

Statement of Environmental Effects

Proposed Mixed Use Development

130 - 140 Princes Highway & 7 Charles Street, Arncliffe

Submitted to Rockdale City Council

On Behalf of Combined Projects (Wickham Street) Pty Ltd

Report Revision History

Revision	Date Issued	Prepared by	Reviewed by	Verified by
01	19/07/18	Carlo Di Giulio <i>Associate Director</i>	Stephen Kerr <i>Executive Director</i>	Stephen Kerr <i>Executive Director</i>
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This document is preliminary unless approved by a Director of City Plan Strategy & Development

CERTIFICATION

This report has been authorised by City Plan Strategy & Development, with input from a number of other expert consultants, on behalf of the Client. The accuracy of the information contained herein is to the best of our knowledge not false or misleading. The comments have been based upon information and facts that were correct at the time of writing this report.

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1. Executive Summary

1.1 Brief Introduction

City Plan Strategy & Development Pty Ltd (CPSD) has prepared this Statement of Environmental Effects (SEE) to accompany a Development Application (DA) to Bayside Council. The DA relates to land at 130 - 140 Princes Highway and 7 Charles Street, Arncliffe (the subject site). The proponent for the DA is Combined Projects (Wickham Street) Pty Ltd (the proponent). A description of the proposal is provided below as well as **Section 4** of this SEE.

This Statement of Environmental Effects (SEE) has been prepared pursuant to Section 4.12 of the EP&A Act and Clause 50 of the *Environmental Planning and Assessment Regulation, 2000* (EP&A Regulations). As sought by the relevant legislation, this SEE:

- describes the proposed development and its context;
- assesses the proposal against the relevant environmental planning framework; and
- assesses the potential environmental impacts and mitigation measures.

The proposal achieves a Capital Investment Value (CIV) of \$60,278,342 million. Therefore, in accordance with Clause 20 of State Environmental Planning Policy (State and Regional Development) 2011, the proposal represents 'regionally significant development'. Further, in accordance with Clause 4.5(b) of the Environmental Planning 7 Assessment Act, 1979, the application will be assessed by Bayside Council, but referred to the Sydney Eastern City Planning Panel for determination.

1.2 Brief Proposal Description

The DA proposes a mixed use development inclusive of:

- demolition of all existing structures on the subject site;
- excavation for the purpose of three (3) basement levels accommodating a total of 257 parking spaces, storage areas, a loading dock, or similar;
- an overall above ground built form of 10 storeys (maximum RL of 57.70 to roof top plant room);
- Ground floor tenancies for commercial purposes (562m²);
- A residential apartment building inclusive of one hundred and ninety one (191) dwellings, communal open space, and the like; and,
- Stratum subdivision.

1.3 Background Information

Currently, the subject site is within a B6 - Enterprise Corridor land use zone pursuant to the Rockdale Local Environmental Plan 2011 (RLEP 2011). The proposal described in this SEE is currently not a permissible land use in the subject land use zone. However, the subject site and its immediate surrounds has been subject to extensive strategic planning for the purpose of changing the land use zone and development standards which would facilitate the proposal. Specifically, the former Rockdale Council initiated strategic planning in 2013 which sought to convert the locality from a mostly light industrial precinct into a higher density mixed use precinct with a significant residential component.

Following Council's actions, the NSW Department of Planning (DPE) prepared a Precinct Plan for the locality in 2016, inclusive of a Draft Land Use and Infrastructure Strategy (Draft LU&IS), Precinct Plan and draft amendment to the RLEP 2011. The strategy was subject to community consultation in 2017. It is understood that DPE is currently considering the outcomes of the consultation process before finalising the Precinct Plan and the RLEP 2011 amendment. DPE advises that the outcomes of the strategy would be implemented through a State Environmental Planning Policy.

The proponent for this DA subsequently submitted a site specific Planning Proposal (PP) for the subject site in March 2018 given the Draft LU&IS appears to have been delayed. The PP's land use and built form outcomes are effectively identical to those nominated in the Draft LU&IS. Similarly, this DA adopts the land use and built form outcomes proposed in the PP. The PP is currently under consideration by Bayside Council. It should be noted that the recently completed ten (10) storey mixed use development immediately adjacent the subject site (i.e. 108 Princes Highway), was also delivered with a site specific PP and subsequent DA.

1.4 Summary of Environmental Assessment

In assessing the proposal, this SEE has considered the relevant legislation, environmental planning instruments, strategic plans, as well as the existing and/or likely future context of the subject locality. In particular, it considers State Environmental Planning Policy No 55 - Remediation of Land, State Environmental Planning Policy No 65 - Design Quality of Residential Apartment Development, the Bayside West Precincts Draft Land Use and Infrastructure Strategy (Draft LU&IS), the Rockdale Local Environmental Plan 2011, as well as the site specific PP currently under consideration by Council.

The key findings of this assessment are that the proposal is substantially consistent with the intended outcomes of both the Draft LU&IS, the Precinct Plan as well as the site specific PP. In particular, the proposal achieves a maximum floor space ratio (FSR) of 2.43:1, which complies with the maximum 2.5:1 prescribed by the Draft LU&IS as well as the PP.

Except for rooftop parapets and rooftop plant room, the proposal's height is 31m, which complies with the maximum 31m height sought by the PP as well as the Draft LU&IS. The proposal's maximum height, inclusive of the previously mentioned rooftop elements, is 33.60m. An exception to the strict application of the proposed 31m development standard is considered reasonable, given it results in a superior planning outcome for the site, as provided for by Clause 4.6 of the RLEP 2011. Such an exception is included as an appendix to this SEE.

The proposal's built form is consistent with that intended by the Draft LU&IS. In particular, it adopts a fairly linear western façade, as well as ten (10) storeys, so as to provide adequate definition to the Princes Highway corridor. Conversely, the proposal's rear envelope adopts particularly generous setbacks from side boundaries so as to maximise solar access and ventilation to dwellings of the proposal and adjoining developments. It also lessens the perception of scale in proximity to existing adjoining developments, as well as maximising sunlight to the communal open space for the proposal.

In conjunction with a range of specialist assessments, the proposal was also found to be acceptable with regard to potential contamination, heritage, traffic generation and manoeuvrability as well as acoustic impacts. Where necessary, each of these assessments recommend a range of mitigation measures which have been integrated into the design or should be implemented through conditions of any consent.

In light of the above, this SEE finds that the proposal is suitable for the subject site and worthy of Development Consent.



Figure 1: Extract of proposed front (western) elevation (Source: ABW)

2. Introduction

2.1 General Introduction

This SEE relates to a DA proposing a mixed use development at 130 - 140 Princes Highway and 7 Charles Street, Arncliffe. The Proponent for the DA is Combined Projects (Wickham Street) Pty Ltd. A detailed description of the proposal is provided in **Section 4** of this SEE.

The subject site is currently within a B6 - Enterprise Corridor land use zone. The proposal is prohibited in such a zone. As will be detailed in **Section 6** of this SEE, however, the subject locality has been subject to extensive strategic planning by Council, DPE, as well as the proponent and is currently subject to a Precinct Plan and a PP, both of which will permit the proposed development. It is acknowledged that the application is unable to be determined until either the Precinct Plan or the PP is finalised. The proposal is effectively consistent with the intended outcomes of such planning, including in terms of land use and built form.

2.2 Supporting Information

This SEE has been prepared with information from the following specialist services:

- Architectural Plans and Photomontages by Architecture & Building Works (ABW);
- Demolition Plan by ABW;
- Driveway Profile Plan by ABW;
- Streetscape Analysis by ABW;
- BASIX report and certificates by Windtech;
- CPTED assessment by Barker Ryan Stewart;
- Geotechnical Investigations by EI Australia;
- Heritage Impact Assessment by NBRs Architecture;
- Landscape Design and Report by Scott Carver;
- Detailed Site Investigation and Remediation Action Plan by EI Australia;
- SEPP 65 and Design Verification Statement by ABW;
- Traffic, Parking and Manoeuvring Assessment by Barker Ryan Stewart;
- Operational Waste Management Plan by Elephants Foot Recycling Solutions;
- Wind Impact Statement by Windtech;
- Section J Report by Windtech;
- Accessibility Assessment by Morris Goding Access Consulting;
- Contour and Detail Survey by Veris Australia Pty Ltd;
- Construction Management Plan by Barker Stewart Ryan;
- Stormwater Management Plan and Design Certification by Australian Consulting Engineers (ACE);
- Public Domain Works and Civil Engineering Design by ACE;
- Acoustic and Vibration Assessment by Koikas Acoustics Pty Ltd;
- Quantity Surveyor's Assessment by Vittorio Catania Pty Ltd;
- BCA Capability Statement by Vic Lilli & Partners;
- Stratum Plan by Veris Australia Pty Ltd.
- Correspondence with Peter Bleasdale from Sydney Airport; and,
- Fire Engineer's Letter of Support by Affinity.

3. Site and Context Description

3.1 Site Identification

The subject site is formally recognised as follows:

- Lot 1 in DP 314129;
- Lot 1 in DP 126737;
- Lots 20-23 in DP 1228044; and,
- Lots 50 and 52 DP 1228056.

It is more commonly referred to as 130-140 Princes Highway and 7 Charles Street, Arncliffe. An aerial view of the subject site is provided in **Figure 2** below.



Figure 2: The subject site outlined in red (Source: Six Maps)

3.2 Site Shape, Boundaries, Area & Gradient

The subject site is irregular in shape. Its combined Princes Highway boundary is 87.66m in length, whilst the Charles Street boundary is 12.19m in length. The (northern) boundary with neighbouring site, 108 Princes Highway, is 60.25m in length and the boundary with 5 Charles Street is 53.06m in length. The combined (southern) boundary with the rear of properties in Wickham Street is 103.98m and the combined eastern boundary along the side boundary of

16 Wickham Street and the rear boundaries of Nos. 9, 11-13 Charles Street is 93.475m in length. Lastly, the boundary with side of 9 Charles Street is 58.95m in length.

The combined site area is 6,041sqm.

As is demonstrated by the survey plan prepared by Veris Australia Pty Ltd, a considerable gradient traverses the site. Specifically, there is a fall of approximately 7m from the subject site's Princes Highway (western) boundary, to its Charles Street (eastern) boundary.

3.3 Existing Development

Existing development at the subject site consists of four (4) separate, single storey light industrial/commercial buildings accessed from Princes Highway, and one (1) single storey residential dwelling on Charles Street. There is limited landscaping at the site at present with the majority covered by hardstand area, although there are some trees along the rear boundary of 7 Charles Street. The existing commercial uses on the site include a used-car sales yard, a building occupied by Motor Vehicle Assessment Centre and a wholesale electrical retail business known as Arncliffe Babylon.



Figure 3: Subject site's Princes Highway frontage, with red lines showing approximate extent of frontage (Course; Google Earth)



Figure 4: Existing Charles Street frontage with 7 Charles Street shown in red (Source: Google Earth)

3.4 Immediately Surrounding Development

Immediately to the north of the subject site's Princes Highway allotments is a recently completed ten (10) storey mixed use development with basement parking. To the south is several small allotments with established, single storey, detached dwellings. On either side of 7 Charles Street are detached dwellings.

To the west of the subject site, or the opposite side of Princes Highway, is an established medium density residential development. Building envelopes are generally four (4) storeys in height and surrounded by generous landscaping, including established trees. However, this area is proposed to be rezoned to permit residential towers up to 70m in height according to the previously mentioned Precinct Plan.



Figure 5: Existing medium density residential development on the western side of Princes Highway
(Source: Google Earth)

3.5 Context Description

Arncliffe is an established suburb located approximately 11km south of the Sydney central business district. It is located in the local government area of Bayside Council (previously Rockdale City Council before a recent merging of City of Botany Bay and Rockdale City Councils consequently forming Bayside Council in September 2016). Arncliffe is located south of the Cooks River and Wolli Creek, close to Sydney Airport.

It contains a number of land uses, including low rise residential as part of the suburb's initial establishment, high density mixed use developments as part of several urban renewal 'pockets' particularly along Bonar Street, educational establishments, places of public worship, heavy rail public transport inclusive of a station, as well as several passive and active public open spaces. There are also a number of small to large, low rise warehouses with light industrial or warehouses land uses.

An aerial of the subject locality is provided on the following page.

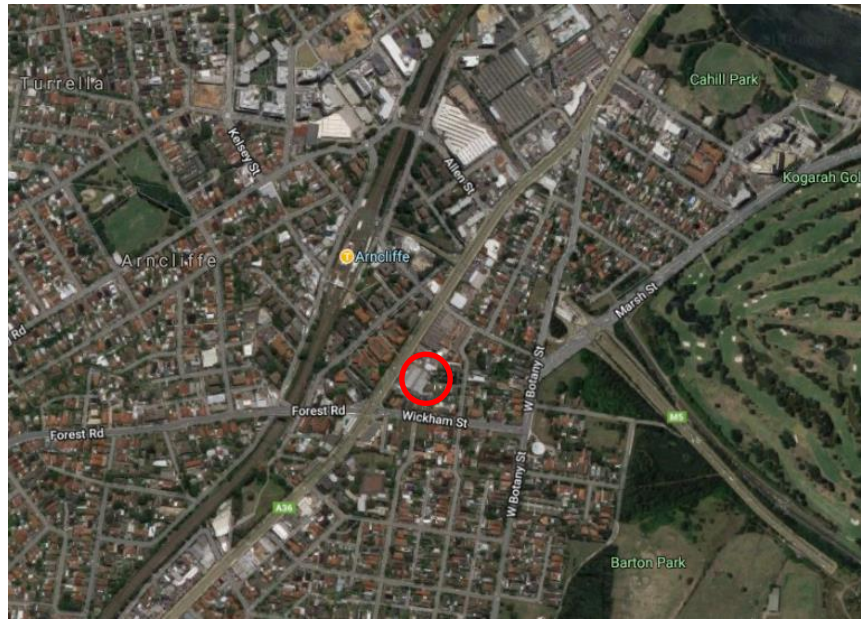


Figure 6: Contextual aerial view with subject site's approximate boundaries shown red (Source: Google maps)

4. Proposal Description

4.1 General Description

The DA seeks consent for demolition and construction of a ten (10) storey mixed use development inclusive of three (3) basement levels, six (6) ground floor commercial tenancies, one hundred and ninety one (191) dwellings, communal open space, a two (2) lot stratum subdivision, and the like.

A detailed description of the proposal is provided below.

4.2 Detailed Proposal Description

Demolition

All existing structures on the subject site are proposed to be demolished.

Excavation, Civil Works & Remediation

Excavation primarily for the purposes of a three (3) level basement is proposed. As part of the excavation, site remediation for the purposes of SEPP 55, and in accordance with the Remediation Action Plan, provided as a separate appendix to this SEE, will be undertaken.

Civil works are also proposed, and are generally limited to installing base services, site grading, and preparing the site for construction and excavation.

Basement

Level 3

- A total of 78 car parking spaces for residents only.
- A total of 2 motor bike parking spaces for residents only.
- 66 storages spaces for residents, being 3.4m³ - 11m³ in volume.
- Access to 6 lifts.
- 2 emergency stair wells.
- Vehicular ramp to upper basement levels.
- Service risers.

Level 2

- A total of 110 car parking spaces for residents only, including 6 adaptable spaces.
- 8 motor bike parking spaces for residents only.
- 8 bicycle parking spaces for residents only.
- 80 storages spaces for residents, being 3m³ - 11m³ in volume.
- Access to 6 lifts.
- 3 emergency stair wells.
- Vehicular ramp to upper basement level.
- Service risers.

Level 1

- 1 dedicated wash bay.
- A total of 69 car parking spaces as follows:
 - Residential visitor spaces - 39
 - Residential spaces - 1
 - Commercial/retail spaces - 14

- Commercial/retail accessible spaces - 1
- Residential adaptable spaces - 14
- A total of 4 motor bike parking spaces for residents only.
- 53 storages spaces for residents, being 3.6m³ - 11m³ in volume.
- Access to 6 lifts.
- 2 emergency stair wells.
- 2 residential garbage rooms, each with overhead chute facilities, with a total area of 92m² and capacity for a total of 25 bins.
- 1 commercial garbage room with a total area of 21m² and capacity for 4 bins.
- 1 bulk waste storage room for residents and commercial tenants being 14m² in area.
- 1 loading dock for up to a medium rigid vehicle (MRV), inclusive of a turn table, for use by residents and commercial tenants.
- 5 plant rooms and separate service risers.
- Vehicular access to/from Charles Street via 7 Charles Street. The access is lined by deep soil landscaping.

Ground Floor

- Impervious finishes generally along the Princes Highway frontage providing direct access to the road reserve to/from the proposed development.
- A total of 6 commercial tenancies for commercial and/or retail land uses, ranging in size from 67m² to 139m². Each has direct and level access to the Princes Highway road reserve.
- A total of 10 dwellings, each with private open space (POS).
- A lobby with direct access to the Princes Highway road reserve.
- Access to 6 lifts.
- 6 emergency stair wells.
- Communal open space inclusive of a contiguous 603m² deep soil zone.
- General landscaping.
- Impervious access generally around the perimeter of the proposed building footprint, generally with impervious materials.
- Ancillary items such as communal bathrooms, a cleaner's room, service risers, access to garbage chutes, and the like.

First Floor - Fifth Floor

- A total of 105 dwellings (21 dwellings per level), each with POS.
- Access to 6 lifts per level.
- 4 emergency stair wells per level.
- Ancillary items such as service risers, access to garbage chutes, and the like, per level.

Sixth Floor - Ninth Floor

- A total of 76 dwellings (19 dwellings per level), each with POS.
- Access to 6 lifts per level.
- 4 emergency stair wells per level.
- Ancillary items such as service risers, access to garbage chutes, and the like, per level.

Roof Top

- Skylights for dwellings on Level 9 below.
- Lift over runs.
- Service risers.
- Plant room including a sprinkler water tank.

Subdivision

It is proposed to subdivide the proposal into two (2) stratum lots. One (1) lot will include the residential component and a separate lot is proposed for the commercial component.

4.3 Summary of Numerical Information

The following table summarises the proposal's key numerical details.

Element	Proposal
Total site area	6,041.7m ²
Gross Floor Area (GFA) as defined by RLEP 2011	14,691m ² comprising: <ul style="list-style-type: none">▪ 562m² Commercial▪ 14,129m² Residential
Floor space ratio as defined by RLEP 2011	2.43:1
Maximum building height as defined by RLEP 2011	33.60m or RL 57.70 (to the top of the highest lift over run) 33.07m or RL 56.10 (to the top of the parapet) 10 storeys
Total dwellings	191 dwellings over 10 levels comprising: <ul style="list-style-type: none">▪ 56 x 1 Bedroom (29.3%)▪ 125 x 2 Bedroom (65.4%)▪ 10 x 3 Bedroom (5.2%)
Total car parking	257 onsite spaces comprising: <ul style="list-style-type: none">▪ 203 car spaces for residents, including 20 adaptable spaces;▪ 39 spaces for residents' visitors, including 1 adaptable space;▪ 15 spaces for the commercial tenancies including 1 adaptable space 1 dedicated wash bay is also proposed
Loading bay/s	1 onsite loading bay within the basement, including a turn table for a MRV, accessible from Charles Street.
Communal open space as defined by ADG	2,280m ² or 38% of site area
Deep soil as defined by ADG	603m ² or 10% of site area
Depth of basement excavation	Approximately 12m

5. Environmental Planning Framework

The environmental planning framework applicable to the proposal is listed below. The framework includes legislation, environmental planning instruments, as well as non - statutory policies and the like such as development control plans, strategic plans, planning proposals and developer contribution plans.

Section 6 of this SEE demonstrates the proposal's compliance, or otherwise, with the relevant framework. **Section 6** also considers the proposal's potential environmental impacts generally, as well as any relevant mitigation measures.

- Environmental Planning and Assessment Act, 1979;
- Airports Act, 1996;
- Environmental Planning and Assessment Regulation, 2000;
- Airports (Protection of Airspace) Regulations 1996;
- Greater Sydney Region Plan;
- Eastern City District Plan;
- Bayside West Draft Land Use & Infrastructure Plan;
- Proponent Initiated Site Specific Planning Proposal;
- State Environmental Planning Policy No 19 - Bushland in Urban Areas;
- State Environmental Planning Policy No 55 - Remediation of Land;
- State Environmental Planning Policy No 65 - Design Quality of Residential Apartment Development;
- State Environmental Planning Policy (Infrastructure) 2017;
- State Environmental Planning Policy (State & Regional Development) 2011;
- State Environmental Planning Policy (Vegetation in Non-Rural Areas) 2017;
- Rockdale Local Environmental Plan 2011;
- The Apartment Design Guide;
- Rockdale Development Control Plan 2011 (Banksia & Arncliffe Draft Amendments); and,
- Rockdale Section 94 Contributions Plan 2004.

6. Environmental Planning Assessment

This section provides an assessment of the proposal against the development standards, objectives and performance based controls of the environmental planning framework listed in **Section 5** of this SEE.

6.1 Environmental Planning and Assessment Act 1979

Section 1.3 - Objects of Act

The Environmental Planning and Assessment Act, 1979 (the Act) is the principle planning and development legislation in New South Wales. In accordance with Section 1.3, the objectives of the Act are:

(a) to promote the social and economic welfare of the community and a better environment by the proper management, development and conservation of the State's natural and other resources,

(b) to facilitate ecologically sustainable development by integrating relevant economic, environmental and social considerations in decision-making about environmental planning and assessment,

(c) to promote the orderly and economic use and development of land,

(d) to promote the delivery and maintenance of affordable housing,

(e) to protect the environment, including the conservation of threatened and other species of native animals and plants, ecological communities and their habitats,

(f) to promote the sustainable management of built and cultural heritage (including Aboriginal cultural heritage),

(g) to promote good design and amenity of the built environment,

(h) to promote the proper construction and maintenance of buildings, including the protection of the health and safety of their occupants,

(i) to promote the sharing of the responsibility for environmental planning and assessment between the different levels of government in the State,

(j) to provide increased opportunity for community participation in environmental planning and assessment.

The proposal renews arguably outdated building stock. The new stock retains employment opportunities but delivers additional housing opportunities which assists with housing affordability. The subject site does not pose any risk to human health, or none that cannot be remediated. Items of natural or cultural significance would not be adversely affected by the proposal given none are located on or in the immediate vicinity of the subject site.

The design is considered to be of high quality and will integrate effectively with recent development in the locality, and particularly the development on the immediately adjoining northern property (i.e. No. 108 Princes Highway). The design also satisfies relevant amenity controls such as those within the Apartment Design Guide (ADG).

In light of the above, it is considered that the proposal would satisfy the relevant objectives of the Act.

Section 4.15 - Evaluation

Section 4.15(1) of the Act as amended specifies the matters which a consent authority must consider when determining a DA. The relevant matters for consideration under Section 4.15 of the Act are addressed in the Table below.

Table 1: Section 4.15(1)(a) - (e) Considerations

Section	Comment
Section 4.15(1)(a)(i) Any environmental planning instrument	Consideration of relevant instruments is discussed in Section 6.
Section 4.15(1)(a)(ii) Any draft environmental planning instrument	Draft instruments do not apply to the proposal, although there are several applicable strategic plans. These are considered in Section 6.
Section 4.15(1)(a)(iii) Any development control plan	Consideration of the relevant development control plan is discussed in Section 6.
Section 4.15(1)(a)(iiia) Any planning agreement	Planning agreements do not currently apply. However, the proponent is willing to consider developer contributions in addition to those listed in a relevant developer contribution plan as part of a planning agreement should Council see fit.
Section 4.15(1)(a)(iv) Matters prescribed by the regulations	Consideration of relevant matters in the regulations is discussed in Section 6.
Section 4.15(1)(a)(v) Any coastal zone management plan	Not relevant to this application.
Section 4.15(1)(b) Likely impacts of the development	The proposal's likely impacts, including any relevant mitigation measures, are addressed in Section 6.17.
Section 4.15(1)(c) Site suitability	The suitability of the site is considered in Section 6.18.
Section 4.15(1)(d) Submissions	Possible submissions are addressed in Section 6.19. Actual submissions can be addressed by the proponent at Council's request.
Section 4.15(1)(e) The public interest	The public interest requires consideration of any submissions, but it is nevertheless discussed in Section 6.20.

Section 4.46 - What is "integrated development"

This section of the Act defines integrated development as matters which require consent from Council and one or more approvals under related legislation. In these circumstances, prior to granting consent, Council must obtain from each relevant approval body their General Terms of Approval (GTA) in relation to the development.

Excavation and dewatering for the purposes of the proposal's basement classifies the DA as integrated development as prescribed by Clause 91(3) of the Water management Act 2000

and Clause 4.46 of the Act. It is expected that Council will refer the DA to the NSW Department of Industry for consideration. It is anticipated that General Terms of Approval (GTA) will be issued.

6.2 Environmental Planning & Assessment Regulation 2000

Clause 92 - Additional matters that a consent authority must consider

Prior to determining a DA, Clause 92 of the Regulation prescribes various matters, in addition to those prescribed in Section 4.15 of the Act, that a consent authority must consider before determining a DA. In relation to this particular DA, the only additional matter is sub clause (b) which requires the consent authority to ensure any demolition works take place in accordance with AS 2601 - 1991: The Demolition of Structures. This particular standard applies to the site as well as the relevant contractor, therefore, the consent authority can be satisfied that Clause 92 is satisfied. Additionally, the consent authority could require the standard's application to the development as a condition of any consent.

6.3 Airports (Protection of Airspace) Regulations 1996

The proposal's maximum RL is 57.70. The obstacle limitation surface in this case is AHD 51m. As the proposal would marginally breach the limit, the application should be referred to Sydney Airport for consideration. This DA demonstrates that the proponent has already commenced discussions with Sydney Airport in relation to this matter and to date no concerns have been raised. Further, it is noted that the development immediately to the north of the subject site also breached the limit and did not receive objection from Sydney Airport. It is expected that this DA will receive the same outcome from Sydney Airport.

6.4 Greater Sydney Region Plan

The Greater Sydney Region Plan (GSRP) was released by the NSW Government and the Greater Sydney Commission in March 2018. Its primary objective is to deliver a metropolitan area focused around three cities, within five (5) separate but interacting districts. The objectives of the GSRP are expected to form the basis of local environmental planning instruments and development outcomes.

For the purpose of this DA, Arncliffe forms part of the Eastern City District. Arncliffe and the Bayside Local Government Area (LGA), in general, is expected to maintain its historical connectivity with the Sydney CBD, otherwise known as the Harbour City, as well as Sydney Airport and surrounds. In particular, it is expected to accommodate several designated renewal areas so as to accommodate population growth generally. Such renewal is also expected to accommodate the skilled resources required to maintain the Eastern City District as the main knowledge centre of the metropolitan area.

The proposal is consistent with the GSRP in that it represents renewal in a designated urban renewal area. Further, it provides housing opportunities which could accommodate skilled workers for surrounding employment centres. The subject locality is serviced by Arncliffe railway station, which could provide connectivity for employees to the Sydney CBD.

6.5 Eastern City District Plan

District plans are expected to transfer broad objectives established by the GSRP into local EPIs. Of particular relevance to the subject site is the district plan's nomination of Arncliffe for urban renewal purposes, as shown in the extract of the district plan on the following page. The nature of the development proposed as part of this DA is consistent with the renewal outcomes sought by the Eastern City District Plan. The subject site is also located in close proximity to the Mascot Strategic Centre, the Sydney Airport Trade Gateway, the Green Grid Priority Corridor, as well as the potential F6 - WestConnex to President Avenue Kogarah motorway.

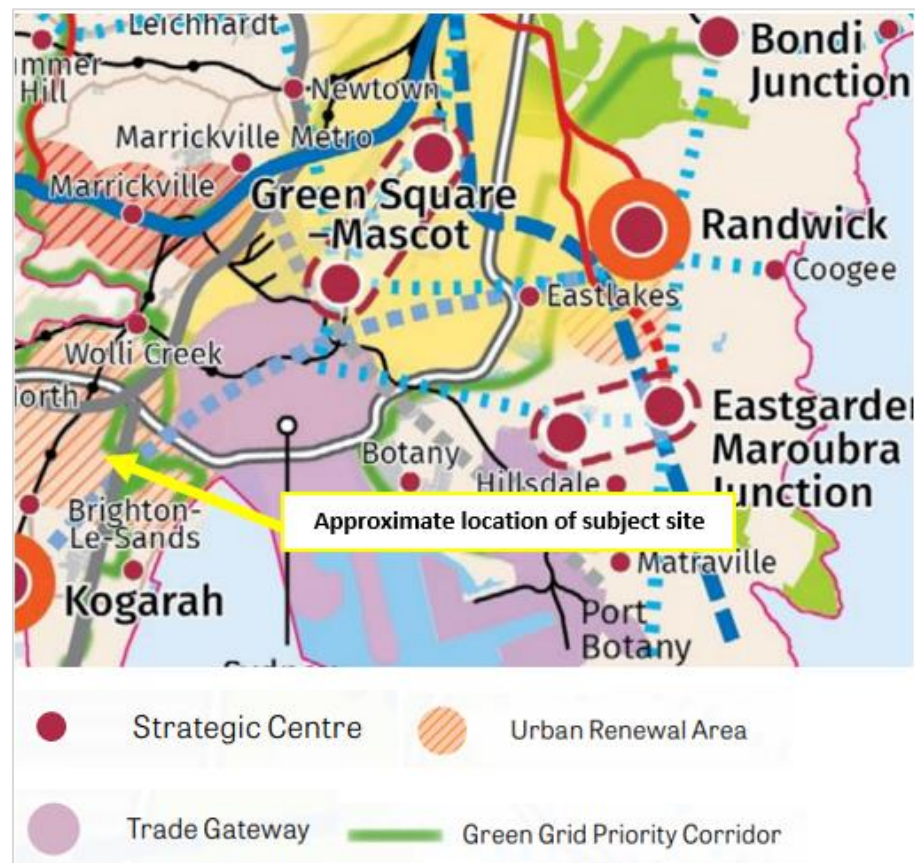


Figure 7: Extract of Eastern City District Structure Plan (Source: Eastern City Structure Plan, page 10 - 11)

6.6 Bayside West Draft Land Use & Infrastructure Strategy

DPE commenced strategic investigations for the purpose of encouraging urban renewal throughout Banksia, Arncliffe and Cooks Cove in 2016. It followed initial strategic planning investigation undertaken by the then Rockdale City Council in 2013.

Collaboratively, DPE and Bayside Council undertook community consultation and prepared a Draft LU&IS in November 2016. It is worth noting that, according to the Draft LU&IS, the subject site and its immediate surrounds were nominated for B4 - Mixed Use and R4 - High Density Residential land use purposes, building heights between 31m - 26.5m, floor space ratio between 2.5:1 to 2.2:1, as well as 6m setbacks to the Princes Highway with active street frontages. The Draft LU&IS includes draft statutory planning maps for these outcomes, relevant extracts of which are provided on the following page.

A range of other strategic measures are proposed by the Draft LU&IS to support the proposed renewal of Banksia, Arncliffe and Cooks Cove. They include improved bike and pedestrian connectivity particularly to and from the Arncliffe railway station, public domain improvements particularly along the Princes Highway, as well as improvements to existing open space and/or community facilities. These measures are proposed to be delivered with a Special Infrastructure Contribution (SIC).

Finally, the Draft LU&IS seeks to deliver the proposed land use, built form, and infrastructure measures through a locality specific State Environmental Planning Policy (SEPP). The SEPP was expected to be delivered in 2018, but is understood to have been delayed.

The proposal is substantially consistent with the measures proposed in the Draft LU&IS. Specifically, it adopts a compliant maximum FSR of 2.43:1, a marginally non-compliant height of 33.6m (refer to 4.6 exception request), active street frontages to the Princes Highway, and a marginally non-compliant Princes Highway setback of 5.285m (see later discussion). The

proponent is also willing to contribute to the anticipated increase in community services via the SIC proposed in the Draft LU&IS. This could be as a condition of any development consent.

Given the proposal is substantially compliant with the Draft LU&IS, the proponent seeks to proceed with the proposal, in conjunction with a Planning Proposal which has already been submitted to the Bayside Council. This will enable development to occur in an orderly and economic manner while the Precinct Plan/Planning Proposal are being finalised. This course of action is considered to be acceptable, particularly given a similar process was enacted to deliver what is almost an identical development at 108 Princes Highway (immediately to the north of the subject site).



Figure 8: Extract of proposed land use zoning map in Draft LU&IS, page 29. Subject site's approximate boundaries circled blue.

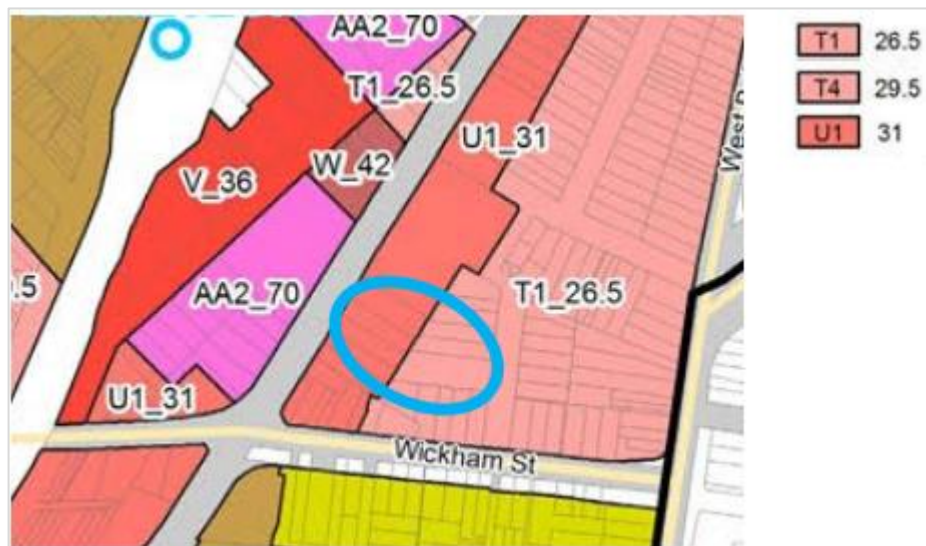


Figure 9: Extract of proposed building height map in Draft LU&IS, page 31. Subject site's approximate boundaries circled blue.

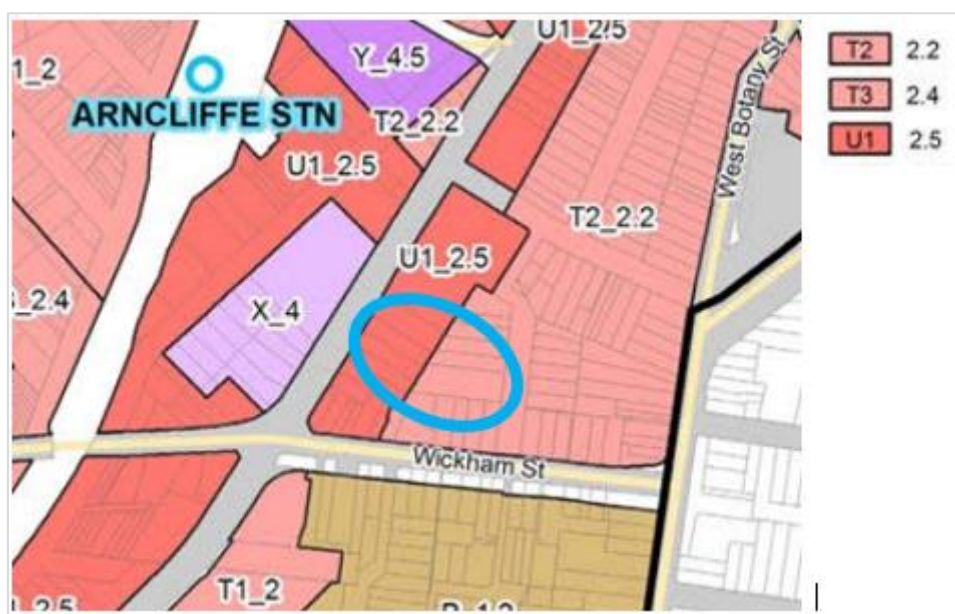


Figure 10: Extract of proposed FSR map in Draft LU&IS, page 33. Subject site's approximate boundaries circled blue.

6.7 Proponent Initiated Site Specific Planning Proposal

Due to the previously mentioned delays with implementing the Draft LU&IS, the proponent lodged a Planning Proposal (PP) which would give effect to the proposed controls, but in relation to the subject site only. The PP was lodged with Bayside Council in March 2018 and is currently under assessment. The PP was generally consistent with the Draft LU&IS, and the DA the subject of this SEE is consistent with the PP as summarised in the following table.

Element	PP	DA
Land use	B4 -Mixed Use for 130 - 140 Princes Highway, whilst 7 Charles St would remain R2 - Low Density Residential until it is rezoned via the SEPP which is anticipated to give effect to the Draft LU&IS.	A mixed use development is proposed for 130 - 140 Princes Highway, which would be permissible in the B4 zone. 7 Charles St will contain access facilities (i.e. a private road) for the proposed mixed use component of the proposal. Private roads are permissible in the current R2 zone, without consent according to the RLEP 2011.
FSR	Max 2.5:1	2.43:1
Building height	Max 31m	33.6m

It is anticipated that the PP will be supported by both Council and DPE. This would facilitate the subject proposal. The proponent also acknowledges the SIC levies as referenced in both the Draft LU&IS and the PP.

6.8 State Environmental Planning Policy No 19 - Bushland in Urban Areas

Clause 2 - Aims, objectives etc

In summary, this policy seeks to protect and preserve bushland generally throughout the Sydney metropolitan area because of its cultural, aesthetic, natural or scientific value.

There is minimal vegetation on the subjects site, and none of any significant value. In this case, the proposal would not be inconsistent with the aims of this policy.

6.9 State Environmental Planning Policy No 55 - Remediation of Land

Clause 2 - Object of this Policy

In summary, SEPP 55 aims to promote the remediation of contaminated land for the purpose of reducing the risk of harm to human health or any other aspect of the environment.

Clause 7 - Contamination and remediation to be considered in determining development application

This clause requires that a consent authority must not grant consent to a development unless it has considered whether a site is contaminated, and if it is, that it is satisfied that the land is suitable (or will be after undergoing remediation) for the proposed use.

EI Australia conducted a Detailed Site Investigation (DSI) of the subject site's soil features. Their assessment is provided as an appendix to this SEE. In summary, the assessment confirmed minor quantities of contamination in limited locations across the subject site. The contamination was most likely associated with former and/or current land uses of the subject site, such as mechanical repair stations.

Subsequently, EI Australia prepared a Remediation Action Plan (RAP) for the purposes of satisfying SEPP 55. The RAP is provided as an appendix to this SEE. In summary, it prescribes shallow excavation in order to remove the subject material. This will be undertaken as prescribed by the RAP and would have occurred as part of excavating the proposal's basement.

In this case, Council can be satisfied that the site will be suitable for the proposal and the obligations of SEPP 55 are addressed. It could recommend the implementation of the RAP as a condition of any consent.

6.10 State Environmental Planning Policy No 65 - Design Quality of Residential Apartment Development

Clause 2 - Aims, objectives etc

SEPP 65 relates primarily to residential apartment developments. In summary, it seeks to achieve development which is socially and environmentally sustainable and is of high quality internal and external design.

It will be demonstrated that the proposal strictly complies with most of the recommended controls of the related Apartment Design Guide (ADG), and, therefore, the proposal satisfied the objectives of the SEPP. Generally, however, it is worth noting that the proposal achieves good internal amenity, provides diverse housing, as well as a high standard of communal open space. The subject site is also relatively accessible, being approximately 400m from Arncliffe railway station.

Clause 28 - Determination of development applications

Prior to determining a DA, sub clause 2 prescribes that a consent authority must evaluate whether the proposal satisfies the nine (9) design principles prescribed in Schedule 1 of the SEPP 65. The consent authority must also evaluate the proposal with respect to the ADG.

The proposal has been designed by Jim Apostolou (registration number 7490) of Architecture & Buildings Works (ABW). They have prepared a design report (refer to separate appendix) demonstrating how the proposal satisfies the design quality principles, as well as the relevant design criteria of the ADG. The following, however, demonstrates the proposal's compliance with the ADG's key design criteria:

- The following table demonstrates the proposal's relationship with the setback and separation design criteria of Objective 3F. The site planning illustrated in **Figure 14** of this SEE (or the architectural floor plans), demonstrate that an extremely generous communal open space and separation from adjoining properties/envelopes will be achieved by the proposal, although it is acknowledged that some minor non-compliances do occur with the separation controls of the ADG.

	Northern boundary	Eastern boundary	Southern boundary
Up to 4th floor			
Min 6m habitable rooms and balconies	N/A	6.025m	N/A
Min 3m non-habitable rooms	4.5m	N/A	4.5m
5 - 8 storeys			
Min 9m habitable rooms and balconies	N/A	6.02m Variation sought - see discussion	10.19m
Min 3m non-habitable rooms	4.5m	6.025m	4.5m
9+ storeys			
Min 12m habitable rooms and balconies	N/A	9.365m (dwelling c9.02) & 6.07m (dwelling a9.05) Minor variation sought.	N/A
Min 6m non-habitable rooms	4.5m (dwelling uB9.05) Minor variation sought.	N/A	4.5m (dwelling uA9.04) Minor variation sought.

- Apartment depths range from 6.1m to 8m. Objective 4D2 prescribes a maximum of 8m from a window.
- A total of 2,280m² of communal open space is provided, which equates to 38% of the site area. Objective 3D1 prescribes a minimum of 25% of the site area.
- At least 50% of the abovementioned communal open space receives a minimum of 2 hours sunlight between 9am and Midday at June 21. Objective 3D-1 of the ADG recommends at least 50% of the COS receives at least 2 hours of direct sunlight between 9am to 3pm on June 21.
- A total of 603m², which equates to 10% of the site area, is provided for deep soil purposes. Objective 3E-1 recommends a deep soil zone of 7% of the site area.
- Living rooms and POS of 121 proposed dwellings, or 64% of all proposed dwellings, receive at least 2 hours direct sunlight between 9am and 3pm at June 21 (ADG recommended minimum is 70% - minor variation sought).
- 34 dwellings, or 17.8% of all proposed dwellings, receive no direct sunlight between 9am to 3pm at mid-winter. The maximum suggested by Objective 4A-1 is 15% of all proposed dwellings.

- The proposal includes 172 dwellings in the first 9 levels, or 62% of all dwellings in the first 9 levels, which are naturally cross ventilated. Objective 4B-3 of the ADG recommends at least 60% of dwellings in the first 9 levels are naturally cross ventilated.
- The overall depth of the proposed naturally cross ventilated dwellings is 15.3m. Objective 4B-3 recommends a maximum depth of 18m, measured from glass line to glass line.
- 3.1m above ground and 3.75m ground level floor to ceiling clearances are provided. This satisfies the design criteria of 2.7m and 3.5m respectively, of Objective 4C-1.
- The proposal includes:
 - 1 bedroom dwellings with a minimum area of 51m² (ADG recommended minimum is 50m² or 55m² if an additional bathroom is provided). In the case of the proposal, 1 bedroom dwellings include a single bathroom only.
 - 2 bedroom dwellings with a minimum area of 75m², inclusive of ensuites (ADG recommended minimum is 70m² or 75m² if an additional bathroom is provided).
 - 3 bedroom dwellings with a minimum area of 95m², inclusive of ensuites (ADG recommended minimum is 90m² or 95m² if an additional bathroom is provided).
- The proposal adopts open plan layouts where the maximum depth is 8.9m. This marginally exceeds the 8m maximum recommended by Objective 4D-2. The non-compliance is minor with adequate amenity achieved with ample glazing, generous setbacks in most instances, and a northerly orientation.
- The proposal includes:
 - 1 bedroom dwellings with a minimum POS area of 10m² (ADG recommended minimum is 8m²).
 - 2 bedroom dwellings with a minimum POS area of 12m² (ADG recommended minimum is 10m²).
 - 3 bedroom dwellings with a minimum POS area of 12m² (ADG recommended minimum is 12m²).
- The maximum number of dwellings served by a single core on a single level is 8. This is in accordance with the maximum of 8 recommended by Objective 4E-1 in the ADG.
- The proposal includes a maximum of 32 dwellings served by a single lift. 6 lifts are proposed in total. This is below the maximum 40 dwellings per lift recommended by Objective 4F-1 in the ADG.
- The proposal includes:
 - 1 bedroom dwellings with a minimum additional storage area of 6.5m³ (ADG recommended minimum is 6m³).
 - 2 bedroom dwellings with a minimum additional storage area of 7.7m³ (ADG recommended minimum is 8m³).
 - 3 bedroom dwellings with a minimum additional storage area of 9.8m³ (ADG recommended minimum is 10m³).

6.11 State Environmental Planning Policy (Infrastructure) 2017

Clause 45 - Determination of development applications - other development

In summary, this clause requires a consent authority to seek comments from the relevant electricity supply authority in relation to any DA which involves:

- the penetration of ground within 2m of an underground electricity power line or an electricity distribution pole or within 10m of any part of an electricity tower,
- development carried out:

- within or immediately adjacent to an easement for electricity purposes (whether or not the electricity infrastructure exists), or
- immediately adjacent to an electricity substation, or
- within 5m of an exposed overhead electricity power line,
- installation of a swimming pool any part of which is:
 - within 30m of a structure supporting an overhead electricity transmission line, measured horizontally from the top of the pool to the bottom of the structure at ground level, or
 - within 5m of an overhead electricity power line, measured vertically upwards from the top of the pool,
- development involving or requiring the placement of power lines underground, unless an agreement with respect to the placement underground of power lines is in force between the electricity supply authority and the council for the land concerned.

There are several electricity power poles along the subject site's Princes Highway frontage, along which excavation is also proposed as part of the development. In this case, the consent authority must seek the comments of the relevant electricity supply authority prior to determining the DA.

Clause 101 - Development with frontage to classified road

This clause applies to proposed development with frontage to a classified road. The proposal has frontage to the Princes Highway, which is a classified road, as demonstrated in the following map extract.

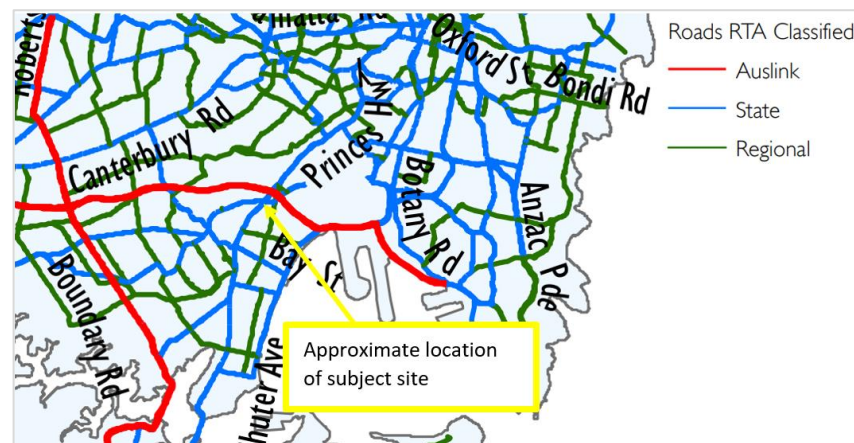


Figure 11: Extract of RMS classified roads map (Source: RMS)

Clause 101 further provides that a consent authority must not consent to such development unless it is satisfied that:

- where practicable, vehicular access to the land is provided by a road other than the classified road, and
- the safety, efficiency and ongoing operation of the classified road will not be adversely affected by the development as a result of:
 - the design of the vehicular access to the land, or
 - the emission of smoke or dust from the development, or
 - the nature, volume or frequency of vehicles using the classified road to gain access to the land, and
- the development is of a type that is not sensitive to traffic noise or vehicle emissions, or is appropriately located and designed, or includes measures, to ameliorate potential

traffic noise or vehicle emissions within the site of the development arising from the adjacent classified road.

Whilst the proposal has frontage to the Princes Highway, it also benefits from a frontage to Charles Street. Access to and from the proposed development will be via Charles Street. As such, it would not directly affect safety, efficiency and/or ongoing operation of the Princes Highway. This is confirmed by the Traffic Impact Assessment undertaken for the proposal by Barker Ryan Stewart, provided as an appendix to this SEE.

The proposal has been designed to ameliorate potential impacts associated with the Princes Highway. In particular, acoustic impacts are the most likely impacts and these are addressed in the Acoustic Impact Assessment by Koikas Acoustics Pty Ltd provided as a separate appendix. Some mitigation measures include enclosable balconies facing the Princes Highway so as to minimise noise transmission internally, minimum glazing thickness, minimum external and internal partition wall thickness, and a minimum thickness for the roof concrete slab.

The road network would not be significantly affected by emissions during the proposal's construction stage as management measures will limit this potential impact. This will be documented in any CMP and is likely to include misting of any dust and the like, when major excavation or rock breaking is occurring. This aside, and construction related emissions will be temporary. The proposal will include mechanical ventilation which allows occupants to control air quality during its operational phase.

Clause 102 - Impact of road noise or vibration on non-road development

In summary, this clause applies to various proposed land uses, including residential land uses, which are proposed adjacent to corridors with an annual average daily traffic volume of more than 40,000 vehicles. As demonstrated in the following map extract, the Princes Highway is nominated as such a corridor.

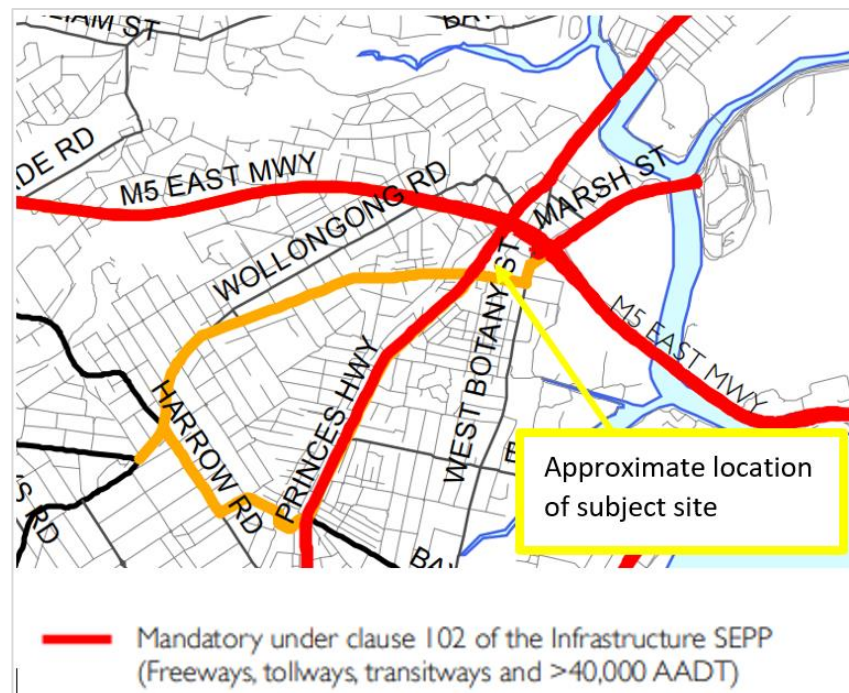


Figure 12: Traffic volume maps (Course: RMS)

In such cases, prior to determining a DA to which this clause applies, the consent authority must take into account any relevant guidelines issued by the Secretary. The consent authority must also be satisfied that the following LAeq levels are not exceeded:

- in any bedroom in the residential accommodation—35 dB(A) at any time between 10 pm and 7 am,
- anywhere else in the residential accommodation (other than a garage, kitchen, bathroom or hallway)—40 dB(A) at any time.

The acoustic and vibration assessment provided by Koikas Acoustics Pty Ltd demonstrate that the guidelines have been considered as part of the proposal, and that the LAeq levels will be met. In some cases, the levels will be met with specific design mitigation measures such as minimum glazing thickness and enclosable balconies.

Clause 104 - Traffic generating development

Clause 104 requires that before granting consent to development of a type nominated in Schedule 3 of the Infrastructure SEPP, the consent authority must refer the application to the RMS for comment on various matters including:

- the efficiency of movement of people to and from the site and the extent of multi-purpose trips, and
- the potential to minimise the need for travel by car, and
- any potential traffic safety, road congestion or parking implications of the development.

This provision is relevant as the proposal is of a type listed in column 2 of Schedule 3 given it provides off street parking for 200 or more vehicles.

As stated earlier, the DA is accompanied by a traffic and parking assessment by Barker Ryan Stewart provided as a separate appendix to this SEE. In summary, the assessment concludes that the proposal's occupants have ideal access to several public transport options, including heavy rail, and that the proposal would not significantly affect the efficiency and general operation of the Princes Highway or other surrounding roads.

In this regard, the RMS is not expected to provide any feedback opposing the proposal.

6.12 State Environmental Planning Policy (Vegetation in Non-Rural Areas) 2017

Clause 3 - Aims of Policy

In summary, this SEPP seeks to regulate vegetation so as to ensure high biodiversity and cultural value associated with existing vegetation in non-rural area is retained.

Clause 10 - Council may issue permit for clearing of vegetation

The 130 - 140 Princes Highway portion of the subject site does not contain any vegetation. Several trees are located on the 7 Charles Street portion of the subject site. Such trees are not considered to provide any particular biodiversity or cultural value. As such, the proponent seeks a permit to remove such trees, in accordance with Clause 10 of the SEPP.

6.13 State Environmental Planning Policy (State & Regional Development) 2011

Clause 20 - Declaration of regionally significant development: section 4.5 (b)

Schedule 7 to this clause includes a category for 'general development over \$30 million'. As demonstrated in the Quantity Surveyor's assessment provided as a separate appendix, the proposal achieves a capital investment value of \$60,278,342 million. In this case, and in accordance with Clause 20 of the SRD SEPP, the proposal represents 'regionally significant development'. Further, in accordance with Clause 4.5(b) of the Act, the application will be assessed by Bayside Council, but referred to the Sydney Eastern City Planning Panel for determination.

6.14 Rockdale Local Environmental Plan 2011

Given this DA reflects the Bayside Precinct Draft LU&IS, as well as the proponent initiated site specific PP, the RLEP 2011 is of limited relevance. Specifically, clauses in the RLEP 2011 relating to land use, land use objectives, building height, floor space ratio, or similar, are not considered in this SEE. The remaining relevant clauses are addressed below.

Clause 2.7 - Demolition requires development consent

This clause states that consent is required for demolition. The DA formally seeks consent for demolition of all existing structures on the subject site.

Clause 4.6 - Exceptions to development standards

As indicated earlier in this SEE, the proposal's height to parapets and the like is 31m, which complies with the height sought by the Precinct Plan as well as the site specific PP. The proposed maximum height, however, being the lift over runs, is 33.6m. An exception will be sought for this minor variation in accordance with Clause 4.6. The exception is provided as a separate appendix to this SEE.

Clause 5.10 - Heritage conservation

In summary, this clause seeks to conserve the environmental heritage of Rockdale. A Heritage Impact Statement (HIS) accompanies this SEE separately. In summary, it concludes that the proposal would be consistent with the objectives of the clause given the subject site is not an item of environmental heritage, is not likely to be an item of environmental heritage and is not within a heritage conservation area. Further, the subject site is not in the immediate vicinity of any heritage items, heritage conservation areas, or likely heritage items.

Clause 6.1 - Acid sulfate soils

The objective of this clause is to ensure that development does not disturb, expose or drain acid sulfate soils and cause environmental damage.

The necessary construction techniques to deliver the proposal are typical. Further, relevant geotechnical testing determines that the subject site's soil profile is generally stable. As such, the proposal is not expected to cause any adverse acid sulfate soil related impacts.

6.2 - Earthworks

This clause seeks to ensure earthworks would not have a detrimental impact on any environmental functions or existing built environments. It also prescribes that consent is required for most earthworks.

As indicated earlier, the proposal would rely on typical construction methods which are not expected to significantly affect existing environmental functions or surrounding structures. The objective would be satisfied in this case. The application also seeks consent for earthworks as described in this SEE and as demonstrated in the architectural plans.

6.7 - Stormwater

The overriding objective of this clause is to minimise impacts of urban stormwater on land the subject of a DA, as well as adjoining land whether such land contains existing development or natural features.

The application is accompanied by stormwater management plans prepared to ensure the proposal, as well as adjoining sites, will be appropriately managed in response to proposed stormwater generation or any existing stormwater features.

6.11 - Active street frontages

This clause applies to land within zone B4 - Mixed Use. It is not currently applicable to the subject site given its current B6 - Enterprise Corridor zoning. However, as discussed earlier, it is expected that the subject site would be shortly rezoned to B4 - Mixed Use. The objectives of this clause are, therefore, considered relevant.

In summary, the clause requires active, ground level frontage on land to which the clause applies. The objective would be satisfied by the proposal given the vast majority of its ground

floor frontage would be occupied by commercial/retail tenancies with glazing facing Princes Highway. Further, the front setback will include attractive finishes as well as landscaping which will further activate the streetscape.

6.12 - Essential services

Before determining a DA, this clause requires the consent authority to be satisfied that essential utilities would be available to the proposal.

The subject site is currently serviced by water, electricity, sewer as well as direct vehicular and pedestrian access services, as required by the clause. Where necessary, such services can be upgraded to meet any additional demands generated by the proposal.

6.15 The Apartment Design Guide

The ADG supports SEPP 65 by providing further detailed explanation of its objectives as well as specific design criteria. The proposal's consistency with the ADG is addressed in Section 6.10 of this SEE, as well as the SEPP 65 Design Report prepared by ABW in a separate appendix to this SEE. In summary, the proposal is substantially compliant with most of the recommended design criteria of the ADG. Any non-compliances are minor, in responses to specific circumstances, and without any unreasonable impact. In this instance, it is worth noting Planning Circular 17-001, issued on 29 June 2017, which states that *"the ADG is not intended to be and should not be applied as a set of strict development standards"*.

6.16 Rockdale Development Control Plan 2011 (Banksia & Arncliffe Draft Amendments)

DPE prepared draft amendments to the existing Rockdale DCP 2011 which reflect the outcomes of the Bayside Precinct strategic planning investigations. The Bayside Precinct Draft LU&IS hasn't yet been gazetted, and therefore the existing DCP hasn't been amended. Nevertheless, this SEE provides an assessment of the proposal against the draft amendments given they are specifically relevant to the proposal.

The assessment is provided in a separate appendix. In summary, it demonstrates that the proposal is substantially compliant with the draft DCP amendments. Non-compliances are limited to street setbacks, where the recommended urban design control is a for a 6m Princes Highway setback, whereas the proposal is for 5.285m. The non-compliance is minor. This aside, the proposed setback will be consistent with the setback for the immediately adjoining development (108 Princes Highway), and in this case, acceptable.

6.17 Rockdale Section 94 Contributions Plan 2004

The proposal is subject to the Rockdale Section 94 Contributions Plan 2004. According to Table 0.2 of the plan, the following levies will be applicable, subject to any changes in consumer price index changes:

Planning precinct	Multi-unit residential development (1)			Dwelling houses (per allotment) (3)	Employment development (per person) (4)
	0-1 bedroom dwellings (2)	2 bedroom dwellings	3+ bedroom dwellings		
Arncliffe (excluding Bonar Street Precinct)	\$5,767.00	\$9,174.50	\$11,271.40	\$13,193.70	Nil
Bexley	\$4,973.80	\$7,912.70	\$9,721.20	\$11,379.00	Nil
Bexley North	\$2,429.70	\$3,865.30	\$4,748.70	\$5,558.60	Nil

Figure 13: Extract of Rockdale Contributions Plan 2004, page 9

The proponent is willing to accept levies in accordance with the contributions plan, as a condition of any consent. As indicated previously, the Bayside Precinct Draft LU&IS indicated a SIC would apply to development within the precinct, to fund a range of public improvements

in addition to those listed in the contributions plan. The proponent would accept these as well, as a condition of any consent.

6.18 Environmental Impact Assessment

The proposal's potential environmental impacts are identified and discussed below. Any relevant mitigation measures are also identified and discussed.

6.18.1 Context & Setting

It has been identified earlier in this SEE that the proposed built form and land use is consistent with the Bayside Precinct Plan and its Draft LU&IS. Further, the proposal will integrate effectively with the recently completed mixed use development on the immediately northern adjoining property (i.e. 108 Princess Highway).

6.18.2 Built Environment Impacts

Built form character

As indicated earlier in this SEE, the proposal is substantially compliant with the development standards proposed by the Bayside Precinct Draft LU&IS, as well as the proponent initiated site specific PP. Further, a compliance assessment is provided against the Rockdale Development Control Plan 2011 (Banksia & Arncliffe) Draft Amendments in a separate appendix to this SEE. The assessment demonstrates that the proposal is substantially compliant with the draft DCP amendments.

Private amenity impacts

Specifically, however, the proposal's potential overlooking impacts are reasonable given it adopts setbacks and separation measures which are substantially compliant with those recommended by the ADG. In some instances, setbacks far exceed the minimum recommended by the ADG. For example, for the 'rear' portion of the proposed envelope, at the ninth level, setbacks of 27.7m are adopted to the northern boundary, and 16.43m to the southern boundary. These far exceed the 12m setback recommended by Objective 3F-1 of the ADG. This outcome is demonstrated in the extract of the architectural plans on the following page.

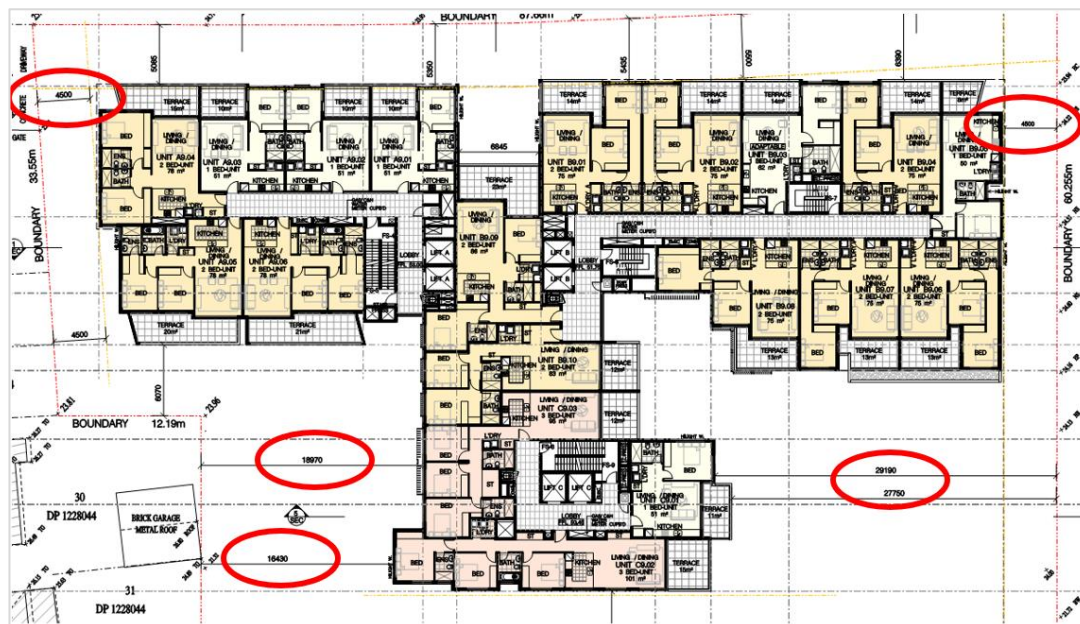


Figure 14: Extract of 9th level floor plan with setback circled red (Source: ABW)

It is acknowledged that side setbacks for the 'front' portion of the proposed envelope would not strictly comply with those recommended by the ADG, given 4.5m is proposed and 12m is recommended. However, the proposed setbacks are in response to the importance of the Princes Highway public domain. That is, it is expected that any built form adequately 'defines' the Princes Highway road reserve, and this would not be achieved if a 12m setback, as prescribed by the ADG was adopted. The recommended setback would not generate the scale necessary to 'define' the public domain. Further, the proposed setbacks are identical to those adopted on the recently completed adjoining development (i.e. 108 Princes Highway). Maintaining such setbacks creates a consistent streetscape presentation.

The proposed setbacks contribute substantially to delivering acceptable ventilation and solar access to both the proposed dwellings, as well as existing and proposed dwellings on adjoining properties. For example, 64% of all proposed dwellings will achieve 2 hours sunlight to their living rooms and balconies at June 21, and 62% of dwellings in the first 9 levels are cross ventilated.

Shadow impacts from the proposal to those dwellings on the northern side of Wickham Street (i.e. Lots 26 - 33 in DP 1228044 and Lots 53 - 56 in DP 1228056) are acceptable in light of the future built form expected on such lots as anticipated by the Bayside Precinct Draft LU&IS, as well as the northerly orientation of such lots. Specifically, any built form will be multi storey, say 6 - 8 storeys. Such a height provides sufficient elevational area to capture 2 hours of sunlight. The same outcome applies to those dwellings on Charles Street. Although it is noted that more than 2 hours of sunlight would be provided to the dwellings and their POS according to the shadow diagrams should they not be redeveloped.

As noted previously, the proposal is substantially compliant with the maximum building height prescribed by the Draft LU&IS and the proponent initiated site specific PP. In this case, any potential view impacts are consistent with expectations.

Materials, finishes and public domain

The proposal's materials and finishes are of a high quality and durable. They are particularly successful in delivering an easily identifiable building 'base'. This further assists with defining the public domain and generating a positive human scale relationship.

The public domain will be further enhanced as substantial front setback landscaping is proposed. This includes six (6) street trees.



Figure 15: Perspective of proposal demonstrating finishes as well as front setback landscaping (Source: ABW)

Heritage

The Heritage Impact Statement (HIS) concludes that the proposal would not result in any adverse heritage related impacts. The HIS is provided as an appendix to this SEE, but in summary, this is largely because heritage items are not in the vicinity of the subject site, and the site does not form part of heritage conservation area.

Construction related impacts

A range of impacts including dust, noise, erosion, waste material and traffic are associated with most developments. It is expected that good building practice will be adopted to minimise such impacts inline with typical expectations. This aside, a Construction Management Plan (CMP) will be prepared by the appointed contractor, once the terms of any approval granted by Council are known. CMPs typically regulate noise and dust generation, erosion, waste management as well as construction related traffic movements. Accordingly, it is anticipated that Council will include appropriate conditions within any consent notice requiring the preparation and approval of a CMP prior to works commencing.

6.18.3 Natural Environment Impacts

Flora and Fauna

The existing physical condition of the site is such that it does not have any ecological attributes which, if lost, would impact upon any threatened species, population, ecological community or habitat.

Trees and Landscaping

As indicated earlier in this SEE, the subject site does not contain any significant trees and/or vegetation. In this case, no adverse impacts are associated with removing any existing trees or landscaping at the subject site.

Proposed landscaping is of a high quality and is expected to be durable. In particular, it includes visually appealing street trees, as well as consolidated communal landscaped areas for the proposal's residents.

Water Management

Australian Consulting Engineers (ACE) have prepared technical stormwater management plans for the proposal (refer to separate appendix). They are prepared to also minimise stormwater related impacts to any adjoining properties to an acceptable level.

Soil Contamination

As discussed earlier in this SEE, the site can be made suitable for the proposed use, with respect to potential contamination impacts. It will be made suitable according to the Remedial Action Plan outlined by EI Australia provided as an appendix to this SEE. Should consent be issued for the proposal, it is expected that the RAP will be implemented as a condition of consent.

Air, Vibration and Acoustic Impacts

The proposal's occupants may be adversely affected in terms of noise, vibration and air quality due to its proximity to the Princes Highway and Sydney Airport. Koikas Acoustics Pty Ltd were commissioned to consider and respond to these potential impacts. Their response is provided as an appendix to this SEE. In summary, however, relevant noise, air and vibration guidelines can be satisfied by the proposal should a range of measures be implemented. Such measures include specific glazing, mechanical ventilation as well as minimum thicknesses for walls and ceilings. The development will be expected to adopt such recommendations, and the can be enforced as a condition of any consent.

The acoustic assessment includes a range of other design measures, not in response to road or aircraft noise, to ensure adequate noise related amenity. The measures are also in responses to the differing uses on the site, being residential and commercial. They include minimum thicknesses of partition walls and floors, as well as insulation for waste, utility and mechanical ventilation ducts.

In relation to potential acoustics impacts associated with the proposal's likely mechanical ventilation system/s, the assessment states that the proposal is capable of complying with relevant guidelines. The assessment states that a further detailed assessment should be undertaken prior to the issue of any Construction Certificate.

6.18.4 Movement & Access

Accessibility

Unreasonable accessibility related impacts are not anticipated as part of the proposal. This is because the site has direct vehicular access to several public roads, one of which is a classified road providing connectivity to a range of destinations. Further, the subject site is in close proximity to the Arncliffe railway station providing even further connectivity to services and other centres.

Vic Lilli & Partners were engaged to determine whether the proposal would comply with the Building Code of Australia (BCA), including its internal accessibility standards. Their assessment is provided as an appendix to this SEE. In summary, their assessment concludes that the proposal is capable of complying. This is largely because the proposal achieves level or close to level access at ground level, and six (6) lifts are proposed.

Parking

The subject site is approximately 400m from Arncliffe railway station and is within the Sydney metropolitan area. In this case, and as prescribed by Objective 3J-1 of the ADG, the minimum onsite parking rates in the RMS' Guide to Traffic Generating Developments apply to the proposal.

Barker Ryan Stewart were engaged to confirm the required number of car spaces. Their assessment is provided as an appendix to this SEE. As indicated in the following extract of their assessment, the proposal's parking provisions satisfy the RMS' as well as those in the Rockdale Development Control Plan 2011.

Land Use	Rockdale DCP 2011	RMS	Proposed Parking Provision
Residential (191 units) <ul style="list-style-type: none"> 56 x 1-bedroom units 125 x 2-bedroom units 10 x 3-bedroom units 	<ul style="list-style-type: none"> 1 space per 1 bedroom unit x 56 = 56 spaces 1 space per 2 bedroom unit x 125 = 125 spaces 2 spaces per 3 bedroom unit x 10 = 20 spaces 191/5 visitor spaces per unit x 191 = 38.2 spaces Total 201 residential spaces and 39 visitor spaces required	<ul style="list-style-type: none"> 0.4 spaces per 1 bedroom unit x 56 = 22.4 spaces 0.7 spaces per 2 bedroom unit x 125 = 87.5 spaces 1.2 spaces per 3 bedroom unit x 10 = 12 spaces 191/7 visitor spaces per unit x 191 = 27.3 spaces Total 122 residential spaces and 28 visitor spaces required	203 residential spaces and 39 visitor spaces (including 21 accessible)
Commercial/Retail 609m ² GFA	1 space per 40m ² x 609 = 15.2 spaces	1 space per 40m ² x 609 = 15.2 spaces	15 spaces (including 1 accessible)
Total	255 spaces	165 spaces	257 spaces

Figure 16: Proposal's parking requirements and supply (Barker Ryan Stewart, page 16)

Barker Ryan Stewart further confirms that parking spaces, manoeuvring areas, ramp grades and driveway grades comply with the relevant standards.

Traffic Impact

Barker Ryan Stewart has assessed the proposal's impacts on the operation of the surrounding road network. Overall, their assessment finds that there would not be a significant decrease in the performance of the local traffic network, including intersections, specifically as a result of the proposal. It is expected that levels of service of some intersection

will decline over a 10 year period, but this is as result of normal anticipated growth, and not as a direct result of the proposal.

Operational Waste Management

Due to the proposal's higher density and mixed use nature, there is potential for poor waste management which may affect the amenity of its residents as well as adjoining properties. An Operational Waste Management Plan has been prepared by Elephants Foot Recycling Solutions, included as a separate appendix to this SEE, for the proposal. The operational plan includes a range of measures, such as induction programs as well as recommended finishes and machinery, for the purpose of effective waste management. It is recommended that the plan is implemented as a condition of any consent.

Soil Conditions

A geotechnical assessment was undertaken of the site by EI Australia. Their assessment is provided as an appendix to this SEE. In summary, the assessment confirms that the subject site and immediate surrounds are suitable for the proposed works, subject to a range of measures which are typical for proposals of this nature.

6.18.5 Social & Economic Impacts

Employment Opportunities

The proposed replacement of existing industrial facilities and warehouses may be seen as a loss of employment opportunities, or a loss of traditional employment opportunities and services.

Overall, the proposal built form character and land use is consistent with Council's long term vision for the locality. That is, Council commenced strategic planning investigations in 2013 to encourage renewal of the locality into a higher density, mixed use environment. It is also consistent with the built form character anticipated by the Bayside Precinct Draft LU&IS.

This aside, while the proposal would demolish existing industrial facilities, this is offset by the employment and service opportunities offered by the proposal's six (6) ground floor commercial tenancies (609m²).

It is also noted that warehouse type land uses are increasingly relocating to newer and typically bigger facilities in south western and north western Sydney. These areas benefit from newer and arguably better road based connectivity to NSW and interstate.

The proposal's construction phase would provide substantial ongoing employment opportunities to the construction sector.

Housing Supply and Diversity

By increasing housing supply, the proposal assists with promoting further housing affordability. Further, the proposal includes a variety of dwelling types, which will satisfy the increasingly diverse nature of households.

Local Identity

The proposal's overall scale, and definition of the public domain will assist with enhancing the locality's identity. Its overall design and proposed finishes are considered to be of a high standard. The proposal would, therefore, be a visually interesting addition to the streetscape.

6.19 Site Suitability

This SEE demonstrates that the proposal is suitable for the subject site, primarily for the following reasons:

- According to the proponent initiated site specific PP, as well as the Bayside Precinct Draft LU&IS, the proposal is a permissible land use, with consent. It is noted that the vehicular access component of the proposal, being via 7 Charles Street, is permissible without consent pursuant to the current RLEP 2011.

- The proposal would be consistent with typical B4 - Mixed Use land use objectives. The R2 - Low Density Residential land use objectives would also be satisfied by the proposal's access arrangements.
- The subject site does not pose any prohibitive natural or artificial constraints. The subject site is contaminated, but this can be remediated in accordance with the RAP prepared by EI Australia and which forms a separate appendix to this SEE.
- The proposal, in conjunction with any mitigation measures as referenced in this SEE, does not result in any unreasonable environmental impacts. In some cases, the impacts are positive.
- This SEE demonstrates that the proposal is substantially compliant with the relevant development standards and/or prescriptive controls, being those proposed in the site specific PP. Any non-compliances are minor and would not render the proposal inconsistent with the intent of the relevant planning framework.

6.20 Public Submissions

Council is required to consider public submissions in accordance with the Rockdale Development Control Plan 2011 prior to determining the DA. For the purposes of 'high rise mixed use' proposals, Part 8 of the DCP states that the extent of any notification process will be determined by Council. Stakeholders will be provided with fourteen (14) days to make any submissions to Council. Council is not expected to receive submissions which would fundamentally oppose the proposal.

6.21 Public Interest

The proposal is considered to be in the public interest for the following reasons:

- The proposal represents permissible development pursuant to the proponent initiated site specific PP and the Bayside Precinct Draft LU&IS. It is noted that the proposed vehicular access arrangement via Charles Street is permissible, without consent, pursuant to the current Rockdale LEP 2011.
- The proposal would be consistent with typical B4 - Mixed Use land use objectives. The R2 - Low Density Residential land use objectives would also be satisfied by the proposal's access arrangements.
- The subject site does not pose any prohibitive natural or artificial constraints.
- The proposal, in conjunction with any mitigation measures as referenced in this SEE, does not result in any unreasonable environmental impacts. In some cases, the impacts are likely to be positive.
- This SEE demonstrates that the proposal is substantially compliant with the relevant development standards and/or prescriptive controls, being those proposed in the site specific PP. Any non-compliances are minor and would not render the proposal inconsistent with the intent of the relevant planning framework.
- The subject development site has been found to be suitable for the proposal.
- Public submissions are not expected to raise any matters which would render the proposal unacceptable.
- In demand services such as housing will be provided as part of the proposal.
- The proposal is consistent with Council's long term vision for the subject locality.

7. Conclusion

CPSD has prepared this SEE which relates to a proposed mixed use development at 130 - 140 Princes Highway, and 7 Charles Street, Arncliffe.

The SEE provides an assessment of the proposal against the relevant environmental planning framework. The framework in this case includes the Bayside Precinct Draft Land Use & Infrastructure Strategy, a proponent initiated site specific Planning Proposal, State Environmental Planning Policy No 65 - Design Quality of Residential Apartment Development, the Apartment Design Guide, as well as the Rockdale Development Control Plan 2011.

The assessment finds that the proposal is generally consistent with the outcomes sought by the relevant framework. In particular, the proposal is consistent with the design principles prescribed by SEPP 65, and is substantially compliant with the design recommendations of the ADG. Importantly, it is consistent with Bayside Council's intent to encourage renewal of the Arncliffe locality from a mostly low rise residential and light industrial locality, to a high - medium density, mixed use precinct.

Further, the proposal was found to be a permissible land use according to the Bayside Precinct Draft LU&IS and the proponent initiated PP, as well as substantially compliant with their development standards and/or performance based controls. The proposal does seek exceptions to the strict application of some proposed development standards, but the extent of non-compliance is minor and would not render the proposal inconsistent with the relevant objectives.

In light of the above, this SEE recommends that the proposal warrants a favourable recommendation by Council.