

JOINT REGIONAL PLANNING PANEL
(Sydney Region East)

JRPP No	2011SYE113
DA Number	442/2011
Local Government Area	City of Canada Bay
Proposed Development	Construction of a residential development comprising 203 units within 3 buildings ranging in height from 4 to 9 storeys over basement and podium level parking for 222 vehicles
Street Address	Site 3C - Precinct B, 38 Shoreline Drive, Rhodes (Lot 306 in DP 1163025)
Applicant	Stephen Bowers Architects t/a SD Masterplan
Owner	RHB Stage 7 Lessor Pty Ltd
Number of Submissions	Zero (0)
Recommendation	Approval subject to Conditions
Report by	Mr Stuart Ardlie- Senior Statutory Planner, City of Canada Bay

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1. BACKGROUND

The site, comprising lot 306 in DP 1163025, otherwise known as 38 Shoreline Drive, Rhodes, is located within the Local Government Area of City of Canada Bay, and is currently under ownership of RHB Stage 7 Lessor Pty Ltd.

No.38 Shoreline Drive is site 3C situated within Precinct B as identified in the Rhodes West Development Control Plan, and is located within the central component of the peninsula adjoining Homebush Bay (Refer to Figure 1).

Figure 1 - Site Location



Source: Rhodes West DCP

The subject site is irregular in shape, measuring approximately 114.84m to its northern boundary fronting Timbrol Avenue, curved eastern boundary of 72.65m fronting Shoreline Drive, 89.37m to its southern boundary fronting Peake Avenue, and 67.88m to Foreshore Reserve yielding a total area of 7,203m². Given recent completion of remediation works, the site is currently vacant.

The site is bound by 2 recently completed residential flat buildings to the north and northeast which range in height from 6 to 8 stories, contain 148 residential dwellings over basement parking for 175 vehicles.

The site is bound by a development lot identified as Site 2A and 3A to the East, upon which a major project was recently approved by the Planning Assessment Commission (PAC), comprising 735 residential dwellings with retail tenancies within five buildings ranging in height from 6 to 25 storeys. This street block contains a further development lot 3B, which was recently approved by the Joint Regional Planning Panel (JRPP), comprising construction of a mixed use development of 17 to 20 storeys providing 201 residential units, 3 retail tenancies, 214 car parking spaces, landscaping and subdivision of open space area subject to dedication.

A development application (DA14/2012) was recently lodged with Council for development lot 3D to the south which includes construction of mixed use development including four buildings up to 9 storeys providing 212 residential units, 305m² retail floor space, 223 car parking spaces and landscaping.

The site is bound by Foreshore Reserve to the west which is a foreshore park which provides public access along Homebush Bay.

The greater Rhodes Peninsula is bound by the Parramatta River to the North, Walker Street to the East adjoining the Northern Railway Line, Homebush Bay Drive to the South and Homebush Bay to the West. The Rhodes Peninsula includes the following services Rhodes Railway Station, Rhodes Business Park and Rhodes Shopping Centre.

Previous applications for the site, are:-

- On 4 May 2004, the Minister approved DA 437-12-2002 for the remediation of the former Union Carbide (Lednez) site (described as lot 10 DP 1007931) and part of the bed of Homebush Bay (part residual lands comprised in Certificate of Title Vol. 5018, Fol. 1);
- On 28 November 2006, the Executive Director approved DA 18-2-2005 for the subdivision of land at 40 Walker Street, Rhodes (Precinct B) to create development lots, open space lots, community use lots and road lots.

Figure 2 - Building Footprint - Precinct B



Source: Rhodes West DCP

2. PROPOSED DEVELOPMENT

2.1 Project Description

The subject Development Application, seeks approval to carry out a project comprising the following:

- Construction of residential development comprising 203 units within a 9 storey building and three 4 storey buildings;
- Car parking provided within three basement levels (partially above ground) containing 222 spaces;
- Communal open space in central area of site; and
- Landscaping.

In terms of materials and finishes, the building does provide extensive glazing elements including glass balustrades with painted cement render in both light white tones and light grey tones. The facade of the car park is in a natural sandstone finish.

The estimated cost of the development is \$55,838,679

2.2 Project Amendments

The applicant did submit amended plans to address issues raised by Council and additional information to clarify features of the proposal, including:-

- Clarification on the floor space ratio and building height including lift overruns.
- Provision of permanent screens to address privacy and separation issues between Building C and Building E and between Building I, H & G and Building D & J.
- Screens and pergola provided to garbage truck area on Peake Avenue to address visual and acoustic impacts.
- Justification around the pedestrian entry to Building J & K to the south elevation and not the north (street) elevation adjoining Timbrol Avenue.
- Submission of an analysis against the Crime Prevention Through Environmental Design principles.
- Detail provided to demonstrate that the proposed basement car parking levels do not extend below the 'maintenance layer' established through the remediation works and details of the footing design.
- Traffic and parking report submitted.
- Further details on Acid Sulfate Soils.

3. STATUTORY CONTEXT

3.1 Permissibility

Under the Canada Bay Local Environmental Plan, the site is zoned R4 'High Density Residential', which permits 'residential flat buildings'.

3.2 Environmental Planning Instruments

To satisfy the requirements of Section 79C(1)(a) of the Act, this report includes references to provisions of the Environmental Planning Instruments that substantially govern the carrying out of the project and have been taken into consideration in the submission of the Development Application.

Legislative Provisions

- Environmental Planning & Assessment Act 1979
- Contaminated Land Management Act 1997

Environmental Planning Instruments

- State Environmental Planning Policy No. 55 – Remediation of Land
- State Environmental Planning Policy No. 65 – Design Quality of Residential Flat Development
- State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004
- State Environmental Planning Policy (Infrastructure) 2007
- Sydney Regional Environmental Planning Policy (Sydney Harbour Catchment) 2005
- Canada Bay Local Environmental Plan 2008

Draft Environmental Planning Instruments

- Draft Canada Bay Local Environmental Plan

Development Control Plans

- Rhodes West Development Control Plan

Other Plans and Policies:

- Rhodes West Masterplan 2010
- NSW State Plan 2010
- Draft Inner West Subregional Strategy
- Metropolitan Transport Plan 2010
- Integrating Land Use and Transport Policy package, NSW Dept of Planning 2005

3.3 Primary Controls

3.3.1 Objects of the Environmental Planning & Assessment Act 1979

Section 5, which relates to the objects, Section 93F 'Planning Agreements' and Section 94 'Contributions' contained within the EP & A Act 1979 are considered and addressed below with general matters for consideration prescribed within Section 79C broadly addressed within this report:

Section 93F - Planning Agreement

Council has entered into a Voluntary Planning Agreement with the Applicant pursuant to Section 93F of the Environmental Planning and Assessment Act 1979. This Agreement applies to Precinct B which includes the subject site as Stage 2. Primarily under the Agreement with 'Renewing Homebush Bay Pty Ltd', Stage 2 requires a monetary contribution to be paid to Council as follows:

- (a) *\$1,000 for each square metre (or part thereof) of Additional Gross Floor Area in the Development that is to be used for the purpose of retail premises within the meaning of the Amended LEP, and*

- (b) \$588.24 for each square metre (or part thereof) of Additional Gross Floor Area in the Development that is to be used for business premises within the meaning of the Amended LEP, and
- (c) \$588.24 for each square metre (or part thereof) of Additional Gross Floor Area in the Development that is to be used for residential accommodation within the meaning of the Amended LEP

In accordance with Schedule 3 of the VPA the monetary contribution will be utilised for the following public purposes:

- Embellishment of public open space including public toilets and embellishments and public facilities above the current standard of landscape embellishment and facilities provision considered as acceptable for the Rhodes Peninsula based on the Renewing Rhodes Contribution Framework dated November 2001 (Planning Framework); and the Renewing Rhodes Development Control Plan 2000 adopted in November 2001;
- Upgrading of roads and footpaths in Rhodes (East and West) to improve access and traffic flows; vehicular, cyclist and pedestrian safety and management, in and out of the Peninsula; and to improve amenity and safety generally above and in addition to that required in the Planning Framework and Renewing Rhodes Transport Management Plan dated November 2001;
- Bicycle storage and use facilities in addition to those facilities which would have had to be provided under the current Planning Framework and Transport Management Plan;
- Facilities associated with car share schemes, but only those which are available to general public;
- Construction of a community facilities building.

Section 94 Contributions

Section 94 of the Act states that 'if a consent authority is satisfied that development for which development consent is sought will or is likely to require the provision of or increase the demand for public amenities and public services within the area, the consent authority may grant the development consent subject to a condition requiring':

- (a) the dedication of land free of cost, or
- (b) the payment of a monetary contribution, or both.

In accordance with Clause 5.1 of the Voluntary Planning Agreement entered into under Section 93F of the Environmental Planning and Assessment Act 1979, the following monetary contributions shall also be paid to Council under the *Renewing Rhodes Contributions Framework*:

Residential Component

Category	Rate	Amount
Community Facilities	1 bedroom unit (\$1,176.44) x 72	\$84,703.68
	2 bedroom unit (\$2,138.98) x 122	\$260,955.56
	3 bedroom unit (\$2,780.67) x 9	\$25,026.03
SUB-TOTAL		\$370,685.27
Open Space	1 bedroom unit (\$1,196.39) x 72	\$86,140.08
	2 bedroom unit (\$2,175.26) x 122	\$265,381.72
	3 bedroom unit (\$2,827.84) x 9	\$25,450.56
SUB-TOTAL		\$376,972.36
Roads	1 bedroom unit (\$630.33) x 72	\$45,383.76
	2 bedroom unit (\$1,146.06) x 122	\$139,819.32
	3 bedroom unit (\$1,489.88) x 9	\$13,408.92

SUB-TOTAL		\$198,612
TOTAL		\$946,269.63

A monetary contribution to fund a Rhodes Liaison Officer at the City of Canada Bay is levied at 50% of the gross floor area ($15,806\text{m}^2 \times 50\% = \$7,903$) of developments within the Rhodes West Precinct.

There is no retail component as part of this application

Timing and Method of Payment

The contribution shall be paid in the form of cash or bank cheque, made out to City of Canada Bay Council. For accounting purposes, please specify the amount for each contribution separately (and DA details) on a cover letter submitted with the payment.

Evidence of the payment to Council shall be submitted to the Certifying Authority **prior to the issue of a Construction Certificate.**

Indexing

All monetary amounts referred to in this condition are based on the *Renewing Rhodes Contributions Framework* and the actual amount for payment or calculating offsets **must** be adjusted in accordance with Clause 7 of Part 2 of City of Canada Bay's S94 Contributions Plan for the Concord Area prior to payment, i.e., the amounts shown are subject to the Consumer Price Index applicable at the time of payment of the Contributions. The CPI is currently **178.7** and the CPI that applied at the time the *Renewing Rhodes Contributions Framework* was adopted in 2001 was **135.4**.

3.3.2 Contaminated Land Management Act 1997

The objects of the Contaminated Land Management Act 1997 are as follows:

- (1) *The general object of this Act is to establish a process for investigating and (where appropriate) remediating land that the EPA considers to be contaminated significantly enough to require regulation under Division 2 of Part 3.*
- (2) *Particular objects of this Act are:*
 - (a) *to set out accountabilities for managing contamination if the EPA considers the contamination is significant enough to require regulation under Division 2 of Part 3, and*
 - (b) *to set out the role of the EPA in the assessment of contamination and the supervision of the investigation and management of contaminated sites, and*
 - (c) *to provide for the accreditation of site auditors of contaminated land to ensure appropriate standards of auditing in the management of contaminated land, and*
 - (d) *to ensure that contaminated land is managed with regard to the principles of ecologically sustainable development.*

As outlined below in response to the requirements of SEPP 55, remediation of the subject site has been recently completed with a Site Audit Statement (BE101-306) issued by AECOM Australia Pty Ltd on the 27 May 2011. Compliance with the SAS and associated Environmental Management Plan referenced by the document has been conditioned accordingly.

3.3.3 State Environmental Planning Policy No. 55 – Remediation of Land;

Clause 7 of State Environmental Planning Policy No 55 (Remediation of Land) requires the consent authority to consider whether land is contaminated, prior to granting of consent to the carrying out of any development on that land.

On 4 May 2004, the Minister approved DA 437-12-2002 for the remediation of the former Union Carbide (Lednez) site (described as lot 10 DP 1007931) and part of the bed of Homebush Bay (part

residual lands comprised in Certificate of Title Vol. 5018, Fol. 1). The site was contaminated with hazardous and carcinogenic chemicals as a result of industrial operations since 1919. The development was classified as State Significant Development with the Minister as consent authority, as it required a licence from the EPA and a permit from Waterways.

A Commission of Inquiry was held as part of the assessment process, with the subsequent report recommending approval of the proposal. The issued consent included conditions that an independent site auditor, accredited under the Contaminated Land Management Act 1997, upon completion of remediation of the site, or each part of the site (for a staged DA), prepare a site audit statement and summary site audit report to state that the remediated site does not pose a significant risk of harm to human health and ecological systems.

Remediation works on site have been completed with a Site Audit Statement issued.

- Site Audit Statement (BE101-306) relates to Lot 306 in DP 1163025 and found the site suitable for *'High density residential (i.e. building with basement car park)*, subject to compliance with the relevant Environmental Management Plan.

Compliance with the SAS and associated Environmental Management Plan is conditioned.

Council's Environmental Health Department reviewed the proposal and raised no objections.

3.3.4 State Environmental Planning Policy No. 65 - Design Quality of Residential Flat Development;

SEPP 65 aims to improve the design quality of residential flat development in NSW through the application of a series of 10 design principles, which guide the consideration of a proposed residential flat building to ensure that it achieves an appropriate level of design quality.

Clause 30(2) of SEPP 65 requires residential flat development to be designed in accordance with the design quality principles in Part 2 of SEPP 65. In this regard a Design Verification Statement has been provided by Stephen John Bowers of Stephen Bowers Architects trading as Sdmasterplan stating that the proposed development has addressed the design quality principles set out in Part 2 of SEPP 65.

Further to the above design quality principles, Clause 30(2) of SEPP 65 also requires residential flat development to be designed in accordance with the Department of Planning's publication entitled 'Residential Flat Design Code', which contains a number of 'Rules of Thumb' (standards).

Compliance of the proposal against the ten (10) design quality principles and Rules of Thumb contained within the *'Residential Flat Design Code'* are discussed within Appendix A.

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

State Environmental Planning Policy (Building Sustainability Index: BASIX) came into force on 1 July 2004 and has been progressively implemented to various types of residential development. The intent of BASIX is to encourage sustainable residential development by requiring applicants to make commitments to incorporating sustainable design to achieve more water and energy efficient buildings.

A BASIX certificate has been submitted for the proposal indicating that it will satisfactorily meet the BASIX targets in respect of Water, Thermal Comfort and Energy.

3.3.6 State Environmental Planning Policy (Infrastructure) 2007

Clause 104 requires projects to be referred to the Roads and Maritime Services (RMS), if involving a residential flat building of more than 300 dwellings or more than 200 car spaces as this is termed 'traffic generating development'.

Accordingly the proposal was referred to the RMS and considered at the Sydney Regional Development Advisory Committee on the 18 January 2012. No response has been received to date though issues pertaining to traffic and parking were discussed at the meeting and have been addressed within this report.

3.3.7 Sydney Regional Environmental Planning Policy (Sydney Harbour Catchment) 2005;

The site falls within the map area shown edged heavy black on the Sydney Harbour Catchment Map and hence is affected by the provisions of SREP (Sydney Harbour Catchment) 2005. The SREP aims to ensure that the catchment, foreshores, waterways and islands of Sydney Harbour are recognised, protected, enhanced and maintained. The SREP also provides a set of guiding principles to be taken into consideration in the preparation of environmental planning instruments and / or master plans.

Provisions of the SREP were generally considered in the development of the Master Plan. The proposal is separated from the Homebush Bay by the 'Foreshore Reserve' and a distance of approximately 27.5m. In so far as the proposal is not inconsistent with stipulated building envelope provisions within the Canada Bay LEP and Rhodes West DCP it is generally considered acceptable.

3.3.8 Sydney Regional Environmental Planning Policy No. 29 – Rhodes Peninsula;

The SREP, gazetted on 19 November 1999, replaced all local environmental planning instruments which otherwise applied to the Rhodes Peninsula at the date of gazettal.

On the 20 April 2011 Canada Bay Local Environmental Plan 2008 (Amendment No. 1) was gazetted and reflected the additional height and floor space envisaged in the Rhodes West Master Plan 2009.

Clause 1.9 (2A) of the LEP repealed the provisions of SREP 29.

3.3.9 City Canada Bay Local Environmental Plan 2008 (Amendment No. 1)

On 31 March 2010, Canada Bay Council lodged a Planning Proposal with the Department of Planning to provide an additional 46,200m² of floor space, increase in height of buildings up to 25 storeys and provision for an additional 17,230m² of open space in the form of local parks and civic plazas in undeveloped parts of the Rhodes Peninsula.

The Planning Proposal states as follows:

It is proposed to implement the Master Plan by incorporating the relevant provisions of SREP 29 into the Canada Bay Local Environmental Plan 2008. This will require the provisions of the SREP to be translated into Standard Instrument format, whilst also being amended to capture the changes proposed by the Rhodes West Master Plan. It is envisaged that the SREP will be repealed when the amendments to the LEP are gazetted.

The proposal passed the Gateway process with conditions and City of Canada Bay prepared a draft Local Environmental Plan (Amendment No. 1).

The draft LEP was placed on public exhibition from the 5 July 2010 to 3 August 2010.

On the 19 October 2010, following exhibition, the Plan was reported back to Council where it was resolved that it be adopted and forwarded to the Minister for Planning.

The LEP Amendment was gazetted on the 20 April 2011 and on this date effectively repealed previous provisions of SREP 29 (Clause 1.9).

The proposed development, being within an R4 'High Density Residential' zone is permissible. In terms of standards the LEP prescribes a building height and FSR provision for the site. As indicated within the compliance table to this report the proposal is compliant in terms of building height and FSR.

3.3.10 Draft City Canada Bay Local Environmental Plan

The Draft Canada Bay Local Environmental Plan has been placed on public exhibition from the 14 November 2011 until the 24 February 2012.

The proposed development, defined as a residential flat building, will remain permissible with consent, within the R4 'High Density Residential' zone under the *Draft Canada Bay Local Environmental Plan*.

The Draft LEP will delete the Rhodes West Precinct definition of gross floor area, used to calculate the FSR, and building height. These definitions will be replaced by the with the Standard LEP Template definitions. As indicated within the compliance table to this report the proposal will remain compliant with the Draft building height and FSR.

3.3.11 Rhodes West Development Control Plan

The Rhodes West DCP follows on from the introduction of the Rhodes West Master Plan which sought to upscale and guide future development within Rhodes. The Rhodes West DCP superseded the previous '*Renewing Rhodes DCP*' which was prepared in 2002 and has guided the majority of development within the Peninsula to date.

The DCP was placed on public exhibition with the draft LEP from 5 July 2010 to 3 August 2010.

On the 19 October 2010 the DCP was reported back to Council following public exhibition. A number of changes / edits to the document were recommended and Council subsequently resolved that the document be adopted. The Rhodes West DCP commenced upon gazettal of the Canada Bay LEP (Amendment No. 1) on 20 April 2011.

An assessment against the provisions of the DCP is contained within Appendix A.

3.3.11 Rhodes West Master Plan 2010

The Rhodes West Master Plan 2010 was adopted by Council on 19 October 2010. The Master Plan sets out the vision for the development of selected sites in the Rhodes Peninsula and also sets out urban design and planning principles for the distribution of additional floor space and height.

Following adoption of the Master Plan by Council, the '*Rhodes West Development Control Plan*' was prepared (as outlined above), and was intended to carry forward the provisions of the Master Plan and generate specific design parameters for the built form.

3.4 Plans and Policies

3.4.1 NSW State Plan 2010

The NSW State Plan 2010 aims to achieve improved urban environments and ensure sustainable development through reductions in greenhouse gas emissions and development in close proximity to existing centres, services and transport.

The plan sets targets, priorities and actions for the delivery of services in NSW. The following table provides an assessment of the proposed development against the relevant targets within the Plan:

Target	Comment
<i>Better Transport and Liveable Cities</i>	
Increase walking and cycling	The site is located within close proximity to the Rhodes railway station with nearby reserves, noting particularly Bicentennial Park readily accessible and providing opportunities for walking and cycling. The 'Foreshore Reserve' open space adjoining the western boundary of the subject site is accessible and encourage walking and cycling.
Increase number of jobs closer to home	The proposal will create a number of jobs during construction and in ongoing maintenance. The proposal does not incorporate any retail tenancies, however, the site is in close proximity to established business centres within Rhodes which is considered beneficial.
Grow cities and centres as functional and	The proposal has been designed in accordance with

attractive places to live, work and visit	the provisions of the Canada Bay LEP and Rhodes West DCP which establishes Council's vision for the Precinct and seeks to make the Rhodes Peninsula a more attractive place to live, work and visit.
Improve housing affordability	In terms of affordability the State Plan seeks to increase available housing stock. In this regard the proposal is considered beneficial as an additional 203 residential units of a varied mix will be provided.
Supporting Business and Jobs	
Maintain and invest in infrastructure	The proposal is subject to a Voluntary Planning Agreement (VPA) with Council. Section 94 contributions are also applicable, which will go towards a new community centre and other infrastructure.
Increase business investment and support jobs	As outlined above the proposal will create a number of business / employment opportunities during construction and its ongoing maintenance.
Green State	
Improve air quality	Compliance with the 1 car space per unit provision and close proximity of the site to public transport may discourage car dependency. The incorporation of a car share scheme and development of a travel plan to be distributed to future resident / owners is also of benefit.
Reduce waste	A Waste Management Plan was submitted with the proposal with the development providing appropriate waste storage areas, which facilitate recycling.
Stronger Communities	
Increase the number of people using parks	The proposal is located within close proximity to Foreshore Reserve and Point Park and hence should encourage the utilisation of these areas by residents.

3.4.2 Draft Inner West Subregional Strategy

The Subregional Strategy translates objectives of the NSW Government's Metropolitan Strategy and State Plan to the local level.

The Inner West Subregion is situated between Sydney CBD and Parramatta, a Regional City. It takes in the Local Government Areas of Ashfield, Burwood, Canada Bay, Leichhardt and Strathfield.

With regard to Canada Bay, the Draft Inner West Subregional Strategy states as follows:

Canada Bay is located only 10 km from Sydney CBD, covering an area of approximately 20 km², with over 38 km of foreshore and 130 parks, open spaces and reserve links. In 2004, the population of Canada Bay was approximately 65,800. The area is well known for its cultural diversity, with approximately 30 per cent of the population speaking other than English as a first language. Rhodes has been a major focus for residential and employment development activity in recent years.

The following table provides a brief assessment of the proposed development against the primary objectives of the strategy which relates to housing:

Objective	Comment
C1 <i>Ensure Adequate Supply of Land & Sites for Residential Development</i>	The site is located within the Rhodes Peninsula which will provide much of the housing accommodation and population increase for the City of Canada Bay.

C2 <i>Plan for a Housing Mix near Jobs, Transport and Services</i>	Location of the site within the central component of the Rhodes Peninsula makes it readily accessible to public transport, the Rhodes Business Park and the Rhodes Shopping Centre.
C3 <i>Renew Local Centres</i>	The site is within a precinct that is only partially established with development still to be completed.
C4 <i>Improve Housing Affordability</i>	The proposal provides 203 residential dwellings, with a varied mix and configuration of one, two and three bedroom units.
C5 <i>Improve the Quality of New Development and Urban Renewal</i>	The proposal has been designed in response to the various policies applicable.

The Subregional Plan, for the Inner West, also seeks an additional 30,000 new dwellings over the next 20 years; specifically the City of Canada Bay has a dwelling target of 10,000. The provision of 203 new apartments will positively contribute towards this target.

3.4.3 Metropolitan Transport Plan 2010

The Metropolitan Transport Plan 2010 is the NSW State Government's policy document for the delivery of public transport services across the Sydney Metropolitan area. The document:

- examines the likely future composition of the Metropolitan area (including dwelling yields);
- analyses the existing infrastructure and services; and
- makes commitments for future services and infrastructure to meet the expected new demands

The subject site is not located within an area identified within the Plan as having substantial additional growth in the coming years, most likely because the Rhodes Peninsula is nearing completion.

It is noted that the subject site is serviced by existing rail and bus services along Concord Road. Council is intending to enter into negotiations with Sydney Buses to improve services.

3.4.4 Integrating Land Use and Transport Policy package, NSW Dept of Planning 2005

The Integrating Land Use and Transport Policy package (ILUT) was introduced in 2005 and provides a framework for State Government agencies, Councils and developers to integrate land use and transport planning at the regional and local levels.

The aim of the Policy was to ensure that urban structures, building forms, land use locations, development designs, subdivisions and street layouts achieve the following planning objectives:

- improving access to housing, jobs and services by walking, cycling and public transport
- increasing the choice of available transport and reducing dependence on cars
- reducing travel demand including the number of trips generated by development and the distances travelled, especially by car
- supporting the efficient and viable operation of public transport services
- providing for the efficient movement of freight.

In response to the above, the location of the site within close proximity to places of employment, services and public transport is considered desirable. Compliance with the 1 car space per unit provision, incorporation via condition of a car share scheme and development of a travel plan to be distributed to future resident / owners is also of benefit in this regard.

4. CONSULTATION AND SUBMISSIONS

4.1 Public Exhibition Details

Under Section 79A of the EP&A Act, the Development Application must be notified or advertised in accordance with the provisions of a development control plan if the development control plan provides for the notification or advertising of the application.

In accordance with Part 2 of the Canada Bay Development Control Plan 'Notification and Advertising', the application was notified to adjoining and nearby property owners and occupiers.

After accepting the Development Application, Council undertook the following actions:

- Made the Application publicly available from **15 November 2011 until 29 November 2011** (14 days)
 - On Canada Bay Council's website;
 - At Canada Bay Council's Administration office
- Notified local landowners and residents about the proposal (and the exhibition period) with 745 letters sent;
- Notified relevant State and Local Government Authorities

No submissions were received in response to the exhibition.

4.2 Referrals from Public Authorities

The following responses to referrals were received from public authorities:

4.2.1 NSW Maritime

The Foreshores and Waterways Planning and Development Advisory Committee did respond to the notification though raised no specific objections to the application.

The Committee did recommend that the consent authority take into consideration relevant matters as prescribed in Sydney Regional Environmental Plan (Sydney Harbour Catchment) 2005 along with the Sydney Harbour Foreshores & Waterways Area DCP.

The above has been considered within the assessment of the application (see section 3.4.7).

4.2.2 Road and Maritime Services (RMS) - Sydney Regional Development Advisory Committee

The proposal was considered at the Sydney Regional Development Advisory Committee on the 18 January 2012. No response has been received to date though issues pertaining to traffic and parking were discussed at the meeting and have been addressed within this report.

4.2.3 Office of Environment and Heritage - Environment Protection Authority

The proposal involves excavation for the construction of basement levels on a site that has been recently remediated, so the proposal was referred to the EPA.

The following issues were raised:

- *'Please note that this development is proposed for construction on the former Union Carbide site, which has been recently remediated. The remediation of the site has retained lower level contaminated material on the site, placed in accordance with a site specific remediation risk assessment and a 'maintenance layer' of clean material placed on top.*

The site is the subject of a Site Audit, number BE101-306 prepared by Brad Eisman which includes the record of the remediation works and the environmental management plan (EMP) for this remediated portion of former remediated Union Carbide site. The EMP was prepared

by the remediation company Thiess Services and the site *is* regulated by the Environment Protection Authority via a 'Maintenance of remediation notice' under the provisions of section 28 of the Contaminated Land Management Act 1997. This regulation requires the sites to be managed in accordance with conditions of the EMP, which specifies that for any proposed disturbance on the site, below the 'maintenance layer', approval must be sought from the EPA.

Our concern is that there is no reference to the need for compliance to the EMP or the EPA regulation in the EA.

As the remediation of the site *remains* valid and hence the site suitable for its proposed use for residential development, if the integrity of the remediation on the site is maintained, we see this as a very significant omission in the EA.'

Comment - A letter from Douglas Partners was submitted:-

This letter confirms that Site 3C has recently been remediated by Thiess Services Pty Ltd as part of remediation works on the former Lednez site on the eastern side of Homebush Bay. An EMP prepared by Thiess Services in May 2011 states that, "Any party proposing to undertake intrusive works must consult with and satisfy the requirements of OEH (including the EPA) prior to commencement of any activity that disturbs the subsurface of the site". The Thiess Services EMP is referenced in the Site Audit Statement (BE101-306) prepared for the site by Brad Eismen of AECOM Australia Pty Ltd.

The proposed construction methodology includes the use of driven piles to ensure the disturbance of contaminated soil is minimised. Nevertheless, a Construction Environmental Management Plan (CEMP) will be prepared for the site and OEH endorsement sought prior to the commencement of construction activities.

Jones Nicholson the consulting engineers have also confirmed that the footing system will consist of driven concrete piles to bedrock:-

The driven piles have been chosen since they produce no spoil. Pile caps and the ground floor slab will all be located in or above the maintenance layer. Therefore we assess with the proposed footing system there will be no contaminated soil brought to the surface.

This information and drawings showing the footing system in relation to the maintenance layer were forwarded to the EPA and the following issue was raised:-

- The proposal in some areas to excavate to, but not into the contaminated materials. Great care will be required to achieve this outcome and I suggest that the plans, detail plans and the work should be subject to review by the Site Auditor to ensure that the integrity of the site remediation is maintained and that site retains its suitability for the proposed use.

Comment - Compliance with Site Audit Statement and Environmental Management Plan conditioned.

5. ASSESSMENT OF ENVIRONMENTAL IMPACTS

An assessment against the key considerations for the project is provided below:

5.1 Built Form

The built form of the proposal is consistent with the built form provisions of the Canada Bay LEP and Rhodes West DCP. The proposal is compliant with the general built form provisions including the building footprint, setbacks overall building height and number of storeys provisions.

An architectural design has been prepared for the site which consists of four separate buildings which are sited around the perimeter with a central communal open space area, each of these elements is discussed further.

The built form along Shoreline Drive is 9 storeys and will be constructed up to the 31m height limit for the site. This building has been design to provide a strong curvilinear elevation along the street frontage by providing solid elements in the façade and recessing the balconies into the built form. This is consistent with the Rhodes West DCP. The built form towards the corner with Timbrol Avenue contains cantilevered balcony elements which provide a softer more distinct edge to the building and emphasises the break in the built form along Timbrol Avenue. The form at the corner of Shoreline Drive and Peake Avenue transitions down to an attached 4 storey building fronting Peake Avenue with the introduction of balconies and vertical articulation created by the entry voids (Refer to Figures 3 & 4).

The built form to Timbrol Avenue is four storeys and provides balconies along the frontage which are broken up by vertical blades which connect into the roof form design. The entries to this building (J and K) are located on the southern façade with access from the through site link / communal open space area. The applicant has provided additional information which explains the location of the entries away from Peake Avenue:-

- a) *In our initial meeting with Council we were advised that Council, where appropriate, is encouraging the inclusion of through site links in response to interruption of strong desire lines and alienation of the visual amenity of open space as seen from the public realm as a consequence of big block development.*
- b) *Site context analysis reveals that there is a diagonal desire line through the site from the north east corner to the future community centre and bridge to the south west of the site. This through site link complements the north south through site link, linking the western end of Timbrol Avenue to Peake Avenue.*
- c) *The proposed diagonal through site link will be both a shorter and more accessible public route from the corner of Timbrol Avenue and Shoreline Drive to Peake Avenue and the foreshore walk.*
- d) *The cross fall on the site combined with the constraint on depth of the carpark, due to the contaminated soils buffer zone, elevates the ground level of buildings J and K such that it is above the street level by up to nearly a whole floor level, however the ground floor is level with the central open space through which the publically accessible through site link passes, and*
- e) *Solar access and hence sustainability is maximised in the design of all proposed buildings by locating building entries in building facades having a southeast to southwest orientation.*

It is considered that the location of the entries is suitable as this allows living areas to be orientated to the north and services to the south, away from Timbrol Avenue, as well as utilising the through site link. The applicant has clarified that signage will be provided at each end of the through site link to provide appropriate directional signage for visitors and emergency services.

Figure 3 - Corner of Shoreline Drive and Peake Avenue



Figure 4 - Corner of Shoreline Drive and Timbrol Avenue



A lineal built form is provided adjoining the Foreshore Reserve which is well articulated by balconies and incorporates screens. The apartments are predominately dual aspect with an east to west orientation which allows for cross ventilation and good solar access with the single aspect apartments orientated towards Homebush Bay. The setback to the 'Foreshore Reserve' will not contain an elevated hard edge as specified in the Rhodes West DCP, however, the private domain will be mass planted which provides a clear visual delineation satisfying the intent of this control. (Refer to Figure 5)

The roof forms of each building pitch up from the centre of the buildings towards the edge running in a north to south direction. These elements are emphasised by vertical elements which extend the full heights of the buildings and link into the roof form design.

In terms of materials and finishes, the building does provide extensive glazing elements including glass balustrades with painted cement render in both light white tones and light grey tones. Obscure glazing and screens have been used to emphasis and articulate the form. The facing of the base is in a natural sandstone finish.

Given the history and previous land uses within the Rhodes Peninsula, remediation of the land is required and has been ongoing for a number of years. Accordingly, excavation associated with subsequent development is directly limited by final remediated levels. In this instance the remediation levels and sloping topography of the site down to Homebush Bay have resulted in the basement protruding approximately 1.5 metres and up to 3.5 metres above the footpath levels.

The proposed configuration is considered reasonable as the proposal complies with the 31m height provision of the LEP and will present a suitable built form for the site. The elevation of the ground floors maintains privacy to the ground floor units from the public domain and the communal open space area, whilst still providing passive surveillance. Each unit has a suitably sized balcony adjoining a living area to provide private open space.

37% (2,304m²) of the site is landscaped area of which 50% (1,152m²) is deep soil planting. The landscape species are Endemic Species being all indigenous low water use plants. The proposal includes the provision of a communal landscaped area as a central component of the design which provides for an attractive outlook when viewed from the residential apartments and reduces reverberant sound in the courtyard. Canopy planting is provided within each of the street setbacks of the proposal which also softens the proposal and provides a green outlook from the apartments.

Figure 5 - Foreshore elevation



5.2 Built Separation

The Residential Flat Design Code for SEPP 65 recommends a minimum building separation of 12 meters between habitable rooms / balconies in buildings up to four storeys and 24 metres for buildings nine storeys and above. The compliance table within this report demonstrates that a reduced building separation is provided between the balconies of Building C & Building D as the build wraps around and reduced separation between the windows of Building I, H, G & F orientated east to west and Building J & E orientated North to South. The proposal is compliant with the building footprint and setback controls of the Rhodes West DCP which result in the non-compliant separations.

The proposal includes the provision of fixed screens where the separation is reduced, which addresses any privacy issues. Isometric shadow diagrams showing the shadow impact during mid winter demonstrates that adequate solar access is maintained to the lower units with the reduced separation.

The separation provided by the roadway to the North, East and South provide significant separation, exceeding the standard to adjoining sites and future development lots.

5.3 Traffic and Parking

Traffic Generation / Congestion

In respect to the Rhodes West Master Plan 2009 a traffic report by Halcrow MWT concluded that the additional density foreseen for the Rhodes Peninsula could be accommodated within existing traffic flows in Concord Road. This conclusion was verified by an independent traffic report commissioned by Council from consultants Transport and Urban Planning (TUPA). TUPA also made a number of observations that indicated capacity issues on Concord Road regardless of the level of development in Rhodes and that additional development in this area is most appropriate due to its relationship to existing public transport.

In so far as the proposal remains consistent with the adopted Rhodes West Master Plan and within the anticipated yields, it is not considered to result in or create any traffic impacts beyond those anticipated in the already adopted traffic modelling.

Furthermore in a letter dated 11 October 2010 from the RTA in response to the public exhibition of the Planning Proposal, it was advised that no objection was raised to the gazettal of the Canada Bay LEP amendment and Rhodes West DCP, subject to improvements being made to the Oulton Ave / Homebush Bay Drive intersection. Council has agreed to partly fund any required upgrades and at this stage it is understood that the scope of specific works required is being investigated.

Parking

In response to the Rhodes West DCP the following parking is incorporated within the development:

Parking Allocation	DCP Requirement	Total Required	Proposed	Compliance
Residential Dwelling	1 space per unit (average) (maximum)	203	203	Yes
Adaptable Spaces (inclusive in above)	1 Space per Adaptable Unit (15% of units)	31	31	Yes
Visitor Parking	1 space per 20 units (minimum) 1 space per 10 units (maximum)	10 (min) 20 (max)	19	Yes
Service Vehicles (Residential)	1 space per 50 units for first 200 units plus 1 (maximum)	0 (min) 4 (max)	0	Yes

Motorcycle	1 space per 100 spaces	3	3	Yes
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As outlined above the proposal is compliant with the carparking requirements for the site. As required by the Rhodes West DCP the vehicular access point is provided from Peake Avenue.

In so far as one of the main objectives within the Rhodes Peninsula is to reduce car dependence, a number of initiatives have also been incorporated within the Rhodes West DCP as follows:

Car Share Scheme

Section 4.2.5 of the Rhodes West DCP requires the incorporation of a car share scheme. In this regard the applicant is required to designate and provide one (1) car space on the public road carriageway adjacent to the kerb line on one of the street frontages to the development site for the purposes of establishing a car share scheme. This car space shall be suitably line marked and signposted as a car share scheme space only. Furthermore the proponent shall use its best endeavours to make all arrangements for an established car share operator to run the scheme.

Green Travel Plan

As per previous applications for the Rhodes West redevelopment and in accordance with NSW Transport the need for preparation of a 'Green Travel Plan' for the development has been conditioned. Accordingly the plan is required to be provided to each future resident / owner of the development and outline the following prior to occupation or purchase:

- The limited street parking available in the area detailing reasons why;
- Rail, bus and ferry timetables;
- Details of the car share schemes available in the area;
- Details of the available community facilities in the area; and
- Regional cycleway plan and associated facilities, including details of local cycling groups

Given the development of a specific Cycle Strategy (section 4.2.3 of the Rhodes West DCP), which seeks to provide connections to regional cycleway, provide for recreational opportunities and reduce car dependency by providing alternate means of transport, it is considered integral that adequate provision is made for bicycle storage within the development.

The application will provide a compliant level of bicycle parking as required by the Rhodes West DCP, within the built form (conditioned).

5.4 Waste Management

A separate vehicular access point is provided for garbage trucks / collection with access from Peake Avenue. This area is provided between Building D & F so that the required vehicular clearance heights can be achieved. The applicant amended the proposal to provide a pergola and landscape feature to soften the visual appearance of this feature. A condition has been included within the recommendation that the garbage truck collection area is covered by a roof form to protect the amenity of the adjoining residents but removing the visual impact and minimising the acoustic impact.

Garbage chute systems are included in each common stair and adjoining the chute is a room for recycling bins storage. The recycling bins and garbage bins are then cycled into a large bin storage area adjoining the collection point. The collection point also makes provision for the storage of larger bulky household items (conditioned).

6. CONCLUSION

Council has assessed the submitted plans and documentation and considered agency submissions in response to the proposal.

Council is satisfied that the impacts of the proposed development have been adequately addressed within the submitted application and recommended conditions of approval.

The proposed development will allow for 203 dwellings, 222 car parking spaces and landscaping on land identified as Lot 306 of DP 1163025, 38 Shoreline Drive, Rhodes (Site 3C - Precinct B). Furthermore, the Development Application has provided an appropriate level of compliance with applicable Environmental Planning Instruments.

The proposal is recommended for approval subject to conditions of approval

7. RECOMMENDATION

Pursuant to Section 80 of the Environmental Planning and Assessment Act 1979 (as amended)

THAT the Joint Regional Planning Panel Sydney East Region, as the determining authority, grant consent to Development Application No. 442/2011 for the construction of residential flat buildings providing 203 residential units, 222 car parking spaces and landscaping on land at 38 Shoreline Drive, Rhodes (Lot 306 in DP 1163025), known as Site 3C - Precinct B, subject to the following site specific conditions. In granting consent the Joint Regional Planning Panel - East has regard to the merit considerations carried out in the assessment report and pursuant to s.79C of the Environmental Planning and Assessment Act. On consideration of merits of the case the Joint Regional Planning Panel - East acknowledges the areas of non-compliance arising from the application but notes that it supports the application based on the particular circumstances of the case and does not consider that the consent gives rise to a precedent.

Prepared by:



Stuart Ardlie
Senior Statutory Planner
Canada Bay Council

Endorsed by:



Narelle Butler
Manager
Canada Bay Council

Approved by:



Tony McNamara
Director
Canada Bay Council

APPENDIX A - COMPLIANCE WITH ENVIRONMENTAL PLANNING INSTRUMENTS

State Environmental Planning Policy No. 65 - Design Quality of Residential Flat Buildings

Key Principles of SEPP 65	Response
<i>Principle 1: Context</i>	SEPP 65 requires that development respond to the desired future character of its context as stated in planning and design policies. In this regard the proposal is largely consistent with the Canada Bay LEP and Rhodes West DCP and indicative building envelopes prescribed within. The built form provides for the stepping of development within the Rhodes Peninsula from the east to the west towards the foreshore.
<i>Principle 2: Scale</i>	In terms of scale the proposal is consistent with that envisaged for the site within the Canada Bay LEP and Rhodes West DCP, most notably complying with height, floor space ratio and setback provisions for the buildings. The proposal will complement existing development within the Peninsula and future development of adjoining sites.
<i>Principle 3: Built Form</i>	<p>The built form of the proposal is not inconsistent with the Canada Bay LEP and Rhodes West DCP.</p> <p>The proposed built form is sited around the perimeter of a central communal open space area. The built form provides a strong curvilinear elevation along Shoreline Drive which is created by providing solid elements in the façade and recessing the balconies into the built form. The form then transitions down Peake Avenue with the introduction of balconies and further vertical articulation created by the entry voids. The form towards the corner with Peake Avenue contains cantilevered balcony elements which provide an edge to the building and emphasises the break in the building along Timbrol Avenue.</p> <p>A lineal built form is provided adjoining 'Foreshore Reserve' which is well articulated by balconies and incorporates screens.</p> <p>The roof forms pitched up from the centre of the buildings towards the edge running in a north to south direction. These elements are emphasised by vertical elements which continue and link into the roof form design.</p> <p>The ground floor levels are elevated which provide for the privacy and amenity of the ground floor occupants whilst still providing passive surveillance. The elevated components have a sandstone treatment towards the street frontage.</p> <p>Overall the built forms present strong linear built edges to each of the street and foreshore frontages which defines the streetscape and character of the area, but is well articulated by modulating the built form in combination with balconies to provide interest.</p>
<i>Principle 4: Density</i>	In terms of density the site is allocated an FSR of 2.3:1. The

Key Principles of SEPP 65	Response
	<p>proposal has a compliant floor space ratio of 2.19:1 which as stated within the report is considered acceptable.</p> <p>The proposed unit mix including 1, 2 and 3 bedrooms is appropriate to this area. The proposed design will provide for a variety of units sizes and a unit mix which will promotes diversity, affordability and housing choice.</p> <p>The close proximity and connectivity of the site to public transport, services and community facilities is also noted.</p>
<i>Principle 5: Resource, Energy and Water Efficiency</i>	<p>A BASIX Certificate has been submitted in respect of the proposal and does achieve recommended targets.</p> <p>General location and orientation of the building being east west does endeavour to maximise solar access to apartments. 63% of the total numbers of apartments are dual aspect and have building depths from glazing to glazing of not more than 18 metres. Adequate ventilation and circulation provided to the building does also reduce reliance on artificial heating and cooling.</p> <p>Comprehensive stormwater plans have been submitted in respect of the proposal with a significant area of deep soil providing desired infiltration. Efficient waste storage and recycling facilities are also provided.</p>
<i>Principle 6: Landscape</i>	<p>37% of the site is landscaped area of which 50% is deep soil planting. The landscape species are Endemic Species being all indigenous low water use plants.</p> <p>The proposal includes the provision of a communal landscaped area as a central component of the design which provides for an attractive outlook when viewed from the residential apartments and reduces reverberant sound in the courtyard.</p> <p>Canopy planting is provided within each of the street setbacks of the proposal which also softens the proposal and provides a green outlook from the apartments.</p>
<i>Principle 7: Amenity</i>	<p>Units proposed are of sizes consistent with the design code and have all been provided with private open space areas in the form of terraces and / or balconies which exceed the minimum 12% floor area of the dwelling. 89% of the units receive 3 hours of solar access between 9am and 3pm. All units provide storage areas within the units with a further 50% of secure storage within the car park.</p> <p>Adequate and compliant natural light and ventilation has also been provided to the proposed apartments.</p> <p>Residential apartments and the main communal open space area are accessible, being serviced via lifts and ramps.</p>
<i>Principle 8: Safety and Security</i>	<p>Readily identifiable and safe access points have been provided to the building both for pedestrians and vehicles.</p> <p>The apartments and associated balconies within the complex will provide for good passive surveillance both within the</p>

Key Principles of SEPP 65	Response
	communal open space and along the street frontages and foreshore area.
	Adequate passive surveillance of the surrounding street network is also provided by the elevated ground floor apartments through utilisation of extensive glazing and balconies to all elevations.
<i>Principle 9: Social Dimensions and Housing Affordability</i>	<p>The proposed unit mix including 1, 2 and 3 bedrooms is appropriate to this area. The proposed design will provide for a variety of units sizes and a unit mix which will promotes diversity, affordability and housing choice all with proximity to public transport, employment opportunities and other retail uses.</p> <p>A mix of one and two bedroom apartments is proposed to encourage a social mix within the proposal.</p> <p>In addition, adaptable units have been provided.</p>
<i>Principle 10: Aesthetics</i>	In terms of materials and finishes, the building does provide extensive glazing elements including glass balustrades with painted cement render in both light white tones and light grey tones. The facing of the base is in a natural sandstone finish.

Residential Flat Design Code (Clause 30 (2) (c) of SEPP 65)

Part 1 – Local Context	Consideration
Primary Development Controls	
<i>Building Height</i>	The building is compliant with the 31m numerical building height provision of the Canada Bay LEP.
<i>Building Depth</i>	<p>The Code states the maximum building depth for apartment buildings should be 18m. If greater than this, it should be demonstrated that units still achieve adequate daylight and natural ventilation.</p> <p>The Rhodes West DCP stipulates building depths of 18m for < 9 storeys.</p> <p>The proposal provides a building depth to glass / balconies of 17.5m / 21m, which is compliant with the DCP and largely consistent with the SEPP. The proposal does also provide complaint solar access and ventilation.</p>
<i>Building Separation</i>	<p>The building footprints and separations are consistent with the built forms provided for / by the Rhodes West DCP.</p> <p>Building A, B & C and Building J & K - 13.5 metres Building J & K and Building D & E - 17 metres Building I and Building J - 9.8 metres Building H and Building J - 10 metres Building G and Building E - 11 metres Building F and Building E - 10.2 metres</p> <p>A reduced building separation is provided between the balconies of Building C & Building D as the building wraps around the corner, this aspect is discussed within this report.</p>

A reduced building separation is provided between Building I, H, G & F orientated east to west and Building J & E orientated North to South, this aspect is discussed within this report.

The road frontage to the North, East and South provide significant separation, exceeding the standard.

Part 2 – Site Design - Primary Development Controls

<i>Deep Soil Zones</i>	2,304m ² or 37% of the site is landscaped area of which 1,152m ² or 50% is deep soil planting. The landscape species are Endemic Species being all indigenous low water use plants.
<i>Fences & Walls</i>	Definition between public / private domain has been established as discussed within the report.
<i>Landscape Design</i>	Landscaping associated with the communal open space of the development provides a quality environment for the future occupants. The scale of planting is varied and landscaping to the street setback softens the built form.
<i>Open Space</i>	<p>The site does provide communal open space which exceeds 25%</p> <p>All ground floor apartments are elevated above the ground floor level and provided with balconies adjoining living areas.</p>
<i>Orientation</i>	Solar access does provide compliance with the 2 hour numerical control applicable.
<i>Planting on structures</i>	Appropriate soil depths have been provided to the communal open space area, which in turn will enable reasonable amenity.
Site Amenity	
<i>Stormwater Management</i>	Suitable conditions have been incorporated to ensure adequate stormwater management.
<i>Safety</i>	<p>An assessment was provided in respect of the CEPTED principles of relevant State guidelines.</p> <p>Passive surveillance provided by proposed balconies to communal areas and street. Building and vehicular access secured.</p> <p>Street boundary is reinforced through landscaping which delineates the public and private domain.</p> <p>All entries are clearly defined and secured. Lift lobbies are visible from building entrances.</p>
<i>Visual Privacy</i>	Compliant separation has been provided between the subject building and those upon adjacent sites.
<i>Building Entry</i>	Clear, readily identifiable and accessible entry is provided to the building from the street frontages and does allow clear orientation by visitors.

Site Access	
<i>Parking</i>	<p>Parking provided is largely compliant with the provisions of the Rhodes West DCP.</p> <p>Proximity of the site to public transport services and promotion of a 'Green Travel Plan' (conditioned) is also considered beneficial.</p> <p>Parking is access from Peake Avenue and the garage door is recessed from the façade.</p>
<i>Pedestrian Access</i>	Development is readily accessible from each Street frontage. An Access Report demonstrating compliance was also submitted in respect of the proposal.
<i>Vehicle Access</i>	<p>Car parking / access is provided from the 'preferred' street frontage as stipulated within the DCP and has been well integrated within the building design.</p> <p>The vehicular entry point provides adequate separation from pedestrian entries</p> <p>Width of the driveway crossing measures a compliant 6m.</p>
PART 03 - BUILDING DESIGN	
Building Configuration	
<i>Apartment Layout</i>	<p>All single aspect apartments are no more than 8m from a window. All Kitchens within apartments are < 8m from an external opening of the building.</p> <p>All cross through apartments have a width of 4m and have open plan kitchen, dinning and living areas adjoining a balcony.</p> <p>A variety of unit sizes, compliant with the minimum stipulated within the code are provided.</p>
<i>Apartment Mix</i>	The proposal incorporates 35.5% Studio / 1 bed, 60% 2 bed and 4.4% 3 bed apartments. A satisfactory mix of one, two and three bedroom apartments has been provided within the proposal.
<i>Balconies</i>	Balconies have been provided to all units and retain dimensions which are appropriate and ensure their useability.
<i>Ceiling Height</i>	Minimum ceiling heights do comply with the rules of thumb with minimum 2.7m provided to residential.
<i>Flexibility</i>	Considered to achieve the objectives in providing internal flexibility for use by occupants
<i>Ground Floor Apartments</i>	In so far as residential component of the proposal is elevated, no ground floor apartments have been provided.
<i>Internal Circulation</i>	The proposal provides a maximum corridor loading of five units.
<i>Storage</i>	Sufficient storage areas have been allocated for each residential apartment, both within the

	apartment itself and parking level of the building
Building Amenity	
<i>Acoustic Privacy</i>	The siting of the building is generally in accordance with the Rhodes West DCP. The proposal will be conditioned to comply with the BCA. The proposal is not located in close proximity to any noise generating activities.
<i>Daylight Access</i>	<p>It is noted that SEPP 65 does ordinarily require 70% of apartments receive 3 hours solar access between 9am and 3pm (in dense urban areas 2 hours may suffice).</p> <p>It is noted that the 2 hours provision has been previously applied in the assessment of applications within the Rhodes Peninsula and incorporated within the Rhodes West DCP.</p> <p>The proposal complies with the 3 hour provision, with 89% of apartments provided with this.</p> <p>4.4% of apartments within the proposal have been provided with singular southerly aspects.</p>
<i>Natural Ventilation</i>	As outlined above the building is considered consistent with building depth provisions with 63% of apartments provided with cross ventilation
Building Form	
<i>Facades</i>	Building facades are generally considered acceptable with effective articulation provided.
<i>Roof design</i>	Roof form has been integrated within the overall design of the buildings.
Building Performance	
<i>Energy Efficiency</i>	A BASIX certificate was submitted in respect of the application demonstrating target passes
<i>Waste Management</i>	A waste management plan was submitted with appropriate storage and recycling areas provided within the basement level of the development
<i>Water conservation</i>	Satisfactory stormwater plans have been submitted

Rhodes West Development Control Plan

4.3.3 - Built Form

C1	Maximum height of development to comply with height map contained in the CBLEP 2008 and the maximum heights and storey limits shown in site specific controls of this DCP.	<p>The LEP Amendment introduces a 31m height limit with which the proposal does comply. The DCP also stipulates a storey height limit outlined below</p> <p><i>'Building height ranging from 4 storeys fronting the foreshore reserve up to 9 storeys fronting Shoreline Drive'.</i></p>
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		The proposal complies with the number of storeys although a slight podium is provided.
C2	Maximum FSR of development to be consistent with FSR map contained in the CBLEP 2008	The following FSR apply: Canada Bay LEP - 2.3:1 Draft LEP - 2.26:1 Rhodes DCP - 2.2:1 The proposal does present a total FSR of 2.19:1.
C3	Developments are to be consistent with the maximum building envelope plans contained in the site-specific controls in this DCP.	Development is considered satisfactory in terms of prescribed building envelope controls with a detailed assessment contained within this compliance table.
C4	Minimum ceiling heights; - 2.7m to residential apartments;	Residential apartments are provided with minimum 2.7m ceiling heights and are consistent with SEPP65.
C5	Architectural roof features may extend above the maximum building height limit	Roof form has been integrated within the overall design of the buildings.
C7	Ground floor level apartments should be elevated above adjacent footpath levels (500mm to 1.5m). To be balanced against access and adaptability.	Ground floor level apartments are elevated above adjacent footpath levels.

4.3.4 - Building Bulk

C5	Depth of residential buildings up to 9 storeys should not exceed 18m from window face to window face, and 21m overall (to balconies)	Depth of the proposed building to glass / balconies are as follows: - 17.5m / 21m
C7	Should a building exceed max depths from window face to window face, acceptable natural cross ventilation to be demonstrated	As outlined above building does provide compliance with building depth and in this regard adequate ventilation is provided
C8	Maximum length of a building without a recess or break is 50m. Buildings > 50m are to have a recess in the façade of a minimum 3 x 3 metres to break up overly bulky buildings.	The balconies and entry voids / glazing provide adequate articulation.
C10	For ventilation and daylight min 60% of all apartments should have openings in two or more external walls of different orientation. Single orientation apartments should predominantly face north, east or west.	> 60% of apartments are cross ventilated. Given the orientation of the site and size of the proposal it is inevitable that certain units will be provided with a single southern orientation. Single southerly orientated apartments are limited and represent 4.4%.
C11	Maximum of 10% of apartments should have a single southern aspect (SW-SE).	8.3% of apartments are provided with a single southerly aspect (SW-SE).
C12	To avoid long internal corridors, the number of apartments served by a common lobby should be no more than 8 per floor, except in buildings with a high proportion of cross-over and two storey apartments where the maximum is 15 apartments per circulation floor.	The proposal provides a maximum corridor loading of five units.
C13	To achieve high quality living environments, double loaded access corridors are to have	As indicated above the development complies with the maximum corridor

	outlook, access and sunlight and natural day lighting and preferably naturally ventilated.	loading.
4.3.5 - Setbacks		
C1	Street setbacks should comply with Section 5	Site specific controls are considered within the later part of this compliance table
C3	Comply with 3m street setback along north - south streets, as nominated in Fig 45.	Shoreline Drive - 3m minimum provided
C4	Consistent 5m street setback (east west streets) is preferred.	Timbrol Avenue - 5m minimum provided Peake Avenue - 5m minimum provided
C8	Buildings with a façade length of more than 18m fronting the foreshore reserve are to comply with the following controls: a) The ends of buildings fronting the foreshore reserve are to have a building setback (including balconies) of not less than 10 metres from the foreshore reserve b) The bays of building extending forward of the 10-metre setback line may extend to no less than 7 metres from the foreshore reserve (not including balconies) c) Balconies on the bays of the building extending up to 7 metres from the foreshore reserve shall not extend along the full length of the façade of each bay d) The setback of the building fronting the foreshore reserve in between the setback described on (b) above may extend to no less than 8.8 metres from the foreshore, inclusive of balconies.	Façade length 56 m 10m setback provided to end apartments 8.8m minimum setback to bays of building All balconies setback > 7m 8.8m minimum setback to bays of building with further setbacks beyond this minimum provided by the adjoining units.
C9	Projecting balconies are permitted forward of the minimum building setback line for a maximum of 50% of the length of the building	Balconies are kept within the permitted building setback line.
4.3.6 - Special Edge Conditions		
C1	Provide a clear definition between the private and public spaces along the foreshore and to local parks and neighbourhood open spaces	Landscaping in the form of ground cover has been used to provide a clear delineation between the public and private domain.
C2	Provide a continuous raised terrace, built to the park alignment for the entire length of the foreshore reserve as nominated in Fig. 48 to; - Create a strong edge to the park - Minimise excavation for car parking - Provide privacy to the private domain, and, - Enhance views to water from the private domain	The landscaping provides a clear delineation without the need for a physical structure. The elevated ground floor levels provide private to the residential properties and enhance views to the water. No excavation is proposed within the setback to the foreshore reserve.
C3	The top of the terrace should be 1.2 metres above the finished ground level of the adjoining reserve as illustrated in fig 5.2.4.i. It should be constructed of solid material, preferably faced with sandstone. Buildings should be set back above this terrace level in accordance with the site-specific controls in Section 5	Buildings setback in accordance with DCP.
C4	Car park vents are not permitted within 3	Carparking level setback beyond 3 metres

	metres of the foreshore reserve boundary	of the foreshore reserve.
4.3.7 - Definition of Streets & Open Spaces		
	<p>In accordance with figure 49 to define the significant edges:</p> <ul style="list-style-type: none"> - Provide strong delineation between public and private domain provide raised terrace built along at least 90% of the foreshore reserve - Accentuate the curvature of Shoreline Drive building forms are to align with the curved shape of the street - To define strong view corridors to Homebush Bay, the outside wall to Peake Ave and Timbrol Ave, must be built along at least 50% of the street setback line for the full height of the building. 	<p>No raised terrace provided with delineation provided by landscaping.</p> <p>The built form to Shoreline Drive has a curvilinear façade which follows the shape of the roadway.</p> <p>58% and 76% built form to Timbrol Avenue and Peake Avenue which provides a strong edge to the view corridor.</p>
4.3.8 - Building Articulation & Address		
C1	Promote high quality architecturally designed buildings with highly articulated massing and façade design to enhance character.	The mass and façade design of the building is considered appropriate and consistent with relevant planning controls.
C2	Comply with the building envelopes controls in Section 6: Site-specific controls including building articulation zones.	Proposal complies with stipulated building envelope. Full assessment contained within this table.
C6	Excessive use of a single type of sun shading to articulate building facades shall be avoided.	Façade articulation does not rely upon the exclusive use of sun shading devices. Both vertical and horizontal shading devices are used.
C7	The landscape potential of front gardens, projecting balconies and ground floor terraces only are permitted forward of the street setback (may occupy up to 50% of the lot frontage within the projecting balcony zone).	Landscape is provided to all street setbacks.
4.3.9 - Diversity of Apartment Types		
C1	All residential and mixed use development should provide a range of dwelling types including 1, 2 and 3+ bedroom dwellings.	The proposal incorporates 35.5% Studio / 1 bed, 60% 2 bed and 4.4% 3 bed apartments. A satisfactory mix of one, two and three bedroom apartments has been provided within the proposal. Accordingly the mix proposed is acceptable.
C2	To achieve environmental amenity, all access corridors should have a daylight component, either at point of vertical circulation or ends of corridors and preferably be naturally ventilated.	The lobby areas including staircases of each level adjoin glazing and as such providing effective amenity.
C3	Cross ventilated apartments are encouraged, including dual aspect apartments.	Complies with the provisions of SEPP 65 (> 60% of apartments are cross ventilated)
C6	Integration of internal and external living areas	Internal and external areas have been adequately integrated.
C7	Minimum 15% of all residential units must be Adaptable (in accordance with relevant AS).	31 apartments are provided as adaptable, satisfying the 15% provision
C8	A noise attenuation zone should be created	For the cross through apartments the

	<p>between habitable rooms facing the noise source, particularly bedrooms, by;</p> <ul style="list-style-type: none"> - Locating service areas such as circulation, kitchens, laundries, storage and - bathrooms to create a noise buffer; - Locating screened balconies or wintergardens to create a noise buffer, and; - Selecting sound isolating materials, including acoustic glazing. 	bedrooms of adjoining dwellings are grouped. Proposal conditioned to comply with the BCA.
C9	Building articulation should be designed to minimise external noise reflectivity.	<p>Noise reflectivity is not foreseen. It is also noted that there are no guidelines or requirements that govern this aspect.</p> <p>Furthermore the placement of buildings is generally consistent with the provisions of the Rhodes West DCP</p>
4.3.10 - Flexibility		
C1	Accessibility and adaptability of all buildings should be maximised	An Access Report was submitted with the application and addressed all relevant access requirements of the development.
C2	Housing design that provides for a degree of future adjustment of its configuration is encouraged.	Design of apartments allows a degree of flexibility.
C3	To optimise flexibility for future changing uses, windows or skylights should be provided to all habitable rooms and to the maximum number of non-habitable rooms possible.	Windows provided to all habitable rooms.
4.3.11 - Visual Privacy and Building Separation		
C1	<p>To achieve privacy to private internal and external spaces, consider:</p> <ul style="list-style-type: none"> · Building separation distance, · Appropriate internal room layout, · Location/design of windows and balconies; · Appropriate screening devices & landscaping. 	The proposal has incorporated the outlined considerations within its design and in this regard privacy implications are minimal
C2	<p>Separation between openings of habitable and non habitable rooms within dwellings must be provided as follows:</p> <p><u>Up to 4 storeys / up to 12m</u></p> <p>12m between habitable rooms 9m between habitable / non habitable rooms 6m between non habitable rooms</p> <p><u>9 to 20 storeys / up to 63m</u></p> <p>24m between habitable rooms 18m between habitable / non habitable rooms 12m between non habitable rooms</p>	<p>The building footprints and separations are consistent with the built forms provided for by the Rhodes West DCP.</p> <p>Building A, B & C and Building J & K - 13.5 metres Building J & K and Building D & E - 17 metres Building I and Building J - 9.8 metres Building H and Building J - 10 metres Building G and Building E - 11 metres Building F and Building E - 10.2 metres</p> <p>A reduced building separation is provided between the balconies of Building C & Building D as the building wraps around the corner, this aspect is discussed within this report.</p>

		<p>A reduced building separation is provided between Building I, H, G & F orientated east to west and Building J & E orientated North to South, this aspect is discussed within this report.</p> <p>The road frontage to the North, East and South provide significant separation, exceeding the standard.</p>
C3	The use of tinted glazing as the sole means of achieving privacy is not permitted.	Proposal does not rely on tinted glazing
C4	To achieve privacy to ground floor level apartments, elevate minimum 0.5 metres and maximum 1.5 metres above footpath and provide front walls or fences to front gardens	<p>All ground floor apartments are elevated which protects privacy of occupants and provides passive surveillance.</p> <p>Landscaping through mass planting used to delineate between the public and private domain.</p>

4.3.12 - Acoustic Privacy

C1	Sound insulation requirements between separating floors, ceilings and walls of adjoining dwellings should exceed the BCA	Condition to comply with BCA.
C2	The siting and design of buildings should minimise the transmission of noise externally, through careful consideration of the layout of internal rooms and external living spaces, design of openings, screens, blade walls, and the like, and choice of materials.	The siting of the building is generally in accordance with the Rhodes West DCP. Acoustic implications have been given due consideration within the design
C4	At least 25% of double glazed windows to dwellings should be openable.	No double glazed windows proposed and development has operable windows / doors for natural ventilation.

4.3.13 - Solar Access and Glazing

C1	Development should retain solar access to a minimum 50% of the area of neighbourhood open space, urban squares and parks, during lunch time hours (mid winter) June 22	Proposal will cast minimal shadow onto Shoreline Park South during lunch time hours, with 50% of the park still receiving solar access. Proposal compliant with building envelope controls of DCP.
C2	New buildings should minimise glare with mirror glass not to be used. A maximum 20% reflectivity index is permitted for external glazing elements.	Details have not been provided in this regard though a suitable condition requiring such has been recommended.
C3	Minimum of 2 hours direct sunlight between 9.00am and 3.00pm should be provided to principal living rooms and private open spaces in at least 70% of dwellings, on 22 June.	As indicated within the submitted statement 89% of apartments are provided with 3 hours solar access.
C4	Maximise direct sunlight to communal open space in residential developments on 22 June.	The building along the northeast edge of the site contains two breaks which maximises solar access to the central communal open space. Usable areas of this open space receive solar access at 9am, 12 noon and 3pm.
C6	Sun protection to glazed areas facing north,	Sum protection provided by balconies in

	west and east	combination with louvers.
C7	Balconies appropriate to their orientation.	Balconies are considered acceptable
4.3.14 - Natural Ventilation and Daylight		
C1	Buildings should be designed so that living and working environments are substantially naturally lit and ventilated, using ventilation by means such as thin cross section buildings.	Solar access and ventilation of the proposal is considered acceptable.
C2	To avoid reliance on mechanical ventilation and minimise use of artificial lighting, windows should be provided to all living / working areas	Adequate provision of glazing / windows has been provided to apartments.
C3	Residential buildings up to a height of 9 storeys are to have a max depth of 18m window line to window line.	Building depth does comply with standard
C4	60% of residential apartments should be naturally cross ventilated.	> 60% are naturally cross ventilated
C6	Doors and openable windows should be located in two walls facing different or preferably opposite directions.	Within dual aspect apartments openable doors and / or windows have been provided to opposing elevations
4.3.15 - Building Materials, Finishes and Colours		
C1	Bulk and or reflective insulation must be provided in wall, ceiling and roof systems	The development is considered acceptable in terms of energy efficiency and does comply with SEPP BASIX (conditioned).
C4	Use of colour is to provide visual interest to building facades	Extensive glazing has been utilised within the building with white and grey painted render adding further visual interest.
4.3.16 - Public Domain Interface		
C10	To achieve street surveillance, maximise pedestrian entrances to residential buildings.	The proposal includes pedestrian entry to Shoreline Drive and Peake Avenue. Entry to Building J & K on south elevation which maximises north orientation of apartments benefiting future occupants.
4.3.17 - Awnings and Entrance Canopies		
C7	To provide weather protection entrance canopies are required at pedestrian entries of all buildings. Entrance canopies are permitted within building setbacks.	Awning / roof structure are provided to the pedestrian entry to the lobbies.
4.3.19 - Private & Communal Open Space		
C1	Deep soil landscape space should be provided wherever possible, and maximised.	<p>2,304m² or 37% of the site is landscaped area of which 1,152m² or 50% is deep soil planting. The landscape species are Endemic Species being all indigenous low water use plants.</p> <p>Landscaping associated with the communal open space of the development provides a quality environment for the future occupants. The scale of planting is varied and landscaping to the street setback softens the built form.</p> <p>The site does provide communal open</p>

		space which exceeds 25%
		All ground floor apartments are elevated above the ground floor level and provided with balconies.
C2	Development sites in the Residential zone are to contain landscaped areas in the form of private, common and public open space.	The proposal provides private open space in the form of balconies with a landscaped central communal area also incorporated.
C3	Half the area of communal open space should be unpaved and provide soft landscaping.	More than half of the communal open space is soft landscaping.
C4	Minimum of one large tree, with a spreading canopy, and mature height of 12m minimum, should be planted in soft landscaping zones, for every 100m ² of landscape space.	36 canopy trees proposed which complies.
C5	Each apartment at ground level or similar space on a structure, such as on a podium or car park, must have minimum private courtyard open space of 25m ² , the minimum dimension of 3m.	All ground floor apartments have elevated levels and are provided with balconies as opposed to open space.
C6	Landscape areas should provide some capacity for storage and infiltration of stormwater.	Deep soil zones will permit infiltration and rainwater reuse is proposed.
C7	To create optimum conditions for the establishment / long term viability of planted areas, suitable soil depths are to be provided	Suitable soil depths to planters will be provided.
C10	All planters on podium levels must be accessible for maintenance.	All planters are accessible.

4.3.20 - Front Gardens

C2	To minimise the visibility of car parking, garages and parking structures are not permitted forward of the building alignment to public streets.	Parking structures are located behind the building line.
C3	To minimise the impact of driveways in front gardens, appropriate design, materials selection and screen planting is encouraged.	Driveway has a width of 6m and will be screened with landscaping and as such is considered relatively recessive
C4	To minimise impact on the root zone of street trees, driveways, kerb crossings, parking, paved areas and external structures should be located appropriately.	No street trees adjacent to the site at present though in this regard the infrastructure provided should not compromise their establishment
C5	Front gardens should generally be wide enough to be useable, and should have continuous access to allow maintenance.	Landscaping is provided to each street setback and access for maintenance is possible.
C6	To achieve safety, lighting at both pedestrian and vehicular street entry points should be provided to each residential building.	Pedestrian and vehicular access points will be effectively lit
C8	The maximum height of front fences is 1.2 metres from the finished footpath level of the adjoining street. Front fences may be sloping or stepped along sloping streets.	No front fencing is proposed.

4.3.21 - Above Ground Open Space

C1	At least one balcony or deck must be provided to each dwelling where direct access to ground level private open space is not available. Area must be a minimum of 12% of the area of the dwelling floor space.	Each apartment has been provided with at least one balcony, dimensions and sizes of which are considered appropriate and have a combined area of between 30% and 50% of the dwelling floor space.
C2	To optimise use, primary above ground open space element should be accessible from a living area, and be predominantly north, east or west facing. The preferred depth is 2.4m and the minimum permissible depth is 1.5m.	All primary balconies of apartments are directly accessible from living areas and have a minimum depth around 2m.
C3	Smaller secondary above ground open space elements are also encouraged, such as balconies adjacent bedrooms, screened external clothes drying balconies adjacent laundries and bathrooms	Many apartments do provide secondary balconies which adjoin bedrooms. Area is provided for clothes drying.
C4	Must be designed to provide security and protect privacy of neighbours.	Considered acceptable in terms of security and where appropriate privacy screens have been fitted.
C5	Lightweight pergolas, sunscreens, privacy screens and planters are permitted on roof terraces, provided they do not increase bulk.	No such structures are incorporated

4.3.25 - Waste Minimisation, Storage and Removal

C1	On site storage and waste recycling must be provided in designated areas	Designated area is provided on site
C2	Access and facilities for loading and waste should not be located along Shoreline Drive	Access and loading facilities are provided from Peake Avenue
C8	Provision must be made for waste collection vehicles to enter and service bins on site	Appropriate clearance enable access by waste service vehicles
C11	Garbage chutes are required for all buildings more than 3 storeys in height	Garbage chutes are provided
C12	All transfer of waste from the collection point to waste storage area must occur underground	Waste transportation between chute systems and garbage area is below ground.
C14	A waste storage compartment must be provided on each floor providing minimum storage space for 2x240 litre recycling bins	Waste storage area provided on each floor adjoining chute system.
C17	Waste collection are provided underground with minimum clearance of 3.8m high for waste collection vehicles	Collection area is partially below ground and allows clearance for the garbage collection vehicle.
C19	A room or caged area must be provided for the storage and discarded bulky goods items awaiting collection	Space within waste collection area (conditioned)
C20	Residential dwellings adjacent to or above waste collection areas shall be adequately insulated from noise	Waste collection area to be suitably enclosed averting any potential acoustic conflicts

4.3.26 - Site Facilities

C3	Either communal or individual laundry facilities shall be provided to every dwelling, and at least one external clothes drying area;	Each unit is provided with a laundry with one external clothes drying area.
C4	All apartments are to have a balcony that has	All balconies contain a screened area for

	a portion of the balustrade which has a minimum height of 1.4m and minimum width of 1.5m wide to screen drying clothes;	clothes drying.
C5	Lockable mailboxes should be provided close to the street and be integrated with front fences or building entries;	Mailboxes are located adjoining pedestrian entry areas.
C7	To facilitate maintenance of communal open space, garden maintenance storage including connections to water and drainage should be provided;	Water and drainage connections have been provided to open space area
C8	Fixed storage is to be provided to every dwelling in accordance with the following: - Studio and 1 bed (6 cubic metres) - 2 Bedrooms (8 Cubic metres) - 3+ Bedrooms (10 cubic metres)	Adequate storage is afforded to dwellings both within each apartment and also within the basement parking area.
4.3.27 - Pedestrian Access, Parking & Servicing		
C1	At least one main entry with convenient, barrier free access in all buildings. Access should be direct and without barriers.	Main pedestrian entry provides barrier free direct access to the development.
C3	Adequate parking should be provided for people with mobility disabilities, and safe, easy and convenient access to the building.	Appropriate parking has been provided for both adaptable units and general disabled (conditioned)
C4	To cater for visitors with mobility impairment, proportion of visitable dwellings maximised.	All apartments provided within the development are accessible.
C5	Assessment of accessibility of developments to accompany all development applications	Access report was submitted.
4.3.28 - Vehicular Access		
C1	Provide access to parking from rear or side lanes or secondary streets wherever possible.	Vehicular access is provided from Peake Avenue as per the DCP
C2	To optimise pedestrian safety, pedestrian and vehicular access clearly differentiated.	Entries are clearly differentiated.
C3	Provide a minimum 6m distance between a vehicle and pedestrian entries	Pedestrian entries have been located > 6m from the main vehicular access point.
C4	Driveways should be consolidated within blocks, particularly those in single body corporate ownership.	One driveway has been provided to the basement parking area.
C5	Vehicle access and pathway layouts should be designed to satisfy AS (AS2890.1 1993).	A condition is incorporated requiring compliance with relevant standards.
C6	Vehicular access ramps parallel to the street frontage are not permitted.	Vehicular access ramps do not run parallel to the street frontage.
C8	The maximum permitted width of driveway crossings is generally 6 metres.	Width of the driveway crossing is 6m. Separate vehicular crossing for garbage collection.
C10	Visual intrusion of vehicle access minimised.	Vehicular access not visually intrusive.
4.3.29 - On Site Parking		
C1	Parking on site provided as follows: - Residential (max 1 space per apartment) (Average)	Residential - 203

	<ul style="list-style-type: none"> - Visitor (max 1 space per 10 apartments) (min 1 space per 20 apartments) - Service Vehicles - max 1 space per 50 apartments for first 200 apartments plus 1 	<p>Visitor - 19 (compliant)</p> <p>Residential Service - Nil (compliant)</p> <p>Parking has been discussed in detail within this report.</p>
C2	Stack parking not permitted for residential.	Stacked parking has not been proposed within the submitted scheme
C3	Motorcycle parking equivalent to the area of 1 car parking space per 100 parking spaces.	3 spaces provided
C4	Provide 2% readily accessible parking spaces, designed and appropriately signed for use by people with disabilities.	Compliance conditioned
C5	Parking and service areas are to satisfy AS2890.1 and AS2890.2	Compliance conditioned
C6	Adaptable Dwellings - A minimum 3.8m, but up to 4.4m marked as one space	All adaptable dwellings have been provided with a parking space that is suitably dimensioned
C7	To maximise the area for soft landscaping consolidated parking areas should be concentrated under building footprints	The parking area of the proposal does extend across a significant portion of the site, though nevertheless an adequate deep soil landscaping has been provided.
C9	Car parking which protrudes > 1.2m above ground level of adjacent public domain must be located behind building line and screened by way of external design from public domain	Parking area which protrudes above ground level to be clad in sandstone facing with soft landscape forward also apparent
C11	Bicycle parking to be provided as follows; <ul style="list-style-type: none"> - Residential (1 space per 3 apartments) - Visitor (1 space per 12 apartments) 	<p>Provision for 68 for residents and 17 visitor bicycle parking spaces has been made within the parking area of the proposal</p> <p>A condition ensuring compliance with bicycle parking rates is incorporated.</p>
C12	Dimensions of bicycle parking facilities shall comply with provisions in the 'Guide to Traffic Engineering Practice Part 14: Bicycles', Austroads 1999	Facilities are required to be constructed in accordance with the specified standard.
C13	To encourage cycling resident and employee bicycle parking to be secure.	Secure bicycle parking is provided within basement
Part 5 - Precinct B Controls (5.5.2 - Site 3C)		
C1	Building height ranging from 4 storeys fronting the foreshore reserve up to 9 storeys fronting Shoreline Drive	Building heights of 4 storeys at foreshore up to 9 storeys at Shoreline Drive provided. The elevation from the basement carparking is discussed within this report.
C2	Maximum floor space ratio of 2.2:1	FSR - 2.19:1
C3	Car park entry from Peake Avenue	Car park entry provided from Peake Avenue
C4	Two levels of basement car parking	Two levels are proposed.
C5	All buildings with an address to a street frontage	All buildings present to a street frontage. Pedestrian access to Building J & K is not from the street to maximise northern

		exposure for the building.
C6	The design of the building fronting Shoreline Drive is to accentuate the curvilinear alignment of the street through building setbacks, façade articulation, and balcony and balustrade forms	The proposed built form to Shoreline Drive is curvilinear including balconies and balustrades with a consistent 3m setback proposed.

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<i>Provision</i>	<i>Provided</i>	<i>Compliance</i>
Zoning - R4 (High Density Residential)	Permissible	Yes
Floor Space Ratio (T4) - 2.30:1	2.19:1	Yes
Building Height (U) - 31m	31m	Yes
Acid Sulfate Soils - Class 2	Statement provided by Douglas Partners	N/A

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<i>Provision</i>	<i>Provided</i>	<i>Compliance</i>
Zoning - R4 (High Density Residential)	Permissible	Yes
Floor Space Ratio (T4) - 2.26:1	2.13:1	Yes
Building Height (U1) - 31m	31m	Yes
Acid Sulfate Soils - Class 2	Statement provided by Douglas Partners	N/A