Applicant	SHD Services Pty Limited
Owner	Henlia No. 2 Pty Limited and SH Hombush St Tropez Pty Limited
Application No.	DA-362/2010
Description of Land	Lot 24 DP 270320, 7 Stromboli Strait, WENTWORTH POINT
Proposed Development	Construction of a residential flat building, 4 to 8 storeys in height and comprising of 154 units with two levels of parking and associated works (Integrated Development) - Water Management Act 2000
Site Area	7368 m^2
Zoning	Sydney Regional Environmental Plan (Deferred matter under Auburn LEP 2010)
Disclosure of political donations and gifts	Nil disclosure
Key Issues	Building Height Solar Access Resident Objections

Assessment Report and Recommendation

Recommendation

1. ***The Development Application No 362/2010 for the Construction of a residential flat building, 4 to 8 storeys in height and comprising of 154 units with two levels of parking and associated works be approved subject to conditions.***

Consultations

A detailed assessment of the original proposal was conducted and a number of issues were identified regarding compliance with the State Environmental Planning Policy 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 10 February 2011.

Issues that were identified including height, public domain works, land use and density controls, contamination and acid sulphate soils, solar access and minor SEPP 65 and Homebush Bay West minor non compliances. Following the assessment, the applicant was notified in writing and by E Mail on 14 February 2011.

A formal response to the above correspondence was received by Council on 24 March 2011. The submission comprised a written discussion regarding what the applicant considered to be the two key issues being building height and solar access. The applicant sought a response from Council before proceeding to submit the remaining requested information. A response was provided from Council on the 28 March 2011 advising that the justifications submitted were acceptable. This advice however did not preclude any determination of the Panel.

Further amended information was received on the 6 April 2011. The amended information included amended Level 0, 1 level 8 and Roof level drawings, further information with regard to Contamination and Acid Sulphate Soils, revised landscaping drawings, building matrix and an acoustic report.

On the 30 May 2011 the applicant submitted further plans and information to improve the solar and cross ventilation amenity of the units with the addition of additional windows into units from lobby areas and skylight/clerestories windows added to units on the upper stories of the buildings.

History

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

With regard to the subject site itself the principle applications and any consents issued have been made by Auburn City Council. Applications on the site include:

Development Application Number 523/2005:

A development application was received by Auburn City Council on the 20 December 2005 for a variable height residential flat building with its maximum height of 8 storeys along the Marine Parade Frontage and lowest height at the waterfront at 4 storeys. The design had a "V" shaped configuration around the central courtyard in order to maximise views to the water from as many of the units as possible. The proposal also incorporated a pool on the 6th floor of the building facing Marine Parade. The proposal comprised 33 x 1 bedroom units, 73 x 2 bedroom units and 21 x 3 bedroom units for a total of 127 apartment units. A total of 212 car spaces were provided. The application was approved by Council on the 6 June 2007.

Development Application Number 523/2005/A:

A Section 96(2) application DA523/2005/A was received at Auburn City Council on the 6 November 2008 to modify the development in the following manner:

- Significant alteration to the building footprint and overall built form
- Increasing the number of units from 127 to 184
- Increasing the total amount of approved 3 bedroom units within the development from 21 to 22.
- Increasing the total amount of 2 bedroom units within the development from 73 to 92
- Increasing the total amount of 1 bedroom units within the development from 33 to 70
- An increase to the total amount of parking spaces within the basement area from 212 to 246 spaces comprising 233 residential spaces and 13 visitor car parking spaces.
- Relocation of the pool from the 6th floor of the approved building to the podium space located between the proposed St Tropez building and the existing Bellagio development.

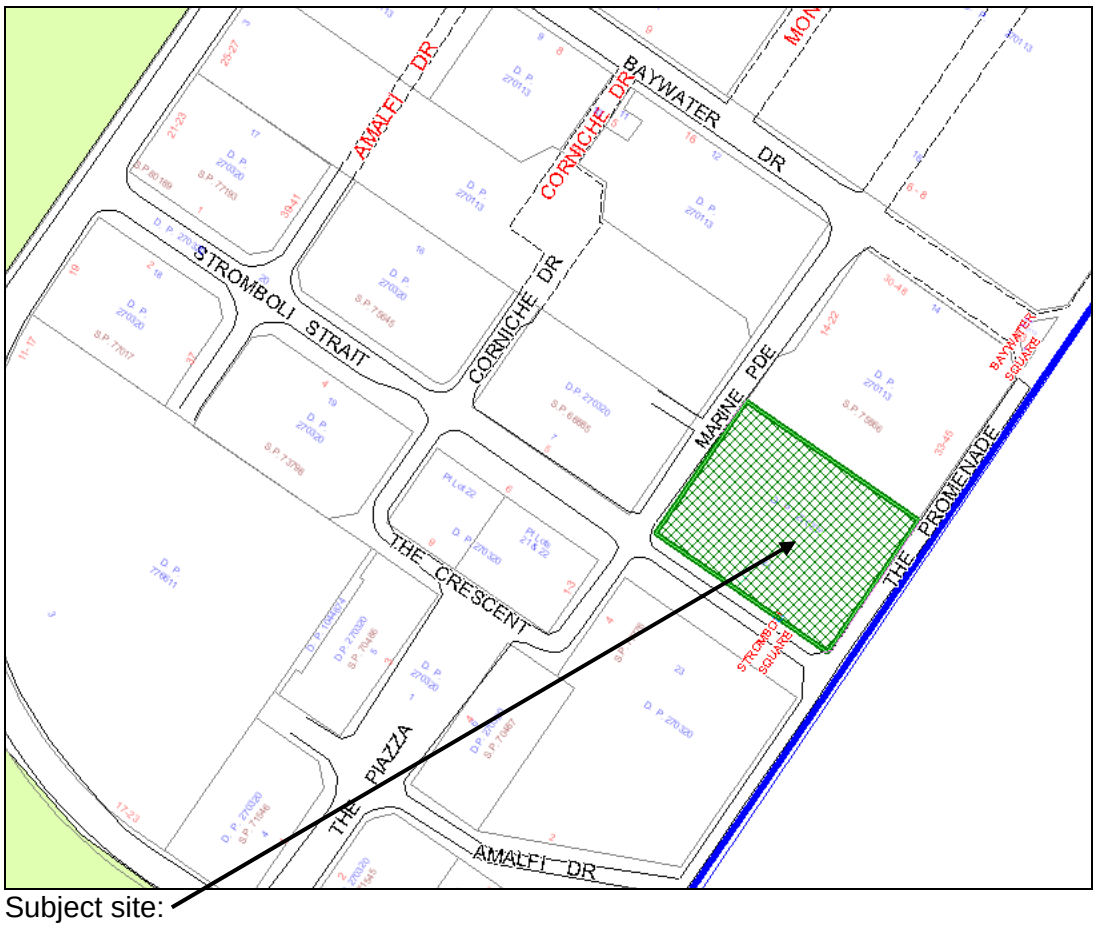
The application was withdrawn by the applicant on the 19 August 2009.

Site and Locality Description

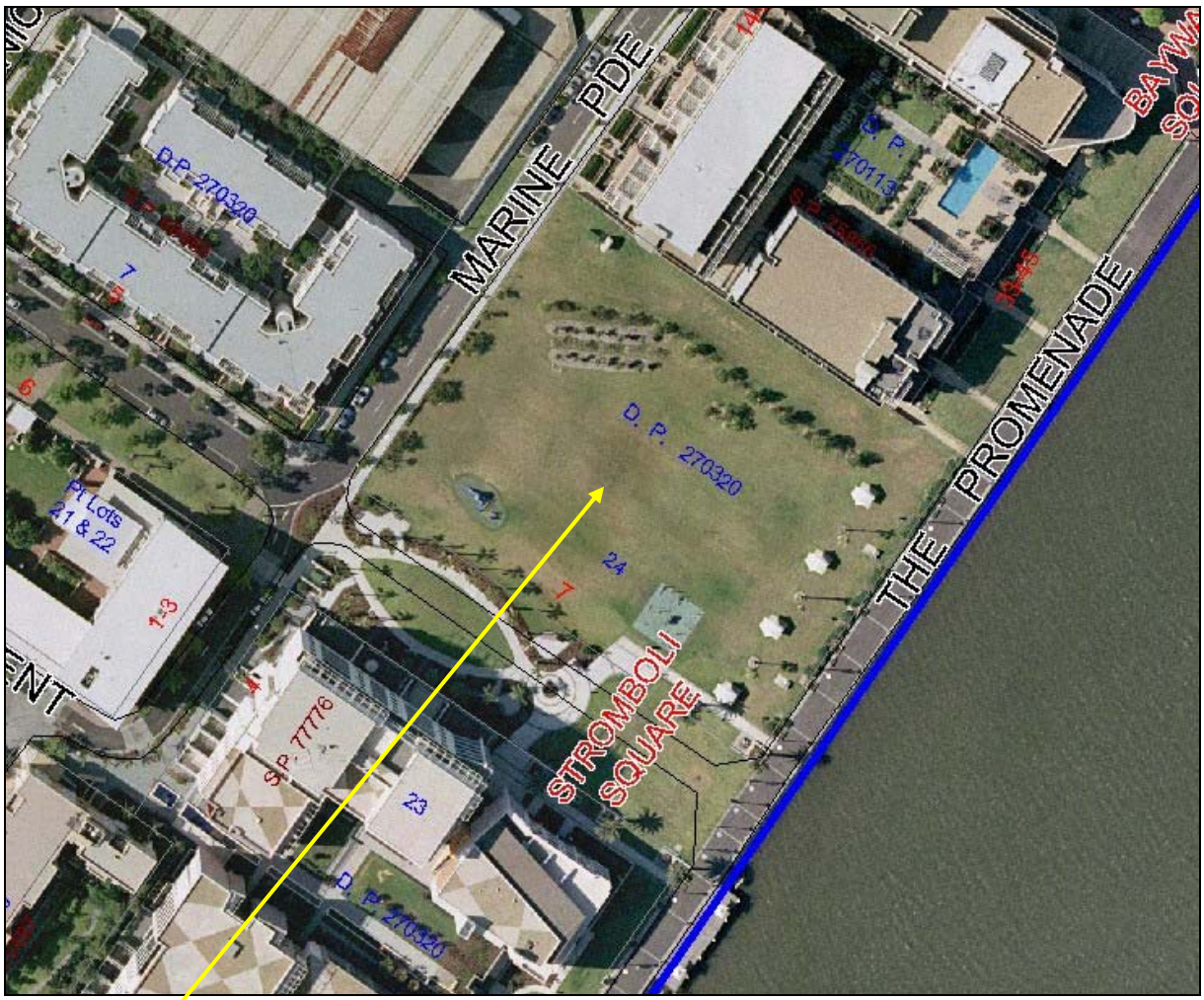
The site occupies a prime waterfront location within Homebush Bay West locality located north of Sydney Olympic Park.

The site is generally rectangular in shape, has an area of approximately 7368 m^2 and is relatively flat with a frontage of approximately 75.15 metres to Marine Parade and 98.04 metres to Stromboli Straight. The site comprises the block bounded by;

- Stromboli Strait (pedestrian footway) to the south and the Valencia/Lipari/Rimini development across from Stromboli Strait.
- Foreshore promenade (pedestrian footway) and Homebush Bay Waterway to the east
- Marine Parade (existing roadway) to the west; and
- The Bellagio residential development to the north.



Subject site:



Subject Site:

The subject site is currently largely grassed with 4 picnic tables/BBQ areas/fitness equipment and peripheral landscape planting. A small metal plaque located in the south western corner of the site notifies any visitor to the current "park" that the site is intended as a future development site.

Development surrounding the subject site includes the "Bellagio" mixed use development to the north; the residential apartment development of "Valencia/Lipari/Rimini" to the south; the publicly accessible foreshore promenade to the east and the residential development of 'Corfu" to the west. The commercial precinct of 'The Piazza" and the recreation facility known as the 'Quarterdeck Club' are located further to the west of the subject site.

In the wider locality, the southern part of the peninsular has undergone transition from industrial to high density residential uses. The southern portion of Wentworth Point is now dominated by high density residential flat buildings of between 4 and 8 storeys in height. North of the residential flat buildings is still retained as large scale industrial premises. The future of the locality is for all sites east of Hill Road and south of Burroway Road to be developed for high density residential purposes as reflected by the applicable DCPs (Homebush Bay West Development Control Plan and Burroway Road Development Control Plan).

Located across the bay to the east is Canada Bay Council Rhodes area with similar Residential Flat building Development

Description of Proposed Development

Council is in receipt of a development application for the construction of a residential flat building complex comprising 154 units, associated car parking spaces and open space. The proposal includes landscaping to the central common open space area and at the interface with the public domain (in particular Stromboli Strait) and construction of an access driveway to the site from Marine Parade.

The development comprises the following:

- A residential flat building complex comprising 3 (three) residential towers with a maximum height of 8 storeys or maximum RL of 31.48 metres AHD (including plant and lift over-runs).

- A total of 154 residential units divided into 30 x 1 bedroom units, 91 x 2 bedroom units and 33 x 3 bedroom units.

- Undercover and basement car parking situated over two levels for 238 vehicles.

The detailed breakdown of the development is provided below:

Basement level:- 161 Car parking spaces, Bicycle and motorbike parking and ancillary storage space.

Ground floor:- 77 Car parking and 15 residential units. The roof of the car park acts as a large podium for the landscaped common open space area above.

Level 1:- 25 residential units and the landscaped common open space area.
Level 2:- 26 residential units.
Level 3:- 26 residential units.
Level 4:- 19 residential units.
Level 5:- 16 residential units.
Level 6:- 14 residential units.
Level 7:- 13 residential units.

Further to this, there will be three residential towers within the complex. Building 1 is located on the north western boundary of the site, has frontage to Marine Parade and is proposed to be a maximum height of 8 storeys. Building 2 is located in the western corner of the site, has frontage to Marine Parade and Stromboli Strait and is also proposed to be 8 storeys in height. Building 3 is located on the eastern side of the site, faces The Promenade (waterfront) will be five storeys in height.

Referrals

Internal Referrals

Development Engineer

At the time of preparing this report, the Drainage and Development Engineer has raised a number of issues. These issues raised may be addressed as conditions. Additional information will be required showing some amendments.

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 of consent.

Landscape Architect

The development application was referred to Council's Landscape Architect for comment who has raised no objections to the proposed development subject to conditions of consent.

Environment and Health

At the time of preparing this report, the Environmental Health Officers have not responded to the amended information received from the applicant on the 6 April 2011. However many of the issues raised can be addressed as conditions. The conditions may be added to any consent that may be issued.

External Referrals

Sydney Olympic Park Authority

In accordance with Section 27 of the Sydney Olympic Park Authority Act 2001 and Clause 14 of Sydney Regional Environmental Plan Number 24 Homebush Bay Area, a copy of the development application was referred to Sydney Olympic Park Authority for comment.

At this point in time no response has been received from the Authority and it is assumed that no objection is raised to the proposed development.

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 3 November 2010 and the following concern was raised regarding the application(s):-

1. The swept path of the longest vehicle entering and exiting the subject site, as well as manoeuvrability through the site should be in accordance with AUSTROADS. In this regard a plan should be submitted to Council for approval, which shows that the proposed development complies with this requirement.
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 AS2890.1 – 2004 and AS2890 – 2002 for heavy vehicles.
3. Clear sight lines should be provided at the property boundary line to ensure adequate visibility between vehicles leaving the car park and pedestrians along the frontage road and footpath are in accordance with Figure 3.3 of AS2890.1 – 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. A demolition and Construction Truck 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.
7. All works / regulatory signposting associated with the proposed development are to be at no cost to the RTA.

The comments provided are of a technical nature and specific to conditions that may be incorporated into any consent that may be issued.

The Roads and Traffic Authority advised in that letter that should any consent be issued, a copy of the consent must be issued to the Authority for its records.

Any determination issued will be provided to the RTA

Department of Water and Energy

The development is identified as an "Integrated Development" and requires concurrent approval from the Department of Water and Energy in accordance with Clause 66 of the Environmental Planning and Assessment Regulations as the proposed development is located within 40 metres of a waterway

The referral letter was sent to the Department of Natural Resources on the 1 December 2010. A response was received on the 12 January 2011. The department notified Council that if the proposal is to be approved the General Terms of Approval (GTA) are to be included in their entirety within the consent notice. Should the proposal be considered for approval by the JRPP the GTA's are recommended to be included as an additional recommended condition of consent. The department 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 department once a determination has been made.

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

State Environmental Planning Policies

The proposed development is not specifically affected by any relevant 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
Is 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: The site is the subject of a Site Audit Statement reference BE048 dated 22 April 2004 prepared by Consulting Earth Sciences which states that the site is suitable for its intended use for a residential flat building. In response to the concerns raised by the Council's environmental Health Officers an updated letter dated the 25 February 2011 prepared by Consulting Earth Sciences was submitted advising that due to the site not being significantly excavated and its present use as a recreational park that the subsurface conditions are unlikely to have altered and the previous reports and statements can be relied upon for the site. Accordingly, based on the updated letter, it is concluded that the site continues to be suitable for residential use.	
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 not identified as being inconsistent with any of the broader 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				
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. A contextual analysis submitted by the applicant confirms that the waterfront adjoining buildings are 7 storeys to the north (Bellagio) and 8 storeys (Lipari/Valencia) to the south. The proposed three towers 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.

Requirement	Yes	No	N/A	Comment
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 and locality specific DCPs (refer to detailed assessments below). Matters of height and the "pop up" floors for Buildings 1 are identified as being a technical non compliance and require further discussion below as appropriate. A centrally located courtyard space is provided to the development. The overall design is however considered to be appropriate in the locality.
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 154 apartments in mid rise forms that will contribute to the redevelopment of the area. A precinct F building matrix confirms that the proposal is within the permissible total FSR allowable for Precinct F 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.

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 1 is central to all buildings and will offer good outlook space for people living above and provide adequate space for active and passive uses. 4 landscaped pedestrian connections are provided to the public domain and streets creating a highly permeable development.
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 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. 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.
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, individual entries to ground floor dwellings and multiple pedestrian entry point to the communal courtyard. Individual ground-floor dwellings shall also have suitable fencing and landscaped buffers for security and privacy. Lift foyers and basement car parking will be appropriately secured with security cards and intercom access for visitors.

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. The issue is also raised in the submissions regarding how subject development site is currently a park and will be lost as a result of the development. The Homebush Bay West DCP contains provision for the future provision of a public open space area elsewhere in the precinct. There will be a shortfall period during construction and creation of the park elsewhere within the development site.
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. No objection is raised in this regard to the development.
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 within a partial basement and podium level 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. • Isolated or disadvantaged sites avoided.	☐ ☐	☐ ☐	☒ ☒	A subdivision of the site into smaller lots is not proposed.
Building Height				
Objectives • To ensure future development responds to the desired scale and character of the street and local area. • To allow reasonable daylight access to all developments and the public domain.	☒ ☒	☐ ☐	☐ ☐	The building heights are found to be satisfactory and generally compliant with the Homebush Bay West Development Control Plan. This is achieved where possible but there is a high proportion of single aspect south facing units.
Building Depth				

Requirement	Yes	No	N/A	Comment
Objectives • To ensure that the bulk of the development is in scale with the existing or desired future context. • To provide adequate amenity for building occupants in terms of sun access and natural ventilation. • To provide for dual aspect apartments.	☒ ☒ ☒	☐ ☐ ☐	☐ ☐ ☐	The majority of the development will be satisfactory under this heading. The design, bulk, streetscape presentation and height is acceptable. This is achieved where possible but there is a number of single aspect south facing units.
Controls • **The maximum internal plan depth of a building should be 18 metres from glass line to glass line.** • 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. • Slim buildings facilitate dual aspect apartments, daylight access and natural ventilation. • In general an apartment building depth of 10-18 metres is appropriate. Developments that propose wider than 18 metres must demonstrate for satisfactory day lighting and natural ventilation are to be achieved.	☐ ☒ ☒ ☒	☒ ☐ ☐ ☐	☐ ☐ ☐ ☐	**The building depth for all buildings varies but reaches and in some instances exceeds 23.8m metres in some portions of the development affecting numerous units.** Nothwithstanding the building depth, the residential towers achieve satisfactory daylight and natural ventilation given the orientation of the site. Dual aspect apartments have been included within the development. In this regard, there are 90 dual aspect or naturally ventilated units which represent 58.4% of the total number of units. These are found on all the floors. 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. • To provide visual and acoustic privacy for existing and new residents. • 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.	☒ ☒ ☒ ☒ ☒	☐ ☐ ☐ ☐ ☐	☐ ☐ ☐ ☐ ☐	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. Deep soil zones are provided on site in compliance with the Homebush Bay West DCP but not the requirements of the RFB Design Code.

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 as follows:- Building 1 = 8 storeys. Building 2 = 6 storeys + 2 pop up levels Building 3 = 4 storey + 1 pop up level
▪ **18 metres between habitable rooms/balconies;**	☐	☒	☐	**The development is largely complaint. Generally minor non compliances are noted around the convergence points of the residential towers.**
▪ **13 metres between habitable rooms/balconies and non habitable rooms;**	☐	☒	☐	**Largely complies. Generally minor non compliances are noted around the convergence points of the residential towers.**
▪ 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. Additional privacy measures have been proposed at convergence points (particularly between Buildings 1 and 3 and the existing building a Bellagio. These include privacy screens and alternate window orientation away from existing private outdoor areas. The development is considered to be satisfactory in this regard.
• 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.	☒	☐	☐	
• 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.	☒	☐	☐	
Street Setbacks				
Objectives • To establish the desired spatial proportions of the street and define the street edge.	☒	☐	☐	A setback of 5 metres is provided from the east west street being Stromboli Strait
• To create a clear threshold by providing a transition between public and private space.	☒	☐	☐	The buildings facing Marine Parade are setback 3 metres from the north / south streets.
• 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.	☒	☐	☐	There are setback issues which are stated below.
• To allow an outlook to and surveillance of the street.	☒	☐	☐	
• To allow for street landscape character.	☒	☐	☐	

Requirement	Yes	No	N/A	Comment
Controls • Minimise overshadowing of the street and/or other buildings.	☐	☐	☒	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.
• **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.**	☐	☒	☐	**The lowest basement level protrudes greater than 1.2 metres above the finished Promenade level at the Homebush Bay elevation. This is unavoidable due to the proximity to the waters table and proximity to the Harbour side. The above ground component is however well concealed via planters and unit edge treatments. The basement protrusion is considered to be satisfactory in this instance.**
Side & Rear Setbacks				
Objectives • To minimise the impact of development on light, air, sun, privacy, views and outlook for neighbouring properties, including future buildings.	☐	☐	☒	Appropriate setbacks are achieved in accordance with the DCP.
• 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	☐	☐	☒	There is no specific setback stipulated from the northern boundary. The development responds appropriately to the adjoining Bellagio development to the north.
• 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.	☐	☐	☒	
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.	☐	☐	☒	
• 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.	☐	☐	☒	
Floor Space Ratio				
Objectives • To ensure that development is in keeping with the optimum capacity of the site and the local area.	☒	☐	☐	The plans suggest that the site can accommodate the expected intensity of use however, some technical variations to the Design Code are identified and discussed later in this report.
• 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.	☒	☐	☐	
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.	☒	☐	☐	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.
• A written statement explaining how the design of the proposed development has responded to the site analysis must accompany the application.	☒	☐	☐	
Deep Soil Zones				

Requirement	Yes	No	N/A	Comment
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.
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.**	☒ ☒ ☒ ☒ ☐	☐ ☐ ☐ ☐ ☒	☐ ☐ ☐ ☐ ☐	Waterfront promenade landscape setback adjoins existing Bellagio waterfront landscaped setback. **A total of 1,145 square metres of deep soil is provided principally from the foreshore setbacks. Basement car parking is contained largely within the building footprint and does not encroach on the landscaped setbacks. Permeable paving has been maximised in the deep soil zone.** **This equates to 15.5% of the site being deep soil zone which is less than the required 25% however complies with the requirements of the HBW DCP**
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 while also creating a casual surveillance of public areas.
Landscape Design				

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. • 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.	☒ ☒ ☒ ☒ ☒ ☒	☐ ☐ ☐ ☐ ☐ ☐	☐ ☐ ☐ ☐ ☐ ☐	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.
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. • 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.	☒ ☒ ☒ ☒ ☒ ☒ ☒	☐ ☐ ☐ ☐ ☐ ☐ ☐	☐ ☐ ☐ ☐ ☐ ☐ ☐	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.
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 proposed development is considered to be consistent with the Open Space objectives as communal open space is provided in the form of an internal courtyard allowing for passive and active recreation.

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. 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. The ground level units are provided with courtyards for private use.
• 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 surrounding parklands 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 over levels 1 and 2 is 2450 m^2 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.	☒	☐	☐	**The majority of "Level" 1" apartments exceed the required 25 square metres. Four (4) examples of non compliance exist principally around the level 2 internal courtyard area. All the spaces provided can accommodate table and chairs for outdoor private amenity.**
Orientation				
Objectives • To optimise solar access to residential apartments within the development and adjacent development.	☒	☐	☐	The proposed development is considered to be consistent with the Orientation objectives as it is consistent with the layout envisaged by site and locality specific DCPs. Existing developments to the north south and west are not duly affected.
• 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.	☐	☐	☒	

Requirement	Yes	No	N/A	Comment
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.	☒	☐	☐	The general layout is considered to be the most appropriate with regard to the general positioning of the site and surrounding development.
• 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.	☒	☐	☐	
Planting on Structures				
Objectives • To contribute to the quality and amenity of communal open space on roof tops, podiums and internal courtyards.	☒	☐	☐	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.
• To encourage the establishment and healthy growth of trees in urban areas.	☒	☐	☐	

Requirement	Yes	No	N/A	Comment
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. • 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.	☒ ☒ ☒ ☒ ☒ ☒ ☒ ☒ ☒	☐ ☐ ☐ ☐ ☐ ☐ ☐ ☐ ☐	☐ ☐ ☐ ☐ ☐ ☐ ☐ ☐ ☐	The depth of soil within the central communal open space area (above the parking level podium) is to be 1.2 metres 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.
Stormwater Management				
Objectives • To minimise the impacts of residential flat development and associated infrastructure on the health and amenity of natural waterways. • 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.	☒ ☒ ☒	☐ ☐ ☐	☐ ☐ ☐	Stormwater drainage design is considered acceptable subject to detailed conditions to be included in any consent issued for the development.

Requirement	Yes	No	N/A	Comment
Design Practice • Reduce the volume impact of stormwater on infrastructure by retaining it on site. • 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.	☒ ☒ ☐ ☒ ☒ ☒	☐ ☐ ☐ ☐ ☐ ☐	☐ ☐ ☒ ☐ ☐ ☐	Stormwater drainage design is considered acceptable subject to detailed conditions to be included in any consent issued for the development. Grey water: The development will be connected to an alternative water supply (WRAMS) from the Sydney Olympic Park Authority scheme.
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 Homebush Bay, roads and adjoining parkarea. The design permits passive surveillance of the internal common courtyard areas. Street level activity will be encouraged via the provision of multiple building entries. Landscaping shall be maintained to ensure that

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. • Carry out a formal crime risk assessment for all residential developments of more than 20 new dwellings.	☒	☐	☐	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.
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.** • 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. • Use detailed site and building design elements to increase privacy without compromising access to light and air.	☐ ☒ ☒	☒ ☐ ☐	☐ ☐ ☐	**There are some balconies and rooms of units that have less than adequate separation. This is a result of the convergence points of the residential towers. Impacts are however minimised between buildings via the use of window orientation, blade walls and room placement.** Generally, for much of the development not situated near a corner, building separation, location of windows and private open spaces and the use of privacy screening is satisfactory.
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.

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. Entry foyers are spacious, feature glazing for clear sight lines and will be secured with resident-access locked doors. Equitable access is proposed.
• Provide as direct a physical and visual connection as possible between the street and the entry.	☒	☐	☐	
• 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.	☒	☐	☐	A condition could be required for the provision of suitable mail boxes should consent be given to this application.
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 is in accordance with the Homebush Bay West DCP for residential car parking.
• 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.	☒	☐	☐	

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 238 car parking spaces are provided in this development. Of that, there are 15 parking spaces for visitors and 31 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 natural 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.	☒	☐	☐	

Requirement	Yes	No	N/A	Comment
Design Practice • Utilise the site and its planning to optimise accessibility to the development.	☒	☐	☐	The proposed complex is stepped from the street to reflect the new topography of the site.
• 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.	☒	☐	☐	Vehicular and pedestrian entries are well separated and the proposed street network provides vehicular and pedestrian links through the wider site.
• 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.	☒	☐	☐	All entries are accessible with barrier free access to over 75% of apartments.
• Separate and clearly distinguish between pedestrian access ways and vehicle access ways.	☒	☐	☐	There are 154 units in the development. Of that figure, 31 or 20% are to be designated as "Adaptable units".
• 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.	☒	☐	☐	
Vehicle Access				
Objectives • To integrate adequate car parking and servicing access without compromising street character, landscape or pedestrian amenity and safety.	☒	☐	☐	The proposed development is considered to be consistent with the Vehicle Access objectives. The entry from Marine Parade is suitably located and integrated into the building elevation.
• To encourage the active use of street frontages.	☒	☐	☐	
Design Practice • Ensure that pedestrian safety is maintained by minimising potential pedestrian/vehicle conflicts.	☒	☐	☐	One vehicular access way is provided from Marine Parade.
• 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 (within specific rooms) and loading spaces are contained within the parking levels and not visible from public areas. Garbage to be collected from a loading bay area adjacent to the vehicular entry.
• **Generally limit the width of driveways to a maximum of 6 metres.**	☐	☒	☐	**The driveway is 7.07 metres wide. This is considered appropriate to allow for suitable vehicular access and is therefore considered acceptable in this instance.**
• Locate vehicle entries away from main pedestrian entries and on secondary frontages.	☒	☐	☐	

Requirement	Yes	No	N/A	Comment
Part 03 Building Design				
Apartment Layout				
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.** • **The back of a kitchen should be no more than 8 metres from a window.** • The width of cross-over/cross-through apartments over 15 metres deep should be 4 metres or greater. • 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	☒ ☒ ☒ ☒ ☒ ☒ ☐ ☐ ☒ ☒ ☒	☐ ☐ ☐ ☐ ☐ ☐ ☒ ☒ ☐ ☐ ☐	☐ ☐ ☐ ☐ ☐ ☐ ☐ ☐ ☐ ☐ ☐	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. **The majority of single aspect apartments are approximately 9m or less in depth. This variation is considered to be numerically small. Further, utility/service (toilets, laundires 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.** **28 of the proposed 154 apartments have kitchens located more than 8m from a window, representing 18.2% of the development. Of the 28 non-compliances apartments, the maximum distance to a window is 11.18m. These apartments however, are all dual aspect apartments and consequently achieve high level of ventialion and daylight access. The minor numerical variation is therefore considered acceptable in this instance.**

Requirement	Yes	No	N/A	Comment
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.				All cross-through apartments are a minimum of 4 metres wide. 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. • To maintain equitable access to new housing by cultural and socio-economic groups.	☒ ☒	☐ ☐	☐ ☐	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.
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). • 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. • Locate a mix of 1 and 3 bed apartments on the ground level where accessibility is more easily achieved. • 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.	☒ ☒ ☒ ☒	☐ ☐ ☐ ☐	☐ ☐ ☐ ☐	The development has the following bedroom mix:- 1 bedroom apartments - 30 units (19.5%) 2 bedroom apartments – 91 units (59%) 3 bedroom apartments - 33 units (21.5%) There are 31 adaptable units to be provided in the development.
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. • 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. • Design and detail balconies in response to the local climate and context thereby increasing the	☒ ☒ ☒ ☒	☐ ☐ ☐ ☐	☐ ☐ ☐ ☐	All apartments have at least one balcony. Access is provided directly from living areas and where possible, secondary access is provided from primary bedrooms. Secondary balconies or terraces are provided to a small number of apartments in the complex. Private open spaces are provided in the form of terraces, balconies and courtyards

Requirement	Yes	No	N/A	Comment
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.				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.	☒	☐	☐	Transparent balustrades are proposed through-out to maximise solar access, casual surveillance and to maximise views.
• 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.	☒	☐	☐	
• Provide primary balconies for all apartments with a minimum depth of 2 metres (2 chairs) and 2.4 metres (4 chairs).	☒	☐	☐	Non compliances occur however where non compliances occur, balconies are still capable a limited amount of outdoor furniture.
• Developments which seek to vary from the minimum standards must demonstrate that negative impacts from the context – noise, wind, cannot be satisfactorily ameliorated with design solutions.	☒	☐	☐	
• Require scale plans of balcony with furniture layout to confirm adequate, useable space when an alternate balcony depth is proposed.	☒	☐	☐	
Ceiling Heights				
Objectives • To increase the sense of space in apartments and provide well proportioned rooms. • 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.	☒ ☒ ☒ ☒	☐ ☐ ☐ ☐	☐ ☐ ☐ ☐	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.

Requirement	Yes	No	N/A	Comment
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 above the ground floor have floor to ceiling heights of 2.7 metres. This is considered acceptable for solar access and general residential amenity. 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.
• 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.	☐	☐	☒	
• 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.	☒	☐	☐	The floor to ceiling heights proposed are satisfactory.
• 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;	☒	☐	☐	
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.	☐	☐	☒	
Flexibility				
Objectives				
• To encourage housing designs which meet the broadest range of the occupants' needs as possible.	☒	☐	☐	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.
• 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.	☒	☐	☐	

Requirement	Yes	No	N/A	Comment
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.	☒	☐	☐	Apartment layout provides for basic changes to internal configuration. Accessible and visitable apartments are promoted. There are 154 units in the development. Of that figure, 31 or 20% are to be designated as "Adaptable units". In this regard the proposal is considered to be satisfactory.
• 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.	☒	☐	☐	
Ground Floor Apartments				
Objectives • To contribute to the desired streetscape of an area and to create active safe streets.	☒	☐	☐	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.
• To increase the housing and lifestyle choices available in apartment buildings.	☒	☐	☐	
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 oversized 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				

Requirement	Yes	No	N/A	Comment
Objectives • To create safe and pleasant spaces for the circulation of people and their personal possessions. • 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.	☒ ☒ ☒ ☒	☐ ☐ ☐ ☐	☐ ☐ ☐ ☐	The proposed development is considered to be consistent with the Internal Circulation objectives as spacious access hallways and apartments are provided.
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. • 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. • 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.**	☒ ☒ ☒ ☐	☐ ☐ ☐ ☒	☐ ☐ ☐ ☐	Corridor, foyer and hallway widths are sufficiently lit, articulated and dimensioned to promote safety and movement of residents and their belongings. Multiple access cores are provided to service the different areas of the complex. **There is one (1) instance where greater than 8 apartments occur from a single access corridor. This access occurs on Building 2, Level 2 where 9 apartments occur from 1 corridor. This is considered acceptable given the minor nature of the variation and the high level of compliance otherwise achieved for the development in this regard.**
Mixed Use				

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 development not a mixed-use development.
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.

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. 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.
• 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.	☒	☐	☐	Designated bicycle parking areas are provided in the parking levels.
• Ensure that storage separated from apartments is secure for individual use.	☒	☐	☐	
• 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.	☒	☐	☐	Satisfactory storage areas are provided to satiasfy the DCP requrieemtents as detailed on the submitted palns.

• 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.
	☒	☐	☐	

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.
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, 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.	☒	☐	☐	
• Reduce noise transmission from common corridors or outside the building by providing seals at entry doors.	☐	☐	☒	The Acoustic Report provided with the application, prepared by Acoustic Logic Consultancy Pty Ltd, does not identify the special requirements to maintain acoustic privacy.

Requirement	Yes	No	N/A	Comment
Daylight Access				
Objectives • To ensure that daylight access is provided to all habitable rooms and encouraged in all other areas of residential flat development. • 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.	☒ ☒ ☒	☐ ☐ ☐	☐ ☐ ☐	The proposed development is considered to be generally consistent with the Daylight Access objectives as the orientation of living areas allows for daylight infiltration.
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 receive several hours of direct solar access over a significant portion of this area between March and September as detailed in the submitted shadow diagrams.
• 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 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.	☒	☐	☐	Apartment living areas and certain bedrooms are provided with openings to outdoor space to maximise access to daylight and where possible, north-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 building 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.	☒	☐	☐	Skylights are proposed for the top floor apartments but the light captured does not provide the primary form of light to the units.
• 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.	☐	☐	☒	
• **Living rooms and private open spaces for at**				**The applicant has stated that buildings have been orientated to maximise solar access but**

Requirement	Yes	No	N/A	Comment
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.	☐	☒	☐	**also take advantage of the view amenity. The applicant states that due to the orientation of the block, solar access is limited to approximately 53% of the units having living areas and private open space areas achieving the minimum 2 hours solar access. As discussed earlier, there is a significant portion of units in which a third bedroom could provide a secondary living space and factoring in these units, increases the solar access to 63% for living spaces and balconies.** **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 below), the variation to this clause is considered worthy of support.** There are 13 single aspect south facing units, which is 8.4% for the development.
• Limit the number of single aspect apartments with a southerly aspect (SW-SE) to a maximum of 10% of the total units proposed. • 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 shoud 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.

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 all buildings varies but reaches and in some instances exceeds 23.8m metres in some portions of the development affecting numerous units. This technical variation is considered to be acceptable in this instance as the apartments largely contain stepped facades reducing the effective building depth and promoting suitable ventilation within the building.**
• **60% of residential units should be naturally cross ventilated.**	☐	☒	☐	**Up to 58.4% of apartments in the development have openings in two or more external walls of different orientation which is below the minimum of 60% as required by this Part. This variation is considered to be numerically very minor and consequently acceptable in this instance.**
• 25% of kitchens within a development should have access to natural ventilation.	☒	☐	☐	81.8% of the apartments have kitchens with windows within 8m of an opening and consequently can be considered naturally ventilated.
• 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.

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 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.	☒	☐	☐	
Roof Design				
Objectives • To provide quality roof designs, which contribute to the overall design and performance of residential flat buildings.	☒	☐	☐	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.
• 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.	☒	☐	☐	

Requirement	Yes	No	N/A	Comment
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, 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. Rooftop plant is to be suitably setback to ensure it is not visible from street elevations.
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				
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.	☒ ☒	☐ ☐	☐ ☐	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.

Requirement	Yes	No	N/A	Comment
• To encourage waste minimisation, including source separation, reuse and recycling. • To ensure efficient storage and collection of waste and quality design of facilities.	☒ ☒	☐ ☐	☐ ☐	
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 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.	☐ ☒ ☒ ☒ ☒ ☒ ☒ ☐ ☒	☐ ☐ ☐ ☐ ☐ ☐ ☐ ☐ ☐	☒ ☐ ☐ ☐ ☐ ☐ ☐ ☒ ☐	Suitable waste management facilities are proposed throughout the building and will be managed by an appointed caretaker.
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 stepped facade designs and water views.

State Environmental Planning Policy (BASIX)

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				All details are correctly identified.
Floor construction, eaves, insulation and glazed areas are marked on plans.	☒	☐	☐	
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.	☒	☐	☐	
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.	☒	☐	☐	

Requirement	Yes	No	N/A	Comment
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 constitutes a "Traffic generating development" in accordance with Schedule 3 of the SEPP. Therefore the application was referred to the Roads and Traffic Authority of New South Wales for consideration. See details provided under the "External Referrals" heading of the report.

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
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.

Requirement	Yes	No	N/A	Comment
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.
Clause 12 Planning Objectives <u>Regional Role & Land Use</u> *(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 residential.
(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 site remediation, earthworks, landscaping works and an access driveway.
Clause 12 Planning Objectives <u>Relationship to Surrounding Sites & Areas</u> *(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.

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 site is not situated close to a waterway.
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.
(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.

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 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. Council's Engineering Department has assessed the proposed stormwater drainage system and has found that some matters still require resolution. The outstanding matters can be addressed as conditions attached to any consent that may be issued. 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.
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* *b) The council of the LGA in which it is proposed the development will be carried out* *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* *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.*	☒ ☒ ☐ ☒ ☒	☐ ☐ ☐ ☐ ☐	☐ ☐ ☒ ☐ ☐	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. Auburn City Council has undertaken the assessment of the proposal and refers it to the Joint Regional Planning Panel - Sydney West, for determination. 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. Submissions from public authorities have been considered in the External Referrals Section (above).

Requirement	Yes	No	N/A	Comment
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* *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*	☐ ☐ ☐ ☐	☐ ☐ ☐ ☐	☒ ☒ ☒ ☒	The proposed development does not constitute a temporary development.
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 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*	☐ ☐ ☐ ☐	☐ ☐ ☐ ☐	☒ ☒ ☒ ☒	

Requirement	Yes	No	N/A	Comment
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.
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 flats. 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.

Requirement	Yes	No	N/A	Comment
Clause 22 Development in environmental conservation areas				The development site is not identified as an environmental conservation area and is currently used for a number of industrial purposes.
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	☐	☐	☒	
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				The site is located some 320 metres east of the Millennium Parklands. The proposed development will have no adverse impacts on any 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	☐	☐	☒	
Clause 24 Protection of heritage items and heritage conservation areas				There are no heritage listed sites situated adjacent or adjoining to the site.
(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	☐	☐	☒	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.
(5) What extra documentation is needed?				
A heritage impact statement addresses at least the issues in subclause (6). Consent authority may decline consent until is has considered a conservation management plan if it considers the development proposed should be assessed with regard to such a plan	☐	☐	☒	

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 is not expected to 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.
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. Refer to discussion above.
Clause 26 (Repealed)				

Requirement	Yes	No	N/A	Comment
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.
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 is not expected to 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 and site specific DCPs adopted and the overall planning intentions of the locality.

Requirement	Yes	No	N/A	Comment
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

Auburn Local Environmental Plan 2010

The provisions ALEP 2000 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

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.
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				

Requirement	Yes	No	N/A	Comment
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	☒	☐	☐	The existing water edge promenade is maintained in the proposal.
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	☒	☐	☐	There are no significant trees situated on the site.
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	☒	☐	☐	The development is arranged into three separate buildings that follows the street pattern of the locality.
vi. Acknowledge the visual primacy of the waterfront by stepping building heights down from Hill Road to the water	☒	☐	☐	The building steps down from seven storeys to four storeys at the waters edge.
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	☒	☐	☐	
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	☐	☒	☐	**Stromboli Strait terminates in a foreshore urban plaza however no retail uses are proposed. This is primarily due to the completed Bellagio foreshore plaza providing retail space however it is underutilised. 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	☒	☐	☐	

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				This part is generally more specific to the construction of roads and associated infrastructure.
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	☐	☐	☒	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.
ii. Strengthen Hill Road as the major connector between the water and Sydney Olympic Park and an urban edge to the parkland areas	☐	☐	☒	The site is not situated on Hill Road.
iii. Design a street hierarchy that clearly distinguishes between the role and scale of major and secondary streets, to orient people within the precinct	☐	☐	☒	
iv. Design the major east-west boulevards as 'green fingers' to help break down the scale of the precinct	☐	☐	☒	Extensive landscaping is proposed along the street frontages that will help to break the mass and scale of the development.
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	☐	☐	☒	
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	☐	☐	☒	

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.
ii. Protect and enhance the amenity of foreshore access by linking the foreshore promenade to streets, urban plazas and pocket parks	☒	☐	☐	
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	☒	☐	☐	Foreshore promenade contributes to existing cycleways.
iv. Contribute to the regional pattern of point parks on the harbour and river foreshores by retaining Wentworth Park as public open space	☐	☐	☒	
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 park is earmarked on land situated to the north of Nuvolari Place and also in the Bennelong Road master plan site. The development will not adversely impact on the future parks.
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	☒	☐	☐	Proposal will maintain provision of "green fingers" to the waterfront
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	☒	☐	☐	Streetscapes consistent with existing and are considered to be of high quality.

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	☐	☐	☒	The "Piazza" commercial area already exists
iii. Create a neighbourhood node including commercial, retail and community uses in the southern part of the precinct	☐	☐	☒	Street pattern already in existence. No change proposed.
iv. Design streets to accommodate a future bus route through the centre of the precinct	☐	☐	☒	The proposal in itself will not create vehicular /pedestrian conflicts
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	☐	☐	☒	
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	☒	☐	☐	The provision of commercial/retail is not impaired around identified plaza areas in which the site of this development is not one.
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. Is intended for a location further to the north, not at this site.
	☐	☐	☒	

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	☒	☐	☐	Landscaping on site is supported by Council's Landscape Technical Officer as previously stated.
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.
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	☒	☐	☐	

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 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.
ii. Optimise sun access to streets and to public open spaces by minimizing building bulk, ensuring adequate building separation and orienting built form appropriately	☒	☐	☐	The development is broken into three separate buildings which reduces building bulk and massing to the street frontages.
iii. Encourage high quality landscape design of public spaces, of the interface between public spaces and private development and within new development	☒	☐	☐	The landscaping has been assessed as being satisfactory subject to conditions as previously described.
iv. Encourage high quality architectural design of all new development	☒	☐	☐	Foreshore public space considered to be of high amenity. Promenade space will be extended all down peninsular.
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 of 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	☒	☐	☐	

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 ii. Optimise the number of apartments, their living spaces and private outdoor spaces which benefit from sun access 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 iv. Integrate planting in internal courtyard areas with podium structures to optimize opportunities for large trees for shade, outlook and privacy v. Promote privacy from the street, particularly for ground floor apartments, by providing landscaped garden spaces within the setback zone	☒ ☒ ☒ ☒ ☒	☐ ☐ ☐ ☐ ☐	☐ ☐ ☐ ☐ ☐	A variety of units offered within the development. Privacy maintained by use of screens, privacy, setbacks, planters etc 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 53% 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 availability of water views. The common open space will be internal to the development and is easily accessible from all three buildings. 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.
2.4.1 Land Uses	☒	☐	☐	Residential Building proposed. Proposal is consistent with Diagram.
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. See table at the end of the report.***
2.4.4 Building Height and Massing	☐	☒	☐	**The building height is an issue that requires discussion. This includes the issue with the pop up units and interpretation of overall height.** **The issue of heights is discussed later in the report.**
2.4.5 Precinct Structure	☒	☐	☐	The proposal is generally in accordance with the "indicative" building layouts.
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 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	☒ ☒	☐ ☐	☐ ☐	

Requirement		Yes	No	N/A	Comment
	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	☒	☐	☐	Existing foreshore promenade maintained. Alternative path possible up Marine Parade.
v.	Provide a clear alternative route for those times when continuous foreshore access is interrupted	☒	☐	☐	Pedestrian bridge proposed in an alternative location.
vi.	Locate a pedestrian / cycle bridge linking Homebush Bay West and Rhodes peninsula as indicated on the plan	☐	☐	☒	
vii.	Locate pedestrian crossings to support pedestrian movement between destinations	☐	☐	☒	There are four pedestrian entries in the development. One is located on Marine Parade, two on Stromboli Strait. The fourth pedestrian entry point is from the waterfront on the eastern side of the building.
viii.	Consider pedestrian movement when designing major building entries and through-block link.	☒	☐	☐	
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.
xii.	Provide clear and direct pedestrian routes by designing them with good lines of sight to minimise concealment	☒	☐	☐	Pedestrian spaces generally enjoy good passive surveillance.
xiii.	Design appropriate lighting for publicly accessible areas for their level of night-time use	☒	☐	☐	
xiv.	Provide kerb ramps at all intersections in accordance with the Public Domain Manual	☒	☐	☐	No new intersection proposed.
		☐	☐	☒	

Requirement	Yes	No	N/A	Comment
3.1.2 Cycle Network				
i. Provide a cycle network through the streets	☐	☐	☒	
ii. Provide dedicated cycle lanes along Hill Road in both directions.	☐	☐	☒	Secure resident bicycle parking facilities is provided at ground level along the eastern side of the car park (Ground level parking area).
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	☐	☐	☒	
ix. Design cycle paths and parking to minimum Austroads design standards	☒	☐	☐	
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 the design of subdivisions and associated infrastructure works which is not proposed in this application.
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)	☐	☐	☒	

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	☒	☐	☐	Public car parking is constructed on the streets surrounding the development.
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. Views possible from the terminus spaces and waterfront promenade.
ii. Design activity nodes and recreational areas to consider views from the water and opposite shores	☒	☐	☐	
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 but the DCP makes no specific spatial location for the location of the significant park however the promenade and urben plaza are still provided. The location of the new park is discussed later in the report under the submissions section.
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	☒	☐	☐	

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 landscape plans should be incorporated into any consent that may be issued. Landscaping generally considered to be acceptable and compatible with existing landscaped spaces within the locality. Any minor discrepancies can be overcome via conditions of consent.
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	☒	☐	☐	
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	☒	☐	☐	The original landscape plans showed a footpath to be constructed on the southern perimeter of the site to merge with the existing public domain foot path. Following concerns raised in public submissions to the proposal all modifications to the public domain (i.e. outside of the development site) have been removed to negate the requirement to have to obtain body corporate consent over the adjoining southern allotment. Generally, public domain works are not included in this application but it is noted that some changes to the approved works will be occurring such as modification to landscaping along Marine Parade to permit the construction of a vehicle access way into
ii. Provide a hierarchy of pavement surfaces reflecting the pedestrian significance of different public spaces	☒	☐	☐	
Vehicular pavement iii. Provide a safe and hard wearing surface for vehicle movements	☒	☐	☐	
iv. For shared vehicle / pedestrian zones, provide a suitable surface that				

Requirement	Yes	No	N/A	Comment
denotes shared priority	☒	☐	☐	and out of the development and permit the construction of a garbage truck loading zone.
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	☒	☐	☐	Landscape works and footpath works will be undertaken within the development. The materials proposed to be used are appropriate for the development.
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	☒	☐	☐	Feature walls, shallow water devices and shade structures are to be incorporated into the development.
Lighting				
viii. Provide vehicular street lighting to RTA and Austroads standards as specified in the Public Domain Manual	☐	☐	☒	Public lighting to be provided consistent with existing precinct.
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				Appropriate use levels and landscaping used for public private interface.
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				General signage network will be provided. No individual signage proposed for this particular building.
xvi. Locate information signage in accordance with the Parklands Elements Manual to include orientation, circulation, destination, 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				

Requirement	Yes	No	N/A	Comment
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	☒	☐	☐	
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	☒	☐	☐	Generally, stormwater drainage and storm water management is satisfactory or can be made satisfactory. There are suitable conditions provided for stormwater drainage to be attached to any consent that may be issued.
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	☒	☐	☐	
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				

Requirement	Yes	No	N/A	Comment
3.2.1 Hill Road ▪ Uses – Mixed: focus commercial uses close to northern neighbourhood centre and at intersections with major east-west streets ▪ 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	☐ ☐ ☐ ☐ ☐ ☐ ☐	☐ ☐ ☐ ☐ ☐ ☐ ☐	☒ ☒ ☒ ☒ ☒ ☒ ☒	The site is not situated on Hill Road.
3.2.2 Major East-West Streets ▪ **Uses – Mixed: ground floor commercial required in designated neighbourhood centres** ▪ **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** ▪ Street Setbacks – 5 metres ▪ Right of Way – min. 25 metres ▪ 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	☐ ☒ ☒ ☐ ☐ ☐ ☒	☒ ☐ ☐ ☐ ☐ ☐ ☐	☐ ☐ ☐ ☒ ☒ ☒ ☐	**Under the Diagram provided on page 39 of the HBWDCP Stromboli Straight would be construed as a secondary East West Street. An addendum added to the description for Section 3.2.5 however notes the following:** ***"The diagram represents Stromboli Strait in the southern part of the precinct as a secondary street in response to the existing built form scale. Stromboli Straight is a 25 m wide street and may be treated as a major east west street (See 3.2.2 for built form controls for major east west streets)."*** **Accordingly, the applicant has nominated to apply these controls over those stipulated under 3.2.5. The concession granted by the DCP to consider Stromboli Strait as Major East West Street allows for the overall height of 6 storeys plus 2 storeys of pop ups (Total of 8 storeys) to be achieved. In terms of the additional storeys provided by the pop up sections, the amended proposal allows for 8.1% of the total gross floor area of the building which is generally in accordance with the control, representing a minor (0.1%) and supportable variation to Development control *3.4.2 vii Built Form* of the HBWDCP.** **In relation to the streetscape impact, along the eastern side of Marine Parade there are already two other buildings in existence which have 8 storeys. These being Valencia to the south and Bellagio to the north at the intersection of Bayswater Drive. Both Bellagio and Valencia developments were approved by the Department of Planning prior to handing over of control of development approval to Council (See Background section of the report). The elevation of Bellagio fronting Marine Parade varies between 7-8 storeys. Valencia is 6-8 Storeys. It is therefore considered that the proposed St Tropez building is consistent with the established streetscape and is considered acceptable in**

Requirement	Yes	No	N/A	Comment
				this regard.
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 the development. Development is not located in vicinity of the Major North-South Street – North of Burroway Road. These provisions will not apply to the development.
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 the development. Development is not located in vicinity of the Major North-South Street – South of Burroway Road. These provisions will not apply to the development.
3.2.5 Secondary East-West 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 ▪ 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	☐ ☐ ☐ ☐ ☐ ☐ ☐	☐ ☐ ☐ ☐ ☐ ☐ ☐	☒ ☒ ☒ ☒ ☒ ☒ ☒	Stromboli Straight is technically identified on the Map as a secondary east west street. Please note however the addendum note featured under 3.2.2 which allows the provisions of a Major East West street to be considered. Accordingly, the proposal will be assessed according to the provisions stipulated under Section 3.2.2

Requirement	Yes	No	N/A	Comment
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	☒ ☐ ☒ ☐ ☐ ☐ ☐ ☐	☐ ☒ ☐ ☐ ☐ ☐ ☐ ☐	☐ ☐ ☐ ☒ ☒ ☒ ☒ ☒	**Marine Parade is a secondary North South Street. The controls applied in this instance as being relevant to the development are height and setbacks. The street layout already exists and will not be reconsidered in this application.** **A maximum height of 4 storeys, plus two "pop up" levels, is permitted along Marine Parade.** **Eight storeys is proposed for building 1. A contextual analysis submitted by the applicant confirms that the waterfront adjoining buildings are 7 storeys to the north (Bellagio) and 8 storeys (Lipari/Valencia) to the south. The proposed three towers also maximise view availability and reduce the massing of the building at the waterfront creating an appropriate scale in the location. The development is considered to be acceptable in this regard.**
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, but are only applicable in relation to the height and waterfront setback controls. The development is 4 storeys at its waterfront elevation. A fifth storey is provided on building 3 however this is setback from the fourth storey to minimise visual intrusion. The waterfront setback is considered compliant in that the 30 metre setback is applied to the northern component of the development however 20 metres is applied further south on the component of the development adjacent to Stromboli Strait (see below). No street carriageway is provided however the waters edge footpath and promenade exist and will be improved by new landscaping to front of the building.

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	☐ ☐ ☐ ☐ ☐ ☐ ☐ ☐ ☐	☐ ☐ ☐ ☐ ☐ ☐ ☐ ☐ ☐	☒ ☒ ☒ ☒ ☒ ☒ ☒ ☒ ☒	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 ▪ 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 site is not identified as dedicated park area, open space or similar. The development will provide an appropriate setback and ladnsaping to the waterfront as required by the DCP. Public access via Stomboli Srait to waterfront is also retained.

Requirement	Yes	No	N/A	Comment
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	☐ ☒ ☒ ☐	☐ ☐ ☐ ☐	☒ ☐ ☐ ☒	A mixed use development has not been proposed in this instance. Given the existing commercial space provided within Precinct F at the Piazza already satisfies the DCP requirements for commercial/retail space for the Precinct, further commercial space is not identified as being a requirement in this instance.
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 ▪ 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 20-30 metres setback to the waterfront is provided in accordance with the DCP. The development proposes extensive landscape treatment to the waterfront and is considered appropriate for the site.
3.3.3 Foreshore Plaza, Linear Park and Loop Road ▪ Waterfront Setbacks – refer to diagram at p46 ▪ 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	☐ ☐	☐ ☐	☒ ☒	The linear loop road option was not taken up by the developer in this instance, in favour of the pedestrian boardwalk.

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 ▪ 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	☐ ☐ ☐ ☐ ☐ ☐ ☐ ☐ ☒	☐ ☐ ☐ ☐ ☐ ☐ ☐ ☐ ☐	☒ ☒ ☒ ☒ ☒ ☒ ☒ ☐ ☒	Public open space is required to be provided within the area by the developer. The amount required per Precinct area is specified under Section 3.4.1. of the DCP (detailed later). The subject site is identified as a development lot and is not proposed to be public park under the DCP.
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 ▪ 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	☒ ☒ ☒ ☒ ☒	☐ ☐ ☐ ☐ ☐	☐ ☐ ☐ ☐ ☐	The proposal in itself will not jeopardise the completion of these objectives. Despite the non compliance with regard to building height along Marine Parade the development height and density is not considered to be out of context with its surrounding buildings.

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:	☒	☐	☐	
Precinct A (203,482m^2)	☐	☐	☒	The subject site is located in Precinct F.
Precinct B (109,730m^2)	☐	☐	☒	
Precinct C (31,946m^2)	☐	☐	☒	
Precinct D (62,375m^2)	☐	☐	☒	
Precinct E (50,753m^2)				
Precinct F (182,186m^2)	☒	☐	☐	The total enclosed floor space of the precinct has not been reached yet.
• Total allowable FSR = 236,842	☒	☐	☐	
• Min. com./maritime/educational = 2,000	☒	☐	☐	The subject application proposes a total residential floor space of 13,941 sqm.
• Min. waterfront retail/café dining = 200	☒	☐	☐	
• Max. residential = 234,642	☒	☐	☐	
• Min. public open space = 18,219	☒	☐	☐	The submitted Statement of Environmental Effects states that a total residential floor space of 221,823 m^2 will be achieved inclusive of the current proposal. This is below the maximum permitted under the DCP.
ii. The provision of covenanted space for community uses with neighbourhood centres may be offset against residential floor space	☐	☐	☒	Note:- Two diagrams in the DCP can be referred to in relation to the suggested "indicative location" for a park wihtin Precient F; Section 2.4.3 *Open Space Network* and 2.4.5 *Precinct Structure*. It is noted that a park has been proposed within the Bennelong Road Master plan application being assessed by the Department of Planning. The provision of a park within this area is in accordance with the DCP requirements.
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	☒	☐	☐	
▪ 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**	☐	☒	☐	**The proposed development will marginally exceed the height of the Millennium Marker.**
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 ground level	☒	☐	☐	
ii. The maximum overall height for any building, inclusive of lift	☐	☒	☐	**The height of the tallest buildings in the development reaches to RL 31.48 at the**

Requirement		Yes	No	N/A	Comment
	overruns, services, or any other roof extrusions, is AHD 29; that is, the height of the Millennium Marker				**roof level of the plant rooms. This is limited to plant rooms on the roof of Buildings 1 and 2. The variation is limited in nature to a small component of the development which is not expected to adversely impact on the area. The parapet of the building is proposed to be RL 29.28. The variation may be supported given the minor nature of the non-complaince.**
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 projects further than 1.2 metres above footpath level. This is a result of a high water table wihtin the locality, preventing significant excavation. The design is considered to be site responsive and acceptable in this regard.**
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**	☐	☒	☐	**Marine Parade is a secondary North South Street. A maximum height of 4 storeys, plus two "pop up" levels, is permitted along Marine Parade. Eight storeys is proposed for building 1 froting Marine Parade. A contextual analysis submitted by the applicant confirms that the waterfront adjoining buildings are 7 storeys to the north (Bellagio) and 8 storeys (Lipari/Valencia) to the south. The proposed three towers also maximise view availability and reduce the massing of the building at the waterfront creating an appropriate scale in the location. The development is considered to be acceptable in this regard.** Stromboli Strait is considered to be a major East West Street for the purposes of assessment (Refer to Clause 3.2.2 above). A maximum of 8 storeys is permitted (comprising 6 storeys plus 2 "pop up" levels) and 8 storeys has been proposed for the development. 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.
v.	Building heights are to achieve built 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	☐	☐	☒	
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**	☐	☒	☐	**Building 1 (Marine Parade) - 6 + 2 (control is 4 + 2) storey pop ups 1208 m^2 or 6.90%**

Requirement	Yes	No	N/A	Comment
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** ▪ **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**				**Building 2 Stromboli Strait - 6 + 2 storey pop ups 1733 m^2 or 9.80%** **Building 3 Waters edge claim 4 + 1 storey pop ups 673 m^2 or 3.99%** **The variations are considered acceptable in this instance given the context of the locality with regard to the building height in that the overall building will not be out of character with the adjoining northern and southern buildings.**
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 ▪ 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 ▪ To create a 'ridge road' in keeping with the Harbour context	☒ ☒ ☒ ☒	☐ ☐ ☐ ☐	☐ ☐ ☐ ☐	The landscape design for the development aims to reduce the visual impact of the sub basement car park by introducing stepped landscaped private areas to the front of each ground floor unit. Not adjacent to a different landowner. Road network already constructed.
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 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** 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	☒ ☐ ☐ ☒ ☐	☐ ☐ ☒ ☐ ☐	☐ ☒ ☐ ☐ ☒	Any perceived impacts have been minimised at the building edge boundary via use of planter boxes and beds. **Building stepping and landscaping has been utilised to minimise basement exposure.** Existing surrounding levels will not be altered rather building will be stepped to merge with existing ground topography.
3.4.4 Building Depth Objectives ▪ To enable view sharing from apartments and views of the sky from the public domain ▪ To optimise residential amenity in terms of natural ventilation and daylight access to internal spaces ▪ To provide for dual aspect apartments	☒ ☒ ☒	☐ ☐ ☐	☐ ☐ ☐	**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 nigh amenity views achieved for the apartments.**

Requirement	Yes	No	N/A	Comment
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 all buildings varies but reaches and in some instances exceeds 23.8m metres in some portions of the development affecting numerous units.**
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	☒	☐	☐	55% of apartments in the development have openings in two or more external walls of different orientation.
iii. Optimise the environmental amenity for single aspect apartments by orienting them predominantly north, east or west	☒	☐	☐	Only 8.4% 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	☒	☐	☐	
▪ 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	☒	☐	☐	An internal common courtyard is proposed that has adequate proportions and dimensions for passive and active uses for residents.
▪ To provide open space areas within blocks for landscaping, including tree planting, where site conditions allow	☒	☐	☐	
3.4.5 Building Separation Performance Criteria ***For Between Proposed St Tropez Building and adjoining Bellagio*** i. For buildings up to 4 storeys, provide: ▪ 12m between habitable rooms / balcony edges	☐	☐	☒	
▪ 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**	☐	☒	☐	**A reduced separation distance is porposed to the Bellagio building (to the north) being a minimum of 7.2 metres. This is considered acceptable as an in-fill development response and approrpaite privacy treatment has been incorporated within the design.**
▪ **13m between habitable rooms / balcony edges and non-habitable rooms**	☐	☒	☐	
▪ 9m between non-habitable rooms	☒	☐	☐	
For internal courtyard separation distances within the development. **iii. For buildings up to 4 storeys, provide:** ▪ **12m between habitable rooms / balcony edges**	☒	☐	☐	Some technical non-complainces are identified at the convergence points of the 3 building being proposed.
▪ **9m between habitable rooms /**	☐	☒	☐	Privacy between units is good due to the

Requirement	Yes	No	N/A	Comment
balcony edges and non-habitable rooms ▪ **6m between non-habitable rooms**	☒	☐	☐	presence of privacy screens where required and placement of windows in suitable locations. Privacy is assessed as satisfactory.
iv. 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**	☐ ☐ ☐	☒ ☒ ☐	☐ ☐ ☒	Adequate separation is provided between the building elements which are aligned to the streets that surround the site. A large internal courtyard is to be provided that generally provides appropriate setbacks between the three building towers. .
v. 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	☐	☐	☒	
vi. Where an upper level setback creates a terrace, apply the building separation control for the storey below.	☒	☐	☐	
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	☒	☐	☐	

Requirement	Yes	No	N/A	Comment
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	☒	☐	☐	A street setback of 5 metres is provided to Stromboli Strait. A street setback of 3 metres is provided to Marine Parade.
▪ This excludes the top two floors, which may be set back from the build-to line	☒	☐	☐	A waterfront setback of 20m (a the urban plaza) and 30m to the wters edge is provided.
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 3 metres is provided at ground level on the Marine Parade.
v. Create a residential character for buildings on secondary streets by providing a minimum 3 metre setback	☒	☐	☐	This has been provided
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	☒	☐	☐	
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	☐	☒	☐	**Whilst the upper level setbacks are limited on Buildings 1 and 2, the coompatibility of the proposed built form with the adjacent existing buildings is considered satisfactory. The variation to this clause is therefore supported in this instance.**
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.	☒	☐	☐	<u>Street Encroachments</u>: There are some design elements that encroach into 3 the 5 metre setbacks by 600 mm.
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	☒	☐	☐	
	☒	☐	☐	

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 buildings facing Marine Parade and Stromboli Strait are setback 3 metres and 5 metres respectively from the adjacent streets.
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 not provided to all ground level units. 4 well defined lobbiwes are proposed to access these units. This is considered to be an appropriate design response in this instance and disabled access is able to be provided and entry points to the building are well defined.**
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	☒	☐	☐	
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	☒	☐	☐	
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	☒	☐	☐	15.5% provided principally via waterfront setback with some additional space located at the south eastern corner of the site.
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	☒	☐	☐	Principle area directly adjoins that provided for Bellagio development.
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	☒	☐	☐	

Requirement	Yes	No	N/A	Comment
4.1.2 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 to the public domain	☒ ☒ ☒ ☒	☐ ☐ ☐ ☐	☐ ☐ ☐ ☐	Development achieves this via the use of level changes, planter box buffers. Development is considered acceptable in this regard.
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 ▪ limiting the length and height of retaining walls along street frontages 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 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 iv. Select durable materials, which are easily cleaned and are graffiti resistant	☒ ☒ ☒ ☒ ☒ ☒	☐ ☐ ☐ ☐ ☐ ☐	☐ ☐ ☐ ☐ ☐ ☐	The fence elements facing the street are to include solid elements such as planter boxes. The fence elements have a satisfactory appearance. The landscape strategy is to minimise planter box and masonry walls by berming and tiering the planting. High walls are minimised. Fences are integrated into the landscape design. Planter boxes are the commonly utilised approach. At the waterfront elevation where the car park protrudes more than 1.2 metres, it has been well camouflaged by planter boxes. Materials are considered to be of high quality.
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 ▪ 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 ▪ provides accessible routes through the space and between buildings ▪ screens cars, communal drying	☒ ☒	☐ ☐	☐ ☐	These features have been provided.

Requirement	Yes	No	N/A	Comment
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	☒ ☒	☐ ☐	☐ ☐	Water feature provided within development accessible to all tenants of the building.
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 ▪ 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	☒ ☒ ☒	☐ ☐ ☐	☐ ☐ ☐	The development is generally considered to be satisfactory in this regard. It should also be noted that part of the strata levies for the site go towards the employment of landscaping specialists who maintain the general area. This is an existing arrangement which will be continued by the developer.
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 ▪ 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				

Requirement	Yes	No	N/A	Comment
above paving slabs to enable growth of mature trees vii. Minimise maintenance by using robust landscape elements 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 courtyard space is made attractive via provision of a water feature 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 33%. Largely from internal courtyard and waterfront setback.
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	☒	☐	☐	A common area is provided internal to the development that has adequate dimensions and size to permit passive and active recreation for the residents of the complex.
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	☒ ☒ ☒ ☒ ☒	☐ ☐ ☐ ☐ ☐	☐ ☐ ☐ ☐ ☐	The common open space is two consolidated areas within the site. Both have adequate landscape features, open space facilities to permit its use.
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)	☐	☒	☐	**The majority of "Level" 1" apartments exceed the required 25 square metres. Four (4) examples of non compliance exist principally around the level 2 internal courtyard area. All the spaces provided can accommodate table and chairs for outdoor private amenity.**
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 tenancies 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:				

Requirement	Yes	No	N/A	Comment
▪ 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 v. Provide environmental benefits including habitat for native fauna, native vegetation and mature trees, a pleasant microclimate, rainwater percolation and outdoor drying area	☒ ☒ ☒ ☒ ☒	☐ ☐ ☐ ☐ ☐	☐ ☐ ☐ ☐ ☐	The development incorporates all these features.
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 ▪ To encourage the establishment and healthy growth of trees in urban areas	☒ ☒	☐ ☐	☐ ☐	Internal courtyard is suitably landscaped
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 ▪ providing appropriate soil conditions and irrigation methods ▪ 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: ▪ 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	☒ ☒ ☒ ☒ ☒ ☒ ☒ ☒ ☒ ☒	☐ ☐ ☐ ☐ ☐ ☐ ☐ ☐ ☐ ☐	☐ ☐ ☐ ☐ ☐ ☐ ☐ ☐ ☐ ☐	Generally the provision of landscaping within planted areas is considered to be appropriate. The developer has previously demonstrated their compliance with these provisions.

Requirement	Yes	No	N/A	Comment
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 ▪ To preserve existing topographic and natural features, including watercourses and wetlands ▪ To minimise the discharge of sediment and other pollutants to the urban stormwater drainage system during construction activity	☒ ☐ ☒	☐ ☐ ☐	☐ ☒ ☐	No significant topographical features required to be retained. Appropriate sediment control measures proposed.

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	☒	☐	☐	
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 ▪ 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	☒ ☒ ☒ ☒	☐ ☐ ☐ ☐	☐ ☐ ☐ ☐	A Pedestrian Wind Statement prepared by Windtech dated August 11 2010 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 include: ▪ Impermeable balustrades around the full perimeter of the central courtyard Retention of full height impermeable privacy screens/ bladewalls. The development will satisfy these requirements.

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	☒	☐	☐	A Pedestrian Wind Statement prepared by Windtech dated August 11 2010 has been submitted with the development application. The development takes into account the findings of the wind study provided.
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	☐	☐	☒	
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	☒	☐	☐	As stated above 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.
▪ To take into account issues relevant to the whole Homebush Bay area, including the disturbance of aquatic sediments	☒	☐	☐	
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 above 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. The Stage II Detailed Site Investigation Report prepared by Consulting Earth Scientists notes at Section 9.3.5 that an acid sulphate soil management plan should be prepared in accordance with nominated guidelines for any work involving the excavation of soil beneath the water table or that will result in the water table being lowered.
iii. Provide documentation of the process used to ensure fill is clean and contamination free	☐	☐	☒	
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	☒	☐	☐	

Requirement	Yes	No	N/A	Comment
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. In addition, the Commonwealth TGA reviewed the Radhaz Report and advised the therapeutical medical goods such as heart pacemakers would be unaffected by exposure to electro - magnetic emissions from AM radio transmissions.
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	☒ ☒	☐ ☐	☐ ☐	This will be satisfactory based on the evidence 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	☒ ☒ ☒ ☒ ☒	☐ ☐ ☐ ☐ ☐	☐ ☐ ☐ ☐ ☐	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. 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 expressed within the presentation

Requirement	Yes	No	N/A	Comment
▪ providing direct and well-lit access between car parks and dwellings, between car parks and lift lobbies and to all unit entrances	☒	☐	☐	of the building. The design allows space for individual ground floor dwellings to be clearly numbered and identified from the street.
iv. Improve the opportunities for casual surveillance by:				Each building entry will include signage to state unit numbers accessed from that entry.
▪ orienting living areas with views over public or communal open spaces, where possible	☒	☐	☐	A security system will be used to control access into and within the buildings and car parking areas.
▪ using bay windows and balconies, which protrude beyond the building line and enable a wider angle of vision to the street	☒	☐	☐	Suitable fencing treatment will demarcate the public and private spaces.
▪ using corner windows, which provide oblique views of the street	☒	☐	☐	<u>Territorial reinforcement</u>:
▪ avoiding high walls around and parking structures which obstruct views	☒	☐	☐	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 casual views of common internal areas, such as lobbies and foyers, hallways, recreation areas and car parks	☒	☐	☐	<u>Car park</u>:
v. Minimise opportunities for concealment by:				The car park area is largely open with minimal blind spots and dark areas or corners. Given the proximity of a lift in the area, it is concluded that the area will not become totally isolated from the rest of the car park.
▪ avoiding blind or dark alcoves near lifts and stairwells, at the entrance and within indoor carparks, 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	☒	☐	☐	
vi. 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	☒	☐	☐	There are lifts linking the car park levels to the residential units above.
▪ 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	☒	☐	☐	
4.2.2 Visual Privacy Objectives ▪ To provide reasonable levels of visual privacy externally and internally, during the day and at night	☒	☐	☐	
▪ To maximise outlook and views to the public domain from principal rooms and private open spaces without compromising visual privacy	☒	☐	☐	

Requirement	Yes	No	N/A	Comment
4.2.2 Visual Privacy Performance Criteria 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 state under the building separation controls, the architect has utilised excellent 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. This is achieved by level changes and landscaping. This is achieved by level changes and landscaping.
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	☒ ☒ ☒	☐ ☐ ☐	☐ ☐ ☐	
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 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—main	☒ ☒	☐ ☐	☐ ☐	All the entries are directly approached and visible from the street or the internal courtyard space. All entries are accessible. Mailboxes are located at each major building entry adjacent to the footpath. <u>Disability access</u>: An Access Review Report prepared by

Requirement	Yes	No	N/A	Comment
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	☒	☐	☐	Morris Goding Accessibility Consultant has been prepared. The development has been reviewed to ensure that ingress and egress, path of travel, circulation areas and toilets comply with the relevant guidelines.
ii. Provide as direct a physical and visual connection as possible between the street and the entry	☒	☐	☐	
iii. Achieve clear lines of transition between the public street, the shared private, circulation spaces and the apartment unit	☒	☐	☐	The development has accessible paths of travel that are continuous throughout. Appropriate access is achieved where required.
iv. Ensure equal access for all	☒	☐	☐	
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	☒	☐	☐	The report contains various detailed recommendations which are considered to be minor in nature. The recommendations relate to the fine turning of certain design aspects of the project. This can be addressed via an appropriate condition attached to any consent that may be issued.
vi. Generally provide separate entries from the street for: ▪ pedestrians and cars	☒	☐	☐	<u>Vehicle entrances</u>:
▪ different uses, for example, for residential and commercial users in a mixed-use development	☒	☐	☐	The vehicle entrance is separate from the pedestrian entrances. The vehicle entrance is situated along Marine Parade. There is only one vehicle entrance point to the complex.
▪ 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.	☒	☐	☐	
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	☒	☐	☐	Apart from the main entryway, parking is not readily evident within the built form of 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	☒	☐	☐	Visitor parking provided at an acceptable rate.
	☐	☐	☒	Visitor parking provided at an acceptable rate.

Requirement	Yes	No	N/A	Comment
accommodate car parking				
ii. Limit the number of visitor parking spaces, particularly in small developments where the impact on landscape and open space is significant	☒	☐	☐	The parking cannot be completely undergrounded due to the constraint of proximity to the water table (which is very close to the surface due to the proximity of the harbour). It should be noted that the parking component of the basement has been well camouflaged in this instance.
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	☐	☒	☐	Basement protrudes greater than 1.2 metres at the Homebush Bay elevation. This is unavoidable due to the proximity to the waters table. The above ground component is however well concealed via planters and unit treatment. The basement protrusion is considered acceptable in this instance.
iv. A basement podium does not protrude more than 1.2 metres above ground level	☐	☐	☒	
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 commercial along street edges with parking behind	☒	☐	☐	Bicycle parking is provided at various points around the two basement levels.
vi. Provide bicycle parking which is easily accessible from ground level and from apartments. Provide a combination of secured and chained bicycle storage	☒	☐	☐	1 bedroom - 30 units (x 1 space) = 30 2 bedroom - 91 units (x 1.5 spaces) = 136.5 3 bedroom - 33 units (x 2 sapces) = 66 Visitor spaces – 154 Units (x0.2 spaces) = 30.8
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	☐	☐	☒	Minimum of 154 spaces and maximum of 263.3 spaces permitted. The plans submitted with the application indicate a total of 238 car spaces for the development and this is considered

Requirement	Yes	No	N/A	Comment
their approval				satisfactory.
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				No retail/commercial proposed.
▪ patrons: gross floor area under 100m2 - managed on-street parking; gross floor area over 100m2 - 1 space per 40m^2	☐	☐	☒	
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 73 bike bays are required. The applicant has provided 73 spaces.
xii. Provide motorbike parking at the rate of 1 space per 25 car parking spaces	☒	☐	☐	
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 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	☒	☐	☐	The development is generally considered to be well connected to the street.
▪ 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	☒	☐	☐	At grade street wheelchair access is available from Marine Parade and the development is well serviced by lifts.

Requirement	Yes	No	N/A	Comment
4.3.3 Pedestrian Access Performance Criteria i. Utilise the site and its planning to optimise accessibility to the development	☒	☐	☐	The vehicle access way is separate from the pedestrian access points.
ii. Separate and clearly distinguish between pedestrian accessways and vehicle accessways	☒	☐	☐	Through access is possible via front main entrance through the podium courtyard
iii. Consider the provision of public through-site pedestrian accessways in large development sites	☒	☐	☐	Complies.
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	☒	☐	☐	
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	☒	☐	☐	All entries are accessible with barrier free access to over 75% of apartments.
vii. Provide barrier free access to at least 20 percent of dwellings in the development	☒	☐	☐	There are 154 units in the development. Of that figure, 31 are to be designated as "Adaptable units". This is 20%.
viii. Demonstrate that adaptable apartments can be converted	☒	☐	☐	
4.3.4 Vehicle Access Objectives ▪ To integrate adequate car parking and servicing access without compromising street character, landscape or pedestrian amenity and safety	☒	☐	☐	Vehicle access is proposed from Marine Parade which ensures that pedestrian safety is maintained by minimising potential pedestrian vehicle conflict. Adequate separation distances between vehicular entries, pedestrian zone and street intersections is achieved.
▪ To encourage the active use of street frontages	☒	☐	☐	

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	☒	☐	☐	The site is not situated on Hill Road. Vehicular access is not situated from a major east to west street.
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	☒	☐	☐	
iii. Ensure adequate separation distances between vehicular entries and street intersections	☒	☐	☐	
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	☒	☐	☐	The garbage loading area is adequately recessed. A garbage truck loading zone is proposed adjacent to the garbage loading area on Marine Parade.
▪ 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	☒	☐	☐	
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	☒	☐	☐	
4.4.1 Apartment Layout Performance Criteria				
i. Provide apartments with the following amenity standards as a minimum:	☐	☒	☐	**Refer to SEPP 65 and the Residential Flat Design Code above. The apartments are considered accpetble in this regard.**
▪ single-aspect apartments are limited in depth to 8 metres	☐	☒	☐	
▪ the back of a kitchen is no more than 8 metres from a				

Requirement	Yes	No	N/A	Comment
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	☒	☐	☐	The minimum width of the relevant units is 4 metres wide.
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	☒	☐	☐	Various sizes and shapes are provided and a different furniture layout for the various units can be achieved.
▪ 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	☒	☐	☐	Some apartments are provided with kitchenettes while others have full kitchens.
iii. Design apartment layouts which respond to the natural environment and optimise site opportunities, by:				Apartments vary in terms of layout and room size proportions.
▪ providing private open space in the form of a balcony, a terrace, a courtyard or a garden for every apartment	☒	☐	☐	Every unit is provided with a balcony or terrace attached to their main living rooms.
▪ 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 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;	☒	☐	☐	The main living areas of units face the street or the internal courtyard depending on aspect.
v. Avoid locating kitchen as part of the main circulation spaces of an apartment, such as a hallway or entry space	☒	☐	☐	Hallways have been avoided in many of the units.
vi. Include adequate storage space in apartment	☒	☐	☐	All the units are provided with storage space within their confines.
vii. Ensure apartment layouts and dimensions facilitate furniture removal and placement	☒	☐	☐	
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	☒	☐	☐	30 x 1 bedroom units (19%) 91 x 2 bedroom units (59%) 33 x 3 bedroom units (21%) Total of 154 apartment units.
▪ To provide equitable access to new housing	☒	☐	☐	Ground floor has examples of 1, 2 and 3 bedroom units.

Requirement	Yes	No	N/A	Comment
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	☒	☐	☐	The development has the following bedroom mix:- 30 x 1 bedroom units (19%) 91 x 2 bedroom units (59%) 33 x 3 bedroom units (21%) Hence there is a range of apartment types and size provided though out the development.
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	☒	☐	☐	There are one bedroom and two bedroom units situated on the ground floor.
iii. Optimise the number of accessible and adaptable apartments. See 4.4.5 Flexibility	☒	☐	☐	31 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	☒	☐	☐	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, terrace or even a courtyard for the ground floor units.
▪ 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	☒	☐	☐	
4.4.3 Balconies Performance Criteria 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	☒	☐	☐	**A small number of minor variations to this standard have been identified. 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.**
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. ▪ 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	☒	☐	☐	Secondary balconies provided to a significant

Requirement	Yes	No	N/A	Comment
▪ adjacent to bedrooms ▪ for clothes drying; these should be screened from the public domain				number of apartments. Balconies are located where views are offered. A majority of the balconies face, the south, east and west. There are some balconies facing the south which is unavoidable.
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	☒	☐	☐	
▪ utilising sun screens, pergolas, shutters and operable walls to control sunlight and wind	☒	☐	☐	Primary intent of the design is to maximise the number of units orientated and having views to Homebush Bay.
▪ 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	☒	☐	☐	
▪ choosing cantilevered balconies, 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	☒	☐	☐	A significant number of balconies 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	☒	☐	☐	The balustrades to be used in the development are:- ▪ Semi frameless clear glass.
▪ 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	☒	☐	☐	▪ Semi frameless clear glass with solid spandrel panel.
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	☒	☐	☐	

Requirement	Yes	No	N/A	Comment
4.4.4 Ceiling Heights Objectives ▪ To increase the sense of space in apartments and provide well proportioned rooms ▪ 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	☐	☐	☒	
▪ **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 habitable rooms on all other floors; 2.4 metre minimum for all nonhabitable rooms**	☐	☒	☐	**The ground floor and the floors above are 2.7 metres high. Due to the underutilisation of the Bellagio foreshore plaza the applicant has not nominated to designate commercial tenancies in this instance. This is considered to be acceptable in the circumstances of the case.**
▪ 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	☒	☐	☐	

Requirement	Yes	No	N/A	Comment
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 (eg. 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	☒	☐	☐	
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	☒	☐	☐	Building is greater than 20% adaptable for disabled people.
▪ 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	☒	☐	☐	
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 Units can be adapted to facilitate two separate adults or live/work situations. No objection is raised to the development in this regard.
ii. Provide a multi-use space with kitchenette within each development to be available for the use of residents	☐	☐	☒	Communal Multi use space not 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	☒	☐	☐	

Requirement	Yes	No	N/A	Comment
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 AS4299-1995 Adaptable housing Class B	☒	☐	☐	The development provides for 20% of units that are adaptable.
▪ 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	☒	☐	☐	The development will comply with the stated objectives.
▪ To increase the housing and lifestyle choices available in apartment buildings	☒	☐	☐	
▪ To ensure that ground floor apartments achieve good amenity	☒	☐	☐	

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	☒	☐	☐	The ground floor units are provided with private gardens, courtyards or terraces
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 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	☒	☐	☐	No objection to proposed landscaping.
▪ choosing trees and shrubs which provide solar access in winter and shade in summer				
4.4.7 Home Offices Objectives				
▪ To promote economic growth in the town centre	☐	☐	☒	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.
▪ 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	☐	☐	☒	

Requirement	Yes	No	N/A	Comment
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	☐	☐	☒	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 bedroom units situated on the ground floor 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.
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 (eg 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	☐	☐	☒	
4.4.8 Internal Circulation Objectives ▪ To facilitate quality apartment layouts, such as dual aspect apartments	☒	☐	☐	The development will comply with the stated objectives.
▪ 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	☒	☐	☐	

Requirement	Yes	No	N/A	Comment
4.4.8 Internal Circulation Performance Criteria i. Increase amenity and safety in circulation spaces by:				All the buildings have multiple cores which limits the number of units per corridor.
▪ 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	☒	☐	☐	
ii. Support better apartment building layouts by:				The ground floor units facing the street have separate entries.
▪ 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	☒	☐	☐	Complies.
▪ limiting the number of units off a circulation core on a single level	☒	☐	☐	
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:	☐	☒	☐	**Refer to SEPP 65 Residential Flat Design Code comments above. The application is considered accpetble in this regard.**
▪ 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	☒	☐	☐	Generally long corridors are avoided.
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	☒	☐	☐	
4.4.9 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	☒	☐	☐	

Requirement	Yes	No	N/A	Comment
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 apartment plus dedicated storage locker.
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	☒	☐	☐	
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	☒	☐	☐	
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	☒	☐	☐	
4.5.1 Acoustic Amenity Performance Criteria i. Utilise the site and building layout to maximise the potential for acoustic privacy by providing adequate	☒	☐	☐	

Requirement	Yes	No	N/A	Comment
building separation within the development and from neighbouring buildings				
ii. Minimum building separations are:				
▪ **5 to 8 storeys/12-25 metres**	☐	☒	☐	**The setbacks and separation distances between buildings have been previously stated. Refer to SEPP 65 Residential Flat Design Code above.**
o **18m between habitable rooms/balconies**	☐	☒	☐	
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	☒	☐	☐	
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	☒	☐	☐	
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	☒	☐	☐	
▪ 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. Due to the orientation of the block, solar access is limited to approximately 53% of the units. There are also units facing south that do not receive solar access which is unavoidable.
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	☐	☐	☒	

Requirement		Yes	No	N/A	Comment
	3.00 pm in mid-winter				
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 states that due to the orientation of the block, solar access is limited to approximately 53% of the units having living areas and private open space areas achieving the minimum 2 hours solar access. As discussed earlier, there is a significant portion of units in which a third bedroom could provide a secondary living space and factoring in these units, increases the solar access to 63% for living spaces and balconies.** **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 below), the variation to this clause is considered worthy of support.** There are 13 single aspect south facing units, which is 8.4% for the development.
iii.	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	☒	☐	☐	<u>Shading</u>: Adequate shading is provided to the top floor windows of the development.
iv.	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 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	☒ ☒ ☒ ☒ ☒ ☒ ☒ ☒	☐ ☐ ☐ ☐ ☐ ☐ ☐ ☐	☐ ☐ ☐ ☐ ☐ ☐ ☐ ☐	
v.	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				The applicant has submitted shadowing diagrams which show that less than 50% of the communal space areas are overshadowed between 10:00 am and 2:00 pm between 21 April and 21 August

Requirement	Yes	No	N/A	Comment
vi. 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	☒	☐	☐	Shadow external to the porposed building will fall largely over the remaining end of Stromboli Strait which is a pedestrian space but is still considered to be "street" area. The building will have minor shadow impact to the promenade.
vii. Shadow diagrams showing the impact of a proposal on adjacent residential developments and their private open space will be required	☒	☐	☐	The submitted shadowing diagrams show that the only impact to any adjacent residential developments is morning shadowing to the existing Valencia/Lipari to the south of the subject development site on the other side of Stromboli Strait. Due to the width of the existing Stromboli Strait, there is no shadowing impact as a result of the proposal after midday on the 21 June. The development is accpetble in this regard.
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	☒	☐	☐	The proposal is generally acceptable in this regard.
▪ To provide natural ventilation in non habitable rooms, where possible	☒	☐	☐	
▪ To reduce energy consumption by minimising the use of mechanical ventilation, particularly air conditioning	☒	☐	☐	
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	☒	☐	☐	Units are considered to have minimum floor to ceiling heights and widths to ensure adequate natural ventilation. Additionally a significant portion of units have dual aspect. No objection is raised to the development in this regard.
▪ locating vegetation to direct breezes and cool air as it flows across the site	☒	☐	☐	
▪ selecting planting or trees that do not inhibit airflow	☒	☐	☐	
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 ventilation, by:				
▪ providing dual aspect apartments, eg. cross through and corner apartments	☒	☐	☐	
▪ 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	☒	☐	☐	With some exceptions, the architect has generally achieved this arrangement.

Requirement	Yes	No	N/A	Comment
summer cooling or winter heating **v. A minimum of 60% of residential apartments are to be naturally ventilated**	☐	☒	☐	**Up to 55% of apartments in the development have openings in two or more external walls of different orientation which is below the minimum of 60%. Notwithstanding this, the proposal is considered to deliver sufficient amenity to be acceptable in this regard. This was discussed previously under the SEPP 65 section of the report.**
vi. A minimum of 25% of kitchens within a development are to be naturally ventilated	☒	☐	☐	82% of the kitchens within the development are less than 8 metres from a window and can be considered to be naturally ventilated.
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—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	☐	☐	☒	There are no signs proposed in this development.
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	☐ ☐	☐ ☐	☒ ☒	This part is not applicable because no retail strips are proposed in this development. An awning is not proposed in this development.

Requirement	Yes	No	N/A	Comment
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	☐	☐	☒	This is not relevant to the development.
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	☐	☐	☒	
4.6.2.Facade Objectives ▪ To promote high architectural quality in buildings	☒	☐	☐	No objection is raised to the facades as proposed. The facades are considered to be well articulated via changes in materials, levels and setbacks.
▪ 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	☒	☐	☐	
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	☒	☐	☐	The building incorporates a landscaped permit at the street edges. This will permit an appropriate buffer zone to be established along the street edges. At street level, the setback is further enhanced by the opportunity to have deep

Requirement		Yes	No	N/A	Comment
	or concealed and organised into simple or complex patterns				soil zones given that the basement is contained wholly within the building form.
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 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	☒	☐	☐	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 availibily to as a many of the apartments as possible.
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	☒	☐	☐	Complies.
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	☒	☐	☐	The development is considered to be satisfactory in this regard. Service connections will generally not be visible when viewing the building from apublic place.
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.	☒	☐	☐	

Requirement	Yes	No	N/A	Comment
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	☒ ☒ ☒	☐ ☐ ☐	☐ ☐ ☐	Roof is flat however it is articulated via variation is the façade design and results in an interesting roofline when viewed from the street.
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 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) ▪ incorporating shade structures and wind screens to encourage open space use ▪ ensuring open space is accessible	☐ ☒ ☒	☐ ☐ ☐	☒ ☐ ☐	Access is provided to the roof of all four buildings however the roofs of the buildings do not form an extension to the open space provided on site. Access is mainly provided to the various plant rooms that are required to service each building.
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	☒	☐	☐	A plant room will be positioned on the roof of buildings 1 and 2. The plant rooms will provide space for hot water systems that are required to service the development.

Requirement	Yes	No	N/A	Comment
water features or green roofs.				
4.7 Building Performance				
4.7.1 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 ▪ 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	☒ ☒ ☒ ☒ ☒ ☒ ☒	☐ ☐ ☐ ☐ ☐ ☐ ☐	☐ ☐ ☐ ☐ ☐ ☐ ☐	The proposed development has been assessed in terms of its passive energy design (Thermal comfort) using the Nationwide House Energy Rating Scheme (NatHERS). The proposed development has been assessed in terms of its ability to conserve water and to minimise energy consumption via appliances and hot water systems or use. The proposed development is found to be compliant with the BASIX Certificates. The various BASIX Certificates for the buildings show that the development as a whole achieves the Pass Mark for energy and water conservation.
4.7.1 Energy Efficiency Performance Criteria 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 ▪ 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 ▪ 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 ▪ 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	☒ ☒ ☒ ☒ ☒ ☒ ☒ ☒ ☒	☐ ☐ ☐ ☐ ☐ ☐ ☐ ☐ ☐	☐ ☐ ☐ ☐ ☐ ☐ ☐ ☐ ☐	The various BASIX Certificates for the buildings show that the development as a whole achieves the Pass Mark for energy and water conservation. The development is found to be compliant with the BASIX requirements. The number of single aspect apartments with southerly aspect is less than 10% of the total number of units. Climate control techniques are found to be satisfactory. Gas cook top and electric ovens will be provided. Fans will be provided to units as appropriate. Solar panels are not proposed in this development however they could be installed in future should the need arise.

Requirement	Yes	No	N/A	Comment
▪ 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	☒	☐	☐	
▪				
▪ 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	☒	☐	☐	The report concludes that the development will comply with the BASIX Certificate presented.
▪ 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	☒	☐	☐	
4.7.2 Maintenance Objectives ▪ To ensure long life and ease of maintenance for the development	☒	☐	☐	

Requirement	Yes	No	N/A	Comment
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 moving screens.
iii. Incorporate and integrate building maintenance systems into the design of the building form, roof and facade	☒	☐	☐	Majority of storage areas incorporated into basement levels.
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.	☒	☐	☐	Area provided
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 the demolition and construction.
▪ 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	☒	☐	☐	The waste management plan is thorough and documents waste management throughout the development process.
▪ To ensure efficient storage and collection of waste and quality design of facilities	☒	☐	☐	The waste management plan should be included as part of any consent that may be issued.

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 by a building maintenance contractor to supervise waste separation and collection
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	☒	☐	☐	Bins located within building with a designated bay for garbage collection.
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	☒	☐	☐	
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 whole of building 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	☒	☐	☐	

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 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.	☒ ☒ ☒ ☒ ☒ ☒ ☒	☐ ☐ ☐ ☐ ☐ ☐ ☐	☐ ☐ ☐ ☐ ☐ ☐ ☐	Water Management is satisfactory as per the BASIX Certificate. The development includes a rainwater tank collecting from roof area. The water collected will be used for:- ▪ Common landscape irrigation. ▪ Toilet flushing. ▪ Laundry. The development will be connected to an alternative water supply (WRAMS) from the Sydney Olympic Park Authority Scheme. Three star water rated shower heads and taps are to be installed in the development. The development must be provided with four star water rated toilets.
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	☒ ☒ ☒ ☒	☐ ☐ ☐ ☐	☐ ☐ ☐ ☐	
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	☐ ☐ ☐ ☐ ☐ ☒	☐ ☐ ☐ ☐ ☐ ☐	☒ ☒ ☒ ☒ ☒ ☐	A positive public domain will result. In this regard:- Public recreation opportunities will be enhanced through the provision of a significant common area within the development. The space is well located, oriented and designed to achieve a satisfactory level of amenity. Appropriate connections and linkages are provided to ensure that the building maintains a suitable interface with the public areas.

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))

The subject site is also known to contain reclaimed land and imported fill. Investigations into site conditions identify that ground material contains contamination arising from a number of past industrial uses and acid sulphate soils. Further details on the site history are provided in the SEPP 55 assessment above. Suitable investigations and documentation has been provided to demonstrate that the site is or can be made suitable for the proposed development in terms of contamination and acid sulphate soils.

No other natural hazards or site constraints likely to have a significant adverse impact on the proposed development.

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. Accordingly, the site can be said to be suitable to accommodate the proposal.

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 thirty days between 6 October 2010 and 5 November 2010. The notification generated twenty two (22) individual (including individual submissions containting multiple signatures) submissions in respect of the proposal with 4 objectors completing a political disclosure statement declaring nil disclosure. A petition style template letter objection package was also received containing 38 signed letters.

Major issues as raised by the objectors (height, building separation, public open space, energy efficiency etc) are discussed in the body of the report. Further comment where appropriate or discussion regarding all other issues are discussed in the following section.

To reduce repetition similar issues have been grouped:

Loss of Public Open Space

Issues raised include:

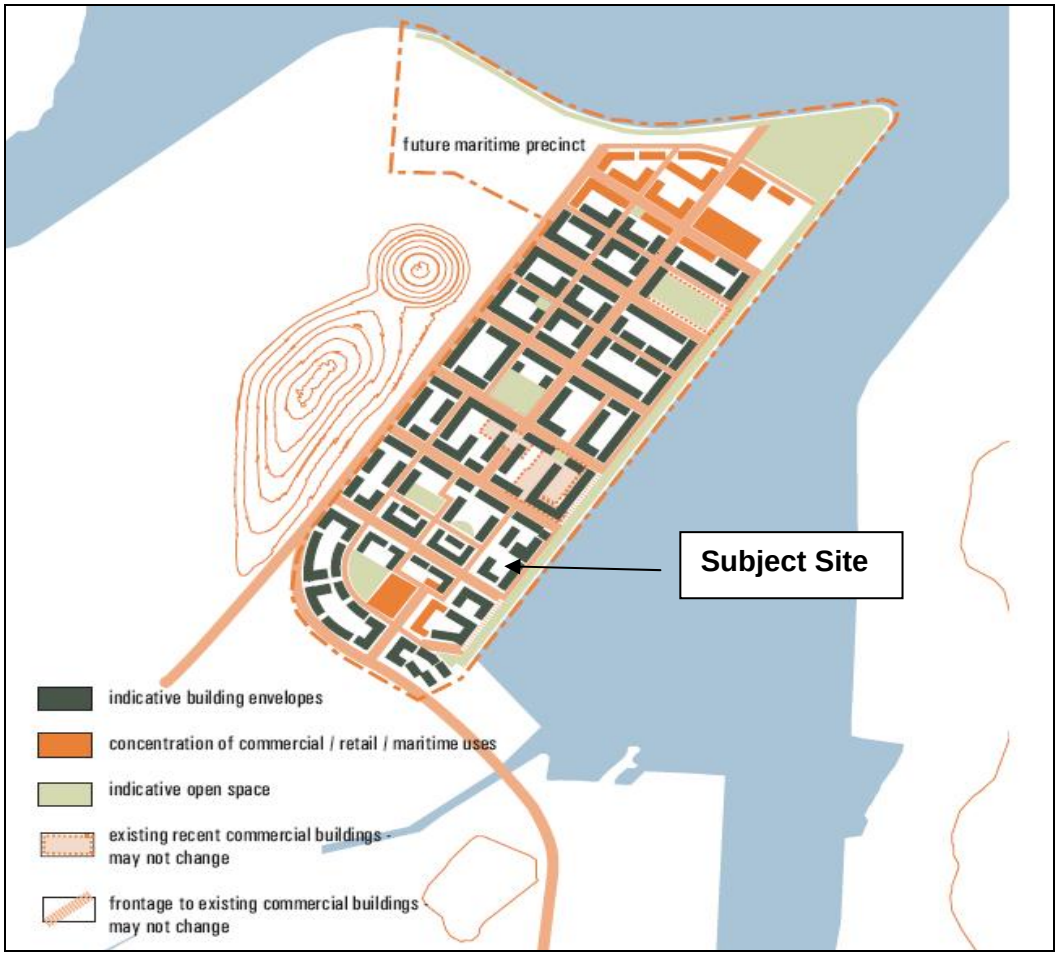
- *The site is the only existing park within the estate. With the increasing population the park is constantly being used and will deprive the residents of the only existing open space and parkland.*
- *Noted that a park will be provided within the TNT site (site located on the corner of Hill road and Bennelong Parkway) however the current tenant has a lease until 2015 and may result in an extended period by which a park will not be provided.*
- *The Homebush Bay West Development Control Plan requires a specific amount of parkland to be provided within Precinct F of the locality.*
- *Do not agree the Park was designed to be "temporary"*
- *Park is the focal point of the community and is the only safe play area for the children.*
- *Any DA consent should be restricted until new park is made available within the TNT site.*
- *The proposed TNT park will be too far removed from most residents and be in an unsafe location as it is too close to Hill Road*

Comment:

The site is identified under the Homebush Bay West Development Control Plan (DCP) as a development site. The indicative *Open Space Network* (Section 2.4.3) and *Precinct Structure* (Section 2.4.5) of the DCP are reproduced below:

Open Space Network

Precinct Structure



The developer will be providing a substantial new park within the TNT site located on the corner of Hill Road and Bennelong Parkway in accordance within Open Space Network Plan detailed above. This park does not directly adjoin Hill road but will be surrounded by buildings and have pedestrian connections to "The Piazza" and existing residential flat buildings north of the development site.

It should be noted that Council has no power to make the developer retain the St Tropez development site as a public open space. It should also be noted that Council does not have the power to withhold construction of the subject proposal until a park is provided in an alternative location. Alternative public open space in accordance with the provision of the DCP is being prepared and the ultimate provision of the park is certain. Significant water front public access and general recreational area will be available via the foreshore promenade, pocket plazas and also the greater locality such as Newington Armoury, The Wentworth Point Ferry terminal and extensive Sydney Olympic Park public recreational land during the interim period.

Traffic and Parking

Issues raised include:

- *The parking provided does not appear to be sufficient with the number of units proposed – this is a recurring problem within the estate*
- *Currently there is no available street parking, the addition of a further 100 plus apartments will create further problems for owners and visitors*
- *The majority of families at the Waterfront own more than 1 car.*
- *There is only 1 bus service in the area.*
- *A development of this density will increase traffic to the point of overload and increase risk to pedestrians in the locality.*

Comment: Parking is provided in accordance with DCP requirements and will provide opportunities for residents to have more than 1 car space available in the basement. The proposed parking levels within the building have been assessed as being acceptable. On street parking is provided throughout the existing development. Public transport is available in the form of a Bus service between the ferry terminal with connections to Newington and Sydney Olympic Park.

The existing public pedestrian network which will be maintained by the developer is considered adequate to maintain pedestrian safety.

Built Form

Issues raised include:

- *The previous approvals issued by the State Government were in sympathy with the surrounding buildings and the population density set did not overload existing infrastructure. This proposal in no way conforms to those original approvals.*
- *The lowest occupied level is approximately 2.34 metres above ground level.*
- *Because of the raised car park, building 3 will be approximately 1 level above the adjacent Bellagio. Building 3 is technically 6 levels (1 level of Basement and 5 residential storey's)*
- *The building is forward of the line created by existing buildings to Marine Parade. The building will crowd Marine Parade.*
- *Building Separation is only 7.2 metres less than the required 12 metres by the DCP.*
- *The building does not comply with the HBWDCP for stepped development of no more than 4 storey's at the waterfront.*
- *The height of Building 1 and 2 is RL 31.5 m compared to RL 28.8 for "Valencia" (to the south)and RL 26.8 for "Bellagio" (to the north).*

- *The bulk and scale of the proposal does not relate well to other adjoining existing buildings. The proposal is in stark contrast to the previously approved DA523/2005 which was a 4 – 6 storey with pop ups up to 8 storeys.*
- *The "Valencia" Building (to the south) has 173 units, this site is two thirds the size of Valencia yet has 154 units – this proposal should be reduced to 115 units.*

Comment: The proposal is complaint with the Development Control Plan with regard to General Density controls. Building height, with particular regard to Marine Parade and Building 1 is a non compliance which is discussed in the Homebush Bay West Development Control Plan assessment table, but has been found to be acceptable in this instance.

The lowest basement level protrudes greater than 2.3 metres above the finished Promenade level at the Homebush Bay elevation. This is unavoidable due to the proximity to the water table and proximity to the Harbour side. In order to provide a suitable basement area for to meet parking requirements the basement is required to be raised to ensure the basement does impact the water table. The above ground component is however well concealed via planters and unit treatment. The basement protrusion is considered to be satisfactory in this instance.

The basement and five residential storeys for Building 3 constitutes a building within the allowable range of variations with regard to overall building height and the DCP controls. The uppermost fifth floor is setback from the four residential storeys to minimise its visual intrusion.

Setbacks for the proposal have been found to be fully compliant with DCP controls including Marine Parade.

Building Separation is identified as being satisfactory for the site. Some variations to separation requirements exist at the convergence points of the building as discussed within the above assessment tables.

Building heights at the waterfront are identified as complying with the DCP. Refer to assessment tables above relating to "pop up" development.

With regard to Building RL's the noted heights are to the top of plant rooms located on top of each respective building. These plant rooms are well set back from the edge of the parapet and are considered to be appropriate. The overall heights of the buildings are considered to be sufficiently compatible with the adjacent developments.

The proposal is for a 4-6 storey building with two levels of "pop ups" is appropriate locations. While the proposal is not consistent with the previous approval for the site, the subject design is considered to be an appropriate design for the site in terms of compatibility with the adjacent buildings.

A direct proportional comparison to the "Valencia" development to the south is not considered to be an appropriate method of assessment. The subject development has been assessed with regard to appropriate development controls for the site and the proposal is considered to provide an appropriate response with regard to building height, density and unit amenity. The development is considered acceptable in this regard.

Unit Amenity

Issues raised include:

- *Building will dwarf the adjoining "Corfu" Building (3 storey building to the west).*
- *Buildings 1 and 2 will significantly overshadow the "Lipari" (individual building or the Valencia Building to the south) and Stromboli Strait.*

- *Balconies of the building are orientated toward the existing southern building. The previous approval for the site skewed the apartments towards the waterfront to avoid this issue.*
- *Location of the boiler room on the northern boundary with the adjacent Bellagio building is inappropriate and should be relocated.*
- *The building line of the proposal to the waterfront is forward of the adjacent Bellagio building and will result in view loss to the residents of the southern building.*
- *There is minimal separation between the buildings and existing neighbours significantly impacting upon the views enjoyed by the occupants of those buildings.*

Comments: The subject developments orientation will result in some minor morning shadowing impact to the "Corfu" Building on the 21June. By midday, shadowing from St Tropez will be clear of the "Corfu" building. It is acknowledged however, that the St Tropez development will have a notably greater bulk and scale compared with the "Corfu" building, however, St Tropez will have a compatible form with the adjacent Marine Parade buildings. The relationship of the proposed development with the existing Corfu building does not warrant refusal of this application.

With regard to overshadowing to the existing southern buildings, examination of the submitted shadowing diagrams show that in midwinter (June 21) the proposal will overshadow the adjoining Rimini and Lipari Buildings at 9:00 am and by 12 pm, the shadow is only at the base of the adjoining buildings. Any shadowing is clear from the building by 1:00 pm giving unrestricted afternoon solar access. The afternoon shadowing diagrams (March 21 or September 21) show no overshadowing of these buildings.

Due to the separation of the development to the southern building provided by the existing space of Stromboli Strait a separation of greater than 25 metres is provided. Notwithstanding the orientation of the balconies, ample separation in accordance with SEPP 65 and HBW DCP has been provided to minimise privacy concerns. The development is acceptable in this regard.

With regard to the Boiler room, amended plans were submitted on the 6 April 2011 which have removed the boiler room to be located under the waterfront setback component of the proposal in response to submitter concerns.

With regard to General View loss it should be noted that a significant portion of the existing views from the southern side of the Bellagio development would always be limited subject to the development of the St Tropez site. This also extends to the Corfu building located across Marine Parade which as built is only three storeys. The subject site has always intended to be for development and accordingly existing views are going to be lost. Council has no grounds to make the developer preserve all views from adjoining developments.

Maintaining any view for the residents of the Corfu building is impractical as the minimum height allowable for the proposed St Tropez building exceeds the current height of Corfu. The loss of views from Corfu is therefore unavoidable as a result of the DCP height provisions.

In terms of the view loss from the southern row of buildings of Bellagio, the most affected levels are units on floors 3 and 4 above the 2 levels visible from the waterfront. The lower two levels of the Bellagio development have no southern orientated units and therefore no impact in relation to views from the proposed construction of St Tropez. The south facing units of floors 3 and 4 will lose a substantial portion of their views, although they will not be completely lost.

In assessing the suitability of the view loss issue the Land and Environment Court decision (Tenacity Consulting Pty Ltd v Warringah Council NSWLEC 140) handed down by Commissioner Roseth, established a planning principle for the assessment of the impact of a development on views. This planning principle established a four part test for assessing whether or not view sharing is reasonable.

The first step is the assessment of views to be affected. The Commissioner notes that iconic views (eg., of the Opera House, the Harbour Bridge or North Head) are valued more highly than views without icons. The second step is to consider from what part of the property the views are obtained and whether the view is enjoyed from a standing or sitting position, eg., the protection of views across side boundaries is more difficult than from front and rear boundaries and sitting views are more difficult to protect than standing views. The expectation to retain side views and sitting views is often unrealistic. The third step is to assess the extent of the impact and it is noted that views from living areas are more significant than those from bedrooms. Finally, the fourth step is to assess the reasonableness of the proposal that is causing impact, eg., a development that complies with all planning controls would be considered more reasonable than one that breaches them.

The views afforded from the southern row of units are views to Homebush Bay, Mangroves and the remnants of a wreck located on the mudflats in front of the Mangroves. None of these items in themselves can be considered iconic. Where St Tropez is to be constructed; the majority of the view loss would be to the Wreck and the Mangroves. The separation between the buildings means that views will still be retained between the buildings to Hopmebush Bay.

The second consideration is that the units affected have balconies orientated at approximately 45 degrees. The vista from these Balconies is enjoyed in a forward (not side) direction. The views of Homebush Bay would be retained, but notably reduced.

Given the recessed nature of the above mentioned balconies and that the balustrades are made of opaque glass materials it is unlikely that views are possible from a sitting position in adjacent living rooms.

Lastly, the proposal in terms of its height in the strictest interpretation of the DCP at the separation point between Bellagio and St Tropez would be 4-6 storeys. Even a 4 storey proposal would have been unlikely in resulting in better views being afforded from Bellagio.

It is also noted that the resultant views from Bellagio will be comparable to those proposed from the majority of the units on the upper levels of building 1 and part of building 2 within the St Tropez proposal.

In view of the above, it is concluded that the impact on views resulting from the St Tropez development is accepatable on the grounds that the views of the Homebush bay are not considered “iconic”, views of the bay are retained in part from the Bellargio development and the St Tropez development is considered to be compliant with the DCP in terms height at the waterfront.

Landscaping and Waterfront Interface

Issues raised include:

- *As a consequence of the proposed levels of the building, the open space towards the waterfront rises to the waterfront boundary to level 1 of the building. This rise will be out of character with the existing continuous waterfront grassed verge.*

Comments: In response to the concerns raised, amended architectural design has been submitted which alters the development between the building and waterfront boundary. This issue may be addressed as a condition of consent to ensure appropriate public domain works are provided.

Works Outside of the Site

Issues raised include:

- *Works outside of the site at the interface of the development with Stromboli Strait (pedestrian ramps, landscaping etc) fall over land under the jurisdiction of Community Association of DP270320. Appropriate permission has not been sought for these works nor is consent granted to undertake these works.*

Comments: In response to the submitter concern raised, amended architectural design has been submitted which alters the development between the building and Stromboli Strait. No works are now proposed within Stromboli Strait and appropriate permission is no longer required. The development is considered acceptable in this regard.

Ecologically Sustainable Development Considerations

Issues raised include:

- *The developer promotes itself as green and environmental friendly however there are a lack of such initiatives in this building. The "Valencia" building has an annual electricity bill of $80,000.*
- *The proposed hot water system would be inefficient.*
- *Bathrooms in existing developments have a common switch for bathroom light and exhaust fan, these should be separate.*
- *Water feature should be on a timer to avoid 24 hour operation.*
- *Lights in the hallways are constantly on; these should be on a timer.*
- *Car park lights are on 24 hours a day; these should be on sensors to switch on when there is movement.*

Comments: the development is fully compliant with the provisions of SEPP BASIX and generally conforms with the ESD provisions for SEPP 65 and the Homebush Bay West DCP.

The suggested features can be incorporated by the developer if desired however there is no specific legislation which enables Council to enforce the installation of the suggested features.

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 outcome of the assessment, there are a number of variations to the planning controls which are related to internal layout and how apartments are arranged. The applicant has demonstrated that overall residential amenity will be satisfactory and the project may be supported.

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.