AUBURN CITYCOUNCIL

To the Joint Regional Planning Panel

Director's Report
Planning and Environment
Department

41-45 Hill Road, WENTWORTH POINT

REPORT FOR THE JOINT REGIONAL PLANNING PANEL DA-350/2012
GF:HP

SUMMARY

Applicant	Sekisui House Services NSW Pty Limited.
Owner	SH Homebush Peninsula Pty Limited and Henlia No 11 Pty Limited.
Application No.	DA-350/2012.
Description of Land	Lot 9 in DP 776611 being 41-45 Hill Road Wentworth Point.
Proposed Development	Construction of an 8 storey residential flat development known as Building Complex A incorporating 185 residential units over basement level carpark with associated landscape and drainage works.
Site Area	31,935.16 square metres.
Zoning	Sydney Regional Environmental Plan No. 24. No zoning applicable.
Disclosure of political donations and gifts	Nil disclosure.
Issues	• Minor variations to State Environmental Planning Policy 65 • Minor variations to Sydney Regional Environmental Plan 24 • Minor variations to the Homebush Bay West Development Control Plan

Recommendation

1. **That the Joint Regional Planning Panel grant development consent for Development Application Number 350/2012 regarding the Construction of an 8 storey residential flat building complex known as Building Complex A including 185 residential units over basement level carpark with associated landscape and drainage works on land at 41-45 Hill Road, Wentworth Point subject to conditions contained in the attachment.**

Consultations

The subject development application was lodged with Council on the 28 November 2012 for determination. Council records show that the cost of works for the development is approximately $49.04 million being the Capital Investment Value. With the cost of works exceeding $20 million, it is identified that the Joint Regional Planning Panel will be the determining Authority for the development application.

The Joint Regional Planning Panel was briefed on the development application on 28/2/2012 and a number of issues were raised with the proposal as follows:-

- Inadequate information specific to how the development complied with State Environmental Planning Policy 65 "Design Quality of Residential Flat Development".
- Building encroachments.
- Inadequate private space for the ground floor apartments.

- Excessive use of corridors.
- Inadequate dimensions for some balconies in the development.
- Sunlight penetration into the units.

On the 4 March 2013, correspondence was issued to the applicant detailing the issues with the building design. The important issues raised were:-

The design quality principles of State Environmental Planning Policy 65 “Design Quality of Residential Flat Development” must be addressed.

- Inadequate deep soil zone.
- Inadequate courtyards for some ground floor units.
- Inadequate amenities for some units such as storage space, size of balconies and sunlight penetration into habitable areas of apartments.
- Excessive number of “pop up units” facing Half Street.
- Excessive height or number of storeys along the northern elevation of the building complex.

The correspondence suggested a review be undertaken of the car parking requirements to support the number of units proposed including visitor car parking and loading and unloading facilities.

The applicant prepared correspondence and amended plans to support the application with new information being lodged to Council on 2 April 2013.

There is record of a meeting occurring between Council officers and the proponent on 16 April 2013 which resulted in further modifications to the proposal. A second submission was made to Council on 29 April 2013.

The latest plans are the subject of this assessment report and presented to the Joint Regional Planning Panel for final determination.

History/Associated Applications

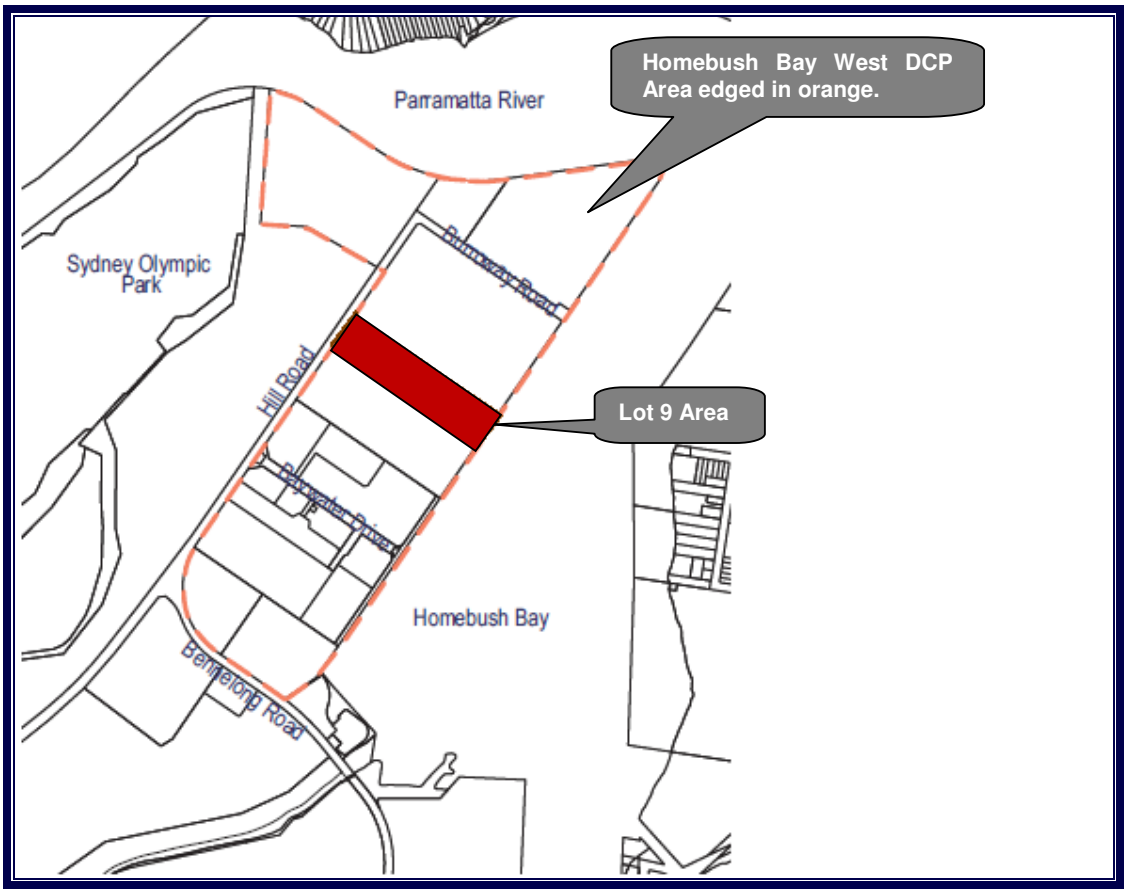
Wentworth point and Subject site

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

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

After the staging of the Olympic Games during September and October 2000, the Department of Planning reviewed the plan to secure the long term viability of the locality. The Homebush Bay West Development Control Plan 2004 was adopted.

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



The Lot 9 Concept plan approval sets out a structural design framework to guide development of four buildings for residential use across the site. The subject proposal represents the third building complex for determination.

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

MP No 06-0098

The concept plan was approved by the Minister for Planning covering the entire Lot 9 (Precinct C) in January 2008 to permit residential development comprising 685 dwellings in a mix of 1 bedroom, 2 bedroom and 3 bedroom apartments encompassing a maximum floor area of 50,424 square metres and a maximum floor space ratio of 1.58:1. The approval includes provisions for maximum building heights, public domain and foreshore works and a pocket park. The approval for the Precinct relies on access being provided via the adjoining properties.

The provisions under "*Special provisions in relation to development subject to concept plans*" in Schedule 6A Transitional arrangements – repeal of Part 3A, of the Environmental Planning and Assessment Act 1979, have been reviewed during the assessment process.

DA-235/2010: 41-45 Hill Road Wentworth Point - Demolition
Development application for "Demolition of the existing structures, importation of landfill and turfing of site with associated works including construction of retaining wall and fencing" was approved by Council on 27 September 2010 subject to conditions.

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

Development application for civil infrastructure works across Lot 9 which will comprise road works, footpaths, stormwater drainage and utility service infrastructure was approved under delegated authority on 7 February 2012 subject to conditions.

The development consent included landscaping works and public domain works across Lot 9. The works approved in this application is expected to be undertaken in stages and the consent specifies this.

Council recently received a Section 96(1A) modification application to alter the access arrangement and road configuration of Lot 9. The changes sought will impact on the pocket park, landscaping works and provision of services to the site. That application was determined subject to conditions on 29 May 2013.

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

Development Consent was issued under delegated authority on 31 January 2012 subject to conditions for the creation of five (5) allotments via three stages including dedication of roads to impliment as per the Development Control Plan. The approved allotments varied in size and shape but the consent laid out the subdivision plan across Lot 9.

Council recently received a a Section 96(1A) modification application to alter the consent issued. The records show that the application was determined on 29 May 2013 subject to conditions.

Residential flat buildings:

DA-308/2010: Block D 41-45 Hill Road, Wentworth Point - Residential flat building

Deferred commencement consent for the construction of a four to eight storey residential flat building consisting of 138 apartments over a two level basement car park with associated landscaping and drainage works was granted on 19 December 2011 subject to conditions. Council records show that the consent is now operational.

Council records show that a Section 96(1A) modification was issued on 28 June 2012 for the removal of Condition Numbered 1(DC4) specific to a covenant stating that the floor space in Precinct F shall not exceed 227,848 square metres.

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

Deferred commencement consent for the construction of a four to eight storey residential flat building consisting of 148 apartments over a two level basement car park with associated landscaping and drainage works was granted on 19 December 2011 subject to conditions. Council records show that the consent is now operational.

Council records show that a Section 96(1A) modification was issued on 28 June 2012 for the removal of Condition Numbered 1(DC3) specific to a covenant stating that the floor space in Precinct F shall not exceed 227,848 square metres.

Council has recently undertaken assessment of a Section 96(2) modification application for substantial alterations to both developments being Building Complex C and D. These were presented to the Joint Regional Planning Panel for determination on 23/5/2013. The planning panel approved both applications subject to conditions and the consents were finalised on 29 May 2013.

Floor space ratio for Precinct F:

The planning controls for Precinct F permit a floor area of 227,848 square metres.

Site and Locality Description

The subject site is identified as Lot 9 in DP 776611 and is known as 41 to 45 Hill Road, Wentworth Point. The site is located on the eastern side of Hill Road between intersections with Burroway Road to the north and Baywater Drive to the south. The site has the following dimensions:-

- Hill Road frontage being the western frontage:- 78.34 metres.
- Rear boundary being the eastern boundary:- 78.715 metres.
- Northern boundary:- 406.66 metres.
- Southern boundary:- 406.69 metres.

This provides for a site area of 31,935.16 square metres.

Demolition works are currently being undertaken on site pursuant to Council's approval granted under DA-235/2010. There is a gentle slope in the land from west to east towards the water front although parts of the site do have undulations creating small low rise mound features. Levels vary from 1.82 metres (AHD) to 2.88 metres (AHD).

The site is shown below.

The development area to which this proposal relates is referred to as Block 9A which has a site area of 6,067 square metres encompassing the following dimensions:-

- Hill Road frontage being the western frontage:- 66.84 metres.
- Rear boundary being the eastern boundary:- 65.39 metres.
- Northern boundary:- 81.665 metres.
- Southern boundary:- 90.76 metres.

The allotment faces Hill Road with the western boundary presenting towards wetlands and saltmarsh known as the Millennium Parklands.

There is a mixture of development in the locality ranging from industrial / warehouse uses to newer multi storey residential flat buildings. There is an industrial / warehouse site to the north featuring several buildings of varying scale and form. Development consent was granted on 3 September 2010 under Development Application 111/2010 for the redevelopment of part of the site for high density residential purposes.

There are industrial / warehouse buildings to the south earmarked for demolition for new roads associated with the future redevelopment for high density residential living.

Within the wider locality, there is a ferry terminal with access from Burroway Road. To the south there has been significant redevelopment over the past decade in which a transition has occurred from industrial uses to medium to high density living. The Allora residential flat building complex is currently under construction in nearby Baywater Drive with significant works being completed.

Description of Proposed Development

Council is in receipt of a development application for the construction of a residential flat building complex comprising of 185 apartments, associated car parking spaces within a two storey sub - basement car park and associated landscape and storm water works.

The proposal includes landscaping to the central common open space area and at the interface with the public domain and construction of an access driveway to the site from a future road to be constructed along the eastern side of the building complex.

The development comprises the following:

- A residential flat building complex comprising of two (2) residential towers with a maximum height of 8 storeys or maximum RL height of 31.35 metres AHD. There is plant on the roof of the highest building element to a maximum height of 32.55 AHD.

- A total of 185 residential apartments divided into 59 x 1 bedroom apartments, 119 x 2 bedroom apartments and 7 x 3 bedroom apartments.

- Undercover and sub - basement car parking situated over two levels for 231 vehicles.

The complex is situated over a raised podium with much of the car park out of the ground and above the natural ground level. The podium forms the roof of the car park which will support two separate residential building towers and a common area.

The two residential towers will support 185 apartments of various size and configuration. The southern tower forms the bulk of the development and is eight storeys high. The northern tower forms a more minor component of the development and is five storeys high. There are two apartments along the northern elevation that are split level which animrespondate with the street and topography of the land.

The most dominant part of the building wraps around the western and southern side of the site. An internal common area is provided with access from within the development. In this regard, only the residents and their guests may access the internal common space / courtyard space.

The detailed breakdown of the development is provided below:-

Car parking levels:- Comprising of car parking spaces, services and ancillary storage space which is two storeys in height. The car park Level One is situated mostly out of the ground and is substantially hidden from view at street level by a number of apartments on the northern, southern and western elevations.

Car park Level One features a loading bay and a garbage room within the development. Waste collection is feasible from within the development but a new road along the eastern side of the building will need to be constructed.

It is identified that the two car park levels occupy different floor plates and footprints. Car park Level One is contained within the development site. The lower car park level known as Level 0 functions more like a basement level. Car park Level 0 occupies a much larger footprint and much of the eastern side will be situated underneath the road to be constructed known as Waterways Street. Hence once the road is constructed, the road will traverse over the car park. The plans show the car park situated 2 metres below the road level.

A communal room occupying an area of 43.3 square metres is provided within the upper car park level adjacent to Unit Numbers A2.28 and A2.29.

Level 1:- Car parking (Car park Level One) and 15 residential apartments. There are two apartments that have split level facing Half Street. The roof of the car park acts as a large podium for the landscaped common open space area above. In turn the podium supports the two residential towers to be constructed.
Level 2:- 28 residential units and the landscaped common open space area.
Level 3:- 30 residential units.
Level 4:- 30 residential units.
Level 5:- 30 residential units.
Level 6:- 24 residential units.
Level 7:- 14 residential units.
Level 8:- 14 residential units

In addition to this, the topmost floors of the complex occupy smaller floor plates and footprints than the lower floors which help to reduce the overall mass, scale and volume of the development. This also reduces the amount of shadowing created by the development especially between 21 April and 21 August each year.

Excluding the plant, the roof elements for the complex is flat with no direct access from the lower levels.

The statement of environmental effects identifies that the development application is part of a number of concurrent projects across Lot 9 which includes the subdivision works and infrastructure works which are to be staged. The works associated with the earlier consents will proceed in stages. The applicant has not requested a staged development for this development.

Referrals

Internal Referrals

A number of referrals were undertaken as follows:-

Development Engineer

The development application was referred to Council's Development Engineer for comment who has raised no objection to the development application and works sought.

Building Surveyor

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

Environmental Health

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

External Referrals

Sydney Olympic Park Authority

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

In correspondence via Email dated 12 December 2012, it is confirmed that the Authority had no comments to make and no objection is raised.

Roads and Maritime Services

The development constitutes a "Traffic generating development" in accordance with Schedule 3 of the State Environmental Planning Policy "Infrastructure" 2007. The development application was referred to Roads and Maritime Services on 6 December 2012 for advice.

In correspondence of 11 January 2013, it is identified that the Sydney Regional Development Advisory Committee considered the proposal at its meeting of 18 December 2012 and no objection was raised to the proposed development. The following comments were provided to assist Council in the assessment of the application:-

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

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

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

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

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

- *A construction management plan detailing construction vehicle route, number of trucks, hours of operation, access arrangements and traffic control should be submitted to Council for approval prior to the issue of a construction certificate.*
- *All works / regulatory signposting associated with the proposed development are to be at no cost to the Roads and Maritime Services.*

Comment:

The above may be addressed as conditions attached to any consent that may be issued.

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

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

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

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

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

Schedule 2 - Part A

Condition	Comment
A1 Description Residential development comprising around 685 dwellings in a mix of 1, 2 and 3 bedrooms with a maximum 50,424 square metres floor space within maximum building heights and envelopes. Public domain in the form of foreshore park, pocket park and pedestrian through link including communal and private open space.	To be achieved cumulatively via separate applications. It is noted that Building complex A occupies a floor area of 14,502 square metres. Building complex C occupies a floor area of 12,471 square metres. Building complex D occupies a floor area of 12,056 square metres. The current floor space for the Lot 9 will be 39,029 square metres leaving 11,395 square metres of floor area available for Block B. There is provision for public domain works including various streetscape landscaping works around the perimeter of the site. Roads will need to be constructed to facilitate the works and ultimately the "development" the subject of this application.
A2 Plans and documentation Identifies approved plans and documentation.	Noted.
A3 Inconsistency between documents The modifications of the Concept Plan in Part B Schedule 2 are to prevail where there is any inconsistency with the drawings/documents.	Noted.
A4 Lapsing of approval Consent valid for 5 years from determination date.	The development consent will have a five year time approval when issued.
A5 Future applications Future applications to be generally consistent with Concept Plan approval.	It is identified that the concept plan varies from an earlier approval in terms of footprint but overall, the development is consistent with the Homebush Bay West Development Control Plan. The changes in the footprints or physical location of the buildings are not significant. The buildings still wrap around the perimeter of the site leaving a large internal courtyard available as open space. The courtyard space is only accessible from within the development.

Schedule 2 - Part B

Condition	Comment
B1 Built form	
Maximum of 50,424 residential floor space.	To be achieved cumulatively via separate applications. Building complex A has a floor area of 14,502 square metres encompassing 185 dwellings within two residential towers.
Approval is given for the maximum heights/building envelopes nominated in approved plans.	Building heights for building complex A measured to the roof is mostly below 32 metres although some plant is identified is exceeding the maximum height limit for the locality. This is discussed later in the report.
Approval is given for 'pop ups' on the 4 & 6 storey buildings at the rates prescribed in the HBWDCP.	There is one level of pop up apartment on the north facing tower encompassing three apartments. This is situated at the north east corner of the separate northern tower building. This is described in the report under Homebush Bay West Development Control Plan.
'Pop ups' on 4 storey building fronting Half Street in Lots 9A and 9B not to exceed more than 1 level. No pop ups approved for the 4 storey building on Lot 9C.	The northern tower facing Half Street is effectively five storeys high, although there are two "double height" apartments at ground/basement level. The design proposal is identified as being consistent with the approved design plans for the site. The pop up level on the northern tower effectively deemed to be one storey high in accordance with the concept plan approval
Lowest habitable floor level of units to Homebush Bay to be not more than 1.5m above finished footpath level.	The building complex is furthest from the Homebush Bay waterfront and faces Hill Road. There are large portions of the development that exceeds 1.5 metres above the natural ground level despite the architect stepping parts of the building to match the site contours.
Separation distances between buildings to be in accordance with HBWDCP.	Some variations have been identified with setbacks which will be discussed under the Residential Flat Design Code and the relevant development control plan. This mainly relates to the separation distances between balconies.
B2 Building setback	
Building facing half Street must be setback minimum of 6m from the property boundary whilst maintaining a minimum of 3m from footpath.	The physical building is setback 6 metres from the Lot 9A boundary and 3 metres from the public domain boundary. There are access steps, some landscape elements, terraces and planter boxes that encroaches closer to the public domain boundary. There are some balconies of the northern residential flat tower that encroaches 200 mm closer towards the public domain boundary. There are a few north facing balconies that are setback 2.4 metres from the Public Domain boundary. Critically the physical buildings being the walls and glazing is situated 3 metres from where the future footpath will be located within the public domain reserve.
B3 Provision of Foreshore Street	
The Foreshore Street adjacent to Foreshore Park is to be a public road, accessible by vehicles and connecting with the street on Lot 10, and allowing connection to a future public road on Lot 8. To be	This will not apply to the development application and building.

designed to Auburn Council's specifications and completed to Council's satisfaction prior to issue of an Occupation Certificate.	
B4 Landscaping Future landscaping of the site and in particular the Foreshore Park shall comply with the requirements of HBWDCP.	Achieved as shown on the landscape plan.
B5 SEPP 65 Future development applications to demonstrate compliance, or fully justify any non - compliance with SEPP 65.	The Building complex A development application generally complies with the provisions of SEPP 65. Where compliance is not fully achieved, the applicant has provided justifications which are discussed later in the report under the SEPP 65 assessment.
B6 Developer contributions Contributions required in accordance with Auburn Council's relevant S94 Contributions Plan applicable at the time the future DA for construction is determined.	Noted - Should the application be approved, appropriate condition will be required to address Section 94 Contribution.
B7 Alignment of roadways Internal streets to align with approved or constructed network on Lot 10 to the north.	It is identified that there is a slight misalignment for the Major North/South Street (adjoining Block C) of about 1m from the Lot 10 Major North/South Street, however no application has been lodged with Council for this road network (associated with Lot 10) nor has it been approved for construction. In any case, the owners of Lot 10 has indicated that if the proposed Major North/South Road within Lot 9 is approved, they can adjust their alignment when that part of their site is developed in the future.
B8 Floor Space in Precinct F Covenant on title to Lots 24, 25 and 26 DP 270113, Lot 24 DP 270320, Lot 3 DP 776611 and Lot 21 DP 1044874 capping total floor space in Precinct F at maximum of 227,848m2. Evidence of registration to be provided to Auburn Council at the time of lodging the first DA for construction of apartments in Precinct C.	The original approval included a deferred commencement condition requiring the applicant to provide evidence of registration of the covenant stating that the total floor space on Precinct F shall not exceed 227,848 square metres. This condition has since been deleted by Council under DA-308/2010/A (S96(1A) application) approved on 26 June 2012 for the reason that: • The requirements of condition B8 have in effect been satisfied by the development that has taken place and the development that has been approved and yet to be constructed or in the process of being constructed within Precinct F. • There is no real planning purpose in requiring compliance with the registration of covenant part of condition B8. • The practicalities of complying with condition B8 would be difficult and would potentially involve substantial costs and time to both the Council and the developer. Future merit assessments of any development applications for proposed additional development within Precinct F would not be prejudiced by non-compliance with the registration of covenant part of condition B8 having regard to what has occurred in terms of the approvals and development within Precinct F.
B9 Subsequent approvals regime	

All future DA's for development including construction of buildings, open space, roads etc to be subject to Part 4 of the EPA Act 1979.	Noted.
B10 Staging Plan To be provided at time of the first DA for construction of apartments is lodged with Auburn Council. The staging plan is to address access during construction and occupation and include an agreement between the proponent and the owners of adjoining Lot 10.	An amended staging plan for the construction for building complexes A, C and D is included in the architectural drawing package. This arrangement is consistent with the amended staging of the subdivision of Lot 9, which is to be the subject of DA-109/2011/A. Construction and occupation access for the precinct known as Lot 9 and future buildings will be located wholly within Lot 9. This arrangement negates the need for the applicant to obtain an agreement from the owners of adjoining Lot 10.

Schedule 3

Commitment & Timing	Comment
Restriction on development potential of Precinct F Payce to implement restriction of development potential of Precinct F with the mechanism and level of development on Precinct F being mutually agreeable to DoP and Payce. *Timing* *Prior to issue of first Occupation Certificate associated with re-development of Precinct C.*	See discussion above under Schedule 2 - Part B8.
Compliance with relevant statutory EPI's Detailed design of the project to demonstrate compliance with provisions of relevant planning instruments, with the exception of minor, acceptable non-compliances. *Timing* *Addressed at detailed DA stage.*	The development application generally complies with the provisions of relevant statutory EPI's. Where compliance is not fully achieved, the applicant has provided justifications which are discussed throughout the report.
Environmental mitigation, management and Monitoring Detailed management plans to be prepared to address all relevant environmental issues including stormwater management, construction impacts waste generation and collection, construction traffic and pedestrian management, noise and vibration. *Timing* *Addressed at Construction Certificate stage - prior to commencement of works.*	This application is accompanied by relevant technical reports and plans to address the relevant matters. Any necessary amendments to those details can be addressed by conditions in the consent notice enabling final report/plans to be lodged with the Construction Certificate as required.
Built form, urban and environmental design Demonstrate the project is capable of complying with the majority of provisions of the HBWDCP, SEPP 65 and BASIX. Non-compliances to be minor and supportable *Timing* *Addressed at detailed DA stage.*	The development application generally complies with the provisions of relevant statutory EPI's. Where compliance is not fully achieved, the applicant has provided justifications which are discussed throughout the report.
Access Traffic and Parking The access, traffic and parking assessment submitted with this application demonstrate the proposed street	Notwithstanding that these matters were resolved with the concept plan, a parking and traffic survey has been

system is capable of accommodating the subject development. Suitable funding mechanisms are available for funding necessary road upgrading and traffic management measures (HBW Precinct Section 94 Development Contributions Plan). *Timing* *Addressed as part of this concept plan.*	submitted with the development application for Council assessment.
Servicing Plan A servicing plan addressing waste collection and management of delivery vehicles *Timing* *Submitted with each detailed DA*	The application is accompanied by a Waste Management Plan and Servicing Plan addressing waste collection and management of delivery vehicles.
Public domain works Proposal will have regard to Homebush Bay West Public Domain Manual and the requirements of Auburn Council. *Timing* *Addressed at detailed DA stage.*	An appropriate landscape plan has been prepared with the documentation.
Public Domain and Pedestrians The project will be consistent with the 'Safer by Design' principles and will address the mobility needs of people with disabilities, will minimise pedestrian/traffic conflicts, and the design and placement of units will enable passive surveillance of communal open space and the public domain. *Timing* *Addressed at detailed DA stage.*	The apartments are provided with direct visual connections to the public domain and ensure high degree of passive surveillance around the communal open spaces.
Public Services and Infrastructure In accordance with the development agreement with Auburn Council, and other relevant service authorities *Timing* *Part of Construction Certificate stage for subsequent Das.*	The Concept Plan approval allows for this matter to be resolved at Construction Certificate stage. It is noted that there is no formal development agreement between the proponents of Lot 9 and the Council apart from the requirement of the Concept plan that Council be the "benefited authority' for the deed that transfers floor space from Precinct F to the Precinct C. All applications for public works and infrastructure associated with Lot 9 are considered under Development Consent 462/2010, 109/2011 and now the modifications that have now been approved.
Remediation An audit statement for the site confirms that it is suitable for the proposed development. *Timing* *Addressed as part of this concept application.*	This has been addressed in the referral from Council's Environment and Health Department.
Utilities The site is capable of being connected with all essential utilities. *Timing* *Addressed at detailed DA stage.*	Essential services are to be provided. Development consent has been issued for infrastructure works, services and new roads under Development Consent Number 462/2010 and dated 7 February 2012 as well as the modification consent issued 29 May 2013.
Solar access and shadow analysis Detailed solar access and shadow analysis will demonstrate that the project is capable of complying with relevant controls and guidelines.	Shadow diagrams accompany the application. Any variations are fully justified - Refer to SEPP 65 and HBW DCP.

Timing *Part of each subsequent DA.*	
Stormwater Management A stormwater management concept plan has been prepared with this concept application. A detailed stormwater management plan will show the site can be adequately drained, and stormwater managed in accordance with best practice. *Timing* *Stormwater management concept plan - this concept application. Detailed stormwater management plan - part of each subsequent DA.*	This application is accompanied by a detailed plan for stormwater management as required.
Acid Sulphate Soil Management Acid sulphate soils will be managed according to relevant guidelines and best practice, if the need arises. *Timing* *Part of each subsequent DA, if required*	The application relies upon the Acid Sulphate Soils Management Plan approved with the Lot 9 Concept Plan approval - Council's environmental Health Officer has raised no objection to the submitted Acid Sulphate Soil Management Plan.
Geotechnical conditions A geotechnical report on the suitability of the site for development shows that the site is suitable for the proposed development. *Timing* *Addressed as part of this concept application.*	The application relies upon the geotechnical report approved with the Lot 9 Concept Plan approval – No objection is raised in this regards. (Geotechnical Investigation Report by Consulting Earth Scientists dated 22/8/06 - Ref: CES 030911-PPL-02-F).
Electro-magnetic radiation Documents prepared for the site demonstrate that it is safe from electromagnetic radiation. *Timing* *Addressed as part of this concept application.*	This matter has been resolved with the concept plan for the site.
Landscape plan for private and communal Areas A detailed landscape plan is to be submitted for each DA in accordance with relevant guidelines. *Timing* *Part of each subsequent DA.*	The application is accompanied by a detailed landscape plans and a maintenance strategy.

State Environmental Planning Policies

The proposed development is affected by the following State Environmental Planning Policies.

State Environmental Planning Policy No.55 - Remediation of Land

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

Matter for Consideration	Yes/No
Does the application involve re-development of the site or a change of land use?	☒ Yes ☐ No
Is the development going to be used for a sensitive land use (e.g. residential, educational, recreational, childcare or hospital)?	☒ Yes ☐ No

Matter for Consideration	Yes/No
Does information available to you indicate that an activity listed below has ever been approved, or occurred at the site? Acid/alkali plant and formulation, agricultural/horticultural activities, airports, asbestos production and disposal, chemicals manufacture and formulation, defence works, drum re-conditioning works, dry cleaning establishments, electrical manufacturing (transformers), electroplating and heat treatment premises, engine works, explosive industry, gas works, iron and steel works, **landfill sites**, metal treatment, mining and extractive industries, **oil production and storage**, paint formulation and manufacture, pesticide manufacture and formulation, power stations, railway yards, scrap yards, service stations, sheep and cattle dips, smelting and refining, tanning and associated trades, waste storage and treatment, wood preservation.	☒ Yes ☐ No
Is the site listed on Council's Contaminated Land database?	☒ Yes ☐ No
Is the site subject to EPA clean-up order or other EPA restrictions?	☐ Yes ☒ No
Has the site been the subject of known pollution incidents or illegal dumping?	☐ Yes ☒ No
Does the site adjoin any contaminated land/previously contaminated land?	☒ Yes ☐ No

Details of contamination investigations carried out at the site:

This is uplifted from Development Application and subsequent consent 462/2010 as it is relevant to this application.

A number of site investigations have been undertaken in relation to the subject site, the sites from which fill material is sourced and other adjoining sites within the Precinct. A site audit statement dated 30 June 2006 stated the subject site was suitable for "*Residential with minimal opportunity for soil access, including units*." The ongoing use of the site for industrial purposes may have led to additional contamination in the intervening period.

8 December 2010:

Mr Daniel Smith of CES completed an inspection of the site on 8 December 2010 with the objective of confirming the current status of the site compared to that of 2003, 2004 and 2006. The buildings and warehouses on the north western part of the site were found to be largely empty and the operator was vacating the premise.

The site was still being used for the storage of shipping containers particularly along the boundaries of the south eastern side of the site. The surface of this side of the site is now undulating and considerably impacted, most likely as a result of heavy vehicle use. There was no evidence of contamination due to this land use.

A warehouse against the southern boundary of the site was being used as a heavy vehicle maintenance workshop including the storage of various petroleum derived products (fuels, oils, lubricants). Staining was observed on the floor of the warehouse as well as around the entrance. It is not known how long the warehouse has been operating under the current conditions and thus the environmental impact of its operation could not be determined. An environmental assessment of the soils directly underneath and around the warehouse would need to be conducted.

One change to the site not identified during the previous site inspections were three stockpiles of soil covered in vegetation along the northern boundary of the site. There was one situated adjacent to the northern most warehouse and is approximately 80 metres x 1 metre x 1.5 metres in area. A second was located further west and is approximately 20 metres x 2.5 metres x 2.5 metres in area. A further one was located further west and has dimensions of approximately 20 metres x 2.5 metres x 2.5 metres. The stockpiles may have arisen from scraping the site to prevent surface bogging. As the composition of the soil remained unknown it is recommended that a soil analysis of each stockpile be conducted.

No storage tanks or old saw mills have been observed on the site.

It is concluded that the previous findings are still valid but further environmental analysis of the soils directly underneath and around the heavy vehicle maintenance workshop and soils in the three stockpiles be undertaken to confirm that the site is suitable for the proposed residential development. It is understood that until the site is vacated, analysis of these areas would be difficult. It is suggested that the site be vacated and the maintenance workshop be demolished before any further investigations are conducted.

Environment and Health:

The development application encompassing similar documentation was referred to Council's Environment and

Matter for Consideration	Yes/No
Health Officers and it is concluded that the development application may proceed subject to conditions.	
Has the appropriate level of investigation been carried out in respect of contamination matters for Council to be satisfied that the site is suitable to accommodate the proposed development or can be made suitable to accommodate the proposed development?	☒ Yes ☐ No

State Environmental Planning Policy - BASIX

There are two BASIX Certificates for the development with one covering 93 dwelling and the other covering 92 dwelling. All 185 dwelling are covered by the BASIX Commitments and requirements.

The BASIX Certificate (Number 325997M-02) identifies that the development achieves a score of 49 for Water and 25 for Energy use which exceeds the minimum criteria of for both elements being 40 and 25.

The BASIX Certificate (Number 326038M-02) identifies that the development achieves a score of 49 for Water and 24 for Energy use which exceeds the minimum criteria of for both elements being 40 and 25. The details are provided in the table below.

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

Requirement	Yes	No	N/A	Comment
ENERGY				
Star rating of any proposed gas hot water system is marked on plans.	☒	☐	☐	All details are correctly identified.
If solar hot water (SHW), check that system is drawn to scale (typical two panel SHW system is 4sqm) and that panels are located with a northerly aspect. Ensure SHW panels will not be significantly overshadowed by neighbouring buildings/trees.	☒	☐	☐	
Any external air conditioning unit is marked on plans and is located such that it does not impact onsite or neighbour's amenity (avoid noise source near bedrooms) and complies with any other consent authority requirements.	☒	☐	☐	
Any BASIX energy efficient lighting commitment is annotated on plans.	☒	☐	☐	
Any pool or spa heating system and timer control is annotated on plans.	☒	☐	☐	
Photovoltaic panels are not going to be significantly overshadowed.	☐	☐	☐	
Panel area is approximately drawn to scale: surface area of a 1kWh photovoltaic system is approximately 8sqm.	☒	☐	☐	

Both certificates identify the following requirements for the individual apartments in the development:-

- Installation of 100 litre hot water diversion systems and connection to all showers, kitchen sinks and basins.
- Installation of an alternate water supply system.
- Three star shower heads and dishwashers.
- Four star toilet flushing systems, kitchen taps and bathrooms taps.
- Fans for bathrooms and kitchens.
- One Star rated air conditioners.

The BASIX Certificates will need to be incorporated into any consent issued for the development.

State Environmental Planning Policy (Infrastructure) 2007

The development constitutes a "Traffic generating development" in accordance with Schedule 3 of the SEPP. In this regard:-

Purpose of development	Size or capacity site with access to any road	Size or capacity Site with access to Classified Road or to a road that connects to a Classified Road if access is within 90 metres of connection measured along road alignment
Apartment or residential flat building.	300 or more dwellings.	75 or more dwellings.
Area used for parking or any other development having ancillary parking accommodation.	**200 or more motor vehicles.**	**50 or more motor vehicles.**

The size of the car park associated with the development exceeding 200 vehicles is the trigger for referral to Roads and Maritime Services for assessment and comment.

This has been addressed under "External referrals" above but Council has complied with the referral requirements of Schedule 3. The Sydney Regional Development Advisory Committee considered the proposal at its meeting of 18 December 2012 and identified no substantial issues

with the project. Instead a number of conditions are provided to assist in the determination of the development application.

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

State Environmental Planning Policy 65 was gazetted on 26 July 2002 and is to be considered in the assessment of development applications for residential flat buildings three or more storeys in height and containing at least four dwellings.

Clause 30(2) of the Policy requires that consent authorities when determining development applications to consider the design quality of the residential flat building when evaluated in accordance with the design principles contained in the SEPP and the publication Better Urban Living Guidelines for Urban Housing in NSW published by DIPNR (Now Department of Planning).

The design verification requirements of SEPP 65 will apply to this application. In this regard, a development application that relates to residential flat development that is made on after 1 December 2003 must be accompanied by design verification from a qualified designer being a statement in which the qualified designer verifies:-

a) He or she designed or directed the design of the residential flat development, and
b) That the design quality principles set out in Part 2 of State Environmental Planning Policy 65 Design Quality of Residential Flat Development are achieved for the residential flat development.

Comment:

This is addressed in Part 6.3 of the Statement of Environmental Effects.

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

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

Requirement	Yes	No	N/A	Comment
Part 2 Design quality principles				
Principle 1: Context *Good design responds and contributes to its context. Context can be defined as the key natural and built features of an area.* *Responding to context involves identifying the desirable elements of a location's current character or, in the case of precincts undergoing a transition, the desired future character as stated in planning and design policies. New buildings will thereby contribute to the quality and identity if the area.*	☒	☐	☐	The Wentworth Point precinct is a locality undergoing transition from industrial to medium to high residential land-use. The planning intentions and detailed development controls in place encourage redevelopment for the purpose of high-density residential with lesser elements of commercial and retail. The southern section of the precinct already has a number of established residential flat buildings and the proposed development will continue the pattern of redevelopment that is occurring in the locality.
Principle 2: Scale *Good design provides an appropriate scale in terms of the bulk and height that suits the scale if the street and the surrounding buildings.* *Establishing an appropriate scale requires a considered response to the scale of existing development. In precincts undergoing a transition, proposed bulk and height needs to achieve the scale identified for the desired future character of the area.*	☒	☐	☐	The scale of the development is considered to be appropriate and generally consistent with those approved in the locality. Building complex A sits within the context of expected building form, typology and height. The complex ranges from 5 to 8 storeys (6 to 8 storeys as per the Building Code of Australia) in height with the most dominant building form wrapping around the southern and western perimeter of the site. A smaller tower is situated on the north side of the site facing Half Street. A common open space area is provided to the development but this is only accessible from within the development. The development is below 32 metres in height although some plant on the rooftop of the tallest building element has a maximum height of 32.55 metres AHD. The scale, height and density is acceptable and within the expectations identified in the applicable planning controls.

Requirement	Yes	No	N/A	Comment
Principle 3: Built form *Good design achieves an appropriate built form for a site and the building's purpose, in terms of building alignments, proportions, building type and the manipulation of building elements.* *Appropriate built form defines the public domain, contributes to the character of streetscapes and parks, including their views and vistas, and provides internal amenity and outlook.*	☒	☐	☐	A centrally located common space is provided to the development which is only accessible from within the development. Hence the space is only accessible for use for the residents and their guests. The building typology allows for two breaks in the built form which reduces, bulk, volume and scale of the development. The five storey building element (Six storey building element as defined by the Building Code of Australia) facing Half Street is separated from the main southern building by the internal common space. The main building is oriented south and west which provides a strong building element facing Hill Road. The built form consists of two residential towers situated over a raised podium although the podium is essentially the roof of the car park required to support the building. The proposed design or architectural appearance is generally considered to be consistent with the adopted site Concept Plan approval and Homebush Bay West DCP requirements.

Requirement	Yes	No	N/A	Comment
Principle 4: Density *Good design has a density appropriate for a site and its context, in terms of floor space yields (or number of units or residents).* *Appropriate densities are sustainable and consistent with the existing density in an area, or in precincts undergoing a transition, are consistent with the stated desired future density. Sustainable densities respond to the regional context, availability of infrastructure, public transport, community facilities and environmental quality.*	☒	☐	☐	Wentworth Point is an area designated for medium to high density residential development encompassing midrise residential towers. The locality is governed by a Master Plan with new public domain network of streets, walkways and parks to support the redevelopment. The development will contribute 185 apartments in midrise building forms that will contribute to the redevelopment of the area. The maximum permitted floor space for the entire Lot 9 is 50,424 square metres which provides a floor space ratio of 1.58:1. Building complex A has a floor area of 14,502 square metres. Building complex C occupies a floor area of 12,471 square metres. Building Complex D occupies a floor area of 12,056 square metres. The current floor space for the Lot 9 will be 39,029 square metres leaving 11,395 square metres of floor area available for Block B. The number of apartments for the site is now 488 out of a probable 685 leaving 197 apartment available for building complex B. The proposal is within the permissible total floor space ratio allowable for the precinct.

Requirement	Yes	No	N/A	Comment
Principle 5: Resource, energy and water efficiency *Good design makes efficient use of natural resources, energy and water throughout its full life cycle, including construction.* *Sustainability is integral to the design process. Aspects include demolition of existing structures, recycling of materials, selection of appropriate and sustainable materials, adaptability and reuse of buildings, layouts and built form, passive solar design principles, efficient appliances and mechanical services, soil zones for vegetation and reuse of water.*	☒	☐	☐	BASIX Certificates have been submitted with the development application. Further, a BASIX Assessment Report has been prepared to accompany the application prepared by VIPAC and dated 6 November 2012. The report is an important part of the BASIX assessment as it details the treatment required for various apartments to achieve compliance with the certificates issued. Internal unit ventilation, car park area ventilation and heating and cooling is addressed by the report. The report concludes that the proposed development has been assessed in terms of its passive energy design (Thermal comfort) using the NatHERS system. The development has been assessed of its ability to conserve water and to reduce energy consumption. Subject to the recommendations of the report being implemented into the development, the development will achieve the BASIX certificate requirement (Page 14). The report must be included as part of documentation for approval should the development application be supported. The BASIX certificates require sustainable development features to be installed into the development.
Principle 6: Landscape *Good design recognises that together landscape and buildings operate as an integrated and sustainable system, resulting in greater aesthetic quality and amenity for both occupants and the adjoining public domain.* *Landscape design buildings on the existing site's natural and cultural features in responsible and creative ways. It enhances the development's natural environmental performance by co-ordinating water and soil management, solar access, micro-climate, tree canopy and habitat vales. It contributes to the positive image and contextual fit of development through respect for streetscape and neighbourhood character, or desired future character.* *Landscape design should optimise useability, privacy and social opportunity, equitable access and respect for neighbour's amenity, and provide for practical establishment and long term management.*	☒	☐	☐	Landscaping is to be used to distinguish boundaries of public/private spaces, provide visual privacy and to soften the built form at ground level surrounding the development (The public domain) and within the central communal open space area. The landscape communal area at Level 2 is central to both buildings and has view lines external to the complex on the north and east side. The internal courtyard features landscaped elements and will offer good outlook space for people using the area. A series of pathways connect all areas of the common space. All the landscaping within the courtyard space will be situated on a podium. There will be a need for water proof membranes to the construction to prevent water seepage into the car park level below. Landscaping is to be used to distinguish boundaries of public/private spaces, provide visual privacy and to soften the built form at ground level surrounding the development. These include pathways and planter boxes.

Requirement	Yes	No	N/A	Comment
Principle 7: Amenity *Good design provides amenity through the physical, spatial and environmental quality of a development.* *Optimising amenity requires appropriate room dimensions and shapes, access to sunlight, natural ventilation, visual and acoustic privacy, storage, indoor and outdoor space, efficient layouts and service areas, outlook and ease of access for all age groups and degrees of mobility.*	☒	☐	☐	It is considered that the proposal will deliver adequate amenity to the residents of the building complex. The proposal substantially complies with the Residential Flat Design Code and Homebush Bay West DCP which contains many amenity controls. Some of the amenity features include:- • Useable courtyards or terraces for the Level one and Level two apartments. • Useable balconies for the upper level apartments. • Adequate storage space. • Lifts that provides linkages and connections between every floor level. • Adequate car parking to support the development. • Minimising the number of south facing units to 23 or 12.4% of the total number of units. A majority of the units face, east, north or west and daylight access is maximised. • Adequate living space to permit reasonable layout of furniture. Overall, based on the outcome of the BASIX assessment and orientation of the site and units, residential amenity is considered satisfactory.
Principal 8: Safety and security *Good design optimises safety and security, both internal to the development and for the public domain.* *This is achieved by maximising overlooking of public and communal spaces while maintaining internal privacy, avoiding dark and non-visible areas, maximising activity on streets, providing clear, safe access points, providing quality public spaces that cater for desired recreational uses, providing lighting appropriate to the location and desired activities, and clear definition between public and private spaces.*	☒	☐	☐	Passive surveillance of public and communal open space is maximised through orientation of units and habitable living areas. The position and orientation of the various building elements allow balconies and habitable rooms of apartments to overlook the streets to be constructed or the internal courtyard / common open space area. Street level activity will be encouraged via the provision of multiple building entries facing the sides of the building complex and individual entries to most of the Level one apartments. Due to topography of the land, there are five south facing apartments in which their entries do not face the street. The apartments Number A1.08 to A1.12 still feature the terraces and main habitable rooms facing the street. The important common areas such as the foyers, lift wells and the internal common open space will be appropriately secured with security cards and intercom access for visitors.

Requirement	Yes	No	N/A	Comment
Principal 9: Social dimensions *Good design responds to the social context and needs of the local community in terms of lifestyles, affordability, and access to social facilities.* *New developments should optimise the provision of housing to suit the social mix and needs in the neighbourhood, or in the case of precincts undergoing transition, provide for the desired future community.*	☒	☐	☐	The proposal provides an adequate mix of 1, 2 and 3 bed apartments as well as providing a significant number of adaptable apartments. Additional community facilities shall be provided as the wider locality is developed.
Principle 10: Aesthetics *Quality aesthetics reflect the appropriate composition of building elements, textures, materials and colours and reflect the use, internal design and structure of the development. Aesthetics should respond to the environment and context, particularly to desirable elements of the existing streetscape or, in precincts undergoing transition, contribute to the desired future character of the area.*	☒	☐	☐	The building responds well in this regard with its provision of good aesthetics though the use of high quality materials, attention to detail in its internal spaces and how it addresses the street. The elevations of Building complex A comprises a base, middle and top which are articulated. The building materials to be used in the development includes:- Various colours of glazing ranging from clear panels to decorative colours. Dark grey face brickwork with a Toffee Apple coloured red feature brick. Mustard colour paint render. Balustrades to be a mix of solid material and glazed elements.
Clause 30 Determination of DAs *After receipt of a DA, the advice of the relevant design review panel (if any) is to be obtained concerning the design quality of the residential flat development.* *In determining a DA, the following is to be considered:*	☐	☐	☒	Auburn City Council does not employ a formal design review panel.
• *The advice of the design review panel (if any);* • *The design quality of the residential flat development when evaluated in accordance with the design quality principles;* *The publication "Residential Flat Design Code" – Department of Planning, September 2002.*	☐ ☒ ☒	☐ ☐ ☐	☒ ☐ ☐	The design quality principles are considered above and the Residential Flat Design Code is considered in the assessment table immediately below.

Residential Flat Design Code

The Residential Flat Design Code is now addressed in full detail as shown in the table below.

Requirement	Yes	No	N/A	Comment
Part 1 - Local Context				
Building Type				
• **Residential Flat Building.** • Terrace. • Townhouse. • Mixed-use development. • Hybrid.	☒ ☐ ☐ ☐	☐ ☐ ☐ ☐	☐ ☒ ☒ ☒	The proposed development consists of a residential flat building complex. There is car parking situated centrally within the site over two levels and an internal common area.
Subdivision and Amalgamation				

Requirement	Yes	No	N/A	Comment
Objectives • Subdivision/amalgamation pattern arising from the development site suitable given surrounding local context and future desired context.	☐	☐	☒	Development Consent was issued under delegated authority on 31 January 2012 subject to conditions for the creation of five (5) allotments via three stages including dedication of roads to impliment as per the Development Control Plan. The approved allotments varied in size and shape but the consent laid out the subdivision plan across the site. Council under delegated authority approved a Section 96 modification application for some changes to the subdivision pattern subject to conditions.
• Isolated or disadvantaged sites avoided.	☒	☐	☐	No isolated sites are created by this development.
Building Height				
Objectives • To ensure future development responds to the desired scale and character of the street and local area.	☒	☐	☐	The building heights are found to be satisfactory and mostly compliant with the Concept Plan approval.
• To allow reasonable daylight access to all developments and the public domain.	☒	☐	☐	This is achieved where possible. Variations in relation to solar penetration to apartments and the public domain are described at the appropriate chapters in this assessment report.
Building Depth				
Objectives • To ensure that the bulk of the development is in scale with the existing or desired future context.	☒	☐	☐	The majority of the development will be satisfactory under this heading. The design, bulk, streetscape presentation and height is acceptable.
• To provide adequate amenity for building occupants in terms of sun access and natural ventilation.	☒	☐	☐	
• To provide for dual aspect apartments.	☒	☐	☐	

Requirement	Yes	No	N/A	Comment
Controls **• The maximum internal plan depth of a building should be 18 metres from glass line to glass line.**	☐	☒	☐	**The building depth varies but reaches up to 19.2 metres in small portions. This mainly occurs due to design methods chosen and does not reflect poor amenity or building performance. Based on the design the proposed depth is not considered excessive.**
• Freestanding buildings (the big house or tower building types) may have greater depth than 18 metres only if they still achieve satisfactory daylight and natural ventilation.	☒	☐	☐	Notwithstanding the building depth, the residential towers achieve satisfactory daylight and natural ventilation given the orientation of the site. There are 94 apartments in the development that have dual aspect in one form or another. These include the corner apartments, the apartments that have windows facing different directions and the cross through apartments facing the west onto Hill Road. This represents 50.8% of the number of apartments in the development.
• Slim buildings facilitate dual aspect apartments, daylight access and natural ventilation.	☒	☐	☐	The two buildings take the appearance of slimline structures.
• In general an apartment building depth of 10-18 metres is appropriate. Developments that propose wider than 18 metres must demonstrate how satisfactory day lighting and natural ventilation are to be achieved.	☒	☐	☐	The total number of apartments that will receive some form of sunlight penetration is 143 representing 77.3% of the number across the development.
Building Separation				
Objectives • To ensure that new development is scaled to support the desired area character with appropriate massing and spaces between buildings.	☒	☐	☐	The concept of the development is supported in which buildings are oriented towards their respective frontages. Building setbacks are generally satisfactory.
• To provide visual and acoustic privacy for existing and new residents. • To control overshadowing of adjacent properties and private or shared open space. • To allow for the provision of open space with appropriate size and proportion for recreational activities for building occupants.	☒ ☒ ☒	☐ ☐ ☐	☐ ☐ ☐	Appropriate spacing and visual and acoustic privacy is provided between apartments.
• To provide deep soil zones for stormwater management and tree planting, where contextual and site conditions allow.	☒	☐	☐	There is limited area of deep soil zone to be provided along the Hill Road frontage and part of the Half Street frontage. The amount of deep soil zone is limited in nature.

Requirement	Yes	No	N/A	Comment
Controls • For buildings over three storeys, building separation should increase in proportion to building height: ○ 5-8 storeys/up to 25 metres:				The complex has a maximum height of 8 storeys. The separation distances are:- Level one - No separation distance. **Level 2 apartments:**
▪ **18 metres between habitable rooms/balconies;**	☐	☒	☐	**13.4 metres between the terraces of Apartments Numbered A2.18 and A2.26**
▪ 13 metres between habitable rooms/balconies and non habitable rooms;	☒	☐	☐	**16 metres between courtyards facing the internal common area.**
▪ 9 metres between non habitable rooms.	☒	☐	☐	**The terraces of Apartments Numbered A2.10 and A 2.23 are 13.2 metres apart.**
Allow zero separation in appropriate contexts, such as in urban areas between street wall building types (party walls).	☐	☐	☒	**These are variations to the 18 metre separation distance but these are level to the internal common space. Landscaping elements such as shrubs and trees will obscure the direct line of sight between various elements and hence this is not considered to be a significant issue.**
• Where a building step back creates a terrace, the building separation distance for the floor below applies.	☐	☐	☒	
• Coordinate building separation controls with side and rear setback controls – in a suburban area where a strong rhythm has been established between buildings, smaller building separations may be appropriate.	☒	☐	☐	**The upper levels achieve reasonable compliance with the setback requirements albeit with some variations. The balconies of apartments numbered A3.10 to A3.23 and A3.26 to A 3.18, A4.10 to A4.23 and A4.26 to A4.18, A5.10 to A 5.23 and A5.18 to A 5.26 and A6.23 to A6.17 are setback 14.6 to 15.2 metres from one another. The view lines are to "front to sides" rather than "front to front".**
• Coordinate building separation controls with controls for daylight access, visual privacy and acoustic privacy.	☒	☐	☐	
• Protect the privacy of neighbours who share a building entry and whose apartments face each other by designing internal courtyards with greater building separation.	☒	☐	☐	
• Developments that propose less than the recommended distances apart must demonstrate that daylight access, urban form and visual and acoustic privacy has been satisfactorily achieved.	☒	☐	☐	**The living rooms and balconies of apartments A3.10 to A3.23, 4.10 to A4.23 and A5.10 to A 5.23 are setback 14.6 metres from one another.** **The living rooms of apartments A6.08 to A6.12, A7.04 to A7.06 and A8.04 to A8.06 are 14 metres apart but these are close to a building convergence point which is expected and may be supported.** **There are 6 other apartments that encroach towards one another being A3.08 and A3.12, A4.08 and A4.12 and A5.08 and A5.12. The apartments encroach one another at a convergence point.** **There will be a need to ensure satisfactory privacy. For example, solid balustrades would be more appropriate for the affected apartments rather than glazed balustrades. Another alternative would be the introduction of louvres rather than screens to ensure that additional elements blend into the architectural design of the building complex.**

Requirement	Yes	No	N/A	Comment
Street Setbacks				
Objectives • To establish the desired spatial proportions of the street and define the street edge. • To create a clear threshold by providing a transition between public and private space. • To assist in achieving good visual privacy to apartments from the street. • To create good quality entry spaces to lobbies, foyers or individual dwelling entrances. • To allow an outlook to and surveillance of the street. • To allow for street landscape character.	☒ ☒ ☒ ☒ ☒ ☒	☐ ☐ ☐ ☐ ☐ ☐	☐ ☐ ☐ ☐ ☐ ☐	Setbacks are mostly in accordance with the Concept Plan requirements and Homebush Bay West DCP. The setbacks are to be utilised for landscaping, pedestrian paths and private open space areas for the ground floor apartments. A few variations occur to the development control plan controls but it is considered appropriate to support the minor variations as they do not adversely impact on the performance of the building complex and locality.
Controls • Minimise overshadowing of the street and/or other buildings.	☐	☐	☒	Given the orientation of the site and the required design outcomes of the site and locality specific DCP, some overshadowing of streets is inevitable and unavoidable. Street setbacks are considered to be satisfactory. Generally the building adheres to the setback provisions. Some minor projections such as blade walls and balcony overhangs are identified on the plans but these assist the design features of the building as integrated elements. Generally, the building complex maintains the "Public Domain Boundary" subject to some minor overhangs created by various design elements.
• In general no part of a building or above ground structure may encroach into a setback zone - exceptions are underground parking structures no more than 1.2 metres above ground where this is consistent with the desired streetscape, awnings, balconies and bay windows.	☐	☒	☐	**Underground car park:** **The lower level car park encroaches beyond the boundaries of the allotment to such an extent that it will pass underneath the future road (Bayswater Street) to be constructed.** **The plans show the basement car park situated 2 metres below the future road level. This does not raise any adverse issues to the site and is permitted.**
Side & Rear Setbacks				

Requirement	Yes	No	N/A	Comment
Objectives • To minimise the impact of development on light, air, sun, privacy, views and outlook for neighbouring properties, including future buildings. • To retain or create a rhythm or pattern of development that positively defines the streetscape so that space is not just what is left over around the building form. Objectives - Rear Setbacks • To maintain deep soil zones to maximise natural site drainage and protect the water table. • To maximise the opportunity to retain and reinforce mature vegetation. • To optimise the use of land at the rear and surveillance of the street at the front. • To maximise building separation to provide visual and acoustic privacy.	☒ ☒ ☒ ☐ ☒ ☒	☐ ☐ ☐ ☐ ☐ ☐	☐ ☐ ☒ ☒ ☐ ☐	Appropriate setbacks are achieved in accordance with the Concept Plan and Homebush Bay West DCP requirements albeit with a few variations to the controls which will be described later in the report. It is identified that the complex will occupy an entire allotment of land when constructed. The complex is designed to address all four roads when constructed although the physical podium on which the residential towers will sit will be visible at street level.
Controls • Where setbacks are limited by lot size and adjacent buildings, 'step in' the plan on deep building to provide internal courtyards and to limit the length of walls facing boundaries. • **In general no part of a building or above ground structure may encroach into a setback zone - exceptions are underground parking structures no more than 1.2 metres above ground where this is consistent with the desired streetscape, awnings, balconies and bay windows.**	☒ ☐	☐ ☒	☐ ☐	Appropriate setbacks are achieved in accordance with the Concept Plan and Homebush Bay West Development Control Plan requirements. **This matter is considered above under street setbacks.**
Floor Space Ratio				
Objectives • To ensure that development is in keeping with the optimum capacity of the site and the local area. • To define allowable development density for generic building types. • To provide opportunities for modulation and depth of external walls within the allowable FSR. • To promote thin cross section buildings, which maximise daylight access and natural ventilation. • To allow generous habitable balconies.	☒ ☒ ☒ ☒ ☒	☐ ☐ ☐ ☐ ☐	☐ ☐ ☐ ☐ ☐	The proposed development is considered to be generally consistent with the density requirements imposed by the Concept Plan approval.
Part 02 Site Design				
Site Analysis				
• Site analysis should include plan and section drawings of the existing features of the site, at the same scale as the site and landscape plan, together with appropriate written material. • A written statement explaining how the design of the proposed development has responded to the site analysis must accompany the application.	☒ ☒	☐ ☐	☐ ☐	The development is accompanied by a Statement of Environmental Effects, which includes detailed site analysis information in relation to existing conditions, the proposed development and the relevant development control plan.
Deep Soil Zones				
Objectives • To assist with management of the water table. • To assist with management of water quality. • To improve the amenity of developments through the retention and/or planting of large and medium size trees.	☒ ☒ ☒	☐ ☐ ☐	☐ ☐ ☐	The proposal includes a satisfactory planting scheme for the site. The landscape plan is satisfactory for approval and shows an adequate planting regime for the complex.

Requirement	Yes	No	N/A	Comment
Design Practice • Optimise the provision of consolidated deep soil zones within a site by the design of basement and sub basement car parking so as not to fully cover the site; and the use of front and side setbacks. • Optimise the extent of deep soil zones beyond the site boundaries by locating them with the deep soil zones of adjacent properties. • Promote landscape health by supporting for a rich variety of vegetation type and size. • Increase the permeability of paved areas by limiting the area of paving and/or using impervious materials. • A minimum of 25% of the open space area of a site should be a deep soil zone.	☒ ☒ ☒ ☒ ☒	☐ ☐ ☐ ☐ ☐	☐ ☐ ☐ ☐ ☐	Landscaping internal of the development site occupies 837 square metres. The landscape plans show a soil depth of 390 mm for the turf areas encompassing, soil, a base consisting of coarse river sand and drainage cells. A waterproof membrane will be required to prevent water seepage into the car park below. Planter boxes are shown to be 700 to 900 mm deep depending on the type of planting involved. The internal common space is effectively a podium but functions as a roof for the car park below. The internal common space features pathways throughout that provides good connections within the development. There is an additional 592 square metres of landscaping within the perimeter of the development encompassing 386 square metres of true deep soil zone. The total area of landscaping earmarked for the site is 1,429 square metres which encompasses all the areas earmarked for landscaping but excluding the pathways. The main deep soil zone along the western curtilage of the complex occupies 6.3% of the site or 27% of the total amount of landscape area provided for the site. If the internal landscaped features are included in the figure then:- - 23.6% of the site has some form of landscaping. - Excluding the turf areas, all planting (Trees and shrubs) occupy 1,273.3 square metres being 21% of the site. It can be argued that 21% of the site has some form of deep soil area. It can be argued that 89.1% of the landscaping on site is deep soil zone. Compliance is achieved. **The Homebush Bay West Development Control Plan Section 4.1.1 Performance criteria (ii) provides that only 15% of the open space area should be deep soil zone.** **Compliance would still be achieved under the planning instrument.**
Fences and Walls				

Requirement	Yes	No	N/A	Comment
Objectives • To define the edges between public and private land. • To define the boundaries between areas within the development having different functions or owners. • To provide privacy and security. • To contribute positively to the public domain.	☒ ☒ ☒ ☒	☐ ☐ ☐ ☐	☐ ☐ ☐ ☐	The proposed development is considered to be consistent with the Fences and Walls objectives as suitable barriers between the public and private areas are proposed.
Design Practice • Respond to the identified architectural character for the street and/or the area. • Clearly delineate the private and public domain without compromising safety and security by designing fences and walls which provide privacy and security while not eliminating views, outlook, light and air; and limiting the length and height of retaining walls along street frontages. • Contribute to the amenity, beauty and useability of private and communal open spaces by incorporating benches and seats; planter boxes; pergolas and trellises; BBQs; water features; composting boxes and worm farms. • Retain and enhance the amenity of the public domain by avoiding the use of continuous blank walls at street level; and using planting to soften the edges of any raised terraces to the street, such as over sub basement car parking and reduce their apparent scale. • Select durable materials which are easily cleaned and graffiti resistant.	☒ ☒ ☒ ☒ ☒	☐ ☐ ☐ ☐ ☐	☐ ☐ ☐ ☐ ☐	Level One of the building complex is raised above the street level across most of the site. This creates a solid wall edge between the public space and private space. A solid wall while well designed will be as high as 5.4 metres above the natural ground level although this is limited in area to a portion near the vehicle entrance point. There are some other wall elements exceeding 3 metres high situated close to the vehicle entrance point but most wall elements that determine the base of the building complex are lower than this. To address the solid wall feature facing the perimeter of the development the applicant intends to:- • Provide dense landscaping along the western curtilage of the building complex and additional landscaping along the other three street frontages. • Providing access points to the Level one apartments which breaks the scale of the wall at street level. • Construct the base using brickwork to match the rest of the building. Hence the base will not comprise a hard edge “concrete finish” visible at street level.
Landscape Design				
Objectives • To add value to residents’ quality of life within the development in the forms of privacy, outlook and views. • To provide habitat for native indigenous plants and animals. • To improve stormwater quality and reduce quantity. • To improve the microclimate and solar performance within the development. • To improve urban air quality. • To contribute to biodiversity.	☒ ☒ ☒ ☒ ☒ ☒	☐ ☐ ☐ ☐ ☐ ☐	☐ ☐ ☐ ☐ ☐ ☐	The proposed development is considered to be consistent with the Landscape Design objectives as suitable landscaping is to be used to soften the impact of the built form on surrounding streetscapes and within the internal courtyard.

Requirement	Yes	No	N/A	Comment
Design Practice • Improve the amenity of open space with landscape design which: provides appropriate shade from trees or structures; provides accessible routes through the space and between buildings; screens cars, communal drying areas, swimming pools and the courtyards of ground floor units; allows for locating art works where they can be viewed by users of open space and/or from within apartments. • Contribute to streetscape character and the amenity of the public domain by: relating landscape design to the desired proportions and character of the streetscape; using planting and landscape elements appropriate to the scale of the development; mediating between and visually softening the bulk of large development for the person on the street. • Improve the energy efficiency and solar efficiency of dwellings and the microclimate of private open spaces. • Design landscape which contributes to the site's particular and positive characteristics. • Contribute to water and stormwater efficiency by integrating landscape design with water and stormwater management. • Provide a sufficient depth of soil above paving slabs to enable growth of mature trees. • Minimise maintenance by using robust landscape elements.	☒ ☒ ☒ ☒ ☒ ☒ ☒	☐ ☐ ☐ ☐ ☐ ☐ ☐	☐ ☐ ☐ ☐ ☐ ☐ ☐	A landscape plan prepared by Site Image Landscape Architects is provided. The plans contain details of the landscape provision, species to be planted, maintenance and soil preparation. The plan details the need for water proofing of the concrete membranes to prevent water seepage into the car park structure. The landscape plans show a soil depth of 390 mm for the turf areas encompassing, soil, a base consisting of coarse river sand and drainage cells. Planter boxes are shown to be 700 to 900 mm deep depending on the type of planting involved. Some species of trees and shrubs to be planted include:- <u>Feature trees</u>: Elaeocarpus Reticulatus (Blueberry Ash). Melaleuca Stypheloides (Prickly Paper Bark). Ulmus Parvifolia (Chinese Elm). <u>Screening trees</u>: Acmena Smithii Ruby (Lilly Pilly). Ceratopetalum Gummiferum (NSW Christmas Bush). Tristaniopsis Laurina (Water Gum). <u>Shrubs</u>: Acacia Pravissima Little Nugget (Little Nugget Acacia). Cycas Revoluta (Sago Palm). Murraya Paniculata (Coastal Rosemary). A good range of tree and shrubs are to be planted as part of the landscape theme across the site.
Open Space				
<u>Objectives</u> • To provide residents with passive and active recreational opportunities. • To provide an area on site that enables soft landscaping and deep soil planting. • To ensure that communal open space is consolidated, configured and designed to be useable and attractive. • To provide a pleasant outlook.	☒ ☒ ☒ ☒	☐ ☐ ☐ ☐	☐ ☐ ☐ ☐	The proposed development is considered to be consistent with the Open Space objectives communal open space is provided in the form of an internal courtyard allowing for passive and active recreation.

Requirement	Yes	No	N/A	Comment
Design Practice • Provide communal open space with is appropriate and relevant to the building's setting.	☒	☐	☐	A communal internal courtyard is provided within the development site and accessible from both buildings.
• Where communal open space is provided, facilitate its use for the desired range of activities by locating it in relation to buildings to optimise solar access to apartments; consolidating open space on the site into recognisable areas with reasonable space, facilities and landscape; designing its size and dimensions to allow for the program of uses it will contain; minimising overshadowing; carefully locating ventilation duct outlets from basement car parks.	☒	☐	☐	The common area is large enough to permit residents to passively and actively use the space. The space features, turf areas, dense landscape elements, seating and shade areas (Provided by small trees).
• Provide open space for each apartment capable of enhancing residential amenity in the form of balcony, deck, terrace, garden, yard, courtyard and/or roof terrace.	☒	☐	☐	All apartments are provided with at least 1 suitably sized area of private open space in the form of a terrace or balcony. Many of the Level two apartments are provided with courtyards for private use.
• Locate open space to increase the potential for residential amenity by designing apartment buildings which: are sited to allow for landscape design; are sited to optimise daylight access in winter and shade in summer; have a pleasant outlook; have increased visual privacy between apartments.	☒	☐	☐	Private open spaces are positioned to optimise solar access or view lines internal or external to the site.
• Provide environmental benefits including habitat for native fauna, native vegetation and mature trees, a pleasant microclimate, rainwater percolation and outdoor drying area.	☒	☐	☐	The landscaped areas are to contain trees and native plantings.
• The area of communal open space required should generally be at least 25-30% of the site area. Larger sites and brown field sites may have potential for more than 30%.	☐	☒	☐	**The common open space contains landscaping occupying 837 square metres which occupies 13.8% of the site.**
• Where developments are unable to achieve the recommended communal open space, they must demonstrate that residential amenity is provided in the form of increased private open space and/or a contribution to public open space.	☐	☐	☒	The common open space including the pathways and linkages occupy an area of 1,375.6 square metres or the equivalent of 22.7% of the site.
• Minimum recommended area of private open space for each apartment at ground level or similar space on structure is 25sqm and the minimum preferred dimension is 4 metres.	☐	☒	☐	**Courtyards**: **Many of the Level two apartments facing the internal courtyard feature courtyards. They vary in size from 18 square metres for the smaller areas to 43 square metres for the larger areas.** **Apartments Numbered A2.03 and A2.04 feature courtyards of 18 square metres. The two apartments feature front terraces of 9.2 square metres. Hence amenity is not adversely affected for the two apartments as adequate open space is provided when combined.** **Size of common area**: **The applicant has provided ten of the Level two apartments with larger courtyards for private use. It is not feasible using the design chosen to create an additional 133.6 square metres of common space on level one without losing apartments from the design. The variation to the standard is 8.8% which is not excessive to impact on residential amenity.**

Requirement	Yes	No	N/A	Comment
Orientation				
Objectives • To optimise solar access to residential apartments within the development and adjacent development. • To contribute positively to desired streetscape character. • To support landscape design of consolidated open space areas. • To protect the amenity of existing development. • To improve the amenity of existing development.	☒ ☒ ☒ ☐ ☐	☐ ☐ ☐ ☐ ☐	☐ ☐ ☐ ☒ ☒	The proposed development is considered to be consistent with the Orientation objectives as it is consistent with the layout envisaged by site and Concept plan approval Existing developments are not duly affected and are to be demolished for future redevelopment.
Design Practice • Plan the site to optimise solar access by: positioning and orienting buildings to maximise north facing walls (within 30^0 east and 20^0 west of north) where possible; and providing adequate building separation within the development and to adjacent buildings. • Select building types or layouts which respond to the streetscape while optimising solar access. Where streets are to be edged and defined by buildings: align buildings to the street on east-west streets; and use courtyards, L-shaped configurations and increased setbacks to northern side boundaries on north-south streets. • Optimise solar access to living spaces and associated private open spaces by orienting them to the north. • Detail building elements to modify environmental conditions as required to maximise sun access in winter and sun shading in summer.	☒ ☒ ☒ ☒	☐ ☐ ☐ ☐	☐ ☐ ☐ ☐	The general layout is considered to be the most appropriate with regard to position and street setbacks. There are two residential towers comprising a total of 185 apartments of various size and configuration. The southern tower forms the bulk of the development and is eight storeys high. The northern tower forms a more minor component of the development and is five storeys high at any point from ground level although the Building Code of Australia treats this as a six storey building. The most dominant part of the building wraps around the western and southern side of the site. An internal common space is provided with access from within the development. The internal common space provides good separation between building elements which allows sunlight to penetrate into the open space area. The design is considered to satisfy the criteria stated here.
Planting on Structures				
Objectives • To contribute to the quality and amenity of communal open space on roof tops, podiums and internal courtyards. • To encourage the establishment and healthy growth of trees in urban areas.	☒ ☒	☐ ☐	☐ ☐	The proposed development is considered to be consistent with the Planting on Structures objectives as adequate soil depth is provided above the parking level podium to allow the communal open space area to be landscaped.

Requirement	Yes	No	N/A	Comment
Design Practice				
• Design for optimum conditions for plant growth by: providing soil depth, soil volume and soil area appropriate to the size of the plants to be established; providing appropriate soil conditions and irrigation methods, providing appropriate drainage.	☒	☐	☐	The depth of soil within the central communal open space area (above the parking level podium) reaches 900 mm for the more significant planter beds. These will support shrubs.
• Design planters to support the appropriate soil depth and plant selection by: ensuring planter proportions accommodate the largest volume of soil possible; and providing square or rectangular planting areas rather than long narrow linear areas. Minimum soil depths will vary depending on the size of the plant however soil depths greater than 1.5 metres are unlikely to have any benefits for tree growth.	☒	☐	☐	
• Increase minimum soil depths in accordance with: the mix of plants in a planter; the level of landscape management; anchorage requirements of large and medium trees; soil type and quality.	☒	☐	☐	The planter boxes are to feature shrubs and planting of small trees.
• Minimum standards:				
○ Large trees such as figs (canopy diameter of up to 16 metres at maturity):	☐	☐	☒	
▪ Minimum soil volume 150cum;				
▪ Minimum soil depth 1.3 metres;				
▪ Minimum soil area 10 metres by 10 metres.				
○ Medium trees (canopy diameter of up to 8 metres at maturity):	☐	☐	☒	
▪ Minimum soil volume 35cum;				
▪ Minimum soil depth 1 metre;				
▪ Approximate soil area 6 metres by 6 metres.				
○ Small trees (canopy diameter of up to 4 metres at maturity):	☒	☐	☐	
▪ Minimum soil volume 9cum;				
▪ Minimum soil depth 800mm;				
▪ Approximate soil area 3.5 metres by 3.5 metres.				
○ Shrubs:				
▪ Minimum soil depths 500-600mm	☒	☐	☐	
○ Ground cover:				
▪ Minimum soil depths 300-450mm	☒	☐	☐	
○ Turf:				
▪ Minimum soil depth 100-300mm	☒	☐	☐	The areas earmarked for turf are to feature a soil depth of 390 mm.
▪ Any subsurface drainage requirements are in addition to the minimum soil depths.				
Stormwater Management				
Objectives				
• To minimise the impacts of residential flat development and associated infrastructure on the health and amenity of natural waterways.	☒	☐	☐	Stormwater drainage design is considered acceptable subject to detailed conditions to be included in any consent issued for the development.
• To preserve existing topographic and natural features including waterways and wetlands.	☒	☐	☐	
• To minimise the discharge of sediment and other pollutants to the urban stormwater drainage system during construction activity.	☒	☐	☐	

Requirement	Yes	No	N/A	Comment
Design Practice • Reduce the volume impact of stormwater on infrastructure by retaining it on site. • Optimise deep soil zones. All development must address the potential for deep soil zones. • On dense urban sites where there is no potential for deep soil zones to contribute to stormwater management, seek alternative solutions. • Protect stormwater quality by providing for stormwater filters, traps or basins for hard surfaces, treatment of stormwater collected in sediment traps on soils containing dispersive clays. • Reduce the need for expensive sediment trapping techniques by controlling erosion. • Consider using grey water for site irrigation.	☒ ☒ ☐ ☒ ☒ ☒	☐ ☐ ☐ ☐ ☐ ☐	☐ ☐ ☒ ☐ ☐ ☐	Stormwater drainage design is considered acceptable subject to the inclusion of detailed conditions, should the application be recommended for approval. Grey water: The development will be connected to an alternative water supply (WRAMS) from the Sydney Olympic Park Authority scheme.
Safety				
Objectives • To ensure residential flat developments are safe and secure for residents and visitors. • To contribute to the safety of the public domain.	☒ ☒	☐ ☐	☐ ☐	The proposed development is considered to be consistent with the Safety objectives as secure access to communal entries to the building and as casual surveillance of the public domain from living and open space areas is to be provided.
Design Practice • Reinforce the development boundary to strengthen the distinction between public and private space. This can be actual or symbolic and may include: employing a level change at the site and/or building threshold; signage; entry awnings; fences; walls and gates; change of material in paving between the street and the development. • Optimise the visibility, functionality and safety of building entrances by: orienting entrances towards the public street; providing clear lines of sight between entrance foyers and the street; providing direct entry to ground level apartments from the street rather than through a common foyer; direct and well lit access between car parks and dwellings, between car parks and lift lobbies and to all unit entrances. • Improve the opportunities for casual surveillance by: orienting living areas with views over public or communal open spaces where possible; using bay windows and balconies which protrude beyond the main façade and enable a wider angle of vision to the street; using corner windows which provide oblique views of the street; providing casual views of common internal areas, such as lobbies and foyers, hallways, recreation areas and car parks. • Minimise opportunities for concealment by: avoiding blind or dark alcoves near lifts and stairwells, at the entrance and within indoor car parking, along corridors and walkways; providing well lit routes throughout the development; providing appropriate levels of illumination for all common areas; providing graded illumination to car parks and illuminating entrances higher than the minimum acceptable standard. • Control access to the development by: making apartments inaccessible from the balconies, roofs and windows of neighbouring buildings; separating the residential component of a development's car parking from any other building use and controlling	☒ ☒ ☒ ☒	☐ ☐ ☐ ☐	☐ ☐ ☐ ☐	The plans show much of the development raised on a podium above the street level. This occurs due to limitations on excavation which imposes a significant site constraint. The level One of the building complex is raised above the street level across most of the site. This creates a solid wall edge between the public space and private areas. The wall level is as much as 5.2 metres above the natural ground level. To address the solid wall feature facing the perimeter of the development the applicant intends to:- • Landscape much of the perimeter of the building to reduce the impact of the hard wall surfaces close to street level. • Provide access points to the Level one apartments which breaks the scale of the wall at street level. This also supports pedestrian use and surveillance at street level. Having communal entry points at street level promotes surveillance of the street level. There are communal entry points facing north, south and west which are oriented towards the street. Internal common space: The internal common area is only accessible from within the development implying that only the residents and their guests may use the area.

Requirement	Yes	No	N/A	Comment
car park access from public and common areas; providing direct access from car parks to apartment lobbies for residents; providing separate access for residents in mixed-use buildings; providing an audio or video intercom system at the entry or in the lobby for visitors to communicate with residents, providing key card access for residents. • Carry out a formal crime risk assessment for all residential developments of more than 20 new dwellings.	☒	☐	☐	Good visibility is provided to the internal common area from living spaces and balconies of various units within the development. There are four lifts within the development linking all floors and the car park levels. <u>The car park</u>: Both levels of the car park are predominantly open style floor plates which limits dark concealed areas. There are no significant security risks imposed within the basement car park. Critical CEPTD arrangements for the development include:- • The position and orientation of the various building elements allow balconies and habitable rooms of apartments to overlook the public domain which permits passive surveillance of neighbouring buildings. • Multiple building entrances at street level. • Maintenance of vegetation to maintain sight lines. • Use of lighting at night. • A management service to maintain day to day operations of the complex. • Good exposure of entrances and foyers. • Provision of a secure car park with a security door. • Provision of a common area that promotes communal ownership due to its location within the development. • Limiting the number of apartments per corridor.
Visual Privacy				
<u>Objectives</u> • To provide reasonable levels of visual privacy externally and internally during the day and night. • To maximise outlook and views from principal rooms and private open space without compromising visual privacy.	☒ ☒	☐ ☐	☐ ☐	The proposed development is considered to be consistent with the Visual Privacy Objectives as outlook of open space is maximised where possible, without creating adverse impacts.

Requirement	Yes	No	N/A	Comment
Design Practice • Locate and orient new development to maximise visual privacy between buildings on site and adjacent buildings by providing adequate building separation, employing appropriate rear and side setbacks, utilise the site layout to increase building separation.	☒	☐	☐	Generally, for much of the development, building separation, location of windows and private open spaces and the use of privacy screening are satisfactory.
• Design building layouts to minimise direct overlooking of rooms and private open spaces adjacent to apartments by: balconies to screen other balconies and any ground level private open space; separating communal open space, common areas and access routes through the development from the windows of rooms, particularly habitable rooms; changing the level between ground floor apartments with their associated private open space, and the public domain or communal open space.	☒	☐	☐	
• Use detailed site and building design elements to increase privacy without compromising access to light and air.	☒	☐	☐	
Building Entry				
Objectives • To create entrances which provide a desirable residential identity for the development.	☒	☐	☐	The proposed development is considered to be consistent with the Building Entry Objectives as multiple communal entries which are easily identifiable are proposed.
• To orient the visitor.	☒	☐	☐	
• To contribute positively to the streetscape and building facade design.	☒	☐	☐	
Design Practice • Improve the presentation of the development to the street by: locating entries so that they relate to the existing street and subdivision pattern, street tree planting and pedestrian access network; designing the entry as a clearly identifiable element of the building in the street; utilising multiple entries where it is desirable to activate the street edge or reinforce a rhythm of entries along a street.	☒	☐	☐	Multiple communal entries are to be provided facing the streets / roadways. There are five critical entry points to the development for pedestrians located along the northern, southern and western elevation of the building. There is a vehicular access point facing east which will connect to Waterways Street when constructed.
• Provide as direct a physical and visual connection as possible between the street and the entry.	☒	☐	☐	They are communal entry points that will have reasonable pedestrian traffic.
• Achieve clear lines of transition between the public street, the shared private circulation spaces and the apartment unit.	☒	☐	☐	Entry foyers are spacious, feature glazing for clear sight lines to the roadways and will be secured with resident-access locked doors.
• Ensure equal access for all.	☒	☐	☐	
• Provide safe and secure access.	☒	☐	☐	
• Provide separate entries from the street for pedestrians and cars; different uses and ground floor apartments.	☒	☐	☐	Of importance, there are four lift wells to be constructed within the building. Each lift provides full access throughout the complex and various floors. There is one access facing north featuring a lift well, one access point facing south featuring a lift well and two access points facing west featuring lift wells. The entry foyers also allow equitable access to the building complex. There is one access point facing north and south featuring mail boxes. Further, the two access points facing west both feature mail boxes at their entrance doors.
• Design entries and associated circulation space of an adequate size to allow movement of furniture between public and private spaces.	☒	☐	☐	
• Provide and design mailboxes to be convenient for residents and not to clutter the appearance of the development from the street.	☒	☐	☐	
Parking				

Requirement	Yes	No	N/A	Comment
Objectives • To minimise car dependency for commuting and recreational transport use and to promote alternative means of transport - public transport, bicycling and walking. • To provide adequate car parking for the building's users and visitors depending on building type and proximity to public transport. • To integrate the location and design of car parking with the design of the site and the building.	☒ ☒ ☒	☐ ☐ ☐	☐ ☐ ☐	The proposed development is consistent with the Parking objectives as suitable number of resident and visitor car, motorbike and bicycle spaces are provided within the underground levels which do not impact upon the aesthetic design of the building.

Requirement	Yes	No	N/A	Comment
Design Practice • Determine the appropriate car parking spaces in relation to the development's proximity to public transport, shopping and recreational facilities; the density of the development and the local area; the site's ability to accommodate car parking.	☒	☐	☐	There are 231 car parking spaces provided to support the development. Of that 36 spaces are provided for use for visitors.
• Limit the number of visitor parking spaces, particularly in small developments where the impact on landscape and open space is significant.	☐	☐	☒	There are 37 spaces allocated for use for people with disabilities. In addition to the above number, nine of the spaces are stacked and they will need to be allocated to the three bedroom units or the same units.
• Give preference to underground parking wherever possible. Design considerations include: retaining and optimising the consolidated areas of deep soil zones; facilitating natural ventilation to basement and sub basement car parking areas; integrating ventilation grills or screening devices of car park openings into the façade design and landscape design; providing safe and secure access for building users, including direct access to residential apartments where possible; provide a logical and efficient structural grid.	☒	☐	☐	In general, the development requires a number of 229 spaces being 192 spaces for the residents and 37 spaces for visitor use. There is a small surplus of 2 spaces in the development and there is no issue for allocating one additional residential space for use for visitors. The minor reallocation may be addressed via a condition attached to any consent issued. In general, there is adequate car parking provided to support the number of apartments proposed.
• Where aboveground enclosed parking cannot be avoided ensure the design of the development mitigates any negative impact on streetscape and street amenity by avoiding exposed parking on the street frontage; hiding car parking behind the building façade – where wall openings occur, ensure they are integrated into the overall façade scale, proportions and detail; wrapping the car parks with other uses.	☒	☐	☐	Car park: Much of the car park is above ground due to a site constraint specific to excavation and water tables. The portions of car parking structures above ground are substantially hidden from view in this development.
• Minimise the impact of on grade parking by: locating parking on the side or rear of the lot away from the primary street frontage; screening cars from view of streets and buildings; allowing for safe and direct access to building entry points; incorporating parking into the landscape design of the site.	☐	☐	☒	
• Provide bicycle parking which is easily accessible from ground level and from apartments.	☒	☐	☐	There are three fan rooms in the development to support the basement car park for ventilation needs. There are four lifts providing access from the car park area to the residential complex situated above. There are 41 bike racks provided across both levels of the car park and one car wash bay. The plans show 9 motor bike bays provided on the lower car park / basement level. The plans show 178 storage rooms across both basement levels which represents a shortfall of 7 storage rooms. Notwithstanding this, space has been identified within the car park levels to support 7 more storage rooms. These could be marked in red on the plans should the development application be supported.
Pedestrian Access				

Requirement	Yes	No	N/A	Comment
Objectives • To promote residential flat development which is well connected to the street and contributes to the accessibility of the public domain. • To ensure that residents, including users of strollers and wheelchairs and people with bicycles, are able to reach and enter their apartments and use communal areas via minimum grade ramps, paths, access ways or lifts.	☒ ☒	☐ ☐	☐ ☐	The proposed development is considered to be consistent with the Pedestrian Access objectives as barrier free communal entries are provided to the building complex.
Design Practice • Utilise the site and its planning to optimise accessibility to the development. • Provide high quality accessible routes to public and semi-public areas of the building and the site, including major entries, lobbies, communal open space, site facilities, parking areas, public streets and internal roads. • Promote equity by ensuring the main building entrance is accessible for all from the street and from car parking areas; integrating ramps into the overall building and landscape design. • **Design ground floor apartments to be accessible from the street, where applicable, and to their associated private open space.** • Maximise the number of accessible, visitable and adaptable apartments in a building. • Separate and clearly distinguish between pedestrian access ways and vehicle access ways. • Consider the provision of public through site pedestrian access ways in large development sites. • Identify the access requirements from the street or car parking area to the apartment entrance. • Follow the accessibility standard set out in AS1428 as a minimum. • Provide barrier free access to at least 20% of dwellings in the development.	☒ ☒ ☒ ☐ ☒ ☒ ☒ ☒ ☒ ☒	☐ ☐ ☐ ☒ ☐ ☐ ☐ ☐ ☐ ☐	☐ ☐ ☐ ☐ ☐ ☐ ☐ ☐ ☐ ☐	**A majority of the apartments on Level one have individual entries from the road ways.** **There are five apartments facing south that do not feature direct access from street level due to topography and inadequate space for such features. Access to the apartments is from an internal corridor and this is considered an acceptable design outcome in this instance.** Adaptable apartments: There are 42 adaptable apartments within the development representing 22.7% of the total number of apartments. Entries: Including access via the lifts, only seven apartments would not achieve barrier free access. The remainder of the apartments have good access without significant barriers. This is made possible due to how the lifts are arranged within the complex.
Vehicle Access				
Objectives • To integrate adequate car parking and servicing access without compromising street character, landscape or pedestrian amenity and safety. • To encourage the active use of street frontages.	☒ ☒	☐ ☐	☐ ☐	The proposed development is considered to be consistent with the Vehicle Access objectives. Vehicular access is from the rear via the future Waterways Street.

Requirement	Yes	No	N/A	Comment
Design Practice • Ensure that pedestrian safety is maintained by minimising potential pedestrian/vehicle conflicts. • Ensure adequate separation distances between vehicular entries and street intersections. • Optimise the opportunities for active street frontages and streetscape design by: making vehicle access points as narrow as possible; limit the number of vehicle access ways to a minimum; locating car park entry and access from secondary streets and lanes. • Improve the appearance of car parking and service vehicle entries by: screening garbage collection, loading and servicing areas visually away from the street; setback or recess car park entries from the main façade line; avoid 'black holes' in the façade by providing security doors to car park entries; where doors are not provided, ensure that the visible interior of the car park is incorporated into the façade design and materials selection and that building services – pipes and ducts – are concealed; return the façade material into the car park entry recess for the extent visible from the street as a minimum.	☒ ☒ ☒ ☒	☐ ☐ ☐ ☐	☐ ☐ ☐ ☐	One vehicular access way is provided from the eastern side of the development being Waterways Street to be constructed. This development features a single vehicle access point that is isolated from the pedestrian access points. Critically, this reduces the likelihood of conflict between residents and vehicles accessing the building. The eastern curtilage of the building at street level also features:- • The vehicle access point being 22.6 metres from the nearest road intersection. • A loading bay for furniture removals and garbage collection situated next to the vehicular access point. The garbage collection is from within the building. • A fire hydrant booster located close to the loading bay. Electricity substation: The only service not located on the eastern curtilage of the development is the electricity substation. The plans show the substation to be located on the Hill Road frontage of the site. This is related to the need for Energy Australia personnel to have unfettered access for maintenance.
• Generally limit the width of driveways to a maximum of 6 metres. • Locate vehicle entries away from main pedestrian entries and on secondary frontages.	☐ ☒	☒ ☐	☐ ☐	Driveway width: **The driveway is 6.4 metres wide. A variation of 400 mm is not excessive given the scale of the development.** **A median strip separates the vehicle entry and exit travel path which necessitates a slightly wider driveway.** **Without the median strip, a driveway width of 6 metres would be achieved.**
Part 03 Building Design				
Apartment Layout				
Objectives • To ensure the spatial arrangement of apartments is functional and well organised. • To ensure that apartment layouts provide high standards of residential amenity. • To maximise the environmental performance of apartments. • To accommodate a variety of household activities and occupants' needs.	☒ ☒ ☒ ☒	☐ ☐ ☐ ☐	☐ ☐ ☐ ☐	The proposed development is considered to be consistent with the Apartment Layout objectives as layouts are suitably sized to permit a satisfactory furniture layout to occur. Possible furniture layouts are marked on the plans under review.
Design Practice • Determine appropriate sizes in relation to: geographic location and market demands; the spatial configuration of an apartments;	☒	☐	☐	Apartment layouts are generally considered satisfactory in terms of orientating living areas and private open

Requirement	Yes	No	N/A	Comment
affordability. • Ensure apartment layouts are resilient over time by accommodating a variety of furniture arrangements; providing for a range of activities and privacy levels between different spaces within the apartment; utilising flexible room sizes and proportions or open plans; ensuring circulation by stairs, corridors and through rooms is planned as efficiently as possible thereby increasing the amount of floor space in rooms.	☒	☐	☐	spaces to optimise solar access where possible. The living area of each apartment is connected to a balcony, terrace or courtyard.
• Design apartment layouts which respond to the natural and built environments and optimise site opportunities by: providing private open space in the form of a balcony, terrace, courtyard or garden for every apartment; orienting main living areas toward the primary outlook and aspect and away from neighbouring noise sources or windows.	☒	☐	☐	Notwithstanding this, Apartments numbered A2.03 and A2.04 on Level 2 feature their courtyards with access from bedrooms. These are cross through apartments but they do feature terraces facing Hill Road with access from their living spaces.
• Locating main living spaces adjacent to main private open space; locating habitable rooms, and where possible kitchens and bathrooms, on the external face of buildings; maximising opportunities to facilitate natural ventilation and to capitalise on natural daylight by providing corner apartments, cross-over/cross-through apartments; split-level/maisonette apartments, shallow/single aspect apartments. • Avoid locating kitchen as part of the main circulation spaces of an apartment, such as a hallway or entry space.	☒	☐	☐	This does not impact on residential amenity for the affected apartments. The kitchens do not form part of the major circulation space of any apartment.
• Include adequate storage space in apartment	☐	☒	☐	**A majority of the apartments feature storage space although a small number have been identified without such space such as A2.21 and A2.22. With a few exceptions across every level except Level one, this part is complied with.**
• Ensure apartment layouts and dimensions facilitate furniture removal and placement.	☒	☐	☐	
• Single aspect apartments should be limited in depth to 8 metres from a window.	☐	☒	☐	**There are 91 single aspect apartments in the development. Of this figure 16 have depths of greater than 8 metres representing 17.5% of the total number of single aspect apartments.** **The affected apartments have depth of 8.2 to 8.6 metres with a resultant variation of 600 mm or less. It is identified that the habitable rooms are less than 8 metres from windows but the variation occurs within the rear portions of kitchens.** **This variation is considered to be numerically small and relatively minor and should be supported.**
• The back of a kitchen should be no more than 8 metres from a window.	☐	☒	☐	**<u>The kitchens</u>:** **Further to the above, there are 16 kitchens that have rear walls situated more than 8 metres from a window. The variation is the same as above (200 to 600 mm). When calculated across the**

Requirement	Yes	No	N/A	Comment
• The width of cross-over/cross-through apartments over 15 metres deep should be 4 metres or greater. • Buildings not meeting the minimum standards must demonstrate how satisfactory day lighting and natural ventilation can be achieved, particularly for habitable rooms. • If Council chooses to standardise apartment sizes, a range of sizes that do not exclude affordable housing should be used. As a guide, the Affordable Housing Service suggest minimum apartment sizes: 1 bed = 50sqm, 2 bed = 70sqm, 3 bed = 95sqm.	☐ ☒ ☒	☒ ☐ ☐	☐ ☐ ☐	**entire development, the variation is calculated at 8.6% of the total number of kitchens.** **This variation is considered to be numerically small and relatively minor and should be supported.** There are 10 cross through apartments in the development. The cross through apartments have minimum widths of 4.6 metres. A good range of apartments are provided. No minimum sizes variations are identified when reviewing Council's calculations with the applicants calculations. When tested, the Council's calculations are generally in line with the applicants spread sheet provided to assist the assessment of floor areas and floor space ratios.
Apartment Mix				
Objectives • To provide a diversity of apartment types, which cater for different household requirements now and in the future. • To maintain equitable access to new housing by cultural and socio-economic groups.	☒ ☒	☐ ☐	☐ ☐	The proposed development is considered to be consistent with the Apartment Mix objectives as a mixture of 1, 2 and 3 bedroom apartments are proposed which will provide living spaces for most household requirements.

Requirement	Yes	No	N/A	Comment
Design Practice • Provide a variety of apartment types particularly in large apartment buildings. Variety may not be possible in smaller buildings (up to 6 units).	☒	☐	☐	The development has the following bedroom mix:-
• Refine the appropriate mix for a location by considering population trends in the future as well as present market demands; noting the apartment's location in relation to public transport, public facilities, employment areas, schools, universities and retail centres.	☒	☐	☐	1 bedroom apartments - 59 apartments (31.89%). 2 bedroom apartments - 119 apartments (64.32%). 3 bedroom apartments - 7 apartments (3.78%).
• Locate a mix of 1 and 3 bed apartments on the ground level where accessibility is more easily achieved.	☐	☒	☐	**Level one:** **Due to the presence of the raised podium, the level one apartments are raised somewhat above the street level. There are fifteen apartments on this level including the two split level apartments.** **There are four (one bedroom apartments) and 11 (two bedroom apartments) across Level one. The figures include the two split level apartments.** **There are no three bedroom apartments across Level one. No objection is raised to the configuration provided.**
• Optimise the number of accessible and adaptable units to cater for a wider range of occupants.	☒	☐	☐	**Adaptable apartments**: There are 42 adaptable apartments within the development representing 22.7% of the total number of apartments.
• Investigate the possibility of flexible apartment configurations which support change in the future.	☒	☐	☐	
Balconies				
Objectives • To provide all apartments with private open space.	☒	☐	☐	The proposed development is considered to be consistent with the Balconies objectives as all apartments are provided with suitably sized private open spaces which integrate with the overall architectural form of the building and provide casual overlooking of communal and public areas.
• To ensure balconies are functional and responsive to the environment thereby promoting the enjoyment of outdoor living for apartment residents.	☒	☐	☐	
• To ensure that balconies are integrated into the overall architectural form and detail of residential flat buildings.	☒	☐	☐	
• To contribute to the safety and liveliness of the street by allowing for casual overlooking and address.	☒	☐	☐	
Design Practice • Where other private open space is not provided, provide at least one primary balcony.	☒	☐	☐	All the apartments within the development have at least one balcony, terrace or courtyard depending on location and aspect) with access from a living area.
• Primary balconies should be: located adjacent to the main living areas, such as living room, dining room or kitchen to extend the dwelling living space; sufficiently large and well proportioned to be functional and promote indoor/outdoor livening – a dining table and 2 chairs (small apartment) and 4 chairs (larger apartment) should fit on the majority of balconies in the development.	☒	☐	☐	
• Consider secondary balconies, including Juliet balconies or operable walls with balustrades, for additional amenity and choice: in larger apartments; adjacent to bedrooms; for clothes drying, site balconies off laundries or bathrooms	☒	☐	☐	Secondary balconies are provided to a small number of apartments in the complex where space permits the secondary features.

Requirement	Yes	No	N/A	Comment
and they should be screened from the public domain.				
• Design and detail balconies in response to the local climate and context thereby increasing the usefulness of balconies by: locating balconies which predominantly face north, east or west to provide solar access; utilising sun screens, pergolas, shutters ad operable walls to control sunlight and wind; providing balconies with operable screens, Juliet balconies or operable walls in special locations where noise or high windows prohibit other solutions; choose cantilevered balconies, partly cantilevered balconies and/or recessed balconies in response to daylight, wind, acoustic privacy and visual privacy; ensuring balconies are not so deep that they prevent sunlight entering the apartment below.	☒	☐	☐	Private open spaces are provided in the form of courtyards and terraces for the apartments situated at Level two.
• Design balustrades to allow views and casual surveillance of the street while providing for safety and visual privacy.	☒	☐	☐	A mix of solid and transparent balustrades are proposed through-out to maximise solar access, casual surveillance and to offer a mix of building materials and finishes to the internal and external parts of the building complex.
• Coordinate and integrate building services, such as drainage pipes, with overall façade and balcony design.	☒	☐	☐	
• Consider supplying a tap and gas point on primary balconies.	☒	☐	☐	
• **Provide primary balconies for all apartments with a minimum depth of 2 metres (2 chairs) and 2.4 metres (4 chairs).**	☐	☒	☐	**A number of apartments have been identified as having a balcony that is less than 2.4 metres depth to support a single table with four chairs.** **To achieve compliance, the building facades would need to be redesigned which will substantially alter the design of the building complex. It is noted however that the affected balconies are functional and responsive to the enjoyment of outdoor living to apartment residents. The variation identified should be supported.** <u>*Note*</u>:- These are the minimum widths of the balconies and this identifies that the minimum widths are 2 metres.
• Developments which seek to vary from the minimum standards must demonstrate that negative impacts from the context – noise, wind, cannot be satisfactorily ameliorated with design solutions.	☒	☐	☐	
• Require scale plans of balcony with furniture layout to confirm adequate, useable space when an alternate balcony depth is proposed.	☒	☐	☐	
Ceiling Heights				
<u>Objectives</u> • To increase the sense of space in apartments and provide well proportioned rooms.	☒	☐	☐	The proposed development is considered to be consistent with the Ceiling Heights objectives as suitable ceiling heights are provided for the residential nature of apartments.
• To promote the penetration of daylight into the depths of the apartment.	☒	☐	☐	
• To contribute to flexibility of use.	☒	☐	☐	
• To achieve quality interior spaces while considering the external building form requirements.	☒	☐	☐	

Requirement	Yes	No	N/A	Comment
Design Practice				
• Design better quality spaces in apartments by using ceilings to define a spatial hierarchy between areas of an apartment using double height spaces, raked ceilings, changes in ceiling heights and/or the location of bulkheads; enable better proportioned rooms; maximise heights in habitable rooms by stacking wet areas from floor to floor; promote the use of ceiling fans for cooling/heating distribution.	☒	☐	☐	The apartments in the complex above Level one will have floor to ceiling heights of 2.7 metres which is considered acceptable for solar and light penetration into the various apartments. The apartments on Level one have a floor to ceiling height of 3 metres for additional light penetration.
• Facilitate better access to natural light by using ceiling heights which enable the effectiveness of light shelves in enhancing daylight distribution into deep interiors; promote the use of taller windows, highlight windows and fan lights. This is particularly important for apartments with limited light access such as ground floor apartments and apartments with deep floor plans.	☒	☐	☐	The BASIX Commitments will dictate additional upgrades required to the various apartments such as insulation to ensure good internal residential amenity.
• Design ceiling heights which promote building flexibility over time for a range of other uses, including retail or commercial, where appropriate.	☐	☐	☒	
• Coordinate internal ceiling heights and slab levels with external height requirements and key datum lines.	☒	☐	☐	
• Count double height spaces with mezzanines as two storeys.	☐	☐	☒	The building does not consist of any double height apartments. The allotment is identified for residential use.
• Cross check ceiling heights with building height controls to ensure compatibility of dimensions, especially where multiple uses are proposed.	☒	☐	☐	
• Minimum dimensions from finished floor level to finished ceiling level:	☐	☐	☒	
○ Mixed use buildings: 3.3 metres minimum for ground floor retail/commercial and for first floor residential, retail or commercial.	☐	☐	☒	
○ For RFBs in mixed use areas 3.3 metres minimum for ground floor;	☒	☐	☐	The floor to ceiling heights proposed are considered satisfactory.
○ For RFBs or other residential floors in mixed use buildings: 2.7 metres minimum for all habitable rooms on all floors, 2.4 metres preferred minimum for non-habitable rooms but no less than 2.25 metres;	☐	☐	☒	
○ 2 storey units: 2.4 metres for second storey if 50% or more of the apartments has 2.7 metres minimum ceiling heights;	☐	☐	☒	
○ 2 storey units with a 2 storey void space: 2.4 metres minimum;	☐	☐	☒	
○ Attic spaces: 1.5 metres minimum wall height at edge of room with a 30^0 minimum ceiling slope.	☐	☐	☒	
• Developments which seek to vary the recommended ceiling heights must demonstrate that apartments will receive satisfactory daylight.				
Flexibility				
Objectives				
• To encourage housing designs which meet the broadest range of the occupants' needs as possible.	☒	☐	☐	The proposed development is considered to be consistent with the Flexibility objectives as layouts promote changes to furniture arrangement and a suitable number of apartments can be adapted to the changing needs of residents.
• To promote 'long life loose fit' buildings, which can accommodate whole or partial changes of use.	☒	☐	☐	
• To encourage adaptive reuse.	☒	☐	☐	
• To save the embodied energy expended in building demolition.	☒	☐	☐	

Requirement	Yes	No	N/A	Comment
Design Practice • Provide robust building configurations, which utilise multiple entries and circulation cores, especially in larger buildings over 15 metres long by: thin building cross sections, which are suitable for residential or commercial uses; a mix of apartment types; higher ceilings in particular on the ground floor and first floor; separate entries for the ground floor level and the upper levels; sliding and/or moveable wall systems.	☒	☐	☐	
• Provide apartment layouts which accommodate the changing use of rooms.	☒	☐	☐	Apartment layout provides for basic changes to internal configuration of furniture.
• Utilise structural systems which support a degree of future change in building use or configuration.	☒	☐	☐	
• Promote accessibility and adaptability by ensuring: the number of accessible and visitable apartments is optimised; and adequate pedestrian mobility and access is provided.	☒	☐	☐	There are 42 adaptable apartments within the development representing 22.7% of the total number of apartments.
Ground Floor Apartments				
Objectives • To contribute to the desired streetscape of an area and to create active safe streets.	☒	☐	☐	The proposed development is considered to be consistent with the objectives as a range of Level one apartments are proposed that contributes to a more active street.
• To increase the housing and lifestyle choices available in apartment buildings.	☒	☐	☐	

Requirement	Yes	No	N/A	Comment
Design Practice • Design front gardens or terraces which contribute to the spatial and visual structure of the street while maintaining adequate privacy for apartment occupants.	☒	☐	☐	There are apartments on Level one facing north, south and west. There are no apartments facing east as this is reserved for the vehicle access point and loading and unloading. This is considered ideal for enhancing residential amenity such as avoiding direct noise impacts to residents from vehicles and garbage trucks.
• Ensure adequate privacy and safety of ground floor units located in urban areas with no street setbacks by: stepping up the ground floor level from the level of the footpath a maximum of 1.2 metres; designing balustrades and establishing window sill heights to minimise site lines into apartments, particularly in areas with no street setbacks; determining appropriateness of individual entries; ensuring safety bars or screens are integrated into the overall elevation design and detailing.	☐	☒	☐	**Level one apartments:** **The level one apartments are mostly raised above the street level due to limitations imposed across the site that limits excavation.** **The variation should be supported as there are no options available for addressing the site excavation issue.**
• Promoting house choice by: providing private gardens, which are directly accessible from the main living spaces of the apartment and support a variety of activities; maximising the number of accessible and visitable apartments on the ground floor; supporting a change or partial change in use, such as a home office accessible from the street or a corner shop.	☒	☐	☐	
• Increase opportunities for solar access in ground floor units, particularly in denser areas by: providing higher ceilings and taller windows; choosing trees and shrubs which provide solar access in winter and shade in summer.	☒	☐	☐	
• Optimise the number of ground floor apartments with separate entries and consider requiring an appropriate percentage of accessible units.	☒	☐	☐	
• Provide ground floor apartments with access to private open space, preferably as a terrace or garden.	☒	☐	☐	
Internal Circulation				
Objectives • To create safe and pleasant spaces for the circulation of people and their personal possessions.	☒	☐	☐	The proposed development is considered to be consistent with the Internal Circulation objectives as spacious access hallways and apartments are provided.
• To facilitate quality apartment layouts, such as dual aspect apartments.	☒	☐	☐	
• To contribute positively to the form and articulation of the building façade and its relationship to the urban environment.	☒	☐	☐	
• To encourage interaction and recognition between residents to contribute to a sense of community and improve perceptions of safety.	☒	☐	☐	

Requirement	Yes	No	N/A	Comment
Design Practice • Increase amenity and safety in circulation spaces by: providing generous corridor widths and ceiling heights particularly in lobbies, outside lifts and apartment entry doors; providing appropriate levels of lighting, including the use of natural daylight where possible; minimising corridor lengths to give short, clear sight lines; avoiding tight corners; providing legible signage noting apartment numbers, common areas and general directional finding; providing adequate ventilation.	☒	☐	☐	Corridor, foyer and hallway widths are adequately lit, articulated and produce good movements of people between apartments. The minimum width of corridors is 1.6 metres.
• Support better apartment building layouts by designing buildings with multiple cores which: increase the number of entries along a street; increase the number of vertical circulation points; give more articulation to the façade; limiting the number of units off a circulation core on a single level.	☒	☐	☐	Multiple access cores are provided to service the different areas of the complex.
• Articulate longer corridors by: utilising a series of foyer areas and/or providing windows along or at the end of a corridor. • Minimise maintenance and maintain durability by using robust materials in common circulation areas.	☒ ☒	☐ ☐	☐ ☐	This is achieved where appropriate. On Level One, a north to south corridor links 8 of the 15 apartments in addition to the external access points. This corridor connects two access points featuring glazed elements to allow the penetration of natural light into the space created.
• Where units are arranged off a double loaded corridor, the number of units accessible from a single core/corridor should be limited to 8 - exceptions for: adaptive reuse buildings; where developments can demonstrate the achievement of the desired streetscape character and entry response; where developments can demonstrate a high level of amenity for common lobbies, corridors and units.	☐	☒	☐	**<u>Internal corridors</u>:** **There are between 9 and 11 apartments per corridor within the main southern residential tower.** **A satisfactory design solution is achieved in which the corridors are provided with glazed elements where possible to permit light penetration.**
Mixed Use				

Requirement	Yes	No	N/A	Comment
Objectives • To support a mix of uses that complement and reinforce the character, economics and function of the local area. • Choose a compatible mix of uses. • Consider building depth and form in relation to each use's requirements for servicing and amenity. • Design legible circulation systems, which ensure the safety of users by: isolating commercial service requirements such as loading docks from residential access, servicing needs and primary outlook; locating clearly demarcated residential entries directly from the public street; clearly distinguishing commercial and residential entries and vertical access points; providing security entries to all entrances into private areas, including car parks and internal courtyards; providing safe pedestrian routes through the site, where required. • Ensure the building positively contributes to the public domain and streetscape by: fronting onto major streets with active uses; avoiding the use of blank walls at the ground level. • Address acoustic requirements for each use by: separate residential uses, where possible, from ground floor retail or leisure uses by utilising an intermediate quiet-use barrier, such as offices; design for acoustic privacy from the beginning of the project to ensure that future services, such as air conditioning, do not cause acoustic problems later. • Recognising the ownership/lease patterns and separating requirements for purposes of BCA.	☐ ☐ ☐ ☐ ☐ ☐ ☐	☐ ☐ ☐ ☐ ☐ ☐ ☐	☒ ☒ ☒ ☒ ☒ ☒ ☒	The objectives stated here will not apply to the development application.
Storage				
Objectives • To provide adequate storage for everyday household items within easy access of the apartment. • To provide storage for sporting, leisure, fitness and hobby equipment.	☒ ☒	☐ ☐	☐ ☐	Most of the apartments are provided with adequate internal storage space although a small number per level are without formal storage areas over and above normal cupboards, linen closets and wardrobes. There are 178 storage compartments provided within the car park levels although there is room for additional compartments. A condition will be required which addresses adequate storage space.

Requirement	Yes	No	N/A	Comment
Design Practice • Locate storage conveniently for apartments including: at least 50% of the required storage within each apartment and accessible from either the hall or living area - best provided as cupboards accessible from entries and hallways and/or under internal stairs; dedicated storage rooms on each floor within the development, which can be leased by residents as required; providing dedicated and/or leasable storage in internal or basement car parks. • Provide storage which is suitable for the needs of residents in the local area and able to accommodate larger items such as sporting equipment and bicycles. • Ensure that storage separated from apartments is secure for individual use. • Where basement storage is provided: ensure that it does not compromise natural ventilation in car parks or create potential conflicts with fire regulations; exclude it from FSR calculations. • Consider providing additional storage in smaller apartments in the form of built-in cupboards to promote a more efficient use of small spaces. • In addition to kitchen cupboards and wardrobes, provide accessible storage facilities at the following rates: ○ Studio = 6cum; ○ **1 bed = 6cum;** ○ 2 bed = 8cum; ○ 3+ bed = 10cum.	☒ ☒ ☒ ☒ ☒ ☐	☐ ☐ ☐ ☐ ☐ ☒	☐ ☐ ☐ ☐ ☐ ☐	The plans show 178 storage rooms across both car park levels which represents a shortfall of 7 storage rooms. Notwithstanding this, space has been identified within the car park levels to support 7 more storage rooms. These could be marked in red on the plans should the development application be supported. Hence, compliance is capable of being achieved without significant alterations to the layout of the car park area. **A majority of the apartments feature storage space although a small number have been identified without such space.** **There are fifteen apartments without internal storage space over and above the conventional storage space in the form of cupboards, linen cupboards and wardrobes.** **Many of these are the one bedroom apartments. Notwithstanding this, there appears to be space available for storage opposite the laundry for each apartment.** Bike bays: Designated bicycle parking areas are provided in the parking levels for a total of 41 bikes.
Acoustic Amenity				
Objectives • To ensure a high level of amenity by protecting the privacy of residents within residential flat buildings both within the apartments and in private open spaces.	☒	☐	☐	The proposed development is considered to be consistent with the Acoustic Amenity objectives as acoustic intrusion is minimised through building separation and the grouping of like-use rooms in apartments.

Requirement	Yes	No	N/A	Comment
Design Practice • Utilise the site and building layout to maximise the potential for acoustic privacy by providing adequate building separation within the development and from neighbouring buildings.	☒	☐	☐	Suitable building separation is provided to allow private open space areas to be located away from each other.
• Arrange apartments within a development to minimise noise transition between flats by: locating busy, noisy areas next to each other and quieter areas next to other quieter areas (kitchen near kitchen, bedroom near bedroom); using storage or circulation zones within an apartment to buffer noise from adjacent apartments, mechanical services or corridors and lobby areas; minimising the amount of party walls with other apartments.	☒	☐	☐	Like-use areas of apartments are grouped to avoid acoustic disturbance of neighbouring apartments where possible, i.e. bedrooms adjoin bedrooms and living areas adjoin living areas. Where possible, noisier areas such as bathrooms and laundries are distanced from bedrooms.
• Design the internal apartment layout to separate noisier from quieter spaces by: grouping uses within an apartment – bedrooms with bedrooms and service areas like kitchen, bathroom, laundry together.	☒	☐	☐	Acoustic report: The Acoustic Report provided with the application, prepared by Acoustic Logic Consultancy Pty Ltd, dated 13 November 2012 (report 20120942.1/1311A/R1/YK) provides Acoustic criteria and recommended construction methods for the complex.
• Resolve conflicts between noise, outlook and views by using design measures including: double glazing, operable screened balconies; continuous walls to ground level courtyards where they do not conflict with streetscape or other amenity requirements.	☒	☐	☐	
• Reduce noise transmission from common corridors or outside the building by providing seals at entry doors.	☒	☐	☐	The acoustic report should be incorporated into any consent issued due to the recommendations made.
Daylight Access				
Objectives • To ensure that daylight access is provided to all habitable rooms and encouraged in all other areas of residential flat development.	☒	☐	☐	The proposed development is considered to be generally consistent with the Daylight Access Objectives as the orientation of living areas allows for daylight infiltration.
• To provide adequate ambient lighting and minimise the need for artificial lighting during daylight hours.	☒	☐	☐	
• To provide residents with the ability to adjust the quantity of daylight to suit their needs.	☒	☐	☐	
Design Practice • Plan the site so that new residential flat development is oriented to optimise northern aspect.	☒	☐	☐	There are many apartments facing north, east or west that receives an adequate amount of solar penetration from March through to September. However there are a number of apartments facing south that do not receive significant solar penetration.
• Ensure direct daylight access to communal open space between March and September and provide appropriate shading in summer.	☐	☒	☐	**A large portion of the common space within the development will be in shadow between 21 April and 21 August each year due to the low sun angle at this time of year being no more than 34 degrees above the horizon around the winter solstice.** **This is an unavoidable consequence of the east/west site orientation of the site which makes compliance with solar access control onerous to achieve.** **Furthermore, the construction of any 2, 3, 4 or more storey building to the north of the site would give rise to overshadowing of the communal open space.**

Requirement	Yes	No	N/A	Comment
				It is considered unreasonable to request removal of large portions of the development to achieve additional solar penetration to the internal common area. The variation is considered acceptable in this instance.
• Optimise the number of apartments receiving daylight access to habitable rooms and principal windows: ensure daylight access to habitable rooms and private open space, particularly in winter; use skylights, clerestory windows and fanlights to supplement daylight access; promote two storey and mezzanine, ground floor apartments or locations where daylight is limited to facilitate daylight access to living rooms and private open spaces; limit the depth of single aspect apartments; ensure single aspect, single storey apartments have a northerly or easterly aspect; locate living areas to the north and service areas to the south and west of development; limit the number of south acing apartments and increase their window area; use light shelves to reflect light into deeper apartments.	☒	☐	☐	Apartment living areas and certain bedrooms are provided with openings to outdoor space to maximise access to daylight. In this development there are only 23 apartments oriented towards the south being 12.4% of the total number of apartments.
• Design for shading and glare control, particularly in summer: using shading devices such as eaves, awnings, colonnades, balconies, pergolas, external louvres and planting; optimising the number of north facing living spaces; providing external horizontal shading to north facing windows; providing vertical shading to east or west windows; using high performance glass but minimising external glare off windows (avoid reflective films, use a glass reflectance below 20%, consider reduced tint glass).	☒	☐	☐	Overhanging balconies and louvers are proposed especially for the upper floors that have significant exposure to the summer sun.
• Limit the use of light wells as a source of daylight by prohibiting their use as the primary source of daylight in habitable rooms.	☒	☐	☐	Skylights are proposed for the top floor apartments but the light captured does not provide the primary form of light to the units.
• Where light wells are used: relate light well dimensions to building separation; conceal building services and provide appropriate detail and materials to visible walls; ensure light wells are fully open to the sky; allow exceptions for adaptive reuse buildings, if satisfactory performance is demonstrated.	☐	☐	☒	
• Living rooms and private open spaces for at least 70% of apartments in a development should receive a minimum of 3 hours direct sunlight between 9am and 3pm in midwinter. In dense urban areas, a minimum of 2 hours may be acceptable.	☐	☒	☐	**The applicant has provided a shadow statistics schedule that shows that 115 apartments or 62.1% receive a minimum of 2 hours of sunlight during the winter months.** **There are other apartments that will receive direct sunlight for shorter periods of time.**
• Limit the number of single aspect apartments with a southerly aspect (SW-SE) to a maximum of 10% of the total units proposed.	☐	☒	☐	**There are 23 single aspect south facing apartments representing 12.4% of the total number in the development.**
• Developments which seek to vary from the minimum standards must demonstrate how site	☒	☐	☐	**There are 19 other apartments that face the south but have additional view lines to the east / west and north west. They**

Requirement	Yes	No	N/A	Comment
constrains and orientation prohibits the achievement of these standards and how energy efficiency is addressed.				**are not considered to be true south facing apartments.** **There is a minor variation to the 10% standard which is not excessive and generally consistent with other recent approvals for such large developments in the locality.**
Natural Ventilation				
Objectives • To ensure that apartments are designed to provide all habitable rooms with direct access to fresh air and to assist in promoting thermal comfort for occupants. • To provide natural ventilation in non-habitable rooms, where possible. • To reduce energy consumption by minimising the use of mechanical ventilation, particularly air conditioning.	☒ ☒ ☒	☐ ☐ ☐	☐ ☐ ☐	The proposed development is considered to be consistent with the Natural Ventilation objectives as all habitable rooms, and where possible non-habitable rooms, have sufficient openings for ventilation. The BASIX commitments dictate energy consumption requirements.
Design Practice • Plan the site to promote and guide natural breezes by: determining prevailing breezes and orient buildings to maximise use, where possible; locating vegetation to direct breezes and cool air as it flows across the site and by selecting planting or trees that do not inhibit air flow. • Utilise the building layout and section to increase the potential for natural ventilation. • Design the internal apartment layout to promote natural ventilation by: minimising interruptions in air flow through an apartment; grouping rooms with similar usage together. • Select doors and operable windows to maximise natural ventilation opportunities established by the apartment layout. • Coordinate design for natural ventilation with passive solar design techniques. • Explore innovative technologies to naturally ventilate internal building areas or rooms. • **Building depths which support natural ventilation typically range from 10-18 metres.**	☒ ☒ ☒ ☒ ☐ ☐	☐ ☐ ☐ ☐ ☐ ☒	☐ ☐ ☐ ☐ ☒ ☐	The building and apartment layouts are designed to maximise natural ventilation through the use of open-plan living areas and generous openings to living areas and bedrooms. **The building depth varies but reaches up to 19.2 metres in small portions. This mainly occurs due to design methods chosen and does not reflect poor amenity or building performance. Based on the design the proposed depth is not considered excessive.** **Generally, the building depth is mostly consistent with the stated provision albeit with a few minor variations.**
• 60% of residential units should be naturally cross ventilated. • 25% of kitchens within a development should have access to natural ventilation. • Developments which seek to vary from the minimum standards must demonstrate how natural ventilation can be satisfactorily achieved particularly in relation to habitable rooms.	☒ ☒ ☒	☐ ☐ ☐	☐ ☐ ☐	Notwithstanding the building depth, the residential towers achieve satisfactory daylight and natural ventilation given the orientation of the site. It is identified that 51 kitchens across various apartments have access to natural ventilation due to their position representing 27.5% of the total number of apartments. Compliance is achieved.
Awnings and Signage				

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

Requirement	Yes	No	N/A	Comment
Objectives • To provide quality roof designs, which contribute to the overall design and performance of residential flat buildings. • To integrate the design of the roof into the overall façade, building composition and desired contextual response. • To increase the longevity of the building through weather protection.	☒ ☒ ☒	☐ ☐ ☐	☐ ☐ ☐	The proposed development is considered to be consistent with the Roof Design objectives as a flat roof with no elements which detract from the overall building appearance is proposed.
Design Practice • Relate roof design to the desired built form. • Design the roof to relate to the size and scale of the building, the building elevations and three dimensional building form. This includes the design of any parapet or terminating elements and the selection of roof materials. • Design roofs to respond to the orientation of the site. • Minimise the visual intrusiveness of service elements (lift overruns, service plants, chimneys, vent stacks, telecommunication infrastructure, gutters, downpipes, signage) by integrating them into the design of the roof. • Support the use of roofs for quality open space in denser urban areas by: providing space and appropriate building systems to support the desired landscape design; incorporating shade structures and wind screens to encourage open space use; ensuring open space is accessible. • Facilitate the use or future use of the roof for sustainable functions e.g. rainwater tanks, photovoltaics, water features. • Where habitable space is provided within the roof optimise residential amenity in the form or attics or penthouse apartments.	☒ ☒ ☒ ☒ ☐ ☒ ☐	☐ ☐ ☐ ☐ ☐ ☐ ☐	☐ ☐ ☐ ☐ ☒ ☐ ☒	The proposed building is to have a flat roof which will not have any impact upon its overall appearance. There is some plant on the roof of both residential towers being the lift over runs and hot water systems. The devices or structural elements rise to a maximum height of 32.55 metres from the natural ground level but limited to the roof of the southern building complex. The structures on the northern building complex rise to a maximum height of 26.25 metres. The elements are centrally located on the roof space and would be difficult to see from the street level at close angles.
Energy Efficiency				
Objectives • To reduce the necessity for mechanical heating and cooling. • To reduce reliance on fossil fuels. • To minimise greenhouse gas emissions. • To support and promote renewable energy initiatives.	☒ ☒ ☒ ☒	☐ ☐ ☐ ☐	☐ ☐ ☐ ☐	The proposed development is considered to be consistent with the Energy Efficiency objectives as two BASIX Certificates which achieves the relevant energy targets is provided and the relevant commitments shown on plans.
Design Practice Requirements superseded by BASIX.	☒	☐	☐	The various BASIX Certificates for the buildings show that the development as a whole achieves the Pass Mark for energy and water conservation. The assessment of the BASIX Certificates is provided under State Environmental Planning Policy – BASIX above.
Maintenance				
Objectives • To ensure long life and ease of maintenance for the development.	☒	☐	☐	The proposed development is considered to be consistent with the Maintenance objectives as relevant conditions shall be included in any consent to ensure the site is suitably maintained.

Requirement	Yes	No	N/A	Comment
Design Practice • Design windows to enable cleaning from inside the building, where possible. • Select manually operated systems in preference to mechanical systems. • Incorporate and integrate building maintenance systems into the design of the building form, roof and façade. • Select durable materials, which are easily cleaned and are graffiti resistant. • Select appropriate landscape elements and vegetation and provide appropriate irrigation systems. • For developments with communal open space, provide a garden maintenance and storage area, which is efficient and convenient to use and is connected to water and drainage.	☒ ☒ ☒ ☒ ☒ ☒	☐ ☐ ☐ ☐ ☐ ☐	☐ ☐ ☐ ☐ ☐ ☐	Should the application be recommended for approval, relevant conditions in relation to use of high-quality materials and general maintenance of the site shall be included in any consent that may be issued.
Waste Management				
Objectives • To avoid the generation of waste through design, material selection and building practices. • To plan for the types, amount and disposal of waste to be generated during demolition, excavation and construction of the development. • To encourage waste minimisation, including source separation, reuse and recycling. • To ensure efficient storage and collection of waste and quality design of facilities.	☒ ☒ ☒ ☒	☐ ☐ ☐ ☐	☐ ☐ ☐ ☐	The proposed development is considered to be consistent with the Waste Management objectives as suitable arrangements and facilities for waste disposal and storage are proposed.
Design Practice • Incorporate existing built elements into new work, where possible. • Recycle and reuse demolished materials, where possible. • Specify building materials that can be reused and recycled at the end of their life. • Integrate waste management processes into all stages of the project, including the design stage. • Support waste management during the design stage by: specifying modestly for the project needs; reducing waste by utilising the standard product/component sizes of materials to be used; incorporating durability, adaptability and ease of future service upgrades. • Prepare a waste management plan for green and putrescible waste, garbage, glass, containers and paper. • Locate storage areas for rubbish bins away from the front of the development where they have a significant negative impact on the streetscape, on the visual presentation of the building entry and on the amenity of residents, building users and pedestrians. • Provide every dwelling with a waste cupboard or temporary storage area of sufficient size to hold a single day's waste and to enable source separation. • Incorporate on-site composting, where possible, in self contained composting units on balconies or as part of the shared site facilities. • Supply waste management plans as part of the DA submission.	☐ ☒ ☒ ☒ ☒ ☒ ☒ ☐ ☒	☐ ☐ ☐ ☐ ☐ ☐ ☐ ☐ ☐	☒ ☐ ☐ ☐ ☐ ☐ ☐ ☒ ☐	Suitable waste management facilities are proposed as follows:- • Internal garbage collection and a loading bay to support garbage removal from within the building complex. • The garbage collection point is situated on the eastern curtilage of the building where other services are located. • A bulky good waste and a bin wash area is provided within the garbage room. A waste management report prepared by Cini Little and dated November 2012 accompanies the development application describes waste removal in detail. The report addresses waste management (Page 10) ventilation, bin washing prevention of vermin and cleaning. The report must form part of any approved stamped plans and documentation should the development application be approved.
Water Conservation				

Requirement	Yes	No	N/A	Comment
Objectives • To reduce mains consumption of potable water. • To reduce the quantity of urban stormwater runoff.	☒ ☒	☐ ☐	☐ ☐	The proposed development is considered to be consistent with the Water Conservation objectives as on-site detention and a suitable stormwater drainage plan is proposed.
Design Practice • Requirements superseded by BASIX.	☐	☐	☒	The design practice requirements are superseded by commitments listed in the accompanying BASIX Certificate.

Regional Environmental Plans

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

Sydney Regional Environmental Plan No. 24 - Homebush Bay Area

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

Requirement	Yes	No	N/A	Comment
Clause 5 - Suspension of certain laws *(1) s33 of the Sydney Harbour Trust Act 1900 and any agreement or covenant do not apply to any development permitted under this plan to the extent necessary to enable the development to be carried out in accordance with this plan.* *(2)Before this plan was made, the Governor approved of the making of this clause on the recommendation of the Minister made with the concurrence of the Minister administering the Sydney Harbour Trust Act 1900.*	☒ ☐	☐ ☐	☐ ☒	As noted this section does not apply to the proposed development.
Clause 10 - Consent Authorities *(1) The relevant council is the consent authority for land in the Homebush Bay Area (including land/water interface development), except as provided by subclause (3), the Act and the Sydney Olympic Park Authority Act 2001.* *(2) (Repealed)* *(3) The Minister for Transport has the function of determining all development applications for consent for water-based development.* *(4)–(7) (Repealed)*	☐ ☐	☐ ☐	☒ ☒	In accordance with Section 23G of the Environmental Planning and Assessment Act 1979 (as amended), Council's power as consent authority is passed onto the Joint Regional Planning Panel - Sydney West. With the cost of works (Capital Investment Value) at $49.04 million, The Joint Regional Planning Panel must determine the application.
Clause 11 - Permissible Uses Development of land within the Homebush Bay Area may be carried out for any purpose that the consent authority considers to be consistent with any one or more of the planning objectives for the Homebush Bay Area. The following development may be carried out, but only with development consent, on land shown coloured and described as "residential", "Village Centre" or "High Tech Business Park" on the Homebush Bay Map: Subdivision, or Development for the purposes of a building, work, place or land use specified in Schedule 8 in relation to the land concerned. In Schedule 8: (a) terms used in that Schedule that are defined in the Environmental Planning and Assessment Model Provisions 1980 have the same meanings as they have in those model provisions, and (b) solar generating work means a device that captures solar energy for use on a site or for transferral to an electricity grid.	☒ ☐ ☐ ☐ ☐	☐ ☐ ☐ ☐ ☐	☐ ☒ ☒ ☒ ☒	Proposed development type:- Residential Flat Building. The development is considered to be permissible with consent. The controls apply to the Newington locality. The site is not situated in the Newington precinct. A solar generating work is not proposed.

Requirement	Yes	No	N/A	Comment
Clause 12 Planning Objectives Regional Role and Land Use *(a) To promote development of major public facilities and other public facilities that will establish the Homebush Bay Area, and Sydney Olympic Park in particular, as a centre for hosting regional, State, national and international events.*	☐	☐	☒	The proposed development does not constitute a major public facility.
(b) To preserve and protect the Homebush Bay Area's regionally significant wetlands and woodlands in Sydney Olympic Park.	☒	☐	☐	The proposed development will not have any significant detrimental impact upon wetlands and woodlands.
*(c) To promote a variety of development and land uses other than those referred to in paragraph (a) (for example, commercial, retail, industrial, **residential**, recreational, open space, institutional and tourism uses), but only if the type and scale of those uses do not prevent the use or reduce the attractiveness or suitability of the Homebush Bay Area, and Sydney Olympic park, in particular, for development referred to in paragraph (a).*	☒	☐	☐	The development application will facilitate residential development and the redevelopment of the land from industrial use to residential use in a location earmarked for such development.
(d) To permit a range of ancillary development and land uses (for example, roads, parking areas, public transport, utility services, remediation of land, flood mitigation, drainage works, land filling, earthworks, clearing, site rehabilitation and dredging works.	☒	☐	☐	
Relationship to Surrounding Sites and Areas *(e) To integrate the Homebush Bay Area, and Sydney Olympic Park, in particular, with the regional transport network, whether on land or water, including public transport systems, roads, cycle ways and walkways.*	☒	☐	☐	The proposed development will not create any new transport links. However the site is well positioned to utilise existing ferry, bus and cycle routes established in the precinct.
(f) *To protect the Homebush Bay Area and land surrounding it from adverse effects resulting from the holding of major public events.*	☐	☐	☒	The proposed development does not constitute a major public facility and thus will not cause any such adverse effects.
Quality and Nature of Urban Form *(g) To promote co-ordinated, sensitive and high quality development in the Homebush Bay Area through the adoption of overall guidelines for development relating to, for example, urban design, landscaping and signage.*	☐	☐	☒	
(h) *To promote ESD.*	☐	☐	☒	Ecological sustainable development principles have been implemented in the proposed design. Every apartment in the development is covered by the BASIX Certificates and BASIX Commitments. The site is not situated close enough to the waterways.
(i) *To take advantage of the proximity of the Homebush Bay Area to the Parramatta River and Homebush Bay by encouraging development that preserves and improves views from and of the waterfront and to enhance public access to those waterways and waterfront areas, while protecting flora and fauna habitats.*	☐	☐	☒	
(j) To enable the habitat of birds protected under international agreements for the protection of migratory birds to be conserved.	☐	☐	☒	Environmental protection: There are no existing environmentally sensitive areas or bird habitats within the existing site. The Millennium Parklands are located to the west of the subject site (across Hill Road to the west) but any detrimental impact is considered negligible. The subject site does not contain any items listed under Schedule 5 of the SREP.

Requirement	Yes	No	N/A	Comment
Clause 12 continued Environmental and Heritage Protection (k) *To protect sensitive natural environments, such as wetlands, woodlands and grasslands/wetlands (as shown on the map marked "Homebush Bay Area - Environmental Conservation Areas Map"), by identifying environmental conservation areas and ensuring ecological significance of these areas is not reduced.*	☐	☐	☒	There are no heritage listed sites situated adjacent or adjoining to the site. The nearby Ralph Symonds building is a heritage listed building under Schedule 5 of the SREP. The subject site is not situated adjacent to or adjoining to the site. The proposed development is not expected to interfere with the Ralph Symonds building.
(l) *To identify and protect heritage items, heritage conservation areas and potential archaeological sites and ensure that development is sympathetic to them.*	☐	☐	☒	
Clause 13 Matters for consideration in determining development applications In determining a development application, the consent authority must (in addition to considering the other matters required to be considered by section 79C of the Act) consider such of the following matters as are of relevance to the development the subject of the application:				The site specific Concept Plan approval for Lot 9 and locality specific Homebush Bay West Development Control Plan has been considered in the assessment of the development application. Refer to detailed assessments for further information.
(a) Any relevant master plan prepared for the Homebush Bay Area.	☒	☐	☐	
(b) Any DCPs prepared for the land to which the application relates.	☒	☐	☐	
(b1) To the extent to which it applies to the land within Sydney Olympic Park, the "Environmental Guidelines" within the meaning of the Sydney Olympic Park Authority Act 2001 and any plan of management referred to in section 34 of that Act.	☒	☐	☐	The development application was referred to Sydney Olympic Park Authority for comment and no objections are raised.
(c) The appearance, from the waterway and the foreshores of the development.	☐	☐	☒	The proposed development is generally considered to be of high-quality design, with visually interesting elevations.
(c1) The impact of the development on significant views.	☒	☐	☐	
(d) The effect of the development on drainage patterns, ground water, flood patterns and wetland viability.	☒	☐	☐	The height and floor space ratio is assessed as being satisfactory.
(e) The extent to which the development encompasses the principles of ESD.	☒	☐	☐	Council's Engineering Department has assessed the proposed stormwater drainage system and considers the proposal acceptable, subject to the inclusion of conditions in any development consent that may be issued.
(f) The impact of carrying out the development on environmental conservation areas and the natural environment, including flora and fauna and the habitats of the species identified in international agreements for the protection of migratory birds.	☐	☐	☒	
(g) The impact of carrying out the development on heritage items, heritage conservation areas and potential historical archaeological sites.	☐	☐	☒	Ecologically sustainable development principles have been implemented in the development and each apartment must conform to the BASIX commitments.
(h) The views of the public and other authorities which have been consulted by the consent authority under this plan.	☒	☐	☐	Submissions from public authorities have been considered in the External Referrals Section (above).
(i) The issues listed in Schedule 7.	☐	☐	☒	Schedule 7 requirements apply only to the development of major public facilities or within conservation areas.

Requirement	Yes	No	N/A	Comment
Clause 14 Consultation with other public bodies *1) Within 14 days of receipt of a DA, the consent authority must seek the views on the proposal of the following:*				
a) Sydney Olympic Park Authority for DAs that are on or immediately land vested in that Authority, that are on land having a site area of 10,000sqm or more or that have a proposed floor space of 20,000sqm or more, or that are likely to have a significant impact on land vested in that authority.	☒	☐	☐	The development application was referred to Sydney Olympic Park Authority for comment. The Authority has raised no objection to the development as per a written Email statement of 12 December 2012.
b) The council of the LGA in which it is proposed the development will be carried out.	☒	☐	☐	Auburn City Council has undertaken the assessment of the proposal and refers it to the Joint Regional Planning Panel - Sydney West for determination.
b1) The council of each LGA adjoining the LGA in which it is proposed the development will be carried out if the development proposed could have a significant impact on.	☐	☐	☒	
c) to e) (Repealed)				The site does not share any physical boundaries with another Local Government Area and will not have any significant detrimental impact on those which adjoin across Homebush Bay.
2) The consent authority must not determine the application until:				
a) The views of the public or other authorities consulted have been received, or	☒	☐	☐	
b) A period of 28 days has elapsed since those views were sought.	☒	☐	☐	Submissions from public authorities have been considered in the External Referrals Section (above).
Clause 15 Temporary Uses *1) The consent authority may consent to any use of a site which is not consistent with the planning objectives for the Homebush Bay Area for a limited period if the consent authority is satisfied the use will not prejudice the eventual development of the Homebush Bay Area in accordance with the rest of this plan.*	☐	☐	☒	The proposed development does not comprise a temporary use and hence Clause 15 will not apply to the application.
2) Before granting consent to such a use, the consent authority must be satisfied that:				
a) Appropriate arrangements have been made for the reinstatement of the site after its use in accordance with the consent so that it may be used in accordance with the rest of this plan.	☐	☐	☒	
b) The use will be limited to such period as the consent authority stipulates.	☐	☐	☒	
c) The use will not adversely affect any existing use or permissible development in accordance with this plan on other sites within the Homebush Bay Area.	☐	☐	☒	
d) The use will not have any detrimental effects on the natural environment.	☐	☐	☒	
Clause 16 Master plans *(1) Development consent must not be granted for development on land edged red on the map marked Sydney REP No 24 - Homebush Bay Area – Amendment No 2 - Map 4" unless:*				A locality specific development control plan exists and is applicable to the subject site.
(a) There is a master plan for the subject land.	☒	☐	☐	The Homebush Bay West Development Control Plan will be used in the assessment of the development application.
(b) The consent authority has taken the master plan into consideration, and	☒	☐	☐	
(c) The development is consistent with the master plan.	☒	☐	☐	
(2) The Minister may waive compliance with the requirements of this clause because of the minor nature of the development concerned, the adequacy of the planning controls that apply to the proposed development or for such other reason as the Minister considers sufficient.	☐	☐	☒	Land to the north of Half Street is affected by the Burroway Road Development Control Plan.
(3) *This clause does not apply to minor development specified in Schedule 10.*	☒	☐	☐	No Ministerial direction has been received or is required in this instance.

Requirement	Yes	No	N/A	Comment
Clause 18 Services *Before granting consent, the consent authority must be satisfied that development will not commence until arrangements, which are satisfactory to servicing agencies it considers relevant, have been made for the supply of services such as water, sewerage, gas electricity and drainage.*	☒	☐	☐	Development application for civil infrastructure works across Lot 9 which will comprise road works, footpaths, stormwater drainage and utility service infrastructure was approved under delegated authority on 7 February 2012 subject to conditions. The development consent included landscaping works and public domain works across Lot 9. The works approved in this application is expected to be undertaken in stages and the consent specifies this. A modification to the consent was issued under delegated authority on 29 May 2013 subject to conditions.
Clause 19 Flood prone Land *Before granting consent to the carrying out of development on land in the vicinity of Haslam's Creek defined as flood prone on the latest of any appropriate plan or report adopted for the time being by the consent authority for the purposes of this clause, the consent authority must consider:* *a) The findings and recommendations of that report;* *b) The impact of the proposed development on flood flows and whether compensatory works should be provided;* *c) If land filling is involved, whether compensatory flood storage or other flood mitigation works should be provided;* *d) The impact of the development on the ecological significance of Haslam's Creek and Homebush Bay and their associated wetlands and any measures proposed to minimise any adverse impact, such as provision of compensatory wetland habitats.*	☒ ☒ ☒ ☒	☐ ☐ ☐ ☐	☐ ☐ ☐ ☐	The site is identified as being flood affected. Council's Engineering Department has raised no issue of land flooding.
Clause 20 Contaminated land *The consent authority must be satisfied that:* *(a) Adequate steps have been taken to identify whether the land the subject of the development is contaminated and, if so, whether remedial action needs to be taken.* *(b) (Repealed)* *(c) Where land to be remediated contains of adjoins land which contains remnants of the natural vegetation, consideration has been given to reinstatement on the land of vegetation of the same kind in a way which will enhance the remaining natural vegetation.*	☒ ☐	☐ ☐	☐ ☒	Relevant investigations into contamination conditions of the specific development area of the subject site have been undertaken. As identified under State Environmental Planning Policy 55 "Remediation of Land", the development application was referred to Council's Environment and Health Officers for assessment. It is concluded that the development application may proceed subject to conditions. Suitable landscaping is to be provided as part of the proposal

Requirement	Yes	No	N/A	Comment
Clause 20A Acid sulphate soils (1) Despite clause 35 of, and Schedule 1 to, the *Environmental Planning and Assessment Model Provisions 1980* adopted by this plan, development (not being exempt development or complying development) that is likely to result in the disturbance of more than one tonne of soil, or to lower the water table, on land on which acid sulfate soils are present may be carried out only with development consent. (2) Before granting a consent required by this clause, the consent authority must consider: (a) the adequacy of an acid sulfate soils management plan prepared for the proposed development in accordance with the *Acid Sulfate Soils Assessment Guidelines*, as published by the NSW Acid Sulfate Soils Management Advisory Committee and adopted for the time being by the Director, and (b) the likelihood of the proposed development resulting in the discharge of acid waters, and (c) any comments received from the Department of Land and Water Conservation within 21 days of the consent authority having sent that Department a copy of the development application and of the related acid sulfate soils management plan. (3) Consent for development referred to in this clause is required despite clause 10 of *State Environmental Planning Policy No 4—Development Without Consent and Miscellaneous Complying Development*.	☒ ☒ ☒ ☐ ☐	☐ ☐ ☐ ☐ ☐	☐ ☐ ☐ ☒ ☒	Deep excavation into the ground is limited to the north eastern third of the building complex. The land slopes upwards towards the north east which will necessitate excavation to a depth of 5 metres. The degree of excavation is less towards the south and west of the development site. Large portions of the car park are to be constructed at or above the natural ground level. The upper level car park is situated mostly above the natural ground level but not visible at the street level. The ground level units, services and entrance ways wrap around the upper level car park providing an effective design solution at street level. The roof of the upper level car park forms the podium for a large landscape common open space area and the residential towers above. Council's Environment and Health Unit has raised no issue or objection to the development on acid sulphate soil impacts. In this regard, an acid sulphate soils management plan prepared by Consulting Earth Scientists which is dated 5 August 2005 will need to be implemented during the development of the site.
Clause 21 Development of major public facilities *Consent authority must:* *a) Ensure that the development proposal has been dealt with in accordance with s79A of the Act as advertised development.* *b) And c) (Repealed)* *d) Must assess whether the use of the major public facility will have an adverse impact on adjacent sites in the Homebush Bay Area or on surrounding land.*	☐ ☐	☐ ☐	☒ ☒	The proposed development does not include any major public facilities. Clause 21 will not apply to the development.

Requirement	Yes	No	N/A	Comment
Clause 22 Development in environmental conservation areas				
1) This clause applies to land within an environmental conservation area (ECA).	☐	☐	☒	The development site is not identified as an environmental conservation area. Lot 9 is the subject of extensive redevelopment from industrial use to residential use for medium to high density living. Industrial activities have ceased on the site.
2) The consent authority must not consent to a development in an ECA if that development would reduce significantly the ecological value of that ECA.	☐	☐	☒	
3) A person must not fill, clear, drain or dredge any lend, construct a levee on such land or remove or destroy vegetation on any such land without consent of the consent authority.	☐	☐	☒	
4) (Repealed)				
5) Before granting consent, the consent authority:	☐	☐	☒	
a) Must ensure the development proposal has been dealt with in accordance with s79A of the Act as advertised development.				
b) May refuse to grant the application unless the issues listed in Schedule 7 have been adequately addressed.	☐	☐	☒	
c) Must take into account:				
i) The recommendations of the Millennium Parklands Concept Plan prepared by Hassell Pty Ltd and dated December 1997, a copy which is available for inspection at the head office, and the Sydney Region West Office, of the Department.	☐	☐	☒	
ii) Development consent (reference no. S/38/3/98) granted by the Minister in relation to the development of the Millennium Parklands.	☐	☐	☒	
d) Must consider consistency with:				
i) SOPA Frog Management Plan.	☐	☐	☒	
ii) Any relevant Master Plan.	☐	☐	☒	
iii) to the extent to which it applies to land within Sydney Olympic Park, any plan of management adopted by the Sydney Olympic Park Authority in accordance with the *Sydney Olympic Park Authority Act 2001*.	☐	☐	☒	

Requirement	Yes	No	N/A	Comment
23 Development near an environmental conservation area In considering an application for consent to the carrying out of development within 30 metres (or, in the case of the North Newington woodland area, 200 metres) of an environmental conservation area, the consent authority: (a) must take into account: (i) the effect of the proposed development on the environmental conservation area, and (ii) the recommendations of the *Millennium Parklands Concept Plan* prepared by Hassell Pty Ltd and dated December 1997, a copy of which is available for inspection at the head office, and the Sydney Region West office, of the Department, and (iii) the development consent (reference number S/38/3/98) granted by the Minister in relation to the development of the Millennium Parklands, and (b) must consider whether the development is consistent with: (i) the SOPA Frog Management Plan, and (ii) any relevant master plan, and (iii) to the extent to which it applies to land within Sydney Olympic Park, any plan of management adopted by the Sydney Olympic Park Authority in accordance with the *Sydney Olympic Park Authority Act 2001*.	☒ ☒ ☒ ☒ ☒ ☒ ☒ ☒	☐ ☐ ☐ ☐ ☐ ☐ ☐ ☐	☐ ☐ ☐ ☐ ☐ ☐ ☐ ☐	The subject site is located within 30 metres of the Millennium Parklands (across Hill Road) but the plans in this application will not impact on environmental conservation areas. The works are contained within a former industrial area now earmarked for redevelopment for medium to high density living. A transformation to a residential area is occurring. Hill Road acts as a buffer to the more sensitive areas to the west. The proposed development will support the future aims and objectives of this part of the peninsula being a redevelopment for high density residential uses. The development application is supported under the Clause.
Clause 24 Protection of heritage items and heritage conservation areas When is consent required? The following development may be carried out only with development consent: (a) demolishing or moving a heritage item or a building, work, relic, tree or place within a heritage conservation area, (b) altering a heritage item or a building, work, relic, tree or place within a heritage conservation area by making structural or non-structural changes to its exterior, such as to its detail, fabric, finish or appearance, (c) altering a heritage item by making structural changes to its interior, (d) disturbing or excavating a place of Aboriginal heritage significance or an archaeological site while knowing, or having reasonable cause to suspect, that the disturbance or excavation will or is likely to result in a relic being discovered, exposed, moved, damaged or destroyed, (e) moving the whole or a part of a heritage item, (f) erecting a building on, or subdividing, land on which a heritage item is located or which is within a heritage conservation area.	☐ ☐ ☐ ☐ ☐ ☐	☐ ☐ ☐ ☐ ☐ ☐	☒ ☒ ☒ ☒ ☒ ☒	The subject site does not contain any items of heritage and is not identified as a conservation area under Schedule 4. The nearby Ralph Symonds building is a heritage listed building under Schedule 5 of the SREP. The subject site is not situated adjacent to or adjoining to the site. The proposed development does not interfere with the Ralph Symonds building.

Requirement	Yes	No	N/A	Comment
2 What exceptions are there? Development consent is not required by this clause if: (a) in the opinion of the consent authority: (i) the proposed development is of a minor nature or consists of maintenance of the heritage item or of a building, work, archaeological site, tree or place within a heritage conservation area, and (ii) the proposed development would not adversely affect the significance of the heritage item or heritage conservation area, and (b) the proponent has notified the consent authority in writing of the proposed development and the consent authority has advised the applicant in writing before any work is carried out that it is satisfied that the proposed development will comply with this subclause and that development consent is not otherwise required by this plan. (3) Development consent is not required by this clause for the following development in a cemetery or burial ground if there will be no disturbance to human remains, to relics in the form of grave goods or to a place of Aboriginal heritage significance: (a) the creation of a new grave or monument, or (b) an excavation or disturbance of land for the purpose of carrying out conservation or repair of monuments or grave markers.	☐ ☐ ☐ ☐ ☐	☐ ☐ ☐ ☐ ☐	☒ ☒ ☒ ☒ ☒	The subject site does not contain any items of heritage and is not identified as a conservation area under Schedule 4.
What must be included in assessing a development application? Before granting a consent required by this clause, the consent authority must assess the extent to which the carrying out of the proposed development would affect the heritage significance of the heritage item or heritage conservation area concerned. **Note.** The website of the Heritage Branch of the Department of Planning has publications that provide guidance on assessing the impact of proposed development on the heritage significance of items (for example, *Statements of Heritage Impact*).				

Requirement	Yes	No	N/A	Comment
5 What extra documentation is needed? The assessment must include consideration of a *heritage impact statement* that addresses at least the issues set out in subclause (6) (but is not to be limited to assessment of those issues, if the heritage significance concerned involves other issues). The consent authority may also decline to grant such a consent until it has considered a *conservation management plan*, if it considers the development proposed should be assessed with regard to such a plan.				
(6) The minimum number of issues that must be addressed by the heritage impact statement are: (a) for development that would affect a *heritage item*:	☐	☐	☒	The site is not listed as a heritage item under the plan and a formal and detailed heritage assessment is not required.
(i) the heritage significance of the item as part of the environmental heritage of the Homebush Bay Area, and	☐	☐	☒	
(ii) the impact that the proposed development will have on the heritage significance of the item and its setting, including any landscape or horticultural features, and	☐	☐	☒	
(iii) the measures proposed to conserve the heritage significance of the item and its setting, and	☐	☐	☒	
(iv) whether any archaeological site or potential historical archaeological site would be adversely affected by the proposed development, and	☐	☐	☒	
(v) the extent to which the carrying out of the proposed development would affect the form of any historic subdivision, and	☐	☐	☒	
(b) for development that would be carried out in a *heritage conservation area*:	☐	☐	☒	
(i) the heritage significance of the heritage conservation area and the contribution which any building, work, relic, tree or place affected by the proposed development makes to this heritage significance, and	☐	☐	☒	
(ii) the impact that the proposed development would have on the heritage significance of the heritage conservation area, and	☐	☐	☒	
(iii) the compatibility of any proposed development with nearby original buildings and the character of the heritage conservation area, taking into account the size, form, scale, orientation, setbacks, materials and detailing of the proposed development, and	☐	☐	☒	

Requirement	Yes	No	N/A	Comment
(iv) the measures proposed to conserve the significance of the heritage conservation area and its setting, and (v) whether any landscape or horticultural features would be affected by the proposed development, and (vi) whether any archaeological site or potential historical archaeological site would be affected by the proposed development, and (vii) the extent to which the carrying out of the proposed development in accordance with the consent would affect any historic subdivision pattern, and (viii) the issues raised by any submission received in relation to the proposed development in response to the notification or advertising of the application.	☐	☐	☒	
Clause 25 Advertised Development *Development is advertised development if it comprises or includes the demolition of a heritage item or a building, work, tree or place in a heritage conservation area.*	☐	☐	☒	The subject site does not contain any items of heritage and is not identified as a conservation area under Schedule 4.
Clause 26 (Repealed)				Not applicable.
Clause 27 Development affecting places or sites of known or potential Aboriginal heritage significance *Before granting consent for development likely to have an impact on a place or potential place of Aboriginal heritage significance or on an archaeological site of a relic that has Aboriginal heritage significance, the consent authority must:* *(a) Consider a heritage impact statement explaining how the proposal would affect the conservation of the place or site and any relic known or reasonably likely to be located at the place or site.* *(b) Except where the proposed development is integrated development, notify the local Aboriginal communities and the Director-General of NPWS of its intention to do so and consider any comments received in response within 28 days after the notice was sent.* *(c)* be satisfied that any necessary excavation permit required by the *Heritage Act 1977* has been granted.	☐ ☐ ☐	☐ ☐ ☐	☒ ☒ ☒	The proposed development will not have any impact upon any identified places or potential places of aboriginal significance or archaeological sites.

Requirement	Yes	No	N/A	Comment
Clause 28 Development affecting known or potential historical archaeological sites of relics of non-Aboriginal heritage significance (1) Before granting consent for development that will be carried out on an archaeological site or a potential historical archaeological site of a relic that has non-Aboriginal heritage significance (whether or not it is, or has the potential to be, also the site of a relic of Aboriginal heritage significance), the consent authority must: *(a) Consider a heritage impact statement explaining how the proposed development will affect the conservation of the site and any relic known or reasonably likely to be located at the site.* (b) be satisfied that any necessary excavation permit required by the Heritage Act 1977 has been granted. *(2) This clause does not apply if the proposal:* (a) *Does not involve disturbance of below-ground deposits and the consent authority is of the opinion that the heritage significance of any above ground relics would not be adversely affected by the proposed development.* (b) *Is integrated development.*	☐ ☐ ☒	☐ ☐ ☐	☒ ☒ ☐	The subject site is not identified as an archaeological or potential archaeological site.
Clause 29 Development in the vicinity of a heritage item (1) Before granting consent to development in the vicinity of a heritage item, the consent authority must assess the impact of the proposed development on the heritage significance of the heritage item and of any heritage conservation area within which it is situated. *(2) This clause extends to development:* *(a) That may have an impact on the setting of a heritage item, for example, by affecting a significant view to or from the item by overshadowing, or* *(b) That may undermine or otherwise cause physical damage to a heritage item, or* *(c) That will otherwise have any adverse impact on the heritage significance of a heritage item or of any heritage conservation area within which is it situated.* *(2) Consent authority may refuse to grant consent unless it has considered a heritage impact statement that will help it assess the impact of the proposed development on the heritage significance, visual curtilage and setting of the heritage item.* (3) *The heritage impact statement should include details of the size, shape and scale of, setbacks for, and the materials to be used in, any proposed buildings or works and details of any modification that would reduce the impact of the proposed development on the heritage significance of the heritage item.*	☐ ☐ ☐ ☐ ☐ ☐	☐ ☐ ☐ ☐ ☐ ☐	☒ ☒ ☒ ☒ ☒ ☒	There are no items of heritage significance or conservation areas in the immediate vicinity of the subject site. The nearby Ralph Symonds building is a heritage listed building under Schedule 5 of the SREP. The subject site is not situated adjacent to or adjoining to the site. The proposed development does not interfere with the Ralph Symonds building. The Ralph Symonds building will eventually be demolished to facilitate further redevelopment of Wentworth Point. This is consistent with the locality DCP adopted and the overall planning intentions of the locality.

Requirement	Yes	No	N/A	Comment
Clause 30 Development in heritage conservation areas *1) Before granting consent for erection of a building within a heritage conservation area, the consent authority must be satisfied that the features of the proposed building will be compatible with the heritage significance of the heritage conservation area, having regard to the form of, and materials used in, buildings that contribute to the heritage significance of the heritage conservation area.* *2) In satisfying itself about those features, the consent authority is to have regard to at least the following (but is not to be limited to having regard to those features):* *a) The pitch and form of the roof (if any);* *b) The style, size, proportion and position of the openings for windows or doors (if any);* *c) The colour, texture, style, size and type of finish of the materials to be used on the exterior of the building;* *d) The landscaped area of the site.*	☐ ☐ ☐ ☐ ☐	☐ ☐ ☐ ☐ ☐	☒ ☒ ☒ ☒ ☒	The subject site is not identified as being located within a heritage conservation area.

Sydney Regional Environmental Plan (Sydney Harbour Catchment) 2005

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

(Note: - the site is not located in a *'Foreshores and Waterways Area'* or *'Wetland Protection zone'*, is not a *'Strategic Foreshore Site'* and does not contain any heritage items and hence the majority of the SREP is not directly relevant to the proposed development).

Local Environmental Plans

The subject site is identified as a "Deferred Matter" under the recently made Auburn LEP 2010. There are not draft instruments applicable to the subject development proposal in this instance.

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

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

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

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

Homebush Bay West Development Control Plan:

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

Requirement	Yes	No	N/A	Comment
Part 1 Preliminary				
1.11 Development Application submission requirements				

Requirement	Yes	No	N/A	Comment
1.11.1 Scale - Local • Local context sketch plan 1:5000 • Streetscape elevations • Aerial photograph 1:1000 or 1:2000	☒ ☒ ☒	☐ ☐ ☐	☐ ☐ ☐	
1.11.2 Scale - Site • Existing site plan 1:500 • Existing site sections 1:500 or 1:200 • Site Analysis 1:500 • Site Plan 1:500 • Shadow diagrams • Landscape plan 1:200 or 1:500 • Terrain model	☒ ☒ ☒ ☒ ☒ ☒ ☒	☐ ☐ ☐ ☐ ☐ ☐ ☐	☐ ☐ ☐ ☐ ☐ ☐ ☐	Submission requirements generally observed.
1.11.3 Scale - Building • Floor Plans 1:100 or 1:200 • Elevations 1:100 or 1:200 • Sections 1:100 or 1:200 • Materials and finishes board • Photomontages • Schedules on floor by floor basis for density, number of units and aspects, unit sizes, unit types • Statement of Environmental Effects • Architectural models 1:100 or 1:200	☒ ☒ ☒ ☒ ☒ ☒ ☒ ☒	☐ ☐ ☐ ☐ ☐ ☐ ☐ ☐	☐ ☐ ☐ ☐ ☐ ☐ ☐ ☐	A model is provided although there have been changes to the development which have in part superseded portions of the model provided.
Part 2 Background				
2.3 DCP Objectives				

Requirement	Yes	No	N/A	Comment
2.3.1 Identity – create an identifiable character for Homebush Bay West				
i. Retain and enhance views to water, opposite shores and ridges, including vistas along existing and future major east-west streets to the Bay and Rhodes, views from within the precinct north to Parramatta River, west to the Sydney Olympic Parklands and south to the wetlands and Powells Creek	☒	☐	☐	The proposed development is consistent with the desired street and public domain pattern of the site.
ii. Optimise the waterfront location by providing continuous foreshore access and links to open space within and surrounding the precinct	☒	☐	☐	The development is not situated on the waterfront of Homebush Bay. Instead the development faces Hill Road.
iii. Design streets and public open spaces appropriate to the conditions of the site, particularly in relation to the waterfront, and to the uses	☒	☐	☐	
iv. Retain and enhance the key elements of the urban structure: existing streets, established trees, the formed eastern edge of the peninsula and the maritime focus to Parramatta River	☒	☐	☐	There are no significant trees situated on the site.
v. Build on the structure formed by the site's industrial character by aligning new streets with a grid formed by the subdivision pattern and the Hill Road and waterfront edges	☒	☐	☐	The development is arranged into two buildings with the southern building forming the major bulk and mass for the development site. The northern building forms a more minor component to the development and is lower in height than the southern building.
vi. Acknowledge the visual primacy of the waterfront by stepping building heights down from Hill Road to the water	☐	☐	☒	
vii. Retain and enhance Wentworth Park as a public park typical of other point parks on Sydney Harbour	☐	☐	☒	The site does not face towards proposed Wentworth Park.
viii. Designing building heights and massing to enable views to the Millennium Mound as a backdrop to the precinct and to protect views	☒	☐	☐	Due to location. There will be views towards the Millennium Marker to the north west.

Requirement	Yes	No	N/A	Comment
2.3.1 Land Uses – accommodate and locate appropriately a range of uses within Homebush Bay West				
i. Create a maritime precinct with boating and associated commercial and retail uses north of Burroway street	☐	☐	☒	This part will not apply to the development application.
ii. Provide two neighbourhood nodes including commercial, retail and community uses: one associated with the transport interchange and maritime precinct; and a smaller one in the southern part of the precinct	☐	☐	☒	
iii. Provide small scale retail and leisure uses adjoining and opposite foreshore parks and plazas, including cafes/outdoor dining, clubs, boatsheds and facilities for water related recreational activities	☐	☐	☒	
iv. Provide for active ground floor uses on major east-west streets through flexible building design	☐	☐	☒	**Building complex A adjoins the major east to west street (Southern side) but no retail uses are proposed. The concept plan approval for the site only permits residential flat buildings. This is considered acceptable in this instance.**
v. Provide adequate local open space for precinct residents and workers and encourage use of regional open space within Sydney Olympic Parklands	☒	☐	☐	Open space in the form of foreshore park and pocket park is to be provided within the Lot 9 development but the site the subject of this application will not incorporate the pocket park.

Requirement	Yes	No	N/A	Comment
2.3.3 Street and Block Structure – create a street and block structure that optimises legibility, permeability and efficiency				
i. Lay out streets to support the underlying subdivision pattern by aligning east-west streets with property boundaries and north-south streets perpendicular to them	☐	☐	☒	This part is generally more specific to the construction of roads and associated infrastructure to support the redevelopment of Wentworth Point.
ii. Strengthen Hill Road as the major connector between the water and Sydney Olympic Park and an urban edge to the parkland areas	☐	☐	☒	The development is arranged into two buildings with the southern building forming the major bulk and mass for the development site. The northern building forms a more minor component to the development and is lower in height than the southern building.
iii. Design a street hierarchy that clearly distinguishes between the role and scale of major and secondary streets, to orient people within the precinct	☐	☐	☒	
iv. Design the major east-west boulevards as 'green fingers' to help break down the scale of the precinct	☐	☐	☒	<u>Landscaping works</u>: Extensive landscaping is proposed along the street frontages that will help to break the mass and scale of the development. It is expected that such works will only be concluded once the physical buildings across Lot 9 are close to being completed.
v. Provide a major north-south street that creates a new opportunity to link the interior of the precinct to the river visually and physically	☐	☐	☒	
vi. Locate streets to capitalize on and enhance views to the bay, the river and other surrounding areas and any landmark features (including the Millennium Marker	☐	☐	☒	
vii. Encourage multiple movement choices for people, cyclists and vehicles by optimizing the connectivity of the street network and minimizing dead end streets	☐	☐	☒	
viii. Optimise the accessibility of the foreshore promenade by connecting it with trafficked streets and pedestrian and cycle ways	☐	☐	☒	
ix. Design block size and shape to increase permeability for pedestrians and cyclists by generally limiting their length to 150 metres. On major streets where a continuous street frontage is required to contribute to commercial and retail activity and blocks are longer, provide through-block pedestrian links at maximum 100 metre intervals	☐	☐	☒	
x. Optimise the number of north-facing apartments by orienting blocks east-west; that is, with their longer dimension to the north	☐	☐	☒	
xi. Design streets to accommodate a mixture of transport modes, including pedestrians, cycles, buses where relevant and moving and parked vehicles	☐	☐	☒	

Requirement	Yes	No	N/A	Comment
2.3.4 Open Space Network – create a network of public open spaces that is strongly linked to Sydney Olympic Parklands, the foreshore edge and the water, and provides for a range of recreational activities				
i. Enhance the waterfront character of Homebush Bay West by designing the setback to the waterfront to allow for a variety of spaces and uses, including water-related uses	☐	☐	☒	The development is not situated on the waterfront of Homebush Bay.
ii. Protect and enhance the amenity of foreshore access by linking the foreshore promenade to streets, urban plazas and pocket parks	☐	☐	☒	The proposed development will not impede future linkage between the foreshore and adjoining streets.
iii. Contribute to the regional open space network by providing continuous pedestrian and cycle access linking Homebush Bay West to Sydney Olympic Parklands, Bicentennial Park and existing foreshore access routes	☒	☐	☐	The development is for a residential flat complex. The building of the roads to service the development is approved under Development Consent 462/2010 and the Section 96 modification granted thereafter.
iv. Contribute to the regional pattern of point parks on the harbour and river foreshores by retaining Wentworth Park as public open space	☒	☐	☐	The development will not adversely impact on the future parks.
v. Offer a range of opportunities for recreation and relaxation, and to give 'breathing space' within urban areas, by providing a range of open spaces, including a park at Wentworth Point, three local parks spaced throughout the peninsula, and pocket parks and plazas	☒	☐	☐	A pocket park is to be provided within Lot 9 as per the Concept Plan approval. The pocket park is not situated on the development site for Building Complex A. The pocket park is to be situated on Building Complex B on the opposite side of the future Waterways Street.
vi. Design major east-west streets as generously planted boulevards which frame views to the water and create 'green fingers' linking the foreshore and water-related activities to the interior of the precinct	☐	☐	☒	<u>Landscaping</u>: The proposal will maintain provision of "green fingers" to the waterfront especially on the southern side of the complex.
vii. Establish the importance of the foreshore promenade by designing it as 'one place', with a character established by tree and materials selection which is consistent with landscape initiatives for the wider context of the Sydney Harbour Foreshores	☐	☐	☒	The major east to west street (Southern side of the building) is not situated within Lot 9. Thus the plans do not show any future landscaping along this roadway beyond the allotment boundary.
viii. Provide a sequence of spaces along the promenade that each relate to a major east-west street and provide an activity focus at the water's edge	☐	☐	☒	
ix. Design streets, parks and plazas with high amenity and high quality	☐	☐	☒	Street design and public domain design is subject to a different development application. The proposed communal open space in Building Complex A features good amenity for the residents and connections from within the development.

Requirement	Yes	No	N/A	Comment
2.3.5 Accessibility – increase and enhance the opportunities for pedestrians and cyclists to access the precinct and to move safely and comfortably within the public domain				
i. Consolidate publicly accessible facilities including any new community uses within the vicinity of the ferry / bus interchange	☐	☐	☒	The site is not close to the bus/ferry terminal or proposed "maritime precinct".
ii. Create a maritime precinct with associated commercial and retail uses north of Burroway Street, linked to the foreshore and open space network	☐	☐	☒	
iii. Create a neighbourhood node including commercial, retail and community uses in the southern part of the precinct	☐	☐	☒	The "Piazza" commercial area already exists in the southern part of the precinct. This includes a community centre, library, a small number of shops, restaurants and services.
iv. Design streets to accommodate a future bus route through the centre of the precinct	☐	☐	☒	
v. Minimise the potential for conflicts between vehicles, pedestrians and cyclists through the design of footpaths, bicycle lanes, through block links, streetscape design, medians and kerb ramps, and by minimising the number of vehicular crossings over footpaths	☐	☐	☒	The street pattern is already in existence. No change is proposed. The applicant has designed the building complex which avoids vehicle and pedestrian conflicts.
vi. Encourage activity in and surveillance of streets by providing for active ground floor uses on major east-west streets	☒	☐	☐	
vii. Locate and design buildings to provide passive surveillance of all public spaces	☒	☐	☐	The building complex is presented to the important streets frontages being the north, south and west. There are a smaller number of apartments oriented to the east but the eastern side is retained more for servicing such as loading and unloading, garbage removal, vehicle access and fire services.
viii. Provide publicly accessible facilities and small scale retail adjoining and opposite foreshore parks and plazas, including cafes / outdoor dining and facilities for recreational activities relating to the water	☐	☐	☒	
ix. Provide a pedestrian and cycle bridge between Homebush Bay West and Rhodes Peninsula subject to determination in transport studies and appropriate funding arrangements	☐	☐	☒	The proposed bridge across Homebush Bay does not form part of this proposal.

Requirement	Yes	No	N/A	Comment
2.3.6 Sustainability – Incorporate ESD principles into all stages of design including the design of public spaces, block and site layout and built form				
i. Design blocks to deliver efficient subdivision and optimize north orientation for buildings, to minimise overshadowing and the negative impacts of wind on the public domain, to mitigate the visual impact of large scale development on Homebush Bay, and to define and appropriately frame parks and plazas	☒	☐	☐	The site is rectangular in shape and is large enough to permit an appropriate sized building with massing that will fit the provisions of the development control plan. The proposal will have no effect on established block patterns
ii. Control the quality of water entering Homebush Bay through the use of integrated water management strategies	☒	☐	☐	Water saving measures are provided within the development as well as a water reuse facility (WRAMs).
iii. Conserve water by minimising stormwater runoff, planting appropriate indigenous species with low irrigation needs, matching water quality with its intended use and using water saving devices	☒	☐	☐	No objection is raised to proposed landscaping on-site.
iv. Promote ecological outcomes including shade and habitat by dedicating a significant proportion of the waterfront setback to riparian planting with a mix of species	☐	☐	☒	This will not apply because the site (Building Complex A) is not situated close to the waterfront of Homebush Bay.
v. Control potential impacts on air quality by minimising car dependency, encouraging pedestrian and cycle movement and promoting the use of public transport	☒	☐	☐	Appropriate measures have been provided. Public transport opportunities already exist and likely to improve as the peninsular becomes more populated making services more viable.
vi. Minimise energy consumption by designing for daylight access and natural ventilation, passive heating and cooling and alternative energy sources	☒	☐	☐	An appropriate amount of passive measures have been provided. Daylight access and natural ventilation is maximised where possible.
vii. Retain the embodied energy in buildings by designing them as 'long life loose fit' that can be readily adapted for changing uses and are easily maintained	☒	☐	☐	<u>BASIX Certificates</u>:
viii. Minimise resource depletion by selecting environmentally sustainable building materials in both the public and private domains, and by providing facilities for recycling	☒	☐	☐	The development is government by two BASIX Certificates which provides the BASIX Commitments that must be achieved to achieve good residential amenity.

Requirement	Yes	No	N/A	Comment
2.3.7 Built Form – provide sensitive and high quality architectural and landscape design that contributes positively to the character of the public domain				
i. Distribute and design built form to define and enhance the spatial quality of streets, open spaces and the foreshore by aligning buildings to streets and to the edges of parks and plazas	☒	☐	☐	The complex is aligned to the proposed road frontages. The development is arranged into two buildings with the southern building forming the major bulk and mass for the development site. The northern building forms a more minor component to the development and is lower in height than the southern building.
ii. Optimise sun access to streets and to public open spaces by minimizing building bulk, ensuring adequate building separation and orienting built form appropriately	☒	☐	☐	
iii. Encourage high quality landscape design of public spaces, of the interface between public spaces and private development and within new development	☒	☐	☐	The landscaping has been assessed as being satisfactory.
iv. Encourage high quality architectural design of all new development	☒	☐	☐	
v. Promote a series of public open spaces related to the waterfront setting which provide a high level of amenity for users, an attractive setting for adjoining development and which visually and spatially link the public domain of Homebush Bay West with its context, including the foreshore of Rhodes Peninsula	☐	☐	☒	The development site is not situated on the waterfront of Homebush Bay.
vi. Enhance the visibility and usability of foreshore public space both from within the precinct and from the water by designing the termination of major east-west streets as parks or plazas connecting to the foreshore promenade and water related activity nodes.	☐	☐	☒	This will not apply to the development site.
2.3.8 Housing Choice – support opportunities for a diverse community by promoting workplace and housing choice				The development supports the construction of two residential towers over a raised car park / podium encompassing the following apartments:-
i. Encourage long life loose fit buildings with a high level of adaptability over time as uses change, particularly on major east-west streets	☒	☐	☐	
ii. Accommodate changing needs of the resident population by designing flexible apartment layouts	☒	☐	☐	• 59 x 1 bedroom apartments. • 119 x 2 bedroom apartments. • 7 x 3 bedroom apartments.
iii. Provide accessible working and living environments for people with disabilities, older people and for prams and strollers	☒	☐	☐	A variety of apartment sizes is provided in various configurations including two split level apartments at Level one facing north that respond with the street. There are 42 adaptable apartments within the development and provision is made for parking for people with disabilities across both car park / basement levels.

Requirement	Yes	No	N/A	Comment
2.3.9 Residential Amenity - provide a high level of residential amenity, including outdoor spaces as well as within apartments i. Support the amenity and privacy needs of their occupants by providing apartments of appropriate size and configuration	☒	☐	☐	A variety of apartments are offered within the development. Privacy is maintained by use of screens, windows positioning, and building separation. As described within the assessment under the Residential Flat Design Code, some minor privacy issues are identified. In this regard, solid balustrades would be more appropriate for the affected apartments rather than glazed balustrades. Another alternative would be the introduction of louvres rather than screens to ensure that additional elements blend into the architectural design of the building complex. <u>Sunlight penetration into apartments</u>:
ii. Optimise the number of apartments, their living spaces and private outdoor spaces which benefit from sun access	☒	☐	☐	The applicant has provided a shadow statistics schedule that shows that 115 apartments or 62.1% receive a minimum of 2 hours of sunlight during the winter months. There are other apartments that will receive direct sunlight for shorter periods of time. The development has been optimised where possible however apartment orientation in this instance is primarily dictated by the street pattern.
iii. Provide attractive and comfortable communal open space areas by designing them to accommodate a range of different uses and be easily accessed from buildings	☒	☐	☐	<u>Common open space</u>: The common open space will be internal to the development and is easily accessible from the two buildings. No direct access from street level is provided. This provides a sense of communal ownership and it implies that only the residents and their guests may access the internal courtyard spaces. The common open space sits across the roof of the car park. Hence the car park roof forms a podium. The landscape plan provides an array of planting solutions to the internal courtyard space.
iv. Integrate planting in internal courtyard areas with podium structures to optimize opportunities for large trees for shade, outlook and privacy	☒	☐	☐	
v. Promote privacy from the street, particularly for ground floor apartments, by providing landscaped garden spaces within the setback zone	☒	☐	☐	
2.4.1 Land Uses	☒	☐	☐	A residential flat building complex is proposed which is consistent with the Concept Plan approval.
2.4.2 Streets and Blocks	☒	☐	☐	The Street pattern is already established and not altered by the development.

Requirement	Yes	No	N/A	Comment
2.4.3 Open Space Network	☒	☐	☐	The proposal in itself does not adversely impact on the works specific to the space network.
2.4.4 Building Height and Massing	☒	☐	☐	The proposed development is generally consistent with the "indicative" building height and massing figures provided for the site.
2.4.5 Precinct Structure	☒	☐	☐	The proposal is generally in accordance with the "indicative" building layouts.
Part 3 Precinct Controls & General Controls				
3.1 Public Domain Systems				
3.1.1 Pedestrian Network				
i. Provide a continuous pedestrian network through the precinct, along streets and through open spaces, connected with and including the foreshore promenade	☒	☐	☐	
ii. Optimise the number of possible journeys between destinations with an efficient and regular block layout	☒	☐	☐	There are fifteen apartments on Level one that face the street and of these, five do not have direct access from the street due to a site constraint. However, pedestrian network is reinforced where feasible.
iii. Enhance connections to the regional pedestrian network by linking to the Sydney Olympic Parklands path system at the north western foreshore boundary of the precinct, and to the Bicentennial Park path system and Powells Creek at the southern end of the peninsula foreshore	☒	☐	☐	
iv. Provide a continuous foreshore promenade. Implement management strategies consistent with masterplan conditions to minimise potential conflicts between continuous pedestrian access and boat movement between dry stack area and the Bay within the maritime precinct	☐	☐	☒	Pedestrian foreshore access is not compromised as a result of the development.
v. Provide a clear alternative route for those times when continuous foreshore access is interrupted	☐	☐	☒	
vi. Locate a pedestrian / cycle bridge linking Homebush Bay West and Rhodes peninsula as indicated on the plan	☐	☐	☒	The possible pedestrian / cycle bridge linking Homebush Bay West and Rhodes peninsula will not be compromised as a result of the development.
vii. Locate pedestrian crossings to support pedestrian movement between destinations	☒	☐	☐	
viii. Consider pedestrian movement when designing major building entries and through-block link.	☒	☐	☐	There are five critical entry points to the development for pedestrians located along the northern, southern and western elevation of the building. There is a vehicular access point facing east which will connect to Waterways Street when complete.
ix. Provide paved footpaths in accordance with the street design guidelines in the Public Domain Manual	☒	☐	☐	
x. Ensure that publicly accessible parks and plazas are contiguous with and fully accessible from pedestrian routes	☒	☐	☐	
xi. Provide pedestrian routes which benefit from high levels of casual surveillance (overlooking from buildings, from the water, from adjacent well-trafficked areas)	☒	☐	☐	The landscape plans indicate that the footpaths around the perimeter of the development will be landscaped.

Requirement		Yes	No	N/A	Comment
xii.	Provide clear and direct pedestrian routes by designing them with good lines of sight to minimise concealment	☒	☐	☐	Pedestrian spaces around the perimeter of the development site and those within the development generally enjoy good passive surveillance from the various apartments including the balconies, courtyards and living spaces.
xiii.	Design appropriate lighting for publicly accessible areas for their level of night-time use	☒	☐	☐	
xiv.	Provide kerb ramps at all intersections in accordance with the Public Domain Manual	☐	☐	☒	
3.1.2 Cycle Network					
i.	Provide a cycle network through the streets	☐	☐	☒	
ii.	Provide dedicated cycle lanes along Hill Road in both directions.	☐	☐	☒	
iii.	Design intersections and crossings along dedicated cycle routes that prioritise cyclists' safety and convenience	☐	☐	☒	
iv.	Provide a recreational shared pedestrian and cycle path along the foreshore promenade at a minimum width of 3.5 metres	☐	☐	☒	
v.	Connect the foreshore cycle path to cycleways within the Sydney Olympic Parklands and enhance access to the connection at the southern end of the peninsula	☐	☐	☒	
vi.	Provide a road cycle lane on the major east-west street from Hill Road to link with the proposed pedestrian bridge	☐	☐	☒	
vii.	Separate cycle and pedestrian routes through Wentworth Park	☐	☐	☒	
viii.	Provide lockable bicycle storage at neighbourhood / maritime centres and in publicly accessible facilities including at the waterfront	☐	☐	☒	There are 41 bike bays provided within the car park across both floors. These are spread across both car park floors.
ix.	Design cycle paths and parking to minimum Austroads design standards	☒	☐	☐	

Requirement	Yes	No	N/A	Comment
3.1.3 Public Transport				
i. Provide convenient pedestrian connections to the Homebush ferry wharf and bus interchange from streets and through public open space	☒	☐	☐	Public transport will be accessible from the site. This includes buses along Hill Road and the Wentworth Point ferry terminal.
ii. Locate bus stops at or near activity nodes, including the two neighbourhood / commercial centres and to serve major pedestrian / cycle entries to the Parklands from Hill Road	☐	☐	☒	Some of the provisions stated here relate more to subdivisions and associated infrastructure works which is not proposed in this application. This matter is addressed under Development Consent 462/2010 and the Section 96 modification granted thereafter.
iii. Enhance the amenity and safety of the interchange by providing shelter, seating, lighting and signage	☐	☐	☒	
iv. Design subdivision layouts and building designs that encourage and are supportive of walking, cycling and the use of public transport	☐	☐	☒	
v. Consider travel demand management mechanisms and features that will minimise the demand for travel and the use of cars, including: ▪ - parking requirements designed to discourage car use in areas with good public transport access ▪ - provision of adequate end-trip facilities for cyclists (such as secure bicycle storage and shower facilities in commercial buildings) ▪ - suitable provision for taxis	☒	☐	☐	
vi. Ensure designated streets for proposed bus route are designed for adequate turning by buses	☐	☐	☒	
vii. Provide a pedestrian / cycle bridge located generally in the area and on the alignment illustrated (p27)	☐	☐	☒	

Requirement	Yes	No	N/A	Comment
3.1.4 Vehicle Network and Parking				
i. Support the principles of permeability and legibility for vehicles, cyclists and pedestrians which are embodied in the Structural Design Framework street and block layout	☒	☐	☐	The Existing street and block layout will not be altered by this proposal.
ii. Provide at least one major east-west street within each major landholding to break up the large scale of the precinct and enable streetscape treatment which makes different areas distinct and legible	☐	☐	☒	
iii. Provide vehicle access to the foreshore, including foreshore streets and areas of parking where possible	☐	☐	☒	
iv. Ensure that the street network offers a choice of routes and promotes good circulation, by minimising discontinuities and dead ends	☐	☐	☒	
v. Provide for public car parking on streets or within buildings, except for limited parking associated with boating activity within the maritime precinct	☐	☐	☒	The plans for the development suggests that on street public car parking will be provided along the western edge of the development site but this element does not form part of the development application.
vi. Where areas of parking are proposed on Hill Road, limit them to areas where they relate to pedestrian entry points to Sydney Olympic Parklands	☐	☐	☒	Irrespective of this, there is adequate car parking numbers (residential and visitor parking) to support the proposed intensity of use of the site.
vii. Provide a high level of amenity and quality streetscape design, including planting of street trees, consistent with convenient vehicle access, parking and turning	☒	☐	☐	**Note:- No public car parking is proposed as part of the subject development application.**
viii. Refer to Section 3.2 for detailed design guidelines for streets	☐	☐	☒	
3.1.5 Land and Water Connections				
i. Provide opportunities for land-water interface at the end of major east-west streets	☐	☐	☒	The development is not situated on the waterfront of Homebush Bay.
ii. Design activity nodes and recreational areas to consider views from the water and opposite shores	☐	☐	☒	
iii. Provide a range of public open space types: ▪ promenade ▪ waterfront riparian vegetation area ▪ point park ▪ urban plazas and pocket parks ▪ three larger parks, two of minimum 2000m^2 and one of minimum 1000m^2	☒	☐	☐	Public open space is not proposed in this development. A pocket park is to be provided within Lot 9 as per the Concept Plan approval. The pocket park is not situated on the development site for Building Complex A.
iv. Integrate water management into the design of foreshore spaces	☐	☐	☒	
v. Design sea walls to absorb wave energy and to maximise the habitat for the greatest possible range of local inter-tidal organisms	☐	☐	☒	
vi. Refer to the Public Domain Manual for specific character guidelines and controls for foreshore areas	☐	☐	☒	

Requirement	Yes	No	N/A	Comment
3.1.6 Landscape i. Design and manage the public domain and adjoining uses to recognise, facilitate and encourage active use of the public space at appropriate times	☒	☐	☐	
ii. Provide a landscape framework which reflects the different scale and function of public streets and functions by using species and spacing in accordance with the street sections in Section 3.2 of this DCP and Section DF of the Public Domain Manual	☒	☐	☐	The proposed development includes extensive and high quality landscaped elements to communal and private open spaces as well as the public domain. The landscape plans shall be incorporated into any consent that may be issued.
iii. Contribute to a sense of identity for the precinct as a whole by recognising and reflecting the linear and generally flat quality of the peninsula	☒	☐	☐	
iv. Provide visual continuity with the context by: ▪ designing and selecting materials that complement other areas, particularly foreshore areas, in Homebush Bay ▪ planning vegetation to complement the habitat qualities of the adjoining Millennium Parklands	☒	☐	☐	Landscaping generally considered to be acceptable and compatible with existing landscaped spaces within the locality.
v. Enhance the amenity of footpaths by designing street layouts and selecting trees to recognise seasonal shade and solar access needs	☒	☐	☐	
vi. Within waterfront setbacks, dedicate minimum 30% of the 30 metre setback to riparian planting for ecological outcomes. Elsewhere, limit lower level planting to plazas and parks and to the central median of east-west streets	☐	☐	☒	
vii. Optimise sustainable selection and deployment of materials, management of waste and stormwater in the public domain, and biodiversity benefits of plant selection. Refer to Sections 2.2.6 and 4 of the Public Domain Manual	☒	☐	☐	A waste management report prepared by Cini Little and dated November 2012 accompanies the development application describes waste removal in detail.
viii. Design and construct streets to create conditions favourable to tree planting and for the long term health of trees in accordance with the Public Domain Manual	☐	☐	☒	The report addresses waste management (Page 10) ventilation, bin washing prevention of vermin and cleaning. The report must form part of any approved stamped plans and documentation should the development application be approved.
3.1.7 Public Domain Elements Footpath/pedestrian area pavement i. Provide a hard wearing, cost effective and practically maintainable surface that reinforces the continuity of public domain access and is compatible with the context of Homebush, Sydney Olympic Parklands and Millennium Park	☐	☐	☒	Generally, public domain works are not included in this application. The public domain works are addressed under Development Consent Number 462/2010 and the Section 96 modification granted thereafter.
ii. Provide a hierarchy of pavement				The approved plans under that

Requirement	Yes	No	N/A	Comment
surfaces reflecting the pedestrian significance of different public spaces	☐	☐	☒	application includes landscaping works on the street edges (Including this development site), pavement works, methods for soil use, construction of planter boxes and use of trees within the road edges. The consent does not need to be reviewed under this application but it is linked to the overall redevelopment of Lot 9.
Vehicular pavement				
iii. Provide a safe and hard wearing surface for vehicle movements	☐	☐	☒	
iv. For shared vehicle / pedestrian zones, provide a suitable surface that denotes shared priority	☐	☐	☒	
Kerbs and gutters				
v. Apply a standard kerb and gutter treatment over the whole precinct to provide consistency in defining the pedestrian / vehicular junction of roads and footpaths	☐	☐	☒	
Street and park furniture				
vi. Select furniture which is robust, easily maintained, coordinated, and appropriate to its context. The Public Domain Manual nominates a palette established in the Homebush Parklands Elements for use through the Millennium Parklands and non-urban core areas of Sydney Olympic Park	☐	☐	☒	
vii. Locate furniture as part of a coordinated design scheme for the public domain component in question, according to principles set out in Section 4 of the Public Domain Manual	☐	☐	☒	
Lighting				
viii. Provide vehicular street lighting to RTA and Austroads standards as specified in the Public Domain Manual	☐	☐	☒	
ix. Provide an appropriate level of pedestrian lighting to ensure security and contribute to the legibility of streets and through block links	☐	☐	☒	
x. Coordinate pedestrian lighting in streets throughout the precinct	☐	☐	☒	
xi. Design lighting for path accessways through parks in response to the level of use and safety considerations	☐	☐	☒	
xii. Minimise the impact of lighting on residential dwellings	☐	☐	☒	
xiii. Design lighting to highlight public art elements and significant trees in individual plazas or parks, and provide for lighting major avenues for special events or festivals	☐	☐	☒	
Fences, barriers and level changes				
xiv. Reinforce connectivity and maximise visual continuity by minimising the use of fences and barriers	☐	☐	☒	
xv. Optimise opportunities to use the sea wall edge for seating, while also providing 'gaps' for viewing by wheelchair users	☐	☐	☒	
Signage				
xvi. Locate information signage in accordance with the Parklands Elements Manual to include orientation, circulation, destination,	☐	☐	☒	

Requirement	Yes	No	N/A	Comment
regulation and interpretive signs xvii. Use street signage in accordance with Auburn Council's requirements for public streets	☐	☐	☒	
3.1.8 Services Infrastructure and Stormwater Management Services infrastructure i. Reduce visual intrusion and enhance aerial amenity for street trees by undergrounding overhead services to major street corridors ii. Integrate undergrounding of services and infrastructure in new development iii. Minimise the impact of service corridors and service access covers by: ▪ Liaising with service authorities to determine renewal or amplification requirements and incorporating these works into programming prior to pavement renewal ▪ providing common texture and shape to electricity service covers (i.e. during upgrade projects) ▪ providing lids to Telstra pits with paving infill to match adjoining pavement Stormwater drainage iv. Integrate stormwater drainage with streetscape design by ▪ providing a common theme to all stormwater inlet sump and channel lids / grates to paved areas ▪ connecting rooftop downpipe to underground stormwater in public domain upgrade works ▪ incorporating natural disposal and surface drainage techniques, including porous paving, where possible to urban spaces and open spaces ▪ incorporating water sensitive urban design and technology to treatment of road stormwater runoff ▪ incorporating porous pavements and onsite detention to off-street at-grade carpark areas to reduce urban stormwater runoff Stormwater Management v. Enable water to re-enter the groundwater system by designing the central medians of major east-west streets and the major north-south street (northern zones) as infiltration zones for road runoff vi. Protect the aquatic habitat of Homebush Bay from de-oxygenisation by preventing leaf transport from deciduous trees during	☒ ☒ ☒ ☒ ☐ ☐	☐ ☐ ☐ ☐ ☐ ☐	☐ ☐ ☐ ☐ ☒ ☒	Services and infrastructure are to be located to minimise visual intrusion. Should the application be recommended for approval, appropriate conditions will be required in any consent issued to ensure appropriate connections. <u>Electricity substation</u>: The plans show an electricity substation to be located on the Hill Road frontage of the site. This is related to the need for Energy Australia personnel to have unfettered access for maintenance. <u>Fire pump booster mechanism</u>: The plans show a fire pump booster mechanism to be situated on the eastern curtilage of the building complex next to the loading area and garbage room facility. <u>Stormwater drainage</u>: The development application was referred to Council's Development Engineer for comment who has raised no objection to the development application and works sought.

Requirement	Yes	No	N/A	Comment
autumn months vii. Provide for re-use of water, for example by incorporating a water body capable of infiltration or slow release detention in major plaza spaces	☐	☐	☒	
3.2 Streets				
3.2.1 Hill Road ▪ Uses - Mixed: focus commercial uses close to northern neighbourhood centre and at intersections with major east-west streets ▪ Height - max. 8 storeys ▪ Street Setbacks - 8 metres ▪ Right of Way - 15-20 metres (varies to accommodate extended parkland edge) ▪ Carriageway - 2 travelling lanes, 2 separated dedicated bicycle lanes and 1 parking lane ▪ Footpath - 3.5m with 1m grass verge, east side only ▪ Landscape Character - Asymmetrical treatment with regular street tree planting in the verge on the east (building) side and 'casual' plantings on the west side to reflect the parklands character. Species in accordance with the Public Domain Plan and Sydney Olympic Park Parklands 2002 & Plan of Management.	☐ ☒ ☒ ☐ ☐ ☐ ☐	☐ ☐ ☐ ☐ ☐ ☐ ☐	☒ ☐ ☐ ☒ ☒ ☒ ☒	The site faces towards Hill Road and is setback as follows:- <u>Level 1</u> - 6.5 metres from the lot boundary to the edge of the terraces. - 9 metres from the lot boundary to the edge of the walls. <u>Upper floors</u> - 8 metres from the lot boundary to the balconies. - 9 metres from the lot boundary to the physical wall of the building. <u>Note</u>:- This is not a mixed use development and no retail components are proposed. The setbacks should be taken to the walls of the building in which case, compliance is achieved. The building needs to be raised somewhat above the natural ground level due to limitation imposed on the degree of excavation that can be achieved due to water tables and acid sulphate soils.
3.2.2 Major East-West Streets ▪ **Uses - Mixed: ground floor commercial required in designated neighbourhood centres** ▪ Height - max. 8 storeys to within one block (approx. 100m) of waterfront; 6 storeys with 2 storey pop-ups in the final block before the development ▪ **Street Setbacks - 5 metres** ▪ Right of Way - min. 25 metres ▪ Carriageway - 1 travelling lane and 1 parking lane in each direction; On street bicycle lane on the street linking into the pedestrian bridge; A wide median ▪ Footpath - 3.5m with 1-1.5m grass verge, both sides ▪ Landscape Character - A boulevard treatment, with trees in verges on both sides of the street and in the median. Consideration should be given to	☐ ☒ ☒ ☐ ☐ ☐ ☐	☐ ☐ ☐ ☐ ☐ ☐ ☐	☒ ☐ ☐ ☒ ☒ ☒ ☒	**Residential only proposed pursuant to the approval granted under MP No 06_0098.** Building complex A is close to Hill Road. The proposed height of 8 storeys along Major East/West Street is consistent with the Concept Plan approval. This is not a mixed use development. The major east to west street to the south of the building complex does not form part of Lot 9. **The plans suggest a street setback of 1.6 metres however the road shown is a temporary street access to permit Building Complexes C and D to be constructed**. Council has recently approved a

Requirement	Yes	No	N/A	Comment
differentiating east-west streets from each other, for example by using different species in each median. Species in accordance with the Public Domain Plan				Section 96(1A) modification application for various alterations to the approved consent 462/2010. The approved plans for that application confirm that the southern road is a temporary access. Long term plans and initial approval plans show the temporary access road to be removed then landscaped. Upon conclusion of the works required to facilitate Building complexes C and D, the development (Building Complex A) will have strong setbacks of 8.4 metres from the southern boundary of Lot 9 comprising of landscaping elements.
3.2.3 Major North-South Street – North of Burroway Road ▪ Uses – Residential ▪ Height – max 6 storeys ▪ Street Setbacks – 3-4 metres (can vary) ▪ Right of Way – min. 25 metres ▪ Carriageway – 1 travelling lane and 1 angle-parking lane in each direction; Narrow median, treated in two ways: for planting and to enable vehicle manoeuvring when car parking ▪ Footpaths – 2.5m with 1m grass verge ▪ Landscape Character – Trees are planted in and break up parking bays on both sides of the street, and are also located along the median, at approximately 15m spacing. Tree species in the median may differ from the edge species. Species in accordance with the Public Domain Plan	☐ ☐ ☐ ☐ ☐ ☐ ☐	☐ ☐ ☐ ☐ ☐ ☐ ☐	☒ ☒ ☒ ☒ ☒ ☒ ☒	This section is not applicable to the site. The development is not located in vicinity of the Major North-South Street - North of Burroway Road.
3.2.4 Major North-South Street - South of Burroway Road ▪ Uses - Residential. ▪ Height - max 6 storeys. ▪ Street Setbacks - 3-4 metres (can vary). ▪ Right of Way - min. 25 metres. ▪ Carriageway - 1 travelling lane and 1 parallel parking lane in each direction; Wide median/linear park. ▪ Footpaths - 2.5-5m to accommodate parking extensions, 1m grass verge. ▪ Landscape Character - Trees are planted in and break up parking bays on both sides of the street, and are also located along the median, at approximately 15m spacing. The median is planted with large trees, spaced irregularly, and potentially with drifts of native grasses. Species in accordance with the Public Domain Plan.	☐ ☐ ☐ ☐ ☐ ☐ ☐	☐ ☐ ☐ ☐ ☐ ☐ ☐	☒ ☒ ☒ ☒ ☒ ☒ ☒	Residential only proposed pursuant to the approval granted under MP No 06_0098. When reviewing the Development Control Plan maps, it is identified that the site is not situated on a major north to south street. This part will not apply to the development application.

Requirement	Yes	No	N/A	Comment
3.2.5 Secondary East-West Streets ▪ Uses - Residential	☒	☐	☐	The site is situated on a secondary east to west street (Half Street) and this part is relevant to the development application. A residential flat complex is proposed with no additional uses. **<u>Northern tower building</u>:** **The northern tower building is effectively five storeys high.** **There are two apartments that are split level that responds with the street and the topmost level is a "Pop up element".** **Site topography also skews the design and the podium is raised out of the ground. The effective height is five storeys above the raised podium which includes the "pop up level".**
▪ **Height - max 4 storeys**	☐	☒	☐	
▪ **Street Setbacks - 3 metres**	☐	☒	☐	The physical building is setback 6 metres from the Lot 9A boundary and 3 metres from the public domain boundary. There are access steps, some landscape elements, terraces and planter boxes that encroaches closer towards the public domain boundary. Critically the physical buildings being the walls and glazing is situated 3 metres from where the future footpath will be located. **There are some balconies of the northern residential flat tower that encroaches 200 mm closer towards the Public Domain reserve.** **There are some north facing balconies of the main building that encroach to within 2.4 metres of the public domain boundary.** Whilst the Building Complex A adjoins the Secondary East/West Street (Half Street) to the north, the street is not within Lot 9.
▪ Right of Way - min. 14.5 metres	☐	☐	☒	
▪ Carriageway - 2 travelling lanes and 1 parking lane	☐	☐	☒	
▪ Footpaths - 2.5-3.5m with 1m grass verge - 5m to accommodate parking extension	☐	☐	☒	
▪ Landscape Character - An asymmetrical planting scheme is proposed in response to the street orientation, which results in different sun conditions for the north and south sides of the street. Evergreen trees break up parking bays on the north side at approximately 15m spacings. On the south side deciduous trees are planted at the same spacing but offset with centres between the parking bays. Species in accordance with the Public Domain Plan	☐	☐	☒	

Requirement	Yes	No	N/A	Comment
3.2.6 Secondary North-South Streets ▪ Uses - Residential ▪ **Height - max 4 storeys** ▪ **Street Setbacks - 3 metres** ▪ Right of Way - min. 14.5 metres ▪ Carriageway - 2 travelling lanes and 1 parking lane or 2 travelling lanes and 2 parking lanes ▪ Footpaths - 2.5m with 1m grass verge - 5m to accommodate parking extensions ▪ Landscape Character - Street trees are planted in parking bays at intervals of 2 parking spaces to provide shade for footpaths and to visually narrow the street. Species in accordance with the Public Domain Plan	☒ ☐ ☐ ☐ ☐ ☐ ☐	☐ ☒ ☒ ☐ ☐ ☐ ☐	☐ ☐ ☐ ☒ ☒ ☒ ☒	The site is situated on a secondary north to south street (Future Waterways Street) and this part is relevant to the development application. **The southern building is 8 storeys high and is situated along the southern /western curtilage of the development site. The eight storey component wraps around the south eastern corner of the site which holds the corner and to provide a strong urban form to that corner.** **It is considered appropriate to permit this form of development.** **The northern building is five storeys high which includes the pop up floor.** The common space separates the northern tower and south tower building and the eastern side abuts the edge of the building complex. The void between the two buildings when seen from the future Waterways Road allows internal landscaping and a means for providing substantial breaks to the mass and scale of the building complex. **<u>Street setback:</u>** **The building complex mostly observes a 3 metre setback from the Public Domain boundary along the future Waterways Street to be constructed although some minor variations occur.** **The terrace including the access to Apartments A1.13 and A2.27 at Level one encroaches to within 1.5 metres of the Public Domain Boundary.** **A small portion of the balcony for Apartments A3.26, A4.26, A5.26 and A6.23 encroach 800 mm closer to the Public Domain boundary. These introduce building variations and help to promote design features facing the east. These are considered acceptable having no adverse impact to the performance of the building.** **Overall, street setbacks are considered to be acceptable.**

Requirement	Yes	No	N/A	Comment
3.2.7 Foreshore Street – One Way ▪ Uses – Mixed, predominantly residential ▪ Height –4 storeys ▪ Waterfront Setbacks – 30 metres ▪ Street Setbacks – can vary from zero for commercial/retail/leisure (café/dining) uses at the end of major east-west streets to min. 3m for residential ▪ Right of Way – 8.5-10 metres ▪ Carriageway – 1 travelling lane and 1 parking lane on the west side ▪ Footpaths – 3m with 1m grass verge ▪ Landscape Character – Street trees in the verge on the west side of the street are planted at approximately 15m spacings; 30% of 30m waterfront setback is to be dedicated to riparian planting for ecological outcomes. Riparian planting is to be located as far as possible to the property boundary but may extend to the promenade verge; Vegetation overhanging the waterway is to be provided along the foreshore in clumps, having a width of between 1-2m, lengths of no less than 10m and spacing at 40m centres; Planting is to support structural diversity, provide a continuous vegetated linkage and use native species in accordance with the Public Domain Plan	☐ ☐ ☐ ☐ ☐ ☐ ☐ ☐	☐ ☐ ☐ ☐ ☐ ☐ ☐ ☐	☒ ☒ ☒ ☒ ☒ ☒ ☒ ☒	This section is not applicable to Building Complex A.
3.2.8 Foreshore Street – Two Way ▪ Uses – Mixed, predominantly residential ▪ Height –4 storeys ▪ Waterfront Setbacks – generally 30 metres except at the termination of major east-west streets where the setback is 20m (see p46) ▪ Street Setbacks – can vary from zero to 3m ▪ Right of Way – 11.5 metres for new development (existing ROW is 10m) ▪ Carriageway – 2 travelling lane and 1 parking lane on the west side, with angle parking bays (max. 5 cars) interspersed with linear park on the east (waterfront) side ▪ Footpaths – 3m with 1m grass verge ▪ Landscape Character – Street trees in the verge on the west side of the street are planted at approximately 15m spacings; 30% of 30m waterfront setback is to be dedicated to riparian planting for ecological outcomes. Riparian planting is to be located as far as possible to the property boundary but may extend to the promenade verge; Vegetation overhanging the waterway is to be provided along the foreshore in clumps, having a width of between 1-2m, lengths of no less than 10m and spacing at 40m centres; Planting is to support structural diversity, provide a continuous vegetated linkage and use native species in accordance with the Public Domain Plan	☐ ☐ ☐ ☐ ☐ ☐ ☐ ☐	☐ ☐ ☐ ☐ ☐ ☐ ☐ ☐	☒ ☒ ☒ ☒ ☒ ☒ ☒ ☒	This part does not apply to the development application and no assessment will be required.

Requirement	Yes	No	N/A	Comment
3.3 Public Open Spaces				
Public open space is to be provided at a minimum 10% of each precinct site area, and includes: ▪ A point park at Wentworth Point of approximately 4.8ha including foreshore promenade ▪ Three parks distributed evenly throughout the precinct, including one park on the waterfront for active recreation. Parks at the north and south to have min. area 2000m^2 each, park in the middle of the precinct to be min. 1000m^2 ▪ A 20m wide promenade and foreshore street ▪ Foreshore parks or plazas terminating major east-west streets and linked to the promenade ▪ Pocket parks or plazas All public open space within the precinct, with the exception of the foreshore promenade is to be dedicated to Auburn Council and embellishment works undertaken by the applicant. An easement is required to be created in favour of Council to ensure continuous public access to the foreshore promenade.	☐	☐	☒	Public open space is not proposed in this development. A pocket park is to be provided within Lot 9 as per the Concept Plan approval. The pocket park is not situated on the development site for Building Complex A.
3.3.1 Foreshore Plazas ▪ Uses – Mixed with emphasis on restaurant/café and small scale neighbourhood retail ▪ Height – 4 storeys with 2 storey pop-ups only on the building alignment to the major east-west street ▪ Setbacks – Variable – buildings lining the plaza may be set back an additional 5+ metres from the predominant building line along major east-west streets ▪ Landscape Character – Median and street tree planting is continued into the plaza open space. The design of these spaces and the arrangement of trees may vary, to give each space a different character	☐	☐	☒	This section is not relevant to the development application.

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

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

Requirement	Yes	No	N/A	Comment
3.4.1 Land Uses and Density Controls i. Provide floor space and public open space for each precinct in the locations specified in Section 2.3 and 2.4 and as follows: <u>Precinct C</u> (31,946m^2) • Total allowable FSR = 41,530 • Min. com./maritime/educational = 0 • Min. waterfront retail/café dining = 100 • Max. residential = 41,430	☒ ☒ ☐ ☐ ☒	☐ ☐ ☐ ☐ ☐	☐ ☐ ☒ ☒ ☐	The subject site is located in Precinct C. Pursuant to the Concept Plan approval for the Lot 9 under MP No. 06_0098, a residential development with a maximum of 50,424 square metres of floor area is approved for the site. It is noted that building Complex A occupies a floor area of area of 14,502 square metres. Building complex C occupies a floor area of 12,471 square metres and Building complex D occupies a floor area of 12,056 square metres. The current floor space for the Lot 9 will be 39,029 square metres leaving 11,395 square metres of floor area available for Block B. Therefore the total enclosed floor space of the precinct has not been reached. (It is noted that the Concept Plan approval allowed for floor space of 8,994 square metres to be transferred from Precinct F to Precinct C).
• Min. public open space = 3,195	☐	☐	☒	A total of 7,345 square metres of public open space is proposed for Lot 9 development. This includes the foreshore park, proposed pocket park and proposed Major North/South Street linear park.
ii. The provision of covenanted space for community uses with neighbourhood centres may be offset against residential floor space.	☒	☐	☐	
3.4.2 Building Height Objectives ▪ To ensure future development responds to the desired future character of streets and the precinct as a whole ▪ To control the impact of new development on Sydney Harbour at Homebush Bay ▪ To enable view sharing ▪ To protect the amenity of the foreshore promenade and contiguous public open space ▪ To protect views from within Sydney Olympic Parklands to the Millennium Marker, such that it retains its visual dominance on the horizon	☒ ☒ ☒ ☒ ☒	☐ ☐ ☐ ☐ ☐	☐ ☐ ☐ ☐ ☐	Whilst the proposed development will marginally exceed the height of the Millennium Marker, the proposal is considered to be consistent with the building height objective.
3.4.2 Building Height Controls & Performance Criteria i. Height in storeys is calculated from the finished footpath of the adjoining street. Where constraints on underground car parking result in a raised ground level for the site AND for its surrounding streets, height is understood to relate to that new ground level	☒	☐	☐	

	Requirement	Yes	No	N/A	Comment
ii.	**The maximum overall height for any building, inclusive of lift overruns, services, or any other roof extrusions, is AHD 29; that is, the height of the Millennium Marker**	☐	☒	☐	**The maximum height of the building complex being the highest portion from natural ground level to the roof is 31.35 metres.** **A maximum height of RL 32.55 metres AHD (Consistent with Building Complexes C and D) is achieved to the top of the plant such as hot water systems.** **There are other plant features and lift over runs that reach between 31.95 metres AHD to 32.55 metres AHD.** **It is identified that the 29 metre height limit is breached for the development but this is consistent with the two other approvals for Lot 9.** **It is identified that sections of Lot 9 Concept Plan approval allows for building heights of 32.75 metres AHD and the Master Plan for Lot 10 located to the north of the subject site as approved allows for building heights of 33.4 metres AHD.** **The variation may be supported because the concept plan for the site permits the variation.**
iii.	'**Ground level' as it refers to storeys means the lowest habitable floor of a building, which may be elevated a maximum of 1.2 metres above finished footpath level over a non-habitable sub-basement podium**	☐	☒	☐	**<u>Height above the natural ground level</u>**: **This issue has been described under "Ground floor apartments" of The Residential Flat Design Code above.** **The Level one apartments are raised between 800 mm and 3.4 metres above the street level and the west facing apartments are raised at least 2.4 metres to 2.6 metres above the street level (Hill Road side).** **A significant site constraint prevents significant and deep excavation to occur across the site ranging from high water tables to issues of acid sulphate soils.** **The walls are enhanced via the use of building materials other than concrete and landscape elements that reduces its impact and softens the appearance of the finished product.**
iv.	Scale development appropriately to conform to the urban form principles in the Structural Design Framework				The building complex is eight storeys high especially along the southern and western curtilage of the development

	Requirement	Yes	No	N/A	Comment
	by complying with the following height requirements for street types and widths:				where the greatest mass, bulk and volume of the building is oriented.
	▪ Hill Road (east side only) 8 storeys	☒	☐	☐	The eight storey components is encouraged along the south and west perimeter of the site.
	▪ Major east-west streets (including Baywater Drive and Burroway Road) 8 storeys generally, ranging down to 4 storeys at the foreshore edge	☒	☐	☐	
	▪ Major north-south street 6 storeys	☐	☐	☒	
	▪ **Secondary streets 4 storeys**	☐	☒	☐	**The northern tower features a pop up storey which is permitted providing that the total floor area does not exceed 10% of the total floor area of the building.**
	▪ Foreshore edge within 30 metres of the waterfront (west side only) 4 storeys	☐	☐	☒	
	▪ Those portions of street-edging buildings which 'return' into a block 4 storeys	☐	☐	☒	
v.	Building heights are to achieve built form outcomes that reinforce quality urban and building design	☒	☐	☐	The proposed building heights are appropriate and achieve the desired built form and design outcomes.
vi.	Optimise accessibility by providing entrances to ground floor commercial and retail uses that are level with the adjoining footpath, where possible	☐	☐	☒	There is no commercial component within this building complex.
vii.	To enable modulation of the skyline and provide for design flexibility within developments while still maintaining a consistent datum appropriate to the street hierarchy and relationship to the water, building heights may be varied as follows:	☒	☐	☐	As identified earlier, the four storey height limit at the north east corner of the development (Half Street and Waterways Street) has been varied with the addition of a pop up floor.
	▪ buildings of 8 storeys may not be varied	☐	☐	☒	No variation is proposed to the eight storey element.
	▪ buildings of 6 storeys may be varied by up to 2 additional storeys whose gross floor area is no more than 8% of the total gross floor area of the building	☐	☐	☒	
	▪ buildings of 4 storeys may be varied by up to 2 additional storeys whose gross floor area is no more than 10% of the total gross floor area of the building.	☒	☐	☐	**<u>Pop up floor</u>**: The northern residential tower incorporates a pop up floor which has been calculated as occupying a floor area of 306.56 square metres. The remainder of the residential tower occupies 3,082.3 square metres. The pop up floor occupies 9.9% of the size of the residential tower below. Therefore compliance is achieved.

Requirement	Yes	No	N/A	Comment
3.4.3 Topography and Site Integration Objectives ▪ To ensure future development responds to the desired future character of streets and the precinct as a whole ▪ To ensure that topography unified the precinct as 'one place' rather than creates divided sites at different levels ▪ To encourage adjacent landowners to consider a joint master plan for sites affected by proposed level changes ▪ To create a 'ridge road' in keeping with the Harbour context	☒ ☒ ☒ ☐	☐ ☐ ☐ ☐	☐ ☐ ☐ ☒	The proposed development is consistent with the Topography and Site Integration objectives as the ground level is to be raised to match the ground level of the adjoining site to the north (Lot 10) and Lot 8 to the south. The proposed development conforms to the Concept Plan approval. The road network is not part of the subject application.
3.4.3 Topography and Site Integration Controls and Performance Criteria i. The extent of ground level changes is delineated by existing public streets and the 30 metre setback to the foreshore; that is, they may not be raised to create an 'edge' to these spaces ii. Where topography has already been altered on streets, as at Baywater Road, this profile may be continued across into the adjacent development precinct **iii. The ground level across the whole area may be raised by a maximum of 4.5 metres where parking is wholly underground (that is, no sub-basement parking) or 3 metres where there is sub-basement parking. Sub-basement parking may protrude above ground to a maximum height of 1.5 m metres** iv. Consider the continuation of any changes in ground level across adjacent sites when proposing changes to the topography v. Locate roads, not buildings, on the highest part(s) of the new ground level to optimise the directness of visual and physical connections to the water and surrounding shores	☐ ☐ ☐ ☒ ☐	☐ ☐ ☒ ☐ ☐	☒ ☒ ☐ ☐ ☒	Ground floor level is as approved under the Concept Plan which allows the lowest habitable floor level of the units to be up to 1500mm above finished footpath levels. **There is a sub basement and (Partial basement) within Building Complex A. There are limitations to the depth of excavation capable of being undertaken across the site. The levels of the site especially towards the east and away from Hill Road will be raised by as much as 3.5 metres.** **The car park levels / sub basement and partial basement will be raised out of the ground by as much as 6.3 metres (Maximum level to the roof of the topmost part of Car park Level 1).** **<u>Note</u>:- Levels vary across the site.** **However the car park levels are to be hidden from view from the street via the wrapping of apartments at Level one around the northern, southern and western perimeter of the car park providing an effective solution to screen the car park.** **Along the eastern curtilage of the building, there is a design wall, landscaping, planter box treatments and even an internal void space to screen the car park.**

Requirement	Yes	No	N/A	Comment
3.4.4 Building Depth Objectives ▪ To enable view sharing from apartments and views of the sky from the public domain ▪ To optimise residential amenity in terms of natural ventilation and daylight access to internal spaces ▪ To provide for dual aspect apartments	☒ ☒ ☒	☐ ☐ ☐	☐ ☐ ☐	Residential amenity for many apartments will be good but there are a number of units that will have less than the minimum required direct sunlight penetration. This is discussed below.
3.4.4 Building Depth Performance Criteria **i. Provide opportunities for cross ventilation and daylight access by limiting the depth of residential building envelopes to 22m (maximum 18m glass line to glass line)**	☐	☒	☐	**The building depth varies but reaches up to 19.2 metres in small portions. This mainly occurs due to design methods chosen and does not reflect poor amenity or building performance. Based on the design the proposed depth is not considered excessive.** Notwithstanding the building depth, the residential towers achieve satisfactory daylight and natural ventilation given the orientation of the site.
ii. Maximise cross ventilation and daylight access by providing a minimum of 50% of apartments with openings in two or more external walls of different orientation	☒	☐	☐	There are 94 dual aspect apartments within the development representing 50.8% of the total number of apartments.
iii. Optimise the environmental amenity for single aspect apartments by orienting them predominantly north, east or west	☒	☐	☐	Where possible, single aspect apartments are provided to the north, east and west however southern elevations also contain single aspect apartments. There are 23 south facing apartments within the development representing 12.4% of the total number of apartments.
iv. Promote sustainable practices for commercial floors by limiting their depth above podium level to 25m	☐	☐	☒	
3.4.5 Building Separation Objectives ▪ To ensure that new development is scaled to support the desired precinct character, with built form distributed to enable views through the precinct to the water and surrounding hills ▪ To provide visual and acoustic privacy for residents in new development and in any existing development ▪ To control overshadowing of adjacent properties and private or shared open space ▪ To allow for the provision of open space of suitable size and proportions for recreational use by building occupants ▪ To provide open space areas within blocks for landscaping, including tree planting, where site conditions allow	☒ ☒ ☒ ☒ ☒	☐ ☐ ☐ ☐ ☐	☐ ☐ ☐ ☐ ☐	The proposed development is considered to be consistent with the Building Separation objectives as appropriate spacing and visual and acoustic privacy is provided between building towers, a consolidated and landscaped area of communal open space is provided.
3.4.5 Building Separation Performance Criteria i. For buildings of 5 - 8 storeys, provide: ▪ **18m between habitable rooms / balcony edges** ▪ 13m between habitable rooms / balcony edges and non-habitable rooms ▪ 9m between non-habitable rooms	 ☐ ☒ ☒	 ☒ ☐ ☐	 ☐ ☐ ☐	The building complex rises between 4 and 8 storeys in height. This is described in detail under State Environmental Planning Policy 65 and the Residential Flat Design Code. **A variation is identified for the building separation (18 metres between habitable rooms and**

Requirement	Yes	No	N/A	Comment
				balconies) component. **(It is appropriate to refer to the assessment under the relevant heading as described under the Residential Flat Design Code).** **Some changes to the privacy levels should be considered. For example, solid balustrades would be more appropriate for the affected apartments rather than glazed balustrades. Another alternative would be the introduction of louvres rather than screens to ensure that additional elements blend into the design of the building complex.**
ii. Design buildings at the intersections of Hill Road and major east-west streets with minimum building separation at podium level to create a street wall, urban character iii. Where an upper level setback creates a terrace, apply the building separation control for the storey below.	☒	☐	☐	This is relevant to the development. The building facing Hill Road is presented as a strong urban design element to the roads and corner. The corners are to be held with strong street wall element. A significant mass, bulk and urban form is presented to the south which is where a major future east to west street will be located.
3.4.6 Street Setbacks Objectives ▪ To establish the spatial proportions of streets in accordance with the urban form/street hierarchy principles ▪ To reinforce the threshold between public and private space by providing a transition from the street to the building ▪ To achieve visual privacy to apartments from the street ▪ To provide sufficient space for lobbies or foyers, and for individual ground floor apartments ▪ To support streetscape objectives by allowing for a landscaped setting for buildings	☒ ☒ ☒ ☒ ☒	☐ ☐ ☐ ☐ ☐	☐ ☐ ☐ ☐ ☐	The proposed development is consistent with the Street Setback objectives as setbacks are provided in accordance with the requirements of the approved Concept Plan and Homebush Bay West DCP.

Requirement	Yes	No	N/A	Comment
3.4.6 Street Setbacks Performance Criteria i. Create an urban character, provide consistent street edge definition and enhance the potential for retail and street fronting activities, by: ▪ establishing street setbacks on Hill Road and major east-west streets (excluding foreshore plaza areas) as build-to lines for a minimum 70% of the length of the building façade	☒	☐	☐	Street setbacks have already been described earlier under the Development Control Plan.
▪ This excludes the top two floors, which may be set back from the build-to line	☐	☐	☒	
ii. For buildings on Hill Road, provide an 8 metre street setback	☒	☐	☐	The site faces towards Hill Road and is setback as follows:
iii. For buildings on major east-west streets, provide a 5 metre setback	☒	☐	☐	<u>Level 1</u>
iv. Support the linear park character envisaged for the major north-south street by providing a minimum 4 metre setback	☐	☐	☒	- 6.5 metres from the lot boundary to the edge of the terraces. - 9 metres from the lot boundary to the edge of the walls.
v. Create a residential character for buildings on secondary streets by providing a minimum 3 metre setback	☒	☐	☐	<u>Upper floors</u>
vi. Protect the amenity and public space character of the foreshore by providing a minimum 30 metre setback to the waterfront, except at the termination of east-west streets where a 20 metre setback is allowed to a maximum extent of 25 metres	☐	☐	☒	- 8 metres from the lot boundary to the balconies. - 9 metres from the lot boundary to the physical wall of the building.
vii. Where variable height in excess of the height controls is permitted (see 3.4.2 Heights above), maintain the overall height datum established for streets by providing minimum 3 metre setbacks to the topmost level(s) of the building	☐	☒	☐	The pop up floor is setback 3 metres from the secondary north south street being Waterways Street being the Public Domain boundary. The pop up level is setback 4 metres from the northern Public Domain boundary. **Some variations occur as follows:-** **The north facing terrace / balcony of Apartment A6.24 encroaches 200 mm into the northern setback area.** **The east facing balcony of Apartment A6.23 encroaches 800 mm into the setback area.** **The variations are supported as they introduce design elements into the building complex.**
viii. Contribute to building expression, environmental design solutions, and opportunities for activating the street, by allowing balconies and ground floor terraces to extend forward of the street setback line by a maximum of 600mm in accordance with 3.4.7 Building Articulation below.	☐	☒	☐	**The ground floor terraces facing north and the terrace of Apartment A1.13 encroach 1,500mm closer to the Public Domain boundary. The proposed variation is supported as the encroachment enables provision of usable private open spaces which are integrated with internal spaces for the apartments and also provides a better surveillance of the street.**

Requirement	Yes	No	N/A	Comment
3.4.7 Building Articulation Objectives ▪ To provide modelled building facades appropriately scaled for the building use and desired street character ▪ To provide useable private external spaces which are integrated with internal spaces ▪ To ensure buildings respond to environmental conditions such as noise, sun, wind and views ▪ To provide for casual surveillance of public spaces ▪ To establish the relationship of the building – its entries and openings – with the street	☒ ☒ ☒ ☒ ☒	☐ ☐ ☐ ☐ ☐	☐ ☐ ☐ ☐ ☐	The proposed development is consistent with the Building Articulation objectives as private open spaces in the form of balconies and terraces are used to modulate elevations, provide casual surveillance of public areas and provide residents with external access to views, sunlight and breezes.

Requirement	Yes	No	N/A	Comment
3.4.7 Building Articulation Performance Criteria **i. Balconies and ground floor terraces may extend forward of the street setback line by a maximum of 600mm across a maximum 50% the building frontage**	☐	☒	☐	**The ground floor terraces facing north and the terrace of Apartment A1.13 encroach 1,500mm closer to the Public Domain boundary. The proposed variation is supported as the encroachment enables provision of usable private open spaces which are integrated with internal spaces for the apartments and also provides a better surveillance of the street.** **The variation occurs along 61.2% of the development at ground level (Across Level 1).** **The balconies of apartments A2.11, A2.27, A2.28, A2.29 and A2.30 on Level 2 facing north encroach to within 1.5 metres from the Public Domain boundary along the northern side.** **The variation occurs along 59.6% of the development on Level 2.** The north facing balconies of Apartments A3.11, A4.11, A5.11 and A6.11 encroach to 2.4 metres from the Public Domain boundary.
ii. Enhance an active street environment and promote a sense of individual ownership, by providing individual entry to at least 75% of all ground floor apartments	☐	☒	☐	**<u>Ground floor apartments:</u>** **A majority of the apartments on Level one have individual entries from the road ways.**
iii. Balance opportunities for overlooking of streets and for attractive outlooks with considerations of visual and acoustic privacy, for example by: ▪ orienting private open space towards the street, Homebush Bay and Parramatta River ▪ using noise barriers and privacy screens	☒	☐	☐	**There are five apartments facing south that do not feature direct access from street level due to topography and inadequate space for such features. Access to the apartments is from an internal corridor.**
iv. Optimise amenity and comfort for residents by designing building articulation elements appropriate to the building orientation, for example vertical or horizontal sun shading devices.	☒	☐	☐	**This does not achieve the 75%. A site constraint being the degree of excavation, issues of the water table and acid sulphate soil places limitations on the design of the building complex at ground level.**
Part 4 Detailed Design Guidelines				
4.1 Site Configuration				
4.1.1 Deep Soil Zones Objectives ▪ To assist with management of the water table ▪ To assist with management of water quality ▪ To improve the amenity of developments through retention and/or planting of large and medium size trees	☒	☐	☐	The proposal includes a satisfactory planting scheme for the site. The landscape plan is satisfactory for approval and shows an adequate planting regime for the complex.

Requirement	Yes	No	N/A	Comment
4.1.1 Deep Soil Zones Performance Criteria i. A minimum of 15 percent of the private open space area of a site is to be a deep soil zone. Where there is no capacity for water infiltration, stormwater treatment measures must be integrated with the design of the residential flat building ii. Optimise the provision of consolidated deep soil zones by locating basement and sub-basement car parking within the building footprint so as not to extend into street setback zones iii. Optimise the extent of deep soil zones beyond the site boundaries by locating them contiguous with the deep soil zones of adjacent properties iv. Promote landscape health by supporting a rich variety of vegetation type and size v. Increase the permeability of paved areas by limiting the area of paving and/or using pervious paving materials	☒ ☒ ☒ ☒ ☒	☐ ☐ ☐ ☐ ☐	☐ ☐ ☐ ☐ ☐	Landscaping internal of the development site occupies 837 square metres. The internal common space is effectively a podium but a roof for the car park below. There is additional 592 square metres of landscaping within the perimeter of the development which encompasses 386 square metres of true deep soil zone. The total area of landscaping earmarked for the site is 1,429 square metres. The main deep soil zone along the western curtilage of the building complex occupies 6.3% of the site or 27% of the total amount of landscape area provided for the site. In addition:- - 23.6% of the site has some form of landscaping. - Excluding the turf areas, all planting occupies 1,273.3 square metres being 21% of the site. It can be argued that 89.1% of the landscaping on site is deep soil zone. Compliance is achieved.
4.1.2 Fences and Walls Objectives ▪ To define the edges between public and private land ▪ To define the boundaries between areas within the development having different functions or owners ▪ To provide privacy and security ▪ To contribute to the public domain	☒ ☒ ☒ ☒	☐ ☐ ☐ ☐	☐ ☐ ☐ ☐	The proposed development is considered to be consistent with the Fences and Walls objectives as suitable barriers between the public and private areas are proposed in the form of walls and landscaping.

Requirement	Yes	No	N/A	Comment
4.1.2 Fences and Walls Performance Criteria i. Clearly delineate the private and public domain without compromising safety and security by: ▪ designing fences and walls which provide privacy and security while not eliminating views, outlook, light and air ▪ limiting the length and height of retaining walls along street frontages ii. Contribute to the amenity, beauty and useability of private and communal open spaces by incorporating some of the following in the design of fences and walls:- benches and seats, planter boxes, pergolas and trellises, barbeques, water features, composting boxes and worm farms iii. Retain and enhance the amenity of the public domain by: ▪ avoiding the use of continuous lengths of blank walls at street level ▪ using planting to soften the edges of any raised terraces to the street, such as over sub basement car parking, and reduce their apparent scale ▪ where sub basement car parking creates a raised terrace (up to 1.2 metres higher than footpath level) for residential development to the street, ensuring that any fencing to the terrace is maximum 50% solid to transparent iv. Select durable materials, which are easily cleaned and are graffiti resistant	☒ ☒ ☒ ☒ ☒ ☒ ☒	☐ ☐ ☐ ☐ ☐ ☐ ☐	☐ ☐ ☐ ☐ ☐ ☐ ☐	The plans show the much of the development raised on a podium above the street level and parts exceed 1.2 metres in height. This occurs due to a site constraint related to excavation and water tables. This issue is addressed under the Residential Flat Design Code assessment. To address the solid wall feature facing the perimeter of the development the applicant intends to:- • Provide dense landscaping along the western curtilage of the building complex and additional landscaping along the other three street frontages. • Providing access points to the Level one apartments which breaks the scale of the wall at street level. • Construct the base using brickwork to match the rest of the building. Hence the base will not comprise "concrete finish" at street level.
4.1.3 Landscape Design Objectives ▪ To add value to residents' quality of life within the development in the form of privacy, outlook and views ▪ To provide habitat for native indigenous plants and animals ▪ To improve stormwater quality and reduce quantity ▪ To improve the microclimate and solar performance within the development ▪ To improve urban air quality ▪ To provide a pleasant outlook	☒ ☒ ☒ ☒ ☒ ☒	☐ ☐ ☐ ☐ ☐ ☐	☐ ☐ ☐ ☐ ☐ ☐	The proposed development is considered to be consistent with the Landscape Design objectives as suitable landscaping is to be used to soften the impact of the built form on surrounding streetscape and within the internal communal open space.
4.1.3 Landscape Design Performance Criteria i. Improve the amenity of open space with landscape design which: ▪ provides appropriate shade from trees or structures ▪ provides accessible routes through the space and between buildings ▪ screens cars, communal drying areas, swimming pools and the courtyards of ground floor units ▪ allows for locating art works where they can be viewed by	☒ ☒ ☒	☐ ☐ ☐	☐ ☐ ☐	These features have been provided.

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

Requirement	Yes	No	N/A	Comment
vi. Provide a sufficient depth of soil above paving slabs to enable growth of mature trees vii. Minimise maintenance by using robust landscape elements viii. See 4.1.5 Planting on structures for minimum soil depths on roofs for trees, shrubs and groundcover planting	☒ ☒ ☒	☐ ☐ ☐	☐ ☐ ☐	
4.1.4 Private Open Space Objectives ▪ To provide residents with passive and active recreational opportunities ▪ To provide an area on site that enables soft landscaping and deep soil planting ▪ To ensure that communal open space is consolidated, configured and designed to be useable and attractive ▪ To provide a pleasant outlook	☒ ☒ ☒ ☒	☐ ☐ ☐ ☐	☐ ☐ ☐ ☐	The general locality provides for passive and active recreational opportunities. The internal communal open space is made attractive via provision of shade, seating, turf areas and goof pathway connections between the two residential towers.
4.1.4 Private Open Space Performance Criteria **i. Provide communal open space at a minimum of 25 percent of the site area (excluding roads). Where developments are unable to achieve the recommended communal open space, they must demonstrate that residential amenity is provided in the form of increased private open space and/or in a contribution to public open space** ii. Communal open space may be provided on a podium or roof(s) in a mixed-use building with commercial and/or retail on the ground floor iii. Facilitate the use of communal open space for the desired range of activities by: ▪ locating it in relation to buildings to optimise solar access to apartments ▪ consolidating open space on the site into recognisable areas with reasonable space, facilities and landscape ▪ designing size and dimensions to allow for the 'program' of uses it will contain ▪ minimising overshadowing ▪ carefully locating ventilation duct outlets from basement car parks **iv. Provide a minimum area of 25m^2 private open space for each apartment at ground level or similar space on a structure, including balconies, such as on a podium or car park; the minimum dimension in one direction is four metres (see Balconies for private open space requirements for above-ground and above podium dwellings)**	☐ ☐ ☒ ☒ ☒ ☒ ☒ ☐	☒ ☐ ☐ ☐ ☐ ☐ ☐ ☒	☐ ☒ ☐ ☐ ☐ ☐ ☐ ☐	**The common open space contains landscaping occupying 837 square metres. This level of landscaping occupies 13.8% of the site.** **The common open space including the pathways and linkages occupy an area of 1,375.6 square metres or the equivalent of 22.7% of the site.** **Variation considered acceptable in view of the constraints on the site and excavation limitations.** The applicant has provided twelve of the Level two apartments with courtyards that link the common open space area. It is not feasible using the design chosen to create an additional 133.6 square metres of common space on level one without losing apartments from the design. The variation to the standard is 8.8% which is not excessive to impact on residential amenity. **There are 15 apartments at Level one facing the street. Of these only two apartments have terraces that exceed 25 square metres in area. These are Apartments Numbered A1.03 and A1.13. The remaining apartments feature terraces occupying areas of less than 25 square metres in area.**

Requirement	Yes	No	N/A	Comment
v. Provide private open space for each apartment capable of enhancing residential amenity, in the form of:- balcony, deck, terrace, garden, yard, courtyard and/or roof terrace. Where the primary private open space is a balcony, see Balconies vi. Locate open space to increase the potential for residential amenity by designing apartment buildings which: ▪ are sited to allow for landscape design ▪ are sited to optimise daylight access in winter and shade in summer ▪ have a pleasant outlook ▪ have increased visual privacy between apartments v. Provide environmental benefits including habitat for native fauna, native vegetation and mature trees, a pleasant microclimate, rainwater percolation and outdoor drying area	☒ ☒ ☒ ☒ ☒ ☒	☐ ☐ ☐ ☐ ☐ ☐	☐ ☐ ☐ ☐ ☐ ☐	**The terraces range in size from 10.56 square metres to 31.48 square metres.** **The applicant has provided twelve of the Level two apartments with courtyards. They vary in size from 18 square metres for the smaller areas to 43 square metres for the larger areas.** **Apartments Numbered A2.03 and A2.04 feature courtyards of 18 square metres. The two apartments feature front terraces of 9 square metres. Hence amenity is not adversely affected for the two apartments as adequate open space is provided when combined.** **All the spaces provided are capable of accommodating table and chairs for outdoor private amenity and no objection is raised to the variation identified.** All the apartments above Level Two are provided with balconies or terraces of varying size and dimensions. The balconies and terraces are large enough to permit their use.
4.1.5 Planting of Structures Objectives ▪ To contribute to the quality and amenity of communal open space on roof tops, podiums and internal courtyards ▪ To encourage the establishment and healthy growth of trees in urban areas	☒ ☒	☐ ☐	☐ ☐	Internal courtyard is suitably landscaped.
4.1.5 Planting of Structures Performance Criteria i. Design for optimum conditions for plant growth by: ▪ providing soil depth, soil volume and soil area appropriate to the size of the plants to be established ▪ providing appropriate soil conditions and irrigation methods ▪ providing appropriate drainage ii. Design planters to support the appropriate soil depth and plant selection by: ▪ ensuring planter proportions accommodate the largest volume of soil possible and minimum soil depths of 1.5 metres to ensure tree growth ▪ providing square or rectangular planting areas rather than narrow linear areas iii. Increase minimum soil depths in accordance with: ▪ the mix of plants in a planter for example where trees are planted	☒ ☒ ☒ ☐ ☒ ☒	☐ ☐ ☐ ☐ ☐ ☐	☐ ☐ ☐ ☒ ☐ ☐	A landscape plan prepared by Site Image Landscape Architects is provided. The plans contain the landscape provision, species to be planted, maintenance and soil preparation. The plan details the need for water proofing of the concrete membranes to prevent water seepage into the car park structure below. The landscape plans show a soil depth of 390 mm for the turf areas increasing to 700 to 900 mm deep for the more dense landscaping elements. This matter is generally addressed under the heading “Landscape Design” of the Residential Flat Design Code and considered to be acceptable.

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

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

Requirement	Yes	No	N/A	Comment
4.1.7 Wind Performance Criteria i. Site and design development to avoid unsafe and uncomfortable winds at pedestrian level in public areas and private open spaces, for example through appropriate orientation and / or screening of seating areas, balcony, terrace and courtyard spaces ii. Maximum allowable wind velocities are: ▪ 13 metres per second in streets, parks and public places ▪ 16 metres per second in all other areas iii. Provide a Wind Effects Study with all development over 4 storeys in height iv. Ameliorate the effects of wind on the foreshore promenade by configuring landscape elements and incorporating refuge areas off the main promenade	☒ ☒ ☒ ☒	☐ ☐ ☐ ☐	☐ ☐ ☐ ☐	A Pedestrian Wind Statement prepared by Windtech dated July 21, 2010 (Report no. W382-48F02) has been submitted with the development application. The study concludes that wind conditions for most outdoor areas within and around the proposed development will be suitable for the intended uses. Some treatments are required for certain areas including - Impermeable balustrades around the full perimeter of all private balconies. The report and associated addendum report dated 26 October 2012 should be incorporated into any consent that may be issued.
4.1.8 Geotechnical Suitability and Contamination Objectives ▪ To ensure that development sites are suitable for the proposed development use or can be remediated to a level suitable for that use ▪ To take into account issues relevant to the whole Homebush Bay area, including the disturbance of aquatic sediments	☒ ☒	☐ ☐	☐ ☐	As identified earlier in the report under the SEPP 55 Assessment, it is concluded that the site is suitable for residential use with minimal access to the soil.
4.1.8 Geotechnical Suitability and Contamination Performance Criteria i. Provide a report by a qualified geotechnical engineer establishing that the site of the proposed development is suitable for that development having regard to its groundwater conditions ii. Provide a report by a qualified contamination consultant indicating that the site is suitable for the proposed use or that remediation options are available to reduce contaminant concentrations to a level appropriate for the proposed land use. The report fully documents the site investigation process undertaken which includes: ▪ Stage 1 - Preliminary Investigations ▪ Stage 2 - Detailed Investigations ▪ Stage 3 - Remedial Action Plan (if remediation is required) as outlined in Section 3.4 of Managing Land Contamination and Draft Guidelines prepared by DUAP and EPA, August 1998 iii. Provide documentation of the process used to ensure fill is clean and contamination free	☒ ☒ ☐	☐ ☐ ☐	☐ ☐ ☒	The matter concerning land contamination and the issues of excavation is addressed under State Environmental Planning Policy 55 “Remediation of Land”. Rather than repeat the conclusions made, it is appropriate to refer back to the relevant section earlier in the report. In addition to the above, the degree of excavation capable of being undertaken is limited.

Requirement	Yes	No	N/A	Comment
4.1.9 Electro-Magnetic Radiation Objectives ▪ To enable development of the Homebush Bay West precinct for residential, commercial, recreational and community uses ▪ To recognise the issues associated with continued use of the site for AM radio broadcasting	☒ ☒	☐ ☐	☐ ☐	The proposed development is consistent with the Electro-magnetic Radiation objectives as it has previously been addressed.
4.1.9 Electro-Magnetic Radiation Performance Criteria i. Applicants are required to demonstrate that development proposals have carefully considered potential health and interference impacts from the AM radio towers. Further advice and guidance may be obtained from the relevant Commonwealth regulatory bodies including the Australian Broadcasting Authority ii. Building design and siting responds appropriately to any constraints and / or impacts identified, for example, appropriate shielding of electronic and telephonic cables	☒ ☒	☐ ☐	☐ ☐	A recent report issued by Radhaz has found that an AM radio tower at Sydney Olympic Park does not pose a health risk to residents. AM Radio stations 2UE and 2SM which broadcast from a transmission tower at the park have emissions below the allowable human exposure limit. Expert advice from the Australian Radiation Protection and Nuclear Science Authority, Therapeutic Goods Administration and Radhaz confirms that the 2UE and 2SM tower is transmitting within the levels allowed by the Australian Communications Authority standard. There is no basis of concern over direct effects of radio frequency radiation for prospective apartment occupants. Neither the contact currents nor electric or magnetic fields measured by Radhaz in their survey exceeded the limits that are recommended.
4.2 Site Analysis				
4.2.1 Safety and Security Objectives ▪ To ensure that residential flat developments are safe and secure for residents and visitors ▪ To contribute to the safety of the public domain	☒ ☒	☐ ☐	☐ ☐	The proposed development is considered to be consistent with the Safety and Security objectives as secure access to communal entries to the building and as casual surveillance of the public domain from living and open space areas is to be provided.
4.2.1 Safety and Security Performance Criteria i. Carry out a formal crime risk assessment in accordance with NSW Police 'Safer by Design' protocols for all residential developments of more than 20 new dwellings, and for the mixed use maritime precinct around Wentworth Point. Crime risk assessment is to extend beyond the site boundaries to include the relationship of the building to public open space areas ii. Reinforce the development boundary to strengthen the distinction between public and private space. This can be actual or symbolic and may include:- employing a level change at the site and/or building threshold; signage which is clear and easy to understand; entry awnings; fences, walls and gates; change of material in paving between the street and the	☒ ☒	☐ ☐	☐ ☐	The project responds in a positive manner to the CPTED guidelines. Critical CEPTD arrangements for the development. This is addressed under the heading "Safety" of the Residential Flat Design Code above.

Requirement	Yes	No	N/A	Comment
development				
iii. Optimise the visibility, functionality and safety of building entrances by:				
▪ orienting entrances towards the public street	☒	☐	☐	
▪ providing clear lines of sight between entrances, foyers and the street	☒	☐	☐	
▪ providing direct entry to ground level apartments from the street rather than through a common foyer	☒	☐	☐	
▪ providing direct and well-lit access between car parks and dwellings, between car parks and lift lobbies and to all unit entrances	☒	☐	☐	
iv. Improve the opportunities for casual surveillance by:				
▪ orienting living areas with views over public or communal open spaces, where possible	☒	☐	☐	
▪ using bay windows and balconies, which protrude beyond the building line and enable a wider angle of vision to the street	☒	☐	☐	
▪ using corner windows, which provide oblique views of the street	☒	☐	☐	
▪ avoiding high walls around and parking structures which obstruct views	☒	☐	☐	
▪ providing casual views of common internal areas, such as lobbies and foyers, hallways, recreation areas and car parks	☒	☐	☐	
v. Minimise opportunities for concealment by:				
▪ avoiding blind or dark alcoves near lifts and stairwells, at the entrance and within indoor carparks, along corridors and walkways	☒	☐	☐	
▪ providing well-lit routes throughout the development	☒	☐	☐	
▪ providing appropriate levels of illumination for all common areas	☒	☐	☐	
▪ providing graded illumination to car parks and illuminating entrances higher than the minimum acceptable standard	☒	☐	☐	
vi. Control access to the development by:				
▪ making apartments inaccessible from the balconies, roofs and windows of neighbouring buildings	☒	☐	☐	
▪ separating the residential component of a development's car parking from any other building use and controlling car park access from public and common areas	☒	☐	☐	
▪ providing direct and secure				

Requirement	Yes	No	N/A	Comment
access from car parks to apartment lobbies for residents ▪ providing separate access for residents in mixed-use buildings ▪ providing an audio or video intercom system at the entry or in the lobby for visitors to communicate with residents ▪ providing key card access for residents	☒ ☒ ☒ ☒	☐ ☐ ☐ ☐	☐ ☐ ☐ ☐	
4.2.2 Visual Privacy Objectives ▪ To provide reasonable levels of visual privacy externally and internally, during the day and at night ▪ To maximise outlook and views to the public domain from principal rooms and private open spaces without compromising visual privacy	☒ ☒	☐ ☐	☐ ☐	The proposed development is considered to be consistent with the Visual Privacy objectives as outlook of open space is maximised where possible, without creating more than reasonable privacy impacts.
4.2.2 Visual Privacy Performance Criteria i. Locate and orient new development to maximise visual privacy between buildings on site and adjacent buildings by: ▪ providing adequate building separation ▪ employing appropriate rear and site setbacks ii. Design building layouts to minimise direct overlooking of rooms and private open spaces adjacent to apartments by: ▪ locating balconies to screen other balconies and any ground level private open space ▪ separating communal open space, common areas and access routes through the development from the windows of rooms, particularly habitable rooms ▪ changing the level between ground floor apartments with their associated private open space, and the public domain or communal open space (see Ground Floor Apartments iii. Use detailed site and building design elements to increase privacy without compromising access to light and air. Design detailing may include:- offset windows of apartments in new development and adjacent development windows; sill heights set at minimum 1.2m above floor level; recessed balconies and/or vertical fins between adjacent balconies; solid or semi-solid balustrades to balconies; louvres or screen panels to windows and/or balconies; fixed obscure glazing; appropriate fencing; vegetation as a screen between spaces; incorporating planter boxes into walls or balustrades to increase the visual separation between areas; utilising pergolas or shading devises	☒ ☒ ☒ ☒ ☒	☐ ☐ ☐ ☐ ☐	☐ ☐ ☐ ☐ ☐	Most provisions pertaining to privacy are considered to be good as described earlier in the report. There will be a need to ensure satisfactory privacy. For example, solid balustrades would be more appropriate for the balconies that are somewhat close to another and the introduction of lourvre devices should be considered for some screening of balconies. This may be addressed as conditions attached to any consent issued.

Requirement	Yes	No	N/A	Comment
to limit overlooking of lower apartments or private open space				
4.3 Site Access				
4.3.1 Building Entry Objectives ▪ To create entrances which provide a desirable residential identity for the development ▪ To orient the visitor ▪ To contribute positively to the streetscape and building facade design	☒ ☒ ☒	☐ ☐ ☐	☐ ☐ ☐	The proposed development is considered to be consistent with the Building Entry objectives as multiple communal entries which are easily identifiable are proposed.
4.3.1 Building Entry Performance Criteria i. Improve the presentation of the development to the street by: ▪ locating entries so that they relate to the existing street and subdivision pattern, street tree planting and pedestrian access network ▪ designing the entry as a clearly identifiable element of the building in the street ▪ utilising multiple entries—main entry plus private ground floor apartment entries—where it is desirable to activate the street edge or reinforce a rhythm or entry along a street ii. Provide as direct a physical and visual connection as possible between the street and the entry iii. Achieve clear lines of transition between the public street, the shared private, circulation spaces and the apartment unit iv. Ensure equal access for all v. Provide safe and secure access. Design solutions include:- avoid ambiguous and publicly accessible small spaces in entry areas; provide a clear line of sight between one circulation space and the next; provide sheltered, well lit and highly visible spaces to enter the building, meet and collect mail vi. Generally provide separate entries from the street for: ▪ pedestrians and cars ▪ different uses, for example, for residential and commercial users in a mixed-use development ▪ ground floor apartments, where applicable (see Ground Floor Apartments) vii. Design entries and associated circulation space of an adequate size to allow movement of furniture between public and private spaces viii. Provide and design mailboxes to be convenient for residents and not to clutter the appearance of the development from the street. Design solutions include:- locating them adjacent to the major entrance and integrated into a wall, where possible; setting them at 90 degrees to the	☒ ☒ ☒ ☒ ☒ ☒ ☒ ☐ ☒ ☒ ☒	☐ ☐ ☐ ☐ ☐ ☐ ☐ ☐ ☐ ☐ ☐	☐ ☐ ☐ ☐ ☐ ☐ ☐ ☒ ☐ ☐ ☐	All the entries are directly approached and visible from the street or the internal common space. All the main entries to the building complex are accessible. There are five pedestrian entry points to the development for pedestrians located along the northern, southern and western elevation of the building. They are communal entry points that will have reasonable pedestrian traffic. Entry foyers are spacious, feature glazing for clear sight lines to the roadways and will be secured with resident-access locked doors. Of importance, there are four lift wells to be constructed within the building. Each lift provides full access throughout the complex and various floors. There is one access facing north featuring a lift well, one access point facing south featuring a lift well and two access points facing west featuring lift wells. The entry foyers also allow equitable access to the building complex. <u>Access to the complex</u>: An Access Review Report prepared by Morris Goding Accessibility Consulting dated 9 November 2012 has been prepared and submitted with the development application.. The development has been reviewed to ensure that ingress and egress, path of travel, circulation areas and toilets comply with the relevant guidelines. The report makes numerous recommendations for maintaining good accessibility across the development. The report should be incorporated into any consent that may be issued. <u>Mailboxes</u>:

Requirement	Yes	No	N/A	Comment
street, rather than along the front boundary.				Mailboxes are shown at four of the five pedestrian entrances to the building complex in appropriate locations with access from the street for delivery services.
4.3.2 Parking Objectives ▪ To minimise car dependency for commuting and recreational transport use and to promote alternative means of transport – public transport, bicycling and walking ▪ To provide adequate car parking for the builder's users and visitors, depending on building type and proximity to public transport ▪ To integrate the location and design of car parking with the design of the site and the building	☒ ☒ ☒	☐ ☐ ☐	☐ ☐ ☐	Adequate parking has been provided for within the development. Public transport services to Wentworth Point are expected to improve in coming years as demand for such services is established.
4.3.2 Parking Performance Criteria i. Determine the appropriate car parking space requirements in relation to the development's proximity to public transport, shopping and recreational facilities, the density of the development and the local area and the site's ability to accommodate car parking.	☒	☐	☐	The proposed development is generally consistent with the parking requirements adopted by this DCP.
ii. Limit the number of visitor parking spaces, particularly in small developments where the impact on landscape and open space is significant	☐	☐	☒	Visitor parking provided at an acceptable rate.
iii. Give preference to underground parking, whenever possible. Design considerations include:- retaining and optimising the consolidated areas of deep soil zones (in this case, including the street setbacks forming continuous deep soil zones around the outside of a block); facilitating natural ventilation to basement and sub-basement car parking areas, where possible; integrating ventilation grills or screening devices of carpark openings into the façade design and landscape design; providing a logical and efficient structural grid. There may be a larger floor area for basement car parking than for upper floors above ground. Upper floors, particularly in slender residential buildings, do not have to replicate basement car parking widths	☒	☐	☐	The parking in this instance cannot be completely underground due to the constraint caused by the water table and probable acid sulphate soils. The car parking facility for the building complex is not exposed at street level to any significant degree. The car park levels include three fan rooms on Level one for ventilation purposes. Provision is made for suitable ventilation systems for the car park to be constructed.
iv. A basement podium does not protrude more than 1.2 metres above ground level	☐	☒	☐	**The car park podium protrudes greater than 1.2 metres above the ground level as previously identified. This is unavoidable due to proximity to the water table and probable acid sulphate soils.** **Furthermore, the Master plan approval for Lot 9 permits the ground level to be raised. It is noted however that the above ground component is either concealed by**

Requirement	Yes	No	N/A	Comment
				apartments or planter boxes or landscape elements. This is considered acceptable to address the variation identified.
v. Where above ground enclosed parking cannot be avoided, ensure the design of the development mitigates any negative impact on streetscape and street amenity by- integrating the car park, including vehicle entries, into the overall facade design, for example, by using appropriate proportions and façade details; 'wrapping' the car parks with other uses, for example, retail and commercial along street edges with parking behind	☒	☐	☐	
vi. Provide bicycle parking which is easily accessible from ground level and from apartments. Provide a combination of secured and chained bicycle storage	☒	☐	☐	There are 42 bike bays provided within the development dispersed across both car park levels.
vii. Provide residential car parking in accordance with the following requirements: ▪ **Generally provide a minimum of 1 space per dwelling** ▪ Studio – no spaces/dwelling ▪ 1 bed – max. 1 space/dwelling ▪ 2 bed – max 1.5 space/dwelling ▪ 3 bed - max 2 space/dwelling ▪ Visitors – max 0.2 space/dwelling ▪ The consent authority may permit variations to the above maximum rates on the basis of a Transport and Traffic Management Plan which meets their approval	☒	☐	☐	Bicycle storage/parking are provided within the parking levels and are suitably accessible. <u>Car parking numbers</u>: The car parking rates would be a minimum of 185 residential spaces and 37 visitor spaces for a total of 222 spaces. The maximum number would be 289 spaces based upon the numbers stated.
viii. Non-residential parking controls for Precinct A are excluded from this DCP and addressed through the precinct masterplan				There are 231 car parking spaces provided to support the development. Of that 36 spaces are provided for use for visitors.
ix. Provide car parking for convenience retail as follows: ▪ employees: 2 spaces per tenancy	☐	☐	☒	There are 37 spaces allocated for use for people with disabilities. In addition to the above number, nine of the spaces are stacked and they will need to be allocated to the three bedroom apartments or the same apartments.
▪ patrons: gross floor area under 100m2 - managed on-street parking; gross floor area over 100m2 - 1 space per 40m^2	☐	☐	☒	
x. Provide car parking for cafes and restaurants as follows: ▪ employees: 2 spaces per tenancy ▪ patrons: 15 spaces per 100m^2 (as per RTA Traffic Generating Guidelines) ▪ this may be a combination of on-street and on-site parking if appropriate management arrangements are agreed with the consent authority and/or Auburn Council	☐	☐	☒	In general, the development requires a number of 229 spaces being 192 spaces for the residents and 37 spaces for visitor use. There is a small surplus of 2 spaces in the development and there is no issue for allocating one additional residential space for use for visitor use. The minor reallocation may be addressed via a condition attached to any consent issued.

Requirement	Yes	No	N/A	Comment
xi. Provide 1 car parking space per 60 sq.m gross leasable floor area of commercial office development xii. Provide motorbike parking at the rate of 1 space per 25 car parking spaces **xiii. Provide secure bicycle parking in all residential developments in accordance with these requirements:** ▪ **Studio - none** ▪ **1 bed - none** ▪ **2 bed - 0.5 spaces/dwelling** ▪ **3 bed - 0.5 spaces/dwelling** ▪ **Visitors - 1 per 15 dwellings** xiv. Provide bicycle parking for commercial office development at the rate of: ▪ 1 bicycle space per 300m^2 gross leasable floor area ▪ 1 visitor space per 2500m^2 of gross leasable floor area	☒ ☐ ☐	☐ ☒ ☐	☐ ☐ ☒	The plans show 9 parking bays made available for the use of motor bikes. The development needs 9.2 motorbike bays. The provision of 9 bays is considered to be adequate for this development. **<u>Bike bays</u>:** **The development should be provided with 74.5 bike bays but only 41 such spaces are provided. This results in a shortfall of 33.5 spaces (34) when rounded upwards.** **There is room for some additional bike bays within the general car park area and it is identified that three additional bikes bays could be established.** **It is considered that amenity for residents is not adversely impacted by the variation identified.**
4.3.3 Pedestrian Access Objectives ▪ To promote residential flat development which is well connected to the street and contributes to the accessibility of the public domain ▪ To ensure that residents, including users of strollers and wheelchairs and people with bicycles are able to reach and enter their apartment and use communal areas via minimum grade ramps, paths, access ways or lifts	☒ ☒	☐ ☐	☐ ☐	The proposed development is considered to be consistent with the Pedestrian Access objectives as barrier free communal entries are provided for the main pedestrian access points and lift cores within the building complex.

Requirement	Yes	No	N/A	Comment
4.3.3 Pedestrian Access Performance Criteria i. Utilise the site and its planning to optimise accessibility to the development ii. Separate and clearly distinguish between pedestrian accessways and vehicle accessways iii. Consider the provision of public through-site pedestrian accessways in large development sites iv. Provide high quality accessible routes to public and semi-public areas of the building and the site, including major entries, lobbies, communal open space, site facilities, parking areas, public streets and internal roads v. Promote equity by: ▪ ensuring the main building entrance is accessible for all from the street and from car parking areas ▪ integrating ramps into the overall building and landscape design vi. Design ground floor apartments to be accessible from the street, where applicable, and to their associated private open space vii. Provide barrier free access to at least 20 percent of dwellings in the development viii. Demonstrate that adaptable apartments can be converted	☒ ☒ ☒ ☒ ☒ ☒ ☒ ☒ ☒	☐ ☐ ☐ ☐ ☐ ☐ ☐ ☐ ☐	☐ ☐ ☐ ☐ ☐ ☐ ☐ ☐ ☐	A majority of the apartments on Level one have individual entries from the road ways. There are five apartments facing south that do not feature direct access from street level due to topography and inadequate space for such features. Access to the apartments is from an internal corridor. <u>Adaptable apartments</u>: There are 42 adaptable apartments within the development representing 22.7% of the total number of apartments. <u>Entries</u>: Including access via the lifts, only seven apartments would not achieve barrier free access. The remainder of the apartments have good access without significant barriers. This is made possible due to how the lifts are arranged within the complex. Vehicle and pedestrian entries are well defined.
4.3.4 Vehicle Access Objectives ▪ To integrate adequate car parking and servicing access without compromising street character, landscape or pedestrian amenity and safety ▪ To encourage the active use of street frontages	☒ ☒	☐ ☐	☐ ☐	The proposed development is considered to be consistent with the Vehicle Access objectives.

Requirement	Yes	No	N/A	Comment
4.3.4 Vehicle Access Performance Criteria				
i. Vehicular access is discouraged from Hill Road and from major east-west streets. Access is to be provided from secondary streets where possible	☒	☐	☐	Vehicle access way is to be provided from the eastern side of the building complex being the future Waterways Street side. Compliance is achieved. Future road connections will be required linking with Hill Road.
ii. Ensure that pedestrian safety is maintained by minimising potential pedestrian/vehicle conflicts. **Design approaches include:- limiting the width of driveways to a maximum of 6 metres**; limiting the number of vehicle access points; ensuring clear site lines at pedestrian and vehicle crossings; utilising traffic calming devices; separating and clearly distinguishing between pedestrian and vehicular accessways	☒	☐	☐	**The driveway is 6.4 metres wide. A variation of 400 mm is not excessive given the scale of the development.** **A median strip separates the vehicle entry and exit travel path which necessitates a slightly wider driveway.** **Without the median strip, a driveway width of 6 metres would be achieved.**
iii. Ensure adequate separation distances between vehicular entries and street intersections	☒	☐	☐	There is only one vehicle access point to the building.
iv. Optimise the opportunities for active street frontages and streetscape design by:				
▪ making vehicle access points as narrow as possible	☒	☐	☐	
▪ consolidating vehicle access within sites under single body corporate ownership	☒	☐	☐	
▪ locating car park entry and access from secondary streets and lanes	☒	☐	☐	
v. Improve the appearance of car parking and service vehicle entries, for example, by:				
▪ locating or screening garbage collection, loading and servicing areas visually away from the street	☒	☐	☐	The vehicle entry point and garbage area plus the loading / unloading bay are integrated into the building although the roller shutter doors will be visible and identifiable from the street.
▪ **setting back or recessing car park entries from the main facade line**	☐	☒	☐	**The roller shutter doors delineating the car park area and loading / unloading bay are not setback or recessed from the building line. Instead they are level with the building line. It is considered that the treatment of the eastern side of the building complex at street level is satisfactory.** **The roller shutter doors occupy 14.6% of the façade area along the eastern side of the building at ground level which is not significant.**
▪ providing security doors to carpark entries to avoid blank 'holes' in facades; or	☒	☐	☒	
▪ where doors are not provided, ensuring that the visible interior of the carpark is incorporated into the façade design and material selection and that building services are concealed	☐	☐	☐	
▪ returning the façade material into the carpark entry recess for the extent visible from the street as a minimum	☐	☐	☒	This will not apply to the vehicle entrance area because the roller shutter doors are at level with the façade of the building complex being the main eastern walls.
4.4 Building Configuration				

Requirement	Yes	No	N/A	Comment
4.4.1 Apartment Layout Objectives ▪ To ensure that apartment layouts are efficient and provide high standards of residential amenity. ▪ To maximise the environmental performance of apartments.	☒ ☒	☐ ☐	☐ ☐	The proposed development is considered to be consistent with the Apartment Layout objectives as layouts are suitably sized and the living areas are orientated to maximise solar access and aspect.
4.4.1 Apartment Layout Performance Criteria **i. Provide apartments with the following amenity standards as a minimum:** ▪ **single-aspect apartments are limited in depth to 8 metres** ▪ **the back of a kitchen is no more than 8 metres from a window** ▪ The width of cross-over or cross-through apartments over 15 metres deep is 4 metres or greater to avoid deep narrow apartment layouts ii. Ensure apartment layouts are resilient and adaptable over time, for example by: ▪ accommodating a variety of furniture arrangements ▪ providing for a range of activities and privacy levels between different spaces within the apartment ▪ utilising flexible room sizes and proportions or open plans ▪ ensuring circulation by stairs, corridors and through rooms is planned as efficiently as possible, thereby increasing the amount of floor space in rooms iii. Design apartment layouts which respond to the natural environment and optimise site opportunities, by: ▪ providing private open space in the form of a balcony, a terrace, a courtyard or a garden for every apartment ▪ orienting main living spaces toward the primary outlook and aspect and away from neighbouring noise sources or windows ▪ locating main living spaces adjacent to main private open space ▪ locating habitable rooms, and where possible kitchens and bathrooms, on the external face of the buildings, thereby maximising the number of rooms with windows iv. Maximise opportunities to facilitate natural ventilation and to capitalise on natural daylight, for example by providing:- corner apartments; cross-over or cross-through apartments; split-level or maisonette apartments;	☐ ☐ ☒ ☒ ☒ ☒ ☒ ☒ ☒	☒ ☒ ☐ ☐ ☐ ☐ ☐ ☐ ☐	☐ ☐ ☐ ☐ ☐ ☐ ☐ ☐ ☐	**This is addressed in Part 03 Building Design under the Residential Flat Design Code above. The apartments are considered acceptable irrespective of the minor variations identified.** The apartments have various sizes and shapes to meet the needs of the occupants. Apartments vary in terms of layout and room size proportions. Every apartment is provided with a balcony or terrace attached to their main living rooms. The apartments on Level two facing the common area are provided with courtyard space with good connections to their living spaces. The main living areas of apartments face the street or the internal courtyard depending on aspect.

Requirement	Yes	No	N/A	Comment
shallow, single-aspect apartments; v. Avoid locating kitchen as part of the main circulation spaces of an apartment, such as a hallway or entry space vi. Include adequate storage space in apartment vii. Ensure apartment layouts and dimensions facilitate furniture removal and placement	☒ ☒ ☒	☐ ☐ ☐	☐ ☐ ☐	Many apartments feature no hallways while others feature short hallways. This promotes greater use of space for furniture layout and avoids wasted space within habitable areas.
4.4.2 Apartment Mix and Affordability Objectives ▪ To provide a diversity of apartment types, which cater for different household requirements now and in the future ▪ To provide equitable access to new housing	☒ ☒	☐ ☐	☐ ☐	The proposed development is considered to be consistent with the Apartment Mix objectives as an acceptable mix of 1, 2 and 3 bedroom apartments are provided within the development.
4.4.2 Apartment Mix and Affordability Performance Criteria i. Provide a variety of apartment types between studio-, one-, two-, three- and three plus-bedroom apartments	☒	☐	☐	The development has the following bedroom mix:- 1 bedroom apartments - 59 apartments (31.89%). 2 bedroom apartments - 119 apartments (64.32%). 3 bedroom apartments - 7 apartments (3.78%). There is a range of apartment types and sizes provided across every floor of the development.
ii. Locate a mix of accessible one-, two- and three-bedroom apartments on the ground level for people with disabilities, elderly people and families with children	☐	☒	☐	**There are one bedroom and two bedroom apartments situated on Level one which is considered adequate.**
iii. Optimise the number of accessible and adaptable apartments. See 4.4.5 Flexibility	☒	☐	☐	There are 42 adaptable apartments within the development representing 22.7% of the total number of apartments.
4.4.3 Balconies Objectives ▪ To provide all apartments with private open space ▪ To ensure balconies are functional and responsive to the environment thereby promoting the enjoyment of outdoor living for apartment residents ▪ To ensure that balconies are integrated into the overall architectural form and detail of residential flat buildings ▪ To contribute to the safety and liveliness of the street by allowing for casual overlooking and address	☒ ☒ ☒ ☒	☐ ☐ ☐ ☐	☐ ☐ ☐ ☐	All the apartments in the development are provided with private open space that varies in size and shape. The open space is in the form of a balcony, courtyard or terrace. The private open spaces provide casual overlooking of communal and public open spaces.
4.4.3 Balconies Performance Criteria i. Where other private open space is not provided, provide at least one primary balcony. The combined area of private open space is a minimum of 12% of the dwelling floor space	☒	☐	☐	All apartments feature private open space areas in the form of a terrace, courtyard space or a balcony with access from the living spaces.
ii. Primary balconies for one-bedroom apartments are to have a minimum depth of 2 metres and a minimum area of 8 m^2**. Primary balconies for**	☐	☒	☐	**There area 13 apartments where the balconies are less than adequate size.**

	Requirement	Yes	No	N/A	Comment
	two and three bedroom apartments are to have a minimum depth of 2.4 metres and a minimum area of 10m^2.				**There are eight apartments being the "cross through" apartments facing Hill Road that feature Juliet balconies. The Juliet balconies face the common open space area and are attached to the bedrooms. This ameliorates the impact of smaller balconies attached to their living spaces.**
	▪ **Developments which seek to vary from the minimum standards must provide scale plans of balcony with furniture layout to confirm adequate, useable space**	☐	☒	☐	
iii.	Primary balconies are to be:				**The greatest impact occurs to 5 apartments representing 2.7% of the total number of apartments in the development.**
	▪ located adjacent to the main living areas, such as living room, dining room or kitchen to extend the dwelling living space	☒	☐	☐	
	▪ proportioned to be functional and promote indoor/outdoor living. A dining table and two to four chairs should fit on the majority of balconies in any development. Consider supplying a tap and gas point	☒	☐	☐	**The affected balconies occupy 8.36 square metres and essentially the variation is not excessive. The affected balconies are functional and responsive to the enjoyment of outdoor living to the apartment residents.**
iv.	Consider secondary balconies, including Juliet balconies or operable walls with balustrades, for additional amenity and choice:	☒	☐	☐	**<u>BALCONIES - Other comments</u>**
	▪ in larger apartments ▪ adjacent to bedrooms ▪ for clothes drying; these should be screened from the public domain				Other comments concerning the balconies are provided. • Balconies are located where views are offered. A majority of the balconies face, the north, east and west. There are some balconies facing the south which is unavoidable.
v.	Design and detail balconies in response to the local climate and context thereby increasing the usefulness of balconies. This may be achieved by:				• Some level of cantilevering is identified to provide some design features to the building complex.
	▪ locating balconies facing predominantly north, east or west to optimise solar access and views to Parramatta River, Homebush Bay West and Sydney Olympic Park	☒	☐	☐	• A significant number of balconies are semi recessed.
	▪ utilising sun screens, pergolas, shutters and operable walls to control sunlight and wind	☒	☐	☐	• Balconies vary in size and shape and view lines.
	▪ providing balconies with operable screens, Juliet balconies or operable walls/sliding doors with a balustrade in special locations where noise or high winds prohibit other solutions—along rail corridors, on busy roads or in tower buildings	☒	☐	☐	• Balustrades are to consist of solid and glazed elements. • Some use of louvres is identified for screening purposes.
	▪ choosing cantilevered balconies, partially cantilevered balconies and/or recessed balconies in response to requirements for daylight, wind, acoustic privacy and visual privacy - ensuring balconies are not so deep that they prevent sunlight entering the apartment below	☒	☐	☐	Should the application be recommended for approval, relevant conditions shall be included in any consent for the subtle treatment of building services, as not to detract from the appearance of the building.
vi.	Design balustrades to allow views and casual surveillance of the street				

Requirement	Yes	No	N/A	Comment
while providing for safety and visual privacy. Design considerations may include: ▪ detailing balustrades using a proportion of solid to transparent materials to address site lines from the street, public domain or adjacent development. Full glass balustrades do not provide privacy for the balcony or the apartment's interior, especially at night ▪ detailing balustrades and providing screening from the public, for example, for a person seated looking at a view, clothes drying areas, bicycle storage or air conditioning units vii. Coordinate and integrate building services, such as drainage pipes, with overall façade and balcony design, for example, drainage pipes under balconies are often visible from below in taller buildings and negatively impact the overall facade appearance	☒ ☒ ☒	☐ ☐ ☐	☐ ☐ ☐	
4.4.4 Ceiling Heights Objectives ▪ To increase the sense of space in apartments and provide well proportioned rooms ▪ To promote the penetration of daylight into the depths of the apartment ▪ To contribute to the flexibility of use ▪ To achieve quality interior spaces while considering the external building form requirements	☒ ☒ ☒ ☒	☐ ☐ ☐ ☐	☐ ☐ ☐ ☐	The proposed development is considered to be consistent with the Ceiling Height objectives as suitable ceiling heights are provided for the residential nature of the apartments.
4.4.4 Ceiling Heights Performance Criteria i. Minimum dimensions are measured from finished floor level (FFL) to finished ceiling level (FCL) are: ▪ in mixed use buildings along Hill Road and major east-west streets: 3.6 metre minimum for ground floor retail or commercial and 3.3 metre minimum for first floor residential, retail or commercial to promote future flexibility of use ▪ **in residential buildings on primary north-south street and on secondary streets: 3.3 metre minimum for ground floor to promote future flexibility of use; 2.7 metre minimum for all habitable rooms on all other floors; 2.4 metre minimum for all nonhabitable rooms** ▪ for two storey units, 2.4 metre minimum for second storey if 50 percent or more of the apartment has 2.7 metre minimum ceiling heights ▪ for two-storey units with a two storey void space, 2.4 metre minimum	☐ ☐ ☐ ☐	☐ ☒ ☐ ☐	☒ ☐ ☒ ☒	This is not a mixed use development. **The apartments in the complex above Level one will have floor to ceiling heights of 2.7 metres which is considered acceptable for solar and light penetration into the various apartments.** **The apartments on Level one have a floor to ceiling height of 3 metres for additional light penetration.** **The apartments on Level one have floor to ceiling heights that vary by 300 mm from the stated provision. The floor to ceiling heights have been found to be adequate when assessed using the Residential Flat Design Code.**

Requirement	Yes	No	N/A	Comment
ii. Double height spaces with mezzanines count as two storeys	☐	☐	☒	The development is affected by two BASIX certificates which will dictate sustainability measures and comfort details for individual apartments. The BASIX commitments will be important for ensuring good internal residential amenity.
iii. Use ceiling design to:				
▪ define a spatial hierarchy between areas of an apartment using double height spaces, raked ceilings, changes in ceiling heights and/or the location of bulkheads	☒	☐	☐	
▪ enable well proportioned rooms: for example, smaller rooms often feel larger and more spacious when ceilings are higher	☒	☐	☐	
▪ maximise heights in habitable rooms by stacking wet areas from floor to floor. This ensures that services and their bulkheads are located above bathroom and storage areas rather than habitable spaces	☒	☐	☐	
▪ promote the use of ceiling fans for cooling and heating distribution	☒	☐	☐	This is achieved. This will ensure that services are located above bathrooms and storage areas.
iv. Facilitate better access to natural light by using ceiling heights which:				
▪ promote the use of taller windows, highlight windows and fan lights. This is particularly important for apartments with limited light access, such as ground floor units and apartments with deep floor plans	☒	☐	☐	
▪ enable the effectiveness of light shelves in enhancing daylight distribution into deep interiors	☒	☐	☐	
v. Developments which seek to vary the recommended ceiling heights must demonstrate that apartments will receive satisfactory daylight (eg. Shallow apartments with large amount of window area)	☒	☐	☐	
vi. Coordinate internal ceiling heights and slab levels with external height requirements and key datum lines. External building elements requiring coordination may include:- datum lines set by the Structural Design Framework; exterior awing levels or colonnade heights	☒	☐	☐	
4.4.5 Flexibility Objectives				
▪ To encourage housing which meets the broadest range possible of occupants' needs, including people who are ageing and people with disabilities	☒	☐	☐	The proposed development is considered to be consistent with the Flexibility objectives as layouts promote changes to furniture arrangement and suitable number can be adapted to the changing needs of residents.
▪ To promote 'long life loose fit' buildings, which can accommodate whole or partial change of use	☒	☐	☐	
▪ To encourage adaptive re-use	☒	☐	☐	
▪ To save the embodied energy expended in building demolition	☒	☐	☐	
4.4.5 Flexibility Performance Criteria				
i. Provide robust building configurations which utilise multiple entries and circulation cores, especially in larger buildings over 15 metres long, for	☒	☐	☐	Multiple communal entries and access cores are provided to service the building complex.

	Requirement	Yes	No	N/A	Comment
	example with:- thin building cross sections suitable for either residential or commercial uses; a mix of apartment types; higher ceilings on the ground floor and first floor; separate entries for the ground floor level and the upper levels; sliding and/or movable wall systems				
ii.	Provide a multi-use space with kitchenette within each development to be available for the use of residents	☒	☐	☐	A facility is provided in car park level one. The room occupies an area of 43.3 square metres and contains a kitchenette. The room is situated adjacent to Apartments A2.28 and A2.29.
iii.	Provide apartment layouts which accommodate the changing use of rooms. Design solutions may include:- windows in all habitable rooms as many non-habitable rooms as possible; adequate room sizes or open-plan apartments; dual master-bedroom apartments, which can support two independent adults living together or a live/work situation	☒	☐	☐	
iv.	Utilise structural systems, which support a degree of future change in building use or configuration. Design solutions may include:- a structural grid which accommodates car parking dimensions, retail, commercial and residential uses vertically throughout the building; aligning structural walls, columns and services cores between floor levels; minimising of internal structural walls; higher floor to floor dimensions on the ground floor and possibly the first floor; knock-out panels between apartments to allow two adjacent apartments to be amalgamated	☒	☐	☐	The floor layout plans suggest a satisfactory furniture layout for every apartment.
v.	Design all commercial / retail components of mixed use buildings to comply with AS1428-2001	☐	☐	☒	
vi.	Promote accessibility and adaptability by:				
	▪ providing a minimum of 20% of all apartments that comply with AS4299-1995 Adaptable housing Class B	☒	☐	☐	There are 42 adaptable apartments within the development representing 22.7% of the total number of apartments.
	▪ providing a minimum of 75% visitable apartments within each development; that is, where the living room is accessible	☒	☐	☐	Drawing Number 081 (Revision A) and prepared by Turner and Associates specifies how the adaptable apartments would work. The plan shows manoeuvrability within the habitable spaces, bathrooms, access features and space for wheelchair use if required.
	▪ optimising pedestrian mobility and access to communal private space	☒	☐	☐	
	▪ designing developments to meet AS3661 Slip-Resistant Surface Standard for pedestrian areas	☒	☐	☐	
	▪ ensuring wheelchair accessibility between designated dwellings, the street and all common facilities	☒	☐	☐	

Requirement	Yes	No	N/A	Comment
4.4.6 Ground Floor Apartments Objectives ▪ To contribute to residential streetscape character and to create active safe streets ▪ To increase the housing and lifestyle choices available in apartment buildings ▪ To ensure that ground floor apartments achieve good amenity	☒ ☒ ☒	☐ ☐ ☐	☐ ☐ ☐	The proposed development is considered to be consistent with the Ground Floor Apartment objectives as a range of ground floor apartments are proposed which contribute to an active streetscape.
4.4.6 Ground Floor Apartments Performance Criteria i. Design front gardens or terraces to contribute to the spatial and visual structure of the street while maintaining privacy for apartment occupants. This can be achieved by:- animating the street edge and creating more pedestrian activity by optimizing individual entries for ground floor apartments; providing appropriate fencing, balustrades, window sill heights, lighting and/ or landscaping to meet privacy and safety requirements of occupants while contributing to a pleasant streetscape; increasing street surveillance with doors and windows facing onto the street; utilising a maximum 1.5 metre change in level from the street to the private garden or terrace to minimise sight lines from the streets into the apartment	☒	☐	☐	The Level one apartments while raised within a podium setting, are setback from the boundary marking the public domain. The Level one apartments are provided with terraces facing the streets accessible from their living areas. Appropriate use of balustrades and landscape elements are identified at Level one.
ii. Promote housing choice by: ▪ providing private gardens or terraces which are directly accessible from the main living spaces of the apartment and support a variety of activities ▪ maximising the number of accessible and visitable apartments on the ground floor ▪ supporting a change or partial change in use, such as a home offices accessible from the street	☒ ☒ ☒	☐ ☐ ☐	☐ ☐ ☐	The development does not include home offices attached to or within the Level one apartments. However, it may be possible to create a home office in any one of the two bedroom apartments situated on the ground floor should the need arise in the future.
iii. Increase opportunities for solar access in ground floor units, particularly in denser areas by: ▪ providing higher ceilings and taller windows ▪ choosing trees and shrubs which provide solar access in winter and shade in summer	☒ ☒	☐ ☐	☐ ☐	The Level one apartments are 3 metres high to promote light and ventilation into the habitable spaces. No objection to proposed landscaping.

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

Requirement	Yes	No	N/A	Comment
4.4.8 Internal Circulation Objectives ▪ To facilitate quality apartment layouts, such as dual aspect apartments ▪ To contribute positively to the form and articulation of building facade and its relationship to the urban environment ▪ To create safe and pleasant spaces for the circulation of people and their personal possessions ▪ To encourage interaction and recognition between residents to contribute to a sense of community and improve perceptions of safety	☒	☐	☐	The proposed development is considered to be consistent with the Internal Circulation objectives as spacious access hallways and apartments are provided.
4.4.8 Internal Circulation Performance Criteria i. Increase amenity and safety in circulation spaces by: ▪ providing generous corridor widths and ceiling heights, particularly in lobbies, outside lifts and apartment entry doors ▪ providing appropriate levels of lighting, including the use of natural daylight, where possible ▪ minimising corridor lengths to give short, clear sight lines ▪ avoiding tight corners ▪ providing legible signage noting apartment numbers, common areas and general directional finding ▪ providing adequate ventilation ii. Support better apartment building layouts by: ▪ designing buildings with multiple cores which increase the number of entries along a street, increase the number of vertical circulation points, and give more articulation to the facade ▪ limiting the number of units off a circulation core on a single level iii. Where units are arranged off a double-loaded corridor, the number of units accessible from a single core/corridor is limited to eight, except where: ▪ developments can demonstrate the achievement of the desired streetscape character and entry response ▪ where developments can demonstrate a high level of amenity for common lobbies, corridors and units iv. Articulate longer corridors. Design solutions may include:- changing the direction or width of a corridor; utilising a series of foyer areas; providing windows along or at the end of a corridor v. Minimise maintenance and maintain durability by using robust materials in common circulation areas	☒ ☒ ☒ ☒ ☒ ☒ ☒ ☒ ☒ ☒ ☒ ☒	☐ ☐ ☐ ☐ ☐ ☐ ☐ ☐ ☐ ☐ ☐ ☐	☐ ☐ ☐ ☐ ☐ ☐ ☐ ☐ ☐ ☐ ☐ ☐	Corridors, foyers and hallways have adequate lighting, appropriate widths and good view lines to promote safety and movement of residents and their belongings. <u>Pedestrian access points</u>: There are five main pedestrian access points to the building with one on the southern side, two on the western side and two along the northern side. There are no pedestrian access points along the eastern curtilage of the building complex. The eastern curtilage is retained for the services and vehicle access. <u>Internal corridors</u>: There are between 9 and 11 apartments per corridor within the main southern residential tower. A satisfactory design solution is achieved in which the corridors are provided with glazed elements where possible to permit light penetration. <u>Corridor on Level one</u>: On Level One, a north to south corridor links 8 of the 15 apartments in addition to the external access points. This corridor connects two access points featuring glazed elements to allow the penetration of natural light into the space created.

Requirement	Yes	No	N/A	Comment
4.4.9 Storage Objectives ▪ To provide adequate storage for everyday household items within easy access of the apartment ▪ To provide storage for sporting, leisure, fitness and hobby equipment	☒ ☒	☐ ☐	☐ ☐	The proposed development is considered to be consistent with the Storage objectives as adequate areas of storage are provided or capable of being provided to each apartment, whether internally or within the parking levels.
4.4.9 Storage Performance Criteria i. Provide storage facilities accessible from hall or living areas, in addition to kitchen cupboards and bedroom wardrobes, at a minimum: ▪ studio - $6m^3$ ▪ **1-bed - $6m^3$** ▪ 2-bed – $8m^3$ ▪ 3 and 3+ bed - $10m^3$ ▪ This storage is to be excluded from FSR calculations ii. Locate storage conveniently for apartments. Options include providing:- ▪ at least 50 percent of the required storage within each apartment and accessible from either the hall or living area. Storage within apartments is best provided as cupboards accessible from entries and hallways and/or from under internal stairs ▪ dedicated storage rooms on each floor within the development, which can be leased by residents as required ▪ dedicated and/or leasable storage in internal or basement car parks. Leasing storage provides choice and minimises the impact of storage on housing affordability iii. Provide storage suitable for the needs of residents in the local area and able to accommodate larger items, such as:- boating-related equipment, surfing equipment, bicycle ▪ Bicycle storage should be a combination of secured and chained storage located in convenient and visible locations iv. Ensure that storage separated from apartments is secure for individual use v. Where basement storage is provided: ▪ ensure that it does not compromise natural ventilation in car parks or create potential conflicts with fire regulations ▪ exclude it from FSR calculations vi. Consider providing additional storage in smaller apartments in the form of built-in cupboards to promote a more efficient use of small spaces.	☐ ☒ ☐ ☒ ☒ ☒ ☒ ☒ ☒	☒ ☐ ☐ ☐ ☐ ☐ ☐ ☐ ☐	☐ ☐ ☒ ☐ ☐ ☐ ☐ ☐ ☐	**Apartments are to have varying levels of storage areas. However, the storage space per unit varies.** **Each unit has a dedicated storage space within the apartment in addition to kitchen cupboards and wardrobes.** **There is a detailed discussion of the storage space under the heading "Storage" of the Residential Flat Design Code.** **There are some variations and these have previously been described earlier in the report.** Secure bicycle storage spaces and chained storage spaces are provided within the car parking levels.
4.5 Building Amenity				

Requirement	Yes	No	N/A	Comment
4.5.1 Acoustic Amenity Objectives ▪ To ensure a high level of amenity by protecting the privacy of residents within residential flat buildings both within the apartments and in private open spaces	☒	☐	☐	The proposed development is considered to be consistent with the Acoustic Amenity objectives as acoustic intrusion is minimised through building separation and the grouping of like-use rooms in apartments together.
4.5.1 Acoustic Amenity Performance Criteria i. Utilise the site and building layout to maximise the potential for acoustic privacy by providing adequate building separation within the development and from neighbouring buildings	☒	☐	☐	Suitable building separation is provided to allow private open space areas to be located away from each other.
ii. Minimum building separations are: ▪ **5 to 8 storeys/12-25 metres** o **18m between habitable rooms/balconies**	☐	☒	☐	**The setbacks and separation distances between buildings have been previously discussed earlier in the report.**
o 13m between habitable rooms/balconies and non-habitable rooms	☒	☐	☐	**Some variations have been identified but these have been described in detail under the relevant headings.**
o 9m between non-habitable rooms	☒	☐	☐	
iii. Arrange apartments within a development to minimise noise transition between flats by: ▪ locating busy, noisy areas next to each other and quieter areas next to other quiet areas, for example, living rooms with living rooms, bedrooms with bedrooms	☒	☐	☐	
▪ using storage or circulation zones within an apartment to buffer noise from adjacent apartments, mechanical services or corridors and lobby areas	☒	☐	☐	
▪ minimising the amount of party (shared) walls with other apartments	☒	☐	☐	This is achieved where possible
iv. Design the internal apartment layout to separate noisier spaces from quieter spaces by grouping uses within an apartment—bedrooms with bedrooms and service areas like kitchen, bathroom, laundry together	☒	☐	☐	
v. Resolve conflicts between noise, outlook and views by using design measures including:- double glazing; operable screened balconies; continuous walls to ground level courtyards where they do not conflict with streetscape or other amenity requirements	☒	☐	☐	Like use rooms of apartments and neighbouring apartments are grouped to avoid noise disturbance between apartments as much as possible. <u>Acoustic report</u>:
vi. Reduce noise transmission from common corridors or outside the building by providing seals at entry doors	☒	☐	☐	An Acoustic Report provided with the application, prepared by Acoustic Logic Consultancy Pty Ltd, dated 13 November 2012 (report 20120942.1/1311A/R1/YK) provides acoustic criteria and recommended construction methods for the complex. This should be included into any consent that may be issued.
vii. Provide a detailed noise and vibration impact assessment report for residential buildings affected by surrounding uses.	☒	☐	☐	

Requirement	Yes	No	N/A	Comment
4.5.2 Daylight Access Objectives ▪ To ensure that daylight access is provided to all habitable rooms and encouraged in all other areas of residential development ▪ To provide adequate ambient lighting and minimise the need for artificial lighting during daylight hours. ▪ To provide residents with the ability to adjust the quantity of daylight to suit their needs.	☒ ☒ ☒	☐ ☐ ☐	☐ ☐ ☐	The proposed development is considered to be generally consistent with the Daylight Access objectives as the orientation of living areas allows for daylight infiltration.
4.5.2 Daylight Access Performance Criteria i. Orient new residential flat development to optimise northern aspect	☒	☐	☐	The applicant has stated that buildings have been orientated to maximise solar access.
ii. For 1-2 storey developments, provide living rooms and principal ground level open spaces with at least 2 hours sunlight between 9.00 am and 3.00 pm in mid-winter	☐	☐	☒	
iii. For 3 or more storey developments, provide at least 75% of residential apartments with at least 2 hours of sunlight to living rooms and private open spaces between 9.00 am and 3.00 pm in mid-winter. Design opportunities include:- using skylights, clerestory windows and fanlights to supplement daylight access; providing two-storey and mezzanine, ground floor apartments to facilitate daylight access to living rooms and private open spaces on the ground level; limiting the depth of single aspect apartments; providing single aspect, single-storey apartments with northerly or easterly aspect; locating living areas to the north and service areas to the south and west of the development - using light shelves to reflect light into deeper apartments	☐	☒	☐	**The applicant has identified that 115 apartments receive sunlight to their living spaces for a minimum period of 2 hours at the winter solstice.** **This is consistent with the calculation derived during the assessment process.** **This variation is considered to be a function of site orientation and the constraints associated with infill development. To this extent, the variation to Part 4.5.2 is supported.** The total number of apartments that will receive some form of sunlight penetration is 143 units representing 77.3% of the total number across the development.
iii. Limit the number of single-aspect apartments with a southerly aspect (SW–SE) to a maximum of 10 percent of the total units proposed. Developments which seek to vary from the minimum standards must demonstrate how site constraints and orientation prohibit the achievement of these standards and address energy efficiency	☐	☒	☐	**This issue is addressed under "Daylight Access" of the "Residential Flat Design Code".** **There is a minor variation to the 10% standard which is not excessive and generally consistent with other recent approvals for such large developments in the locality.**
iv. Design for shading and glare control, particularly in summer, by: ▪ using shading devices, such as eaves, awnings, colonnades, balconies, pergolas, external louvres and planting ▪ optimising the number of north-facing living spaces ▪ providing external horizontal shading to north-facing windows	☒ ☒ ☒	☐ ☐ ☐	☐ ☐ ☐	Overhanging balconies are proposed to provide shading to private open spaces.

Requirement	Yes	No	N/A	Comment
▪ providing vertical shading to east or west windows ▪ using high performance glass but minimising external glare off windows ▪ avoiding reflective films ▪ using a glass reflectance below 20 percent ▪ considering reduced tint glass v. The use of light wells as a primary source of daylight in habitable rooms is prohibited. Where they are used, they are to be fully open to the sky and their dimensions relate to building separation	☒ ☒ ☒ ☒ ☒ ☒	☐ ☐ ☐ ☐ ☐ ☐	☐ ☐ ☐ ☐ ☐ ☐	
vi. No more than 50% of the public domain (excluding streets) and communal space areas are overshadowed between 10.00 am and 2.00 pm between 21st April and 21st August. Provide appropriate shading in summer	☐	☒	☐	Shadowing to the common space: **A large portion of the common space within the development will be in shadow between March and September. Sunlight penetration will occur from 10 am to 2 pm to approximately 25% to 40% of the entire common area at the winter solstice.** **This is an unavoidable consequence of the east/west site orientation which makes compliance with solar access control onerous to achieve and exacerbates the overshadowing impact.** **Furthermore, the construction of any 2, 3, 4 or more storey building to the north of the site would give rise to overshadowing of the communal open space. It is considered onerous for requesting the applicant to modify the development application to improve the sunlight penetration into the common space of the development.** **Such action would severely limit reasonable development expectations for the allotment. A variation is considered acceptable in this instance.**
vii. Shadow diagrams showing the impact of a proposal on adjacent residential developments and their private open space will be required	☐	☐	☒	
4.5.3 Natural Ventilation Objectives ▪ To ensure that apartments are designed to provide all habitable rooms with direct access to fresh air and to assist in promoting thermal comfort for occupants ▪ To provide natural ventilation in non habitable rooms, where possible ▪ To reduce energy consumption by minimising the use of mechanical ventilation, particularly air conditioning	☒ ☒ ☒	☐ ☐ ☐	☐ ☐ ☐	The proposed development is considered to be consistent with the Natural Ventilation objectives as all habitable rooms, and where possible non-habitable rooms, have sufficient openings for ventilation and BASIX commitments dictate energy consumption requirements.
4.5.3 Natural Ventilation Performance Criteria i. Plan the site to promote and guide natural breezes by: ▪ orienting buildings to maximise the use of prevailing winds	☒	☐	☐	The building and apartment layouts are designed to maximise natural ventilation through the use of open-

	Requirement	Yes	No	N/A	Comment
	▪ locating vegetation to direct breezes and cool air as it flows across the site	☒	☐	☐	plan living areas.
	▪ selecting planting or trees that do not inhibit airflow	☒	☐	☐	
ii.	**Limit residential building depth to 18 metres glass line to line to support natural ventilation**	☐	☒	☐	**A variation is identified specific to building depth which has previously been addressed and considered to be acceptable.**
iii.	Utilise the building layout and section to increase potential for natural ventilation, by:				
	▪ providing dual aspect apartments, eg. cross through and corner apartments	☒	☐	☐	Some dual aspect and corner apartments are provided within the development.
	▪ facilitating convective currents by designing units which draw cool air in at lower levels and allow warm air to escape at higher levels, for example, maisonette apartments and two-storey apartments	☒	☐	☐	
iv.	Design the internal apartment layout to promote natural ventilation by:				
	▪ minimising interruptions in air flow through an apartment. The more corners or rooms airflow must negotiate, the less effective the natural ventilation	☒	☐	☐	The residential towers achieve satisfactory daylight and natural ventilation given the orientation of the site.
	▪ grouping rooms with similar usage together, for example, keeping living spaces together and sleeping spaces together. This allows the apartment to be compartmentalised for efficient summer cooling or winter heating	☒	☐	☐	There are 94 dual aspect apartments within the development representing some 50.8% of the total number of apartments to be provided.
v.	A minimum of 60% of residential apartments are to be naturally ventilated	☒	☐	☐	Using the applicants figures and cross referencing on the plans, it is identified that 120 apartments are cross ventilated which represents 64.8% of the total number of apartments within the development.
vi.	A minimum of 25% of kitchens within a development are to be naturally ventilated	☒	☐	☐	
vii.	Select doors and operable windows to maximise natural ventilation opportunities established by the apartment layout. Design solutions may include:- locating small windows on the windward side and larger windows on the leeward side of the building thereby utilising air pressure to draw air through the apartment; using higher level casement or sash windows, clerestory windows or operable fanlight windows—including above internal doors—to facilitate convective currents. This is particularly important in apartments with only one aspect; selecting windows which occupants can reconfigure to funnel breezes into the apartment, like vertical d, casement windows and externally opening doors	☒	☐	☐	
viii.	Coordinate design for natural ventilation with passive solar design techniques	☒	☐	☐	

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

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

Requirement	Yes	No	N/A	Comment
rhythm or express the building uses, for example, a living room versus a bathroom; incorporating architectural features which give human scale to the design of the building at street level, including entrances, awnings, colonnades, pergolas and fences; using recessed balconies and deep windows to create articulation and define shadows, thereby adding visual depth to the facade				
iii. Design facades to reflect the orientation of the site using elements such as sun shading, light shelves and bay windows as environmental controls, depending on the facade orientation	☒	☐	☐	
iv. Express important corners by giving visual prominence to parts of the facade, for example, a change in building articulation, material or colour, roof expression or increased height	☒	☐	☐	Unsightly elements such as services, piping and plant is to be suitably located and/or screened so as not to detract from the visual quality of facades.
v. Coordinate and integrate building services, such as drainage pipes, with overall facade and balcony design	☒	☐	☐	
vi. Coordinate security grills/screens, ventilations and carpark entry doors with the overall facade design	☒	☐	☐	
vii. Integrate the design of garage entries with the building facade design, locating them on secondary streets where possible.	☒	☐	☐	
4.6.3 Roof Design Objectives ▪ To provide quality roof designs, which contribute to the overall design and performance of residential flat buildings	☒	☐	☐	The proposed development is considered to be consistent with the Roof Design objectives as a flat roof with no element which detract from the overall building appearance is proposed.
▪ To integrate the design of the roof into the overall facade, building composition and desired contextual response	☒	☐	☐	
▪ To increase the longevity of the building through weather protection	☒	☐	☐	
4.6.3 Roof Design Performance Criteria i. Relate roof design to the desired built form. Some design solutions may include: articulating the roof, or breaking down its massing on large buildings, to minimise the apparent bulk or to relate to a context of smaller building forms; using a similar roof pitch or material to adjacent buildings, particularly in existing special character areas or heritage conservation areas. Avoid directly copying the elements and detail of single family houses in larger flat buildings; this often results in inappropriate proportion, scale and detail for residential flat buildings; minimising the expression of roof forms gives prominence to a strong horizontal datum in the adjacent context, such as an existing parapet line; using special roof features	☒	☐	☐	The proposed building complex is to have a flat roof which will not have any impact upon its overall appearance. There is some plant on the roof of both residential towers being the lift over runs and hot water systems. The devices or structural elements rise to a maximum height of 32.55 metres from the natural ground level but limited to the roof of the southern building complex. The structures on the northern building complex rise to a maximum height of 26.25 metres. The elements are centrally located on the roof space and would be difficult to see from the street level at close

Requirement	Yes	No	N/A	Comment
,which relate to the desired character of an area, to express important corners.				angles.
ii. Design the roof to relate to the size and scale of the building, the building elevations and 3D building form. This includes the design of any parapet or terminating elements and the selection of root materials	☒	☐	☐	
iii. Design roofs to respond to the orientation of the site, for example, by using eaves and skillion roofs to respond to sun access	☒	☐	☐	
iv. Minimise the visual intrusiveness of service elements by integrating them into the design of the roof. These elements include lift over-runs, service plants, chimneys, vent stacks, telecommunication infrastructures, gutters, downpipes and signage	☒	☐	☐	
v. Support the use of roofs for quality open space in denser urban areas by:				
▪ providing space and appropriate building systems to support the desired landscape design (see Landscape Design and Open Space)	☐	☐	☒	There are no landscaping / planting elements or pedestrian access to the roof level of both buildings.
▪ incorporating shade structures and wind screens to encourage open space use	☐	☐	☒	
▪ ensuring open space is accessible	☐	☐	☒	
vi. Facilitate the use or future use of the roof for sustainable functions, for example:– allow rainwater tanks for water conservation; orient and angle roof surfaces suitable for photovoltaic applications; allow for future innovative design solutions, such as water features or green roofs.	☒	☐	☐	
4.7 Building Performance				
4.7.1 Energy Efficiency Objectives				
▪ To reduce the necessity for mechanical heating and cooling	☒	☐	☐	The proposed development is consistent with the Energy Efficiency objectives. The development is compliant with the BASIX Certificate commitments and the specialised report associated with the certificate.
▪ To reduce reliance on fossil fuels	☒	☐	☐	
▪ To minimise greenhouse gas emissions	☒	☐	☐	
▪ To support and promote renewable energy initiatives	☒	☐	☐	
▪ To use natural climatic advantages of the coastal location such as cooling summer breezes, and exposure to unobstructed winter sunlight	☒	☐	☐	
▪ To provide a suitable environment for proposed uses, having regard to wind impacts and noise	☒	☐	☐	
▪ To ensure that land is geotechnically suitable for development and can be feasibly remediated or any contaminants to a level adequate for the proposed use	☒	☐	☐	
4.7.1 Energy Efficiency Performance Criteria				
i. Incorporate passive solar design techniques to optimise heat storage in winter and heat transfer in summer by:				
▪ maximising thermal mass in floor				The two BASIX Certificates for the

Requirement	Yes	No	N/A	Comment
and walls in northern rooms of dwelling/building	☒	☐	☐	buildings show that the development as a whole achieves the Pass Mark for energy and water conservation. The implementation shall be reinforced by a condition of consent, should the application be recommended for approval.
▪ polishing concrete floors and/or using tiles or timber floors rather than carpets	☒	☐	☐	
▪ **limiting the number of single aspect apartments with a southerly aspect (SW–SE) to a maximum of 10 percent of the total units proposed**	☐	☒	☐	**The number of single aspect apartments with southerly aspect is 12.4% of the total number of apartments within the development. (Refer to discussion of the Residential Flat Design Code (above) in relation solar access and south-facing single-aspect apartments.**
▪ insulating roof/ceiling to R2.0, external walls to R1.0 and the floor—including separation from basement car parking—to R1.0	☒	☐	☐	
▪ minimising the overshadowing of any solar collectors	☒	☐	☐	
ii. Improve the control of space heating and cooling by:				
▪ designing heating/cooling systems to target only those spaces which require heating or cooling, not the whole apartment	☒	☐	☐	Climate control techniques are found to be satisfactory.
▪ designing apartments so that entries open into lobbies or vestibules and are isolated from living areas by doorways	☒	☐	☐	
▪ allowing for adjustable awnings and blinds to be attached to the outside of windows to keep the heat out in summer	☒	☐	☐	
▪ providing gas bayonets to living areas, where gas is available	☒	☐	☐	
▪ providing reversible ceiling fans for improving air movement in summer and for distributing heated air in winter	☒	☐	☐	
iii. Provide or plan for future installation of solar collectors and photovoltaic panels, for example by:				
▪ designing the roof so that solar collectors and photovoltaic panels can be mounted parallel to the roof plane	☒	☐	☐	Solar panels are not proposed in this development however they could be installed in future should the need arise.
▪ locating trees where they will not shade existing or planned solar and photovoltaic installations	☒	☐	☐	
iv. Improve the efficiency of hot water systems by:				
▪ insulating a hot water system or systems with a Greenhouse Score of 3.5 or greater and which suits the needs of the development and/or individual dwellings	☒	☐	☐	
▪ installing water-saving devices, such as flow regulators, AAA (or higher) rated shower heads and tap aerators	☒	☐	☐	
v. Reduce reliance on artificial lighting by:				
▪ providing a mix of lighting fixtures, including dimmable				These are addressed by the BASIX Certificates issued for the development.

Requirement	Yes	No	N/A	Comment
lighting, to provide for a range of activities in different rooms ▪ designing to allow for different possibilities for lighting the room, for example, low background lighting supplemented by task or effect lighting for use as required ▪ using separate switches for special purpose lighting ▪ using high efficiency lighting, such as compact fluorescent, for common areas ▪ using motion detectors for common areas, lighting doorways and entrances, outdoor security lighting and car parks vi. Maximise the efficiency of household appliances by: ▪ selecting an energy source with minimum greenhouse emissions ▪ installing high efficiency refrigerators/freezers, clothes washers and dishwashers ▪ providing areas for clothes to be dried through natural ventilation vii. Provide an Energy Performance Report from a suitably qualified consultant to accompany any development application for a new building. Nathers 4.5 star rating should be achieved to 80% of all residential apartments and commercial offices viii. Use the NSW Government's sustainability assessment tool, BASIX, from such time as it is implemented for the residential housing types in the DCP precinct area, as an additional rating system, to be achieved to 80% of all residential apartments	☒ ☒ ☒ ☒ ☒ ☒ ☒ ☒	☐ ☐ ☐ ☐ ☐ ☐ ☐ ☐	☐ ☐ ☐ ☐ ☐ ☐ ☐ ☐	This is addressed under the heading "State Environmental Planning Policy - BASIX" described earlier in the report.
4.7.2 Maintenance Objectives ▪ To ensure long life and ease of maintenance for the development	☒	☐	☐	The proposed development is considered to be consistent with the Maintenance objectives as relevant conditions shall be included in any consent to ensure the site is suitably maintained.

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

Requirement	Yes	No	N/A	Comment
4.7.3 Waste Management Performance Criteria				
i. Incorporate existing built elements into new work, where possible	☐	☐	☒	Storage of waste bins:
ii. Recycle and reuse demolished materials, where possible	☐	☐	☒	There is a primary waste bin storage area within Car park Level One with a loading bay adjacent to it. This will facilitate garbage collection from within the building complex and not on the kerb side.
iii. Specify building materials that can be reused and recycled at the end of their life	☒	☐	☐	
iv. Integrate waste management processes into all stages of the project, including the design stage	☒	☐	☐	
v. Support waste management during the design stage by:				The waste bin area has room for 32 large bin stores, room for cleaning bins and a bulky waste store facility.
▪ specifying modestly for the project needs	☒	☐	☐	Additionally, there are three smaller bin stores on the lower car park level with room for storing three large bins each (9 bins in total).
▪ reducing waste by utilising the standard product/component sizes of the materials to be used	☒	☐	☐	
▪ incorporating durability, adaptability and ease of future services upgrades	☒	☐	☐	
vi. Prepare a waste management plan for green and putrescible waste, garbage, glass, containers and paper	☒	☐	☐	
vii. Locate storage areas for rubbish bins away from the front of the development where they have a significant negative impact on the streetscape, on the visual presentation of the building entry and on the amenity of residents, building users and pedestrians	☒	☐	☐	
viii. Provide every dwelling with a waste cupboard or temporary storage area of sufficient size to hold a single day's waste and to enable source separation	☒	☐	☐	Not practicable to do this on a building of this scale.
ix. Incorporate on-site composting, where possible, in self contained composting units on balconies or as part of the shared site facilities	☐	☐	☒	
x. Supply waste management plans with any Development Application as required by the NSW Waste Board	☐	☐	☒	
4.7.4 Water Conservation Objectives				
▪ To reduce mains consumption of potable water	☒	☐	☐	Suitable water saving measures have been proposed for this development.
▪ To reduce the quantity of urban stormwater runoff	☒	☐	☐	
▪ To encourage integrated water management, that is, capturing stormwater and/or rainwater and storing on site for both external and internal use	☒	☐	☐	

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

Section 94 Contributions Plan

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

The Section 94 Contributions will be based upon the following criteria:-

- 59 x 1 bedroom apartments.
- 119 x 2 bedroom apartments.
- 7 x 3 bedroom apartments.

As at 28 May 2013, the contribution amount is calculated at $660,338.81 which will be subjected to the consumer price index.

Disclosure of Political Donations and Gifts

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

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

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

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

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

It is considered that the proposed development will have no significant adverse environmental, social or economic impacts in the locality and is a form of development anticipated and expected for the Wentworth Point locality.

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

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

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

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

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

In accordance with Council's Notification of Development Proposals Development Control Plan, the first proposal was publicly exhibited and letters sent to adjoining owners/occupiers for a period of 21 days from 11 December to 4 January 2013.

There were no submissions or objections to the proposed development.

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

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

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

Conclusion

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

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

Having regard to the assessment of the proposal from a merit perspective, the Joint Regional Planning Panel may be satisfied that the development has been responsibly designed and provides an acceptable amenity for the residents.

For these reasons, it is considered that the proposal is satisfactory having regard to the matters of consideration under Section 79C of the Environmental Planning and Assessment Act, 1979.