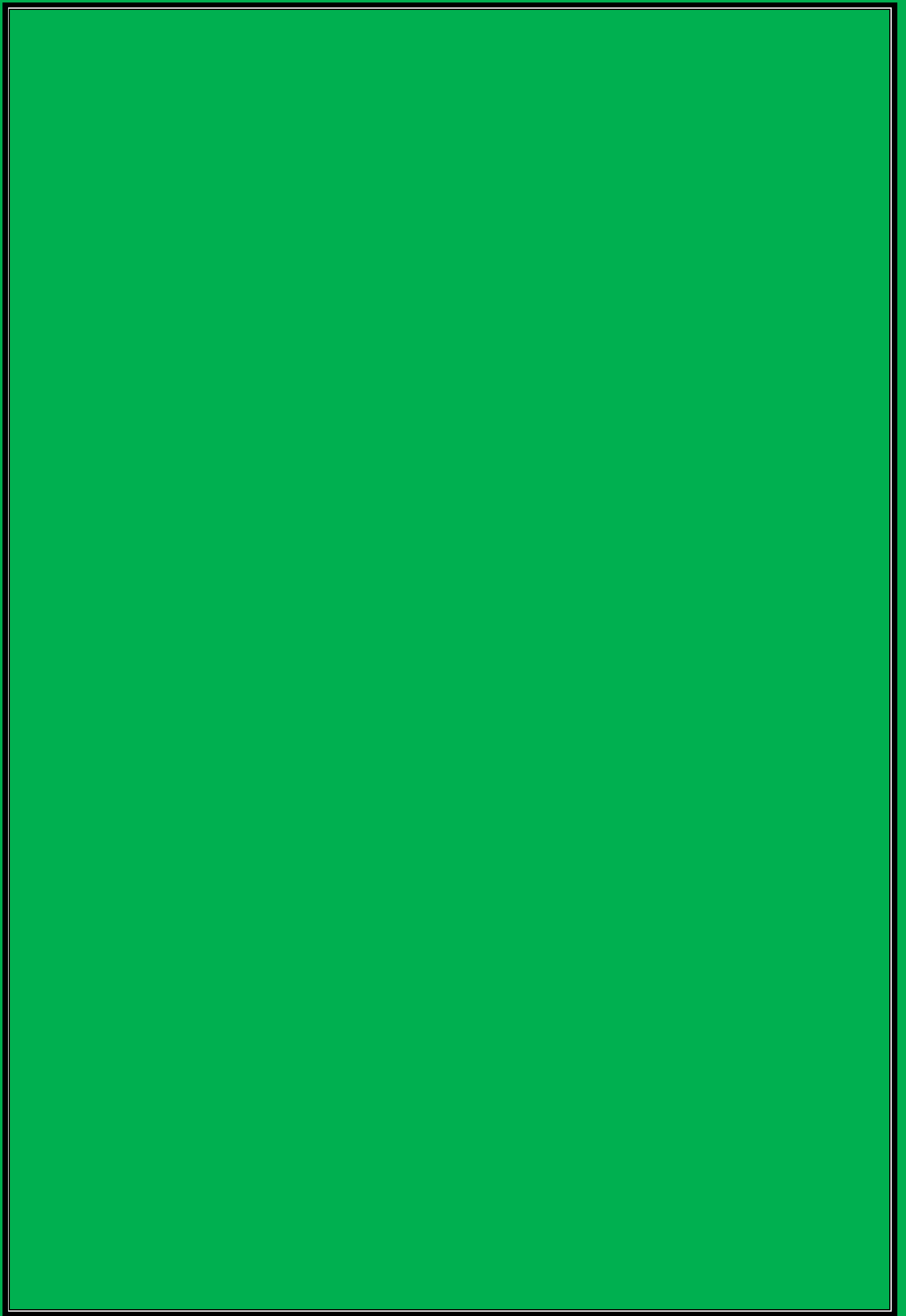


# **Council Assessment Report**

**2015SYW159**

14A Hill Road, Sydney Olympic Park



## JOINT REGIONAL PLANNING PANEL (Sydney West)

JRPP No	<b>2015SYW159</b>
DA Number	<b>DA-274/2014</b>
Local Government Area	<b>Auburn City Council</b>
Proposed Development	<b>Sub-Division of 1 lot into 8 Torrens Title allotments.</b>
Street Address	<b>14A Hill Road, Sydney Olympic Park</b>
Applicant/Owner	<ul style="list-style-type: none"> <li>• <b>Applicant: UrbanGrowth NSW</b></li> <li>• <b>Owner: Roads and Maritime Service</b></li> </ul>
Number of Submissions	<ul style="list-style-type: none"> <li>• <b>Nil</b></li> </ul>
Regional Development Criteria (Schedule 4A of the Act)	<b>Section 89(6) referral</b>
List of All Relevant s79C(1)(a) Matters	<p>List all of the relevant environmental planning instruments: s79C(1)(a)(i)</p> <ul style="list-style-type: none"> <li>• SEPP 55.</li> <li>• SREP (Sydney Harbour Catchment) 2005.</li> <li>• Auburn LEP 2010.</li> </ul> <p>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)</p> <p>List any relevant development control plan: s79C(1)(a)(iii)</p> <ul style="list-style-type: none"> <li>• Wentworth Point Precinct DCP</li> </ul> <p>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".</p> <p>List any coastal zone management plan: s79C(1)(a)(v) - "Nil".</p> <p>List any relevant regulations: s79C(1)(a)(iv) eg. Regs 92, 93, 94, 94A, 288 - "Nil".</p>
List all documents submitted with this report for the panel's consideration	<ul style="list-style-type: none"> <li>• <b>Planning assessment report</b></li> <li>• <b>Planning Assessment Summary Report &amp; Conditions</b></li> </ul>

Recommendation	<b>Approval subject to conditions.</b>
Report by	<b>Auburn City Council.</b>

## **Assessment Report and Recommendation Cover Sheet**

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Department: Planning and Environment

**DA ASSESSMENT DELEGATED REPORT**

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

**1. Required Information**

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

**2. Requirements/Affectations**

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

<b>Integrated:</b>	<input type="checkbox"/> Yes: if 'Yes' - Type: <input checked="" type="checkbox"/> No	<b>Crown:</b>	<input checked="" type="checkbox"/> Yes ( <i>Urban Growth NSW on behalf of RMS</i> ) <input type="checkbox"/> No
<b>Concurrence:</b>	<input checked="" type="checkbox"/> Yes: if 'Yes' – Type: <i>SOPA Act</i> <input type="checkbox"/> No	<b>Acid Sulphate Soils</b>	<input checked="" type="checkbox"/> Yes: <i>Class 2</i> <input type="checkbox"/> No
<b>Heritage Item:</b>	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<b>Flood Affected:</b>	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
<b>Disclosure of Political Donations</b>	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<b>Councillor Call In to Determine DA</b>	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No

### 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.

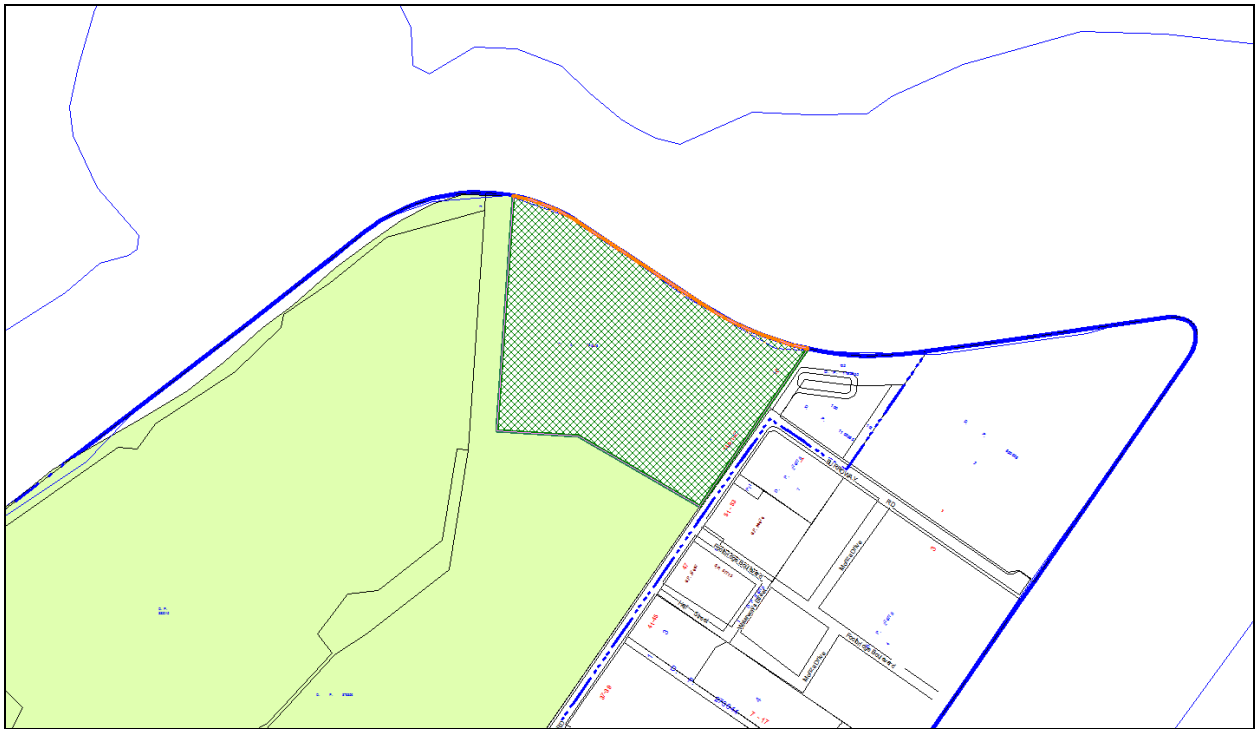


#### 4. Site & Locality Description

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:





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 three metre (3m) easement 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."*

Comment: 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?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
In the development going to be used for a sensitive land use (eg: residential, educational, recreational, childcare or hospital)?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Does information available to you indicate that an activity listed below has ever been approved, or occurred at the site? acid/alkali plant and formulation, agricultural/horticultural activities, airports, asbestos production and disposal, chemicals manufacture and formulation, defence works, drum re-conditioning works, dry cleaning establishments, electrical manufacturing (transformers), electroplating and heat treatment premises, engine works, explosive industry, gas works, iron and steel works, landfill sites, metal treatment, mining and extractive industries, oil production and storage, paint formulation and manufacture, pesticide manufacture and formulation, power stations, railway yards, scrap yards, service stations, sheep and cattle dips, smelting and refining, tanning and associated trades, waste storage and treatment, wood preservation	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Is the site listed on Council's Contaminated Land database?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Is the site subject to EPA clean-up order or other EPA restrictions?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Has the site been the subject of known pollution incidents or illegal dumping?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Does the site adjoin any contaminated land/previously contaminated land?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
<p>Details of contamination investigations carried out at the site:</p> <p>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&amp;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."</p> <p>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.</p>	
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?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> 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	<input type="checkbox"/> Y <input checked="" type="checkbox"/> N	SEPP 4 – Development Without Consent and Miscellaneous Complying Development	<input type="checkbox"/> Y <input checked="" type="checkbox"/> N	SEPP 6 – No. of Storeys in a Building	<input type="checkbox"/> Y <input checked="" type="checkbox"/> N
SEPP 10 – Retention of Low-Cost Rental Accommodation	<input type="checkbox"/> Y <input checked="" type="checkbox"/> N	SEPP 19 – Bushland in Urban Areas	<input type="checkbox"/> Y <input checked="" type="checkbox"/> N	SEPP 33 – Hazardous & Offensive Development	<input type="checkbox"/> Y <input checked="" type="checkbox"/> N
SEPP 53 – Metro Res. Development	<input type="checkbox"/> Y <input checked="" type="checkbox"/> N	SEPP 55 – Remediation of Land	<input type="checkbox"/> Y <input checked="" type="checkbox"/> N	SEPP 64 – Advertising & Signage	<input type="checkbox"/> Y <input checked="" type="checkbox"/> N
SEPP 65 – Design Quality of Residential Flat Development	<input type="checkbox"/> Y <input checked="" type="checkbox"/> N	SEPP (Housing for Seniors & People with a Disability) 2004	<input type="checkbox"/> Y <input checked="" type="checkbox"/> N	SEPP (Building Sustainability Index: BASIX) 2004	<input checked="" type="checkbox"/> Y <input type="checkbox"/> N
SEPP (Major Projects) 2005	<input type="checkbox"/> Y <input checked="" type="checkbox"/> N	SEPP (Temporary Structures & Places of Public Entertainment)	<input type="checkbox"/> Y <input checked="" type="checkbox"/> N	SEPP (Infrastructure) 2007	<input type="checkbox"/> Y <input checked="" type="checkbox"/> N
REP No. 24 – Homebush Bay Area	<input type="checkbox"/> Y <input checked="" type="checkbox"/> N	Sydney REP (Sydney Harbour Catchment) 2005	<input checked="" type="checkbox"/> Y <input type="checkbox"/> 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:

Clause	Yes	No	N/A	Comment
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 instrument under section 33A of the Act.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	The development proposal is considered to be consistent with the aims of this plan subject to compliance with the conditions recommended by Council.
(2) The particular aims of this Plan are as follows:				
(a) to establish planning standards that are clear, specific and flexible in their application,	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
(b) to foster integrated, sustainable development that contributes to Auburn's environmental, social and physical well-being,	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
(c) to protect areas from inappropriate development,	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
(d) to minimise risk to the community by restricting development in sensitive areas,	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
(e) to integrate principles of ecologically sustainable development into land use controls,	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
(f) to protect, maintain and enhance the natural ecosystems, including watercourses, wetlands and riparian land,	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
(g) to facilitate economic growth and employment opportunities within Auburn,	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
(h) to identify and conserve the natural, built and cultural heritage,	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
(i) to provide recreational land, community facilities and land for public purposes.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
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.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
Note. However, under Division 4B of Part 3 of the Act, a development application may be made for consent to carry out development that may only be carried out if the environmental planning instrument applying to the relevant land is appropriately amended or, if a new instrument, including an appropriate principal environmental planning instrument, is made, and the consent authority may consider the application. The Division requires public notice of the development application and the draft environmental planning instrument allowing the development at the same time, or as closely together as is practicable.				
1.9 Application of SEPPs and REPs				
(1) This Plan is subject to the provisions of any State environmental planning policy and any regional environmental plan that	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	

[illegible]

Notes.				
<p>1 If a subdivision is specified as <b>exempt development</b> in an applicable environmental planning instrument, such as this Plan or <u>State Environmental Planning Policy (Exempt and Complying Development Codes) 2008</u>, the Act enables it to be carried out without development consent.</p> <p>2 Part 6 of State Environmental Planning Policy (Exempt and Complying Development Codes) 2008 provides that the strata subdivision of a building in certain circumstances is complying development.</p> <p>(2) Development consent must not be granted for the subdivision of land on which a secondary dwelling is situated if the subdivision would result in the principal dwelling and the secondary dwelling being situated on separate lots, unless the resulting lots are not less than the minimum size shown on the Lot Size Map in relation to that land.</p> <p><b>Note.</b> The definition of <b>secondary dwelling</b> in the Dictionary requires the dwelling to be on the same lot of land as the principal dwelling.</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
<p><b>Zone R4 High Density Residential</b></p> <p><b>1 Objectives of zone</b></p> <ul style="list-style-type: none"> <li>• To provide for the housing needs of the community within a high density residential environment.</li> <li>• To provide a variety of housing types within a high density residential environment.</li> <li>• To enable other land uses that provide facilities or services to meet the day to day needs of residents.</li> <li>• To encourage high density residential development in close proximity to bus service nodes and railway stations.</li> </ul> <p><b>2 Permitted without consent</b></p> <p>Nil</p> <p><b>3 Permitted with consent</b></p> <p>Attached dwellings; Bed and breakfast accommodation; Boarding houses; Building identification signs; Business identification signs; Child care centres; Community facilities; Hostels; Hotel or motel accommodation; Multi dwelling housing; Neighbourhood shops; Places of public worship; Residential flat buildings; Respite day care centres; Roads; Semi-detached dwellings; Shop top housing; Any other development not specified in item 2 or 4</p> <p><b>4 Prohibited</b></p> <p>Agriculture; Air transport facilities; Amusement centres; Animal boarding or training establishments; Boat building and repair facilities; Boat sheds; Camping grounds; Car parks; Caravan parks; Cemeteries; Charter and tourism boating facilities; Commercial premises; Correctional centres; Crematoria; Depots; Eco-tourist facilities; Electricity generating works; Entertainment facilities; Environmental facilities; Exhibition homes; Exhibition villages; Extractive industries; Farm buildings; Forestry; Freight transport facilities; Function centres; Heavy industrial storage</p>	<input checked="" type="checkbox"/> <input checked="" type="checkbox"/> <input checked="" type="checkbox"/> <input checked="" type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	<p>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.</p>
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
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	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	

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.				
<b>Zone RE1 Public Recreation</b> <b>1 Objectives of zone</b> <ul style="list-style-type: none"> <li>• To enable land to be used for public open space or recreational purposes.</li> <li>• To provide a range of recreational settings and activities and compatible land uses.</li> <li>• To protect and enhance the natural environment for recreational purposes.</li> <li>• To protect open space at riparian and foreshore locations.</li> </ul> <b>2 Permitted without consent</b> Nil	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	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.
<b>3 Permitted with consent</b> Child care centres; Community facilities; Depots; Environmental facilities; Environmental protection works; Function centres; Information and education facilities; Kiosks; Markets; Places of public worship; Public administration buildings; <u>Recreation areas</u> ; Recreation facilities (indoor); Recreation facilities (major); Recreation facilities (outdoor); Respite day care centres; Restaurants or cafes; Roads; Water recreation structures	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
<b>4 Prohibited</b> Any development not specified in item 2 or 3	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	



### Part 3 Exempt and complying development

This part is not relevant as the development is not exempt or complying development.

## Part 4 Principal development standards

#### 4.1 Minimum subdivision lot size

- (1) The objectives of this clause are as follows:
  - (a) to ensure that lot sizes are able to accommodate development consistent with relevant development controls, and
  - (b) to ensure that subdivision of land is capable of supporting a range of development types.
- (2) This clause applies to a subdivision of any land shown on the Lot Size Map that requires development consent and that is carried out after the commencement of this Plan.
- (3) The size of any lot resulting from a subdivision of land to which this clause applies is not to be less than the minimum size shown on the Lot Size Map in relation to that land.
- (3A) Despite subclause (3), the minimum lot size for dwelling houses is 450 square metres.
- (3B) Despite subclause (3), if a lot is a battle-axe lot or other lot with an access handle and is on land in Zone R2 Low Density Residential, Zone R3 Medium Density Residential, Zone B6 Enterprise Corridor, Zone B7 Business Park, Zone IN1 General Industrial and Zone IN2 Light Industrial, the minimum lot size excludes the area of the access handle.
- (3C) Despite subclauses (3)–(3B), the minimum lot size for development on land within the Former Lidcombe Hospital Site, as shown edged blue on the Lot Size Map, is as follows in relation to development for the purpose of:
  - (a) 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 zero lot line – 270 square metres,
  - (b) semi-detached dwellings – 270 square metres,
  - © multi dwelling housing – 170 square metres for each dwelling,
  - (d) attached dwellings – 170 square metres.
- (4) This clause does not apply in relation to the subdivision of individual lots in a strata plan or community title scheme.

The proposed subdivision of Lot 3 for the creation of 8 Torrens title lots will consist of the following lot size:

- 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 proposed subdivisions of Lot 3 into individual lot sizes provided above are considered to be satisfactory to accommodate a range of land uses/development types.

Under the ALEP 2010, the zoning identified for the Lot 3 Hill Road site consist of R4 – High density residential and RE1 – Public recreation.

The subject sites are not located within the Former Lidcombe Hospital Site.

#### 4.2 Rural subdivision

Not Applicable.

### 4.3 Height of buildings

- (1) The objectives of this clause are as follows:
  - (a) to establish a maximum building height to enable appropriate development density to be achieved, and
  - (b) to ensure that the height of buildings is compatible with the character of the locality
- (2) The height of a building on any land is

The application relates to subdivision only and as no building works are proposed, these controls are limited to in application. Notwithstanding, in accordance with the

not to exceed the maximum height shown for the land on the Height of Buildings Map.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
(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,	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
(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.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
<b>4.4 Floor space ratio</b>				
(1) The objectives of this clause are as follows:				The application relates to subdivision only and as no building works are proposed, these controls are limited in application.
(d) To establish a maximum floor space ratio to enable appropriate development density to be achieved, and	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
(e) To ensure that development intensity reflects its locality.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
(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.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
(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:	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
(a) for sites less than 1,300 square metres—0.75:1,	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
(b) for sites that are 1,300 square metres or greater but less than 1,800 square metres—0.80:1,	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
(c) for sites that are 1,800 square metres or greater—0.85:1.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
(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:	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
(a) 1.5:1 for bulky goods premises, entertainment facilities, function centres and registered clubs, and	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
(b) 3:1 for office premises and hotel or motel accommodation.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
(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:	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
(a) 1.5:1 for bulky goods premises, entertainment facilities, function centres and registered clubs, and	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
(b) 2:1 for office premises and hotel or motel accommodation.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
<b>4.5 Calculation of floor space ratio and site area</b>				
<b>(1) Objectives</b>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
The objectives of this clause are as follows:				
(a) to define <b>floor space ratio</b> ,				
(b) to set out rules for the calculation of the				
				Application relates to subdivision only and thus this requirement is not applicable.

<p>site area of development for the purpose of applying permitted floor space ratios, including rules to:</p> <ul style="list-style-type: none"> <li>(i) prevent the inclusion in the site area of an area that has no significant development being carried out on it, and</li> <li>(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 area in another building, and</li> <li>(iii) require community land and public places to be dealt with separately.</li> </ul> <p><b>(2) Definition of “floor space ratio”</b>  The <b>floor space ratio</b> of buildings on a site is the ratio of the gross floor area of all buildings within the site to the site area.</p> <p><b>(3) Site area</b>  In determining the site area of proposed development for the purpose of applying a floor space ratio, the <b>site area</b> is taken to be:</p> <ul style="list-style-type: none"> <li>(a) if the proposed development is to be carried out on only one lot, the area of that lot, or</li> <li>(b) if the proposed development is to be carried out on 2 or more lots, the area of any lot on which the development is proposed to be carried out that has at least one common boundary with another lot on which the development is being carried out.</li> </ul> <p>In addition, subclauses (4)–(7) apply to the calculation of site area for the purposes of applying a floor space ratio to proposed development.</p> <p><b>(4) Exclusions from site area</b>  The following land must be excluded from the site area:</p> <ul style="list-style-type: none"> <li>(a) land on which the proposed development is prohibited, whether under this Plan or any other law,</li> <li>(b) community land or a public place (except as provided by subclause (7)).</li> </ul> <p><b>(5) Strata subdivisions</b>  The area of a lot that is wholly or partly on top of another or others in a strata subdivision is to be included in the calculation of the site area only to the extent that it does not overlap with another lot already included in the site area calculation.</p> <p><b>(6) Only significant development to be included</b>  The site area for proposed development must not include a lot additional to a lot or lots on which the development is being carried out unless the proposed development includes significant development on that additional lot.</p> <p><b>(7) Certain public land to be separately considered</b>  For the purpose of applying a floor space ratio to any proposed development on, above or below community land or a public place, the site area must only include an area that is on, above or below that community land or public place, and is occupied or physically affected by the proposed development, and may not include any other area on which the proposed development is to be carried out.</p> <p><b>(8) Existing buildings</b></p>				
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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 demonstrated by subclause (3), and	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
(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 development within the zone in which the development is proposed to be carried out, and	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
(b) the concurrence of the Director-General has been obtained.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
(5) In deciding whether to grant concurrence, the Director-General must consider:				
(a) whether contravention of the development standard raises any matter of significance for State or regional environmental planning, and	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
(b) the public benefit of maintaining the development standard, and	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
(c) any other matters required to be taken into consideration by the Director-General before granting concurrence.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
(6) Not applicable	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
(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 request referred to in subclause (3).	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
(8) This clause does not allow consent to be granted for development that would contravene any of the following:	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
(a) a development standard for complying development,	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
(b) a development standard that arises, under the regulations under the Act, in connection with a commitment set out in a BASIX certificate for a building to which <i>State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004</i> applies or for the land on which such a building is situated,	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
(c) clause 5.4.				
<b>Part 5 Miscellaneous provisions</b>				
<b>5.6 Architectural roof features</b>				
(1) The objectives of this clause are:				
(a) To ensure that any decorative roof element does not detract from the architectural design of the building, and	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Not relevant to the subject application for subdivision.
(b) To ensure that prominent architectural roof features are contained within the height limit.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
(2) Development that includes an architectural roof feature that exceeds, or causes a building to exceed, the height limits set by clause 4.3 may be carried out, but only with consent.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
(3) Development consent must not be				



<p>(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:</p>	<input type="checkbox"/> <input type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/>	<input checked="" type="checkbox"/> <input checked="" type="checkbox"/>	
<p>(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,</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
<p>(d) would not adversely affect the heritage significance of the heritage item, Aboriginal object, Aboriginal place of heritage significance or heritage conservation area.</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
<p><b>Note.</b> 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.</p>				
<p>(8) This clause does not apply to or in respect of:</p>				
<p>(a) the clearing of native vegetation:</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
<p>(i) that is authorised by a development consent or property vegetation plan under the <i>Native Vegetation Act 2003</i>, or</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
<p>(ii) that is otherwise permitted under Division 2 or 3 of Part 3 of that Act, or</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
<p>(b) the clearing of vegetation on State protected land (within the meaning of clause 4 of Schedule 3 to the <i>Native Vegetation Act 2003</i>) that is authorised by a development consent under the provisions of the <i>Native Vegetation Conservation Act 1997</i> as continued in force by that clause, or</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
<p>(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</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
<p>(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 Information Act 2002</i>, or</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
<p>(e) plants declared to be noxious weeds under the <i>Noxious Weeds Act 1993</i>.</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
<p><b>Note.</b> Permissibility may be a matter that is determined by or under any of these Acts.</p>				
<p>(9) Not adopted</p>				

## 5.10 Heritage conservation

**Note.** Heritage items, heritage conservation areas and archaeological sites (if any) are shown on the Heritage Map. The location and nature of any such item, area or site is also described in Schedule 5.

### (1) Objectives

The objectives of this clause are:

- (a) to conserve the environmental heritage of Auburn, and
- (b) to conserve the heritage significance of heritage items and heritage conservation areas including associated fabric, settings and views, and
- (c) to conserve archaeological sites, and
- (d) to conserve places of Aboriginal heritage significance.

## (2) Requirement for consent

Development consent is required for any of the following:

- (a) demolishing or moving a heritage item or a building, work, relic or tree within a heritage conservation area,
- (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 by making structural changes to its interior,
- (d) disturbing or excavating an archaeological site while knowing, or having reasonable cause to suspect, that the disturbance or excavation will or is likely to result in a relic being discovered, exposed, moved, damaged or destroyed,
- (e) disturbing or excavating a heritage conservation area that is a place of Aboriginal heritage significance,
- (f) erecting a building on land on which a heritage item is located or that is within a heritage conservation area,
- (g) subdividing land on which a heritage item is located or that is within a heritage conservation area.

### (3) When consent not required

However, consent under this clause is not required if:

- (a) the applicant has notified the consent 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 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 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

The subject site is not identified as a heritage conservation area.



disturbance of land for the purpose of conserving or repairing monuments or grave markers, and			<input checked="" type="checkbox"/>	
(ii) would not cause disturbance to human remains, relics, Aboriginal objects in the form of grave goods, or to a place of Aboriginal heritage significance, or	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
(c) the development is limited to the removal of a tree or other vegetation that the Council is satisfied is a risk to human life or property, or	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
(d) the development is exempt development.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
<b>Note.</b> 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.				
<b>(4) Effect on heritage significance</b>				
The consent authority must, before granting 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 plan is submitted under subclause (6).	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
<b>(5) Heritage impact assessment</b>				
The consent authority may, before granting consent to any development on land:	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
(a) on which a heritage item is situated, or	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
(b) within a heritage conservation area, or	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
(c) within the vicinity of land referred to in paragraph (a) or (b),	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
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.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
<b>(6) Heritage conservation management plans</b>				
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.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
<b>(7) Archaeological sites</b>				
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 <i>Heritage Act 1977</i> applies):	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
(a) notify the Heritage Council of its intention to grant consent, and	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
(b) take into consideration any response received from the Heritage Council within 28 days after the notice is sent.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
<b>(8) Places of Aboriginal heritage significance</b>				
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 of the place and any Aboriginal object known or reasonably likely to be located at the place, and	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
(b) notify the local Aboriginal communities (in such way as it thinks appropriate) about the application and take into consideration any response received within 28 days after the notice is sent.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
<b>(9) Demolition of item of State significance</b>				
The consent authority must, before granting consent for the demolition of a heritage item identified in Schedule 5 as being of State significance (other than an item listed on the State Heritage Register or to which an interim heritage order under the <i>Heritage Act 1977</i> applies):				
(a) notify the Heritage Council about the application, and	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
(b) take into consideration any response received from the Heritage Council within 28 days after the notice is sent.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
<b>(10) Conservation incentives</b>				
The consent authority may grant consent to development for any purpose of a building that is a heritage item, or of the land on which such a building is erected, even though development for that purpose would otherwise not be allowed by this Plan, if the consent authority is satisfied that:				
(a) the conservation of the heritage item is facilitated by the granting of consent, and	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
(b) the proposed development is in accordance with a heritage conservation management plan that has been approved by the consent authority, and	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
(c) the consent to the proposed development would require that all necessary conservation work identified in the heritage conservation management plan is carried out, and	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
(d) the proposed development would not adversely affect the heritage significance of the heritage item, including its setting, and	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
(e) the proposed development would not have any significant adverse effect on the amenity of the surrounding area.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
<b>5.12 Infrastructure development and use of existing buildings of the Crown</b>				
(1) This Plan does not restrict or prohibit, or enable the restriction or prohibition of, the 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.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Not applicable to subdivision proposal.
(2) This Plan does not restrict or prohibit, or enable the restriction or prohibition of, the use of existing buildings of the Crown by the Crown.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
<b>Part 6 Additional local provisions</b>				
<b>6.1 Acid sulfate soils</b>				
(1) The objective of this clause is to ensure that development does not disturb, expose or drain acid sulfate soils and cause environmental damage.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	In accordance with the Acid Sulfate Soils Map ASS_009, the subject land is identified as Class 2. As the application relates to

(2)	Development consent is required for the carrying out of works described in the Table to this subclause on land shown on the Acid Sulfate Soils Map as being of the class specified for those works.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	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.
<b>Class of land</b> <b>Works</b>					
1	Any works.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
2	Works below the natural ground surface. Works by which the watertable is likely to be lowered.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
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.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
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.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
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.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Proposed subdivision only.
(3)	Development consent must not be granted under this clause for the carrying out of works unless an acid sulfate soils management plan has been prepared for the proposed works in accordance with the Acid Sulfate Soils Manual and has been provided to the consent authority.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
(4)	Despite subclause (2) Development consent is not required under this clause for the carrying out of works if:	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
(a)	a preliminary assessment of the proposed works prepared in accordance with the Acid Sulfate Soils Manual indicates that an acid sulfate soils management plan is not required for the works, and	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
(b)	the preliminary assessment has been provided to the consent authority and the consent authority has confirmed the assessment by notice in writing to the person proposing to carry out the works.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
(5)	Despite subclause (2), development consent is not required under this clause for the carrying out of any of the following works by a public authority (including ancillary work such as excavation, construction of access ways or the supply of power):	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
(a)	emergency work, being the repair or replacement of the works of the public authority required to be carried out urgently because the works have been damaged, have ceased to function or	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	

	pose a risk to the environment or to public health and safety,	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
(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 soil),	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
(c)	minor work, being work that costs less than \$20,000 (other than drainage work).	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
(6)	Despite subclause (2), development consent is not required under this clause to carry out any works if:	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
(a)	the works involve the disturbance of 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	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
(b)	the works are likely to lower the watertable.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
<b>6.2 Earthworks</b>					
(1)	The objectives of this clause are as follows:	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Not earthworks proposed. Subdivision only.
(a)	to ensure that earthworks for which a 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,	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
(b)	to allow earthworks of a minor nature without separate development consent.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
(2)	Development consent is required for earthworks, unless:	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
(a)	the work does not alter the ground level (existing) by more than 600 millimetres, or	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
(b)	the work is exempt development under this Plan or another applicable environmental planning instrument, or	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
(c)	the work is ancillary to other development for which development consent has been given.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
(3)	Before granting development consent for earthworks, the consent authority must consider the following matters:	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
(a)	the likely disruption of, or any detrimental effect on, existing drainage patterns and soil stability in the locality,	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
(b)	the effect of the proposed development on the likely future use or redevelopment of the land,	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
(c)	the quality of the fill or of the soil to be excavated, or both,	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
(d)	the effect of the proposed development on the existing and likely amenity of adjoining properties,	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
(e)	the source of any fill material and the destination of any excavated material,	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
(f)	the likelihood of disturbing relics,	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
(g)	the proximity to and potential for adverse impacts on any watercourse, drinking water catchment or environmentally sensitive area.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	

<b>Note.</b> The <i>National Parks and Wildlife Act 1974</i> , particularly section 86, deals with disturbing or excavating land and Aboriginal objects.				
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<p><b>6.3 Flood planning</b></p> <p>(1) The objectives of this clause are:</p> <p>(a) to minimise the flood risk to life and property associated with the use of land,</p> <p>(b) to allow development on land that is compatible with the land's flood hazard, taking into account projected changes as a result of climate change,</p> <p>(c) to avoid significant adverse impacts on flood behaviour and the environment.</p> <p>(2) This clause applies to:</p> <p>(a) land that is shown as "Flood planning area" on the Flood Planning Map, and</p> <p>(b) other land at or below the flood planning level.</p> <p>(3) Development consent must not be granted for development on land to which this clause applies unless the consent authority is satisfied that the development:</p> <p>(a) is compatible with the flood hazard of the land, and</p> <p>(b) is not likely to significantly adversely affect flood behaviour resulting in detrimental increases in the potential flood affectation of other development or properties, and</p> <p>(c) incorporates appropriate measures to manage risk to life from flood, and</p> <p>(d) is not likely to significantly adversely affect the environment or cause avoidable erosion, siltation, destruction of riparian vegetation or a reduction in the stability of river banks or watercourses, and</p> <p>(e) is not likely to result in unsustainable social and economic costs to the community as a consequence of flooding.</p> <p>(4) A word or expression used in this clause has the same meaning as it has in the NSW Government's <i>Floodplain Development Manual</i> published in 2005, unless it is otherwise defined in this clause.</p> <p>(5) In this clause:</p> <p><b>flood planning level</b> means the level of a 1:100 ARI (average recurrent interval) flood event plus 0.5 metre freeboard.</p> <p><b>Flood Planning Map</b> means the Auburn Local Environmental Plan 2010 Flood Planning Map.</p>				<p>In accordance with Flood Planning Map FLD_009, the subject site is not identified as being flood prone. Therefore this clause is not applicable.</p>
<p><b>6.5 Essential Services</b></p> <p>(1) Development consent must not be granted to development unless the consent authority is satisfied that any of the following services that are essential for the proposed development are available or that adequate arrangements have been made to make them available when required:</p> <p>a) the supply of water,</p> <p>b) the supply of electricity,</p> <p>c) the disposal and management of sewage.</p> <p>d) stormwater drainage or on-site conservation,</p> <p>e) suitable road access.</p>				<p>Application relates to subdivision only.</p>

(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.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
<p>This clause applies to land at Wentworth Point, identified as "Wentworth Point Maritime Precinct" on the <a href="#">Key Sites Map</a>.</p> <p>(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:</p> <p>(a) boat building and repair facilities,  (b) boat launching ramps,  (c) boat sheds,  (d) marinas.</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	

## 7. 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
<b>1.0 Introduction</b>				
This Development Control Plan (DCP) provides a framework to guide development in the Wentworth Point Urban Activation Precinct (the precinct).				
<b>1.1 Name of this DCP</b>				
<p>This DCP is called the Wentworth Point Precinct Development Control Plan. The DCP has been prepared pursuant to the provisions of Section 74C of the <i>Environmental Planning and Assessment Act 1979</i> (the Act).</p> <p>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.</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
<b>1.2 Land to which this DCP Applies</b>				
This DCP applies to development within the precinct as shown in <b>Figure 1</b> .	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
<b>1.3 Purpose of the DCP</b>				
<p>The purpose of the DCP is to guide the future development of the precinct to:</p> <ul style="list-style-type: none"> <li>- identify the vision, key development principles, elements and indicative structure for the future development of the precinct</li> <li>- communicate the planning, design and environmental objectives and controls against which the consent authority will assess future development applications</li> <li>- ensure the orderly, efficient and environmentally sensitive development of the precinct, and</li> <li>- promote a high quality urban design outcome.</li> </ul>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	The DCP is applicable to the site the subject of this application.
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	

<p><b>1.4 Relationship to other Plans</b></p> <p>This plan supplements the Auburn Local 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.</p> <p>Relevant provisions of the Auburn DCP 2010 are cross referenced in the DCP and are set out below:</p> <ul style="list-style-type: none"> <li>- Introduction</li> <li>- Definitions and terms</li> <li>- Residential flat buildings – ancillary site facilities</li> <li>- Residential flat buildings – adaptable housing</li> <li>- Child care centres</li> <li>- Advertising and signage</li> <li>- Parking and loading</li> <li>- Access and mobility</li> <li>- Stormwater drainage</li> <li>- Waste</li> <li>- Tree preservation</li> </ul> <p>In addition to this DCP and the Auburn DCP 2010, applicants and Council should refer to:</p> <ul style="list-style-type: none"> <li>- relevant State Planning Policies, including <i>Sydney Regional Environmental Plan 25 (Sydney Harbour Catchment) 2005</i> (a deemed SEPP), and</li> <li>- the relevant Section 94 Contributions Plan or any relevant infrastructure planning agreement.</li> </ul> <p><b>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).</b></p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
<p><b>1.5 Consent Authority</b></p> <p>Unless otherwise authorised by the Act, Auburn City Council is the consent authority for all development in the precinct to which this DCP applies.</p>	<input checked="" type="checkbox"/>			
<p><b>1.6 Application of this DCP</b></p> <p>The provisions of this DCP are not statutory 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.</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
<p><b>Role of the Indicative Structure Plan</b></p> <p>The Wentworth Point Precinct Indicative Structure Plan at <b>Figure 2</b> 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. <u>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.</u></p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
<b>Consistency with Objectives and Controls in</b>				





<b>2.3 Indicative Structure Plan</b>				
<i>Objectives</i>				
a. To ensure that development in the precinct occurs in a coordinated manner consistent with the vision and development principles for the precinct.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
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.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
<i>Controls</i>				
1. Development is to be generally consistent with the Indicative Structure Plan at <b>Figure 2</b> . Where variations are proposed, development is to demonstrate how the vision, development principles, key elements for the precinct and relevant specific objectives are to be achieved.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Proposed subdivision plan for Lot 3 is generally in accordance with the structure plan of figure 2.
2. 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 relates to that neighbourhood:	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	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).
- identify individual development lots, and lots for open space or other public purposes	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Distribution of the individual lots for proposed planned land uses as per relevant zoning and density under ALEP 2010 are shown in the subdivision plans of both DAs submitted.
- 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	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
- confirm the final street, pedestrian and cycleway network	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	This application relates to subdivision and thus will have no impact on the ecological values of the reserve.
- include a stormwater management strategy for the neighbourhood	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Subsequent applications lodged seeking approval for development works for the land will be addressed at that relevant stage.
- identify the proposed changes to the landform	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
- confirm that the proposed development within the western neighbourhood would not impact on the ecological values of Newington Nature Reserve, including as a result of overshadowing	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Proposed subdivision plan considered satisfactory. Deep soil planting will be addressed under subsequent applications.
- identify opportunities for deep soil planting within development lots, including front setbacks, (see Section 4.5) and within the public domain	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	A draft strategy has been submitted with the application and is considered to be satisfactory. A comprehensive assessment of the strategy will be considered at detailed plan of subsequent applications made to Council.
- a public art strategy (see section 3.5).	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
<i>Refer to Table 1 - Key elements (pg. 5-6)</i>				
<b>3.0 Public Domain</b>				
<b>3.1 Street Network and Design</b>				
<i>Objectives</i>				
a. To create a distinct sense of place that responds to natural landscape features.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
b. To integrate with the surrounding street network by extending the existing alignment of Burroway Road and Ridge Road into the precinct and continuing the future alignment of Ridge Road to the peninsula park.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
c. To provide a legible, interconnected and permeable local street network, providing convenient opportunities for movement throughout the precinct.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
d. To prioritise pedestrian and cyclist movement				

and provide places for people to interact and connect.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
e. To facilitate the safe and efficient movement of vehicles, pedestrians and cyclists.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
f. To optimise view lines to the water, Millennium Marker and parklands.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
g. To coordinate and manage the potential raising of road levels to accommodate on-site parking above the water table in order to avoid intrusion into the ground water table and potential land contamination and achieve acceptable flood protection.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
h. To create an attractive and comfortable streetscape for pedestrians and cyclists that comprise consistent and high quality paving, street furniture and street tree plantings.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
<b>Controls</b>				
1. The street network is to be generally consistent with <b>Figure 3</b> . The western extension of Burroway Road and northern extension of Ridge Road are to be located as shown. Local streets and shareways are to be located generally as shown or may be varied where the above objectives are met. In particular, to enhance sense of place, Ridge Road is to pivot north-east to directly align with Wentworth Point.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Proposed subdivision of Lot 3 is generally in accordance with figure 3 – street network plan of this plan.
2. New streets are to be generally consistent with the parameters in <b>Table 2</b> below and the typical street sections at <b>Figure 4</b> to <b>Figure 7</b> . Angle parking is to be provided on Ridge Road adjoining the peninsula park. Additional opportunities to provide parking within close proximity to the foreshore open space are also to be explored.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Proposed new streets are consistent with the street dimensions of table 3 of this plan.
3. The extension of Burroway Road is to facilitate vehicular access to the block located to the west of the pocket park.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
4. The access road adjoining the maritime plaza is to facilitate emergency and service access. The design of the road is to integrate with that of the broader plaza.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Application relates to subdivision only. This requirement will be addressed under subsequent applications at detailed design stage where compliance with this requirement is to be demonstrated by the applicant.
5. Shareways are to prioritise pedestrian and cyclist movement whilst accommodating site access for emergency and service vehicles in a low speed traffic environment.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
6. Development applications are to identify the future management arrangements for the shareways.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
7. Public pedestrian connections between the precinct and the adjoining Sydney Olympic Park, Parklands are to be provided through a managed gradient change such as steps and ramps.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	To be addressed at civil/infrastructure works DA.
8. Where the road levels are to be raised, an applicant is to demonstrate that this is undertaken in a coordinated manner and the resultant streetscape and urban form can meet the relevant objectives of this DCP.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	To be addressed under separate DA at detailed design stage.
9. Intersection and crossing design is to favour pedestrian convenience and safety.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Items 9-16 are to be addressed under separate DA at detailed design stage where compliance with be required.
10. Footpaths are to be provided on both sides of every street. Pavement width is to allow for comfortable walking, unimpeded by obstacles. The placement of trees, street furniture and signage is to provide for amenity without causing clutter.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
11. A public domain plan is to be submitted with the relevant development application that	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	

<p>details the design, maintenance and management of all streets.</p> <p>12. New streets are to have shared services pits to reduce maintenance costs and reduce conflict with street plantings.</p> <p>13. Street furniture that enhances the comfort, legibility and attractiveness of the public domain is to be provided. It is to include high quality, durable and co-ordinated selection of:</p> <ul style="list-style-type: none"> <li>- seating</li> <li>- lighting</li> <li>- rubbish bins</li> <li>- signage.</li> </ul> <p>14. Where possible, areas of planted Swamp Oak along Burroway Road and Hill Road should be retained or replaced as part of the landscape design.</p> <p>15. Street trees are to be provided within deep soil zones on all streets (with the exception of shareways) to achieve the following outcomes:</p> <ul style="list-style-type: none"> <li>- co-ordinated palette of climatically responsive species</li> <li>- reinforce the street hierarchy and create distinct places</li> <li>- be robust and low-maintenance</li> <li>- be planted in a co-ordinated, regularly spaced and formalised manner</li> <li>- increase the comfort of the public domain for pedestrians</li> <li>- enhance the environmental performance of the precinct by increasing opportunities for energy efficiency, reducing the heat island effect and providing habitat for wildlife.</li> </ul> <p>16. Planter boxes within share ways are to support the growth of appropriate sized trees, having regard for the Residential Flat Design Code guidelines on planting on structures.</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
<p><b>3.2 Pedestrian and Cycle Network</b></p> <p><i>Objectives</i></p> <p>a. To facilitate convenient movement, with safe 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.</p> <p>b. To provide continuous foreshore public access.</p> <p><i>Controls</i></p> <p>1. The pedestrian and cyclist network is to be generally consistent with <b>Figure 8</b>.</p> <p>2. A continuous shared pedestrian and cycle link is to be provided along the Parramatta River and Homebush Bay foreshore.</p> <p>3. The subdivision / block pattern is to provide a number of safe and convenient walking and cycling routes, including shareways, between key destinations and to the river foreshore.</p> <p>4. Pedestrian and cycle access throughout the precinct, including connections from roads to public open space, is to be designed to:</p> <ul style="list-style-type: none"> <li>- be direct and accessible to all</li> <li>- be easily identified by users</li> <li>- have a public character</li> <li>- include signage advising of the publicly-accessible status of the link and the places to which it connects</li> <li>- be clearly distinguished from vehicle accessways, unless purpose built</li> </ul>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<p>Proposed subdivision plan is generally in accordance with figure 8 of this plan.</p> <p>To be addressed under separate DA at detailed design stage.</p>

<div>shareways</div> <div><ul style="list-style-type: none"><li>- allow visibility along the length of the link to the public domain at each end</li><li>- align with breaks between buildings so that views are extended and the sense of enclosure is minimised</li><li>- include materials and finishes (paving materials, tree planting, furniture etc.) integrated with adjoining streets and public spaces and be graffiti and vandalism resistant</li><li>- be well lit to safety standards</li><li>- be open to the sky along the entire length</li><li>- be accessible 24 hours a day.</li></ul></div>					
5. Lockable bike storage is to be provided as part of the Maritime Plaza.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		
<b>3.3 Landform and contamination</b>					
<i>Objectives</i>					
a. To minimise the impact of excavation on the water table and existing ground conditions.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Site preparation and associated earthworks, infrastructure services are to be addressed under subsequent application at detailed design stage. Application relates to subdivision of the lots only and no works are proposed under this application.	
b. To ensure any above ground car parking is appropriately located and screened to create attractive streetscapes, convenient pedestrian movement and minimal visual impact on the public domain.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>		
c. To integrate development sites with surrounding landform through sensitive gradient transitions.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>		
d. To avoid disturbing acid sulphate soils.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>		
<i>Controls</i>					
1. The existing landform and internal roads may be raised to accommodate parking above the water table. The general form of any raising is shown at <b>Figure 9</b> . Any raising is to ensure: <div><ul style="list-style-type: none"><li>- an appropriate visual and functional transition to the peninsula park and the Sydney Olympic Park, Parklands, and between development blocks, public open space and the school playing fields</li><li>- gradient changes across the site in accordance with applicable Australian Standards for accessibility</li><li>- that it will not result in any adverse impacts, such as stormwater runoff on adjoining land.</li></ul></div>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>		
2. Any raising in either the western or eastern neighbourhood is to be addressed as part of the first subdivision development application that creates the internal road and block network, and is to demonstrate how the reformed topography integrates with the surrounding area.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>		
3. The ground floor of buildings is to engage with and activate the adjoining street or public open space.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>		
4. Basement parking areas are to be protected from flooding.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>		
<i>Note: generally a ground floor level the same as the adjoining footpath or park surface or up to 0.6m above the level of the adjoining footpath or park surface will achieve this outcome.</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>		
<b>3.4 Open Space Network</b>					
<i>Objectives</i>					
a. To provide unique, high quality, and memorable places.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		
b. To create an iconic peninsula park at Wentworth Point that reinforces the distinct and valuable landscape character of	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		

Parramatta River.		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
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 range experiences along the foreshore.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
d.	To provide a network of pocket parks, distributed across the precinct that allow for a diverse range of active and passive recreation uses.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
e.	To integrate with the broader Sydney Olympic Park, Parklands and Wentworth Point open space network.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
f.	To promote an attractive, green and environmentally sensitive character for the precinct.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
g.	To optimise physical access and views to the water.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
h.	To protect and enhance the precinct's ecological values within the open space network.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
i.	To maximise the interface between 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.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
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.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
<b>Controls</b>		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
1.	Areas of publicly accessible open space are to be provided generally in accordance with <b>Figure 10</b> and <b>Figure 11</b> and the characteristics outlined in <b>Table 3</b> . Variations to the open space network are to demonstrate consistency with the above objectives, the vision, development principles and key elements for the precinct.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Proposed subdivision incorporates designated public open space area that is consistent with figure 10 and 11 of this plan.
2.	A high level of functional and visual 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.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
<b>3.5 Public Art</b>		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	A draft public art strategy has been submitted with the application and is considered to be satisfactory.
<b>Objectives</b>		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
a.	To enhance the sense of place through the provision of public art.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
b.	To use public art to enhance and define the character areas of the precinct.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
<b>Controls</b>		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
1.	A public art strategy is required to form part of the first subdivision development application for each of the two neighbourhoods to achieve the following principles:	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	

<ul style="list-style-type: none"> <li>- provide public art at key focal points throughout the precinct in locations that maximise visibility;</li> <li>- enhance the precinct's identity and sense of place; and</li> <li>- ensure public art is high quality, durable and low maintenance.</li> </ul>				
2. Development applications are to demonstrate consistency with the public art strategy for the relevant neighbourhood.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
<b>4.0 Private domain</b>				
<b>4.1 Land use and floor space distribution</b>				
<i>Objectives</i>				
a. To reinforce the role of Wentworth Point as a major location for housing as part of the Sydney Olympic Park Specialised Precinct.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
b. To ensure the vision, development principles and key elements for the precinct are delivered.	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	
c. To encourage a range of non-residential uses that meet the needs of local residents.	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	
d. To ensure that floor space is appropriately distributed across the precinct.	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	
<i>Controls</i>				
1. The distribution of land uses within the precinct is to be consistent with the development principles and indicative structure plan in <b>Figure 2</b> .	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	As discussed previously, the distribution of land uses within the precinct is consistent with the structure plan of figure 2. Subdivision of Lot 3 into 8 Torrens title lots is proposed which will comprise of the following land uses including Residential and Public open space land uses.
2. A range of non-residential uses are to be 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.	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	
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).	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	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.
<b>4.2 Building Height and form</b>				
<i>Objectives</i>				
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.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	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 taller tower buildings.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Building height and form controls will be considered at detailed design stage under a subsequent application.
c. To frame significant views between the Parramatta River and the Millennium Marker and to maximise view sharing.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
d. To reinforce the preferred urban form and enhance the legibility of the precinct by aligning greatest height to the western extension of Burroway Road and the northern extension of Ridge Road.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
e. To achieve a balance between an urban scale and creating a comfortable, human scale public domain.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
f. To ensure that the bulk and scale of buildings is minimised and that building forms provide a high level of residential amenity.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
<i>Controls</i>				
1. Maximum building height in storeys is to be consistent with <b>Figure 12</b> . Height measured in	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	

<p>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 <b>Figure 14</b> and <b>Figure 15</b>).</p> <p>2. Buildings heights are to be consistent with the following principles:</p> <ul style="list-style-type: none"> <li>- lower rise buildings (4 to 5 storeys) are to be located adjacent to the foreshore and the peninsula park, with vertical building elements providing articulation</li> <li>- a range of building heights (typically 4 - 7 storeys) with taller forms of up to 25 storeys balanced with lower rise perimeter block forms.</li> </ul> <p>3. Lower rise building forms are to be consistent with the following principles:</p> <ul style="list-style-type: none"> <li>- perimeter block building forms generally enclose a central communal open space</li> <li>- full height gaps between buildings for visual connections between streets and communal open spaces within blocks</li> <li>- 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</li> <li>- maximum building depth in accordance with the NSW Residential Flat Design Code.</li> </ul> <p>4. Taller building forms are to be consistent with the following principles:</p> <ul style="list-style-type: none"> <li>- a maximum of 6 x 25 storey buildings across the precinct (5 in the western neighbourhood and 1 in the eastern neighbourhood)</li> <li>- located generally in accordance with Figure 12 and distributed through the precinct</li> <li>- separated in accordance with the NSW Residential Flat Design Code</li> <li>- a maximum individual footprint of 750m2 GFA</li> <li>- oriented to take advantage of views and enable view corridors to be obtained between the Millennium Marker and Parramatta River</li> <li>- minimise overshadowing on public and communal open space</li> <li>- not overshadow the peninsula park or Parramatta River foreshore path from 9am and 3pm on 21 June</li> <li>- incorporate a semi-podium to soften street presence</li> <li>- have a strong vertical emphasis in facade articulation.</li> </ul>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
<p><b>4.3 Setbacks and Public Domain Interface</b></p> <p><i>Objectives</i></p> <p>a. To provide strong definition to the public domain and create a coherent, urban street wall that encloses streets.</p> <p>b. For ground floor residential uses, to create an attractive transitional space that enables a high level of engagement between the public and private domains, softens the impact of the built form and is capable of being used for private outdoor recreation.</p> <p>c. For ground floor commercial uses, to build to the street alignment to maximise presence and</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<p>Application relates to subdivision only and thus these controls are not relevant at this stage.</p> <p>Setbacks and public domain interface controls will be considered at detailed design stage under a subsequent application.</p>



activation of the street.				
d. To set taller building elements back from the street to reduce apparent building scale and bulk and enable adequate sunlight access to the public domain.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
e. To present a varied and visually attractive form when viewed from the Parramatta River foreshore.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
<i>Controls</i>				
1. Minimum building setbacks are to be consistent with <b>Figure 13</b> .	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
2. Setbacks from the outermost projection of the building to the property boundary or for shareways, to the edge of the shareway corridor: <ul style="list-style-type: none"> <li>- are to be between 3-5m</li> <li>- may be reduced at key street corners where it can be demonstrated that it is to provide an urban design element, and</li> <li>- may be reduced by up to 600mm for elements that articulate the building facade such as balconies, party walls and eaves.</li> </ul>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
3. Buildings on street corners are to address both street frontages.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
4. Except where directly adjoining Sydney 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 such as shops and cafes.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
5. Buildings fronting the river foreshore and peninsula park are to be generally in accordance with Figure 14 and: <ul style="list-style-type: none"> <li>- be highly modulated and articulated</li> <li>- avoid long building forms fronting the water / open space, and</li> <li>- incorporate generous landscaping within setbacks.</li> </ul>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
6. Building setbacks to Sydney Olympic Park, Parklands are to be generally in accordance with Figure 15 and: <ul style="list-style-type: none"> <li>- enable unrestricted emergency vehicle access to buildings in accordance with applicable building code requirements</li> <li>- incorporate landscaping to reduce the visual impact of buildings and the emergency vehicle access and visually integrate the precinct with the parklands, and</li> <li>- in accordance with CPTED principles ensure that the setback is safe and clearly identifiable as part of the precinct and not for general public access.</li> </ul>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
7. Development facing the extension of Burroway Road is to engage with the street and adjoining pocket park through layout and design measures that provide an appropriate balance between privacy and opportunities for casual surveillance of the public domain.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
8. Residential uses at ground level are to be in accordance with the following principles: <ul style="list-style-type: none"> <li>- 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</li> <li>- buildings and main living areas and</li> </ul>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	





<div>4.7 Wind effects</div> <div>Objectives</div> <div>a. 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.</div> <div>Controls</div> <div>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:<div><div>- 10 metres per second on streets with active frontages</div><div>- 16 metres per second for all other streets.</div></div><div>2. Building design is to minimise adverse wind effects on recreation facilities and open spaces within developments.</div><div>3. Balconies are to be designed to minimise wind impacts and maximise useability and comfort through recessed balconies, operable screens, pergolas and shutters.</div></div>	<div><input type="checkbox"/></div> <div><input type="checkbox"/></div> <div><input type="checkbox"/></div> <div><input type="checkbox"/></div> <div><input type="checkbox"/></div>	<div><input type="checkbox"/></div> <div><input type="checkbox"/></div> <div><input type="checkbox"/></div> <div><input type="checkbox"/></div> <div><input type="checkbox"/></div>	<div><input checked="" type="checkbox"/></div> <div><input checked="" type="checkbox"/></div> <div><input checked="" type="checkbox"/></div> <div><input checked="" type="checkbox"/></div> <div><input checked="" type="checkbox"/></div>	<div>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.</div>
<div>4.8 Vehicular Access and Car Parking</div> <div>Objectives</div> <div>a. To ensure the amount, location and design of car parking caters for the needs of residents, workers and visitors.</div> <div>b. To minimise adverse traffic impacts.</div> <div>c. To encourage active transport such as walking, cycling and public transport.</div> <div>d. To create a high quality streetscape outcome that provides a safe, convenient and comfortable pedestrian environment where car parking is not visually dominant.</div> <div>Controls</div> <div>1. Car parking for residential uses is to be provided as set out in <b>Table 4</b>.</div> <div>Table 4 – Minimum residential car parking requirements:<div><div>Dwelling Type</div><div>Minimum car parking rate</div><div>Studio1.0</div><div>1 bedroom1.0</div><div>2 bedroom1.1</div><div>3 bedrooms or greater2.0</div><div>Visitors0.1</div></div></div> <div>2. Car parking for non-residential uses is to be provided in accordance with the Auburn DCP.</div> <div>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 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.</div> <div>4. Car parking entrances are to be:<div><div>- 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</div><div>- where alternative locations exist, excluded from the western extension of Burroway Road or opposite a public park</div><div>- limited to a maximum of 2 entrances per</div></div></div>	<div><input type="checkbox"/></div> <div><input type="checkbox"/></div> <div><input type="checkbox"/></div> <div><input type="checkbox"/></div> <div><input type="checkbox"/></div> <div><input type="checkbox"/></div> <div><input type="checkbox"/></div> <div><input type="checkbox"/></div> <div><input type="checkbox"/></div> <div><input type="checkbox"/></div> <div><input type="checkbox"/></div> <div><input type="checkbox"/></div> <div><input type="checkbox"/></div> <div><input type="checkbox"/></div> <div><input type="checkbox"/></div> <div><input type="checkbox"/></div> <div><input type="checkbox"/></div> 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<ul style="list-style-type: none"> <li>- block</li> <li>- screened for the full height and width of the entrance to minimise views into the car park from the public domain, and</li> <li>- 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.</li> </ul>				
5. Access driveways and circulation roadways are provided in accordance with Parking and loading, Section 3.2 – Access driveway and circulation roadway design of the Auburn DCP 2010.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
6. Development is to incorporate on-site bicycle parking in accordance with Parking and loading, Section 3.1 - Bicycle parking of Auburn DCP 2010.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
7. Residential development is to provide an 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: <ul style="list-style-type: none"> <li>- exclusive of visitor car parking</li> <li>- retained as common property by the Owners Corporation of the site, and not sold or leased to an individual owner/occupier at any time</li> <li>- made available for use without a fee or charge by operators of car share schemes</li> <li>- grouped together in the most convenient locations relative to car parking area entrances and pedestrian lifts or access points</li> <li>- located in a well-lit places that allows for casual surveillance</li> <li>- where the space is external, located adjacent to a public road and integrated with the streetscape through appropriate landscaping</li> <li>- signposted 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.</li> </ul> <p>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 of any car share parking space(s). The covenant is to include provisions that the car share parking space(s) cannot be revoked or modified without prior approval of Council.</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
8. A Travel Access Guide approved by Council prior to occupation is to be made available to residents and non-residential tenants of development.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
<b>4.9 Safety and Security</b>				
<i>Objectives</i>				
a. To provide high levels of property safety and personal comfort and safety.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Not relevant to current application for subdivision.
b. To minimise opportunities for criminal and anti-				

social behaviour.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
<i>Controls</i>				
1. Development is to meet the principles of Crime Prevention through Environmental Design (CPTED), including: <ul style="list-style-type: none"> <li>- maximising opportunities for casual surveillance of the public domain, including parks, from the main living area of dwellings</li> <li>- maximising legibility of the movement network, public domain and building entrances</li> <li>- maximising visibility and minimising concealed areas, particularly at building entrances</li> <li>- clearly demarcating the public and private domain, and</li> <li>- adequate lighting to all areas of the public domain.</li> </ul>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
2. Building design is to maximise opportunities for casual surveillance of the streets and communal spaces within the site.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
3. Ground floor dwellings fronting the streets are to have an "address" or "front door" that is visible and directly accessible from the street.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
4. The detailed design of the external areas of the ground floor is to minimise blind-corners, recesses and other areas which have the potential for concealment.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
5. Building entries are to be clearly visible, unobstructed and easily identifiable from the street, other public areas and other development.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
6. Where practicable, lift lobbies, stairwells and corridors are to be visible from public areas by way of glass panels or openings.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
<b>4.10 Adaptable housing</b>				
<i>Objectives</i>				
a. To ensure a sufficient proportion of dwellings include accessible layouts and features to accommodate changing requirements of residents.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Not relevant to current application for subdivision.
b. To encourage flexibility in design to allow people to adapt their home as their needs change due to age or disability.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
<i>Controls</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
1. Residential development is to meet the requirements for adaptable housing within residential flat buildings set out in the Auburn DCP 2010.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
<b>5.0 Sustainability and Environmental Management</b>				
<b>5.1 Sustainability</b>				
<i>Objectives</i>				
a. To increase energy efficiency.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	A Basix Certificate is not required for subdivision applications.
b. To reduce reliance on potable water.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
c. To be climatically responsive and maximise advantages provided by the precincts north facing waterfront location including access to winter sunlight and cooling summer breezes.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
d. To reduce waste and increase the reuse and recycling of materials.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
<i>Controls</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
1. Residential development is to comply with BASIX.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
2. The re-use of grey water and provision of dual	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	

water reticulation systems is encouraged where possible.				
3. Development adjacent to the waterfront that faces north should optimise the amount of glazing on the northern façade and incorporate deep and extensive balconies.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
4. Public amenities are to use water and energy efficient fittings.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
<b>5.2 Water Management</b>				
<i>Objectives</i>				
a. To reduce stormwater quantity and improve stormwater quality prior to it exiting the precinct.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Not relevant to current application for subdivision.
b. To reduce reliance on potable water for use in irrigations systems.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
c. To reduce the risk to human life and property from flooding to acceptable levels.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
d. To ensure resilience to climate change and potential future sea level rise.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
<i>Controls</i>				
1. Development incorporates water management measures generally in accordance with <b>Figure 16</b> .	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
2. Development incorporates a suite of other water sensitive urban design measures, in particular those that replicate natural water cycle processes, in the public domain and within blocks such as:	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
- 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 for the entire precinct:	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
- 90% reduction in the post-development average annual gross pollutant load				
- 85% reduction in the post-development average annual total suspended solids (TSS) load				
- 65% 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 for specific sites:	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
- 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 and along the foreshore promenade are to maintain permeability.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
6. Development complies with the flood risk management provisions of the Auburn DCP 2010.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
7. Development applications are to demonstrate				





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 to 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))**

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

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):

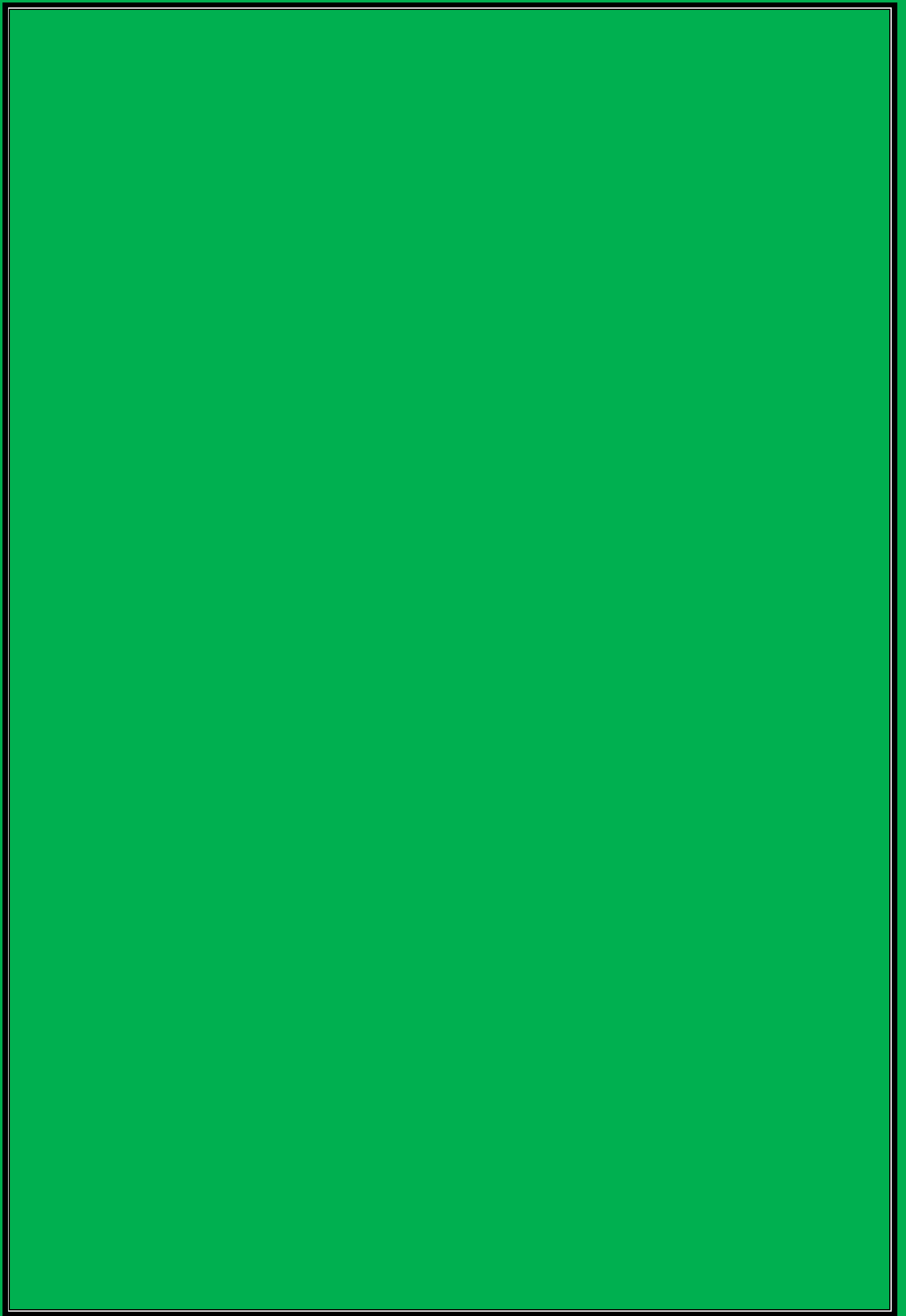
***That the application be approved subject to the conditions in the attached schedule.***



# **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**

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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**

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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 land-uses 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

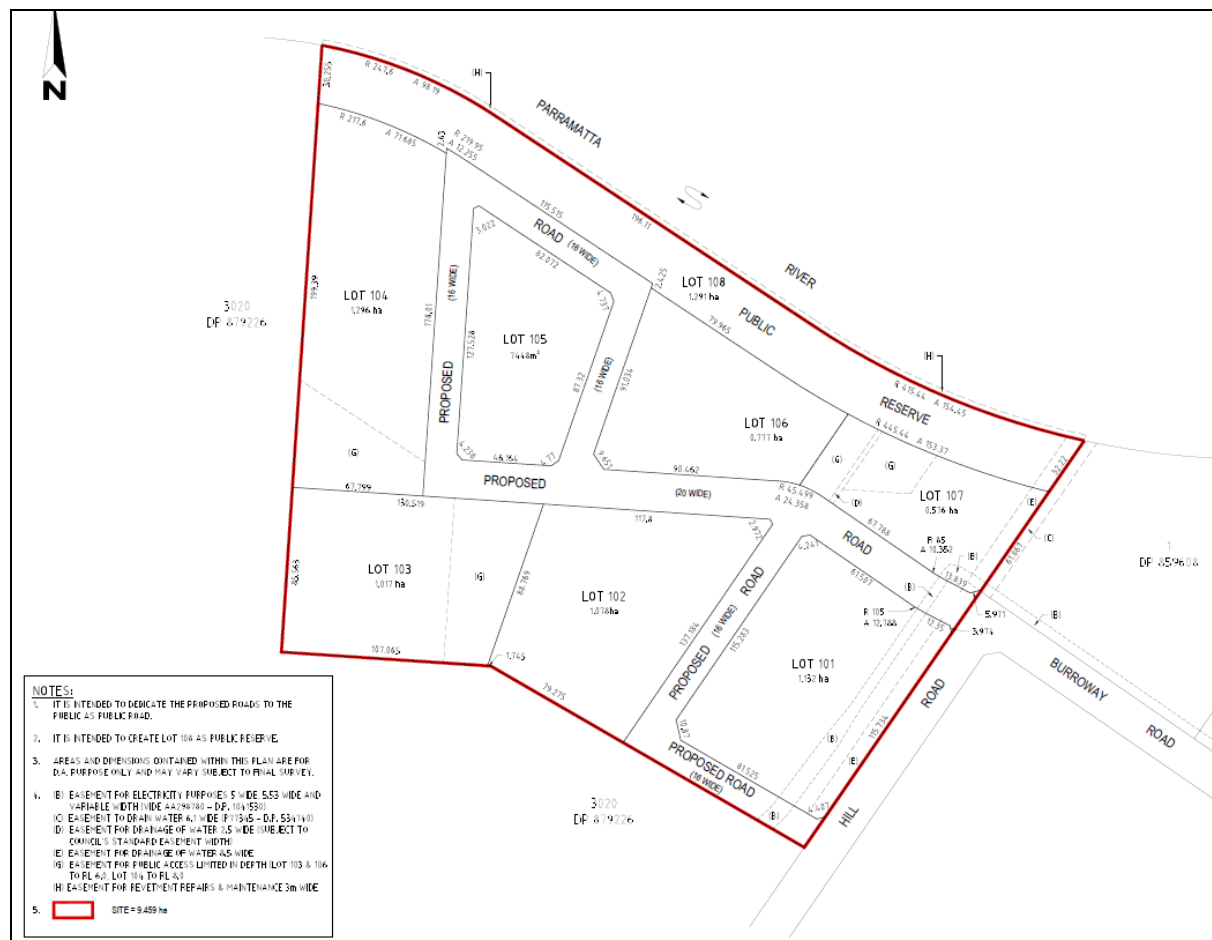
As a result of the rezoning of the WP-UAP in July 2014, the principal planning controls affecting the site are the Auburn LEP 2010 and the *Wentworth Point Precinct Development Control Plan 2014* (the "DCP").

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 super-lots, 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 on-going 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**

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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:**

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

**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).**

**Reason:- 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.

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### **Proposed Condition 2**

#### **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.**

**Reason:- 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.

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### **Proposed Condition 3**

#### **3. Submission of Plan of Subdivision with subdivision certificate application**

**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.**

**Reason:- 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.

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#### **Proposed Condition 4**

##### **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.

**Reason:-** 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.

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#### **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](http://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.

**Reason:-** 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.

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#### **Proposed Condition 6**

##### **6. Site remediation – Registration on title**

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.

**Reason:-** 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.

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#### **Proposed Condition 7**

##### **7. Demolition of existing buildings**

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.

**Reason:-** 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.

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**Proposed Condition 8**

**8. Civil, infrastructure and public reserve works**

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.

**Note:** Separate RMS approval will be required for the intersection upgrade works at the Hill Road and Burroway Road intersection.

**Reason:-** 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 is 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.

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**Proposed Condition 9**

**9) Subdivision Design Amendments**

**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.**

**Reason:- 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.

### **Proposed Condition 10**

#### **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.

**Reason:** 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.