

Joint Regional Planning Panel

(Sydney East Region)

JRPP Number:	2012SYE113
DA Number:	DA-2013/153
Local Government Area:	ROCKDALE
Proposed Development:	Discovery Point - Stage 4 - Construction of a residential flat building comprising 29 x 1 bedroom and 41 x 2 bedroom units, fitout of ground floor entry lobby, plant room, and first floor parking for 28 vehicles above Building 1B podium
Street Address:	1 Magdalene Terrace, WOLLI CREEK NSW 2205
Applicant/Owner:	Discovery Point PTY LTD
Number of Submissions:	Nil
Recommendation:	Approval
Report by:	Marta Sadek – Senior Development Assessment Planner

Precis

The site is part of the Discovery Point Precinct located within the suburb of Wolli Creek in Rockdale. In April 2001, Council approved the Masterplan for the Precinct under DA-2001/500. Subsequently, buildings and associated works identified in the Masterplan as 1, 2 and 4 were approved. These buildings are known as Greenbank, Verge and Vine (respectively) and are currently occupied. Additionally, approval was granted and development completed for the restoration of the heritage buildings and Mt Olympus, known as Tempe Estate (DA-2001/463).

More recently, the Minister for Planning approved the Discovery Point Concept Plan pursuant Part 3A of the EP&A Act on 5 May 2011 (MP 10_0003). The Concept Plan includes a maximum of 132,000sq.m. total GFA. Developments completed under the Masterplan DA-2001/500 and DA-2001/463 are not part of the Concept Plan approval.

The Concept Plan envisages 13 additional buildings within the site with associated parking, new roads and landscaped areas including new plazas and parks. Stage 1 and Stage 6 have also been approved by the Minister for Planning under MP10_0030 and MP10_0031, respectively. Late last year, the Joint Regional Planning Panel approved Stage 2 on 17 October 2012 (DA-2012/410) and Stage 7 on 15 November 2012 (DA-2013/34).

Stage 4, the subject of this application, consists of the construction of a residential flat building containing 70 apartments and first floor carparking level. The residential tower is located above the podium of Stage 1 and contains 8 levels plus plant level.

The proposal is subject to modifications to the Concept Plan and Stage 1 approvals, recently determined by the Department of Planning and Infrastructure (DP&I) under applications 10_0003 MOD 2 and 10_0030 MOD 1. The relevant matters of the proposed modifications are:

- The above ground parking proposed under Stage 4 was not anticipated by the Concept Plan. The condition limiting above ground parking within Discovery Point has been amended.
- The proposed Stage 4 car parking in level 1 requires a ramp from Stage 1 ground level.
- Reconfiguration of the approved communal area in Stage 1 is required to allow proposed private open space for apartments in Stage 4.

The site is zoned B4 Mixed Use under the provisions of Rockdale Local Environmental Plan 2011 (RLEP2011). The proposal is defined as a residential flat building and is permissible with development consent.

The proposal is generally consistent with the Concept Plan, the Statement of Commitments and Development Design Guidelines for Discovery Point. Some variations have been identified such as the percentage of apartments receiving solar access and some encroachment into the approved building envelope. The variations are within the parameters allowed by the conditions of consent of the Concept Plan and are supported in this instance. The proposal complies with the objectives and requirements in Rockdale Local Environmental Plan 2011 (RLEP 2011) and DCP 2011. Further the proposal is a high quality development supported by SEPP 65 principles.

The Capital Investment Value is greater than \$20 million (i.e. \$20,103,000) and as such the development application is referred to the Joint Regional Planning Panel (JRPP) for determination. The recommendation is for **approval**.

Officer Recommendation

1. That development application DA-2013/153 for Stage 4 of the Discovery Point Concept Plan involving the construction of eight (8) storey residential flat building comprising 29 x 1 bedroom and 41 x 2 bedroom units, fitout of ground floor entry lobby, plant room, and first floor parking for 28 vehicles above previously approved Building 1B podium be APPROVED subject to the conditions of consent attached.

Report Background

PROPOSAL

The proposal is for the construction of a residential tower above the podium approved as part of Stage 1. The Stage 1 consent was issued by the Minister for Planning as a Part3A approval on 19 March 2012 (MP10_0030).

Stage 1 comprises the following:

- Two mixed use buildings containing 126 apartments and 2531 sq.m. retail space
- Podium roof top courtyard

- Parking at basement level
- Public domain works including facilitation of Neighbourhood Park
- Construction of roads and associated infrastructure
- Earthworks and construction of part of basement levels for stages 2,3,4,5,6, and 14
- Temporary works to facilitate access to Wolli Creek Station
- Stratum subdivision
- Associated landscaping and infrastructure works.

The proposal is subject to two S75W modifications recently approved by the Department of Planning and Infrastructure (DP&I) to Stage 1 (MP 10_0030 MOD 1) and Concept Plan (MP 10_0003 MOD 2) approvals. The modifications allow vehicular access to the first floor level, the provision of additional parking beyond what it was anticipated in the Concept Plan and adjusting the boundary of the approved Level 2 communal open space area in Stage 1.

The building proposed as part of the subject application is identified as Building 4 and is a total of seven storeys above a two level podium plus plant level. The proposal GFA is 5,395sq.m. The proposed building contains 70 residential apartments comprising 29 x one bedroom apartments (41.4%) and 41 x two bedroom apartments (58.6%) within levels two to eight. Each level contains ten apartments (5 x 1 bed and 5 x 2 beds). Apartment sizes vary from 55.9sq.m. to 98.4 sq.m. Two adaptable apartments have been provided.

Level 1 of the podium contains carparking for 28 vehicles and storage areas. Level 9 is a plant room and also contains the lift overrun. The parking allocation for building 4 is 56 resident parking spaces, 5 bicycle spaces, 5 motorcycle spaces and 1 car wash bay, consistent with the Statement of Commitments approved under the Concept Plan.

The proposal also involves the fitout of the ground floor lobby. The lobby is accessed via Discovery Point Place and contains two lifts allowing access to all levels including basement levels. The lobby was approved as part of Stage 1.

Communal areas are available across the Discovery Point precinct. Residents of building 4 will have access to facilities approved on the roof of Building 1B via level 2 corridors.



Figure 1 – View of Building 1 and Building 4 (tower) as seen from Discovery Point Place
Source JBA

EXISTING AND SURROUNDING DEVELOPMENT

The site is part of the Discovery Point Precinct located at 1 Princes Highway Wollongong. The Precinct is bounded by Princes Highway, Brodie Spark Drive, Magdalene Terrace, the Illawarra and East Hills Railway Lines and Cooks River. Wollongong railway station is located within the boundaries of the Precinct. Discovery Point is divided into two precincts to the north and south of the airport railway line.



Figure 2 - The Site

Source JBA

Stage 4 is within the southern precinct and is located on the corner of Discovery Point Place and Spark Lane above the podium of Stage 1. Stage 1 is currently under construction.

Opposite the site to the West is the Illawarra Railway Line. To the northern side of Discovery Point Place will be Building 14 and Wollongong Railway Station. Building 1B will be located to the east of the site. The Neighbourhood Park and future building 3 will be located to the south.

PLANNING CONSIDERATION

The proposed development has been assessed under the provisions of the Environmental and Planning Assessment Act, 1979. The matters below are those requiring the consideration of the Joint Regional Planning Panel.

Section 79C (1) Matters for Consideration - General

Provisions of Environmental Planning Instruments (S.79C(1)(a)(i))

State Environmental Planning Policy Building Sustainability Index (BASIX)

The applicant has submitted a BASIX Certificate for the proposed development. The Certificate number is 457376M.

The commitments made result in the reduction in energy and water consumption shown below. A condition is proposed on the consent to ensure that the BASIX requirements are adhered to.

Reduction in Energy Consumption	26 (target 20%)
Reduction in Water Consumption	62 (target 40%)
Thermal Comfort	Pass (target pass)

State Environmental Planning Policy No.55 - Contaminated Land (SEPP 55)

The property is identified in Council's records as being potentially contaminated. However, the proposal does not involve ground works and as such this policy is not relevant to this application.

State Environmental Planning Policy (Infrastructure) 2007 (ISEPP)

The proposal is adjacent to the Illawarra Railway Line (only separated by Spark Lane). In accordance with Division 15 of the ISEPP, consideration has been given to the impact of the proposal on the rail corridor and vice versa. In this regard, the proposal has been referred to RailCorp. The conditions of consent recommended by RailCorp will ensure an appropriate response to the requirements of the ISEPP and have been incorporated in the draft notice of determination attached to this report.

As such the proposal is satisfactory having regard to this policy.

State Environmental Planning Policy No.65 - Design Quality of Residential Flat Development (SEPP 65)

In accordance with clause 30 of this policy, the consent authority must take into consideration the following:

a. The advice of the Design Review Panel (DRP)

The proposal has been referred to the Design Review Panel. The Panel supports the proposal against the design principles of SEPP 65. To achieve better amenity, the Panel recommended the provision of winter gardens to the balconies located on the south-western corner and a retractable wall to the living area to achieve an integrated and more usable space. Further, the Panel suggested the provision of more storage space within the apartments.

In responding to the DRP recommendations, the applicant has amended the plans to show retractable doors to south-western balconies. The provision of winter gardens was not considered to provide any material benefit in regards to amenity. It is stated that they may be of detriment to direct views to the Neighbourhood Park and would therefore undermine the amenity of the apartments. As such the balconies remain as originally proposed.

In respect to increasing the storage area within the apartments, the applicant states that the proposal is consistent with the Discovery Point Design Guidelines approved under the Concept Plan. Nevertheless additional storage areas have been provided to apartments 8 and 9 in each floor and plans amended accordingly.

The applicant's response to the DRP recommendations is considered satisfactory.

b. The design quality of the residential flat building when evaluated in accordance with the ten design quality principles

The 10 design quality principles have been considered in the assessment of the proposal. The proposal is a high quality development consistent with the scale and character envisaged by the Concept Plan. The proposal is satisfactory in regards to the ten design principles of SEPP 65.

c. The Residential Flat Building Code.

The Residential Flat Design Code is a publication by the State Government which further expands on the 10 design quality principles by providing some detailed practical guidance for the design of residential flat buildings. The proposal has been assessed against the Residential Flat Building Code.

The proposal is subject to detailed design controls for Discovery Point contained in the Discovery Point Development Design Guidelines approved under the Concept Plan. The proposal is consistent with the controls in regards to building separation, height, unit sizes, storage etc.

The maximum building depth recommended by the RFDC is 18m. The proposed building depth varies to achieve a maximum depth at some points of up to 22m. However the building bulk is within the building envelope approved under the Concept Plan. The façade of the building has been articulated and the apartments enjoy a reasonable level of amenity. 42% of apartments are dual aspect. The proposed building depth is considered to be consistent with the Concept Plan and objectives of the controls and is supported in this instance.

Rockdale Local Environmental Plan 2011 (RLEP 2011)

The site is zoned B4 – Mixed Use under the provisions of RLEP 2011. Development for the purpose of a residential flat building is permissible with consent. The proposal is consistent with the objectives of the zone. The relevant clauses that apply to the proposal are below.

Clause 6.3 – Development in areas subject to aircraft noise

The site is located between the 20 and 25 ANEF contour for 2029. A noise impact assessment report by Acoustic Logic has been submitted. The report recommends acoustic treatments to ensure noise levels from aircraft comply with Australian Standard AS2021:2000 as required by clause 6.3. A condition of consent is proposed to ensure that the recommendations of the report are implemented.

Clause 6.4 – Airspace operations

The maximum height of the proposal shown on the elevation plan is RL 40 AHD. This height is consistent with the approved building height of RL 40 under the Concept Plan. The applicant has obtained approval (by letter dated 15 December 2010) from Department of Infrastructure & Transport that allows Building 4 to be built to a maximum height of 55.3m AHD. A condition of consent is proposed to ensure that further consultation with Sydney Airports takes place if any structure, including temporary structures exceeds the approved height. Subject to compliance with this condition, the proposal is satisfactory in regards to clause 6.4.

Clause 6.7 – Stormwater

The roof water from building 4 will be disposed to the Spark Lane verge bioretention planters. The proposed stormwater system has been approved by Council's development engineers and is consistent with this clause.

Clause 6.12 – Essential Services

Services are generally available on the site. Additional conditions of consent are proposed requiring consultation with relevant utility providers to ensure adequate provision of services on the site.

Concept Plan Approval (Project application MP 10_0030)

The proposal is generally consistent with the conditions of the Concept Plan approval. The following issues are relevant for consideration by the JRPP.

Condition A9 of the Concept Plan approval requires building footprints and setbacks to be 'generally consistent' with the building envelope parameter diagrams and the building separation diagram shown in approved drawing DA3-001D by Bates Smart Architects. The proposed building is within the Concept Plan building envelope, particularly in regards to maximum height, building footprint and separation. Some protrusions have been identified as follows:

- The level 2 terraces along the eastern and southern façades protrude beyond Building 4 envelope (but are within building 1B envelope)
- Awnings above level 2 terraces for sun shading
- A sun shading ledge on the north eastern corner and above windows on the northern façade.

The applicant has indicated that the terraces are a result of a detailed consideration of the building design and provide a better design outcome. It is stated that the terraces act as a buffer between the communal area within building 1B podium and the living areas of the apartments in level 2 providing privacy and security.

Further the sun shading devices, including the awning above the terraces are considered to be within the scope of condition A9 and are supported.

The proposal is consistent with all other conditions of the Concept Plan approval in regards to apartment sizes, private open space, adaptable units, natural cross ventilation etc.

It is noted that condition A7 requires the provision of active ground floor non residential uses in Stage 4. However, the lift lobby is the only component of the ground floor, which is part of this application. The ground floor was approved under Stage 1 and includes retail uses as required by this condition.

Condition 1 Schedule 3 – *Future environmental assessment requirements* of the Concept Plan requires consideration of SEPP 65 to achieve a high quality building. In regards to sun light access to apartments, this condition states:

'Solar access to future dwellings should be generally consistent with the approved Development Design Guidelines in Condition 2. A deviation from the controls may be supported by the Consent Authority where it is demonstrated that building design maximises solar access and amenity in light of site constraints.'

The DDG require a minimum of 2 hours sunlight to living rooms and private open space to 70% of the apartments between 9am and 3pm. In stage 4, only 60% is achieved (or 42 apartments). The applicant argues that consideration of this non compliance is warranted in

this case for a number of reasons, including the southwest orientation of the building, which has been predetermined by the Concept Plan approved envelope. Further, the apartments will still receive diffused light as they are not overshadowed by other buildings and the fact that the apartments benefit from other amenity factors such as views to open space.

It is also worth noting that the residents of this building will have direct access to the communal area on the roof top of building 1B, which will provide additional amenity to the apartments.

Based on the above, the proposal is supported in regard to solar access.

Statement of Commitments – Concept Plan Approval

The proposal is consistent with the Statement of Commitments approved under the Concept Plan. The applicant has provided a breakdown of gross floor area to demonstrate compliance with the Concept Plan.

Whilst the apartment mix does not correspond to the apartment mix prescribed in the Statement of Commitments, the applicant has demonstrated that the apartment mix across Discovery Point is achievable in accordance with the condition of the Statement of Commitments.

The proposal is consistent with all other requirements of the Statement of Commitments.

Development Design Guidelines (DDG)- Concept Plan Approval

The proposal has been assessed against the DDG listed in Condition 2 of the Concept Plan approval and dated May 2012. The DDG provide specific controls to guide the development in Discovery Point to achieve the desired outcome envisaged in the Concept Plan approval.

The proposal is consistent with the DDG having regard to the internal amenity of the apartments, built form, street character, cross ventilation, communal space, storage areas, number of apartments accessible from a single corridor etc. Other relevant issues, in particular solar access have been previously addressed in this report under 'Concept Plan' above.

Overall, the proposal is satisfactory having regard to the requirements of the DDG.

Provisions of any proposed instrument that is or has been the subject of public consultation under this Act and that has been notified to the consent authority (S.79C(1)(a)(ii))

The following proposed instruments have been subject to public consultation and are relevant:

1. Draft Rockdale Local Environmental Plan 2011 (Amendment No. 1) - Housekeeping was on public exhibition from 28 June 2012 until 27 July 2012.
2. Draft Rockdale Local Environmental Plan 2011 – Height of Building Maps Amendment was on public exhibition from 27 September 2012 until 12 October 2012.
3. Draft Rockdale Local Environmental Plan 2011 – Attached and semi detached dwellings was on public exhibition from 22 November 2012 until 19 December 2012.

In addition, there are currently four items on exhibition until 28 March 2013 for amendments to Rockdale Local Environmental Plan (LEP) 2011 and Rockdale Development Control Plan (DCP) 2011. None of the proposed modifications affect the proposal.

Provisions of Development Control Plans (S.79C(1)(a)(iii))

Development Control Plan 2011(DCP 2011)

The controls for the development of Discovery Point are contained in the Development Design Guidelines approved under the Concept Plan. Where applicable, the proposal has been assessed against the objectives and controls under DCP 2011 and associated documents being the Wolli Creek and Bonar Street Precinct Public Domain Plan and Manual (PDP), Technical Specifications for Parking, Technical Specifications for Stormwater, Waste Minimisation and Management and Landscaping.

The proposal is consistent with the controls in DCP 2011, particularly in regards to views and vistas, streetscape, pedestrian environment, site facilities etc.

The proposal is consistent with the Water Sensitive Urban Design (WSUD) strategy for Discovery Point aimed at improving stormwater quality and reducing the stormwater runoff rates to the Cooks River. The roof water from Stage 4 will be directed to the Spark Lane verge bioretention planters. The WSUD strategy for Discovery Point will achieve the stormwater pollutant reduction targets in Council's Technical Specifications for Stormwater.

Any Planning Agreement that has been entered into under section 93F, or any draft planning agreement that the developer has offered to enter into under section 93F (S.79C(1)(a)(iii))

The Concept Plan Statement of Commitments requires the execution of a Voluntary Planning Agreement (VPA) prior to determination of the third Project application. The developer has been in consultation with Council officers to initiate the process for the VPA. However there has been no progress to date. The developer has agreed that in the absence of a VPA, the rates under Council's S94 Contribution Plan should apply.

Provisions of Regulations (S.79C(1)(a)(iv))

All relevant provisions of the Regulations have been considered in the assessment of this proposal.

Impact of the Development (S.79C(1)(b))

Character / Streetscape / Density / Bulk / Scale

The proposal is generally consistent with the conditions of the Concept Plan approval, including the Statement of Commitments and Development Design Guidelines, particularly in regards to building envelope and density. The design principles adopted for the proposal respond to the design principles and objectives established in the Concept Plan. The design of the façade has been integrated to the Stage 1 design, particularly the carpark level, creating a uniform base to the residential towers above.

The site is a prominent site, highly visible from the railway line. The treatment of balconies fronting the rail corridor responds to RailCorp requirements to prevent objects being thrown on to the railway line from the development. In this regard it is proposed the use of adjustable louvers or metal cables on the balconies. The detailed design showing how the

balconies will be treated is to be submitted prior to the issue of the Construction Certificate. A condition of consent is proposed to this effect.

The materials selection and façade treatment are of a high quality and will make a positive contribution to the character of Discovery Point.

Safety and Security

The proposal has been assessed against the crime prevention through environmental design principles where consideration has been given to the advice of NSW Police.

NSW Police has rated the proposed development as 'moderate crime risk'. This is based on the occurrence of break-and-enter, stolen motor vehicle, robbery and assault offences within the area. The design of the building has incorporated appropriate measures in line with the safer by design principles such as the location of private open space to allow passive surveillance of the surrounding public domain, dedicated off street parking in a secured area etc. Conditions of consent are recommended in regards to the installation of a security system at entry points and adequate lighting.

Additional conditions of consent are recommended in line with the recommendations of NSW Police. Subject to compliance with these conditions, the proposal is satisfactory having regard to safety and security.

Accessibility

An Access Review report submitted with the application demonstrates that the proposed development achieves an appropriate degree of accessibility in accordance with the relevant statutory requirements. Apartments 204 and 208 have been identified as adaptable units.

The report confirms that there is a continuous path of travel to the entry doors of all units from the pedestrian footpath at the ground floor entry of the building in compliance with DDA Premises Standard Table D3.1 and SEPP 65.

In addition, the report makes recommendations in terms of the internal layout and dimensions of the adaptable units and carparking areas to ensure compliance with the relevant standards. The details are to be submitted as part of the Construction Certificate process.

Traffic/Parking

Parking allocation will be in accordance with the Statement of Commitments.

It has been established by previous traffic generation assessments that the traffic generation outcome of the Concept Plan is significantly less than the previous Masterplan. The Traffic Report by Traffic and Transport Planning Associates (TTPA) submitted with the application confirms that the projected traffic generation of the proposed building 4 is compatible with the outcome projected by previous assessments.

The report concludes that the proposal complies with all relevant planning policies and standards in terms of access, internal circulation, servicing, roads, pedestrian and cyclist environment, public transport etc.

The proposed parking and traffic impacts have been considered by Council's engineers. As such the proposal is supported on traffic and parking grounds.

Noise and Vibration

The site is affected by rail, aircraft and road related noise. A Noise Impact Assessment report has been submitted. In addition to assessing the noise impacts, the report addresses rail traffic vibration. The report makes recommendations pertaining to the implementation of construction methods and use of materials to mitigate noise impacts to achieve compliance with the Concept Plan approval and relevant standards. Further, the report recommends acoustic treatments to achieve the internal noise levels in accordance with relevant standards and Council's controls. In particular, the report addresses the location of the proposed carpark area adjacent to Stage 1 apartments.

A condition of consent is proposed to ensure that the recommendations of the Noise Impact Assessment Report are implemented. An additional condition has been recommended by RailCorp to demonstrate that the proposal complies with the Interim Guidelines for developments near rail corridors and busy roads issued by the Department of Planning.

Subject to compliance with the conditions of consent, the proposal is satisfactory in regards to noise and vibration.

Heritage

The site is located approximately 130 metres from the boundary of Tempe Estate heritage items. The views to the item will be obstructed by other buildings such as Verge, Vine and Stage 1C building. Further the proposal does not involve excavation. As such the proposal will have no impact on the heritage significance of Tempe Estate nor does the application require addressing indigenous / non indigenous archaeological investigation recommendations in the Statement of Commitments.

Based on the above, the proposal is satisfactory in regards to heritage impacts.

Views and Vistas

The proposed building is contained within the approved envelope, and as such does not create unreasonable impacts to views and vistas from future buildings in its proximity. The stage 4 building enjoys uninterrupted district views towards the north- west and the Neighbourhood Park to the south, which adds to the amenity of the apartments.

Management of Waste

The developer has prepared a Waste Masterplan for Discovery Point. The residential waste will be collected by way of a chute system with access on each floor. A recycling bin will be located adjacent to the garbage chutes. In regards to Building 4 the Masterplan indicates:

When Building 4 is complete, waste will be collected in a carousel compactor at the base of the garbage chute in the basement. Currently a five-bin carousel is proposed. When all five bins are full, facilities management staff will exchange the full bins for empty bins and transport the full bins to a waste storage area on the site of the proposed Building 5 for collection from Spark Lane. Similarly full recycling bins positioned on each floor will be exchanged for empty bins and transported to the same location. The bins will be transported using a tractor and trailer over the surface. A waste compactor room is located at basement level in Stage 7.

The developer has consulted with Council officers in regards to waste management within Discovery Point. The proposal complies with Council's requirements and is therefore satisfactory in regards to waste management.

Wind Impacts

A Wind Assessment report has been submitted with the application. The report indicates that some locations surrounding the site will experience wind speeds above the standard once per year 16 m/s walking comfort criterion. The landscape approved under Stage 1 will assist in ameliorating these impacts. An additional wind amelioration treatment has been recommended as follows:

Vertical windbreaks such as transparent vertical screens or operable (pull-up / pull-down screens) along the northwest balconies. The exact mitigation method for the balconies will be determined during the detailed design stage.

A condition of consent is proposed in line with this recommendation. Subject to compliance with this condition, the Wind Assessment report concludes that the proposed development complies with standard wind acceptability criteria for all public areas surrounding the site.

Suitability of the Site (S.79C(1)(c))

The relevant matters pertaining to the suitability of the site for the proposed development have been considered in the assessment of the proposal. Additional conditions of consent are proposed to further minimise any impacts on neighbouring properties. There are no known major physical constraints, environmental impacts, natural hazards or exceptional circumstances that would hinder the suitability of the site for the proposed development.

Public Submissions (S.79C(1)(d))

The development application has been notified in accordance with Council's Development Control Plan 2011 and no objections have been received.

Public Interest (S.79C(1)(e))

The proposal is subject to the Concept Plan approval issued by the Minister for Planning, pursuant Part 3A of the EP&A Act on 5 May 2011(MP 10_0003). As demonstrated in the assessment of the development application, the proposal will allow the development of the site in accordance with its environmental capacity and future vision for the area. The proposed building design is supported by SEPP 65. The proposal is consistent with State and Local planning strategies as it provides a range of housing choice in proximity to transport infrastructure. As such it is considered that approval of the development application is in the public interest.

CONCLUSION

The proposed development has been considered under S79C(1) of the Environmental Planning and Assessment Act, 1979. The application involves the construction of Stage 4 of the Concept Plan approval. The proposed building is a residential tower with first floor carparking area, above the already approved podium in Stage 1. The proposal is consistent with the Concept Plan and associated Statement of Commitments and Development Design Guidelines. The proposal is also consistent with the objectives and controls under RLEP 2011 and DCP 2011. The proposal is a high quality building and is supported by SEPP 65 and relevant state policies. As such, the application DA-2013/153 is recommended for approval.