30 Determination of DAs *After receipt of a DA, the advice of the relevant design review panel (if any) is to be obtained concerning the design quality of the residential flat development.* *In determining a DA, the following is to be considered:* • *The advice of the design review panel (if any);* • *The design quality of the residential flat development when evaluated in accordance with the design quality principles;* *The publication "Residential Flat Design Code" – Department of Planning, September 2002.*	☐ ☐ ☒ ☒	☐ ☐ ☐ ☐	☒ ☒ ☐ ☐	Auburn City Council does not employ a formal design review panel. The design quality principles are considered above and the Residential Flat Design Code is considered in the assessment table immediately below.

Residential Flat Design Code

Requirement	Yes	No	N/A	Comment
Part 1 - Local Context				
Building Type				
• Residential Flat Building. • Terrace. • Townhouse. • Mixed-use development. • Hybrid.	☒ ☐ ☐ ☐ ☐	☐ ☐ ☐ ☐ ☐	☐ ☒ ☒ ☒ ☒	The proposed development consists of a residential flat building complex. There is car parking situated centrally within the site over two levels and an internal courtyard.
Subdivision and Amalgamation				
Objectives • Subdivision/amalgamation pattern arising from the development site suitable given surrounding local context and future desired context.	☐	☐	☒	A subdivision of the site into smaller lots is not proposed under this application. It is noted however that associated DA-109/2011 proposes the subdivision of the site into smaller lots.
• Isolated or disadvantaged sites avoided.	☐	☐	☒	
Building Height				
Objectives • To ensure future development responds to the desired scale and character of the street and local area.	☒	☐	☐	The building heights are found to be satisfactory and generally compliant with the Concept Plan approval.
• To allow reasonable daylight access to all developments and the public domain.	☒	☐	☐	This is achieved where possible. Variations in relation to solar access to apartments and the public domain are discussed in detail later.
Building Depth				
Objectives • To ensure that the bulk of the development is in scale with the existing or desired future context.	☒	☐	☐	The majority of the development will be satisfactory under this heading. The design, bulk, streetscape presentation and height is acceptable.
• To provide adequate amenity for building occupants in terms of sun access and natural ventilation.	☒	☐	☐	
• To provide for dual aspect apartments.	☒	☐	☐	This is achieved where possible. Variations in relation to solar access to apartments and the public domain are discussed in detail later.

(Block D) 41-45 Hill Road, Wentworth Point (cont'd)

Requirement	Yes	No	N/A	Comment
Controls • **The maximum internal plan depth of a building should be 18 metres from glass line to glass line.**	☐	☒	☐	**The building depth for the building varies but reaches up to 19.8m from glass line to glass line but less than 22m overall. Based on the design the proposed depth is not considered excessive.**
• Freestanding buildings (the big house or tower building types) may have greater depth than 18 metres only if they still achieve satisfactory daylight and natural ventilation.	☒	☐	☐	Notwithstanding the building depth, the residential towers achieve satisfactory daylight and natural ventilation given the orientation of the site.
• Slim buildings facilitate dual aspect apartments, daylight access and natural ventilation.	☒	☐	☐	Dual aspect apartments have been included within the development. In this regard, there are 67 dual aspect units which represent 49% of the total number of units. These are found on all the floors.
• In general an apartment building depth of 10-18 metres is appropriate. Developments that propose wider than 18 metres must demonstrate how satisfactory day lighting and natural ventilation are to be achieved.	☒	☐	☐	Refer to detailed discussion regarding light and ventilation later in the report.
Building Separation				
Objectives • To ensure that new development is scaled to support the desired area character with appropriate massing and spaces between buildings.	☒	☐	☐	The concept of the development is supported in which buildings are oriented towards their respective frontages but also maximise views to the waterfront. Building setbacks are generally satisfactory.
• To provide visual and acoustic privacy for existing and new residents.	☒	☐	☐	Appropriate spacing and visual and acoustic privacy is provided between apartments.
• To control overshadowing of adjacent properties and private or shared open space.	☒	☐	☐	
• To allow for the provision of open space with appropriate size and proportion for recreational activities for building occupants.	☒	☐	☐	
• To provide deep soil zones for stormwater management and tree planting, where contextual and site conditions allow.	☒	☐	☐	Deep soil zones are provided around the perimeter of Block D.

(Block D) 41-45 Hill Road, Wentworth Point (cont'd)

Requirement	Yes	No	N/A	Comment
Controls • For buildings over three storeys, building separation should increase in proportion to building height: o 5-8 storeys/up to 25 metres:				The complex is 4 to 8 storeys in height, consisting of 7 storeys to the northern building; 5 - 8 storeys to the southern building; and 4 storeys to the eastern building facing the foreshore. The separation distance between the north and south building within Block D varies between 13m – 14.2m and the separation distance between the north and east building within Block D varies between 32m – 37m. It is noted that a separation distance of 11m – 12m is proposed between Block D and proposed Block C buildings.
▪ **18 metres between habitable rooms/balconies;**	☐	☒	☐	**The development is complaint with regards to the separation between the north and east buildings but not compliant between the north and south buildings being a separation of between 13m to 14.2m. In this instance and should the proposal be recommended for approval, appropriate condition shall be imposed requiring the provision of privacy screens to the windows of the affected habitable rooms on the north building to minimise any potential overlooking impacts. With regards to the 11m – 12m separation between Block D and proposed Block C, it is noted that the affected units are aligned to different orientations and windows to key habitable rooms do not align between the two buildings.**
▪ **13 metres between habitable rooms/balconies and non habitable rooms;**	☐	☒	☐	
▪ 9 metres between non habitable rooms.	☒	☐	☐	
Allow zero separation in appropriate contexts, such as in urban areas between street wall building types (party walls).	☐	☐	☒	Adequate separation is provided between the building elements which are aligned to the streets that surround the site.
• Where a building step back creates a terrace, the building separation distance for the floor below applies.	☐	☐	☒	
• Coordinate building separation controls with side and rear setback controls – in a suburban area where a strong rhythm has been established between buildings, smaller building separations may be appropriate.	☒	☐	☐	A large internal courtyard is to be provided that generally provides appropriate setbacks between the three building elements.
• Coordinate building separation controls with controls for daylight access, visual privacy and acoustic privacy.	☒	☐	☐	
• Protect the privacy of neighbours who share a building entry and whose apartments face each other by designing internal courtyards with greater building separation.	☒	☐	☐	The development is considered to be satisfactory in this regard.
• Developments that propose less than the recommended distances apart must demonstrate that daylight access, urban form and visual and acoustic privacy has been satisfactorily achieved.	☒	☐	☐	

(Block D) 41-45 Hill Road, Wentworth Point (cont'd)

Requirement	Yes	No	N/A	Comment
Street Setbacks				
Objectives • To establish the desired spatial proportions of the street and define the street edge. • To create a clear threshold by providing a transition between public and private space. • To assist in achieving good visual privacy to apartments from the street. • To create good quality entry spaces to lobbies, foyers or individual dwelling entrances. • To allow an outlook to and surveillance of the street. • To allow for street landscape character.	☒ ☒ ☒ ☒ ☒ ☒	☐ ☐ ☐ ☐ ☐ ☐	☐ ☐ ☐ ☐ ☐ ☐	Setbacks are in accordance with the Concept Plan requirements and Homebush Bay West DCP. The setbacks are to be utilised for landscaping, pedestrian paths and private open space areas for ground floor units.
Controls • Minimise overshadowing of the street and/or other buildings. • **In general no part of a building or above ground structure may encroach into a setback zone - exceptions are underground parking structures no more than 1.2 metres above ground where this is consistent with the desired streetscape, awnings, balconies and bay windows.**	☐ ☐	☐ ☒	☒ ☐	Given the orientation of the site and the required design outcomes of the site and locality specific DCP, some overshadowing of streets is inevitable and unavoidable. **The ground floor terraces project 1500mm along the southern boundary and 600mm along the northern boundary. Whilst it is noted that the HBWDCP allows for 600mm encroachment to provide variations to building facades, the proposed non-compliance is supported as the terrace encroachment enables provision of usable private open spaces which are integrated with internal spaces for the apartments and also provides a better surveillance of the street.**
Side & Rear Setbacks				
Objectives • To minimise the impact of development on light, air, sun, privacy, views and outlook for neighbouring properties, including future buildings. • To retain or create a rhythm or pattern of development that positively defines the streetscape so that space is not just what is left over around the building form. Objectives – Rear Setbacks • To maintain deep soil zones to maximise natural site drainage and protect the water table. • To maximise the opportunity to retain and reinforce mature vegetation. • To optimise the use of land at the rear and surveillance of the street at the front. • To maximise building separation to provide visual and acoustic privacy.	☒ ☒ ☒ ☐ ☒ ☒	☐ ☐ ☐ ☐ ☐ ☐	☐ ☐ ☒ ☒ ☐ ☐	Appropriate setbacks are achieved in accordance with the Concept Plan and Homebush Bay West DCP requirements.

(Block D) 41-45 Hill Road, Wentworth Point (cont'd)

Requirement	Yes	No	N/A	Comment
Controls • Where setbacks are limited by lot size and adjacent buildings, 'step in' the plan on deep building to provide internal courtyards and to limit the length of walls facing boundaries.	☒	☐	☐	Appropriate setbacks are achieved in accordance with the Concept Plan and Homebush Bay West DCP requirements.
• **In general no part of a building or above ground structure may encroach into a setback zone – exceptions are underground parking structures no more than 1.2 metres above ground where this is consistent with the desired streetscape, awnings, balconies and bay windows.**	☐	☒	☐	**This matter has been discussed above under street setbacks**
Floor Space Ratio				
Objectives • To ensure that development is in keeping with the optimum capacity of the site and the local area. • To define allowable development density for generic building types. • To provide opportunities for modulation and depth of external walls within the allowable FSR. • To promote thin cross section buildings, which maximise daylight access and natural ventilation. • To allow generous habitable balconies.	☒ ☒ ☒ ☒ ☒	☐ ☐ ☐ ☐ ☐	☐ ☐ ☐ ☐ ☐	The proposed development is considered to be generally consistent with the density requirements imposed by the Concept Plan approval. Many units have satisfactory internal and external amenity but some units will have some reduction in amenity in terms of solar penetration, this is however compensated in most cases, by generous foreshore views.
Part 02 Site Design				
Site Analysis				
• Site analysis should include plan and section drawings of the existing features of the site, at the same scale as the site and landscape plan, together with appropriate written material. • A written statement explaining how the design of the proposed development has responded to the site analysis must accompany the application.	☒ ☒	☐ ☐	☐ ☐	The development is accompanied by a Statement of Environmental Effects, which includes detailed site analysis information in relation to existing conditions, the proposed development and the relevant development control plan.
Deep Soil Zones				
Objectives • To assist with management of the water table. • To assist with management of water quality. • To improve the amenity of developments through the retention and/or planting of large and medium size trees.	☒ ☒ ☒	☐ ☐ ☐	☐ ☐ ☐	The proposal includes a satisfactory planting scheme for the site. The landscape plan is satisfactory for approval and shows an adequate planting regime for the complex.

(Block D) 41-45 Hill Road, Wentworth Point (cont'd)

Requirement	Yes	No	N/A	Comment
Design Practice • Optimise the provision of consolidated deep soil zones within a site by the design of basement and sub basement car parking so as not to fully cover the site; and the use of front and side setbacks. • Optimise the extent of deep soil zones beyond the site boundaries by locating them with the deep soil zones of adjacent properties. • Promote landscape health by supporting for a rich variety of vegetation type and size. • Increase the permeability of paved areas by limiting the area of paving and/or using impervious materials. • **A minimum of 25% of the open space area of a site should be a deep soil zone.**	☒ ☒ ☒ ☒ ☐	☐ ☐ ☐ ☐ ☒	☐ ☐ ☐ ☐ ☐	**The proposed development provides little by way of deep soil within the open space area due to locating the parking areas below the central communal open space thereby limiting the opportunity for providing deep soil. It is noted that in general 894sqm of deep soil zone is provided around the perimeter of Block D which equates to 14% of the site being deep soil zone. The non compliance is supported in this instance and consistent with other approvals in Wentworth Point**
Fences and Walls				
Objectives • To define the edges between public and private land. • To define the boundaries between areas within the development having different functions or owners. • To provide privacy and security. • To contribute positively to the public domain.	☒ ☒ ☒ ☒	☐ ☐ ☐ ☐	☐ ☐ ☐ ☐	The proposed development is considered to be consistent with the Fences and Walls objectives as suitable barriers between the public and private areas are proposed in the form of low-level walls and landscaping.
Design Practice • Respond to the identified architectural character for the street and/or the area. • Clearly delineate the private and public domain without compromising safety and security by designing fences and walls which provide privacy and security while not eliminating views, outlook, light and air; and limiting the length and height of retaining walls along street frontages. • Contribute to the amenity, beauty and useability of private and communal open spaces by incorporating benches and seats; planter boxes; pergolas and trellises; BBQs; water features; composting boxes and worm farms. • Retain and enhance the amenity of the public domain by avoiding the use of continuous blank walls at street level; and using planting to soften the edges of any raised terraces to the street, such as over sub basement car parking and reduce their apparent scale. • Select durable materials which are easily cleaned and graffiti resistant.	☒ ☒ ☒ ☒ ☒	☐ ☐ ☐ ☐ ☐	☐ ☐ ☐ ☐ ☐	The proposed development provides low-level boundary walls behind a landscape buffer to ground-floor apartments to clearly delineate between public and private spaces. The proposed fencing will provide visual privacy to apartments whilst also creating casual surveillance of public areas.
Landscape Design				

(Block D) 41-45 Hill Road, Wentworth Point (cont'd)

Requirement	Yes	No	N/A	Comment
Objectives				
• To add value to residents' quality of life within the development in the forms of privacy, outlook and views.	☒	☐	☐	The proposed development is considered to be consistent with the Landscape Design objectives as suitable landscaping is to be used to soften the impact of the built form on surrounding streetscapes and within the internal courtyard.
• To provide habitat for native indigenous plants and animals.	☒	☐	☐	
• To improve stormwater quality and reduce quantity.	☒	☐	☐	
• To improve the microclimate and solar performance within the development.	☒	☐	☐	
• To improve urban air quality.	☒	☐	☐	
• To contribute to biodiversity.	☒	☐	☐	
Design Practice				
• Improve the amenity of open space with landscape design which: provides appropriate shade from trees or structures; provides accessible routes through the space and between buildings; screens cars, communal drying areas, swimming pools and the courtyards of ground floor units; allows for locating art works where they can be viewed by users of open space and/or from within apartments.	☒	☐	☐	A landscape plan, prepared by a suitably qualified consultant, is submitted with the application. The plan identifies relevant landscaping elements to soften the built form, contribute to streetscape and provide for natural screening and shading.
• Contribute to streetscape character and the amenity of the public domain by: relating landscape design to the desired proportions and character of the streetscape; using planting and landscape elements appropriate to the scale of the development; mediating between and visually softening the bulk of large development for the person on the street.	☒	☐	☐	
• Improve the energy efficiency and solar efficiency of dwellings and the microclimate of private open spaces.	☒	☐	☐	
• Design landscape which contributes to the site's particular and positive characteristics.	☒	☐	☐	
• Contribute to water and stormwater efficiency by integrating landscape design with water and stormwater management.	☒	☐	☐	
• Provide a sufficient depth of soil above paving slabs to enable growth of mature trees.	☒	☐	☐	
• Minimise maintenance by using robust landscape elements.	☒	☐	☐	
Open Space				
Objectives				
• To provide residents with passive and active recreational opportunities.	☒	☐	☐	The proposed development is considered to be consistent with the Open Space objectives as foreshore park and communal open space is provided in the form of an internal courtyard allowing for passive and active recreation.
• To provide an area on site that enables soft landscaping and deep soil planting.	☒	☐	☐	
• To ensure that communal open space is consolidated, configured and designed to be useable and attractive.	☒	☐	☐	
• To provide a pleasant outlook.	☒	☐	☐	

(Block D) 41-45 Hill Road, Wentworth Point (cont'd)

Requirement	Yes	No	N/A	Comment
Design Practice • Provide communal open space with is appropriate and relevant to the building's setting.	☒	☐	☐	A communal internal courtyard is provided within the development site. The space is surrounded by the three building elements and contains landscaping and feature elements including a pedestrian through link to proposed Block C. The common area is large enough to permit residents to passively and actively use the space.
• Where communal open space is provided, facilitate its use for the desired range of activities by locating it in relation to buildings to optimise solar access to apartments; consolidating open space on the site into recognisable areas with reasonable space, facilities and landscape; designing its size and dimensions to allow for the program of uses it will contain; minimising overshadowing; carefully locating ventilation duct outlets from basement car parks.	☒	☐	☐	
• Provide open space for each apartment capable of enhancing residential amenity in the form of balcony, deck, terrace, garden, yard, courtyard and/or roof terrace.	☒	☐	☐	All apartments are provided with at least 1 suitably sized area of private open space in the form of a terrace or balcony.
• Locate open space to increase the potential for residential amenity by designing apartment buildings which: are sited to allow for landscape design; are sited to optimise daylight access in winter and shade in summer; have a pleasant outlook; have increased visual privacy between apartments.	☒	☐	☐	Private open spaces are positioned to optimise solar access or views of the foreshore park/Homebush Bay and to ensure visual privacy between apartments.
• Provide environmental benefits including habitat for native fauna, native vegetation and mature trees, a pleasant microclimate, rainwater percolation and outdoor drying area.	☒	☐	☐	The landscaped areas are to contain trees and native plantings.
• The area of communal open space required should generally be at least 25-30% of the site area. Larger sites and brown field sites may have potential for more than 30%.	☒	☐	☐	The amount of common open space covers is 1685sqm or 26% of the site and therefore complies with this provision.
• Where developments are unable to achieve the recommended communal open space, they must demonstrate that residential amenity is provided in the form of increased private open space and/or a contribution to public open space.	☐	☐	☒	
• **Minimum recommended area of private open space for each apartment at ground level or similar space on structure is 25sqm and the minimum preferred dimension is 4 metres.**	☐	☒	☐	**Of the 14 units on level 1, 4 units comply with the required dimension of 4m; 6 units comply with the minimum area of 25sqm. Only 2 units comply with both requirements for 25sqm area and 4m dimension and non compliance with both area and dimension affects 12 units.** **It is noted that minimum 2.4m dimension is provided for all private open spaces and of the 8 non compliant area requirements, 7 of those provides areas of between 23sqm – 24sqm which would not be noticeable different to those with 25sqm.** **Given the above, and that all the spaces provided can accommodate table and chairs for outdoor private amenity, there is no objection raised to the non-compliances in this instance.**

(Block D) 41-45 Hill Road, Wentworth Point (cont'd)

Requirement	Yes	No	N/A	Comment
Orientation				
Objectives • To optimise solar access to residential apartments within the development and adjacent development. • To contribute positively to desired streetscape character. • To support landscape design of consolidated open space areas. • To protect the amenity of existing development. • To improve the amenity of existing development.	☒ ☒ ☒ ☐ ☐	☐ ☐ ☐ ☐ ☐	☐ ☐ ☐ ☒ ☒	The proposed development is considered to be consistent with the Orientation objectives as it is consistent with the layout envisaged by site and Concept plan approval Existing developments are not duly affected and are to be demolished for future redevelopment.
Design Practice • Plan the site to optimise solar access by: positioning and orienting buildings to maximise north facing walls (within 30^0 east and 20^0 west of north) where possible; and providing adequate building separation within the development and to adjacent buildings. • Select building types or layouts which respond to the streetscape while optimising solar access. Where streets are to be edged and defined by buildings: align buildings to the street on east-west streets; and use courtyards, L-shaped configurations and increased setbacks to northern side boundaries on north-south streets. • Optimise solar access to living spaces and associated private open spaces by orienting them to the north. • Detail building elements to modify environmental conditions as required to maximise sun access in winter and sun shading in summer.	☒ ☒ ☒ ☒	☐ ☐ ☐ ☐	☐ ☐ ☐ ☐	The general layout is considered to be the most appropriate with regard to the general positioning of the site, the surrounding development and the need to take advantage of water views.
Planting on Structures				
Objectives • To contribute to the quality and amenity of communal open space on roof tops, podiums and internal courtyards. • To encourage the establishment and healthy growth of trees in urban areas.	☒ ☒	☐ ☐	☐ ☐	The proposed development is considered to be consistent with the Planting on Structures objectives as sufficient soil depth is provided above the parking level podium to allow the communal open space area to be planted, landscaped and include trees.
Design Practice • Design for optimum conditions for plant growth by: providing soil depth, soil volume and soil area appropriate to the size of the plants to be established; providing appropriate soil conditions and irrigation methods, providing appropriate drainage. • Design planters to support the appropriate soil depth and plant selection by: ensuring planter proportions accommodate the largest volume of soil possible; and providing square or rectangular planting areas rather than long narrow linear areas. Minimum soil depths will vary depending on the size of the plant however soil depths greater than 1.5 metres are unlikely to have any benefits for tree growth.	☒ ☒	☐ ☐	☐ ☐	The depth of soil within the central communal open space area (above the parking level podium) is to be between 1.5m to 1.8m deep. It will have dimensions well in excess of 10 metres by 10 metres and volume of more than 150 cubic metres. Therefore, sufficient planting conditions will be provided for a range of small trees, shrubs and ground covers.

(Block D) 41-45 Hill Road, Wentworth Point (cont'd)

Requirement	Yes	No	N/A	Comment
• Increase minimum soil depths in accordance with: the mix of plants in a planter; the level of landscape management; anchorage requirements of large and medium trees; soil type and quality.	☒	☐	☐	
• Minimum standards: o Large trees such as figs (canopy diameter of up to 16 metres at maturity): ▪ Minimum soil volume 150cum; ▪ Minimum soil depth 1.3 metres; ▪ Minimum soil area 10 metres by 10 metres.	☒	☐	☐	
o Medium trees (canopy diameter of up to 8 metres at maturity): ▪ Minimum soil volume 35cum; ▪ Minimum soil depth 1 metre; ▪ Approximate soil area 6 metres by 6 metres.	☒	☐	☐	
o Small trees (canopy diameter of up to 4 metres at maturity): ▪ Minimum soil volume 9cum; ▪ Minimum soil depth 800mm; ▪ Approximate soil area 3.5 metres by 3.5 metres.	☒	☐	☐	
o Shrubs: ▪ Minimum soil depths 500-600mm	☒	☐	☐	
o Ground cover: ▪ Minimum soil depths 300-450mm	☒	☐	☐	
o Turf: ▪ Minimum soil depth 100-300mm	☒	☐	☐	
▪ Any subsurface drainage requirements are in addition to the minimum soil depths.	☒	☐	☐	
Stormwater Management				
Objectives • To minimise the impacts of residential flat development and associated infrastructure on the health and amenity of natural waterways.	☒	☐	☐	Stormwater drainage design is considered acceptable subject to detailed conditions to be included in any consent issued for the development.
• To preserve existing topographic and natural features including waterways and wetlands.	☒	☐	☐	
• To minimise the discharge of sediment and other pollutants to the urban stormwater drainage system during construction activity.	☒	☐	☐	
Design Practice • Reduce the volume impact of stormwater on infrastructure by retaining it on site.	☒	☐	☐	Stormwater drainage design is considered acceptable subject to the inclusion of detailed conditions, should the application be recommended for approval. Grey water: The development will be connected to an alternative water supply (WRAMS) from the Sydney Olympic Park Authority scheme.
• Optimise deep soil zones. All development must address the potential for deep soil zones.	☒	☐	☐	
• On dense urban sites where there is no potential for deep soil zones to contribute to stormwater management, seek alternative solutions.	☐	☐	☒	
• Protect stormwater quality by providing for stormwater filters, traps or basins for hard surfaces, treatment of stormwater collected in sediment traps on soils containing dispersive clays.	☒	☐	☐	
• Reduce the need for expensive sediment trapping techniques by controlling erosion.	☒	☐	☐	
• Consider using grey water for site irrigation.	☒	☐	☐	

(Block D) 41-45 Hill Road, Wentworth Point (cont'd)

Requirement	Yes	No	N/A	Comment
Safety				
Objectives • To ensure residential flat developments are safe and secure for residents and visitors. • To contribute to the safety of the public domain.	☒ ☒	☐ ☐	☐ ☐	The proposed development is considered to be consistent with the Safety objectives as secure access to communal entries to the building and as casual surveillance of the public domain from living and open space areas is to be provided.
Design Practice • Reinforce the development boundary to strengthen the distinction between public and private space. This can be actual or symbolic and may include: employing a level change at the site and/or building threshold; signage; entry awnings; fences; walls and gates; change of material in paving between the street and the development.	☒	☐	☐	Suitable landscaping and fencing is to be provided to boundaries between public and private areas. Level changes along street elevations aide in providing additional physical barriers.
• Optimise the visibility, functionality and safety of building entrances by: orienting entrances towards the public street; providing clear lines of sight between entrance foyers and the street; providing direct entry to ground level apartments from the street rather than through a common foyer; direct and well lit access between car parks and dwellings, between car parks and lift lobbies and to all unit entrances.	☒	☐	☐	Communal building entries are to be orientated to the street and the internal courtyard. Suitable level of visibility is provided within the development. Convenient access ways via lifts link the car park and the development above.
• Improve the opportunities for casual surveillance by: orienting living areas with views over public or communal open spaces where possible; using bay windows and balconies which protrude beyond the main façade and enable a wider angle of vision to the street; using corner windows which provide oblique views of the street; providing casual views of common internal areas, such as lobbies and foyers, hallways, recreation areas and car parks.	☒	☐	☐	Fencing and balustrades to private open space areas are to consist of transparent elements to ensure an appropriate level of casual surveillance of public areas is achieved.
• Minimise opportunities for concealment by: avoiding blind or dark alcoves near lifts and stairwells, at the entrance and within indoor car parking, along corridors and walkways; providing well lit routes throughout the development; providing appropriate levels of illumination for all common areas; providing graded illumination to car parks and illuminating entrances higher than the minimum acceptable standard.	☒	☐	☐	Opportunities for concealment or the creation of blind alcoves have been minimised in this development.
• Control access to the development by: making apartments inaccessible from the balconies, roofs and windows of neighbouring buildings; separating the residential component of a development's car parking from any other building use and controlling car park access from public and common areas; providing direct access from car parks to apartment lobbies for residents; providing separate access for residents in mixed-use	☒	☐	☐	The position and orientation of the various building elements allow balconies and habitable rooms of apartments to overlook the public domain which permits passive surveillance of neighbouring buildings. Secure access doors/gates are to be provided to lift lobbies, car parking and communal courtyards. Physical

(Block D) 41-45 Hill Road, Wentworth Point (cont'd)

Requirement	Yes	No	N/A	Comment
buildings; providing an audio or video intercom system at the entry or in the lobby for visitors to communicate with residents, providing key card access for residents.				barriers are to be provided between communal open spaces on Block D and Block C with secure access by residents and their guest.
• Carry out a formal crime risk assessment for all residential developments of more than 20 new dwellings.	☒	☐	☐	An assessment of the proposal in relation to Council's Policy on Crime Prevention Through Environmental Design 2006 is provided, which addresses the relevant provisions.
Visual Privacy				
Objectives • To provide reasonable levels of visual privacy externally and internally during the day and night. • To maximise outlook and views from principal rooms and private open space without compromising visual privacy.	☒ ☒	☐ ☐	☐ ☐	The proposed development is considered to be consistent with the Visual Privacy Objectives as outlook of open space is maximised where possible, without creating adverse impacts.
Design Practice • Locate and orient new development to maximise visual privacy between buildings on site and adjacent buildings by providing adequate building separation, employing appropriate rear and side setbacks, utilise the site layout to increase building separation.	☒	☐	☐	Whilst there are some balconies and rooms of units that have less than the required separation (as discussed earlier in the report). Any privacy impacts are however minimised between buildings via the use of privacy screens, building orientation and window placement.
• Design building layouts to minimise direct overlooking of rooms and private open spaces adjacent to apartments by: balconies to screen other balconies and any ground level private open space; separating communal open space, common areas and access routes through the development from the windows of rooms, particularly habitable rooms; changing the level between ground floor apartments with their associated private open space, and the public domain or communal open space.	☒	☐	☐	Generally, for much of the development, building separation, location of windows and private open spaces and the use of privacy screening are satisfactory.
• Use detailed site and building design elements to increase privacy without compromising access to light and air.	☒	☐	☐	
Building Entry				
Objectives • To create entrances which provide a desirable residential identity for the development. • To orient the visitor. • To contribute positively to the streetscape and building facade design.	☒ ☒ ☒	☐ ☐ ☐	☐ ☐ ☐	The proposed development is considered to be consistent with the Building Entry Objectives as multiple communal entries which are easily identifiable are proposed.

(Block D) 41-45 Hill Road, Wentworth Point (cont'd)

Requirement	Yes	No	N/A	Comment
Design Practice • Improve the presentation of the development to the street by: locating entries so that they relate to the existing street and subdivision pattern, street tree planting and pedestrian access network; designing the entry as a clearly identifiable element of the building in the street; utilising multiple entries where it is desirable to activate the street edge or reinforce a rhythm of entries along a street.	☒	☐	☐	Multiple communal entries are to be provided, which integrate with the public domain through the provision of forecourt areas with feature paving and landscaping.
• Provide as direct a physical and visual connection as possible between the street and the entry.	☒	☐	☐	Entry foyers are spacious, feature glazing for clear sight lines and will be secured with resident-access locked doors. The entry foyers also allow equitable access to the building.
• Achieve clear lines of transition between the public street, the shared private circulation spaces and the apartment unit.	☒	☐	☐	
• Ensure equal access for all.	☒	☐	☐	
• Provide safe and secure access.	☒	☐	☐	
• Provide separate entries from the street for pedestrians and cars; different uses and ground floor apartments.	☒	☐	☐	
• Design entries and associated circulation space of an adequate size to allow movement of furniture between public and private spaces.	☒	☐	☐	
• Provide and design mailboxes to be convenient for residents and not to clutter the appearance of the development from the street.	☒	☐	☐	Mailbox location proposed adjacent to each entry foyer.
Parking				
Objectives • To minimise car dependency for commuting and recreational transport use and to promote alternative means of transport - public transport, bicycling and walking.	☒	☐	☐	The proposed development considered to be consistent with the Parking objectives as suitable number of resident and visitor car, motorbike and bicycle spaces are provided within the underground levels which do not impact upon the aesthetic design of the building.
• To provide adequate car parking for the building's users and visitors depending on building type and proximity to public transport.	☒	☐	☐	
• To integrate the location and design of car parking with the design of the site and the building.	☒	☐	☐	

(Block D) 41-45 Hill Road, Wentworth Point (cont'd)

Requirement	Yes	No	N/A	Comment
Design Practice • Determine the appropriate car parking spaces in relation to the development's proximity to public transport, shopping and recreational facilities; the density of the development and the local area; the site's ability to accommodate car parking.	☒	☐	☐	Following a car parking count, it is identified that 211 car parking spaces are provided in this development. Of that, there are 28 parking spaces for visitors and 29 spaces designated as disabled spaces
• Limit the number of visitor parking spaces, particularly in small developments where the impact on landscape and open space is significant.	☐	☐	☒	
• Give preference to underground parking wherever possible. Design considerations include: retaining and optimising the consolidated areas of deep soil zones; facilitating natural ventilation to basement and sub basement car parking areas; integrating ventilation grills or screening devices of car park openings into the façade design and landscape design; providing safe and secure access for building users, including direct access to residential apartments where possible; provide a logical and efficient structural grid.	☒	☐	☐	The change to the site topography allows all formal and allocated parking areas to be provided within underground levels. Parking levels have appropriate ventilation intakes, secure access and direct and convenient access to the building via lifts.
• Where aboveground enclosed parking cannot be avoided ensure the design of the development mitigates any negative impact on streetscape and street amenity by avoiding exposed parking on the street frontage; hiding car parking behind the building façade – where wall openings occur, ensure they are integrated into the overall façade scale, proportions and detail; wrapping the car parks with other uses.	☐	☐	☒	
• Minimise the impact of on grade parking by: locating parking on the side or rear of the lot away from the primary street frontage; screening cars from view of streets and buildings; allowing for safe and direct access to building entry points; incorporating parking into the landscape design of the site.	☐	☐	☒	
• Provide bicycle parking which is easily accessible from ground level and from apartments.	☒	☐	☐	Bicycle storage areas are provided within parking levels and are suitably accessible.
Pedestrian Access				
Objectives • To promote residential flat development which is well connected to the street and contributes to the accessibility of the public domain.	☒	☐	☐	The proposed development is considered to be consistent with the Pedestrian Access objectives as barrier free communal entries are provided to access cores of all the building elements.
• To ensure that residents, including users of strollers and wheelchairs and people with bicycles, are able to reach and enter their apartments and use communal areas via minimum grade ramps, paths, access ways or lifts.	☒	☐	☐	

(Block D) 41-45 Hill Road, Wentworth Point (cont'd)

Requirement	Yes	No	N/A	Comment
Design Practice • Utilise the site and its planning to optimise accessibility to the development. • Provide high quality accessible routes to public and semi-public areas of the building and the site, including major entries, lobbies, communal open space, site facilities, parking areas, public streets and internal roads. • Promote equity by ensuring the main building entrance is accessible for all from the street and from car parking areas; integrating ramps into the overall building and landscape design. • Design ground floor apartments to be accessible from the street, where applicable, and to their associated private open space. • Maximise the number of accessible, visitable and adaptable apartments in a building. • Separate and clearly distinguish between pedestrian access ways and vehicle access ways. • Consider the provision of public through site pedestrian access ways in large development sites. • Identify the access requirements from the street or car parking area to the apartment entrance. • Follow the accessibility standard set out in AS1428 as a minimum. • Provide barrier free access to at least 20% of dwellings in the development.	☒	☐	☐	The proposed complex is stepped from the street to reflect the new topography of the site. Ground floor apartments have individual entries from the respective streets and access cores are accessible from within parking areas, Vehicular and pedestrian entries are well separated and the proposed street network provides vehicular and pedestrian links through the wider site (this will be continued as part of future redevelopment of the site). All entries are accessible with barrier free access to over 75% of apartments. There are 138 units in the development. Of that figure, 27 or 20% are to be designated as "Adaptable units".

Vehicle Access				
Objectives • To integrate adequate car parking and servicing access without compromising street character, landscape or pedestrian amenity and safety. • To encourage the active use of street frontages.	☒	☐	☐	The proposed development is considered to be consistent with the Vehicle Access objectives. The entry from Hill Road via Interim Half Street or Half Street (in Lot 10) is suitably located and will integrated into the building elevation on completion of all development in Lot 9.

(Block D) 41-45 Hill Road, Wentworth Point (cont'd)

Requirement	Yes	No	N/A	Comment
Design Practice • Ensure that pedestrian safety is maintained by minimising potential pedestrian/vehicle conflicts.	☒	☐	☐	One vehicular access way is provided from Hill Road.
• Ensure adequate separation distances between vehicular entries and street intersections.	☒	☐	☐	The driveway width is not excessive and is not in near vicinity from any intersections.
• Optimise the opportunities for active street frontages and streetscape design by: making vehicle access points as narrow as possible; limit the number of vehicle access ways to a minimum; locating car park entry and access from secondary streets and lanes.	☒	☐	☐	
• Improve the appearance of car parking and service vehicle entries by: screening garbage collection, loading and servicing areas visually away from the street; setback or recess car park entries from the main façade line; avoid 'black holes' in the façade by providing security doors to car park entries; where doors are not provided, ensure that the visible interior of the car park is incorporated into the façade design and materials selection and that building services – pipes and ducts – are concealed; return the façade material into the car park entry recess for the extent visible from the street as a minimum.	☐	☒	☐	**Service areas such as garbage storage are located within specific room between Block D and adjoining Block C however it is noted that in the interim, it is proposed that garbage bins will be transferred from the garbage collection loading room via an electronic tug to the Major North South Street for on-street collection. This shall be coordinated by the Building management. However, on-street loading of garbage bins in high density residential flat buildings is not supported by Council and considered unacceptable. As an alternative, the applicant indicated that appropriate condition could be imposed on any consent to create a shared zone to the north of proposed Block C that would allow only garbage truck access to the garbage loading room in Block D. This way, the garbage truck could drive in through Interim Half Street straight through the shared zone to the garbage loading area, utilising the future car park entry area beside the garbage loading area for turning. Should the application be recommended for approval, appropriate condition shall be imposed in this regards.**
• Generally limit the width of driveways to a maximum of 6 metres.	☒	☐	☐	Driveways of Interim Half Street are 6m wide.
• Locate vehicle entries away from main pedestrian entries and on secondary frontages.	☒	☐	☐	
Part 03 Building Design				
Apartment Layout				

(Block D) 41-45 Hill Road, Wentworth Point (cont'd)

Requirement	Yes	No	N/A	Comment
Objectives • To ensure the spatial arrangement of apartments is functional and well organised. • To ensure that apartment layouts provide high standards of residential amenity. • To maximise the environmental performance of apartments. • To accommodate a variety of household activities and occupants' needs.	☒ ☒ ☒ ☒	☐ ☐ ☐ ☐	☐ ☐ ☐ ☐	The proposed development is considered to be consistent with the Apartment Layout objectives as layouts are suitably sized to permit a satisfactory furniture layout to occur. Possible furniture layouts are marked on the plans under review.
Design Practice • Determine appropriate sizes in relation to: geographic location and market demands; the spatial configuration of an apartments; affordability. • Ensure apartment layouts are resilient over time by accommodating a variety of furniture arrangements; providing for a range of activities and privacy levels between different spaces within the apartment; utilising flexible room sizes and proportions or open plans; ensuring circulation by stairs, corridors and through rooms is planned as efficiently as possible thereby increasing the amount of floor space in rooms. • Design apartment layouts which respond to the natural and built environments and optimise site opportunities by: providing private open space in the form of a balcony, terrace, courtyard or garden for every apartment; orienting main living areas toward the primary outlook and aspect and away from neighbouring noise sources or windows. • Locating main living spaces adjacent to main private open space; locating habitable rooms, and where possible kitchens and bathrooms, on the external face of buildings; maximising opportunities to facilitate natural ventilation and to capitalise on natural daylight by providing corner apartments, cross-over/cross-through apartments; split-level/maisonette apartments, shallow/single aspect apartments. • Avoid locating kitchen as part of the main circulation spaces of an apartment, such as a hallway or entry space. • Include adequate storage space in apartment • Ensure apartment layouts and dimensions facilitate furniture removal and placement. • **Single aspect apartments should be limited in depth to 8 metres from a window.**	☒ ☒ ☒ ☒ ☒ ☒ ☐	☐ ☐ ☐ ☐ ☐ ☐ ☒	☐ ☐ ☐ ☐ ☐ ☐ ☐	Apartment layouts are generally considered satisfactory in terms of orientating living areas and private open spaces to optimise solar access where possible. (Some issues have however been identified such as building depth and single aspect south facing units – discussed later in the report). A suitable furniture layout can be achieved for all the units. The living area of each unit is connected to the balcony. The kitchens do not form part of the major circulation space of any apartment. All the units have storage space within their confines in addition to kitchen cupboards and wardrobes. **Of the 88 single aspect apartments within the development, 43 or 48% are more than 8m deep. It is noted that all habitable rooms are less than 8m deep and majority of non compliant single aspect apartments are approximately 9.6m or less in depth. This variation is considered to be numerically small. Further, utility/service (toilets, laundries etc) areas are generally located at the back of apartments, away from windows. The variation is therefore considered to be minor and worthy of support.**

(Block D) 41-45 Hill Road, Wentworth Point (cont'd)

Requirement	Yes	No	N/A	Comment
• **The back of a kitchen should be no more than 8 metres from a window.**	☐	☒	☐	**22 of the proposed 138 apartments have kitchens located more than 8m from a window, representing 16% of the development. Of the 22 non-compliant apartments, the maximum distance to a window is 9m. The minor numerical variation is considered acceptable in this instance.**
• The width of cross-over/cross-through apartments over 15 metres deep should be 4 metres or greater.	☒	☐	☐	All cross-through apartments are a minimum of 4.4 metres wide.
• Buildings not meeting the minimum standards must demonstrate how satisfactory day lighting and natural ventilation can be achieved, particularly for habitable rooms.	☒	☐	☐	
• If Council chooses to standardise apartment sizes, a range of sizes that do not exclude affordable housing should be used. As a guide, the Affordable Housing Service suggest minimum apartment sizes: 1 bed = 50sqm, 2 bed = 70sqm, 3 bed = 95sqm.	☒	☐	☐	A good range of apartments are provided. No minimum sizes non compliances are noted from the submitted building matrix.
Apartment Mix				
Objectives • To provide a diversity of apartment types, which cater for different household requirements now and in the future.	☒	☐	☐	The proposed development is considered to be consistent with the Apartment Mix objectives as an acceptable mixture of 1, 2 and 3 bedroom apartments are proposed which will cater for a range of household requirements.
• To maintain equitable access to new housing by cultural and socio-economic groups.	☒	☐	☐	
Design Practice • Provide a variety of apartment types particularly in large apartment buildings. Variety may not be possible in smaller buildings (up to 6 units).	☒	☐	☐	The development has the following bedroom mix:-
• Refine the appropriate mix for a location by considering population trends in the future as well as present market demands; noting the apartment's location in relation to public transport, public facilities, employment areas, schools, universities and retail centres.	☒	☐	☐	1 bedroom apartments - 21 units (15%) 2 bedroom apartments – 95 units (69%) 3 bedroom apartments - 22 units (16%)
• Locate a mix of 1 and 3 bed apartments on the ground level where accessibility is more easily achieved.	☒	☐	☐	Ground floor level contains a mixture of all apartment types.
• Optimise the number of accessible and adaptable units to cater for a wider range of occupants.	☒	☐	☐	
• Investigate the possibility of flexible apartment configurations which support change in the future.	☒	☐	☐	There are 27 adaptable units to be provided in the development.

(Block D) 41-45 Hill Road, Wentworth Point (cont'd)

Requirement	Yes	No	N/A	Comment
Balconies				
Objectives • To provide all apartments with private open space. • To ensure balconies are functional and responsive to the environment thereby promoting the enjoyment of outdoor living for apartment residents. • To ensure that balconies are integrated into the overall architectural form and detail of residential flat buildings. • To contribute to the safety and liveliness of the street by allowing for casual overlooking and address.	☒ ☒ ☒ ☒	☐ ☐ ☐ ☐	☐ ☐ ☐ ☐	The proposed development is considered to be consistent with the Balconies objectives as all apartments are provided with suitably sized private open spaces which integrate with the overall architectural form of the building and provide casual overlooking of communal and public areas.
Design Practice • Where other private open space is not provided, provide at least one primary balcony. • Primary balconies should be: located adjacent to the main living areas, such as living room, dining room or kitchen to extend the dwelling living space; sufficiently large and well proportioned to be functional and promote indoor/outdoor livening – a dining table and 2 chairs (small apartment) and 4 chairs (larger apartment) should fit on the majority of balconies in the development.	☒ ☒	☐ ☐	☐ ☐	All apartments have at least one balcony. Access is provided directly from living areas.
• Consider secondary balconies, including Juliet balconies or operable walls with balustrades, for additional amenity and choice: in larger apartments; adjacent to bedrooms; for clothes drying, site balconies off laundries or bathrooms and they should be screened from the public domain.	☒	☐	☐	Secondary balconies are provided to a small number of apartments in the complex.
• Design and detail balconies in response to the local climate and context thereby increasing the usefulness of balconies by: locating balconies which predominantly face north, east or west to provide solar access; utilising sun screens, pergolas, shutters ad operable walls to control sunlight and wind; providing balconies with operable screens, Juliet balconies or operable walls in special locations where noise or high windows prohibit other solutions; choose cantilevered balconies, partly cantilevered balconies and/or recessed balconies in response to daylight, wind, acoustic privacy and visual privacy; ensuring balconies are not so deep that they prevent sunlight entering the apartment below.	☒	☐	☐	Private open spaces are provided in the form of terrace and balconies for the ground floor units as the building dictates.
• Design balustrades to allow views and casual surveillance of the street while providing for safety and visual privacy. • Coordinate and integrate building services, such as drainage pipes, with overall façade and balcony design. • Consider supplying a tap and gas point on primary balconies.	☒ ☒ ☒	☐ ☐ ☐	☐ ☐ ☐	Transparent balustrades are proposed through-out to maximise solar access, casual surveillance and to maximise views.
• Provide primary balconies for all apartments with a minimum depth of 2 metres (2 chairs) and 2.4 metres (4 chairs). • Developments which seek to vary from the minimum standards must demonstrate that	☒ ☒	☐ ☐	☐ ☐	Non compliances occur however where non compliances occur, balconies are still capable of a limited amount of outdoor furniture. It is noted

(Block D) 41-45 Hill Road, Wentworth Point (cont'd)

Requirement	Yes	No	N/A	Comment
negative impacts from the context – noise, wind, cannot be satisfactorily ameliorated with design solutions.				that all apartments are provided with a primary balcony of at least 2m in depth.
• Require scale plans of balcony with furniture layout to confirm adequate, useable space when an alternate balcony depth is proposed.	☒	☐	☐	Suitable plans are provided.
Ceiling Heights				
Objectives				
• To increase the sense of space in apartments and provide well proportioned rooms.	☒	☐	☐	The proposed development is considered to be consistent with the Ceiling Heights objectives as suitable ceiling heights are provided for the residential nature of apartments.
• To promote the penetration of daylight into the depths of the apartment.	☒	☐	☐	
• To contribute to flexibility of use.	☒	☐	☐	
• To achieve quality interior spaces while considering the external building form requirements.	☒	☐	☐	
Design Practice				
• Design better quality spaces in apartments by using ceilings to define a spatial hierarchy between areas of an apartment using double height spaces, raked ceilings, changes in ceiling heights and/or the location of bulkheads; enable better proportioned rooms; maximise heights in habitable rooms by stacking wet areas from floor to floor; promote the use of ceiling fans for cooling/heating distribution.	☒	☐	☐	The apartments in the complex shall have floor to ceiling heights of 2.7m metres. This is considered acceptable for solar access and general residential amenity.
• Facilitate better access to natural light by using ceiling heights which enable the effectiveness of light shelves in enhancing daylight distribution into deep interiors; promote the use of taller windows, highlight windows and fan lights. This is particularly important for apartments with limited light access such as ground floor apartments and apartments with deep floor plans.	☒	☐	☐	
• Design ceiling heights which promote building flexibility over time for a range of other uses, including retail or commercial, where appropriate.	☐	☐	☒	The building does not consist of any double height apartments and additional heights for future changes of use are not a necessity as the block is identified for residential use.
• Coordinate internal ceiling heights and slab levels with external height requirements and key datum lines.	☒	☐	☐	
• Count double height spaces with mezzanines as two storeys.	☐	☐	☒	
• Cross check ceiling heights with building height controls to ensure compatibility of dimensions, especially where multiple uses are proposed.	☒	☐	☐	
• Minimum dimensions from finished floor level to finished ceiling level:				
o Mixed use buildings: 3.3 metres minimum for ground floor retail/commercial and for first floor residential, retail or commercial.	☐	☐	☒	
o For RFBs in mixed use areas 3.3 metres minimum for ground floor;	☐	☐	☒	
o For RFBs or other residential floors in mixed use buildings: 2.7 metres minimum for all habitable rooms on all floors, 2.4 metres preferred minimum for non-habitable rooms but no less than 2.25 metres;	☒	☐	☐	

(Block D) 41-45 Hill Road, Wentworth Point (cont'd)

Requirement	Yes	No	N/A	Comment
o 2 storey units: 2.4 metres for second storey if 50% or more of the apartments has 2.7 metres minimum ceiling heights; o 2 storey units with a 2 storey void space: 2.4 metres minimum; o Attic spaces: 1.5 metres minimum wall height at edge of room with a 30^0 minimum ceiling slope. • Developments which seek to vary the recommended ceiling heights must demonstrate that apartments will receive satisfactory daylight.	☐ ☐ ☐ ☐	☐ ☐ ☐ ☐	☒ ☒ ☒ ☒	The floor to ceiling heights proposed are considered satisfactory.
Flexibility				
Objectives • To encourage housing designs which meet the broadest range of the occupants' needs as possible. • To promote 'long life loose fit' buildings, which can accommodate whole or partial changes of use. • To encourage adaptive reuse. • To save the embodied energy expended in building demolition.	☒ ☒ ☒ ☒	☐ ☐ ☐ ☐	☐ ☐ ☐ ☐	The proposed development is considered to be consistent with the Flexibility objectives as layouts promote changes to furniture arrangement and a suitable number can be adapted to the changing needs of residents.
Design Practice • Provide robust building configurations, which utilise multiple entries and circulation cores, especially in larger buildings over 15 metres long by: thin building cross sections, which are suitable for residential or commercial uses; a mix of apartment types; higher ceilings in particular on the ground floor and first floor; separate entries for the ground floor level and the upper levels; sliding and/or moveable wall systems. • Provide apartment layouts which accommodate the changing use of rooms. • Utilise structural systems which support a degree of future change in building use or configuration. • Promote accessibility and adaptability by ensuring: the number of accessible and visitable apartments is optimised; and adequate pedestrian mobility and access is provided.	☒ ☒ ☒ ☒	☐ ☐ ☐ ☐	☐ ☐ ☐ ☐	Block D is earmarked to be for residential use only as a result the scope for change is limited. Apartment layout provides for basic changes to internal configuration. Accessible and visitable apartments are promoted. There are 138 units in the development. Of that figure, 27 or 20% are to be designated as "Adaptable units". In this regard the proposal is considered to be satisfactory.
Ground Floor Apartments				
Objectives • To contribute to the desired streetscape of an area and to create active safe streets. • To increase the housing and lifestyle choices available in apartment buildings.	☒ ☒	☐ ☐	☐ ☐	The proposed development is considered to be consistent with the "Ground Floor Apartment Objectives" as a range of ground-floor apartments are proposed which contribute to an active streetscape.

(Block D) 41-45 Hill Road, Wentworth Point (cont'd)

Requirement	Yes	No	N/A	Comment
Design Practice • Design front gardens or terraces which contribute to the spatial and visual structure of the street while maintaining adequate privacy for apartment occupants.	☒	☐	☐	All ground-floor apartments are setback from the boundaries with adjoining streets. The setback areas are utilised for private terraces accessible from internal living areas and individual entries, bounded by fencing and landscaping which provides sufficient visual privacy.
• Ensure adequate privacy and safety of ground floor units located in urban areas with no street setbacks by: stepping up the ground floor level from the level of the footpath a maximum of 1.2 metres; designing balustrades and establishing window sill heights to minimise site lines into apartments, particularly in areas with no street setbacks; determining appropriateness of individual entries; ensuring safety bars or screens are integrated into the overall elevation design and detailing.	☐	☐	☒	
• Promoting house choice by: providing private gardens, which are directly accessible from the main living spaces of the apartment and support a variety of activities; maximising the number of accessible and visitable apartments on the ground floor; supporting a change or partial change in use, such as a home office accessible from the street or a corner shop.	☒	☐	☐	This is available for the ground floor units.
• Increase opportunities for solar access in ground floor units, particularly in denser areas by: providing higher ceilings and taller windows; choosing trees and shrubs which provide solar access in winter and shade in summer.	☒	☐	☐	
• Optimise the number of ground floor apartments with separate entries and consider requiring an appropriate percentage of accessible units.	☒	☐	☐	
• Provide ground floor apartments with access to private open space, preferably as a terrace or garden.	☒	☐	☐	
Internal Circulation				
Objectives • To create safe and pleasant spaces for the circulation of people and their personal possessions.	☒	☐	☐	The proposed development is considered to be consistent with the Internal Circulation objectives as spacious access hallways and apartments are provided.
• To facilitate quality apartment layouts, such as dual aspect apartments.	☒	☐	☐	
• To contribute positively to the form and articulation of the building façade and its relationship to the urban environment.	☒	☐	☐	
• To encourage interaction and recognition between residents to contribute to a sense of community and improve perceptions of safety.	☒	☐	☐	
Design Practice • Increase amenity and safety in circulation spaces by: providing generous corridor widths and ceiling heights particularly in lobbies, outside lifts and apartment entry doors; providing appropriate levels of lighting, including the use of natural daylight where possible; minimising corridor lengths to give short, clear sight lines; avoiding tight corners; providing legible signage noting apartment numbers, common areas and general directional finding; providing adequate ventilation.	☒	☐	☐	Corridor, foyer and hallway widths are sufficiently lit, articulated and dimensioned to promote safety and movement of residents and their belongings.

(Block D) 41-45 Hill Road, Wentworth Point (cont'd)

Requirement	Yes	No	N/A	Comment
• Support better apartment building layouts by designing buildings with multiple cores which: increase the number of entries along a street; increase the number of vertical circulation points; give more articulation to the façade; limiting the number of units off a circulation core on a single level.	☒	☐	☐	Multiple access cores are provided to service the different areas of the complex.
• Articulate longer corridors by: utilising a series of foyer areas and/or providing windows along or at the end of a corridor.	☒	☐	☐	
• Minimise maintenance and maintain durability by using robust materials in common circulation areas.	☒	☐	☐	
• Where units are arranged off a double loaded corridor, the number of units accessible from a single core/corridor should be limited to 8 - exceptions for: adaptive reuse buildings; where developments can demonstrate the achievement of the desired streetscape character and entry response; where developments can demonstrate a high level of amenity for common lobbies, corridors and units.	☐	☒	☐	**This non compliance affects the south-east core where up to 9 apartments on levels 2 to 4 are accessed from a single core. This is considered acceptable given the minor nature of the variation and it does not detract from the streetscape character or amenity of the units. It is also noted that 2 of the 9 units affected on levels 2 to 4 are dual aspect apartments.**
Mixed Use				

(Block D) 41-45 Hill Road, Wentworth Point (cont'd)

Requirement	Yes	No	N/A	Comment
Objectives • To support a mix of uses that complement and reinforce the character, economics and function of the local area. • Choose a compatible mix of uses. • Consider building depth and form in relation to each use's requirements for servicing and amenity. • Design legible circulation systems, which ensure the safety of users by: isolating commercial service requirements such as loading docks from residential access, servicing needs and primary outlook; locating clearly demarcated residential entries directly from the public street; clearly distinguishing commercial and residential entries and vertical access points; providing security entries to all entrances into private areas, including car parks and internal courtyards; providing safe pedestrian routes through the site, where required. • Ensure the building positively contributes to the public domain and streetscape by: fronting onto major streets with active uses; avoiding the use of blank walls at the ground level. • Address acoustic requirements for each use by: separate residential uses, where possible, from ground floor retail or leisure uses by utilising an intermediate quiet-use barrier, such as offices; design for acoustic privacy from the beginning of the project to ensure that future services, such as air conditioning, do not cause acoustic problems later. • Recognising the ownership/lease patterns and separating requirements for purposes of BCA.	☐ ☐ ☐ ☐ ☐ ☐ ☐	☐ ☐ ☐ ☐ ☐ ☐ ☐	☒ ☒ ☒ ☒ ☒ ☒ ☒	The Mixed Use objectives are not applicable to the proposed development as exclusive residential use is proposed.
Storage				
Objectives • To provide adequate storage for everyday household items within easy access of the apartment. • To provide storage for sporting, leisure, fitness and hobby equipment.	☒ ☒	☐ ☐	☐ ☐	It is noted that storage space is provided for each of the proposed units. These storage areas are split between basement storage and internal unit storage. A breakdown of the storage space provided by the applicant demonstrates that compliance is achieved for every unit.

(Block D) 41-45 Hill Road, Wentworth Point (cont'd)

Requirement	Yes	No	N/A	Comment
Design Practice • Locate storage conveniently for apartments including: at least 50% of the required storage within each apartment and accessible from either the hall or living area - best provided as cupboards accessible from entries and hallways and/or under internal stairs; dedicated storage rooms on each floor within the development, which can be leased by residents as required; providing dedicated and/or leasable storage in internal or basement car parks.	☒	☐	☐	Apartments are to have varying levels of storage areas. However, the storage space per unit varies.
• Provide storage which is suitable for the needs of residents in the local area and able to accommodate larger items such as sporting equipment and bicycles.	☒	☐	☐	Each unit has a dedicated storage space within the apartment in addition to kitchen cupboards and wardrobes.
• Ensure that storage separated from apartments is secure for individual use.	☒	☐	☐	Designated bicycle parking areas are provided in the parking levels.
• Where basement storage is provided: ensure that it does not compromise natural ventilation in car parks or create potential conflicts with fire regulations; exclude it from FSR calculations.	☒	☐	☐	
• Consider providing additional storage in smaller apartments in the form of built-in cupboards to promote a more efficient use of small spaces.	☒	☐	☐	

• In addition to kitchen cupboards and wardrobes, provide accessible storage facilities at the following rates:
o Studio = 6cum;
o 1 bed = 6cum;
o 2 bed = 8cum;
o 3+ bed = 10cum.
	☒	☐	☐	Satisfactory storage areas are provided to satisfy the DCP requirements as detailed on the submitted plans.

Acoustic Amenity				
Objectives • To ensure a high level of amenity by protecting the privacy of residents within residential flat buildings both within the apartments and in private open spaces.	☒	☐	☐	The proposed development is considered to be consistent with the Acoustic Amenity objectives as acoustic intrusion is minimised through building separation and the grouping of like-use rooms in apartments together.

(Block D) 41-45 Hill Road, Wentworth Point (cont'd)

Requirement	Yes	No	N/A	Comment
Design Practice • Utilise the site and building layout to maximise the potential for acoustic privacy by providing adequate building separation within the development and from neighbouring buildings.	☒	☐	☐	Suitable building separation is provided to allow private open space areas to be located away from each other.
• Arrange apartments within a development to minimise noise transition between flats by: locating busy, noisy areas next to each other and quieter areas next to other quieter areas (kitchen near kitchen, bedroom near bedroom); using storage or circulation zones within an apartment to buffer noise from adjacent apartments, mechanical services or corridors and lobby areas; minimising the amount of party walls with other apartments.	☒	☐	☐	Like-use areas of apartments are grouped to avoid acoustic disturbance of neighbouring apartments where possible, i.e. bedrooms adjoin bedrooms and living areas adjoin living areas. Where possible, noisier areas such as bathrooms and laundries are distanced from bedrooms.
• Design the internal apartment layout to separate noisier from quieter spaces by: grouping uses within an apartment – bedrooms with bedrooms and service areas like kitchen, bathroom, and laundry together.	☒	☐	☐	
• Resolve conflicts between noise, outlook and views by using design measures including: double glazing, operable screened balconies; continuous walls to ground level courtyards where they do not conflict with streetscape or other amenity requirements.	☒	☐	☐	The Acoustic Report provided with the application, prepared by Acoustic Logic Consultancy Pty Ltd, dated 16 July 2010 (report 2010673/1607A/R0/KS) provided Acoustic criteria and recommended construction methods/materials/treatments to be used to meet the criteria for the site.
• Reduce noise transmission from common corridors or outside the building by providing seals at entry doors.	☐	☐	☒	
Daylight Access				
Objectives • To ensure that daylight access is provided to all habitable rooms and encouraged in all other areas of residential flat development.	☒	☐	☐	The proposed development is considered to be generally consistent with the Daylight Access objectives as the orientation of living areas allows for daylight infiltration.
• To provide adequate ambient lighting and minimise the need for artificial lighting during daylight hours.	☒	☐	☐	
• To provide residents with the ability to adjust the quantity of daylight to suit their needs.	☒	☐	☐	
Design Practice • Plan the site so that new residential flat development is oriented to optimise northern aspect.	☒	☐	☐	There are many units facing north, east or west that receives an adequate amount of solar penetration from March through to September. However there are a number of units facing south that do not receive solar penetration.
• Ensure direct daylight access to communal open space between March and September and provide appropriate shading in summer.	☒	☐	☐	The internal courtyard space within the development will provide shade in summer whilst allowing solar penetration in winter. The built form is open to the north at level 2, which would provide direct solar access to a substantial portion of the communal open space.
• Optimise the number of apartments receiving daylight access to habitable rooms and principal windows: ensure daylight access to habitable rooms and private open space, particularly in winter; use skylights, clerestory windows and	☒	☐	☐	Apartment living areas and certain bedrooms are provided with openings to outdoor space to maximise access to daylight and where possible, north-

(Block D) 41-45 Hill Road, Wentworth Point (cont'd)

Requirement	Yes	No	N/A	Comment
fanlights to supplement daylight access; promote two storey and mezzanine, ground floor apartments or locations where daylight is limited to facilitate daylight access to living rooms and private open spaces; limit the depth of single aspect apartments; ensure single aspect , single storey apartments have a northerly or easterly aspect; locate living areas to the north and service areas to the south and west of development; limit the number of south acing apartments and increase their window area; use light shelves to reflect light into deeper apartments.				facing openings, living areas and private open spaces are optimised.
• Design for shading and glare control, particularly in summer: using shading devices such as eaves, awnings, colonnades, balconies, pergolas, external louvres and planting; optimising the number of north facing living spaces; providing external horizontal shading to north facing windows; providing vertical shading to east or west windows; using high performance glass but minimising external glare off windows (avoid reflective films, use a glass reflectance below 20%, consider reduced tint glass).	☒	☐	☐	Overhanging balconies and louvers are proposed to provide shading to private open spaces. A roof element is provided for the top floors to provide shading to the top floor balconies of each apartment as appropriate.
• Limit the use of light wells as a source of daylight by prohibiting their use as the primary source of daylight in habitable rooms.	☒	☐	☐	
• Where light wells are used: relate light well dimensions to building separation; conceal building services and provide appropriate detail and materials to visible walls; ensure light wells are fully open to the sky; allow exceptions for adaptive reuse buildings, if satisfactory performance is demonstrated.	☐	☐	☒	Skylights are proposed for the top floor apartments but the light captured does not provide the primary form of light to the units.
• Living rooms and private open spaces for at least 70% of apartments in a development should receive a minimum of 3 hours direct sunlight between 9am and 3pm in midwinter. In dense urban areas, a minimum of 2 hours may be acceptable.	☐	☒	☐	**The applicant has stated that buildings have been orientated to maximise solar access but also take advantage of the view amenity. The applicant provided shadow statistics schedule that shows that 71 units or 51% of the units having living areas and private open space areas achieving the minimum 2 hours solar access.** **Furthermore, the applicant contends that an additional 15 units or 10.9% will receive the minimum 2 hours solar access between 9am and 3.30pm at the winter solstice.** **When added together this is 86 units or 62% of the units receiving some sunlight penetration at the winter solstice.** **This non-compliance is considered to be a function of site orientation**

(Block D) 41-45 Hill Road, Wentworth Point (cont'd)

Requirement	Yes	No	N/A	Comment
				and the constraints associated with infill development. To this extent, and given water view opportunities for this site (discussed below), the variation to this clause is considered worthy of support.
• **Limit the number of single aspect apartments with a southerly aspect (SW-SE) to a maximum of 10% of the total units proposed.**	☐	☒	☐	**There are 18 single aspect south facing units, which is 13% for the development. This is partly due to the orientation of the site. A variation is considered acceptable given that the proposal performs satisfactorily in terms of solar access and supporting documentation demonstrates that the thermal performance of these apartments is such that residential amenity will not be unduly affected.**
• Developments which seek to vary from the minimum standards must demonstrate how site constrains and orientation prohibits the achievement of these standards and how energy efficiency is addressed.	☒	☐	☐	The applicant argues that in this instance the site constraint is a "Kirribilli Effect" where apartments with reduced solar access should not turn their back on the high amenity water view purely to resolve solar access non-compliances. It is agreed that the view in this instance can be considered to be of a high amenity and therefore warrants a variation to the numerical compliance with Solar access. Additionally, a sufficient set of energy efficiency features have been detailed to be provided within the submitted BASIX certificates. Accordingly, the development can be considered acceptable in this regard.
Natural Ventilation				
Objectives • To ensure that apartments are designed to provide all habitable rooms with direct access to fresh air and to assist in promoting thermal comfort for occupants. • To provide natural ventilation in non-habitable rooms, where possible. • To reduce energy consumption by minimising the use of mechanical ventilation, particularly air conditioning.	☒ ☒ ☒	☐ ☐ ☐	☐ ☐ ☐	The proposed development is considered to be consistent with the Natural Ventilation objectives as all habitable rooms, and where possible non-habitable rooms, have sufficient openings for ventilation. The BASIX commitments dictate energy consumption requirements.

(Block D) 41-45 Hill Road, Wentworth Point (cont'd)

Requirement	Yes	No	N/A	Comment
Design Practice				
• Plan the site to promote and guide natural breezes by: determining prevailing breezes and orient buildings to maximise use, where possible; locating vegetation to direct breezes and cool air as it flows across the site and by selecting planting or trees that do not inhibit air flow.	☒	☐	☐	The building and apartment layouts are designed to maximise natural ventilation through the use of open-plan living areas and generous openings to living areas and bedrooms.
• Utilise the building layout and section to increase the potential for natural ventilation.	☒	☐	☐	
• Design the internal apartment layout to promote natural ventilation by: minimising interruptions in air flow through an apartment; grouping rooms with similar usage together.	☒	☐	☐	
• Select doors and operable windows to maximise natural ventilation opportunities established by the apartment layout.	☒	☐	☐	
• Coordinate design for natural ventilation with passive solar design techniques.	☒	☐	☐	
• Explore innovative technologies to naturally ventilate internal building areas or rooms.	☐	☐	☒	
• **Building depths which support natural ventilation typically range from 10-18 metres.**	☐	☒	☐	**The building depth for the building varies but reaches up to 19.8m from glass line to glass line but less than 22m overall. Based on the design the proposed depth is not considered excessive as it does not adversely affect the residential amenity of the affected apartments.**
• 60% of residential units should be naturally cross ventilated.	☒	☐	☐	Up to 61% of apartments in the development have openings in two or more external walls of different orientation
• 25% of kitchens within a development should have access to natural ventilation.	☒	☐	☐	All kitchens within the development are considered to be naturally ventilated as they are part of the open plan living area that has no mechanical ventilation.
• Developments which seek to vary from the minimum standards must demonstrate how natural ventilation can be satisfactorily achieved particularly in relation to habitable rooms.	☒	☐	☐	The non compliances identified in this section can be considered minor in this instance and generally supportable.
Awnings and Signage				
Objectives • To provide shelter for public streets. • To ensure signage is in keeping with desired streetscape character and with the development in scale, detail and overall design	☐ ☐	☐ ☐	☒ ☒	The Awnings and Signage Objectives are not applicable to the proposed development as no awnings over the public domain or any signage are proposed.

(Block D) 41-45 Hill Road, Wentworth Point (cont'd)

Requirement	Yes	No	N/A	Comment
Design Practice *Awnings* • Encourage pedestrian activity on streets by providing awnings to retail strips, where appropriate, which: give continuous cover in areas which have a desired pattern of continuous awnings; complement the height, depth and form of the desired character or existing pattern of awnings; provide sufficient protection for sun and rain.	☐	☐	☒	No awnings over the surrounding public domain are proposed. In this instance, where the proposal consists of units for a wholly residential use and where pedestrian traffic is to be limited, no awnings are considered necessary.
• Contribute to the legibility of the residential flat development and amenity of the public domain by locating local awnings over building entries.	☐	☐	☒	
• Enhance safety for pedestrians by providing under-awning lighting.	☐	☐	☒	
Signage • Councils should prepare guidelines for signage based on the desired character and scale of the local area.	☐	☐	☒	No signage of any kind is proposed under this application. Again, being a residential development, no signage is considered necessary.
• Integrate signage with the design of the development by responding to scale, proportions and architectural detailing.	☐	☐	☒	
• Provide clear and legible way finding for residents and visitors.	☐	☐	☒	
Facades				
Objectives • To promote high architectural quality in residential flat buildings.	☒	☐	☐	The proposed development is considered to be consistent with the Facade objectives as elevations of high architectural design quality which include modulation and articulation are proposed.
• To ensure that new developments have facades which define and enhance the public domain and desired street character.	☒	☐	☐	
• To ensure that building elements are integrated into the overall building form and façade design.	☒	☐	☐	
Design Practice • Consider the relationship between the whole building form and the façade and/or building elements.	☒	☐	☐	Elevations are provided in accordance with the scale requirements of the Concept Plan approval and Homebush Bay West Development Control Plan. The design quality of the development is satisfactory. A high level of modulation, articulation and architectural feature elements are incorporated to provide visually interesting and varied facades. Unsightly elements such as services, piping and plant is to be suitably located and/or screened so as not to detract from the visual quality of facades.
• Compose facades with an appropriate scale, rhythm and proportion, which respond to the building's use and the desired contextual character.	☒	☐	☐	
• Design facades to reflect the orientation of the site using elements such as sun shading, light shelves and bay windows as environmental controls, depending on the façade orientation.	☒	☐	☐	
• Express important corners by giving visual prominence to parts of the façade.	☒	☐	☐	
• Coordinate and integrate building services, such as drainage pipes, with overall façade and balcony design.	☒	☐	☐	
• Coordinate security grills/screens, ventilation louvres and car park entry doors with the overall façade design.	☒	☐	☐	

(Block D) 41-45 Hill Road, Wentworth Point (cont'd)

Requirement	Yes	No	N/A	Comment
Roof Design				
Objectives • To provide quality roof designs, which contribute to the overall design and performance of residential flat buildings. • To integrate the design of the roof into the overall façade, building composition and desired contextual response. • To increase the longevity of the building through weather protection.	☒ ☒ ☒	☐ ☐ ☐	☐ ☐ ☐	The proposed development is considered to be consistent with the Roof Design objectives as a flat roof with no elements which detract from the overall building appearance is proposed.
Design Practice • Relate roof design to the desired built form. • Design the roof to relate to the size and scale of the building, the building elevations and three dimensional building form. This includes the design of any parapet or terminating elements and the selection of roof materials. • Design roofs to respond to the orientation of the site. • Minimise the visual intrusiveness of service elements (lift overruns, service plants, chimneys, vent stacks, telecommunication infrastructure, gutters, downpipes, and signage) by integrating them into the design of the roof. • Support the use of roofs for quality open space in denser urban areas by: providing space and appropriate building systems to support the desired landscape design; incorporating shade structures and wind screens to encourage open space use; ensuring open space is accessible. • Facilitate the use or future use of the roof for sustainable functions e.g. rainwater tanks, photovoltaics, water features. • Where habitable space is provided within the roof optimise residential amenity in the form or attics or penthouse apartments.	☒ ☒ ☒ ☒ ☒ ☐	☐ ☐ ☐ ☐ ☐ ☐	☐ ☐ ☐ ☐ ☐ ☒	The proposed building is to have a flat roof which will not have any impact upon its overall appearance. One of the rooftop is to be utilised for communal open space and another as an inaccessible landscape outlook with patterns of gravel and low planting as "green" roofs with low maintenance and low irrigation requirements.
Energy Efficiency				
Objectives • To reduce the necessity for mechanical heating and cooling. • To reduce reliance on fossil fuels. • To minimise greenhouse gas emissions. • To support and promote renewable energy initiatives.	☒ ☒ ☒ ☒	☐ ☐ ☐ ☐	☐ ☐ ☐ ☐	The proposed development is considered to be consistent with the Energy Efficiency objectives as a BASIX Certificate which achieves the relevant energy targets is provided and the relevant commitments shown on plans.
Design Practice Requirements superseded by BASIX.	☒	☐	☐	The various BASIX Certificates for the buildings show that the development as a whole achieves the Pass Mark for energy and water conservation.
Maintenance				

(Block D) 41-45 Hill Road, Wentworth Point (cont'd)

Requirement	Yes	No	N/A	Comment
Objectives • To ensure long life and ease of maintenance for the development.	☒	☐	☐	The proposed development is considered to be consistent with the Maintenance objectives as relevant conditions shall be included in any consent to ensure the site is suitably maintained.
Design Practice • Design windows to enable cleaning from inside the building, where possible. • Select manually operated systems in preference to mechanical systems. • Incorporate and integrate building maintenance systems into the design of the building form, roof and façade. • Select durable materials, which are easily cleaned and are graffiti resistant. • Select appropriate landscape elements and vegetation and provide appropriate irrigation systems. • For developments with communal open space, provide a garden maintenance and storage area, which is efficient and convenient to use and is connected to water and drainage.	☒ ☒ ☒ ☒ ☒ ☒	☐ ☐ ☐ ☐ ☐ ☐	☐ ☐ ☐ ☐ ☐ ☐	Should the application be recommended for approval, relevant conditions in relation to use of high-quality materials and general maintenance of the site shall be included in any consent that may be issued.
Waste Management				
Objectives • To avoid the generation of waste through design, material selection and building practices. • To plan for the types, amount and disposal of waste to be generated during demolition, excavation and construction of the development. • To encourage waste minimisation, including source separation, reuse and recycling. • To ensure efficient storage and collection of waste and quality design of facilities.	☒ ☒ ☒ ☒	☐ ☐ ☐ ☐	☐ ☐ ☐ ☐	The proposed development is considered to be consistent with the Waste Management objectives as suitable arrangements and facilities for waste disposal and storage are proposed. In this instance, and as discussed earlier in the report, appropriate condition shall be imposed to create a shared zone to the north of proposed Block C that would allow only garbage truck access to the garbage loading room in Block D. This way, the garbage truck could drive in through Interim Half Street straight through the shared zone to the garbage loading area, utilising the future car park entry area beside the garbage loading area for turning. Should the application be recommended for approval, appropriate condition shall be imposed in this regards.
Design Practice • Incorporate existing built elements into new work, where possible. • Recycle and reuse demolished materials, where possible. • Specify building materials that can be reused and recycled at the end of their life. • Integrate waste management processes into all stages of the project, including the design stage. • Support waste management during the design stage by: specifying modestly for the project needs; reducing waste by utilising the standard product/component sizes of materials to be used; incorporating durability, adaptability and ease of	☐ ☒ ☒ ☒ ☒	☐ ☐ ☐ ☐ ☐	☒ ☐ ☐ ☐ ☐	Suitable waste management facilities are proposed throughout the building and will be managed by an appointed caretaker.

(Block D) 41-45 Hill Road, Wentworth Point (cont'd)

Requirement	Yes	No	N/A	Comment
future service upgrades.				
• Prepare a waste management plan for green and putrescible waste, garbage, glass, containers and paper. • Locate storage areas for rubbish bins away from the front of the development where they have a significant negative impact on the streetscape, on the visual presentation of the building entry and on the amenity of residents, building users and pedestrians. • Provide every dwelling with a waste cupboard or temporary storage area of sufficient size to hold a single day's waste and to enable source separation. • Incorporate on-site composting, where possible, in self contained composting units on balconies or as part of the shared site facilities. • Supply waste management plans as part of the DA submission.	☒ ☒ ☒ ☐ ☒	☐ ☐ ☐ ☐ ☐	☐ ☐ ☐ ☒ ☐	
Water Conservation				
Objectives • To reduce mains consumption of potable water. • To reduce the quantity of urban stormwater runoff.	☒ ☒	☐ ☐	☐ ☐	The proposed development is considered to be consistent with the Water Conservation objectives as on-site detention and a suitable stormwater drainage plan is proposed.
Design Practice • Requirements superseded by BASIX.	☐	☐	☒	The design practice requirements are superseded by commitments listed in the accompanying BASIX Certificate.

Summary of non-compliances - SEPP 65 and the Residential Flat Design Code

The development proposal incorporates a number of variations to the requirements of SEPP 65 and the associated Residential Flat Design Code as highlighted in the above assessment table. The departures from the controls have been largely justified by the applicant and are considered to be worthy of support in this instance. In particular, variations to building depth, solar access and south facing unit numbers are considered to be offset by amenity gains associated with a design creating strong edges to the public domain and water views.

State Environmental Planning Policy (BASIX)

As the development relates to a new residential development, a BASIX certificate has been submitted to accompany the development application. The relevant information to be included in a BASIX Certificate is considered in the assessment table below:

Requirement	Yes	No	N/A	Comment
PROJECT DETAILS				
Street address, postcode and LGA shown on BASIX Certificate match rest of DA package.	☒	☐	☐	All relevant details are correctly identified on the BASIX Certificate and corresponding plans.
Dwelling type is correctly identified based on BASIX definitions.	☒	☐	☐	
Number of bedrooms shown on BASIX Certificate is consistent with plans.	☒	☐	☐	
Site area shown on BASIX Certificate matches rest of DA package.	☒	☐	☐	
Roof area shown on BASIX Certificate matches rest of DA package.	☒	☐	☐	
Conditioned and Unconditioned floor areas are in accordance with the BASIX Definitions. (These are for BASIX compliance only; they do not replace any other definitions of floor area.)	☒	☐	☐	
Total area of garden and lawn indicated on submitted plans is consistent with BASIX Certificate.	☒	☐	☐	
WATER				
Landscape plan indicates areas and species to be planted (where indigenous or low-water use plant species are nominated).	☒	☐	☐	All details are correctly identified.
Rainwater tank(s) shown on plans, tank(s) size stated and tank(s) drawn to scale. If underground tank proposed, then this is clearly stated. Plans show and state roof area draining to rain tank(s), and match the BASIX Certificate.	☒	☐	☐	
Rainwater tank(s) meet all other consent authority requirements e.g. height limits at boundary, pump noise standards, insect screens.	☒	☐	☐	
Size of swimming pool on plan consistent with volume indicated in BASIX Certificate.	☒	☐	☐	
THERMAL COMFORT – RAPID				
Floor construction, eaves, insulation and glazed areas are marked on plans.	☒	☐	☐	All details are correctly identified.
THERMAL COMFORT – DO-IT-YOURSELF				
Floor/wall/ceiling/roof insulation commitments and roof colour are marked on plans.	☒	☐	☐	
Wall, floor, ceiling and roof construction types are marked on plans.	☒	☐	☐	
Glazing is indicated on plans in accordance with BASIX Certificate and if performance glazing is nominated, check that it is clearly labelled.	☒	☐	☐	
All shading devices and overshadowing objects are clearly marked on the plans in accordance with the BASIX Certificate.	☒	☐	☐	
If floor concession is claimed, check that 'site slope' or 'flood prone' claim is valid.	☒	☐	☐	

(Block D) 41-45 Hill Road, Wentworth Point (cont'd)

Requirement	Yes	No	N/A	Comment
THERMAL COMFORT – SIMULATION				
Assessor Certificate and ABSA-stamped plans are provided. ABSA Specification block is physically attached to plan. Assessor and Certificate numbers in DA package match those on BASIX Certificate.	☒	☐	☐	All details are correctly identified.
Floor/wall/ceiling/roof insulation commitments and roof colour in BASIX Certificate are marked on plans.	☒	☐	☐	
If suspended floor concession is claimed on BASIX Certificate, check this has been approved by Assessor on Assessor Certificate.	☒	☐	☐	
ENERGY				
Star rating of any proposed gas hot water system is marked on plans.	☒	☐	☐	All details are correctly identified.
If solar hot water (SHW), check that system is drawn to scale (typical two panel SHW system is 4sqm) and that panels are located with a northerly aspect. Ensure SHW panels will not be significantly overshadowed by neighbouring buildings/trees.	☒	☐	☐	
Any external air conditioning unit is marked on plans and is located such that it does not impact onsite or neighbour's amenity (avoid noise source near bedrooms) and complies with any other consent authority requirements.	☒	☐	☐	
Any BASIX energy efficient lighting commitment is annotated on plans.	☒	☐	☐	
Any pool or spa heating system and timer control is annotated on plans.	☒	☐	☐	
Photovoltaic panels are not going to be significantly overshadowed.	☐	☐	☐	
Panel area is approximately drawn to scale: surface area of a 1kWh photovoltaic system is approximately 8sqm.	☒	☐	☐	

The BASIX Report indicates that the development will comply with the BASIX requirements subject to the recommendations contained in the report being undertaken. It is considered appropriate to incorporate the report into any consent that may be issued.

State Environmental Planning Policy (Infrastructure) 2007

The development application was referred to the RTA in accordance with the requirements of "Schedule 3 – Traffic Generating Developments to be referred to the RTA" of State Environmental Planning Policy (Infrastructure) 2007. See details provided under the "External Referrals" heading of the report.

Regional Environmental Plans

The proposed development is affected by the following Regional Environmental Plans:

Sydney Regional Environmental Plan No. 24 - Homebush Bay Area

The relevant requirements and objectives of Sydney Regional Environmental Plan Number 24 have been considered in the following assessment table.

Requirement	Yes	No	N/A	Comment

(Block D) 41-45 Hill Road, Wentworth Point (cont'd)

Requirement	Yes	No	N/A	Comment
Clause 5 - Suspension of certain laws *(1) s33 of the Sydney Harbour Trust Act 1900 and any agreement or covenant do not apply to any development permitted under this plan to the extent necessary to enable the development to be carried out in accordance with this plan*	☐	☐	☒	This section does not apply to the proposed development.
Clause 10 Consent Authorities (1) The relevant Council is the consent authority for land in the Homebush Bay Area (Including land / water interface development), except as provided by subclause (3), the Act and the Sydney Olympic Park Authority Act 2001. (2) (Repealed). (3) The Minister for Transport has the function of determining all development applications for consent for water based development. (4)-(7) (Repealed).	☐ ☐	☐ ☐	☒ ☒	In accordance with Section 23G of the Environmental Planning and Assessment Act 1979 (as amended), Council's power as consent authority is passed onto the Joint Regional Planning Panel - Sydney West.
Clause 11 - Permissible Uses *(1) Development of land within the Homebush Bay Area may be carried out for any purpose that the consent authority considers to be consistent with any one or more of the planning objectives for the Homebush Bay Area* *(2) The following development may be carried out, but only with development consent, on land shown coloured and described as "residential", "Village Centre" or "High Tech Business Park" on the Homebush Bay Map:* *a. Subdivision, or* *b. Development for the purposes of a building, work, place or land use specified in Schedule 8 in relation to the land concerned*	☒ ☐ ☐	☐ ☐ ☐	☐ ☒ ☒	Proposed development type: Residential Flat Building. The development is permissible with consent. The controls apply to the Newington locality within which the subject site is not situated.

(Block D) 41-45 Hill Road, Wentworth Point (cont'd)

Requirement	Yes	No	N/A	Comment
Clause 12 Planning Objectives Regional Role & Land Use				
(a) to promote development of major public facilities and other public facilities that will establish the Homebush Bay Area, and Sydney Olympic Park in particular, as a centre for hosting regional, State, national and international events	☐	☐	☒	The proposed development does not constitute a major public facility.
(b) to preserve and protect the Homebush Bay Area's regionally significant wetlands and woodlands in Sydney Olympic Park	☒	☐	☐	The proposed development will not have any significant adverse impact upon wetlands and woodlands.
(c) to promote a variety of development and land uses other than those referred to in paragraph (a) (for example, commercial, retail, industrial, residential, recreational, open space, institutional and tourism uses), but only if the type and scale of those uses do not prevent the use or reduce the attractiveness or suitability of the Homebush Bay Area, and Sydney Olympic park, in particular, for development referred to in paragraph (a)	☒	☐	☐	The proposed development is residential landuse.
(d) to permit a range of ancillary development and land uses (for example, roads, parking areas, public transport, utility services, remediation of land, flood mitigation, drainage works, land filling, earthworks, clearing, site rehabilitation and dredging works.	☒	☐	☐	The proposed development includes ancillary works such as earthworks, landscaping works and drainage works.
Clause 12 Planning Objectives Relationship to Surrounding Sites & Areas				
(e) to integrate the Homebush Bay Area, and Sydney Olympic Park, in particular, with the regional transport network, whether on land or water, including public transport systems, roads, cycleways and walkways	☒	☐	☐	The proposed development will not create any new transport links. The site is well positioned to utilize existing ferry, bus and cycle routes that are established in the precinct.
(f) to protect the Homebush Bay Area and land surrounding it from adverse effects resulting from the holding of major public events.	☒	☐	☐	The proposed development does not constitute a major public facility and thus will not cause any such adverse effects.

(Block D) 41-45 Hill Road, Wentworth Point (cont'd)

Requirement	Yes	No	N/A	Comment
Clause 12 Planning Objectives Quality & Nature of Urban Form *(g) to promote co-ordinated, sensitive and high quality development in the Homebush Bay Area through the adoption of overall guidelines for development relating to, for example, urban design, landscaping and signage*	☒	☐	☐	The proposed development is considered to promote a high quality living environment for the residents.
(h) to promote ESD	☒	☐	☐	Ecological sustainable development principles have been implemented in the proposed design and are discussed in greater detail later in this report.
(i) to take advantage of the proximity of the Homebush Bay Area to the Parramatta River and Homebush Bay by encouraging development that preserves and improves views from and of the waterfront and to enhance public access to those waterways and waterfront areas, while protecting flora and fauna habitats	☒	☐	☐	The proposal provides views to the waterfront and also enhances public access to the water front via the foreshore park.
Clause 12 Planning Objectives Environmental and Heritage Protection *(j) to protect sensitive natural environments, such as wetlands, woodlands and grasslands/wetlands (as shown on the map marked "Homebush Bay Area – Environmental Conservation Areas Map"), by identifying environmental conservation areas and ensuring ecological significance of these areas is not reduced*	☐	☐	☒	There are no existing environmentally sensitive areas or bird habitats within the existing site. The Millennium Parklands are located to the west of the subject site (across Hill Road) but any detrimental impact is considered negligible.
(k) to identify and protect heritage items, heritage conservation areas and potential archaeological sites and ensure that development is sympathetic to them	☒	☐	☐	There are no heritage listed sites situated adjacent or adjoining to the site.
(l) *to enable the habitat of birds protected under international agreements for the protection of migratory birds to be conserved.*	☐	☐	☒	The nearby Ralph Symonds building is a heritage listed building under Schedule 5 of the SREP. The subject site is not situated adjacent to or adjoining to the site. The proposed development is not expected to interfere with the Ralph Symonds building.

(Block D) 41-45 Hill Road, Wentworth Point (cont'd)

Requirement	Yes	No	N/A	Comment
Clause 13 Matters for consideration in determining development applications *(a) any relevant master plan prepared for the Homebush Bay Area* *(b) any DCPs prepared for the land to which the application relates* *(b1) to the extent to which it applies to the land within Sydney Olympic Park, the "Environmental Guidelines" within the meaning of the Sydney Olympic Park Authority Act 2001 and any plan of management referred to in section 34 of that Act* *(c) the appearance, from the waterway and the foreshores of the development* *(c1) the impact of the development on significant views* *(d) the effect of the development on drainage patterns, ground water, flood patterns and wetland viability* *(e) the extent to which the development encompasses the principles of ESD* *(f) the impact of carrying out the development on environmental conservation areas and the natural environment, including flora and fauna and the habitats of the species identified in international agreements for the protection of migratory birds* *(g) the impact of carrying out the development on heritage items, heritage conservation areas and potential historical archaeological sites* *(h) the views of the public and other authorities which have been consulted by the consent authority under this plan.* *(i) The issues listed in Schedule 7*	☒ ☒ ☒ ☒ ☒ ☒ ☒ ☒ ☐ ☒ ☐	☐ ☐ ☐ ☐ ☐ ☐ ☐ ☐ ☐ ☐ ☐	☐ ☐ ☐ ☐ ☐ ☐ ☐ ☐ ☒ ☐ ☒	The site specific Concept Plan approval for Lot 9 and locality specific Homebush Bay West DCP has been considered in the assessment of this application – refer to detailed assessments below for further information. The application was referred to Sydney Olympic Park Authority – refer to the External Referrals Section (above) of this report for further details of the response. The proposed development is generally considered to be of high-quality design, with visually interesting elevations. The height and floor space ratio is assessed as being satisfactory. Council's Engineering Department has assessed the proposed stormwater drainage system and deemed the proposal acceptable, subject to the inclusion of conditions in any development consent. Ecologically sustainable development principles have been implemented in the proposed design and are discussed in greater detail later in this report. Submissions from public authorities have been considered in the External Referrals Section (above). Schedule 7 requirements apply only to the development of major public facilities or within conservation areas.

(Block D) 41-45 Hill Road, Wentworth Point (cont'd)

Requirement	Yes	No	N/A	Comment
Clause 14 Consultation with other public bodies *1) Within 14 days of receipt of a DA, the consent authority must seek the views on the proposal of the following:* *a) Sydney Olympic Park Authority for DAs that are on or immediately land vested in that Authority, that are on land having a site area of 10,000m^2 or more or that have a proposed floor space of 20,000m^2 or more, or that are likely to have a significant impact on land vested in that authority*	☒	☐	☐	The proposal was referred to Sydney Olympic Park Authority for comment - refer to the External Referrals Section (above) of this report for further details of the response.
b) The council of the LGA in which it is proposed the development will be carried out	☒	☐	☐	Auburn City Council has undertaken the assessment of the proposal and refers it to the Joint Regional Planning Panel - Sydney West, for determination.
b1) The council of each LGA adjoining the LGA in which it is proposed the development will be carried out if the development proposed could have a significant impact on	☐	☐	☒	The site does not share any physical boundaries with another Local Government Area and will not have any significant detrimental impact on those which adjoin across Homebush Bay.
c) to e) (Repealed).				
2) The consent authority must not determine the application until:	☒	☐	☐	
a) The views of the public or other authorities consulted have been received, or *b) A period of 28 days has elapsed since those views were sought.*	☒	☐	☐	Submissions from public authorities have been considered in the External Referrals Section (above).
Clause 15 Temporary Uses *1) The consent authority may consent to any use of a site which is not consistent with the planning objectives for the Homebush Bay Area for a limited period if the consent authority is satisfied the use will not prejudice the eventual development of the Homebush Bay Area in accordance with the rest of this plan*	☐	☐	☒	The proposed development does not constitute a temporary development.
2) Before granting consent to such a use, the consent authority must be satisfied that: *a) Appropriate arrangements have been made for the reinstatement of the site after its use in accordance with the consent so that it may be used in accordance with the rest of this plan*	☐	☐	☒	
b) The use will be limited to such period as the consent authority stipulates	☐	☐	☒	
c) The use will not adversely affect any existing use or permissible development in accordance with this plan on other sites within the Homebush Bay Area	☐	☐	☒	
d) The use will not have any detrimental effects on the natural environment	☐	☐	☒	

(Block D) 41-45 Hill Road, Wentworth Point (cont'd)

Requirement	Yes	No	N/A	Comment
Clause 16 Master plans (1) Development consent must not be granted for development on land edged red on the map marked Sydney REP No 24 - Homebush Bay Area - Amendment No 2 – Map 4" unless: (a) There is a master plan for the subject land (b) The consent authority has taken the master plan into consideration, and (c) The development is consistent with the master plan (2) The Minister may waive compliance with the requirements of this clause because of the minor nature of the development concerned, the adequacy of the planning controls that apply to the proposed development or for such other reason as the Minister considers sufficient. (3) This clause does not apply to minor development specified in Schedule 10	☒ ☒ ☒ ☒ ☐	☐ ☐ ☐ ☐ ☐	☐ ☐ ☐ ☐ ☒	Site and locality specific Master Plans have been prepared. The site specific Concept Plan approval for Lot 9 and locality specific Homebush Bay West DCP has been considered in the assessment of this application – refer to detailed assessments below for further information. No Ministerial direction has been received or is required in this instance. The proposal does not constitute a minor development in accordance with Schedule 10.
Clause 18 Services *Before granting consent, the consent authority must be satisfied that development will not commence until arrangements, which are satisfactory to servicing agencies it considers relevant, have been made for the supply of services such as water, sewerage, gas electricity and drainage*	☐	☐	☒	Existing services are available to the site and relevant conditions will be included in any consent to ensure compliance, should the application be recommended for approval.
Clause 19 Floodprone Land *Before granting consent to the carrying out of development on land in the vicinity of Haslam's Creek defined as floodprone on the latest of any appropriate plan or report adopted for the time being by the consent authority for the purposes of this clause, the consent authority must consider:* *a) The findings and recommendations of that report* *b) The impact of the proposed development on flood flows and whether compensatory works should be provided* *c) If land filling is involved, whether compensatory flood storage or other flood mitigation works should be provided* *d) The impact of the development on the ecological significance of Haslam's Creek and Homebush Bay and their associated wetlands and any measures proposed to minimise any adverse impact, such as provision of compensatory wetland habitats*	☒ ☒ ☒ ☒	☐ ☐ ☐ ☐	☐ ☐ ☐ ☐	The site is identified as being flood affected. Council's Engineering Department has assessed the stormwater drainage and flooding conditions and deemed the proposal acceptable, subject to the inclusion of conditions in any development consent.
Clause 20 Contaminated land *The consent authority just be satisfied that:* *(a) adequate steps have been taken to identify whether the land the subject of the development is contaminated and, if so, whether remedial action needs to be taken* *(b) (Repealed)* *(c) where land to be remediated contains of adjoins land which contains remnants of the natural vegetation, consideration has been given to reinstatement on the land of vegetation of the same kind in a way which will enhance the remaining natural vegetation*	☒ ☐	☐ ☐	☐ ☒	Relevant investigations into contamination conditions of the specific development area of the subject site have been carried out - refer to the SEPP 55 assessment of this report (above). Suitable landscaping is to be provided as part of the proposal.

(Block D) 41-45 Hill Road, Wentworth Point (cont'd)

Requirement	Yes	No	N/A	Comment
Clause 20A Acid sulfate soils *1) Development that is likely to result in the disturbance of more than one tonne of soil, or to lower the water table, on land on which acid sulfate soils are present requires consent.* *2) Before granting consent under this clause, the consent authority must consider:* *a) The adequacy of an acid sulfate soils management plan prepared for the proposed development in accordance with the Acid Sulfate Soils Assessment Guidelines* *b) The likelihood of the proposed development resulting in the discharge of acid waters* *c) Any comments received from DLWC within 21 days of the referral being sent*	☒ ☒ ☒ ☐	☐ ☐ ☐ ☐	☐ ☐ ☐ ☒	Significant excavation will not be taking place. The lower ground car park is partially underground and partially above ground. The upper level car park is wholly above ground level but encompassed by apartments. The roof of the upper level car park forms the podium for a large landscape common open space area. Council's Environment and Health Unit has raised no issue or objection to the development on acid sulphate soil impacts. In this regard, an acid sulphate soils management plan prepared by Consulting Earth Scientists will need to be implemented during the development of the site.
Clause 21 Development of major public facilities *Consent authority must::* *a) Ensure that the development proposal has been dealt with in accordance with s79A of the Act as advertised development* *b) d)must assess whether the use of the major public facility will have an adverse impact on adjacent sites in the Homebush Bay Area or on surrounding land*	☐ ☐	☐ ☐	☒ ☒	The proposed development does not constitute major public facilities.
Clause 22 Development in environmental conservation areas *1) This clause applies to land within an environmental conservation area (ECA)* *2) The consent authority must not consent to a development in a ECA if that development would reduce significantly the ecological value of that ECA* *3) A person must not fill, clear, drain or dredge any lend, construct a levee on such land or remove or destroy vegetation on any such land without consent* *4) An application for consent under this clause should be forwarded to Director General of NPWS within 14 days*	☐ ☐ ☐ ☐	☐ ☐ ☐ ☐	☒ ☒ ☒ ☒	The development site is not identified as an environmental conservation area and existing structures are currently being demolished as approved under associated DA-235/2010 for Lot 9

(Block D) 41-45 Hill Road, Wentworth Point (cont'd)

Requirement	Yes	No	N/A	Comment
5) Before granting consent, the consent authority: *a) Must ensure the development proposal has been dealt with in accordance with s79A of the Act as advertised development* *b) May refuse to grant the application unless the issues listed in Schedule 7 have been adequately addressed* *c) Must take into account:* *i) The recommendations of the Millennium Parklands Concept Plan* *ii) Development consent (ref. no. S/38/3/98) for Millennium Parklands* *d) Must consider consistency with:* *i) SOPA Frog Management Plan* *ii) Any relevant master plan* *iii) Any plan of management adopted by SOPA*	☐ ☐ ☐ ☐ ☐ ☐ ☐ ☐	☐ ☐ ☐ ☐ ☐ ☐ ☐ ☐	☒ ☒ ☒ ☒ ☒ ☒ ☒ ☒	
Clause 23 Development near an environmental conservation area *In considering an application for development within 30m of an ECA or within 200m for North Newington woodland area, the consent authority* *a) Must take into account:* *i) The effect of the proposed development on the ECA* *ii) The recommendations of the Millennium Parklands Concept Plan* *iii) Development consent (ref. no. S/38/3/98) for Millennium Parklands* *b) Must consider consistency with:* *i) SOPA Frog Management Plan* *ii) Any relevant master plan* *iii) Any plan of management adopted by SOPA*	☒ ☐ ☐ ☐ ☐ ☐ ☐ ☐	☐ ☐ ☐ ☐ ☐ ☐ ☐ ☐	☐ ☒ ☒ ☒ ☒ ☒ ☒ ☒	The Lot 9 is located some 30 metres of the Millennium Parklands (Across Hill Road). However, proposed Block D is over 340m away. The proposed development will have no adverse impacts on any environmental conservation area.
Clause 24 Protection of heritage items and heritage conservation areas *(4) What must be included in assessing a development application?* *The extent to which the carrying out of the proposed development would affect the heritage significance of the heritage item or heritage conservation area* *(5) What extra documentation is needed?* *A heritage impact statement addresses at least the issues in subclause (6). Consent authority may decline consent until it has considered a conservation management plan if it considers the development proposed should be assessed with regard to such a plan*	☐ ☐	☐ ☐	☒ ☒	There are no heritage listed sites situated adjacent or adjoining to the site. The nearby Ralph Symonds building is a heritage listed building under Schedule 5 of the SREP. The subject site is not situated adjacent to or adjoining to the site. The proposed development does not interfere with the Ralph Symonds building.

(Block D) 41-45 Hill Road, Wentworth Point (cont'd)

Requirement	Yes	No	N/A	Comment
Clause 24 cont. *(6) Minimum issues to be addressed in Heritage Impact Statement:* *(a) For development that would affect a heritage item:* *i) The heritage significance of the item as part of the environmental heritage of the Homebush Bay Area* *ii) The impact that the proposed development will have on the heritage significance of the item and its setting, including any landscape or horticultural features* *iii) The measures proposed to conserve the heritage significance of the item and its setting* *iv) Whether any archaeological site or potential archaeological site would be adversely affected by the proposed development* v) *The extent to which the carrying out of the proposed development would affect the form of any historic subdivision*	☐	☐	☒	There are no heritage listed sites situated adjacent or adjoining to the site. The nearby Ralph Symonds building is a heritage listed building under Schedule 5 of the SREP. The subject site is not situated adjacent to or adjoining to the site. The proposed development does not interfere with the Ralph Symonds building.
Clause 24 cont. *(b) For development that would be carried out in a heritage conservation area:* *i) The heritage significance of the heritage conservation area and the contribution which any building, work, relic, tree or place affected by the proposed development makes to this heritage significance.* *ii) The impact the proposal would have on the heritage significance of the conservation area* *iii) The compatibility of any proposed development with nearby original buildings and the character of the heritage conservation area, taking account the size, form scale, orientation, setbacks, materials and detailing of the proposal* *iv) The measures proposed to conserve the significance of the heritage conservation area and its setting* *v) Whether any landscape or horticultural features would be affected by the proposal* *vi) Whether any archaeological site or potential archaeological site would be affected by the proposal* *vii) The extent to which the carrying out of the proposed development would affect any historic subdivision pattern* viii) *The issues raised by any submission received in relation to the proposed development in response to the notification or advertising of the application*	☐	☐	☒	The subject site is not identified as a heritage conservation area.

(Block D) 41-45 Hill Road, Wentworth Point (cont'd)

Requirement	Yes	No	N/A	Comment
Clause 25 Advertised Development *Development is advertised development is if comprises or includes the demolition of a heritage item or a building, work, tree or place in a heritage conservation area*	☐	☐	☒	The proposal does not include the demolition of a heritage item and thus is not advertised development.
Clause 26 (Repealed)				
Clause 27 Development affecting places or sites of known or potential Aboriginal heritage significance *Before granting consent for development likely to have an impact on a place or potential place of Aboriginal heritage significance or on an archaeological site of a relic that has Aboriginal heritage significance, the consent authority must:* *(a) Consider a heritage impact statement explaining how the proposal would affect the conservation of the place or site and any relic known or reasonably likely to be located at the place or site* *(b) Except where the proposed development is integrated development, notify the local Aboriginal communities and the Director general of NPWS of its intention to do so and consider any comments received in response within 28 days after the notice was sent*	☐ ☐	☐ ☐	☒ ☒	The proposed development will not have any impact upon any identified places or potential places of aboriginal significance or archaeological sites.
Clause 28 Development affecting known or potential historical archaeological sites of relics of non-Aboriginal heritage significance *(1) Before granting consent for development on an archaeological site or potential archaeological site of a relic of non-Aboriginal significance, the consent authority must:* (a) *Consider a heritage impact statement explaining how the proposed development will affect the conservation of the site and any relic known or reasonably likely to be located at the site* *(b) Notify the Heritage Council of its intention to do so and take into consideration any comments received in response within 28 days after the notice was sent* *(2) This clause does not apply if the proposal:* (a) *Does not involve disturbance of below-ground deposits and the consent authority is of the opinion that the heritage significance of any above ground relics would not be adversely affected by the proposal* (b) *Is integrated development*	☐ ☐ ☐ ☐	☐ ☐ ☐ ☐	☒ ☒ ☒ ☒	The subject site is not identified as an archaeological or potential archaeological site.

(Block D) 41-45 Hill Road, Wentworth Point (cont'd)

Requirement	Yes	No	N/A	Comment
Clause 29 Development in the vicinity of a heritage item *(1) Consent authority must assess the impact of the proposed development on the heritage significance of the heritage item and of any heritage conservation area within which it is situated* *(2) This clause extends to development:* *(a) That may have an impact on the setting of a heritage item, for example, by affecting a significant view to or from the item by overshadowing, or* *(b) That may undermine or otherwise cause physical damage to a heritage item, or* *(c) That will otherwise have any adverse impact on the heritage significance of a heritage item or of any heritage conservation area within which is it situated* *(3) Consent authority may refuse to grant consent unless it has considered a heritage impact statement that will help it assess the impact of the proposed development on the heritage significance, visual curtilage and setting of the heritage item* (4) *The heritage impact statement should include details of the size, shape and scale of, setbacks for, and the materials to be used in, any proposed buildings or works and details of any modification that would reduce the impact of the proposed development on the heritage significance of the heritage item*	☒ ☒ ☒ ☒ ☐ ☐	☐ ☐ ☐ ☐ ☐ ☐	☐ ☐ ☐ ☐ ☒ ☒	There are no heritage listed sites situated adjacent or adjoining to the site. The nearby Ralph Symonds building is a heritage listed building under Schedule 5 of the SREP. The subject site is not situated adjacent to or adjoining to the site. The proposed development does not interfere with the Ralph Symonds building. The Ralph Symonds building will eventually be demolished to facilitate further redevelopment of Wentworth Point. This is consistent with the locality DCP adopted and the overall planning intentions of the locality.
Clause 30 Development in heritage conservation areas *1) Before granting consent for erection of a building within a heritage conservation area, the consent authority must be satisfied that the features of the proposed building will be compatible with the heritage significance of the heritage conservation area, having regard to the form of, and materials used in, buildings that contribute to the heritage significance of the heritage conservation area* *2) In satisfying itself about those features, the consent authority is to have regard to at least the following:* *a) The pitch and form of the roof* *b) The style, size, proportion and position of the openings for windows or doors* *c) The colour, texture, style, size and type of finish of the materials to be used on the exterior of the building* *d) The landscaped area of the site*	☐ ☐ ☐ ☐ ☐	☐ ☐ ☐ ☐ ☐	☒ ☒ ☒ ☒ ☒	The subject site is not located within an identified heritage conservation area.

Sydney Regional Environmental Plan (Sydney Harbour Catchment) 2005

The subject site is identified as being located within the area affected by the Sydney Regional Environmental Plan (Sydney Harbour Catchment) 2005. The proposed development raises no issues as no impact on the catchment is envisaged.

(Note: - the site is not located in a *'Foreshores and Waterways Area'* or *'Wetland Protection zone'*, is not a *'Strategic Foreshore Site'* and does not contain any heritage items and hence the majority of the SREP is not directly relevant to the proposed development). This is principally due to the existence of the Homebush Bay West DCP being in place at the time of the creation the Sydney Regional Environmental Plan (Sydney Harbour Catchment) 2005.

Local Environmental Plans

The provisions ALEP 2010 are not applicable in this instance and the land falls into the "deferred" as noted on the LEP map.

Sydney Regional Environmental Plan No. 24 – Homebush Bay Area provides the statutory controls in relation to this land in this instance. See previous section of the report in this regard.

The provisions of any Draft Environmental Planning Instruments (EP& A Act s79C(1)(a)(ii))

The subject site is identified as a "Deferred Matter" under the recently made Auburn LEP 2010. There are no draft instruments applicable to the subject development proposal in this instance.

The provisions of any Development Control Plans (EP& A Act s79C(1)(a)(iii))

Homebush Bay West Development Control Plan:

The relevant objectives and requirements of the Homebush Bay West DCP have been considered in the following assessment table:

Requirement	Yes	No	N/A	Comment
Part 1 Preliminary				
1.11 Development Application submission requirements				
1.11.1 Scale - Local • Local context sketch plan 1:5000 • Streetscape elevations • Aerial photograph 1:1000 or 1:2000	☒ ☒ ☒	☐ ☐ ☐	☐ ☐ ☐	
1.11.2 Scale - Site • Existing site plan 1:500 • Existing site sections 1:500 or 1:200 • Site Analysis 1:500 • Site Plan 1:500 • Shadow diagrams • Landscape plan 1:200 or 1:500 • Terrain model	☒ ☒ ☒ ☒ ☒ ☒ ☒	☐ ☐ ☐ ☐ ☐ ☐ ☐	☐ ☐ ☐ ☐ ☐ ☐ ☐	Submission requirements generally observed.

(Block D) 41-45 Hill Road, Wentworth Point (cont'd)

Requirement	Yes	No	N/A	Comment
1.11.3 Scale - Building • Floor Plans 1:100 or 1:200 • Elevations 1:100 or 1:200 • Sections 1:100 or 1:200 • Materials and finishes board • Photomontages • Schedules on floor by floor basis for density, number of units and aspects, unit sizes, unit types • Statement of Environmental Effects • Architectural models 1:100 or 1:200	☒ ☒ ☒ ☒ ☒ ☒ ☒ ☒	☐ ☐ ☐ ☐ ☐ ☐ ☐ ☐	☐ ☐ ☐ ☐ ☐ ☐ ☐ ☐	A full size architectural model has been provided to assist with the assessment of the development application.
Part 2 Background				
2.3 DCP Objectives				
2.3.1 Identity – create an identifiable character for Homebush Bay West i. Retain and enhance views to water, opposite shores and ridges, including vistas along existing and future major east-west streets to the Bay and Rhodes, views from within the precinct north to Parramatta River, west to the Sydney Olympic Parklands and south to the wetlands and Powells Creek ii. Optimise the waterfront location by providing continuous foreshore access and links to open space within and surrounding the precinct iii. Design streets and public open spaces appropriate to the conditions of the site, particularly in relation to the waterfront, and to the uses iv. Retain and enhance the key elements of the urban structure: existing streets, established trees, the formed eastern edge of the peninsula and the maritime focus to Parramatta River v. Build on the structure formed by the site's industrial character by aligning new streets with a grid formed by the subdivision pattern and the Hill Road and waterfront edges vi. Acknowledge the visual primacy of the waterfront by stepping building heights down from Hill Road to the water vii. Retain and enhance Wentworth Park as a public park typical of other point parks on Sydney Harbour viii. Designing building heights and massing to enable views to the Millennium Mound as a backdrop to the precinct and to protect views	☒ ☒ ☒ ☒ ☒ ☒ ☒ ☒	☐ ☐ ☐ ☐ ☐ ☐ ☐ ☐	☐ ☐ ☐ ☐ ☐ ☐ ☐ ☐	The proposed development is consistent with the desired street and public domain pattern of the site. Building heights of 4 storeys have been maintained along the water front and provisions are made for the publicly accessible foreshore park. There are no significant trees situated on the site. The development is arranged into three separate buildings that follows the street pattern of the locality. The building steps down from seven/eight storeys to four storeys at the water front

(Block D) 41-45 Hill Road, Wentworth Point (cont'd)

Requirement	Yes	No	N/A	Comment
2.3.1 Land Uses – accommodate and locate appropriately a range of uses within Homebush Bay West				
i. Create a maritime precinct with boating and associated commercial and retail uses north of Burroway street	☐	☐	☒	Not in vicinity
ii. Provide two neighbourhood nodes including commercial, retail and community uses: one associated with the transport interchange and maritime precinct; and a smaller one in the southern part of the precinct	☐	☐	☒	
iii. Provide small scale retail and leisure uses adjoining and opposite foreshore parks and plazas, including cafes/outdoor dining, clubs, boatsheds and facilities for water related recreational activities	☐	☒	☐	**Block D fronts the foreshore park and adjoins the Major East/West Street however no retail uses are proposed. This is primarily as a result of the Concept Plan approval for the site which permits only residential flat building to be built on the site. Accordingly, this is considered acceptable in this instance.**
iv. Provide for active ground floor uses on major east-west streets through flexible building design	☐	☒	☐	
v. Provide adequate local open space for precinct residents and workers and encourage use of regional open space within Sydney Olympic Parklands	☒	☐	☐	Open space in the form of foreshore park and active street frontages (through locating open space and individual entries to ground floor apartments) is provided.

(Block D) 41-45 Hill Road, Wentworth Point (cont'd)

Requirement	Yes	No	N/A	Comment
2.3.3 Street and Block Structure – create a street and block structure that optimises legibility, permeability and efficiency				
i. Lay out streets to support the underlying subdivision pattern by aligning east-west streets with property boundaries and north-south streets perpendicular to them	☐	☐	☒	This part is generally more specific to the construction of roads and associated infrastructure.
ii. Strengthen Hill Road as the major connector between the water and Sydney Olympic Park and an urban edge to the parkland areas	☐	☐	☒	The development follows the street pattern to be built. The development is arranged into 3 separate buildings that follows the street pattern of the locality.
iii. Design a street hierarchy that clearly distinguishes between the role and scale of major and secondary streets, to orient people within the precinct	☐	☐	☒	The site is not situated on Hill Road.
iv. Design the major east-west boulevards as 'green fingers' to help break down the scale of the precinct	☐	☐	☒	
v. Provide a major north-south street that creates a new opportunity to link the interior of the precinct to the river visually and physically	☐	☐	☒	
vi. Locate streets to capitalize on and enhance views to the bay, the river and other surrounding areas and any landmark features (including the Millennium Marker	☐	☐	☒	Extensive landscaping is proposed along the street frontages that will help to break the mass and scale of the development.
vii. Encourage multiple movement choices for people, cyclists and vehicles by optimizing the connectivity of the street network and minimizing dead end streets	☐	☐	☒	
viii. Optimise the accessibility of the foreshore promenade by connecting it with trafficked streets and pedestrian and cycle ways	☐	☐	☒	
ix. Design block size and shape to increase permeability for pedestrians and cyclists by generally limiting their length to 150 metres. On major streets where a continuous street frontage is required to contribute to commercial and retail activity and blocks are longer, provide through-block pedestrian links at maximum 100 metre intervals	☐	☐	☒	
x. Optimise the number of north-facing apartments by orienting blocks east-west; that is, with their longer dimension to the north	☐	☐	☒	
xi. Design streets to accommodate a mixture of transport modes, including pedestrians, cycles, buses where relevant and moving and parked vehicles	☐	☐	☒	

(Block D) 41-45 Hill Road, Wentworth Point (cont'd)

Requirement	Yes	No	N/A	Comment
2.3.4 Open Space Network – create a network of public open spaces that is strongly linked to Sydney Olympic Parklands, the foreshore edge and the water, and provides for a range of recreational activities				
i. Enhance the waterfront character of Homebush Bay West by designing the setback to the waterfront to allow for a variety of spaces and uses, including water-related uses	☒	☐	☐	The setback requirements of the DCP have been observed. In this instance there is a 30m setback provided to Homebush Bay.
ii. Protect and enhance the amenity of foreshore access by linking the foreshore promenade to streets, urban plazas and pocket parks	☒	☐	☐	The proposed development will ensure future linkage between the foreshore and adjoining streets.
iii. Contribute to the regional open space network by providing continuous pedestrian and cycle access linking Homebush Bay West to Sydney Olympic Parklands, Bicentennial Park and existing foreshore access routes	☒	☐	☐	
iv. Contribute to the regional pattern of point parks on the harbour and river foreshores by retaining Wentworth Park as public open space	☒	☐	☐	The development will not adversely impact on the future parks.
v. Offer a range of opportunities for recreation and relaxation, and to give 'breathing space' within urban areas, by providing a range of open spaces, including a park at Wentworth Point, three local parks spaced throughout the peninsula, and pocket parks and plazas	☒	☐	☐	A pocket park is to be provided within Lot 9 as per the Concept Plan approval. This is not the subject of the subject application. Proposal will maintain provision of "green fingers" to the waterfront
vi. Design major east-west streets as generously planted boulevards which frame views to the water and create 'green fingers' linking the foreshore and water-related activities to the interior of the precinct	☐	☐	☒	Major East/West Street not within Lot 9
vii. Establish the importance of the foreshore promenade by designing it as 'one place', with a character established by tree and materials selection which is consistent with landscape initiatives for the wider context of the Sydney Harbour Foreshores	☐	☐	☒	Conditions will be consistent with existing foreshore.
viii. Provide a sequence of spaces along the promenade that each relate to a major east-west street and provide an activity focus at the water's edge	☐	☐	☒	Activity spaces will still be maintained at end of street/foreshore nexuses.
ix. Design streets, parks and plazas with high amenity and high quality	☐	☐	☒	Street design and public domain design is subject to a different development application. Proposed communal open space in Block D is of high amenity and is connected to the proposed communal open space in Block C via a pedestrian through link.

(Block D) 41-45 Hill Road, Wentworth Point (cont'd)

Requirement	Yes	No	N/A	Comment
2.3.5 Accessibility – increase and enhance the opportunities for pedestrians and cyclists to access the precinct and to move safely and comfortably within the public domain				
i. Consolidate publicly accessible facilities including any new community uses within the vicinity of the ferry / bus interchange	☐	☐	☒	Not in close proximity to the bus/ferry terminal or proposed "maritime precinct"
ii. Create a maritime precinct with associated commercial and retail uses north of Burroway Street, linked to the foreshore and open space network	☐	☐	☒	
iii. Create a neighbourhood node including commercial, retail and community uses in the southern part of the precinct	☐	☐	☒	The "Piazza" commercial area already exists in the southern part of the precinct
iv. Design streets to accommodate a future bus route through the centre of the precinct	☐	☐	☒	Street pattern already in existence. No change proposed.
v. Minimise the potential for conflicts between vehicles, pedestrians and cyclists through the design of footpaths, bicycle lanes, through block links, streetscape design, medians and kerb ramps, and by minimising the number of vehicular crossings over footpaths	☐	☐	☒	The proposal in itself will not create vehicular /pedestrian conflicts
vi. Encourage activity in and surveillance of streets by providing for active ground floor uses on major east-west streets	☒	☐	☐	All three buildings are presented to the primary/significant frontages to permit passive surveillance of the public spaces.
vii. Locate and design buildings to provide passive surveillance of all public spaces	☒	☐	☐	
viii. Provide publicly accessible facilities and small scale retail adjoining and opposite foreshore parks and plazas, including cafes / outdoor dining and facilities for recreational activities relating to the water	☐	☐	☒	
ix. Provide a pedestrian and cycle bridge between Homebush Bay West and Rhodes Peninsula subject to determination in transport studies and appropriate funding arrangements	☐	☐	☒	The opportunity for a pedestrian bridge still exists. The proposed bridge across Homebush Bay does not form part of this proposal.

(Block D) 41-45 Hill Road, Wentworth Point (cont'd)

Requirement	Yes	No	N/A	Comment
2.3.6 Sustainability – Incorporate ESD principles into all stages of design including the design of public spaces, block and site layout and built form				
i. Design blocks to deliver efficient subdivision and optimize north orientation for buildings, to minimise overshadowing and the negative impacts of wind on the public domain, to mitigate the visual impact of large scale development on Homebush Bay, and to define and appropriately frame parks and plazas	☒	☐	☐	The site is rectangular in shape and is large enough to permit an appropriate sized building with massing that will fit the provisions of the development control plan. Proposal will have no effect on established block patterns
ii. Control the quality of water entering Homebush Bay through the use of integrated water management strategies	☒	☐	☐	Water saving measures are provided within the development as well as a water reuse facility (WRAMs).
iii. Conserve water by minimising stormwater runoff, planting appropriate indigenous species with low irrigation needs, matching water quality with its intended use and using water saving devices	☒	☐	☐	No objection is raised to proposed landscaping on-site.
iv. Promote ecological outcomes including shade and habitat by dedicating a significant proportion of the waterfront setback to riparian planting with a mix of species	☐	☐	☒	Appropriate riparian planting will be undertaken.
v. Control potential impacts on air quality by minimising car dependency, encouraging pedestrian and cycle movement and promoting the use of public transport	☒	☐	☐	Appropriate measures have been provided. Public transport opportunities already exist and will improve as the peninsular becomes more populated.
vi. Minimise energy consumption by designing for daylight access and natural ventilation, passive heating and cooling and alternative energy sources	☒	☐	☐	An appropriate amount of passive measures have been provided. Daylight access and natural ventilation is maximised where possible.
vii. Retain the embodied energy in buildings by designing them as 'long life loose fit' that can be readily adapted for changing uses and are easily maintained	☒	☐	☐	
viii. Minimise resource depletion by selecting environmentally sustainable building materials in both the public and private domains, and by providing facilities for recycling	☒	☐	☐	

(Block D) 41-45 Hill Road, Wentworth Point (cont'd)

Requirement	Yes	No	N/A	Comment
2.3.7 Built Form – provide sensitive and high quality architectural and landscape design that contributes positively to the character of the public domain				
i. Distribute and design built form to define and enhance the spatial quality of streets, open spaces and the foreshore by aligning buildings to streets and to the edges of parks and plazas	☒	☐	☐	The complex is aligned to the proposed road frontages. The complex is divided into three separate buildings with each building facing a separate frontage. The breaks provided reduce the scale, mass and bulk of the development. The landscaping has been assessed as being satisfactory Foreshore public space considered to be of high amenity.
ii. Optimise sun access to streets and to public open spaces by minimizing building bulk, ensuring adequate building separation and orienting built form appropriately	☒	☐	☐	
iii. Encourage high quality landscape design of public spaces, of the interface between public spaces and private development and within new development	☒	☐	☐	
iv. Encourage high quality architectural design of all new development	☒	☐	☐	
v. Promote a series of public open spaces related to the waterfront setting which provide a high level of amenity for users, an attractive setting for adjoining development and which visually and spatially link the public domain of Homebush Bay West with its context, including the foreshore of Rhodes Peninsula	☒	☐	☐	
vi. Enhance the visibility and usability of foreshore public space both from within the precinct and from the water by designing the termination of major east-west streets as parks or plazas connecting to the foreshore promenade and water related activity nodes	☒	☐	☐	Has been designed accordingly.
2.3.8 Housing Choice – support opportunities for a diverse community by promoting workplace and housing choice				
i. Encourage long life loose fit buildings with a high level of adaptability over time as uses change, particularly on major east-west streets	☒	☐	☐	A variety of unit sizes provided. Numerous units are adaptable for a disabled person and has provision for disabled car spaces.
ii. Accommodate changing needs of the resident population by designing flexible apartment layouts	☒	☐	☐	
iii. Provide accessible working and living environments for people with disabilities, older people and for prams and strollers	☒	☐	☐	

(Block D) 41-45 Hill Road, Wentworth Point (cont'd)

Requirement	Yes	No	N/A	Comment
2.3.9 Residential Amenity - provide a high level of residential amenity, including outdoor spaces as well as within apartments				
i. Support the amenity and privacy needs of their occupants by providing apartments of appropriate size and configuration	☒	☐	☐	A variety of units offered within the development. Privacy maintained by use of screens, windows positioning, and building separation.
ii. Optimise the number of apartments, their living spaces and private outdoor spaces which benefit from sun access	☒	☐	☐	The applicant has stated that buildings have been orientated to maximise solar access but also take advantage of the view amenity. The applicant further states that due to the orientation of the block, solar access is limited to approximately 51% living rooms and private open space areas for each of the units receiving 2 hours solar access. The development has been optimised where possible however unit orientation in this instance is primarily dictated by the street pattern and availability of water views.
iii. Provide attractive and comfortable communal open space areas by designing them to accommodate a range of different uses and be easily accessed from buildings	☒	☐	☐	The common open space will be internal to the development and is easily accessible from all three buildings.
iv. Integrate planting in internal courtyard areas with podium structures to optimize opportunities for large trees for shade, outlook and privacy	☒	☐	☐	The common open space sits across the roof of the car park. Hence the car park roof forms a podium. The landscape plan provides an array of planting solutions to the internal courtyard space.
v. Promote privacy from the street, particularly for ground floor apartments, by providing landscaped garden spaces within the setback zone	☒	☐	☐	
2.4.1 Land Uses	☒	☐	☐	Residential Building proposed. Proposal is consistent with Concept Plan approval.
2.4.2 Streets and Blocks	☒	☐	☐	Street pattern already established and unaltered by this proposal.
2.4.3 Open Space Network	☒	☐	☐	The proposal in itself does not jeopardise the implementation of the intended open space network.
2.4.4 Building Height and Massing	☒	☐	☐	The proposed development is generally consistent with the "indicative" building height and massing figures of this clause.
2.4.5 Precinct Structure	☒	☐	☐	The proposal is generally in accordance with the "indicative" building layouts.

(Block D) 41-45 Hill Road, Wentworth Point (cont'd)

Requirement	Yes	No	N/A	Comment
Part 3 Precinct Controls & General Controls				
3.1 Public Domain Systems				
3.1.1 Pedestrian Network				
i. Provide a continuous pedestrian network through the precinct, along streets and through open spaces, connected with and including the foreshore promenade	☒	☐	☐	The ground floor apartments along the external facades have direct street level access. This helps to reinforce the pedestrian network in the locality.
ii. Optimise the number of possible journeys between destinations with an efficient and regular block layout	☒	☐	☐	
iii. Enhance connections to the regional pedestrian network by linking to the Sydney Olympic Parklands path system at the north western foreshore boundary of the precinct, and to the Bicentennial Park path system and Powells Creek at the southern end of the peninsula foreshore	☒	☐	☐	
iv. Provide a continuous foreshore promenade. Implement management strategies consistent with masterplan conditions to minimise potential conflicts between continuous pedestrian access and boat movement between dry stack area and the Bay within the maritime precinct	☒	☐	☐	Pedestrian foreshore access is not compromised as a result of the development.
v. Provide a clear alternative route for those times when continuous foreshore access is interrupted	☐	☐	☒	
vi. Locate a pedestrian / cycle bridge linking Homebush Bay West and Rhodes peninsula as indicated on the plan	☐	☐	☒	Possible pedestrian/cycle bridge linking Homebush Bay West and Rhodes peninsula not compromised as a result of the proposal.
vii. Locate pedestrian crossings to support pedestrian movement between destinations	☒	☐	☐	
viii. Consider pedestrian movement when designing major building entries and through-block link.	☒	☐	☐	There are four pedestrian entries into the foyers of the development.
ix. Provide paved footpaths in accordance with the street design guidelines in the Public Domain Manual	☒	☐	☐	The landscape plans indicate that the footpaths at the front of the site will be paved.
x. Ensure that publicly accessible parks and plazas are contiguous with and fully accessible from pedestrian routes	☒	☐	☐	
xi. Provide pedestrian routes which benefit from high levels of casual surveillance (overlooking from buildings, from the water, from adjacent well-trafficked areas)	☒	☐	☐	The internal pedestrian routes and the common open space will have appropriate level of surveillance from the buildings. Pedestrian spaces generally enjoy good passive surveillance.
xii. Provide clear and direct pedestrian routes by designing them with good lines of sight to minimise concealment	☒	☐	☐	
xiii. Design appropriate lighting for publicly accessible areas for their level of night-time use	☒	☐	☐	

(Block D) 41-45 Hill Road, Wentworth Point (cont'd)

Requirement	Yes	No	N/A	Comment
xiv. Provide kerb ramps at all intersections in accordance with the Public Domain Manual	☐	☐	☒	No new intersection proposed.
3.1.2 Cycle Network				
i. Provide a cycle network through the streets	☐	☐	☒	
ii. Provide dedicated cycle lanes along Hill Road in both directions.	☐	☐	☒	The proposal does not contain any dedicated cycle ways.
iii. Design intersections and crossings along dedicated cycle routes that prioritise cyclists' safety and convenience	☐	☐	☒	
iv. Provide a recreational shared pedestrian and cycle path along the foreshore promenade at a minimum width of 3.5 metres	☐	☐	☒	
v. Connect the foreshore cycle path to cycleways within the Sydney Olympic Parklands and enhance access to the connection at the southern end of the peninsula	☐	☐	☒	
vi. Provide a road cycle lane on the major east-west street from Hill Road to link with the proposed pedestrian bridge	☐	☐	☒	
vii. Separate cycle and pedestrian routes through Wentworth Park	☐	☐	☒	
viii. Provide lockable bicycle storage at neighbourhood / maritime centres and in publicly accessible facilities including at the waterfront	☒	☐	☐	Secure resident bicycle parking facilities is provided at the car parking levels
ix. Design cycle paths and parking to minimum Austroads design standards	☒	☐	☐	

(Block D) 41-45 Hill Road, Wentworth Point (cont'd)

Requirement	Yes	No	N/A	Comment
3.1.3 Public Transport				
i. Provide convenient pedestrian connections to the Homebush ferry wharf and bus interchange from streets and through public open space	☒	☐	☐	Public transport will be accessible from the site. This includes buses along Hill Road and the Wentworth Point ferry terminal.
ii. Locate bus stops at or near activity nodes, including the two neighbourhood / commercial centres and to serve major pedestrian / cycle entries to the Parklands from Hill Road	☐	☐	☒	Some of the provisions stated here relate more to subdivisions and associated infrastructure works which is not proposed in this application. This matter is dealt with under associated DA-109/2011 and DA-462/2010.
iii. Enhance the amenity and safety of the interchange by providing shelter, seating, lighting and signage	☐	☐	☒	
iv. Design subdivision layouts and building designs that encourage and are supportive of walking, cycling and the use of public transport	☐	☐	☒	
v. Consider travel demand management mechanisms and features that will minimise the demand for travel and the use of cars, including: ▪ - parking requirements designed to discourage car use in areas with good public transport access ▪ - provision of adequate end-trip facilities for cyclists (such as secure bicycle storage and shower facilities in commercial buildings) ▪ - suitable provision for taxis	☒	☐	☐	
vi. Ensure designated streets for proposed bus route are designed for adequate turning by buses				
vii. Provide a pedestrian / cycle bridge located generally in the area and on the alignment illustrated (p27)	☐ ☐	☐ ☐	☒ ☒	

(Block D) 41-45 Hill Road, Wentworth Point (cont'd)

Requirement	Yes	No	N/A	Comment
3.1.4 Vehicle Network and Parking				
i. Support the principles of permeability and legibility for vehicles, cyclists and pedestrians which are embodied in the Structural Design Framework street and block layout	☒	☐	☐	Existing street and block layout will be unaltered by this proposal.
ii. Provide at least one major east-west street within each major landholding to break up the large scale of the precinct and enable streetscape treatment which makes different areas distinct and legible	☐	☐	☒	
iii. Provide vehicle access to the foreshore, including foreshore streets and areas of parking where possible	☐	☐	☒	
iv. Ensure that the street network offers a choice of routes and promotes good circulation, by minimising discontinuities and dead ends	☐	☐	☒	
v. Provide for public car parking on streets or within buildings, except for limited parking associated with boating activity within the maritime precinct	☐	☐	☒	No public car parking proposed as part of the subject development application.
vi. Where areas of parking are proposed on Hill Road, limit them to areas where they relate to pedestrian entry points to Sydney Olympic Parklands	☐	☐	☒	
vii. Provide a high level of amenity and quality streetscape design, including planting of street trees, consistent with convenient vehicle access, parking and turning	☒	☐	☐	
viii. Refer to Section 3.2 for detailed design guidelines for streets	☐	☐	☒	
3.1.5 Land and Water Connections				
i. Provide opportunities for land-water interface at the end of major east-west streets	☒	☐	☐	Waterfront promenade maintained and recreational area will be maintained at the street terminus.
ii. Design activity nodes and recreational areas to consider views from the water and opposite shores	☒	☐	☐	Views possible from the terminus spaces and waterfront promenade.
iii. Provide a range of public open space types: ▪ promenade ▪ waterfront riparian vegetation area ▪ point park ▪ urban plazas and pocket parks ▪ three larger parks, two of minimum 2000m^2 and one of minimum 1000m^2	☒	☐	☐	Public open space is required as per the DCP provisions and included the foreshore park, waterfront riparian vegetation and the provision for the future pocket park within Lot 9 which is still to be provided.
iv. Integrate water management into the design of foreshore spaces	☒	☐	☐	
v. Design sea walls to absorb wave energy and to maximise the habitat for the greatest possible range of local inter-tidal organisms	☒	☐	☐	
vi. Refer to the Public Domain Manual for specific character guidelines and controls for foreshore areas	☒	☐	☐	

(Block D) 41-45 Hill Road, Wentworth Point (cont'd)

Requirement	Yes	No	N/A	Comment
3.1.6 Landscape				
i. Design and manage the public domain and adjoining uses to recognise, facilitate and encourage active use of the public space at appropriate times	☒	☐	☐	
ii. Provide a landscape framework which reflects the different scale and function of public streets and functions by using species and spacing in accordance with the street sections in Section 3.2 of this DCP and Section DF of the Public Domain Manual	☒	☐	☐	The proposed development includes extensive and high quality landscaped elements to communal and private open spaces as well as the public domain. The landscape plans shall be incorporated into any consent that may be issued.
iii. Contribute to a sense of identity for the precinct as a whole by recognising and reflecting the linear and generally flat quality of the peninsula	☒	☐	☐	
iv. Provide visual continuity with the context by: ▪ designing and selecting materials that complement other areas, particularly foreshore areas, in Homebush Bay ▪ planning vegetation to complement the habitat qualities of the adjoining Millennium Parklands	☒	☐	☐	Landscaping generally considered to be acceptable and compatible with existing landscaped spaces within the locality.
v. Enhance the amenity of footpaths by designing street layouts and selecting trees to recognise seasonal shade and solar access needs	☒	☐	☐	
vi. Within waterfront setbacks, dedicate minimum 30% of the 30 metre setback to riparian planting for ecological outcomes. Elsewhere, limit lower level planting to plazas and parks and to the central median of east-west streets	☒	☐	☐	
vii. Optimise sustainable selection and deployment of materials, management of waste and stormwater in the public domain, and biodiversity benefits of plant selection. Refer to Sections 2.2.6 and 4 of the Public Domain Manual	☒	☐	☐	
viii. Design and construct streets to create conditions favourable to tree planting and for the long term health of trees in accordance with the Public Domain Manual	☐	☐	☒	
3.1.7 Public Domain Elements Footpath/pedestrian area pavement				
i. Provide a hard wearing, cost effective and practically maintainable surface that reinforces the continuity of public domain access and is compatible with the context of Homebush, Sydney Olympic Parklands and Millennium Park	☐	☐	☒	Generally, public domain works are not included in this application and are to be considered under associated DA-462/2010.
ii. Provide a hierarchy of pavement surfaces reflecting the pedestrian significance of different public spaces	☐	☐	☒	

(Block D) 41-45 Hill Road, Wentworth Point (cont'd)

Requirement	Yes	No	N/A	Comment
Vehicular pavement	☐	☐	☒	
iii. Provide a safe and hard wearing surface for vehicle movements	☐	☐	☒	
iv. For shared vehicle / pedestrian zones, provide a suitable surface that denotes shared priority	☐	☐	☒	
Kerbs and gutters				
v. Apply a standard kerb and gutter treatment over the whole precinct to provide consistency in defining the pedestrian / vehicular junction of roads and footpaths	☐	☐	☒	
Street and park furniture				
vi. Select furniture which is robust, easily maintained, coordinated, and appropriate to its context. The Public Domain Manual nominates a palette established in the Homebush Parklands Elements for use through the Millennium Parklands and non-urban core areas of Sydney Olympic Park	☐	☐	☒	
vii. Locate furniture as part of a coordinated design scheme for the public domain component in question, according to principles set out in Section 4 of the Public Domain Manual	☐	☐	☒	
Lighting				
viii. Provide vehicular street lighting to RTA and Austroads standards as specified in the Public Domain Manual	☐	☐	☒	
ix. Provide an appropriate level of pedestrian lighting to ensure security and contribute to the legibility of streets and through block links	☐	☐	☒	
x. Coordinate pedestrian lighting in streets throughout the precinct	☐	☐	☒	
xi. Design lighting for path accessways through parks in response to the level of use and safety considerations	☐	☐	☒	
xii. Minimise the impact of lighting on residential dwellings	☐	☐	☒	
xiii. Design lighting to highlight public art elements and significant trees in individual plazas or parks, and provide for lighting major avenues for special events or festivals	☐	☐	☒	
Fences, barriers and level changes	☐	☐	☒	
xiv. Reinforce connectivity and maximise visual continuity by minimising the use of fences and barriers	☐	☐	☒	
xv. Optimise opportunities to use the sea wall edge for seating, while also providing 'gaps' for viewing by wheelchair users				
Signage	☐	☐	☒	
xvi. Locate information signage in accordance with the Parklands Elements Manual to include orientation, circulation, destination,				

(Block D) 41-45 Hill Road, Wentworth Point (cont'd)

Requirement	Yes	No	N/A	Comment
regulation and interpretive signs xvii. Use street signage in accordance with Auburn Council's requirements for public streets	☐	☐	☒	
3.1.8 Services Infrastructure and Stormwater Management Services infrastructure i. Reduce visual intrusion and enhance aerial amenity for street trees by undergrounding overhead services to major street corridors ii. Integrate undergrounding of services and infrastructure in new development iii. Minimise the impact of service corridors and service access covers by: ▪ Liaising with service authorities to determine renewal or amplification requirements and incorporating these works into programming prior to pavement renewal ▪ providing common texture and shape to electricity service covers (i.e. during upgrade projects) ▪ providing lids to Telstra pits with paving infill to match adjoining pavement	i. ☒ ii. ☒ iii. ☒	i. ☐ ii. ☐ iii. ☐	i. ☐ ii. ☐ iii. ☐	Services and infrastructure is to be located to minimise visual intrusion. Should the application be recommended for approval, appropriate conditions can be included in any consent for such services to be suitably located and/or screened.
Stormwater drainage iv. Integrate stormwater drainage with streetscape design by ▪ providing a common theme to all stormwater inlet sump and channel lids / grates to paved areas ▪ connecting rooftop downpipe to underground stormwater in public domain upgrade works ▪ incorporating natural disposal and surface drainage techniques, including porous paving, where possible to urban spaces and open spaces ▪ incorporating water sensitive urban design and technology to treatment of road stormwater runoff ▪ incorporating porous pavements and onsite detention to off-street at-grade carpark areas to reduce urban stormwater runoff	☒	☐	☐	Council's Engineering Department have assessed the proposed stormwater drainage and deemed it to be acceptable subject to the inclusion of conditions in any consent.
Stormwater Management v. Enable water to re-enter the groundwater system by designing the central medians of major east-west streets and the major north-south street (northern zones) as infiltration zones for road runoff vi. Protect the aquatic habitat of Homebush Bay from de-oxygenisation by preventing leaf transport from deciduous trees during autumn months	v. ☐ vi. ☒	v. ☐ vi. ☐	v. ☒ vi. ☐	

(Block D) 41-45 Hill Road, Wentworth Point (cont'd)

Requirement	Yes	No	N/A	Comment
vii. Provide for re-use of water, for example by incorporating a water body capable of infiltration or slow release detention in major plaza spaces	☐	☐	☒	
3.2 Streets				
3.2.1 Hill Road				
▪ Uses – Mixed: focus commercial uses close to northern neighbourhood centre and at intersections with major east-west streets	☐	☐	☒	Block D is not situated on Hill Road.
▪ Height – max. 8 storeys	☐	☐	☒	
▪ Street Setbacks – 8 metres	☐	☐	☒	
▪ Right of Way – 15-20 metres (varies to accommodate extended parkland edge)	☐	☐	☒	
▪ Carriageway – 2 travelling lanes, 2 separated dedicated bicycle lanes and 1 parking lane	☐	☐	☒	
▪ Footpath – 3.5m with 1m grass verge, east side only	☐	☐	☒	
▪ Landscape Character – Asymmetrical treatment with regular street tree planting in the verge on the east (building) side and 'casual' plantings on the west side to reflect the parklands character. Species in accordance with the Public Domain Plan and Sydney Olympic Park Parklands 2002 & Plan of Management	☐	☐	☒	
3.2.2 Major East-West Streets				
▪ **Uses – Mixed: ground floor commercial required in designated neighbourhood centres**	☐	☒	☐	**Residential only proposed pursuant to the approval granted under MP No 06_0098.**
▪ Height – max. 8 storeys to within one block (approx. 100m) of waterfront; 6 storeys with 2 storey pop-ups in the final block before the development	☒	☐	☐	Block D is a waterfront site with 4 storey building facing Homebush Bay; stepping from 4 up to 8 storey along the southwest boundary as the building get further away from Homebush Bay. The proposed height is consistent with Concept Plan approval.
▪ Street Setbacks – 5 metres	☒	☐	☐	
▪ Right of Way – min. 25 metres	☐	☐	☒	Major East/West Street not part of Lot 9.
▪ Carriageway – 1 travelling lane and 1 parking lane in each direction; On street bicycle lane on the street linking into the pedestrian bridge; A wide median	☐	☐	☒	
▪ Footpath – 3.5m with 1-1.5m grass verge, both sides	☐	☐	☒	
▪ Landscape Character – A boulevard treatment, with trees in verges on both sides of the street and in the median. Consideration should be given to differentiating east-west streets from each other, for example by using different species in each median. Species in accordance with the Public Domain Plan	☐	☐	☒	

(Block D) 41-45 Hill Road, Wentworth Point (cont'd)

Requirement	Yes	No	N/A	Comment
3.2.3 Major North-South Street – North of Burroway Road ▪ Uses – Residential ▪ Height – max 6 storeys ▪ Street Setbacks – 3-4 metres (can vary) ▪ Right of Way – min. 25 metres ▪ Carriageway – 1 travelling lane and 1 angle-parking lane in each direction; Narrow median, treated in two ways: for planting and to enable vehicle manoeuvring when car parking ▪ Footpaths – 2.5m with 1m grass verge ▪ Landscape Character – Trees are planted in and break up parking bays on both sides of the street, and are also located along the median, at approximately 15m spacing. Tree species in the median may differ from the edge species. Species in accordance with the Public Domain Plan	☐ ☐ ☐ ☐ ☐ ☐ ☐	☐ ☐ ☐ ☐ ☐ ☐ ☐	☒ ☒ ☒ ☒ ☒ ☒ ☒	This section is not applicable to Block D. Development is not located in vicinity of the Major North-South Street – North of Burroway Road.
3.2.4 Major North-South Street – South of Burroway Road ▪ Uses – Residential ▪ Height – max 6 storeys ▪ Street Setbacks – 3-4 metres (can vary) ▪ Right of Way – min. 25 metres ▪ Carriageway – 1 travelling lane and 1 parallel parking lane in each direction; Wide median/linear park ▪ Footpaths – 2.5-5m to accommodate parking extensions, 1m grass verge ▪ Landscape Character – Trees are planted in and break up parking bays on both sides of the street, and are also located along the median, at approximately 15m spacing. The median is planted with large trees, spaced irregularly, and potentially with drifts of native grasses. Species in accordance with the Public Domain Plan	☐ ☐ ☐ ☐ ☐ ☐ ☐	☐ ☐ ☐ ☐ ☐ ☐ ☐	☒ ☒ ☒ ☒ ☒ ☒ ☒	This section is not applicable to Block D. Development is not located in vicinity of the Major North-South Street – South of Burroway Road.

(Block D) 41-45 Hill Road, Wentworth Point (cont'd)

Requirement	Yes	No	N/A	Comment
3.2.5 Secondary East-West Streets				
▪ Uses – Residential	☒	☐	☐	Residential use proposed.
▪ Height – max 4 storeys •	☐	☐	☒	No building proposed facing Secondary East/West Street.
▪ Street Setbacks – 3 metres	☒	☐	☐	3m street setback proposed.
▪ Right of Way – min. 14.5 metres ▪ Carriageway – 2 travelling lanes and 1 parking lane ▪ Footpaths – 2.5-3.5m with 1m grass verge – 5m to accommodate parking extension ▪ Landscape Character – An asymmetrical planting scheme is proposed in response to the street orientation, which results in different sun conditions for the north and south sides of the street. Evergreen trees break up parking bays on the north side at approximately 15m spacings. On the south side deciduous trees are planted at the same spacing but offset with centres between the parking bays. Species in accordance with the Public Domain Plan	☐ ☐ ☐ ☐	☐ ☐ ☐ ☐	☒ ☒ ☒ ☒	Whilst Block D adjoins Secondary East/West Street (Half Street) to the north, the street is not within Lot 9. The DCP indicated that Secondary East-west Streets (being Half Street) "may run all the way from Hill Road to the foreshore but they do not need to do so". In this instance the design of Block D has made provision for vehicular entrance from Half Street to the basement entry between Block D and proposed Block C.
3.2.6 Secondary North-South Streets ▪ Uses – Residential ▪ Height – max 4 storeys ▪ Street Setbacks – 3 metres ▪ Right of Way – min. 14.5 metres ▪ Carriageway – 2 travelling lanes and 1 parking lane or 2 travelling lanes and 2 parking lanes ▪ Footpaths – 2.5m with 1m grass verge – 5m to accommodate parking extensions ▪ Landscape Character – Street trees are planted in parking bays at intervals of 2 parking spaces to provide shade for footpaths and to visually narrow the street. Species in accordance with the Public Domain Plan	☐ ☐ ☐ ☐ ☐ ☐ ☐	☐ ☐ ☐ ☐ ☐ ☐ ☐	☒ ☒ ☒ ☒ ☒ ☒ ☒	This section is not applicable to Block D. Development is not located in vicinity of the Secondary North-South Street.

(Block D) 41-45 Hill Road, Wentworth Point (cont'd)

Requirement	Yes	No	N/A	Comment
3.2.7 Foreshore Street – One Way ▪ Uses – Mixed, predominantly residential ▪ Height –4 storeys ▪ Waterfront Setbacks – 30 metres ▪ Street Setbacks – can vary from zero for commercial/retail/leisure (café/dining) uses at the end of major east-west streets to min. 3m for residential ▪ Right of Way – 8.5-10 metres ▪ Carriageway – 1 travelling lane and 1 parking lane on the west side ▪ Footpaths – 3m with 1m grass verge ▪ Landscape Character – Street trees in the verge on the west side of the street are planted at approximately 15m spacings; 30% of 30m waterfront setback is to be dedicated to riparian planting for ecological outcomes. Riparian planting is to be located as far as possible to the property boundary but may extend to the promenade verge; Vegetation overhanging the waterway is to be provided along the foreshore in clumps, having a width of between 1-2m, lengths of no less than 10m and spacing at 40m centres; Planting is to support structural diversity, provide a continuous vegetated linkage and use native species in accordance with the Public Domain Plan	☒ ☒ ☒ ☐ ☐ ☐ ☐ ☒	☐ ☐ ☐ ☐ ☐ ☐ ☐ ☐	☐ ☐ ☐ ☒ ☒ ☒ ☒ ☐	The Foreshore Street Controls are applied to this development. A two lane (1 parking/1traffic) Foreshore Street has been provided. The development is 4 storeys at its waterfront elevation. A fifth storey is provided on the south-east corner however this is setback from the fourth storey by approximately 7m to minimise visual intrusion. The waterfront setback is considered compliant in that 30 metre setback is applied throughout the water frontage which is consistent with the approved Concept Plan setback of 30m from the waterfront All public domain works including carriageways are subject to separate associated application under DA462/2010. Landscape plan submitted with the application is consistent with the landscape character. Should the application be recommended for approval, appropriate condition shall be imposed to ensure the proposed landscaping including planting are in accordance with the Public Domain Plan for the Precinct.

(Block D) 41-45 Hill Road, Wentworth Point (cont'd)

Requirement	Yes	No	N/A	Comment
3.2.8 Foreshore Street – Two Way ▪ Uses – Mixed, predominantly residential ▪ Height –4 storeys ▪ Waterfront Setbacks – generally 30 metres except at the termination of major east-west streets where the setback is 20m (see p46) ▪ Street Setbacks – can vary from zero to 3m ▪ Right of Way – 11.5 metres for new development (existing ROW is 10m) ▪ Carriageway – 2 travelling lane and 1 parking lane on the west side, with angle parking bays (max. 5 cars) interspersed with linear park on the east (waterfront) side ▪ Footpaths – 3m with 1m grass verge ▪ Landscape Character – Street trees in the verge on the west side of the street are planted at approximately 15m spacings; 30% of 30m waterfront setback is to be dedicated to riparian planting for ecological outcomes. Riparian planting is to be located as far as possible to the property boundary but may extend to the promenade verge; Vegetation overhanging the waterway is to be provided along the foreshore in clumps, having a width of between 1-2m, lengths of no less than 10m and spacing at 40m centres; Planting is to support structural diversity, provide a continuous vegetated linkage and use native species in accordance with the Public Domain Plan	☐ ☐ ☐ ☐ ☐ ☐ ☐ ☐ ☐	☐ ☐ ☐ ☐ ☐ ☐ ☐ ☐ ☐	☒ ☒ ☒ ☒ ☒ ☒ ☒ ☒ ☒	The applicant has opted to provide one-way street along the foreshore. This part does not apply to the development.
3.3 Public Open Spaces				
Public open space is to be provided at a minimum 10% of each precinct site area, and includes: ▪ A point park at Wentworth Point of approximately 4.8ha including foreshore promenade ▪ Three parks distributed evenly throughout the precinct, including one park on the waterfront for active recreation. Parks at the north and south to have min. area 2000m^2 each, park in the middle of the precinct to be min. 1000m^2	☐ ☐	☐ ☐	☒ ☒	

(Block D) 41-45 Hill Road, Wentworth Point (cont'd)

Requirement	Yes	No	N/A	Comment
▪ A 20m wide promenade and foreshore street	☒	☐	☐	
▪ Foreshore parks or plazas terminating major east-west streets and linked to the promenade	☒	☐	☐	
▪ Pocket parks or plazas	☒	☐	☐	
All public open space within the precinct, with the exception of the foreshore promenade is to be dedicated to Auburn Council and embellishment works undertaken by the applicant An easement is required to be created in favour of Council to ensure continuous public access to the foreshore promenade	☐ ☐	☐ ☐	☒ ☒	The landscape plans shows the Foreshore Street and Foreshore Park which are subject to associated DA-462/2010. An indicative area for a pocket park has been nominated on the submitted plans. This park does not form part of the subject application, but represents the intended location of the park within Lot 9. The location nominated is considered to be satisfactory and is in accordance with Concept Plan approval for Lot 9.
3.3.1 Foreshore Plazas ▪ Uses – Mixed with emphasis on restaurant/café and small scale neighbourhood retail ▪ Height – 4 storeys with 2 storey pop-ups only on the building alignment to the major east-west street ▪ Setbacks – Variable – buildings lining the plaza may be set back an additional 5+ metres from the predominant building line along major east-west streets ▪ Landscape Character – Median and street tree planting is continued into the plaza open space. The design of these spaces and the arrangement of trees may vary, to give each space a different character	☐ ☐ ☐ ☐	☐ ☐ ☐ ☐	☒ ☒ ☒ ☒	This section is not applicable to Block D given that a mixed use development has not been proposed in this instance. The existing commercial space provided within Precinct F at the Piazza already satisfies the DCP requirements for commercial/retail space for the Precinct.

(Block D) 41-45 Hill Road, Wentworth Point (cont'd)

Requirement	Yes	No	N/A	Comment
3.3.2 Foreshore Linear Parks ▪ Land Dedicated for Public Access – A continuous public accessway is required at the waterfront within a min. 20m min, width dedicated open space	☒	☐	☐	The 30 metres setback to the waterfront is provided in accordance with the DCP.
▪ Landscape Character – Plantings of landmark trees at generally 30m spacings will create a consistent structure appropriate to the scale of the built form. Large trees will break up the visual dominance of new development to the waterfront and will provide shade for users of the public domain. The trees will also contribute to a sense of promenade and precinct as 'one place'. Within this structure, detailed promenade and park design is to fulfil the requirements of the Public Domain Manual. 30% of 30m waterfront setback is to be dedicated to riparian planting for ecological outcomes. Riparian planting is to be located as far as possible to the property boundary but may extend to the promenade verge; Vegetation overhanging the waterway is to be provided along the foreshore in clumps, having a width of between 1-2m, lengths of no less than 10m and spacing at 40m centres; Planting is to support structural diversity, provide a continuous vegetated linkage and use native species in accordance with the Public Domain Plan	☒	☐	☐	The landscape plans shows extensive landscaping including the Foreshore Street and Foreshore Park which are subject to associated DA-462/2010.
3.3.3 Foreshore Plaza, Linear Park and Loop Road ▪ Waterfront Setbacks – refer to diagram at p46	☐	☐	☒	The linear loop road option was not taken up by the developer in this instance, in favour of the pedestrian boardwalk.
▪ Landscape Requirements - 30% of 30m waterfront setback is to be dedicated to riparian planting for ecological outcomes. Riparian planting is to be located as far as possible to the property boundary but may extend to the promenade verge; Vegetation overhanging the waterway is to be provided along the foreshore in clumps, having a width of between 1-2m, lengths of no less than 10m and spacing at 40m centres; Planting is to support structural diversity, provide a continuous vegetated linkage and use native species in accordance with the Public Domain Plan	☐	☐	☒	

(Block D) 41-45 Hill Road, Wentworth Point (cont'd)

Requirement	Yes	No	N/A	Comment
3.3.4 Parks, Pockets Parks and Urban Plazas				
<u>Large Parks</u>				
▪ Uses – various, including structures and unstructured play, and for both local and district users	☐	☐	☒	
▪ Access – clear access maximised to adjoining public streets and pedestrian/cycle accessways. Continuous access along/from foreshore promenade. Wentworth Park to provide pedestrian access (paths) through the park to the foreshore and to adjoining streets	☐	☐	☒	
▪ Character – green, uncluttered and informal, safe and comfortable, respond to maritime/riverine precinct identity	☐	☐	☒	
<u>Pocket Parks</u>				
▪ Uses – various, including structured and unstructured play	☐	☐	☒	An indicative area for a pocket park has been nominated on the submitted plans. This park does not form part of the subject application, but represents the intended location of the park within Lot 9. The location nominated is considered to be satisfactory and is in accordance with Concept Plan approval for Lot 9.
▪ Access – clear access over wide frontage, with min. 30% edge condition adjoining public streets and pedestrian/cycle access	☐	☐	☒	
▪ Character – shady and green, uncluttered and informal, safe and comfortable, respond to maritime/riverine precinct identity	☐	☐	☒	
<u>Plazas and Squares</u>				
▪ Uses – public, day and evening, flexible	☐	☐	☒	
▪ Access – clear, integrated access with adjoining spaces and buildings	☐	☐	☒	
▪ Character – robust maritime, simple and uncluttered, shady but urban	☐	☐	☒	
3.4 Built Form				
3.4.1 Land Uses and Density Objectives				
▪ To provide for a neighbourhood focus at the south of the peninsula and a larger neighbourhood centre focussed around the ferry terminal and the intersection of Hill Rd and Burroway Rd, which include non-residential uses	☒	☐	☐	
▪ To provide activity areas of small scale retail, outdoor dining and water-related uses along the foreshore	☒	☐	☐	The floor space ratio and height of the development is considered as being acceptable.
▪ To ensure that development does not exceed the optimum capacity of the development site and the precinct as a whole	☒	☐	☐	
▪ To allow adequate public open space to be provided and distributed throughout the peninsula	☒	☐	☐	
▪ To support peninsula objectives for a clear, well connected and walkable street layout and efficient block structure	☒	☐	☐	

(Block D) 41-45 Hill Road, Wentworth Point (cont'd)

Requirement	Yes	No	N/A	Comment
3.4.1 Land Uses and Density Controls i. Provide floor space and public open space for each precinct in the locations specified in Section 2.3 and 2.4 and as follows:	☒	☐	☐	The subject site is located in Precinct C. Pursuant to the Concept Plan approval for the Lot 9 under MP No. 06_0098, a residential development with a maximum 50,424sqm of floor area is approved for the site. It is noted that Block D has a floor area of 11,872m^2 representing 24% of total floor area. Therefore the total enclosed floor space of the precinct has not been reached. (It is noted that the Concept Plan approval allowed for floor space of 8994sqm to be transferred from Precinct F to Precinct C). *Proposed Block D + Proposed Block C floor area:-* *11872 + 12096 =* ***23968sqm representing 48% of permissible floor area.***
<u>Precinct C</u> (31,946m^2)	☒	☐	☐	
• Total allowable FSR = 41,530	☒	☐	☐	
• Min. com./maritime/educational = 0	☒	☐	☐	
• Min. waterfront retail/café dining = 100	☐	☐	☒	
• Max. residential = 41,430	☒	☐	☐	
• Min. public open space = 3,195	☒	☐	☐	A total of 5463sqm of public open space is proposed for Lot 9 development. This includes the foreshore park, proposed pocket park and proposed Major North/South Street linear park.
ii. The provision of covenanted space for community uses with neighbourhood centres may be offset against residential floor space	☐	☐	☒	
3.4.2 Building Height Objectives ▪ To ensure future development responds to the desired future character of streets and the precinct as a whole	☒	☐	☐	
▪ To control the impact of new development on Sydney Harbour at Homebush Bay	☒	☐	☐	Whilst the proposed development will marginally exceed the height of the Millennium Marker, the proposal is considered to be consistent with the building height objective.
▪ To enable view sharing	☒	☐	☐	
▪ To protect the amenity of the foreshore promenade and contiguous public open space	☒	☐	☐	
▪ To protect views from within Sydney Olympic Parklands to the Millennium Marker, such that it retains its visual dominance on the horizon	☒	☐	☐	
3.4.2 Building Height Controls & Performance Criteria i. Height in storeys is calculated from the finished footpath of the adjoining street. Where constraints on underground car parking result in a raised ground level for the site AND for its surrounding streets, height is understood to relate to that new	☒	☐	☐	

(Block D) 41-45 Hill Road, Wentworth Point (cont'd)

Requirement		Yes	No	N/A	Comment
	ground level				
ii.	**The maximum overall height for any building, inclusive of lift overruns, services, or any other roof extrusions, is AHD 29; that is, the height of the Millennium Marker** •	☐	☒	☐	**A maximum height of RL 29.6 is proposed to the top of the highest roof and a maximum height of RL 30.5 is proposed to the top of the highest lift overrun. No objection is raised to this non-compliance as to require strict compliance with the overall height by 600mm for the building and 1500mm for the roof overrun is not likely to result in a legible or improved outcome. It is noted that sections of Lot 9 Concept Plan approval allows for building heights of 32.75 AHD and the Master Plan for Lot 10, located to the north of the subject site, as approved, allows for building heights of 33.4 AHD. Given the above, the variation may be supported in this instance.**
iii.	'**Ground level' as it refers to storeys means the lowest habitable floor of a building, which may be elevated a maximum of 1.2 metres above finished footpath level over a non-habitable sub-basement podium**	☐	☒	☐	**The front (Homebush Bay West) elevation lowest habitable level is elevated 1.5 metres above footpath level. This is a result of a high water table within the locality, preventing significant excavation. Furthermore, the Concept Plan approval under condition B1(5)permits the lowest habitable floor level to be elevated up to 1.5m above finished floor level.**
iv.	Scale development appropriately to conform to the urban form principles in the Structural Design Framework by complying with the following height requirements for street types and widths: ▪ Hill Road (east side only) 8 storeys ▪ Major east-west streets (including Baywater Drive and Burroway Road) 8 storeys generally, ranging down to 4 storeys at the foreshore edge ▪ Major north-south street 6 storeys ▪ Secondary streets 4 storeys ▪ Foreshore edge within 30 metres of the waterfront (west side only) 4 storeys ▪ Those portions of street-edging buildings which 'return' into a block 4 storeys	☐ ☒ ☐ ☐ ☒	☐ ☐ ☐ ☐ ☐	☒ ☐ ☒ ☒ ☐	The proposal provides 8 storeys at the rear of Block D and ranging down to 4 storeys at the foreshore edge. 4 storeys provided at the foreshore edge.
v.	Building heights are to achieve built				

(Block D) 41-45 Hill Road, Wentworth Point (cont'd)

Requirement	Yes	No	N/A	Comment
form outcomes that reinforce quality urban and building design	☒	☐	☐	
vi. Optimise accessibility by providing entrances to ground floor commercial and retail uses that are level with the adjoining footpath, where possible	☒	☐	☐	The proposed building heights are appropriate and achieve the desired built form and design outcomes.
vii. To enable modulation of the skyline and provide for design flexibility within developments while still maintaining a consistent datum appropriate to the street hierarchy and relationship to the water, building heights may be varied as follows:	☐	☐	☒	
▪ buildings of 8 storeys may not be varied	☒	☐	☐	
▪ buildings of 6 storeys may be varied by up to 2 additional storeys whose gross floor area is no more than 8% of the total gross floor area of the building	☐	☐	☒	No variation proposed to 8 storey element.
▪ buildings of 4 storeys may be varied by up to 2 additional storeys whose gross floor area is no more than 10% of the total gross floor area of the building.	☐	☐	☒	No 6 storey elevation in Block D
	☒	☐	☐	The foreshore building height limit is 4 storeys on the waterfront, with 2 "pop up" levels permitted. The development proposes 4 storeys directly on the waterfront, increasing to five storeys, being 1 additional "pop up" level. As indicated earlier in the report, this fifth level is setback a further 7m from the 30m setback.
3.4.3 Topography and Site Integration Objectives				
▪ To ensure future development responds to the desired future character of streets and the precinct as a whole	☒	☐	☐	The proposed development is consistent with the Topography and Site Integration objectives as the ground level is to be raised to match the ground level of the adjoining site to the north (Lot 10) and Lot 8 to the south.
▪ To ensure that topography unified the precinct as 'one place' rather than creates divided sites at different levels	☒	☐	☐	
▪ To encourage adjacent landowners to consider a joint master plan for sites affected by proposed level changes	☒	☐	☐	Conforms with Concept Plan approval.
▪ To create a 'ridge road' in keeping with the Harbour context	☐	☐	☒	Road network not part of subject application.

(Block D) 41-45 Hill Road, Wentworth Point (cont'd)

Requirement	Yes	No	N/A	Comment
3.4.3 Topography and Site Integration Controls and Performance Criteria				
i. The extent of ground level changes is delineated by existing public streets and the 30 metre setback to the foreshore; that is, they may not be raised to create an 'edge' to these spaces	☒	☐	☐	Ground floor level is as approved under the Concept Plan which allows the lowest habitable floor level of the units fronting Homebush Bay to be up to 1500mm above finished footpath levels.
ii. Where topography has already been altered on streets, as at Baywater Road, this profile may be continued across into the adjacent development precinct	☐	☐	☒	
iii. The ground level across the whole area may be raised by a maximum of 4.5 metres where parking is wholly underground (that is, no sub-basement parking) or 3 metres where there is sub-basement parking. Sub-basement parking may protrude above ground to a maximum height of 1.5 m metres	☐	☒	☐	**Whilst there is sub-basement parking within Block D, the ground level is raised 5.5m. This is as approved under the Concept Plan to integrate with the levels of the adjoining site (Lot 10)**.
iv. Consider the continuation of any changes in ground level across adjacent sites when proposing changes to the topography	☒	☐	☐	
v. Locate roads, not buildings, on the highest part(s) of the new ground level to optimise the directness of visual and physical connections to the water and surrounding shores	☐	☐	☒	Location of road pre-determined under this DCP and does not form part of the subject application.
3.4.4 Building Depth Objectives				
▪ To enable view sharing from apartments and views of the sky from the public domain	☒	☐	☐	Residential amenity for many apartments will be good but there are a number of units that will have less than the minimum required direct sunlight penetration. This variation is offset by the high views amenity achieved for the apartments.
▪ To optimise residential amenity in terms of natural ventilation and daylight access to internal spaces	☒	☐	☐	
▪ To provide for dual aspect apartments	☒	☐	☐	
3.4.4 Building Depth Performance Criteria				
i. Provide opportunities for cross ventilation and daylight access by limiting the depth of residential building envelopes to 22m (maximum 18m glass line to glass line)	☐	☒	☐	**The building depth for the building varies but reaches up to 19.8m from glass line to glass line but less than 22m overall. Based on the design the proposed depth is not considered excessive.**
ii. Maximise cross ventilation and daylight access by providing a minimum of 50% of apartments with openings in two or more external walls of different orientation	☒	☐	☐	61% of apartments in the development have openings in two or more external walls of different orientation.

(Block D) 41-45 Hill Road, Wentworth Point (cont'd)

Requirement	Yes	No	N/A	Comment
iii. Optimise the environmental amenity for single aspect apartments by orienting them predominantly north, east or west •	☒	☐	☐	Where possible, single aspect apartments are provided to the north, east and west however southern elevations also contain single aspect apartments. (13% single aspect and south orientation).
iv. Promote sustainable practices for commercial floors by limiting their depth above podium level to 25m	☐	☐	☒	
3.4.5 Building Separation Objectives ▪ To ensure that new development is scaled to support the desired precinct character, with built form distributed to enable views through the precinct to the water and surrounding hills	☒	☐	☐	The proposed development is considered to be consistent with the Building Separation objectives as appropriate spacing and visual and acoustic privacy is provided between building towers, a consolidated and landscaped area of communal open space is provided.
▪ To provide visual and acoustic privacy for residents in new development and in any existing development	☒	☐	☐	
▪ To control overshadowing of adjacent properties and private or shared open space	☒	☐	☐	
▪ To allow for the provision of open space of suitable size and proportions for recreational use by building occupants	☒	☐	☐	
▪ To provide open space areas within blocks for landscaping, including tree planting, where site conditions allow	☒	☐	☐	
3.4.5 Building Separation Performance Criteria i. For buildings up to 4 storeys, provide: ▪ 12m between habitable rooms / balcony edges	☐	☐	☒	The complex is 4 to 8 storeys in height consisting of 7 storeys to the northern building; 5 - 8 storeys to the southern building; and 4 storeys to the eastern building facing the foreshore. The separation distance between the north and south building within Block D varies between 13m – 14.2m and the separation distance between the north and east building within Block D varies between 32m – 37m. It is noted that a separation distance of 11m – 12m is proposed between Block D and Block C buildings. **The development is complaint with regards to the separation between the north and east buildings but not compliant between the north and south buildings being a separation of between 13m to 14.2m. In this instance and should the proposal be recommended for approval, appropriate condition shall be imposed requiring the provision of privacy screens to the**
▪ 9m between habitable rooms / balcony edges and non-habitable rooms	☐	☐	☒	
▪ 6m between non-habitable rooms	☐	☐	☒	
ii. For buildings of 5 – 8 storeys, provide: ▪ **18m between habitable rooms / balcony edges**				
▪ **13m between habitable rooms / balcony edges and non-habitable rooms**	☐	☒	☐	
▪ 9m between non-habitable rooms	☐	☒	☐	
iii. Design buildings at the intersections of Hill Road and major east-west streets with minimum building separation at podium level to create a street wall, urban character	☒	☐	☐	
iv. Where an upper level setback creates a terrace, apply the building separation control for the storey below.	☒	☐	☐	

(Block D) 41-45 Hill Road, Wentworth Point (cont'd)

Requirement	Yes	No	N/A	Comment
				windows of the affected habitable rooms on the north building to minimise any potential overlooking impacts. With regards to the 11m – 12m separation between Block D and Block C, it is noted that the affected units are aligned to different orientations and windows to key habitable rooms do not align between the two buildings.
3.4.6 Street Setbacks Objectives ▪ To establish the spatial proportions of streets in accordance with the urban form/street hierarchy principles ▪ To reinforce the threshold between public and private space by providing a transition from the street to the building ▪ To achieve visual privacy to apartments from the street ▪ To provide sufficient space for lobbies or foyers, and for individual ground floor apartments ▪ To support streetscape objectives by allowing for a landscaped setting for buildings	☒ ☒ ☒ ☒ ☒	☐ ☐ ☐ ☐ ☐	☐ ☐ ☐ ☐ ☐	The proposed development is consistent with the Street Setback objectives as setbacks are provided in accordance with the requirements of the approved Concept Plan and Homebush Bay West DCP.
3.4.6 Street Setbacks Performance Criteria i. Create an urban character, provide consistent street edge definition and enhance the potential for retail and street fronting activities, by: ▪ establishing street setbacks on Hill Road and major east-west streets (excluding foreshore plaza areas) as build-to lines for a minimum 70% of the length of the building façade ▪ This excludes the top two floors, which may be set back from the build-to line ii. For buildings on Hill Road, provide an 8 metre street setback iii. For buildings on major east-west streets, provide a 5 metre setback iv. Support the linear park character envisaged for the major north-south street by providing a minimum 4 metre setback	☒ ☐ ☐ ☒ ☐	☐ ☐ ☐ ☐ ☐	☐ ☒ ☒ ☐ ☒	A street setback of 5 metres is provided to Major East/West Street. A waterfront setback of 30m to the water edge is provided. 5m setback provided.

(Block D) 41-45 Hill Road, Wentworth Point (cont'd)

Requirement	Yes	No	N/A	Comment
v. Create a residential character for buildings on secondary streets by providing a minimum 3 metre setback	☐	☐	☒	
vi. Protect the amenity and public space character of the foreshore by providing a minimum 30 metre setback to the waterfront, except at the termination of east-west streets where a 20 metre setback is allowed to a maximum extent of 25 metres	☒	☐	☐	30m setback to the foreshore provided.
vii. Where variable height in excess of the height controls is permitted (see 3.4.2 Heights above), maintain the overall height datum established for streets by providing minimum 3 metre setbacks to the topmost level(s) of the building	☐	☐	☒	
viii. Contribute to building expression, environmental design solutions, and opportunities for activating the street, by allowing balconies and ground floor terraces to extend forward of the street setback line by a maximum of 600mm in accordance with 3.4.7 Building Articulation below.	☐	☒	☐	**The ground floor terraces project 1500mm along the southern boundary. Whilst it is noted that the HBWDCP allows for 600mm encroachment to provide variations to building facades, the proposed non-compliance is supported as the terrace encroachment enables provision of usable private open spaces which are integrated with internal spaces for the apartments and also provides a better surveillance of the street.**
3.4.7 Building Articulation Objectives ▪ To provide modelled building facades appropriately scaled for the building use and desired street character ▪ To provide useable private external spaces which are integrated with internal spaces ▪ To ensure buildings respond to environmental conditions such as noise, sun, wind and views ▪ To provide for casual surveillance of public spaces ▪ To establish the relationship of the building – its entries and openings – with the street	☒ ☒ ☒ ☒ ☒	☐ ☐ ☐ ☐ ☐	☐ ☐ ☐ ☐ ☐	The proposed development is consistent with the Building Articulation objectives as private open spaces in the form of balconies and terraces are used to modulate elevations, provide casual surveillance of public areas and provide residents with external access to views, sunlight and breezes.

(Block D) 41-45 Hill Road, Wentworth Point (cont'd)

Requirement	Yes	No	N/A	Comment
3.4.7 Building Articulation Performance Criteria **i. Balconies and ground floor terraces may extend forward of the street setback line by a maximum of 600mm across a maximum 50% the building frontage**				**The ground floor terraces project 1500mm along the southern boundary across 60.7% of the frontage. As noted earlier in the report, the encroachment provide variations to building facades, the proposed non-compliance is supported as the terrace encroachment enables provision of usable private open spaces which are integrated with internal spaces for the apartments and also provides a better surveillance of the street.**
ii. Enhance an active street environment and promote a sense of individual ownership, by providing individual entry to at least 75% of all ground floor apartments	☒	☐	☐	Individual entries are provided to all ground level units.
iii. Balance opportunities for overlooking of streets and for attractive outlooks with considerations of visual and acoustic privacy, for example by: ▪ orienting private open space towards the street, Homebush Bay and Parramatta River ▪ using noise barriers and privacy screens	☒	☐	☐	Where possible, private open spaces are orientated towards the streets and Homebush Bays.
iv. Optimise amenity and comfort for residents by designing building articulation elements appropriate to the building orientation, for example vertical or horizontal sun shading devices.	☒	☐	☐	
Part 4 Detailed Design Guidelines				
4.1 Site Configuration				
4.1.1 Deep Soil Zones Objectives ▪ To assist with management of the water table ▪ To assist with management of water quality ▪ To improve the amenity of developments through retention and/or planting of large and medium size trees	☒	☐	☐	The proposal includes a satisfactory planting scheme for the site. The landscape plan is satisfactory for approval and shows an adequate planting regime for the complex.

(Block D) 41-45 Hill Road, Wentworth Point (cont'd)

Requirement	Yes	No	N/A	Comment
4.1.1 Deep Soil Zones Performance Criteria **i. A minimum of 15 percent of the private open space area of a site is to be a deep soil zone. Where there is no capacity for water infiltration, stormwater treatment measures must be integrated with the design of the residential flat building**	☐	☒	☐	**The proposed development provides little by way of deep soil within the private open space area due to locating the parking areas below the central communal open space thereby limiting the opportunity for providing deep soil. It is noted that in general 894sqm of deep soil zone is provided around the perimeter of Block D which equates to 14% of the site being deep soil zone. The non compliance is supported in this instance.**
ii. Optimise the provision of consolidated deep soil zones by locating basement and sub-basement car parking within the building footprint so as not to extend into street setback zones	☒	☐	☐	The car parking is largely contained under the building.
iii. Optimise the extent of deep soil zones beyond the site boundaries by locating them contiguous with the deep soil zones of adjacent properties	☒	☐	☐	
iv. Promote landscape health by supporting a rich variety of vegetation type and size	☒	☐	☐	
v. Increase the permeability of paved areas by limiting the area of paving and/or using pervious paving materials	☒	☐	☐	
4.1.2 Fences and Walls Objectives ▪ To define the edges between public and private land	☒	☐	☐	The proposed development is considered to be consistent with the Fences and Walls objectives as suitable barriers between the public and private areas are proposed in the form of low-level walls and landscaping.
▪ To define the boundaries between areas within the development having different functions or owners	☒	☐	☐	
▪ To provide privacy and security	☒	☐	☐	
▪ To contribute to the public domain	☒	☐	☐	
4.1.2 Fences and Walls Performance Criteria i. Clearly delineate the private and public domain without compromising safety and security by: ▪ designing fences and walls which provide privacy and security while not eliminating views, outlook, light and air	☒	☐	☐	The proposed development provides low-level boundary walls behind a landscape buffer to ground-floor apartments to clearly delineate between public and private spaces.
▪ limiting the length and height of retaining walls along street frontages	☒	☐	☐	

(Block D) 41-45 Hill Road, Wentworth Point (cont'd)

Requirement	Yes	No	N/A	Comment
ii. Contribute to the amenity, beauty and useability of private and communal open spaces by incorporating some of the following in the design of fences and walls:- benches and seats, planter boxes, pergolas and trellises, barbeques, water features, composting boxes and worm farms	☒	☐	☐	The proposed fencing will provide visual privacy to apartments whilst also creating a casual surveillance of public areas. The communal open space contains seats, lap pool, water features, barbeque area and pergola.
iii. Retain and enhance the amenity of the public domain by:				
▪ avoiding the use of continuous lengths of blank walls at street level	☒	☐	☐	
▪ using planting to soften the edges of any raised terraces to the street, such as over sub basement car parking, and reduce their apparent scale	☒	☐	☐	
▪ where sub basement car parking creates a raised terrace (up to 1.2 metres higher than footpath level) for residential development to the street, ensuring that any fencing to the terrace is maximum 50% solid to transparent	☒	☐	☐	Ratio of solid to transparent fencing to the ground floor terraces considered satisfactory.
iv. Select durable materials, which are easily cleaned and are graffiti resistant	☒	☐	☐	
4.1.3 Landscape Design Objectives				
▪ To add value to residents' quality of life within the development in the form of privacy, outlook and views	☒	☐	☐	The proposed development is considered to be consistent with the Landscape Design objectives as suitable landscaping is to be used to soften the impact of the built form on surrounding streetscape and within the internal communal open space.
▪ To provide habitat for native indigenous plants and animals	☒	☐	☐	
▪ To improve stormwater quality and reduce quantity	☒	☐	☐	
▪ To improve the microclimate and solar performance within the development	☒	☐	☐	
▪ To improve urban air quality	☒	☐	☐	
▪ To provide a pleasant outlook	☒	☐	☐	
4.1.3 Landscape Design Performance Criteria				
i. Improve the amenity of open space with landscape design which:				
▪ provides appropriate shade from trees or structures	☒	☐	☐	These features have been provided. Pedestrian through link provided between Block D and proposed Block C.
▪ provides accessible routes through the space and between buildings	☒	☐	☐	
▪ screens cars, communal drying areas, swimming pools and the courtyards of ground floor units	☒	☐	☐	
▪ allows for locating art works where they can be viewed by users of open space and/or from within apartments	☐	☐	☒	
ii. Contribute to streetscape character and the amenity of the public domain by:				
▪ relating landscape design to the desired proportions and character of the streetscape	☒	☐	☐	The development is generally considered to be satisfactory in this regard.
▪ using planting and landscape	☒	☐	☐	

(Block D) 41-45 Hill Road, Wentworth Point (cont'd)

Requirement	Yes	No	N/A	Comment
elements appropriate to the scale of the development ▪ mediating between and visually softening the bulk of large development for the person on the street	☒	☐	☐	
iii. Improve the energy and solar efficiency of dwellings and the microclimate of private open spaces. Planting design solutions include: trees for shading low-angle sun on the eastern and western sides of a dwelling; trees that do not cast a shadow over solar collectors at any time of the year; deciduous trees for shading of windows and open space areas in summer; locating evergreen trees well away from the building to permit the winter sun access; varying heights of different species of trees and shrubs to shade walls and windows; locating pergolas on balconies and courtyards to create shaded areas in summer and private areas for outdoor living; locating plants appropriately in relation to their size at maturity	☒	☐	☐	
iv. Design landscape which contributes to the site's particular and positive characteristics by: ▪ planting communal private space with native vegetation, species selection as per Sydney Olympic Park Parklands 2020 & Plan of Management- enhancing habitat and ecology	☒	☐	☐	A landscape plan, prepared by a suitably qualified consultant, is submitted with the application. The plan identifies relevant landscaping elements to soften the built form, contribute to streetscape and provide for natural screening and shading.
▪ retaining and incorporating trees, shrubs and ground covers endemic to the area, where appropriate	☒	☐	☐	
▪ retaining and incorporating changes of level, visual markers, views and any significant site elements	☒	☐	☐	
v. Contribute to water and stormwater efficiency by integrating landscape design with water and stormwater management, for example, by: using plants with low water demand to reduce mains consumption; using plants with low fertiliser requirements; using plants with high water demand, where appropriate, to reduce run off from the site; utilising permeable surfaces; using water features; incorporating wetland filter systems	☒	☐	☐	
vi. Provide a sufficient depth of soil above paving slabs to enable growth of mature trees	☒	☐	☐	
vii. Minimise maintenance by using robust landscape elements	☒	☐	☐	

(Block D) 41-45 Hill Road, Wentworth Point (cont'd)

Requirement	Yes	No	N/A	Comment
viii. See 4.1.5 Planting on structures for minimum soil depths on roofs for trees, shrubs and groundcover planting	☒	☐	☐	
4.1.4 Private Open Space Objectives ▪ To provide residents with passive and active recreational opportunities ▪ To provide an area on site that enables soft landscaping and deep soil planting ▪ To ensure that communal open space is consolidated, configured and designed to be useable and attractive ▪ To provide a pleasant outlook	☒ ☒ ☒ ☒	☐ ☐ ☐ ☐	☐ ☐ ☐ ☐	The general locality provides for passive and active recreational opportunities via the waterfront promenade and proximity to The Piazza and Sydney Olympic Park. The internal communal open space is made attractive via provision of a water feature, shade areas and landscaping.
4.1.4 Private Open Space Performance Criteria i. Provide communal open space at a minimum of 25 percent of the site area (excluding roads). Where developments are unable to achieve the recommended communal open space, they must demonstrate that residential amenity is provided in the form of increased private open space and/or in a contribution to public open space	☒	☐	☐	Communal open space is 26%.
ii. Communal open space may be provided on a podium or roof(s) in a mixed-use building with commercial and/or retail on the ground floor	☐	☐	☒	Not a mixed use building however additional communal open space area is provided within Block D in the form of a roof deck facing the foreshore.
iii. Facilitate the use of communal open space for the desired range of activities by: ▪ locating it in relation to buildings to optimise solar access to apartments ▪ consolidating open space on the site into recognisable areas with reasonable space, facilities and landscape ▪ designing size and dimensions to allow for the 'program' of uses it will contain ▪ minimising overshadowing ▪ carefully locating ventilation duct outlets from basement car parks	☒ ☒ ☒ ☒ ☒	☐ ☐ ☐ ☐ ☐	☐ ☐ ☐ ☐ ☐	
iv. Provide a minimum area of 25m^2 private open space for each apartment at ground level or similar space on a structure, including balconies, such as on a podium or car park; the minimum dimension in one direction is four metres (see Balconies for private open space requirements for above-ground and above podium dwellings)	☐	☒	☐	**Of the 14 units on level 1, 4 units comply with the required dimension of 4m and 6 units comply with the minimum area of 25sqm. Only 2 units comply with both requirements for 25sqm area and 4m dimension and non compliance with both area and dimension affects 12 units.** **It is noted that minimum 2.4m dimension is provided for all private open spaces and of the 8 non compliant size requirements, 7 of those provides sizes of between 23sqm – 24sqm which would not be noticeable different to those with 25sqm.**

(Block D) 41-45 Hill Road, Wentworth Point (cont'd)

Requirement	Yes	No	N/A	Comment
				Given the above, and that all the spaces provided can accommodate table and chairs for outdoor private amenity, there is no objection raised to the non-compliances in this instance.
v. Provide private open space for each apartment capable of enhancing residential amenity, in the form of:- balcony, deck, terrace, garden, yard, courtyard and/or roof terrace. Where the primary private open space is a balcony, see Balconies	☒	☐	☐	All the apartments above the ground level are provided with balconies or terraces of varying size and dimensions. The balconies and terraces are large enough to permit their use.
vi. Locate open space to increase the potential for residential amenity by designing apartment buildings which:				
▪ are sited to allow for landscape design	☒	☐	☐	
▪ are sited to optimise daylight access in winter and shade in summer	☒	☐	☐	The development incorporates all these features.
▪ have a pleasant outlook	☒	☐	☐	
▪ have increased visual privacy between apartments	☒	☐	☐	
v. Provide environmental benefits including habitat for native fauna, native vegetation and mature trees, a pleasant microclimate, rainwater percolation and outdoor drying area	☒	☐	☐	
4.1.5 Planting of Structures Objectives				
▪ To contribute to the quality and amenity of communal open space on roof tops, podiums and internal courtyards	☒	☐	☐	Internal courtyard is suitably landscaped
▪ To encourage the establishment and healthy growth of trees in urban areas	☒	☐	☐	
4.1.5 Planting of Structures Performance Criteria				
i. Design for optimum conditions for plant growth by:				
▪ providing soil depth, soil volume and soil area appropriate to the size of the plants to be established	☒	☐	☐	The depth of soil within the central communal open space area (above the parking level podium) is to be between 1.5m to 1.8m deep.
▪ providing appropriate soil conditions and irrigation methods	☒	☐	☐	It will have dimensions well in excess of 10 metres by 10 metres and volume of more than 150 cubic metres. Therefore, sufficient planting conditions will be provided for a range of small trees, shrubs and ground covers.
▪ providing appropriate drainage	☒	☐	☐	
ii. Design planters to support the appropriate soil depth and plant selection by:				
▪ ensuring planter proportions accommodate the largest volume of soil possible and minimum soil depths of 1.5 metres to ensure tree growth	☒	☐	☐	
▪ providing square or rectangular planting areas rather than narrow linear areas	☒	☐	☐	
iii. Increase minimum soil depths in accordance with:				

(Block D) 41-45 Hill Road, Wentworth Point (cont'd)

Requirement	Yes	No	N/A	Comment
▪ the mix of plants in a planter for example where trees are planted in association with shrubs, groundcovers and grass	☒	☐	☐	
▪ the level of landscape management, particularly the frequency of irrigation	☒	☐	☐	
▪ anchorage requirements of large and medium trees	☒	☐	☐	
▪ soil type and quality	☒	☐	☐	
iv. Recommended minimum standards for a range of plant sizes, excluding drainage requirements, are:				
▪ Large trees such as figs (canopy diameter of up to 16 metres at maturity) o minimum soil volume 150 cubic metres o minimum soil depth 1.3 metre o minimum soil area 10 metre x 10 metre area or equivalent	☒	☐	☐	
▪ Medium trees (8 metre canopy diameter at maturity) o minimum soil volume 35 cubic metres o minimum soil depth 1 metre o approximate soil area 6 metre x 6 metre or equivalent	☒	☐	☐	
▪ Small trees (4 metre canopy diameter at maturity) o minimum soil volume 9 cubic metres o minimum soil depth 800mm o approximate soil area 3.5 metre x 3.5 metre or equivalent	☒	☐	☐	
▪ Shrubs o minimum soil depths 500-600mm	☒	☐	☐	
▪ Ground cover o minimum soil depths 300-450mm	☒	☐	☐	
▪ Turf o minimum soil depths 100-300mm	☒	☐	☐	
Stormwater Management Objectives				
▪ To minimise the impacts of residential flat development and associated infrastructure on the health and amenity of the Parramatta River, Homebush Bay and associated waterways	☒	☐	☐	Should the application be recommended for approval, appropriate conditions shall be imposed in this regards.
▪ To preserve existing topographic and natural features, including watercourses and wetlands	☐	☐	☒	No significant topographical features required to be retained.
▪ To minimise the discharge of sediment and other pollutants to the urban stormwater drainage system during construction activity	☒	☐	☐	Appropriate sediment control measures proposed.

(Block D) 41-45 Hill Road, Wentworth Point (cont'd)

Requirement	Yes	No	N/A	Comment
Stormwater Management Performance Criteria i. Reduce the volume impact of stormwater on infrastructure by retaining it on site. Design solutions may include:- minimising impervious areas by using pervious or open pavement materials; retaining runoff from roofs and balconies in water features as part of landscape design or for reuse for activities such as toilet flushing, car washing and garden watering; landscape design incorporating appropriate vegetation; minimising formal drainage systems (pipes) with vegetated flowpaths (grass swales), infiltration or biofiltration trenches and subsoil collection systems in saline areas; water pollution control ponds or constructed wetlands on larger developments	☒	☐	☐	Council's Engineering Department has assessed the proposed stormwater drainage plans and deemed them to be satisfactory subject to the inclusion of conditions, should the application be recommended for approval.
ii. Optimise deep soil zones. All development must address the potential for deep soil zones (see Deep Soil Zones)	☒	☐	☐	
iii. On dense urban sites where there is no potential for deep soil zones to contribute to stormwater management, seek alternative solutions. Structural stormwater treatment measures may be used including:- litter or gross pollutant traps to capture leaves, sediment and litter; on-site detention storage	☒	☐	☐	
iv. Protect stormwater quality by providing for:				
▪ sediment filters, traps or basins for hard surfaces	☒	☐	☐	
▪ treatment of stormwater collected in sediment traps on soils containing dispersive clays	☒	☐	☐	
v. Reduce the need for expensive sediment trapping techniques by controlling erosion, for example by:- landscape design incorporating appropriate vegetation; stable (non-eroding) flow paths conveying water at non-erosive velocities	☒	☐	☐	
4.1.7 Wind Objectives ▪ To minimise the impact of wind exposure within public and private open space	☒	☐	☐	The proposed development is consistent with the Wind objectives as a report prepared by a suitably qualified consultant is provided identifying that suitable wind conditions can be achieved through the use of landscaping and use of impermeable balustrade around the trafficable area of balconies.
▪ To enable residential dwellings to benefit from ventilating breezes	☒	☐	☐	
▪ To maximise the comfort of the foreshore promenade	☒	☐	☐	
▪ To ensure buildings do not create adverse wind conditions for the Olympic Archery Centre	☒	☐	☐	

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Requirement	Yes	No	N/A	Comment
4.1.7 Wind Performance Criteria i. Site and design development to avoid unsafe and uncomfortable winds at pedestrian level in public areas and private open spaces, for example through appropriate orientation and / or screening of seating areas, balcony, terrace and courtyard spaces ii. Maximum allowable wind velocities are: ▪ 13 metres per second in streets, parks and public places ▪ 16 metres per second in all other areas iii. Provide a Wind Effects Study with all development over 4 storeys in height iv. Ameliorate the effects of wind on the foreshore promenade by configuring landscape elements and incorporating refuge areas off the main promenade	☒ ☒ ☒ ☒ ☒	☐ ☐ ☐ ☐ ☐	☐ ☐ ☐ ☐ ☐	A Pedestrian Wind Statement prepared by Windtech dated July 21, 2010 (report no. W382-48F02) has been submitted with the development application. The study concludes that wind conditions for most outdoor areas within and around the proposed development will be suitable for the intended uses. Some treatments are required for certain areas including - Impermeable balustrades around the full perimeter of the all private balconies and roof top terraces on or near a corner of the development.
4.1.8 Geotechnical Suitability and Contamination Objectives ▪ To ensure that development sites are suitable for the proposed development use or can be remediated to a level suitable for that use ▪ To take into account issues relevant to the whole Homebush Bay area, including the disturbance of aquatic sediments	☒ ☒	☐ ☐	☐ ☐	As stated earlier in the report under the SEPP 55 Assessment, it is concluded that the site is suitable for residential use with minimal access to the soil.
4.1.8 Geotechnical Suitability and Contamination Performance Criteria i. Provide a report by a qualified geotechnical engineer establishing that the site of the proposed development is suitable for that development having regard to its groundwater conditions ii. Provide a report by a qualified contamination consultant indicating that the site is suitable for the proposed use or that remediation options are available to reduce contaminant concentrations to a level appropriate for the proposed land use. The report fully documents the site investigation process undertaken which includes: ▪ Stage 1 - Preliminary Investigations ▪ Stage 2 - Detailed Investigations ▪ Stage 3 - Remedial Action Plan (if remediation is required) as outlined in Section 3.4 of Managing Land Contamination and Draft Guidelines prepared by DUAP and EPA, August 1998	☒ ☒	☐ ☐	☐ ☐	As stated earlier in the report under the SEPP 55 Assessment, results of the site investigations including results from previous investigations on nearby sites, it is concluded that the site is suitable for residential use with minimal access to the soil. In response to concerns raised by Council's Environmental Health Department an updated information from Daniel Smith of Consulting Earth Sciences was submitted and concludes that the previous findings are still valid but further environmental analysis of the soils directly underneath and around the heavy vehicle maintenance workshop and soil stockpiles be undertaken to confirm that the site is suitable for the proposed residential development. Council's Environmental Department has raised no objections to this finding but further recommended that validation of the site shall be undertaken following the demolition of the existing structures on the site and prior to the commencement of

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Requirement	Yes	No	N/A	Comment
iii. Provide documentation of the process used to ensure fill is clean and contamination free	☐	☐	☒	any earth works or construction works commencing on the site. The Department also recommended that "*Based on the findings of the additional sampling a report shall be prepared and submitted to the PCA verifying the suitability of the site for the proposed residential development.... Where necessary a Remedial Action Plan (RAP) is to be prepared and submitted to Council for approval".* Should the proposal be recommended for approval, appropriate condition shall be imposed in this regards.
4.1.9 Electro-Magnetic Radiation Objectives ▪ To enable development of the Homebush Bay West precinct for residential, commercial, recreational and community uses ▪ To recognise the issues associated with continued use of the site for AM radio broadcasting	☒ ☒	☐ ☐	☐ ☐	The proposed development is consistent with the Electro-magnetic Radiation objectives as it has previously been deemed suitable for residential purposes.
4.1.9 Electro-Magnetic Radiation Performance Criteria i. Applicants are required to demonstrate that development proposals have carefully considered potential health and interference impacts from the AM radio towers. Further advice and guidance may be obtained from the relevant Commonwealth regulatory bodies including the Australian Broadcasting Authority ii. Building design and siting responds appropriately to any constraints and / or impacts identified, for example, appropriate shielding of electronic and telephonic cables	☒ ☒	☐ ☐	☐ ☐	A recent report issued by Radhaz has found that an AM radio tower at Sydney Olympic Park does not pose a health risk to residents. AM Radio stations 2UE and 2SM which broadcast from a transmission tower at the park have emissions below the allowable human exposure limit. Expert advice from the Australian Radiation Protection and Nuclear Science Authority, Therapeutic Goods Administration and Radhaz confirms that the 2UE and 2SM tower is transmitting within the levels allowed by the Australian Communications Authority standard. There is no basis of concern over direct effects of radio frequency radiation for prospective apartment occupants. Neither the contact currents nor electric or magnetic fields measured by Radhaz in their survey exceeded the limits that are recommended.

(Block D) 41-45 Hill Road, Wentworth Point (cont'd)

Requirement	Yes	No	N/A	Comment
4.2 Site Analysis				
4.2.1 Safety and Security Objectives ▪ To ensure that residential flat developments are safe and secure for residents and visitors ▪ To contribute to the safety of the public domain	☒ ☒	☐ ☐	☐ ☐	The proposed development is considered to be consistent with the Safety and Security objectives as secure access to communal entries to the building and as casual surveillance of the public domain from living and open space areas is to be provided.
4.2.1 Safety and Security Performance Criteria i. Carry out a formal crime risk assessment in accordance with NSW Police 'Safer by Design' protocols for all residential developments of more than 20 new dwellings, and for the mixed use maritime precinct around Wentworth Point. Crime risk assessment is to extend beyond the site boundaries to include the relationship of the building to public open space areas ii. Reinforce the development boundary to strengthen the distinction between public and private space. This can be actual or symbolic and may include:- employing a level change at the site and/or building threshold; signage which is clear and easy to understand; entry awnings; fences, walls and gates; change of material in paving between the street and the development iii. Optimise the visibility, functionality and safety of building entrances by: ▪ orienting entrances towards the public street ▪ providing clear lines of sight between entrances, foyers and the street ▪ providing direct entry to ground level apartments from the street rather than through a common foyer ▪ providing direct and well-lit access between car parks and dwellings, between car parks and lift lobbies and to all unit entrances iv. Improve the opportunities for casual surveillance by:	☒ ☒ ☒ ☒ ☒ ☒	☐ ☐ ☐ ☐ ☐ ☐	☐ ☐ ☐ ☐ ☐ ☐	The project responds in a positive manner to the CPTED guidelines: <u>Surveillance</u>: The position and orientation of the various building elements allow balconies and habitable rooms of apartments to overlook the streets. The design permits passive surveillance of the internal common courtyard areas. Street level activity will be encouraged via the provision of multiple building entries, individual entries to ground floor dwellings and the use of on street car parking along proposed foreshore street. Landscaping shall be maintained to ensure that the line of sight is not blocked by overgrown vegetation. Lines of sight between private and public spaces will be maintained during the night by a suitable lighting scheme. The day to day operation of the complex will be managed by a management service. <u>Access control</u>: The common entry pathways / lobbies and access to individual ground floor dwellings are clearly

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Requirement	Yes	No	N/A	Comment
▪ orienting living areas with views over public or communal open spaces, where possible	☒	☐	☐	expressed within the presentation of the building.
▪ using bay windows and balconies, which protrude beyond the building line and enable a wider angle of vision to the street	☒	☐	☐	The design allows space for individual ground floor dwellings to be clearly numbered and identified from the street.
▪ using corner windows, which provide oblique views of the street	☒	☐	☐	Each building entry will include signage to state unit numbers accessed from that entry.
▪ avoiding high walls around and parking structures which obstruct views	☒	☐	☐	
▪ providing casual views of common internal areas, such as lobbies and foyers, hallways, recreation areas and car parks	☒	☐	☐	A security system will be used to control access into and within the buildings and car parking areas.
v. Minimise opportunities for concealment by:				Suitable fencing treatment will demarcate the public and private spaces.
▪ avoiding blind or dark alcoves near lifts and stairwells, at the entrance and within indoor carparks, along corridors and walkways	☒	☐	☐	Territorial reinforcement:
▪ providing well-lit routes throughout the development	☒	☐	☐	The large well designed central common area should ensure that residents of the complex use the space. The space is large enough to foster a sense of communal ownership.
▪ providing appropriate levels of illumination for all common areas	☒	☐	☐	
▪ providing graded illumination to car parks and illuminating entrances higher than the minimum acceptable standard	☒	☐	☐	Car park:
vi. Control access to the development by:				The car park area is largely open with minimal blind spots and dark areas or corners.
▪ making apartments inaccessible from the balconies, roofs and windows of neighbouring buildings	☒	☐	☐	
▪ separating the residential component of a development's car parking from any other building use and controlling car park access from public and common areas	☒	☐	☐	
▪ providing direct and secure access from car parks to apartment lobbies for residents	☒	☐	☐	
▪ providing separate access for residents in mixed-use buildings	☒	☐	☐	
▪ providing an audio or video intercom system at the entry or in the lobby for visitors to communicate with residents	☒	☐	☐	
▪ providing key card access for residents	☒	☐	☐	There are lifts linking the car park levels to the residential units above.
4.2.2 Visual Privacy Objectives ▪ To provide reasonable levels of visual privacy externally and internally, during the day and at night	☒	☐	☐	The proposed development is considered to be consistent with the Visual Privacy objectives as outlook of open space is maximised where possible, without creating more than reasonable privacy impacts.
▪ To maximise outlook and views to the public domain from principal rooms and private open spaces without compromising visual privacy	☒	☐	☐	
4.2.2 Visual Privacy Performance Criteria				

(Block D) 41-45 Hill Road, Wentworth Point (cont'd)

Requirement	Yes	No	N/A	Comment
i. Locate and orient new development to maximise visual privacy between buildings on site and adjacent buildings by: ▪ providing adequate building separation ▪ employing appropriate rear and site setbacks ii. Design building layouts to minimise direct overlooking of rooms and private open spaces adjacent to apartments by: ▪ locating balconies to screen other balconies and any ground level private open space ▪ separating communal open space, common areas and access routes through the development from the windows of rooms, particularly habitable rooms ▪ changing the level between ground floor apartments with their associated private open space, and the public domain or communal open space (see Ground Floor Apartments iii. Use detailed site and building design elements to increase privacy without compromising access to light and air. Design detailing may include:- offset windows of apartments in new development and adjacent development windows; sill heights set at minimum 1.2m above floor level; recessed balconies and/or vertical fins between adjacent balconies; solid or semi-solid balustrades to balconies; louvres or screen panels to windows and/or balconies; fixed obscure glazing; appropriate fencing; vegetation as a screen between spaces; incorporating planter boxes into walls or balustrades to increase the visual separation between areas; utilising pergolas or shading devises to limit overlooking of lower apartments or private open space	☒ ☒ ☒ ☒ ☒ ☒	☐ ☐ ☐ ☐ ☐ ☐	☐ ☐ ☐ ☐ ☐ ☐	As stated under the building separation controls, the architect has utilised some passive design features to ensure privacy is maintained particularly at convergence points between the buildings, the development is considered acceptable in this regard. Despite some minor non compliances the development is generally considered to have provided adequate building separation.
4.3 Site Access				
4.3.1 Building Entry Objectives ▪ To create entrances which provide a desirable residential identity for the development ▪ To orient the visitor ▪ To contribute positively to the streetscape and building facade design	☒ ☒ ☒	☐ ☐ ☐	☐ ☐ ☐	The proposed development is considered to be consistent with the Building Entry objectives as multiple communal entries which are easily identifiable are proposed.
4.3.1 Building Entry Performance Criteria i. Improve the presentation of the development to the street by: ▪ locating entries so that they relate to the existing street and	☒	☐	☐	All the entries are directly approached and visible from the

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Requirement	Yes	No	N/A	Comment
subdivision pattern, street tree planting and pedestrian access network				street or the internal courtyard space. All entries are accessible.
▪ designing the entry as a clearly identifiable element of the building in the street	☒	☐	☐	
▪ utilising multiple entries—main entry plus private ground floor apartment entries—where it is desirable to activate the street edge or reinforce a rhythm or entry along a street	☒	☐	☐	An Access Review Report prepared by Morris Goding Accessibility Consulting dated 29 July 2010 has been prepared.
ii. Provide as direct a physical and visual connection as possible between the street and the entry	☒	☐	☐	The development has been reviewed to ensure that ingress and egress, path of travel, circulation areas and toilets comply with the relevant guidelines.
iii. Achieve clear lines of transition between the public street, the shared private, circulation spaces and the apartment unit	☒	☐	☐	
iv. Ensure equal access for all	☒	☐	☐	The development has accessible paths of travel that are continuous throughout. Appropriate access is achieved where required.
v. Provide safe and secure access. Design solutions include:- avoid ambiguous and publicly accessible small spaces in entry areas; provide a clear line of sight between one circulation space and the next; provide sheltered, well lit and highly visible spaces to enter the building, meet and collect mail	☒	☐	☐	Separate entries for pedestrians and vehicles are provided and ground floor apartments have individual entries direct from the adjoining street to private open space.
vi. Generally provide separate entries from the street for:				
▪ pedestrians and cars	☒	☐	☐	
▪ different uses, for example, for residential and commercial users in a mixed-use development	☐	☐	☒	
▪ ground floor apartments, where applicable (see Ground Floor Apartments)	☒	☐	☐	
vii. Design entries and associated circulation space of an adequate size to allow movement of furniture between public and private spaces	☒	☐	☐	
viii. Provide and design mailboxes to be convenient for residents and not to clutter the appearance of the development from the street. Design solutions include:- locating them adjacent to the major entrance and integrated into a wall, where possible; setting them at 90 degrees to the street, rather than along the front boundary.	☒	☐	☐	Mailboxes are located at each major building entry adjacent to the footpath.

(Block D) 41-45 Hill Road, Wentworth Point (cont'd)

Requirement	Yes	No	N/A	Comment
4.3.2 Parking Objectives ▪ To minimise car dependency for commuting and recreational transport use and to promote alternative means of transport – public transport, bicycling and walking	☒	☐	☐	Adequate parking has been provided for within the development. Public transport services will improve over time, as the peninsular is developed.
▪ To provide adequate car parking for the builder's users and visitors, depending on building type and proximity to public transport	☒	☐	☐	
▪ To integrate the location and design of car parking with the design of the site and the building	☒	☐	☐	
4.3.2 Parking Performance Criteria i. Determine the appropriate car parking space requirements in relation to the development's proximity to public transport, shopping and recreational facilities, the density of the development and the local area and the site's ability to accommodate car parking.	☒	☐	☐	The proposed development is generally consistent with the parking requirements adopted by this DCP.
ii. Limit the number of visitor parking spaces, particularly in small developments where the impact on landscape and open space is significant	☐	☐	☒	Visitor parking provided at an acceptable rate.
iii. Give preference to underground parking, whenever possible. Design considerations include:- retaining and optimising the consolidated areas of deep soil zones (in this case, including the street setbacks forming continuous deep soil zones around the outside of a block); facilitating natural ventilation to basement and sub-basement car parking areas, where possible; integrating ventilation grills or screening devices of carpark openings into the façade design and landscape design; providing a logical and efficient structural grid. There may be a larger floor area for basement car parking than for upper floors above ground. Upper floors, particularly in slender residential buildings, do not have to replicate basement car parking widths	☒	☐	☐	The parking in this instance cannot be completely underground due to the constraint of proximity to the water table (which is very close to the surface due to proximity to the harbour). It should be noted that the parking component of the basement has been well camouflaged.
iv. A basement podium does not protrude more than 1.2 metres above ground level	☐	☐	☒	The basement podium is concealed by ground floor apartments which are wrapped around the basement podium.
v. Where above ground enclosed parking cannot be avoided, ensure the design of the development mitigates any negative impact on streetscape and street amenity by- integrating the car park, including vehicle entries, into the overall facade design, for example, by using appropriate proportions and façade details; 'wrapping' the car parks with other uses, for example, retail and	☒	☐	☐	

(Block D) 41-45 Hill Road, Wentworth Point (cont'd)

Requirement	Yes	No	N/A	Comment
commercial along street edges with parking behind				
vi. Provide bicycle parking which is easily accessible from ground level and from apartments. Provide a combination of secured and chained bicycle storage	☒	☐	☐	Bicycle storage/parking are provided within the parking levels and are suitably accessible.
vii. Provide residential car parking in accordance with the following requirements: ▪ Generally provide a minimum of 1 space per dwelling ▪ Studio – no spaces/dwelling ▪ 1 bed – max. 1 space/dwelling ▪ 2 bed – max 1.5 space/dwelling ▪ 3 bed - max 2 space/dwelling ▪ Visitors – max 0.2 space/dwelling ▪ The consent authority may permit variations to the above maximum rates on the basis of a Transport and Traffic Management Plan which meets their approval	☒	☐	☐	A minimum of 166 spaces and a maximum of 235 spaces are permitted. The plan submitted with the application indicates a total of 211 car spaces for the development and is considered satisfactory. It is noted that recent changes to the provisions of disabled parking spaces under AS2890 may require a re-design of disabled spaces, this is however not likely to have any impact on residential, visitor or disabled parking allocation within Block D.
viii. Non-residential parking controls for Precinct A are excluded from this DCP and addressed through the precinct masterplan	☐	☐	☒	
ix. Provide car parking for convenience retail as follows: ▪ employees: 2 spaces per tenancy ▪ patrons: gross floor area under 100m2 - managed on-street parking; gross floor area over 100m2 - 1 space per 40m^2	☐	☐	☒	No retail/commercial use proposed.
x. Provide car parking for cafes and restaurants as follows: ▪ employees: 2 spaces per tenancy ▪ patrons: 15 spaces per 100m^2 (as per RTA Traffic Generating Guidelines) ▪ this may be a combination of on-street and on-site parking if appropriate management arrangements are agreed with the consent authority and/or Auburn Council	☐	☐	☒	
xi. Provide 1 car parking space per 60 sq.m gross leasable floor area of commercial office development	☐	☐	☒	A total of 9 motorbike spaces are required. The applicant has provided 9 spaces.
xii. Provide motorbike parking at the rate of 1 space per 25 car parking spaces	☒	☐	☐	A total of 68 bike parking spaces are required. The applicant has provided 74 spaces including 44 secure bicycle store
xiii. Provide secure bicycle parking in all residential developments in accordance with these requirements: ▪ Studio – none ▪ 1 bed – none ▪ 2 bed - 0.5 spaces/dwelling ▪ 3 bed - 0.5 spaces/dwelling ▪ Visitors – 1 per 15 dwellings	☒	☐	☐	
xiv. Provide bicycle parking for commercial office development at the rate of: ▪ 1 bicycle space per 300m^2 gross	☐	☐	☒	

(Block D) 41-45 Hill Road, Wentworth Point (cont'd)

Requirement	Yes	No	N/A	Comment
leasable floor area ▪ 1 visitor space per 2500m^2 of gross leasable floor area				
4.3.3 Pedestrian Access Objectives ▪ To promote residential flat development which is well connected to the street and contributes to the accessibility of the public domain ▪ To ensure that residents, including users of strollers and wheelchairs and people with bicycles are able to reach and enter their apartment and use communal areas via minimum grade ramps, paths, access ways or lifts	☒ ☒	☐ ☐	☐ ☐	The proposed development is considered to be consistent with the Pedestrian Access objectives as barrier free communal entries are provided to access cores of all units and communal areas. Where appropriate ramped access have been provided.
4.3.3 Pedestrian Access Performance Criteria i. Utilise the site and its planning to optimise accessibility to the development ii. Separate and clearly distinguish between pedestrian accessways and vehicle accessways iii. Consider the provision of public through-site pedestrian accessways in large development sites iv. Provide high quality accessible routes to public and semi-public areas of the building and the site, including major entries, lobbies, communal open space, site facilities, parking areas, public streets and internal roads	☒ ☒ ☒ ☒	☐ ☐ ☐ ☐	☐ ☐ ☐ ☐	Ground floor apartments have individual entries from their respective streets and access cores are accessible from within parking areas. Vehicle and pedestrian entries are well defined. Through access is possible via front main entrances through the podium courtyard to proposed Block C podium
v. Promote equity by: ▪ ensuring the main building entrance is accessible for all from the street and from car parking areas ▪ integrating ramps into the overall building and landscape design vi. Design ground floor apartments to be accessible from the street, where applicable, and to their associated private open space vii. Provide barrier free access to at least 20 percent of dwellings in the development viii. Demonstrate that adaptable apartments can be converted	☒ ☒ ☒ ☒ ☒	☐ ☐ ☐ ☐ ☐	☐ ☐ ☐ ☐ ☐	Complies. All entries are accessible with barrier free access to over 75% of apartments. There are 138 units in the development. Of that figure, 27 are to be designated as "Adaptable units". This is 20%.
4.3.4 Vehicle Access Objectives ▪ To integrate adequate car parking and servicing access without compromising street character, landscape or pedestrian amenity and safety ▪ To encourage the active use of street frontages	☒ ☒	☐ ☐	☐ ☐	The proposed development is considered to be consistent with the Vehicle Access objectives. Access to Block D has been discussed earlier in the report.

(Block D) 41-45 Hill Road, Wentworth Point (cont'd)

Requirement	Yes	No	N/A	Comment
4.3.4 Vehicle Access Performance Criteria i. Vehicular access is discouraged from Hill Road and from major east-west streets. Access is to be provided from secondary streets where possible	☒	☐	☐	Vehicle access way is to be provided from Half Street in Lot 10 or in the interim via "Interim Half Street" as discussed earlier in the report.
ii. Ensure that pedestrian safety is maintained by minimising potential pedestrian/vehicle conflicts. Design approaches include:- limiting the width of driveways to a maximum of 6 metres; limiting the number of vehicle access points; ensuring clear site lines at pedestrian and vehicle crossings; utilising traffic calming devices; separating and clearly distinguishing between pedestrian and vehicular accessways	☒	☐	☐	Driveway width of 6m proposed.
iii. Ensure adequate separation distances between vehicular entries and street intersections	☒	☐	☐	Vehicle entries are integrated into the elevation and materials and finishes used to reduce the impact rather than highlight the openings.
iv. Optimise the opportunities for active street frontages and streetscape design by: ▪ making vehicle access points as narrow as possible ▪ consolidating vehicle access within sites under single body corporate ownership ▪ locating car park entry and access from secondary streets and lanes	☒ ☒ ☒	☐ ☐ ☐	☐ ☐ ☐	
v. Improve the appearance of car parking and service vehicle entries, for example, by: ▪ locating or screening garbage collection, loading and servicing areas visually away from the street ▪ setting back or recessing car park entries from the main facade line ▪ providing security doors to carpark entries to avoid blank 'holes' in facades; or ▪ where doors are not provided, ensuring that the visible interior of the carpark is incorporated into the façade design and material selection and that building services are concealed ▪ returning the façade material into the carpark entry recess for the extent visible from the street as a minimum	☒ ☒ ☒ ☒ ☒	☐ ☐ ☐ ☐ ☐	☐ ☐ ☐ ☐ ☐	Garbage collection area is located mid way between Block D and proposed Block C and will not be readily visible from the public domain.

(Block D) 41-45 Hill Road, Wentworth Point (cont'd)

Requirement	Yes	No	N/A	Comment
4.4 Building Configuration				
4.4.1 Apartment Layout Objectives ▪ To ensure that apartment layouts are efficient and provide high standards of residential amenity ▪ To maximise the environmental performance of apartments	☒ ☒	☐ ☐	☐ ☐	The proposed development is considered to be consistent with the Apartment Layout objectives as layouts are suitably sized and the living areas are orientated to maximise solar access and aspect.
*4.4.**1 Apartment Layout Performance Criteria*** **i. Provide apartments with the following amenity standards as a minimum:** ▪ **single-aspect apartments are limited in depth to 8 metres** ▪ **the back of a kitchen is no more than 8 metres from a window** ▪ The width of cross-over or cross-through apartments over 15 metres deep is 4 metres or greater to avoid deep narrow apartment layouts ii. Ensure apartment layouts are resilient and adaptable over time, for example by: ▪ accommodating a variety of furniture arrangements ▪ providing for a range of activities and privacy levels between different spaces within the apartment ▪ utilising flexible room sizes and proportions or open plans ▪ ensuring circulation by stairs, corridors and through rooms is planned as efficiently as possible, thereby increasing the amount of floor space in rooms iii. Design apartment layouts which respond to the natural environment and optimise site opportunities, by: ▪ providing private open space in the form of a balcony, a terrace, a courtyard or a garden for every apartment ▪ orienting main living spaces toward the primary outlook and aspect and away from neighbouring noise sources or windows ▪ locating main living spaces adjacent to main private open space ▪ locating habitable rooms, and where possible kitchens and bathrooms, on the external face of	☐ ☐ ☒ ☒ ☒ ☒ ☒ ☒ ☒ ☒	☒ ☒ ☐ ☐ ☐ ☐ ☐ ☐ ☐ ☐	☐ ☐ ☐ ☐ ☐ ☐ ☐ ☐ ☐ ☐	**Refer to SEPP 65 and the Residential Flat Design Code above. The apartments are considered acceptable in this regard.** **Refer to SEPP 65 and the Residential Flat Design Code above. The apartments are considered acceptable in this regard.** The minimum width of the relevant units is 4.4 metres wide. Various sizes and shapes are provided and a different furniture layout for the various units can be achieved. Apartments vary in terms of layout and room size proportions. Every unit is provided with a balcony or terrace attached to their main living rooms.

(Block D) 41-45 Hill Road, Wentworth Point (cont'd)

Requirement	Yes	No	N/A	Comment
the buildings, thereby maximising the number of rooms with windows iv. Maximise opportunities to facilitate natural ventilation and to capitalise on natural daylight, for example by providing:- corner apartments; cross-over or cross-through apartments; split-level or maisonette apartments; shallow, single-aspect apartments; v. Avoid locating kitchen as part of the main circulation spaces of an apartment, such as a hallway or entry space vi. Include adequate storage space in apartment vii. Ensure apartment layouts and dimensions facilitate furniture removal and placement	☒ ☒ ☒ ☒	☐ ☐ ☐ ☐	☐ ☐ ☐ ☐	The main living areas of units face the street or the internal courtyard depending on aspect. Hallways have been avoided in many of the units. All the units are provided with storage space within their confines.
4.4.2 Apartment Mix and Affordability Objectives ▪ To provide a diversity of apartment types, which cater for different household requirements now and in the future ▪ To provide equitable access to new housing	☒ ☒	☐ ☐	☐ ☐	The proposed development is considered to be consistent with the Apartment Mix objectives as an acceptable mix of 1, 2 and 3 bedroom apartments are proposed which will cater for a range of household requirements, housing choice and affordability.
4.4.2 Apartment Mix and Affordability Performance Criteria i. Provide a variety of apartment types between studio-, one-, two-, three- and three plus-bedroom apartments ii. Locate a mix of accessible one-, two- and three-bedroom apartments on the ground level for people with disabilities, elderly people and families with children iii. Optimise the number of accessible and adaptable apartments. See 4.4.5 Flexibility	☒ ☒ ☒	☐ ☐ ☐	☐ ☐ ☐	The development has the following bedroom mix:- 21 x 1 bedroom units (15%) 95 x 2 bedroom units (69%) 22 x 3 bedroom units (16%) Hence there is a range of apartment types and size provided throughout the development. There are one bedroom, two bedroom and three bedroom units situated on the ground floor. 27 apartments are indicated by the applicant to be adaptable. This is 20% adaptable.
4.4.3 Balconies Objectives ▪ To provide all apartments with private open space ▪ To ensure balconies are functional and responsive to the environment thereby promoting the enjoyment of outdoor living for apartment residents ▪ To ensure that balconies are integrated into the overall architectural form and detail of residential flat buildings ▪ To contribute to the safety and liveliness of the street by allowing for casual overlooking and address	☒ ☒ ☒ ☒	☐ ☐ ☐ ☐	☐ ☐ ☐ ☐	All units in the development are provided with private open space that varies in size. The open space is in the form of a balcony or terrace. The private open spaces provide casual overlooking of communal and public open spaces.
4.4.3 Balconies Performance Criteria				

(Block D) 41-45 Hill Road, Wentworth Point (cont'd)

Requirement		Yes	No	N/A	Comment
i.	Where other private open space is not provided, provide at least one primary balcony. The combined area of private open space is a minimum of 12% of the dwelling floor space	☒	☐	☐	All apartments have at least one balcony. Access is provided directly from living areas.
ii.	**Primary balconies for one-bedroom apartments are to have a minimum depth of 2 metres and a minimum area of 8 m^2. Primary balconies for two and three bedroom apartments are to have a minimum depth of 2.4 metres and a minimum area of 10m^2.**	☐	☒	☐	**A small number of minor variations to this standard have been identified in terms of building depth for 2 and 3 bedroom apartments. The applicant has prepared scaled plans showing the balconies and how an outdoor furniture layout may appear. The plans also show a dining table layout with four chairs per unit being placed on each balcony in a satisfactory manner. To this extent, the balconies are found to occupy satisfactory areas and provide an adequate outdoor space for the respective residents. This minor variation to this standard is considered worthy of support in this instance.**
	▪ Developments which seek to vary from the minimum standards must provide scale plans of balcony with furniture layout to confirm adequate, useable space	☒	☐	☐	
iii.	Primary balconies are to be:				
	▪ located adjacent to the main living areas, such as living room, dining room or kitchen to extend the dwelling living space	☒	☐	☐	
	▪ proportioned to be functional and promote indoor/outdoor living. A dining table and two to four chairs should fit on the majority of balconies in any development. Consider supplying a tap and gas point	☒	☐	☐	
iv.	Consider secondary balconies, including Juliet balconies or operable walls with balustrades, for additional amenity and choice: ▪ in larger apartments ▪ adjacent to bedrooms ▪ for clothes drying; these should be screened from the public domain	☒	☐	☐	Secondary balconies provided to some cross through apartments.
v.	Design and detail balconies in response to the local climate and context thereby increasing the usefulness of balconies. This may be achieved by:				
	▪ locating balconies facing predominantly north, east or west to optimise solar access and views to Parramatta River, Homebush Bay West and Sydney Olympic Park	☒	☐	☐	Balconies are located where views are offered. A majority of the balconies face, the north, east and west. There are some balconies facing the south which is unavoidable.
	▪ utilising sun screens, pergolas, shutters and operable walls to control sunlight and wind	☒	☐	☐	
	▪ providing balconies with operable screens, Juliet balconies or operable walls/sliding doors with a balustrade in special locations where noise or high winds prohibit other solutions—along rail corridors, on busy roads or in tower buildings	☒	☐	☐	Primary intent of the design is to maximise the number of units orientated and having views to Homebush Bay.
	▪ choosing cantilevered balconies,	☒	☐	☐	A significant number of balconies

(Block D) 41-45 Hill Road, Wentworth Point (cont'd)

Requirement	Yes	No	N/A	Comment
partially cantilevered balconies and/or recessed balconies in response to requirements for daylight, wind, acoustic privacy and visual privacy - ensuring balconies are not so deep that they prevent sunlight entering the apartment below				are semi recessed.
vi. Design balustrades to allow views and casual surveillance of the street while providing for safety and visual privacy. Design considerations may include:				
▪ detailing balustrades using a proportion of solid to transparent materials to address site lines from the street, public domain or adjacent development. Full glass balustrades do not provide privacy for the balcony or the apartment's interior, especially at night	☒	☐	☐	Transparent balustrades are proposed to maximise solar access, casual surveillance and to maximise views.
▪ detailing balustrades and providing screening from the public, for example, for a person seated looking at a view, clothes drying areas, bicycle storage or air conditioning units	☒	☐	☐	
vii. Coordinate and integrate building services, such as drainage pipes, with overall façade and balcony design, for example, drainage pipes under balconies are often visible from below in taller buildings and negatively impact the overall facade appearance	☒	☐	☐	Should the application be recommended for approval, relevant conditions shall be included in any consent for the subtle treatment of building services, as not to detract from the appearance of the building.
4.4.4 Ceiling Heights Objectives				
▪ To increase the sense of space in apartments and provide well proportioned rooms	☒	☐	☐	The proposed development is considered to be consistent with the Ceiling Heights objectives as suitable ceiling heights are provided for the residential nature of the apartments.
▪ To promote the penetration of daylight into the depths of the apartment	☒	☐	☐	
▪ To contribute to the flexibility of use	☒	☐	☐	
▪ To achieve quality interior spaces while considering the external building form requirements	☒	☐	☐	
4.4.4 Ceiling Heights Performance Criteria				
i. Minimum dimensions are measured from finished floor level (FFL) to finished ceiling level (FCL) are:				
▪ in mixed use buildings along Hill Road and major east-west streets: 3.6 metre minimum for ground floor retail or commercial and 3.3 metre minimum for first floor residential, retail or commercial to promote future flexibility of use	☐	☐	☒	Development not a mixed use development and not on primary north/south street or secondary streets.
▪ in residential buildings on primary north-south street and on secondary streets: 3.3 metre minimum for ground floor to promote future flexibility of use; 2.7 metre minimum for all	☐	☐	☒	

(Block D) 41-45 Hill Road, Wentworth Point (cont'd)

Requirement	Yes	No	N/A	Comment
habitable rooms on all other floors; 2.4 metre minimum for all non-habitable rooms				
▪ for two storey units, 2.4 metre minimum for second storey if 50 percent or more of the apartment has 2.7 metre minimum ceiling heights	☐	☐	☒	There are no two storey units in the development.
▪ for two-storey units with a two storey void space, 2.4 metre minimum	☐	☐	☒	
ii. Double height spaces with mezzanines count as two storeys	☐	☐	☒	
iii. Use ceiling design to:				
▪ define a spatial hierarchy between areas of an apartment using double height spaces, raked ceilings, changes in ceiling heights and/or the location of bulkheads	☒	☐	☐	The ceilings have the same level per unit.
▪ enable well proportioned rooms: for example, smaller rooms often feel larger and more spacious when ceilings are higher	☒	☐	☐	
▪ maximise heights in habitable rooms by stacking wet areas from floor to floor. This ensures that services and their bulkheads are located above bathroom and storage areas rather than habitable spaces	☒	☐	☐	This is achieved. This will ensure that services are located above bathrooms and storage areas.
▪ promote the use of ceiling fans for cooling and heating distribution	☒	☐	☐	
iv. Facilitate better access to natural light by using ceiling heights which:				
▪ promote the use of taller windows, highlight windows and fan lights. This is particularly important for apartments with limited light access, such as ground floor units and apartments with deep floor plans	☒	☐	☐	
▪ enable the effectiveness of light shelves in enhancing daylight distribution into deep interiors	☒	☐	☐	
v. Developments which seek to vary the recommended ceiling heights must demonstrate that apartments will receive satisfactory daylight (e.g. Shallow apartments with large amount of window area)	☒	☐	☐	
vi. Coordinate internal ceiling heights and slab levels with external height requirements and key datum lines. External building elements requiring coordination may include:- datum lines set by the Structural Design Framework; exterior awing levels or colonnade heights	☒	☐	☐	

(Block D) 41-45 Hill Road, Wentworth Point (cont'd)

Requirement	Yes	No	N/A	Comment
4.4.5 Flexibility Objectives ▪ To encourage housing which meets the broadest range possible of occupants' needs, including people who are ageing and people with disabilities ▪ To promote 'long life loose fit' buildings, which can accommodate whole or partial change of use ▪ To encourage adaptive re-use ▪ To save the embodied energy expended in building demolition	☒ ☒ ☒ ☒	☐ ☐ ☐ ☐	☐ ☐ ☐ ☐	The proposed development is considered to be consistent with the Flexibility objectives as layouts promote changes to furniture arrangement and suitable number can be adapted to the changing needs of residents.
4.4.5 Flexibility Performance Criteria i. Provide robust building configurations which utilise multiple entries and circulation cores, especially in larger buildings over 15 metres long, for example with:- thin building cross sections suitable for either residential or commercial uses; a mix of apartment types; higher ceilings on the ground floor and first floor; separate entries for the ground floor level and the upper levels; sliding and/or movable wall systems	☒	☐	☐	Multiple communal entries and access cores are provided to serve the different areas of Block D.
ii. Provide a multi-use space with kitchenette within each development to be available for the use of residents	☒	☐	☐	Communal Multi use room with kitchenette is provided within the development.
iii. Provide apartment layouts which accommodate the changing use of rooms. Design solutions may include:- windows in all habitable rooms as many non-habitable rooms as possible; adequate room sizes or open-plan apartments; dual master-bedroom apartments, which can support two independent adults living together or a live/work situation	☒	☐	☐	The floor layout plans suggest a satisfactory furniture layout per unit.
iv. Utilise structural systems, which support a degree of future change in building use or configuration. Design solutions may include:- a structural grid which accommodates car parking dimensions, retail, commercial and residential uses vertically throughout the building; aligning structural walls, columns and services cores between floor levels; minimising of internal structural walls; higher floor to floor dimensions on the ground floor and possibly the first floor; knock-out panels between apartments to allow two adjacent apartments to be amalgamated	☒	☐	☐	
v. Design all commercial / retail components of mixed use buildings to comply with AS1428-2001	☐	☐	☒	
vi. Promote accessibility and adaptability by: ▪ providing a minimum of 20% of all apartments that comply with	☒	☐	☐	The development provides for 20% of units that are adaptable.

(Block D) 41-45 Hill Road, Wentworth Point (cont'd)

Requirement	Yes	No	N/A	Comment
AS4299-1995 Adaptable housing Class B ▪ providing a minimum of 75% visitable apartments within each development; that is, where the living room is accessible ▪ optimising pedestrian mobility and access to communal private space ▪ designing developments to meet AS3661 Slip-Resistant Surface Standard for pedestrian areas ▪ ensuring wheelchair accessibility between designated dwellings, the street and all common facilities	☒ ☒ ☒ ☒	☐ ☐ ☐ ☐	☐ ☐ ☐ ☐	
4.4.6 Ground Floor Apartments Objectives ▪ To contribute to residential streetscape character and to create active safe streets ▪ To increase the housing and lifestyle choices available in apartment buildings ▪ To ensure that ground floor apartments achieve good amenity	☒ ☒ ☒	☐ ☐ ☐	☐ ☐ ☐	The proposed development is considered to be consistent with the Ground Floor Apartment objectives as a range of ground floor apartments are proposed which contribute to an active streetscape.

(Block D) 41-45 Hill Road, Wentworth Point (cont'd)

Requirement	Yes	No	N/A	Comment
4.4.6 Ground Floor Apartments Performance Criteria				
i. Design front gardens or terraces to contribute to the spatial and visual structure of the street while maintaining privacy for apartment occupants. This can be achieved by:- animating the street edge and creating more pedestrian activity by optimizing individual entries for ground floor apartments; providing appropriate fencing, balustrades, window sill heights, lighting and/ or landscaping to meet privacy and safety requirements of occupants while contributing to a pleasant streetscape; increasing street surveillance with doors and windows facing onto the street; utilising a maximum 1.5 metre change in level from the street to the private garden or terrace to minimise sight lines from the streets into the apartment	☒	☐	☐	All ground floor apartments are setback from the boundaries by proposed adjoining streets. These setback areas are utilised for private terraces accessible from internal living areas and individual entries, bounded by fencing and landscaping which provide sufficient visual privacy.
ii. Promote housing choice by:				
▪ providing private gardens or terraces which are directly accessible from the main living spaces of the apartment and support a variety of activities	☒	☐	☐	
▪ maximising the number of accessible and visitable apartments on the ground floor	☒	☐	☐	
▪ supporting a change or partial change in use, such as a home offices accessible from the street	☒	☐	☐	The development does not include home offices attached to or within the ground floor units. However, it may be possible to create a home office in any one of the two or three bedroom units situated on the ground floor should the need arise in the future.
iii. Increase opportunities for solar access in ground floor units, particularly in denser areas by:				The ground floor units are 2.7 metres high to promote light and ventilation.
▪ providing higher ceilings and taller windows	☒	☐	☐	
▪ choosing trees and shrubs which provide solar access in winter and shade in summer	☒	☐	☐	No objection to proposed landscaping.

(Block D) 41-45 Hill Road, Wentworth Point (cont'd)

Requirement	Yes	No	N/A	Comment
4.4.7 Home Offices Objectives ▪ To promote economic growth in the town centre ▪ To promote an active and safe neighbourhood by promoting 24 hour use of the area ▪ To promote transport initiatives by reducing travel time and cost, which in turn creates a cleaner environment ▪ To enable tax deduction advantages by clearly identifying a home business area ▪ To promote casual surveillance of the street ▪ To promote opportunities for less mobile people to make economic progress ▪ To promote a diverse workforce in terms of age and mobility, as well as people from culturally and linguistically diverse backgrounds	☐	☐	☒	Objectives are generally considered to have been complied with. Building is intended to be for residential uses at this stage. Any intended use of a unit for home occupation would be required to be considered under a subsequent development application, but for the purposes of this clause, it is theoretically possible, therefore the intent of the control is considered to be met.
4.4.7 Home Offices Performance Criteria i. Home offices are not allowed to conduct business which involves the registration of the building under the Factories, Shops and Industries Act 1962 ii. Home offices are to have no traffic or parking implications on the neighbourhood/street iii. Home offices are to seek to minimise conflict with domestic activities iv. Home offices are to have the flexibility of being able to convert to become part of the residence v. Home offices are to have a clearly identifiable area, ideally designed to close-off from the rest of the dwelling for purposes of safety, security and privacy vi. The work activity is not to interfere with the amenity of the neighbourhood by reason of emission of noise, vibration, odour, fumes, smoke, vapour, steam, soot, ash, dust, waste, water, waste products, grit, oil, or otherwise vii. Home offices are to have: ▪ adequate storage areas ▪ separate business phone/fax ▪ large mailbox suitable for business mail ▪ any special utility services needed (e.g. separate power metering) viii. Home offices are not allowed to display any goods in a window or otherwise ix. Home offices are not allowed to exhibit any notice, advertisement or sign, other than a notice, sign or advertisement exhibited on the dwelling house or dwelling to indicate the name and occupation only of the resident	☐ ☐ ☐ ☐ ☐ ☐ ☐ ☐ ☐ ☐ ☐ ☐ ☐	☐ ☐ ☐ ☐ ☐ ☐ ☐ ☐ ☐ ☐ ☐ ☐ ☐	☒ ☒ ☒ ☒ ☒ ☒ ☒ ☒ ☒ ☒ ☒ ☒ ☒	The development does not include home offices attached to or within the development. However, it may be possible to create a home office in any one of the two or three bedroom units should the need arise in the future. Notwithstanding this statement, home offices are generally not proposed in this development or as part of the development application.

(Block D) 41-45 Hill Road, Wentworth Point (cont'd)

Requirement	Yes	No	N/A	Comment
4.4.8 Internal Circulation Objectives ▪ To facilitate quality apartment layouts, such as dual aspect apartments ▪ To contribute positively to the form and articulation of building facade and its relationship to the urban environment ▪ To create safe and pleasant spaces for the circulation of people and their personal possessions ▪ To encourage interaction and recognition between residents to contribute to a sense of community and improve perceptions of safety	☒ ☒ ☒ ☒	☐ ☐ ☐ ☐	☐ ☐ ☐ ☐	The proposed development is considered to be consistent with the Internal Circulation objectives as spacious access hallways and apartments are provided.
4.4.8 Internal Circulation Performance Criteria i. Increase amenity and safety in circulation spaces by: ▪ providing generous corridor widths and ceiling heights, particularly in lobbies, outside lifts and apartment entry doors ▪ providing appropriate levels of lighting, including the use of natural daylight, where possible ▪ minimising corridor lengths to give short, clear sight lines ▪ avoiding tight corners ▪ providing legible signage noting apartment numbers, common areas and general directional finding ▪ providing adequate ventilation	☒ ☒ ☒ ☒ ☒ ☒	☐ ☐ ☐ ☐ ☐ ☐	☐ ☐ ☐ ☐ ☐ ☐	Corridors, foyers and hallway widths are sufficiently lit, articulated and dimensioned to promote safety and movement of residents and their belongings.
ii. Support better apartment building layouts by: ▪ designing buildings with multiple cores which increase the number of entries along a street, increase the number of vertical circulation points, and give more articulation to the facade ▪ limiting the number of units off a circulation core on a single level	☒ ☒	☐ ☐	☐ ☐	Multiple access cores are provided to service the different areas of the building.
iii. Where units are arranged off a double-loaded corridor, the number of units accessible from a single core/corridor is limited to eight, except where: ▪ developments can demonstrate the achievement of the desired streetscape character and entry response ▪ where developments can demonstrate a high level of amenity for common lobbies, corridors and units	☐ ☒ ☒	☒ ☐ ☐	☐ ☐ ☐	**Refer to SEPP 65 Residential Flat Design Code comments above. The application is considered acceptable in this regard.**

(Block D) 41-45 Hill Road, Wentworth Point (cont'd)

Requirement	Yes	No	N/A	Comment
iv. Articulate longer corridors. Design solutions may include:- changing the direction or width of a corridor; utilising a series of foyer areas; providing windows along or at the end of a corridor	☒	☐	☐	
v. Minimise maintenance and maintain durability by using robust materials in common circulation areas	☒	☐	☐	Apart from those associated with level 1 units, generally long corridors are avoided
4.4.9 Storage Objectives ▪ To provide adequate storage for everyday household items within easy access of the apartment	☒	☐	☐	The proposed development is considered to be consistent with the Storage objectives as sufficient areas of storage are provided to each apartment, whether internally or within the parking levels.
▪ To provide storage for sporting, leisure, fitness and hobby equipment	☒	☐	☐	
4.4.9 Storage Performance Criteria i. Provide storage facilities accessible from hall or living areas, in addition to kitchen cupboards and bedroom wardrobes, at a minimum: ▪ studio - $6m^3$ ▪ 1-bed - $6m^3$ ▪ 2-bed – $8m^3$ ▪ 3 and 3+ bed - $10m^3$ ▪ This storage is to be excluded from FSR calculations	☒	☐	☐	Apartments are to have varying levels of storage areas. However, the storage space per unit varies. Each unit has a dedicated storage space within the apartment in addition to kitchen cupboards and wardrobes. All the units have storage space within the parking levels.
ii. Locate storage conveniently for apartments. Options include providing:- ▪ at least 50 percent of the required storage within each apartment and accessible from either the hall or living area. Storage within apartments is best provided as cupboards accessible from entries and hallways and/or from under internal stairs	☒	☐	☐	
▪ dedicated storage rooms on each floor within the development, which can be leased by residents as required	☒	☐	☐	
▪ dedicated and/or leasable storage in internal or basement car parks. Leasing storage provides choice and minimises the impact of storage on housing affordability	☒	☐	☐	

(Block D) 41-45 Hill Road, Wentworth Point (cont'd)

Requirement	Yes	No	N/A	Comment
iii. Provide storage suitable for the needs of residents in the local area and able to accommodate larger items, such as:- boating-related equipment, surfing equipment, bicycle ▪ Bicycle storage should be a combination of secured and chained storage located in convenient and visible locations	☒	☐	☐	Secure bicycle storage spaces and chained storage spaces are provided within the car parking levels.
iv. Ensure that storage separated from apartments is secure for individual use	☒	☐	☐	
v. Where basement storage is provided: ▪ ensure that it does not compromise natural ventilation in car parks or create potential conflicts with fire regulations	☒	☐	☐	
▪ exclude it from FSR calculations	☒	☐	☐	
vi. Consider providing additional storage in smaller apartments in the form of built-in cupboards to promote a more efficient use of small spaces.				
4.5 Building Amenity				
4.5.1 Acoustic Amenity Objectives ▪ To ensure a high level of amenity by protecting the privacy of residents within residential flat buildings both within the apartments and in private open spaces	☒	☐	☐	The proposed development is considered to be consistent with the Acoustic Amenity objectives as acoustic intrusion is minimised through building separation and the grouping of like-use rooms in apartments together.
4.5.1 Acoustic Amenity Performance Criteria i. Utilise the site and building layout to maximise the potential for acoustic privacy by providing adequate building separation within the development and from neighbouring buildings	☒	☐	☐	Suitable building separation is provided to allow private open space areas to be located away from each other.
ii. Minimum building separations are: ▪ **5 to 8 storeys/12-25 metres** o **18m between habitable rooms/balconies**	☐	☒	☐	**The setbacks and separation distances between buildings have been previously stated. Refer to SEPP 65 Residential Flat Design Code above.**
o **13m between habitable rooms/balconies and non-habitable rooms**	☐	☒	☐	
o **9m between non-habitable rooms**	☒	☐	☐	
iii. Arrange apartments within a development to minimise noise transition between flats by: ▪ locating busy, noisy areas next to each other and quieter areas next to other quiet areas, for example, living rooms with living rooms, bedrooms with bedrooms	☒	☐	☐	This is achieved where possible
▪ using storage or circulation zones within an apartment to buffer noise from adjacent apartments, mechanical services or corridors and lobby areas	☒	☐	☐	
▪ minimising the amount of party (shared) walls with other apartments	☒	☐	☐	

(Block D) 41-45 Hill Road, Wentworth Point (cont'd)

Requirement	Yes	No	N/A	Comment
iv. Design the internal apartment layout to separate noisier spaces from quieter spaces by grouping uses within an apartment—bedrooms with bedrooms and service areas like kitchen, bathroom, laundry together	☒	☐	☐	Like use rooms of apartments and neighbouring apartments are grouped to avoid noise disturbance, e.g. bedroom adjoin bedrooms, living rooms adjoin living rooms etc.
v. Resolve conflicts between noise, outlook and views by using design measures including:- double glazing; operable screened balconies; continuous walls to ground level courtyards where they do not conflict with streetscape or other amenity requirements	☒	☐	☐	
vi. Reduce noise transmission from common corridors or outside the building by providing seals at entry doors	☒	☐	☐	
vii. Provide a detailed noise and vibration impact assessment report for residential buildings affected by surrounding uses	☒	☐	☐	
4.5.2 Daylight Access Objectives ▪ To ensure that daylight access is provided to all habitable rooms and encouraged in all other areas of residential development	☒	☐	☐	The proposed development is considered to be generally consistent with the Daylight Access objectives as the orientation of living areas allows for daylight infiltration.
▪ To provide adequate ambient lighting and minimise the need for artificial lighting during daylight hours	☒	☐	☐	
▪ To provide residents with the ability to adjust the quantity of daylight to suit their needs	☒	☐	☐	
4.5.2 Daylight Access Performance Criteria i. Orient new residential flat development to optimise northern aspect	☒	☐	☐	The applicant has stated that buildings have been orientated to maximise solar access but also take advantage of the view amenity.
ii. For 1-2 storey developments, provide living rooms and principal ground level open spaces with at least 2 hours sunlight between 9.00 am and 3.00 pm in mid-winter	☐	☐	☒	

(Block D) 41-45 Hill Road, Wentworth Point (cont'd)

Requirement		Yes	No	N/A	Comment
iii.	**For 3 or more storey developments, provide at least 75% of residential apartments with at least 2 hours of sunlight to living rooms and private open spaces between 9.00 am and 3.00 pm in mid-winter. Design opportunities include:- using skylights, clerestory windows and fanlights to supplement daylight access; providing two-storey and mezzanine, ground floor apartments to facilitate daylight access to living rooms and private open spaces on the ground level; limiting the depth of single aspect apartments; providing single aspect, single-storey apartments with northerly or easterly aspect; locating living areas to the north and service areas to the south and west of the development - using light shelves to reflect light into deeper apartments**	☐	☒	☐	**The applicant has stated that buildings have been orientated to maximise solar access but also take advantage of the view amenity. The applicant provided shadow statistics schedule that shows that 71 units or 51% of the units having living areas and private open space areas achieving the minimum 2 hours solar access.** **Furthermore, the applicant contends that an additional 15 units or 10.9% will receive the minimum 2 hours solar access between 9am and 3.30pm at the winter solstice.** **When added together this is 86 units or 62% of the units receiving some sunlight penetration at the winter solstice.** **This variation is considered to be a function of site orientation and the constraints associated with infill development. To this extent, and given water view opportunities for this site (discussed earlier), the variation to this clause is considered worthy of support.**
iv.	**Limit the number of single-aspect apartments with a southerly aspect (SW–SE) to a maximum of 10 percent of the total units proposed. Developments which seek to vary from the minimum standards must demonstrate how site constraints and orientation prohibit the achievement of these standards and address energy efficiency**	☐	☒	☐	**There are 18 single aspect south facing units, which is 13% for the development. This is partly due to the orientation of the site. A variation is considered acceptable given that the proposal performs satisfactorily in terms of solar access and supporting documentation demonstrates that the thermal performance of these apartments is such that residential amenity will not be unduly affected.**
v.	Design for shading and glare control, particularly in summer, by: ▪ using shading devices, such as eaves, awnings, colonnades, balconies, pergolas, external louvres and planting ▪ optimising the number of north-facing living spaces ▪ providing external horizontal	☒ ☒ ☒	☐ ☐ ☐	☐ ☐ ☐	Overhanging balconies are proposed to provide shading to private open spaces.

(Block D) 41-45 Hill Road, Wentworth Point (cont'd)

Requirement	Yes	No	N/A	Comment
shading to north-facing windows ▪ providing vertical shading to east or west windows ▪ using high performance glass but minimising external glare off windows ▪ avoiding reflective films ▪ using a glass reflectance below 20 percent ▪ considering reduced tint glass	☒ ☒ ☒ ☒ ☒	☐ ☐ ☐ ☐ ☐	☐ ☐ ☐ ☐ ☐	Should the application be recommended for approval, a condition shall be included in any consent in regards to reflectivity of glazing.
vi. The use of light wells as a primary source of daylight in habitable rooms is prohibited. Where they are used, they are to be fully open to the sky and their dimensions relate to building separation	☒	☐	☐	Light wells are not proposed for primary access to daylight.
vii. No more than 50% of the public domain (excluding streets) and communal space areas are overshadowed between 10.00 am and 2.00 pm between 21st April and 21st August. Provide appropriate shading in summer	☒	☐	☐	The internal courtyard space within the development will provide shade in summer whilst allowing solar penetration in winter. The built form is open to the north at level 2, which would provide direct solar access to a substantial portion of the communal open space between 21st April and 21st August.
viii. Shadow diagrams showing the impact of a proposal on adjacent residential developments and their private open space will be required	☐	☐	☒	There is no residential development adjoin Block D. Impact on proposed Block C to the rear (west) is minimal as shadow cast is mainly to the foreshore in the morning and Major East-West Street in the afternoon.
4.5.3 Natural Ventilation Objectives ▪ To ensure that apartments are designed to provide all habitable rooms with direct access to fresh air and to assist in promoting thermal comfort for occupants ▪ To provide natural ventilation in non habitable rooms, where possible ▪ To reduce energy consumption by minimising the use of mechanical ventilation, particularly air conditioning	☒ ☒ ☒	☐ ☐ ☐	☐ ☐ ☐	The proposed development is considered to be consistent with the Natural Ventilation objectives as all habitable rooms, and where possible non-habitable rooms, have sufficient openings for ventilation and BASIX commitments dictate energy consumption requirements.
4.5.3 Natural Ventilation Performance Criteria i. Plan the site to promote and guide natural breezes by: ▪ orienting buildings to maximise the use of prevailing winds ▪ locating vegetation to direct breezes and cool air as it flows across the site ▪ selecting planting or trees that do not inhibit airflow	☒ ☒ ☒	☐ ☐ ☐	☐ ☐ ☐	The building and apartment layouts are designed to maximise natural ventilation through the use of open-plan living areas.
ii. Limit residential building depth to 18 metres glass line to line to support natural ventilation	☐	☒	☐	**A variation is identified specific to building depth. This has previously been addressed in the SEPP 65 Section of the report.**
iii. Utilise the building layout and section to increase potential for natural				

(Block D) 41-45 Hill Road, Wentworth Point (cont'd)

Requirement	Yes	No	N/A	Comment
ventilation, by: ▪ providing dual aspect apartments, e.g. cross through and corner apartments	☒	☐	☐	Some dual aspect and corner apartments are provided within the development.
▪ facilitating convective currents by designing units which draw cool air in at lower levels and allow warm air to escape at higher levels, for example, maisonette apartments and two-storey apartments	☒	☐	☐	
iv. Design the internal apartment layout to promote natural ventilation by: ▪ minimising interruptions in air flow through an apartment. The more corners or rooms airflow must negotiate, the less effective the natural ventilation	☒	☐	☐	
▪ grouping rooms with similar usage together, for example, keeping living spaces together and sleeping spaces together. This allows the apartment to be compartmentalised for efficient summer cooling or winter heating	☒	☐	☐	
v. A minimum of 60% of residential apartments are to be naturally ventilated	☒	☐	☐	Up to 61% of apartments in the development have openings in two or more external walls of different orientation
vi. A minimum of 25% of kitchens within a development are to be naturally ventilated	☒	☐	☐	All kitchens within the development are considered to be naturally ventilated as they are part of the open plan living area that has no mechanical ventilation.
vii. Select doors and operable windows to maximise natural ventilation opportunities established by the apartment layout. Design solutions may include:- locating small windows on the windward side and larger windows on the leeward side of the building thereby utilising air pressure to draw air through the apartment; using higher level casement or sash windows, clerestory windows or operable fanlight windows—including above internal doors—to facilitate convective currents. This is particularly important in apartments with only one aspect; selecting windows which occupants can reconfigure to funnel breezes into the apartment, like vertical d, casement windows and externally opening doors	☒	☐	☐	
viii. Coordinate design for natural ventilation with passive solar design techniques	☒	☐	☐	
ix. Explore innovative technologies to naturally ventilate internal building areas or rooms—such as bathrooms, laundries and underground carparks—	☒	☐	☐	

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Requirement	Yes	No	N/A	Comment
for example with stack effect ventilation or solar chimneys x. Developments which seek to vary from the minimum standards must demonstrate how natural ventilation can be satisfactorily achieved, particularly in relation to habitable rooms	☒	☐	☐	
4.6 Building Form				
4.6.1 Awnings and Signage Objectives ▪ To provide shelter for public streets ▪ To support and encourage pedestrian movement associated with retail uses ▪ To ensure signage is in keeping with desired streetscape character and with the development in scale, detail and overall design	☐	☐	☒	The Awnings and Signage objectives are not applicable to the proposed development as no awnings over the public domain or any signage are proposed.
4.6.1 Awnings and Signage Performance Criteria <u>Awnings</u> i. Encourage pedestrian activity on streets by providing awnings to retail strips, ▪ complement the height, depth and form of the desired character or existing pattern of awnings ▪ provide sufficient protection for sun and rain ii. Contribute to the legibility of the development and amenity of the public domain by locating local awnings over residential building entries iii. Enhance safety for pedestrians by providing under-awning lighting iv. New awnings are to follow the general alignment of existing awnings in the street v. Provide continuous awnings at areas of high pedestrian activity, particularly where there are ground floor commercial and/or retail uses: corners of Hill Road and major east-west streets; and corners of major east west streets and the primary north-south street). Awnings are also to be provided to buildings fronting pedestrian plazas at the termination of major east-west streets vi. Awning height is to be in the range 3.2 - 4.2 metres (clear soffit height) and the awning face is to be horizontal vii. All awnings are to comply with State Environmental Planning Policy No 64 (SEPP 64) - Advertising and Signage <u>Signage</u> i. Signage is to be integrated with the design of the development by responding to scale, proportions and architectural detailing	☐ ☐ ☐ ☐ ☐ ☐ ☐ ☐ ☐ ☐	☐ ☐ ☐ ☐ ☐ ☐ ☐ ☐ ☐ ☐	☒ ☒ ☒ ☒ ☒ ☒ ☒ ☒ ☒ ☒	No awnings over the surrounding public domain are proposed. In this instance, where the proposal consists of units for a wholly residential use and where pedestrian traffic is to be limited, no awnings are considered necessary. No signage of any kind is proposed

(Block D) 41-45 Hill Road, Wentworth Point (cont'd)

Requirement	Yes	No	N/A	Comment
ii. Signage is to provide clear and legible way-finding for residents and visitors iii. Under-awning signage is limited to one sign per residential building plus one sign per commercial or retail tenancy iv. Signage on blinds is not permitted v. Conceal or integrate the light source to any illuminated signage within the sign vi. Illuminated signage is only permitted where it does not compromise residential amenity vii. All signage is to comply with State Environmental Planning Policy No 64 (SEPP 64) - Advertising and Signage	☐ ☐ ☐ ☐ ☐ ☐	☐ ☐ ☐ ☐ ☐ ☐	☒ ☒ ☒ ☒ ☒ ☒	under this application. Again, being a residential development, no signage is considered necessary. Further, should the proposal be recommended for approval, a condition can be included in any consent requiring further applications be submitted to Council for the erection of any signage.
4.6.2.Facade Objectives ▪ To promote high architectural quality in buildings ▪ To ensure that new developments have facades which define and enhance the public domain and desired street character ▪ To ensure that building elements are integrated into the overall building form and facade design	☒ ☒ ☒	☐ ☐ ☐	☐ ☐ ☐	The proposed development is considered to be consistent with the Facade objectives as elevations of high architectural design quality which include modulation and articulation are proposed.
4.6.2 Façade Performance Criteria i. Consider the relationship between the whole building form and the facade and/or building elements. Columns, beams, floor slabs, balconies, window opening and fenestrations, doors, balustrades, roof forms and parapets are elements which can be revealed or concealed and organised into simple or complex patterns ii. Compose facades with an appropriate scale, rhythm and proportion which respond to the building's use and the desired contextual character, for example by:- defining a base, middle and top related to the overall proportion of the building; expressing key datum lines using cornices, change in materials or building setback; expressing building layout or structure, such as vertical bays or party wall divisions; expressing the variation in floor to floor height, particularly at lower levels; articulating building entries with awnings, porticos, recesses, blade walls and projecting bays; selecting balcony types which respond to the street context, building orientation and residential amenity and will create different façade profiles; detailing balustrades to reflect the type and location of the balcony and its relationship to the façade detail and materials; using a variety of window types to create a rhythm or express the building uses, for example, a living	☒ ☒	☐ ☐	☐ ☐	Elevations are provided generally in accordance with scale of the Concept Plan approval and the Homebush Bay West DCP and consist of high quality elements. A high level of modulation, articulation and architectural feature elements are incorporated to provide visually interesting and varied facades. At street level, the setback is further enhanced by the opportunity to have deep soil zones given that the basement is contained wholly within the building form. The development is provided with numerous windows, balconies and architectural elements to break the bulk and scale of the complex. The building benefits from the availability of waterfront views and the façade design attempts to maximise the view amenity available to as a many of the apartments as possible.

(Block D) 41-45 Hill Road, Wentworth Point (cont'd)

Requirement	Yes	No	N/A	Comment
room versus a bathroom; incorporating architectural features which give human scale to the design of the building at street level, including entrances, awnings, colonnades, pergolas and fences; using recessed balconies and deep windows to create articulation and define shadows, thereby adding visual depth to the facade iii. Design facades to reflect the orientation of the site using elements such as sun shading, light shelves and bay windows as environmental controls, depending on the facade orientation iv. Express important corners by giving visual prominence to parts of the facade, for example, a change in building articulation, material or colour, roof expression or increased height v. Coordinate and integrate building services, such as drainage pipes, with overall facade and balcony design vi. Coordinate security grills/screens, ventilations and carpark entry doors with the overall facade design vii. Integrate the design of garage entries with the building facade design, locating them on secondary streets where possible.	☒ ☒ ☒ ☒ ☒	☐ ☐ ☐ ☐ ☐	☐ ☐ ☐ ☐ ☐	Unsightly elements such as services, piping and plant is to be suitably located and/or screened so as not to detract from the visual quality of facades.
4.6.3 Roof Design Objectives ▪ To provide quality roof designs, which contribute to the overall design and performance of residential flat buildings ▪ To integrate the design of the roof into the overall facade, building composition and desired contextual response ▪ To increase the longevity of the building through weather protection	☒ ☒ ☒	☐ ☐ ☐	☐ ☐ ☐	The proposed development is considered to be consistent with the Roof Design objectives as a flat roof with no element which detract from the overall building appearance is proposed.
4.6.3 Roof Design Performance Criteria i. Relate roof design to the desired built form. Some design solutions may include: articulating the roof, or breaking down its massing on large buildings, to minimise the apparent bulk or to relate to a context of smaller building forms; using a similar roof pitch or material to adjacent buildings, particularly in existing special character areas or heritage conservation areas. Avoid directly copying the elements and detail of single family houses in larger flat buildings; this often results in inappropriate proportion, scale and detail for residential flat buildings; minimising the expression of roof forms gives prominence to a strong	☒	☐	☐	The proposed building is to have a flat roof which will not have any impact upon its overall appearance.

(Block D) 41-45 Hill Road, Wentworth Point (cont'd)

Requirement	Yes	No	N/A	Comment
horizontal datum in the adjacent context, such as an existing parapet line; using special roof features ,which relate to the desired character of an area, to express important corners.				
ii. Design the roof to relate to the size and scale of the building, the building elevations and 3D building form. This includes the design of any parapet or terminating elements and the selection of root materials	☒	☐	☐	
iii. Design roofs to respond to the orientation of the site, for example, by using eaves and skillion roofs to respond to sun access	☒	☐	☐	
iv. Minimise the visual intrusiveness of service elements by integrating them into the design of the roof. These elements include lift over-runs, service plants, chimneys, vent stacks, telecommunication infrastructures, gutters, downpipes and signage	☒	☐	☐	The rooftop plant rooms and lift overruns have been set back from roof edges.
v. Support the use of roofs for quality open space in denser urban areas by:				
▪ providing space and appropriate building systems to support the desired landscape design (see Landscape Design and Open Space)	☒	☐	☐	Access is provided to the roof of different segments of the building. Within the roof segments are plant rooms; skylights; roof garden and communal open space.
▪ incorporating shade structures and wind screens to encourage open space use	☒	☐	☐	
▪ ensuring open space is accessible	☒	☐	☐	
vi. Facilitate the use or future use of the roof for sustainable functions, for example:– allow rainwater tanks for water conservation; orient and angle roof surfaces suitable for photovoltaic applications; allow for future innovative design solutions, such as water features or green roofs.	☒	☐	☐	
4.7 Building Performance				
4.7.1 Energy Efficiency Objectives				
▪ To reduce the necessity for mechanical heating and cooling	☒	☐	☐	The proposed development is consistent with the Energy Efficiency objectives as a BASIX Certificate with relevant energy commitments, and specialised reports with recommendations in relation to wind, geotechnical and noise impacts are provided with the application.
▪ To reduce reliance on fossil fuels	☒	☐	☐	
▪ To minimise greenhouse gas emissions	☒	☐	☐	
▪ To support and promote renewable energy initiatives	☒	☐	☐	
▪ To use natural climatic advantages of the coastal location such as cooling summer breezes, and exposure to unobstructed winter sunlight	☒	☐	☐	
▪ To provide a suitable environment for proposed uses, having regard to wind impacts and noise	☒	☐	☐	
▪ To ensure that land is geotechnically suitable for development and can be feasibly remediated or any contaminants to a level adequate for the proposed use	☒	☐	☐	
4.7.1 Energy Efficiency Performance Criteria				

(Block D) 41-45 Hill Road, Wentworth Point (cont'd)

Requirement	Yes	No	N/A	Comment
i. Incorporate passive solar design techniques to optimise heat storage in winter and heat transfer in summer by:				
▪ maximising thermal mass in floor and walls in northern rooms of dwelling/building	☒	☐	☐	The various BASIX Certificates for the buildings show that the development as a whole achieves the Pass Mark for energy and water conservation. The implementation shall be reinforced by a condition of consent, should the application be recommended for approval.
▪ polishing concrete floors and/or using tiles or timber floors rather than carpets	☒	☐	☐	
▪ **limiting the number of single aspect apartments with a southerly aspect (SW–SE) to a maximum of 10 percent of the total units proposed**	☐	☒	☐	**The number of single aspect apartments with southerly aspect is 13% of the total number of units. (Refer to discussion of the Residential Flat Design Code (above) in relation solar access and south-facing single-aspect apartments.**
▪ insulating roof/ceiling to R2.0, external walls to R1.0 and the floor—including separation from basement car parking—to R1.0	☒	☐	☐	
▪ minimising the overshadowing of any solar collectors	☒	☐	☐	
ii. Improve the control of space heating and cooling by:				
▪ designing heating/cooling systems to target only those spaces which require heating or cooling, not the whole apartment	☒	☐	☐	
▪ designing apartments so that entries open into lobbies or vestibules and are isolated from living areas by doorways	☒	☐	☐	Climate control techniques are found to be satisfactory.
▪ allowing for adjustable awnings and blinds to be attached to the outside of windows to keep the heat out in summer	☒	☐	☐	
▪ providing gas bayonets to living areas, where gas is available	☒	☐	☐	
▪ providing reversible ceiling fans for improving air movement in summer and for distributing heated air in winter	☒	☐	☐	
iii. Provide or plan for future installation of solar collectors and photovoltaic panels, for example by:				
▪ designing the roof so that solar collectors and photovoltaic panels can be mounted parallel to the roof plane	☒	☐	☐	Solar panels are not proposed in this development however they could be installed in future should the need arise.
▪ locating trees where they will not shade existing or planned solar and photovoltaic installations	☒	☐	☐	
iv. Improve the efficiency of hot water systems by:				
▪ insulating a hot water system or systems with a Greenhouse Score of 3.5 or greater and which suits the needs of the development and/or individual dwellings				

(Block D) 41-45 Hill Road, Wentworth Point (cont'd)

Requirement	Yes	No	N/A	Comment
▪ installing water-saving devices, such as flow regulators, AAA (or higher) rated shower heads and tap aerators	☒	☐	☐	
	☒	☐	☐	
v. Reduce reliance on artificial lighting by:				
▪ providing a mix of lighting fixtures, including dimmable lighting, to provide for a range of activities in different rooms	☒	☐	☐	
▪ designing to allow for different possibilities for lighting the room, for example, low background lighting supplemented by task or effect lighting for use as required	☒	☐	☐	
▪ using separate switches for special purpose lighting	☒	☐	☐	
▪ using high efficiency lighting, such as compact fluorescent, for common areas	☒	☐	☐	
▪ using motion detectors for common areas, lighting doorways and entrances, outdoor security lighting and car parks	☒	☐	☐	
vi. Maximise the efficiency of household appliances by:				
▪ selecting an energy source with minimum greenhouse emissions	☒	☐	☐	
▪ installing high efficiency refrigerators/freezers, clothes washers and dishwashers	☒	☐	☐	
▪ providing areas for clothes to be dried through natural ventilation	☒	☐	☐	
vii. Provide an Energy Performance Report from a suitably qualified consultant to accompany any development application for a new building. Nathers 4.5 star rating should be achieved to 80% of all residential apartments and commercial offices	☒	☐	☐	
viii. Use the NSW Government's sustainability assessment tool, BASIX, from such time as it is implemented for the residential housing types in the DCP precinct area, as an additional rating system, to be achieved to 80% of all residential apartments	☒	☐	☐	

(Block D) 41-45 Hill Road, Wentworth Point (cont'd)

Requirement	Yes	No	N/A	Comment
4.7.2 Maintenance Objectives ▪ To ensure long life and ease of maintenance for the development	☒	☐	☐	The proposed development is considered to be consistent with the Maintenance objectives as relevant conditions shall be included in any consent to ensure the site is suitably maintained.
4.7.2 Maintenance Performance Criteria i. Design windows to enable cleaning from inside the building, where possible	☒	☐	☐	Possible in most instances.
ii. Select manually operated systems, such as blinds, sunshades, pergolas and curtains in preference to mechanical systems	☒	☐	☐	Many passive features are incorporated such as sun shades, overhanging balconies, pergolas and screens.
iii. Incorporate and integrate building maintenance systems into the design of the building form, roof and facade	☒	☐	☐	
iv. Select durable materials, which are easily cleaned and are graffiti resistant	☒	☐	☐	
v. Select appropriate landscape elements and vegetation and provide appropriate irrigation systems (see Landscape Design)	☒	☐	☐	Appropriate species selected.
vi. For developments with communal open space, provide a garden maintenance and storage area, which is efficient and convenient to use and is connected to water and drainage.	☒	☐	☐	
4.7.3 Waste Management Objectives ▪ To avoid the generation of waste through design, material selection and building practices	☒	☐	☐	A waste Management Plan has been submitted with the application detailing waste controls and removal during demolition and construction. The waste management plan is thorough and documents waste management throughout the development process. The waste management plan should be included as part of any consent that may be issued.
▪ To plan for the types, amount and disposal of waste to be generated during demolition, excavation and construction of the development. To encourage waste minimisation, including source separation, reuse and recycling	☒	☐	☐	
▪ To ensure efficient storage and collection of waste and quality design of facilities	☒	☐	☐	

(Block D) 41-45 Hill Road, Wentworth Point (cont'd)

Requirement	Yes	No	N/A	Comment
4.7.3 Waste Management Performance Criteria i. Incorporate existing built elements into new work, where possible	☐	☐	☒	
ii. Recycle and reuse demolished materials, where possible	☐	☐	☒	
iii. Specify building materials that can be reused and recycled at the end of their life	☒	☐	☐	
iv. Integrate waste management processes into all stages of the project, including the design stage	☒	☐	☐	Details have been provided.
v. Support waste management during the design stage by: ▪ specifying modestly for the project needs	☒	☐	☐	
▪ reducing waste by utilising the standard product/component sizes of the materials to be used	☒	☐	☐	
▪ incorporating durability, adaptability and ease of future services upgrades	☒	☐	☐	
vi. Prepare a waste management plan for green and putrescible waste, garbage, glass, containers and paper	☒	☐	☐	On-going waste to be managed and coordinated by internal building management as part of a future management arrangement for during occupation of Block D
vii. Locate storage areas for rubbish bins away from the front of the development where they have a significant negative impact on the streetscape, on the visual presentation of the building entry and on the amenity of residents, building users and pedestrians	☒	☐	☐	
viii. Provide every dwelling with a waste cupboard or temporary storage area of sufficient size to hold a single day's waste and to enable source separation	☒	☐	☐	Bins located within building with a designated bay for garbage collection.
ix. Incorporate on-site composting, where possible, in self contained composting units on balconies or as part of the shared site facilities	☒	☐	☐	Not practicable to do this on a building of this scale.
x. Supply waste management plans with any Development Application as required by the NSW Waste Board	☒	☐	☐	
4.7.4 Water Conservation Objectives ▪ To reduce mains consumption of potable water	☒	☐	☐	Suitable water saving measures have been proposed.
▪ To reduce the quantity of urban stormwater runoff	☒	☐	☐	
▪ To encourage integrated water management, that is, capturing stormwater and/or rainwater and storing on site for both external and internal use	☒	☐	☐	

(Block D) 41-45 Hill Road, Wentworth Point (cont'd)

Requirement	Yes	No	N/A	Comment
4.7.4 Water Conservation Performance Criteria i. Use AAA (or higher) rated appliances to minimise water use ii. Encourage the use of rainwater tanks iii. Collect, store and use rainwater on site for non-potable purposes. This may be used for car washing, watering the garden, toilet flushing and washing machines. Once treated, rainwater can also be used for potable supply. Consider the recycling of grey water for toilet flushing or for garden uses iv. All development is to be connected to the Homebush Bay Water Reclamation and Management System (WRAMS). To facilitate connection to WRAMS, provide correctly sized dual water reticulation systems, appropriate dual supply plumbing, and toilet flushing and irrigation connections v. Incorporate local indigenous native vegetation in landscape design	☒ ☒ ☒ ☒ ☒	☐ ☐ ☐ ☐ ☐	☐ ☐ ☐ ☐ ☐	Water Management is satisfactory as per the BASIX Certificate. The development includes a rainwater tank collecting from roof area. The development will be connected to an alternative water supply (WRAMS) from the Sydney Olympic Park Authority Scheme. Three star water rated shower heads, toilet flushing system and taps are to be installed in the development.
vi. Avoid the use of lead- or bitumen-based paints on roofs, as rainwater cannot be collected from them. Normal guttering is sufficient for water collections provided that it is kept clear of leaves and debris vii. Provide spring return taps for all public amenities.	☒ ☒	☐ ☐	☐ ☐	
4.8 Public Art + Design				
4.8 Public Art and Design Objectives ▪ To celebrate local heritage and culture ▪ To explore community cultural identity ▪ To instigate the feeling of 'community' in the town centre ▪ To articulate the nature and special qualities of the town in the public domain	☐ ☐ ☐ ☐	☐ ☐ ☐ ☐	☒ ☒ ☒ ☒	The development does not include any items of public art.
4.8 Public Art and Design Performance Criteria i. Artworks are to be integrated into broader development and planning ii. Art and design that enhances the pedestrian experience are to be encouraged iii. Projects that develop cultural themes that are relevant to the locality and its community are to be encouraged iv. Public art is to be used to help define important spaces in the locality v. Stand-alone projects that fail to address the locality and its culture, are to be avoided vi. Elements such as seating, paving, bus shelters and other street furniture, whilst being functional, are to be visually appealing and of a high design quality	☐ ☐ ☐ ☐ ☐ ☐	☐ ☐ ☐ ☐ ☐ ☐	☒ ☒ ☒ ☒ ☒ ☒	The development does not include any items of public art.

Summary of non-compliances - Homebush Bay West Development Control Plan (HBW DCP)

The development proposal incorporates a number of variations to the requirements of HBW DCP as highlighted in the above assessment table. The departures from the controls have been largely justified by the applicant and may be supported.

Section 94 Contributions Plan

The proposed development would require the payment of contributions in accordance with Part C: Homebush Bay West Precinct, of Council's Auburn Development Contributions Plan 2007. Contributions are collected for traffic management, open space, community facilities and administration in the locality and are calculated based on the number of new 1, 2 and 3 bedroom dwellings.

Disclosure of Political Donations and Gifts

The NSW Government introduced The Local Government and Planning Legislation Amendment (Political Donations) Act 2008 (NSW). This disclosure requirement is for all members of the public relating to political donations and gifts. The law introduces disclosure requirements for individuals or entities with a relevant financial interest as part of the lodgement of various types of development proposals and requests to initiate environmental planning instruments or development control plans.

No disclosures of any political donations or gifts have been declared by the applicant or any organisation / persons that have made submissions in respect to the proposed development.

The provisions of the Regulations (EP& A Act s79C(1)(a)(iv))

The proposed development raises no concerns as to the relevant matters arising from the EP& A Regulations 2000.

The Likely Environmental, Social or Economic Impacts (EP& A Act s79C(1)(b))

It is considered that the proposed development will have no significant adverse environmental, social or economic impacts in the locality.

The suitability of the site for the development (EP&A Act s79C(1)(c)

The subject site and locality is not known to be affected by any natural hazards or other site constraints likely to have a significant adverse impact on the proposed development. As noted earlier in the report under SEPP 55 a site audit statement dated 30 June 2006 stated the subject site was suitable for "Residential with minimal opportunity for soil access, including units". Council's Health Department has further recommended that validation of the site shall be undertaken following the demolition of the existing structures on the site and prior to the commencement of any earth works or construction works commencing on the site. Based on the findings of the additional sampling a report shall be prepared and submitted to the PCA verifying the suitability of the site for the proposed residential development. Should the proposal be recommended for approval, appropriate condition shall be imposed in this regards.

Submissions made in accordance with the Act or Regulation (EP&A Act s79C(1)(d

Advertised (newspaper) ☒ Mail ☒ Sign ☒ Not Required ☐

In accordance with Council's Notification of Development Proposals Development Control Plan, the proposal was publicly exhibited for a period of 30 days between 25 August 2010 and 24 September 2010 and notified in the Auburn Review on the 24 August 2010. The notification generated 2 submissions in respect of the proposal. The proposal was readvertised for a period of 14 days between 17 May 2011 and 31 May 2011 and notified in the Auburn Review on the 17 May 2011. The notification generated 2 submissions (same objectors and issues received as per first advertisement). One of the objections is from Sydney Olympic Park Authority and the issues raised have been addressed earlier in the report under "External Referral". The issues raised in the other submission are summarised and commented on as follows:

That suitable condition be imposed on any consent to ensure that the recommendations of the submitted Acoustic Report are included in any development consent given that the adjoining site to the south is for industrial use and likely to remain so for a considerable time into the future.

Comment: Should the application be recommended for approval appropriate condition shall be imposed on any consent to ensure that the recommendations of the Acoustic Report prepared by Acoustic Logic Consultancy dated 16 July 2010 (report no: 201673/1607A/R0/KS) are installed prior to the issue of any Occupation Certificate. Furthermore, additional condition shall be imposed requiring an Acoustic Certification to be provided within 3 months of the premises being occupied, demonstrating that noise from the premises complies with the criteria contained in the aforementioned report. Where the criteria are not met the Acoustic report is to include recommendation of noise control measures that are to be implemented to ensure compliance with the criteria.

The public interest (EP& A Act s79C(1)(e))

The public interest is served by permitting the orderly and economic development of land, in a manner that is sensitive to the surrounding environment and has regard to the reasonable amenity expectations of surrounding land users.

In view of the foregoing analysis it is considered that the development, if carried out subject to the conditions set out in the recommendation below, will have no significant adverse impacts on the public interest.

Conclusion

The development application has been assessed in accordance with the relevant requirements of the Environmental Planning and Assessment Act 1979.

The proposed development is appropriately located within a locality earmarked for high-density residential redevelopment, however some variations (as detailed above) in relation to State Environmental Planning Policy No.65 - Design Quality of Residential Flat Development and the Homebush Bay Development Control Plan are sought.

Having regard to the assessment of the proposal from a merit perspective, it is considered that the development has been responsibly designed and provides an acceptable amenity for the residents.

For these reasons, it is considered that the proposal is satisfactory having regard to the matters of consideration under Section 79C of the Environmental Planning and Assessment Act, 1979, and the development may be recommended to the JRPP for a deferred commencement approval subject to conditions.