

COUNCIL ASSESSMENT REPORT

Panel Reference	PPSSCC-265
DA Number	DA/587/2021 PAN-111258
LGA	City of Parramatta Council
Proposed Development	Development of proposed Sub-Precinct 3 comprising subdivision into 6 lots, remediation, construction of roads and pocket park, and construction a residential flat development (3/6/9/28 storeys) containing 323 apartments.
Street Address	14-16 Hill Road – Sydney Olympic Park Lot 3 DP 271278
Applicant Owner	SH Hill Road Development Pty Ltd SH Hill Road Development Pty Ltd
Date of Lodgement	2 July 2021
Number of Submissions	7 submissions (5 x households)
Recommendation	Approval subject to conditions
Regional Development Criteria	General Development >\$30 million
List of All Relevant s4.15 Matters	<ul style="list-style-type: none"> • Environmental Planning and Assessment Act and Regulations • SEPP (Planning Systems) 2021 • SEPP (Biodiversity and Conservation) 2021 • SEPP (Resilience and Hazards) 2021 • SEPP (Transport and Infrastructure) 2021 • Auburn LEP 2010 • Wentworth Point Precinct DCP 2014 • Auburn DCP 2010
List of Relevant Documents	As appearing in Condition 1 of Attachment B
Report Prepared By	Kate Lafferty – Executive Planner
Report Date	28 July 2022

Summary of S4.15 matters

Have all recommendations in relation to relevant s4.15 matters been summarised in the Executive Summary of the assessment report? **Yes**

Legislative clauses requiring consent authority satisfaction

Have relevant clauses in all applicable environmental planning instruments where the consent authority must be satisfied about a particular matter been listed, and relevant recommendations summarized, in the Executive Summary of the assessment report?
e.g. Clause 7 of SEPP 55 - Remediation of Land, Clause 4.6(4) of the relevant LEP **Yes**

Clause 4.6 Exceptions to development standards

If a written request for a contravention to a development standard (clause 4.6 of the LEP) has been received, has it been attached to the assessment report? **Not Applicable**

Special Infrastructure Contributions

Does the DA require Special Infrastructure Contributions conditions (S7.24)?
Note: Certain DAs in the Western Sydney Growth Areas Special Contributions Area may require specific Special Infrastructure Contributions (SIC) conditions **Not Applicable**

Conditions

Have draft conditions been provided to the applicant for comment? **Yes**
Note: in order to reduce delays in determinations, the Panel prefer that draft conditions, notwithstanding Council's recommendation, be provided to the applicant to enable any comments to be considered as part of the assessment report

EXECUTIVE SUMMARY

1. Summary

This report considers a proposal for the development of proposed Sub-Precinct 3 comprising subdivision into 6 lots, remediation, construction of roads and pocket park, and construction of a residential flat development (3/6/9/28 storeys) containing 323 apartments.

The primary site constraints on the land include contamination and catchment management. However, it is considered that sufficient evidence has been provided to demonstrate that these risks can be managed appropriately.

The amenity impacts on adjoining and nearby properties are considered to be reasonable based on the high-density character of the area and the built forms envisaged by the planning controls. It is considered that the proposed increase in traffic would not compromise the function of the local road network.

Assessment of the application against the relevant planning framework and consideration of matters by Council's technical departments has not identified any fundamental issues of concern. The application is therefore satisfactory when evaluated against Section 4.15 of the Environmental Planning and Assessment Act 1979.

This report recommends that the Panel:

- Approve the application, subject to conditions of consent.

2. Key Issues

Design Excellence	<p>The proposed development has undergone significant design review by the Parramatta Design Excellence Panel (DEAP). Two (2) meetings and a design workshop have been held between the applicant and DEAP.</p> <p>The DEAP final report notes that only minor changes are required and provided these changes are incorporated, the panel does not need to review this application again. This is discussed in more detail within the report.</p>
Wentworth Point Precinct DCP	<p>Non-compliances with the Wentworth Point DCP – including building form and heights, tower footprints and setbacks. As mentioned above, the application has been through extensive review by DEAP and the minor variations to the DCP are found to be acceptable.</p>
Catchment Management	<p>Given the size and location of the site and the extent of earthworks proposed, consideration of the catchment of the site is a key issue. The applicant has provided Council with various modelling and data including DRAINS, TUFLOW and MUSIC models to appropriately assess the proposed catchment flows and impacts upon the development and adjoining properties. Council's development and catchment engineers have reviewed the information submitted and are generally satisfied that the site is appropriately drained. Some detailing will be required to be submitted before the issue of any construction certificate.</p>
Wind Assessment	<p>The proposed tower on the site has the potential to cause wind impacts which may affect pedestrian safety and comfort levels. Council's Wind consultant has raised issues with the insufficient number of testing points selected for the wind</p>

tunnel testing however does not raise any significant issues subject to further testing being carried out for the site. It is considered that additional testing would provide greater certainty for pedestrian comfort levels and is unlikely to result in any significant changes to the building design. The wind consultant is satisfied that the additional testing may be carried out post determination.

3. Background and Site Context

Background

The Wentworth Point Urban Activation Precinct is part of a NSW government initiative established in 2013 to facilitate housing supply and increase housing choice and affordability in the broader Sydney metropolitan region.

The precinct to be developed comprises of 2 parcels of land known as the **Burroway Road Site** and the **Hill Road Site**. The two parcels are located at the northern end of Wentworth Point precinct with a total combined land area of approximately 18.6 hectares. These precincts are indicated in the aerial photograph below.



The subject application relates only to the **Hill Road Site** which is located at the western end of Hill Road adjoining the Parramatta River.

The land has a street frontage to Hill Road and is surrounded to the west and south by SOPA parklands, including the millennium marker directly south of the site. The site is bounded by the Parramatta River to the north and Hill Road to the east. The site has an area of 77,240m² and is currently vacant.

The site excludes the Phase 1 development which has been constructed and is separately subdivided (Lot 1 and Lot 2 in DP271278). The terms and conditions of the land restrictions of Lot 1, being the community title land are included in the consideration of the subject application primarily as they involve roads that are accessed by the remainder of the site.

The site is opposite high density residential flat buildings with a general height of 9 storeys along Hill Road then leading up to high-rise residential towers to the east towards Homebush Bay. There is still a mixture of development in the locality ranging from industrial and warehouse uses to the more recently constructed multi storey residential flat buildings. The site is in walking distance to the Wentworth Point ferry terminal at the end of Hill Road.

The following aerial photo indicates the location of the subject site and its relationship to adjoining properties.



Aerial photograph indicating the subject site and surrounding land uses

Phase 1 Development – DA/763/2017

The Phase 1 development of the site (Sub-Precinct 1) has been approved and constructed. This development was approved under the previous LEP and DCP controls (prior to the 2021 amendments). This application was approved by the regional panel on 6 June 2018. The Phase 1 development includes 4 x buildings above a 2-3 level sleeved podium and contains 364 apartments.



Phase 1 Plan and Building Layout



Photomontage Phase 1 Buildings

Planning Proposal - DCP Amendment – VPA (RZ/1/2018)

- Planning Proposal and DCP Amendment

A planning proposal was lodged with Council to amend the heights and floor space distribution across the site. This was based upon revised master planning of the site within a revised draft DCP. The changes involved a different street and lot pattern, redistribution of floor space

across the site (facilitating an alternative distribution of the approved gross floor area for the site of 188,800m²), increase in heights and the provision of a large foreshore park adjoining the river.

Auburn Local Environmental Plan 2010 – Amendment No.33 and Wentworth Point Development Control Plan 2014 – Amendment No.1 came into effect on 23 December 2021.

- Voluntary Planning Agreement

A voluntary planning agreement accompanied the planning proposal and has been endorsed by Council. The agreement incorporates the following key deliverables:

- Construction and dedication of the Foreshore Park (in 2 stages)
- Construction and dedication of the transit corridor.

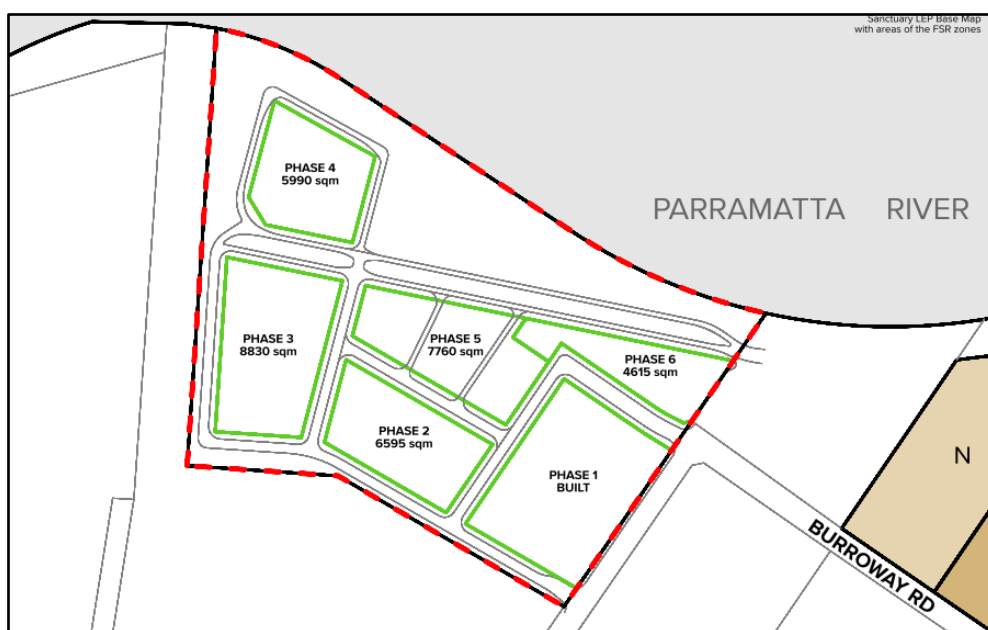
The VPA has been executed and registered on the land title.

Concept Subdivision and Infrastructure (DA/586/2021)

A concept development application for site layout, infrastructure and subdivision was approved under delegation on 29 July 2022. This application included the following:

- Site layout and road network which establishes 5 new development sub-precincts as well as a foreshore public open space.
- Conceptual infrastructure design for the site comprising earthworks, construction of roads, stormwater works, and utility services.
- Future subdivision including staging of construction and subdivision of lots across the site.

No consent was sought or granted for any physical works. Each subsequent detailed development application associated with the redevelopment of the site will include the relevant and required elements of infrastructure necessary to serve that component of the overall development.



Sub-precinct lots established in accordance with the Auburn LEP 2010 mapping



Concept Public Domain Streetscape Masterplan

4. Project Overview

There are currently 6 applications on this site lodged with Council which are under assessment or pending determination.

DA/622/2021	Development of proposed Sub-Precinct 2 including remediation and construction of a residential flat building comprising 3 x basement car parking levels, a 4 x level sleeved podium and 2 buildings (40 storey tower and 32 storey tower) containing 537 apartments. The application will be determined by the Sydney Central City Planning Panel.
DA/587/2021	Development of proposed Sub-Precinct 3 comprising subdivision into 6 lots, remediation, construction of roads and pocket park, and construction a residential flat development containing 323 apartments. The application will be determined by the Sydney Central City Planning Panel. This is the subject development application.
DA/623/2021	Development of proposed Sub-Precinct 4 including subdivision into 4 lots, remediation, construction of a perimeter road, and construction of a residential flat building comprising 3 x basement car parking levels, a 3 x level sleeved podium and 2 buildings (40 storey and 9 storey) containing 393 apartments. The application will be determined by the Sydney Central City Planning Panel.
DA/588/2021	Development of proposed Sub-Precinct 5 comprising subdivision into 5 lots, remediation, construction of roads, construction of two residential flat buildings containing a total of 171 apartments, a separate two storey building for use as a gym with swimming pool for the residents, above common basement, with publicly accessible park between the residential buildings. The application will be determined by the Sydney Central City Planning Panel.
DA/624/2021	Development of proposed Sub-Precinct 6 including subdivision into 3 lots, remediation, roadworks and construction of a mixed use building comprising 8 x basement car parking levels, a 2 x level sleeved podium and 2 buildings (40 storey and 11 storey) containing 334 apartments and ground floor retail tenancies. The application will be determined by the Sydney Central City Planning Panel.

DA/420/2022	Staged construction of the foreshore park comprising of a central lawn, children's playground, picnic area, foreshore walk, western entry, associated amenity facilities and seawall upgrade. The proposal is Nominated Integrated Development under the Water Management Act 2000 and Integrated Development under the Fisheries Management Act 1994.
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The current development applications seek to develop the remainder of the development lots on the site – being the 5 sub-precincts identified as sub-precincts 2 to 6 and the foreshore park.



Sub-Precincts identified in Auburn LEP & Wentworth Point Precinct DCP

Transit Corridor

The redevelopment project includes the detailed design of an E-W transit corridor which is to be delivered to Council as part of the voluntary planning agreement associated with the planning proposal. This transit corridor has been designed to accommodate the proposed Stage 2 light rail corridor proposed to traverse the site. TfNSW have provided referral comments and raise no concerns with the proposal, noting at this stage that the section of the PLR2 alignment through the subject site reflects the current strategy and accommodates the proposed options.

Foreshore Park

The redevelopment project includes the design and delivery of a new foreshore park which is to be delivered to Council as part of the voluntary planning agreement associated with the planning proposal. The foreshore park has a total area of 18,160m². A separate application for the staged construction of this park has been submitted and is currently under assessment.

Overall Project Statistics

The table below indicates the number of dwellings and the estimated cost of the development.

	Current DAs	Current DAs + Phase 1	Entire Site (including park)
Total number of dwellings	1758 dwellings	2122 dwellings	2122 dwellings

Total estimated cost of development	\$829,097,502	\$959,897,502	\$ 979,897,502 <i>(based on estimated cost for construction and delivery of park \$20m)</i>
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5. The Proposal

The subject application is for the Phase 3 development of the site which is located on Sub-Precinct 3. The proposal will occur within superlot 11 which will be created upon the registration of the approved plan of subdivision under the development consent of the second phase of development of the site (DA/588/2021).



Sub-Precincts reflected in the LEP and DCP



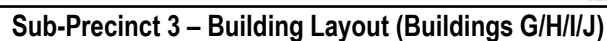
Phase 3 location outlined in red

Consent is sought for the following:

- Subdivision of superlot 11 into 6 allotments representing the new portions of community titled road, a future road allotment to be transferred to Council, the site containing the proposed development, the site identified as sub-precinct 2, and a superlot which will contain sub-precinct 4 and part of the future foreshore reserve.
- Remediation works.
- A new perimeter road which connects to the road recently completed during Phase 1 as well as the roads which will be completed as part of Phase 2. Most of the roads will remain in private ownership with public access secured on title, with the exception of part of the northern road which will be created on separate title to facilitate dedication to Council in the future.
- A new publicly accessible park referred to as an 'Ecological Park' along the southern edge of the site.
- A single basement level is proposed across the entire site within the boundaries created by the perimeter road network (excluding the northern road to be dedicated to Council).
- Construction of a 2 level sleeved podium across the site, with 4 buildings above the podium located around a central common open space area, comprising:

Building G: 3 storey building at south-eastern corner
 Building H: 28 storey building at north-western corner
 Building I: 6 storey building at south-western corner
 Building J: 9 storey building at north-eastern corner.

Cost of Works = \$144,402,501





Photomontage - south-eastern view of proposed development



Photomontage - north-eastern view of proposed development

6. Permissibility

Auburn Local Environmental Plan 2010

The proposed development is defined as the following under Auburn LEP 2010:

residential flat building means a building containing 3 or more dwellings, but does not include an attached dwelling or multi dwelling housing.

This use is permissible with consent within the R4 High Density Residential zoning applying to the land.

Subdivision is permissible with development consent under Clause 2.6 of Auburn LEP 2010.

The infrastructure works are not defined as an encompassing development type, however are ancillary works associated with the permissible uses on the land.

It is also noted that:

- remediation works are permissible under Clause 4.7 of SEPP (Resilience and Hazards) 2021
- consent is required for earthworks in accordance with Clause 6.2 of Auburn LEP 2010.

7. Public Notification

Notification Period:	14 July to 4 August 2021
Re-notification Period:	26 August to 23 September 2021 (due to an error in the original property description)
Submissions received:	7 submissions (from 5 households)
Issues raised in submissions:	Height of Tower R (SP6), view loss, traffic generation, construction quality

These submissions are discussed in further detail in **Attachment A**.

8. Referrals

Any matters arising from internal/external referrals not dealt with by conditions	No
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9. Environmental Planning and Assessment Act 1979

Does Section 1.7 (Significant effect on threatened species) apply?	No
Does Section 4.10 (Designated Development) apply?	No
Does Section 4.46 (Integrated Development) apply?	No
Are submission requirements within the Regulations satisfied?	No

10. Consideration of SEPPs

Key issues arising from evaluation against SEPPs	No - A detailed assessment is provided at Attachment A .
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11. Auburn Local Environmental Plan 2010

LEP Section	Comment or Non-Compliances
Part 1 – Preliminary	<ul style="list-style-type: none"> Consistent
Part 2 – Permitted or Prohibited Development	<ul style="list-style-type: none"> Permissible in the zone Consistent with zone objectives
Part 3 – Exempt & Complying Development	<ul style="list-style-type: none"> Not Applicable
Part 4 – Principal Development Standards	<ul style="list-style-type: none"> Compliant
Part 5 – Miscellaneous Provisions	<ul style="list-style-type: none"> All relevant provisions satisfied
Part 6 – Additional Local Provisions	<ul style="list-style-type: none"> All relevant provisions satisfied

12. Wentworth Point Precinct Development Control Plan 2014

The following table is a summary assessment against this DCP. A detailed evaluation is provided at **Attachment A**.

DCP Section	Comment or Non-Compliances
Part 1 – Introduction	<ul style="list-style-type: none"> Consistent
Part 2 – Vision, Principles & Indicative Structure	<ul style="list-style-type: none"> Consistent
Part 3 – Public Domain	<ul style="list-style-type: none"> Generally consistent
Part 4 – Private Domain	<ul style="list-style-type: none"> Generally consistent
Part 5 – Sustainability & Environmental Management	<ul style="list-style-type: none"> Consistent

13. Compliance with Concept Approval

The application is a subsequent application to an approved concept subdivision and infrastructure development application (DA/586/2021). The application is not inconsistent with the concept. This is discussed in further detail in Attachment A.

14. Response to Panel Briefing Minutes

The application was considered at a SCCPP Briefing Meeting held on 4 November 2021.

The key issues discussed at the Panel Briefing Meeting are as follows:

Key Issue Discussed	Planning Comment
Planning framework: The Panel received a comprehensive briefing and presentation from Council regarding the planning framework including the current Planning Proposal and VPA, which are nearing resolution.	Auburn Local Environmental Plan 2010 – Amendment No.33 and Wentworth Point Precinct Development Control Plan 2014 – Amendment No.1 came into effect on 23 December 2021.
Public domain: Extension of the public domain in relation to the foreshore was discussed, with the Panel noting the supplementation of this key open space by the applicant, who will also deliver the parklands in cooperation with Council. Ongoing maintenance and management of public spaces was discussed, and the Panel	The design and delivery of the foreshore park is contained within the VPA. The approval for the construction of the foreshore park is subject to a separate

<p>noted that requirements in this regard are addressed in the VPA, with parklands to be dedicated to Council.</p>	<p>development application which is currently under assessment.</p>
<p>Staging: The Panel was advised of the proposed staging of the development and phasing of DA's for determination, noting that this may change due to some phases still being under design development through a workshopping process with Council's DEAP. Moreover, the subdivision and infrastructure DA needs to be determined first. The applicant has also identified two priority precincts.</p>	<p>The subdivision and infrastructure DA (DA/586/2021) was approved under delegation on 29 July 2022.</p> <p>This current application is one of the two priority applications as advised by the applicant.</p>
<p>Traffic and public transport: Panelists queried traffic and parking implications of the proposal. Council explained that because the proposal did not exceed the planning controls for the area, the applicant had not been required to undertake traffic studies in addition to those undertaken when the planning framework for the area was put in place.</p> <p>Panelists also queried the status of the Parramatta Light Rail (PLR) proposal, and how the timing of this may affect the development. The applicant advised that they were strongly in support of the PLR, and that their planning for the area was being undertaken in such a way as to accommodate light rail, and enable its installation. It was noted however that final approval of the PLR has not yet been obtained from State Government, with a Final Business Case anticipated to be submitted to Cabinet around March next year.</p> <p>The applicant observed that a ferry stop was already in place adjacent to their site, and that although they would strongly welcome light rail, if it were not to proceed, their proposal was able to be adapted for other public transport modes e.g. bus.</p>	<p>Noted.</p> <p>Traffic impacts are discussed further within this report.</p> <p>To date there is no formal proposed timing of the delivery of the Parramatta Light Rail Stage 2.</p> <p>The provision of a transit corridor through the site secures any long term alternative transport nodes through the site (based on a bridge between Melrose Park and the site).</p>
<p>Urban design and architecture: The applicant provided a detailed presentation regarding the overall urban design intentions for the area, the character proposed for each sub-precinct, and the range of architecture. It was noted that a number of architectural teams are working across the masterplan to ensure diversity of built form within a coordinated framework. Panelists expressed support for this approach, and observed that it was responsive to the wider Sydney context, which is characterized by a range of 'villages' with different characters.</p> <p>Panelists also expressed support for the attention paid to ground level activation of the proposal and the interface of buildings with the public domain.</p> <p>Panelists queried the project architect's response to the ADG, regarding which the architects replied that the site benefited from a northerly aspect towards the water, which had enabled largely north, west and east facing apartments to be proposed for optimal solar access in addition to a water view.</p> <p>Wind impacts were discussed with regard to ground level impacts and pedestrian comfort. The architects noted that both winds resulting from the new buildings and winds from the surrounding parkland had been investigated and addressed in the design proposal.</p>	<p>The application has been the subject of numerous design meetings with Council's Design Excellence Advisory Panel (DEAP), who are generally satisfied that the proposal has achieved design excellence and ADG requirements have been adequately met.</p> <p>Council's Urban Design Team have reviewed the public domain and raise no significant issues. The proposal provides for satisfactory ground level activation and integration with the public domain.</p> <p>An independent wind assessment has been carried out and is discussed further within this report.</p> <p>Landscaping of the site and the public domain has been</p>

Landscaping was raised, regarding which the applicant advised that they had committed to provide one tree on the site per apartment. The Panel observed that Council is strongly in support of optimizing the tree canopy in Parramatta, and expressed support for this approach.	considered by DEAP, Urban Design and Council's Tree and Landscape Officer, and is found to be satisfactory.
Site contamination: Panelists queried the status of site contamination. Council advised that the appropriate contamination investigations had been undertaken, with remedial actions planned and undertaken, and sign-off from an independent site auditor to be achieved.	Council's Environmental Health Officer has reviewed the documentation submitted and is satisfied that the site can be made suitable for the development subject to the imposition of appropriate conditions.
Procedural matters going forward: The Panel noted the proposed timing of applications for determination, which it is recognised may be required to be varied as some DA's are further advanced than others. The Panel requested further briefings as part of the determination process. The Panel Secretariat will liaise with Council in this regard. The Chair requested that insofar as possible the same Panel members as participated in this briefing should be party to the determination.	Noted.

15. Conclusion

On balance the proposal has demonstrated a satisfactory response to the objectives and controls of the applicable planning framework.

The application is recommended for approval subject to the imposition of appropriate conditions.

16. Recommendation

That the Sydney Central City Planning Panel approve the application DA/587/2021 subject to the conditions contained within **Attachment B** of the Assessment Report.

ATTACHMENT A - PLANNING ASSESSMENT

SCCPP Reference:	PPSSCC-265
DA No:	DA/587/2021 PAN-111258
Address:	14-16 Hill Road – Sydney Olympic Park

1. Overview

This Attachment assesses the relevant matters for consideration under Section 4.15 of the Environmental Planning and Assessment Act, as noted in the table below:

1.1 Matters for consideration

Provision	Comment
Section 4.15 (1)(a)(i) - Environmental planning instruments	Refer to Section 3 below
Section 4.15 (1)(a)(ii) - Draft planning instruments	Refer Section 4 below
Section 4.15 (1)(a)(iii) - Development control plans	Refer to Section 5 below
Section 4.15 (1)(a)(iiia) - Planning agreements	Refer to Section 6 below
Section 4.15 (1)(a)(iv) - The regulations	Refer to Section 7 below
Section 4.15 (1)(a)(v) - <i>Repealed</i>	Not applicable
Section 4.15 (1)(b) - Likely impacts	Refer to Sections 3-8 below
Section 4.15 (1)(c) - Site suitability	Refer to Section 9 below
Section 4.15 (1)(d) - Submissions	Refer to Section 10 below
Section 4.15 (1)(e) - The public interest	Refer to Section 10 below

1.2 Referrals

The following external and internal referrals were undertaken:

External Referrals	
TfNSW (Light Rail)	<p>The application was referred to TfNSW as the site contains a transit corridor which is envisaged to become the route of the Parramatta Light Rail 2 (PLR2). TfNSW raise no objections to the proposed development subject to the imposition of conditions. TfNSW state that the conditions commit the Applicant to engage with the agency if the timelines of the development and the proposed project align, otherwise the Applicant would be subjected to the provisions of the Roads Act 1993 if the agency proceeds with the project akin to Stage 1 of PLR. The conditions provide protection for the Transport Corridor and provides the opportunity for further consultation with TfNSW to ensure congruity between the development and future corridor requirements.</p> <p>The proposed conditions of consent have been included as requested, with one exception. TfNSW originally requested:</p> <p><i>The developer shall not install any utilities or other works within the Transport Corridor. To the extent that utilities are within the Transport Corridor, the developer is responsible for all public utility adjustment/relocation works in accordance with any requirements of public utility authorities and/or their agents to ensure that there are no utilities within the Transport Corridor.</i></p> <p>Reason: To comply with TfNSW requirements.</p>

	Condition 66 of the draft set of conditions has been altered to allow for some services in the transit corridor. The request for no services in the transit corridor is not considered to be reasonable.										
TfNSW (Traffic Generating)	The application was referred to TfNSW as the proposal is traffic generating development under Schedule 3 of SEPP (Transport and Infrastructure) 2021. The same correspondence as that from the PLR team was received.										
Ausgrid	Ausgrid were notified of the proposed development and have raised no objections to the proposed development.										
Sydney Water	Sydney Water were notified of the proposed development and correspondence received does not raise any objections to the proposed development subject to the imposition of appropriate conditions.										
SOPA	<p>SOPA were notified of the proposed development as an adjoining landowner. SOPA provided comments which did not specifically address the subject development application, however requested that the submission lodged for the planning proposal, draft DCP amendment and VPA be considered in this assessment. The issues raised within the submission were considered in the assessment of the strategic matters. Notwithstanding this, the following comments are provided:</p> <table border="1"> <thead> <tr> <th>Concern</th><th>Comment</th></tr> </thead> <tbody> <tr> <td>Zoning impacts</td><td>Not relevant to this application. The zoning has been approved through the planning proposal and the issue does not warrant re-examination.</td></tr> <tr> <td>Shadowing</td><td> <p>The application was accompanied by an ecological report which assessed the shadowing impact on the adjoining SOPA parklands. This report states:</p> <ul style="list-style-type: none"> • Winter shadowing is in the early morning with shadowing largely on mangroves with only 145m² on saltmarsh and 95% full sun on these communities by 10am. The vegetated areas of the Nature Reserve are in full sun from 11am. • The maximum amount of shading will occur in mid-winter at 8am, approximately 2.3ha of saltmarsh will be shaded. By 9am, approximately 0.14ha will be shaded by the buildings with less than 5% of the saltmarsh in shade by 10am and shadowing is gone by 11am. • Ecologically the shading is deemed not significant to cause irreparable damage to the structure and function of Saltmarsh vegetation community. It may influence the distribution of the individual species within the community in shaded areas. </td></tr> <tr> <td>Contaminated land</td><td>SOPA requested a 3m easement along the southern boundary for maintenance access to the leachate drains on SOPA land. No access across the subject site is available currently and access will not be possible due to the height differences between the sites.</td></tr> <tr> <td>Light spill</td><td>Concern was raised regarding the impacts of lightspill into the adjoining ecological areas. The ecological report submitted advised that lighting</td></tr> </tbody> </table>	Concern	Comment	Zoning impacts	Not relevant to this application. The zoning has been approved through the planning proposal and the issue does not warrant re-examination.	Shadowing	<p>The application was accompanied by an ecological report which assessed the shadowing impact on the adjoining SOPA parklands. This report states:</p> <ul style="list-style-type: none"> • Winter shadowing is in the early morning with shadowing largely on mangroves with only 145m² on saltmarsh and 95% full sun on these communities by 10am. The vegetated areas of the Nature Reserve are in full sun from 11am. • The maximum amount of shading will occur in mid-winter at 8am, approximately 2.3ha of saltmarsh will be shaded. By 9am, approximately 0.14ha will be shaded by the buildings with less than 5% of the saltmarsh in shade by 10am and shadowing is gone by 11am. • Ecologically the shading is deemed not significant to cause irreparable damage to the structure and function of Saltmarsh vegetation community. It may influence the distribution of the individual species within the community in shaded areas. 	Contaminated land	SOPA requested a 3m easement along the southern boundary for maintenance access to the leachate drains on SOPA land. No access across the subject site is available currently and access will not be possible due to the height differences between the sites.	Light spill	Concern was raised regarding the impacts of lightspill into the adjoining ecological areas. The ecological report submitted advised that lighting
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Contaminated land	SOPA requested a 3m easement along the southern boundary for maintenance access to the leachate drains on SOPA land. No access across the subject site is available currently and access will not be possible due to the height differences between the sites.										
Light spill	Concern was raised regarding the impacts of lightspill into the adjoining ecological areas. The ecological report submitted advised that lighting										

		designs will follow Best Practice Lighting Design as outlined in the National Light Pollution Guidelines for Wildlife (Migratory Shorebirds). Lighting design/management should be undertaken by appropriately qualified personnel. Light management plans should be developed and reviewed by appropriately qualified lighting practitioners who should consult with an appropriately qualified marine biologist or ecologist. Conditions requiring the preparation of appropriate lighting plans have been included within Attachment B.
	Landscape planting	SOPA requested consideration of landscaping which is compatible with the surrounding parklands. The proposed landscaping on and off site has been considered by Council's public public domain team and landscape officer and found to be satisfactory.
	Urban design	Consideration should be given to the interface between the proposed perimeter roads and the adjoining SOPA land. Nominal information has been provided regarding the design of retaining walls along the boundaries, with the exception of the ecological park treatment. A condition has been included within the Recommendation section of this report for the submission of additional details regarding the walls on this interface.
	Traffic	Concern was raised regarding the additional impacts of introducing mixed use zoning and non-residential uses. The zoning has been approved through the planning proposal and the issue does not warrant re-examination. Traffic impacts of the proposed development have been reviewed by Council's Traffic Officer and found to be acceptable.
DPIE (EES)	The Biodiversity and Conservation Team of DPIE requested consideration of impacts on biodiversity values within the area. An ecological report was submitted which addresses impacts upon the adjoining parklands. This has been discussed further within this report.	
Internal Referrals		
External Surveyors (Land Partners)	Council's independent surveyor (Land Partners) have reviewed the application and raise no significant issues with the proposed development. The detail of easements and the like may be considered at the separate subdivision certificate stages of the development. Conditions are recommended to be imposed.	
ESD Consultant (Flux)	Council's ESD/Basix consultant has reviewed the documentation and raises no objection to the proposal. The Basix certificates are acceptable and recommended ESD conditions have been provided.	
Wind Consultant (Mel Consulting)	Council's Wind consultant has raised issues with the insufficient number of testing points selected for the wind tunnel testing however does not raise any significant issues subject to further testing being carried out for the site. It is considered that additional testing would provide greater certainty for pedestrian comfort levels and is unlikely to result in any significant changes to the building design. The wind consultant is satisfied that the additional testing may be carried out post determination.	

DEAP	The application was referred to the Design Excellence Advisory Panel (DEAP). Issues raised by DEAP have been addressed and no further design issues are outstanding. This has been discussed in further detail within this report.
Urban Design (Public Domain)	Council's Public Domain team have reviewed the proposal and raise no objections subject to the imposition of appropriate conditions, including the requirement to submit detailed public domain construction drawings.
Accessibility Officer	Council's Accessibility Officer is generally satisfied with the proposed development. Minor issues may be imposed as conditions.
Development Engineer	Council's Development Engineer has reviewed the proposed development and raises no objections to the proposal. The application was found to be satisfactory in terms of drainage design, water sensitive urban design and flooding subject to the imposition of appropriate conditions.
Catchment Infrastructure	Council's Infrastructure team have reviewed the proposal and recommended conditions be imposed relating to stormwater management details before the issue of a CC, inspections during work and final works sign off.
Infrastructure Alignment	Council's infrastructure (roads) team have reviewed the application and raised no significant issues with the proposal. Conditions regarding road design and inspections have been recommended and imposed.
Infrastructure Roads & Pavement	
Traffic	Council's Traffic Officer has reviewed the proposed development and raises no concerns on traffic or safety grounds. Conditions have been incorporated within the recommendation section of the report.
Infrastructure Planning & Design	The application was referred to the Infrastructure Planning & Design team as the concept proposes an E-W transit corridor that is designed to accommodate the potential PLR2 corridor. No comments or objections were received.
Landscape	The application was referred to Council's Tree Management & Landscape Officer who raises no significant concerns with the proposed development. Conditions have been incorporated within the recommendation section of the report.
Open Space & Natural Resources	Council's Open Space & Natural Resources team have reviewed the application and the ecological report submitted and advise they are satisfied that the proposed development will not be likely to significantly impact threatened species, ecological communities or their habitats.
Environmental Health (Contamination)	Council's Environmental Health Officer has reviewed the submitted contamination report and supports the application subject to the imposition of appropriate conditions.
Environmental Health (Acoustic)	Council's Environmental Health Officer has reviewed the submitted acoustic report and supports the application subject to the imposition of appropriate conditions.
Environmental Health (Waste)	Council's Environmental Health Officer has reviewed the submitted waste management plan and supports the application subject to the imposition of appropriate conditions.
Operational Waste	Consideration has been given to the operational waste requirements of the site and the proposal is satisfactory in terms of waste storage and vehicular access to the waste collection areas. Appropriate conditions including the provision of access easements have been included in the recommendation section of this report.

2. Environmental Planning & Assessment Act 1979 (EPA Act)

2.1 Integrated Development

The application has not been lodged as Integrated Development under the provisions of the EPA Act.

It is noted that the site proposes works within 40m of the drainage channel located along the western boundary. The application may therefore require a controlled activity approval under the Water Management Act 2000. It is considered that any consent granted should require the applicant enquire with the Natural Resources Access Regulator (NRAR) to determine whether a separate approval is required.

It is also noted that the site proposes a basement level at RL2.6m. The Geotechnical Report submitted with the application identified groundwater seepage at RL 2.0m and RL3.1m and considers groundwater within the depth of excavation to be one of the geotechnical issues with the proposal. The application may therefore require a water supply work approval under the Water Management Act 2000. It is considered that any consent granted should require the applicant enquire with Water NSW to determine whether a separate approval is required.

2.2 Concept Development Application

A concept development application has been approved for the site (DA/586/2021). That application provided concept approval for subdivision and infrastructure works.

Division 4.4 of the EPA Act relates to the special procedures concerning concept development applications. In this regard, Section 4.24(2) requires the following:

(2) While any consent granted on the determination of a concept development application for a site remains in force, the determination of any further development application in respect of the site cannot be inconsistent with the consent for the concept proposals for the development of the site.

Compliance with the approved concept plan is indicated within the table below.

Condition	Requirement	Comment	Consistent
1	Approved Plans	The application is generally consistent with the approved concept plans and documentation.	Yes
2	<i>No Works Approved</i>	Noted. This DA seeks approval for works.	Yes
3	<i>Compliance with Concept</i>	The application is not inconsistent with the concept approval.	Yes
4	<i>Detailed Plans</i>	Detailed civil, landscaping, public domain and subdivision plans have been submitted with this application.	Yes
5	<i>Indicative Approval – Stratum</i>	Not applicable. No stratum is proposed as part of this application.	Yes
6	<i>Indicative Approval – Foreshore Park</i>	Not applicable. The foreshore park does not form part of this application.	Yes
7	<i>Natural Resources Access Regulator General Terms of Approval</i>	Not applicable. This application has not been submitted as integrated development. Conditions requiring consultation with the government agency have been imposed.	Yes
8	<i>Public Domain</i>	These requirements (where relevant) have been reflected within the Recommendation section of this consent.	Yes

9	<i>Public Access over Roads</i>	These requirements (where relevant) have been reflected within the Recommendation section of this consent.	Yes
10	<i>Easements for Services</i>	These requirements (where relevant) have been reflected within the Recommendation section of this consent.	Yes
11	<i>Compliance with Voluntary Planning Agreement (VPA)</i>	Noted. The application reflects the requirements of the VPA.	Yes
12	<i>Public Art Plans</i>	These requirements (where relevant) have been reflected within the Recommendation section of this consent.	Yes
13	<i>Remediation Documents to be Submitted</i>	This requirement has been satisfied. A detailed report, remediation action plan and site audit statement has been submitted with the application.	Yes
14	<i>Traffic Related Requirements – Future DAs</i>	These requirements (where relevant) have been reflected within the Recommendation section of this consent.	Yes
15	<i>Assumed PMF Level</i>	Noted. The application is compliant.	Yes
16	<i>Overland Flow</i>	This has been considered with additional detailing addressed through conditions of consent.	Yes
17	<i>Pollution Impacts</i>	This has been considered with additional detailing addressed through conditions of consent.	Yes
18	<i>Water Sensitive Urban Design Measures</i>	This has been considered with additional detailing addressed through conditions of consent.	Yes
19	<i>Erosion and Sediment Control Measures</i>	An ESCP was submitted with the application and found to be satisfactory by Council's Environmental Health Officer.	Yes

It is therefore considered that the proposed development is consistent with the approved concept plan.

3. Environmental Planning Instruments

3.1 SEPP (PLANNING SYSTEMS) 2021

Clause 2.19 Declaration of regionally significant development

The development has a capital investment value greater than \$30 million. This application is captured by Part 2.4 of this policy which provides that the Sydney Central City Planning Panel is the determining authority for this application.

3.2 SEPP (BIODIVERSITY AND CONSERVATION) 2021


SEPP Section	Comment
Chapter 2 Vegetation in non-rural areas	No vegetation removal is required as part of this application.
Chapter 6 Bushland in urban areas	The site does not contain any bushland to be protected and no vegetation removal is required as part of this application.
Chapter 10	This chapter of the policy applies to all of the City of Parramatta local government area. It aims to establish a

Sydney Harbour Catchment	<p>balance between promoting a prosperous working harbour, maintaining a healthy and sustainable waterway environment and promoting recreational access to the foreshore and waterways by establishing principles and controls for the whole catchment.</p> <p>The nature of this project and the location of the site are such that there are no specific controls which directly apply, with the exception of the objective of improved water quality. That outcome will be achieved through the imposition of suitable conditions to address the collection and discharge of water.</p> <p>The site is not located within a Foreshores and Waterways Area identified under Part 10.3 of the policy.</p>
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3.3 SEPP (INDUSTRY AND EMPLOYMENT) 2021

SEPP Section	Comment
Chapter 3 Advertising and signage	<p>Not applicable.</p> <p>No advertising or signage is proposed as part of this application.</p>

3.4 SEPP (RESILIENCE AND HAZARDS) 2021

SEPP Section	Comment
Chapter 2 Coastal Management	<p>The western portion of the site is affected by the <i>proximity area for coastal wetlands</i> as identified within the policy map (see below extract). Sub-Precinct 3 is affected by this map.</p>  <p>Clause 2.8 requires the consent authority to be satisfied that the proposed development will not significantly impact on the following:</p> <ul style="list-style-type: none"> (a) the biophysical, hydrological or ecological integrity of the adjacent coastal wetland or littoral rainforest, or

	<p>(b) the quantity and quality of surface and ground water flows to and from the adjacent coastal wetland or littoral rainforest.</p> <p>The subject site is in proximity to the Newington Nature Reserve and wetlands. A Flora and Fauna report prepared by Ecological Consultants Australia was submitted with the application. This report assesses the likely impacts of the proposed development on the values of this area. Findings include the following:</p> <ul style="list-style-type: none"> • It is expected that there will be no significant impact on threatened species or migratory shorebirds as listed under the EPBC Act. • The proposed development will not directly remove habitat (foraging/roosting or other). • The proposed development will have a minor (to negligible) shading influence on the Saltmarsh and Mangroves. Thus, the shading will not significantly degrade areas of foraging/roosting or other habitat such that they lose their current habitat value. • Direct (collision) and indirect impacts associated with the proposal are expected to be negligible. • Indirect impacts can be appropriately managed during the design and construction stage. • Lighting designs will follow Best Practice Lighting Design as outlined in the National Light Pollution Guidelines for Wildlife (Migratory Shorebirds). • Effective stormwater management is possible on site and the design leads freshwater away from the reserve and saltmarsh ecological communities within. <p>The application has been reviewed by Council's Biodiversity Officer who is satisfied that the proposed development will not be likely to significantly impact threatened species, ecological communities or their habitats, and has included recommended conditions to further minimise potential ecological impacts.</p>
Chapter 3 Hazardous and Offensive Development	Not applicable. The application does not involve any hazardous or offensive industries.
Chapter 4 Remediation of Land	<p>Clause 4.6 of this policy requires the consent authority to consider if land is contaminated and, if so, whether it is suitable, or can be made suitable, for a proposed use.</p> <p>A RAP prepared by EI Australia was submitted with the application. This RAP describes the works required to remediate the site, thereby rendering it suitable for the proposed (residential) use.</p> <p>The following indicates the contaminants of concern for remediation:</p> <ul style="list-style-type: none"> • Four localised areas of shallow (less than 1m depth) asbestos impact in soil.

	<ul style="list-style-type: none"> • Elevated concentrations of total recoverable hydrocarbons (up to 2,800 mg/kg) were identified in some soil locations. This impact exceeded ecological criteria and therefore may limit plant growth but was not above human health criteria. This material is not proposed to be removed from the site and does not pose a vapour risk. <p>The site remediation works will include (though not necessarily be limited to):</p> <ul style="list-style-type: none"> • Stage 1 - Site establishment • Stage 2 - Surface (clearance) inspection for evidence of contamination (e.g. ACM) • Stage 3 - Impact delineation and waste classification • Stage 4 - Excavation of the asbestos-impacted hotspot (PH3_BH17) and validation • Stage 5 - Capping and containment of the site-wide fill. <p>In summary, the preferred remediation strategy is a combination of excavation and off-site disposal of impacted materials to licensed waste landfill facilities, followed by capping and containment.</p> <p>The Revised RAP was reviewed by an independent NSW EPA Accredited Site Auditor (Tim Chambers, Phreatic Consulting) who concludes that ... <i>“The Auditor is satisfied that the proposed remedial strategy is appropriate to address the identified contamination at the site. The report adequately meets the NSW EPA reporting requirements.</i></p> <p><i>The Auditor is satisfied that implementation of the remediation proposed in the RAP (Eiaustralia (08.10.2021) Revised Remediation Action Plan, Sanctuary Phase 3, 14-16 Hill Road, Wentworth Point, NSW. Report E24725.E06_Rev1) by suitably competent consultants will make the site suitable for the proposed high density residential use.”</i></p> <p>At the completion of remediation and validation works, a validation report will be prepared in general accordance with the NSW EPA (2020a) Guidelines for Consultants Reporting on Contaminated Land and other relevant guidance endorsed by the NSW EPA. The site validation report will be submitted for Council and NSW EPA-accredited Site Auditor review at the completion of the remediation works program.</p> <p>Accordingly, the development application is satisfactory having regard to the relevant matters for consideration under Chapter 4 of the SEPP (Resilience and Hazards) 2021. Subject to the implementation of the remediation action plan, the site will be suitable for the proposed development.</p>
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3.5 SEPP (TRANSPORT AND INFRASTRUCTURE) 2021

SEPP Section	Comment
Chapter 2 Infrastructure	
Development likely to affect electricity transmission or distribution networks	<p>Based upon the information contained within the submitted survey, the application is subject to Clause 2.48 of the SEPP as the development does propose works within the vicinity of electricity infrastructure that would trigger a written referral to the energy authority. It is noted that the site is within proximity to the high power transmission lines located to the west of the site.</p> <p>Ausgrid were notified of the proposed development and have advised that no objections are raised. No conditions have been recommended.</p>
Development Adjacent to Rail Corridors	<p>The subject site is not adjacent to a rail corridor. Although Parramatta Light Rail (Stage 2) is proposed through the site, this is not a formally identified or declared rail corridor. Notwithstanding this, TfNSW have provided comments which are discussed within this report.</p> <p>Clause 2.99 of the SEPP requires the consent authority to consider the impact of rail noise or vibration on residential development. An acoustic report for the proposed development has been submitted that includes an assessment of exiting environmental noise including road traffic noise and ferries using the Sydney Olympic Park wharf as well as future possible noise and vibration impacts from the proposed light rail which will be located on the site. This report details the required acoustic constructions of the building's façade, including external windows, to ensure that the future internal noise levels comply with the relevant noise levels of the Australian Standard AS2107:2016. Providing the recommended constructions detailed in this report are included in the construction of the project the required internal noise levels will be achieved.</p>
Frontage to a Classified Road	The subject site has frontage to Hill Road, which is not a classified road.
Traffic Generating Development	The proposal does trigger a referral to TfNSW under Schedule 3 of the SEPP as the proposed development contains more than 300 apartments and more than 200 car parking spaces. TfNSW raise no objection to the proposal subject to the imposition of conditions.

3.6 STATE ENVIRONMENTAL PLANNING POLICY NO. 65 – DESIGN QUALITY OF RESIDENTIAL APARTMENT DEVELOPMENT

This Policy aims to improve the design quality of residential flat development. This proposal has been assessed against the following matters relevant to SEPP 65 for consideration:

- The 9 SEPP 65 Design Quality Principles

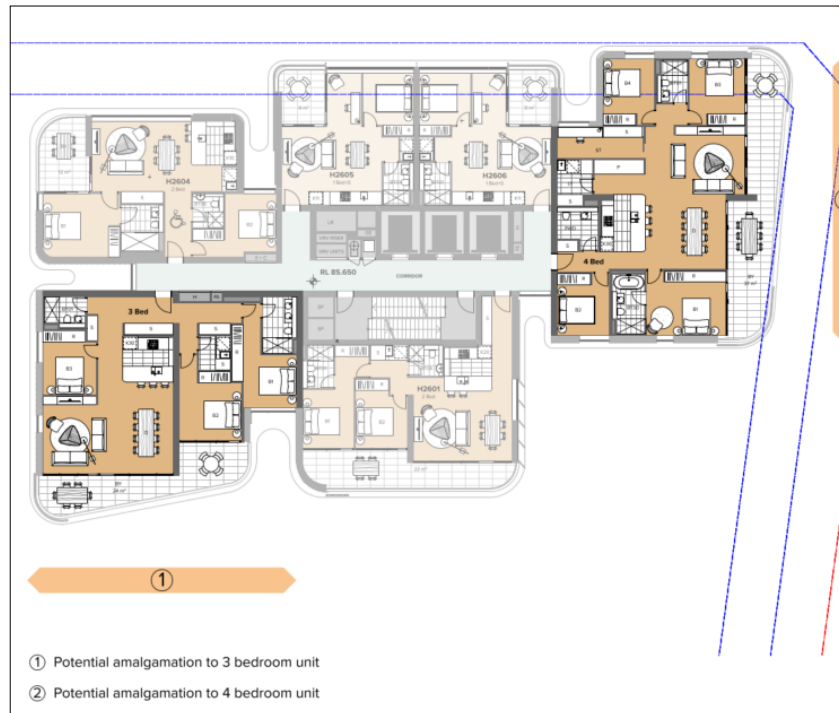
- The Apartment Design Guide (ADG).

Design Quality Principles

SEPP 65 sets 9 design quality principles. The development has adequately addressed the 9 design quality principles in the following way:

Design quality principle	Response												
Context	The design of the proposed buildings is considered to respond and contribute to its context, especially having regard to the current qualities of the area and the applicable planning controls on the site. The scale of buildings and type of use are compatible with the proposed redevelopment of the precinct.												
Built form	The design achieves an appropriate built form for the site and the building's purpose, in terms of building alignments, proportions, type and the manipulation of building elements.												
Density	The proposal would result in a density appropriate for the site and its context, in terms of floor space yield, number of units and potential number of new residents. The proposed density of the development is regarded as sustainable and consistent with the envisaged yield on the site.												
Sustainability, resource, energy & water efficiency	The development provides opportunities in this regard, as reflected within the submitted Basix Certificate. Energy efficiency is also aided by the use of water/energy efficient fittings, appliances and lighting and WSUD measures. The proposal also provides for dual piping.												
Landscape	The landscaping solutions depicted in the detailed landscape plans are considered to be of high quality and appropriately respond to the proposed built environment.												
Amenity	The proposal is considered to be satisfactory in this regard, optimising internal amenity through appropriate room dimensions and shapes, access to sunlight, natural ventilation, visual and acoustic privacy, storage, indoor and outdoor space, outlook, efficient layouts and service areas. The proposal provides for a limited but acceptable unit mix (in terms of number of bedrooms) for housing choice and provides access and facilities for people with disabilities.												
Safety & security	The proposal is considered to be satisfactory in terms of future residential occupants overlooking public and communal spaces while maintaining internal privacy. The building has been designed to be satisfactory in terms of perceived safety in the public domain.												
Social dimensions/housing affordability	<p>This principle essentially relates to design responding to the social context and needs of the local community in terms of lifestyles, affordability and access to social facilities and optimising the provision of housing to suit the social mix and provide for the desired future community. It is considered that the proposal satisfies these requirements.</p> <p>The proposed unit mix is as follows:</p> <table><tr><th>Bedroom Size</th><th>Number</th><th>% of Apartments</th></tr><tr><td>1 bedroom</td><td>126 apartments</td><td>39%</td></tr><tr><td>2 bedroom</td><td>189 apartments</td><td>58.5%</td></tr><tr><td>3 bedroom</td><td>8 apartments</td><td>2.5%</td></tr></table>	Bedroom Size	Number	% of Apartments	1 bedroom	126 apartments	39%	2 bedroom	189 apartments	58.5%	3 bedroom	8 apartments	2.5%
Bedroom Size	Number	% of Apartments											
1 bedroom	126 apartments	39%											
2 bedroom	189 apartments	58.5%											
3 bedroom	8 apartments	2.5%											

Council would ordinarily expect a higher percentage of 3 bedroom units within the development (minimum 10%) and has encouraged the applicant to provide a greater diversity of unit sizes. It is noted that there are no unit mix requirements in either the Wentworth Point Precinct DCP or the Auburn DCP. The applicant has not amended the unit mix however has shown how apartments are capable of being amalgamated to provide larger units should the market demand this type of accommodation.



Unit Amalgamation Potential Option – Building H Tower

Aesthetics

The proposed development is considered to be appropriate in terms of the composition of building elements, textures, materials and colours and reflect the use, internal design and structure of the resultant building. The proposed buildings aesthetically respond to the environment and context, contributing to the desired future character of the area. The design has been reviewed and supported by the Parramatta Design Excellence Advisory Panel.

Apartment Design Guide (ADG)

The SEPP requires consideration of the ADG which supports the 9 design quality principles by giving greater detail as to how those principles might be achieved. The table below considers the proposal against key design criteria in the ADG.

PARAMETER	DESIGN CRITERIA	PROPOSAL	COMPLIANCE
Communal Open Space	Min 25% of the site area = 2200m ²	Large podium communal open space = 2622m ² (contains central lawn, kids nature play, pool facilities) and rooftop terrace on Building H (contains pool and	Yes

		outdoor kitchen/BBQ & dining pods) = 294m² Total COS = 2916m²													
	Min 50% of the communal open space is to receive 2 hours direct sunlight between 9.00am and 3.00pm on June 21	No – but nominated principal usable area (1879m²) receives 60% solar access for 2 hrs.	No												
Deep soil zone	7% of the overall site area Minimum dimension of 6m required = 616m²	Nil No deep soil is provided across the entire site	No <i>However soil depths on slab range between 300mm-1.8m which can maintain appropriate landscaping</i>												
Building Separation	<table><tr><th>Building Height</th><th>Habitable rooms and balconies</th><th>Non-habitable rooms</th></tr><tr><td>up to 12m (4 storeys)</td><td>12m</td><td>6m</td></tr><tr><td>up to 25m (5-8 storeys)</td><td>18m</td><td>9m</td></tr><tr><td>over 25m (9+ storeys)</td><td>24m</td><td>12m</td></tr></table>	Building Height	Habitable rooms and balconies	Non-habitable rooms	up to 12m (4 storeys)	12m	6m	up to 25m (5-8 storeys)	18m	9m	over 25m (9+ storeys)	24m	12m	Up to 4 storeys = all compliant 5-8 storeys BI to BH = 25.6m BI to BJ = 18.1m BH to BJ = 23m 9+ storeys BH and BJ = 18.6m	Yes Yes Yes Yes No – 5.4m departure (for 1 storey BJ)
Building Height	Habitable rooms and balconies	Non-habitable rooms													
up to 12m (4 storeys)	12m	6m													
up to 25m (5-8 storeys)	18m	9m													
over 25m (9+ storeys)	24m	12m													
Solar Access	At least 70% of living rooms and private open space to receive at least 2 hours direct sunlight between 9.00a.m and 3.00p.m on June 21	= 74.6%	Yes												
	A maximum of 15% of apartments are permitted to receive no direct sunlight between 9.00am and 3.00pm midwinter.	= 2%	Yes												
Cross Ventilation	At least 60% of apartments are to be naturally cross ventilated.	109 of 181 (first 9 storeys) = 60.2%	Yes												
	Apartment depth is not to exceed 18m	Complies	Yes												
Ceiling Heights	2.7m for habitable, 2.4m for non-habitable	3.15m floor to floor (2.7m therefore achievable)	Yes												
Apartment Size	Studio – 35m² 1 bd – 50m² 2 bd – 70m² 3 bd – 90m² (note: minimum internal size increases by 5m² for additional bathrooms, 10m² for 4 + bedroom)	Complies	Yes												
	All rooms to have a window in an external wall with a total minimum glass area	Appears to comply	Yes												

	not less than 10% of the floor area of the room.		
	Habitable room depths to be a maximum 2.5 x the ceiling height (=6.75m)	Appears to comply	Yes
	Maximum depth (open plan) 8m from a window.	Appears to comply	Yes
Bedroom size	Master bedrooms – 10m ² Other bedrooms – 9m ² Bedroom dimensions – 3m min. Living rooms have a width of: <ul style="list-style-type: none"> 3.6m for studio/1bd 4m for 2 or 3 bd 	Appears to comply	Yes
Balconies	Studio – 4m ² 1bd – 8m ² / 2m 2bd - 10m ² /2m 3bd – 12m ² /2.4m	Complies	Yes
	Ground or podium apartments to have POS of 15m ² /3m	Ground apartments all have large terraces/balconies >15m ² (range = 17m ² - 91m ²)	Yes
Circulation	Maximum 8 apartments per level	Building H = 3 x lifts = 8 apartments Building I = 1 x lift = 8 apartments Building J = 2 x lift cores = 6 apartments per core	Yes Yes Yes
Storage	1bd – 6m ³ 2bd – 8m ³ 3bd – 10m ³	Internal and basement storage provided for each apartment (B1 = 323 cages)	Yes

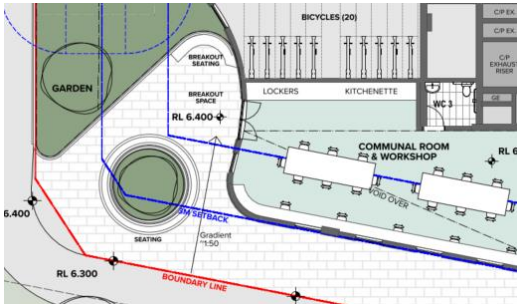
Parramatta Design Excellence Advisory Panel (DEAP)

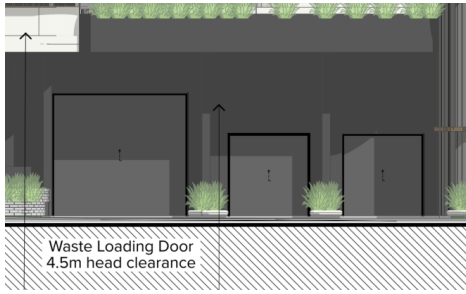
The application was considered by the DEAP as follows:

19 August 2021	DEAP meeting
22 October 2021	DEAP-Sekisui workshop
29 March 2022	Final DEAP meeting (remote)

The DEAP final report notes that only minor changes are required and provided these changes are incorporated, the panel does not need to review this application again. These matters are discussed below.

DEAP Comment	Planning Response	Action
Concerns about the civic quality of this precinct are still held awaiting full integration on the public domain and infrastructure related to the entire site.	Council's Urban Design team have assessed the public domain masterplan and are satisfied that the civic quality of the precinct is of an acceptable standard.	Nil
One area of concern remains relative to the lack of integration of the substations. The Panel recommends that they be either integrated into the building or within a	2 x substations are located on the southern setback of the building adjoining the "back of house" infrastructure. The location of the substations is not in a prominent position within the development	Nil

thoughtful public domain structure as proposed for SP6.	site and is adequately surrounded by landscaping. In this instance, the proposed substation location is considered acceptable.	
<p>It was noted that areas for p/v solar panels are shown on roof plans for Building J but none are shown for Building I and H, the final extent should be clarified. Further detail is required for:</p> <ul style="list-style-type: none"> on-site water retention for use in irrigation of planting ceiling fans for bedrooms and living areas clearly marked on the plans roof slabs with foam insulation and pebble ballast for thermal comfort window options (other than sliding doors) that provide cross ventilation. <p>The Panel has raised concerns regarding suitable exterior solar control measures particularly on the western façade and this is still not satisfactorily addressed. The increased depth of mullions does not in the Panel's opinion constitute effective shading for solar gain impacts. Adjustable vertical blades of louvres of a suitable depth are considered to be a more effective solution for this façade. It is recommended that Council's ESD consultant undertake a final review prior to final assessment.</p>	<p>The subject proposal is accompanied by a BASIX Certificate which addresses issues in relation to consumption of water and thermal performance of the building and demonstrates that the building achieves an acceptable outcome.</p> <p>Further detail is not considered warranted and although such matters may improve the proposal, there are no DCP or ADG requirements that necessitate the additional matters be provided.</p> <p>Council's ESD consultant has not raised any concerns with the thermal comfort within the residential apartments.</p>	Nil
There could be some improvement in some of the proposed apartment layouts. Furniture layouts in some instances result in less than ideal circulation space.	Whilst it is acknowledged that improvements could be made to the internal layout of some apartments, these appear to be minor matters that do not impact the compliance requirements of the ADG.	Nil
<p>The lobby area/breakout area to the communal workshop is very exposed to the corner and further resolution should be undertaken to create better privacy and amenity plus protection from the weather.</p> 	<p>The applicant has responded to this matter noting that the breakout area to the communal workshop is not exposed as it is significantly recessed from the street edge and creates an intimate setting for residents. Weather protection is unnecessary for this space, noting there is ample weather protection for residents throughout the development, and when there is inclement weather, residents can and will move indoors. Council officers agree that the outdoor area does not warrant modification in this instance.</p>	Nil
A minor issue that should be addressed is the differing door heights of the loading dock versus vehicle entry points. This should be addressed by proposing a better integration of door heights and appearance plus the possibility of adding a projecting pergola type structure to allow for extended	The differing door heights are a reflection of the needs of separate uses – being the loading dock versus vehicle entry points. In order to improve the visual impact of this service area, it is considered that pergola structures could be placed over the entrance to the vehicle entry points.	Condition

<p>greenery and softening the appearance of this component of the scheme.</p>  <p>Waste Loading Door 4.5m head clearance</p>	<p>This would provide for some improved visual interest on the southern elevation.</p>	
<p>DEAP Summary: SP3 has undergone improvements throughout the review process and the final proposal is considered to generally be of a high standard.</p>		

There are no outstanding design matters on this application. Appropriate conditions may be imposed to address matters raised as discussed above, and are included within Appendix B of this report.

3.7 STATE ENVIRONMENTAL PLANNING POLICY – BASIX

The application for the residential development has been accompanied with a BASIX certificate that lists commitments by the applicant as to the manner in which the development will be carried out. The requirements outlined in the BASIX certificates have been satisfied in the design of the proposal.

3.8 AUBURN LOCAL ENVIRONMENTAL PLAN 2010

The relevant requirements and objectives of this LEP have been considered in the following assessment table.

Requirement	Comment		
Part 1 Preliminary	Noted.		
Part 2 Permitted or Prohibited Development	The proposed development is permissible with consent. See Section 5 of the Executive Summary for further detail.		
Part 3 Exempt and Complying Development	Not applicable. The development requires consent.		
Part 4 Principal Development Standards	Requirement	Proposed	Compliance
	Lot Size Not applicable		N/A
	Height 94m (max)	Building G = 15m Building H = 93.85m Building I = 25.55m Building J = 31.9m	Yes
	Floor Space Ratio 2.99:1 (maximum) <i>excluding roads</i>	2.99:1	Yes
	Exceptions	None	N/A

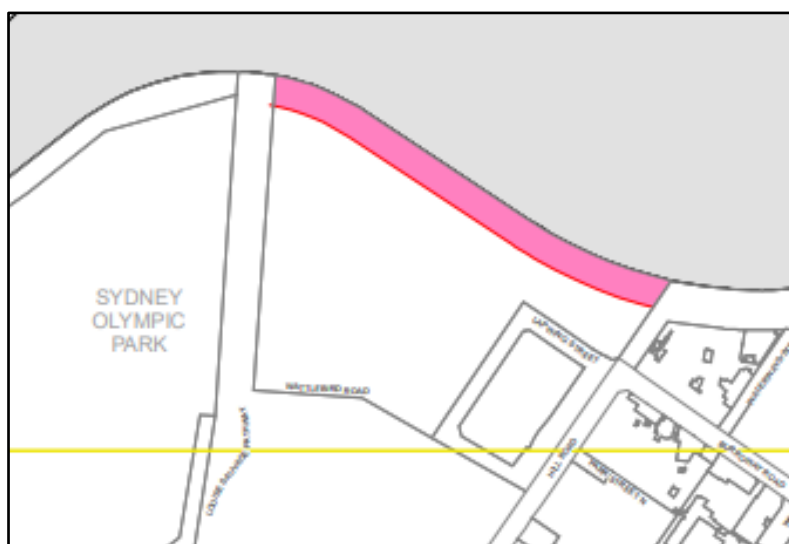
Requirement	Comment
Part 5 Miscellaneous Provisions	Clause 5.6 Architectural roof features Architectural roof features are all located below the maximum height permissible.
	Clause 5.10 Heritage Conservation The site of proposed development is not individually heritage listed however it is in the vicinity of the Millenium Parklands Heritage Precinct (listed under SREP24 – Homebush Bay). It is considered that due to the separation between sites, the nature of significance of the item, and the current planning controls, the impact on heritage values of the item and the area will be within acceptable limits. The site is also not identified as being of European or Aboriginal archaeological significance.
Part 6 Additional Local Provisions	Clause 6.1 Acid sulfate soils The <i>Additional Site Investigation</i> report prepared by EI Australia states that although potential acid sulfate soils may occur in depths greater than 2.5m, the proposed development for Phase 3 will not intercept (disturb) such layers, and therefore it is unlikely potential acid sulfate soils will be encountered.
	Clause 6.2 Earthworks Council's engineer has considered the proposed earthworks and raises no objection to the works. It is noted that these earthworks are anticipated within the DCP, with sites being raised due to the contamination of the land.
	Clause 6.4 Foreshore building line The site is not affected by a foreshore building line.
	Clause 6.5 Essential services Essential services can be provided to the site (water, electricity, sewage, drainage and road access).
	Clause 6.2 Development of certain land at 14–16 Hill Road, Sydney Olympic Park <ul style="list-style-type: none"> the development will not result in the gross floor area of all buildings on the land exceeding 188,800m². the development will not result in more than 2,000m² of the gross floor area of all buildings on the land being used for the purposes of commercial premises.

4. Draft Environmental Planning Instruments

4.1 Draft Parramatta Local Environmental Plan 2020

Council has prepared a planning proposal for a new local environmental plan. The focus of the planning proposal is harmonisation (or consolidation) of existing LEP controls. The planning proposal does not propose major changes to zoning or increases to density controls. The planning proposal has been publicly exhibited and is currently with the Department for finalisation.

There are no changes proposed to the existing controls except that the draft LEP introduces a foreshore building line along the northern edge of the site.



Extract - Draft Parramatta LEP – Foreshore Building Line/Area


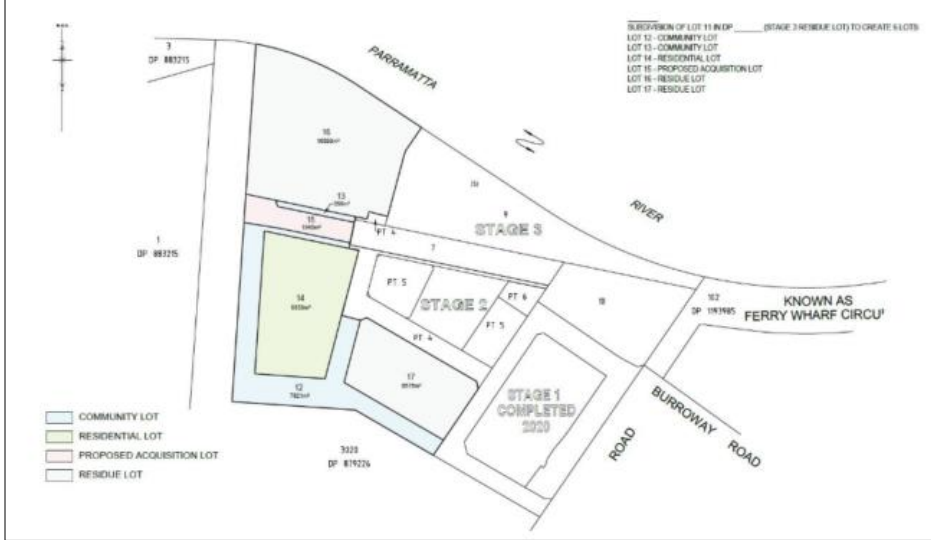
No part of the proposed development falls within the foreshore building line.

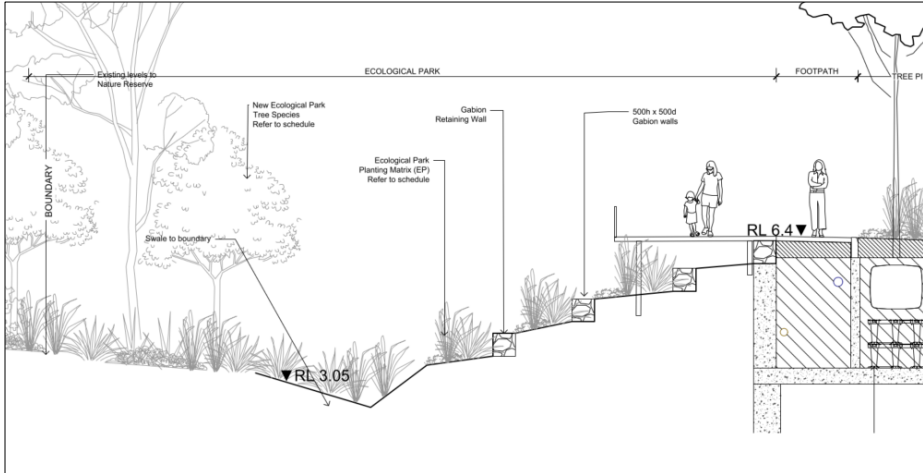
5. Development Control Plans

5.1 Wentworth Point Precinct Development Control Plan 2014


The relevant requirements and objectives of this DCP have been considered in the following assessment table.

Requirement	Comment
Section 1.0 Introduction	<ul style="list-style-type: none"> This DCP applies to the subject site. This DCP prevails over the Auburn DCP in terms of any inconsistencies.
Section 2.0 Vision, Principles and Indicative Structure	<p>The development achieves the vision, development principles and indicative structure. It is noted that the proposed development:</p> <ul style="list-style-type: none"> makes a significant contribution to providing high quality housing for Sydney's diverse and growing population in an environment that embraces its location adjoining Homebush Bay, the Parramatta River and Sydney Olympic Park, Parklands and represents contemporary, high density sustainable living. ensures that development in the precinct occurs in a coordinated manner consistent with the vision and development principles for the precinct. complies with the indicative structure plan (see below) and provides for an appropriate residential community, built form and movement network in accordance with that plan.

Requirement	Comment
	 <p style="text-align: center;">Wentworth Point Precinct Indicative Structure Plan</p> <p>Proposed Subdivision:</p> <ul style="list-style-type: none"> • The subdivision component of the application proposes to create 6 allotments with the proposed building on Lot 14 • The application reflects an appropriate subdivision pattern which is reflected within the approved concept infrastructure and subdivision DA (DA/586/2021) which establishes the coordinated staging of subdivision across the site • No significant issues regarding the subdivision were raised by Council's independent surveyor • Appropriate easements and restrictions are to be incorporated in conditions of consent – including drainage, public use of roads, car share requirements, waste vehicle collection etc.  <p style="text-align: center;">Proposed Plan of Subdivision</p>

Requirement	Comment
Section 3.0 Public Domain	Street Network and Design <ul style="list-style-type: none"> The application complies with the street network plan and provides for part of the primary road (E-W transit corridor) and adjoining local roads. The proposed streets generally comply with the required reserve widths, however the secondary footpaths on the outer edges of the southern and eastern roads are slightly narrower than required (1.8m instead of 2.5m) due to the embankment landscaping required in these areas. Council's Urban Design Team have not raised any issues with the road design and it is considered an acceptable outcome. The street sections within the DCP indicate that there is no car parking permitted underneath the streets. No parking is provided under any of the proposed streets.
	Pedestrian and Cycle Network <ul style="list-style-type: none"> The application proposes to provide a pedestrian footpaths along all streets and public cycleway along the transit corridor. The application provides for appropriate easements for public access over these facilities. There are no proposed changes to the existing pedestrian and cycle network along the foreshore as part of this application.
	Landform and Contamination <ul style="list-style-type: none"> The site is to be raised as identified within the DCP. The existing landform and internal roads are raised to accommodate parking above the water table. Notwithstanding this, the buildings are designed with apartment sleeving to engage and activate the streets.
	Open Space Network <ul style="list-style-type: none"> An "ecological park" with an area of approximately 880m² is located on the southern boundary of the site in accordance with the DCP. The park is located to provide a landscaped transition to the southern adjacent parklands and the design is entirely deep soil to accommodate large tree plantings.  <p style="text-align: center;">Cross-section indicating design of the ecological park</p>
	Public Art <ul style="list-style-type: none"> The Art Strategy approved via the infrastructure and subdivision development application (DA/586/2021) identifies a proposed art work to be provided within this sub-precinct. Details have not as yet been provided regarding this particular art work. A condition is included within Appendix B which requires details to be submitted

Requirement	Comment																								
	and approved by Council before the issue of a CC for the building on the site.																								
Section 4.0 Private Domain	Land Use and Floor Space Distribution <ul style="list-style-type: none">The proposal complies with the distribution of land use as indicated in the indicative structure plan (Section 1.0).Sub-precinct 3 has a maximum floor space of 26,400m² in the DCP and the proposed floor space is 26,398m².																								
	Building Height and Form																								
	<table><tr><th>Requirement</th><th>Proposed</th><th>Comply</th></tr><tr><td>Perimeter block building forms generally encircle a central communal open space</td><td>Communal open space on Level 3 is generally encircled by the buildings</td><td>Yes</td></tr><tr><td>Buildings to provide for visual connections between streets and communal open spaces</td><td>Visual connections are provided to all directional aspects on the podium</td><td>Yes</td></tr><tr><td>Perimeter block & podia consistent in height</td><td>2 storey podia proposed – consistent with adjoining</td><td>Yes</td></tr><tr><td>Alignment with street</td><td>Building J is not aligned/oriented with street</td><td>No</td></tr><tr><td><u>Heights</u> Building H = 28 storeys Building I = 3-8 storeys Building J = 3-8 storeys</td><td><u>Heights</u> Building H = 28 storeys (inc. rooftop) Building I = 6 storeys Building J = 9 storeys <i>The above heights are including podium levels. Heights must be taken from the street under the DCP</i></td><td>Yes Yes No</td></tr><tr><td>Max Length 65m</td><td>Building G = 31m Building I = 41m Building J = 65m</td><td>Yes</td></tr><tr><td>>30m bldg. separated or significant recess/project</td><td>Articulated walls</td><td>Yes</td></tr></table>	Requirement	Proposed	Comply	Perimeter block building forms generally encircle a central communal open space	Communal open space on Level 3 is generally encircled by the buildings	Yes	Buildings to provide for visual connections between streets and communal open spaces	Visual connections are provided to all directional aspects on the podium	Yes	Perimeter block & podia consistent in height	2 storey podia proposed – consistent with adjoining	Yes	Alignment with street	Building J is not aligned/oriented with street	No	<u>Heights</u> Building H = 28 storeys Building I = 3-8 storeys Building J = 3-8 storeys	<u>Heights</u> Building H = 28 storeys (inc. rooftop) Building I = 6 storeys Building J = 9 storeys <i>The above heights are including podium levels. Heights must be taken from the street under the DCP</i>	Yes Yes No	Max Length 65m	Building G = 31m Building I = 41m Building J = 65m	Yes	>30m bldg. separated or significant recess/project	Articulated walls	Yes
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>30m bldg. separated or significant recess/project	Articulated walls	Yes																							
	Discussion on non-compliance/s: Building Alignment. Building J is not aligned with the street. Considerable discussion was undertaken during DEAP deliberations on this matter, particularly with respect to the ground plane design aspects. Following a study of alternate compliant options, it was agreed that the alignment of the townhouses was considered acceptable given they have been articulated to reinforce the streetscape and provide fine grain detailing that creates visual interest and variety along the public domain.																								

Requirement	Comment															
	<div></div> <div>Photomontage of ground floor townhouses</div> <p>Height Controls. The proposed development exceeds the height controls within the DCP by 1 storey on Building J however the building is still compliant with the maximum height controls within Auburn LEP 2010. The proposed distribution of height still conforms to the desired character of low-rise, mid-rise and tower form of development and it is considered that the proposed distribution of heights remains consistent with the urban design vision for the site as expressed in the DCP. Furthermore, the proposal meets the objective for building height to create a visually interesting, modulated skyline comprised of perimeter block development supported by a small number of taller towers.</p> <p>These non-compliances were considered by DEAP and found to be acceptable.</p> <table><tr><th>Requirement</th><th>Proposed</th><th>Comply</th></tr><tr><td>Tower Building</td><td>Tower Building</td><td></td></tr><tr><td>28 storey (NW location)</td><td>28 storey (NW location)</td><td>Yes</td></tr><tr><td>Max footprint = 750m²</td><td>Building H (tower) = 790m²</td><td>No</td></tr><tr><td>Tower façade length = 50m (max)</td><td>Building H = 43m (inc. balconies)</td><td>Yes</td></tr></table> <p>Maximum Footprint. The tower exceeds the maximum footprint by approximately 40m². This is a minor non-compliance only and does not adversely impact upon the bulk and scale of the development, or the internal amenity afforded to future occupants of the site. This non-compliance was considered by DEAP and found to be acceptable.</p>	Requirement	Proposed	Comply	Tower Building	Tower Building		28 storey (NW location)	28 storey (NW location)	Yes	Max footprint = 750m ²	Building H (tower) = 790m ²	No	Tower façade length = 50m (max)	Building H = 43m (inc. balconies)	Yes
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Requirement	Comment		
	Setbacks and Public Domain Interface		
	Requirement	Proposed	Comply
	Other = 3-5m	Podia Minimum 3m achieved Above Podia Minimum 3m achieved	Yes
	Tower above podium Setback 6m from boundary	Encroachments into 6m setback on Building H (up to 3m)	No
	Outermost building projections = 3-5m (600mm projection permitted for articulation)	Significant balcony projections on Level 1	In part
	Above ground car-parking to be suitably sleeved with active frontages	All above ground parking is appropriately sleeved with residential uses	Yes
	Building setbacks to Sydney Olympic Park, Parklands are to be generally in accordance with Figure 15 and enable emergency vehicle access and incorporate landscaping to reduce the visual impact of buildings	Building setbacks and local roads have been designed generally in accordance with the DCP requirements	Yes
	Residential uses at ground level to have main entry from street at grade or raised 600mm	Ground floor apartments have direct access from the street. Levels comply for the majority of apartments except along the eastern elevation (6 units) – which are raised up to 0.9m	In part
	Discussion on non-compliance/s:		
	<p>Setback Variations/Projections. There are encroachments with balcony projections on the ground floor to accommodate adequate private open space for the ground floor apartments. Under the DCP, partial variations may be considered to enable an improved architectural outcome and to provide visual interest in the façade. These encroachments are considered acceptable as they are only on the ground floor, and there has been appropriate design integration with the adjoining public domain.</p> <p>Height Above Ground. Some of the apartments located along the eastern elevation are up to 0.9m above finished street level. This is mainly due to the finished fall of the land to accommodate parking above natural ground level. The treatment of this interface with the street includes designer finished blockwork and terraced landscaping to minimise impacts on the streetscape. Direct access is maintained</p>		

Requirement	Comment
	<p>to these dwellings from the street. Council's DEAP considered this issue and concluded that the height above street level was acceptable given the treatment proposed.</p>
	<p>Private Open Space</p> <ul style="list-style-type: none"> • The proposed development provides for balconies in accordance with the ADG requirements. • The proposal provides communal open space which exceeds the ADG and DCP requirements. The common open space areas are distributed across the site and includes a large podium communal open space (containing central lawn, kids nature play, pool facilities) and rooftop terrace on Building H (containing pool and outdoor kitchen/BBQ & dining pods) • The common open space areas will include soft landscaping and will provide a high level of amenity for the dwellings and will have a high standard of finish and design. The common open space areas will receive adequate levels of solar access and air flow and have a high level of amenity.
	<p>Deep Soil Zones and Landscaping</p> <ul style="list-style-type: none"> • It is noted in the DCP that the opportunities for providing deep soil are limited. • Deep soil is provided within the road in accordance with Figure 16 of the DCP. <div data-bbox="497 1059 1377 1574" data-label="Image"> </div> <p>DCP Figure 16 - Deep Soil and Street Planting</p> <ul style="list-style-type: none"> • Appropriate soil volumes have been provided on structures to optimise landscaping within the site.
	<p>Building Design and Materials</p> <ul style="list-style-type: none"> • The proposed development provides for a varied and well articulated built form with varying heights to create a visual interest, whilst maximising amenity through appropriate separation distances and access to sunlight. • The application was considered by the Design Excellence Advisory Panel who are satisfied that the development achieves the design principles of SEPP 65.

Requirement	Comment																										
	<p>Wind Effects</p> <ul style="list-style-type: none">A Wind Effects report was submitted with the application which concludes that wind conditions at the site will be compliant with the relevant safety and comfort criterion. As previously discussed within this report, Council's Wind consultant has raised issues with the insufficient number of testing points selected for the wind tunnel testing however does not raise any significant issues subject to further testing being carried out for the site. It is considered that additional testing would provide greater certainty for pedestrian comfort levels and is unlikely to result in any significant changes to the building design. The wind consultant is satisfied that the additional testing may be carried out post determination.																										
	<p>Vehicular Access and Car Parking</p> <ul style="list-style-type: none">Car parking is provided in accordance with the DCP requirements as follows: <table><tr><th>Dwelling Type</th><th>Required</th><th>Proposed</th><th>Comply</th></tr><tr><td>Studio (1.0)</td><td>Nil</td><td>Nil</td><td>N/A</td></tr><tr><td>1 bedroom (1.0)</td><td>126</td><td rowspan="3">Not stated</td><td>•</td></tr><tr><td>2 bedroom (1.1)</td><td>207.9 (208)</td><td>•</td></tr><tr><td>3 bedroom or greater (2.0)</td><td>16</td><td>•</td></tr><tr><td>TOTAL RESIDENTIAL</td><td>350</td><td>380</td><td>Yes</td></tr><tr><td>Visitors (0.1)</td><td>32.3 (33)</td><td>33</td><td>Yes</td></tr></table> <ul style="list-style-type: none">Car parking is not permitted underneath the streets (except for shareways). The proposed development does not provides for any parking under the streets and it is entirely contained within the development block.A loading dock has been provided on the southern side of the building with satisfactory access for Council waste collection vehicles. It is considered that a loading dock management plan should be prepared to allow for resident use of this area for removalist vans and the like. This requirement is contained within Attachment B of this report.On-street parking spaces are provided on both sides of Western Road 1, Southern Road 1, Central Road and Foreshore BoulevardThe application provides for 2 car share spaces on the street. A covenant is to be registered with the subdivision plan advising of the car share parking spaces and is to include provisions that the car share parking spaces cannot be revoked or modified without prior approval of Council.Although not required by the DCP, 2 x electric vehicle visitor parking spaces have been providedA Travel Access Guide approved by Council prior to occupation is to be made available to residents and non-residential tenants of development.	Dwelling Type	Required	Proposed	Comply	Studio (1.0)	Nil	Nil	N/A	1 bedroom (1.0)	126	Not stated	•	2 bedroom (1.1)	207.9 (208)	•	3 bedroom or greater (2.0)	16	•	TOTAL RESIDENTIAL	350	380	Yes	Visitors (0.1)	32.3 (33)	33	Yes
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Visitors (0.1)	32.3 (33)	33	Yes																								
	<p>Safety and Security</p> <ul style="list-style-type: none">The buildings have been designed to maximise opportunities for casual surveillance of the public and communal domain and building entries are clearly visible and identifiable from the street.A Crime Risk Assessment and Security Management Plan was submitted with the application. This report identifies opportunities for crime and mitigation and management strategies to avoid situational crime. A list of recommendations is provided, including the following:																										

Requirement	Comment
	<ul style="list-style-type: none"> - Introduction of way finding signage to reinforce legibility - Provision of appropriate lighting within the area - Provision of restricted electronic access to secure gates of the car park - Provision of an intercom and restricted electronic access to secure residential lobbies - Ensure a prompt response to environmental maintenance is prioritised in maintenance procedures <p>Appropriate conditions requiring compliance with the recommendations of the CPTED report are included in Attachment B.</p>
	<p>Adaptable Housing</p> <ul style="list-style-type: none"> • The development provides for a sufficient proportion of dwellings that include accessible layouts and features to accommodate changing requirements of residents.
Section 5.0 Sustainability and Environmental Management	<p>Sustainability</p> <ul style="list-style-type: none"> • The application complies with Basix requirements and aims to include energy efficient fixtures and fittings. • Dual reticulation has been included as part of the proposed development. It is noted that the WRAMS infrastructure has already been provided along Hill Road and is easily accessible by the subject site. • A waste storage room and loading dock for waste collection has been provided on the ground floor. Council's Waste Management Officer has reviewed the application and raises no concerns with the waste facility subject to standard conditions of consent. <p>Water Management</p> <ul style="list-style-type: none"> • The DCP requires that future development incorporate water management measures. The proposed development drainage solution includes water sensitive urban design measures such as rainwater tanks and bio-retention gardens. <p>Ecology</p> <ul style="list-style-type: none"> • The objectives of the section of the DCP are to ensure that development does not impact on the ecological values of the adjoining Newington Nature Reserve and Homebush Bay and to protect and enhance the ecological values of the precinct. • An ecological report was submitted with the application which contains recommendations to ensure the development has a minimal and acceptable impact on local ecology (for example, minimising sedimentation and stormwater impacts during construction). • Council's Biodiversity Officer has reviewed the report and raises no objections to the proposal subject to the imposition of appropriate conditions.

5.2 Auburn Development Control Plan 2010

The relevant requirements and objectives of this DCP have been considered in the following assessment table.

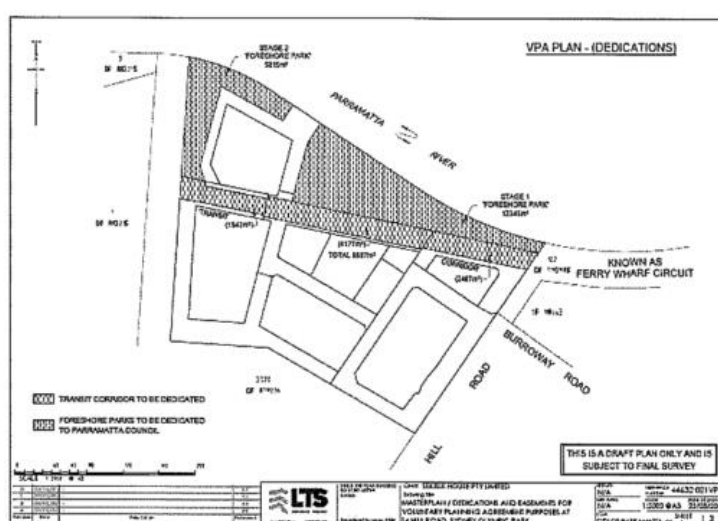
The majority of controls for this proposal are contained within the ADG or the WPPDCP. The following controls would however also apply to this application.

PARAMETER	DESIGN CRITERIA	PROPOSAL	COMPLIANCE
Bicycle Spaces	Required to be provided although no specific rates Recommend (CoP) 1/2 units = 162 spaces	162 spaces	Yes
Adaptable Units	10% of apartments = 33	33 apartments	Yes

6. Planning Agreements

The proposed development is subject to a planning agreement entered into under Section 7.4 of the EPA Act. The planning agreement primarily includes the following:

- Construction and dedication of a foreshore park
- Construction and dedication of a transit corridor (potential future PLR route).



VPA – Annexure B – Plan Showing Dedication Land

Part of the proposal incorporates the design and construction of a section of road which is part of the transit corridor. Any consent granted should incorporate a condition regarding compliance with this planning agreement.

7. Environmental Planning and Assessment Regulation 2000

Applicable Regulation considerations including compliance with the Building Code of Australia, PCA appointment, notice of commencement of works, sign on work sites, critical stage inspections and records of inspection are addressed as part of recommended conditions of consent.

8. Likely Impacts

The likely impacts of the development have been discussed within this report and it is considered that the impacts are consistent with those that are to be expected given the applicable planning framework and previous approvals on the site. The impacts that arise are acceptable, subject to the imposition of appropriate conditions.

9. Site Suitability

The potential constraints of the site have been assessed and it is considered that the site is suitable for the proposed development.

10. Public Interest

10.1 Central City District Plan

This *Central City District Plan* is a 20-year plan to manage growth in the context of economic, social and environmental matters to achieve the 40-year vision of Greater Sydney. It is a guide for implementing the Greater Sydney Region Plan, *A Metropolis of Three Cities*, at a district level and is a bridge between regional and local planning.

The 10 directions of the plan comprise the following:

- Infrastructure supporting new developments
- Working together to grow a Greater Sydney
- Celebrating diversity and putting people at the heart of planning
- Giving people housing choices
- Designing places for people
- Developing a more accessible and walkable city
- Creating the conditions for a stronger economy
- Valuing green spaces and landscape
- Using resources wisely
- Adapting to a changing world.

This application is consistent with the directions and priorities of the Central City District Plan.

10.2 Public Submissions

The application was notified and advertised in accordance with Appendix 1 (Consolidated Notification Requirements) of Council's Community Engagement Strategy as follows:

14 July to 4 August 2021	Notification of the application when submitted
26 August to 23 September 2021	The application was re-notified to correct an error in the original property description

In response to the exhibition periods, 7 submissions (from 5 households) were received being the following:

- 6 x proforma submissions – all objecting to Tower R which is contained on Sub-Precinct 6 (DA/624/2021) and not related to the subject application
- 1 x individual objection.

All objections are from residents and/or owners from within the Phase 1 development on the site.

The issues raised within the submissions are discussed in the table below.

Issue Raised	Planning Comment
Tower R Opposition is raised to the proposed Tower R for reasons including potential	Tower R is contained within Sub-Precinct 6 (DA/624/2021) and does not form part of the subject application. This

structural damage, view loss, overshadowing, restriction of access to the foreshore and traffic.	issue is not relevant to the assessment of the subject application.
Tower Development Opposition to 40/50 storey towers due to the impacts on the riverbank and potential structural damage to the buildings and the area.	<p>This objection appears to be a concern in general for this precinct. The proposed application contains a tower that is 28 storeys in height. There are no 50 storey buildings proposed within the precinct.</p> <p>The applicant will be required to construct the buildings in accordance with the BCA and construction code requirements, addressing structural engineering compliance for the development site.</p>
Traffic Concern is raised with the increased traffic as a result of the application.	Council's Traffic Officer has reviewed the application in detail. It is noted that the Transport Assessment report submitted with the application estimated the traffic generation for the proposed development based on 317 units however 323 units are proposed. Based on the traffic generation rates used in the report, 323 units will result in 59 vtpm and 72 vtpm during the morning and afternoon peak periods respectively. The generation of additional vehicle trips during weekday peak hours by the proposed development is consistent with the anticipated development of the area and is not expected to have a significant traffic impact on the surrounding road networks.
Impact on Public Area Concern is raised that the proposed development will remove open space for residents	The proposed development is to be located on a development lot identified within the Auburn LEP maps and within the Wentworth Point Precinct DCP. The development will not be removing an public accessible open space. The masterplan for the site seeks to increase the publicly accessible open space by providing a neighbourhood park and foreshore park.
Loss of Views Concern is raised that the proposed development will block views.	<p>No address details were provided by the objector so exact impacts on their view loss cannot be determined.</p> <p>Given the recent planning proposal and DCP amendments for development upon the site, some view loss is inevitable as development across the site would be anticipated.</p> <p>The applicant has prepared a view analysis across the site which identifies unobstructed views from the mid rise component of the existing Stage 1 development on the site. The analysis indicates that apartments on all aspects of the Stage 1 building from the mid rise range up will maintain substantial views.</p>



AMENDED PLANS

Yes

Summary of amendments

The plans were amended with minor modifications to address DEAP comments.

Amended Plans re-advertised or re notified

No

Reason amendments not renotified

In accordance with Appendix 1 (Consolidated Notification Requirements) of Council's Community Engagement Strategy, the application did not require re-notification as the amended application is considered to be substantially the same development and does not result in a greater environmental impact.

10.3 Conclusion

Having regard to the assessment within this report, the proposal is considered to be in the public interest for the following reasons:

- The proposal is in accordance with the type of development envisaged for the site under Auburn LEP 2010 and the Wentworth Point Precinct DCP 2014
- The proposal will contribute to the overall housing supply of the local government area
- The proposal does not result in any unreasonable environmental impacts and provides for an acceptable architectural and urban design outcome.

11. Disclosure of Political Donations and Gifts

No disclosures of any political donations or gifts have been declared by the applicant or any organisation / persons that have made submissions in respect to the proposed development.

12. Development Contributions and Bonds

12.1 Development Contributions

The development contributions required for the proposed development fall under Clause 7.10 of the Voluntary Planning Agreement. In this regard, contributions will be payable in accordance with the Auburn Development Contributions Plan 2007 (Amendment 1) which is contained within Annexure F of the VPA.

The contributions payable are based upon the following unit mix:

- 126 x 1 bedroom apartments
- 189 x 2 bedroom apartments
- 8 x 3 bedroom apartments

The contributions payable are as follows:

Works	DA/587/2021 - Contribution Amount
Open Space (HBW)	\$ 717,716.05
Community Facilities (HBW)	\$ 401,772.25
Traffic Management (HBW)	\$ 297,084.85
Plan Administration (HBW)	\$ 104,687.40
Total Contributions Payable	\$ 1,521,260.55

This figure is subject to the consumer price index and will be imposed under the subject application.

12.2 Development Bonds

A development bond will be payable to Council for the protection of the adjacent road pavement and public assets during construction works. The development bond will be imposed in accordance with Council's Schedule of Fees and Charges 2021/2022 as follows:

Section	Type	Amount
Section 9.43	Residential Class 2 for works valued over \$1,000,000	\$25,750.00

13. Conclusion

The application has been assessed relative to Section 4.15 of the Environmental Planning and Assessment Act 1979, taking into consideration all relevant state and local planning controls. On balance the proposal has demonstrated a satisfactory response to the objectives and controls of the applicable planning framework.

The proposed development is appropriately located within a locality earmarked for high-density residential redevelopment, however some variations (as detailed within the report) in relation to Apartment Design Guide and the Wentworth Point Precinct DCP are sought.

Having regard to the assessment of the proposal from a merit perspective, Council officers

are satisfied that the development has been responsibly designed and provides for acceptable levels of amenity for future residents. It is considered that the proposal successfully minimises adverse impacts on the amenity of neighbouring properties. Hence the development is consistent with the intentions of the relevant planning controls and represents a form of development contemplated by the relevant statutory and non-statutory controls applying to the land.

The application is recommended for approval subject to the imposition of appropriate conditions.

Reasons for Approval

Having regard to the assessment within this report, the proposal is considered to be suitable for approval for the following reasons:

- The proposal is in accordance with the type of development envisaged for the site under Auburn Local Environmental Plan 2010
- The proposal will contribute to the overall housing supply of the local government area
- The proposal does not result in any unreasonable environmental impacts and provides for a high quality architectural and urban design outcome.
- For the reasons given above, approval of the application is in the public interest.

14. Recommendation

That the Sydney Central City Planning Panel, as the determining authority, grant consent to Development Application No. DA/587/2021 for the development of proposed Sub-Precinct 3 comprising subdivision into 6 lots, remediation, construction of roads and pocket park, and construction a residential flat development (3/6/9/28 storeys) containing 323 apartments on land at 14-16 Hill Road, Sydney Olympic Park for a period of five (5) years from the date on the Notice of Determination for physical commencement to occur subject to the conditions contained within **Attachment B**.