

# ADDENDUM STATEMENT OF ENVIRONMENTAL EFFECTS

6 - 14 WALKER  
STREET &  
11 - 24 MARQUET  
STREET,  
RHODES

DA2016/0005

**URBIS STAFF RESPONSIBLE FOR THIS REPORT WERE:**

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Project Code	SA5365
Report Number	Addendum Statement of Environmental Effects

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# 1. INTRODUCTION

## 1.1. PRELIMINARY

This Addendum Statement of Environmental Effects (SEE) is submitted to the City of Canada Bay Council in support of amended drawings submitted under Section 55 of the *Environmental Planning & Assessment Act 1979* (EP&A Act) in relation to Development Application DA2016/0005 for the mixed use redevelopment of 6 - 14 Walker Street and 11 - 24 Marquet Street, Rhodes, within the Station Precinct.

The proposal has been amended following extensive consultation with the City of Canada Bay Council since lodgement of the original Development Application on 6 January 2016. Amended development plans were submitted in respect of the application on 17 February and 21 April 2016. As a result of ongoing consultation, further amendments are proposed and are outlined in this report.

The proposed amendments to the development are shown in the architectural drawings prepared by SJB Architects and attached at **Appendix A**. This report sets out the following:

- Background to the amended application, including a timeline of all relevant post-lodgement correspondence.
- Response to the draft Assessment Report prepared by JBA, Council's independent Town Planning Consultants.
- Details of the proposed amendments to the development plans.
- A review of the proposed amendments against the Planning Controls, demonstrating how the proposal satisfies the relevant planning provisions, including those specific to the Station Precinct, set out as:
  - Canada Bay Local Environmental Plan 2013 (LEP)
  - Rhodes West Development Control Plan 2015 (DCP)
  - SEPP 65 and the Apartment Design Guide
- Summary and conclusions based on the amended proposal.

## 1.2. SUBMISSION REQUIREMENTS

The following information was requested to be submitted with the amended development application:

- The complete amended DA package
- Full set of architectural drawings, plans, elevations and sections including:
- A scale of 1:100 for the floor plans - Dimensions on the typical plans for each room and the building depth clearly identified;
- Detailed 1:20 elevation plans are required demonstrating all types of balconies/winter gardens;
- At least 1 set of bound A3 plans for ease;
- Plans, prepared by a surveyor clearly outlining what is included and what is excluded in the GFA/FSR calculations (please ensure the GFA is as per the LEP definition);
- A clear GFA/FSR schedule;
- A detailed ADG schedule including information such as apartments sizes, balcony sizes, storage sizes; distances of the kitchen from the window;
- Solar access analysis and diagrams, plus eye of the sun diagrams on the winter solstice are to be provided for winter solstice ;
- Natural Ventilation ADG Compliance – Numerical Study;
- The northern pedestrian link needs to be clearly shown on the plans in this DA not a future DA; and
- An updated planning statement, outlining all the changes and justification to support any non-compliances.

## 2. BACKGROUND

The following timeline sets out the post-lodgement consultation that has occurred between January and September 2016:

### 2.1. DA2016/0005 LODGEMENT

On 6 January 2016 DA2016/0005 was lodged with the City of Canada Bay Council, seeking a Clause 4.6 variation of the Floor Space Ratio (FSR).

### 2.2. 3 FEBRUARY 2016 – LETTER FROM CCBC

City of Canada Bay Council (Council) wrote to Walker Street Developments Pty Ltd (Applicant), raising concern with the proposal in terms of non-compliances with the floor space ratios (FSRs) applicable to the site. The letter outlined the process of preparing the LEP Amendment including new FSR controls, following a Master Planning process that involved landowners. Council also advised that whilst the concept of wintergardens is supported, concern was raised with the proposed design. Council requested the wintergardens needed to be re-designed to be clearly indoor/outdoor spaces.

The letter concluded that Council had significant concern in respect to the subject development application and is unlikely to support it in its current form.

### 2.3. 10 FEBRUARY 2016 – LETTER FROM CCBC

Council wrote to Billbergia and raised concern with the proposed FSR non-compliances. Council advised that it did not accept that the wintergardens are indoor/outdoor spaces and advised that the wintergardens were likely to be fully enclosed and result in a further exceedance with the FSR standards applicable to the site.

### 2.4. 17 FEBRUARY 2016 – AMENDED DRAWINGS

In response to Council's letters of 3 and 10 February, the Applicant undertook a review of the development application in response to Council's concerns and provided Council with amended drawings demonstrating compliance with each of the maximum permitted FSRs applicable to the site.

The following areas of the proposed development were proposed to be amended:

- Level 02 – the western portion of retail space fronting Marquet Street is to be removed to be a double height space;
- Level 02 – The northern quadrant of the retail space is to be deleted and converted into additional common open space for residents;
- Level 03 – Serviced apartments have been deleted and have been converted into additional common open space for residents;
- Level 04 and 05 – Residential units in Buildings A and B are to be converted to plant space which will remove the requirement for plant on each residential level;
- Level 8-18 of Tower 1A – The 1 and 2 bedroom units on the western side of the building that are located either side of the lift core converted into additional common open space; and
- Levels 26 and 27 of Tower 1B – These levels are to be deleted and the building is to comply with the height in storeys in the DCP.



## **2.5. 23 MARCH 2016 - MEETING WITH JBA PLANNING CONSULTANTS**

On the 23 March 2016, the Applicant met with Council and JBA to brief JBA on the proposed amendments. At the meeting it was confirmed by Council that JBA would provide the Applicant with a preliminary assessment of the development application taking into consideration the amended proposal.

## **2.6. 7 APRIL 2016 – JBA PRELIMINARY ASSESSMENT**

Council and JBA provided the Applicant with a preliminary assessment of the amended drawings. Council's letter raised concerns with the following issues and sought clarifications from the Applicant in relation to the following matters:

- Floor Space Ratio
- Height
- Setbacks
- Communal Open Space
- Private Open space
- Solar Access and Cross Ventilation
- Apartment Sizes and depths
- Internal Amenity
- Storage
- Parking

## **2.7. 21 APRIL 2016 – AMENDED PLANS IN RESPONSE TO PELIMINARY ASSESSMENT**

On 21<sup>st</sup> April 2016, the Applicant submitted amended plans in response to the issues raised by Council. The amended plans retained some of the changes made to the amended plans from 17<sup>th</sup> February. The changes that were incorporated into the scheme include the following:

- Level 2: The western portion of retail space fronting Marquet Street was removed to create a double height space;
- Level 2: The northern quadrant of the retail space was deleted and converted to create a double height space;
- Level 3-5 – Serviced apartments and plant rooms were deleted and have been converted into additional common one spaces for residents;
- Level 8-18 of Tower 1A: 44 apartments were deleted from the original DA submission and were replaced with communal open space and double height voids. Following this amendment, the communal open space was deleted and replaced with large private terraces.
- Level 26 and 27 of Tower 1B were deleted and the building is to comply with the height in storeys in the RWDCP;
- Tower 1B is setback an additional 0.9m to comply with the required 9m setback from the south; and

- The original DA common open space was 580m<sup>2</sup> (8%) and the amended common open space increased to 3524m<sup>2</sup> (38%) of the site.

## 2.8. 17 JUNE 2016 – DRAFT ASSESSMENT REPORT

On 17 June 2016, Council provided the Applicant with a copy of the draft Assessment Report. The Draft assessment report included recommended eight (8) reasons for refusal, as follows:

1. *The proposed development is unacceptable in that the proposed bulk, scale, built form, storey height of Tower A, and design will have an adverse impact on the amenity of future residents and is incompatible with the desired future character in the Station Precinct within the Rhodes West Peninsula.*
2. *The proposal does not satisfy the design criteria and design guidance set out in Part 4E- Private Open Space and Balconies of the Apartment Design Guide as per SEPP 65.*
3. *The proposal does not satisfy the design criteria and design guidance set-out in Part 4A - 1 Solar and Daylight Access of the Apartment Design Guide as per SEPP 65 and Clause 3.3.11, Control C4 of the Rhodes West Development Control Plan 2015.*
4. *The proposal does not satisfy the objectives or controls for Building Height Storeys set-out in Clause 3.3.2, Control 1 and Clause 4.7.1, Control 1 of the Rhodes West Development Control Plan 2015.*
5. *The proposal does not satisfy the objectives or controls for Building Depth set-out in Clause 3.3.3 Control C6 of the Rhodes West Development Control Plan 2015.*
6. *The proposal does not satisfy the setback control to the southern boundary set out in Figure 56 in the Rhodes West Development Control Plan 2015.*
7. *The proposal does not satisfy the control set out for pedestrian retail laneway connections to link the site to the new recreation centre in the north as set out in Clause 4.7.1 Control 4 of the Rhodes West Development Control Plan 2015.*
8. *The proposal does not satisfy the control set out for solar access for the mid-block plaza in Clause 3.3.3, Control 4 and Clause 4.7.1, Control 14 of the Rhodes West Development Control Plan 2015.*

A response to the draft assessment report and recommended reasons for refusal is provided at **Section 3**.

## 2.9. 22 JUNE 2016 – MEETING BETWEEN APPLICANT AND CBCC

The Applicant, Urbis and SJB Architects met with Council officers on 22 June 2016 the draft assessment report. Council confirmed the next steps in the independent assessment of the DA was to have JBA finalise the report the application to the JRPP meeting of 20 July 2016 based on the information received from the Applicant to date.

The Applicant advised that it wishes to make amendments to the proposed development to address the issues and draft reasons for refusal in the JBA report. Council agreed to consider amendments and forward the Applicant's response to the draft report including design amendments to JBA to review.

Two options were tabled by the Applicant proposing amendments to the typical residential tower floor plates of Towers 1A and 1B summarised, as follows:

- Option 1: 12 units per floor level
- Option 2: 10 units per floor

Council advised the Applicant that of the two options, Option 2 responded to more of the issues raised in the JBA's draft assessment report. Council officers advised that Option 2 was the preferred design direction, as it would result in more slender building tower forms.

Council advised the number of storeys of Option 2, remained non-compliant with the height in storeys control in the DCP which was a concern and this will require sufficient justification. Council acknowledged that the height of both towers would comply with the height of building standards in the LEP.

In summary, the amendments proposed in response to the reasons for refusal in the draft JBA assessment report and listed in meeting notes issued to Council on 23 June 2016 were, as follows:

- Reduction in the number of units on the typical residential floor plates from 12 to 10 with a consequential reduction in length and size of the floor plates of both towers;
- Amend apartment layouts;
- Infill terraces at Levels 8-18 with residential units;
- Increase balcony sizes to comply with ADG minimums;
- Infill common open space on Levels 4 and 5 with residential units;
- Increased setback of podium levels from the southern boundary;
- Increase proportion of units that achieve solar access to comply with the ADG;
- Remove the roof over the mid-block plaza;
- Amend the proposed single storey building on 25 Marquet Street, Rhodes and introduce a through site link; and
- Amend the podium levels on the southern side of the adjoining 2-4 Walker Street, Rhodes to increase the building setback.

The next steps were discussed and agreed:

- The Applicant was to prepare a response to the draft assessment report including schematic drawings and issue to Council and Council will forward this to JBA for review;
- The Applicant's Architectural and Planning consultants were to meet JBA to present the response to the draft assessment report.
- Following this initial discussion and confirmation that the amended design concepts sufficiently address the matters raised in the draft assessment report, amended architectural drawings were to be provided to Council and JBA.
- JBA were then to prepare a revised assessment report.
- Council agreed to defer the JRPP meeting for 20 July pending revised documentation submission by the Applicant and revised JBA assessment.
- Following receipt of the revised assessment report from JBA, Council advised it would confer with the JRPP and confirm a new date for a meeting, when the application will be determined.

## **2.10.23 JUNE 2016 – CORRESPONDENCE FORM CCBC TO APPLICANT**

Council's Director of Planning and Environment advised the Applicant on 23 June 2016 that Council was prepared to defer the consideration of the DA from the JRPP meeting of 20 July 2016 and to advise the JRPP Secretariat of this accordingly.

In the same correspondence, it was advised that Council was prepared to accept further amended plans but this is subject to the following matters being addressed as part of an amended proposal:

- *No further work is undertaken on amended plans until such time as formal advice has been received back from ASA and CASA in respect of the aeronautical report on the proposed heliostat. Council wishes to be assured that these authorities will not raise any issues/concerns with the heliostat prior to the proposal being amended any further. As you are aware, the heliostat is part of the VPA and its acceptance, or otherwise, by ASA and CASA will directly impact on the terms of the VPA.*
- *The Memorandum of Understanding with Roads and Maritime Services has been completed and reviewed by the RMS and they and Council have advised that they are satisfied with the terms of the MOU.*
- *The Detailed Site Investigation (DESI) and/or Remedial Action Plan (RAP) is completed and found to be satisfactory.*
- *The stormwater drainage, waste management, and traffic issues set out in Appendix A of the JBA Draft Report have been resolved.*

The Applicant was also advised that subject to the above matters all being satisfactorily addressed, Council will refer the amended plans again to JBA to review and to make any required amendments to their assessment report and then seek a further determination meeting date from the JRPP.

## **2.11.7 JULY 2016 – LETTER FROM CCBC TO APPLICANT**

Council wrote to the Applicant and confirmed that the documents and plans emailed on 4 July 2016 were referred to JBA. Council's letters advised that JBA had briefly reviewed the information and advised that prior to a meeting being held they would like the following information submitted to Council:

- Floor Space Ratio area calculation plans – these should outline which units include winter gardens vs balconies and how this is included in the GFA/FSR total; and
- An elevation of the proposed winter gardens.

The 7 July letter from Council advised the Applicant that Council staff had reviewed the documents provided by the Applicant and note that the building depths still exceed the maximum permitted under the Apartment Design Guide (ADG) requested further information on how solar access/penetration and natural ventilation to units is being achieved in accordance with the ADG.

## **2.12. 12 TO 15 JULY 2016 – ADDITIONAL DETAILS**

The Applicant wrote to Council to provide additional details of the proposed balcony facade configuration and GFA plans for both towers in response to Council's request for additional information on 7 July 2016 and sought in-principle agreement to the floor planning and balcony facade design before finalising the amended architectural drawings.

The materials prepared by the Applicant provided a response to the matters including the depth of the buildings, which on average were less than 26 metres, which is the maximum depth permitted under the DCP. In addition, the Applicant advised Council that a full set of GFA/FSR plans and schedule for the amended drawings can be provided when the Applicant has an indication that the concepts are acceptable.

The Applicant advised Council a response to Council confirming that the Applicant agrees to remove the sliding facade element on the exterior of the residential balconies, which would not constitute gross floor area/FSR, and provide a schedule of the GFA that confirms compliance with the FSR standards.

Agreed that Council would consider this information with JBA and would discuss this with Council officers before he went on leave.

Murray Donaldson followed up this conversation with a response to the Council's 15 July 2016 letter confirming that it will amend the balcony facade configuration by deleting the sliding hopper to provide fully open balconies, with balustrades fixed at a height of less than 1.4 metres.

Attached to that email was a schedule of GFA calculations, which accompanied the preliminary typical floor plans issued on Tuesday, 12 July for the amended proposal with:

- Balconies with the sliding hopper removed; and
- Changes to the residential tower footprints including a reduction from 12 units per floor to 10 in response to Council's concerns about building bulk.

## 2.13. JULY 2016 – DRAFT MOU

The Applicant met with Council during July to discuss the Draft Memorandum of Understanding in relation to the improvement works at the Concord Road / Averill Street intersection. The Draft MOU was drafted by Council providing a commitment from the Applicant satisfactorily fund / construct the infrastructure improvement works required as a result of the development application. Refer to Draft MOU at **Appendix F**.

## 2.14. 2 AUGUST 2016 – MEETING WITH CCBC & JBA

A meeting was held between Council, its independent planning consultants JBA and Billbergia. Amendments to the development application were presented by the Applicant in response to the JBA Assessment report. Following the 2 August 2016 meeting, JBA wrote to Urbis to outline outstanding concerns and requested additional information. Further amendments were provided to JBA for assessment, in addition to the amendments previously accepted.

## 2.15. 10 AUGUST 2016 – MEETING WITH JBA

The Applicant's consultants SJB Architects and Urbis met with JBA on the 10 August 2016 to discuss the following matters in relation to the proposed development:

- Typical tower plan depth;
- Façade details and balconies;
- 1B apartment type; and
- Solar access to apartments.

## 2.16. 19 AUGUST 2016 – EMAIL FROM JBA

Correspondence was received by the Applicant from JBA confirming the following:

- The typical residential floor plans are generally satisfactory.
- Requested the submission of the full DA package to Council.
- **Bulk, Height and Scale:**
  - The building depth does not exceed 26m and meets the RWDCP control.
  - Justification is still required to be submitted as to why the depth of the development cannot comply with the 18m ADG control.
- **FSR**
  - The area schedule provided notes that the proposed development is fully compliant with the FSR controls for the site, although it is not known what is included or excluded in this schedule.
  - Plans clearly outlining what is included and what is excluded in the GFA/FSR calculations, prepared by a surveyor should be provided.

- **Balconies**

- Notations on the plans are required, showing that balconies are to remain open. The upper panel on Balcony type 2 should be noted as fixed.
- Please ensure all balcony sizes are compliant with the ADG (the 2 bed apartment balconies are short- although a very minor non-compliance it equates to 40% of balconies / floor being undersized)

- **Cross ventilation**

- Noted the Natural Ventilation ADG Compliance - Desk top report, confirmed the following:  
*“Towers A and B of the proposed Rhodes Station Precinct development consists of 106 apartment units in the first 9 storeys, 36% of which are considered to meet the description as suitable for cross-wind natural ventilation in accordance to the ADG. It is considered that the percentage of naturally ventilated apartments has the potential to increase to at least 74% upon findings from a more detailed CFD study currently being conducted on the development. This level of amenity would exceed the design intent of the ADG”.*
- The Natural Ventilation ADG Compliance – Numerical Study is to be submitted for review.

- **Solar Analysis**

- The solar analysis provided demonstrated compliance with the ADG.

# 3. DRAFT ASSESSMENT REPORT

## 3.1. RESPONSE TO DRAFT REASONS FOR REFUSAL AND KEY ISSUES

The Draft Development Assessment Report prepared by JBA Consultants on behalf of City of Canada Bay Council, dated June 2016, sets out key issues arising from the amended plans submitted to Council on 21 April 2016. The following details the eight (8) recommendations of the JBA report (As set out at Section 7.0, page 34) and a summary of the key issues which have informed the recommendation. A response is provided explaining how the further design amendments submitted with this report address the JBA's recommended reasons for refusal:

- 1. The proposed development is unacceptable in that the proposed bulk, scale, built form, storey height of Tower A, and design will have an adverse impact on the amenity of future residents and is incompatible with the desired future character in the Station Precinct within the Rhodes West Peninsula.***

### Summary of particulars:

- Oversized terraces at Levels 8-18 contribute to building bulk;
- Undersized balconies for approx. 50% of units suggests too many units per floor;
- Solar access does not satisfy ADG design criteria for minimum 2 hours of units with direct solar access to living rooms and private open space in more than 70% of the units;
- Depth of building exceeds DCP maximum 26 metre depth; and
- The proposal is not what was envisaged by the indicative scheme in the planning proposal.

### Response:

The Applicant proposes the following further amendments in response to draft reason for refusal no. 1:

- The number of units per floor are reduced from 12 to 10 in both Towers 1A and 1B;
- The setback from the northern and southern boundaries at all residential tower levels are increased as a consequence of the smaller floor plates proposed;
- The terraces have been deleted at Levels 8-18 in Tower 1A and residential units reinstated;
- Residential units at Levels 4 and 5 are reinstated into both towers; and
- Common open space is maintained at Level 3 for residents.

- 2. The proposal does not satisfy the design criteria and design guidance set out in Part 4E- Private Open Space and Balconies of the Apartment Design Guide as per SEPP 65.***

### Summary of particulars:

- Approximately 50% of balconies are undersized; and
- Terraces at Levels 8-18 are oversized and add to building bulk. Terraces are disconnected from units and do not provide an extension of the living room.

### Response:

The Applicant proposes the following further amendments in response to draft reason for refusal no. 2:

- The number of apartments with balconies that comply with the ADG minimum design criteria for private open space have increased; and
- The terraces have been deleted at Levels 8-18 in Tower 1A and residential units reinstated.

**3. The proposal does not satisfy the design criteria and design guidance set-out in Part 4A -1 Solar and Daylight Access of the Apartment Design Guide as per SEPP 65 and Clause 3.3.11, Control C4 of the Rhodes West Development Control Plan 2015.**

Summary of particulars:

- The proposal does not satisfy the minimum 2 hours of solar access living rooms and private open space to 70% of units.

Response:

The Applicant proposes the following further amendments in response to draft reason for refusal no. 3:

- The amended proposal satisfies the minimum 2 hours of solar access living rooms and private open space to 70% of units.
  - Tower 1A – 80.5%
  - Tower 1B: 63.6%
  - Total: 73.7%
- SJB Architects have prepared an analysis of solar access performance using eye of the sun diagrams. Refer to **Appendix A**.

**4. The proposal does not satisfy the objectives or controls for Building Height Storeys set-out in Clause 3.3.2, Control 1 and Clause 4.7.1, Control 1 of the Rhodes West Development Control Plan 2015.**

Summary of particulars:

- Tower 1A: 39 storeys, which does not comply with 36 storey height control in the DCP.

Response:

The Applicant proposes the following further amendments in response to draft reason for refusal no. 4:

- Tower 1A has been reduced by two storeys in height from 39 storeys to 37 storeys plus plan and heliostat.

**5. The proposal does not satisfy the objectives or controls for Building Depth set-out in Clause 3.3.3 Control C6 of the Rhodes West Development Control Plan 2015.**

Summary of particulars:

- Tower building depth measured at 28m, exceeds the maximum 26m control.

Response:

The Applicant proposes the following further amendments in response to draft reason for refusal no. 5:

- The depth of Towers 1A and 1B has been reduced at a maximum of 26m.

**6. The proposal does not satisfy the setback control to the southern boundary set out in Figure 56 in the Rhodes West Development Control Plan 2015.**

Summary of particulars:

- Non-compliances with DCP setbacks in podium levels adjoining southern boundary of the site for air riser and mechanical air plenum.
- Concerned with amenity impacts on residential units in the lower levels of the building at 2-4 Walker Street.



Response:

The Applicant proposes the following amendments in response to draft reason for refusal no. 6:

- An increased setback for Levels 02 and 03 from the southern boundary is provided to increase separation from the adjoining mixed use property.

**7. *The proposal does not satisfy the control set out for pedestrian retail laneway connections to link the site to the new recreation centre in the north as set out in Clause 4.7.1 Control 4 of the Rhodes West Development Control Plan 2015.***

Summary of particulars:

- DCP requires north-south through site link to adjoining property to the north. Single storey building needs to be amended to include this link.

Response:

The Applicant proposes the following further amendments in response to draft reason for refusal no. 7:

- The north-south through site link is provided to 29 Marquet, consistent with the DCP.

**8. *The proposal does not satisfy the control set out for solar access for the mid-block plaza in Clause 3.3.3, Control 4 and Clause 4.7.1, Control 14 of the Rhodes West Development Control Plan 2015.***

Summary of particulars:

- Identified some of the drawings submitted to Council included a roof on the mid-block plaza, which is inconsistent with the DCP.

Response:

The Applicant proposes the following amendments in response to draft reason for refusal no. 8:

- The roof to the mid-block plaza has been deleted from the development plans.

## **3.2. SUMMARY OF PROPOSED AMENDMENTS**

The proposed further amendments to the architectural plans have been made in response to Council's post lodgement comments and in particular, the assessment and recommendations set out in the Draft Development Assessment Report prepared by JBA Consultants on behalf of City of Canada Bay Council, dated June 2016, as summarised in Section 2.0 of this report.

In summary the proposed amendments include:

- Reduction of the residential tower floor plate depths to comply with the maximum 26 metre depth under the Rhodes West DCP 2015;
- Reduction in the number of number of apartments per floor in both residential Towers 1A and 1B from 12 to 10;
- The total number of units has been reduced from 668 (original DA) to 548 (amended DA);
- Deletion of the large terraces and communal open space between Levels 4 and 5 and Levels 8-18 and infill with apartments;
- Amending the one bedroom units in the centre of the residential tower floor plates to address amenity concerns, including increasing the width of the balcony to 2 metres;
- Amending some of balcony designs to be open to the elements, and maintaining 'wintergardens' at the upper levels, whilst remaining compliant with the maximum FSR/GFA permitted for the development under Clause 4.3 of the CBLEP 2013;

- The apartments and balconies in the residential towers were reconfigured and the buildings reduced in length with an increased setback from the northern and southern boundaries;
- Increasing balcony sizes for some of the units;
- Increased setback of podium levels 02 and 03 from the southern boundary;
- Increased proportion of units that achieve solar access to comply with the ADG;
- Pedestrian link to the north introduced on the 23 Marquet Street site; and
- Removal of the roof over the mid-block plaza.

# 4. PROPOSED DEVELOPMENT

## 4.1. OVERVIEW

The amended DA seeks consent for a mixed use redevelopment of the subject site, including the following works:

- The construction of a three level podium including retail tenancies;
- Seven levels of shared basement car parking and loading to service all activities on the site;
- Two towers of residential apartments known as Tower 1A east and Tower 1B west comprising 548 units;
- The construction of a heliostat on the roof of Tower 1A;
- The creation of an open air through site link and plaza between Walker Street and Marquet Street, supported by active frontages, outdoor seating and pedestrian amenities;
- An additional direct east – west through site link between Walker Street and Marquet Street, to the north of 18-22 Walker Street;
- A north-south through site link between 21 Marquet Street and 29 Marquet Street (adjoining property to the north);
- Vehicle access arrangements within the site including car parking for 910 vehicles;
- A commitment to design excellence and to deliver the development with a focus on best practice for sustainability consistent with the VPA applying to the land;
- A concept design for the landscape embellishment that is integrated into the overall site design; and
- Staged stratum and strata subdivision.

Note: The demolition of all buildings and associated structures across the site and remediation works is the subject of a separate development application (DA2016/0271).

A detailed description of the amended proposal is provided in the following subsections of this report.

## 4.2. NUMERICAL OVERVIEW

A summary of the numerical information related to the amended proposal is provided in Table 4.

TABLE 1 – KEY DEVELOPMENT INFORMATION

Component	Proposal	
Total Site Area	11,121m <sup>2</sup>	
GFA		
▪ Retail	12,820m <sup>2</sup>	
▪ Residential	50,309m <sup>2</sup>	
<b>Total</b>	63,128m <sup>2</sup>	
Floor Space Ratio (FSR)	Site1A: 9.28:1  Site 1B: 5.58:1  Site 1C: 0.22:1	
Height (maximum)	<u>Tower 1A</u>  ▪ RL: 139.6 metres (127m)  Max height of building or structure: RL 156.00 AHD – incl. heliostat.	<u>Tower 1B</u>  ▪ RL: 101.4 metres (88.8m)
No. of residential apartments	548	
<b>Parking</b>		
▪ Retail	322	
▪ Residential	548	
▪ Residential: visitor	37	
▪ On-site car share	3	
<b>Total Car spaces</b>	910	
▪ Loading	17 spaces	
▪ Motorcycle	18 spaces	
▪ Bicycle	853 (resident) / 60 (residential: visitor) / 100 (retail / commercial) + 100 within Bicycle Centre.	

## 4.3. LAND USE AND BUILT FORM

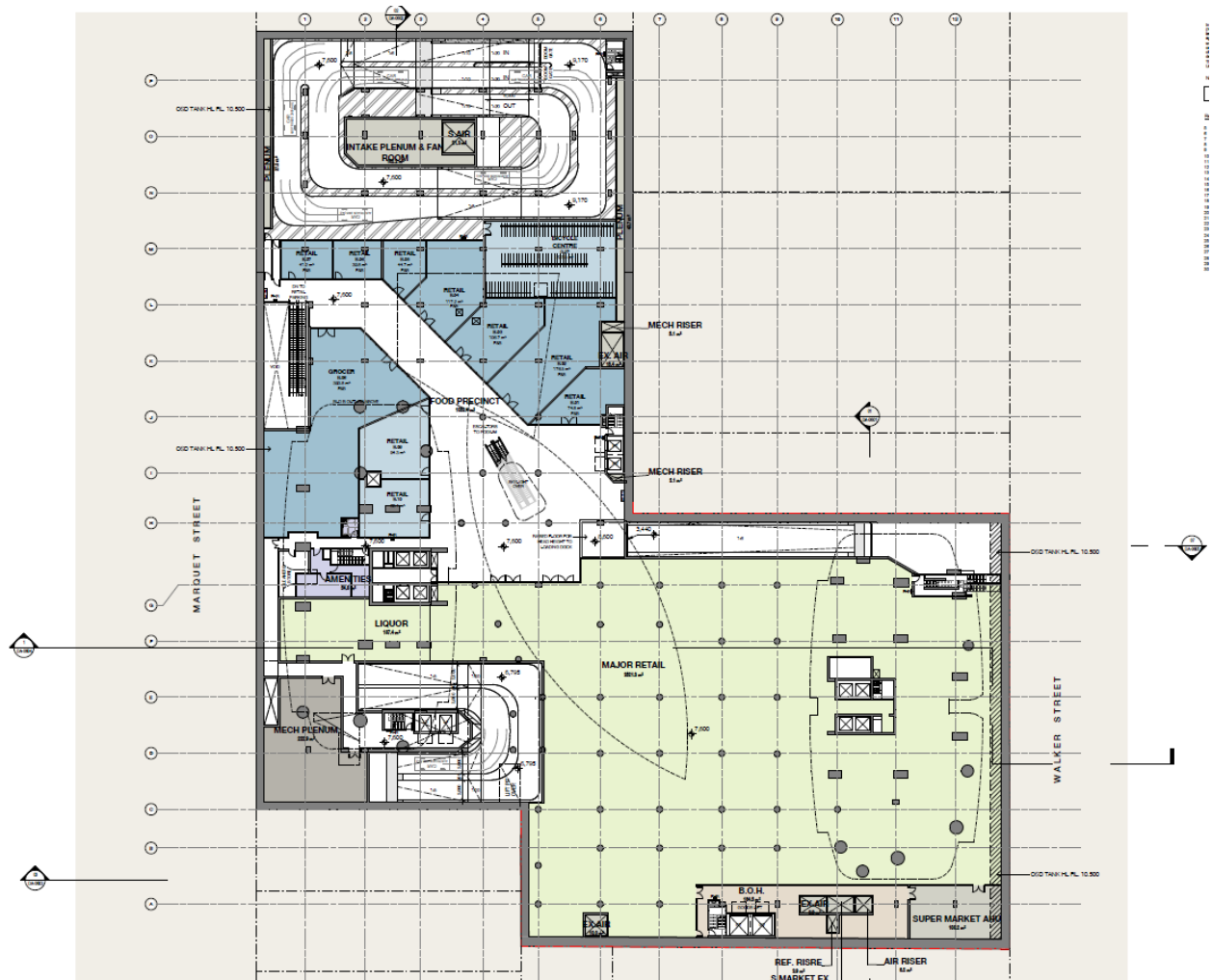
### 4.3.1. Retail/ Commercial Podium

The proposal includes a three level podium built across the site comprising:

#### 4.3.1.1. Lower Podium Level – Food Precinct

Includes major retail tenancy in the southern section of the site, such a supermarket; a number of smaller retail outlets fronting a central plaza area. Pedestrian access to this level is via centrally located escalators to the level above and to the car park levels below. Bicycle parking is also provided at the lower podium level for the bicycle centre above.

FIGURE 1 – LOWER PODIUM LEVEL (SJB ARCHITECTS)



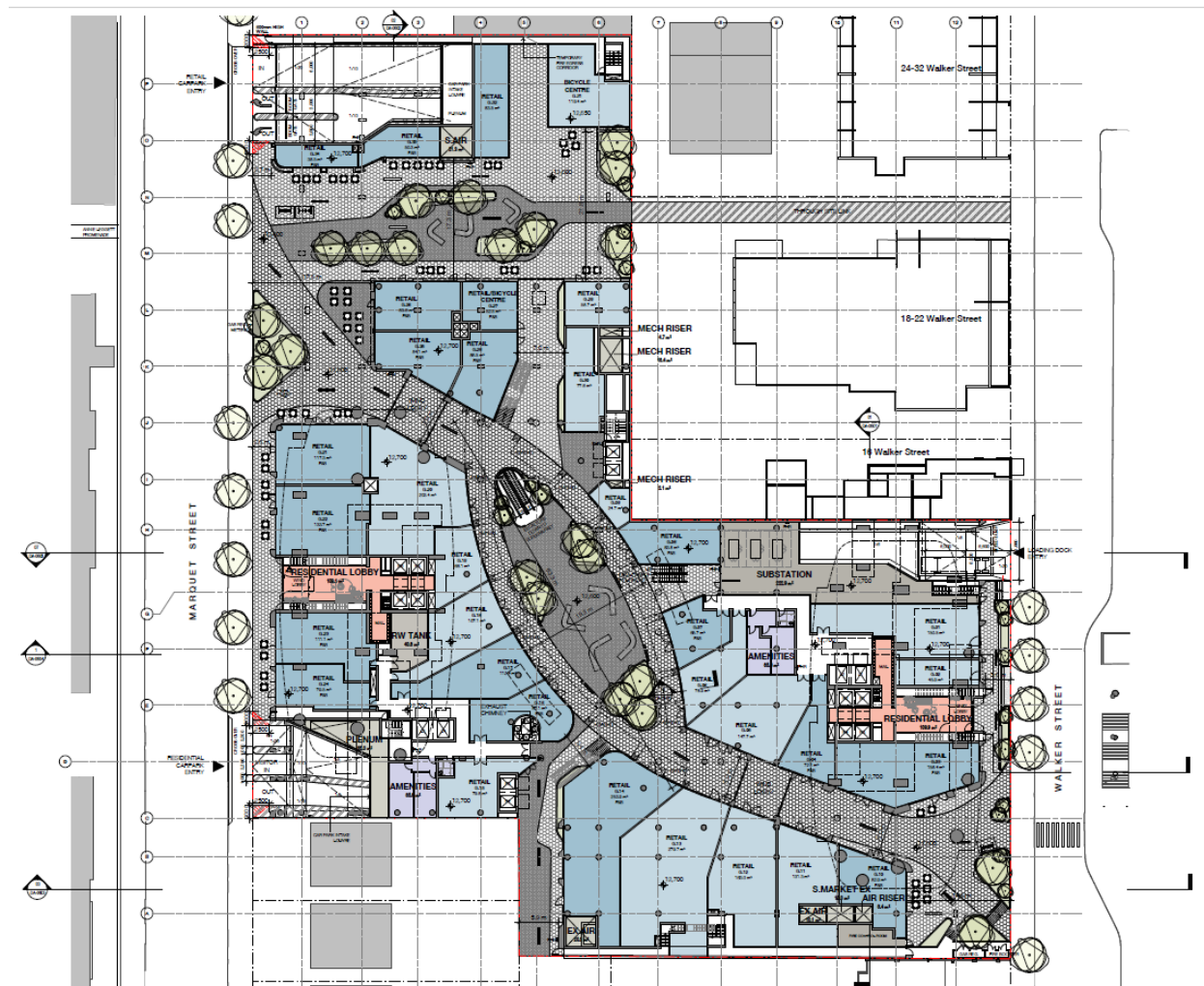
#### 4.3.1.2. Podium Level 01 – Ground floor retail

The main feature of this level is the generous pedestrian plaza linking between Walker Street in the east and Marquet Street to the west. Double height retail spaces are proposed along Marquet Street. This is directly accessible off street level and activated on both sides for its full length by retail shopfronts in a variety of configurations. The central area of the plaza features an elliptical shaped void providing continuous natural light and ventilation. This area is proposed to be fitted out with public seating and landscaping elements. The eastern and western entry points to the plaza are proposed to be fitted with full height glazed automatic doors. These doors act as an air lock to mitigate any wind tunnel effects and ensure a pleasant environment for outdoor dining and passive recreation within the plaza.

An additional, more direct east – west link, is also proposed in the northern section of the site running adjacent to the property at 18-22 Walker Street, where this area widens on the site there is a plaza area for seating and landscaping. At podium level additional public domain areas are provided in the street setbacks, allowing for outdoor seating and landscaping within the site. Future connections within the Precinct have been provided for at this level with various points to the north and south where pedestrian linkages can be continued into adjoining sites as development occurs.

The ground floor of the podium also provides pedestrian access to the residential units in the towers above, one lobby accessed from Marquet Street Tower 1B and one lobby from Walker Street Tower 1A.

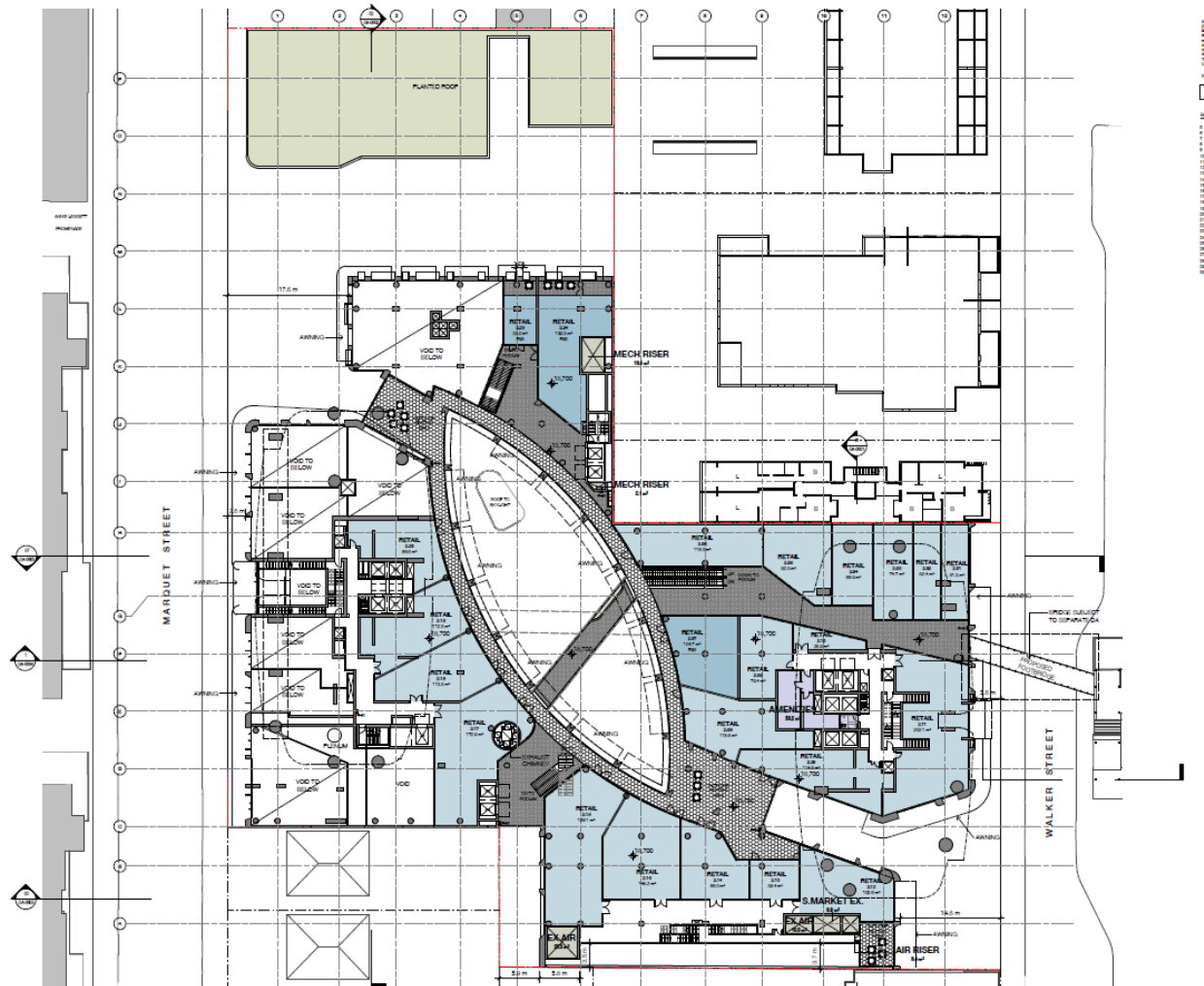
FIGURE 2 – PODIUM FLOOR PLAN – GROUND FLOOR (SJB ARCHITECTS)



#### 4.3.1.3. Podium Level 02 – First floor retail

Podium Level 02 follows the same basic layout as the ground floor, providing for the vertical, elliptical shaped void over the ground floor plaza. A balustrade is proposed around the void to provide opportunities for passive surveillance and interaction with the levels above and below. A single pedestrian bridge across the void is provided on each level. On this level the proposed retail tenancies are set out in a variety of configurations with frontages to the pedestrian walkways. The opportunity for a link from the site, across Walker Street to the east, to the Rhodes Railway Station is provided. This will be the subject of a future DA for a pedestrian bridge to Council.

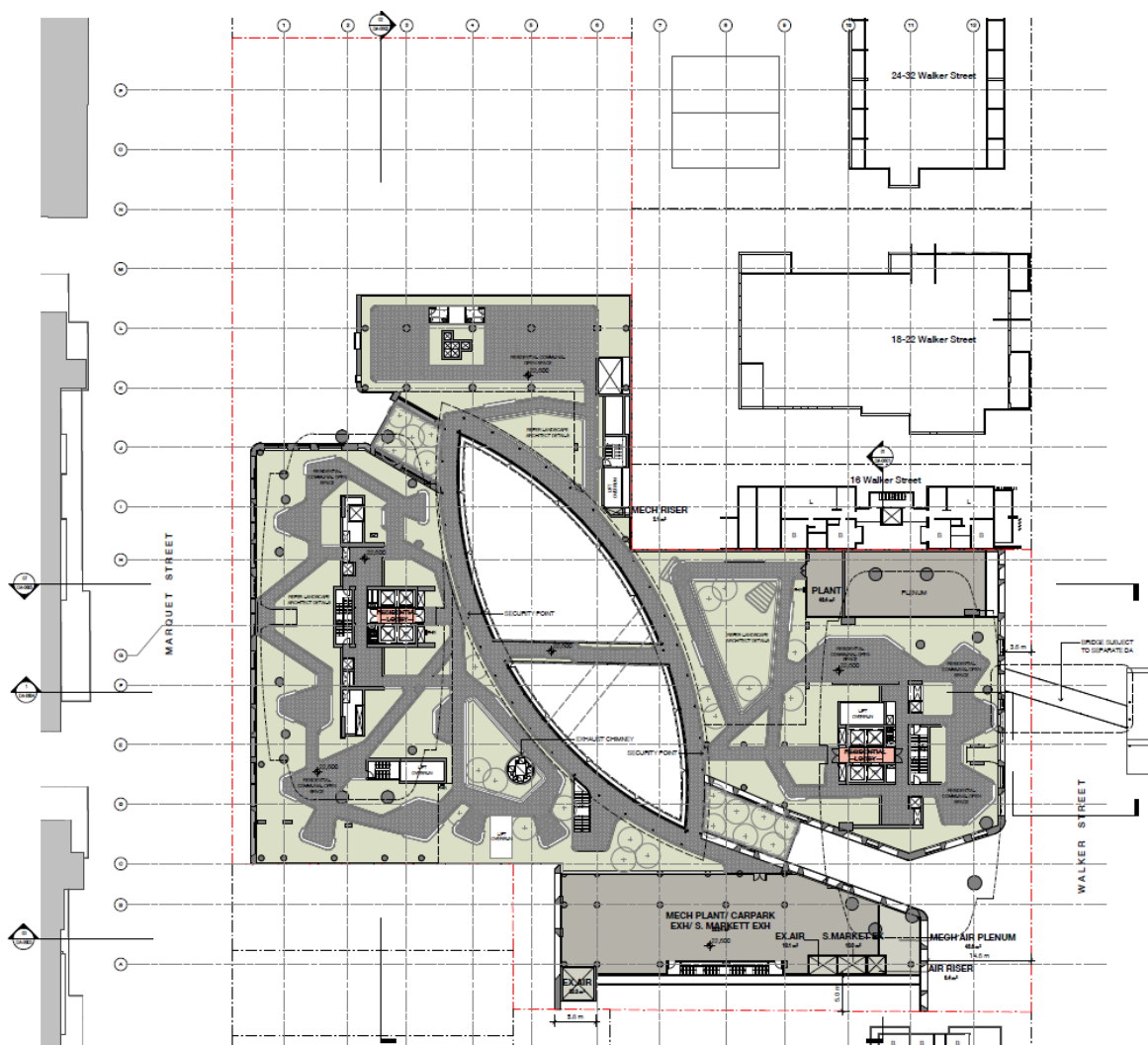
FIGURE 3 – LEVEL 02 FLOOR PLAN (SJB ARCHITECTS)



#### 4.3.1.4. Podium Level 03 – Residential common open space

Level 03 proposes communal open space that is accessible to the residents of Towers 1A and 1B.

FIGURE 4 – LEVEL 03 FLOOR PLAN (SJB ARCHITECTS)



#### 4.3.2. Building 1C

A unique feature of the development, the Bicycle Centre and associated retail, is located in the northern corner of the site, known as Building C, and connected at the ground floor podium level. The centre is proposed as a multi-functional service, retail and storage facility to promote the use of sustainable modes of transport as part of a wider sustainability initiative for the precinct.

#### 4.3.3. Residential Towers

Two residential towers are proposed above the podium, Tower 1A (east) and Tower 1B (west).

**Tower 1A** features a smaller footprint for Levels 04-07, before broadening out to the north and south at Levels 8-37. This creates a colonnade at the lower levels to the north and south of the tower, providing a unique design feature with increased opportunities for outlook and open space areas in the form of landscaped rooves on the podium.

**Tower 1B** has a similar design to Tower 1A, with a smaller floor plate at Levels 4-5 which broadens to the north and south at Levels 6-25. Again, this feature contributes to the design of the building and allows for increased landscaped roof area on the podium below.



FIGURE 5 – NORTHERN ELEVATION OF PROPOSED PODIUM AND TOWER DEVELOPMENT (SJB ARCHITECTS)

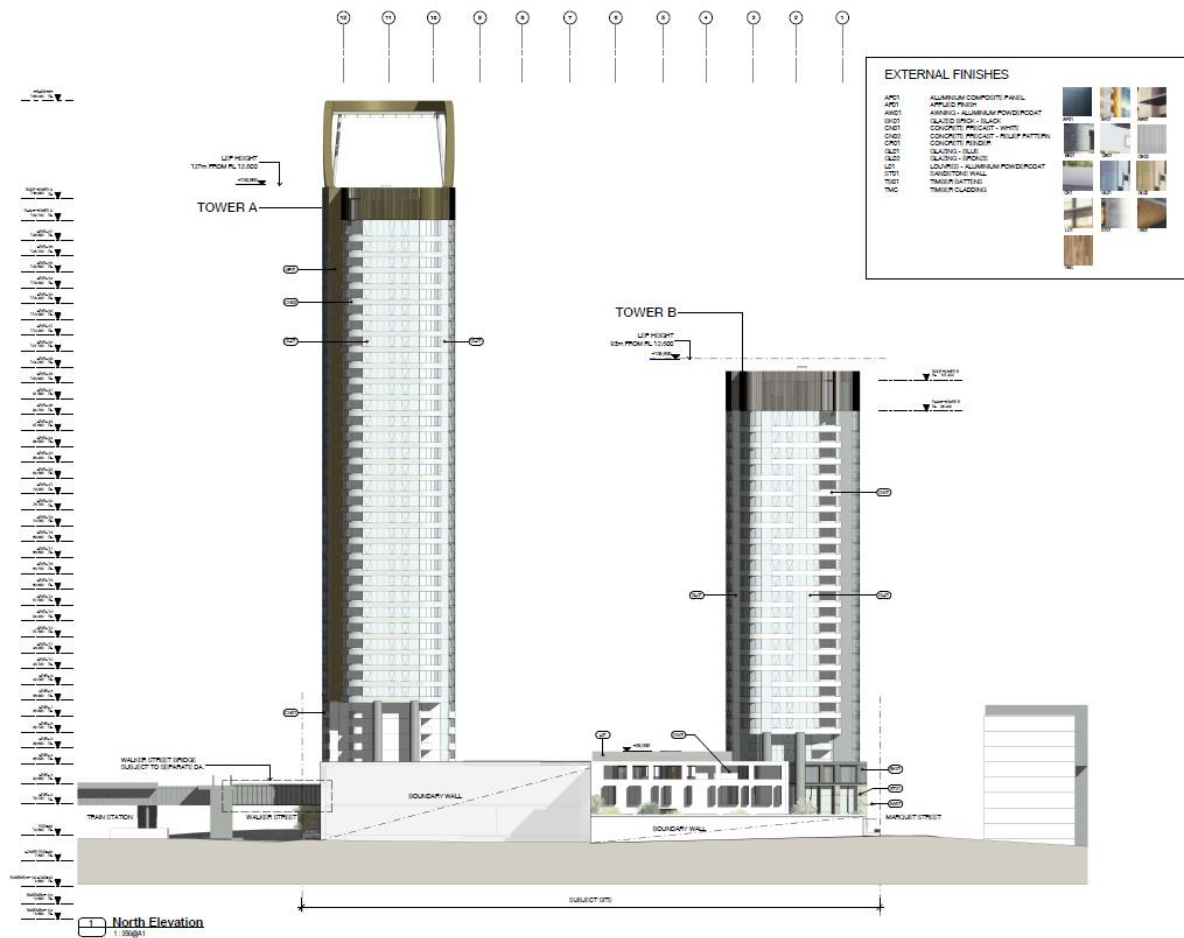
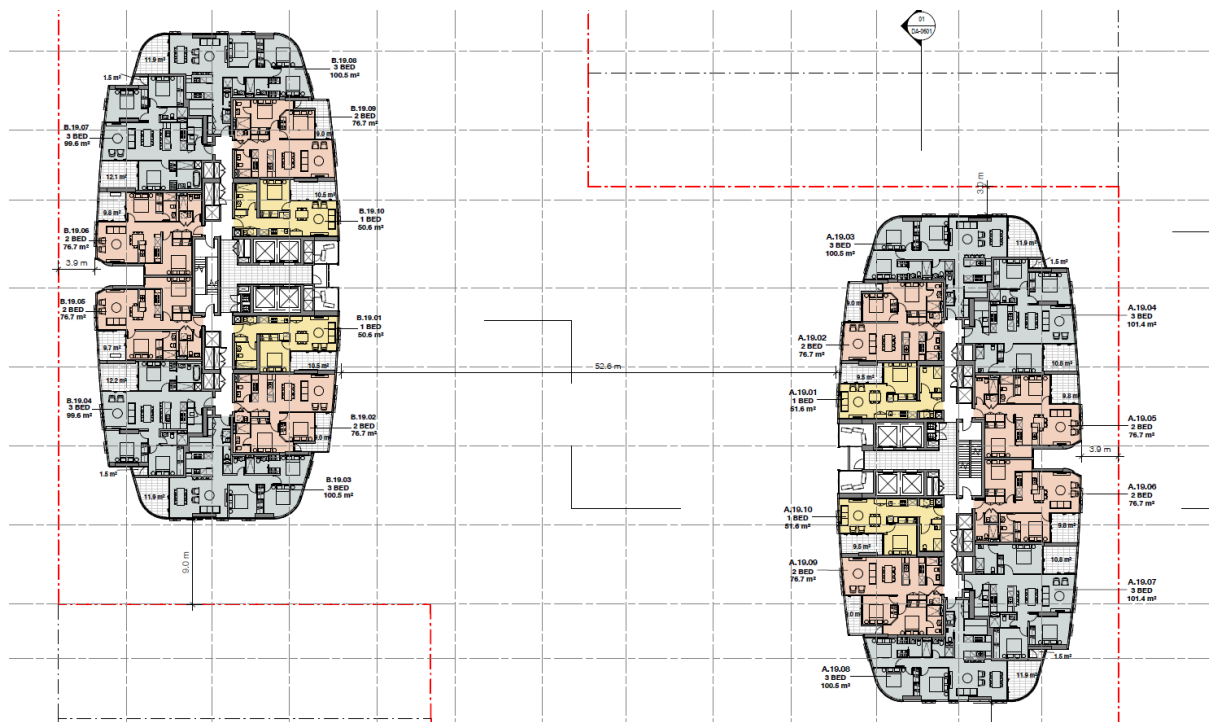


FIGURE 6 – LEVEL 04-05 FLOOR PLAN (SJB ARCHITECTS) SHOWING TYPICAL TOWER FOOTPRINTS



## 4.4. GROSS FLOOR AREA

A level by level description of the proposed gross floor area for the amended development is provided in Table 2.

TABLE 2- GFA LEVEL BY LEVEL DESCRIPTION

LEVEL	RETAIL			RESIDENTIAL TOWER 1A	TOWER 1B	TOTAL
	11-21 MARQUET ST	23-25 MARQUET ST	6-14 WALKER ST	6-14 WALKER ST	11-21 MARQUET ST	- -
-	-	-	-	-	-	-
B2	-	-	-	-	-	-
LOW POD	2963	138.8	3071.8	-	-	6173.6
PODIUM	1817.2	301	1871.3	96.1	90.5	4176.1
L2	757.6	-	1899.0	-	-	2656.6
L3				16.6	12.2	28.8
L4				604.1	815.1	1419.2
L5				604.1	815.1	1419.2
L6				604.6	910.3	1514.9
L7				593.2	910.4	1503.6
L8				910.8	908.9	1819.7
L9				910.8	908.9	1819.7
L10				910.8	908.9	1819.7
L11				910.8	908.9	1819.7
L12				910.8	908.9	1819.7
L13				910.8	908.9	1819.7
L14				910.8	903.5	1814.3
L15				910.8	903.5	1814.3
L16				910.8	903.5	1814.3
L17				910.8	903.5	1814.3
L18				910.8	903.5	1814.3
L19				910.8	903.5	1814.3
L20				910.8	903.5	1814.3
L21				947.1	903.5	1850.6
L22				947.1	903.5	1850.6
L23				947.1	903.5	1850.6
L24				947.1	903.5	1850.6
L25				947.1	903.5	1850.6
L26				947.1	Plant	947.1
L27				947.1		947.1
L28				947.1		947.1
L29				947.1		947.1
L30				947.1		947.1
L31				947.1		947.1
L32				947.1		947.1
L33				947.1		947.1

LEVEL	RETAIL			RESIDENTIAL TOWER 1A	TOWER 1B	TOTAL
	11-21 MARQUET ST	23-25 MARQUET ST	6-14 WALKER ST	6-14 WALKER ST	11-21 MARQUET ST	- -
L34				947.1		947.1
L35				947.1		947.1
L36				947.1		947.1
L37				947.1		947.1
L38				Plant		
L39				Plant		
Total	5537.8	439.8	6842.1	30,459.8	19,849.0	63,128.5
		Total Retail	12,819.7			63,128.5

## 4.5. VEHICULAR ACCESS

The proposed vehicle access strategy is shown on the architectural plans. This includes three clearly defined and well separated vehicle access points to the proposed basement car park on the site as follows:

- **Retail car park** – entry and exit from Marquet Street adjacent to the northern boundary of the site.
- **Residential car park** – entry and exit from Marquet Street adjacent to the southern boundary of the site.
- **Loading and servicing** – entry to the loading dock from Walker Street, adjacent to the northern site boundary at 16 Walker Street.

Access to basement parking, service vehicle entry and exit points, and vehicular footpath crossovers are minimised through a 'shared basement' proposal between buildings. The minimisation of basement entry and exit points is fundamental to the creation of an active and accessible public realm.

## 4.6. RESIDENTIAL LIVING

All residential apartments are contained within Towers 1A and 1B, with access provided from Basement levels 5 – 8 and the podium levels via the two designated residential lobbies. The residential lobbies are also proposed to be directly accessible at street level from Walker and Marquet Streets.

Communal open space is provided for resident's exclusive use at Podium Level 03. This area is directly accessible from the residential lobbies of the towers and will be treated with a variety of hard and soft landscape features.

The proposed apartment mix is set out as follows:

TABLE 3 – APARTMENT MIX

Apartment type	Number	% mix
1 bedroom	116	21.2%
2 bedroom	220	40.1%
3 bedroom	212	38.7%
<b>TOTAL</b>	<b>548</b>	<b>100%</b>

## 4.7. PUBLIC DOMAIN AND LANDSCAPING

The proposal seeks to significantly enhance the public domain through a number of key initiatives:

- Minimising vehicle entry and exit points on both street frontages.
- The provision of an 'outdoor' pedestrian plaza central to the design of the site, with retail activation, public seating, outdoor dining and landscaped elements.
- Creating a new through site link to the north of 18-22 Walker Street, providing a direct east-west connection.
- Providing for future pedestrian connection points from within the site to adjoining sites to the north and south.
- Facilitate an ease of pedestrian access through the site via stairs, escalators and public lifts.
- Development of a comprehensive landscape plan to be implemented across the site including provision of street trees on adjoining streets.
- The provision for public art at various locations within the subject site. The key considerations that have been undertaken in the early phase of development are the understanding of the context and early ideas of possible locations for art, cultural initiatives, artwork types and artists.
- Ensure the servicing, waste management and stormwater management needs of the site are appropriately addressed.

The proposed on-site landscaping is set out in the Landscape Plan and Report prepared by Urbis (Attached at **Appendix D**). The key aspects of the landscape concept are the podium level plaza, through site connections, the communal open space areas at Level 03 and the provision of private terraces for apartments. Excerpts from the Landscape Design are shown in Figure 7 and Figure 8.

FIGURE 7 – PUBLIC DOMAIN AND LANDSCAPE DESIGN FOR GROUND FLOOR (URBIS)



FIGURE 8 – RESIDENTIAL GARDENS CONCEPT DESIGN FOR LEVEL 02 PLAN (URBIS)



## 4.8. SUBDIVISION AND TITLING

Development consent is sought for the staged stratum and strata subdivision of the Stage 1 development comprising two sub-stages being:

- (a) Stage 1A – Building A, Building B, and Retail A; and
- (b) Stage 1B – Building C, Retail B and the Club.

The proposed staging and subdivision pattern as it applies to Stage 1 of the Station Precinct is set out in the document at **Appendix T**. This document sets out the proposed approach to site consolidation and the staged stratum subdivision of the proposed development. The proposed stratum subdivision includes the following elements:

To establish separate titles for the different components, the land in Stage 1 will be subdivided to create 6 stratum lots, being:

- Lot 21 – Building A Residential levels 4 - 36
- Lot 22 – Building B Residential
- Lot 23 – Community Garden Area
- Lot 24 – Residue stratum lot for future Building C Residential, Retail B and the Club
- Lot 25 – Retail A
- Lot 26 – Building A Residential level 37 and plant room level above.

Further details are provided within the draft stratum and strata subdivision plan prepared by Linker Surveying, included at **Appendix T**.

## 5. REFERRALS

### 5.1. SUSTAINABILITY AND HEALTH PROJECTS

A Detailed Environmental Site Investigation (DESI) and/ or Remedial Action Plan (RAP) are requested for submission.

**Applicant's response:**

In response to this matter the demolition component of the original DA (DA2016/0005) has been separated from the main works and lodged as a separate demolition application (reference: DA2016/0271).

The objective of this DA is to allow for the site to be cleared of all buildings, existing structures and planting to facilitate site investigations being carried out prior to the redevelopment of the site.

The Preliminary Site Investigation report lodged with the original DA recommended that detailed site investigations be carried out following the demolition of the buildings on the site to allow for detailed site investigations to be undertaken prior to redevelopment.

Based on discussions with Council, the demolition component has been lodged as a separate application to enable the further site investigations required to be undertaken. The separation of the demolition works from the redevelopment consent will promote an efficient development timeframe as the demolition and required site investigations can be expedited while the DA for the mixed use development is processed by Council.

### 5.2. DEVELOPMENT ENGINEER: STORMWATER DRAINAGE

Council's stormwater engineer raised the following matters with the original development application:

- Further information is required relating to details of onsite detention;
- Sections are required for the trenching pipe in Walker Street and driveway ramp to the basement;
- Supporting calculations are required to verify volumes of each OSD system and discharge value to demonstrate compliance with Council's requirements.
- Details of the outlet controls for each OSD tank are required;
- Unobstructed access to each OSD tank must be provided with details to be shown;
- Access points into the OSD tanks to comply with Council's stormwater specification;
- Details of a safe formal overflow path from each OSD tank are required.
- A longitudinal section from each OSD tank to the proposed connection to the existing drainage system is requested.
- Further details of rainwater re-use system are to be provided and incorporated in the Stormwater Plan
- Further details of bio-retention systems is required and incorporated into the Stormwater Plan.
- Details of water proofing the basement walls are requested.
- Details of drainage inlet pits including overland flows are requested.

#### **Applicant's response:**

The stormwater concept plans have been updated to satisfy these matters and is resubmitted with this package of documentation at **Appendix Q**.

### **5.3. DEVELOPMENT ENGINEER: CIVIL WORKS**

Council's stormwater and civil engineer raised the following matters with the original development application:

- Details of perimeter wall for the subfloor areas are requested showing waterproofing to EPA requirements;
- Trenching details showing pavement over pipe being laid under the road is requested;
- A cross section of trenching of the pipe in Walker Street is requested.
- All redundant and residual driveway/s are to be reinstated with kerb and gutter and the footpath area reinstates with turf and footpath or to proposed, and this is to be noted on the drawings.
- Details of proposed footpath treatments are requested. Typical cross sections would be necessary.
- Vehicular access:
  - A longitudinal section through the proposed driveway ramp down from the centre of the road to the basement level is to be provided to confirm compliance with the scraping provisions and overhead clearance as required by the relevant Australian Standards;
  - Swept path analysis of the standard vehicle need to be superimposed onto the manoeuvring areas to demonstrate that a vehicle can enter and exit the basement in a forward direction.

#### **Applicant's Response:**

All reinstatement works and footpath treatments are to be in accordance with Council standards and detailed civil design drawings are to be submitted to Council for its approval at the construction certificate stage.

The Traffic and Parking Assessment report includes swept path analysis of demonstrate that standard vehicles can enter and exit the site in a forward direction.

Longitudinal sections through the proposed driveway ramps are provided at **Appendix A**.

Swept path analysis is included in the Traffic and Parking Assessment provided with the amended development plans at **Appendix H**.

### **5.4. WASTE OFFICER**

Further information is required on the management of commercial waste and the capacity of the current domestic waste collection service and its ability to service the site. In summary, comments from Council's Waste Management Coordinator were, as follows:

- Further information is requested on who and how the commercial waste will be serviced;
- Request approximate volumes of waste and recycling for all commercial units including the supermarket and liquor store;
- Confirmation that the commercial waste storage areas are of sufficient size to ensure a maximum collection of 3 days per week;



- Any DA approval has a condition requiring that centre management is responsible for supplying the waste management services to all of the commercial tenancies including the supermarket and liquor store;
- Preference for the Applicant and SUEZ (Council's waste collection services provider) to investigate an alternative solution to residential waste removal from the site.

### **Applicant's Response:**

The Applicant met with Council's Waste Management Coordinator on 6 September 2016 and discussed the waste management strategies for commercial and domestic waste streams for the development. The Waste Management Plan at **Appendix R** has been updated to reflect the outcomes discussed and agreed at the meeting, which are summarised below:

#### ***Retail/commercial waste and recycling***

The City of Canada Bay Development Control Plan 2013 has been referenced to calculate the total number of bins required for the retail areas. Retail waste volumes are provided in the updated report. In summary, based on the scale of the retail uses, the following numbers of bins are required

- Garbage: 20 x 1100L MGBs collected daily, seven times a week
- Recycling: 16 x 1100L MGBs collected daily, seven times a week

The retail tenants will be required to be responsible for their own storage of waste and recycling back of house (BOH). On completion of each trading day or as required, nominated staff/cleaners will transport their waste and recycling to the allocated retail waste area and place waste and recycling into the appropriate collection bins.

Waste and recycling will be collected by a nationally appointed private waste contractor with cardboard and plastic waste being baled. All waste management for the supermarket will be handled in the loading dock area and removed from the loading dock by their appointed waste services provider.

#### ***Domestic waste and recycling***

The residential waste and recycling will be guided by the services and acceptance criteria of the City of Canada Bay Council.

The following assumptions have been taken into consideration:

- Garbage is not compacted at the base of each chute;
- Recycling is not compacted at the base of each chute; and
- Number of bins have been rounded up for best operational with outcome.

Using these assumptions the required capacity and quantity of garbage and recycling bins have been calculated and tabulated respectively below:

#### ***Garbage***

- 30 x 1100L MGBs collected twice weekly:
  - 18 x 1100L MGBs for Tower 1A
  - 12 x 1100L MGBs for Tower 1B

#### ***Recycling***

- 60 x 1100L MGBs collected weekly:
  - 36 x 1100L MGBs for Tower 1A
  - 24 x 1100L MGBs for Tower 1B

From the discussions with Council it is understood that Council will accept the 1100L MSBs for residential waste and recycling, provided there is no compaction of waste. Council are to consider the proposal for a second collection day by its waste collection contractor for residential waste. It is considered a second collection day is suitable for a development of the scale proposed, and is expected will also be necessary for future stages of development in the Rhodes Station Precinct.

The recommended areas allocated for residential waste rooms, residential, and retail bin holding rooms, and bulky goods and collection areas are detailed in Table 5 of the Waste Management Plan.

Dual waste chutes will be installed with access provided on all residential levels for Towers 1A and 1B. The chutes are to be used for the separate disposal of garbage and recycling. Garbage and recycling will discharge into separate 1100L and 1100L MGBs respectively located in the waste rooms for each building. Garbage and recycling bins for Tower 1A will be placed on separate carousel systems; and separate linear tracks for Tower 1B. All garbage will not be compacted.

A room of 43m<sup>2</sup> will be allocated for the storage of discarded bulky items, such as old furniture. The waste caretaker will be responsible for organising collections with council.

## 5.5. TRAFFIC ENGINEER

Council's Traffic Engineer's Referral comments on the original DA, are summarised as follows:

- Recommended Construction traffic Management requirements as conditions of consent;
- Recommended that plans be prepared that demonstrate compliance with the sight distance requirements of AS/NZS2890.1:2004 prior to the issue of development consent;
- Recommended condition of consent requiring consultation with Council's Traffic and Design engineers regarding access points off Marquet Street;
- Recommended compliance with AS/NZ 2890.6: 2009
- Recommend a maximum of 1 space per dwelling for residents and a maximum of 1 space per 20 dwellings for visitors. The proviso of 39 spaces exceeded the maximum visitor parking provision and was considered a minor non-compliance by Council's traffic engineer.
- Proposed electric cars in addition to maximum permitted car spaces, and if proposed should be included in the maximum permitted car parking provision.
- The Applicant should consider the provision of car wash bays for resident use.
- Raised concern with the location of a column in the north western corner of Basement Level 06 and 07 in relation to compliance with AS/NZ2890.1: 2004. Requested amended plans demonstrating compliance with the Australian Standard prior to the issue of development consent.
- Raised concern with the north end of the blind isles on Basement 08 are not extended a minimum 1m past the last parking space as required by AS/NZ2890.1:2004;
- Storage cages are to be used for storage and not converted to car parking spaces.
- On-street signage is to be submitted separately to Council prior to the issue of a construction certificate.

**Applicant Response:**

The traffic comments have been incorporated in the revised Traffic and parking Assessment submitted with this package of documentation for the amended proposal. Specifically, in response to the above matters, we provide the following summary:

- A Construction Traffic Management Plan is to be provided prior to the issue of a Construction Certificate;
- Amended plans of the residential car park entrance demonstrates compliance with the required sight distances;
- Driveway construction requirements are noted and will be incorporated in the detailed construction documentation;
- The provision of speed humps and stop signs are noted and are to be incorporated into the detailed construction documentation;
- Layout requirements for disabled parking spaces are noted. These requirements have been addressed in the amended architectural plans;
- The amended architectural drawings have been amended to include 1 disabled parking space in the visitor parking zone.
- Electric car parking bays have been deleted from the amended development plans.
- A total of 7 disabled parking spaces are provided.
- The amended architectural drawings of basement parking levels demonstrate compliance with the relevant Australian Standards.
- Development conditions and strata by-laws are to state that storage cages must remain on title as storage; and
- On-street signage requirements are noted and will be addressed to Council's satisfaction prior to the issue of a Construction Certificate.

## 6. SECTION 79C PLANNING ASSESSMENT

### 6.1. INTRODUCTION

The *Environmental Planning and Assessment Act 1979* (EP&A Act) is the key planning legislation in NSW. The Act provides guidelines for Councils to make new policies and assess development applications (EP&A Act).

This section provides a detailed assessment of the proposed DA pursuant to the heads of consideration contained in Section 79C (1) (a) of the *Environmental Planning and Assessment Act 1979* (EP&A Act) which states:

*(1) Matters for consideration—general*

*In determining a development application, a consent authority is to take into consideration such of the following matters as are of relevance to the development the subject of the development application:*

*(a) the provisions of:*

*(i) any environmental planning instrument, and*

*(ii) any proposed instrument that is or has been the subject of public consultation under this Act and that has been notified to the consent authority (unless the Director-General has notified the consent authority that the making of the proposed instrument has been deferred indefinitely or has not been approved), and*

*(iii) any development control plan, and*

*(iiia) any 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, and*

*(iv) the regulations (to the extent that they prescribe matters for the purposes of this paragraph), and*

*(v) any coastal zone management plan (within the meaning of the Coastal Protection Act 1979), that apply to the land to which the development application relates,*

*(b) the likely impacts of that development, including environmental impacts on both the natural and built environments, and social and economic impacts in the locality,*

*(c) the suitability of the site for the development,*

*(d) any submissions made in accordance with this Act or the regulations,*

*(e) the public interest*

Detailed consideration of Section 79C(1)(a) (b), (c), (d) and (e) matters is provided in the sections below.

## 6.2. COMPLIANCE WITH RELEVANT STRATEGIC AND STATUTORY PLANS AND POLICIES

An assessment of the proposal's consistency and compliance with the relevant strategic and statutory plans and policies is provided in the following sections.

### 6.2.1. Airports Act 1996

Pursuant to Part 12 —Protection of airspace around airports of the Airports Act 1996, prescribed airspace is required to be protected if it is in the interests of the safety, efficiency or regularity of air transport operations into or out of an airport.

In this case, close liaison with Sydney Metro Airports has been undertaken throughout the development process to ensure the proposed built form, in particular the heliostat on Tower 1A, does not intrude into the prescribed airspace. The details of this correspondence are included at Appendix D.

Sydney Metro Airports have advised that the critical surface as 156m Australian Height Datum, inclusive of lift overruns, antennas or any other object which attaches to the building (Email dated 2 November 2015).

The proposed building heights have been designed to meet the critical surface restrictions as demonstrated in Table 4. Consultation will continue to be undertaken with Sydney Metro Airports as required and CASA in relation to potential glare and latent heat impacts.

TABLE 4 – COMPLIANCE WITH SYDNEY METRO AIRPORTS CRITICAL SURFACE HEIGHT

Sydney Airports critical surface height (Relative Level)	Proposed Tower 1A height including heliostat	Compliance
RL 156m AHD	143.40m  (RLs: 156.00 – 12.60)	YES (not controlled activity status)

On this basis, the proposal is not classed as a controlled activity under the Airports Act 1996 and the necessary consultation with Sydney Metro Airports and CASA has commenced.

The original DA was referred to Bankstown Airport Corporation. The following response was received from Carly Fiumara, Airport Development Assistant at Air Services Australia (ASA) on 20 July 2016:

*I refer to your request for Airservices assessment of a heliostat to be located at 6-12 Walker Street, Rhodes.*

#### **Airspace Procedures**

*With respect to procedures designed by Airservices in accordance with ICAO PANS-OPS and Document 9905, at a height of 156m (512ft) AHD the property developments will not affect any sector or circling altitude, nor any instrument approach or departure procedure at Bankstown or Sydney airports.*

*Note: Procedures not designed by Airservices at Bankstown or Sydney airports were not considered in this assessment.*

#### **CNS Facilities**

*This proposal for a property development with heliostats at the provided location will not adversely impact the performance of any Airservices Precision/Non-Precision Nav Aids, Anemometers, HF/VHF/UHF Comms, A-SMGCS, Radar, PRM, ADS-B, WAM or Satellite/Links.*

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

Good design positively influences internal and external amenity for residents and neighbours. Achieving good amenity contributes to positive living environments and resident well-being. Good amenity combines appropriate room dimensions and shapes, access to sunlight, natural ventilation, outlook, visual and acoustic privacy, storage, indoor and outdoor space, efficient layouts and service areas, and ease of access for all age groups and degrees of mobility.

SJB Architects has undertaken an assessment of the proposal in regard to the Design Criteria of the Apartment Design Guide under SEPP 65. **Appendix A** provides a schedule of apartments and compliance with the key design criteria of SEPP 65 including unit internal size, balcony size, storage and distances of kitchens to window openings.

Key design criteria of the ADG are addressed below, including:

- Solar access
- Natural ventilation
- Apartment size and mix
- Private open space
- Communal open space
- Building depth
- Building separation

### 6.2.2.1. Solar access

Under SEPP 65 and the accompanying Apartment Design Guide (ADG), at least 70% of private open spaces and living rooms within new developments should receive at least two hours of direct sunlight access between 9am and 3pm at the winter solstice. In dense urban settings, this requirement is reduced to two hours. Rhodes is nominated as a Strategic Centre in the *Plan for Growing Sydney* and identified for significant residential and commercial growth and with planning controls which foster high-rise development, is undoubtedly characterised as a dense urban environment within Sydney.

The proposal includes 404 out of 548 apartments (73.7%) that achieve a minimum of 2 hours direct sun to living spaces in mid-winter, which is under the 70% design criteria in the ADG. Refer to eye of the sun diagrams and plans illustrating solar access to apartments prepared by SJB Architects at **Appendix A**.

TABLE 5 – SOLAR ACCESS: TOWER A AND TOWER B

Criteria	Tower 1A: Number of units (%)	Tower 1B: Number of units (%)
2 HOURS	264 (80.5%)	140 (63.6%)
TOTAL UNITS	328	220

### 6.2.2.2. Natural ventilation

Under SEPP 65, the ADG criteria require at least 60% of residential units up and including to level 9 are naturally cross ventilated.

The design features single-sided apartments which not strictly meet the definition of 'cross-ventilation' as defined in the Apartment Design Guide (ADG). Cermak Peterka Petersen Pty. Ltd (CPP) was engaged by the Applicant to provide a natural ventilation assessment of the proposed Tower 1A and Tower 1B in the Rhodes Station development, Rhodes, using a Computational Fluid Dynamics (CFD) analysis. Refer to **Appendix AA**.

The objective of the study was to determine the number of apartments in the development that could achieve acceptable levels of ventilation through numerical analysis.

With reference to the detailed breakdown in Appendix 1 and Appendix 2 of the CPP report, 80 apartments in the first nine storeys of the proposed development have been demonstrated to meet the intent of the ADG design criteria for natural ventilation, out of a total of 108 apartments. This results in 74% compliance over the first nine storeys, which is in excess of the 60% requirement set out in the ADG.

#### 6.2.2.3. Apartment size and mix

SJB Architects confirm that the units in the amended development application comply with the minimum sizes in the ADG, including bedroom sizes and living room widths. Detailed Floor Plans are provided which confirm compliance with the ADG unit sizes, storage and private open space.

The proposal provides a mix of 1, 2 and 3 bedroom dwellings with a range of sizes and layouts and all meet the minimum ceiling heights as set out in the ADG.

The proposal includes 82 adaptable apartments, comprising 15% of the total apartments. These are provided at different levels, and have been assessed in the Accessibility Report provided with the original application to be compliant or able to comply with relevant Australian Standards.

#### 6.2.2.4. Private open space

**Appendix B** provides a schedule including the areas of private open space for proposed units. Four (4) of the apartments on a typical floor plate of both Towers 1A and 1B have balconies with areas that are less than the minimum recommended in the ADG:

TABLE 6 – NON-COMPLIANT BALCONIES

Unit type	Design Criteria	Proposed
2 bedroom (Unit types 02, 09 at Levels 08-37 in Towers 1A and 1B)	Minimum area – 10m <sup>2</sup>	9.8m <sup>2</sup>
	Minimum depth – 2m	2.93m
2 bedroom (Unit types 05, 06 Levels 08-37 in Towers 1A and 1B))	Minimum area – 10m <sup>2</sup>	9m <sup>2</sup>
	Minimum depth – 2m	1.75m
2 bedroom (Unit type 02 at Levels 04-07 in Tower 1A)	Minimum area – 10m <sup>2</sup>	9.8m <sup>2</sup>
	Minimum depth – 2m	3m
2 bedroom (Unit type 05 at Levels 04-07 in Tower 1A)	Minimum area – 10m <sup>2</sup>	9.3m <sup>2</sup>
	Minimum depth – 2m	2.93m

The non-compliances with the recommended balcony sizes are considered to be acceptable, as they meet the intent of the guidelines, which are to have:

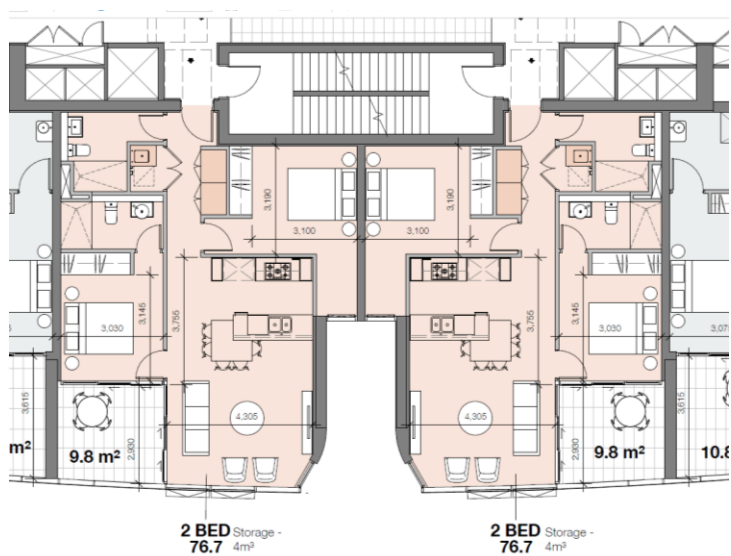
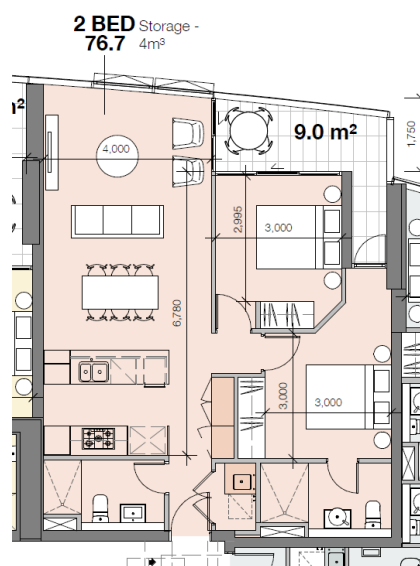
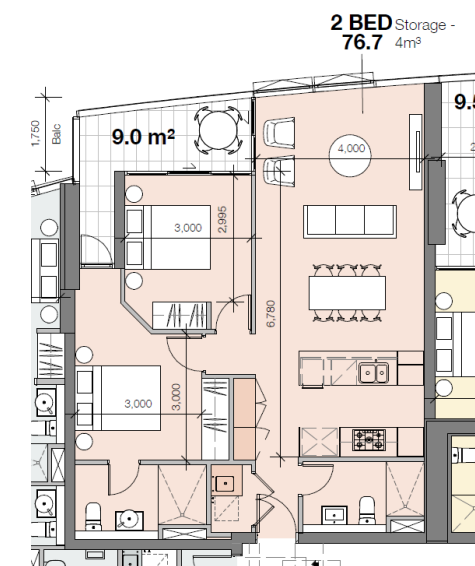
- Appropriately sized private open space and balconies to enhance residential amenity; and
- Balcony area that are useable and can be easily accessed.

The proposed balcony designs are of sufficient size and dimension to accommodate a small table and chairs, and are directly accessible from the living rooms to promote usability. The majority of the apartments have balconies that meet the minimum size and dimensions of the ADG.

Some of the balconies the upper levels of the towers are design as wintergardens, which are enclosed for weather protection and promote usability. It is noted that the enclosed balconies are counted towards the FSR/GFA, as noted in the GFA Plans and Certificate provided with this amended development application. Wintergardens are promoted in Objective 4E-1 of the ADG for upper levels of buildings that may be exposed to high winds, which will be experienced at Rhodes based on advice from CPP Wind Consultants.

**2 BED Storage - 76.1 4m³**

The floor plan shows a 2-bedroom apartment with a storage area. The layout includes a large living area with a circular table and chairs, a dining area with a rectangular table and chairs, a kitchen with a sink and stove, and two bedrooms with beds. The storage area is located at the top of the plan, measuring 4.000 by 4.090, with a total area of 76.1 4m³. The main living area measures 6.780 by 4.000. The bedrooms are 3.005 by 3.000 and 3.000 by 3.000. The bathroom is 3.000 by 3.000. The total area is 76.1 4m³.

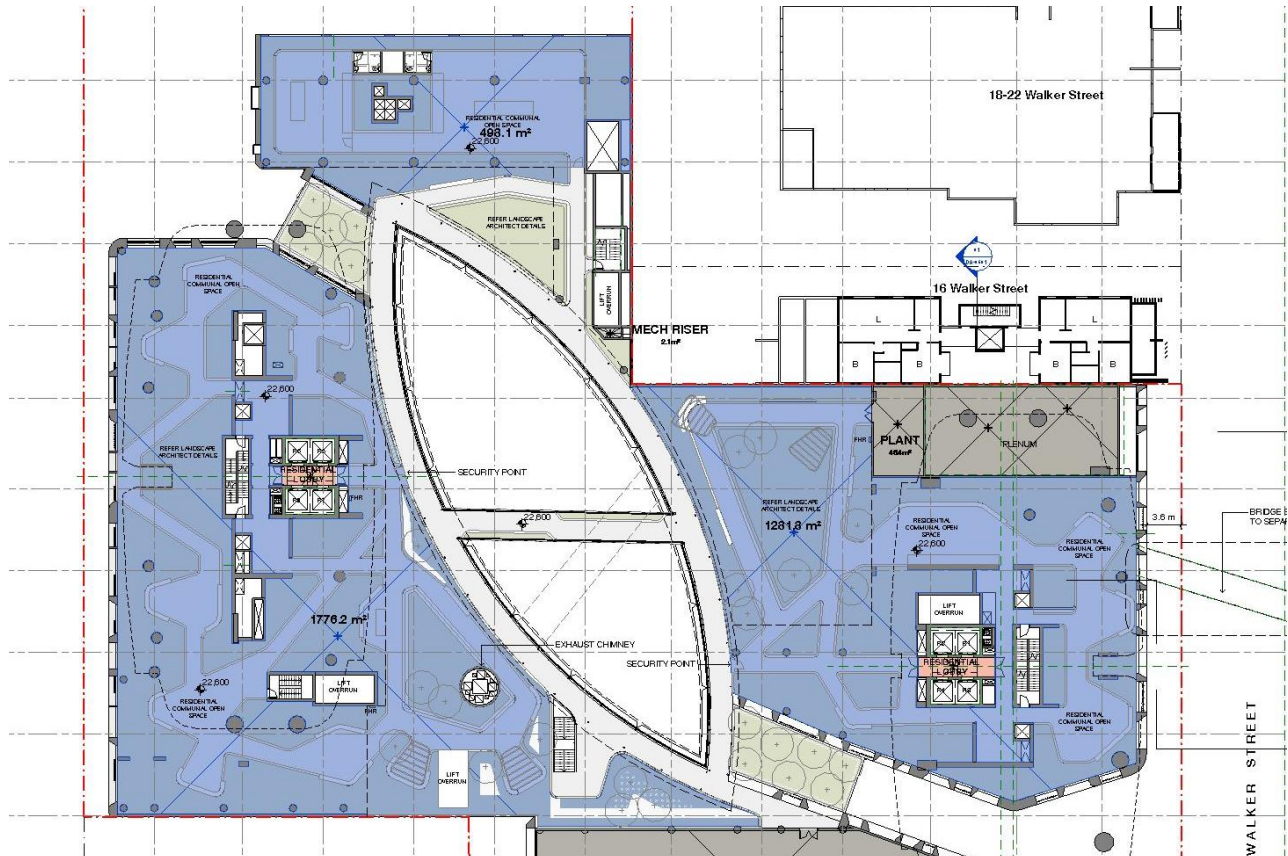




### 6.2.2.5. Common open space

The design criteria under objective 3D-1 of the ADG requires a minimum of 25% of the site area to be provided as common open space, which equates to 2650.25m<sup>2</sup> for the subject site. Residential common open space provided at Level 3 has a total area of 3556.1m<sup>2</sup>, which equates to 33.54% of the site area and satisfies the ADG design criteria.

FIGURE 10 – PROPOSED COMMON OPEN SPACE (SJB ARCHITECTS)



### 6.2.2.6. Building depth

Section 2E of the ADG states in relation to building depth to:

*“Use a range of appropriate maximum apartment depths of 12-18m from glass line to glass line when precinct planning and testing development controls. This will ensure that apartments receive adequate daylight and natural ventilation and optimise natural cross ventilation”*

Control C6 of Part 3.3.3 of the RWDCP specifies that the depth to the residential building greater than 9 storeys should not exceed 18 metres from window face to window face and 26 metres overall including balconies and terraces.

Figure 11 and Figure 12 illustrate typical residential floor plates for Towers 1A and 1B. The maximum overall depth of both buildings is 26 metres. The northern and southern ends of the towers taper to 13 metres in depth. The curved forms of the facades assist to mitigate the bulk of the tower forms.

Whilst the tower depths exceed the maximum 18 metre depth recommended in the ADG, the towers have an overall depth of 26 metres, which is considered acceptable as the towers meet the intent of the ADG building depth guidelines providing adequate daylight and natural ventilation in accordance with the ADG and natural ventilation analysis demonstrates the intent of the ADG is met for providing sufficient air flow. Refer to previous comments on solar access and natural ventilation in this section of the report.

Max  
26  
metres

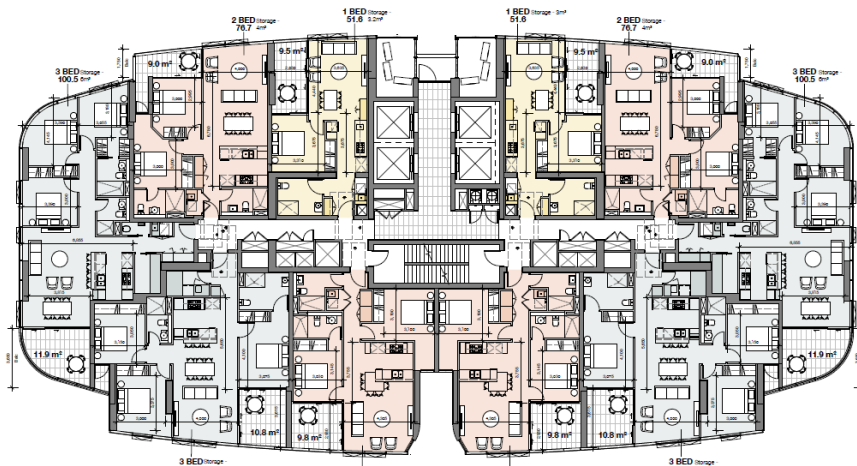
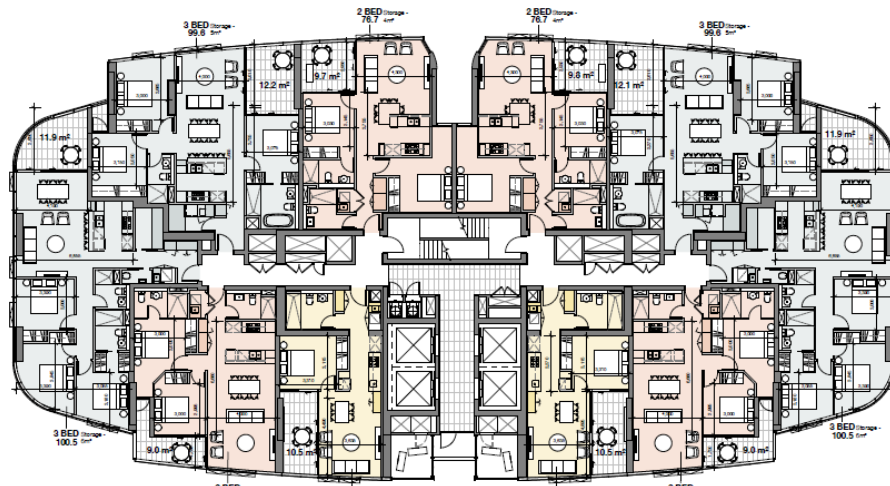


FIGURE 12 – TOWER 1A TYPICAL FLOOR PLAN (SJB ARCHITECTS)



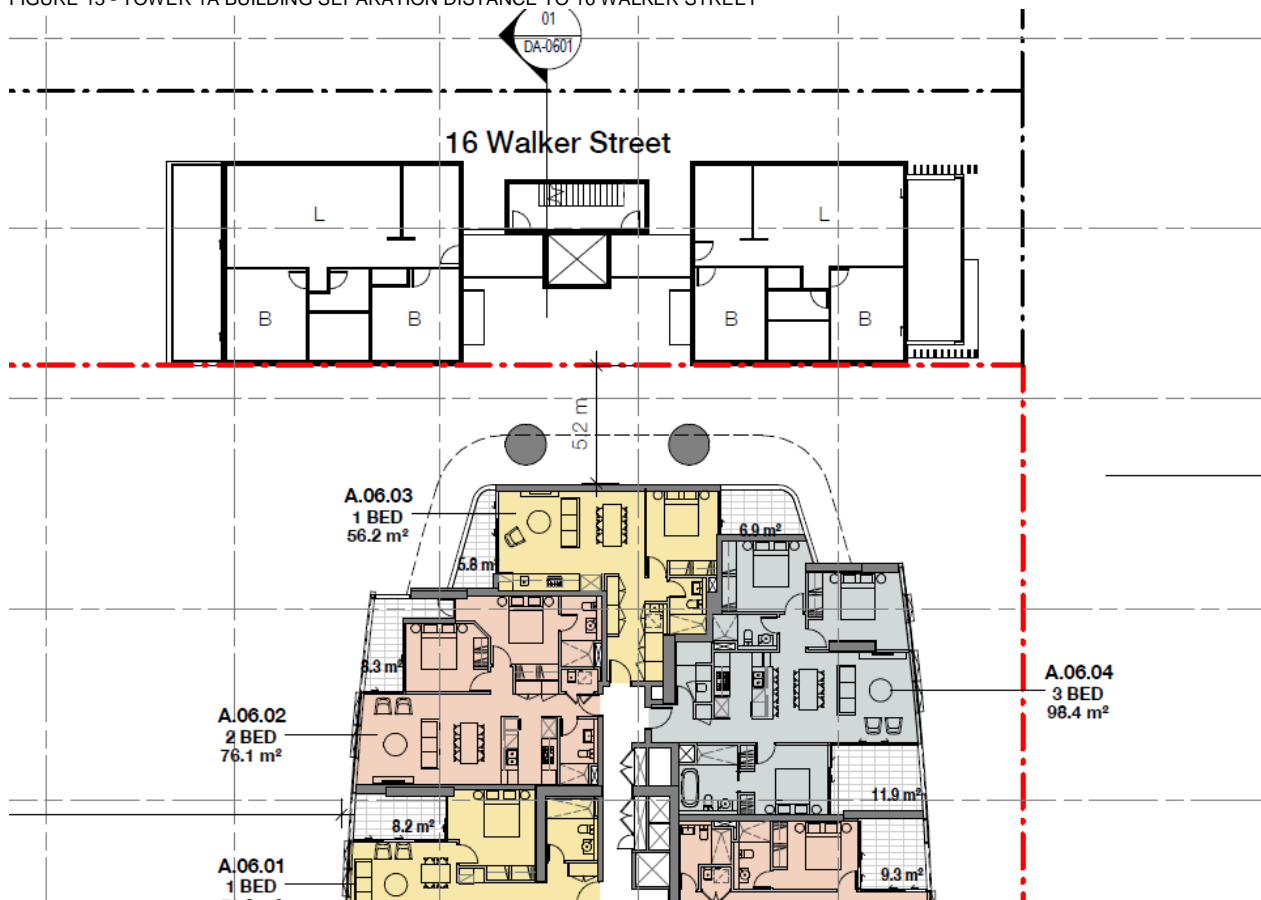
### 6.2.2.7. Building separation

The proposed separation distances to side and rear boundaries and between buildings have been provided in accordance with the Master Plan for the Station Precinct. These separation distances enable the built form proposal to be realised on the site and recognise the overall urban character of the Station Precinct. The JBA Assessment raised concerns with the building separation of the lower levels of the Tower 1A building

#### To the north

An increased setback between Levels 04 and 07 has been provided on Building A, adjacent to 16 Walker street to the north (5.2m). This setback is intended to provide residents of 16 Walker Street an appropriate level of privacy to their private open space area. It should be noted that the Development Application of 16 Walker street places blank walls on the southern boundary where the 6.7m setback is proposed. It is understood that the proposed separation distance for Levels 04, 05, 06 and 07 is considered acceptable by Council's independent planning consultant.

FIGURE 13 - TOWER 1A BUILDING SEPARATION DISTANCE TO 16 WALKER STREET



## To the south

In addition, the podium along Walker Street (adjacent to 2-4 Walker Street) has been further setback along its southern boundary to provide greater building separation to the neighbouring property.

FIGURE 14 – LEVEL 02 PODIUM SETBACK TO 2-4 WALKER STREET

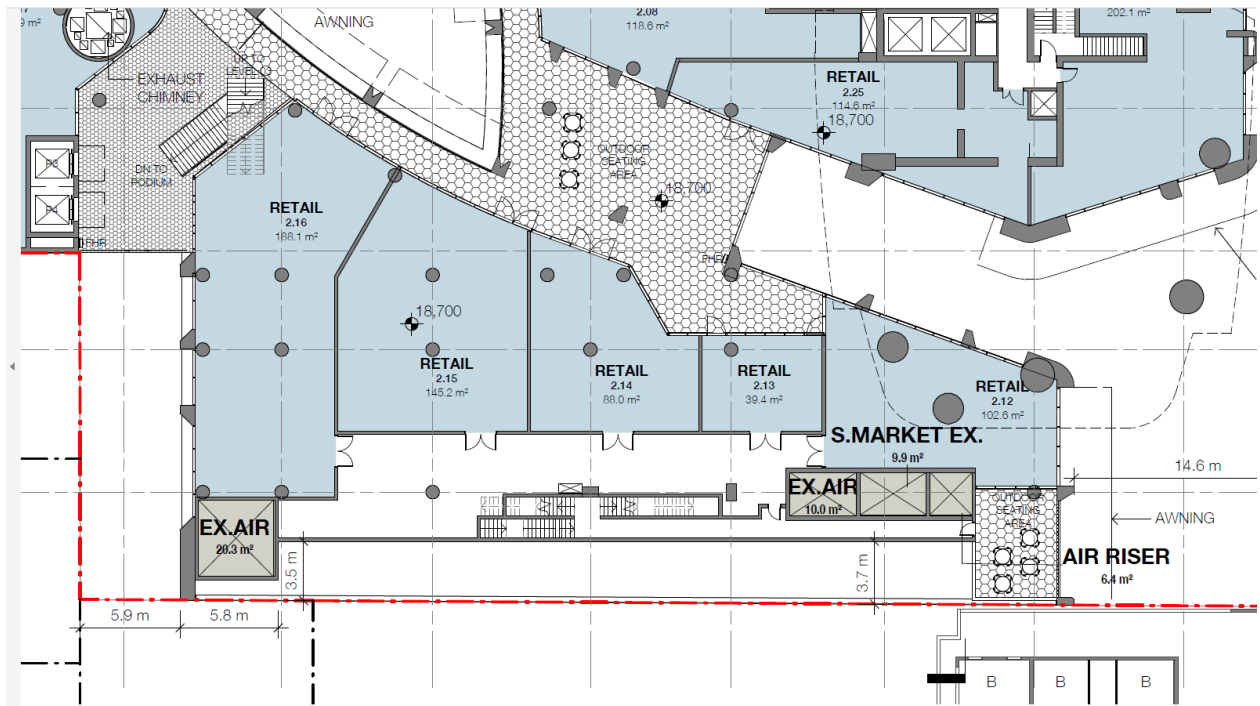
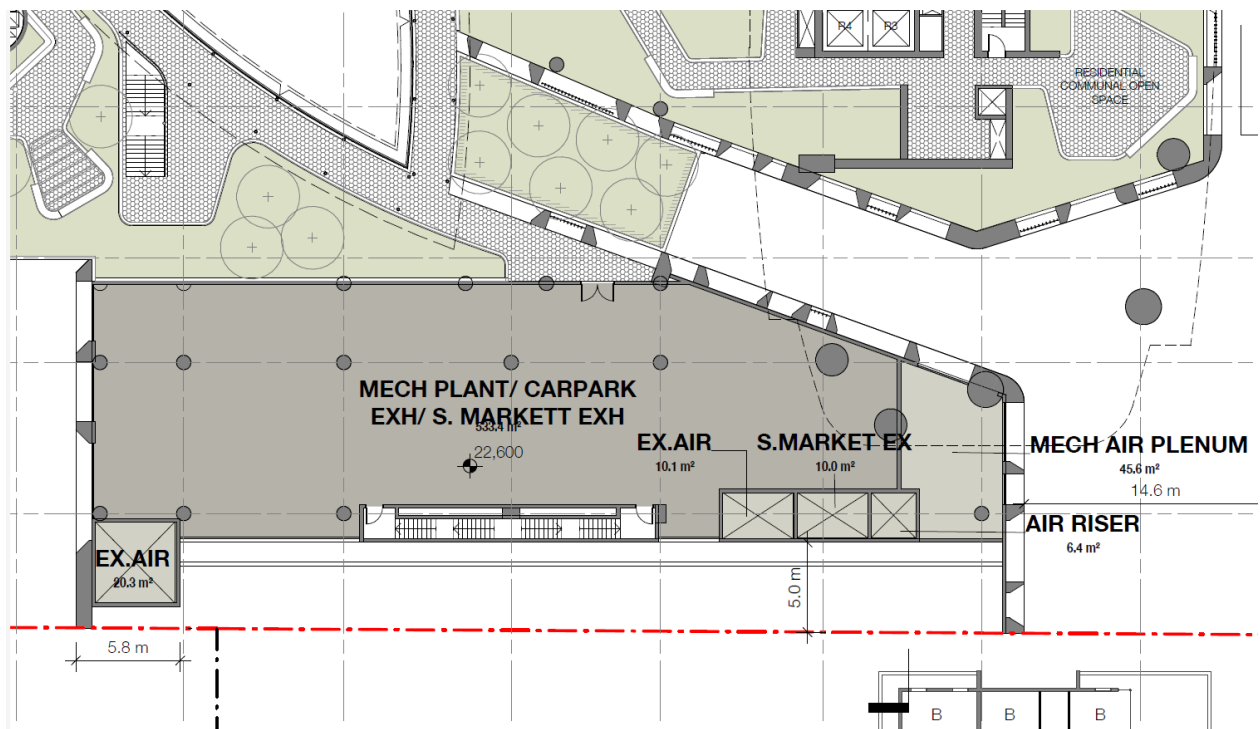


FIGURE 15 – LEVEL 03 PODIUM SETBACK TO 2-4 WALKER STREET



### 6.2.3. State Environmental Planning Policy – BASIX

Inhabit has prepared a series of energy efficiency assessment reports for the amended development proposal, relating to compliance with the Building Sustainability Index (BASIX) for residential apartments and Section J of the BCA for the retail tenancies. These reports are included in **Appendix I**.

The reports determine that, subject to the detailed design recommendations of the reports:

- The apartments achieve compliance with BASIX standards for water and energy efficiency (BASIX certificates are included attached to the BASIX report); and
- The external walls and glazed windows of the retail premises meet the requirements of Parts J1 and J2 of the BCA respectively.

### 6.2.4. State Environmental Planning Policy 55 – Remediation of Contaminated Land

Demolition and remediation works are the subject of a separate development application, referred to above.

### 6.2.5. State Environmental Planning Policy – Infrastructure

The aim of the SEPP is to facilitate the effective delivery of infrastructure across NSW by identifying matters to be considered in the assessment of development adjacent to particular types of infrastructure such as classified roads and prescribing consultation requirements for certain development.

#### Traffic Generating Development (Clause 104)

Developments listed in the Schedule 3 of the SEPP are to be referred to RMS. Schedule 3 lists categories and sizes or capacity of developments which both have site access to a classified road (or within 90m) and access to any road. Certain characteristics of the development proposal trigger referral to the RMS for comment, such as:

- Commercial premises with floor space of more than 2,500m<sup>2</sup>;
- Parking for 50 or more motor vehicles; and
- Shops of 500m<sup>2</sup> or more.

Given the volume of the proposed commercial (retail) floor space and the number of parking spaces proposed, the proposal will be referred to the RMS for comment.

Further discussion on the proposed traffic and car parking is provided below.

### 6.2.6. State Environmental Planning Policy 64 – Advertising and Signage

SEPP 64 aims to:

- (a) *to ensure that signage (including advertising):*
  - (i) *is compatible with the desired amenity and visual character of an area, and*
  - (ii) *provides effective communication in suitable locations, and*
  - (iii) *is of high quality design and finish, and*
- (b) *to regulate signage (but not content) under Part 4 of the Act, and*

- (c) *to provide time-limited consents for the display of certain advertisements.*

The development application includes areas on the building for the provision of future signage. The applicant is in the process of securing the retail tenants and their signage requirements are not yet finalised. Therefore, consent for the design of signage within the approved signage zones on the building will be lodged as a separate development application.

The design of the building, including the height, bulk and scale and the architectural features, has allowed for the signage zones in appropriate locations to provide effective signage for key tenants.

## 6.2.7. Canada Bay Local Environmental Plan 2013 (as amended)

### Land use

The site is located within the B4 Mixed Use Zone under the LEP. The B4 zone permits a broad range of uses including commercial, residential, educational, hotels, bars and restaurants. The proposed redevelopment of the site is permissible with consent.

The proposed development within the Station Precinct is consistent with the zone objectives through:

- Provision of diverse and compatible land uses - residential, and retail uses to provide vibrancy and activity within the precinct while allowing for the successful operation of each. The proposal will serve the workforce, visitors and the wider community.
- Integration of a variety of land uses in a location that is highly accessible through public transport – Rhodes Railway Station and various bus routes, and encourages walking and cycling through substantial works to the public domain and the provision of a bicycle centre/ end of trip facilities to provide for cycling initiatives.
- The introduction of through site links, pedestrian plazas and reduction of vehicular crossings; providing a significant opportunity to activate the street and retail frontages at the ground plane.

### Building height (Cl. 4.3 of CBLEP 2013)

There are three maximum building heights applicable to the site. The maximum and proposed building heights as they apply to the three sites are set out in the following table.

TABLE 7 – HEIGHT OF BUILDING STANDARDS

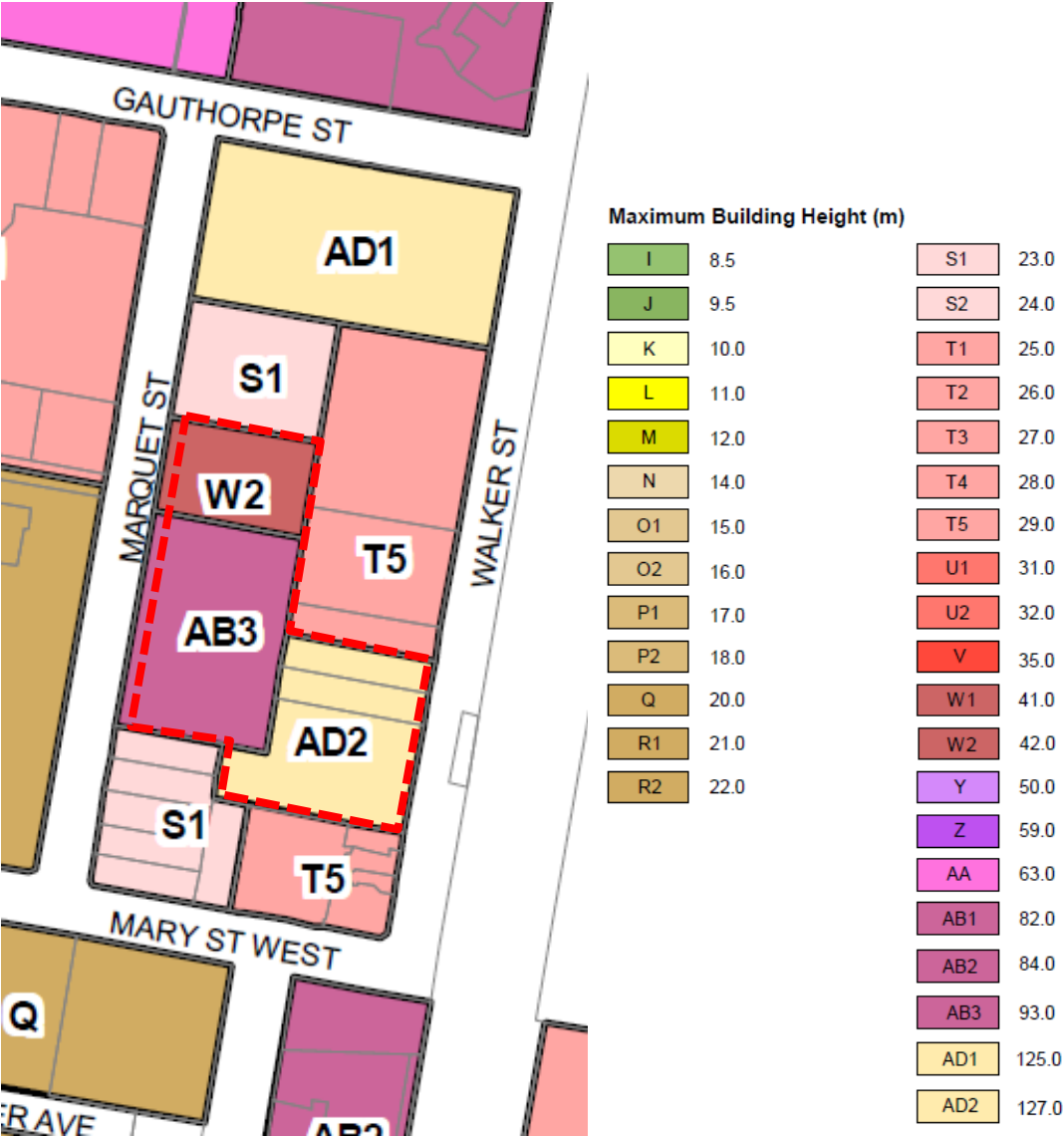
Site	LEP Building Height	Proposed Building Height	Compliance
1A	127m	125.65m	YES
1B	88.8m	93m	YES
1C	42m	4.15m	YES

The amended proposed built form across the site has been designed to meet the prescribed LEP heights, with the exception of the heliostat on Tower 1A. In this regard, the proposed heliostat exceeds the LEP maximum building height of 125.65m by an additional 17.75 metres, resulting in a maximum building height for Tower 1A of 143.4m (maximum RL 156 AHD).

In accordance with the LEP (as amended), the Heliostat is defined as an architectural roof feature and is permitted to extend above the maximum building height limit. The heliostat structure is further addressed in the report provided by Inhabit at **Appendix N** and is of high architectural design quality that is well integrated into the overall building design. Further, the proposed heliostat has been specifically introduced to mitigate the potential overshadowing of the Town Square in accordance with the planning provisions developed through the planning proposal.



FIGURE 16 – MAXIMUM BUILDING HEIGHTS, LEP 2013 (SUBJECT SITE SHOWN IN RED)





## Floor Space Ratio (Cl. 4.4 of CBLEP 2013)

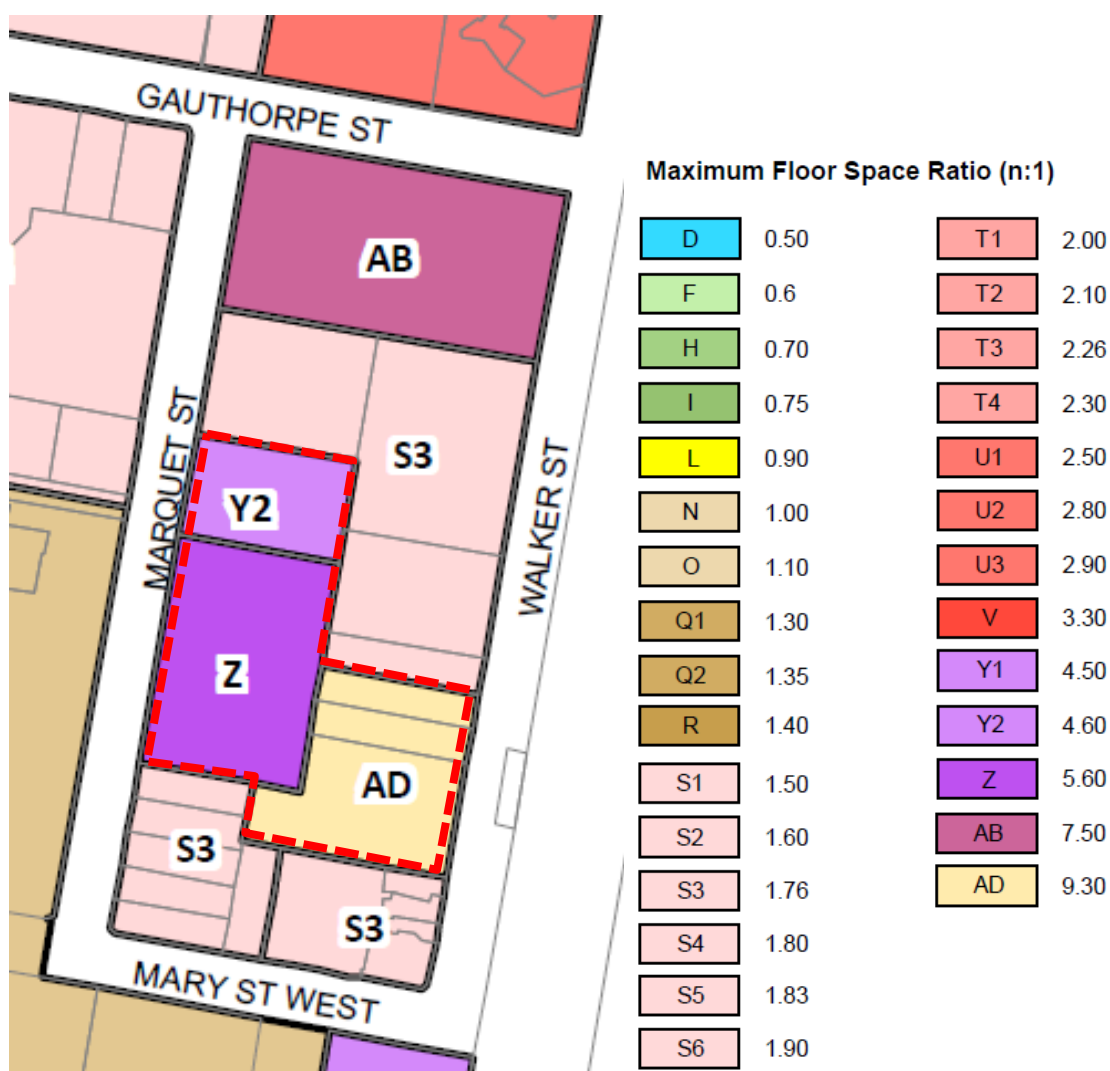
The amended architectural drawings comply with the maximum Floor Space Ratio (FSR) as set out in the Canada Bay LEP 2013. The amended proposal includes the following Gross Floor Area (GFA) and Floor Space Ratio (FSR) across the three sites as set out in **Table 8**.

TABLE 8 – AMENDED GFA/FSR

Site	Site Area	LEP GFA/ FSR	Proposed FSR	Compliance
1A	4,018m <sup>2</sup>	37,367m <sup>2</sup> / 9.3:1	37,302m <sup>2</sup> / 9.28:1	YES
1B	4,546m <sup>2</sup>	25,458m <sup>2</sup> / 5.6:1	25,387m <sup>2</sup> / 5.58:1	YES
1C	2,037m <sup>2</sup>	9,370m <sup>2</sup> / 4.6:1	440m <sup>2</sup> / 0.22:1	YES

Refer to GFA Certified Plans prepared by Linker Surveying, Registered Surveyors at **Appendix E**.

FIGURE 17 – FLOOR SPACE RATIO, LEP 2013 (SUBJECT SITE SHOWN IN RED)



## 6.2.8. Rhodes West Development Control Plan 2013

The Rhodes West DCP 2015 provides a Framework Plan to set the urban design structure for development sites within the area and sets out development controls for the public and private domain.

The applicable Rhodes West DCP provisions are in two sections, those General Controls at Part 3 and the Precinct Specific Provisions at Part 4. In particular, the Precinct Specific controls for the Station Precinct (Precinct D) are set out at Section 4.7 of the DCP. These provisions have been informed by the CM+ Master Plan (November, 2014) and include controls relating to:

- Building Envelope Plan and Sections
- Minimum building setbacks
- Maximum building depth
- Maximum building height
- Building articulation zone
- Location of public and private open space
- Preferred location for vehicle and pedestrian access

An assessment of the Precinct Specific controls is provided in the following sections as they apply under each section heading.

### 6.2.8.1. Built Form

The Station Precinct Master Plan, implemented through the DCP provisions, proposes podiums and towers as a new built form for the Peninsula. There is a general stepping-up of height from north to south and from south to north, with the tallest building being proposed to be located immediately adjacent to Rhodes station. The Station Precinct residential tower buildings will complete the Rhodes skyline when viewed from various vantage points.

It provides for quality residential buildings of varying heights and a vibrant market-town style of village centre based on intimate laneways flanked by retail uses, landscaped public spaces, attractive entrances to buildings, public art, and a seamless public domain connecting to the Rhodes railway station.

In line with this vision the proposed built form includes a number of elements that have been incorporated into the overall site design, such as:

- Public domain through site links
- Internal public plaza space
- Retail frontages activating pedestrian walkways
- Strong sense of address for residential and retail components
- Clear definition between podium and towers
- Visual relief through the use of materials and through the break-up of buildings
- Variety in the use of materials
- Protection of view corridors
- Provision of clear and safe entry points to the buildings

As demonstrated by the proposal's compliance with the built form controls in the Rhodes West DCP (as set out in Table 8, below), in particular those relating to the Station Precinct, the proposal strongly aligns with the Council's vision for the Precinct. Noting that the proposed variation to the applicable floor space ratios is discussed in depth in a separate section of this report.

TABLE 9 – COMPLIANCE ASSESSMENT WITH RHODES WEST DCP BUILT FORM CONTROLS

DCP Control	Proposed Response	Compliance
C1. The maximum permissible building height on the subject sites are defined in the Canada Bay Local Environment Plan 2013: Amendment No.3 (as revised November 2014). Building height reaches 127 metres (equivalent to 36 storeys) adjacent to Rhodes Station and steps down to the north, west and south.	The proposed building heights have been designed to meet the maximum height of building standards under Cl. 4.3 of the CB LEP 2013 (as amended) and therefore satisfy the DCP controls.	Yes
C2. The maximum Floor Space Ratio (FSR) is defined in the Canada Bay Local Environment Plan 2013: Amendment No.3 (as revised November 2014).	The proposal complies with the maximum Floor Space Ratio standards under Cl. 4.3 the CBLEP 2013.	Yes
C5. Building-to-building setbacks are to comply with SEPP65.	<p>The proposal includes the following minimum setbacks of the residential towers:</p> <p>Tower 1A – Tower B: 52.6m</p> <p>Tower 1A – northern boundary: 3m</p> <p>Tower 1A – southern boundary: 10.3m</p> <p>Tower 1B – northern boundary: 58m</p> <p>Tower 1B – southern boundary: 9m</p> <p>The proposed setbacks have been designed to enable the built form proposal to be realised on the site and recognise the overall urban character of the Station Precinct.</p> <p>For these reasons the proposed building separation is considered an appropriate response on the site, to the adjoining properties, the streetscape character and site context.</p>	<p>Variation for Tower 1A to northern boundary. Setbacks comply with those set out in the Master Plan.</p> <p>Refer to commentary on SEPP 65/ADG</p>
C6. A maximum GFA floor plan of 1250m <sup>2</sup> above podium level within residential towers.	<p>The proposed tower floor plates of the residential towers are as follows:</p> <p>Tower 1A, Levels 04-06: 604m<sup>2</sup> GFA</p> <p>Tower 1A, Levels 07: 593.2m<sup>2</sup> GFA</p> <p>Tower 1A, Levels 08-20: 910.8m<sup>2</sup> GFA</p> <p>Tower 1A, Levels 21-37: 947.1m<sup>2</sup> GFA</p> <p>Tower 1B, Levels 04-05: 815.1m<sup>2</sup> GFA</p> <p>Tower 1B, Levels 06: 910.3m<sup>2</sup> GFA</p> <p>Tower 1B, Levels 07: 910.4m<sup>2</sup> GFA</p> <p>Tower 1B, Levels 08-13: 908.9m<sup>2</sup> GFA</p>	Yes

DCP Control	Proposed Response	Compliance
	Tower 1B, Levels 14 - 25: 903.5m <sup>2</sup> GFA	
C7. A Podium of approximately 14m building height is required.	The proposal includes the construction of a podium height to Walker Street ranging in height from 13 metres to 14.5 metres. The development of Buddling 1C is a single storey in height, which is expected to be modified with the redevelopment of an amalgamated site with the 29 Marquet Street property.	Generally complies
C8. The Podium Articulation Zone has a maximum setback of 4m.	<p>The podium articulation zone is identified for the full length of the Walker Street and Marquet Street frontages. The proposed building podiums are setback from the street boundaries on these frontages as follows:</p> <ul style="list-style-type: none"> <li>▪ Walker Street: 3.6m</li> <li>▪ Marquet Street: 2.6m</li> </ul>	Yes
<p>C9. The street wall has a maximum continuous frontage of 45m. Facades longer than 45m are to have a recess of a minimum of 3 x 3 metres and provide other means in the visual composition to break up overly bulky buildings. The composition and detailing of a facade is important to the appearance of the building and influences its perceived scale.</p> <p>Well-designed facades reflect the use, internal layout and structure of an apartment building.</p>	<p>The proposed street wall to the Walker Street and Marquet Street frontages is broken up by recesses in the building frontage at the main building entry points. In particular, a significant recesses is provided at ingress/ egress to the plaza from the east and west. This break in the street wall is continued vertically through all podium levels to provide a largely clear to the sky open plaza running east – west through the built form.</p> <p>The treatment of the podium level is further enhanced through modulation and articulation in the façade and the accentuation of the building entries/lobbies and awning designs. The proposed design treatment includes varied setbacks, a mixed palate of complementary materials, the use of external columns marking the entry points and the introduction of glazing, balconies and louvres to add interest to the elevation.</p>	Generally complies
C10. A tower Setback Line applies to all new property frontages and is a minimum of 3m.	Towers 1A and 1B are set back 3.9m from the Walker Street and Marquet Street frontages respectively. The podium is not set to the street edge so as to provide more publicly accessible space for pedestrians along Walker Street.	Yes
C12. New development on Marquet Street is to align with the buildings opposite that define the sides of Annie	The buildings on the western side of Marquet Street that define the northern and southern sides of Annie Leggett Promenade are built to	Yes

DCP Control	Proposed Response	Compliance
Leggett Promenade.	the street frontage and approximately 5-8 storeys in height. In response to this the podium elevation at the northern end of Marquet Street is of a distinctly different design to respond to this DCP control. The proposed built form is set back from the Marquet Street frontage in this northern section of the site and consists of the podium height development with no tower form above.	

### 6.2.8.2. Public Domain and Landscaping

Through the Planning Proposal process a detailed analysis has been undertaken of the public domain surrounding the precinct. This identified a number of public domain and streetscape works that would address potential development impacts and these are reflected in the Rhodes West DCP controls as set out in the following table. The proposed pedestrian network is addressed through the proposal's response to the DCP controls within Table 10.

TABLE 10 – COMPLIANCE ASSESSMENT WITH RHODES WEST DCP PUBLIC DOMAIN/ PEDESTRIAN NETWORK CONTROLS

DCP Control	Proposed Response	Compliance
C3. The mid-block is to provide a fine grained network of plaza's and laneways, creating a permeable city block.	The development provides for a central plaza area connecting east – west through the site. The plaza is integrated with a fine grained network of laneways, creating a permeable city block. The experience of these laneways is proposed to be intimate and to promote a sense of market town activity. Additional plaza areas are provided to the north west which are directly linked to the main plaza area and existing through block connections. The provision for a future connection to the Rhodes Train Station is provided to further enhance the accessibility to/ from the site (subject to a future DA).	Yes
C4. Pedestrian connections, through a series of new urban places and plazas between Rhodes Station, to Marquet Street, Mary Street and Annie Leggett Promenade to the waterfront are required. Additional north-south retail laneway connections between Town Square and the new Recreation Centre are also required	The pedestrian connections through the site includes north-south laneway connection that will link to the future developments on neighbouring sites and provide direct access to the Town Square to the south and the new Recreation Centre in the north. East to west connections are also provided, linking up existing east-west laneways to provide direct and convenient access between Rhodes Station, to Marquet Street, Mary Street and Annie Leggett Promenade to	Yes

DCP Control	Proposed Response	Compliance
	the waterfront.	
<p>C11. A Built-to-line with a zero setback is required for the mid-block laneways and plaza. Laneway width is 6-8m and minimum plaza width is 20m. Laneway width is subject to performance requirements to accommodate:</p> <p>Sufficient space to accommodate sufficient clear width, swept path and height for emergency vehicle access as required by the NSW Fire Brigade and NSW Ambulances and other day-to-day service vehicles required to maintain the central oval plaza and laneway public domain and as necessary to service businesses.</p> <p>Planting of mature trees in the laneways and central oval plaza as illustrated in the Public Domain Concept Plan (Context Landscape Design 2014).</p> <p>Provision of outdoor dining zones associated with cafe, bar and restaurant tenancies.</p> <p>Projecting shop or other signage.</p>	<p>A zero setback is provided to all mid-block laneways and plaza areas to promote activation of these areas with retail frontages and passive surveillance opportunities.</p> <p>Provision has been made within the design of the laneways and plaza areas to accommodate emergency vehicle access, planting of mature trees, provision of outdoor dining areas and the required shop front signage (subject to separate DA's as signage details are available).</p> <p>The Landscape Plan provides further detail on the proposed plantings within the pedestrian thoroughfare areas and potential outdoor dining and seating areas.</p>	Yes
C17. Maximise pedestrian amenity by providing bus shelters and building awnings for weather protection from Rhodes Station to the bus interchange.	Not applicable. However, the proposal does include the provision of awning along the street frontages of the podium level to provide weather pedestrian shelter and ease of access between destinations along Walker Street and Marquet Street.	N/A
C18. Connection from the development to the Station Concourse with a pedestrian bridge over Walker Street is permitted subject to a high level of urban design and architectural quality being achieved.	A connection from the proposed development to the Rhodes Railway Station is currently being explored by the Applicant and will be subject to a separate Development Application to the City of Canada Bay Council.	N/A
C19. Proponents are to address the provision of cycle routes, crossings and parking facilities in relation to the Station Precinct, including at	The application includes a Bicycle Strategy. This accommodates bicycles	Yes

DCP Control	Proposed Response	Compliance
Rhodes Station and at key precinct destinations.	<p>throughout the development by:</p> <ul style="list-style-type: none"> <li>Ensuring that bicycle points link into the broader bicycle context network; and</li> <li>Promoting the site as an end of trip destination point which is adjacent the train station.</li> </ul> <p>In particular, this includes the provision of well-defined bicycle paths through the site and a bicycle storage location, designed to be well managed and easily accessible to the wider community.</p>	
C23. Provide a raised threshold pedestrian crossing to Rhodes Station, across Walker Street, and also at the mid-point, across Marquet Street, to Annie Leggett Promenade.	To be provided as part of later stages of development as per the VPA works.	Yes
C24. Provide generous through-site pedestrian links with tree planting arranged to maximise views into the mid-block, and taking into account of access and safety considerations.	Provision has been made within the development for generous through-site pedestrian links including laneways and plaza areas, all designed to accommodate planting of mature trees, outdoor dining areas and public seating. The design of these areas is shown in the Landscape Plan. This plan has been developed with access and safety considerations paramount in the siting of these features.	Yes
C25. Wherever possible provide active edges along all pedestrian passageways and around the proposed plaza.	A zero setback is provided to all mid-block laneways and plaza areas to promote activation of these areas with retail frontages and passive surveillance opportunities.	Yes
C26. Central Oval Plaza – this is an opportunity for a flexible, simple and uncluttered space, with minimal and carefully chosen landscape, furniture, lighting and artwork. The plaza and laneways are a focus for cafes, small daytime events, community activities and temporary markets.	<p>The central oval plaza area has been well considered through the design process.</p> <p>The ground plane of the plaza has been activated as the primary experience. Visual and physical links provide for direct connection in a safe and convenient manner which also promotes a market town centre concept.</p> <p>The Landscape Plan provides further detail on the proposed plantings within</p>	Yes

DCP Control	Proposed Response	Compliance
	the pedestrian thoroughfare areas, furniture, lighting and potential outdoor dining and seating areas. Provision is also made for public artwork installations.	
C27. There is an opportunity to integrate a water feature within the Station Precinct plaza.	The inclusion of a water feature will be fully considered through the detailed design process. It is noted there is adequate space within the plaza area for integration of a water feature where appropriate.	Yes
C28. Provide new street trees in surrounding streets – Gauthorpe, Marquet, Mary and Walker Streets.	The Landscape Plan provides further detail on the proposed street tree plantings within the public domain of the surrounding streets.	Yes
C29. Celebrate the Walker Street and Marquet Street entry plazas to the precinct with groves of distinctive palm trees.	The entry plazas from both the east and west are proposed to be well defined with open site lines into the site. The planting at the entry points are defined as “Arrival accent trees” and will be further specified through the design detail.	Yes
C30. Integrate the Walker Street public domain generally in accordance with the Public Domain Concept Plan (Context 2014).	The public domain on Walker Street has been integrated in accordance with the design shown on the Public Domain Concept Plan.	Yes
C31. Integrate public art and feature lighting into the public domain – opportunities include embedded artwork in the paving or sculptural installations, as a focus in the entry plazas, and in the central oval plaza – to entice pedestrians to the ‘heart’ of the precinct.	The detailed design of the project proposes to document opportunities and the details of the integration of the public art into the site development. This is expressed in the public art plan and will be subject to further detailed design through conditions of consent.	Yes
C32. Integrate sustainability and WSUD initiatives in the designated public domain.	<p>As set out in the Landscape, Water Sensitive Urban Design (WSUD) principals have been realised into the landscape design to celebrate a sustainable water cycle. WSUD principals are proposed as follows:</p> <ul style="list-style-type: none"> <li>Water sourced from the onsite rainwater collection will be used for the landscape irrigation, all irrigation systems will comprise of subsurface drip systems</li> </ul>	Yes



DCP Control	Proposed Response	Compliance
	and automatic timers with rainwater / soil moisture sensor controls; <ul style="list-style-type: none"> <li>Irrigation will be provided to all proposed trees and soft landscaping.</li> </ul>	
C33. Integrate the Station Precinct paving, furniture, lighting and materials and finishes, seamlessly with the adjoining Rhodes Peninsula public domain.	The architectural and landscape plans both demonstrate the proposal's intention to carry through the design and style of the public domain treatment within the site to the adjoining Rhodes Peninsula public domain. This will create a consistency in the streetscape and throughout the precinct to encourage pedestrian flow seamlessly between the public and private realms.	Yes

In summary, the proposal development presents a significant improvement to the pedestrian network and public domain across the Precinct by providing a highly permeable site that encourages safe, attractive, easily identifiable and convenient pedestrian access. The proposal also includes the provision for a future connection to the railway station (subject to a separate DA).

The open air central plaza space provides an identity for the precinct and facilitates thoroughfare commuter and destination traffic. The pedestrian network is further enhanced through the provision of active street frontages along Walker Street, Marquet Street and within the pedestrian through site links. The proposed scale and positioning of retail spaces allows for appropriate sight lines, a sense of security, passive surveillance and well defined entry points for the mixed use development. The proposed active street frontages and high quality landscaped public domain areas will contribute to the creation of a dynamic market street character, as envisioned by the Master Plan for the Station Precinct.

### 6.2.8.3. Overshadowing and the Heliostat

The following section provides a discussion of the key sunlight access provisions applicable to the site and findings from the shadow analysis based on the solar access controls within the DCP 2015 regarding solar access at the Winter Solstice.

The protection of sunlight access to defined public spaces within Rhodes West is a significant planning outcome evident through the master planning process and reflected in the Rhodes West DCP controls. The provisions of the DCP 2015 relevant to the protection of solar access within the Station Precinct are set out in the following table.

TABLE 11 – RHODES WEST DCP SOLAR ACCESS CONTROLS

DCP Control	Proposal	Compliance
C13. Solar access on the Town Square is protected during lunchtime hours (noon to 2:00pm) on the Winter Solstice. Alternative means of providing solar access are permitted, assessed on their merit, and must be proven on a scientific basis (a specialist report is to be provided at DA stage). The legal obligations of the proponent must also be addressed to Council's satisfaction.	Solar access is provided to the Town Square as a minimum between the hours of 12pm and 2pm on the Winter Solstice. This is demonstrated in the shadow analysis diagrams prepared by SJB Architects. The solar access to this area has been protected through the introduction of a Heliostat to the roof of Tower 1A. The details of the operation of the Heliostat are provided in the Heliostat Design Report prepared by Inhabit and submitted with the application.	Yes

DCP Control	Proposal	Compliance
C14. Solar access to the Mary Street Childcare outdoor play area, the mid-block plaza and laneways is to be provided, whether by direct solar access or by alternative approved means.	Solar access is not provided to the outdoor play area of the Mary Street Childcare Centre through the proposed redevelopment. The upper podium levels of the building directly adjoining the child care centre open space are setback from the southern boundary of the site to break down the height of the building and provide for a suitable transition in scale. On balance this is an appropriate design response to maintain amenity for the child care centre outdoor open space.	Variation required

The application proposes the construction of a heliostat mirror system on the roof of Tower 1A which seeks to redirect sunlight into the park and mitigate the potential overshadowing of the Rhodes Town Square. The proposed construction, operation and efficiency of the heliostat are addressed in the Heliostat Design Report prepared by Inhabit. It is noted that Kennovations provided a preliminary report entitled: Heliostat Technical Overview (June 2014) as part of the Planning Proposal. This initial study supported the implementation of a Heliostat as a sound scientific solution to counteract the potential for shadow impacts through provision of a technical overview and design concept. The design detail of the heliostat is required to be considered further through the current application and supporting technical report.

Heliostats are mirrors that can rotate with two-degrees of freedom, which are controlled by software to track the sun during the day in order to redirect reflections at a known target. In the proposed design, the heliostats will be used to redirect sunlight up to a second array of static mirrors which are elevated above Tower 1A. This reflector array of mirrors is orientated so that they redirect sunlight into the Rhodes Town Square.

The heliostats included in the simulation run by Inhabit have been based on components that have been developed by the CSIRO. This heliostat system is an off-the-shelf product manufactured in Australia that was originally developed for the use in concentrating solar thermal power stations. Over 600 of these heliostats are currently installed and operational at the CSIRO testing and research facility, where they are used to power a turbine for electricity generation. These heliostat systems have also been commercially installed for similar systems in both Europe and Asia.

Inhabit have run computer simulations of the heliostat based on the required design parameters in order to predict the additional illumination provided to the Rhodes Town Square. Using a baseline established by the proposed overshadowing of the Town Square without Heliostats, the Inhabit report demonstrates the additional illumination of the open space area once heliostats are included in the modelling. This is shown in the following table:

TABLE 12 – MEAN ILLUMINATION: BASELINE VS. HELIOSTATS

	12:00		13:00		14:00	
	Analysis 2: No heliostats	Analysis 3: With heliostats	Analysis 2: No heliostats	Analysis 3: With heliostats	Analysis 2: No heliostats	Analysis 3: With heliostats
Winter Solstice	12,000	16,400	15,100	18,800	12,100	14,800
Summer Solstice	No overshadowing		No overshadowing		No overshadowing	
Autumn Equinox	18,800	27,200	No overshadowing		No overshadowing	
Spring Equinox	20,300	26,700	No overshadowing		No overshadowing	

#### 6.2.8.4. Wind impacts

A Wind Tunnel Study was undertaken by Cermak Peterka Petersen (CPP) to provide an assessment of the impact of the mixed-use development on the amenity of the wind environment in and around the site for the original DA.

The proposed development was modelled in the wind tunnel with the surrounding approved buildings and without any proposed plantings (as a worst case scenario) to assess the acceptability of the pedestrian level wind environment to inform the detailed design of these areas. The findings from the study provided recommendations, subsequently incorporated into the proposed building design, to ensure the wind conditions at specific locations are suitable for the intended use of the spaces.

In particular, the wind conditions in the retail centre required amelioration to produce an area suitable for outdoor café style activities. The proposed measures, as shown on the development plans, consist of automatic opening doors to create a sealed airlock at both entrances to this public area. The incorporation of this mitigation measure will ensure the plaza area provides a comfortable wind environment for pedestrians and can be this area can be utilised in accordance with the vision of the Master Plan, as a market town area with outdoor seating and dining opportunities within a vibrant and engaging pedestrian experience.

CPP were requested to review the amended development plans, and found the following:

*“The height and general massing of the towers remain the same. From a wind perspective, the most relevant change is the slight shape of the tower floor plates, which are squarer and smaller in the north-south direction Figure 1. With the retained rounded corners of the development, the proposed changes would be expected to have a minimal impact on the wind environment at ground level, compared with those reported in our previous wind-tunnel test report dated October 2015”.*

#### 6.2.8.5. Traffic, Transport, Parking and Access

An assessment of Traffic and Parking has been prepared by Thompson Stanbury Associates and is included at Appendix F. The assessment examines the following aspects of the proposal:

- The suitability of the proposed vehicular access arrangements.
- The adequacy of the proposed off-street parking provision.
- The proposed parking layout with respect to internal circulation and vehicle manoeuvrability.
- The proposed internal site servicing and loading arrangements.

It is noted that the external traffic impacts of the approved Master Plan (on which this development application is based) have been previously assessed as part of the planning proposal within the report entitled: *Rhodes Station Precinct – Proposed Uplift Traffic Study Traffic Assessment Report* (May 2014), prepared by GTA Consultants. In summary of the findings of the GTA report submitted as part of the Planning proposal, the current road system was found to be adequate to cater for the proposed increase in densities within the Precinct.

The key issues of the Internal Traffic Assessment are discussed in the following sections.

#### 6.2.8.6. Vehicle Access and internal circulation

The following vehicle access is proposed to the development site:

- Retail car park – entry and exit from Marquet Street via a single vehicle crossing adjacent to the northern boundary of the site.
- Residential car park – entry and exit from Marquet Street via a single vehicle crossing adjacent to the southern boundary of the site.
- Loading and servicing – entry to the loading dock from Walker Street via a two way driveway, adjacent to the northern site boundary at 16 Walker Street.

The proposed vehicle strategy for the development to ensure optimum safety, efficiency and convenience has been as follows:

- Separate vehicular access for trucks and cars to minimise traffic conflicts.
- Separate car access points for retail and residential.
- Loading trucks, waste vehicles and service vehicles positioned to Walker Street to minimise impact on existing residential land use on Marquet Street and to pedestrian through site links.

The design of the entry driveways, the internal circulation paths they provide access to, and the arrangement of additional infrastructure – such as intercoms, turntables and boom gates at specified access points, has been found to comply with AS 2890.1, AS2890.2 and AS2890.6. Swept path analysis of relevant on-site manoeuvring areas has confirmed its satisfactory operation.

It is noted that the overall operation of site servicing and loading is proposed to be managed through a Site Servicing Management Plan to be developed for the proposal. This is proposed as a condition on any consent granted.

### 6.2.8.7. Parking

The Rhodes West DCP sets minimum and maximum car parking rates specific to the Peninsula to optimise the use of public transport and reduce travel demand. The DCP car parking strategy is set out as:

*The higher residential density and mixed use envisaged for the Rhodes Peninsula will enhance public transport use and viability, and reduce travel demand. This DCP promotes public transport use by minimising car parking requirements whilst providing for on-site service vehicle parking. Underground and semi-underground parking minimises the visual impact of car parks and is an efficient use of the site creating an opportunity for increased private, common and private open space.*

The following table provides an assessment of the proposed car parking provision against the relevant controls of the DCP 2015.

TABLE 13 – DCP 2015 CAR PARKING RATES AND DEVELOPMENT PROVISION

Type	Number	DCP Maximum Rate	Spaces Provided
Residential Units	548 units	1 space per unit/ 548 spaces	548
Visitor	548 units	1 space per 20 units/ 27.4 spaces	37
Retail	12,820m <sup>2</sup>	1 space per 40m <sup>2</sup> / 322 spaces	322
Car share	548 units	Minimum 3 spaces	3 (off-street)
	TOTALS	901	910

The proposal complies with the residential parking rates, however results in an additional 9 visitor spaces above the DCP car parking maximum rate. The Traffic Assessment finds that the proposed oversupply of residential visitor parking is considered to be minor in nature and unlikely to alter the traffic generating capacity of the development to any unreasonable extent, and accordingly is considered to be satisfactory. Overall, the proposal provides a total of 9 spaces over the maximum DCP rates across the site. Further, the car parking areas are provided within basement levels and appropriately concealed from surrounding streets.

It is noted that the proposed car share spaces are provided off-street based on pre-lodgement discussions with Council requiring these spaces to be provided within the site.

In terms of motorcycle parking, the basement parking areas provide a total of 18 motorcycle parking spaces. The DCP specifies that motorcycle parking should be provided at a rate of 1 space per 100 vehicle parking spaces. Based on the site-wide parking provision of 1061 spaces (excluding the car share spaces), 11 motorcycle parking spaces are required and therefore an appropriate number of motorcycle spaces are provided.

#### 6.2.8.8. Servicing and loading

The proposal includes 17 loading bays, including waste collection areas, within the basement. The proposed loading spaces meet the DCP loading requirements, where 17 spaces are required for retail/commercial activities.

The servicing requirements for the residential component are specified as maximums within the DCP and therefore the proposal to not provide any residential bays is consistent with the DCP controls. The Traffic Assessment finds that the 17 loading spaces within the shared basement provide adequate capacity for dual use by both the retail/ commercial and residential components. On this basis the serving and loading of the proposed development is considered to be sufficient and appropriate for the development.

TABLE 14 – COMPLIANCE ASSESSMENT WITH RHODES WEST DCP SERVICING AND LOADING CONTROLS

DCP	PROPOSED	COMPLIANCE
C20. Restrict vehicular and servicing access to the midblock to ensure for a safe, pedestrian prioritised network of mid-block laneways and plazas to thrive.	The proposal has restricted and consolidated vehicle access points to minimise interruption to the public domain and pedestrian flow. The proposed vehicle access points to the site (three in total) are well separated from the main plaza and pedestrian thoroughfare. Two vehicle access points are on Marquet Street and only one on Walker Street, given its highly pedestrianised nature.	Yes
C21. Major truck and service vehicle access to Station Precinct basements is preferably from Walker Street and Marquet Street.	All loading access is provided from Walker Street, adjacent to the northern site boundary.	Yes
C22. Consolidate wherever possible, vehicular entry points to Station Precinct development and ensure good sightlines at pedestrian cross-overs.	Vehicle access points are consolidated and have the ability to be further shared with future development to minimise vehicle access points and promote pedestrian activity in the surrounding public realm. Appropriate sightlines are provided from the proposed vehicle access points,	Yes
C23. Maintain fire and emergency vehicle access via one or more laneways, as required by emergency service authorities.	Appropriate fire and emergency vehicle access is maintained to the site.	Yes

#### 6.2.8.9. Bicycle Parking

Based on 548 apartments, the DCP requires a minimum bicycle parking provision of 183 resident spaces and 46 visitor spaces. The proposal includes 853 resident bicycles cages within the basement parking levels and a total of 60 public access visitor bicycle racks are proposed at podium level.

In terms of the retail and commercial component, the DCP requires a minimum of 71 bicycle parking spaces. The proposal complies with this control and provides a total of 100 bicycle parking spaces within the retail/ commercial basement parking levels.

In addition, one of the retail tenancies within the proposed Building C is proposed to be occupied by a bicycle storage and ancillary maintenance provider. Cyclists are able to drop their bicycles into the facility in the morning prior to travelling to from work via Rhodes railway station. The bicycles can then be picked up again by the customer following the completion of business hours. The public benefit of such a facility, which provides a capacity to accommodate in excess of 100 bicycles at any one time, supplements the bicycle spaces provided in compliance with Council's established bicycle parking requirements.

#### **6.2.8.10. Environmental Sustainability**

The proposed sustainability initiatives to be employed by the proposal are set out in the Voluntary Planning Agreement (VPA) that applies to the development of the Station Precinct and addressed within the Sustainability Design Report prepared by Inhabit, attached at **Appendix I**.

This report finds that the proposed development:

*"Incorporates effective sustainable design concepts to maintain occupant comfort. The use double glazing and natural ventilation allows for unhindered views of Parramatta River while minimising energy requirements for heating and cooling. The building achieves BASIX requirements and aims to exceed BASIX benchmarks during detailed design".*

BASIX Certificates are provided at **Appendix I** and confirm that the proposed residential development will meet the applicable thermal heating, energy and water efficiency initiatives.

#### **6.2.8.11. Electrolysis and Stray Current impacts**

An Electrolysis and Stray Current Assessment has been prepared by CCE and is included at **Appendix H** of the Statement of Environmental Effects for the original DA. The report provides an assessment of the potential impact of the railway operations to the east of the site, across Walker Street and the implications for the development proposal.

In summary, the report finds:

*We conclude the present stray traction currents, at the proposed building site, may not present a corrosion hazard to on or in ground metallic structures. It should be noted that stray traction current effects at the site will almost certainly change with time and may, at some time in the future, become a significant corrosion hazard.*

*The construction of the proposed foot bridge which links level 2 of the development site to Rhodes Train Station will have to comply with all the relevant RailCorp and Sydney Trains construction mythologies to inhibit the transmission of any Stay Traction Currents.*

*The temporary shore anchors that will be used during the construction stage will have to be installed and constructed using a method that maintains electrical isolation from any steel reinforcement in all of the retaining walls, piers and concrete slabs. A suitable method includes epoxy/chemset around the anchors.*

With regard to the comment regarding the proposed foot bridge to Rhodes Railway Station, it is noted that this proposed work is not included in the current application and will be subject to a future DA.

On this basis, it is proposed that the impacts of the corrosive effects of stray traction currents can be appropriately mitigated as set out in the recommendations of the assessment.

#### **6.2.8.12. Acoustic Impacts**

A Noise Impact Assessment of the proposal has been undertaken by Acoustic Logic and included at **Appendix J**. The report addresses acoustic considerations relating to:

- Noise impacts addressed in this assessment include:

- Traffic noise intrusion into the development from Walker Street;
- Rail noise and vibration impacts from the T1 Northern Line;
- Loading dock noise;
- Noise impacts from retail on the Ground floor of the development.
- Traffic noise generation from vehicles entering and exiting the site; and
- Noise impacts from mechanical plant.

The report highlights a number of key findings as summarised below:

- Traffic noise generation on local roads will comply with the traffic noise requirements of the EPA Road Noise Policy.
- Mechanical noise emanating from the site will be addressed upon selection of mechanical equipment and the finalisation of the mechanical scheme prior to the construction certificate. Notwithstanding, mechanical noise emissions have been discussed in principle in relation to potential mechanical treatments and the location of equipment.
- Noise from the loading dock will comply with the requirements of the EPA Industrial Noise Policy for operation between the hours of 6am to 6pm, Monday to Sunday.
- Acoustic treatments have been recommended to ensure that internal noise levels from rail comply with the requirements of the: State Environmental Planning Policy (Infrastructure 2007).
- Acoustic treatments have been recommended to ensure that internal noise levels from road traffic along Walker Street comply with the recommendations of Australian Standard AS/NZS 2107:2000 'Acoustics – Recommended design sound levels and reverberation time for building interiors'.
- Rail vibration will comply with the recommendations of the Department of Planning 'Development Near rail Corridors and Busy Road – Interim Guideline' and the EPA document Assessing Vibration- A technical guideline.

Further, traffic increases as a result of the proposed redevelopment of the Precinct, are not expected to influence the existing ambient noise environment.

#### **6.2.8.13. Geotechnical and Acid Sulphate Soils**

A preliminary statement has been prepared by Douglas Partners, included at **Appendix K**, to provide confirmation of the likely geotechnical conditions and acid sulphate soil potential on the subject site. As set out at Section 6.2.4, a geotechnical investigation was undertaken as part of the Planning Proposal within the Douglas Partners report entitled: *Rhodes Station Precinct* (May 2014).

The information contained within the Statement submitted with the current application is provided to confirm that the previous Geotechnical investigation remains relevant and further investigations will be carried out post development approval regarding the structural integrity of the building design and the implementation of design measures to ensure the above and below ground building is structurally sound. With regard to acid sulphate soil, Douglas Partners conclude that the proposed basement excavations are unlikely to lower the groundwater on the adjacent land and therefore specific controls for managing acid sulphate soils are unlikely to be required.

In terms of contamination, the Contamination Assessment provided by Douglas Partners as part of the Planning Proposal confirms that the site is suitable for the proposed residential land use and appropriate remediation measures and off-site disposal for any contaminated material will be quantified at subsequent stages following further design and investigation.

A separate development application has been lodged for demolition and remediation works. Refer to commentary earlier in this report, in response to JBA's Draft Assessment Report.

#### **6.2.8.14. Accessibility**

A Preliminary Accessibility Report has been prepared by Certis Access Consultancy and included at **Appendix L**. The report has addressed the key matters of consideration contained in the relevant local and state legislation in regards to access for people with a disability.

The statement of compliance indicates that the proposal complies or is capable of complying with the Disability (Access to Premises – Buildings) Standards 2010, the Building Code of Australia. The report also makes recommendations for detailed design work to come as part of the construction certificate stage and can be included as conditions of consent.

#### **6.2.8.15. Building Code of Australia**

A preliminary Building Code of Australia Statement has been prepared by Blackett Maguire + Goldsmith and included at **Appendix M**. The purpose of this Statement was to determine the ability for the proposed buildings to meet the relevant Building Code of Australia (BCA) standards. The BCA report concludes:

*“Arising from the review, it is considered that the proposed development can readily achieve compliance with the relevant provisions of the BCA with minor amendments to the plans. Where compliance matters are proposed to comply with the performance requirements (rather than DTS Provisions), the development of an Alternative Solution Report will be required prior to the issue of the Construction Certificate”.*

#### **6.2.8.16. Construction Management**

A Preliminary Construction Management Plan (CMP) has been prepared by Billbergia and included at **Appendix O**. The CMP outlines the preliminary measures that are likely to be undertaken to minimise disturbance and impact on the surrounding environment during the construction phase. The CMP has been prepared with regard to the following:

- Outline of major works;
- Public amenity, safety and pedestrian management;
- Materials handling;
- Traffic management including public transport interfaces;
- Environmental management;
- Impact on adjoining and surrounding properties.

For a project of this scale, the potential for disruption to surrounding areas during the construction phase needs to be managed. Subsequently, Billbergia and their contractor seek to work closely with the City of Canada Bay Council, neighbours, existing tenants, occupants, stakeholders, including Sydney Airport, and transport authorities to devise appropriate plans of management that will ensure minimal impact and disruption to the surrounding area. Consultation will remain a key priority throughout the construction process to ensure the community and stakeholders receive regular updates and have the opportunity to provide feedback accordingly.

As discussed earlier, the proposed redevelopment of the Station Precinct is anticipated to occur across a staged construction process. Subsequently, it is intended that further detailed CMP's and works plans, for each construction phase of the project, as outlined in the Preliminary CMP, will be prepared and accompany the relevant succeeding development application.



TABLE 15 – RHODES WEST DCP CONSTRUCTION MANAGEMENT REQUIREMENTS

Control	Proposal	Compliance
C34. Requirement for a Development Approval is subject to a Sydney Airport 'Operate Equipment' Approval.	<p>In accordance with Development Control C34, the application proposes to submit the following information for Sydney Airport approval prior to construction commencing:</p> <ul style="list-style-type: none"> <li>▪ The location of any temporary structure or equipment, i.e. construction cranes, planned to be used during construction relative to Mapping Grid of Australia 1994 (MGA94);</li> <li>▪ The swing circle of any temporary structure/ equipment used during construction;</li> <li>▪ The maximum height, relative to Australian Height Datum (AHD), of any temporary structure or equipment i.e. construction cranes, intended to be used in the erection of the proposed structure/ activity;</li> <li>▪ • The period of the proposed operation (i.e. construction cranes) and desired operating hours for any temporary structures.</li> </ul>	To be satisfied as part of conditions of consent.

#### 6.2.8.17. Servicing

An assessment of the servicing requirements of the site has been undertaken by WSP (Fire, Hydraulics, Vertical Transport & Mechanical) and Northrop Consultants (Electrical, including public domain lighting) and are submitted at **Appendix P**. The assessments and accompanying plans set out the design intent for the proposed mixed use development for the following services:

- Mechanical Services (Heating, Ventilation and Air Conditioning).
- Electrical Services (Supply, reticulation, lighting, power, voice and data cabling, access control, and MATV).
- Vertical Transport (passenger, goods and machine room lifts, moving walks and escalators).
- Hydraulic Services (Stormwater / rainwater, sanitary plumbing, sewerage, trade waste, domestic hot and cold water, gas, fire hydrant and hose reels).
- Fire Protection (Sprinklers, Fire + Smoke Detection, OWS and portable fire extinguishers).

In summary of the assessments, the proposed redevelopment of the site can be appropriately serviced to meet the servicing, safety and capacity requirements for the proposed operations on site.

#### 6.2.8.18. Waste Management

An operational Waste Management Plan has been prepared by Elephants Foot and is submitted at **Appendix R**.

The report proposes two separate waste management systems for the retail and residential components of the site redevelopment. It is proposed that the Council contract will service the residential and a private recycling and waste service providers to collect the retail and hotel waste.

The key feature of the residential waste management system is a waste chute which runs through the core of the building, allowing garbage and recyclable waste to be disposed of at the respective residential

levels, and disposed of in the main waste store (Lower Ground Floor). Adequate space is allowed for in each apartment to store waste prior to disposal.

It will be the responsibility of building management to manage the bins beneath the chute to avoid overflowing, and to ensure that bins are put out for collection and returned to the waste room promptly afterwards. The plan also recommends signage and information to ensure correct operation by residents.

Retail waste will be collected within the tenancies in a dedicated storage area and moved to the main retail waste area on the Lower Ground Floor before collection by a private contractor. Waste associated with the hotel will be collected in a similar manner, held in an internal store area before collection from the loading dock area. All main waste stores will be provided with a bin wash area to maintain appropriate levels of amenity.

Refer to commentary provided in response to the waste coordinators' comments on the original DA and the meeting held on 6 September 2016 provided earlier in this report.

### 6.2.8.19. Voluntary Planning Agreement (VPA)

The proposal is subject to a Voluntary Planning Agreement (VPA) executed between Billbergia and Canada Bay Council. The following table sets out the relevant provisions of the VPA that are applicable to the Stage 1 Development Application subject to this proposal.

TABLE 16 – RELEVANT PROVISIONS OF THE VPA TO THE PROPOSED DEVELOPMENT APPLICATION

VPA Provision	Proposed	Proposed
<b>Part 2 - Development Contributions</b>		
<p><b>12 Calculation of Monetary Development Contributions</b></p> <p>Required on a per building basis prior to the issue of a Subdivision Certificate to create a lot on the Land which is proposed to contain the building.</p> <p>These are to be calculated based on land use (retail, serviced apartment and residential) gross floor areas of the part of the additional GFA in the Development per site. I.e. that above 1.76:1 for each site.</p>	<p>The application includes a GFA schedule prepared by Linker Surveying which sets out the details required by Section 12 of the VPA.</p> <p>The proposed development includes VPA monetary contributions in the order of \$33 million. The calculation of these contributions is to be confirmed in accordance with VPA.</p>	Yes
<p><b>15 Public Art</b></p> <p>The Developer must include as part of its Development Application for Stages 1 and 2 of the Development a proposal for public art in accordance with the Panel's recommendation referred to in clause 15.2:</p> <p>The public art to be included in Stage 1 of the Development is to have a design, construction and installation cost of \$400,000 (exclusive of GST).</p>	<p>The development proposal includes provision for public art at various locations within the subject site. The key considerations that have been undertaken in the early phase of development are the understanding of the context and early ideas of possible locations for art, cultural initiatives, artwork types and artists. <b>Appendix U</b> includes a plan prepared by SJB Architects to indicate locations for public art, both internally and externally on the site. A public art plan is proposed to be submitted as part of a condition of consent on any approval.</p>	Preliminary investigations undertaken. Final Public Art Plan to be provided.

VPA Provision	Proposed	Proposed
<b>Part 3: Provisions regarding the Dedication of Land</b>		
Dedication to Council of land on which the Recreation Centre is to be located.	To be undertaken as part of the development approval for Stage 2 works.	To be provided at Stage 2.
<b>Part 4: Recreation Centre</b>		
The Developer must lodge a Development Application for the Development on 34 Walker St, including the Recreation Centre, within 18 months of the date of commencement of the Amended LEP.	<p>The Canada Bay LEP 2013 (Amendment No. 6) was gazetted on 18<sup>th</sup> December 2015.</p> <p>The recreation Centre is not proposed as part of this Development Application and will be addressed in future stages of development, within 18 months of the 18<sup>th</sup> December 2015.</p>	To be provided at Stage 2.
<b>Part 5 - Other Developer Obligations</b>		
Content of Development Applications		
<p>Any Development Application which the Developer lodges in respect of the Development must:</p> <p>23.1.1 Commit to the Sustainability Initiatives;</p> <p>23.1.2 propose the provision of CCTV including cabling and all associated infrastructure for the monitoring of public domain areas;</p> <p>23.1.3 propose the location of electricity substations servicing the Development either within the buildings comprising the Development or underground, other than access and ventilation points which shall be designed to ensure minimal intrusion into the public domain, and shall be designed in consultation with Council;</p> <p>23.1.4 propose the undergrounding of all services in the public footpath immediately adjacent to the Development and include evidence of consultation with relevant Authorities regarding the location and requirements for all services; and</p> <p>23.1.5 include detailed BCA compliance reports;</p>	<p>See section below regarding Sustainability Initiatives.</p> <p>A Proposed Public Domain CCTV System report has been prepared by Northrop Engineers and is attached at <b>Appendix V</b>. The report sets out a proposed fully networked, digital Closed-Circuit Television (CCTV) system for the residential and the commercial shared area strata. CCTV for the individual retail tenancies will be the responsibility of those tenants.</p> <p>The preliminary design for the electrical services, including substation locations is included with the Development Application. These are provided by WSP at <b>Appendix Z</b>.</p> <p>The undergrounding of services is proposed and consultation with the relevant authorities for these works has commenced. Please refer to <b>Appendix P</b>.</p> <p>A BCA compliance report is included in</p>	<p>Yes</p> <p>Yes</p>

VPA Provision	Proposed	Proposed
<p>and</p> <p>23.1.6 propose the establishment and maintenance of laneways by the Developer in perpetuity and easements to be registered on title to all laneways allowing public access to laneways; and</p> <p>23.1.7 Propose the construction of a heliostat reflector on the building to be constructed on 6-14 Walker Street, Rhodes and be accompanied by a proposed maintenance manual in respect of that heliostat reflector.</p>	<p>the application at <b>Appendix M</b>.</p> <p>The proposal includes the construction and maintenance of laneways. Please refer to the proposed subdivision pattern document submitted within the application for the details of the easements to be applied to these areas to ensure public access is maintained (Appendix S).</p> <p>The proposed building design includes the construction of a heliostat on the roof of Tower 1A. The details of the proposed Heliostat are provided within the report prepared by Inhabit at Appendix M, including details of the maintenance requirements.</p>	
<b>23.3 Sustainability Initiatives</b>		
<p>23.3.1 The initiatives included in Schedule 9:</p> <ul style="list-style-type: none"> <li>▪ An average thermal comfort star rating of 5 stars or better (using BERS Pro, AccuRate or First Rate5;</li> <li>▪ Double glazed, low e-glass to all apartment windows – achieving summer/winter (glass only) U-values of around 1.7 or less;</li> <li>▪ R2.5 insulation to all non-glazed external walls;</li> <li>▪ R3.0 plus foil insulation to the underside of all roofs and roof terraces over apartments;</li> <li>▪ Non-potable (recycled) water reticulation to all apartment WC's and laundries (washing machine supply), the irrigation of gardens and the supply of carwash bays. Recycled water to be supplied by the existing recycled main system installed to Rhodes Peninsula;</li> <li>▪ Recycling of water from the fire pump testing system;</li> <li>▪ Drip irrigation to all planters / on slab landscaping, except turf areas;</li> <li>▪ Water efficient taps;</li> <li>▪ Energy efficient light fittings;</li> <li>▪ Energy efficient VVVF lifts;</li> <li>▪ Energy efficient variable speed fans for mechanical exhaust system;</li> <li>▪ Building Management Tools to minimise water and energy use (Motion sensors, time based controllers, irrigation control systems, air quality monitors for carpark ventilation system control)</li> <li>▪ Spaces with the development for the separate storage of recyclable material, bulky goods and</li> </ul>		<p>Provided within the Sustainability Report at <b>Appendix I</b>. This report addresses the Sustainability initiatives set out by the VPA and explores their implementation within the development proposal.</p>

VPA Provision	Proposed	Proposed
<p>“electronic” waste;</p> <ul style="list-style-type: none"> <li>▪ Recycling of 80% by weight of construction waste;</li> <li>▪ The extensive use of precast concrete walls (which are fabricated in a factory, with re-usable formwork and minimal waste), re-usable formwork for internal floors and core walls on site and reinforcing steel with a high recycled steel content. Also, windows and balustrades are made from glass, and inherently recyclable material with a recycled material content.</li> <li>▪ Low emission paints for all internal flat and low sheen areas. Water based paints for all internal gloss and semi-gloss areas.</li> <li>▪ No use of unsustainable rainforest timbers. Specification of sustainably sourced timber for apartment timber elements (architraves, skirtings and the like), Minimal use of MDF (Generally only used for doors and kitchen and bathroom joinery doors which are fabricated off site in factory conditions. No MDF for skirtings or architraves).</li> <li>▪ The provision of bicycle parking (for use by residents and/or apartment visitors) within the basement.</li> </ul> <p>23.3.2 The provision of a maximum of 1 car space per dwelling (excluding adaptable units, tandem and visitor spaces, and retail parking);</p> <p>23.3.3 Offering a car share service or bulk public transport tickets to all purchasers of dwellings in the Development as agreed with Council.</p>		<p>Provided.</p> <p>Please refer to Section 6.6 of this report and the Traffic Assessment at <b>Appendix H.</b></p>
<b>26 Heliostat Reflector</b>		
<p>26.1 This clause applies if a heliostat reflector is required to be constructed on a Building on 6-14 Walker Street, Rhodes pursuant to a Development Consent.</p> <p>26.2 The Developer is to register a Public Positive Covenant.</p> <p>26.3 The Public Positive Covenant referred to in clause 26.2 is to require the registered proprietor of the land or Lot, or the Body Corporate of the Strata Scheme, of the land burdened, as the case may be, to:</p> <p>26.3.1 operate, maintain, repair and replace (as necessary) the heliostat reflector in perpetuity in accordance with any relevant Development Consent and any maintenance manual for the heliostat reflector approved by the Council from time to time, and</p> <p>26.3.2 unless otherwise provided for in the maintenance manual.</p> <p>(a) take out all relevant insurances in respect of the heliostat reflector,</p> <p>(b) permit the Council to enter onto the land burdened to inspect the heliostat reflector and carry out any works the Council considers necessary to repair, replace or maintain the heliostat reflector</p> <p>(c) comply with any reasonable direction of the Council to repair, replace or maintain the heliostat reflector.</p>		<p>Provided.</p> <p>The details of the proposed Heliostat are provided within the report prepared by Inhabit at <b>Appendix N</b>, including details of the maintenance requirements.</p>

#### **6.2.8.20. The Public Interest**

It is submitted that it is in the public interest to approve the amended development proposal as it will have a number of important economic, social, cultural, political and environmental outcomes. These are briefly listed below:

- The land is zoned B4 Mixed Use and Council supports the provision of residential and commercial uses on the site;
- The amended proposal is substantially compliant with Council's development standards and controls. Where the proposal departs from the Council's controls, it has been demonstrated that the proposal still achieves the objectives of the controls;
- The amended proposal is for the construction of a high quality mixed use development that will positively contribute to the desired future character of the Station Precinct in the following ways:
  - The amended proposal will promote greater safety, permeability and activation of a key precinct in Rhodes West.
  - Alignment with the NSW Government aspirations for regeneration of the transport interchange.
  - Provision of sustainability targets for the project.
  - Improve accessibility to public transport.
  - Interaction via through-site linkages and the central plaza and the revitalisation of green spaces.
- The amended proposal realises a number of public benefits through the satisfaction of the VPA that applies to the site.

## 7. CONCLUSION

The purpose of this Addendum Statement of Environmental Effects has been to:

- Present amended drawings of the proposed development for Stages 1A and 1B of the Station Precinct, Rhodes West; and
- Provide a detailed assessment of relevant matters of consideration having regard to the provisions of section 79C of the *Environmental Planning & Assessment Act 1979*.

The amended proposal has been prepared in response to extensive post-lodgement consultation with Council. Amendments have been made in response to the draft development assessment report and recommendations prepared by JBA, Council's independent planning consultant.

The amended development application will enable a significant transformation of the Station Precinct, in close proximity to the Rhodes Railway Station; which will reinforce the economic viability and function of the area and its surrounds. As a result, the proposal presents a significant opportunity for a regeneration project which can:

- Act as a catalyst for the renewal of the Station Precinct.
- Reinforce Rhodes as a Strategic Centre.
- Increase the supply of retail floor space within the Precinct.
- Provide for improved sunlight access to Rhodes Town Square.
- Create a vibrant fine grain and mixed use market town and laneways within the site block.
- Promote sustainable transport initiatives – public transport and cycling.
- Complete the Rhodes West development vision.
- Realise a number of public benefits through the satisfaction of the VPA.

The amended proposal has positively responded to the issues raised by Council's independent planning consultant, and on the basis of this Addendum Statement of Environmental Effects, the amended architectural drawings and other supporting documentation, is recommended for approval.

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# **APPENDIX A      ARCHITECTURAL PLANS**

## **APPENDIX B      SEPP 65 / ADG APARTMENT SCHEDULE**

# **APPENDIX C      SCHEDULE OF AREAS**

# **APPENDIX D      LANDSCAPE PLANS AND REPORT**

# **APPENDIX E      GFA FLOOR PLANS & SURVEYORS CERTIFICATE**

# **APPENDIX F      MEMORANDUM OF UNDERSTANDING**

# **APPENDIX G      WIND TUNNEL TEST REPORT**

# **APPENDIX H      TRAFFIC & PARKING ASSESSMENT**



# **APPENDIX I SUSTAINABILITY REPORT AND BASIX CERTIFICATION**

# **APPENDIX J      ACOUSTIC IMPACT ASSESSMENT**

# **APPENDIX K      GEOTECHNICAL AND ACID SULPHATE SOILS STATEMENT**

# APPENDIX L      ACCESS REPORT

# **APPENDIX M      BUILDING CODE OF AUSTRALIA STATEMENT**

# APPENDIX N      HELIOSTAT DESIGN REPORT

# **APPENDIX O      PRELIMINARY CONSTRUCTION MANAGEMENT PLAN**

# **APPENDIX P      MECHANICAL SERVICES REPORT & SPATIAL REQUIREMENTS**



# **APPENDIX Q      STORMWATER MANAGEMENT PLANS & DETAILS**

# **APPENDIX R PLAN**

# **WASTE MANAGEMENT**

# **APPENDIX S      SOIL AND WATER MANAGEMENT PLAN & DETAILS**

# **APPENDIX T      DRAFT STRATA AND STRATUM SUBDIVISION PLANS & STRATA DEVELOPMENT CONTRACTS**

# **APPENDIX U      PUBLIC ART LOCATION PLANS**

# **APPENDIX V      PUBLIC DOMAIN CCTV REPORT**

# **APPENDIX W PUBLIC DOMAIN LIGHTING REPORT**

# **APPENDIX X   FIRE ENGINEER LETTER & WET FIRE REPORT**



# **APPENDIX Y   HYDRAULIC REPORT & HYDRAULIC AND FIRE SPATIALS**

# **APPENDIX Z    PROPOSED CHAMBER SUBSTATION LEVEL 3 REPORT**

# **APPENDIX AA NATURAL VENTILATION ASSESSMENT**

# **APPENDIX BB APARTMENT ADDRESS SCHEDULE**



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