AUBURN CITY COUNCIL

41-45 Hill Road, WENTWORTH POINT NSW 2127

Applicant	Sekisui House Australia Pty Limited
Owner	SH Homebush Peninsula Pty Limited
Application No.	DA-400/2013
Description of Land	Lot 3 DP 270844, 41-45 Hill Road, WENTWORTH POINT NSW 2127
Proposed Development	Construction of a residential flat complex encompassing 2 x 8 storey buildings and 1 x 25 storey high rise building encompassing 383 apartments, a pocket park, three storey car park and associated landscaping and stormwater works. (Lot 9B)
Site Area	7410.00m^2
Zoning	Sydney Regional Environmental Plan No. 24
Disclosure of political donations and gifts	Nil disclosure
Issues	• Minor variations to State Environmental Planning Policy 65 • Minor variations to the Homebush Bay West Development Control Plan

Recommendation

1. That Development Application No. DA-400/2013 for the construction of a residential flat complex encompassing 2 x 8 storey buildings and 1 x 25 storey high rise building with 383 apartments, a three level car park including associated civil works and services (Lot 9C) on land at 41-45 Hill Road, WENTWORTH POINT NSW 2127 be recommended for approval subject to conditions.

Background

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 2004*; however the development site is subject to an additional site specific Development Control Plan called the *Lot 9 Concept Plan* (i.e. MP No 06-0098) approved by the Department of Planning. The Lot 9 Concept plan approval set out a structural design framework to guide development of four buildings for residential use across the site.

The concept plan (MP No 06-0098) 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.

In addition, the approval also included a condition with regard to Floor space in Precinct F for a covenant to be placed on the title for Lots 24, 25 and 26 in DP 270113, Lot 24 in DP 270320, Lot 3 in DP 776611 and Lot 21 in DP 1044874 in Precinct F stating that the total floor space in Precinct F shall not exceed 227,848m2 (i.e. 236,842m2 (total floor space for Precinct F) – 8,994m2 (floor space transferred from Precinct F to Precinct C)) to ensure the total floor space area across Precincts C and F do not exceed the provisions of the HBWDCP.

Within the Lot 9 site area, a number of applications have been considered. The applications relevant to this subject application are discussed below:

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

  Development consent for civil infrastructure works across Lot 9 which comprise of road works, footpaths, stormwater drainage and utility service infrastructure was approved under delegated authority on 7 February 2012 subject to conditions. The consent also included landscaping and public domain works across Lot 9. The works approved in this application are specified to be undertaken in stages.

  Section 96(1A) modification application was subsequently lodge to alter the access arrangement and road configuration of Lot 9 and was determined subject to conditions on 29 May 2013.

- *DA-109/2011: 41-45 Hill Road Wentworth Point – Subdivision of the site*

  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. The approved allotments varied in size and shape but the consent laid out the subdivision plan across Lot 9.

- *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. Operational consent was issued later on the 23 May 2013.

  This application was also subject to various Section 96 modifications. Of particular importance was the removal of a condition number 1(DC4) relating to a specific covenant stating that the floor space in Precinct F shall not exceed 227,848 sqm. This was approved on 28 June 2012.

- *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. Operational consent was later issued on the 23 May 2013.

  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.

As a result of the recently approved amendments to the HBWDCP and Concept plan approval for Lot 9 (discussed in further detail below), it should be noted that the applicant has agreed to surrender the existing development consent pertaining to Lot 9C in accordance with section 80A (5) of the EP&A Act 1979 as a condition of consent of this application. An appropriate condition has been included in the consent to ensure compliance.

- *DA-350/2012: (Block A) 41-45 Hill Road, Wentworth Point – Residential flat building*

  The Joint Regional Planning Panel granted development consent on 8 August 2013 for the construction of an 8 storey residential flat building complex known as Building Complex A including 185 residential units over basement level car park with associated landscaping and drainage works.

Having regard to the above, it should be noted that various amendments to the HBWDCP and the site specific Concept plan approval has since been adopted by the NSW Department of Planning and Infrastructure. The following amendments to the planning controls include:

Amendment No. 1 – Homebush Bay West DCP 2004

The Director General subsequently adopted Amendment No. 1 to the Homebush Bay West DCP 2004 on 9 July 2013 by the inclusion of the Plan of Part 5 "Homebush Bay Bridge Development" which came into effect on 31 July 2013. The Amendment permits additional floor space and building heights in consideration of a Voluntary Planning Agreement between developers within the Wentworth Point Precinct and RMS to construct a pedestrian, cycle and public transport bridge across Homebush Bay from the adjoining site to Rhodes.

MP06_0098 MOD 2

On the 26 June 2014, the Minister for Planning granted approval under S75W of the EP&A Act 1979 to modify the Concept Plan for Lot 9 (Precinct C). The revised concept plan approval applying to the site provided details of heights and envelopes that reflect the development consents for Lots 9A and 9D as well as the proposals within the current development applications lodged for Lots 9B and 9C. More importantly, the modification approval covers the deletion of relevant conditions and commitment relating to a restrictive covenant and amends the overall FSR for Precinct C by increasing the residential floor space from 50,424m^2 to 74,424m^2 with a floor space ratio from 1.58:1 to 2.33:1, increase in dwelling numbers from around 685 to around 996 dwellings and associated increases in basement car parking areas.

As a result of the uplift and recent amendments approved by the Minister, a revised design of Block C was considered.

- *DA-399/2013: (Block C - revised) 41-45 Hill Road, Wentworth Point – Residential flat building*

  The Joint Regional Planning Panel granted development consent on 29 August 2014 for the construction of a residential flat complex encompassing 6, 8 and 21 storey buildings with 281 apartments, a three level car park including associated civil works and services (Lot 9C).

Consultations

16/12/2013	The subject development application (DA-400/2013) was formally submitted to Council for consideration.
14/01/2014	The application was advertised and notified between 14 January 2014 to 28 January 2014.
30/01/2014	Council Officers briefed the Panel members of the major issues regarding the proposal. The key issues discussed in the briefing included minor non-compliances with SEPP 65 requirements, traffic, parking and driveway access issues and stormwater drainage.
31/01/2014	Appropriate referrals were made to the Roads and Maritime Services (RMS) regarding the proposal for comment under SEPP Infrastructure 2007.
04/02/2014	A referral was made to NSW Police for comment regarding the proposal.
06/02/2014	A response from NSW Police was provided recommending advisory conditions with regard to CPTED Principles.
21/02/2014	RMS provided a response recommending advisory conditions and further comment recommending Council consider a cumulative traffic management plan for the area.
26/06/2014	Council receives a copy of the adopted Modification to Concept Plan approval *(MP06_0098 MOD 2)* under section 75W of the EP&A Act 1979.
07/07/2014	Appropriate referrals were made to the Sydney Olympic Park Authority (SOPA) for comment regarding the proposal.
14/07/2014	Council receives formal response from SOPA advising Council of standard procedures for stormwater drainage connections (if applicable) to SOPA land.
11/09/2014	Council Officers requested for additional information from the applicant in relation to planning and engineering issues.
09/10/2014	Council receives the requested information regarding the concerns raised with regard to the development proposal. The information was referred to Council's engineer for further comment.
10/10/2014	Council requested for further additional information which was provided to Council staff on 13/10/2014.

Site and Locality Description

The subject site is identified as Lot 3 in DP 270844 and is known as 41-45 Hill Road, WENTWORTH POINT. The subject development site to which this application relates is identified by the applicant as "Block 9B" and represents the second building complex which is located on the second street block from Hill Road. Block B forms part of a larger site known as Lot 9 which comprises of 3.195 hectares in size. Block B is 6,907 m^2 in total site area (excluding streets) and is defined by the following boundaries within Lot 9 consisting of the following dimensions:-

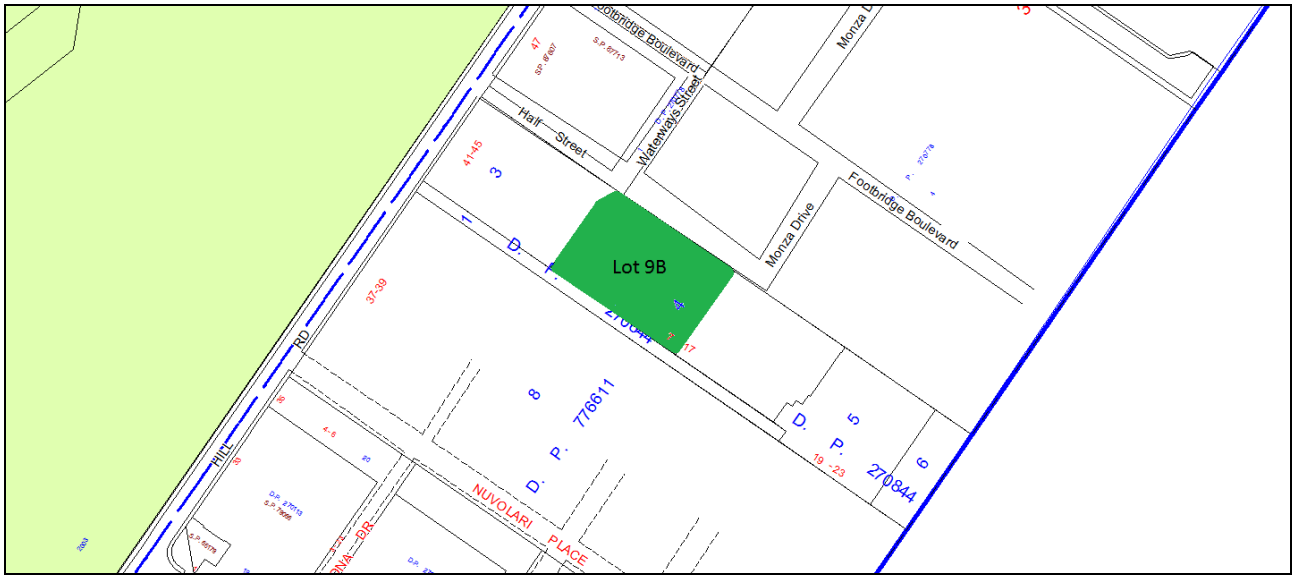
- Savona Drive frontage being the north-western boundary: 54.065 + 16.22 metres.

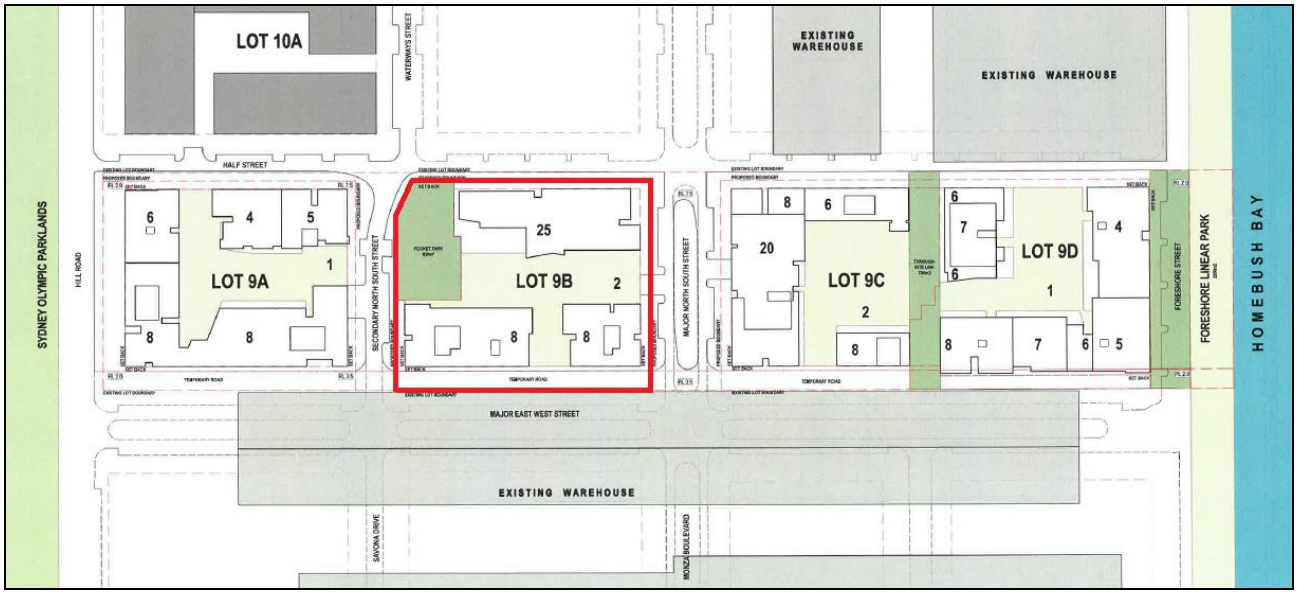
- Half Street frontage being the north-eastern boundary: approximately 84.86 metres.
- Monza Drive frontage being the south-eastern boundary: 70.02 metres.
- Temporary Road being the south-western boundary: 91.99 metres.

The land is currently cleared and undergoing approved site works. It should also be noted that the development of Block B extends under the adjoining streets with basement parking.

There is a mixture of development in the locality ranging from industrial / warehouse uses to newer multi storey residential flat buildings. Within the wider locality, there is a ferry terminal with access from Burroway Road. To the north and 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 site is shown in the diagrams below:-





Description of Proposed Development

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Council has received a development application seeking approval for the construction of 8 and 25 storey buildings containing mixed uses and 27,293m^2 of floor area which includes:

- 383 apartments in a mix of studio, 1, 2, 3 and 4 bedrooms;
- A communal room of 22 m^2 (excluding foyer);
- Total of 441 basement car parking spaces + an additional 9 on-street parking spaces;
- Landscaping of public and private domains;
- Common open space of 2,441 m^2 (920 m^2 of publically accessible pocket park and 1,240 m^2 of internal courtyard on podium level)
- Garbage collection arrangements, stormwater drainage works and provision of associated services.

It is noted that due to existing site constraints, a new topography is required to be created where 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 the residential building towers and a common area.

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 advised that the proposed development is satisfactory due to the provision of adequate car parking and vehicle access to the site; provision of satisfactory loading and waste collection arrangements; and appropriate drainage arrangements. The impact of the development on the existing and future traffic conditions is found to be acceptable having regard to the development permitted under the planning controls for the site. Appropriate conditions of consent have been included in the consent where appropriate.

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 14.07.14, the comments provided from SOPA advised that should any stormwater drainage connections to SOPA land be required, then further details must be provided to SOPA for approval in the first instance prior to connection. An appropriate condition has been included in the consent to ensure compliance.

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 31 January 2014 for advice.

In correspondence of 21 February 2014, the Roads and Maritime Services provided advisory conditions as well as comments for Council to consider the developing a wider mesoscopic model to assess the cumulative traffic impact of the Homebush Bay West precinct and other precincts such as the Sydney Olympic Park Master Plan 2030 and Carter Street Urban Activation Precinct within the area on the local and state road network and identify transport infrastructure requirements to accommodate the cumulative traffic impacts.

Due to the increasing concerns of the cumulative traffic impact caused by the recent changes to the planning controls, Council Officers have considered it appropriate to request further additional information to consider the cumulative traffic impacts of the developments in Lot 9.

The requested information was received from the applicant by Council on 9 July 2014. The information provided included a statement supported by the *Homebush Bay Traffic Assessment (Technical Report) prepared by Parson Brinckerhoff dated June 2003* and a more recent *Transport Management and Accessibility Plan (TMAP) prepared by Cattell Cooper dated April 2013* for the proponents of the Homebush Bay Bridge and endorsed by Transport for NSW in the review of HBW DCP that resulted Amendment No.1 being adopted in 2013.

The applicant's response in this matter included the following:

> *"Amendment No.1 permitted additional development in consideration of a Voluntary Planning Agreement (VPA) for the construction of the Homebush Bay Bridge for pedestrian, bicycle and public transport use.*
>
> *The premise of Amendment No.1 was that the shift in travel demand to non-car modes of peak commuter travel from the Bridge and increased accessibility by public transport would more than offset any increase in peak hour car movements from the additional development.*
>
> *The findings within the Wentworth Point TMAP prepared by Cattell Cooper in 2011 and updated in April 2013 supported the premise as follows (p.77):*
>
> - *It is quite feasible to achieve the TMAP's targets for mode share and travel management, assuming that the bridge connecting Wentworth Point to Rhodes and, in particular, Rhodes station is delivered in the right way and at the right time.*
> - *The TMAP's targets are supported by the demonstrated change in travel behaviour between 2006 and 2011 in Wentworth Point and Rhodes.*
> - *While it is now proposed to increase the development size beyond that proposed and permissible under the HBW DCP, the resultant increased trip generation will be more than contained by increased use of non-car modes.*
> - *Overall, the bridge provides the opportunity to ensure an improved mode share outcome, reduced number of car trips, and greater levels of accessibility amongst those living at Wentworth Point.*
> - *The design of the Wentworth Point Proposal, including the Homebush Bay Bridge, will:*
>   - *Reduce levels of vehicle kilometres travelled (VKT) during the peak periods and across other times of the day and week.*
>   - *Reduce reliance on private vehicles.*
>   - *Maximise the use of public transport, walking and cycling.*
> - *The destination-based analysis supports the target mode share of 65 per cent car travel as driver. In fact, there is an opportunity to reduce the mode share for car drivers further, through the promotion of walking and cycling.*
> - *With assumed public transport mode shares, 33 per cent of peak hour trips will be made using public transport. Of these trips, 86 per cent will be made by rail and 14 per cent by bus. (Table 6.1 summarises these findings.)*
>
> *In summary, the incremental impacts of the Proposal over those arising from the level of development permissible under the HBW DCP are not likely to generate additional car trips, nor to place unacceptable demands on public transport services in the area."*

The findings of the TMAP were accepted by Transport for NSW and effectively mean that the traffic generation as assessed for HBW DCP would not be increased by the additional development. Therefore, the traffic works identified in Council's Contribution Plan based on the 2003 Homebush Bay Traffic Assessment would not require change solely on the DCP Amendment in isolation.

Therefore, development in the Amendment No.1 Precincts are being proposed under a planning framework that assessed that the cumulative transport impacts and capacity to serve the needs of the development was adequately planned for.

As you will also be aware, since the adoption of the Amendment No.1 to HBW DCP, the planning provisions for Precinct A at Wentworth Point have been revised under the Urban Activation Precinct (UAP) Program while the Carter Street Precinct is still being examined under the Program.

Also, the Sydney Olympic Park Master Plan 2030 was updated in 2010 and is being reviewed in 2015. The Master plan is based on the planning provisions within State Environmental Planning Policy SEPP (Major Development) 2005 which appears to have been last updated in terms of development potential in 2009 or 2012.

It is noted of course that the planning for the Sydney Olympic Park and the Urban Activation Precincts has occurred after the assessment to the HBW DCP transport impacts in 2003/4, which remain unchanged by Amendment No. 1.

It is also noted that the planning of these Precincts is being undertaken by State Planning Authorities and each would have addressed traffic impacts in the same context as the original Wentworth Point assessment. Further, each redevelopment area would be responsible for any additional traffic mitigation works required to accommodate the additional development proposed.

It is noted in Council's submission to the Carter Street proposal that it called for a more thorough regional assessment of traffic works stemming from that proposal while SOPA has asked for further cumulative traffic studies in the wider area. It is also noted that the assessment for the Wentworth Point UAP proposal took account of existing planned development in Lots 9 and 10 in examining the cumulative local effects of the additional development proposed for that Precinct.

It can be concluded from this review that:

- *Development applications on Lots 9 and 10 are based on the assessments of cumulative transport and traffic effects undertaken in 2003 and 2013 for the Wentworth Point peninsular.*
- *The mitigation of transport impacts from this development is being implemented through the works identified in Council's Section 94 Contributions Plan and remains relevant.*
- *Since the adoption of HBW DCP, revised proposals have been adopted or advanced for the Sydney Olympic Park as well as the Carter Street and Wentworth Point UAP areas.*
- *Other Planning Authorities are responsible for assessing the cumulative transport effects of the respective planning proposals and to plan for any additional management and mitigation measures.*
- *It is not reasonable or possible for such assessments to be undertaken by proponents of development applications under HBW Amendment No. 1 nor would it be proper for development to be impeded by any inadequacy or lack of knowledge in the assessment of more recent planning proposals.*

Accordingly, cumulative transport impacts on the wider area is a matter for State authorities in their management of planning proposals occurring after the planning framework for Wentworth Point was put in place while cumulative impacts on the local area was recently revised for Wentworth Point under the UAP program. Development within those Precincts will be responsible for assessing the cumulative increase in traffic and any additional traffic mitigation works required.

However, the cumulative traffic impacts of development proposed within the Amendment No.1 area of HBW DCP has already been assessed."

Council comment: The response from the applicant in this matter is considered satisfactory on the following grounds:

- The expected traffic generation from this development proposal has been considered in the broader context of the HBWDCP Amendment 1 and the associated TMAP.
- According to the TMAP, the construction and use of the proposed Wentworth Point bridge will generally offset the additional traffic generation associated with additional floor space permitted under Amendment No.1 to the HBWDCP.

NSW Police

The application was also referred to NSW Police for comment on the 4 February 2014 and in correspondence dated 6 February 2014, advisory conditions were provided from NSW Police with respect to Crime Prevention through Environmental Design (CPTED) for the proposal.

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

Lot 9 Concept Plan Approval (Major Project 06-0098) and MP06_0098 MOD 2

Schedule 1

Concept Approval: MP06-0098 granted by the Minister for Planning on 21 January 2008.

For the following: Residential Development including:

- A residential development of approximately 685 dwellings in a mix of 1, 2 and 3 bedrooms with a maximum of 50,424 square metres of floor space (1.58:1) as described in Homebush Bay West DCP.
- Maximum building heights including pop-up levels and maximum building envelopes for the four residential development allotments.
- Public domain works including roads, a foreshore park, pocket park, pedestrian through link, communal and private open space areas.

Modification: MP06_0098 MOD 2: (**approved 26 June 2014**)

- Amend building envelopes to reflect the envelopes of the HBW DCP (as amended) and existing approved DAs for the site.;
- Increase residential floor space from 50,424 square metres to 74,424 square metres and floor space ratio from 1:58:1 to 2.33:1;
- Increase dwelling numbers from around 685 dwellings to around 996 dwellings;
- Increase basement carparking areas;
- Associated revision to open space layout and design;
- Deletion of condition and commitment relating to restrictive covenant and
- A new condition specifying residential visitor parking rates.

The Concept Plan requirements (as amended) are considered in the following assessment table below.

Schedule 2 - Part A

Condition	Comment
A1 Description 1) Residential development comprising around 996 dwellings in a mix of 1, 2 and 3 bedrooms with a maximum **74,424** square metres floor space (i.e. maximum floor space ratio of 2.33:1) as described in HBW DCP	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 D occupies a floor area of

2) Maximum building heights and maximum building envelopes for the four residential development allotments. 3) Public domain in the form of foreshore park, pocket park and pedestrian through link including communal and private open space.	12,056 square metres. • Building complex C occupies a floor area of 20,536 square metres. • Building complex B (subject application) proposes a floor area of 27,293 square metres. Total floor space proposed so far: 74,387 square metres which is within the maximum permitted and thus compliance is achieved. There is provision for public domain works including various streetscape, landscaping works around the perimeter of the site.
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.	Lot 9 Concept Plan approval has been activated. The development consent for Lot 9B will have a five year time approval when issued.
A5 Future applications Future applications to be generally consistent with Concept Plan approval.	The design proposal is consistent with the concept plan approval as amended and the Homebush Bay West Development Control Plan as amended.
A6 Residential visitor parking Residential visitor car parking shall be provided at a rate of 1 space per 12 dwellings	Noted. Parking provided in excess of required number.

Schedule 2 - Part B

Condition	Comment
B1 Built form 1) Approval is given for a maximum of 74,424 square metres of residential floor space which equates to a maximum floor space ratio (FSR) of 2.33:1. 2) Approval is given for the maximum heights and building envelopes identified in the plans referred to in Schedule 2, Part A. 3) Deleted under amendment: MP06_0098 MOD 2. 4) Deleted under amendment: MP06_0098 MOD 2. 5) The lowest habitable floor level of units fronting Homebush Bay shall not be more than 1.5m above finished footpath levels. 6) The separation distance between all buildings shall be in accordance with HBWDCP.	To be achieved cumulatively via separate applications. Building complex B has a floor area of 27,293 square metres encompassing 383 dwellings. Proposed building complex B comprises of 8 and 25 storey buildings and the design proposal is identified as being consistent with the approved design concept plans for the site as per Schedule 2 – Part A2. Not applicable. Does not front Homebush Bay. 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	The physical building is setback 6 metres from the existing lot boundary and 3 metres from the future

minimum of 3m from footpath.	footpath boundary/public domain.
B3 Provision of Foreshore Street The Foreshore Street adjacent to Foreshore Park is to be a public road, accessible by vehicles and connecting with the street on Lot 10, and allowing connection to a future public road on Lot 8. To be designed to Auburn Council's specifications and completed to Council's satisfaction prior to issue of an Occupation Certificate.	Not applicable. Subject site is not located adjacent to foreshore street/park. The subject site does however include a pocket park and appropriate treatment of the building façade has been provided to enhance the built form relative to human scale. (Refer to B8 requirement below).
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.	Proposed building complex B 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.	Should the application be approved, appropriate conditions 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.	Lot 9 Major North South Street aligns with Lot 10.
B8 Design of Tower on Block 9B The future development application for the development of Lot 9B shall divide the north-western elevation of the tower adjacent to the pocket park into two distinct architectural elements comprising: a) An emphasised lower 6 storey element that frames and represents a human-scale to the park and is distinguished from the upper element; and b) An upper element containing the remainder of the tower, which shall be designed/treated to have a lighter-weight appearance. The lower 6 storey element and upper tower element shall be differentiated from each other and the human scale of the lower element achieved through the use of appropriate architectural methods, including (but not limited to): changes in façade composition and/or massing, use of setbacks, recesses, articulation and materials and finishes.	Amended submission of plans provided demonstrating compliance with items a) and b). The applicant has opted to provide a distinction via the use of different materials and finishes.
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.	Staging plan for the development of Precinct C was approved under DA-109/2011 and subsequent S96 applications. This arrangement is consistent with the approved staging of the subdivision of Lot 9. Construction and occupation access for the precinct known as Lot 9 and future buildings is 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
1. Restriction on development potential of Precinct F Deleted under amendment: MP06_0098 MOD 2.	Noted.
2. 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.
3. 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.
4. 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.
5. Access Traffic and Parking The access, traffic and parking assessment submitted with this application demonstrate the proposed street system is capable of accommodating the subject development. Suitable funding mechanisms are available for funding necessary road upgrading and traffic management measures (HBW Precinct Section 94 Development Contributions Plan). *Timing* *Addressed as part of this concept plan.*	Notwithstanding that these matters were resolved with the Concept Plan approval, this application is accompanied by a project specific Traffic & Parking analysis. Furthermore, a supplementary Transport Management and Accessibility Plan (TMAP) have been submitted with the development application for Council assessment with respect to concerns of cumulative traffic impact.
6. 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.
7. Public domain works Proposal will have regard to Homebush Bay West Public Domain Manual and the requirements of Auburn Council.	An appropriate landscape plan has been prepared with the documentation.

Timing *Addressed at detailed DA stage.*	
8. 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.
9. 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. All applications for public works and infrastructure associated with Lot 9 are considered under Development Consent 462/2010, 109/2011 and subsequent modifications that have now been approved.
10. 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.
11. 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.
12. Solar access and shadow analysis Detailed solar access and shadow analysis will demonstrate that the project is capable of complying with relevant controls and guidelines. *Timing* *Part of each subsequent DA.*	Shadow diagrams accompany the application. Any variations are fully justified - Refer to SEPP 65 and HBW DCP.
13. 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.
14. 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 advised that the submitted Acid Sulphate Soil Management Plan is satisfactory.
15. Geotechnical conditions A geotechnical report on the suitability of the site for	The application relies upon the geotechnical report

development shows that the site is suitable for the proposed development. *Timing* *Addressed as part of this concept application.*	approved with the Lot 9 Concept Plan approval – (Geotechnical Investigation Report by Environmental Investigations dated 27/06/12 - Ref: E1639.1 GA) which is considered to be satisfactory.
16. 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.
17. 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
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: **Subject development - Block 9B:** The subject application includes a copy of a 2006 site audit statement indicating that the site is suitable. However, a condition was imposed under the previous consent requiring further validation of the site particularly in relation to the soils underneath and around the heavy vehicle maintenance workshop and soil stockpiles to confirm that the 2006 site audit statement is still current. In this regard, a validation report (ref E1851.1, prepared by Environmental Investigations dated 27 May 2013) has also been provided to confirm the validity of the site audit statement and thus addresses the terms of the relevant condition. Therefore the Council's Officers are satisfied that the site is suitable to accommodate the proposed development as per the requirements under clause 7 of SEPP 55.	
Has the appropriate level of investigation been carried out in respect of contamination matters	☒ Yes ☐ No

Matter for Consideration	Yes/No
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?	

State Environmental Planning Policy - BASIX

A BASIX certificate has been submitted to accompany the development application. The plans and details submitted with the development application satisfy the relevant BASIX commitments required to be endorsed on the development application plans. Conditions will be imposed on the development consent to ensure that the construction of the new building is in accordance with all specified BASIX commitments. The proposed development is considered acceptable in respect of the relevant requirements of SEPP (BASIX) 2004.

State Environmental Planning Policy (Infrastructure) 2007

The proposal, consisting of 383 dwellings and 441 car parking spaces, constituted a "traffic generating development" in accordance with Schedule 3 of the SEPP. Therefore the application was referred to the Roads and Maritimes Services NSW for consideration. As discussed previously under the referrals section of the report, in a letter received by Council on 21 February 2014, advisory conditions were provided to be imposed on any consent issued for the application.

State Environmental Planning Policy No.65 – Quality Design of Residential Flat Development

The relevant provisions and design quality principles of Part 2 of SEPP 65 have been considered in the assessment of the development application contained 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 and is discussed in greater detail throughout the report.
Part 2 Design quality principles				

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Requirement	Yes	No	N/A	Comment
Principle 1: Context *Good design responds and contributes to its context. Context can be defined as the key natural and built features of an area.* *Responding to context involves identifying the desirable elements of a location's current character or, in the case of precincts undergoing a transition, the desired future character as stated in planning and design policies. New buildings will thereby contribute to the quality and identity if the area.*	☒	☐	☐	The Wentworth Point precinct is a locality undergoing transition from industrial to residential land-use. The planning intentions and detailed development controls in place encourage redevelopment for the purpose of high-density residential with lesser elements of commercial and retail. Precinct C or Lot 9 already has a number of residential flat buildings approved and under construction and the proposed development Building Complex B will be the forth/last stage, in lot 9 to be developed.
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 proposed development is generally considered to be consistent with the HBWDCP amendment and adopted site and locality specific concept plan MP06-0098 & MP06-0098 MOD 2. In this regard, the proposal is consistent with the previous approved building on the site which shall be continued throughout the site. A 25 storey tower is proposed to be situated on the north eastern edge of the site boundary of Lot 9B with a 3m and 4m setback provided to the footpath of Half and Major North/South Street respectively. The remaining 8 storey buildings align the southern boundary setbacks respectively.
Principle 3: Built form *Good design achieves an appropriate built form for a site and the building's purpose, in terms of building alignments, proportions, building type and the manipulation of building elements.* *Appropriate built form defines the public domain, contributes to the character of streetscapes and parks, including their views and vistas, and provides internal amenity and outlook.*	☒	☐	☐	The proposed built form is consistent with HBWDCP and the adopted site specific concept plan approval. The development is divided into 3 separate and clearly legible buildings with generous gaps provided between. The proposed 25 storey building form is spilt or sheared in plan to articulate and express a separate more slender tower form to accentuate verticality and reduce apparent bulk. Articulation slots are also introduced to the lower rise buildings to appear as a family of built form elements. The ends of each corridor are recessed and glazed providing natural light and ventilation for each lobby. This shearing and splitting the plan also provides more 'reveal' slot walls for more corner apartments. Each building is connected by a two storey podium base that varies in height with respect to the adjacent footpath. Due to the existing ground conditions the car park rises above the final public domain levels. However the car park is visually mitigated by the arrangement of street accessed apartments and the roof of the car park provides a generous private communal courtyard for residents.

AUBURN CITY COUNCIL

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.*	☒	☐	☐	The development will contribute 383 apartments' in a high-rise building form that will contribute to the redevelopment of the area consistent with the desired future character of the area. The entire site area of Precinct C/Lot 9 is 31,935.16 sqm and the maximum permitted floor space is 74,424 sqm which provides a floor space ratio of 2.33:1. The total floor space of the proposed building is 20,536 sqm which is well within the indicative total maximum floor space for the overall site permitted. Currently as it stands, the following floor areas relevant to each block that have been approved to date, include: • Building complex A with a total floor area 14,502 sqm. • Building complex D occupies a total floor area of 12,056 sqm. • Building complex C occupies a total floor area of 20,536 sqm. • Current proposed total floor area of Block B is 27,293 sqm. Cumulative floor space = 74,387 sqm The proposal is within the permissible total floor space area allowable for the precinct and thus consistent with the Concept Plan approval and HBWDCP density requirement.
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.*	☒	☐	☐	Submitted with the application include a BASIX Certificate and an ABSA assessment which respectively require and demonstrate sustainable building features to be implemented. Should the proposal be approved a condition will be imposed to ensure compliance with the BASIX requirements.

AUBURN CITY COUNCIL

Requirement	Yes	No	N/A	Comment
Principle 6: Landscape *Good design recognises that together landscape and buildings operate as an integrated and sustainable system, resulting in greater aesthetic quality and amenity for both occupants and the adjoining public domain.* *Landscape design buildings on the existing site's natural and cultural features in responsible and creative ways. It enhances the development's natural environmental performance by co-ordinating water and soil management, solar access, micro-climate, tree canopy and habitat vales. It contributes to the positive image and contextual fit of development through respect for streetscape and neighbourhood character, or desired future character.* *Landscape design should optimise useability, privacy and social opportunity, equitable access and respect for neighbour's amenity, and provide for practical establishment and long term management.*	☒	☐	☐	Landscaping is to be used to distinguish boundaries of public/private spaces, provide visual privacy and to soften the built form at ground level surrounding the development and public domain. An open landscaped podium is proposed at the centre of building complex for private communal open space area which is located at level 3. The raised communal courtyard has privacy from the public domain and provides outdoor amenity for residents. The buildings are adequately spaced with generous gaps provided between that allow views out. The buildings are setback from the development boundaries by 3m – 8.5m landscaped setbacks to accommodate entry paths to ground level units and strip landscaping verges to integrate the base of the buildings with the public domain.
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*.	☒	☐	☐	Council's officer are satisfied that the proposal will deliver sufficient amenity to residents of the buildings. The proposal sufficiently complies with the Residential Flat Design Code and Homebush Bay West DCP 2004, as amended; in regards to apartment size, dimensions, solar access, visual and acoustic privacy and private open space. The proposed buildings for Lot 9B results in many apartments having arranged the living spaces to the external façade to maximise access to sunlight, daylight and distant views. Façade treatment has been considered to maintain clear glazing that does not create internal reflection.
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. Living areas and private open space (balconies, terraces) are to face and overlook outdoor spaces. All access ways are to be clear, well defined and secured with gates and intercom. The multiple entries activate the street to provide a safe and secure environment and the surrounding streets and central courtyard are well surveyed by apartments.

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 proposed development contains an acceptable range of dwelling types, sizes and affordability which will allow for and cater to a social mix. The proposed courtyard and common circulation is designed to encourage community spirit for residents within the development by offering both public and private areas for congregation and activity. A common room is also proposed for residents use.
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 proposal is considered to be a high-quality design, with suitably high-quality materials and finishes to be used. The building elevations are visually interesting and create an appropriate basis for the redevelopment of the rest of the site.
Clause 30 Determination of DAs *After receipt of a DA, the advice of the relevant design review panel (if any) is to be obtained concerning the design quality of the residential flat development.* *In determining a DA, the following is to be considered:* • *The advice of the design review panel (if any);* • *The design quality of the residential flat development when evaluated in accordance with the design quality principles;* *The publication "Residential Flat Design Code" – Department of Planning, September 2002.*	☐ ☐ ☒ ☒	☐ ☐ ☐ ☐	☒ ☒ ☐ ☐	Auburn City Council does not employ a formal design review panel. The design quality principles are considered above and the Residential Flat Design Code is considered in the assessment table immediately below. It should be noted however that the design guidelines contained within the Homebush Bay West DCP 2004 including the amendment no. 1 supersede those in the RFDC where there is an inconsistency as per clause 1.12 – *Relationship to other documents*; of the Homebush Bay West DCP 2004.

Associated with SEPP 65 is the Residential Flat Design Code. The relevant provisions of the Code are considered within the following assessment table:

Residential Flat Design Code

Requirement	Yes	No	N/A	Comment
Part 1 - Local Context				
Building Type				
• **Residential Flat Building.** • Terrace. • Townhouse. • Mixed-use development. • Hybrid.	☒ ☐ ☐ ☐	☐ ☐ ☐ ☐	☐ ☒ ☒ ☒	The proposed development consists of a residential flat building complex. There is car parking situated centrally within the site over two levels and an open courtyard area with landscaping provided on a podium at level 3.
Subdivision and Amalgamation				

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Requirement	Yes	No	N/A	Comment
Objectives • Subdivision/amalgamation pattern arising from the development site suitable given surrounding local context and future desired context.	☐	☐	☒	Subdivision of the site as a whole was approved under DA-109/2011.
• 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 generally compliant with the Modified concept plan approval and HBWDCP 2004 Amendment no. 1, section 5.3 - future desired character of the locality.
• To allow reasonable daylight access to all developments and the public domain.	☒	☐	☐	This is achieved where possible. Any variations in relation to solar penetration to apartments and the public domain are described at the appropriate sections 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 proposed building is generally consistent with the bulk and scale provisions of the HBWDCP Amendment no. 1 and site specific concept plan approval. Compliance with specific solar access and dual-aspect apartment controls is considered in greater detail below.
• To provide adequate amenity for building occupants in terms of sun access and natural ventilation.	☒	☐	☐	
• To provide for dual aspect apartments.	☒	☐	☐	

AUBURN CITY COUNCIL

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 proposed depth reaches up to 22.5m. Compliance with the building depth is difficult to achieve however, the design does not reflect poor amenity or building performance and internal plans generally achieve objectives of SEPP 65. Further, the HBWDCP Amendment no. 1 provides allowances for internal plan depth of a building to exceed 18m if it is in a tower form.**
• 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.	☒	☐	☐	Irrespective of the technical non-compliance, building complex 9B achieves satisfactory daylight and natural ventilation given the orientation of the site and design of the development is divided into 3 separate and clearly legible buildings with generous spacing/gaps provided between. The residential building forms are spilt or sheared in plan to articulate and express separate and slender tower forms.
• Slim buildings facilitate dual aspect apartments, daylight access and natural ventilation. • In general an apartment building depth of 10-18 metres is appropriate. Developments that propose wider than 18 metres must demonstrate how satisfactory day lighting and natural ventilation are to be achieved.	☒ ☐	☐ ☒	☐ ☐	**The 25 storey tower building takes the appearance of slimline structure. There are 234 apartments in the development that receive natural cross ventilation. This represents 61% of the number of apartments in the development in terms of solar access. The RFDC and HBW DCP acknowledges the inevitability of some apartments without mid-winter solar access and thus allows up to 30% of apartments not to achieve the minimum 2 hours of mid-winter sunlight in dense urban areas. As shown on architectural drawings, 253 apartments, representing 66%; achieve the solar access requirement between 9am and 3pm in mid-winter. Due to the orientation of the site, full compliance with the solar amenity requirements is difficult to achieve. As discussed above, the design of the buildings are reasonably separated into 3 distinct slender building blocks within the site so as to avoid bulky buildings. This design is considered to be most appropriate to maximise ventilation, solar access and improve overall residential amenity to the proposed units. In this instance, the slight departure is considered to be minor and non-compliance with this requirement should not warrant refusal of the application as the exceedance of 18m internal plan depth is permitted under the HBWDCP amendment no.1.**
Building Separation				

AUBURN CITY COUNCIL

Requirement	Yes	No	N/A	Comment
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 and building setbacks which are compliant with the HBWDCP and the site specific concept plan approval.
• 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.	☒	☐	☐	The amount of genuine deep soil zone is limited in nature as a result of the site constraints. However, deep soil is provided along the street frontages which incorporate significant landscaping to soften the built form. In addition, a landscaped podium is to be provided on level 3 for communal open space. This is considered to be satisfactory.
Controls • For buildings over three storeys, building separation should increase in proportion to building height: *5-8 storeys/up to 25 metres:* ▪ 18 metres between habitable rooms/balconies; ▪ 13 metres between habitable rooms/balconies and non-habitable rooms; ▪ 9 metres between non habitable rooms. *9 storeys and above/over 25 metres:* ▪ 24 metres between habitable rooms/balconies; ▪ 18 metres between habitable rooms/balconies and non-habitable rooms; ▪ 12 metres between non habitable rooms. • Allow zero separation in appropriate contexts, such as in urban areas between street wall building types (party walls).	 ☒ ☒ ☒ ☒ ☒ ☒ ☒	 ☐ ☐ ☐ ☐ ☐ ☐ ☐	 ☐ ☐ ☐ ☐ ☐ ☐ ☐	The residential complex has a minimum height of 8 storeys and a maximum height of 25 storeys including the residential tower. The separation distances are:- Between Lot 9A and 9C: Compliance is achieved with the setback requirements. A complying building separation distance is provided between the building complexes of 21 metres and up to 38 metres in some instances where a significantly landscaped pocket park proposed. The building envelopes are consistent with the modified concept plan approval. Levels 1-3 (Lot B): No separation distance due to the design of the building incorporating a central car park over 3 levels with 3 buildings surrounding the perimeter of the block and a through site link on the eastern side. Levels 4-8 (Lot B): Min. 20m apart between buildings B1 and B3, 19m apart between B1 and B2, **11 and 18m apart between B2 and B3 (habitable rooms/balconies).** **Whilst a minimum of 18m is required between B2 and B3, it is noted the apartments that do not achieve the minimum separation distance are considered to be acceptable in this instance as these walls have secondary habitable room windows screened for privacy and primary windows are on alternate facades. Further, a condition is imposed for the installation of a fixed privacy screens/louvers to the western**

Requirement	Yes	No	N/A	Comment
Allow zero separation in appropriate contexts, such as in urban areas between street wall building types (party walls). • 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. • 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.	☒ ☒ ☒ ☒ ☒	☐ ☐ ☐ ☐ ☐	☐ ☐ ☐ ☐ ☐	**ends of the balconies located in building B2.** Levels 9 and over 25 storeys (Lot B): As there is only a single 25 storey tower proposed in block B, appropriate separation distance is achieved from level 9 onwards.
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 HBWDCP and concept plan approval as modified. The setbacks are to be utilised for landscaping, pedestrian paths and private open space areas for the ground floor apartments. The setbacks provided along Half Street, Major North South Street and the Temporary Road are compliant with the provisions of HBWDCP and concept plan approval. As such the development proposal is considered to respond appropriately in relation to the use and context of the site.

AUBURN CITY COUNCIL

Requirement	Yes	No	N/A	Comment
Controls • Minimise overshadowing of the street and/or other buildings.	☐	☐	☒	Given the orientation of the site and the required design outcomes of the Concept Plan approval, some overshadowing of streets is inevitable and unavoidable. Street setbacks are considered to be satisfactory. The building adheres to the setback provisions, however 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.
• 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.	☒	☐	☐	Generally, the building complex maintains the "Public Domain Boundary" subject to some minor overhangs created by various design elements to the façade.
Side & Rear Setbacks				
Objectives • To minimise the impact of development on light, air, sun, privacy, views and outlook for neighbouring properties, including future buildings.	☒	☐	☐	Desired setbacks are achieved in accordance with the HBWDCP requirements.
• 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.	☒	☐	☐	It is identified that the complex will occupy an entire allotment of land when constructed. The complex is designed to address Half Street, Major North South Street and a Temporary Road which will be replaced with landscaping elements when all stages have been constructed.
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.	☒	☐	☐	
Controls • Where setbacks are limited by lot size and adjacent buildings, 'step in' the plan on deep building to provide internal courtyards and to limit the length of walls facing boundaries.	☒	☐	☐	Appropriate setbacks are achieved in accordance with the Homebush Bay West DCP requirements and site specific concept plan approval.
• In general no part of a building or above ground structure may encroach into a setback zone - exceptions are underground parking structures no more than 1.2 metres above ground where this is consistent with the desired streetscape, awnings, balconies and bay windows.	☒	☐	☐	
Floor Space Ratio				

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Requirement	Yes	No	N/A	Comment
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 HBW DCP Amendment no. 1. Section 3.4.1 has been amended by section 5.3 where an additional 24,000sqm of residential floor space has been granted for precinct C.
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.	☐ ☐ ☐	☒ ☒ ☒	☐ ☐ ☐	**As discussed below.**
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.	☒ ☒ ☒ ☒ ☐	☐ ☐ ☐ ☐ ☒	☐ ☐ ☐ ☐ ☐	**Deep soil zone is very limited in nature as a result of the site constraints. This is due to the reclaimed nature of the land and the need for above ground structure in lieu of basements as per the conclusions of the contamination report which require the soil to remain capped to avoid direct contact. Thus the development has therefore been designed to accommodate parking above ground over two levels.** **In addition, the HBW DCP 2004 has acknowledged the limitations of achieving the deep soil requirement and as such this control is not considered to be applicable in this instance.** **Notwithstanding, a suitable landscaping scheme has been submitted which provides for adequate plantings including trees in the internal courtyard, building surrounds, public domain and road network to be constructed.**
Fences and Walls				
Objectives • To define the edges between public and private land. • To define the boundaries between areas within the development having different functions or owners. • To provide privacy and security. • To contribute positively to the public domain.	☒ ☒ ☒ ☒	☐ ☐ ☐ ☐	☐ ☐ ☐ ☐	The proposed development is considered to be consistent with the Fences and Walls objectives as suitable barriers between the public and private areas are proposed in the form of low level walls and landscaping.

AUBURN CITY COUNCIL

Requirement	Yes	No	N/A	Comment
Design Practice • Respond to the identified architectural character for the street and/or the area. • Clearly delineate the private and public domain without compromising safety and security by designing fences and walls which provide privacy and security while not eliminating views, outlook, light and air; and limiting the length and height of retaining walls along street frontages. • Contribute to the amenity, beauty and useability of private and communal open spaces by incorporating benches and seats; planter boxes; pergolas and trellises; BBQs; water features; composting boxes and worm farms. • Retain and enhance the amenity of the public domain by avoiding the use of continuous blank walls at street level; and using planting to soften the edges of any raised terraces to the street, such as over sub basement car parking and reduce their apparent scale. • Select durable materials which are easily cleaned and graffiti resistant.	☒ ☒ ☒ ☒ ☒	☐ ☐ ☐ ☐ ☐	☐ ☐ ☐ ☐ ☐	The proposed development provides low-level boundary walls behind a landscape buffer to ground floor apartments to clearly delineate between public and private spaces. The proposed wall fencing will provide visual privacy to apartments while also creating a sense of overlooking and casual surveillance of public areas.
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.

AUBURN CITY COUNCIL

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.	☒	☐	☐	A landscape plan prepared by Site Image is provided. The plans contain details of the landscape provision, species to be planted, maintenance and soil preparation.
• 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.	☒	☐	☐	A good range of trees and shrubs are to be planted as part of the landscape theme across the site.
• Improve the energy efficiency and solar efficiency of dwellings and the microclimate of private open spaces.	☒	☐	☐	
• Design landscape which contributes to the site's particular and positive characteristics.	☒	☐	☐	
• Contribute to water and stormwater efficiency by integrating landscape design with water and stormwater management.	☒	☐	☐	
• Provide a sufficient depth of soil above paving slabs to enable growth of mature trees.	☒	☐	☐	
• Minimise maintenance by using robust landscape elements.	☒	☐	☐	
Open Space				
Objectives				
• To provide residents with passive and active recreational opportunities.	☒	☐	☐	The proposed development is considered to be consistent with the Open Space objectives communal open space is provided in the form of an internal courtyard allowing for passive and active recreation.
• To provide an area on site that enables soft landscaping and deep soil planting.	☒	☐	☐	
• To ensure that communal open space is consolidated, configured and designed to be useable and attractive.	☒	☐	☐	
• To provide a pleasant outlook.	☒	☐	☐	

AUBURN CITY COUNCIL

Requirement	Yes	No	N/A	Comment
Design Practice • Provide communal open space with is appropriate and relevant to the building's setting.	☒	☐	☐	A communal open space is provided within the development site. The main area is the central courtyard which contains landscaping and feature elements to allow for passive and active recreation.
• Where communal open space is provided, facilitate its use for the desired range of activities by locating it in relation to buildings to optimise solar access to apartments; consolidating open space on the site into recognisable areas with reasonable space, facilities and landscape; designing its size and dimensions to allow for the program of uses it will contain; minimising overshadowing; carefully locating ventilation duct outlets from basement car parks.	☒	☐	☐	
• Provide open space for each apartment capable of enhancing residential amenity in the form of balcony, deck, terrace, garden, yard, courtyard and/or roof terrace.	☒	☐	☐	All apartments are provided with at least 1 suitably sized area of private open space in the form of a terrace or balcony. Many of the level 3 apartments are provided with courtyards for private use. A community room is also provided within the development.
• 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 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 proposed 1201 sqm + pocket park of 920 sqm represents 30%. This is considered to be acceptable as, in addition to the common open space and pocket park, all apartments are provided with their own private open space either from balconies, courtyards or in some occasions, both.**
• Where developments are unable to achieve the recommended communal open space, they must demonstrate that residential amenity is provided in the form of increased private open space and/or a contribution to public open space.	☐	☐	☒	
• Minimum recommended area of private open space for each apartment at ground level or similar space on structure is 25sqm and the minimum preferred dimension is 4 metres.	☒	☐	☐	**Many of the ground level apartments facing the street and/or internal courtyard feature courtyards. Courtyard apartments are generally compliant with the minimum 25 sqm. Further, additional communal open space is being provided.**
Orientation				

AUBURN CITY COUNCIL

Requirement	Yes	No	N/A	Comment
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 locality specific DCP. Existing developments are not duly affected
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. 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.

AUBURN CITY COUNCIL

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) is of sufficient depth to support the tree plantings of 75 to 100L.
• 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 as shown on the accompanying landscape plan prepared by Site Image.
• 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	☒	☐	☐	
▪ 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.	☒	☐	☐	

AUBURN CITY COUNCIL

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.
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	☒ ☒ ☒ ☒ ☒	☐ ☐ ☐ ☐ ☐	☐ ☐ ☐ ☐ ☐	As mentioned above, suitable landscaping and fencing is to be provided to boundaries between public and private areas. Level changes along street elevations aide in providing additional physical barriers. Communal building entries are to be orientated to the adjoining street and have greater setbacks, lighting, open forecourts and glazed elevations to provide for a suitable level of visibility and functionality. Internally, direct and convenient access ways from the communal courtyard and from parking levels to the building are proposed. Secure access doors/gates are to be provided to communal access points, physical barriers are to be provided between private open spaces and an intercom system to access pedestrian and

AUBURN CITY COUNCIL

Requirement	Yes	No	N/A	Comment
development's car parking from any other building use and controlling car park access from public and common areas; providing direct access from car parks to apartment lobbies for residents; providing separate access for residents in mixed-use 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.				vehicular access ways is to be provided to all apartments. There are five lifts distributed between 3 main lobby entries within the development linking all floors and the car park levels.
• Carry out a formal crime risk assessment for all residential developments of more than 20 new dwellings.	☒	☐	☐	A crime risk analysis report was submitted with the original application which details a suite of features to minimise crime within the building grounds and general locality.
Visual Privacy				
Objectives • To provide reasonable levels of visual privacy externally and internally during the day and night. • To maximise outlook and views from principal rooms and private open space without compromising visual privacy.	☒ ☒	☐ ☐	☐ ☐	The proposed development is considered to be consistent with the Visual Privacy Objectives as outlook of open space is maximised where possible, without creating adverse impacts.
Design Practice • Locate and orient new development to maximise visual privacy between buildings on site and adjacent buildings by providing adequate building separation, employing appropriate rear and side setbacks, utilise the site layout to increase building separation.	☒	☐	☐	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.	☐	☒	☐	**A condition can be imposed for the installation of fixed privacy screens/louvers to the western elevation of the balconies of units in Building B2 where necessary to minimise privacy impacts.**
• Use detailed site and building design elements to increase privacy without compromising access to light and air.	☒	☐	☐	
Building Entry				
Objectives • To create entrances which provide a desirable residential identity for the development. • To orient the visitor. • To contribute positively to the streetscape and building facade design.	☒ ☒ ☒	☐ ☐ ☐	☐ ☐ ☐	The proposed development is considered to be consistent with the Building Entry Objectives as multiple communal entries which are easily identifiable are proposed.

AUBURN CITY COUNCIL

Requirement	Yes	No	N/A	Comment
Design Practice • Improve the presentation of the development to the street by: locating entries so that they relate to the existing street and subdivision pattern, street tree planting and pedestrian access network; designing the entry as a clearly identifiable element of the building in the street; utilising multiple entries where it is desirable to activate the street edge or reinforce a rhythm of entries along a street.	☒	☐	☐	Multiple communal entries are to be provided adjacent to the streets / roadways. There are three critical entry points to the development for pedestrians located along the northern, south-eastern and southern elevations of the building complex. The main vehicular access point is located on the eastern side of the lot which will connect to the Major North South Street when constructed.
• Provide as direct a physical and visual connection as possible between the street and the entry.	☒	☐	☐	
• Achieve clear lines of transition between the public street, the shared private circulation spaces and the apartment unit.	☒	☐	☐	Lobby/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 five (5) lift wells to be constructed within the complex, distributed between 3 main lobby entry points. Each lift provides full access throughout the complex and various floors. Lobby B1 (25 storey tower) contains 3 lift wells and lobby B2 and B3 each contain 1 lift well. The entry foyers also allow equitable access to the building complex.
• Ensure equal access for all.	☒	☐	☐	
• Provide safe and secure access.	☒	☐	☐	
• Provide separate entries from the street for pedestrians and cars; different uses and ground floor apartments.	☒	☐	☐	
• Design entries and associated circulation space of an adequate size to allow movement of furniture between public and private spaces.	☒	☐	☐	
• Provide and design mailboxes to be convenient for residents and not to clutter the appearance of the development from the street.	☒	☐	☐	Appropriate conditions can be imposed with respect to design of mailboxes.
Parking				
Objectives • To minimise car dependency for commuting and recreational transport use and to promote alternative means of transport - public transport, bicycling and walking.	☒	☐	☐	The proposed development is consistent with the Parking objectives as suitable number of resident and visitor car, motorbike and bicycle spaces are provided within the underground levels which do not impact upon the aesthetic design of the building.
• To provide adequate car parking for the building's users and visitors depending on building type and proximity to public transport.	☒	☐	☐	
• To integrate the location and design of car parking with the design of the site and the building.	☒	☐	☐	

AUBURN CITY COUNCIL

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 441 car parking spaces provided to support the development. Of that, 32 spaces are provided for visitors and 39 spaces are allocated for people with disabilities. In general, the development requires a total of 415 spaces being 383 spaces for the residents and 32 spaces for visitor use.
• Limit the number of visitor parking spaces, particularly in small developments where the impact on landscape and open space is significant.	☐	☐	☒	
• Give preference to underground parking wherever possible. Design considerations include: retaining and optimising the consolidated areas of deep soil zones; facilitating natural ventilation to basement and sub basement car parking areas; integrating ventilation grills or screening devices of car park openings into the façade design and landscape design; providing safe and secure access for building users, including direct access to residential apartments where possible; provide a logical and efficient structural grid.	☒	☐	☐	The car park is located at grade 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 by apartment units and associated indoor recreational facilities (gym and swimming pool) which surround the car park area.
• 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.	☒	☐	☐	Parking levels have appropriate ventilation intakes with proposed exhaust plenums extending to each level, secure access and direct and convenient access to the building with five lifts providing access from the car park area to the residential complex.
• 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.	☐	☐	☒	Only causal on-street parking is provided at ground level as required by the Street provisions of the HBW DCP as amended.
• Provide bicycle parking which is easily accessible from ground level and from apartments.	☒	☐	☐	Bicycle storage areas are incorporated into secure storage cages within the car park areas.
Pedestrian Access				
Objectives				
• To promote residential flat development which is well connected to the street and contributes to the accessibility of the public domain.	☒	☐	☐	The proposed development is considered to be consistent with the Pedestrian Access objectives as barrier free communal entries are provided to the access cores of all units.
• 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.	☒	☐	☐	

AUBURN CITY COUNCIL

Requirement	Yes	No	N/A	Comment
Design Practice				
• Utilise the site and its planning to optimise accessibility to the development.	☒	☐	☐	The proposed building is stepped to reflect the new topography of the site.
• Provide high quality accessible routes to public and semi-public areas of the building and the site, including major entries, lobbies, communal open space, site facilities, parking areas, public streets and internal roads.	☒	☐	☐	Vehicular and pedestrian entries are well separated and the proposed street network provides vehicular and pedestrian links through the wider site.
• 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.	☒	☐	☐	Where appropriate, ground floor apartments have been designed to be accessible from the street and their associated private open space or through the basement levels with lift access.
• 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.	☒	☐	☐	There are 78 adaptable apartments within the development representing 20% of the total number of apartments.
• 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.	☒	☐	☐	
Vehicle Access				
Objectives				
• To integrate adequate car parking and servicing access without compromising street character, landscape or pedestrian amenity and safety.	☒	☐	☐	The proposed development is considered to be consistent with the Vehicle Access objectives. Vehicular access is from the side via the future Major North South Street.
• To encourage the active use of street frontages.	☒	☐	☐	
Design Practice				
• Ensure that pedestrian safety is maintained by minimising potential pedestrian/vehicle conflicts.	☒	☐	☐	This development features two vehicle access points capable of accommodating two way traffic on Major North South Street. Access is isolated from the pedestrian access points. Separate access for Garbage collection/loading and unloading is from the southern side via Temporary Road.
• 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.	☒	☐	☐	
• Generally limit the width of driveways to a maximum of 6 metres.	☐	☒	☐	**The driveway is 7 metres wide. A variation of 1000 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.**
• Locate vehicle entries away from main pedestrian entries and on secondary frontages.	☒	☐	☐	

AUBURN CITY COUNCIL

Requirement	Yes	No	N/A	Comment
Part 03 Building Design				
Apartment Layout				
Objectives • To ensure the spatial arrangement of apartments is functional and well organised. • To ensure that apartment layouts provide high standards of residential amenity. • To maximise the environmental performance of apartments. • To accommodate a variety of household activities and occupants' needs.	☒ ☒ ☒ ☒	☐ ☐ ☐ ☐	☐ ☐ ☐ ☐	The proposed development is considered to be consistent with the Apartment Layout objectives as layouts are suitably sized to permit a satisfactory furniture layout and living areas are oriented to maximise solar access and aspect.
Design Practice • Determine appropriate sizes in relation to: geographic location and market demands; the spatial configuration of an apartments; affordability. • Ensure apartment layouts are resilient over time by accommodating a variety of furniture arrangements; providing for a range of activities and privacy levels between different spaces within the apartment; utilising flexible room sizes and proportions or open plans; ensuring circulation by stairs, corridors and through rooms is planned as efficiently as possible thereby increasing the amount of floor space in rooms. • Design apartment layouts which respond to the natural and built environments and optimise site opportunities by: providing private open space in the form of a balcony, terrace, courtyard or garden for every apartment; orienting main living areas toward the primary outlook and aspect and away from neighbouring noise sources or windows. • Locating main living spaces adjacent to main private open space; locating habitable rooms, and where possible kitchens and bathrooms, on the external face of buildings; maximising opportunities to facilitate natural ventilation and to capitalise on natural daylight by providing corner apartments, cross-over/cross-through apartments; split-level/maisonette apartments, shallow/single aspect apartments.	☒ ☒ ☒ ☒	☐ ☐ ☐ ☐	☐ ☐ ☐ ☐	Apartment layouts are generally considered satisfactory in terms of orientating living areas and private open spaces to optimise solar access and aspect, allow for flexibility of furniture layout where possible, enable suitable levels of visual acoustic privacy and are suitability dimensioned. The living area of each apartment is connected to a balcony, terrace or courtyard.
• Avoid locating kitchen as part of the main circulation spaces of an apartment, such as a hallway or entry space.	☒	☐	☐	The kitchens do not form part of the major circulation space of any apartment.
• Include adequate storage space in apartment.	☒	☐	☐	All units are provided with adequate storage space in the apartment.
• Ensure apartment layouts and dimensions facilitate furniture removal and placement.	☒	☐	☐	
• Single aspect apartments should be limited in depth to 8 metres from a window.	☐	☒	☐	**There are 39% of single aspect apartments in the development that have depths that vary around 9-10.5 metres and this is considered to be satisfactory as it is identified that the habitable rooms are less than 8 metres from windows but the variation occurs usually within the rear portions of the units being non-habitable utility functions.**
• The back of a kitchen should be no more than 8 metres from a window. • The width of cross-over/cross-through	☒	☐	☐	All cross through apartments are a minimum of 4 metres or wider.

AUBURN CITY COUNCIL

Requirement	Yes	No	N/A	Comment
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.	☒	☐	☐	The proposal complies with the apartment size requirements as follows:
• 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.	☒	☐	☐	1 Br (min. 53.3 to 63.7 sqm) 2 Br (min. 75.5 to 88.9 sqm 3 Br (min. 116 to 120.7 sqm)
Apartment Mix				
Objectives • To provide a diversity of apartment types, which cater for different household requirements now and in the future.	☒	☐	☐	The proposed development is considered to be consistent with the Apartment Mix objectives as a mixture of 1, 2 and 3 bedroom apartments are proposed which will provide living spaces for most household requirements.
• To maintain equitable access to new housing by cultural and socio-economic groups.	☒	☐	☐	
Design Practice • Provide a variety of apartment types particularly in large apartment buildings. Variety may not be possible in smaller buildings (up to 6 units).	☒	☐	☐	The development has the following bedroom mix:-
• Refine the appropriate mix for a location by considering population trends in the future as well as present market demands; noting the apartment's location in relation to public transport, public facilities, employment areas, schools, universities and retail centres.	☒	☐	☐	• 1 bedroom apartments = 149 (38.9%). • 2 bedroom apartments = 221 (57.7%). • 3 bedroom apartments = 13 (3.4%). Total = 383 (100%)
• Locate a mix of 1 and 3 bed apartments on the ground level where accessibility is more easily achieved.	☐	☒	☐	**Due to the presence of the raised podium, the level one apartments are raised somewhat above the street level. There are 5 apartments with a mix of 1 and 2 bedrooms.** **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.	☒	☐	☐	There are 78 adaptable apartments within the development representing 20% 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	☒	☐	☐	

Requirement	Yes	No	N/A	Comment
space; sufficiently large and well proportioned to be functional and promote indoor/outdoor livening – a dining table and 2 chairs (small apartment) and 4 chairs (larger apartment) should fit on the majority of balconies in the development.				
• Consider secondary balconies, including Juliet balconies or operable walls with balustrades, for additional amenity and choice: in larger apartments; adjacent to bedrooms; for clothes drying, site balconies off laundries or bathrooms and they should be screened from the public domain.	☒	☐	☐	Secondary balconies are provided to a small number of apartments in the complex where space permits the secondary features.
• 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.
• 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).	☒	☐	☐	All balconies have a minimum depth of 2 and a maximum of 2.4 metres capable of accommodating 2 chairs.
• Developments which seek to vary from the minimum standards must demonstrate that negative impacts from the context – noise, wind, cannot be satisfactorily ameliorated with design solutions.	☒	☐	☐	
• Require scale plans of balcony with furniture layout to confirm adequate, useable space when an alternate balcony depth is proposed.	☒	☐	☐	
Ceiling Heights				
Objectives • To increase the sense of space in apartments and provide well proportioned rooms.	☒	☐	☐	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.	☒	☐	☐	

AUBURN CITY COUNCIL

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 3.2 metres which is considered acceptable for solar and light penetration into the various apartments. The BASIX Commitments will dictate additional upgrades required to the various apartments such as insulation to ensure good internal residential amenity.
• Facilitate better access to natural light by using ceiling heights which enable the effectiveness of light shelves in enhancing daylight distribution into deep interiors; promote the use of taller windows, highlight windows and fan lights. This is particularly important for apartments with limited light access such as ground floor apartments and apartments with deep floor plans.	☒	☐	☐	
• Design ceiling heights which promote building flexibility over time for a range of other uses, including retail or commercial, where appropriate.	☐	☐	☒	The building does not consist of any double height apartments. The allotment is identified for residential use.
• Coordinate internal ceiling heights and slab levels with external height requirements and key datum lines.	☒	☐	☐	
• Count double height spaces with mezzanines as two storeys.	☐	☐	☒	
• Cross check ceiling heights with building height controls to ensure compatibility of dimensions, especially where multiple uses are proposed.	☒	☐	☐	
• Minimum dimensions from finished floor level to finished ceiling level:	☐	☐	☒	The floor to ceiling heights proposed are considered satisfactory.
○ 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;	☒	☐	☐	
○ 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.	☒	☐	☐	

AUBURN CITY COUNCIL

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 78 adaptable apartments within the development representing 20% 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 the design of the building complex provides for apartments to be oriented to all street frontages and/or private communal courtyard areas.
• To increase the housing and lifestyle choices available in apartment buildings.	☒	☐	☐	
Design Practice • Design front gardens or terraces which contribute to the spatial and visual structure of the street while maintaining adequate privacy for apartment occupants.	☒	☐	☐	All ground floor apartments are setback from the boundaries with adjoining streets. These setback areas are utilised for private terraces accessible from internal living areas and individual entries, bounded by fencing and landscaping which provides sufficient visual privacy.
• Ensure adequate privacy and safety of ground floor units located in urban areas with no street setbacks by: stepping up the ground floor level from the level of the footpath a maximum of 1.2 metres; designing balustrades and establishing window sill heights to minimise site lines into apartments, particularly in areas with no street setbacks; determining appropriateness of individual entries; ensuring safety bars or screens are integrated into the overall elevation design and detailing.	☒	☒	☐	
• Promoting house choice by: providing private gardens, which are directly accessible from the main living spaces of the apartment and support a variety of activities; maximising the number of accessible and visitable apartments on the ground floor; supporting a change or partial change in use, such as a home office accessible from the street or a corner shop.	☒	☐	☐	
• 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				

AUBURN CITY COUNCIL

Requirement	Yes	No	N/A	Comment
Objectives • To create safe and pleasant spaces for the circulation of people and their personal possessions. • To facilitate quality apartment layouts, such as dual aspect apartments. • To contribute positively to the form and articulation of the building façade and its relationship to the urban environment. • To encourage interaction and recognition between residents to contribute to a sense of community and improve perceptions of safety.	☒ ☒ ☒ ☒	☐ ☐ ☐ ☐	☐ ☐ ☐ ☐	The proposed development is considered to be consistent with the Internal Circulation objectives as spacious access hallways and apartments are provided.
Design Practice • Increase amenity and safety in circulation spaces by: providing generous corridor widths and ceiling heights particularly in lobbies, outside lifts and apartment entry doors; providing appropriate levels of lighting, including the use of natural daylight where possible; minimising corridor lengths to give short, clear sight lines; avoiding tight corners; providing legible signage noting apartment numbers, common areas and general directional finding; providing adequate ventilation.	☒	☐	☐	Corridor, foyer and hallway widths are adequately lit, articulated and produce good movements of people between apartments.
• 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. Corridors with greater than 8 apartments featuring glazed elements to allow the penetration of natural light into the corridor 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.	☐	☒	☐	**There are 10 apartments per core/corridor within the building B2 that do not comply. This is considered satisfactory as a design solution is achieved in which the ends of corridors are recessed and provided with glazed elements to permit natural light and ventilation for the lobbies. Slot type apartments are also introduced to create varied style and articulation in the building façade as well as to achieve better cross ventilation and secondary aspect for the apartments.** **It should also be noted that the amendment to the HBWDCP under clause 4.4.8 allows for the number of units accessible to a core/corridor to exceed 8 units for a residential tower.**
Mixed Use				

AUBURN CITY COUNCIL

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.	☐	☐	☒	The objectives stated here will not apply to the development application.
• 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.	☐	☐	☒	
Storage				
Objectives • To provide adequate storage for everyday household items within easy access of the apartment.	☒	☐	☐	Most of the apartments are provided with adequate internal storage space.
• To provide storage for sporting, leisure, fitness and hobby equipment.	☒	☐	☐	Storage is being proposed to all units within the development. No specific schedule has been provided to indicate the totals for storage volume and thus a condition will be imposed to ensure compliance with the storage requirements under the RFDC.

AUBURN CITY COUNCIL

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

AUBURN CITY COUNCIL

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.	☒	☐	☐	The Acoustic Report provided with the application, prepared by Acoustic Logic Consultancy Pty Ltd, dated 27/11/2013, Revision 0, report reference 20120942.4/2711A/R0/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.	☒	☐	☐	
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. To a lesser extent, there are a number of apartments on the southern portion of the site that do not receive significant solar penetration despite the majority of units being orientated towards the north, east or western aspect.
• Ensure direct daylight access to communal open space between March and September and provide appropriate shading in summer.	☒	☐	☐	
• 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 shadow plans provided indicate that the communal open space will receive sufficient daylight access. Apartment living areas and bedrooms are provided with openings to outdoor space to maximise access to daylight and where possible, north facing openings, living areas and open spaces are optimised. It should be noted that given the block plan and building height massing, some overshadowing is considered to be unavoidable which makes compliance with

Requirement	Yes	No	N/A	Comment
the number of south acing apartments and increase their window area; use light shelves to reflect light into deeper apartments.				solar access control onerous to achieve.
• 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.	☒	☐	☐	
• 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 253 (66%) of apartments achieve the minimum 2 hours of solar access between 9am and 3pm in mid-winter. It is noted however, that apartments that do not achieve the minimum 2 hours winter sun have sufficient day lighting through large areas of glazing and intelligent layouts.**
• Limit the number of single aspect apartments with a southerly aspect (SW-SE) to a maximum of 10% of the total units proposed.	☒	☐	☐	**18% or 69/383 apartments are identified as being single aspect SE/SW facing. Compliance is difficult to achieve in this instance due to the orientation of the site. However the building design method chosen is considered to optimise natural ventilation and solar penetration as a result of the slender tower forms proposed. In this regard, despite the non-compliance with this requirement, the proposed envelope design is consistent with the modified concept plan approval and as such, the non-compliance is not considered to warrant refusal of the application.**
• Developments which seek to vary from the minimum standards must demonstrate how site constrains and orientation prohibits the achievement of these standards and how energy efficiency is addressed.	☒	☐	☐	
Natural Ventilation				
Objectives • To ensure that apartments are designed to provide all habitable rooms with direct access to fresh air and to assist in promoting thermal comfort for occupants.	☒	☐	☐	The 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.
• To provide natural ventilation in non-habitable rooms, where possible.	☒	☐	☐	
• To reduce energy consumption by minimising the use of mechanical ventilation, particularly air conditioning.	☒	☐	☐	

AUBURN CITY COUNCIL

Requirement	Yes	No	N/A	Comment
Design Practice • Plan the site to promote and guide natural breezes by: determining prevailing breezes and orient buildings to maximise use, where possible; locating vegetation to direct breezes and cool air as it flows across the site and by selecting planting or trees that do not inhibit air flow.	☒	☐	☐	The building and apartment layouts are designed to maximise natural ventilation through the use of open-plan living areas and generous openings to living areas and bedrooms.
• Utilise the building layout and section to increase the potential for natural ventilation.	☒	☐	☐	
• Design the internal apartment layout to promote natural ventilation by: minimising interruptions in air flow through an apartment; grouping rooms with similar usage together.	☒	☐	☐	
• Select doors and operable windows to maximise natural ventilation opportunities established by the apartment layout.	☒	☐	☐	
• Coordinate design for natural ventilation with passive solar design techniques.	☒	☐	☐	
• Explore innovative technologies to naturally ventilate internal building areas or rooms.	☐	☐	☒	
• Building depths which support natural ventilation typically range from 10-18 metres.	☐	☒	☐	**As discussed previously above under building separation section of the report. Despite the non-compliance with the building depth, the residential towers achieve satisfactory daylight and natural ventilation given slender and spilt plan built form and the orientation of the site.**
• 60% of residential units should be naturally cross ventilated.	☒	☐	☐	It is identified that 234 apartments have access to natural ventilation due to their position representing 61% of the total number of apartments.
• 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.	☒	☐	☐	
Awnings and Signage				
Objectives • To provide shelter for public streets. • To ensure signage is in keeping with desired streetscape character and with the development in scale, detail and overall design	☐ ☐	☐ ☐	☒ ☒	No signage or awnings of any kind is proposed under this application. Application relates to residential use only.

AUBURN CITY COUNCIL

Requirement	Yes	No	N/A	Comment
Design Practice *Awnings* • Encourage pedestrian activity on streets by providing awnings to retail strips, where appropriate, which: give continuous cover in areas which have a desired pattern of continuous awnings; complement the height, depth and form of the desired character or existing pattern of awnings; provide sufficient protection for sun and rain.	☐	☐	☒	No signage or awnings of any kind is proposed under this application. Application relates to residential use only.
• 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.	☐	☐	☒	
• 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 requirements of the Concept Plan approval and HBWDCP – Amendment 1. The design quality of the development is satisfactory. A high level of modulation, articulation and architectural feature elements are incorporated to provide visually interesting and varied facades. Unsightly elements such as services, piping and plant is to be suitably located and/or screened so as not to detract from the visual quality of facades.
• Compose facades with an appropriate scale, rhythm and proportion, which respond to the building's use and the desired contextual character.	☒	☐	☐	
• Design facades to reflect the orientation of the site using elements such as sun shading, light shelves and bay windows as environmental controls, depending on the façade orientation.	☒	☐	☐	
• Express important corners by giving visual prominence to parts of the façade.	☒	☐	☐	
• Coordinate and integrate building services, such as drainage pipes, with overall façade and balcony design.	☒	☐	☐	
• Coordinate security grills/screens, ventilation louvres and car park entry doors with the overall façade design.	☒	☐	☐	
Roof Design				
Objectives • To provide quality roof designs, which contribute to the overall design and performance of residential flat buildings.	☒	☐	☐	The proposed development is considered to be consistent with the Roof Design objectives as a flat roof with no elements which detract from the overall building appearance is proposed.
• To integrate the design of the roof into the overall façade, building composition and desired contextual response.	☒	☐	☐	
• To increase the longevity of the building through weather protection.	☒	☐	☐	

AUBURN CITY COUNCIL

Requirement	Yes	No	N/A	Comment
Design Practice • Relate roof design to the desired built form. • Design the roof to relate to the size and scale of the building, the building elevations and three dimensional building form. This includes the design of any parapet or terminating elements and the selection of roof materials. • Design roofs to respond to the orientation of the site. • Minimise the visual intrusiveness of service elements (lift overruns, service plants, chimneys, vent stacks, telecommunication infrastructure, gutters, downpipes, signage) by integrating them into the design of the roof. • Support the use of roofs for quality open space in denser urban areas by: providing space and appropriate building systems to support the desired landscape design; incorporating shade structures and wind screens to encourage open space use; ensuring open space is accessible. • Facilitate the use or future use of the roof for sustainable functions e.g. rainwater tanks, photovoltaics, water features. • Where habitable space is provided within the roof optimise residential amenity in the form or attics or penthouse apartments.	☒ ☒ ☒ ☒ ☐ ☒ ☐	☐ ☐ ☐ ☐ ☐ ☐ ☐	☐ ☐ ☐ ☐ ☒ ☐ ☒	The proposed building is to have a flat roof which will not have any impact upon its overall appearance. There is some plant equipment on the roof of the tower being the lift over runs and other associated systems. 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.

AUBURN CITY COUNCIL

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. Internal garbage chutes are proposed at various designated locations within the development.
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.	☐ ☒ ☒ ☒ ☒ ☒ ☒ ☐ ☒	☐ ☐ ☐ ☐ ☐ ☐ ☐ ☐ ☐	☒ ☐ ☐ ☐ ☐ ☐ ☐ ☒ ☐	Internal garbage room with a garbage chute is provided at every level of the 3 buildings for the development. The basement garbage truck collection facility is proposed to be shared with Block D. A waste management report prepared by Elephants Foot Waste Contractors P/L dated December 2013 revision D, accompanies the development application describes waste removal in detail. The report addresses waste management, 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 (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).

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 $90 million, The Joint Regional Planning Panel is the determining authority.

AUBURN CITY COUNCIL

Requirement	Yes	No	N/A	Comment
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.	☒	☐	☐	Proposed development type:- Residential flat building complex. The development is considered to be permissible with consent.
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.	☐	☐	☒	A solar generating work is not proposed.

AUBURN CITY COUNCIL

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 the future Bridge Link between Wentworth Point and the Rhodes Peninsula, the 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.*	☐	☐	☒	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.
(h) *To promote ESD.*	☐	☐	☒	
(i) *To take advantage of the proximity of the Homebush Bay Area to the Parramatta River and Homebush Bay by encouraging development that preserves and improves views from and of the waterfront and to enhance public access to those waterways and waterfront areas, while protecting flora and fauna habitats.*	☐	☐	☒	The site is not situated close enough to the waterways. 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.
(j) To enable the habitat of birds protected under international agreements for the protection of migratory birds to be conserved.	☐	☐	☒	The subject site does not contain any items listed under Schedule 5 of the SREP.

AUBURN CITY COUNCIL

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.
(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: *(a) Any relevant master plan prepared for the Homebush Bay Area.*	☒	☐	☐	The amendments to the site specific Concept Plan approval for Lot 9 and locality specific HBWDCP has been considered in the assessment of the development application. Refer to detailed assessments for further information.
(b) Any DCPs prepared for the land to which the application relates.	☒	☐	☐	The development application was referred to Sydney Olympic Park Authority for comment and no objections are raised.
(b1) To the extent to which it applies to the land within Sydney Olympic Park, the "Environmental Guidelines" within the meaning of the Sydney Olympic Park Authority Act 2001 and any plan of management referred to in section 34 of that Act.	☒	☐	☐	
(c) The appearance, from the waterway and the foreshores of the development.	☐	☐	☒	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.	☒	☐	☐	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.
(e) The extent to which the development encompasses the principles of ESD.	☒	☐	☐	Ecologically sustainable development principles have been implemented in the development and each apartment must conform to the BASIX commitments.
(f) The impact of carrying out the development on environmental conservation areas and the natural environment, including flora and fauna and the habitats of the species identified in international agreements for the protection of migratory birds.	☐	☐	☒	
(g) The impact of carrying out the development on heritage items, heritage conservation areas and potential historical archaeological sites.	☐	☐	☒	
(h) The views of the public and other authorities which have been consulted by the consent authority under this plan.	☒	☐	☐	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.

AUBURN CITY COUNCIL

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 14.07.14.
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*	☒	☐	☐	Submissions from public authorities have been considered in the External Referrals Section above.
b) A period of 28 days has elapsed since those views were sought.	☒	☐	☐	
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.	☐	☐	☒	

AUBURN CITY COUNCIL

Requirement	Yes	No	N/A	Comment
Clause 16 Master plans *(1) Development consent must not be granted for development on land edged red on the map marked Sydney REP No 24 - Homebush Bay Area – Amendment No 2 - Map 4" unless:* *(a) There is a master plan for the subject land.* *(b) The consent authority has taken the master plan into consideration, and*	☒ ☒	☐ ☐	☐ ☐	A locality specific development control plan exists and is applicable to the subject site.
(c) The development is consistent with the master plan. *(2) The Minister may waive compliance with the requirements of this clause because of the minor nature of the development concerned, the adequacy of the planning controls that apply to the proposed development or for such other reason as the Minister considers sufficient.* (3) *This clause does not apply to minor development specified in Schedule 10.*	☒ ☐ ☒	☐ ☐ ☐	☐ ☒ ☐	The Homebush Bay West Development Control Plan will be used in the assessment of the development application. No Ministerial direction has been received or is required in this instance.
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 and consider the proposed development satisfactory in this regard.

AUBURN CITY COUNCIL

Requirement	Yes	No	N/A	Comment
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)*	☒	☐	☐	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.
(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.	☐	☐	☒	Suitable landscaping is to be provided as part of the proposal
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.	☒	☐	☐	There is limited excavation works carried out for the development due to the site constraints as discussed throughout this report.
(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	☒	☐	☐	The car park is situated mostly above the natural ground level but not visible at street level as the ground level units, services and entrance ways wrap around the upper level car park. The roof of the car park forms the podium for a large landscape common open space area.
(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.	☐	☐	☒	Council's Environment and Health Unit considers the development satisfactory with regard to acid sulphate soil impacts. A geotechnical investigation report ref. E1639.1GA, dated 27 June 2012, prepared by Environmental Investigations has been submitted to accompany the development application.
(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*.	☐	☐	☒	

AUBURN CITY COUNCIL

Requirement	Yes	No	N/A	Comment
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.
Clause 22 Development in environmental conservation areas *1) This clause applies to land within an environmental conservation area (ECA).* *2) The consent authority must not consent to a development in 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*.	☐ ☐ ☐ ☐ ☐ ☐ ☐ ☐ ☐ ☐ ☐	☐ ☐ ☐ ☐ ☐ ☐ ☐ ☐ ☐ ☐ ☐	☒ ☒ ☒ ☒ ☒ ☒ ☒ ☒ ☒ ☒ ☒	The development site is not identified as an environmental conservation area. Lot 9 also identified as precinct C is the subject of extensive redevelopment from industrial use to residential use for medium to high density living.

AUBURN CITY COUNCIL

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:	☒	☐	☐	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.
(a) must take into account:				
(i) the effect of the proposed development on the environmental conservation area, and	☒	☐	☐	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.
(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*.	☒	☐	☐	
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,	☐	☐	☒	The subject site does not contain any items of heritage and is not identified as a conservation area under Schedule 4.
(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.	☐	☐	☒	

AUBURN CITY COUNCIL

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	☐	☐	☒	The subject site does not contain any items of heritage and is not identified as a conservation area under Schedule 4.
(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.	☐ ☐ ☐	☐ ☐ ☐	☒ ☒ ☒	
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*).				

AUBURN CITY COUNCIL

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	☐	☐	☒	

AUBURN CITY COUNCIL

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.	☐	☐	☒	The proposed development will not have any impact upon any identified places or potential places of aboriginal significance or archaeological sites.
(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.	☐	☐	☒	

AUBURN CITY COUNCIL

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:	☐	☐	☒	The subject site is not identified as an archaeological or potential archaeological site.
(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.*	☒	☐	☐	
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.	☐	☐	☒	There are no items of heritage significance or conservation areas in the immediate vicinity of the subject site.
(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.*	☐	☐	☒	

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.	☐	☐	☒	The subject site is not identified as being located within a 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.				

Local Environmental Plans

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

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 2004 *(as amended 31 July 2013)*

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 *Sufficient information provided with the application*				
Part 2 Background				
2.3 DCP Objectives				

AUBURN CITY COUNCIL

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. The waterfront provisions are not applicable to this specific proposal and have already been considered and addressed under the previous application for the Lot 9D site.
ii. Optimise the waterfront location by providing continuous foreshore access and links to open space within and surrounding the precinct	☒	☐	☐	
iii. Design streets and public open spaces appropriate to the conditions of the site, particularly in relation to the waterfront, and to the uses	☒	☐	☐	
iv. Retain and enhance the key elements of the urban structure: existing streets, established trees, the formed eastern edge of the peninsula and the maritime focus to Parramatta River	☒	☐	☐	
v. Build on the structure formed by the site's industrial character by aligning new streets with a grid formed by the subdivision pattern and the Hill Road and waterfront edges	☒	☐	☐	
vi. Acknowledge the visual primacy of the waterfront by stepping building heights down from Hill Road to the water	☐	☐	☒	
vii. Retain and enhance Wentworth Park as a public park typical of other point parks on Sydney Harbour	☐	☐	☒	
viii. Designing building heights and massing to enable views to the Millennium Mound as a backdrop to the precinct and to protect views	☒	☐	☐	

AUBURN CITY COUNCIL

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	☐	☐	☒	
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	☐	☐	☒	Building complex B adjoins the Major East-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.
iv. Provide for active ground floor uses on major east-west streets through flexible building design	☐	☐	☒	
v. Provide adequate local open space for precinct residents and workers and encourage use of regional open space within Sydney Olympic Parklands	☒	☐	☐	Open space in the form of a pocket park is provided within the Lot 9B development site which is consistent with the block pattern and layout of the HBWDCP and modified concept plan approval

AUBURN CITY COUNCIL

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	☐	☐	☒	Street layout and public domains are proposed in accordance with the HBW DCP.
ii. Strengthen Hill Road as the major connector between the water and Sydney Olympic Park and an urban edge to the parkland areas	☐	☐	☒	
iii. Design a street hierarchy that clearly distinguishes between the role and scale of major and secondary streets, to orient people within the precinct	☐	☐	☒	
iv. Design the major east-west boulevards as 'green fingers' to help break down the scale of the precinct	☐	☐	☒	Extensive landscaping is proposed along the street frontages that will help to break the mass and scale of the development.
v. Provide a major north-south street that creates a new opportunity to link the interior of the precinct to the river visually and physically	☐	☐	☒	
vi. Locate streets to capitalize on and enhance views to the bay, the river and other surrounding areas and any landmark features (including the Millennium Marker	☐	☐	☒	
vii. Encourage multiple movement choices for people, cyclists and vehicles by optimizing the connectivity of the street network and minimizing dead end streets	☐	☐	☒	
viii. Optimise the accessibility of the foreshore promenade by connecting it with trafficked streets and pedestrian and cycle ways	☐	☐	☒	
ix. Design block size and shape to increase permeability for pedestrians and cyclists by generally limiting their length to 150 metres. On major streets where a continuous street frontage is required to contribute to commercial and retail activity and blocks are longer, provide through-block pedestrian links at maximum 100 metre intervals	☐	☐	☒	
x. Optimise the number of north-facing apartments by orienting blocks east-west; that is, with their longer dimension to the north	☐	☐	☒	
xi. Design streets to accommodate a mixture of transport modes, including pedestrians, cycles, buses where relevant and moving and parked vehicles	☐	☐	☒	

AUBURN CITY COUNCIL

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 proposed development is not located on the waterfront and does not propose links to the waterfront.
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 9B site as per the Concept Plan approval.
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	☐	☐	☒	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	☐	☐	☒	
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	☐	☐	☒	

AUBURN CITY COUNCIL

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 Wentworth Point. 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.
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.

AUBURN CITY COUNCIL

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 proposed development is accompanied by a BASIX Certificate for sustainability performance and is consistent with the commitments.
ii. Control the quality of water entering Homebush Bay through the use of integrated water management strategies	☒	☐	☐	Acceptable stormwater measures have been proposed which will ensure stormwater entering Homebush Bay is of an acceptable quality.
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	☒	☐	☐	
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	☐	☐	☒	
v. Control potential impacts on air quality by minimising car dependency, encouraging pedestrian and cycle movement and promoting the use of public transport	☒	☐	☐	Other elements such as ample bicycle storage areas and the close proximity to existing and future public transport links encourages alternative transport use.
vi. Minimise energy consumption by designing for daylight access and natural ventilation, passive heating and cooling and alternative energy sources	☒	☐	☐	Daylight access and natural ventilation is maximised where possible.
vii. Retain the embodied energy in buildings by designing them as 'long life loose fit' that can be readily adapted for changing uses and are easily maintained	☒	☐	☐	
viii. Minimise resource depletion by selecting environmentally sustainable building materials in both the public and private domains, and by providing facilities for recycling	☒	☐	☐	

AUBURN CITY COUNCIL

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				The proposed development is considered to be of a high architectural and landscaped quality. Solar access is maximised where possible and building form, scale and density is generally consistent with the HBWDCP amendment no. 1 and Concept Plan approval.
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	☒	☐	☐	
ii. Optimise sun access to streets and to public open spaces by minimizing building bulk, ensuring adequate building separation and orienting built form appropriately	☒	☐	☐	
iii. Encourage high quality landscape design of public spaces, of the interface between public spaces and private development and within new development	☒	☐	☐	
iv. Encourage high quality architectural design of all new development	☒	☐	☐	
v. Promote a series of public open spaces related to the waterfront setting which provide a high level of amenity for users, an attractive setting for adjoining development and which visually and spatially link the public domain of Homebush Bay West with its context, including the foreshore of Rhodes Peninsula	☐	☐	☒	
vi. Enhance the visibility and usability of foreshore public space both from within the precinct and from the water by designing the termination of major east-west streets as parks or plazas connecting to the foreshore promenade and water related activity nodes.	☐	☐	☒	
2.3.8 Housing Choice – support opportunities for a diverse community by promoting workplace and housing choice				A wide range of dwelling types and sizes are proposed, with accessible, adaptable and visitable features incorporated for changing needs of residents and future flexibility.
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	☒	☐	☐	
iii. Provide accessible working and living environments for people with disabilities, older people and for prams and strollers	☒	☐	☐	

AUBURN CITY COUNCIL

Requirement	Yes	No	N/A	Comment
2.3.9 Residential Amenity - provide a high level of residential amenity, including outdoor spaces as well as within apartments i. Support the amenity and privacy needs of their occupants by providing apartments of appropriate size and configuration ii. Optimise the number of apartments, their living spaces and private outdoor spaces which benefit from sun access iii. Provide attractive and comfortable communal open space areas by designing them to accommodate a range of different uses and be easily accessed from buildings iv. Integrate planting in internal courtyard areas with podium structures to optimize opportunities for large trees for shade, outlook and privacy v. Promote privacy from the street, particularly for ground floor apartments, by providing landscaped garden spaces within the setback zone	☒ ☒ ☒ ☒ ☒	☐ ☐ ☐ ☐ ☐	☐ ☐ ☐ ☐ ☐	Apartments are generally considered to be suitable in terms of living areas, private open space and landscaping, privacy and general residential amenity (as discussed in greater detail under the Residential Flat Design Code assessment above) are proposed.
2.4.1 Land Uses *2.4.2 Streets and Blocks* *2.4.3 Open Space Network* *2.4.4 Building Height and Massing* *2.4.5 Precinct Structure* - **As amended under section 5.2.1 & 5.2.2 – Design Framework of Amendment no.1 to HBW DCP** 5.2.1 – Building Height and Massing The revise Design Framework retains these broad principles of the DCP in relation to heights but seeks a simplified approach to create greater coherence. This is achieved through applying distinct heights for different locations: 5.2.2 – Precinct Structure The revised Development Framework retains the majority of the key structuring elements contained in section 2.4.5. In addition, the following structure elements apply: • A modified street hierarchy that emphasises the importance of Burroway Road, Bridge Boulevard and the Central Major North-South Street. • A more **urban character** at the northern end of Wentworth Point around the intersection of Bridge Boulevard and the central north-south spine. • **Tower forms** introduced within a designated 'tower zone' primarily along the central north-south spine.	☒ ☒ ☒ ☒ ☒	☐ ☐ ☐ ☐ ☐	☐ ☐ ☐ ☐ ☐	The proposed development is generally consistent with the land use, streets and blocks, open space network, building height and massing and precinct structure figures of these clauses as per the HBWDCP, as amended and the Concept plan approval as modified.
Part 3 Precinct Controls & General Controls				

AUBURN CITY COUNCIL

Requirement	Yes	No	N/A	Comment
3.1 Public Domain Systems				
3.1.1 Pedestrian Network				
i. Provide a continuous pedestrian network through the precinct, along streets and through open spaces, connected with and including the foreshore promenade	☒	☐	☐	The pedestrian network of the proposed surrounding streets is considered to be consistent with these requirements and those of the site specific concept plan approval.
ii. Optimise the number of possible journeys between destinations with an efficient and regular block layout	☒	☐	☐	
iii. Enhance connections to the regional pedestrian network by linking to the Sydney Olympic Parklands path system at the north western foreshore boundary of the precinct, and to the Bicentennial Park path system and Powells Creek at the southern end of the peninsula foreshore	☒	☐	☐	
iv. Provide a continuous foreshore promenade. Implement management strategies consistent with masterplan conditions to minimise potential conflicts between continuous pedestrian access and boat movement between dry stack area and the Bay within the maritime precinct	☐	☐	☒	
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	☐	☐	☒	
vii. Locate pedestrian crossings to support pedestrian movement between destinations	☒	☐	☐	
viii. Consider pedestrian movement when designing major building entries and through-block link.	☒	☐	☐	
ix. Provide paved footpaths in accordance with the street design guidelines in the Public Domain Manual	☒	☐	☐	
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)	☒	☐	☐	
xii. Provide clear and direct pedestrian routes by designing them with good lines of sight to minimise concealment	☒	☐	☐	
xiii. Design appropriate lighting for publicly accessible areas for their level of night-time use	☒	☐	☐	
xiv. Provide kerb ramps at all intersections in accordance with the Public Domain Manual	☐	☐	☒	

AUBURN CITY COUNCIL

Requirement	Yes	No	N/A	Comment
3.1.2 Cycle Network				
i. Provide a cycle network through the streets	☐	☐	☒	The proposal does not contain any dedicated cycle ways although sufficient carriageways are provided for cyclists and motor vehicles. The Hill Road carriageway is to be retained as existing.
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	☐	☐	☒	
ix. Design cycle paths and parking to minimum Austroads design standards	☒	☐	☐	

AUBURN CITY COUNCIL

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, the Wentworth Point ferry terminal and future Homebush Bay West Bridge (Footbridge Boulevard) connecting to Rhodes Peninsula. 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 109/2011 and the Section 96 modification granted thereafter.
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	☐	☐	☒	
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)	☐	☐	☒	

AUBURN CITY COUNCIL

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. The proposed street layout is consistent with the site locality specific concept plan provisions and will feature high-quality streetscape design and amenity.
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	☐	☐	☒	
vi. Where areas of parking are proposed on Hill Road, limit them to areas where they relate to pedestrian entry points to Sydney Olympic Parklands	☐	☐	☒	
vii. Provide a high level of amenity and quality streetscape design, including planting of street trees, consistent with convenient vehicle access, parking and turning	☒	☐	☐	
viii. Refer to Section 3.2 for detailed design guidelines for streets	☐	☐	☒	
3.1.5 Land and Water Connections				
i. Provide opportunities for land-water interface at the end of major east-west streets	☐	☐	☒	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	☒	☐	☐	A pocket park is proposed to be provided within Lot 9B site as per the Concept Plan approval.
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	☐	☐	☒	

AUBURN CITY COUNCIL

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.
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 is 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 Elephants Foot Waste Contractors dated December 2013 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, 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 subsequent Section 96 modification granted after.
ii. Provide a hierarchy of pavement surfaces reflecting the pedestrian	☐	☐	☒	The approved plans under that application includes landscaping works

AUBURN CITY COUNCIL

Requirement	Yes	No	N/A	Comment
significance of different public spaces				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, regulation and interpretive signs	☐	☐	☒	

Requirement	Yes	No	N/A	Comment
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	☒	☐	☐	Services and infrastructure is to be located to minimise visual intrusion. Should the application be recommended for approval, relevant conditions can be included in any consent for such service to be suitably located and/or screened. Council's Engineering Department have assessed the proposed stormwater drainage and deemed it to be acceptable subject to the inclusion of conditions in any consent.
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 autumn months	☐	☐	☒	

AUBURN CITY COUNCIL

Requirement	Yes	No	N/A	Comment
vii. Provide for re-use of water, for example by incorporating a water body capable of infiltration or slow release detention in major plaza spaces	☐	☐	☒	
3.2 Streets				
3.2.1 Hill Road ▪ Uses - Mixed: focus commercial uses close to northern neighbourhood centre and at intersections with major east-west streets	☐	☐	☒	The subject allotment to be developed does not adjoin Hill Road.
▪ Height - max. 8 storeys	☐	☐	☒	
▪ Street Setbacks - 8 metres	☐	☐	☒	
▪ Right of Way - 15-20 metres (varies to accommodate extended parkland edge)	☐	☐	☒	
▪ Carriageway - 2 travelling lanes, 2 separated dedicated bicycle lanes and 1 parking lane	☐	☐	☒	
▪ Footpath - 3.5m with 1m grass verge, east side only	☐	☐	☒	
▪ Landscape Character - Asymmetrical treatment with regular street tree planting in the verge on the east (building) side and 'casual' plantings on the west side to reflect the parklands character. Species in accordance with the Public Domain Plan and Sydney Olympic Park Parklands 2002 & Plan of Management.	☐	☐	☒	
3.2.2 Major East-West Streets ▪ Uses - Mixed: ground floor commercial required in designated neighbourhood centres	☐	☒	☐	**Residential only proposed pursuant to the approval granted under MP No 06_0098.**
▪ Height - max. 8 storeys to within one block (approx. 100m) of waterfront; 6 storeys with 2 storey pop-ups in the final block before the development	☒	☐	☐	8 Storeys proposed on the Major East West Street frontage. This is consistent with the amendment 1 to the HBW DCP under clause 5.3.2 and the respective building height diagram. The amendment also allows for a maximum 25 storey building on the corner of Secondary East West Street and Major North South Street.
▪ 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	☐	☐	☒	**The building has a proposed 3-4m street setback which is consistent with the HBWDCP as amended which permits 2.5m and is also consistent with the building envelopes provided under the modified concept plan approval.**
▪ Footpath - 3.5m with 1-1.5m grass verge, both sides	☐	☐	☒	
▪ Landscape Character - A boulevard treatment, with trees in verges on both sides of the street and in the median. Consideration should be given to differentiating east-west streets from each other, for example by using different species in each median. Species in accordance with the Public Domain Plan	☒	☐	☐	

AUBURN CITY COUNCIL

Requirement	Yes	No	N/A	Comment
3.2.3 Major North-South Street – <u>North of Burroway Road</u> ▪ 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 located south of Burroway Rd. See below.
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.** **The proposed height of the building is 8 & 25 storeys along Major North/South Street. The 25 storey tower built form located along the north-eastern side of the lot adjoining the Major North South Street is consistent with the height provisions identified under the concept plan approval and HBWDCP amendment and modified concept plan approval.** Complying setback of 3 and 4m proposed. The Major East to West street to the south of the building complex does not form part of Lot 9. Instead a temporary road approved under previous Section 96(1A) modification application for various alterations to the consent 462/2010 constructed within the Lot 9 boundary will provide temporary access for the construction of the 4 stages of developments. Upon completion of the stages, the temporary road will be reinstated with significant landscaping that will provide a strong setback of 8.5m from the southern boundary of Lot 9 which will comprise of landscaping elements that will contribute to the overall public domain area. this agreement has been approved as part of development consent no. 462/2010 and 109/2011.

AUBURN CITY COUNCIL

Requirement	Yes	No	N/A	Comment
3.2.5 Secondary East-West Streets ▪ Uses - Residential ▪ Height - max 4 storeys ▪ Street Setbacks - 3 metres ▪ Right of Way - min. 14.5 metres ▪ Carriageway - 2 travelling lanes and 1 parking lane ▪ Footpaths - 2.5-3.5m with 1m grass verge - 5m to accommodate parking extension ▪ Landscape Character - An asymmetrical planting scheme is proposed in response to the street orientation, which results in different sun conditions for the north and south sides of the street. Evergreen trees break up parking bays on the north side at approximately 15m spacings. On the south side deciduous trees are planted at the same spacing but offset with centres between the parking bays. Species in accordance with the Public Domain Plan	☒ ☐ ☒ ☐ ☒ ☐ ☐	☐ ☒ ☐ ☐ ☐ ☐ ☐	☐ ☐ ☐ ☒ ☐ ☒ ☒	The site shares a boundary on a secondary east to west street (Half Street). **25 storey building is proposed along the Half Street frontage and this is consistent with the concept plan approval and HBWDCP under clause 5.3.2 and the respective building height diagram.** The proposed setback is a minimum of 3 metres from the public domain/footpath and 6m from the lot 9 boundary. **There are some balconies that encroaches the minimum 3 metres setback, however this is considered to be acceptable which adds to a varied façade treatment.**
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	☒ ☐ ☒ ☐ ☐ ☐ ☐	☐ ☒ ☐ ☐ ☐ ☐ ☐	☐ ☐ ☐ ☒ ☒ ☒ ☒	**Residential only proposed pursuant to the approval granted under MP No 06_0098.** **8 storey building is proposed along the Secondary North South Street and this is consistent with the concept plan approval and HBWDCP under clause 5.3.2 and the respective building height diagram.** A complying setback of 3m is proposed.

AUBURN CITY COUNCIL

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.
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.

AUBURN CITY COUNCIL

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.	☐ ☐ ☐ ☐ ☐ ☐	☐ ☐ ☐ ☐ ☐ ☐	☒ ☒ ☒ ☒ ☒ ☒	A pocket park is provided under this stage of the development of Lot 9B in accordance with the concept plan approval and HBWDCP.
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.

AUBURN CITY COUNCIL

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.

AUBURN CITY COUNCIL

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	☐	☐	☒	
▪ Access – clear access maximised to adjoining public streets and pedestrian/cycle accessways. Continuous access along/from foreshore promenade. Wentworth Park to provide pedestrian access (paths) through the park to the foreshore and to adjoining streets	☐	☐	☒	
▪ Character – green, uncluttered and informal, safe and comfortable, respond to maritime/riverine precinct identity	☐	☐	☒	
Pocket Parks				
▪ Uses – various, including structured and unstructured play	☒	☐	☐	Pocket park proposed as part of development block 9B consistent with the modified concept plan approval and HBWDCP.
▪ 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 – as amended under section 5.3 of Amendment no. 1 to HBW DCP 2004.				
3.4.1 amended by 5.3.1:	☒	☐	☐	
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	☒	☐	☐	As a result of the amendments to the provisions of the HBW DCP, The floor space ratio and height of the development is considered as being acceptable as discussed throughout this report.
▪ To provide activity areas of small scale retail, outdoor dining and water-related uses along the foreshore	☒	☐	☐	
▪ To ensure that development does not exceed the optimum capacity of the development site and the precinct as a whole	☒	☐	☐	
▪ To allow adequate public open space to be provided and distributed throughout the peninsula	☒	☐	☐	
▪ To support peninsula objectives for a clear, well connected and walkable street layout and efficient block structure				

AUBURN CITY COUNCIL

Requirement	Yes	No	N/A	Comment
5.3.1 Land Uses and Density Controls Figures contained within the Table in section *3.4.1 are amended* as follows to accommodate an additional 106,000 sqm of floor area: Precinct C (31,946 sqm)	☒	☐	☐	The total floor space of the proposed building is 27,293 sqm which is well within the indicative total maximum floor space for the overall site 74,424 sqm permitted.
• Total allowable FSR = 74,424 • Min. com./maritime/educational = 0 • Min. waterfront retail/café dining = 100 • Max. residential = 74,323 • Min. public open space = 3195 Notes: (1) The site area for Precinct E is corrected. (2) The amended residential floor space maximum includes additional floor space of 60,000 sqm for Precinct B, 24,000 sqm for Precinct C, 16,000 sqm for Precinct D and 8000 sqm for Precinct E. (3) The additional floor area for Precinct E is to be distributed as 8000 sqm to Lot 18 DP 270113. (4) Control 3.4.1 (ii) still applies:	☒ ☐ ☐ ☒	☐ ☐ ☐ ☐	☐ ☒ ☒ ☐	The site area of Precinct C or Lot 9 is 31,946 sqm and the maximum permitted floor space for precinct C is 74,424 sqm which provides a floor space ratio of 2.33:1. Currently as it stands, the following floor areas relevant to each block that have been approved include: • Building complex A with a total floor area 14,502 sqm. • Building complex D occupies a total floor area of 12,056 sqm. • Building complex C occupies a total floor area 20,536 sqm. • The current floor space for Building complex B is 27,293 sqm
ii) The provision of covenanted space for community uses with neighbourhood centres may be offset against residential floor space.	☒	☐	☐	Cumulative floor space = 74,387 sqm A community use area is provided within the building. The overall building is under the required/total allowable FSR for the Lot 9 precinct and thus complies with this requirement. **In relation to the distribution of floor space and the land uses associated with Precinct C, no retail space has been provided, however this is consistent with the modified concept plan approved by the Department of Planning on 30 June 2014.** Open space provided for the lot 9 precinct totals 5,463 which include the foreshore park, pocket park and major north south street linear park. The foreshore park and linear park has been considered under DA-462/2010.

AUBURN CITY COUNCIL

Requirement	Yes	No	N/A	Comment
3.4.2 amended by 5.3.2:	☒	☐	☐	
5.3.2 Building Height Objectives				
• To ensure the scale of development responds to the position of Wentworth Point within the metropolitan hierarchy. • To ensure development represents an appropriate transition in scale to adjoining Sydney Olympic Parkland and adjoining land north of Burroway Road and south of Baywater Drive. • To ensure the location of towers reinforce the urban structure and street hierarchy. • To create a coherent pattern of building heights across the precinct. • To create an interesting skyline.	☒ ☒ ☒ ☒	☐ ☐ ☐ ☐	☐ ☐ ☐ ☐	Whilst the proposed development will exceed the height of the Millennium Marker, the proposal is considered to be consistent with the building height requirements as detailed under section 5.3.2 of the amended HBW DCP.
5.3.2 Building Height Controls & Performance Criteria Development controls				
i. The maximum overall height for any building is 25 storeys and otherwise as shown on the revised Building Height Diagram and Tower Height Diagram.	☒	☐	☐	The maximum height of the building complex is 25 storeys over 27 levels. This is due to the number of storeys being calculated from the adjoining ground floor level where the existing ground level has been raised to accommodate the underground parking due to existing site constraints of minimal excavations works permitted which require a new topography to be created. Therefore, this is reflected by a stepped ground floor level following the new land topography. Thus the proposal does not exceed the maximum number of storeys when viewed from the proposed new street levels.
ii. Architectural features such as domes, towers, masts and building services may exceed the maximum height by up to 4 metres providing they do not exceed 10% of the gross floor area of the top building level.	☐	☐	☒	
Performance Criteria				
iii. Scale development to conform to the urban form principles in the revised Design Framework by complying with the following maximum height requirements for street types and widths: – Hill Road (east side only) 8 storeys. – Major east-west streets 8 storeys with the exception of 9 storeys along Burroway Road and 6 storeys at the foreshore edge. – Major North-South Street 8 storeys. – Tower Zone ranging from 16 to 20 storeys except 25 storeys around the 'Focal Point'. – Major east-west streets 8 storeys. – Foreshore edge fronting the Foreshore Promenade 4 storeys. – Minor north-south and east-west streets 6 storeys.	☒	☐	☐	The ground floor of the development is stepped at various elevations to respond to the new topography of the land (proposed raised ground level). The proposed building complex has 8 storeys along the Secondary East-West Street (Half Street) and 25 storeys along the Major East West Street (temporary road). The proposal is consistent with the indicative building height diagram and concept plan approval.
iv. Encourage the use of architectural treatments to create distinctive and interesting 'tops' to the towers.	☒	☐	☐	

AUBURN CITY COUNCIL

Requirement	Yes	No	N/A	Comment
5.3.3 Building Separation and Bulk The revised Design Framework introduces tower forms whilst maintaining the structural elements of the Framework. A number of architectural treatments are available to manage the relationship between typical street defining buildings and tower forms that will provide additional building variety and interest. Objectives • To allow for visual permeability through the tower zone. • To avoid unreasonable visual bulk of development when viewed from • surrounding areas by ensuring appropriate tower separation, scale, form and articulation. • To create tall slender tower forms and avoid monolithic buildings. • To allow locational flexibility to optimise shadowing and aesthetic effects. Performance Criteria i. Ensure towers do not exceed a maximum floor plate of 950m² floor areas. ii. Space towers so that they do not appear to coalesce into a continuous built form when viewed from Rhodes when viewed along street alignments at both right angles from the Bay and in oblique views. iii. For buildings above 8 storeys provide 18 metres between facing habitable room windows/balcony edges. iv. Locate tower forms generally in accordance with the Tower Height Diagram noting that locational adjustment is permitted.	☒ ☒ ☒ ☒ ☒ ☒ ☒ ☒ ☒ ☒ ☒	☐ ☐ ☐ ☐ ☐ ☐ ☐ ☐ ☐ ☐ ☐	☐ ☐ ☐ ☐ ☐ ☐ ☐ ☐ ☐ ☐ ☐	The proposed building complex satisfies the objectives of this section. The floor plate proposed for the 25 storey tower is in accordance with the building envelopes approved under the modified concept plan. The proposal achieves this requirement with the exception of some units being unable to achieve full compliance due to the design of the building and units being located on a corner/convergence point of the building. Notwithstanding, it is noted the majority of these apartments face a solid wall where the view lines are to "front to sides" rather than "front to front**"** and this has been discussed previously under the building separation section of the RFDC.
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	☒ ☒ ☒ ☐	☐ ☐ ☐ ☐	☐ ☐ ☐ ☒	

AUBURN CITY COUNCIL

Requirement	Yes	No	N/A	Comment
3.4.3 Topography and Site Integration Controls and Performance Criteria ***Items (i) and (iii) in relation to 3.4.3 does not apply as amended by 5.3.5 – General Provisions.*** Consider the continuation of any changes in ground level across adjacent sites when proposing changes to the topography	☒	☐	☐	
3.4.4 Building Depth Objectives ▪ To enable view sharing from apartments and views of the sky from the public domain ▪ To optimise residential amenity in terms of natural ventilation and daylight access to internal spaces ▪ To provide for dual aspect apartments	☒ ☒ ☒	☐ ☐ ☐	☐ ☐ ☐	The proposed building is generally consistent with the bulk and scale provisions of the concept plan approval and the future desired character of the locality. Compliance with specific solar access and dual-aspect apartment controls is considered in greater detail below.
3.4.4 Building Depth Performance Criteria ***(item (i) of performance criteria relating to 3.4.4 and 4.5.3 – in that glass line to glass line distance may be greater than 18 metres.*** 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 iii. Optimise the environmental amenity for single aspect apartments by orienting them predominantly north, east or west iv. Promote sustainable practices for commercial floors by limiting their depth above podium level to 25m	☒ ☒ ☐	☐ ☐ ☐	☐ ☐ ☒	There are 234 apartments in the development that receive natural cross ventilation. This represents 61% of the number of apartments in the development.
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 /	☒	☐	☐	**The proposal achieves this requirement with the exception of some units being unable to achieve full compliance due to the design of the buildings. Notwithstanding, it is**

AUBURN CITY COUNCIL

Requirement	Yes	No	N/A	Comment
balcony edges and non-habitable rooms ▪ 9m between non-habitable rooms 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.	☐ ☒ ☒	☒ ☐ ☐	☐ ☐ ☐	**noted the majority of the affected apartments face a solid wall with a secondary window where the view lines are from "front to sides" rather than "front to front" and any direct views can be offset with a condition being imposed on the western elevation of balconies for the B2 building. This has been discussed previously under the building separation section of the RFDC.**

Requirement	Yes	No	N/A	Comment
3.4.6 and 3.4.7 amended by 5.3.4 Street setbacks and building articulation Street setbacks are a key determinant of the preferred character of an area. The public significance of the bridge as a key public transport, walking and cycling route combined with the publicly relevant activity generated by the park, the northern neighbourhood centre, the ferry terminal and other uses north of Burroway Road warrant a more intense urban character at this northern end of Wentworth Point. The street setbacks proposed along this portion of the Major North-South Street are varied to contribute to a more urban character. However, they will continue to achieve the Plan's Street Setback Objectives by maintaining a transition between public and private space, achieving visual privacy of apartments and allowing for a landscaped setting for buildings. Objectives As defined in Section 3.4.6 and 3.4.7 of the Plan.				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 as discussed above.
▪ Ensure that towers exhibit high quality design. Performance Criteria	☒	☐	☐	
i. Create a more urban character for buildings in Precinct B and C up to Burroway Road by providing a minimum 2.5 metre setback.	☒	☐	☐	The buildings within the Lot 9B site are generally setback a minimum of 3 metres from the footpath and 6 metres from the lot boundary.
ii. Permit a zero setback on ground floor and up to 4 storeys in association with retail, commercial or community uses	☐	☐	☒	No commercial/retail component. Residential uses only.
iii. Optimise amenity and comfort within the public domain by designing the forms and articulation of towers and associated buildings so as to:	☒	☐	☐	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.
- minimise the generation of wind effects at ground level;	☒	☐	☐	
- provide a sense of scale, enclosure and continuity that will enhance the pedestrian environment;	☒	☐	☐	
- support an animated and attractive public domain through a suitable interface and transition with its adjoining building uses, entrances, openings, balconies and setbacks.	☒	☐	☐	
iv. The proportions and articulation utilised in towers should reflect a sound response to their contexts and potential aesthetic and physical effects.	☒	☐	☐	
Part 4 Detailed Design Guidelines				
4.1 Site Configuration				

AUBURN CITY COUNCIL

Requirement	Yes	No	N/A	Comment
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	☐	☒	☐	**As discussed previously under the RFDC compliance table, the proposed development provides little by way of deep soil due to the site and excavation limitations resulting from the reclaimed nature of the land and the need for above ground structure in lieu of basements.**
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	☐ ☒ ☒ ☒ ☒	☒ ☐ ☐ ☐ ☐	☐ ☐ ☐ ☐ ☐	**Deep soil zone is limited in nature as a result of the building design and site constraints. This is due to the reclaimed nature of the land and the need for above ground structure in lieu of basements as per the conclusions of the contamination report which require the soil to remain capped to avoid direct contact. Thus the development has therefore been designed to accommodate parking above ground over three levels.** **In addition, the HBW DCP 2004 and the no. 1 Burroway Road DCP 2006 acknowledge the limitations of achieving the deep soil requirement and as such this control is not considered to be applicable in this instance.** **Notwithstanding, a suitable landscaping scheme has been submitted which provides for adequate plantings including trees in the internal courtyard, building surrounds, public domain and road network to be constructed.**
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 low-level walls and landscaping.

AUBURN CITY COUNCIL

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:				The proposed development provides low-level boundary walls behind a landscape buffer to ground-floor apartments to clearly delineate between public and private spaces. The proposed fencing will provide visual privacy to apartments while also creating a sense of overlooking and casual surveillance of public areas.
▪ 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	☒	☐	☐	
4.1.3 Landscape Design Objectives				
▪ To add value to residents' quality of life within the development in the form of privacy, outlook and views	☒	☐	☐	The proposed development is considered to be consistent with the Landscape Design objectives as suitable landscaping is to be used to soften the impact of the built form on surrounding streetscapes and within the internal courtyard, provide habitats and visual privacy to ground floor apartments.
▪ To provide habitat for native indigenous plants and animals	☒	☐	☐	
▪ To improve stormwater quality and reduce quantity	☒	☐	☐	
▪ To improve the microclimate and solar performance within the development	☒	☐	☐	
▪ To improve urban air quality	☒	☐	☐	
▪ To provide a pleasant outlook	☒	☐	☐	
4.1.3 Landscape Design Performance Criteria				
i. Improve the amenity of open space with landscape design which:				A landscape plan, prepared by a suitably qualified consultant, is submitted with the application. The plan identifies relevant landscaping elements to soften the built form, contribute to streetscape and provide for natural screening and shading. Further sufficient soil depths are provided to suit the scale of
▪ 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				

Requirement	Yes	No	N/A	Comment
users of open space and/or from within apartments	☐	☐	☒	landscaping to be used in different areas. The landscaped podium level is able to accommodate trees and plantings of 75 to 100L pot sizes.
ii. Contribute to streetscape character and the amenity of the public domain by:				
▪ relating landscape design to the desired proportions and character of the streetscape	☒	☐	☐	
▪ using planting and landscape elements appropriate to the scale of the development	☒	☐	☐	
▪ mediating between and visually softening the bulk of large development for the person on the street	☒	☐	☐	
iii. Improve the energy and solar efficiency of dwellings and the microclimate of private open spaces. Planting design solutions include: trees for shading low-angle sun on the eastern and western sides of a dwelling; trees that do not cast a shadow over solar collectors at any time of the year; deciduous trees for shading of windows and open space areas in summer; locating evergreen trees well away from the building to permit the winter sun access; varying heights of different species of trees and shrubs to shade walls and windows; locating pergolas on balconies and courtyards to create shaded areas in summer and private areas for outdoor living; locating plants appropriately in relation to their size at maturity	☒	☐	☐	
iv. Design landscape which contributes to the site's particular and positive characteristics by:				
▪ planting communal private space with native vegetation, species selection as per Sydney Olympic Park Parklands 2020 & Plan of Management- enhancing habitat and ecology	☒	☐	☐	
▪ retaining and incorporating trees, shrubs and ground covers endemic to the area, where appropriate	☒	☐	☐	
▪ retaining and incorporating changes of level, visual markers, views and any significant site elements	☒	☐	☐	
v. Contribute to water and stormwater efficiency by integrating landscape design with water and stormwater management, for example, by: using plants with low water demand to reduce mains consumption; using plants with low fertiliser requirements; using plants with high water demand, where appropriate, to reduce run off from the site; utilising permeable surfaces; using water features; incorporating wetland filter systems	☒	☐	☐	

AUBURN CITY COUNCIL

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	☒	☐	☐	The proposed development is considered to be consistent with the Private Open Space objectives as all apartments are provided with areas of private open space in the form of terraces, balconies, rear courtyards and consolidated areas of communal open space (central courtyard)
▪ 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	☒	☐	☐	
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	☒	☐	☐	The common open space proposed represents 30% in total inclusive of the pocket park and exclusive of private open space courtyards/balconies. This is considered to be acceptable as all apartments are provided with their own private open space either from balconies, courtyards or in some occasions, both.
ii. Amended by 5.3.5 – General Provisions of HBW DCP Amendment 1 as follows: Private Open Space performance criteria in that a podium may also contain parking.	☒	☐	☐	
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. *Amended by 5.3.5 – General Provisions of HBW DCP Amendment 1 as follows: so as to require the same amount of private open space at ground level as would be required for a balcony if the apartment was above ground level.*	☒	☐	☐	
v. Provide private open space for each apartment capable of enhancing residential amenity, in the form of:- balcony, deck, terrace, garden, yard,	☒	☐	☐	All apartments are provided with at

AUBURN CITY COUNCIL

Requirement	Yes	No	N/A	Comment
courtyard and/or roof terrace. Where the primary private open space is a balcony, see Balconies				least 1 area of private open space. These include terraces, balconies or courtyards and increase the level of residential amenity. Private open spaces are positioned to optimise solar access, views of surrounding parklands and waterways and assist to provide visual privacy between apartments.
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	☒	☐	☐	
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	☒	☐	☐	The proposed development is considered to be consistent with the planting on structures objectives as sufficient soil depth is provided above the parking level podium to allow communal open space area to be planted landscaped and include trees.
▪ To encourage the establishment and healthy growth of trees in urban areas	☒	☐	☐	
4.1.5 Planting of Structures Performance Criteria				
i. Design for optimum conditions for plant growth by:				
▪ providing soil depth, soil volume and soil area appropriate to the size of the plants to be established	☒	☐	☐	The depth of soil within the central communal open space area (above parking level podium) is to be approximately dimensioned to support the type of vegetation proposed including trees with a pot size of 75 to 100L. Therefore, sufficient planting conditions will be provided for a range of tree sizes, shrubs and ground covers.
▪ providing appropriate soil conditions and irrigation methods	☒	☐	☐	
▪ providing appropriate drainage	☒	☐	☐	
ii. Design planters to support the appropriate soil depth and plant selection by:				
▪ ensuring planter proportions accommodate the largest volume of soil possible and minimum soil depths of 1.5 metres to ensure tree growth	☒	☐	☐	
▪ providing square or rectangular planting areas rather than narrow linear areas	☒	☐	☐	
iii. Increase minimum soil depths in accordance with:				
▪ the mix of plants in a planter for example where trees are planted in association with shrubs, groundcovers and grass	☒	☐	☐	
▪ the level of landscape management, particularly the frequency of irrigation	☒	☐	☐	
▪ anchorage requirements of large and medium trees	☒	☐	☐	
▪ soil type and quality	☒	☐	☐	
iv. Recommended minimum standards for a range of plant sizes, excluding drainage requirements, are:				
▪ Large trees such as figs (canopy				

AUBURN CITY COUNCIL

Requirement	Yes	No	N/A	Comment
diameter of up to 16 metres at maturity) ○ minimum soil volume 150 cubic metres ○ minimum soil depth 1.3 metre ○ minimum soil area 10 metre x 10 metre area or equivalent	☒	☐	☐	
▪ Medium trees (8 metre canopy diameter at maturity) ○ minimum soil volume 35 cubic metres ○ minimum soil depth 1 metre ○ approximate soil area 6 metre x 6 metre or equivalent	☒	☐	☐	
▪ Small trees (4 metre canopy diameter at maturity) ○ minimum soil volume 9 cubic metres ○ minimum soil depth 800mm ○ approximate soil area 3.5 metre x 3.5 metre or equivalent	☒	☐	☐	
▪ Shrubs ○ minimum soil depths 500-600mm	☒	☐	☐	
▪ Ground cover ○ minimum soil depths 300-450mm	☒	☐	☐	
▪ Turf ○ 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 supported the application based on the provisions of appropriate drainage arrangement and has provided appropriate conditions to be included in any consent to ensure compliance
▪ To preserve existing topographic and natural features, including watercourses and wetlands	☐	☐	☒	
▪ To minimise the discharge of sediment and other pollutants to the urban stormwater drainage system during construction activity	☒	☐	☐	

AUBURN CITY COUNCIL

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	☒	☐	☐	The development application was referred to Council's Development Engineer for comment who has raised no objection to the development.
ii. Optimise deep soil zones. All development must address the potential for deep soil zones (see Deep Soil Zones)	☒	☐	☐	
iii. On dense urban sites where there is no potential for deep soil zones to contribute to stormwater management, seek alternative solutions. Structural stormwater treatment measures may be used including:- litter or gross pollutant traps to capture leaves, sediment and litter; on-site detention storage	☒	☐	☐	
iv. Protect stormwater quality by providing for:				
▪ sediment filters, traps or basins for hard surfaces	☒	☐	☐	
▪ treatment of stormwater collected in sediment traps on soils containing dispersive clays	☒	☐	☐	
v. Reduce the need for expensive sediment trapping techniques by controlling erosion, for example by:- landscape design incorporating appropriate vegetation; stable (non-eroding) flow paths conveying water at non-erosive velocities	☒	☐	☐	
4.1.7 Wind Objectives				
▪ To minimise the impact of wind exposure within public and private open space	☒	☐	☐	The proposed development is consistent with the Wind objectives. A report prepared by CPP Wind, ref 7425 dated November 2013 has been submitted and is considered satisfactory.
▪ 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	☒	☐	☐	

AUBURN CITY COUNCIL

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	☒	☐	☐	
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	☒	☐	☐	Refer to SEPP 55 assessment above. Relevant investigations have been carried out site validation report provided concluding that the site is suitable to accommodate the proposed development.
▪ To take into account issues relevant to the whole Homebush Bay area, including the disturbance of aquatic sediments	☒	☐	☐	
4.1.8 Geotechnical Suitability and Contamination Performance Criteria i. Provide a report by a qualified geotechnical engineer establishing that the site of the proposed development is suitable for that development having regard to its groundwater conditions	☒	☐	☐	
ii. Provide a report by a qualified contamination consultant indicating that the site is suitable for the proposed use or that remediation options are available to reduce contaminant concentrations to a level appropriate for the proposed land use. The report fully documents the site investigation process undertaken which includes: ▪ Stage 1 - Preliminary Investigations ▪ Stage 2 - Detailed Investigations ▪ Stage 3 - Remedial Action Plan (if remediation is required) as outlined in Section 3.4 of Managing Land Contamination and Draft Guidelines prepared by DUAP and EPA, August 1998	☒	☐	☐	
iii. Provide documentation of the process used to ensure fill is clean and contamination free	☐	☐	☒	

AUBURN CITY COUNCIL

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 deemed suitable for residential purposes.
4.1.9 Electro-Magnetic Radiation Performance Criteria i. Applicants are required to demonstrate that development proposals have carefully considered potential health and interference impacts from the AM radio towers. Further advice and guidance may be obtained from the relevant Commonwealth regulatory bodies including the Australian Broadcasting Authority ii. Building design and siting responds appropriately to any constraints and / or impacts identified, for example, appropriate shielding of electronic and telephonic cables	☒ ☒	☐ ☐	☐ ☐	
4.2 Site Analysis				
4.2.1 Safety and Security Objectives ▪ To ensure that residential flat developments are safe and secure for residents and visitors ▪ To contribute to the safety of the public domain	☒ ☒	☐ ☐	☐ ☐	The proposed development is considered to be consistent with the Safety and Security objectives as secure access to communal entries to the building and as casual surveillance of the public domain from living and open space areas is to be provided.
4.2.1 Safety and Security Performance Criteria i. Carry out a formal crime risk assessment in accordance with NSW Police 'Safer by Design' protocols for all residential developments of more than 20 new dwellings, and for the mixed use maritime precinct around Wentworth Point. Crime risk assessment is to extend beyond the site boundaries to include the relationship of the building to public open space areas ii. Reinforce the development boundary to strengthen the distinction between public and private space. This can be actual or symbolic and may include:- employing a level change at the site and/or building threshold; signage which is clear and easy to understand; entry awnings; fences, walls and gates; change of material in paving between the street and the development iii. Optimise the visibility, functionality and safety of building entrances by: ▪ orienting entrances towards the public street ▪ providing clear lines of sight between entrances, foyers and the street	☒ ☒ ☒ ☒	☐ ☐ ☐ ☐	☐ ☐ ☐ ☐	An assessment of the proposal in relation to Council's Policy on Crime Prevention Through Environmental Design 2006 is provided, which addresses the relevant provisions. As mentioned above, suitable landscaping and wall fencing is to be provided to boundaries between public and private areas. Level changes along street elevations aide in providing additional physical barriers acting as a visual interface. Communal building entries are to be orientated to the adjoining street and have greater setbacks, lighting, open forecourts and glazed elevations to provide for a suitable level of visibility

AUBURN CITY COUNCIL

Requirement	Yes	No	N/A	Comment
▪ providing direct entry to ground level apartments from the street rather than through a common foyer	☒	☐	☐	and functionality, internally, direct and convenient access ways from parking levels to the building are proposed.
▪ 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	☒	☐	☐	Fencing and balustrades to private open space areas are to consist of transparent elements to ensure an appropriate level of casual surveillance of public areas is achieved. Living areas and private open spaces are orientated to outdoor space and allow for casual overlooking of communal/[public areas.
▪ 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	☒	☐	☐	Additional setbacks and open forecourts are provided near communal entries to avoid opportunities for concealment.
▪ 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	☒	☐	☐	Secure access doors/gates are to be provided to communal access points, physical barriers are to be provided between private open spaces and an intercom system to access pedestrian and vehicular access ways is to be provided to all apartments.
▪ separating the residential component of a development's car parking from any other building use and controlling car park access from public and common areas	☒	☐	☐	
▪ providing direct and secure access from car parks to apartment lobbies for residents	☒	☐	☐	
▪ providing separate access for residents in mixed-use buildings	☒	☐	☐	
▪ providing an audio or video intercom system at the entry or in the lobby for visitors to communicate with residents	☒	☐	☐	

Requirement	Yes	No	N/A	Comment
▪ 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 generally 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. The proposal is considered to deliver a sufficient level of amenity in this regard.
4.2.2 Visual Privacy Performance Criteria i. Locate and orient new development to maximise visual privacy between buildings on site and adjacent buildings by: ▪ providing adequate building separation ▪ employing appropriate rear and site setbacks ii. Design building layouts to minimise direct overlooking of rooms and private open spaces adjacent to apartments by: ▪ locating balconies to screen other balconies and any ground level private open space ▪ separating communal open space, common areas and access routes through the development from the windows of rooms, particularly habitable rooms ▪ changing the level between ground floor apartments with their associated private open space, and the public domain or communal open space (see Ground Floor Apartments iii. Use detailed site and building design elements to increase privacy without compromising access to light and air. Design detailing may include:- offset windows of apartments in new development and adjacent development windows; sill heights set at minimum 1.2m above floor level; recessed balconies and/or vertical fins between adjacent balconies; solid or semi-solid balustrades to balconies; louvres or screen panels to windows and/or balconies; fixed obscure glazing; appropriate fencing; vegetation as a screen between spaces; incorporating planter boxes into walls or balustrades to increase the visual separation between areas; utilising pergolas or shading devises to limit overlooking of lower apartments or private open space	☒ ☒ ☒ ☐ ☒ ☒	☐ ☐ ☐ ☒ ☐ ☐	☐ ☐ ☐ ☐ ☐ ☐	Building separation, locations of windows and private open spaces and the use of privacy screening, blade walls and louvers contribute to maximising visual privacy between apartments. **Where separation is unavoidably less, privacy treatments such as balcony location, privacy screening and louvers can be conditioned to be provided where appropriate to minimise privacy impacts. Discussed previously under building separation controls of RFDC.**
4.3 Site Access				
4.3.1 Building Entry Objectives ▪ To create entrances which provide a desirable residential identity for the	☒	☐	☐	The proposed development is considered to be consistent with the

AUBURN CITY COUNCIL

Requirement	Yes	No	N/A	Comment
development ▪ To orient the visitor ▪ To contribute positively to the streetscape and building facade design	☒ ☒	☐ ☐	☐ ☐	Building Entry Objectives as multiple communal entries with open forecourts and 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	☒	☐	☐	Multiple communal entries are to be provided, which integrate with the public domain through the provision of forecourt areas with feature paving and landscaping.
▪ designing the entry as a clearly identifiable element of the building in the street	☒	☐	☐	Entry foyers are spacious, feature glazing for clear sight lines and will be secured with resident-access locked doors. Minimal level changes between foyers, forecourts and adjoining public domain.
▪ 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)	☒ ☒ ☒	☐ ☐ ☐	☐ ☐ ☐	Separate entries for pedestrians and vehicles are provided and ground-floor apartments have individual entries direct from the adjoining street to private open spaces.
vii. Design entries and associated circulation space of an adequate size to allow movement of furniture between public and private spaces	☒	☐	☐	
viii. Provide and design mailboxes to be convenient for residents and not to clutter the appearance of the development from the street. Design solutions include:- locating them adjacent to the major entrance and integrated into a wall, where possible; setting them at 90 degrees to the street, rather than along the front boundary.	☒	☐	☐	

AUBURN CITY COUNCIL

Requirement	Yes	No	N/A	Comment
4.3.2 Parking Objectives ▪ To minimise car dependency for commuting and recreational transport use and to promote alternative means of transport – public transport, bicycling and walking ▪ 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	☒ ☒ ☒	☐ ☐ ☐	☐ ☐ ☐	The proposed development is considered to be consistent with the Parking objectives as a suitable number of resident and visitor car and bicycle parking spaces are provided within underground levels which do not impact upon the aesthetic design of the building. Further, the site is well positioned in relation to existing public transport links.
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 site and excavation constraints resulting from reclaimed nature of the land. The car parking facility for the building complex is not exposed at street level, but concealed by residential apartment units on all sides. Provision is made for suitable ventilation systems for the car park to be constructed. The car park levels include exhaust plenum for ventilation purposes.
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. This is unavoidable due to site and excavation constraints. Refer to SEPP 55 assessment.** The central car park facility is concealed by apartments. 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	☒	☐	☐	Bicycle storage/parking are provided within the parking levels and are suitably accessible.

Requirement	Yes	No	N/A	Comment
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	☒	☐	☐	
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	☒	☐	☐	There are 441 car parking spaces provided to support the development. Of that, 32 spaces are provided for use for visitors. There are 39 spaces allocated for use for people with disabilities. In general, the development requires a minimum number of 415 spaces being 383 spaces for the residents and 32 spaces for visitor use. (Note – Visitor parking rate as a minimum is 1 space per 12 dwellings as per the requirements of the recently modified Concept plan approval.)
viii. Non-residential parking controls for Precinct A are excluded from this DCP and addressed through the precinct master plan				
ix. Provide car parking for convenience retail as follows: ▪ employees: 2 spaces per tenancy	☐	☐	☒	
▪ patrons: gross floor area under 100m2 - managed on-street parking; gross floor area over 100m2 - 1 space per 40m^2	☐	☐	☒	
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	☐	☐	☒	No commercial component proposed within the development.
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	☒	☐	☐	Bicycle parking schedule has been provided and indicates that they can be incorporated into secure storage cages within the car park levels. This is

AUBURN CITY COUNCIL

Requirement	Yes	No	N/A	Comment
▪ 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	☐	☐	☒	considered satisfactory.
4.3.3 Pedestrian Access Objectives ▪ To promote residential flat development which is well connected to the street and contributes to the accessibility of the public domain ▪ To ensure that residents, including users of strollers and wheelchairs and people with bicycles are able to reach and enter their apartment and use communal areas via minimum grade ramps, paths, access ways or lifts	☒ ☒	☐ ☐	☐ ☐	The proposed development is considered to be consistent with the Pedestrian Access objectives as barrier free communal entries are provided to access cores of all units.
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 78 adaptable apartments within the development representing 20% of the total number of apartments. All 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.

AUBURN CITY COUNCIL

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 western side of the building complex being Major North South Street.
ii. Ensure that pedestrian safety is maintained by minimising potential pedestrian/vehicle conflicts. Design approaches include:- limiting the width of driveways to a maximum of 6 metres; limiting the number of vehicle access points; ensuring clear site lines at pedestrian and vehicle crossings; utilising traffic calming devices; separating and clearly distinguishing between pedestrian and vehicular accessways	☒	☐	☐	**The driveway is 7 metres wide. A variation of 1000 mm is not excessive given the scale of the development. Further a median strip separates the vehicle entry and exit travel path which necessitates a slightly wider driveway.**
iii. Ensure adequate separation distances between vehicular entries and street intersections	☒	☐	☐	There is only one vehicle access point to the building with two way traffic.
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 entries are integrated into the elevation and materials and finishes used to reduce the impact rather than highlight the opening.
▪ setting back or recessing car park entries from the main facade line	☐	☒	☐	Service areas such as garbage storage (within specific rooms) and loading spaces are contained within the parking levels shared with Block D and not visible from public areas.
▪ providing security doors to carpark entries to avoid blank 'holes' in facades; or	☒	☐	☒	
▪ where doors are not provided, ensuring that the visible interior of the carpark is incorporated into the façade design and material selection and that building services are concealed	☐	☐	☐	
▪ returning the façade material into the carpark entry recess for the extent visible from the street as a minimum	☐	☐	☒	
4.4 Building Configuration				
4.4.1 Apartment Layout Objectives				
▪ To ensure that apartment layouts are efficient and provide high standards of residential amenity.	☒	☐	☐	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.
▪ To maximise the environmental performance of apartments.	☒	☐	☐	
4.4.1 Apartment Layout Performance Criteria				
i. Provide apartments with the following amenity standards as a minimum:				**As discussed above under RFDC, single aspect apartments in the**

AUBURN CITY COUNCIL

Requirement	Yes	No	N/A	Comment
▪ single-aspect apartments are limited in depth to 8 metres	☐	☒	☐	**development have depths that vary around 9-10.5 metres. This is considered to be satisfactory as the variation is numerically minor and generally occurs within the rear portions of the units being non-habitable utility functions.**
▪ 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	☒	☐	☐	The apartments have various sizes and shapes to meet the needs of the occupants. Apartments vary in terms of layout and room size proportions.
▪ 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	☒	☐	☐	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.
▪ orienting main living spaces toward the primary outlook and aspect and away from neighbouring noise sources or windows	☒	☐	☐	
▪ locating main living spaces adjacent to main private open space	☒	☐	☐	
▪ locating habitable rooms, and where possible kitchens and bathrooms, on the external face of the buildings, thereby maximising the number of rooms with windows	☒	☐	☐	
iv. Maximise opportunities to facilitate natural ventilation and to capitalise on natural daylight, for example by providing:- corner apartments; cross-over or cross-through apartments; split-level or maisonette apartments; shallow, single-aspect apartments;	☒	☐	☐	The main living areas of apartments face the street or the internal courtyard depending on aspect.
v. Avoid locating kitchen as part of the main circulation spaces of an apartment, such as a hallway or entry space	☒	☐	☐	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.
vi. Include adequate storage space in apartment	☒	☐	☐	
vii. Ensure apartment layouts and dimensions facilitate furniture removal and placement	☒	☐	☐	

AUBURN CITY COUNCIL

Requirement	Yes	No	N/A	Comment
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, 3 & 4 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 = 149 (38.9%). • 2 bedroom apartments = 221 (57.7%). • 3 bedroom apartments = 13 (3.4%) Total = 383 (100%) 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 78 adaptable apartments within the development representing 20% 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 two and three bedroom apartments are to have a minimum depth of 2.4 metres and a minimum area of 10m^2. ▪ Developments which seek to vary from the minimum standards must provide scale plans of balcony with furniture layout to confirm adequate, useable space	☒ ☐	☐ ☐	☐ ☒	Proposal complies with this requirement. Floor space area compliance schedule which includes courtyard/balconies areas are provided to demonstrate compliance with this requirement.
iii. Primary balconies are to be: ▪ located adjacent to the main				

AUBURN CITY COUNCIL

Requirement	Yes	No	N/A	Comment
living areas, such as living room, dining room or kitchen to extend the dwelling living space	☒	☐	☐	
▪ proportioned to be functional and promote indoor/outdoor living. A dining table and two to four chairs should fit on the majority of balconies in any development. Consider supplying a tap and gas point	☒	☐	☐	
iv. Consider secondary balconies, including Juliet balconies or operable walls with balustrades, for additional amenity and choice: ▪ in larger apartments ▪ adjacent to bedrooms ▪ for clothes drying; these should be screened from the public domain	☒	☐	☐	
v. Design and detail balconies in response to the local climate and context thereby increasing the usefulness of balconies. This may be achieved by: ▪ locating balconies facing predominantly north, east or west to optimise solar access and views to Parramatta River, Homebush Bay West and Sydney Olympic Park	☒	☐	☐	
▪ utilising sun screens, pergolas, shutters and operable walls to control sunlight and wind	☒	☐	☐	
▪ providing balconies with operable screens, Juliet balconies or operable walls/sliding doors with a balustrade in special locations where noise or high winds prohibit other solutions—along rail corridors, on busy roads or in tower buildings	☒	☐	☐	
▪ choosing cantilevered balconies, partially cantilevered balconies and/or recessed balconies in response to requirements for daylight, wind, acoustic privacy and visual privacy - ensuring balconies are not so deep that they prevent sunlight entering the apartment below	☒	☐	☐	
vi. Design balustrades to allow views and casual surveillance of the street while providing for safety and visual privacy. Design considerations may include: ▪ detailing balustrades using a proportion of solid to transparent materials to address site lines from the street, public domain or adjacent development. Full glass balustrades do not provide privacy for the balcony or the apartment's interior, especially at night	☒	☐	☐	
▪ detailing balustrades and providing screening from the public, for				

Requirement	Yes	No	N/A	Comment
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	☒	☐	☐	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.
▪ To promote the penetration of daylight into the depths of the apartment	☒	☐	☐	
▪ To contribute to the flexibility of use	☒	☐	☐	
▪ To achieve quality interior spaces while considering the external building form requirements	☒	☐	☐	
4.4.4 Ceiling Heights Performance Criteria i. Minimum dimensions are measured from finished floor level (FFL) to finished ceiling level (FCL) are: ▪ in mixed use buildings along Hill Road and major east-west streets: 3.6 metre minimum for ground floor retail or commercial and 3.3 metre minimum for first floor residential, retail or commercial to promote future flexibility of use	☒	☐	☐	3.6 metres for first two levels, 3.2 metres at level 3 and 3 metres from level 4 onwards.
▪ 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	☐	☐	☒	
ii. Double height spaces with mezzanines count as two storeys	☐	☐	☒	
iii. Use ceiling design to: ▪ define a spatial hierarchy between areas of an apartment using double height spaces, raked ceilings, changes in ceiling heights and/or the location of bulkheads	☒	☐	☐	The 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.
▪ enable well proportioned rooms: for example, smaller rooms often feel larger and more spacious when ceilings are higher	☒	☐	☐	
▪ maximise heights in habitable				

AUBURN CITY COUNCIL

Requirement	Yes	No	N/A	Comment
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	☒	☐	☐	
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 example with:- thin building cross sections suitable for either residential or commercial uses; a mix of apartment types; higher ceilings on the ground floor and first floor; separate entries for the ground floor level and the upper levels; sliding and/or movable wall systems	☒	☐	☐	Multiple communal entries and access cores are provided to service the building complex.
ii. Provide a multi-use space with kitchenette within each development to be available for the use of residents	☐	☐	☒	A multi use common room is proposed to be provided and is located at level 2 on south western corner of the site.
iii. Provide apartment layouts which accommodate the changing use of	☒	☐	☐	Apartment layout provides for basic changes to internal configuration.

AUBURN CITY COUNCIL

Requirement	Yes	No	N/A	Comment
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	☒	☐	☐	
v. Design all commercial / retail components of mixed use buildings to comply with AS1428-2001	☐	☐	☒	There are 78 adaptable apartments within the development representing 20% of the total number of apartments.
vi. Promote accessibility and adaptability by:				
▪ providing a minimum of 20% of all apartments that comply with AS4299-1995 Adaptable housing Class B	☒	☐	☐	
▪ providing a minimum of 75% visitable apartments within each development; that is, where the living room is accessible	☒	☐	☐	All apartments are visitable.
▪ optimising pedestrian mobility and access to communal private space	☒	☐	☐	
▪ designing developments to meet AS3661 Slip-Resistant Surface Standard for pedestrian areas	☒	☐	☐	
▪ ensuring wheelchair accessibility between designated dwellings, the street and all common facilities	☒	☐	☐	
4.4.6 Ground Floor Apartments Objectives				
▪ To contribute to residential streetscape character and to create active safe streets	☒	☐	☐	The proposed development is considered to be consistent with the Ground Floor Apartment objectives as a range of ground floor apartments are proposed which contribute to an active streetscape.
▪ To increase the housing and lifestyle choices available in apartment buildings	☒	☐	☐	
▪ To ensure that ground floor apartments achieve good amenity	☒	☐	☐	

AUBURN CITY COUNCIL

Requirement	Yes	No	N/A	Comment
4.4.6 Ground Floor Apartments Performance Criteria i. Design front gardens or terraces to contribute to the spatial and visual structure of the street while maintaining privacy for apartment occupants. This can be achieved by:- animating the street edge and creating more pedestrian activity by optimizing individual entries for ground floor apartments; providing appropriate fencing, balustrades, window sill heights, lighting and/ or landscaping to meet privacy and safety requirements of occupants while contributing to a pleasant streetscape; increasing street surveillance with doors and windows facing onto the street; utilising a maximum 1.5 metre change in level from the street to the private garden or terrace to minimise sight lines from the streets into the apartment	☒	☐	☐	All ground-floor apartments are setback from the boundaries with adjoining streets. These setback areas are utilised for generally substantial private terraces accessible from internal living areas, bounded by fencing and landscaping which provides sufficient visual privacy.
ii. Promote housing choice by: ▪ providing private gardens or terraces which are directly accessible from the main living spaces of the apartment and support a variety of activities	☒	☐	☐	
▪ maximising the number of accessible and visitable apartments on the ground floor	☒	☐	☐	
▪ supporting a change or partial change in use, such as a home offices accessible from the street	☒	☐	☐	
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	☒	☐	☐	
4.4.7 Home Offices Objectives ▪ To promote economic growth in the town centre	☐	☐	☒	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.
▪ 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	☐	☐	☒	

AUBURN CITY COUNCIL

Requirement	Yes	No	N/A	Comment
4.4.7 Home Offices Performance Criteria				
i. Home offices are not allowed to conduct business which involves the registration of the building under the Factories, Shops and Industries Act 1962	☐	☐	☒	The proposed development does not contain any specific or designated home office apartments. Generous study rooms are provided within many apartments but are for casual use rather than for formal home offices.
ii. Home offices are to have no traffic or parking implications on the neighbourhood/street	☐	☐	☒	
iii. Home offices are to seek to minimise conflict with domestic activities	☐	☐	☒	
iv. Home offices are to have the flexibility of being able to convert to become part of the residence	☐	☐	☒	
v. Home offices are to have a clearly identifiable area, ideally designed to close-off from the rest of the dwelling for purposes of safety, security and privacy	☐	☐	☒	
vi. The work activity is not to interfere with the amenity of the neighbourhood by reason of emission of noise, vibration, odour, fumes, smoke, vapour, steam, soot, ash, dust, waste, water, waste products, grit, oil, or otherwise	☐	☐	☒	
vii. Home offices are to have:				
▪ adequate storage areas	☐	☐	☒	
▪ separate business phone/fax	☐	☐	☒	
▪ large mailbox suitable for business mail	☐	☐	☒	
▪ any special utility services needed (eg separate power metering)	☐	☐	☒	
viii. Home offices are not allowed to display any goods in a window or otherwise	☐	☐	☒	
ix. Home offices are not allowed to exhibit any notice, advertisement or sign, other than a notice, sign or advertisement exhibited on the dwelling house or dwelling to indicate the name and occupation only of the resident	☐	☐	☒	
4.4.8 Internal Circulation Objectives				
▪ To facilitate quality apartment layouts, such as dual aspect apartments	☒	☐	☐	The proposed development is considered to be consistent with the Internal Circulation objectives as spacious access hallways and apartments are provided.
▪ 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	☒	☐	☐	

AUBURN CITY COUNCIL

Requirement	Yes	No	N/A	Comment
4.4.8 Internal Circulation Performance Criteria				
i. Increase amenity and safety in circulation spaces by:	☒	☐	☐	Corridors, foyers and hallways have adequate lighting, appropriate widths and good view lines to promote safety and movement of residents and their belongings.
▪ 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:	☒	☐	☐	There are three main pedestrian access points to the building with one on the northern side, one on the western side and one along the southern side. There are no pedestrian access points along the eastern curtilage of the building complex. This is left open to connect with the through site link proposed on the western boundary.
▪ 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. ***Amended by HBW DCP – Amendment 1 as follows: Where the minimum number of apartments off a corridor may be greater than eight within a tower form***:	☒	☐	☐	There are 10 apartments per corridor identified for one of the residential buildings (B2) and this is permitted as per the amended HBWDCP.
▪ developments can demonstrate the achievement of the desired streetscape character and entry response	☒	☐	☐	A satisfactory design solution is achieved in which the ends of corridors are recessed and provided with glazed elements to permit natural light and ventilation for each lobby.
▪ 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				
4.4.9 Storage Objectives				
▪ To provide adequate storage for everyday household items within easy access of the apartment	☒	☐	☐	The proposed development is considered to be consistent with the Storage objectives as adequate areas of storage are provided or capable of being provided to each apartment, whether internally or within the parking levels.
▪ To provide storage for sporting, leisure, fitness and hobby equipment	☒	☐	☐	

Requirement	Yes	No	N/A	Comment
4.4.9 Storage Performance Criteria i. Provide storage facilities accessible from hall or living areas, in addition to kitchen cupboards and bedroom wardrobes, at a minimum: ▪ studio - 6m^3 ▪ 1-bed - 6m^3 ▪ 2-bed – 8m^3 ▪ 3 and 3+ bed - 10m^3 ▪ This storage is to be excluded from FSR calculations	☒	☐	☐	Apartments are to have varying levels of storage areas. It is noted however that there is no schedule provided for storage volumes per unit and as such a condition will be imposed to ensure compliance is sought with regard to minimum storage requirements.
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	☒	☐	☐	This is considered to be satisfactory to demonstrate compliance.
▪ 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	☒	☐	☐	It is noted that bicycle storage will be incorporated into the storage cages located within the car parking levels.
▪ exclude it from FSR calculations	☒	☐	☐	
vi. Consider providing additional storage in smaller apartments in the form of built-in cupboards to promote a more efficient use of small spaces.				
4.5 Building Amenity				
4.5.1 Acoustic Amenity Objectives ▪ To ensure a high level of amenity by protecting the privacy of residents within residential flat buildings both within the apartments and in private open spaces	☒	☐	☐	The proposed development is considered to be consistent with the Acoustic Amenity objectives as acoustic intrusion is minimised through building separation and the grouping of like-use rooms in apartments together.
4.5.1 Acoustic Amenity Performance Criteria				

AUBURN CITY COUNCIL

Requirement	Yes	No	N/A	Comment
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	☒	☐	☐	**The setbacks and separation distances between buildings have been previously discussed earlier in the report.**
o 18m between habitable rooms/balconies	☐	☒	☐	
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.
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 27 November 2013 (report 20120942.5/2711A/R0/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.	☒	☐	☐	
4.5.2 Daylight Access Objectives				
▪ To ensure that daylight access is provided to all habitable rooms and encouraged in all other areas of residential development	☒	☐	☐	The proposed development is considered to be generally consistent with the Daylight Access objectives as the orientation of living areas allows for daylight infiltration.
▪ To provide adequate ambient lighting and minimise the need for artificial lighting during daylight hours.	☒	☐	☐	
▪ To provide residents with the ability to adjust the quantity of daylight to suit their needs.	☒	☐	☐	
4.5.2 Daylight Access Performance Criteria				

AUBURN CITY COUNCIL

Requirement		Yes	No	N/A	Comment
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.	***Amended by HBW DCP – Amendment 1 as follows: in that 70% if apartments meet the 2 hour solar access criteria as per the Residential Flat Design Code.***	☐	☒	☐	**253 apartments, representing 66%; achieve the solar access requirement between 9am and 3pm in mid-winter. Due to the orientation of the site, full compliance with the solar amenity requirements is difficult to achieve. As discussed above, the design of the buildings are reasonably separated into 3 distinct slender building blocks within the site so as to avoid bulky buildings. This design is considered to be most appropriate to maximise ventilation, solar access and improve overall residential amenity to the proposed units. In this instance, the slight departure is considered to be minor and non-compliance with this requirement should not warrant refusal of the application as the exceedance of 18m internal plan depth is permitted under the HBWDCP amendment no.1.**
		☒	☐	☐	
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.	☒	☐	☐	**18% or 69/383 apartments are identified as being single aspect SE/SW facing. Compliance is difficult to achieve in this instance due to the orientation of the site. However the building design method chosen is considered to optimise natural ventilation and solar penetration as a result of the slender tower forms proposed. In this regard, despite the non-compliance with this requirement, the proposed envelope design is consistent with the modified concept plan approval and as such, the non-compliance is not considered to warrant refusal of the application.**
iv.	Design for shading and glare control, particularly in summer, by: ▪ using shading devices, such as eaves, awnings, colonnades, balconies, pergolas, external louvres and planting ▪ optimising the number of north-facing living spaces ▪ providing external horizontal shading to north-facing windows ▪ providing vertical shading to east or west windows ▪ using high performance glass but minimising external glare off	☒ ☒ ☒ ☒ ☒ ☒	☐ ☐ ☐ ☐ ☐ ☐	☐ ☐ ☐ ☐ ☐ ☐	Overhanging balconies are proposed to provide shading to private open spaces.

Requirement	Yes	No	N/A	Comment
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. <u>Amended by HBW DCP – Amendment 1 as follows: in that the amount of overshadowing of the public domain (excluding streets) and communal open space as referred, has regard to unavoidable shadowing from tower forms during these times and the means for alternate solar access in the locality.</u>	☐	☐	☒	
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 ▪ locating vegetation to direct breezes and cool air as it flows across the site ▪ selecting planting or trees that do not inhibit airflow	☒ ☒ ☒	☐ ☐ ☐	☐ ☐ ☐	The building and apartment layouts are designed to maximise natural ventilation through the use of open-plan living areas.
ii. Limit residential building depth to 18 metres glass line to line to support natural ventilation	☐	☒	☐	**A variation is identified (up to 22.5m) specific to building depth which has previously been addressed and considered to be acceptable. In addition, amendment 1 to HBW DCP under section 5.3.5 (iii) permits building depths to be greater than 18 metres glass line to glass line.**
iii. Utilise the building layout and section to increase potential for natural ventilation, by: ▪ providing dual aspect apartments, eg. cross through and corner apartments ▪ facilitating convective currents by designing units which draw cool air in at lower levels and allow warm air to escape at higher levels, for example, maisonette apartments and two-storey apartments	☒ ☒	☐ ☐	☐ ☐	
iv. <u>Amended by HBW DCP –</u>				

Requirement	Yes	No	N/A	Comment
Amendment 1 as follows: in that the minimum may be exceeded for percentage of apartments above 8 storeys given the different air movement characteristics.	☒	☐	☐	
v. A minimum of 25% of kitchens within a development are to be naturally ventilated	☒	☐	☐	The residential towers achieve satisfactory daylight and natural ventilation given the orientation of the site.
vi. 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	☒ ☒ ☒	☐ ☐ ☐	☐ ☐ ☐	It is identified that 234 apartments are cross ventilated which represents 61% of the total number of apartments within the development.
vii. Coordinate design for natural ventilation with passive solar design techniques	☒	☐	☐	
viii. 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	☒	☐	☐	
ix. 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. Development for residential uses only.
4.6.1 Awnings and Signage Performance Criteria <u>Awnings</u> i. Encourage pedestrian activity on streets by providing awnings to retail strips, ▪ complement the height, depth and form of the desired character or existing pattern of awnings ▪ provide sufficient protection for sun and rain	☒ ☒ ☒	☐ ☐ ☐	☐ ☐ ☐	

AUBURN CITY COUNCIL

Requirement	Yes	No	N/A	Comment
ii. Contribute to the legibility of the development and amenity of the public domain by locating local awnings over residential building entries	☒	☐	☐	
iii. Enhance safety for pedestrians by providing under-awning lighting	☒	☐	☐	
iv. New awnings are to follow the general alignment of existing awnings in the street	☒	☐	☐	
v. Provide continuous awnings at areas of high pedestrian activity, particularly where there are ground floor commercial and/or retail uses: corners of Hill Road and major east-west streets; and corners of major east west streets and the primary north-south street). Awnings are also to be provided to buildings fronting pedestrian plazas at the termination of major east-west streets	☒	☐	☐	
vi. Awning height is to be in the range 3.2 - 4.2 metres (clear soffit height) and the awning face is to be horizontal	☒	☐	☐	
vii. All awnings are to comply with State Environmental Planning Policy No 64 (SEPP 64) - Advertising and Signage	☒	☐	☐	
<u>Signage</u>				
i. Signage is to be integrated with the design of the development by responding to scale, proportions and architectural detailing	☐	☐	☒	Residential uses only.
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,	☒	☐	☐	Elevations are provided generally in accordance with scale of the Concept Plan approval and the Homebush Bay

AUBURN CITY COUNCIL

Requirement	Yes	No	N/A	Comment
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				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 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	☒	☐	☐	

AUBURN CITY COUNCIL

Requirement	Yes	No	N/A	Comment
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 ▪ To integrate the design of the roof into the overall facade, building composition and desired contextual response ▪ To increase the longevity of the building through weather protection	☒ ☒ ☒	☐ ☐ ☐	☐ ☐ ☐	The proposed development is considered to be consistent with the Roof Design objectives as a flat roof with no element which detract from the overall building appearance is proposed.
4.6.3 Roof Design Performance Criteria i. Relate roof design to the desired built form. Some design solutions may include: articulating the roof, or breaking down its massing on large buildings, to minimise the apparent bulk or to relate to a context of smaller building forms; using a similar roof pitch or material to adjacent buildings, particularly in existing special character areas or heritage conservation areas. Avoid directly copying the elements and detail of single family houses in larger flat buildings; this often results in inappropriate proportion, scale and detail for residential flat buildings; minimising the expression of roof forms gives prominence to a strong horizontal datum in the adjacent context, such as an existing parapet line; using special roof features ,which relate to the desired character of an area, to express important corners.	☒	☐	☐	The proposed building complex is to have a flat roof which will not have any impact upon its overall appearance.
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	☒	☐	☐	The service elements are centrally located on the roof space and would be difficult to see from the street level at close angles.
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) ▪ incorporating shade structures and wind screens to encourage open space use ▪ ensuring open space is accessible	☐ ☐ ☐	☐ ☐ ☐	☒ ☒ ☒	There is no landscaping / planting

Requirement	Yes	No	N/A	Comment
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.	☒	☐	☐	elements or pedestrian access to the roof level of the tower.
4.7 Building Performance				
4.7.1 Energy Efficiency Objectives ▪ To reduce the necessity for mechanical heating and cooling ▪ To reduce reliance on fossil fuels ▪ To minimise greenhouse gas emissions ▪ To support and promote renewable energy initiatives ▪ To use natural climatic advantages of the coastal location such as cooling summer breezes, and exposure to unobstructed winter sunlight ▪ To provide a suitable environment for proposed uses, having regard to wind impacts and noise ▪ To ensure that land is geotechnically suitable for development and can be feasibly remediated or any contaminants to a level adequate for the proposed use	☒ ☒ ☒ ☒ ☒ ☒ ☒	☐ ☐ ☐ ☐ ☐ ☐ ☐	☐ ☐ ☐ ☐ ☐ ☐ ☐	The proposed development is consistent with the Energy Efficiency objectives. The development is compliant with the BASIX Certificate commitments and the specialised report associated with the certificate.
4.7.1 Energy Efficiency Performance Criteria i. Incorporate passive solar design techniques to optimise heat storage in winter and heat transfer in summer by: ▪ maximising thermal mass in floor and walls in northern rooms of dwelling/building ▪ polishing concrete floors and/or using tiles or timber floors rather than carpets ▪ limiting the number of single aspect apartments with a southerly aspect (SW–SE) to a maximum of 10 percent of the total units proposed ▪ insulating roof/ceiling to R2.0, external walls to R1.0 and the floor—including separation from basement car parking—to R1.0 ▪ minimising the overshadowing of any solar collectors ii. Improve the control of space heating and cooling by: ▪ designing heating/cooling systems to target only those spaces which require heating or cooling, not the whole apartment ▪ designing apartments so that entries open into lobbies or	☒ ☒ ☒ ☒ ☒ ☒ ☒	☐ ☐ ☐ ☐ ☐ ☐ ☐	☐ ☐ ☐ ☐ ☐ ☐ ☐	The two BASIX Certificates for the buildings show that the development as a whole achieves the energy and water conservation. **18% or 69/383 apartments are identified as being single aspect SE/SW facing. Compliance is difficult to achieve in this instance due to the orientation of the site. However the building design method chosen is considered to optimise natural ventilation and solar penetration as a result of the slender tower forms proposed. In this regard, despite the non-compliance with this requirement, the proposed envelope design is consistent with the modified concept plan approval and as such, the non-compliance is not considered to warrant refusal of the application.** Climate control techniques are found to be satisfactory.

Requirement	Yes	No	N/A	Comment
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:				Solar panels are not proposed in this development however they could be installed in future should the need arise.
▪ designing the roof so that solar collectors and photovoltaic panels can be mounted parallel to the roof plane	☒	☐	☐	
▪ 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	☒	☐	☐	These are addressed by the BASIX Certificates issued for the development. This is addressed under the heading "State Environmental Planning Policy - BASIX" described earlier in the report.
▪ installing water-saving devices, such as flow regulators, AAA (or higher) rated shower heads and tap aerators	☒	☐	☐	
v. Reduce reliance on artificial lighting by:				
▪ providing a mix of lighting fixtures, including dimmable lighting, to provide for a range of activities in different rooms	☒	☐	☐	
▪ designing to allow for different possibilities for lighting the room, for example, low background lighting supplemented by task or effect lighting for use as required	☒	☐	☐	
▪ using separate switches for special purpose lighting	☒	☐	☐	
▪ using high efficiency lighting, such as compact fluorescent, for common areas	☒	☐	☐	
▪ using motion detectors for common areas, lighting doorways and entrances, outdoor security lighting and car parks	☒	☐	☐	
vi. Maximise the efficiency of household appliances by:				
▪ selecting an energy source with minimum greenhouse emissions	☒	☐	☐	
▪ installing high efficiency refrigerators/freezers, clothes washers and dishwashers				
▪ providing areas for clothes to be dried through natural ventilation	☒	☐	☐	
vii. Provide an Energy Performance				

AUBURN CITY COUNCIL

Requirement	Yes	No	N/A	Comment
Report from a suitably qualified consultant to accompany any development application for a new building. Nathers 4.5 star rating should be achieved to 80% of all residential apartments and commercial offices	☒	☐	☐	
viii. Use the NSW Government's sustainability assessment tool, BASIX, from such time as it is implemented for the residential housing types in the DCP precinct area, as an additional rating system, to be achieved to 80% of all residential apartments	☒	☐	☐	
4.7.2 Maintenance Objectives ▪ To ensure long life and ease of maintenance for the development	☒	☐	☐	The proposed development is considered to be consistent with the Maintenance objectives as relevant conditions shall be included in any consent to ensure the site is suitably maintained.
4.7.2 Maintenance Performance Criteria i. Design windows to enable cleaning from inside the building, where possible	☒	☐	☐	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 has been included as part of any consent that may be issued.

AUBURN CITY COUNCIL

Requirement	Yes	No	N/A	Comment
4.7.3 Waste Management Performance Criteria				
i. Incorporate existing built elements into new work, where possible	☐	☐	☒	There are a number of waste bin storage areas located within Car park Levels. Garbage collection is arranged to be shared with Block D. This will facilitate garbage collection from within the building complex and not on the kerb side.
ii. Recycle and reuse demolished materials, where possible	☐	☐	☒	
iii. Specify building materials that can be reused and recycled at the end of their life	☒	☐	☐	
iv. Integrate waste management processes into all stages of the project, including the design stage	☒	☐	☐	
v. Support waste management during the design stage by:				
▪ specifying modestly for the project needs	☒	☐	☐	
▪ reducing waste by utilising the standard product/component sizes of the materials to be used	☒	☐	☐	
▪ incorporating durability, adaptability and ease of future services upgrades	☒	☐	☐	
vi. Prepare a waste management plan for green and putrescible waste, garbage, glass, containers and paper	☒	☐	☐	
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	☒	☐	☐	
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	☒	☐	☐	

AUBURN CITY COUNCIL

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.
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				The development does not include any items of public art.
▪ To celebrate local heritage and culture	☐	☐	☒	
▪ To explore community cultural identity	☐	☐	☒	
▪ To instigate the feeling of 'community' in the town centre	☐	☐	☒	
▪ To articulate the nature and special qualities of the town in the public domain	☐	☐	☒	
4.8 Public Art and Design Performance Criteria				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:-

- 149 x 1 bedroom apartments.
- 221 x 2 bedroom apartments.
- 13 x 3 bedroom apartments.

As at 26 November 2014, the contribution amount is calculated at $1,382,706.31 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 and locality is known to be affected by flooding. Council's Engineering Department have assessed the application and is satisfied for the development to proceed subject to conditions.

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. Accordingly, the site can be said to be suitable to accommodate the proposal. The proposed development has been assessed in regard it its environmental

consequences and having regard to this assessment, it is considered that the development is suitable in the context of the site and surrounding locality.

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

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

In accordance with Council's Notification of Development Proposals Development Control Plan, the proposal was publicly exhibited and letters sent to adjoining owners/occupiers for a period of fourteen (14) days from 14 January to 28 January 2014. A total of twenty-two (22) submissions were received with respect of the proposed development as a result of notification. The issues are summarised and discussed in further detail below:

Issue: The respondents have primarily raised significant concerns of:

- Increased traffic generation in the area and the lack of parking provided by the proposed developments to meet the demand.

Other concerns raised by the respondents include:

- There is an overdevelopment of the area resulting in reduced amenity and liveability. (Increased noise, privacy and overshadowing).
- Proposal of new towers will result in excessive overshadowing, lack of privacy and loss of views
- The proposal is out of character for which it is zoned and planned for and is incompatible with the local context of the area.
- Lack of parklands provided for passive and recreational uses.
- Lack of infrastructure, public transport and community facilities to accommodate the growth of the area.
- 8 storey height restriction has not been observed.

Comment: The amendment no. 1 to the HBW DCP 2004 was endorsed by NSW Department of Planning on the 31 July 2013 which introduced new building heights to the Wentworth Point Area which also permitted the increased floor space and density. The proposed development is consistent with the planning provisions under the new amendment as well as the modified concept plan approved by the Minister. As such, the development is considered to be acceptable in this regard.

A substantial portion of the development is 8 storeys high with the exception of the tower which rises to a total of 25 storeys. Due to the orientation of the site, some overshadowing is considered to be unavoidable, however, reasonable building separation distances have been provided to alleviate any significant overshadowing, noise and privacy concerns through appropriate massing of the building envelopes in the design of slender tower forms.

A pocket park is proposed to be provided as part of the Lot 9B development and a larger central park is proposed in Lot 10 (Block F) which is consistent with the street and block pattern of the amended HBWDCP. Further, additional infrastructure, services and facilities are proposed to be provided to accommodate the growth and increased density of the area to meet the needs of the local community.

The subject application has been supported with a traffic report and a more comprehensive Traffic Management and Accessibility Plan (TMAP) which have been endorsed by Transport for NSW in the review of HBWDCP that resulted

Amendment No.1 being adopted in 2013. The TMAP which seeks to address the cumulative traffic generation associated with the proposed new developments reveals the following:

- *"It is quite feasible to achieve the TMAP's targets for mode share and travel management, assuming that the bridge connecting Wentworth Point to Rhodes and, in particular, Rhodes station is delivered in the right way and at the right time.*
- *The TMAP's targets are supported by the demonstrated change in travel behaviour between 2006 and 2011 in Wentworth Point and Rhodes.*
- *While it is now proposed to increase the development size beyond that proposed and permissible under the HBW DCP, the resultant increased trip generation will be more than contained by increased use of non-car modes.*
- *Overall, the bridge provides the opportunity to ensure an improved mode share outcome, reduced number of car trips, and greater levels of accessibility amongst those living at Wentworth Point.*
- *The design of the Wentworth Point Proposal, including the Homebush Bay Bridge, will:*
- *Reduce levels of vehicle kilometres travelled (VKT) during the peak periods and across other times of the day and week.*
- *Reduce reliance on private vehicles.*
- *Maximise the use of public transport, walking and cycling.*
- *The destination-based analysis supports the target mode share of 65 per cent car travel as driver. In fact, there is an opportunity to reduce the mode share for car drivers further, through the promotion of walking and cycling.*
- *With assumed public transport mode shares, 33 per cent of peak hour trips will be made using public transport. Of these trips, 86 per cent will be made by rail and 14 per cent by bus. (Table 6.1 summarises these findings.)*

In summary, the incremental impacts of the Proposal over those arising from the level of development permissible under the HBW DCP are not likely to generate additional car trips, nor to place unacceptable demands on public transport services in the area."

Council's engineers have also reviewed the report and are therefore satisfied that the proposal is acceptable for the area.

The development has been assessed on its merit and it is considered to perform satisfactorily with respect to the RFDC, HBWDCP and the recently modified concept plan approval. The development has been responsibly designed and provides for acceptable levels of amenity for future residents and minimises adverse impacts on the amenity of neighbouring properties.

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.

AUBURN CITY COUNCIL

Operational Plan / Delivery Program

This assessment and report relates to the Auburn City Council Operational Plan and Delivery Program, Our Places – Attractive and Liveable theme, action "2a.1.1.3 Assess development applications, complying development and construction certificates".

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 West Development Control Plan are sought.

Having regard to the assessment of the proposal from a merit perspective, The JRPP may be satisfied that the development has been responsibly designed and provides for acceptable levels of amenity for future residents. It is considered that the proposal successfully minimises adverse impacts on the amenity of neighbouring properties. Hence the development, irrespective of the departures noted above, is consistent with the intentions of planning controls and represents a form of development contemplated by the relevant statutory and non-statutory controls applying to the land.

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.