



CFe/BC
16272
21 July 2017

The General Manager
Bayside Council
444-446 Princes Highway
ROCKDALE NSW 2216

Attention: Pascal van de Walle (Senior Assessment Planner)

Dear Pascal,

**RESPONSE TO COUNCIL'S RFI LETTER (DA-2017/224)
152-200 & 206 ROCKY POINT ROAD, KOGARAH**

We refer to the above matter and your letter dated 14 June 2017. This response has been prepared by JBA on behalf of the applicant Rocky Point Road Development Pty Ltd in relation to Development Application (DA) DA-2017/224, constituting a response to the issues raised by Council in that letter dated in order to assist Council in its continued assessment of the application. It is noted that a revised Clause 4.6 Variation Request and response to all traffic related matters will be provided separately in due course.

Should you have any queries about this matter, please do not hesitate to contact me on (02) 9956 6962 or cferreira@jbaurban.com.au.

Yours faithfully,

A handwritten signature in black ink, appearing to read 'Chris Ferreira'.

Chris Ferreira
Principal Planner

Encl.

Appendix A: Updated Architectural Drawings

Appendix B: Updated Landscape Strategy and Drawings

Appendix C: Draft by-law (northern courtyards)

Appendix D: Civil Engineering Report

Appendix E: Civil Engineering Drawings

Appendix F: Supplementary Arborist's Report

Appendix G: Updated Acoustic Report

Appendix H: Sydney Water Sewer Diversion Route

Appendix I: Basement Stormwater Drainage Plans

Please note – three separate DRP meetings have been held for the proposal. The notes from each of the meetings are provided in different colours in **Table 1** below, with a response in the corresponding column to each issue.

- DRP Meeting 1 (black)
- DRP Meeting 2 (grey)
- DRP Meeting 3 (blue)

Table 1 – Response to DRP comments

DRP Comment	Response
Context and neighbourhood character	
<p><i>This is a very large site within an area bounded to the north by industrial buildings - to the east by playing fields and parkland, to the south and west by a mix of low density and higher density residential development. To the immediate west fronting Rocky Point Road, there is a mixture of residential and commercial buildings in various state of repair. One of the existing commercial buildings along Rocky Point Road is to be retained as part of the development.</i></p> <p><i>The entire site has been rezoned for residential and commercial use under the terms of a planning proposal. On the residential part of the site the rezoning provides for higher buildings to the north and lower scale buildings to the south where they adjoin the low scale existing residential area. The commercial part of the site has been rezoned to permit new commercial buildings of varying heights.</i></p> <p><i>The proposal sits well within this context.</i></p> <p><i>The emerging character that will be created by this development is appropriate. Previous proposals considered by the Panel involved the total development site. The current application is focused on the residential precinct and effectively defers the adjacent B6 Precinct in the west to a future development application.</i></p> <p><i>Accordingly the Panel considered that there was a need to carefully define the extent of the western boundary and associated landscape to ensure that the environmental quality of the residential precinct is not compromised by future development within the B6 sector.</i></p> <p><i>The Panel also considered that further attention should be directed toward resolving the interface along the eastern boundary.</i></p> <p><i>The Panel expressed some reservation about the long term consequences of the landscaping proposals for the northern boundary area given the Applicant's advice that the northern landscape zone would effectively be privatised.</i></p>	<p>The comments raised in relation to 'Context and Neighbourhood Character' in Panel Meetings, #2 and #3 acknowledged that the proposal sat well within its emerging context. However, the more detailed comments raised in Panel Meeting #3 under 'Context and Neighbourhood' are more relevantly discussed in the Landscape section below. Accordingly, a response to both points raised by the DRP has been provided in the landscape' section below for ease of reference.</p>
Built form and scale	
<p><i>The submission is a Pre DA design for redevelopment of the full site to a design quite different to the planning proposal approval. Generally however, it complies with zoning, height and density controls.</i></p> <p><i>The proponent explained the rationale for the variation to the previous scheme, which is to provide a substantial central communal space, reduce building impacts particularly to the properties to the south and to reduce the amount of area dedicated to streets.</i></p> <p><i>The revised proposal generally complies with height standards of the LEP. However, there is also a "height plane", which would allow height increases in some locations beyond those provided in the LEP.</i></p> <p><i>The Rocky Point Road fronting commercial development appears to be acceptable in principle as submitted.</i></p>	<p>The built form and scale of the proposal is appropriate in its emerging future context. The suggestion made by the DRP to remove the proposed interconnecting terraces on the basis of addressing an FSR variation and ensuring maintenance access to the proposed landscape zone along the northern boundary of the site is not relevant in establishing the proposal's appropriateness from a built form and scale perspective.</p>

DRP Comment	Response
<p>The design does, however, raise a number of significant concerns in relation to the residential development. These include:</p> <ul style="list-style-type: none"> proximity to the northern boundary, particularly at lower levels where there would be very adverse impacts in relation to overshadowing and visual bulk due to the closeness of the adjacent industrial properties. At higher levels the outlook would be over the unattractive roofs of the industrial properties. There would also very likely be inadequate separation distances to potential future redevelopment on the industrial sites. It is important to resolve the relationship to both existing context and the possible future rezoned sites to the north; <p>The development adjacent to the northern boundary has been redesigned to address the Panel's previous concerns. This includes:</p> <ul style="list-style-type: none"> the removal of the access lane/road along the boundary; increase setbacks generally 6 metres to level 4 and 9 metres above; the provision of dual orientation townhouses facing the northern boundary; relocation of lobbies and drop off points; full landscaping within a contiguous deep soil zone to the northern boundary. <p>The Panel debated the potential deletion of the northern townhouses in part to address the excess GFA issues and in part to address the potential of establishing and maintaining substantial landscape along the northern boundary under a unified ownership and maintenance regime.</p>	<p>The proposed interconnecting terraces provide built form variation, contribute to diversity in housing typology within the development and in the wider area, contribute to the screening of the industrial properties to the north, and are critical to the urban design response and sense of enclosure established as part of the development of the overall concept.</p> <p>The ground level courtyard spaces connected to these apartments will substantially increase the amenity of these apartments and ensure they comply with the ADG private open space requirements. Maintaining this in a unified ownership would result in a space that is not underutilised and would detract from the amenity of the ground floor units. The current proposed design is therefore considered to be appropriate.</p>
<ul style="list-style-type: none"> the potential overshadowing of the central communal open space by the proposed southern parts of the individual building wings. The submission included shadow diagrams demonstrating that there would be a major and unacceptable overshadowing of the communal open space in mid-winter; <p>The two central blocks have been pulled back further from the south (6 metres) which reduces the shadow impacts on the open space and allow for solar access between 11am and 1pm mid winter. The height and form has been substantially amended and is generally satisfactory. However, the southern walls of the two blocks are somewhat dominant and the Panel would prefer to see some further modelling to reduce their height and visual impact.</p> <p>The Panel considered that the development of the design associated with the southern walls of the two central residential blocks has been appropriately resolved.</p>	<p>Noted.</p>
<ul style="list-style-type: none"> the lack of deep soil including particularly the lack of deep soil under the proposed central communal open space; <p>This has been improved and a consolidated area has been provided in the on grade communal zone (referred to as the central park), along the northern boundary and along the site access road (providing opportunity for significant avenue planting).</p> <p>There is no evidence of significant avenue planting within the site or within the streetscape verge. The Panel discussed the significance and importance of developing the avenue planting.</p> <p>The Panel recommends that full advantage be taken of the deep soil potential associated with the shareway to develop a distinctive avenue streetscape which will add significantly to the overall character of the development.</p>	<p>Significant avenue planting is now proposed and is clearly demonstrated in the updated landscape strategy included in Appendix B of this package. The updated landscape package has now taken full advantage of the deep soil potential associated with the shareway to develop a distinctive avenue streetscape which will add significantly to the overall character of the development.</p> <p>Additional large scale trees are now proposed within the deep soil zone. Outside of the deep soil zone, adequate soil depths are still achieved to</p>

DRP Comment	Response
<p><i>The Panel questioned the limited extent of large scale tree planting in the central park zone and sought further advice on the ways in which adequate soil depths could be provided within the landscape framework for the balance of the open spaces to secure the indicative environmental qualities in the landscape proposals. The importance of providing sufficient soil depth over the basement car parking was raised and the issue requires further design development.</i></p>	<p>support tree growth through mounding above the basement. Refer to the 'landscape' section and Appendix B for more information.</p>
<ul style="list-style-type: none"> <i>the poor amenity of the lower level units facing the industrial sites to the north.</i> <p><i>This has substantially been improved by removal of the road / lane and provision of a landscape interface / buffer.</i></p> <p><i>The Panel noted the extensive landscape area that is to be provided along the whole northern boundary. It will be important that the area is sufficiently landscaped and maintained to provide an effective high amenity landscape screen between the northern industrial precinct and the subject land.</i></p> <p><i>As noted above, the Panel remains concerned that despite the landscape intent, the northern landscape zone will be effectively privatised and subject to individual owner's maintenance regimes and preferences over time.</i></p> <p><i>The Panel considers that alternative landscape measures and the possible deletion of the townhouses should be considered against the long term benefit of an effective communally managed northern boundary landscape.</i></p>	<p>The northern boundary landscape 'maintenance' issue is discussed further in the 'Landscape' section below as it is not a built form and scale issue. Proper maintenance of the landscape zone along the northern boundary can occur, without the requirement of the deletion of the interconnecting terraces. The deletion of these terraces is not considered a proportional response to the issue, as these terraces provide a number of significant planning and design benefits to the overall concept and are integral to the overall site design rationale.</p>
<p><i>The Panel recommends the following:</i></p> <ul style="list-style-type: none"> <i>creating greater setback on the northern boundary and providing a landscape strategy along the length of that boundary;</i> <p><i>This has been provided.</i></p> <ul style="list-style-type: none"> <i>ensure building separation between apartments in buildings B, C, D and E complies with ADG recommendations;</i> <p><i>This requires confirmation.</i></p> <ul style="list-style-type: none"> <i>The Panel noted the minor non-compliance with building separation with Blocks B and C at the upper levels.</i> 	<p>Building separation is a planning issue which has been assessed by Council's planning staff having regard to a number of matters in the Apartment Design Guide (ADG). The proposed minor variation to the recommended building separation between Building B and C has been justified in the submitted Statement of Environmental Effects (SEE), and through the response to Council's letter, with minor modifications to the layouts of some apartments on Level 8 and Level 9 and to further minimise any potential impacts. These modifications include relocating and re-orientating living rooms and providing privacy screens. The proposed separation is considered acceptable and consistent with the objectives of the ADG.</p>
<ul style="list-style-type: none"> <i>redistributing the height of the southern portion of the individual buildings B, C, D and E to the north within the height plane, thereby maintaining proposed floor space but reducing overshadowing to the central communal open space. It would significantly improve the character of this space if the southern extent of the central blocks C & D were to be moved further north;</i> <p><i>This has been provided. See above.</i></p>	<p>The detailed design of the proposed Child Care Centre is being progressed as part of a Stage 2 Detailed DA, with the preferred option being a two-storey centre.</p>

DRP Comment	Response
<ul style="list-style-type: none"> redesigning the car parking strategy including the basement car park configuration to provide deep soil in the central communal space; <i>This has been provided.</i> the Panel suggests investigation of a revised internal road pattern to optimize place making opportunities in the open space and to minimize overshadowing of the usable communal open space; <i>The proponent has investigated options and made minor amendments which deliver some improvement.</i> testing options for underground and at grade rear parking for the townhouses F & G and examine potential to reduce setbacks to the south and increase deep soil zones to the north in the communal open space; <i>This has been provided (underground proposed).</i> the Panel is concerned that the location of the child care centre may cause traffic congestion issues at pick up and set down; <i>Still of concern requires further testing and justification.</i> consider dual orientation of lower level apartments facing the northern boundary and located between higher blocks. <i>This has been provided.</i> <p><i>The applicant advised that Council had recommended that the child care centre buildings be single storey due to budgetary constraints. This poses challenges in relation to the interface between the child care centre buildings and the adjacent townhouses. The architect for the applicant recommended a two storey scale as an appropriate corner address for the development. The Panel recommends that this be further investigated in consultation with Council. Priority should be given to an appropriate built form outcome.</i></p> <p><i>The Panel supports the development of a two storey Child Care Centre.</i></p>	
<p>Density</p> <p><i>Acceptable subject to compliance with statutory controls.</i></p> <p><i>As above</i></p> <p><i>The Panel noted the level of FSR exceedance and recommends that further attention be directed toward compliance with the statutory control. The Panel considered that considered that one option that should be explored involved the deletion of the two storey townhouses in the northern sector and the development of further communal landscape.</i></p>	<p>The proposed density of the development is considered acceptable, as discussed in the Clause 4.6 variation request submitted to and under assessment by Council staff. The proposed variation is considered acceptable as it achieves the objectives of the development standard notwithstanding the non-compliance with the numeric control. In particular the proposal, despite the marginal exceedance of the FSR control, achieves a built form outcome that is consistent with the zone objectives, complies with the site's height controls, and has minimal environmental effects on the use and enjoyment of adjoining</p>

DRP Comment	Response
	properties. For further details refer to the Clause 4.6 variation request.
Sustainability	
<p><i>Subject to BASIX. Further investigation should be carried out at the DA stage.</i></p> <p><i>A development of this scale offers many opportunities for site wide initiatives such as water sensitive urban design, solar energy collection, water recycling and other sustainability opportunities. Deep soil should be provided in accordance with Council's minimum recommendations (15%).</i></p> <p><i>The applicant has advised that the revised scheme does provide 15% deep soil. The other issues mentioned above should be explored in detail as the scheme is developed.</i></p> <p><i>The Panel supports the recommendation that sustainability issues be explored and defined in further detail (note that Appendix I has not been provided to the Panel).</i></p>	<p>BASIX documentation was submitted with the DA.</p>
Landscape	
<p><i>The built form strategy does propose a large central space adjacent to a share way as a central feature of the development. As noted above, modification of the building heights and footprints to improve solar access and size of this space would greatly enhance its use and value. The following recommendations are made:</i></p> <ul style="list-style-type: none"> <i>Simplify the ground level landscape spaces by locating gathering zones within the central communal "park" and simplify the secondary access spaces;</i> <i>Simplify the circulation paths to provide clear access to the lobbies;</i> <i>Provide an impeded deep soil zone under the central communal park;</i> <i>Provide large tree within deep soil zones. Large trees should be provided along key site boundaries (on the northern and southern edges) and within the central communal park;</i> <i>Reconsider the provision of a pool. This could be located in an alternative location such as within the building or on rooftop space to maximise green space and planting at ground level and within the heart of the development;</i> <i>Provide a zone for large tree planting along the Rocky Point Road setback;</i> <i>Continue with rooftop garden concept as already indicated on the plan.</i> <p><i>The above points have been addressed to a certain degree. The reconfigured deep soil is a positive outcome and will contribute to the quality of the common central park. It is recommended that substantial tree planting be located within deep soil zones in the central park to allow for landmark trees of an appropriate scale to be provided.</i></p> <p><i>The following recommendations are provided:</i></p> <ul style="list-style-type: none"> <i>Substantial tree planting on the internal road (ensure retention of the proposed deep soil zone to facilitate this).</i> <i>Resolution of the detail of this street (in regards to design as a share-way and associated RMS requirements. The Panel believes a simply detailed typical street (with standard kerbs etc) would be as acceptable as a "share-way".</i> <i>The Rocky Point Road landscape treatment should be further investigated to allow for tree planting within the street setback.</i> 	<p>Western boundary landscape interface</p> <p>A landscape buffer is now proposed to the west of Building B, which will extend beyond the zone boundary into the B6 zone. An easement for landscaping is proposed to burden a portion of the B6 zoned land, as discussed further in this report, ensuring the continued amenity of the development for future residents. The effect of the proposed landscaping is such that there is now proposed to be a continued landscape buffer connecting the northern and western alignments of the development. The easement will ensure that despite the potential for the B6 land to be subdivided off and sold, that this landscape buffer will remain for the benefit of the residential development (and will be required to be taken into account by any future development to the west).</p> <p>Accordingly, an updated Landscape Strategy has been prepared by Arcadia (Appendix B) which includes a detailed landscape strategy for the proposed buffer.</p> <p>Northern boundary landscaping</p> <p>In order to address the panel's concern regarding the efficacy of the northern landscape buffer given it would fall under private ownership, it is considered that a strata by-law requiring the</p>


DRP Comment	Response
<p>■ <i>Tree planting should be provided to the site boundary adjacent to Production Lane.</i></p> <p><i>The proposed fence to the “central park” should be relocated to align with the southern edge of Buildings C and D (away from the access street). This would allow unimpeded access to the larger part of the open space by residents in the new townhouses as well as other residents.</i></p> <p><i>The Panel raised concerns about the efficacy of the landscape buffer to the western boundary of the development site and the newly proposed subdivision boundary to the adjoining B6 Zone. The separation of the development application for this land area and associated landscape treatment does not form part of this development application and therefore the residential apartment buildings lack any significant setback from the boundary or any significant landscape treatment. The landscape treatment to the western boundary, within the subject site, falls under private ownership and has very limited ability to provide any landscape amenity and buffering for the residents within the subject site.</i></p> <p><i>The Panel was, as previously mentioned, concerned about the continuity and efficacy of the northern and western boundary landscape buffer, particularly as they are proposed to fall under individual privatized ownership. The deletion of the townhouses to the northern boundary would increase communal open space, amenity and the ability to provide access to the proposed landscape buffer to the northern and western boundaries.</i></p> <p><i>The Panel is also concerned about the conflicting information proposed in the application. The ‘Design Response’ presentation documentation does not reflect the actual deliverable content within the landscape architectural DA documentation.</i></p> <p><i>The following concerns are noted:</i></p> <ul style="list-style-type: none"> <i>The proposed screen trees to the northern boundary over the ramped vehicular access, proposes large trees. Further detail in this area is needed to establish the ability for this to be a viable and sustainable option</i> <i>The landscape treatment to the eastern boundary and road verge is considerably less within the landscape architectural documentation than what is conveyed in the presentation documentation. The panel considers the extent of landscape treatment proposed in the presentation documentation to be a more appropriate outcome</i> <i>The landscape treatment within the communal areas on podium is not as extensive as shown on the presentation colour render images. The panel considers the extent of landscape treatment proposed in the presentation documentation to be a more appropriate outcome and further design resolution and development is required</i> <i>The landscape treatment to the proposed internal road is not as extensive as shown on the presentation colour render images. The panel considers the extent of landscape treatment proposed in the presentation documentation to be a more appropriate outcome and further design resolution and development is required</i> <p><i>The Panel also supports a higher order landscape treatment to the proposed internal road than what is proposed within the presentation documentation. This area has the opportunity for a greater utilization of the deep soil zone and ability to provide for a stronger avenue of trees to the pedestrian cycleway and adjoining road verge. The cycleway appears to be wider than necessary for compliance and the opportunity exists to develop a stronger streetscape landscape vernacular. Further design development should be provided.</i></p>	<p>maintenance of the landscape buffer to an acceptable standard be imposed on future strata by-laws for each of the ground floor residential apartments. The by-law can also require that access be granted to the private open spaces of these ground level apartments for the purposes of maintenance should residents fail to comply. A draft by-law has been prepared by a conveyancer, which is included in Appendix C, which can be conditioned as part of a Development Consent to be included in future strata by-laws.</p> <p>On this basis, it is considered that the deletion of the proposed townhouses is not required as the northern landscaped zone can be effectively maintained, and access can be provided to ensure its maintenance if required. The deletion of these townhouses would be a disproportionate response, as the houses provide additional dwelling typology to the development and LGA.</p> <p>Conflicting landscaping information</p> <p>An updated Landscape Strategy has been prepared by Arcadia (Appendix B) which no longer presents conflicting information.</p> <p>Landscaping issues</p> <ul style="list-style-type: none"> ■ Large screen trees are no longer proposed above the ramped vehicular entry. This area now includes low lying landscaping with a 300mm soil depth to constitute a green roof. ■ The landscape strategy to the eastern boundary and road verge has been updated to reflect what was illustrated in the presentation documentation, with a more substantial landscape strategy proposed. ■ The landscape strategy within the communal areas on podium has been updated to reflect the extent of landscaping illustrated in the presentation documentation and colour render images.

DRP Comment	Response
	<ul style="list-style-type: none"> The landscape strategy to the proposed internal road has been updated to reflect the extent of landscaping illustrated in the presentation documentation and colour render images. This landscaping better utilises the available deep soil landscaping and provides for a stronger avenue of trees to the pedestrian cycle way and adjoining road verge.
Amenity	
<p><i>Generally the amenity of residential units should potentially be of good standard. However, the units to the north (particularly the lower level units) immediately facing the new access road would have unacceptably poor amenity and should be redesigned. Greater setback from the boundary will be essential not only in relation to the present context, but also potential future redevelopment on the site to the north.</i></p> <p><i>These issues have been addressed.</i></p> <p><i>The indicative plans of the apartment floors should be developed to allow for daylight access to the lift lobby spaces on each level. Also there is opportunity to provide for direct access to the rooftop garden spaces which could be potentially attractive communal areas. Daylight could be provided to at least the upper level carpark by integrating small light shafts within the podium design.</i></p> <p><i>These three issues have also been resolved.</i></p> <p><i>However, additional communal roof gardens with appropriate amenities on Buildings C and D must be provided.</i></p> <p><i>The overall amenity and access of the central park is critical. Refer notes above regarding fence relocation as this has an impact on overall amenity for residents.</i></p> <p><i>The applicant advised that the apartments would satisfy the ADG requirements in relation to solar access and cross ventilation, but this must be verified.</i></p> <p><i>The Panel noted and supported the introduction of communal roof gardens within the total complex.</i></p>	<p>Noted.</p>
Safety	
<p><i>The building address points and access to the lobbies is convoluted and unclear and should be redesigned. The rear lane access could potentially be an unsafe environment.</i></p> <p><i>These issues have been resolved, and safety now appears to be satisfactory.</i></p> <p><i>The Panel is concerned about set down / pick up at the child care centre with associated potential congestion and safety issues.</i></p> <p><i>The Panel considered that safety issues need to be fully resolved with the principal setdown associated with the residential complex to the north of the shareway, and the setdown associated with the child care centre to the south of the shareway.</i></p> <p><i>There is a need to ensure that the proposed avenue landscaping is designed to accommodate the requisite setdowns.</i></p>	<p>The revised proposed does not include setdown areas, as these areas are not required. Adequate parking is provided for setdown purposes within the overall site and within the available on-street parking. All parking (on-street an off-street) proposed has been designed in accordance with Australian Standards.</p>

DRP Comment	Response
<p>Housing diversity and social interaction</p> <p>Acceptable.</p> <p>Rooftop space should be developed in detail in each of the high rise blocks to provide an accessible communal area serving the community in that block, very desirably each including a small enclosed area with kitchenette facilities.</p> <p>See comments above regarding necessity to provide communal facilities in the two central blocks.</p> <p>The apartment mix does not satisfy code requirements in relation to shortfall in 3-bedroom apartments. It is important to ensure that there is an appropriate mix in the long term and the application when developed must comply with code requirements for 10% of 3-bedroom apartments/dwellings.</p> <p><i>The Panel noted and supported the provision of communal roof terraces, as well as the allocation of 12% of the total dwelling stock to three bedroom apartments.</i></p>	<p>Noted.</p>
<p>Aesthetics</p> <p>Should be refined at DA stage</p> <p>Satisfactory in principle as submitted.</p> <p><i>The Panel supported the submitted documentation in principle but noted the need to further develop and resolve an integrated landscape and access pattern, particularly within areas located above basement car parking.</i></p>	<p>The updated landscape strategy has been developed having regard to an improved landscape and access pattern.</p>

Table 2 – Response to Council’s RFI letter dated 14 June 2017

Issue	Response
1. Site / Site Area	
<p>a) <i>The site appears to include part or all of Lot 1 in DP 1144981 (168 Rocky Point Road), however this has not been included in the application as described in the Application Form and/or the SEE. The following shall be addressed:</i></p> <p>i. <i>Confirm whether the ‘site’ includes the whole or part of Lot 1 in DP 1144981 and update Table 1 and Table 2 in the SEE to include the additional lot and site area.</i></p> <p>ii. <i>Update Table 1 in the SEE to include the site area for each lot.</i></p> <p>iii. <i>The site area provided conflicts with the ‘site area’ provided in the subdivision application DA-2017/245. Details in Table 1 & Table 2 to be updated accordingly.</i></p>	<p>The site of the proposed development is described as follows:</p> <ul style="list-style-type: none"> ▪ Lot 22 DP 620329 ▪ Lot 2 DP 838198 ▪ Lot 1 DP 599502 ▪ Lot 1 DP 1144981 <p>It is noted that the following allotments of land are not included in the development site:</p> <ul style="list-style-type: none"> ▪ Lot 1 DP 666138 ▪ Lot 2 DP 405531 <p>The site area of all allotments noted above is 3.065 ha. However, the ‘relevant site area’ for the proposal, i.e., for the purposes of calculating the proposed FSR associated with the residential component, is 22,374m², being all land zoned R4 High Density Residential. Figure 1 provides a total site area (all allotments of land where there is proposed work) and a ‘relevant site area’ for the purposes of calculating the proposal’s FSR. It is noted that the only proposed work on land in the B6 Enterprise Corridor zone is the construction of the proposed internal access road, and landscaping along the eastern edge of the zone directly abutting the R4 zone (discussed further in this report).</p>

Issue	Response
	 <p>Legend</p> <ul style="list-style-type: none"> Site Boundary Relevant Site Area <p>Figure 1 – Total site area of the proposal (includes all land with proposed works) and ‘relevant site area’ of the proposal (R4 High Density Residential zoned land)</p>
<p>2. Proposal</p> <p><i>We understand from your email dated 5 April 2017, that you wish to keep the application as a ‘Staged Development’, and that additional information will be provided to Council to allow a proper assessment of the Stage 1 Envelope for the child care centre. We also acknowledge</i></p>	<p>An updated description of the proposed development is provided below for clarity:</p> <p>The Staged Development Application seeks approval for:</p>

Issue	Response
<p><i>that a pre-DA Application has already been lodged for the Stage 2 child care centre application.</i></p> <p><i>As noted in our email dated 17 March 2017, some parts of the proposed development have changed since lodgement, and further clarification is required on other aspects. Some further matters have also been identified during the detailed assessment. An updated description of the proposal is therefore required which addresses the following (and any other changes):</i></p>	<ul style="list-style-type: none"> ○ Concept proposal for a staged development comprising 533 residential dwellings, 495m² child care centre and a proposed internal access road through the site from Rocky Point Road to Production Lane, and; ○ Stage 1 detailed proposal for the first stage of development, comprising: <ul style="list-style-type: none"> ▪ Site preparation works: <ul style="list-style-type: none"> – Bulk earthworks associated with the proposed internal access road; – Tree removal; ▪ Construction and use of an internal access road running east-west through the site, connecting Rocky Point Road from the west to Production Lane to the east, to be dedicated in full to Council; ▪ Construction and use of 533 residential dwellings: <ul style="list-style-type: none"> – 513 apartments in four (4) residential apartment buildings interconnected by three residential blocks. At ground level, these interconnecting blocks present as two-storey attached dwellings; – Twenty (20) terrace-style townhouses along the site's southern boundary with underground parking for 40 cars, accessible from a separate driveway connecting to the proposed internal access road; ▪ Construction and use of a part two level and part three level basement car park, with a single access point from Production Lane, accommodating 664 cars; ▪ Road works on Rocky Point Road (partly within the Georges River Council LGA), including: <ul style="list-style-type: none"> – The construction of a new signalised intersection, connecting to the proposed internal access road, Rocky Point Road and Weeney Street; – Road widening works to the eastern side of Rocky Point Road to facilitate the proposed signalised intersection; – Land subdivision to create an additional lot to accommodate the proposed road widening, to be dedicated to the RMS; – boundary adjustment of the existing Lot 1 DP 666138 to facilitate the road widening of Rocky Point Road, and dedication of that component of land to the RMS; ▪ Road upgrades to Production Lane, including: <ul style="list-style-type: none"> – Connection of the proposed internal access road to Production Lane; – Reconfiguration and rationalisation of existing parking spaces along Production Lane; – Construction of a bicycle lane through from the internal access road through to the Scarborough Park cycleway; – Removal of the existing speed hump, and construction of a raised threshold in Production Lane; – Maintain existing access to sporting fields; and – Provision of two kerb ramps in Production Lane. ▪ Landscaping works, including: <ul style="list-style-type: none"> – Ground level landscaping for communal open space and green roofs at the rooftop levels of the residential apartment buildings; – Landscaping along the proposed internal access road; – Landscaping along the western side of Production Lane; ▪ Extension/augmentation of services and utilities to service the development, running along the proposed internal access road; ▪ Land subdivision and dedication of a 1,000m² land parcel to Council at the south-east corner of the site for the future child care centre.

Issue	Response
a) <i>Demolition works have been largely completed as Complying Development. Does the application include any further demolition works?</i>	Demolition works are no longer proposed. Demolition of the existing factory buildings on the site has occurred and authorised by a Complying Development Certificate (CDC).
b) <i>Land subdivision and land dedication associated with the child care centre is proposed to be include as part of this application (as per email dated 10 January 2017). A description of the proposed subdivision is required (e.g. does the proposal include lot consolidation and then subdivision into two (2) allotments?).</i>	As described in the updated description above, the proposal seeks approval for land subdivision of a 1,000m ² parcel of land at the south-east corner of the site, and its dedicated to Council, being the site of the future child care centre.
c) <i>Road works - The proposal includes significant works to Rocky Point Road, and the following matters must be addressed:</i>	See below.
i. <i>The 'Proposal' section of the SEE must be updated to include an additional section describing the road widening and intersection works proposed to Rocky Point Road, including the extent of works along Rocky Point Road. This section should acknowledge that works will be undertaken within the adjoining Georges River Council area.</i>	The description provided above includes addresses now confirms approval is sought for works to Rocky Point Road.
ii. <i>Does the proposal include the boundary adjustment and land dedication along the Rocky Point Road frontage to facilitate the road widening works? The extract from the Civil Engineering Plans below shows the existing and proposed site boundary</i>	The draft subdivision plan included with the Development Application includes a boundary adjustment and land dedication along Rocky Point Road to facilitate the road widening works, as described above.
iii. <i>Width of remaining verge to Rocky Point Road – The amended site boundary results in a reduced verge width for parts of the road frontage. Confirmation is required that the remaining verge area to Rocky Point Road is wide enough to accommodate a footpath, planting, street lighting, services, etc.</i>	The remaining verge width is wide enough to accommodate requirements, being a width of between 3 and 3.5 metres, which will be finalised and confirmed at CC stage.
d) <i>Works within the B6 zoned land</i> <i>Please confirm the works proposed within the B6 zoned land, including at minimum consideration of the following:</i>	The only works the proposal seeks approval for which are located within the B6 Enterprise Corridor zoned land are: <ul style="list-style-type: none"> ▪ Bulk earthworks associated with and construction of the proposed internal access road, including its connection to the proposed signalised intersection from Rocky Point Road; ▪ Extension and augmentation of services along the proposed internal access road to service the development; and ▪ Landscaping along the eastern edge of the zone boundary abutting the R4 zone.

Issue	Response
i. <i>'Bulk earthworks' - please confirm the extent of earth works proposed;</i>	Bulk earthworks associated with the proposed road are included.
ii. <i>Tree removal – as discussed it is preferred that trees within the B6 Land be retained until a future application is lodged for these sites, especially along the Rocky Point Road frontage and the site boundaries;</i>	Existing trees on the site located on land zoned B6 are not proposed to be removed as part of this DA.
iii. <i>Boundary adjustment of the B6 zoned land to accommodate road construction and intersection works as per Item (c) above.</i>	A boundary adjustment is proposed to the western boundary as part of this DA in order to accommodate the proposed Rocky Point Road upgrades. This boundary adjustment is already shown in the proposed draft subdivision plan included with the DA.
iv. <i>Works required to ensure soil erosion / sedimentation / dust impacts will be minimised from this part of the site.</i>	Provision of temporary catch drains (and check dams) around the works zone to separate from the existing B6 lands (refer to AT&L ERSED plan Dwg. DAC080).
v. <i>Service provision;</i>	<p>The following services are proposed to be installed within the B6 zoned land within the verges of the proposed new access road:</p> <ul style="list-style-type: none"> ▪ Underground electrical supply; ▪ Street lighting; ▪ Drainage pipes and pits; ▪ Underground telecommunications supply; ▪ Water supply;
e) <i>Rocky Point Road Frontage – details are required to demonstrate how the Rocky Point Road frontage will be treated until a future application is lodged and determined for this part of the site. Consideration to be given to screen planting.</i>	<p>It is noted that the demolition of existing buildings on the site is not proposed as part of this DA, and that this demolition has already occurred through a separate approval process under <i>State Environmental Planning Policy (Exempt and Complying Development Codes) 2008</i>. Accordingly, the only works to the Rocky Point Road frontage proposed as part of this DA relate to the roadworks along Rocky Point Road and the construction of the internal access road, which forms a limited part of the road frontage.</p> <p>It is noted that no demolition will occur for the length of Rocky Point Road between Production Avenue and through to the southern boundary of 168 Rocky Point Road (which is not included in the subject proposal and is not earmarked for demolition). This constitutes a frontage length of over 100 metres of the overall site which will not be a works zone.</p> <p>For the limited portion of Rocky Point Road which will be subject to construction works, typical construction fencing will restrict access to the development site. The developer intends to prepare a lodge a development application for the B6 zoned land prior to substantial construction works commencing, which will resolve the interface of the overall site to Rocky Point Road.</p>

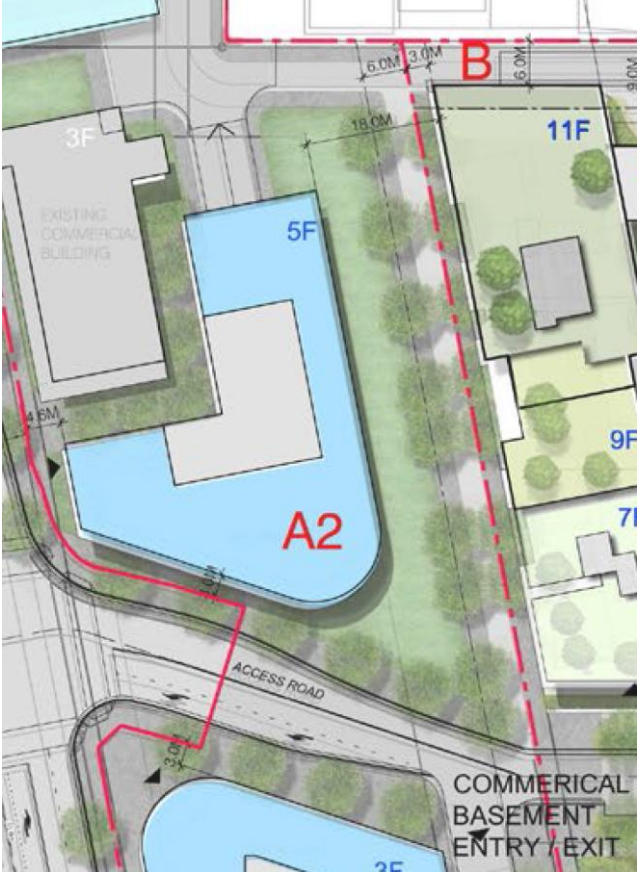
Issue	Response
<p><i>Notification of the amended proposal will be required once details of the proposed child care centre have been provided and/or at a later time once further amendments have been made to address issues identified in the assessment.</i></p>	<p>No changes are proposed the building envelope or overall concept with the amended plans included in Appendix A. The proposed minor amendments to the plans have been prepared to respond to Council's comments in the RFI dated 14 June 2017, and do not constitute a major amendment to the design. In accordance with Table 4, Section 8 of Council's Development Control Plan, it is considered that the changes are constitute a minor amendment to the application before it is determined, which is considered to have reduced or no greater impact on surrounding development, and therefore, is not required to be re-notified.</p>
3. Ownership of New Access Road	
<p><i>The proposal no longer includes basement construction underneath the proposed new road. It is Council's preference that the road now become a public road to minimise future issues associated with private roads. This should include relocation of the stormwater detention system, which is also recommended under Item 10 of the letter which includes Council's response to the proposed 'Stormwater Drainage' system.</i></p>	<p>The proposed internal access road, at the request of Council, is now proposed to be a public road. A cross section of the proposed road is included in the updated civil engineering package included in Appendix E. As per recent correspondence with Council, OSD is required within the development to ensure the development does not increase the risk of downstream flooding or erosion of unstable waterways. This is discussed extensively in the updated Civil Infrastructure / Stormwater Management Development Application Report included in Appendix D.</p>
4. Existing Right of Way / Stormwater Easement	
<p><i>RMS advises that the following easements are in their benefit:</i></p> <ul style="list-style-type: none"> ▪ <i>Right of carriageway 5.5 wide (shown on DP599502) (right of carriageway)</i> ▪ <i>Easement for drainage 1.83 wide & 2.45 wide (shown on DP379619 and modified by DP612212) (easement for drainage)</i> <p><i>Council's Engineers have been provided with a copy of the correspondence between RMS and JQZ regarding ownership of the stormwater easement. They have advised that the ownership issue must be resolved with RMS.</i></p> <p><i>If the stormwater pipe(s) / easement(s) are found to be Council's, then relocation of the network is supported in principle. Council's Engineers are assessing the proposed stormwater pipe relocation and the associated overland flows / flooding implications associated with these works. Further information will be provided once their assessment has been completed.</i></p>	<p>The applicant is following this up directly with the RMS and will advise Council on the outcome prior to determination.</p>

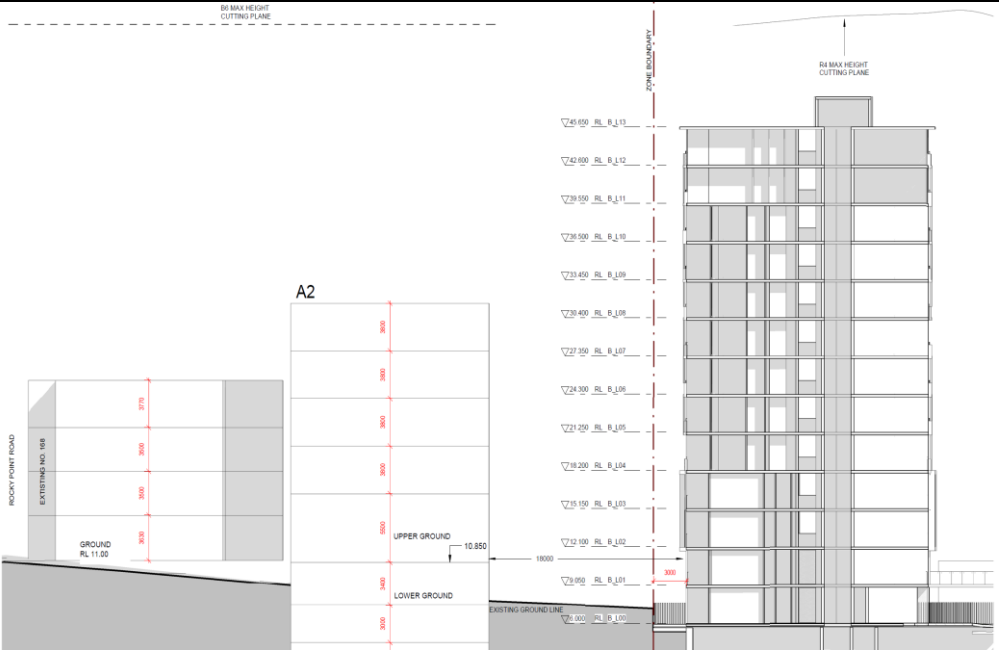
Issue	Response
<p>5. Site Analysis</p> <p><i>The information provided, including site survey, must include all adjoining properties (including relevant levels of adjoining properties).</i></p>	<p>The updated architectural plans included in Appendix A provide more information on each of the plans and relevant sections, including details of adjoining properties and their levels. The survey submitted with the DA includes some surveyed levels for each of the properties to the south along Margate Street, and is considered sufficient to determine the levels of these properties in relation to the proposal. The section plans have been updated to reflect the levels of these properties in relation to the proposed southern townhouses, which are set back a substantial distance from the southern boundary.</p>

Issue	Response
6. Gated Communal Open Space Area	
<p>The gated area of Communal Open Space is not supported. It should be open for the benefit of residents, their visitors and community.</p>	<p>Neither the Apartment Design Guide (ADG) nor the Rockdale Development Control Plan (DCP) prescribe a control which prohibits the proposed fencing and separation of the proposed communal open space from the future public domain along the internal access road. No <i>public</i> open space is required by any LEP or DCP controls, and as such is not proposed as part of this DA.</p> <p>Given the communal space's size and scale and its immediate street frontage relationship to a future public thoroughfare (being the internal road), the absence of a fence would result in the space appearing to be primarily public. This would likely impact on future residents' enjoyment of the space and the amenity it provides, which is to be maintained by the future body corporate and funded by future residents' strata fees.</p> <p>We note that it is unreasonable to expect that a resident body corporate would be responsible for the management and upkeep of an open space area that is used by the public, and that such a situation would potentially bring into play liability issues should a member of the public incur an injury when utilising this area. Accordingly, as is common practice across NSW, the expansive communal space is intended expressly for the communal use by residents of the proposed development, and is not a public park. We note that an expansive public open space area in the form of Leo Smith Reserve, is directly opposite the site, thus ensuring that the local community is already very well serviced by open space.</p> <p>Despite the fact that the communal open space will be fenced, the proposed fencing will utilise visually permeable materials and treatments, ensuring its relationship to the public domain is maintained, promoting sightlines, casual surveillance and maintaining the landscape character of the overall development. It will also ensure:</p> <ul style="list-style-type: none"> ▪ the communal open space remains private for the use and enjoyment of residents and their visitors; ▪ the amenity and quality of the communal open space will be maintained for the benefit of future residents; ▪ a safer communal space through the provision of access control. <p>The design, function and layout of the proposed communal open space is consistent with the objectives and controls concerning communal open space in the ADG and Section 4.3.3 of the Rockdale DCP, as discussed further elsewhere in this report.</p>
7. SEPP 65 – Design Quality of Residential Apartment Development	
<p>a) <i>Design Review Panel</i> <i>The Minutes from the DRP held on 2 March 2017 are attached.</i> <i>The issues raised are agreed with and must be addressed in amended plans and/or written statement.</i></p>	<p>The amended proposal has addressed all comments raised by the DRP. All comments raised by the DRP have been specifically addressed in Table 1.</p>
<p>b) <i>Apartment Design Guide (ADG)</i> <i>The following issues are required to be addressed:</i></p>	

Issue	Response
<p>i. <i>Communal Space (3D) - Communal open space provision is generous, however the proposed gym is located in the rear corner with no outlook or direct sunlight and there is no communal room. If these facilities are well located and designed, in accordance with Part 3D-2 of the ADG, they will be well utilised and benefit the new community. Consideration to be given to modification and/or relocation of the gym, and inclusion of additional communal facilities.</i></p>	<p>The orientation and layout of the proposed gym has been modified in response to the comments raised by Council, achieving a better outcome for the development and future residents. The modification has involved the relocation of the adjacent plant room, allowing a re-orientation of the gym to include a prominent outlook to the communal open space, as well as the inclusion of a shared communal room in the form of a meeting space, which will also have an outlook to the communal open space and will be available for the use of all residents of the future development.</p> <p>The modification to the orientation and layout of the proposed gym has resulted in the following benefits:</p> <ul style="list-style-type: none"> ■ An extensive outlook to the communal open space, which will improve amenity for users and allow daylight into the gym; ■ The extensive outlook will facilitate greater passive surveillance opportunities to the communal open space; ■ Will ensure the gym is more readily identifiable from within the development to future residents. <p>The design of the proposed communal open space achieves Objective 3D-2 of the ADG, in that it has been designed allow for a range of activities, respond to site conditions and be attractive and inviting. Whilst the proposed gym is not proposed as an outdoor element within the communal open space, its orientation will allow a physical and visual relationship to the communal open space area and provide a better designed facility to accommodate gym equipment and activity in all weather conditions.</p>
<p>ii. <i>Building Separation (2F) / Privacy (3F)</i></p>	

Issue	Response
<p>(1) <i>As noted by the DRP, the western boundary setback to the B6 Zone does not satisfy the requirements and/or objectives of the ADG. The setback issue must be resolved to satisfy the objectives and design guidance of the ADG.</i></p>	<p>As discussed in the response to the DRP comments in Table 1, a 6 metre wide easement for landscaping is proposed to extend west from the zone boundary into the B6 Enterprise Corridor zone. The easement will prohibit the construction of any building within the easement, and require this zone to be landscaped and accessible to the future body corporate of the residential development. This easement will ensure that landscaped amenity and visual privacy is ensured for the residents of Building B in the context of a future development on the B6 land to the west. It will also, in combination with the 3 metre setback on the within the R4 zone, allow a future development to comply with the ADG on the B6 zoned land.</p> <p>As discussed in Table 1, the overall concept for the residential scheme was developed taking into consideration an initial concept for the land within the B6 zone to the west, allowing adequate separation between the western edge of the proposed residential Building B and the nearest commercial envelope within the B6 zone. Appropriate separation is proposed to be maintained in the continued development of a concept for the B6 zoned land, albeit the subject of a separate application.</p> <p>This easement will ensure consistency with objectives of the ADG for building separation and visual privacy between buildings, and is required given the aspiration to subdivide the overall site into two lots (a B6 zoned lot and R4 zoned lot – subject to a separate DA), and the need to preserve the residential amenity for future residents of Building B to the west. The easement would burden a portion of the B6 zoned land, which is included in the overall site area of the proposed development and is owned by applicant.</p> <p>As the proposed landscaped easement is 3-dimensional, it will ensure that no structure on the B6 zoned land can overhang or impact on the landscape treatment within the buffer, which will remain for the benefit of future residents of Building B. The easement will ensure, despite the potential for the B6 zoned land to be sold off (once subdivided), that the amenity provided by the landscape buffer to Building B will be maintained in perpetuity and controlled by the residential strata body.</p> <p>Figure 3 shows an initial indicative concept for the future B6 zoned land in relation to the proposed concept for the R4 land the subject of this DA, with an 18m total building separation. Figure 4 shows this relationship in section view.</p>

Issue	Response
	 <p>Figure 2 – Early concept showing potential future commercial envelopes in B6 Enterprise Corridor</p>

Issue	Response
	 <p>Figure 3 – Section drawing of potential future commercial envelope on B6 land and relationship to Building B</p>
<p>(2) <i>The orientation of the living areas / balconies within Units C0807 & C0906 could be modified to face the internal park to further minimise possible privacy impacts where the buildings do not satisfy the separation distance requirements.</i></p>	<p>Apartments C0807 and C0906 (being corresponding apartments with the same layout on Levels 8 and 9 of Building C) have been re-orientated south, to face the primary communal open space, which further minimise possible privacy impacts to these apartments between Buildings B and C where there is minor variation to the separation distance requirement of 24m in the ADG. Privacy impacts will be further minimised through the provision of screens affixed to the façade of Building B and the balconies of Building C.</p>
<p>(3) <i>The proposal generally achieves the minimum building separation distance requirements, however living rooms and balconies are often located directly opposite each other. It is preferable that habitable rooms / windows in units be off-set. Alternatively the inclusion of sliding screens should be included.</i></p>	<p>The proposal achieves the minimum ADG building separation requirements between buildings, apart from one minor instance between Building B and C on levels 8 and 9 only, which has been treated through the re-orientation of the level 8 and 9 apartments in Building C and through screening devices which provide additional privacy. In all other cases, the development will achieve good levels of privacy despite balconies being located opposite each other. In these cases, fixed louvres are proposed to the external face of the building to provide some additional privacy measures.</p>

Issue	Response
(4) <i>Balustrades for balconies facing the park, communal open space areas and adjoining roads (e.g. Production Lane) appear to be clear glazed. Lower level units should be provided with solid / opaque glazing and/or a mix of solid and clear to ensure that an adequate level of privacy is provided to future occupants.</i>	The balustrades for apartments facing the park, communal open space for on Level 1 in all buildings will include opaque glazing to improve levels of privacy, as shown in the updated elevations and sample board submitted.
(5) <i>Windows in the walls of 'slots' provided in the buildings near the lifts shall be off-set or otherwise treated to minimise privacy impacts.</i>	Windows on either side of walls which make up gaps in the form of the buildings have been designed to minimise privacy impacts through a mix of techniques throughout the development, including the use of external louvres, high windows and the offsetting of windows.
iii. <i>Apartment Size & Layout – Amenity (4D)</i>	
(1) <i>Many units propose direct access to bedrooms from the living areas. In accordance with 4D-3 direct access to bedrooms, bathrooms and laundries should be separated from living areas.</i>	<p>The updated architectural plans have sought to address this issue in a number of the apartments. In all instances where this has not been achieved, the proposed apartments still meet the Design Criteria under 4D Apartment Size and Layout, with all apartments designed to greater than the minimum under the ADG, and every habitable room designed with a window in an external wall with a total minimum glass area of not less than 10% of the floor area of the room.</p> <p>Furthermore, it is considered that all apartments meet objectives 4D-1, 4D-2 and 4D-3, as:</p> <ul style="list-style-type: none"> ▪ The layouts are functional, well organised and provide a high standard of amenity; ▪ The environmental performance of all apartments have been maximised; and ▪ Apartment layouts have been designed to accommodate a variety of household activities and needs
(2) <i>Snorkel bedrooms do not provide a satisfactory level of amenity in accordance with the ADG.</i>	The proposed apartment layouts have been redesigned to ensure all bedrooms within the development achieve good levels of amenity, with no 'snorkel' bedroom layouts proposed.
iv. <i>Private Open Space (4E)</i>	
(1) <i>The 'primary' balconies for many two (2) bedroom units do not meet the minimum size requirements under 4E-1 (e.g. B0911, B0811, B0906, B1008, B1205, etc). In addition, the balconies for these units are not an 'extension' of the indoor living areas in accordance with 4E-2.</i>	<p>All private open spaces have been designed to meet the minimum size requirements under 4E-1 of the ADG.</p> <p>Objective 4E-2 of the ADG states that "primary private open space and balconies are appropriately located to enhance liveability for residents". All private open spaces/balconies in the proposed development have been designed with the liveability of future residents in mind, appropriately balancing solar access requirements to living areas and balconies. In accordance with the Design Guidance of Objective 4E-2, all private open spaces:</p> <ul style="list-style-type: none"> ▪ Are located adjacent to either the living room, dining room or kitchen, extending the living space. The north-south orientation of the buildings; ▪ Private open spaces and balconies throughout predominantly face north, east or west; and ▪ Primary open space and balconies have been generally orientated with the longer side facing outwards to optimise daylight access into adjacent rooms
(2) <i>The balconies for many units are not considered to be an extension of the indoor living areas in accordance</i>	Objective 4E-2 of the ADG seeks to ensure that primary private open spaces and balconies are appropriately located to enhance liveability for residents. The layout of apartments which Council have noted do form an extension to the indoor living areas, but in many cases, have a perpendicular relationship. The benefits of this arrangement are:

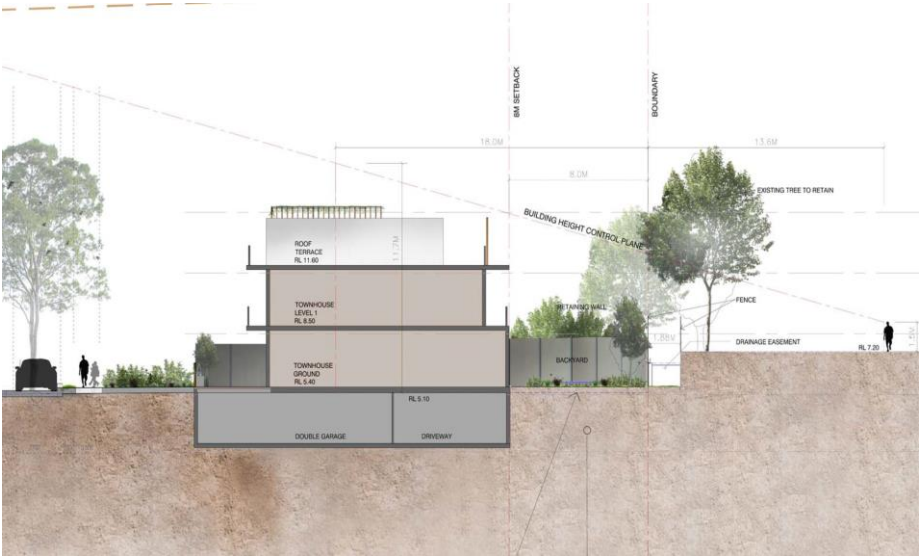
Issue	Response
<p>with Objective 4E-2 of the ADG and RDCP 2011. Many of the proposed balconies are located to the side of the main living areas and are not easily accessible. Also, the main area of private open space (balcony) in many units is located adjacent to a bedroom window / door and would conflict with the amenity of residents. The layouts of these units should be modified.</p>	<ul style="list-style-type: none"> Maximisation of the eastern and western exposure of the buildings to living rooms, balconies and bedrooms, maximising direct sunlight to all living areas within the apartment and to private open spaces Maximisation of balcony use by allowing access from the main living areas and bedrooms, which is encouraged by the ADG (refer to Figure 4E.4). <p>In these circumstances, the apartments still achieve the Objective of 4E-2 and Design Guidance, as they still form an extension of the living space, they predominantly face east, west or north as required by the ADG, and the longer sides of balconies are generally orientated with the longer side facing outwards to optimise daylight access into adjacent rooms.</p> <p>Because of maximum building depth requirements and building separation requirements, as well as the intention to ensure living spaces and private open spaces receive direct sunlight as required by the ADG, re-orientating these balconies to form a parallel extension of the apartments in question would result in a sub-optimal outcome and a development which does not achieve all the objective of the ADG which have been appropriately balanced in the context of the proposed design.</p> <p>It is not agreed that the siting of private open spaces, often with a direct connection from bedrooms as encouraged by the ADG, will conflict with the amenity of residents in these circumstances, particularly as these arrangements are quite common and are often the preference of purchasers.</p>
<p>v. Common Circulation Spaces (4F) – The ADG requires the maximum of 8 units off a single circulation core and the proposal does not comply as detailed in the SEE. While the proposal provides natural light and ventilation, the objectives of this requirement are also to create opportunities for casual social interaction among residents. Therefore, at minimum, the areas adjacent / opposite the lifts at all levels should be amended to include areas for seating / casual social interaction to satisfy the objectives (e.g. meeting rooms, etc.).</p>	<p>Whilst it is acknowledged that the Design Criteria for the maximum number of apartments off a single circulation core is exceeded, the following is noted:</p> <ul style="list-style-type: none"> The common circulation spaces in front of the lifts provide opportunities for casual social interaction Sunlight, daylight and natural ventilation is provided to all common circulation spaces that are above ground, through gaps in the building form and open accessways to the corridors along the northern and southern alignments of the corridors, providing a high level of amenity; Windows have been provided in common circulation spaces adjacent to the lift cores <p>Accordingly, the Objective 4F-1 is achieved, as common circulation spaces achieve good amenity and properly service the number of apartments in each building.</p> <p>The overall design principle and concept for the site, which, by virtue of the height plane controls, seeks to concentrate bulk to the north and minimise building site coverage, are the driving factors behind the size of common circulation spaces. Given the high levels of amenity which sunlight, daylight and natural ventilation will provide to common circulation areas, and the wider benefits which the efficient building design and arrangements result in (such as a substantial communal open space, an appropriate building transition to the south and minimise site coverage), it is considered that the variation to is acceptable</p>
<p>vi. Lift Access (4F-1)</p>	
<p>(1) Building B - includes 3 lifts for 178 units, and is significantly deficient of the maximum 40 units per lift. Consideration has been given to the rationale provided in the SEE, however the proposed variation is significant and does not meet the objectives of the requirement (i.e. to properly</p>	<p>An additional lift has been included in Building B, as recommended by Council. It is considered that the number of lifts (all high speed) in Building B ensure it will properly service the number of apartments.</p>

Issue	Response
<i>service the number of units). An additional lift(s) is considered necessary. The quality / speed of lifts should also be considered.</i>	
(2) <i>Building C & D – 2 lifts are provided in each building for 93 units each. This is deficient of the recommended maximum of 40 units per lift. If an additional lift is not proposed, a variation may be acceptable subject to inclusion of high quality / speed lifts that will meet the objectives of the requirement and properly service the number of apartments (i.e. ensure wait times are satisfactory).</i>	High speed lifts will be included as recommended in Building C and D, achieving the Objective 4F-1 of the ADG, being that common circulation spaces properly service the number of apartments.
(3) <i>Building E – 3 lifts are provided for 137 units which is deficient of the maximum of 40 units per lift. If an additional lift is not proposed, a variation may be acceptable subject to inclusion of high quality / speed lifts that will meet the objectives of the requirement and properly service the number of apartments (i.e. ensure wait times are satisfactory).</i>	High speed lifts will be included as recommended in Building E, achieving the Objective 4F-1 of the ADG, being that common circulation spaces properly service the number of apartments.
vii. <i>Energy Efficiency (4U & 4A)</i>	
(1) <i>In accordance with Part 4A-3 and Objectives 4U-1 & 4U2, the design shall incorporate passive environmental design, including passive solar design to optimise heat storage in winter and reduce heat transfer in summer. Consideration to inclusion of screening, awnings, etc.</i>	Passive shading is proposed to be incorporated and performance glazing as specified in the BASIX documentation, which satisfies the ADG objectives and design criteria for energy efficiency, optimising heat storage in winter and reducing heat transfer in summer.
(2) <i>The proposal is significant in scale and consideration should be provided to incorporation of LED lighting at basement levels and within plant rooms (a potential energy saving of 30%).</i>	LED lighting is proposed in most common areas.
viii. <i>Storage areas –storage areas to be marked on the plans & demonstrate compliance.</i>	Storage has been indicated on the plans for each apartment, with all apartments complying with the minimum requirement of the ADG.

Issue	Response
<p>ix. <i>Mail room – a separate mail room should be provided for each building for ease of access for residents. In addition, in accordance with RDCP 2011 the letterboxes should preferably be located in a covered area attached to or within the building, be lockable and be located where residents can meet and talk, preferably with seating and pleasant ambience.</i></p>	<p>Separate mail rooms have been included in the ground floor lobbies in each of the buildings, which are in a covered area.</p>
8. Local Environmental Plan (LEP)	
<p><i>The following matters are required to be addressed to demonstrate compliance with RLEP 2011:</i></p>	
<p>a) <i>Floor Space Ratio – Clause 4.4</i> <i>The proposal exceeds the maximum permitted FSR and, as advised by email dated 2 May 2017, the Clause 4.6 variation submitted does not demonstrate that compliance with the development standard is unreasonable and unnecessary in the circumstances of this case.</i></p> <p><i>As agreed at our meeting of 22 May 2017, an amended Clause 4.6 variation will be submitted for Council's assessment. The amended Clause 4.6 shall include consideration of the modified two-storey child care centre for 65 children and the 'site specific circumstances' of this case.</i></p>	<p>An updated Clause 4.6 Variation Request will be provided to Council in due course.</p>
<p>b) <i>Preservation of Trees – Clause 5.9</i> <i>The following issues are identified with trees located within the site and/or adjoining properties:</i></p>	<p>See below.</p>
<p>i. <i>Council's Tree Management Officer has assessed the proposal. Their comments, based on the documentation provided and a detailed site inspection of the site, are:</i></p>	<p>See below.</p>
<p>(1) <i>The trees located adjacent to the southern boundary of the site within properties facing Margate street may be severely impacted by excavations and site works near the southern boundary.</i></p> <p><i>In this regard, the Consultant Arborist is required to provide a supplementary Arboricultural Impact Assessment Report which specifically covers the trees located adjacent to the southern boundary of the site</i></p>	<p>A supplementary arborist report has been prepared and is included in Appendix F. This report:</p> <ul style="list-style-type: none"> Specifically addresses the trees located adjacent to the southern boundary of the site; Identifies appropriate setbacks for excavations (sewer and other services) and other earthworks within the tree protections zones, and provides detailed measures to be implemented for the duration of the construction period. <p>In summary, fifteen semi mature to mature, planted Australian and exotic trees have been assessed for this report. The trees assessed for this report are located in the rear garden areas of the adjoining properties to the south. All of the trees are considered to be planted specimens. The majority of the trees were of good health and good vigour and did not exhibit any visual evidence of significant pest or disease.</p>

Issue	Response
<p><i>within the Margate Street properties, all of which are required to be retained and protected.</i></p> <p><i>The report is to identify appropriate setbacks for excavations (sewer and other services) and other earthworks (alteration of current soil levels etc) within the tree protection zones, and provide detailed tree protection measures to be implemented for the duration of the construction period. Additionally the Consultant Arborist or another AQF Level 5 qualified Consultant Arborist is to be appointed as the Site Arborist to oversee installation of the tree protection measures and supervise all works in the vicinity of the southern boundary.</i></p> <p><i>Trees located within 206 Rocky Point Road and at the front of the overall site on Rocky Point Road (i.e. outside the portion of the site subject to the current development application) are to be retained for the time being to provide a buffer to surrounding properties.</i></p>	<p>The supplementary arborist report summarises the potential impacts to trees as follows:</p> <ul style="list-style-type: none"> ■ The proposed works, including sewer line excavation and retaining wall construction, are to be re-aligned to minimise encroachments to less than 10% of the identified TPZs of tree numbers 141, 143, 144, 145, 146, 153, 154 and 155. ■ The proposed works will be outside or at the outer edge of the identified TPZ of tree numbers 142, 147, 148, 149, 150, 151 and 152 and no impact of substance is predicted for these trees. ■ Notwithstanding the above it is noted: <ul style="list-style-type: none"> ○ Tree numbers 148, 149, 150, 151 and 152 are species that are resilient to high levels of disturbance (palms). ○ The actual impacts to trees 142, 143, 144, 145 and 146 will be minimal as the works will be on the northern side of the existing level change/embankment and associated masonry retaining wall (i.e. the existing level change and masonry retaining wall will be between the proposed works and the trees). <p>A number of tree protection measures are identified in section 5 of the report to identify measures that are to be implemented to minimise potential impacts to the trees adjacent to the site that are proposed for retention.</p>
<p>(2) <i>The Casuarina trees located outside the eastern boundary of the site on Production Avenue (facing Scarborough Park) are in poor condition and can therefore be removed subject to equivalent replacement planting which compliments the site landscaping.</i></p> <p><i>The choice of species shall be determined in consultation with Council's Landscape Architect (Contact – Fiona MacColl – 9562 1618)</i></p> <p><i>Note: As previously advised, the removal of the landscape area is not supported.</i></p>	<p>These trees will be removed and replaced as recommended.</p>
<p>ii. <i>Trees located on No. 206 Rocky Point Road and within the B6 zoned Land – the proposal does not include any construction works within the B6 zoned land. Therefore, removal of existing trees located on 206 Rocky Point Road and within the B6 zoned land is not supported. These trees will continue to provide amenity and screening to adjoining residential properties.</i></p>	<p>This Development Application does not seek approval to remove any trees on land zoned B6 along Rocky Point Road.</p>

Issue	Response
iii. <i>Some trees have already been removed and shall be addressed in an amendment to the Arborists Report.</i>	This has been addressed by the updated Arborist report included in Appendix F .
9. Rockdale Development Control Plan 2011	
a) <i>Part 4.2 – Front fences for proposed townhouses may have a maximum height of 1.2m in accordance with RDCP 2011. The plans should be amended to comply.</i>	The front fences for the proposed townhouses are now proposed to have a maximum height of 1.2m in accordance with the RDCP 2011, as shown in the updated architectural plans.
b) <i>Part 4.3.2 – Private Open Space – Control 5 requires that private open space areas act as an extension of indoor living areas. The townhouses open out onto a small courtyard at the front, however the main area of private open space located to the rear is behind a proposed bedroom. Therefore, the proposal does not satisfy this requirement of the DCP and should be amended.</i>	<p>The proposed townhouses comply with Control 5 of Part 4.3.2 of the DCP, in that a private open space area for the townhouses, being the courtyards to the north, acts as an extension to the indoor living areas. All northern courtyards are physically connected to and open out from the main living area on the ground floor, ensuring compliance with the control.</p> <p>We note that Control 4.3.2 (5) states that “<i>Private open space areas are to act as extensions of indoor living areas.</i>” Contrary to the assertions made in the Council’s information request letter, we note that the DCP control does not stipulate that the indoor living area must connect to the ‘primary’ private open space area, rather simply stating that private open space areas act as an extension of the indoor living area. The proposed townhouses provide a design solution that complies with this requirement. The fact that the townhouses have two further private open spaces just adds to the amenity of the townhouses, providing the ability for the occupants to choose which private open space they wish to use.</p> <p>In addition to the above, we note that the courtyards that connect to the indoor living areas are north facing, ensuring solar access for 3 hours in midwinter to a minimum of 50% of the private open space, in accordance with the Control 3 of Part 4.3.2, which states that “<i>Development should take advantage of opportunities to provide north-facing private open space to achieve comfortable year-round use.</i>”</p> <p>Furthermore, each of the townhouses includes a substantial rooftop private open space, which will receive substantial direct sunlight and provide an entertaining area, which is also permitted and encouraged under Part 4.4.5 of the DCP (Control 2 and 3).</p> <p>The two private open spaces in combination (rear backyard and northern courtyard) together with the north facing courtyard that connects to the indoor living area, ensure the design of the townhouses achieve the objective of Part 4.3.2 of the DCP, which is “<i>to ensure private open space is clearly defined, usable and meets user requirements for privacy, solar access, outdoor activities, accessibility and landscaping.</i>”</p> <p>Finally, all northern courtyards have been increased in size by moving the fence line further north, thereby increasing the amenity of the space.</p>
c) <i>Part 4.4.5 – Visual Privacy. The first floor rear balconies and the roof top areas of the townhouses result in adverse privacy and overlooking impacts to the rear yards of dwellings fronting Margate Street and must be deleted / amended. The roofed areas are considered excessive in size and shall be reduced.</i>	<p>The rear section of the rooftops will be landscaped to ensure a 1.5m buffer to the edge of the rooftop, restricting access to the rear, in accordance with Control 3(b) of Part 4.4.5 of the DCP. Screening is also included along the southern edge of the rooftops to minimise any potential privacy impacts.</p> <p>However, it is considered that the first floor rear balcony will not result in adverse privacy and overlooking impacts to the rear yards of dwellings fronting Margate Street, for the following reasons:</p>

Issue	Response
	<ul style="list-style-type: none"> ▪ The distance from the edge of first floor balconies to the edge of the rear yards of the Margate Street properties is greater than 8 metres. This is greater than the DCP rear setback requirement is considered a substantial distance. The distance to living areas is at least double this distance in most cases; ▪ The first floor balconies are extensions of first floor bedrooms, and are not extensions of primary living areas. Accordingly their frequency of use is anticipated to be much less than a primary private open space; ▪ Having regard to the change in levels from the proposed townhouses to the Margate Street properties, the angle of viewing from the first floor balcony barely protrudes over the existing northern fencing of the Margate Street properties and is unlikely to be a factor once proposed landscaping grows to maturity; ▪ By the same logic, any proposed 1st floor extensions to properties along Margate Street would be unacceptable to Council, on the basis that they would result in substantial overlooking of neighbouring properties to the east and west (in closer proximity), which is considered onerous. <p>Accordingly, the proposed first floor balconies are considered acceptable as they will not result in unacceptable privacy and overlooking impacts to the rear yards of dwellings fronting Margate Street. An updated section drawing illustrating this relationship is provided below. The proposed balconies are consistent with the objective of 4.4.5 of the DCP, being to site and design buildings to ensure acoustic and visual privacy for occupants and neighbours</p>  <p>Figure 4 – Section showing relationship between townhouses and dwellings to the south</p>
d) Part 4.6 – Parking, Access and Movement	
i. Control 11 requires that basements be located within the building footprint. A variation is acceptable for parts of the	The basement has been setback underneath Building E as recommended by Council.

Issue	Response
<i>site, however the basement to Production Lane should be setback underneath the building to permit courtyards to contain deep soil and be provided at grade.</i>	
ii. <i>Bicycle parking for residents is to be provided in the form of individual bicycle lockers or within a caged or gated secure area. Provision of bicycle parking adjacent to each lift core and with maximum passive surveillance is recommended. The plans to be amended to comply.</i>	Bicycle parking for residents is provided on Level B1 in the main car park (52 spaces) in the form of bike racks, and 2 spaces are located in the townhouse basement. It is considered that the security of these spaces is sufficient given the access control provided to the basement through the roller shutter and intercom at the basement entry, with all bike racks located in areas which benefit from passive surveillance.
iii. <i>Bicycle parking for visitors shall be provided at grade in accordance with RDCP 2011.</i>	Visitor bicycle parking is proposed to be located within the communal open space area, in two locations, between Building B and C and Building D and E.
e) <i>Part 5.2 – Residential Flat Buildings</i>	
i. <i>All common corridors are to have a minimum width of 2 metres to enable bulky goods (white goods, furniture etc) to be easily transported through the building.</i>	The width of the proposed corridors at 1.6 metres is common the design of residential apartment buildings in the LGA and in the Sydney metropolitan area, as it meets the BCA and DDA requirements for wheelchair turning paths, and is of sufficient width to enable bulky goods to be transported through the building. It is also noted that the Council and the JRPP as the consent authority have approved variations to this control in the LGA on a number of occasions on the basis that the width of corridors achieves the objective of the control. The proposed corridors achieve a high level of amenity as they receive good levels of daylight and natural ventilation and therefore, the variation to the control is warranted.
10. Traffic, Access and Parking	
a) <i>SEPP Infrastructure</i>	
<p>i. <i>RMS Response</i></p> <p><i>The application includes construction of a new intersection on a Classified Road and is also Traffic Generating Development. RMS have provided their comments by letter dated 7 February 2017 (copy attached).</i></p> <p><i>In addition to the issues identified in the attached letter, RMS have requested that the following two options also be modelled to ascertain potential benefits (with the SIDRA.sip files being sent to the RMS for assessment):</i></p> <ol style="list-style-type: none"> <i>a portion of land along the east side of the Rocky Point Road frontage be designated for use as an exclusive left turn lane (dedicated to the RMS);</i> <i>a left turn slip lane from the Access Road onto Rocky Point Road (south-east corner) may also improve overall efficiencies.</i> <p><i>The RMS contact for the additional information was James Suprain. His contact details are:</i></p>	A letter has been prepared by Trafix and issued to the RMS which addresses all points raised in the RMS letter. A copy of this letter will be provided to Council in due course.

Issue	Response
<p><i>James Suprain Network & Safety Officer – CBD/East Precinct Network Sydney Journey Management T 02 8849 2294</i></p>	
<p><i>ii. In addition, Clause 104(3) requires that the consent authority, prior to determination, consider the following:</i></p> <p><i>(ii) the accessibility of the site concerned, including:</i></p> <p><i>A. the efficiency of movement of people and freight to and from the site and the extent of multi-purpose trips, and</i></p> <p><i>B. the potential to minimise the need for travel by car and to maximise movement of freight in containers or bulk freight by rail, and</i></p> <p><i>(iii) any potential traffic safety, road congestion or parking implications of the development.</i></p> <p><i>The SEE and/or Traffic Report shall be updated to address the relevant matters identified in Clause 104(3)(ii) & (iii).</i></p>	<p>A response to this item is being prepared by the applicant's traffic consultant, and will be provided to Council in due course.</p>
<p><i>b) Bayside Traffic Development Advisory Committee recommendations (BTDAC)</i></p> <p><i>The recommendations of the Bayside Traffic Development Advisory Committee (BTDAC) held on 1 March 2017 are as follows:</i></p>	<p>See below.</p>
<p><i>a. That all the required parking spaces for the childcare centre to be provided on site.</i></p>	<p>All the required parking spaces for the childcare centre will be provided on site. This will be demonstrated as part of a Stage 2 detailed DA for the Child Care Centre.</p>
<p><i>b. That all the regulatory signage associated with the privately owned publicly accessible road be submitted to Bayside Traffic Committee for approval.</i></p>	<p>As council are now taking ownership of the road, this will be dealt with outside the DA process.</p>
<p><i>c. That the applicant provide details for access, parking and loading/unloading activities for the commercially zoned land along Rocky Point Road with a view to reduce the impact of traffic circulating within the surrounding street network as well as access from the proposed traffic signals and the new road.</i></p>	<p>A response to this item is being prepared by the applicant's traffic consultant, and will be provided to Council in due course.</p>

Issue	Response
d. <i>The applicant needs to provide deceleration and acceleration lanes along Rocky Point Road for the proposed traffic signals at the proposed new access road.</i>	A response to this item is being prepared by the applicant's traffic consultant, and will be provided to Council in due course.
e. <i>That the applicant needs to provide turning path details for garbage collection vehicles along the route they propose to use including the proposed traffic signals.</i>	A response to this item is being prepared by the applicant's traffic consultant, and will be provided to Council in due course.
f. <i>The applicant provide a footpath along the entire southern kerbline of the proposed new road.</i>	A response to this item is being prepared by the applicant's traffic consultant, and will be provided to Council in due course.
g. <i>That the applicant comply with all the RMS requirements stated in their letter dated 7 February 2017.</i>	A response to this item is being prepared by the applicant's traffic consultant, and will be provided to Council in due course.
h. <i>The applicant to provide a cycle lantern in the new signalised crossing over Rocky Point Road (see Figure 1).</i>	A response to this item is being prepared by the applicant's traffic consultant, and will be provided to Council in due course.
i. <i>The applicant extend the proposed cycleway in a northerly direction along the eastern side of the development to lead the path over raised pedestrian platform in Production Lane to lead into the proposed Scarborough Park Cycleway (see Figure 1)</i>	A response to this item is being prepared by the applicant's traffic consultant, and will be provided to Council in due course.
c) <i>Intersection of New Road & Production Lane</i> <i>The intersections of the New Road with both Production Lane & Rocky Point Road must be amended to comply with Austroads Part 4: Table 5.1, including the checking vehicles size.</i>	A response to this item is being prepared by the applicant's traffic consultant, and will be provided to Council in due course.
d) <i>One-way movement for part of Production Lane</i> <i>Consideration to be given to making the section of Production Lane between the main basement access and the intersection with Production Avenue into a one-way road in a north-bound direction.</i> <i>This section of laneway is of a non-compliant width to permit two-way movement and, more importantly, the one-way movement would prevent cars and service vehicles using Production Avenue (including additional vehicles associated with future commercial uses in the B6 zone) from passing through the residential area and new road to exit the locality.</i> <i>Traffic modelling is required to demonstrate that this proposal will not result in adverse impacts to traffic flow within the surrounding road network.</i>	A response to this item is being prepared by the applicant's traffic consultant, and will be provided to Council in due course.

Issue	Response
<p>e) <i>Production Lane Road Width between Intersection with New Road / Production Lane & Main Basement Entrance</i></p> <p><i>The proposal results in a significant increase in the use of Production Lane and width of the road carriageway is therefore required to be made compliant with the Austroads Standard for two-way movement for that part of the road between the new access road and the basement entrance driveway.</i></p> <p><i>Required modifications to the current road width must not affect the existing number of on-street car parking spaces.</i></p>	<p>A response to this item is being prepared by the applicant's traffic consultant, and will be provided to Council in due course.</p>
<p>f) <i>Proposed turning head</i></p> <p><i>The proposed turning head is located within Council owned land which is zoned RE1 Recreation. The use of recreational zoned land for the purposes of a turning head or road infrastructure associated with the proposed development is not supported. Therefore, the proposal must be amended to ensure that any road works are not located within the RE1 zoned land.</i></p>	<p>The proposal has been amended following discussions with Council and no longer shows a turning head located in the RE1 zone.</p>
<p>g) <i>Access to future B6 zoned land from proposed new road</i></p> <p><i>The proposal includes car and service vehicle access for part of the B6 zoned land being undertaken from the new internal access road. Details are required to demonstrate that this can be achieved.</i></p>	<p>A response to this item is being prepared by the applicant's traffic consultant, and will be provided to Council in due course.</p>
<p>h) <i>Public car parking for sporting fields – Production Lane</i></p> <p><i>The amended plans and written response submitted by email dated 21 April 2017 have been assessed. Further analysis and amendments are required to ensure that the key objectives articulated in our email dated 17 March 2017 are achieved, being:</i></p> <ul style="list-style-type: none"> ▪ <i>no loss of public parking in Production Lane;</i> ▪ <i>no loss of existing landscape planting beds; and</i> ▪ <i>Where existing car parking spaces are currently used as perpendicular parking spaces, these spaces must be included as perpendicular parking spaces when calculating the number of existing parking spaces in Production Avenue</i> <p><i>The following issues / comments are provided in response to the submitted plans:</i></p>	<p>Following a recent meeting with Council's planning and engineering staff, a proposed solution for the parking arrangements for Production Lane and the proposed internal access road has been prepared and is included in the civil drawings in Appendix E. The proposed solution balances the requirements of each of Council's departments and provides a solution which:</p> <ul style="list-style-type: none"> ▪ Maximises the number of car parking spaces on Production Lane and the internal access road for use of visitors to the sporting fields; ▪ Ensures all parking spaces are compliant with Australian Standards; and ▪ Maximises landscaping; and ▪ Provides for WSUD measures.

Issue	Response
<p>i. Number of existing parking spaces to be retained</p> <p><i>The submitted plans show that there are 42 unformed spaces within Production Lane. The rationale provided is accepted, however the proposal will also result in the loss of further on-street parking spaces to the north of the main basement access driveway which have not been included in the assessment (refer to the Swept Paths submitted with the Traffic Report which show that trucks exiting the main basement car park and travelling in a northerly direction will conflict with existing on-street parking spaces located on the opposite side of Production Lane). The loss of these additional spaces must be included in the assessment.</i></p> <p><i>Therefore, the plans submitted must be updated to include the parking located to the north of the main basement driveway and the additional parking spaces lost must be provided elsewhere.</i></p>	<p>48 car spaces are proposed to be line marked to accommodate the required changes to Production Lane as a result of the proposed development, to be located within Production Lane and the internal access road.</p> <p>Updated swept paths have been prepared which show that trucks exiting the main basement car park and travelling in a northerly direction will not conflict with on-street parking spaces. Refer to the swept paths in the updated information provided by Traffix.</p>
<p>ii. The proposed parking plan shows the provision of car parking within existing planter beds. This is not acceptable as previously advised and the plans must be amended.</p>	<p>Two new parking spaces are proposed within the existing planter beds, as per discussions with Council at meeting held 27 June 2017.</p>
<p>iii. One Accessible parking space must be provided within Production Lane in proximity to the playing field entrance.</p>	<p>Council to confirm acceptance of current scheme. Car park number 30 is the car spot nearest the entrance, and would be the most viable accessible spot.</p>
<p>i) Car Parking and access for No.168 Rocky Point Road (i.e. the commercial building proposed to be retained)</p> <p><i>Access and car parking arrangements for the existing commercial building along Rocky Point Road are to be provided. It is our understanding that the existing car parking for this building will be demolished.</i></p>	<p>It is noted that the building at the rear of 168 Rocky Point Road which included some parking for this premises has been demolished under the terms of a CDC, with the hardstand area at the rear of the property retained. It is understood that this hardstand area provides parking for 30 vehicles, which is enough to service the demand of this building, as it is currently only tenanted by a display suite for the future residential development.</p>
<p>j) Basement Parking for Residential Flat Buildings</p> <p><i>The following matters relating to the basement for the RFB's to be addressed:</i></p>	
<p>i. The basement is large and consideration must be given to compartmentalising the basement areas for each building for security reasons. Refer to CPTED discussion below.</p>	<p>The basement plan has been updated to address Council's comments where possible. The following modifications have been made to the basement design:</p> <ul style="list-style-type: none"> ▪ All visitor parking spaces have been moved to Level B1 near lift cores; ▪ The separation of visitor parking spaces and residential parking spaces is proposed on Level B1. Access will be controlled to residential parking spaces through boom gates;

Issue	Response
	<ul style="list-style-type: none"> Provision of a roller shutter and intercom at the basement entry; and Lockable storage lockers.
ii. <i>The adaptable car spaces must be in accordance with AS 2890.6, shared area within the trafficable area is not acceptable.</i>	The adaptable car spaces have been designed in accordance with AS 2890.1.
iii. <i>The blind aisles to be in accordance with AS 2890.1, additional widening required next to walls.</i>	The blind aisles have been designed in accordance with Australian Standards.
iv. <i>Dedicated car wash bays are required in accordance with Rockdale Council's Technical Specifications at a rate of 1 per 60 units. The proposed five (5) spaces is adequate, subject to them being dedicated and not shared with visitors.</i>	Five dedicated car wash bays are proposed for the development. This number is adequate to service the development.
v. <i>To propose off-street parking for people with disabilities must be closer to the lifts in accordance with AS 2890.6.</i>	Disabled parking spaces have been located in proximity to lifts in accordance with the relevant standards.
vi. <i>All visitor's spaces shall be provided on a single level, being the upper basement level, and all consolidated near to the lift access cores.</i>	All visitor spaces have been provided on Level B1 as requested by Council.
vii. <i>Bicycle parking shall be relocated to areas that benefit from passive surveillance, and such areas shall be caged and/or secured in accordance with RDCP 2011.</i>	All bicycle parking is proposed in areas that benefit from passive surveillance.
k) <i>Basement parking for Townhouses</i>	
i. <i>Visitors parking is required to be provided in the basement for the townhouse development.</i>	Visitor bicycle parking for the entire development will be provided on Level B1, including 4 spaces for townhouse visitors.
ii. <i>The proposed single car width driveway entry to the townhouse basement is not supported. An alternative arrangement is to be explored.</i>	A response to this item is being prepared by the applicant's traffic consultant, and will be provided to Council in due course.
iii. <i>Car wash bays shall be provided for the townhouses in accordance with RDCP 2011. The width of car wash bays shall be a minimum of 3.5m wide.</i>	Car wash bays for the town houses are proposed to be included in the main basement. All residents will have access to the basement.
iv. <i>A swept analysis is required for the garage to Townhouse F01.</i>	This has been provided to Council with the updated package.
l) <i>On-Street Parking / Drop-off Bay</i>	
i. <i>A minimum of two (2) on-street parking spaces shall be provided for people with a disability in accordance with AS 2890.6. Such spaces shall be provided in suitable locations for visitors to the townhouses, units and park.</i>	A response to this item is being prepared by the applicant's traffic consultant, and will be provided to Council in due course.

Issue		Response				
ii. Drop-off area – The proposed drop-off arrangement in the landscape plans is not supported. Short-term parking bays may be acceptable for drop off of residents. This is subject to approval from the Traffic Committee and adequate provision of street trees as recommended by the DRP.		Drop off areas are not proposed. The proposed parking arrangements are sufficient to allow opportunities for drop off and pick up if required.				
11. Stormwater drainage						
a. Stormwater Drainage System						
i. On-Site Retention An amended stormwater design and plans shall be submitted to Council for assessment. The amended stormwater management for the proposed development shall be in accordance with the requirements of DCP 4.1.3 and Rockdale Technical Specification – Stormwater Management. In this regard, the site is suitable for an absorption system and RDCP 2011 therefore requires the provision of on-site retention. The OSD system is not supported. Concept drainage design plans, supporting calculations and design certification for an on-site retention system is therefore required to be submitted in accordance with the design, documentation and certification requirements of DCP and Rockdale Technical Specification – Stormwater Management.		An amended stormwater design has been completed in accordance with the Rockdale Council DCP. Geotechnical testing was conducted to confirm if absorption was suitable for the proposed development. In accordance with the stormwater DCP, the absorption rate of the site was significantly under the value, rendering absorption unsuitable for the development. OSD is the only possible option to control stormwater discharge for the development in accordance with the stormwater DCP. Alternative stormwater measures such as bio-retention raingardens are proposed in the proposed park to alleviate the demand placed on a typical OSD system. Refer to geotechnical report prepared by Coffey which confirms the absorption rate for the site and supporting letter from Coffey stating absorption is unsuitable for the site in accordance with the Rockdale DCP.				
ii. Water Sensitive Urban Design The current system fails to demonstrate the use of Natural Water Sensitive Urban Design Approach (WSUD) (Bio-retention / rain garden / swale etc.) to the design of the drainage system. DCP 2011 requires significant multi-unit development to confirm the targets for the stormwater pollution reduction and to justify the target by an analysis using MUSIC. The DCP2011 also outlines the stormwater reduction targets for Large Re-Developments as followed:						
<table><tr><th>Stormwater pollutants</th><th>Large redevelopment</th></tr><tr><td>Gross Pollutant</td><td>90%</td></tr></table>		Stormwater pollutants	Large redevelopment	Gross Pollutant	90%	
Stormwater pollutants	Large redevelopment					
Gross Pollutant	90%					

Issue		Response
Total suspended solids (TSS)	85%	
Total Phosphorus (TP)	60%	
Total Nitrogen (TN)	45%	
<p>Generally, WSUD involves recognition of a need to:</p> <ol style="list-style-type: none"> 1. Protect and enhance natural water systems within urban developments. 2. Integrate stormwater treatment into the landscape. 3. Protect water quality. 4. Reduce runoff and peak flows. 5. Conserve water by reducing demand on potable water supplies. 		
iii.	Provide a soft copy of the MUSIC model for Council's review.	Please refer AT&L Civil Infrastructure/ Stormwater Management Development Application Report July 2017.
iv.	Provide concept design plans each floor levels. The car park runoff or groundwater seepage if any shall be treated prior to discharge to Council drains.	Refer to the basement stormwater drainage plans included in Appendix I .
The detailed plans are required to show how basement walls and floors are being drained including basement pump out pits		
v.	To incorporate an oil separator in accordance with Rockdale Technical Specification – Stormwater Management, section 7.5	Please refer AT&L Civil Infrastructure/ Stormwater Management Development Application Report July 2017 Section 5. Stormwater treatment provided by SW360 (stormfilters and enviropods fitted within basement inlet pits) provide hydrocarbon removal.
vi.	To propose rainwater harvesting.	This has been provided in accordance with BASIX certificate for the development , refer to BASIX certificate and AT&L Civil Infrastructure/ Stormwater Management Development Application Report July 2017 stormwater report for further details.
b.	Stormwater impacts to Townhouse Basement	Refer to Section 6.1.1 of the AT&L Civil Infrastructure/ Stormwater Management Development Application Report July 2017 stormwater report for further details. Refer to the architectural plans for the townhouse driveway longitudinal section. An adequate crest is provided to ensure adequate freeboard in the 1% AEP event.
<p>A gutter / overland flow analysis, prepared in accordance with Section 8 of the Council's Technical specification - Stormwater Management is required to be submitted for assessment for the proposed townhouse entry ramp. The analysis is required to:</p> <ol style="list-style-type: none"> i. Estimate the flow of water in the street kerb and gutter; and ii. Recommend the required crest level in the driveway to protect the low level driveway from flooding. 		

Issue	Response
<i>Note: Where a crest is required, a longitudinal surface profile must be also be submitted for assessment.</i>	
12. Acoustic / Noise Impacts	
<i>Council's Environmental Health Team have assessed the submitted acoustic reports prepared by Acouras Consultancy titled 'JQZ – 152-2016 Rocky Point Road, Kogarah Acoustic DA Assessment' dated 9 December 2016 (Ref: SYD2016-1079-R001E) and addendum Acoustic Report dated 3 March 2017 (Ref: SYD2016-1079-R003A), and provide the following comments / requirements:</i>	See below. An updated acoustic report has been prepared by Acouras which addresses all concerns raised by Council. This report also supersedes all previous acoustic information provided (including the previous assessment report and subsequent letters), providing the latest acoustic information into one report. This report is included in Appendix G of this response.
<p>a. <i>Noise Impacts to future residents from adjoining industrial properties.</i></p> <p><i>The proposed residential dwellings are located in close proximity to the existing IN2 zone to the north and may result in adverse noise impacts to future occupants of the site. The following additional information is required:</i></p>	See below.
<p>i. <i>The acoustic reports submitted are based on noise monitoring undertaken on a single day. This is inadequate and additional noise monitoring is required, including on weekends.</i></p>	Additional noise monitoring has been conducted, the results of which are included in the updated acoustic report.
<p>ii. <i>Details of the noise impacts at the most sensitive receivers and anticipated noise levels at each floor of the proposed towers is required.</i></p>	This information has been provided in the latest acoustic report.
<p>iii. <i>The amended / additional acoustic report must be accompanied with the raw data of the monitoring carried out on 2 March 2017 and the additional monitoring required by (i) above. Details must include duration of assessment, location of assessment, raw data.</i></p>	Noise logger results have been provided in the updated acoustic report, and include the duration of assessment, location of assessment and raw data.
<p>b. <i>Noise impacts from new intersection at Weeney Street and Rocky Point Road.</i></p> <p><i>The addendum acoustic report does not address potential noise impacts resulting from the new traffic lights to the intersection of Weeney Street and Rocky Point Road, Kogarah (e.g. pedestrian beepers, revving engines, etc.). It only considers impacts resulting from the additional traffic generation.</i></p> <p><i>It is therefore requested that the potential noise impacts resulting from the new traffic lights are assessed and reference to the NSW Road Noise Policy prepared by NSE EPA is also made.</i></p>	An assessment of noise impacts from the new intersection is included in the updated acoustic report. The findings of the assessment outline that taking into consideration the increased traffic generation and intersection noise, the overall noise level increase could be up to 1.2dB. Subjectively, the overall increase of up to 3dB would be considered only "just perceptible" to the average observer. Therefore, the increase of 1.2dB in traffic noise level would be considered as subjectively "imperceptible" to the average observer.

Issue	Response
<i>Note: Refer also to submissions received from the owner of No. 147 Rocky Point Road regarding acoustic treatment undertaken by RMS Noise Abatement Program.</i>	
c. <i>A compliance table with all project specific noise criteria for internal noise levels and noise emission from the project (including mechanical plant/s) is required. This table must include predicted noise levels.</i>	Noise criteria is provided in the updated acoustic report included in Appendix G .
13. Landscape Planting	
a. <i>The DRP minutes include comments relating to the proposed landscaping at the site that must be addressed in amended plans.</i>	Addressed in Table 1 and in updated landscape plans in Appendix B .
b. <i>As detailed in our email of 17 March 2017, Council's Landscape Architect has assessed the proposal and has identified the following issues:</i>	See responses below.
i. <i>Drawing No. DA-612 from PTW Architects - Deep Soil Zone currently indicates areas of non-permeable surfaces, e.g. concrete footpaths, roads, parking bays. Any non-permeable surface areas within the proposed deep soil zones are not to be counted towards the required site percentage of deep soil area. Only turfed areas, soft landscaped areas and permeable surfaces are acceptable within the deep soil zones. Therefore the deep soil zone proposed needs to be recalculated / reassessed.</i>	The coordination and deep soil diagrams between the PTW and Arcadia drawings have addressed this through the latest update.
ii. <i>The Cabbage Tree Palms that are currently located on the site (as per Aboricultural report by Landscape Matrix) can be relocated and reused on the site to provide some advanced landscape / scale to the development proposal. No trees from the original landscape seem to have been saved or relocated at all (can see it in the legend but not clear on the plants where these retained trees are located) needs to be clearly indicated and the method of tree protection zones indicated. There is a net loss of almost 500 trees, the proposed 190 trees to be planted in the DA is not nearly adequate. There needs to be a minimum of 1:1 replacement of trees proposed to be removed, or a 2:1 replacement would be highly regarded.</i>	<p>The Cabbage Tree palms in front of 168 Rocky Point Road are not proposed to be removed.</p> <p>The number of trees noted as being removed in Council's letter are not correct. The actual numbers of the existing trees, trees to be removed and proposed trees are:</p> <ul style="list-style-type: none"> Existing trees - 155 Proposed trees - 164 Trees to be removed – 77 <p>Total Trees: 242</p> <p>As such the proposed scheme proposes an additional 77 trees that those being removed or a replacement ratio 2.13:1</p>
iii. <i>A play space is indicated on the master plan by Arcadia Landscape Architects, but no detail design has been provided. Detail design of any proposed play spaces and equipment need to be provided. All playground structures and softfall treatments shall satisfy the relevant AS/NZS</i>	A detailed design for the play space has been provided and is shown on Page 25 of the updated landscape package. The detailed design including play elements have been nominated. All playground structures and soft-fall treatments shall satisfy the relevant AS/NZS standards (AS/NZS 4486.1:1997, AS/NZS 4422:1996) and will be certified by a playground specialist.

Issue	Response
<i>standards (AS/NZS 4486.1:1997, AS/NZS 4422:1996). The location of the proposed play space, highly visible from the public street, is going to 'entice' non resident children to the area, how is this going to be managed? The "security line" is not acceptable.</i>	
iv. <i>The 'security line' is not supported along the northern street frontage of the 'New Road'. The proposed fence to the "central park" should be relocated to align with the southern edge of Buildings C and D (away from the access street). This would allow unimpeded access to the larger part of the open space by residents in the new townhouses as well as other residents.</i>	Justification for the proposed fencing of the communal open space is provided elsewhere in this report.
v. <i>Streetscape design for the proposed access roads (Production Lane and the New Road) have inadequate street trees, far more are required to provide an avenue and decent canopy area for public amenity. Opportunities for WSUD treatments to the streetscape planted areas should be investigated and included. The streetscape to the west of the site has not landscape proposal indicated at all. Design proposals are required for assessment.</i>	The updated landscape strategy now includes more street trees in order to respond to Council's comments. On-street parking bays are standard trafficable road pavement and are not permeable.. WSUD has been provided within the proposed laneway and in accordance with City of Sydney Standard drawing series C7.2 Raingardens, refer to drawing DAC014 for further details.
vi. <i>Consistency between the landscape design strategy and the proposed landscape design plans by Arcadia Landscape Architects needs to be reviewed, the design plans fall short of the strategy proposals - tree numbers / canopy provided, extent of the proposed landscape areas etc. The extensive planting within the communal areas that is to be developed on the underground car park podium is to have a minimum depth 1500mm of soil, particularly where tree planting is proposed. Construction detailing is required.</i>	All landscape documentation has been reviewed and is now consistent with the overall landscape strategy. The landscape strategy meets with the ADG requirements for soil.
vii. <i>Resolution of the major boundary edges of stage one: north; south; east; and west, need to be resolved to a greater detail as these areas are predominantly proposed to be planted out, deep soil zones. The northern and southern deep soil zones are shown as having large mature trees to provide aesthetic amenity, privacy and buffering for the residents of the proposal from the adjacent land uses, e.g. industrial lands. These buffer zones would be best managed and maintained as part of the communal landscaped areas of the development, rather than part private space and part communal. The eastern boundary interface area, public land has not had any landscape design proposal submitted, just the engineering of the upgraded road. Streetscape design</i>	These have been reviewed and addressed. For the western boundary please refer to page 31 of the updated landscape plan. All other sections show other elements of the boundary conditions. The western and eastern boundary interfaces have been addressed elsewhere in this report.

Issue	Response
<p>for Production Lane of the eastern side of the site needs to be designed. The western boundary of the site, has a 3 m wide deep soil zone set back, this is inadequate as the design proposal for the adjacent B6 zoning is as yet unknown. At least a 5 metre setback (as per the RDCP 2011) along this boundary line needs to be implemented and a design proposal for the landscape in this area prepared, this area should also remain as part of the communal open space for the site to ensure aesthetic amenity, privacy and buffering for the residents.</p>	
<p>viii. The extension of Production Lane with on street car parking and a cul-de-sac that alters the access to the baseball fields on Scarborough Park is not acceptable. Any design proposals and / or construction in this area needs to be in consultation with all sportsfield users of Scarborough Central and Austin Fields (baseball fields), via Council's bookings officer.</p>	<p>This has been addressed through the updated plans, with the extension no longer proposed.</p>
<p>ix. The screening trees to the northern boundary, over the ramped vehicular access to the underground car park are proposed to be quite large tree species at maturity. Further detail in this area is needed to establish the ability for this to be a viable and sustainable design option needs to be provided.</p>	<p>This landscape response is for extensive roof planting in this section, refer section 4, page 29 of the landscape strategy.</p>
<p>x. Any cycle ways, or shared paths within the site must comply with the Austroads Guide to Road Design - Part 6A.</p>	<p>The cycleway to the northern side of the new road meets the dimensions and requirements of Austroads Guide to Road Design - Part 6A.</p>
<p>c. The following matters to be addressed in amended landscape plans:</p>	
<p>i. Provide proposed planting adjacent to No. 208 Rocky Point Road to commence a longer term buffer to this property from future Commercial Development.</p>	<p>This site is not part of the application and sits two sites along from the development.</p>
<p>ii. Provide planting along the Rocky Point Road frontage.</p>	<p>Planting along Rocky Point Road will be the subject of a future application for land in the B6 zone.</p>
14. Crime Prevention through Environmental Design	
<p>The basement parking area for the residential flat buildings is large and provides significant opportunities for theft / crime. A formal CPTED assessment is required for the basement area. Consideration must be given to the design and layout of the basement, compartmentalising the basement for each flat building, provision of directional signage, painting ceilings white, provision of suitable control mechanisms, etc.</p>	<p>The following changes have been made to the basement design to respond to Council's comments:</p> <ul style="list-style-type: none"> ■ Provide roller shutter and intercom at basement entry ■ Visitor parking all located on level B1 ■ Separation of visitor and residential parking via boom gates; and ■ Lockable storage lockers. <p>The basement has been designed having regard to Crime Prevention through Environmental Design (CPTED) principles, which are discussed below.</p>

Issue	Response
	<p>Surveillance</p> <ul style="list-style-type: none"> ▪ CCTV will be provided within the basement and residential lobbies. ▪ The basement car parking levels will be adequately lit and signed to ensure safe access. ▪ Sightlines within the basement will be maximised to encourage passive surveillance ▪ Bicycle parking and storage will be located in areas which benefit from passive surveillance such as near lift cores <p>Access Control</p> <ul style="list-style-type: none"> ▪ Access to the basement will be restricted to residents and visitors via a roller shutter and intercom system ▪ Access to residential parking will be separated and secured by a boom gate system ensuring that only residents' vehicles can park in residential areas ▪ Residents swipe cards will only permit access to the relevant residential and parking levels in the development
15. Waste Collection	
<i>The proposal should be designed to permit more direct access from the waste room for Building C to the service bays.</i>	An additional access point has been added to address this issue.
16. Services	
<p>a. Ausgrid substations –</p> <p>i. Further details required with regards to proposed fences around the substations.</p> <p>ii. Confirmation is required that blast walls will not be required adjacent to substations.</p>	Fences are proposed to the back of the substation, the substation must be unfenced for maintenance facing the new access road.
<p>b. Fire booster valves – the proposed location of fire booster valves is required to be shown in the plans. Fire boosters must be provided in unobtrusive locations and should be housed within structures with doors.</p>	This has now been shown on the ground floor plan.
17. Potential Impacts to Council Land	
<i>As identified in our email dated 17 March 2017, the following to be addressed:</i>	
<p>a. Lot 72 in DP 6120 – This existing Council owned lot immediately adjoins the sites southern boundary. It is elevated above your site and contains a retaining wall and stormwater pipes used for drainage from Margate Street (refer to Figure 4 below).</p> <p>Adequate information must be provided prior to determination to confirm that Council's land and infrastructure will not be adversely impacted by the proposal, specifically during removal of the adjoining concrete slab and excavation works associated with the relocated Sydney Water sewer.</p>	This land will not be impacted as the sewer diversion route has changed (see the attached approved Sydney Water sewer diversion route now bypassed the land in concern in Appendix H).

Issue	Response
<p>b. <i>Remnant Land – The existing slab and fencing associated with the former Darrell Lea use extends onto Council land along the sites eastern boundary (see Figure 5). The amended plans and statement must clearly demonstrate how this section of land will be managed / reinstated.</i></p>	<p>The applicant will ensure on completion of the project and prior to the strata registration that all works are within the boundary. The applicant is willing for this requirement to be conditioned to ensure that the future works do not encroach onto council land as it currently does.</p>
18. Sydney Buses	
<p>STA has confirmed that the existing bus stops will require relocation. Please contact STA buses to discuss this issue and provide details with the amended plans.</p>	<p>Sydney buses have confirmed that these bus stops no longer require relocation.</p>
19. Public submissions	
<p>Since our email of 17 March 2017 a number of additional submissions have been received from the owner of No. 147 Rocky Point Road and one (1) additional submission has been received from Ms De Brito of 2 Weeney Street.</p> <p>The additional submissions from No. 147 Rocky Point Road relate primarily to acoustic impacts, however also raise concern with impacts from dust from the new intersection. Parts of this property / dwelling have also been upgraded by RMS since lodgement in accordance with their Noise Abatement Program.</p> <p>The new submission received from Ms De Brito raises concern with the impacts from the additional traffic flow in Weeney Street following installation of the new intersection.</p> <p>A summary of the issues raised in other submissions is provided in Appendix 1. The issues identified in the submissions is to be addressed in the amended SEE.</p>	<p>These submissions have been addressed separately in Table 3 below.</p>
20. Plans / Plan Details	
<p>a. <i>Floor Plans to be updated to include the following:</i></p>	
<p>i. <i>Boundaries of adjoining sites, specifically those along Margate Street & Production Avenue, including the Council owned lot to the south (which may contains a stormwater pipe - see Plan below).</i></p>	<p>Boundaries of adjoining sites have been included on the amended plans.</p>
<p>ii. <i>Location of buildings / dwellings on adjoining lots (most importantly the Margate Street properties).</i></p>	<p>The location and heights of buildings / dwellings to the south on Margate Street are shown on the amended plans.</p>
<p>iii. <i>RL's (to AHD) within the subject site and immediately adjoining properties.</i></p>	<p>An RL for each adjoining property has been provided on the amended plans.</p>
<p>iv. <i>Dimensions of all townhouses and units / building blocks (depths, lengths etc.).</i></p>	<p>These dimensions have been included in the updated drawing set.</p>

Issue	Response
v. Separation distances between buildings at all levels.	These dimensions have been included in the updated drawing set.
vi. Bicycle path, footpath and other public road works, etc. that correspond with Civil Works & Landscape Plans.	These details have been provided on both the amended architectural plans and civil plans.
b. Sections	
i. Survey levels / RL's of adjoining allotments to be provided on section plans.	The survey provided with the original application includes spot levels for each of the properties to the south. These have been included in the architectural drawings and are sufficient for the purposes of assessing the development application.
ii. Additional sections are required for the proposed development as follows:	Additional sections have been provided which include the details as requested by Council.
1) Sections in an east-west direction to allow a proper understanding of the basement levels and building separation distances. Sections should commence at Rocky Point Road and continue to the centre of Production lane.	
2) Detail sections showing relationship of courtyards for Building E with Production Lane.	
3) Detail sections showing relationship of townhouses with the New Road.	
iii. Additional sections are required through adjoining lots, showing at minimum:	Additional sections have been provided which include the details as requested by Council.
1) Proposed retaining walls (and existing retaining walls if they are to be retained),	
2) Proposed boundary fences,	
3) Existing site levels,	
4) Proposed site levels.	
c. Elevation Plans to be updated to show, at minimum, the following:	The elevation plans have been updated accordingly.
1) Include levels of proposed buildings (ground floor, first floor, etc.).	
2) Roof-top structures for terraces are not shown in the elevation plans.	
21. Amended Reports	
All relevant reports must be updated and submitted to Council with the amended plans.	Please see the enclosed reports.

Table 3 – Response to individual submissions

Issue		Response
Traffic Impacts		
i.	<i>The proposal is not located close enough to Kogarah Station, and existing buses and roads are crowded and unable to accommodate this increase in people. Kogarah Station has also been demoted from a hub station, so fewer trains stop there.</i>	The increase in density and the location of the site were considered at the rezoning stage. The proposal is relative distance to public transport, with buses running along Rocky Point Road and Kogarah Station being located within a reasonable distance.
ii.	<i>Margate Street, Clarkes Road and Murants Lane are used as a short-cut in both directions to avoid Ramsgate Town Centre and the busy intersection of Rocky Point Road & Ramsgate Road, and because there is no right turn from Ramsgate Road onto Rocky Point Road. Margate Street is also used by vehicles travelling to certain destinations. Cars “speed down our street to beat the congestion and traffic”, and Margate Street is dangerous with all of its curves. This proposal will make these safety and amenity impacts worse.</i> <i>The Traffic Impact Assessment does not include any consideration of this issue.</i>	The traffic impacts of the proposal have been addressed in the traffic impact statement prepared for the proposal which does not identify any impacts to Margate Street. It is noted that any safety issues which existing along Margate Street currently are not a result of the development proposal and should be addressed through measures by Council's traffic committee.
iii.	<i>The new intersection will benefit no one but the development site. Cars trying to turn right out of Margate Street will still have difficulties.</i>	The proposed intersection will ensure the safe access to the wider development site, will improve access to Scarborough Park to the east for the entire catchment, improve safety along Rocky Point Road, provide additional crossing points for pedestrian and bicycles, and will ensure the most efficient flow of traffic as a result of the development proposal through the precinct.
iv.	<i>Construction Traffic impacts will be unreasonable.</i>	Potential impacts from construction noise and traffic have been assessed. A range of standard measures will be made during construction stage to minimise any potential impacts to neighbouring properties.
Privacy and overlooking impacts		
	<i>Primarily to the rear yards of Margate Street properties as well as to from vehicles stopping at the new intersection which the objection considers will result in privacy impacts to existing dwellings located on the western (opposite) side of Rocky Point Road. Various suggestions are provided to minimise privacy impacts.</i>	The proposal will not result in privacy impacts to the Margate Street properties, as addressed through this response. The proposal is located a substantial distance from the residential properties to the west of Rocky Point Road and will therefore not impact on those properties.
Increased noise		
	<i>Increased noise – resulting primarily from:</i>	The proposal will not result in any unreasonable acoustic impacts, as discussed in the updated acoustic report included with the response to Council.
i.	<i>Increased intensity of the use of the site, including residential noise (e.g. from roof top communal areas) and traffic noise.</i>	The terraces and rooftop private open spaces will include privacy screens to the rear which will ensure visual and acoustic impacts to neighbouring properties are minimised.
ii.	<i>Lack of buffer to Rocky Point Road and traffic noise impacts;</i>	
iii.	<i>Terraces and roof top private open space for terraces will result in noise impacts.</i>	

Issue	Response
FSR	
FSR – there is no logical reason for the excess gross floor area and it should not be supported.	The rationale for the Clause 4.6 variation is provided in the updated Clause 4.6 variation submitted with the response to Council. The proposed variation relates to a number of site specific circumstances which warrant a minor variation to the FSR development standard in this instance.
Services and infrastructure	
Services & Infrastructure - Inadequate public services such as schools, facilities and infrastructure to accommodate the increased population. Ramsgate School already has 500 students and is unlikely able to accommodate the additional children from the site.	The subject site is located in proximity to a number of services. The site's proximity to services was considered during the rezoning of the site. The district catchment provides a number of services which future residents will benefit from.
Loss of security	
Loss of Security - Details of boundary fencing not provided and some properties will now be adjacent to public land.	The proposed fencing throughout will ensure privacy is maintained to neighbouring properties.
Height	
i. The height is not in keeping with other multi dwelling residential sites in the local area and will result in adverse impacts to the locality. ii. The height will set a precedent for future development.	The height plane controls have been specifically drafted at the rezoning stage of the site to ensure visual impacts to neighbouring properties are considered. The proposed height is compliant with the planning controls for the site.
Protection and retention of trees	
i. Trees on adjoining sites to be protected from proposed works. ii. Trees on No. 206 to be retained to minimise impacts on adjoining properties.	Trees on neighbouring sites will not be impacted by the proposed development, as confirmed by the supplementary arborist's report submitted with the response to Council.
Exhaust / Pollution	
Impacts from vehicles stopping and starting at the new intersection.	The proposed intersection is not anticipated to give rise to exhaust impacts any more than which is currently experienced at Rocky Point Road at any given time.
Other comments	
Overdevelopment of the site.	The proposed development is consistent with the site specific controls for the site, and as such, is not considered an overdevelopment of the site.
Character - The proposal is inconsistent with the existing character of the local area.	The proposal is consistent with the emerging character of the site as envisioned by the planning controls.
B6 Zoned Land i. The application should not be approved without full details of the proposal on the B6 zoned land so that residents have a full understanding of the impacts. ii. The land will remain vacant for an indefinite period of time. What will happen to it until developed?	Residents can realistically expect development of a certain nature an impact given the recent rezoning of the western portion of the overall site to B6 Enterprise Corridor.
Use of No. 206 – the Gateway plans included this site as a park leading to the residential estate, however the current proposal includes tree removal and appears to show commercial development on the land. The land should be retained as a park as originally proposed.	

Issue	Response
<i>Child Care Centre - One submission noted their support for the proposed Child care centre.</i>	Noted.
<i>Public Domain a. The public domain area and landscape treatment to the rear / east (Production Lane) appears inadequate to minimise impacts associated with the scale of the development which has limited setbacks.</i>	The proposal will provide for an improved public domain interface having regard to the existing situation along Production Lane.