

COUNCIL ASSESSMENT REPORT

Panel Reference	PPSSCC-266
DA Number	DA/588/2021 PAN-110072
LGA	City of Parramatta Council
Proposed Development	Development of proposed Sub-Precinct 5 and part Sub-Precinct 6 comprising subdivision into 5 lots, remediation, construction of roads, construction of two residential flat buildings (8 storey and 13 storey) 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.
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	3 submissions (2 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	29 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

Summary

This report considers a proposal for the development of proposed Sub-Precinct 5 and part Sub-Precinct 6 comprising subdivision into 5 lots, remediation, construction of roads, construction of two residential flat buildings (8 storey and 5/13 storey) 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 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, a design workshop and a desktop review have been held between the applicant and DEAP.</p> <p>The DEAP final report notes general support of the proposal in its current form with caveats that require further consideration. It is considered that the matters raised within the report may be either justified or modified through conditions of consent. This is discussed in more detail within the report.</p>
Wentworth Point Precinct DCP	<p>Non-compliances with the Wentworth Point DCP – including building alignment, setback variations/projections and height above ground. 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>

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.

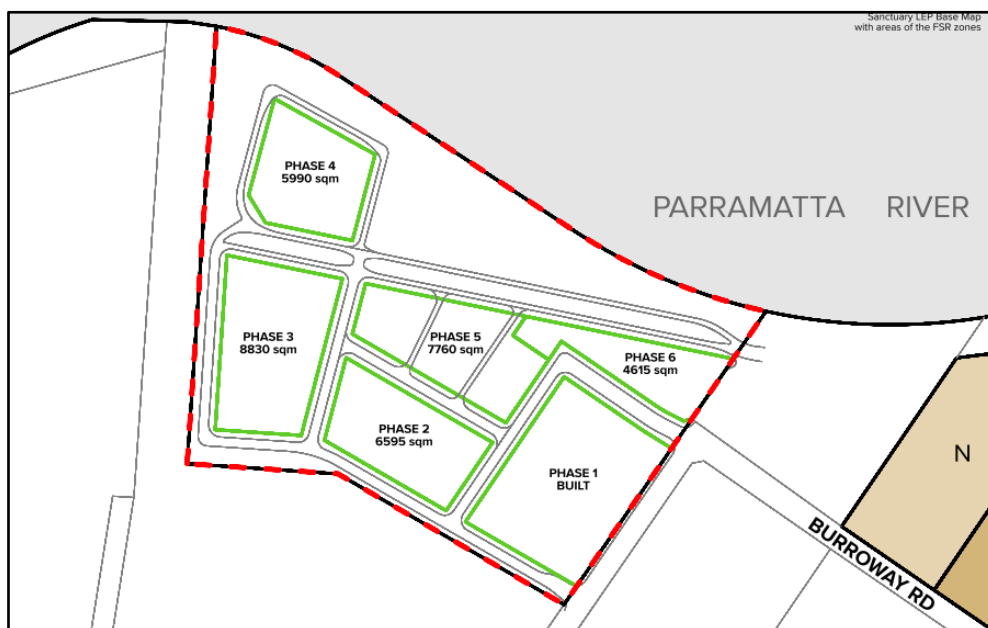
The VPA has been executed and registered on the land title.

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.
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 and part Sub-Precinct 6 comprising subdivision into 5 lots, remediation, construction of roads, construction of two residential flat buildings (8 storey and 5/13 storey) 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. This is the subject development application.
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.

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>

5. The Proposal

The subject application is for the Phase 2 development of the site which is located on Sub-Precinct 5 and part of Sub-Precinct 6. The proposal will occur within superlot 3 which was created upon the registration of the approved plan of subdivision under Development Consent DA/763/2017 for Phase 1 of the site.



Sub-Precincts reflected in the LEP and DCP



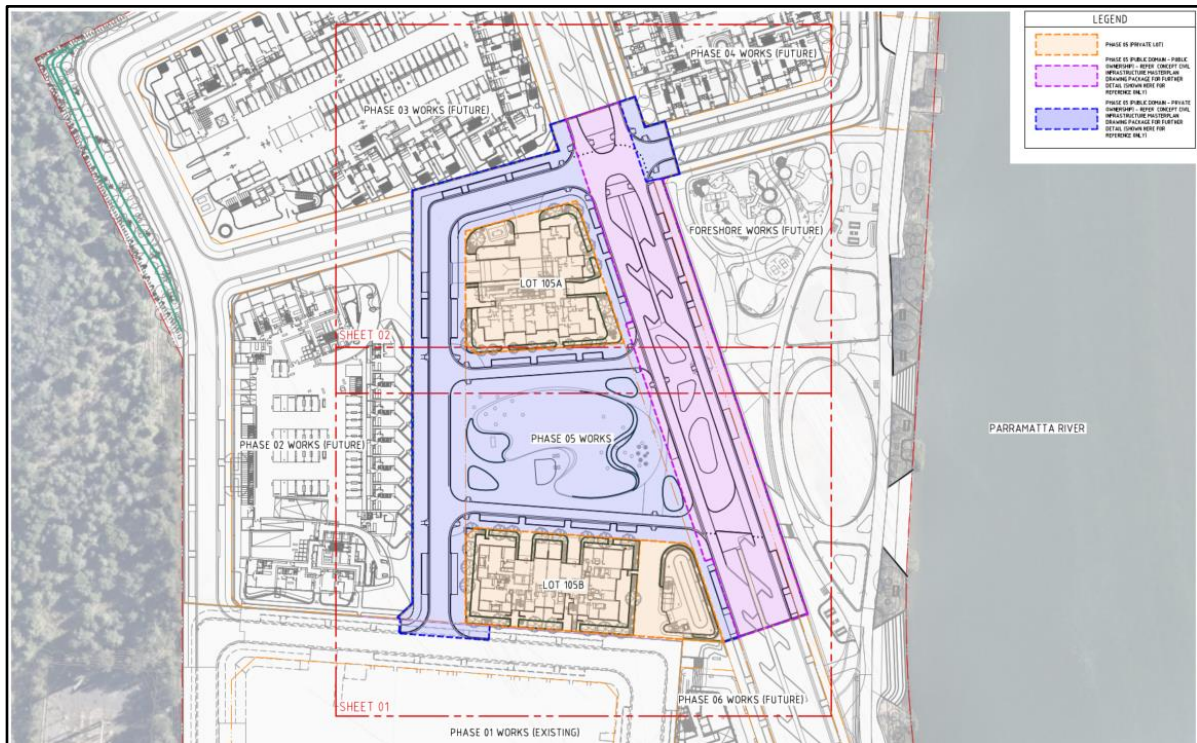
Phase 2 location outlined in red

Consent is sought for the following:

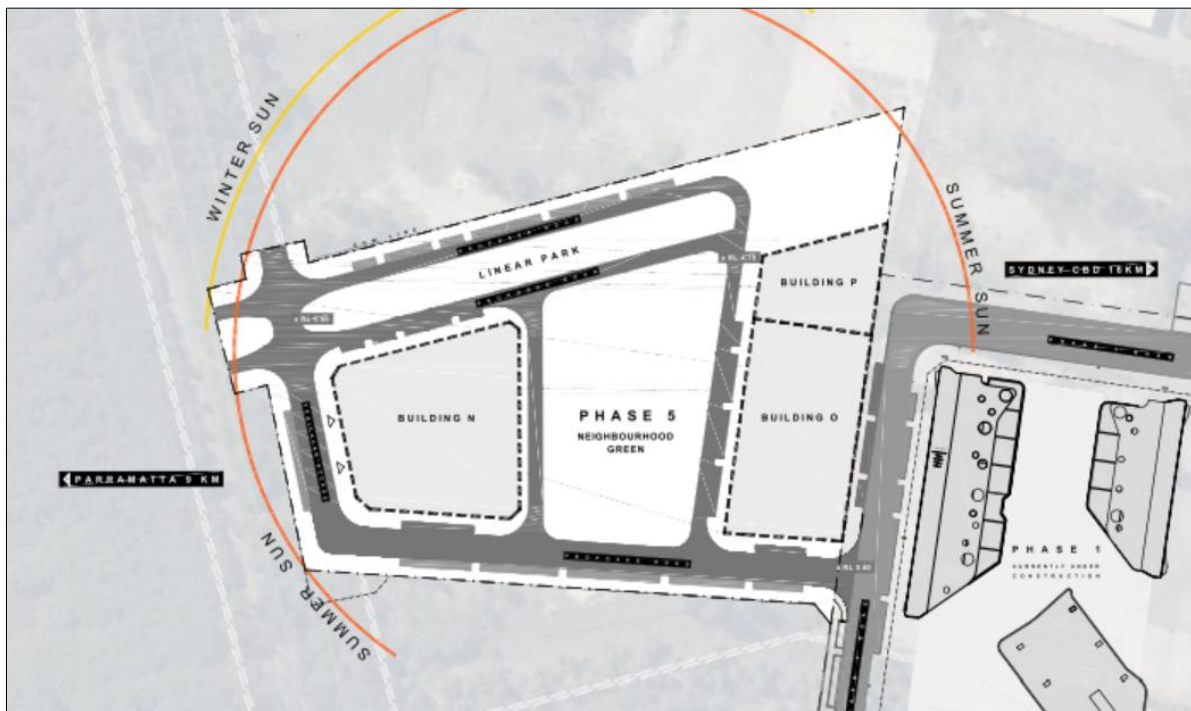
- Subdivision of superlot 3 into community title subdivision of the site into 5 allotments representing the new portions of community titled road, the sites containing the two buildings and the semi-basement car park, the site contained the two storey building and surrounds, a future road allotment to be transferred to Council, and the remaining superlot.
- Remediation works.
- A new perimeter road which connects to the road previously constructed during Phase 1. The southern road and western road will remain in private ownership with public access secured on title, however, the northern road will be created on separate title to facilitate dedication to Council in the future.
- A single semi-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), which contains 223 car parking spaces. The entry to the semi-basement level is from the southern road.
- Two north-south minor roads divide the site into four parcels with:
 - Building N (residential) located to the west. This is a 13 storey building containing 101 apartments
 - Building P (gym) located at the northern end. This is a 2 storey building which contains a gym including a swimming pool on the ground floor for use by the residents within the development
 - Building O (residential) located to the east. This is an 8 storey building containing 70 apartments
 - A large publicly accessible park referred to as the 'Neighbourhood Green' located within the central parcel. This is a 3150m² publicly accessible park

within the centre of the site which contains a variety of spaces including a civic plaza at the northern end, a central north-south water spine feature, a communal dining space, and lawn areas.

Cost of Works = \$85,800,000



Proposed extent of works and delineation between the development site/future road ownership



Phase 2 – Buildings N/O/P and including linear park and neighbourhood green



Photomontage – southern view of the proposed buildings from Foreshore Boulevard



Photomontages of Building P&O (left) and Building N (right)

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.

recreation area means a place used for outdoor recreation that is normally open to the public, and includes—

- (a) a children's playground, or
- (b) an area used for community sporting activities, or

(c) a public park, reserve or garden or the like, and any ancillary buildings, but does not include a recreation facility (indoor), recreation facility (major) or recreation facility (outdoor).

These uses are 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:	3 submissions (from 2 households)
Issues raised in submissions:	Height of Tower R (SP6), view loss, traffic generation, construction quality and impacts on public areas

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?	Yes

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 noted that requirements in this regard are addressed in the VPA, with parklands to be dedicated to Council.	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 development application which is currently under assessment.
Staging: The Panel was advised of the proposed staging of the development and phasing of DA's for determination, noting that	The subdivision and infrastructure DA (DA/586/2021)

<p>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>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:</p> <p>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:</p> <p>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>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.</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 the wind conditions for safety and comfort within this sub-precinct are considered acceptable.</p> <p>Landscaping of the site and the public domain has been</p>

	considered by DEAP, Urban Design and Council's Tree and Landscape Officer, and is found to be satisfactory.
<p>Site contamination:</p> <p>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.</p>	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.
<p>Procedural matters going forward:</p> <p>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.</p> <p>The Chair requested that insofar as possible the same Panel members as participated in this briefing should be party to the determination.</p>	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/588/2021 subject to the conditions contained within **Attachment B** of the Assessment Report.

ATTACHMENT A - PLANNING ASSESSMENT

SCCPP Reference:	PPSSCC-266
DA No:	DA/588/2021 PAN-110072
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 63 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>Given the location of this sub-precinct and the lower heights of the buildings compared with other development across the site, there is no overshadowing onto SOPA lands as a result of this development.</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. This site does not adjoin the southern boundary.</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 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.</td></tr> <tr> <td>Landscape planting</td><td>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 domain team and landscape officer and found to be satisfactory.</td></tr> <tr> <td>Urban design</td><td>Consideration should be given to the interface between the proposed perimeter roads and the</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	Given the location of this sub-precinct and the lower heights of the buildings compared with other development across the site, there is no overshadowing onto SOPA lands as a result of this development.	Contaminated land	SOPA requested a 3m easement along the southern boundary for maintenance access to the leachate drains on SOPA land. This site does not adjoin the southern boundary.	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 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
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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. This site does not adjoin the southern boundary.														
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 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. The perimeter road of this site does not adjoin the SOPA lands.
	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 reviewed the application and advises that the wind conditions for safety and comfort within this sub-precinct are considered acceptable. It is noted that there is one problematic testing point located to the south within Sub-Precinct 2, however this will be addressed through the additional testing required for the development at Sub-Precinct 2.	
DEAP	The application was referred to the Design Excellence Advisory Panel (DEAP). Issues raised by DEAP have been addressed and outstanding design issues may be addressed through appropriate conditions of consent. 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 of consent.	
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 Civil Assets team have reviewed the application and raise no significant issues with the proposal. Conditions regarding design and construction have been incorporated within the recommendation section of the report.	
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 a basement level at RL1.20 and RL2.00. The Geotechnical Report submitted with the application identified groundwater seepage at RL1.4 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 Sydney Harbour Catchment	<p>This chapter of the policy applies to all of the City of Parramatta local government area. It aims to establish a 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>

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. Sub-Precinct 5 is not affected by this map.</p>

	<p>Notwithstanding the above, it is noted that 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 which assesses the likely impacts of the proposed development on the values of this area.</p> <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"> • Various metal, hydrocarbons and asbestos within the soil • Groundwater contaminants including chemical compounds, hydrocarbons, total recoverable hydrocarbons • Ground gas contaminants including methane, carbon dioxide/monoxide and hydrogen sulfide. <p>The source of contaminants is a result of the historic use of the area and includes, importation of unknown fill, storage and use of petroleum based products (oils, fuels, lubricants), weathering of structures containing hazardous materials and migration of mobile ground contaminants (on site and off site).</p> <p>The site remediation works will include (though not necessarily be limited to):</p> <ul style="list-style-type: none"> • Localised excavation of known impacted areas • Establishing location and removal of the UST • Disposal of excavated landfill • Implementation of a vapour barrier in the building development • Cap and contain contingency option for management of asbestos impacted soils.

	<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 (15.10.2021) Revised Remediation Action Plan, Sanctuary Phase 5, 14-16 Hill Road, Wentworth Point, NSW. Report E24361.E06_Rev5) 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
<p>Chapter 2 Infrastructure</p> <p>Development likely to affect electricity transmission or distribution networks</p> <p>Development Adjacent to Rail Corridors</p>	<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.</p> <p>Ausgrid were notified of the proposed development and have advised that no objections are raised. No conditions have been recommended.</p> <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</p>

	<p>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.</p> <p>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 (in its entirety) 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 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>26 apartments</td><td>15%</td></tr><tr><td>2 bedroom</td><td>134 apartments</td><td>78%</td></tr><tr><td>3 bedroom</td><td>11 apartments</td><td>7%</td></tr></table> <p>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 throughout the precinct are capable of being amalgamated to provide larger units should the market demand this type of accommodation. It is noted that DEAP supports the proposal in terms of unit mix and layouts.</p>	Bedroom Size	Number	% of Apartments	1 bedroom	26 apartments	15%	2 bedroom	134 apartments	78%	3 bedroom	11 apartments	7%
Bedroom Size	Number	% of Apartments											
1 bedroom	26 apartments	15%											
2 bedroom	134 apartments	78%											
3 bedroom	11 apartments	7%											
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, subject to some design modifications that may be resolved through conditions of consent.												

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			Buildings do not have any communal open space. The proposal relies on the provision of the neighbourhood park. No internal communal facilities have been provided.	No However a large neighbourhood park is located between the buildings and the ADG recognises that “some communal open space is accessible and usable by the general public.” It is also noted that communal facilities (such as the pool and gym) are contained within Building P.
	Min 50% of the communal open space is to receive 2 hours direct sunlight between 9.00am and 3.00pm on June 21			N/A – see above.	No See above. The neighbourhood park will receive ample solar access.
Deep soil zone	7% of the overall site area Minimum dimension of 6m required			Nil No deep soil is provided across the entire site (including beneath the neighbourhood green)	No However soil depths on slab are acceptable and can maintain appropriate landscaping
Building Separation				<u>To adjoining properties</u>	Yes Yes
	Building Height	Habitable rooms and balconies	Non-habitable rooms	Approx 24m between Building O to Building C (Phase 1)	
	up to 12m (4 storeys)	12m	6m	<u>Within the development</u>	
	up to 25m (5-8 storeys)	18m	9m	Approx 63m between Building N and Building O (balcony-balcony)	
Solar Access					No Yes Yes – the combined compliance is considered acceptable Yes Yes Yes
	over 25m (9+ storeys)	24m	12m	Building N = 64 (63.4%) Building O = 56 (80%) Combined = 120 (70%)	
				Building N = 12 (12%) Building O = 8 (11%) Combined = 20 (12%)	
Cross Ventilation	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			Building N = 50 (65%) Building O = 48 (68.5%) Combined = 98 (67%)	Yes
	A maximum of 15% of apartments are permitted to receive no direct sunlight between 9.00am and 3.00pm midwinter.			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 – 35m ² 1 bd – 50m ² 2 bd – 70m ² 3 bd – 90m ² (note: minimum internal size increases by 5m ² for additional bathrooms, 10m ² for 4 + bedroom)	Complies	Yes
	All rooms to have a window in an external wall with a total minimum glass area not less than 10% of the floor area of the room.	Appears to comply	Yes
	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.	Maximum 8m	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	Yes
Circulation	Maximum 8 apartments per level	Building N = 6-9 apartments (2 x lifts) Building O = 2 x lift cores = 4/5 apartments per lift core	In part (up to L2 complies) Minor non-compliance Yes
Storage	1bd – 6m ³ 2bd – 8m ³ 3bd – 10m ³	Internal and basement storage (171 cages) provided for each apartment	Yes


Parramatta Design Excellence Advisory Panel (DEAP)

The application was considered by the DEAP as follows:

19 August 2021
22 October 2021
22 November
29 March 2022

DEAP meeting
DEAP-Sekisui workshop
Desktop consideration of amended plans
Final DEAP meeting (remote)

The DEAP final report generally supports the proposal in its current form with caveats that require further consideration. 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. However it is noted that sufficient technical and design detail of on public realm pavements, street furniture and public realm planting that the Panel has a level of comfort that extinguishes many of the previous concerns.	Council's Urban Design team have assessed the public domain plans and are satisfied that the civic quality of the precinct is of an acceptable standard.	Nil
Concerns were raised that the important public interface still needs to be resolved in terms of levels and public/private residential interface and additional sections should be provided.	Adequate sections and graphics were provided that present an acceptable response to the interface concerns.  Building N interface with Foreshore Boulevard	Nil
A further development of a refined facade screening was previously recommended, and this is not evident in the current package. The southern elevation presents a dark expanse of painted wall with a lonely single window for relief, this should be reconsidered.	The applicant has responded that the facade screen is a simple concept being a bronze vertical metal batten screen applied to selected areas of the façade. The southern elevation of Building N as a wholistic consideration is a slim and dynamic façade, and there is no "expanse" of painted wall, with this being but one element of the overall façade. The description of a "lonely" window is an unnecessary exaggeration and Building N has been designed to be viewed in the round and presents as a highly considered and acceptable façade solution. The applicant response is considered reasonable and no further amendments are considered necessary.	Nil
For the main entry awning canopies it was noted that these should be placed higher at $\frac{3}{4}$ height of the opening, and the need for columns on such a small structure was questioned – a more open entry would be better.	The Building O entry cannot accommodate a higher entry due to an apartment located at level 2 and it is unreasonable to require removal of this apartment to achievement this outcome. The Building N entry awning canopy is already at a $\frac{3}{4}$ height.	Nil
While it was appreciated further redesign of Building P had improved the spatial interface at the plaza space between buildings P&O, this is still not considered an optimum built form outcome. This could be improved by repeating the lower awning around the Level 1	A condition of consent has been included within the Recommendation section of this report requiring further minor amendments to Building P, including:	Condition

<p>window head that would also help reduce solar impacts, and a more unified roof over the terrace following the cue of Building G in SP3.</p> <p>Building P still has significant design issues, and the Panel does not support the latest iteration of this important and pivotal building. While modest in size this is a communal facility that should be considered as part of a family of smaller structures with the Village Green pavilion and Bldg G on the south-east corner of SP3 - both having an expression that is more coherent helped by their strong roof expression as unifying elements. It is recommended that this building take design cues from both these.</p> <p>Greater consideration is required for how this communal facility might function with the possibility of a more lightweight, operable façade to the pool area that could open up for sections during favourable weather, and the southern support structures unified as anchoring elements. The currently proposed expanse of blank eastern wall seems a lost opportunity and could be utilised for an integrated artwork as a coherent part of arts plan or be considered for an appropriate landscape treatment.</p>	<ul style="list-style-type: none"> • The addition of an awning on Level 1 • Redesign of the roof to provide a stronger expression • Further detailing of the blank eastern wall. 	
<p>It was noted that areas for p/v solar panels are shown on roof plans, but the extent of them 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>Further detail is still required on whether batten screens shown will provide solar control to ameliorate the impacts of low western sun on both Buildings N and O.</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
<p>The Proponent demonstrates on plan and section the compliance with ADG soil depths in the majority of landscape areas. The only area of non-compliance that could be improved with greater coordination with the consulting engineers and further subsurface tree pit/vault design occurs in the tree pits on Mangrove and Saltbush Streets that border the Neighbourhood Green and buildings N & O.</p> <p>As proposed the tree pits on Mangrove & Saltbush Streets on the building side indicate soil depths of 750-650mm due to the</p>	<p>The concern in regard to soil volumes may be reasonably addressed through design development and required through a condition of consent.</p>	Condition

<p>basement underneath the Neighbourhood Green refer to Section E-E 604 and Plan # 701 C. The Panel recommends the Proponent explore the opportunity to gain greater volume in these situations with extending the proposed proprietary structural cell system into the car bays. A similar exploration will be required with tree pits within the Neighbourhood Green and it was noted on the drawings note the following note” structural cell under paving extent to be confirmed at documentation phase”</p> <p>The Proponent will need to confirm that the complex proprietary structural cell system proposed by the consulting Landscape Architects is coordinated with the consulting Engineers in terms of soil depths, pavement thicknesses and stormwater drainage of these subsoil zones.</p>		
<p>The Panel has previously noted that in Building O due the single lift cores residents on upper levels would need to walk up the stairs when lifts are out of action for repairs or in use during removals. As such inconvenience could be avoided by redesign of Level 8 to enable a through corridor at that floor, or via a communal roof terrace, either of these options is still recommended for action.</p>	<p>The applicant has responded to this by stating that the potential frequency of a lift being out of action does not warrant a major redesign to this building. A generous and ample communal open space is provided by the neighbourhood park and it is considered that no requirement for further communal open space on the roof is required.</p>	<p>Nil</p>
<p>A review of the plans shows condensers located on some unit balconies and this is assumed to be an error. No condensers on balconies are supported.</p>	<p>The applicant has noted this. A condition of consent is included in the Recommendation section of the report to ensure no air condensers are located on balconies.</p>	<p>Condition</p>
<p>Design of the BBQ/amenities structure is improved, but a communal basin could be provided instead of hand basins in each cubicle. More clarity is required on this important small building in terms of materiality and design detailing.</p>	<p>The applicant has noted this. A condition of consent is included in the Recommendation section of the report to incorporate a communal hand basin.</p>	<p>Condition</p>
<p>There are several instances where unit security or safety need to be addressed:</p> <ul style="list-style-type: none"> • Units N406 + N407 – a privacy or security screen on balcony is required as it appears that access between them is possible via the edge planter boxes • Units N301 and N309 and above appear to allow overlooking from balcony into adjoining bedroom and requires clarification and action if needed. • Units 0102 and 0103 show separation at terrace edge suggesting access is easily achieved between these spaces. 	<p>The applicant has noted this. A condition of consent is included in the Recommendation section of the report to incorporate these minor design changes.</p>	<p>Condition</p>
<p>Some architectural elements within the podium and for the Buildings N and O above require more information on materials and detailing that should be assisted by 1:20 sections through typical facades to clarify the aesthetic intent.</p>	<p>It is considered that sufficient detail has been provided in relation to the architectural detail of the podium.</p>	<p>Nil</p>

The 'picket fence' style parapet to both N and O is not supported. If intended to provide some screening function to services then a suitable alternative could be located further back leaving a slim, uncluttered edge profile similar to the lower part of Building N.	The applicant has noted this. A condition of consent is included in the Recommendation section of the report to incorporate these minor design changes to the parapet.	Condition
Clarification is also required on the extent of vertical battens and/or louvres operable to the tower facades, as these will have a significant impact on the visual appearance. From the elevations and CGI imagery it does appear that many of these are just decorative and do not contribute to an aesthetic or amenity outcome that can be supported.	The applicant has advised that these screens are an important façade element and architectural device which contribute positively to the aesthetic of the building and also serve a practical function in providing privacy and shading for the occupants. The applicant response is considered reasonable and no further amendments are considered necessary.	Nil

It is considered that 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	Building N – R4 Residential Building O – R4 Residential Building P – B4 Mixed Use All development is permissible within the zoning applying to the land		
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 Buildings N & O = 44m (maximum)	Building N = 44 (lift overrun) Building O = 29.65m (lift overrun) <i>inclusive of acoustic screens</i>	Yes
	Building P = part 44m/134m	Building P = 12.25m <i>inclusive of roof planter walls</i>	
	Floor Space Ratio		

Requirement	Comment		
	Buildings N & O 1.9:1 (maximum) <i>excluding roads</i>	Building N & Building O = 1.9:1	Yes
	Building P = part 1.9:1/6.72	Building P – 0.13:1	
	Exceptions	None	N/A
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 An Acid Sulfate Soils Management Plan (ASSMP) was submitted with the application which identifies potential acid sulfate soils may be encountered during the excavation for the deeper facilities (pile boring, sewer pump station, lift over run pits etc). The ASSMP includes treatment, monitoring and disposal options to manage the impacts.		
	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. 		

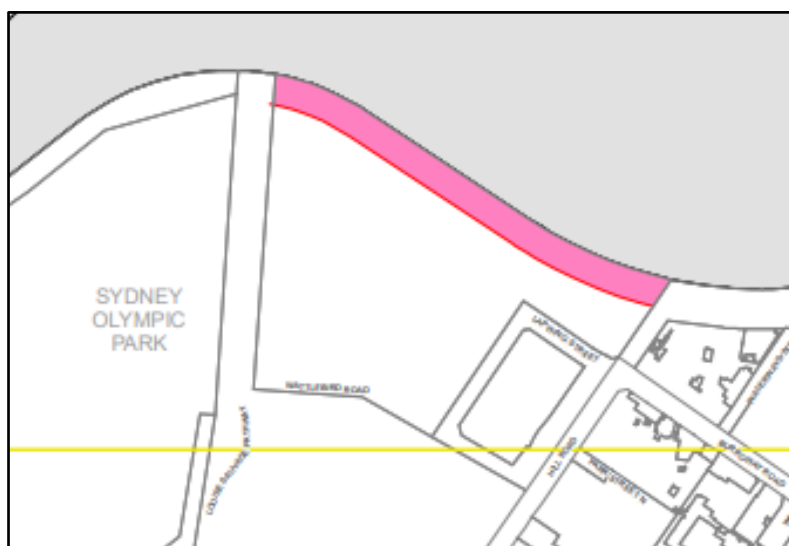
4. Draft Environmental Planning Instruments

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.

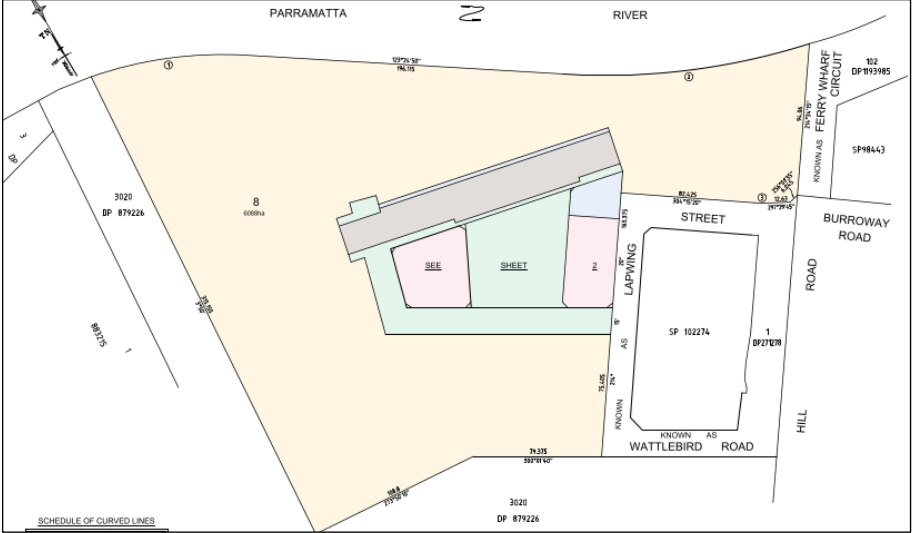
5. Development Control Plans


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>The map illustrates the Wentworth Point Precinct, bounded by the Parramatta River to the north and east, and the Sydney Olympic Parklands to the west. Key features include: <ul style="list-style-type: none"> Land Use Zones: Residential (pink), Active frontages (purple), Open space (green), Pocket parks (light green), School (yellow), Maritime plaza (brown), and Homebush Bay foreshore path (grey). Roads: Primary road (Burrows Road), Indicative local road (Hill Road), and Future Road (Future Road). Waterfront: Sydney Olympic Park ferry wharf, Peninsula park, Marime plaza, and Homebush Bay foreshore path. Other Features: Millennium Market, SODA development site, and Homebush Bay foreshore path. </p> <p>Legend:</p> <ul style="list-style-type: none"> Site boundary Primary road Indicative local road View corridor Indicative Transport Corridor Ind. Active transport Link Residential Active frontages School Open space Pocket parks Maritime plaza Homebush Bay foreshore path Foreshore pedestrian/cycle link Maritime precinct <p>Wentworth Point Precinct Indicative Structure Plan</p> <p>Proposed Subdivision:</p> <ul style="list-style-type: none"> The application seeks to subdivide part of the site to accommodate the proposed development. The subdivision is consistent with the concept DA (DA/586/021) which establishes the coordinated staging of subdivision across the site Subdivision proposes to create 5 x allotments representing the new portions of community titled road, the sites containing the two buildings and the semi-basement car park, the site contained the two storey building and surrounds, a future road allotment to be transferred to Council, and the remaining superlot. No significant issues were raised by Council's independent surveyor with respect to the proposed subdivision. Appropriate easements and restrictions will be to be incorporated – including drainage, public use of roads, car share requirements, waste vehicle collection etc – and are included within the recommendation at Attachment B.

Requirement	Comment
	 <p style="text-align: center;">Proposed Plan of Subdivision</p>
Section 3.0 Public Domain	<p>Street Network and Design</p> <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 comply with the required reserve widths. • The street sections within the DCP indicate that there is no car parking permitted underneath the local or primary streets, however is permitted under the shared/slow streets. The proposal complies with these requirements. <p>Pedestrian and Cycle Network</p> <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. <p>Landform and Contamination</p> <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 at street level to engage and activate the streets. <p>Open Space Network</p> <ul style="list-style-type: none"> • A neighbourhood park with an area of approximately 3150m² is located between buildings N and O in accordance with the DCP. • The neighbourhood park is built over the basement car park beneath and has sufficient soil volume to accommodate appropriate planting. The park contains public amenities, BBQ and dining facilities, open lawn and amphitheatre.

Requirement	Comment												
	<div></div> <p style="text-align: center;">Plan indicating design of the neighbourhood park</p>												
	<p>Public Art</p> <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 and approved by Council before the issue of a CC for the building on the site.												
Section 4.0 Private Domain	<p>Land Use and Floor Space Distribution</p> <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 5 has a maximum floor space of 14,750m² in the DCP and the proposed floor space is 14,748m².Sub-precinct 6 has a maximum floor space of 31,000m² in the DCP and the proposed floor space of Building P is 612m². <p>Building Height and Form</p> <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>Not applicable. This is not a perimeter block design.</td><td>N/A</td></tr><tr><td>Buildings to provide for visual connections between streets and communal open spaces</td><td>Visual connections are provided to the central neighbourhood park</td><td>Yes</td></tr><tr><td>Perimeter block & podia consistent in height</td><td>Not applicable. No podia proposed. Notwithstanding this, the lower levels have been designed to emphasise</td><td>N/A</td></tr></table>	Requirement	Proposed	Comply	Perimeter block building forms generally encircle a central communal open space	Not applicable. This is not a perimeter block design.	N/A	Buildings to provide for visual connections between streets and communal open spaces	Visual connections are provided to the central neighbourhood park	Yes	Perimeter block & podia consistent in height	Not applicable. No podia proposed. Notwithstanding this, the lower levels have been designed to emphasise	N/A
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Requirement	Comment		
	the language of podia on adjoining sub-precinct buildings.		
Alignment with street	Building N is not aligned/oriented with street		In part
Heights Building N = 12-16 storeys Building O = 3-8 storeys Building P = 3-8 storeys	Heights Building N = 13 storeys Building O = 8 storeys Building P = 2 storeys (appears as 3 due to rooftop design)		Yes
			Yes
			Yes
Max Length 65m	Building N = 36m/38m Building O = 23m/47m Building P = 35m		Yes
>30m bldg. separated or significant recess/project	Articulated walls		Yes
Tower Controls	Not applicable. No tower proposed.		N/A
Discussion on non-compliance/s: Building Alignment. Building N is not aligned with the street. DEAP has given consideration to this non-compliance and raise no objections on design grounds. The buildings are otherwise appropriately oriented and provide for a suitable streetscape outcome.			
Setbacks and Public Domain Interface			
Requirement	Proposed	Comply	
Other = 3-5m	Building N = 3m – 8.5m Building O = 3.6m – 8.3m Building P = 1.6m - 2m	Yes	
		Yes	
		No	
Tower above podium Setback 6m from boundary	N/A – no tower proposed		N/A
Outermost building projections = 3-5m (600mm projection permitted for articulation)	Building N = Ground floor terrace projections, balcony projections (N & E) up to 1.7m Building O = balcony projections up to 0.8m		In part
Above ground car-parking to be suitably sleeved with active	N/A – no above ground car parking		N/A

Requirement	Comment		
	frontages		
	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	N/A – this sub-precinct does not adjoin SOPA parklands	N/A
	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. Building N complies Building O – all units have access but O.102 (N) is raised 800mm	In part
	<p>Discussion on non-compliance/s:</p> <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. Only one apartment is located more than 0.6m above the finished street level. This is mainly due to the finished fall of the land to accommodate parking below. The treatment of this interface with the street is considered acceptable. Council's DEAP considered this issue and concluded that the height above street level was acceptable given the minor non-compliance.</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 does not provide for any specific communal open space for the buildings. The buildings are located on either side of a neighbourhood park and in close proximity to the proposed gymnasium and pool located in the adjacent Building P. 		
	<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. • No deep soil is required for in the roads to this sub-precinct in accordance with Figure 16 of the DCP. 		

Requirement	Comment																										
	<div></div> <div>DCP Figure 16 - Deep Soil and Street Planting</div> <ul style="list-style-type: none">Appropriate soil volumes have been provided on structures to optimise landscaping within the site.																										
	<div>Building Design and Materials</div> <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 generally satisfied that the development achieves the design principles of SEPP 65.																										
	<div>Wind Effects</div> <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. Council's Wind consultant has reviewed the application and advises that the wind conditions for safety and comfort within this sub-precinct are considered acceptable.																										
	<div>Vehicular Access and Car Parking</div> <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>26</td><td rowspan="3">Not stated</td><td>•</td></tr><tr><td>2 bedroom (1.1)</td><td>149</td><td>•</td></tr><tr><td>3 bedroom or greater (2.0)</td><td>22</td><td>•</td></tr><tr><td>TOTAL RESIDENTIAL</td><td>197</td><td>206</td><td>Yes</td></tr><tr><td>Visitors (0.1)</td><td>18</td><td>17</td><td>No</td></tr></table> <ul style="list-style-type: none">Based on the architectural plans, 17 car spaces are proposed to be allocated to residential visitors. The proposed development will result in 1 residential visitor parking space shortfall. To comply with the DCP requirements, 1 residential parking space is to be allocated to residential visitor parking. This requirement can be conditioned.Building P containing a gym and a swimming pool are for use by the residents within the development and therefore, it is not expected that these facilities will generate additional traffic or parking demand.	Dwelling Type	Required	Proposed	Comply	Studio (1.0)	Nil	Nil	N/A	1 bedroom (1.0)	26	Not stated	•	2 bedroom (1.1)	149	•	3 bedroom or greater (2.0)	22	•	TOTAL RESIDENTIAL	197	206	Yes	Visitors (0.1)	18	17	No
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TOTAL RESIDENTIAL	197	206	Yes																								
Visitors (0.1)	18	17	No																								

Requirement	Comment
	<p>As such, the parking requirements for the gym and swimming pool was considered ancillary to the residential developments.</p> <ul style="list-style-type: none"> • Car parking is permitted underneath the share/slow streets however not underneath the local or main streets. The proposed development complies with this requirement. • A loading dock has been provided on the eastern side of Building N (for shared use of the buildings) 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 all surrounding adjoining streets. • The application provides for 1 car share spaces on Guwali 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. • A Travel Access Guide approved by Council prior to occupation is to be made available to residents and non-residential tenants of development. <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: <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 level. Council's Waste Management Officer

Requirement	Comment
	has reviewed the application and raises no concerns with the waste facility subject to standard conditions of consent.
	Water Management <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 (for irrigation and car washing) and bio retention pods.
	Ecology <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.

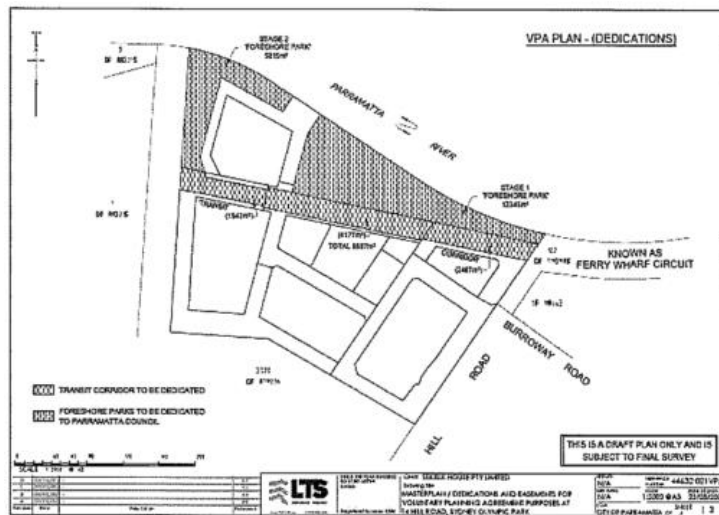
The majority of controls for this proposal are contained within the ADG or the WPPDCP. The following controls would however also apply to this application.

PARAMETER	DESIGN CRITERIA	PROPOSAL	COMPLIANCE
Bicycle Spaces	Required to be provided although no specific rates Recommend (CoP) 1/2 units = 86 spaces	86 spaces	Yes
Adaptable Units	10% of apartments = 17	Building N = 10 Building O = 8 Total = 18 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, 3 submissions (from 2 households) were received being the following:

- 2 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 structural damage, view loss, overshadowing, restriction of access to the foreshore and traffic.	Tower R is contained within Sub-Precinct 6 (DA/624/2021) and does not form part of the subject application. This 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 buildings that are 8 storey and 5/13 storey 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 171 units will result in 31 vph and 38 vph 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

	<p>anticipated development of the area and is not expected to have a significant traffic impact on the surrounding road networks.</p>
<p>Impact on Public Area Concern is raised that the proposed development will remove open space for residents</p>	<p>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 any 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.</p>
<p>Loss of Views Concern is raised that the proposed development will block views.</p>	<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> <div data-bbox="697 1010 1372 1440" data-label="Figure"> <p>This figure is a map titled 'VIEW ANALYSIS STAGE 1 TOWER VIEW CONES STOREYS 12-13'. It shows an aerial view of a development site with yellow semi-transparent cones representing unobstructed views from levels 12-13. A legend indicates that yellow represents 'Unobstructed View', orange represents 'Assessment Building', and blue represents 'Future Towers'. The map shows the site's location relative to surrounding roads and other buildings.</p> </div> <p>View Analysis from Stage 1 Development (L12-L13)</p> <div data-bbox="697 1507 1372 1937" data-label="Figure"> <p>This figure is a map titled 'VIEW ANALYSIS STAGE 1 TOWER VIEW CONES LEVELS 14-28'. It shows an aerial view of the same development site with yellow semi-transparent cones representing unobstructed views from levels 14-28. The legend is the same as the previous figure: yellow for 'Unobstructed View', orange for 'Assessment Building', and blue for 'Future Towers'. The view cones are slightly different in shape and position compared to the L12-L13 analysis, reflecting the higher vantage point.</p> </div> <p>View Analysis from Stage 1 Development (L14-L28)</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 (VPA). 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:

- 26 x 1 bedroom apartments
- 134 x 2 bedroom apartments
- 11 x 3 bedroom apartments

The contributions payable are as follows:

Works	DA/588/2021 - Contribution Amount
Open Space (HBW)	\$ 420,736.12
Community Facilities (HBW)	\$ 235,524.93
Traffic Management (HBW)	\$ 174,155.39
Plan Administration (HBW)	\$ 61,369.44
Total Contributions Payable	\$ 891,785.88

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/588/2021 for the development of proposed Sub-Precinct 5 and part Sub-Precinct 6 comprising subdivision into 5 lots, remediation, construction of roads, construction of two residential flat buildings (8 storey and 13 storey) 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 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**.