Council Assessment Report

2015SYW159

14A Hill Road, Sydney Olympic Park

JOINT REGIONAL PLANNING PANEL (Sydney West)

JRPP No	2015SYW159
DA Number	DA-274/2014
Local Government Area	Auburn City Council
Proposed Development	Sub-Division of 1 lot into 8 Torrens Title allotments.
Street Address	14A Hill Road, Sydney Olympic Park
Applicant/Owner	Applicant: UrbanGrowth NSW
	Owner: Roads and Maritime Service
Number of Submissions	• Nil
Regional Development Criteria (Schedule 4A of the Act)	Section 89(6) referral
List of All Relevant s79C(1)(a) Matters	 List all of the relevant environmental planning instruments: s79C(1)(a)(i) SEPP 55. SREP (Sydney Harbour Catchment) 2005. Auburn LEP 2010. List any proposed instrument that is or has been the subject of public consultation under the Act and that has been notified to the consent authority: s79C(1)(a)(ii) List any relevant development control plan: s79C(1)(a)(iii) Wentworth Point Precinct DCP List any relevant planning agreement that has been entered into under section 93F, or any draft planning agreement that a developer has offered to enter into under section 93F: s79C(1)(a)(iv) - "Nil". List any relevant regulations: s79C(1)(a)(iv) eg. Regs 92, 93, 94, 94A, 288 - "Nil".
List all documents submitted with this report for the panel's consideration	 Planning assessment report Planning Assessment Summary Report & Conditions

Recommendation	Approval subject to conditions.
Report by	Auburn City Council.

Assessment Report and Recommendation Cover Sheet

Version 22 September 2008

File Number DA-274/2014

Department: Planning and Environment DA ASSESSMENT DELEGATED REPORT

Applicant:	Urban Growth NSW	Owner:	Maritime Authority of NSW					
Area:	4164.00	Current Use:	Industrial					
Value of Works: Rawlinsons Value:	\$0	Zoning:	Zone RE1 - Public Recreation and Zone R4 - High Density Residential					
Description of Proposal:	Sub-division of 1 lot into 8	Sub-division of 1 lot into 8 Torrens Title allotments.						
Address:	14A Hill Road, SYDNEY OLYMPIC PARK NSW 2127, Pt Lot 3 DP 859608							

1. Required Information

	R	Received				Receive	
Item	Yes	No	N/A	Item	Yes	No	N/A
Owners Consent	\square			Site Analysis	\square		
Specification			\square	Stormwater Management Plan			\square
Erosion & Sediment Control Plan				Statement of Environmental Effects			
Statement of Heritage Impact			\square	Statement of Species Impact (8 part)			\square
Landscape Plan			\square	Survey Plan	\square		
BASIX certificate			\square	Waste Management Plan			\boxtimes
Shadow Diagrams / Profiles			\square	Driveway Longitudinal Section			\boxtimes
Colour/Material/Finishes Schedule				Contamination Assessment: Prelim Site Investigation (Stage 1) Detailed Site Investigation (Stage 2) Remediation Action Plan Site Audit Statement			
Flood Study				Site Inspection Date:			

2. Requirements/Affectations

Planning Instruments:	SEPP 55, SREP Sydney Harbour Catchment 2005, ALEP 2010, WWP DCP	Zoning:	Zone RE1 - Public Recreation and Zone R4 - High Density Residential
Draft Planning	Nil		Nil
Instruments:		Draft Zoning:	
	Wentworth Point Precinct DCP		-
DCP:		BCA Class:	

Integrated:	Yes: if 'Yes' - Type:	Crown:	Yes (Urban Growth NSW on
	No		behalf of RMS)
			No
Concurrence:	Yes: if 'Yes' – Type: SOPA Act	Acid Sulphate	🔀 Yes: Class 2
	No	Soils	No
Heritage Item:	Yes	Flood Affected:	🔀 Yes
	No		No
Disclosure of	Yes	Councillor Call In	Yes
Political	No	to Determine DA	No
Donations			

3. Background

The precinct to be developed comprises of 2 parcels of land known as the Burroway Road Site (Lot 2 in DP 859608) and the Hill Road site (Lot 3 in DP 859608). The two parcels are located at the northern end of Wentworth Point precinct with a total combined land area of approximately 18.6 hectares. Both parcels are currently under the ownership of NSW Roads and Maritime Services (RMS).

In addition, the statement of environmental effects submitted with this application provides a delivery/staging of works plan for the Wentworth Point Precinct, where subsequent applications for the overall redevelopment of the Wentworth Point Precinct are to be submitted including:

- DA 1A (subject of this application) subdivision of Hill Road site to create lots for residential development, roads and a public reserve.
- DA 1B Hill Road site establishment works, including demolition, earthworks, roadwork, drainage, servicing and public domain.
- DA 2A subdivision of Burroway Road site to create lots for residential development, a school, maritime uses and a peninsula park. (DA-273/2014)
- DA 2B Burroway Road site establishment works, including demolition, earthworks, roadwork, drainage, servicing and public domain (including construction of the peninsula park). Will also include subdivision to create roads.
- DA 3 Wentworth Point Marina.
- DA 4 Wentworth Point Boathouse.

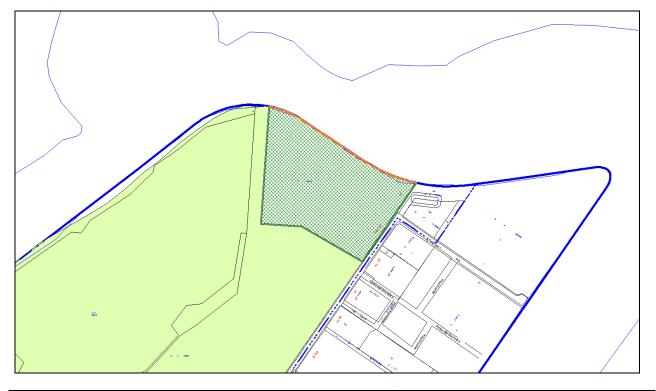


4. Site & Locality Description

The subject site relevant to this particular application is legally described as Lot 3 in DP 859608 and is known as the Hill Road site. The site is located on the northern-western end of Wentworth Point situated adjacent to the land owned by the Sydney Olympic Park Authority. The land comprises a total area of approximately 9.5 hectares.

The site is strategically located close to the geographic centre of the metropolitan Sydney region approximately 12km west of the Sydney CBD and 6km east of the Parramatta CBD. Wentworth Point which extends south presently accommodates industrial uses which is undergoing transformation into a growing residential community.

The subject site relevant to this application is identified in the plan below:



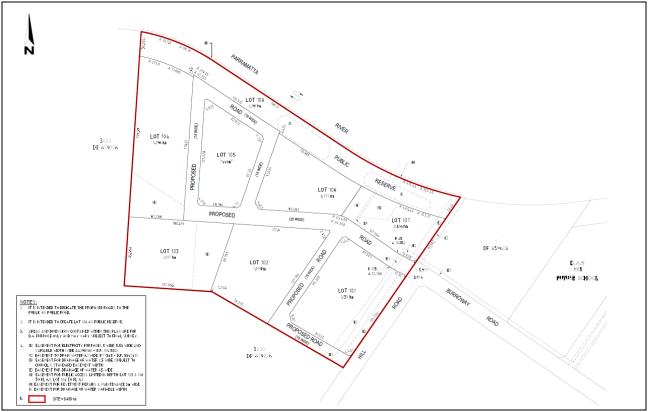
5. Detailed Description of the Development

It is proposed to subdivide Lot 3 (Hill Road site) into eight Torrens title lots.

The eight Torrens title lots are to be divided and distributed into the following future land uses as follows:

- Lot 101 comprising of 1.132 ha Residential development
- Lot 102 comprising of 1.078 ha Residential development
- Lot 103 comprising of 1.017 ha Residential development
- Lot 104 comprising of 1.296 ha Residential development
- Lot 105 comprising of 7448 sqm Residential development
- Lot 106 comprising of 0.777 ha Residential development
- Lot 107 comprising of 0.576 ha Residential development
- Lot 108 comprising of 1.291 ha Public reserve

The subject draft plan of the proposed subdivision of Lot 3 is identified in the plan below:



(Brown Smart Consulting) – Proposed Plan of Subdivision of Lot 3 in DP 859608

It is noted that this application in particular only seeks approval for a subdivision plan and does not propose works of any kind to be undertaken as part of this stage of the development. Site preparation and construction works are proposed to take place under subsequent future applications to Council which will include earthworks, remediation, tree removal and servicing and further subdivision of the site to create lots for roads. Future uses of the eight Torrens title sites will also form part of future applications to be considered by Council.

6. Referrals

(a) Internal Referrals

The development application was referred to the following relevant internal Council departments for comment:-

Engineering

Initial concerns were raised by Council's engineer with regard to swept path and turning circles of the proposed road network and the delivery and construction of the roads to secure proper access to the roads in the likely event that the proposed subdivision results in the land being sold to various developers/land owners creating a super lot. As such, these concerns were raised to the applicant.

A meeting was held with the applicant on 10 October 2014 to discuss the issues outlined above and additional information was submitted on the 23 October 2014. Subsequently a further meeting was held with the applicant on the 3 November 2014 to address the matters raised. Council received formal correspondence from the applicant on 4 November 2014 with a submission of additional information provided to address matters raised. Council also received confirmation from the applicant that the construction of the roads would be delivered prior to the subdivision certificate being issued so as to address road access concerns in anticipation of the lots being sold to various developers in the near future. Council's engineers have advised that appropriate conditions can be imposed to ensure compliance.

(b) External Referrals

The application was required to be referred to the following approval agencies for comment:

Sydney Olympic Park Authority (SOPA)

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 22 September 2014, the comments provided by SOPA raised the following concerns with respect to the proposed subdivision of Lot 3 adjoining SOPA land:

"The area adjoins the Woo-la-ra remediated landfill. The landfill is regulated under a legal notice issued under the Contaminated Lands Management Act. This Notice defines the legal boundary of the remediated landfill as including the Woo-la-ra landfill, Silverwater Marker and Triangle Transport site. The site Audit Report provided in support of the application for subdivision includes a map prepared by GHD titled "Figure 3 Remediated Landfill System", indicating that the extend of the waste is confined to the Woo-la-ra Landfill mound only. This is misleading. The entire area right up to the Southern boundary of the Wentworth Point Stage 2 development is remediated land and contains wastes. The map should be amended to reflect the correct information.

On 13 August 2013 the Authority provided a submission to the Department of Planning and Infrastructure in relation to the Wentworth Point Urban Activation Precinct (UAP). In relation to the remediated lands and southern boundary of the proposed development area, the Authority provided the following comments:

The land immediately adjoining the UAP site to the south is constrained by the presence of a significant leachate collection drain, including measuring piezometers. This Infrastructure is required in order for the Authority to meet our obligations under the Contaminated Lands Management Act Notice No 28040 for which we have absolute responsibility.

The design and construction of the UAP site to the southern boundary will require careful attention to this essential infrastructure. The inclusion of an ongoing management regime, most likely in the form of an agreed <u>three metre (3m) easement</u> would help to facilitate the continued operation and assist the Authority in meeting our statutory obligations. Further to this, the introduction of significant loads above the infrastructure, whether they be in the form of heavy construction equipment, or earth works, can not be permitted.

The proposed sub-division does not appear to include an easement for ongoing access and protection of the remediated lands. Given the practical constraints with developing over or adjacent to remediated landfill infrastructure, the Authority requests that a 3 metre easement be included as part of the sub-division along the southern boundary of the proposed Wentworth Point Stage 2 area."

<u>Comment</u>: The application has been accompanied with a Site Audit Statement indicating that Lot 3 is suitable to accommodate various uses including residential thus satisfying the requirements of SEPP 55. Further, as per the relevant provisions of the WWP DCP 2014, a minimum building setback of 7 metres is required to be provided from the property lot boundary. As such, Council is satisfied that there is sufficient setback provided to accommodate an easement should one be required in the future, and where the provision of an easement can be addressed under a subsequent application.

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

(a) State Environmental Planning Policy No. 55 – Remediation of Land

The requirement at clause 7 of SEPP No. 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
In the development going to be used for a sensitive land use (eg: residential, educational, recreational, childcare or hospital)?	Yes
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 reconditioning 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
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
Details of contamination investigations carried out at the site:	

A RAP prepared by GHD, dated 18 October 2013 has been submitted with the development application. A Site Audit Report/Statement (SAS) prepared by JBS&G, reference no. 41512-55905, dated 4 November 2013 also accompanies the subject development application. Council's environmental health officer have reviewed the documentation submitted and have advised that the SAS states "that the site can be made suitable for the proposed development subject to compliance with the included conditions. A correspondence from the NSW EPA contaminated sites section has also been provided regarding the assessment of the site with regard to the Contamination Lands Management Act 1997. These documents read in conjunction with the concept Remediation Plan recommends that the site can be made suitable and that detailed remediation plans are required prior to construction which will form part of the respective future development applications. It is also noted that the EPA provided a letter to the applicant and Council with regard to contamination at this site advising that they do not propose to regulate the site under the CLM Act. In this regard, based on the information provided, Council's health officer has advised that the main concern is ensuring that appropriate conditions of consent are in place to ensure that the appropriate radiation strategies are prepared and implemented with the appropriate involvement of an accredited site auditor."

Having regard to the above, Council's health officer has recommended appropriate conditions to be imposed on any consent issued regarding site remediation and validation.

Has the appropriate level of investigation been carried out in respect of contamination matters for Council to be satisfied that the site is suitable to accommodate the proposed development or can be made suitable to accommodate the proposed development?

🖄 Yes 🗌 No

(b) Other State Environmental Planning Policies and Regional Environmental Planning Policies

SEPP/REP	Applicable	SEPP/REP	Applicable	SEPP/REP	Applicable
SEPP 1 – Development Standards	Y N	SEPP 4 – Development Without Consent and Miscellaneous Complying Development	Y N	SEPP 6 – No. of Storeys in a Building	∏y ⊠n
SEPP 10 – Retention of Low- Cost Rental Accommodation	∏y ⊠n	SEPP 19 – Bushland in Urban Areas	Y N	SEPP 33 – Hazardous & Offensive Development	∏y ⊠n
SEPP 53 – Metro Res. Development	∏y ⊠n	SEPP 55 – Remediation of Land	□y ⊠n	SEPP 64 – Advertising & Signage	□y ⊠n
SEPP 65 – Design Quality of Residential Flat Development	∏y ⊠n	SEPP (Housing for Seniors & People with a Disability) 2004	Y N	SEPP (Building Sustainability Index: BASIX) 2004	Y N
SEPP (Major Projects) 2005	∏y ⊠n	SEPP (Temporary Structures & Places of Public Entertainment)	Y N	SEPP (Infrastructure) 2007	∏y ⊠n
REP No. 24 – Homebush Bay Area	Y N	Sydney REP (Sydney Harbour Catchment) 2005	Y N		

(c) Sydney Regional Environmental Plan (Sydney Harbour Catchment) 2005

The site is located within the area within the Sydney Harbour Catchment and SREP (Sydney Harbour Catchment) 2005 is applicable to the development application. The development application raises no issues as consistency with the requirements and objectives of the DCP.

(d) Auburn Local Environmental Plan (LEP) 2010

The relevant objectives and provisions of Auburn LEP 2010 have been considered in the following assessment table:

Part 1 Preliminary 1.2 Aims of Plan	
(1) This Plan aims to make local	
environmental planning provisions for	
land in Auburn in accordance with the	
relevant standard environmental planning consistent with the aims of this pla instrument under section 33A of the Act. compliance with the conditions red	
(2) The particular aims of this Plan are as by Council.	ommonaea
follows:	
(a) to establish planning standards that are clear specific and flexible in their	
application, (b) to foster integrated, sustainable	
(b) to foster integrated, sustainable 🖾 💷 development that contributes to	
Auburn's environmental, social and	
physical well-being,	
(c) to protect areas from inappropriate	
development,	
(d) to minimise risk to the community by	
restricting development in sensitive	
(e) to integrate principles of ecologically sustainable development into land	
use controls,	
(f) to protect, maintain and enhance the	
natural ecosystems, including	
watercourses, wetlands and riparian	
(g) to facilitate economic growth and	
employment opportunities within	
(h) to identify and conserve the natural,	
built and cultural heritage,	
(i) to provide recreational land, 🔀 🔲	
public purposes.	
1.8A Savings provision relating to development applications	
If a development application has been made	
before the commencement of this Plan in relation to land to which this Plan applies and	
the application has not been finally determined before that commencement, the application	
must be determined as if this Plan had not	
commenced.	
Note. However, under Division 4B of Part 3 of	
Note. However, under Division 4B of Part 3 of the Act, a development application may be	
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 prevail over this Plan as provided by section 36 of the Act. (2) The following State environmental planning policies and regional environmental plans (or provisions) do not apply to the land to which this Plan applies: State Environmental Planning Policy No 1— Development Standards State Environmental Planning Policy No 4— Development Without Consent and Miscellaneous Exempt and Complying Development (clause 6, clause 10 and Parts 3 and 4) State Environmental Planning Policy No 60— Exempt and Complying Development Sydney Regional Environmental Plan No 24— Homebush Bay Area 				
1.9A Suspension of covenants, agreements and instruments				
(1) For the purpose of enabling development on land in any zone to be carried out in accordance with this Plan or with a development consent granted under the Act, any agreement, covenant or other similar instrument that restricts the carrying out of that development does not apply to the extent necessary to serve that purpose.				There are no covenants, agreements or instruments applying to the land which will prevent the development proceeding in accordance with the plan.
 (2) This clause does not apply: (a) to a covenant imposed by the Council or that the Council requires to be imposed, or 			\boxtimes	
(b) to any prescribed instrument within the meaning of section 183A of the <i>Crown Lands Act 1989</i> , or			\boxtimes	
(c) to any conservation agreement within the meaning of the <i>National Parks</i> and Wildlife Act 1974, or			\square	
 (d) to any Trust agreement within the meaning of the Nature Conservation Trust Act 2001, or 			\boxtimes	
<i>(e)</i> to any property vegetation plan within the meaning of the <i>Native Vegetation</i> <i>Act 2003</i> , or			\bowtie	
(f) to any biobanking agreement within the meaning of Part 7A of the <i>Threatened Species Conservation</i> <i>Act 1995</i> , or			\square	
(g) to any planning agreement within the meaning of Division 6 of Part 4 of the			\square	
 Act. (3) This clause does not affect the rights or interests of any public authority under any registered instrument. 			\boxtimes	
(4) Under section 28 of the Act, the Governor, before the making of this clause, approved of subclauses (1)–(3).			\square	
Part 2 Permitted or prohibited development (note: the subject lot 2 is located within multiple a	land us	a zonin	a inclue	ling: R4 and RE1)
2.6 Subdivision—consent requirements		5 201111	y monut	
(1) Land to which this Plan applies may be subdivided, but only with development consent.	\boxtimes			Application for proposed land subdivision is permissible under this clause.

Notes.				
dev env as <u>Plai</u> Dev ena dev 2 Pari Poli Dev the cert	velopment Codes) 2008 provides that strata subdivision of a building in ain circumstances is complying		\boxtimes	
(2) De granted seconda subdivis dwelling situated lots are on the L	elopment. evelopment consent must not be for the subdivision of land on which a ary dwelling is situated if the ion would result in the principal and the secondary dwelling being on separate lots, unless the resulting not less than the minimum size shown ot Size Map in relation to that land.		\boxtimes	
the Dicti	ionary requires the dwelling to be on e lot of land as the principal dwelling.			
Zone R4	High Density Residential ctives of zone			
To procommunity of the procommunity of the procommunity of the process of th	ovide for the housing needs of the ity within a high density residential	\boxtimes \boxtimes \boxtimes		The proposed development is appropriately defined as land subdivision and permissibility for subdivision is established under clause 2.6 subject to Council consent. The proposal seeks to subdivide the existing Lot 3 into 8 Torrens title lots to be distributed into various land uses according to its respective zones comprising of Residential development and Public open space uses which are permissible and will form part of a subsequent applications for consent for the construction and uses of the respective lots.
Attached accomme identifica signs; Ch Hostels; dwelling Places buildings Semi-det	itted with consent dwellings; Bed and breakfast odation; Boarding houses; Building tion signs; Business identification nild care centres; Community facilities; Hotel or motel accommodation; Multi housing; Neighbourhood shops; of public worship; Residential flat ; Respite day care centres; Roads; tached dwellings; Shop top housing; er development not specified in item 2			
4 Prohi Agricultu centres; establish facilities; parks; C and tou premises Depots; generatir Environm Exhibition buildings	bited re; Air transport facilities; Amusement Animal boarding or training ments; Boat building and repair Boat sheds; Camping grounds; Car Caravan parks; Cemeteries; Charter rism boating facilities; Commercial s; Correctional centres; Crematoria; Eco-tourist facilities; Electricity ng works; Entertainment facilities; nental facilities; Exhibition homes; n villages; Extractive industries; Farm ; Forestry; Freight transport facilities; centres; Heavy industrial storage			

establishments; Highway service centres; Home occupations (sex services); Industrial retail outlets; Industrial training facilities; Industries; Information and education facilities; Marinas; Mooring pens; Moorings; Mortuaries; Open cut mining; Passenger transport facilities; Port facilities; Recreation facilities (major); Registered clubs; Research stations; Residential accommodation; Restricted premises; Rural industries; Service stations; Sewerage systems; Sex services premises; Signage; Storage premises; Tourist and visitor accommodation; Transport depots; Vehicle body repair workshops; Vehicle repair stations; Veterinary hospitals; Warehouse or distribution centres; Waste or resource management facilities; Water recreation structures; Water supply systems; Wharf or boating facilities; Wholesale supplies.			
 Zone RE1 Public Recreation 1 Objectives of zone To enable land to be used for public open space or recreational purposes. 	\boxtimes		The proposed development is appropriately defined as land subdivision and permissibility
 To provide a range of recreational settings and activities and compatible land uses. To protect and enhance the natural environment for recreational purposes. 	\boxtimes		for subdivision is established under clause 2.6 subject to Council consent. The proposal seeks to subdivide the existing Lot 3 into 8
 To protect open space at riparian and foreshore locations. 2 Permitted without consent 	\square		Torrens title lots to be distributed into various land uses according to its respective zones comprising of Residential development and Public open space uses which are permissible
Nil 3 Permitted with consent Child care centres; Community facilities; Depots; Environmental facilities; Environmental protection works; Function	\boxtimes		and will form part of a subsequent applications for consent for the construction and uses of the respective lots.
centres; Information and education facilities; Kiosks; Markets; Places of public worship; Public administration buildings; <u>Recreation</u> <u>areas</u> ; Recreation facilities (indoor); Recreation facilities (major); Recreation facilities (outdoor); Respite day care centres; Restaurants or cafes; Roads; Water recreation			
structures 4 Prohibited Any development not specified in item 2 or 3		\square	

Part 3 Exempt and complying development									
	This part is not relevant as the development is not exempt or complying development.								
	Principal development standards		1						
(1) Th	imum subdivision lot size e objectives of this clause are as lows:				The proposed subdivision of Lot 3 for the creation of 8 Torrens title lots will consist of the				
(a)	to ensure that lot sizes are able to accommodate development	\boxtimes			following lot size:				
(1-)	consistent with relevant development controls, and				Lot 101 – comprising of 1.132 ha – Residential development				
(b)	 to ensure that subdivision of land is capable of supporting a range of development types. 	\square			 Lot 102 – comprising of 1.078 ha – Residential development Lot 102 – comprising of 1.017 ha 				
	is clause applies to a subdivision of y land shown on the Lot Size Map that	\boxtimes			 Lot 103 – comprising of 1.017 ha – Residential development Lot 104 – comprising of 1.296 ha – 				
ca	quires development consent and that is rried out after the commencement of				 Residential development Lot 105 – comprising of 7448 sqm – 				
(3) Th	s Plan. le size of any lot resulting from a bdivision of land to which this clause	\boxtimes			 Residential development Lot 106 – comprising of 0.777 ha – Desidential development 				
ap mi	plies is not to be less than the nimum size shown on the Lot Size				 Residential development Lot 107 – comprising of 0.576 ha – Residential development 				
(3A) De	ap in relation to that land. espite subclause (3), the minimum lot the for dwelling houses is 450 square			\boxtimes	 Lot 108 – comprising of 1.291 ha – Public reserve 				
me	etres. espite subclause (3), if a lot is a battle-				The proposed subdivisions of Lot 3 into individual lot sizes provided above are				
an	e lot or other lot with an access handle d is on land in Zone R2 Low Density esidential, Zone R3 Medium Density			\boxtimes	considered to be satisfactory to accommodate a range of land uses/development types.				
Re	esidential, Zone R6 Enterprise Corridor, one B7 Business Park, Zone IN1				Under the ALEP 2010, the zoning identified for the Lot 3 Hill Road site consist of R4 – High				
Inc	eneral Industrial and Zone IN2 Light dustrial, the minimum lot size excludes a rea of the access handle.				density residential and RE1 – Public recreation.				
(3C) [Despite subclauses (3)–(3B), the nimum lot size for development on			\boxtimes	The subject sites are not located within the Former Lidcombe Hospital Site.				
Sit	nd within the Former Lidcombe Hospital te, as shown edged blue on the Lot ze Map, is as follows in relation to								
de	velopment for the purpose of:) dwelling houses:								
	(i) 350 square metres, or(ii) if a garage will be accessed from								
	the rear of the property – 290 square metres, or (iii) if the dwelling house will be on a								
(b)	zero lot line – 270 square metres, semi-detached dwellings – 270								
©	square metres, multi dwelling housing – 170 square metres for each dwelling,								
) attached dwellings – 170 square metres.			\boxtimes					
the	is clause does not apply in relation to e subdivision of individual lots in a								
	ata plan or community title scheme.				1				
Not App									
4.3 Heig	ght of buildings	_	_	_					
(1) Th fol	e objectives of this clause are as lows:			\boxtimes	The application relates to subdivision only and				
(a)) to establish a maximum building height to enable appropriate development density to be achieved,				as no building works are proposed, these controls are limited to in application. Nnotwithstanding, in accordance with the				
(b)	and to ensure that the height of buildings			\boxtimes					
(2) Th	is compatible with the character of the locality he height of a building on any land is			لا ت					

 shown for the land on the Height of Buildings Map. (2A) Despite subclause (2), the maximum height of office premises and hotel or motel accommodation is: (a) if it is within the Parramatta Road Precinct, as shown edged orange on the Height of Buildings Map—27 metres, (b) if it is on land within Zone B6 Enterprise Corridor within the Silverwater Road Precinct, as shown edged of precinct, as shown edged light purple on the Height of Buildings Map—14 metres. 4.4 Floor space ratio (1) The objectives of this clause are as (a) The application relates to subdivision only and
height of office premises and hotel or motel accommodation is: Image: Commodation is: (a) if it is within the Parramatta Road Precinct, as shown edged orange on the Height of Buildings Map—27 metres, Image: Commodation is: (b) if it is on land within Zone B6 Enterprise Corridor within the Silverwater Road Precinct, as shown edged light purple on the Height of Buildings Map—14 metres. Image: Commodation is: 4.4 Floor space ratio Image: Commodation is: Image: Commodation is:
motel accommodation is: (a) if it is within the Parramatta Road (a) if it is within the Parramatta Road Image: Construct of Parramatta Road Precinct, as shown edged orange on Image: Construct of Buildings Map=27 metres, Image: Construct of Buildings Map=27 (b) if it is on land within Zone B6 Image: Construct of Precinct, as shown Silverwater Road Precinct, as shown Image: Construct of Precinct, as shown edged light purple on the Height of Image: Construct of Precinct of Precinc
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the Height of Buildings Map—27 metres, (b) if it is on land within Zone B6 Enterprise Corridor within the Silverwater Road Precinct, as shown edged light purple on the Height of Buildings Map—14 metres. 4.4 Floor space ratio
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edged light purple on the Height of Buildings Map—14 metres. 4.4 Floor space ratio
Buildings Map—14 metres. 4.4 Floor space ratio
4.4 Floor space ratio
(1) The objectives of this clause are as I I I I I I be application relates to subdivision only and
follows:
(d) To establish a maximum floor space
ratio to enable appropriate development
(e) To ensure that development intensity
(2) The maximum floor space ratio for a
building on any land is not to exceed the
floor space ratio shown for the land on the Floor Space Ratio Map.
(2A) Despite subclause (2), the maximum floor
space ratio for development for the purpose of multi dwelling housing on land
other than land within the Former
Lidcombe Hospital Site, as shown edged
black on the Floor Space Ratio Map, is as follows:
(a) for sites less than 1,300 square
(b) for sites that are 1,300 square metres
or greater but less than 1,800 square
metres—0.80:1, (c) for sites that are 1,800 square metres
or greater—0.85:1.
(2B) Despite subclause (2), the maximum floor space ratio for the following
development on land in Zone B6
Enterprise Corridor within the Parramatta Road Precinct, as shown edged orange
on the Floor Space Ratio Map, is as
follows: (a) 1.5:1 for bulky goods premises,
entertainment facilities, function
centres and registered clubs, and Image: Centres and registered clubs, and (b) 3:1 for office premises and hotel or
(30) S. Field accomposition.
(2C) Despite subclause (2), the maximum floor space ratio for the following development
on land in Zone B6 Enterprise Corridor
within the Silverwater Road Precinct, as
shown edged light purple on the Floor Space Ratio Map, is as follows:
(a) 1.5:1 for bulky goods premises,
entertainment facilities, function centres and registered clubs, and
(b) 2:1 for office premises and hotel or
motel accommodation. 4.5 Calculation of floor space ratio and site
area Application relates to subdivision only and thus
(1) Objectives
 (a) to define <i>floor space ratio</i>, (b) to set out rules for the calculation of the

 site area of development for the purpose of applying permitted floor space ratios, including rules to: (i) prevent the inclusion in the site area of an area that has no significant and provide the inclusion in the site area of an area that has already been included as part of a site area to maximise floor space ratio and the site area of an area that has already been included as part of a site area to maximise floor space ratio of an area. (ii) prevent the inclusion in the site area of an area that has already been included as part of a site area to maximise floor space ratio. (iii) foreignite community land and public places to be dealt with separately. (2) Definition of "floor space ratio" (b) Site area for the site area of proposed development is to be carried out on aly one of all buildings within the floor space ratio. (a) Site area for the surea of that site area of that tot, or on which the development is being carried out on aly one lot, the area of that tot, or which the development is peak to maximo boundary thit morther to rearried out on aly not buildings within the floor space ratio to proposed development is peak to maximo boundary thit morther to row which the development is peak to maximo boundary thit morther to row which the development is peak to maximo boundary thit morther to row which the development is peak to maximo boundary thit span or supplying a floor space ratio to proposed development is the rea: (a) Exclusions from site area for the purposed development is proposed development is peak to a site area and the proposed development is to proposed development is to proposed development is to proposed development is the area of this Plan or supplying a floor space ratio to the site area or the purposed development is the area and this the and this peak or the calculation of the site area and the calculation of the site area and the development is being carried out. (b) community land or a public place (exce		1	
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include any other area on which the proposed development is to be carried out.			
development is to be carried out.			
	(8) Existing buildings		

	gross floor area of any existing or			
	osed buildings within the vertical ection (above or below ground) of the			
	idaries of a site is to be included in the			
	lation of the total floor space for the			
	oses of applying a floor space ratio,			
	her or not the proposed development			
	es to all of the buildings.			
(9)	Covenants to prevent "double			
Who	dipping " n consent is granted to development on a			
	comprised of 2 or more lots, a condition of			
	consent may require a covenant to be			
	tered that prevents the creation of floor			
	on a lot (the restricted lot) if the consent			
auth	ority is satisfied that an equivalent quantity			
	or area will be created on another lot only			
	use the site included the restricted lot.			
	Covenants affect consolidated sites			
lf: (a)	a covenant of the kind referred to in			
(a)	subclause (9) applies to any land			
1	(<i>affected land</i>), and			
(b)	proposed development relates to the			
	affected land and other land that together			
1	comprise the site of the proposed			
	development,			
	naximum amount of floor area allowed on			
	other land by the floor space ratio fixed for site by this Plan is reduced by the quantity			
	oor space area the covenant prevents			
	g created on the affected land.			
	Definition			
	his clause, public place has the same			
mea	ning as it has in the Local Government Act			
1993				
1993 4.6	Exceptions to development standards			The development proposal does not seek to
1993	Exceptions to development standards The objectives of this clause are:			The development proposal does not seek to vary any development standards. This clause
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1993 4.61 (1)	 Exceptions to development standards The objectives of this clause are: (a) to provide an appropriate degree of flexibility in applying certain development standards to particular development, and (b) to achieve better outcomes for and from development by allowing flexibility in particular circumstances. Consent may, subject to this clause, be granted for development even though the development standard imposed by this or any other environmental planning instrument. However, this clause does not apply to a development standard that is expressly excluded from the operation of this clause. Consent must not be granted for development standard unless the consent authority has considered a written request from the applicant that seeks to justify the contravention of the development standard by demonstrating: (a) that compliance with the development standard is unreasonable or unnecessary in the circumstances of the case, and 			vary any development standards. This clause

	development that contravenes a development standard unless:			
	 (a) the consent authority is satisfied that: 			
	 (i) the applicant's written request has adequately addressed the matters required to be 		\boxtimes	
	demonstrated by subclause (3), and	 		
	 (ii) the proposed development will be in the public interest because it is consistent with the objectives of the particular standard and the objectives for 		\square	
	development within the zone in			
	which the development is proposed to be carried out, and			
	(b) the concurrence of the Director- General has been obtained.		\square	
(5)	In deciding whether to grant concurrence,			
	the Director-General must consider: (a) whether contravention of the		\boxtimes	
	development standard raises any			
	matter of significance for State or regional environmental planning,			
	and (b) the public benefit of maintaining the		\boxtimes	
	development standard, and		\boxtimes	
	(c) any other matters required to be taken into consideration by the			
	Director-General before granting concurrence.		\square	
(6)	Not applicable			
(7)	After determining a development application made pursuant to this clause,			
	the consent authority must keep a record of its assessment of the factors required			
	to be addressed in the applicant's written			
(8)	request referred to in subclause (3). This clause does not allow consent to be			
	granted for development that would contravene any of the following:		\square	
	(a) a development standard for			
	complying development, (b) a development standard that arises,		\boxtimes	
	under the regulations under the Act, in connection with a commitment set			
	out in a BASIX certificate for a			
	building to which State Environmental Planning Policy			
	(Building Sustainability Index: BASIX) 2004 applies or for the land			
	on which such a building is situated,		\boxtimes	
Part	(c) clause 5.4.5 Miscellaneous provisions			
	Architectural roof features			
(1)	The objectives of this clause are: (a) To ensure that any decorative roof		\boxtimes	Not relevant to the subject application for
	element does not detract from the architectural design of the building,			subdivision.
	and			
	(b) To ensure that prominent architectural roof features are		\boxtimes	
(2)	contained within the height limit. Development that includes an			
(~)	architectural roof feature that exceeds, or		\boxtimes	
1	causes a building to exceed, the height limits set by clause 4.3 may be carried			
(3)	out, but only with consent. Development consent must not be			

granted to any such development unless the consent authority is satisfied that: (a) the architectural roof feature:			
(i) comprises a decorative element on the uppermost portion of a building, and		\square	
(ii) is not an advertising structure, and		\boxtimes	
(iii) does not include floor space area and is not reasonably capable of modification to		\boxtimes	
include floor space area, and (iv) will cause minimal overshadowing, and		\boxtimes	
(b) any building identification signage or equipment for servicing the building (such as plant, lift motor rooms, fire stairs and the like) contained in or supported by the roof feature is fully		\boxtimes	
integrated into the design of the roof feature.			
5.9 Preservation of trees or vegetation		5	
(1) The objective of this clause is to preserve the amenity of the area, including biodiversity values, through the preservation of trees and other vegetation.			Subdivision application only. These requirements are not relevant.
(2) This clause applies to species or kinds of trees or other vegetation that are prescribed for the purposes of this clause by a development control plan made by the Council.		\square	
Note. A development control plan may prescribe the trees or other vegetation to which this clause applies by reference to species, size, location or other manner.			
(3) A person must not ringbark, cut down, top, lop, remove, injure or wilfully destroy any tree or other vegetation to which any such development control plan applies without the authority conferred by:		\boxtimes	
(a) development consent, or(b) a permit granted by the Council.		\boxtimes	
(4) The refusal by the Council to grant a permit to a person who has duly applied for the grant of the permit is taken for the purposes of the Act to be a refusal by the Council to grant consent for the carrying out of the activity for which a permit was sought.			
(5) This clause does not apply to a tree or other vegetation that the Council is satisfied is dying or dead and is not required as the habitat of native fauna.		\boxtimes	
(6) This clause does not apply to a tree or other vegetation that the Council is satisfied is a risk to human life or property.		\square	
(7) A permit under this clause cannot allow any ringbarking, cutting down, topping, lopping, removal, injuring or destruction of a tree or other vegetation:		\boxtimes	

(a) that is or forms part of a heritage item, or that is within a heritage conservation area, or (b) that is or forms part of an Aboriginal object or that is within an Aboriginal place of heritage significance, unless the Council is satisfied that the proposed activity:		$\mathbb{X}\mathbb{X}$	
(c) is of a minor nature or is for the maintenance of the heritage item, Aboriginal object, Aboriginal place of heritage significance or heritage conservation area,		\boxtimes	
(d) would not adversely affect the heritage significance of the heritage item, Aboriginal object, Aboriginal place of heritage significance or heritage conservation area.			
Note. As a consequence of this subclause, the activities concerned will require development consent. The heritage provisions of clause 5.10 will be applicable to any such consent.			
(8) This clause does not apply to or in respect of:			
(a) the clearing of native vegetation:		\square	
(i) that is authorised by a development consent or property vegetation plan under the <i>Native</i>		\boxtimes	
Vegetation Act 2003, or (ii) that is otherwise permitted under Division 2 or 3 of Part 3 of that Act, or		\square	
(b) the clearing of vegetation on State protected land (within the meaning of clause 4 of Schedule 3 to the <i>Native Vegetation Act</i> 2003) that is authorised by a development consent under the provisions of the <i>Native</i> <i>Vegetation Conservation Act</i> 1997 as continued in force by that clause, or		\boxtimes	
(c) trees or other vegetation within a State forest, or land reserved from sale as a timber or forest reserve under the <i>Forestry Act 1916</i> , or		\boxtimes	
(d) action required or authorised to be done by or under the <i>Electricity Supply Act 1995</i> , the <i>Roads Act 1993</i> or the <i>Surveying and Spatial</i> <i>Information Act 2002</i> , or		\boxtimes	
(e) plants declared to be noxious weeds under the Noxious Weeds Act 1993.		\square	
Note. Permissibility may be a matter that is determined by or under any of these Acts.			
(9) Not adopted			

	Heritage conservation				
	e. Heritage items, heritage conservation				
	s and archaeological sites (if any) are				The subject site is not identified as a heritage
	vn on the Heritage Map. The location and				conservation area.
	re of any such item, area or site is also				
	ribed in Schedule 5.				
(1)	Objectives				
The	objectives of this clause are:				
(a)	to conserve the environmental heritage of			\square	
	Auburn, and			\square	
(b)	to conserve the heritage significance of	_	_	_	
	heritage items and heritage conservation			\square	
	areas including associated fabric,				
	settings and views, and				
(c)	to conserve archaeological sites, and				
(d)	to conserve places of Aboriginal heritage			\square	
(0)	significance.				
(2)	Requirement for consent				
	elopment consent is required for any of the				
	wing:				
				\square	
(a)	demolishing or moving a heritage item or			\square	
	a building, work, relic or tree within a				
(1-)	heritage conservation area,			\square	
(b)	altering a heritage item or a building,				
	work, relic, tree or place within a heritage				
	conservation area, including (in the case				
	of a building) making changes to the				
	detail, fabric, finish or appearance of its				
	exterior,				
(c)	altering a heritage item that is a building			\square	
	by making structural changes to its				
	interior,				
(d)	disturbing or excavating an			\square	
	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)	disturbing or excavating a heritage			\square	
(0)	conservation area that is a place of				
	Aboriginal heritage significance,				
(f)	erecting a building on land on which a				
(1)	heritage item is located or that is within a			\square	
	heritage conservation area,				
(a)	subdividing land on which a heritage item				
(g)	is located or that is within a heritage			\square	
	conservation area.				
(2)					
(3)					
	ever, consent under this clause is not				
	ired if:				
(a)	the applicant has notified the consent			\square	
	authority 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:				
	(i) is of a minor nature, or is for the			\square	
	maintenance of the heritage item,				
	archaeological site, or a building,				
	work, relic, tree or place within a				
	heritage conservation area, and				
	(ii) would not adversely affect the			\square	
	significance of the heritage item,				
	archaeological site or heritage				
	conservation area, or				
(b)	the development is in a cemetery or				
	burial ground and the proposed				
	development:				
	(i) is the creation of a new grave or				
	monument, or excavation or			\square	

disturbance of land for the purpose of conserving or repairing monuments or grave markers, and (ii) would not cause disturbance to human remains, relics, Aboriginal		\boxtimes	
 objects in the form of grave goods, or to a place of Aboriginal heritage significance, or (c) the development is limited to the removal of a tree or other vegetation that the 		\boxtimes	
 Council is satisfied is a risk to human life or property, or (d) the development is exempt development. Note. For land known as Rookwood Cemetery zoned SP1 Cemetery, development consent from, and notification to, the consent authority is not required under this plan for the further use of an existing grave site or crypt within a 			
graveyard that is a heritage item, provided the heritage significance of the item is not adversely affected. (4) Effect on heritage significance The consent authority must, before granting		\boxtimes	
consent under this clause, consider the effect of the proposed development on the heritage significance of the heritage item or heritage conservation area concerned. This subclause applies regardless of whether a heritage			
impact statement is prepared under subclause (5) or a heritage conservation management		\boxtimes	
 plan is submitted under subclause (6). (5) Heritage impact assessment The consent authority may, before granting 		\square	
 consent to any development on land: (a) on which a heritage item is situated, or (b) within a heritage conservation area, or (c) within the vicinity of land referred to in paragraph (a) or (b), 		\mathbb{X}	
require a heritage impact statement to be prepared that assesses 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. (6) Heritage conservation management		\boxtimes	
plans The consent authority may require, after considering the significance of a heritage item and the extent of change proposed to it, the submission of a heritage conservation management plan before granting consent under this clause.			
(7) Archaeological sites The consent authority must, before granting consent under this clause to the carrying out of development on an archaeological site (other than land listed on the State Heritage Register or to which an interim heritage order under the			
 Heritage Act 1977 applies): (a) notify the Heritage Council of its intention to grant consent, and (b) take into consideration any response received from the Heritage Council within 28 days after the notice is sent. (8) Places of Aboriginal heritage 		\boxtimes	
significance The consent authority must, before granting consent under this clause to the carrying out of development in a place of Aboriginal heritage significance:			

	(a)	consider the effect of the proposed development on the heritage significance		\square	
		of the place and any Aboriginal object known or reasonably likely to be located			
	(b)	at the place, and notify the local Aboriginal communities (in such way as it thinks appropriate) shout		\boxtimes	
		such way as it thinks appropriate) about the application and take into			
	(0)	consideration any response received within 28 days after the notice is sent. Demolition of item of State			
	(9) The	significance			
	cons ident signi	consent authority must, before granting ent for the demolition of a heritage item ified in Schedule 5 as being of State ficance (other than an item listed on the e Heritage Register or to which an interim			
		age order under the Heritage Act 1977			
	(a)	notify the Heritage Council about the application, and		\square	
	(b)	take into consideration any response received from the Heritage Council within 28 days after the notice is sent.		\square	
		Conservation incentives consent authority may grant consent to			
		lopment for any purpose of a building that neritage item, or of the land on which such			
	а	building is erected, even though lopment for that purpose would otherwise			
	not	be allowed by this Plan, if the consent			
	auth (a)	brity is satisfied that: the conservation of the heritage item is		\boxtimes	
	(b)	facilitated by the granting of consent, and the proposed development is in			
	(6)	accordance with a heritage conservation		\boxtimes	
		management plan that has been approved by the consent authority, and		 	
	(c)	the consent to the proposed development would require that all		\boxtimes	
		necessary conservation work identified in the heritage conservation management			
	(d)	plan is carried out, and			
	(d)	the proposed development would not adversely affect the heritage significance		\bowtie	
		of the heritage item, including its setting, and			
	(e)	the proposed development would not have any significant adverse effect on		\square	
-	5.12	the amenity of the surrounding area. Infrastructure development and use of			
	exist	ing buildings of the Crown			
	(1)	This Plan does not restrict or prohibit, or enable the restriction or prohibition of, the		\boxtimes	Not applicable to subdivision proposal.
		carrying out of any development, by or on			
		behalf of a public authority that is permitted to be carried out without			
		consent under the State Environmental Planning Policy (Infrastructure) 2007.			
	(2)	This Plan does not restrict or prohibit, or enable the restriction or prohibition of, the	_		
		use of existing buildings of the Crown by		\boxtimes	
		the Crown.			
ŀ		6 Additional local provisions cid sulfate soils			
	(1)	The objective of this clause is to ensure	\square		
		that development does not disturb, expose or drain acid sulfate soils and			In accordance with the Acid Sulfate Soils Map ASS_009, the subject land is identified as
		cause environmental damage.			Class 2. As the application relates to

(2)	carry Table on th	elopment consent is required for the ing out of works described in the e to this subclause on land shown e Acid Sulfate Soils Map as being of lass specified for those works.	\boxtimes		subdivision only, an acid sulphate soils management plan is not considered to be necessary at this stage. However, subsequent applications for any proposed works will be accompanied by an acid sulphate soils management plan.
Cla	iss land	Works			
	1	Any works.		\square	
	2	Works below the natural ground surface. Works by which the watertable is likely to be lowered.			
	3	Works more than 1 metre below the natural ground surface. Works by which the watertable is likely to be lowered more than 1 metre below the natural ground surface.			
	4	Works more than 2 metres below the natural ground surface. Works by which the watertable is likely to be lowered more than 2 metres below the natural ground surface.	\square		
	5	Works within 500 metres of adjacent Class 1, 2, 3 or 4 land that is below 5 metres Australian Height Datum by which the watertable is likely to be lowered below 1 metre Australian Height Datum on adjacent Class 1, 2, 3 or 4 land.			
(3)	grant out c mana the p the A been	elopment consent must not be red under this clause for the carrying of works unless an acid sulfate soils agement plan has been prepared for proposed works in accordance with Acid Sulfate Soils Manual and has provided to the consent authority. ite subclause (2) Development			Proposed subdivision only.
(a)	for th a p propo	ent is not required under this clause e carrying out of works if: oreliminary assessment of the osed works prepared in accordance the Acid Sulfate Soils Manual			
	mana	ates that an acid sulfate soils agement plan is not required for the		\square	
(b)	the provi cons	s, and preliminary assessment has been ded to the consent authority and the ent authority has confirmed the ssment by notice in writing to the			
(5)	perso Desp conso for t	on proposing to carry out the works. bite subclause (2), development ent is not required under this clause the carrying out of any of the ving works by a public authority			
(a)	(incluence) excar or the emer repla autho urger	Iding ancillary work such as vation, construction of access ways e supply of power): gency work, being the repair or cement of the works of the public prity required to be carried out ntly because the works have been aged, have ceased to function or			

	pose a risk to the environment or to public health and safety,		\boxtimes	
(b)	routine management work, being the periodic inspection, cleaning, repair or		_	
	replacement of the works of the public authority (other than work that involves			
	the disturbance of more than 1 tonne of			
(C)	soil), minor work, being work that costs less		\square	
(6)	than \$20,000 (other than drainage work). Despite subclause (2), development		\boxtimes	
(0)	consent is not required under this clause			
(a)	to carry out any works if: the works involve the disturbance of		\boxtimes	
()	more than 1 tonne of soil, such as occurs			
	in carrying out agriculture, the construction or maintenance of drains,			
	extractive industries, dredging, the construction of artificial water bodies			
	(including canals, dams and detention			
	basins) or foundations, or flood mitigation works, or			
(b)	the works are likely to lower the watertable.		\square	
-	Earthworks			
(1)	he objectives of this clause are as follows: (a) to ensure that earthworks for which a		\square	Not earthworks proposed. Subdivision only.
	development consent is required will not have a detrimental impact on			
	environmental functions and			
	processes, neighbouring uses or heritage items and features of the			
	surrounding land,			
	(b) to allow earthworks of a minor nature without separate development		\boxtimes	
(2)	consent. Development consent is required for			
(_/	earthworks, unless:		\square	
	(a) the work does not alter the ground level (existing) by more than 600			
	millimetres, or (b) the work is exempt development		\square	
	under this Plan or another applicable			
	environmental planning instrument, or			
	(c) the work is ancillary to other development for which development		\boxtimes	
(0)	consent has been given.			
(3)	Before granting development consent for earthworks, the consent authority must			
	consider the following matters: (a) the likely disruption of, or any		\bowtie	
	detrimental effect on, existing			
	drainage patterns and soil stability in the locality,			
	(b) the effect of the proposed development on the likely future use		\boxtimes	
	or redevelopment of the land,			
	(c) the quality of the fill or of the soil to be excavated, or both,		\boxtimes	
	(d) the effect of the proposed development on the existing and likely		\square	
	amenity of adjoining properties,			
	(e) the source of any fill material and the destination of any excavated material,		\boxtimes	
	(f) the likelihood of disturbing relics,(g) the proximity to and potential for		\square	
	adverse impacts on any watercourse,		\square	
	drinking water catchment or environmentally sensitive area.			

Note. The National Parks and Wildlife Act 1974, particularly section 86, deals with		
disturbing or excavating land and Aboriginal		
objects.		

6.3 Floc	od planning				
(1) The	objectives of this clause are:				In accordance with Flood Planning Map
(a)	to minimise the flood risk to life and				FLD_009, the subject site is not identified as
	property associated with the use of				being flood prone. Therefore this clause is not
	land,				applicable.
(b)	to allow development on land that is			\square	
	compatible with the land's flood				
	hazard, taking into account projected				
	changes as a result of climate				
	change,			\boxtimes	
(c)	-				
(0)	on flood behaviour and the				
	environment.				
(2) This	s clause applies to:				
	land that is shown as "Flood planning			\square	
(u)	area" on the Flood Planning Map, and				
(b)	other land at or below the flood				
(U)					
(2) Do	planning level.				
	velopment consent must not be				
	nted for development on land to which			\boxtimes	
	clause applies unless the consent				
	hority is satisfied that the development:				
(a)	is compatible with the flood hazard of			\square	
(1)	the land, and				
(D)	is not likely to significantly adversely				
	affect flood behaviour resulting in				
	detrimental increases in the potential				
	flood affectation of other development				
	or properties, and				
(C)	incorporates appropriate measures to			∇	
	manage risk to life from flood, and			\boxtimes	
(d)	, , , , ,				
	affect the environment or cause	_	_		
	avoidable erosion, siltation,			\square	
	destruction of riparian vegetation or a				
	reduction in the stability of river banks				
	or watercourses, and				
(e)	is not likely to result in unsustainable				
(e)	is not likely to result in unsustainable social and economic costs to the			\square	
(e)				\square	
(e)	social and economic costs to the				
	social and economic costs to the community as a consequence of			\boxtimes	
(4)	social and economic costs to the community as a consequence of flooding.				
(4)	social and economic costs to the community as a consequence of flooding. A word or expression used in this use has the same meaning as it has in				
(4) clau the	social and economic costs to the community as a consequence of flooding. A word or expression used in this use has the same meaning as it has in NSW Government's <i>Floodplain</i>				
(4) clau the Dev	social and economic costs to the community as a consequence of flooding. A word or expression used in this use has the same meaning as it has in				
(4) clau the Dev unle	social and economic costs to the community as a consequence of flooding. A word or expression used in this use has the same meaning as it has in NSW Government's <i>Floodplain</i> velopment Manual published in 2005,				
(4) clau the Dev unke clau	social and economic costs to the community as a consequence of flooding. A word or expression used in this use has the same meaning as it has in NSW Government's <i>Floodplain</i> velopment Manual published in 2005, ess it is otherwise defined in this				
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(4) clau the Dev unle clau (5) flood p	social and economic costs to the community as a consequence of flooding. A word or expression used in this use has the same meaning as it has in NSW Government's <i>Floodplain</i> <i>velopment Manual</i> published in 2005, ess it is otherwise defined in this use. In this clause: blanning level means the level of a				
(4) clau the Dev unle clau (5) flood p 1:100 A	social and economic costs to the community as a consequence of flooding. A word or expression used in this use has the same meaning as it has in NSW Government's <i>Floodplain</i> <i>velopment Manual</i> published in 2005, ess it is otherwise defined in this use. In this clause: blanning level means the level of a ARI (average recurrent interval) flood				
(4) clau the Dev clau (5) flood p 1:100 A event pl	social and economic costs to the community as a consequence of flooding. A word or expression used in this use has the same meaning as it has in NSW Government's <i>Floodplain</i> <i>velopment Manual</i> published in 2005, ess it is otherwise defined in this use. In this clause: blanning level means the level of a ARI (average recurrent interval) flood lus 0.5 metre freeboard.				
(4) clau the Dev clau (5) flood p 1:100 A event pl Flood F	social and economic costs to the community as a consequence of flooding. A word or expression used in this use has the same meaning as it has in NSW Government's <i>Floodplain</i> velopment Manual published in 2005, ess it is otherwise defined in this use. In this clause: blanning level means the level of a ARI (average recurrent interval) flood lus 0.5 metre freeboard. Planning Map means the Auburn Local				
(4) clau the Dev unle clau (5) flood p 1:100 A event pl Flood F Environ	social and economic costs to the community as a consequence of flooding. A word or expression used in this use has the same meaning as it has in NSW Government's <i>Floodplain</i> velopment Manual published in 2005, ess it is otherwise defined in this use. In this clause: Dianning level means the level of a ARI (average recurrent interval) flood lus 0.5 metre freeboard. Planning Map means the Auburn Local mental Plan 2010 Flood Planning Map.				
(4) clau the Dev unle clau (5) flood p 1:100 A event pl Flood F Environ	social and economic costs to the community as a consequence of flooding. A word or expression used in this use has the same meaning as it has in NSW Government's <i>Floodplain</i> velopment Manual published in 2005, ess it is otherwise defined in this use. In this clause: Dianning level means the level of a ARI (average recurrent interval) flood us 0.5 metre freeboard. Planning Map means the Auburn Local mental Plan 2010 Flood Planning Map. ential Services				
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(4) clau the Dev unle clau (5) flood p 1:100 A event pl Flood F Environ 6.5 Ess (1) Dev to auth follo prop that mac requ a)	social and economic costs to the community as a consequence of flooding. A word or expression used in this use has the same meaning as it has in NSW Government's <i>Floodplain</i> <i>velopment Manual</i> published in 2005, ess it is otherwise defined in this use. In this clause: Danning level means the level of a ARI (average recurrent interval) flood us 0.5 metre freeboard. Planning Map means the Auburn Local mental Plan 2010 Flood Planning Map. ential Services relopment consent must not be granted development unless the consent nority is satisfied that any of the bwing services that are essential for the cosed development are available or adequate arrangements have been de to make them available when uired: the supply of water, the supply of electricity, the disposal and management of				Application relates to subdivision only.
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 (4) clau the Devent of Control of Con	social and economic costs to the community as a consequence of flooding. A word or expression used in this use has the same meaning as it has in NSW Government's <i>Floodplain</i> <i>velopment Manual</i> published in 2005, ess it is otherwise defined in this use. In this clause: Danning level means the level of a ARI (average recurrent interval) flood us 0.5 metre freeboard. Planning Map means the Auburn Local mental Plan 2010 Flood Planning Map. ential Services relopment consent must not be granted development unless the consent nority is satisfied that any of the boxing services that are essential for the cosed development are available or adequate arrangements have been de to make them available when uired: the supply of water, the supply of electricity, the disposal and management of sewage.				Application relates to subdivision only.

 (2) This clause does not apply to development for the purpose of providing, extending, augmenting, maintaining or repairing any essential service referred to in this clause. This clause applies to land at Wentworth Point, identified as "Wentworth Point Maritime Precinct" on the <u>Key Sites Map</u>. (2) Despite any other provision of this Plan, development of the land to which this clause applies for any of the following purposes is permissible with development consent: (a) boat building and repair facilities, (b) boat launching ramps, (c) boat sheds, (d) marinas. 			 	
augmenting, maintaining or repairing any essential service referred to in this clause. This clause applies to land at Wentworth Point, identified as "Wentworth Point Maritime Precinct" on the Key Sites Map. (2) Despite any other provision of this Plan, development of the land to which this clause applies for any of the following purposes is permissible with development consent: (a) boat building and repair facilities, (b) boat launching ramps, (c) boat sheds,		\boxtimes	\boxtimes	
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	 This clause applies to land at Wentworth Point, identified as "Wentworth Point Maritime Precinct" on the Key Sites Map. (2) Despite any other provision of this Plan, development of the land to which this clause applies for any of the following purposes is permissible with development consent: (a) boat building and repair facilities, (b) boat launching ramps, (c) boat sheds, 			

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

The proposed development is not affected by any relevant Draft Environmental Planning Instruments.

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

Wentworth Point Precinct DCP 2014

The relevant objectives and provisions of Wentworth Point Precinct DCP 2014 have been considered in the following assessment table:

Requirement	Yes	No	N/A	Comment			
1.0 Introduction							
This Development Control Plan (DCP) provides a framework to guide development in the Wentworth Point Urban							
Activation Precinct (the precinct).							
1.1 Name of this DCP							
This DCP is called the Wentworth Point Precinct	\boxtimes						
Development Control Plan. The DCP has been							
prepared pursuant to the provisions of Section 74C							
of the Environmental Planning and Assessment Act							
<i>1979</i> (the Act). The DCP was adopted by the Secretary of the							
Department of Planning and Environment (the							
Secretary) on 7 August 2014 and came into force							
on 7 August 2014.							
1.2 Land to which this DCP Applies							
This DCP applies to development within the	\square						
precinct as shown in Figure 1 .							
1.3 Purpose of the DCP							
The purpose of the DCP is to guide the future							
development of the precinct to:	_		_				
- identify the vision, key development	\boxtimes			The DCP is applicable to the site the			
principles, elements and indicative				subject of this application.			
structure for the future development of the							
precinct							
- communicate the planning, design and	\boxtimes						
environmental objectives and controls against which the consent authority will							
assess future development applications							
- ensure the orderly, efficient and	\square						
environmentally sensitive development of							
the precinct, and							
- promote a high quality urban design	\square						
outcome.							

1.4 Relationship to other Plans			
This plan supplements the Auburn Local	\square		
Environmental Plan 2010 (Auburn LEP) by			
providing specific development provisions for the			
Wentworth Point Urban Activation Precinct.			
Development within the precinct will need to have			
regard to this DCP as well as relevant provisions in			
the Auburn DCP 2010. In the event of any			
inconsistency between this DCP and the Auburn			
DCP 2010, this DCP will prevail to the extent of the			
inconsistency.			
Relevant provisions of the Auburn DCP 2010 are			
cross referenced in the DCP and are set out below:			
- Introduction			
- Definitions and terms			
- Residential flat buildings – ancillary site facilities			
- Residential flat buildings – adaptable housing			
- Child care centres			
- Advertising and signage			
- Parking and loading			
- Access and mobility			
- Stormwater drainage			
- Waste			
- Tree preservation			
In addition to this DOD and the Automa DOD 2010			
In addition to this DCP and the Auburn DCP 2010,			
applicants and Council should refer to: - relevant State Planning Policies, including	\square		
Sydney Regional Environmental Plan 25			
(Sydney Harbour Catchment) 2005 (a			
deemed SEPP), and			
- the relevant Section 94 Contributions Plan	\square		
or any relevant infrastructure planning			
agreement.			
	\square		
This DCP replaces all DCPs and deemed DCPs			
that applied to the precinct prior to the			
commencement date of this Plan, including the			
Homebush Bay West DCP (2004) and the			
Homebush Bay West - Wentworth Point Master Plan (2005).			
1.5 Consent Authority			
Unless otherwise authorised by the Act, Auburn	\square		
City Council is the consent authority for all			
development in the precinct to which this DCP			
applies.			
1.6 Application of this DCP			
The provisions of this DCP are not statutory	\square		
requirements and any development application will			
be considered on its merits. The consent authority			
is to be flexible in applying the controls and allow			
reasonable alternative solutions that achieve the			
overall vision, development principles and key elements for the precinct as well as the specific			
objectives of the controls.			
Role of the Indicative Structure Plan			
The Wentworth Point Precinct Indicative Structure	\square		
Plan at Figure 2 shows how the overall precinct			
may develop over time. It is intended as a guide to			
demonstrate how the vision, development			
principles and key elements for the precinct may be			
achieved. It is recognised that there may be other			
options for the site's layout which may be as			
effective in achieving the above for the precinct. As			
such, Council may grant consent to a proposal that			
differs from the Indicative Structure Plan where the			
variation is considered to still achieve the vision, principles and key elements of this DCP.			
Consistency with Objectives and Controls in			

this DCP	\square			Noted.
Clauses in this DCP contain objectives and				
controls relating to various aspects of development.				
The objectives enable Council and applicants to				
consider whether a particular proposal will achieve				
the development outcomes established for the				
precinct. The controls establish standards, which if				
met, mean that development should be consistent				
with the objectives.				
However, in some circumstances, strict compliance				
with the controls may not be necessary, or may be				
difficult to achieve because of the particular				
characteristics of a development site. In these				
situations, Council may grant consent to a proposal				
that does not comply with the controls in this plan,				
providing the relevant objectives are achieved. Where a variation is sought it must be justified				
demonstrating how the development will meet the				
vision and development principles as well as the				
objectives of the relevant control.				
1.7 Information to be Submitted with				
Development Applications	\square			All relevant information required to
Information requirements for development				properly assess this proposed
applications are set out in Part 2 of the Auburn				subdivision application has been
DCP 2010.				provided and considered satisfactory.
1.8 Notification of Development Applications				
Notification of development applications will be	\square			Application has been appropriately
undertaken in accordance with Part 3 of the Auburn				notified in accordance with the ADCP
DCP 2010.				2010.
2.0 Vision, Principles and Indicative Structure				
2.1 Vision				
Wentworth Point is a vibrant urban community that	\square			
forms a key part of the broader Sydney Olympic				
Park Specialised Precinct, makes a significant				
contribution to providing high quality housing for				
Sydney's diverse and growing population in an				
environment that embraces its location adjoining				
Homebush Bay, the Parramatta River and Sydney				
Olympic Park, Parklands and represents				
contemporary, high density sustainable living. 2.2 Development Principles			-	
To achieve the vision, the Wentworth Point				
Precinct is to:				
a. strengthen the role of Wentworth Point as an	\square			The purpose of this subdivision
integral part of the broader Sydney Olympic	\square			application provides a layout plan and
Park Specialised Precinct				design for the precinct to allow the vision
b. create a network of unique, memorable and				and objectives of the development
high quality places	\square			principles of this clause to be realised.
c. respond to and enhance its unique natural				
setting on the Parramatta River	\boxtimes			
d. provide a peninsula park that maximises	\square			
amenity for the local community				
e. create a compact, walkable urban community	\square			
f. provide high density, medium to high rise				
housing to increase housing choice				
g. incorporate a network of publicly accessible	\square			
open spaces h. incorporate a primary school that serves the	\boxtimes			
wider Wentworth Point community				
i. provide public view corridors to and from the	\square			
Millennium Marker, Parramatta River and				
Sydney Olympic Park, Parklands				
j. create a complete, largely self-contained	\square			
community				
k. comprise a diverse and innovative built form				
that provides a high quality living environment	\square			
I. be resilient to climate change and sea level				
rise, and	\boxtimes			
m. incorporate sustainability measures that	$ $ \square			
reduce its impact on the natural environment.	1			

	Indicative Structure Plan			
a.	To ensure that development in the precinct occurs in a coordinated manner consistent with the vision and development principles for the precinct.			
b.	To ensure the key elements of the precinct are delivered whilst providing a degree of flexibility as to the final layout and design of the precinct.	\boxtimes		
0				
1.	ntrols Development is to be generally consistent with the Indicative Structure Plan at Figure 2 . Where variations are proposed, development is to demonstrate how the vision, development principles, key elements for the precinct and			Proposed subdivision plan for Lot 3 is generally in accordance with the structure plan of figure 2.
2.	relevant specific objectives are to be achieved. A subdivision development application is required for each of the two neighbourhoods prior to approval of any other development within that neighbourhood which is not for a public purpose. Each development application should address the following matters as they relate to that neighbourhood:			Council has received a subdivision application for each neighbourhood being DA-273/2014 for Lot 2 and DA- 274/2014 for Lot 3 (which is the subject of this application).
	 relates to that neighbourhood: identify individual development lots, and lots for open space or other public purposes 	\boxtimes		Distribution of the individual lots for proposed planned land uses as per relevant zoning and density under ALEP
	 confirm how development will be distributed across the neighbourhood consistent with the floor space ratio controls identified in the Auburn LEP, by allocating a maximum allowable floor space for each development lot 	\boxtimes		2010 are shown in the subdivision plans of both DAs submitted.
	 confirm the final street, pedestrian and cycleway network include a stormwater management strategy for the neighbourhood 	\boxtimes		This application relates to subdivision and thus will have no impact on the ecological values of the reserve. Subsequent applications lodged seeking
	 identify the proposed changes to the landform confirm that the proposed development 	\square		approval for development works for the land will be addressed at that relevant stage.
	 within the western neighbourhood would not impact on the ecological values of Newington Nature Reserve, including as a result of overshadowing identify opportunities for deep soil planting 	\square		Proposed subdivision plan considered satisfactory. Deep soil planting will be addressed under subsequent applications.
	within development lots, including front setbacks, (see Section 4.5) and within the public domain	\square		A draft strategy has been submitted with the application and is considered to be satisfactory. A comprehensive
	- a public art strategy (see section 3.5).	\boxtimes		assessment of the strategy will be considered at detailed plan of subsequent applications made to Council.
Ref	er to Table 1 - Key elements (pg. 5-6)			
	Public Domain			
	Street Network and Design			
<i>Obj</i> a. b.	ectives To create a distinct sense of place that responds to natural landscape features. To integrate with the surrounding street network by extending the existing alignment of	\boxtimes		
c. d.	Burroway Road and Ridge Road into the precinct and continuing the future alignment of Ridge Road to the peninsula park. To provide a legible, interconnected and permeable local street network, providing convenient opportunities for movement throughout the precinct. To prioritise pedestrian and cyclist movement			

 connect. To contract. To control levels to the water, Millenniun To control levels to manage the potential raising of road levels to accombate and contarniation and achieve acceptable flood protection. To create an attractive and control water table in draft to accomptise flood protection. To create an attractive and control water table in draft to accomptise flood protection. To create an attractive and control water table in draft to accomptise flood protection. To create an attractive and control water table in draft to accomptise flood protection. To create an attractive and control water table in draft to accomptise flood protection. To create an attractive and control water table in draft to accomptise flood protection. To create an attractive and control water table in table at the block at the bl		and provide places for people to interact and	\square		
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	11		\square		

	detaile the design maintenance and			
	details the design, maintenance and			
40	management of all streets.			
12.	New streets are to have shared services pits			
	to reduce maintenance costs and reduce	\square		
	conflict with street plantings.			
13.	Street furniture that enhances the comfort,			
	legibility and attractiveness of the public	\square		
	domain is to be provided. It is to include high			
	quality, durable and co-ordinated selection of:			
	- seating			
	- lighting			
	 rubbish bins 			
	- signage.			
14.	Where possible, areas of planted Swamp Oak			
	along Burroway Road and Hill Road should be	\bowtie		
	retained or replaced as part of the landscape			
	design.			
15.	Street trees are to be provided within deep soil	\square		
	zones on all streets (with the exception of			
	shareways) to achieve the following outcomes:			
	- co-ordinated palette of climatically			
	responsive species			
	- reinforce the street hierarchy and create			
	distinct places			
	 be robust and low-maintenance 			
	- be planted in a co-ordinated, regularly			
	spaced and formalised manner			
	- increase the comfort of the public domain			
	for pedestrians			
	- enhance the environmental performance			
	of the precinct by increasing opportunities			
	for energy efficiency, reducing the heat			
	island effect and proving habitat for			
	wildlife.			
16.	Planter boxes within share ways are to support			
	the growth of appropriate sized trees, having	\square		
	regard for the Residential Flat Design Code			
	guidelines on planting on structures.			
3.2	Pedestrian and Cycle Network			
Obj	ectives			
a.	To facilitate convenient movement, with safe	\square		
	and direct connections between key locations			
	including the primary school, ferry terminal,			
	peninsula park, wider Sydney Olympic Park,			
	Parklands and the proposed Homebush Bay			
	Bridge.			
b.	To provide continuous foreshore public			
υ.	access.	\square		
	400033.			
Cor	ntrols			
1.	The pedestrian and cyclist network is to be	\square		Proposed subdivision plan is generally in
1.	generally consistent with Figure 8 .			accordance with figure 8 of this plan.
2				accordance with lighte 8 of this plan.
2.	A continuous shared pedestrian and cycle link	\square		
1	is to be provided along the Parramatta River		 	
2	and Homebush Bay foreshore.	\square		
3.	The subdivision / block pattern is to provide a	<u> </u>		
	number of safe and convenient walking and			
1	cycling routes, including shareways, between			
	key destinations and to the river foreshore.			
4.	Pedestrian and cycle access throughout the	\square		To be addressed under separate DA at
1	precinct, including connections from roads to			detailed design stage.
1	public open space, is to be designed to:			
1	 be direct and accessible to all 			
1	- be easily identified by users			
	- have a public character			
1	- include signage advising of the publicly-			
	accessible status of the link and the			
1	places to which it connects			
1	- be clearly distinguished from vehicle			
1	accessways, unless purpose built			

to the publ - align with that views enclosure - include m materials, integrated public sp vandalism - be well lit t - be open to - be accessi 5. Lockable bike s of the Maritime	ility along the length of the link ic domain at each end breaks between buildings so are extended and the sense of is minimised taterials and finishes (paving tree planting, furniture etc.) with adjoining streets and baces and be graffiti and resistant o safety standards the sky along the entire length ble 24 hours a day. storage is to be provided as part Plaza.			
3.3 Landform and <i>Objectives</i>	contamination			
	he impact of excavation on the existing ground conditions.		\square	Site preparation and associated earthworks, infrastructure services are to
b. To ensure any appropriately le attractive stree	above ground car parking is ocated and screened to create tscapes, convenient pedestrian minimal visual impact on the			be addressed under subsequent application at detailed design stage. Application relates to subdivision of the lots only and no works are proposed
0	landform through sensitive		\boxtimes	under this application.
gradient transit d. To avoid distur	ions. bing acid sulphate soils.		\square	
Controls				
be raised to ad water table. Th shown at Figur - an appro- transition Sydney C between d space and - gradient accordanc Standards - that it wi impacts, s adjoining la 2. Any raising in neighbourhood the first subdi	either the western or eastern is to be addressed as part of vision development application			
that creates network, and reformed topo surrounding are	the internal road and block is to demonstrate how the ography integrates with the ea.			
	or of buildings is to engage with e adjoining street or public open			
	king areas are to be protected		\square	
the adjoining footpa above the level of surface will achieve				
3.4 Open Space N Objectives	etwork	\boxtimes		
a. To provide memorable pla b. To create a	n iconic peninsula park at int that reinforces the distinct			

	Parramatta River.	\square		
c.	To create a continuous foreshore park along			
	the precinct's Parramatta River frontage and			
	continuous public open space along the			
	precinct's Homebush Bay frontage providing a			
d.	range experiences along the foreshore. To provide a network of pocket parks,	\boxtimes		
u.	distributed across the precinct that allow for a			
	diverse range of active and passive recreation			
	Uses.			
e.	To integrate with the broader Sydney Olympic	\boxtimes		
	Park, Parklands and Wentworth Point open			
	space network.			
f.	To promote an attractive, green and	\boxtimes		
	environmentally sensitive character for the	~~3		
	precinct.	\square		
g.	To optimise physical access and views to the			
h	water.	\square		
h.	To protect and enhance the precinct's ecological values within the open space			
	network.	\square		
i.	To maximise the interface between	\boxtimes		
	development and public open space to provide			
	enhanced levels of residential amenity and			
	casual surveillance of the public open space,			
	including through the creation of a wedge of			
	public open space between the school and			
	eastern neighbourhood aligned with the pivot			
	of Ridge Road.	\boxtimes		
j.	To locate and design the school's primary			
	open space so that it visually (and potentially			
	functionally) integrates with the peninsula park, including enabling informal community			
	recreational use outside of school hours.			
Co	ntrols	_		
1.	Areas of publicly accessible open space are to	\boxtimes		Proposed subdivision incorporates
	be provided generally in accordance with			designated public open space area that
	Figure 10 and Figure 11 and the			is consistent with figure 10 and 11 of this
	characteristics outlined in Table 3. Variations			plan.
	to the open space network are to demonstrate			
	consistency with the above objectives, the			
	vision, development principles and key elements for the precinct.			
2.		\bowtie		
۷.	A high level of functional and visual			
	A high level of functional and visual engagement between any development and			
	engagement between any development and			
	engagement between any development and pocket parks and the adjoining foreshore park]	
	engagement between any development and pocket parks and the adjoining foreshore park and Sydney Olympic Park, Parklands is to be achieved by:]	
	 engagement between any development and pocket parks and the adjoining foreshore park and Sydney Olympic Park, Parklands is to be achieved by: providing convenient and safe public 			
	 engagement between any development and pocket parks and the adjoining foreshore park and Sydney Olympic Park, Parklands is to be achieved by: providing convenient and safe public pedestrian connections where possible 			
	 engagement between any development and pocket parks and the adjoining foreshore park and Sydney Olympic Park, Parklands is to be achieved by: providing convenient and safe public pedestrian connections where possible addressing level differences through 			
	 engagement between any development and pocket parks and the adjoining foreshore park and Sydney Olympic Park, Parklands is to be achieved by: providing convenient and safe public pedestrian connections where possible addressing level differences through human scale transitions avoiding large or 			
	 engagement between any development and pocket parks and the adjoining foreshore park and Sydney Olympic Park, Parklands is to be achieved by: providing convenient and safe public pedestrian connections where possible addressing level differences through human scale transitions avoiding large or abrupt level changes]		
	 engagement between any development and pocket parks and the adjoining foreshore park and Sydney Olympic Park, Parklands is to be achieved by: providing convenient and safe public pedestrian connections where possible addressing level differences through human scale transitions avoiding large or abrupt level changes screening all car parking and building]		
	 engagement between any development and pocket parks and the adjoining foreshore park and Sydney Olympic Park, Parklands is to be achieved by: providing convenient and safe public pedestrian connections where possible addressing level differences through human scale transitions avoiding large or abrupt level changes screening all car parking and building services from view, and]		
	 engagement between any development and pocket parks and the adjoining foreshore park and Sydney Olympic Park, Parklands is to be achieved by: providing convenient and safe public pedestrian connections where possible addressing level differences through human scale transitions avoiding large or abrupt level changes screening all car parking and building services from view, and providing view corridors in accordance with Figure 2.]		
	 engagement between any development and pocket parks and the adjoining foreshore park and Sydney Olympic Park, Parklands is to be achieved by: providing convenient and safe public pedestrian connections where possible addressing level differences through human scale transitions avoiding large or abrupt level changes screening all car parking and building services from view, and providing view corridors in accordance with Figure 2.]		
Ob	 engagement between any development and pocket parks and the adjoining foreshore park and Sydney Olympic Park, Parklands is to be achieved by: providing convenient and safe public pedestrian connections where possible addressing level differences through human scale transitions avoiding large or abrupt level changes screening all car parking and building services from view, and providing view corridors in accordance with Figure 2. 			
	 engagement between any development and pocket parks and the adjoining foreshore park and Sydney Olympic Park, Parklands is to be achieved by: providing convenient and safe public pedestrian connections where possible addressing level differences through human scale transitions avoiding large or abrupt level changes screening all car parking and building services from view, and providing view corridors in accordance with Figure 2. 			A draft public art strategy has been
Obj a.	 engagement between any development and pocket parks and the adjoining foreshore park and Sydney Olympic Park, Parklands is to be achieved by: providing convenient and safe public pedestrian connections where possible addressing level differences through human scale transitions avoiding large or abrupt level changes screening all car parking and building services from view, and providing view corridors in accordance with Figure 2. Public Art jectives To enhance the sense of place through the provision of public art.			submitted with the application and is
Ob	 engagement between any development and pocket parks and the adjoining foreshore park and Sydney Olympic Park, Parklands is to be achieved by: providing convenient and safe public pedestrian connections where possible addressing level differences through human scale transitions avoiding large or abrupt level changes screening all car parking and building services from view, and providing view corridors in accordance with Figure 2. Public Art jectives To enhance the sense of place through the provision of public art. To use public art to enhance and define the			
Obj a.	 engagement between any development and pocket parks and the adjoining foreshore park and Sydney Olympic Park, Parklands is to be achieved by: providing convenient and safe public pedestrian connections where possible addressing level differences through human scale transitions avoiding large or abrupt level changes screening all car parking and building services from view, and providing view corridors in accordance with Figure 2. Public Art jectives To enhance the sense of place through the provision of public art.			submitted with the application and is
<i>Obj</i> a. b.	 engagement between any development and pocket parks and the adjoining foreshore park and Sydney Olympic Park, Parklands is to be achieved by: providing convenient and safe public pedestrian connections where possible addressing level differences through human scale transitions avoiding large or abrupt level changes screening all car parking and building services from view, and providing view corridors in accordance with Figure 2. Public Art <i>jectives</i> To enhance the sense of place through the provision of public art. To use public art to enhance and define the character areas of the precinct.			submitted with the application and is
<i>Obj</i> a. b.	 engagement between any development and pocket parks and the adjoining foreshore park and Sydney Olympic Park, Parklands is to be achieved by: providing convenient and safe public pedestrian connections where possible addressing level differences through human scale transitions avoiding large or abrupt level changes screening all car parking and building services from view, and providing view corridors in accordance with Figure 2. Public Art <i>jectives</i> To enhance the sense of place through the provision of public art. To use public art to enhance and define the character areas of the precinct.			submitted with the application and is
Obj a. b. Co	 engagement between any development and pocket parks and the adjoining foreshore park and Sydney Olympic Park, Parklands is to be achieved by: providing convenient and safe public pedestrian connections where possible addressing level differences through human scale transitions avoiding large or abrupt level changes screening all car parking and building services from view, and providing view corridors in accordance with Figure 2. Public Art <i>jectives</i> To enhance the sense of place through the provision of public art. To use public art to enhance and define the character areas of the precinct.			submitted with the application and is
Obj a. b. Co	 engagement between any development and pocket parks and the adjoining foreshore park and Sydney Olympic Park, Parklands is to be achieved by: providing convenient and safe public pedestrian connections where possible addressing level differences through human scale transitions avoiding large or abrupt level changes screening all car parking and building services from view, and providing view corridors in accordance with Figure 2. Public Art <i>jectives</i> To enhance the sense of place through the provision of public art. To use public art to enhance and define the character areas of the precinct. <i>ntrols</i> A public art strategy is required to form part of			submitted with the application and is

2.	 provide public art at key focal points throughout the precinct in locations that maximise visibility; enhance the precinct's identity and sense of place; and ensure public art is high quality, durable and low maintenance. Development applications are to demonstrate consistency with the public art strategy for the relevant neighbourhood. 				
	Private domain				
	Land use and floor space distribution				
a.	ectives To reinforce the role of Wentworth Point as a major location for housing as part of the Sydney Olympic Park Specialised Precinct.	\boxtimes			
b.	To ensure the vision, development principles and key elements for the precinct are	\boxtimes	\square	\square	
c.	delivered. To encourage a range of non-residential uses	\square	\square	\square	
d.	that meet the needs of local residents. To ensure that floor space is appropriately distributed across the precinct.		\boxtimes	\boxtimes	
Cor 1.	ntrols The distribution of land uses within the precinct is to be consistent with the	\boxtimes	\square	\square	As discussed previously, the distribution of land uses within the precinct is
2.	development principles and indicative structure plan in Figure 2 . A range of non-residential uses are to be		\bowtie	\bowtie	consistent with the structure plan of figure 2. Subdivision of Lot 3 into 8 Torrens title lots is proposed which will
	provided to meet the needs of the local community. Retail uses are to be focused around the Maritime Plaza. Small scale retail uses such as cafes may be allowed where adjoining and engaging with pocket parks.				comprise of the following land uses including Residential and Public open space land uses.
3.	The maximum floor space of individual buildings is to be consistent with the distribution of floor space approved by the relevant subdivision application (see Section 2.3).				Floor space distribution of the individual buildings will be considered under a separate DA at detailed design stage where consistency with the FSR provisions under ALEP 2010 will be required to be demonstrated by the applicant.
	Building Height and form				
-	ectives				Application relates to subdivision only
a.	To reinforce the role of Wentworth Point as a major location for housing and a key part of the Sydney Olympic Park Specialised Precinct.			\square	Application relates to subdivision only and thus the building height controls are not relevant at this stage.
b.	To create a visually interesting, modulated skyline comprised primarily of perimeter block development supported by a small number of			\square	Building height and form controls will be considered at detailed design stage under a subsequent application.
c.	taller tower buildings. To frame significant views between the Parramatta River and the Millennium Marker			\square	
d.	and to maximise view sharing. To reinforce the preferred urban form and enhance the legibility of the precinct by aligning greatest height to the western			\boxtimes	
e.	extension of Burroway Road and the northern extension of Ridge Road. To achieve a balance between an urban scale and creating a comfortable, human scale			\bowtie	
f.	public domain. To ensure that the bulk and scale of buildings is minimised and that building forms provide a high level of residential amenity.			\square	
Cor 1.	<i>ntrols</i> Maximum building height in storeys is to be consistent with Figure 12 . Height measured in			\boxtimes	

	storeys is to be taken from the relevant				
	adjacent street frontage. This enables				
	consideration of the raising of the landform				
	within the precinct, whereby while a building				
	may achieve the same height in metres it may				
	present as a higher building in storeys at one				
	frontage (refer to Figure 14 and Figure 15).				
2.	Buildings heights are to be consistent with the				
2.	following principles:				
	- lower rise buildings (4 to 5 storeys) are to			\square	
	be located adjacent to the foreshore and				
	the peninsula park, with vertical building				
	elements providing articulation				
	- a range of building heights (typically 4 - 7 storeys) with taller forms of up to 25				
	storeys balanced with lower rise perimeter				
	block forms.				
2					
3.	Lower rise building forms are to be consistent			\square	
	with the following principles:				
	perimeter block building forms generally				
	enclose a central communal open space				
	full height gaps between buildings for				
	visual connections between streets and				
	communal open spaces within blocks				
	maximum building lengths of 65m, but				
	where a building has a length greater than				
	30m, it is to be separated into at least 2				
	parts by a significant recess or projection				
	maximum building depth in accordance				
	with the NSW Residential Flat Design				
	Code.				
4.	Taller building forms are to be consistent with				
	the following principles:			\square	
	a maximum of 6 x 25 storey buildings				
	across the precinct (5 in the western				
	neighbourhood and 1 in the eastern				
	neighbourhood)				
	located generally in accordance with				
	Figure 12 and distributed through the				
	precinct				
	separated in accordance with the NSW				
	Residential Flat Design Code				
	- a maximum individual footprint of 750m2				
	GFA				
	oriented to take advantage of views and				
	enable view corridors to be obtained				
	between the Millennium Marker and				
	Parramatta River				
	minimise overshadowing on public and				
	communal open space				
	not overshadow the peninsula park or				
	Parramatta River foreshore path from 9am				
	and 3pm on 21 June				
	- incorporate a semi-podium to soften				
	street presence				
	have a strong vertical emphasis in facade articulation.				
4 2	Setbacks and Public Domain Interface				
	ectives				
a.	To provide strong definition to the public			\bigtriangledown	Application relates to subdivision only
a.	domain and create a coherent, urban street			\square	and thus these controls are not relevant
	wall that encloses streets.				at this stage.
b.	For ground floor residential uses, to create an				ai illo siaye.
υ.	attractive transitional space that enables a			\square	Setbacks and public domain interface
					controls will be considered at detailed
	high level of engagement between the public				
	and private domains, softens the impact of the				design stage under a subsequent
	built form and is capable of being used for				application.
	private outdoor recreation.			\square	
C.	For ground floor commercial uses, to build to				
	the street alignment to maximise presence and	1	1	1	

d.	activation of the street. To set taller building elements back from the			
u.	street to reduce apparent building scale and		\square	
	bulk and enable adequate sunlight access to			
e.	the public domain. To present a varied and visually attractive form			
0.	when viewed from the Parramatta River		\bowtie	
	foreshore.			
Con	trols			
1.	Minimum building setbacks are to be		\square	
2	consistent with Figure 13 . Setbacks from the outermost projection of the			
2.	building to the property boundary or for		\square	
	shareways, to the edge of the shareway			
	corridor: - are to be between 3-5m			
	- may be reduced at key street corners			
	where it can be demonstrated that it is to			
	 provide an urban design element, and may be reduced by up to 600mm for 			
	elements that articulate the building			
	facade such as balconies, party walls and			
3.	eaves. Buildings on street corners are to address both		\square	
5.	street frontages.	_		
4.	Except where directly adjoining Sydney		\bowtie	
	Olympic Park, Parklands, all above ground carparking structures in areas highly visible			
	from the public domain are to be suitably			
	sleeved with active frontages, which may			
	comprise residential or non-residential uses			
5.	such as shops and cafes. Buildings fronting the river foreshore and		\boxtimes	
	peninsula park are to be generally in			
	accordance with Figure 14 and:			
	 be highly modulated and articulated avoid long building forms fronting the 			
	water / open space, and			
	 incorporate generous landscaping within setbacks. 			
6.	Building setbacks to Sydney Olympic Park,		\square	
	Parklands are to be generally in accordance			
	with Figure 15 and:enable unrestricted emergency vehicle			
	access to buildings in accordance with			
	applicable building code requirements			
	- incorporate landscaping to reduce the visual impact of buildings and the			
	emergency vehicle access and visually			
	integrate the precinct with the parklands,			
	- in accordance with CPTED principles			
	ensure that the setback is safe and clearly			
	identifiable as part of the precinct and not			
7.	for general public access. Development facing the extension of Burroway		\square	
-	Road is to engage with the street and		د	
	adjoining pocket park through layout and			
	design measures that provide an appropriate balance between privacy and opportunities for			
	casual surveillance of the public domain.			
3.	Residential uses at ground level are to be in		\square	
	accordance with the following principles:ground level dwellings have their main			
	entry directly accessible from and at the			
	same level as the adjoining public			
	footpath or parkland or are raised by up to 600m			
	- buildings and main living areas and			

9.	 adjoining private open space are oriented to be parallel and directly overlook the street or park, and front boundary treatments combine level change, landscaping and fencing to provide a reasonable level of privacy for residents whilst not significantly reducing visual surveillance. Commercial uses at ground level are to be in accordance with the following principles: at the same level as the adjoining public footpath highly glazed facades that engage with the street awnings for pedestrian shelter access in accordance with the Disability Discrimination Act 1992. 			
	ectives			
a. b.	To soften the visual impact of buildings. To cater for the recreational needs of building occupants and enhance comfort levels.		\bowtie	Application relates to subdivision only and thus these controls are not relevant at this stage.
C.	To provide communal open space for residents that offers social opportunities and		\boxtimes	Private open space controls will be
d.	quality outlook from apartments. To contribute to the environmental performance of the precinct by reducing the urban heat island effect and where appropriate providing for habitat creation.			considered at detailed design stage under a subsequent application.
Coi 1.	ntrols Balconies are to meet the requirements of the NSW Residential Flat Design Code and have a minimum area of 8 sqm and a minimum dimension of 2m.		\boxtimes	
2.	Private open space for ground floor apartments is to meet the requirements of the NSW Residential Flat Design Code, and have		\boxtimes	
3.	 a maximum gradient of 1 in 20. Private open space and balconies are to be directly accessible from the living area of the dwelling and capable of serving as an extension of the living area. 4. Common open space / courtyards are to be located, designed and landscaped to: comprises generally a minimum of 30% of the development block incorporate shade trees enhance views from residential apartments and create recreational opportunities be the focal point for residents and incorporate residents facilities, storage space for maintenance equipment, public art (refer Section 3.5) and water features where appropriate, and achieve good amenity in terms of solar access and natural air flow. Additional communal open space on roof tops is encouraged in locations where it does not adversely impact on the residential amenity of surrounding residents. 			
	Deep soil zones / landscaping			
a.	To improve amenity and soften the impact of buildings through the provision of landscaping, including the retention and/or planting of trees.	\boxtimes		
b.	To assist with the management of water quality.			

Cor	ntrols			
1.	Deep soil zones are to be provided consistent with the subdivision approval for the relevant neighbourhood (see Section 2.3).			Proposed subdivision plan provides opportunities for deep soil zones/landscaping.
2.	Where the deep soil zone requirements set out		\square	
	the Residential Flat Design Code cannot be met, a similar extent of landscaping is to be			Compliance with deep soil requirements will be required to be demonstrated at
	provided, and designed in accordance with the			detailed design stage under a
	Residential Flat Design Code guidelines for planting on structures.			subsequent application.
4.6	Building Design and Materials			
-	ectives			
a.	To achieve diversity and interest in the architectural character of the development.			Application relates to subdivision only and thus these controls are not relevant
b.	To make a positive contribution to streetscape		\square	at this stage.
	quality.			Duilding design and materials controls
C.	To reduce the appearance of building bulk and scale.		\square	Building design and materials controls will be considered at detailed design stage under a subsequent application.
	ntrols			
1.	To create a varied, diverse built form, each building is to have its own distinct, innovative		\square	
	design that represents contemporary best			
	practice in architectural and urban design quality. Note: Different architectural firms are			
	encouraged to design each building.			
2.	Buildings have a high level of articulation through:		\boxtimes	
	 variation in form and massing 			
	- recesses and projections			
	 useable balconies and decks, and elements of a finer scale than the main 			
	structural framing such as eaves and			
3.	awnings. An arresting and diverse range of building			
-	facades are to be provided, incorporating		\boxtimes	
	elements that express visually prominent parts of buildings such as corners.			
4.	Facades are to incorporate distinct, legible		\square	
	pedestrian entries and engage with the public domain through the extensive use of large			
	windows and other openings and the			
-	avoidance of large expanses of blank walls.			
5.	 Rooflines are to be: articulated to provide visual interest and 		\square	
	contribute to a dynamic, modulated skyline, and			
	- designed to facilitate the establishment of			
	devices that enhance the environmental			
	performance of the buildings, including green roofs, solar panels and rainwater			
0	collection and storage.		\square	
6.	Variations in materials and colours are to be used to differentiate between the parts of			
_	buildings, in particular the base.			
7.	Buildings are to include a variety of high quality, durable materials in a range of			
	compatible colours such as rendered concrete			
	or face brick and include components of timber, steel and glass except highly reflective			
	glass.			
8.	Utility elements are to be designed as integral parts of the building.		\square	
9.	Building design is to consider the Building			
	Amenity provisions of the NSW Residential		\square	
	Flat Design Code, and in particular achieve a minimum of 3 hours direct sunlight between 9			
	am and 3 pm in midwinter to living rooms and			
	private open spaces for at least 70% of apartments.			

4.7	Wind effects			
Obj a.	ectives To ensure that taller residential apartment buildings satisfy nominated wind standards so as to maintain comfortable conditions for pedestrians, maintain the structural integrity of buildings and encourage the growth of street trees.			To be considered a detailed design stage under separate application. Subject application relates to subdivision only and as such wind effect requirements are not relevant.
Cor 1.	A wind effects report is to be submitted with development applications for buildings over seven storeys, and is to demonstrate that the wind effects caused by development does not exceed:			
2.	 10 metres per second on streets with active frontages 16 metres per second for all other streets. Building design is to minimise adverse wind effects on recreation facilities and open 		\boxtimes	
3.	spaces within developments. Balconies are to be designed to minimise wind impacts and maximise useability and comfort through recessed balconies, operable screens,		\boxtimes	
4.8	pergolas and shutters. Vehicular Access and Car Parking			
	ectives To ensure the amount, location and design of car parking caters for the needs of residents,		\boxtimes	Not relevant to current application for subdivision.
b. c.	workers and visitors. To minimise adverse traffic impacts. To encourage active transport such as walking, cycling and public transport.		\boxtimes	
d.	To create a high quality streetscape outcome that provides a safe, convenient and comfortable pedestrian environment where car parking is not visually dominant.		\boxtimes	
Cor 1.	<i>ntrols</i> Car parking for residential uses is to be provided as set out in Table 4 .		\boxtimes	
Dv Stu 1 k 2 k 3 k	le 4 – Minimum residential car parking requirements:velling TypeMinimum car parking rateudio1.0vedroom1.0vedroom1.1vedrooms or2.0vetre0.1			
2.	Car parking for non-residential uses is to be			
	provided in accordance with the Auburn DCP.		\square	
3.	Car parking is to be provided within the development blocks but may extend under share ways if required. Car parking is not permitted under primary or local [check] roads			
4.	 or the foreshore and peninsula parks. Car parking may intrude in part under pocket parks provided that appropriate ownership and management agreements are established and it does not preclude or limit deep soil planting. Car parking entrances are to be: in accordance with Parking and loading, Section 3.4 - General parking design and Section 4.4.2- Design of parking spaces of the Auburn DCP 2010 where alternative locations exist, excluded 		\boxtimes	
	from the western extension of Burroway Road or opposite a public park - limited to a maximum of 2 entrances per			

	block			
	- screened for the full height and width of			
	the entrance to minimise views into the			
	car park from the public domain, and			
	- maintain clear sight lines for vehicles			
	entering and exiting the car park and			
	pedestrians using the footpath outside the			
	entrance in accordance with Parking and			
	loading, Section 3.3 - Sight distance and			
	pedestrian safety.	 		
5.	Access driveways and circulation roadways		\square	
	are provided in accordance with Parking and			
	loading, Section 3.2 - Access driveway and			
	circulation roadway design of the Auburn DCP			
	2010.			
6.	Development is to incorporate on-site bicycle		\square	
	parking in accordance with Parking and			
	loading, Section 3.1 - Bicycle parking of			
7	Auburn DCP 2010. Residential development is to provide an		\square	
7.	appropriate number of car share parking			
	spaces for the exclusive use of car share			
	scheme vehicles. Car share parking spaces			
	are to be included in the number of car parking			
	spaces permitted on a site. The car share			
	parking spaces are to be:			
	- exclusive of visitor car parking			
	- retained as common property by the			
	Owners Corporation of the site, and not			
	sold or leased to an individual			
	owner/occupier at any time			
	- made available for use without a fee or			
	charge by operators of car share schemes			
	- grouped together in the most convenient			
	locations relative to car parking area			
	entrances and pedestrian lifts or access			
	points			
	- located in a well-lit places that allows for			
	casual surveillance			
	- where the space is external, located			
	adjacent to a public road and integrated			
	with the streetscape through appropriate			
	landscapingsignposted for use only by car share			
	vehicles, and made known to building			
	occupants and car share members			
	through appropriate signage which			
	indicates the availability of the scheme			
	and promotes its use as an alternative			
	mode of transport.			
	A development application is to demonstrate			
	how the car share parking space is to be			
	accessed, including arrangements where it is			
	accessed through a security gate. A covenant			
	is to be registered with the strata plan advising			
1	of any car share parking space(s). The			
1	covenant is to include provisions that the car			
1	share parking space(s) cannot be revoked or			
1	modified without prior approval of Council.			
	A Travel Assess Original to Communication			
8.	A Travel Access Guide approved by Council		\square	
	prior to occupation is to be made available to			
1	residents and non-residential tenants of			
4.0	development.			
	Safety and Security			
a.	ectives To provide high levels of property safety and		\square	Not relevant to current application for
а.	personal comfort and safety.		\square	subdivision.
b.	To minimise opportunities for criminal and anti-			

social behaviour.				\square	
Controls					
1. Development is to meet the principles of Cri Prevention through Environmental Des				\square	
(CPTED), including: - maximising opportunities for cas	sual				
surveillance of the public doma	ain,				
including parks, from the main living a of dwellings	rea				
- maximising legibility of the movem	ent				
network, public domain and build	ling				
entrances - maximising visibility and minimis	sing				
concealed areas, particularly at build	ling				
entrances - clearly demarcating the public and priv	ate				
domain, and					
 adequate lighting to all areas of the pul domain. 	blic				
2. Building design is to maximise opportunit	ties	_			
for casual surveillance of the streets a	and			\square	
communal spaces within the site.3. Ground floor dwellings fronting the streets	are				
to have an "address" or "front door" that	tis 🛛			\square	
visible and directly accessible from the street4. The detailed design of the external areas					
the ground floor is to minimise blind-corner	ers,			\square	
recesses and other areas which have potential for concealment.	the L				
5. Building entries are to be clearly visit	ble,	_			
unobstructed and easily identifiable from				\square	
street, other public areas and ot development.	her				
6. Where practicable, lift lobbies, stairwells a		_			
corridors are to be visible from public areas way of glass panels or openings.	БУ			\square	
4.10 Adaptable housing					
Objectives		_	_		
a. To ensure a sufficient proportion of dwellin include accessible layouts and features	ngs [to			\square	Not relevant to current application for subdivision.
accommodate changing requirements	of				
residents. b. To encourage flexibility in design to al		_			
people to adapt their home as their nee				\bowtie	
change due to age or disability.					
Controls			_		
1. Residential development is to meet					
requirements for adaptable housing wit residential flat buildings set out in the Aub					
DCP 2010. 5.0 Sustainability and Environmer					
5.0 Sustainability and Environmer Management	itai				
5.1 Sustainability					
Objectives a. To increase energy efficiency.	l r			\square	A Basix Certificate is not required for
b. To reduce reliance on potable water.		\dashv	\mathbb{H}		subdivision applications.
c. To be climatically responsive and maxim advantages provided by the precincts no			H		
facing waterfront location including access	s to				
winter sunlight and cooling summer breezes d. To reduce waste and increase the reuse a		_			
recycling of materials.					
Controls			_		
1. Residential development is to comply v	vith L				
BASIX. 2. The re-use of grey water and provision of d	lual [\square	

	water reticulation systems is encouraged			
	where possible.			
3.	Development adjacent to the waterfront that		\square	
_	faces north should optimise the amount of			
	glazing on the northern façade and incorporate			
	deep and extensive balconies.		\square	
4.	Public amenities are to use water and energy		\square	
	efficient fittings.			
	Water Management			
-	ectives			
а.	To reduce stormwater quantity and improve		\square	Not relevant to current application for
	stormwater quality prior to it exiting the precinct.			subdivision.
b.	To reduce reliance on potable water for use in			
υ.	irrigations systems.		\square	
c.	To reduce the risk to human life and property	 		
0.	from flooding to acceptable levels.		\square	
d.	To ensure resilience to climate change and			
	potential future sea level rise.		\square	
	ntrols			
1.	Development incorporates water management		\square	
	measures generally in accordance with Figure			
2.	16 . Development incorporates a suite of other			
Ζ.	water sensitive urban design measures, in		\boxtimes	
	particular those that replicate natural water			
	cycle processes, in the public domain and			
	within blocks such as:			
	- on-site water detention			
	 bio-retention systems 			
	- swales			
	- gully baskets			
	- stormwater quality improvement devices			
	- permeable pavements; and			
	- collection of rainwater for use in irrigation systems in the public domain, including			
	streets, parks and private communal			
	recreation areas.			
3.	The following stormwater targets are to be met		\square	
	for the entire precinct:			
	- 90% reduction in the post-development			
	average annual gross pollutant load			
	- 85% reduction in the post-development			
	average annual total suspended solids			
	(TSS) load65% reduction in the post-development			
	average annual total phosphorus (TP)			
	load			
	- 45% reduction in the post-development			
	average annual total nitrogen (TN) load			
4.	The following stormwater targets are to be met		\square	
	for specific sites:			
	- 92% reduction in the post-development			
	average annual gross pollutant load.90% reduction in the post-development			
	average annual total suspended solids			
	(TSS) load.			
	- 68% reduction in the post-development			
	average annual total phosphorus (TP)			
	load.			
	- 47% reduction in the post-development			
	average annual total nitrogen (TN) load.			
5.	Hard paved surfaces within the peninsula park		\square	
	and along the foreshore promenade are to			
6	maintain permeability.			
6.	Development complies with the flood risk management provisions of the Auburn DCP			
	2010.			
7.	Development applications are to demonstrate			

	that proposed changes to the landform will not result in increased stormwater runoff to adjoining sites.			
53	Ecology			
a.	ectives To ensure that development does not impact on the ecological values of the adjoining Newington Nature Reserve and Homebush			Proposed subdivision of the land is not considered to have any adverse impact on the environment and ecology at this
b.	Bay. To protect and enhance the ecological values of the precinct.	\boxtimes		stage.
Со/ 1.	ntrols Demonstrate that development will not impact on the ecological values of the Newington	\boxtimes		
	Nature Reserve as a result of water run-off or overshadowing. Consideration is to be given to the <i>Guidelines</i> for <i>Development</i> adjoining <i>Department</i> of <i>Environment</i> and <i>Climate</i> <i>Change Land.</i>			
2.	For the peninsula park and the foreshore open space:	\square		
	 Coastal Saltmarsh Threatened Ecological Community on the eastern point of the peninsula park is to be protected and regenerated to increase the diversity and density of the community's indicator species (including the Wilsonia backhouse species), and weeds are to be eradicated riparian vegetation is to be re-established along the foreshore in particular around wetlands and to enhance existing mangroves and areas of planted Swamp Oak suitable species and extent of revegetation is to be identified by an 			
	 ecologist boardwalks are not to encroach on Coastal Saltmarsh Threatened Ecological Community and are to form a barrier to weed infestation 			
	- interpretive signage is to be provided along the boardwalk in appropriate locations to educate the community about the Coastal Saltmarsh and Wilsonia backhouse.			
3.	The timing of construction works is to avoid impacts on the White-bellied Sea-eagle.	\square		

Section 94 Contributions Plan

The development does not require the payment of contributions in accordance with Council's Section 94 Contributions Plans.

9. 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.

10. 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.

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

The subject site and locality is not known to be affected by any natural hazards or other site constraints likely to have a significant adverse impact on the proposed development. Accordingly, the site can be said to be suitable to accommodate the proposal. 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.

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

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Not Required \boxtimes

In accordance with Council's Notification of Development Proposals Development Control Plan, the proposal was publicly exhibited for a period of 14 days between 3 September 2014 to 17 September 2014. No submissions were received in during the notification period in respect of the proposed development.

13. 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 foregoing analysis it is considered that the development, if carried out subject to the conditions set out in the recommendation below, will have no significant adverse impacts on the public interest.

14. 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".

15. Recommendation

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

That the application be approved subject to the conditions in the attached schedule.

Assessment Summary & Conditions

2015SYW159 14A Hill Road, Sydney Olympic Park

PLANNING ASSESSMENT SUMMARY REPORT JOINT REGIONAL PLANNING PANEL

SUBDIVISION APPLICATION DA-274/2014 AT 14A HILL ROAD, WENTWORTH POINT

Wentworth Point Urban Activation Precinct

The Wentworth Point Urban Activation Precinct (WP-UAP) was announced by the Minister for Planning and Infrastructure in 2013. The site was nominated as an Urban Activation Precinct based on its proximity to the Parramatta and Sydney CBD's as well as its potential to connect with public transport. The site's proximity to existing parkland, Sydney Olympic Park and the Parramatta River were also key considerations in nominating the site.

The Site

The WP-UAP comprises two substantial land parcels having a total combined area of approximately 18.6 hectares. The sites may be identified as the Hill Road site (9.46 ha) and the Burroway Road site (9.13 ha) as shown in the below.



Wentworth Point Urban Activation Precinct sites

An indicative overview of the pattern of development anticipated for the sites has also been included below. The development is to incorporate new roads and infrastructure, a series of residential towers, boating and maritime facilities together with substantial public open space as well as smaller pocket parks.

Indicative structure plan



Rezoning

The WP-UAP was rezoned by the *Department of Planning and Infrastructure* on 4 July 2014 by way of an amendment to the Auburn Local Environmental Plan 2010. The rezoning permits a range of landuses including mixed-use residential and commercial developments, educational establishments, residential flat buildings, boating and maritime facilities and public recreation space. A range of heights and densities are permitted across these sites including residential towers up to 88 metres (25 storeys) with densities up to 2.6:1. It is estimated that the rezoning will provide up to 2300 new dwellings within the precinct.

The Auburn LEP 2010 zoning map for the precinct is shown below.



Statutory context

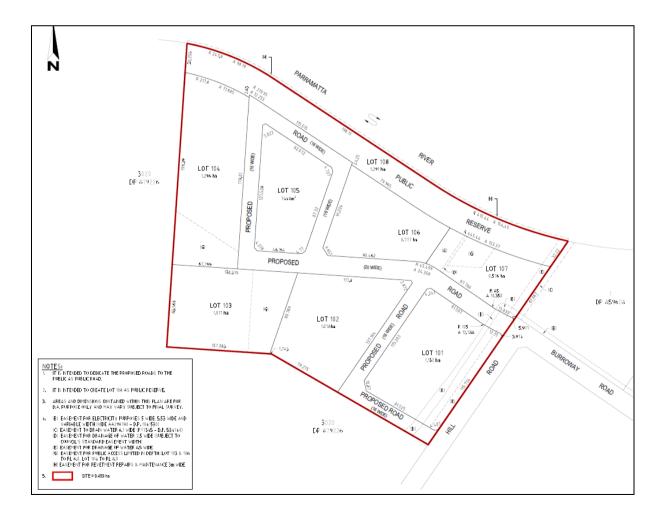
As a result of the rezoning of the WP-UAP in July 2014, the principal planning controls affecting the site are the Auburn LEP 2010 and the *Wentworth Point Precinct Development Control Plan 2014* (the "DCP").

Development Application *DA-274/2014* (the subject application) and *DA-273/2014* were lodged with Council on 20 August 2014. The applications were lodged by *UrbanGrowth NSW* (UrbanGrowth) on behalf of the land owners, *Roads and Maritime Services* (RMS). The applications therefore constitute Crown development pursuant to Part 4, Division 4 of the Environmental Planning and Assessment Act. Accordingly, Council is not permitted to impose a condition on its consent except with the approval of the applicant or the Minister.

Description of proposed development

Development application *DA-273/2014* seeks approval for the eight (8) lot torrens title subdivision of the Hill Road site. In broad terms, the subdivision proposal is intended to create a series of superlots, which would then be subject to the lodgement of further separate development applications for building construction. The created allotments would be capable of being sold by the current land owners to a private developer once approved by Council.

The subdivision plan most recently submitted by UrbanGrowth for the site is shown below.



Council initially provided UrbanGrowth with a draft set of conditions on 3 December 2014. Since this time, Council has agreed to a series of amendments to the initial condition set in an effort to respond to the various issues raised by UrbanGrowth relating to the subdivision. As a result of ongoing negotiations, "in-principle" agreement has been reached for the majority of the conditions to be included in the consent; however UrbanGrowth has not formally endorsed the full suite of conditions proposed by Council.

Recommended Conditions of Consent

The conditions proposed by Council for the subdivision are listed below together with a Council's comments summarising the reasons for the inclusion of each of the conditions.

Proposed Condition 1

1. Approved Plans

The development is to be carried out in accordance with the approved stamped plans as numbered below:

Plan Number	Prepared by	Revision No.	Dated
Dwg No 801	Brown Consulting	03	3/11/14
Project No X13308			

except as otherwise provided by the conditions of this determination (Note:- modifications to the approved plans will require the lodgement and consideration by Council of a modification pursuant to Section 96 of the Environmental Planning and Assessment Act).

<u>Reason</u>:- to confirm and clarify the terms of Council's approval.

Council Comment

This condition identifies the approved plan set for the subdivision.

It is understood by Council that the applicant raises no "in-principle" objection to the inclusion of this condition.

2. Time period of consent

This consent shall lapse five (5) years from the date of determination unless the approved building, engineering or construction work has been physically commenced in accordance with this consent.

Development consent for the use of land does not lapse if the approved use of any land, building or work is actually commenced prior to the date on which the consent would otherwise lapse.

<u>Reason</u>:- to satisfy the requirements of Section 95 of the Environmental Planning and Assessment Act.

Council comment

This condition reflects the requirements of Section 95 of the Environmental Planning and Assessment Act.

It is understood by Council that the applicant raises no "in-principle" objection to the inclusion of this condition.

Proposed Condition 3

3. <u>Submission of Plan of Subdivision with subdivision certificate application</u>

The subdivision certificate application is to be supported by the submission of an original plan of subdivision together with seven (7) copies to be submitted to Council.

Note: A Subdivision Certificate fee is payable to Council on lodgement of the plans and an inspection fee may be required before collection of the final signed plan of subdivision.

<u>Reason</u>:- to ensure an application is made for a subdivision certificate.

Council comment

This condition stipulates the submission requirements for a Subdivision Certificate application.

It is understood by Council that the applicant raises no "in-principle" objection to the inclusion of this condition.

4. Arrangements for Electricity and Telephone Services

Satisfactory arrangements are to be made with Energy Australia, Telstra and/or Optus for the provision of services to and within the subject land. Written evidence of such arrangements shall be submitted to Council prior to the issue of the subdivision certificate.

<u>Reason</u>:- to ensure these services are available to the site.

Council comment

This condition is included to ensure the appropriate utility services are available to service the newly created allotments resulting from the subdivision proposal.

It is understood by Council that the applicant raises no "in-principle" objection to the inclusion of this condition.

Proposed Condition 5

5. Arrangements for Water and Sewer Services

A Section 73 Compliance Certificate under the Sydney Water Act 1994 must be obtained.

Application must be made through an authorised Water Servicing Coordinator. Please refer to "Your Business" section of Sydney Water's web site at www.sydneywater.com.au then the "e-developer" icon or telephone 132 092.

Following application a "Notice of Requirements" will detail water and sewer extensions to be built or charges to be paid. Please make early contact with the Coordinator, since building of water/sewer extensions can be time consuming and may impact on other services and building, driveway or landscaping design.

The Section 73 Certificate must be submitted to the Council prior to release of the final plan of subdivision.

<u>Reason</u>:- to ensure that adequate water and sewer services can be provided to the site.

Council comment

This condition is included to ensure the availability of water and sewer services to support the subdivision of the site.

It is understood by Council that the applicant raises no "in-principle" objection to the inclusion of this condition.

6. <u>Site remediation – Registration on title</u>

A restriction on the use of the land shall be registered on the title requiring any future development of the land to include site remediation and validation works. The restriction shall require any remediation and validation works are to be carried out in accordance with the requirements of the Site Audit Report Wentworth Point Stage 2 Area, 14A – 14E and 16 Hill Road Wentworth point NSW, report number JBS41512-55905 (Rev 1) dated 4 November 2013. Full details of the proposed wording of the restriction to be registered on the title shall be submitted to Council for approval with the Subdivision Certificate application.

The restriction shall also require any future Development application(s) on the created allotments to be supported by a detailed and properly prepared Remedial Action Plan that has been reviewed and endorsed by an accredited Site Auditor.

The proposed wording of the restriction on the title shall be submitted to Council for approval with the Subdivision Certificate application.

Any new information which comes to light during remediation, demolition or construction works which has the potential to alter previous conclusions about site contamination shall be notified to the Council immediately.

<u>Reason</u>:- to ensure that the site is suitably remediated prior to future works being undertaken on the site/created allotments and to ensure Council is informed of any new information relevant to site conditions and site contamination associated with the development

Council comment

This condition is included to ensure the compliance with Clause 7 of State Environmental Planning Policy 55 – Remediation of Land.

It is understood by Council that the applicant raises no "in-principle" objection to the inclusion of this condition.

Proposed Condition 7

7. <u>Demolition of existing buildings</u>

Prior to the issue of any subdivision certificate, all the existing buildings and structures that encroach into the proposed subdivision lot boundaries shall be demolished. This may require a separate development application to be lodged and determined by Council prior to demolition works occurring on the site.

<u>*Reason*</u>:- to ensure structures are not encroaching into adjoining lots.

Council comment

This condition is included to ensure the allotments created as a result of the subdivision are free from encroachments.

It is understood by Council that the applicant raises no "in-principle" objection to the inclusion of this condition.

Proposed Condition 8

8. <u>Civil, infrastructure and public reserve works</u>

Prior to the release of the Subdivision Certificate associated with this development consent, all civil, infrastructure and public reserve works associated with the subdivision (including intersection upgrades adjacent to the site) shall be constructed and completed in accordance with Council's standards and specifications, the relevant civil, infrastructure and public reserve works development consent and the *Wentworth Point Precinct Development Control Plan 2014*, to the satisfaction of Council. In this regard, a separate and properly prepared civil, infrastructure and public reserve works development application shall be submitted to Council for approval and shall include, without limitation, full details of the following:

- a. Kerb & gutter,
- b. Street lighting,
- c. Pedestrian footpath,
- d. Relief drainage,
- e. Traffic signs,
- f. Line markings,
- g. Water quality treatment devices,
- h. Service conduits,
- i. Hill Road and Burroway Road intersection upgrade and treatment works,
- j. Road pavement design incorporating future traffic generation and traffic loadings,
- k. All public reserve works including pedestrian and cycle ways, stormwater, landscaping works and the like.

All associated cost shall be borne by the applicant/developer.

<u>Note:</u> Separate RMS approval will be required for the intersection upgrade works at the Hill Road and Burroway Road intersection.

<u>*Reason:*</u>- to ensure the required infrastructure, civil works and public reserves required by the development are incorporated within the development.

Council comment

This condition is included to ensure public access is provided to the allotments created by the subdivision and to ensure the standard of road construction is adequate to allow for subsequent dedication to Council.

It is noted that Council in currently in receipt of Development Application DA-41/2015 for the demolition of existing buildings, tree removal, earthworks, site remediation, construction of roads, sea wall and public domain works. This civil works application appears to be broadly consistent with the requirements of the council condition proposed above.

UrbanGrowth has not endorsed this condition.

Proposed Condition 9

9) <u>Subdivision Design Amendments</u>

Prior to the issue of the Subdivision Certificate, the following design amendments shall be incorporated within the subdivision design:

- a. amendments to proposed lots 101 and 107 to ensure that the property boundaries make adequate provision for all necessary intersection upgrades at the Hill Road and Burroway Road intersection.
- b. all the necessary inter allotment drainage easements shall be shown on the subdivision plans.
- c. Amendments to proposed lot 105 to provide a two-way carriage way with the required nature strip to the roadway adjacent to this lot. Two way vehicular movements of heavy rigid vehicles on these roads shall be provided, all bends shall have a BB line marking to comply with relevant standards and a detailed swept path analysis shall be submitted to ensure that the swept paths do not cross the proposed BB lines.

<u>*Reason*</u>:- to ensure the roadway complies with relevant standards and to cater for future traffic generation.

Council comment

This condition has been proposed to ensure the appropriate roadway design to facilitate the anticipated vehicle types on this roadway and to facilitate the relevant intersection upgrades at the junction of Hill Road and Burroway Road.

UrbanGrowth has not endorsed this condition.

10) Delivery of pocket parks

A restriction/covenant under the Conveyancing Act shall be registered on the title of proposed lots 103, 104 and 107 on the approved plan of subdivision with respect to the pocket parks identified within each of these allotments and referred to in Sections 2.0 and 3.0 of the *Wentworth Point Precinct Development Control Plan 2014*. The restriction/covenant shall specify the following:

- a) The developer/s for Lot/s 103, 104 and 107 is/are responsible for the construction, completion and maintenance of the respective pocket parks associated with the Lots 103, 104 and 107 to the satisfaction of Council,
- b) Full details of the proposed design of the pocket parks associated with Lots 103, 104 and 107 shall be submitted to Council for approval in conjunction with the respective residential development applications related to each of these lots.
- c) All pocket parks shall be constructed and completed in accordance with the relevant development consent to the satisfaction of Council prior to the issue of any Occupation Certificate for any buildings on the same allotment.
- d) A public right of access shall be created over the pocket parks in favour of Council to permit public access to the pocket parks.

The proposed wording of the restriction/covenant shall be to the satisfaction of Council and shall be submitted to Council for approval with the subdivision certificate application.

<u>Reason:</u> To ensure the delivery of pocket parks for the Wentworth Point locality in accordance with the *Wentworth Point Precinct Development Control Plan*.

Council comment

This condition is included to ensure the any future developers of the allotments created as a result of the subdivision are aware of the requirement to construct and deliver pocket parks in conjunction with the redevelopment of the allotments.

It is understood by Council that the applicant raises no "in-principle" objection to the inclusion of this condition.

Conclusion

In view of the history detailed above and having regard to the extensive timeframes associated with the current subdivision applications (being the result of UrbanGrowth's repeated rejection of Council's proposed conditions), Council considers it appropriate that these applications now be determined in current form.

Council has assessed the application having proper regard to the matters for consideration nominated under Section 79C of the Environmental Planning and Assessment Act (see attached detailed planning assessment report), including the Wentworth Point Precinct Development Control

Plan. As a consequence of this assessment, Council considers that the subdivision applications generally respond to the planning controls for the site and could be supported subject to the conditions recommended by Council.