

COUNCIL ASSESSMENT REPORT

Panel Reference	PPSSCC-275
DA Number	DA/622/2021 PAN-115899
LGA	City of Parramatta Council
Proposed Development	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 (39 storey tower and 32 storey tower) containing 537 apartments.
Street Address	14-16 Hill Road – Sydney Olympic Park Lot 3 DP 271278
Applicant Owner	SH Hill Road Development Pty Ltd SH Hill Road Development Pty Ltd
Date of Lodgement	12 July 2021
Number of Submissions	3 submissions
Recommendation	Approval subject to conditions
Regional Development Criteria	General Development >\$30 million
List of All Relevant s4.15 Matters	• 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	17 November 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? **Yes**
e.g. Clause 7 of SEPP 55 - Remediation of Land, Clause 4.6(4) of the relevant LEP

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

Conditions

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

EXECUTIVE SUMMARY

1. Summary

This report considers a proposal for the development of proposed Sub-Precinct 2 comprising remediation and construction of a residential flat building comprising 3 x basement car parking levels, a 4 x level sleeved podium and 2 buildings (39 storey tower and 32 storey tower) containing 537 apartments. The proposal is Nominated Integrated Development under the Water Management Act 2000.

The primary site constraints on the land include contamination, catchment management and proximity to Newington Reserve. 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	The proposed development has undergone significant design review by the Parramatta Design Excellence Panel (DEAP). Two (2) meetings and a design workshop have been held between the applicant and DEAP. The DEAP final report supports the proposal in its current form. The Panel advises that this is a well-considered and presented scheme and that the architectural, urban design and landscape quality is of a high standard. 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.
Wentworth Point Precinct DCP	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.

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.



Wentworth Point Urban Activation Precincts

The subject application is located within the **Hill Road Site** which is 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 subject application 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, including the already built Phase 1 development.



Aerial photograph indicating the subject site and surrounding land uses

Phase 1 Development – Sub-Precinct 1 (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 planning 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.

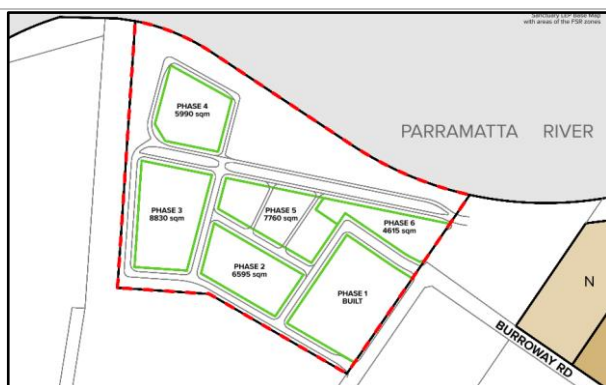
The VPA has been executed and registered on the land title.

Concept Subdivision and Infrastructure (DA/586/2021)

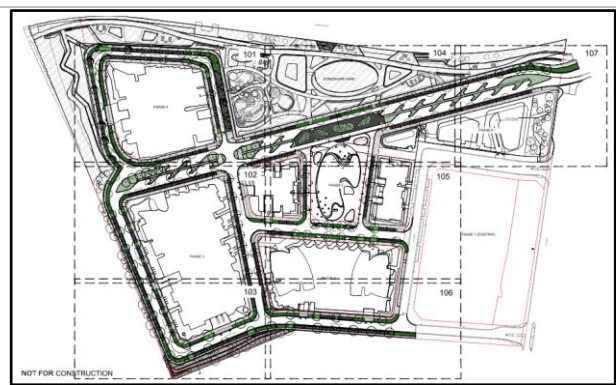
A concept development application for site layout, infrastructure and subdivision was approved under delegation on 29 July 2022. This application included the following:

- 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

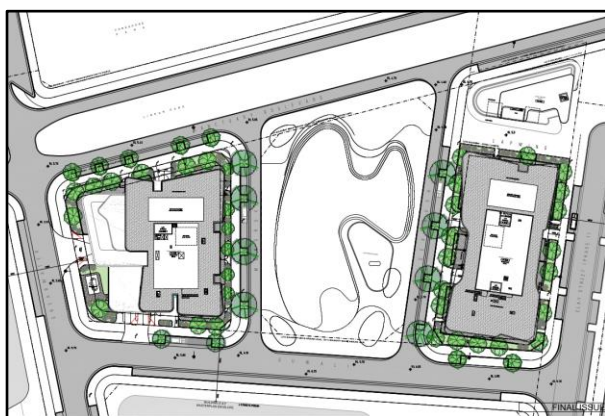


Concept Public Domain Streetscape Masterplan

Phase 2 Development – Sub-Precinct 5/Part 6 (DA/588/2021)

The Phase 2 development of the site (Sub-Precinct 5 and part Sub-Precinct 6) was recently approved by the regional planning panel on 16 August 2022. This development was approved under the current LEP and DCP controls. The Phase 2 development includes 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.



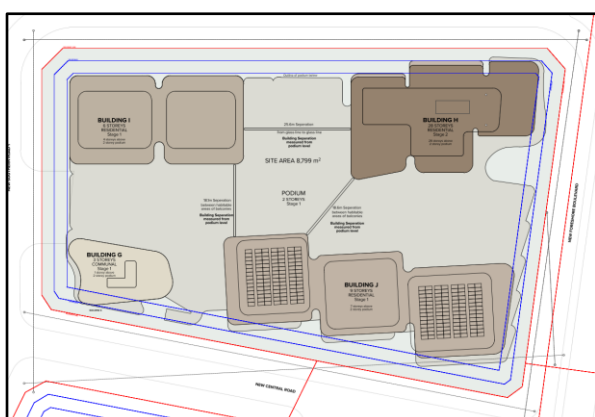
Phase 2 Plan and Building Layout



Photomontage Phase 2 Buildings

Phase 3 Development – Sub-Precinct 3 (DA/587/2021)

The Phase 3 development of the site (Sub-Precinct 3) was recently approved by the regional planning panel on 16 August 2022. This development was approved under the current LEP and DCP controls. The Phase 3 development includes subdivision into 6 lots, remediation, construction of roads and pocket park, and construction a residential flat development containing 323 apartments.



Phase 3 Plan and Building Layout



Photomontage Phase 3 Buildings

4. Project Overview

There are currently 4 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 (39 storey tower and 32 storey tower) containing 537 apartments. The application will be determined by the Sydney Central City Planning Panel. This is the subject development application.
DA/623/2021	Development of proposed Sub-Precinct 4 including subdivision into 4 lots, remediation, construction of a perimeter road, and construction of a residential flat building comprising 3 x basement car parking levels, a 3 x level sleeved podium and 2 buildings (40 storey and 9 storey) containing 390 apartments. The application will be determined by the Sydney Central City Planning Panel.

DA/624/2021	Development of proposed Sub-Precinct 6 including subdivision into 3 lots, remediation, roadworks and construction of a mixed use building comprising 8 x basement car parking levels, a 3 x level sleeved podium and 2 buildings (40 storey and 12 storey) containing 331 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 approved and current development applications represent the overall redevelopment of this precinct. All sub-precincts, parks and roads are covered by these applications which will finalise the redevelopment of the site.



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 at the time of referral comments 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.

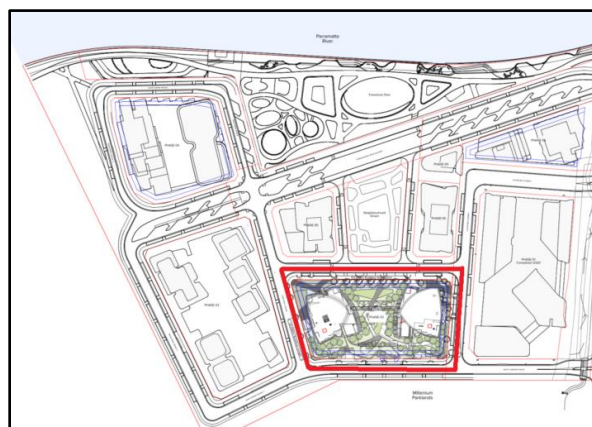
	Recent/Current DAs	Recent/Current DAs + Phase 1	Entire Site (including park)
Total number of dwellings	1752 dwellings	2116 dwellings	2116 dwellings
Total estimated cost of development	\$829,097,502	\$959,897,502	\$ 979,897,502 <i>(based on estimated cost for construction and delivery of park \$20m)</i>

5. The Proposal

The subject application is for the Phase 5 development of the site which is located on Sub-Precinct 2. The proposal will occur within residual Lot 14 which will be created upon the registration of the approved plan of subdivision under Development Consent DA/588/2021 for Phase 2 development of the site. Sub-Precinct 2 has a site area of 6595m².



Sub-Precincts reflected in the LEP and DCP

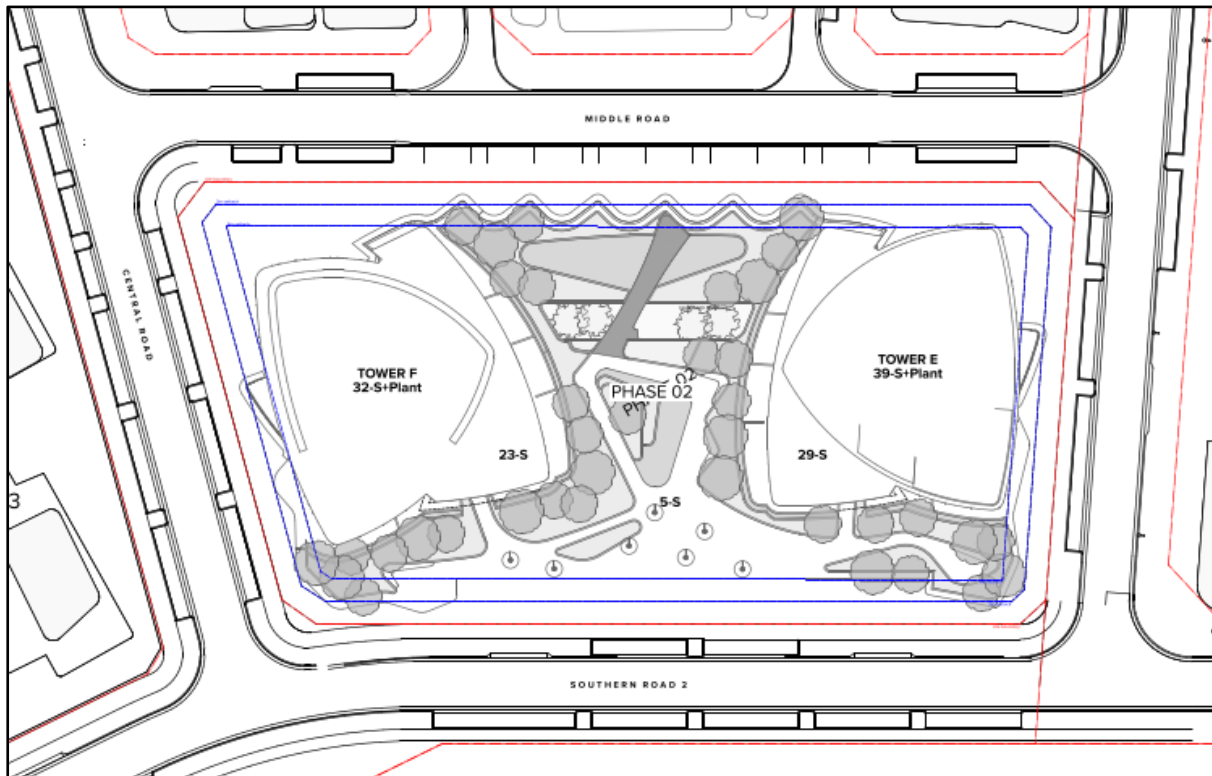


Phase 5 location outlined in red

Consent is sought for the following:

- Remediation works
- Construction of 3 basement levels across the entire site within the boundaries created by the perimeter road network
- 4 level sleeved podium across the site, with 2 buildings above the podium located around a central common open space area, comprising:
 - Building E: 39 storey tower on the eastern side of the site
 - Building F: 32 storey tower on the western side of the site.
(Note – The tower heights are inclusive of the podium levels)
- The proposal contains 537 apartments and 645 car parking spaces.
- No new roads are proposed as part of this application. The surrounding roads have been approved via the development consents for Sub-Precincts 1, 3 and 5.

Cost of Works = \$246,400,001



Sub-Precinct 2 – Layout of Buildings on Site



Photomontage – view looking south from Foreshore Boulevard (across the neighbourhood park)

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.

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

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: 6 August to 3 September 2021

Re-notification Period: 26 August to 23 September 2021
(due to an error in the original property description)

Submissions received: **3 submissions**

Issues raised in submissions: Inappropriate heights, inadequate parking, traffic impacts, overshadowing, wind impacts, less green space, overdevelopment, height of Tower R (SP6).

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?	Yes Approval required under the Water Management Act 2000
Are submission requirements within the Regulations satisfied?	Yes

10. Consideration of SEPPs

Key issues arising from evaluation against SEPPs	None - 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	Consistent
Part 2 – Permitted or Prohibited Development	- Permissible in the zone - Consistent with zone objectives
Part 3 – Exempt & Complying Development	Not Applicable
Part 4 – Principal Development Standards	Compliant
Part 5 – Miscellaneous Provisions	All relevant provisions satisfied
Part 6 – Additional Local Provisions	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	Consistent
Part 2 – Vision, Principles & Indicative Structure	Consistent
Part 3 – Public Domain	Generally consistent
Part 4 – Private Domain	Generally consistent
Part 5 – Sustainability & Environmental Management	Consistent

13. Compliance with Concept Approval

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

14. Response to Panel Briefing Minutes

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

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

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

noted that requirements in this regard are addressed in the VPA, with parklands to be dedicated to Council.	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 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.	The subdivision and infrastructure DA (DA/586/2021) was approved under delegation on 29 July 2022. The 2 priority sub-precincts were determined by the regional planning panel on 16 August 2022.
Traffic and public transport: Panelists queried traffic and parking implications of the proposal. Council explained that because the proposal did not exceed the planning controls for the area, the applicant had not been required to undertake traffic studies in addition to those undertaken when the planning framework for the area was put in place. 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. 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.	Noted. Traffic impacts are discussed further within this report. To date there is no formal proposed timing of the delivery of the Parramatta Light Rail Stage 2. 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).
Urban design and architecture: The applicant provided a detailed presentation regarding the overall urban design intentions for the area, the character proposed for each sub-precinct, and the range of architecture. It was noted that a number of architectural teams are working across the masterplan to ensure diversity of built form within a coordinated framework. Panelists expressed support for this approach, and observed that it was responsive to the wider Sydney context, which is characterized by a range of 'villages' with different characters. Panelists also expressed support for the attention paid to ground level activation of the proposal and the interface of buildings with the public domain. 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. 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.	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. 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. An independent wind assessment has been carried out and the wind conditions for safety and comfort within this

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

15. Conclusion

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

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

16. Recommendation

That the Sydney Central City Planning Panel approve the application DA/622/2021 subject to the conditions contained within **Attachment B** of the Assessment Report.

ATTACHMENT A - PLANNING ASSESSMENT

SCCPP Reference:	PPSSCC-275
DA No:	DA/622/2021 PAN-115899
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)	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. The proposed conditions of consent have been included as requested, with one exception. TfNSW originally requested: <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> Reason: To comply with TfNSW requirements.

	Condition 56 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. Recommendations include the imposition of conditions relating to construction works, car park design and the provision of a freight servicing management plan. These matters have been included within the Recommendation section of this report where appropriate. It is noted that some conditions are covered by the recommendations of Council's Traffic Officer.								
Ausgrid	Ausgrid were notified of the proposed development and have raised no objections to the proposed development. Advisory notes regarding construction within proximity to existing network assets are included within the Recommendation section of this report.								
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	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: <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> The application was accompanied by an ecological report which assessed the shadowing impact on the adjoining SOPA parklands. This report states: • Winter shadowing is in the early morning with shadowing largely on mangroves with only 145m² on saltmarsh and 95% full sun on these communities by 10am. The vegetated areas of the Nature Reserve are in full sun from 11am. • The maximum amount of shading will occur in mid-winter at 8am, approximately 2.3ha of saltmarsh will be shaded. By 9am, approximately 0.14ha will be shaded by the buildings with less than 5% of the saltmarsh in shade by 10am and shadowing is gone by 11am. Ecologically the shading is deemed not significant to cause irreparable damage to the structure and function of Saltmarsh vegetation community. It may influence the distribution of the individual species within the community in shaded areas. </td></tr> <tr> <td>Contaminated land</td><td>SOPA requested a 3m easement along the southern boundary for maintenance access to the</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	The application was accompanied by an ecological report which assessed the shadowing impact on the adjoining SOPA parklands. This report states: • Winter shadowing is in the early morning with shadowing largely on mangroves with only 145m² on saltmarsh and 95% full sun on these communities by 10am. The vegetated areas of the Nature Reserve are in full sun from 11am. • The maximum amount of shading will occur in mid-winter at 8am, approximately 2.3ha of saltmarsh will be shaded. By 9am, approximately 0.14ha will be shaded by the buildings with less than 5% of the saltmarsh in shade by 10am and shadowing is gone by 11am. Ecologically the shading is deemed not significant to cause irreparable damage to the structure and function of Saltmarsh vegetation community. It may influence the distribution of the individual species within the community in shaded areas.	Contaminated land	SOPA requested a 3m easement along the southern boundary for maintenance access to the
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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 matter has been addressed in the previous application containing the road which adjoins the southern boundary (DA/587/2021). In that application it was noted that no access across the subject site is available currently and access will not be possible due to the height differences between the sites.
	Light spill	Concern was raised regarding the impacts of lightspill into the adjoining ecological areas. The ecological report submitted advised that lighting designs will follow Best Practice Lighting Design as outlined in the National Light Pollution Guidelines for Wildlife (Migratory Shorebirds). Lighting design/management should be undertaken by appropriately qualified personnel. Light management plans should be developed and reviewed by appropriately qualified lighting practitioners who should consult with an appropriately qualified marine biologist or ecologist. Conditions requiring the preparation of appropriate lighting plans have been included within Attachment B.
	Landscape planting	SOPA requested consideration of landscaping which is compatible with the surrounding parklands. The proposed landscaping on and off site has been considered by Council's public 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. This application does not include any perimeter roads.
	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 overall 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 within this sub-precinct satisfy the appropriate criteria for safety and comfort and the effectiveness of	

	all wind mitigation strategies have been quantified during the wind tunnel study.
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 to the proposal. No conditions have been imposed as no public domain works form part of this application.
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 raise no concerns. No catchment infrastructure is proposed as part of this application.
Infrastructure Alignment	Council's Civil Assets team have reviewed the application and raise no significant issues with the proposal. No civil assets are proposed as part of this application.
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 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 been lodged as Integrated Development under the provisions of the EPA Act as a water supply work approval under the Water Management Act 2000 is required to be obtained.

Water NSW have issued their General Terms of Approval (IDAS1141540 issued 08 August 2022). This approval is referenced in the recommended conditions of consent.

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 and public domain plans (where required) 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.	N/A
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>	Not applicable. No roads are proposed as part of this application.	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>	Not applicable. There are no artworks identified or proposed within this sub-precinct.	Yes
13	<i>Remediation – Documents to be Submitted</i>	This requirement has been satisfied. A detailed report, remediation action plan and site audit	Yes

		statement has been submitted with the application.	
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>	Noted. The application is compliant.	Yes
17	<i>Pollution Impacts</i>	Noted. The application is compliant.	Yes
18	<i>Water Sensitive Urban Design Measures</i>	Noted. The application is compliant.	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	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. 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. The site is not located within a Foreshores and Waterways Area identified under Part 10.3 of the policy.

3.3 SEPP (INDUSTRY AND EMPLOYMENT) 2021

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

3.4 SEPP (RESILIENCE AND HAZARDS) 2021

SEPP Section	Comment
Chapter 2 Coastal Management	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 2 is not affected by this map. 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. 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.
Chapter 3 Hazardous and Offensive Development	Not applicable. The application does not involve any hazardous or offensive industries.
Chapter 4 Remediation of Land	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. 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. The following indicates the contaminants of concern for remediation: • Asbestos within the soil • Residual hydrocarbon impacts in the soil and groundwater (post fuel storage infrastructure removal). 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).

	The site remediation works will include (though not necessarily be limited to): • Localised excavation of known impacted areas • Disposal of excavated landfill • Cap and contain option for management of asbestos impacted soils. 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> <i>The Auditor is satisfied that implementation of the remediation proposed in the RAP (Eiaustralia (18.10.2021) Remediation Action Plan, Sanctuary Phase 2, 14-16 Hill Road, Wentworth Point, NSW. Report E25144.E06_Rev1) by suitably competent consultants will make the site suitable for the proposed high density residential use."</i> 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 a NSW EPA-accredited Site Auditor for review at the completion of the remediation works program. 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.
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3.5 SEPP (TRANSPORT AND INFRASTRUCTURE) 2021

SEPP Section	Comment
Chapter 2 Infrastructure	
Development likely to affect electricity transmission or distribution networks	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. Ausgrid were notified of the proposed development and have advised that no objections are raised. Advisory notes relating to works within the proximity of existing network assets have been recommended.
Development Adjacent to Rail Corridors	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. Clause 2.99 of the SEPP requires the consent authority to consider the impact of rail noise or vibration on residential development. An acoustic report for the proposed development has been submitted that includes an assessment of existing environmental noise including road traffic noise and ferries using the Sydney Olympic Park wharf as well as future possible noise and vibration impacts from the proposed light rail which will be located on the site. This report details the required acoustic construction 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. According to the report, providing the recommended constructions detailed in this report are included in the construction of the project the required internal noise levels will be achieved.
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	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. The proposed unit mix is as follows: <table><tr><th>Bedroom Size</th><th>Number</th><th>% of Apartments</th></tr><tr><td>1 bedroom</td><td>187 apartments</td><td>35%</td></tr><tr><td>2 bedroom</td><td>333 apartments</td><td>62%</td></tr><tr><td>3+ bedroom (includes 1x4 bed)</td><td>17 apartments</td><td>3%</td></tr></table> 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.	Bedroom Size	Number	% of Apartments	1 bedroom	187 apartments	35%	2 bedroom	333 apartments	62%	3+ bedroom (includes 1x4 bed)	17 apartments	3%
Bedroom Size	Number	% of Apartments											
1 bedroom	187 apartments	35%											
2 bedroom	333 apartments	62%											
3+ bedroom (includes 1x4 bed)	17 apartments	3%											
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 minor 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.

Site area for ADG taken at 6560m² (site minus splays)

PARAMETER	DESIGN CRITERIA			PROPOSAL	COMPLIANCE
Communal Open Space	Min 25% of the site area = 1640m ²			= 3455m ² or 52.6% Podium = Level 05 Building E = Level 29 Building F = Level 23 Additional areas on L04 and L06	Yes
	Min 50% of the communal open space is to receive 2 hours direct sunlight between 9.00am and 3.00pm on June 21			Plan 730-002 indicates 60% achieved	Yes
Deep soil zone	7% of the overall site area Minimum dimension of 6m required			Nil No deep soil is provided across the entire site	No <i>However soil depths on slab range between 300mm-1.1m which can maintain appropriate landscaping</i>
Building Separation	Building Height	Habitable rooms and balconies	Non-habitable rooms	<u>To adjoining properties</u> 26m to Phase 1 27m to Phase 3	Yes
	up to 12m (4 storeys)	12m	6m	<u>Within the development</u> 36m between Building E and Building F towers	Yes
	up to 25m (5-8 storeys)	18m	9m		
	over 25m (9+ storeys)	24m	12m		
Solar Access	At least 70% of living rooms and private open space to receive at least 2 hours direct sunlight between 9.00a.m and 3.00p.m on June 21			378 apartments = 70%	Yes
	A maximum of 15% of apartments are permitted to receive no direct sunlight between 9.00am and 3.00pm midwinter.			80 apartments = 15%	Yes
Cross Ventilation	At least 60% of apartments are to be naturally cross ventilated (up to 9 storeys)			493 apartments = 92%	Yes
	Apartment depth is not to exceed 18m			<18m depth	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 bed – 50m ²			Complies	Yes

	2 bed – 70m ² 3 bed – 90m ² (note: minimum internal size increases by 5m ² for additional bathrooms, 10m ² for 4 + bedroom)		
	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.	Complies	Yes
	Habitable room depths to be a maximum 2.5 x the ceiling height (=6.75m)	Complies	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: • 3.6m for studio/1bd • 4m for 2 or 3 bd	Complies	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 E = 9 apartments (3 x lifts) Building F = 9 apartments (3 x lifts)	No No <i>DEAP agreed this was not an issue given the relative length of corridor access and lift provisions</i>
Storage	1bd – 6m ³ 2bd – 8m ³ 3bd – 10m ³	440 storage cages in the basements (reduced from 525 cages)	No <i>Applicant states some apartments have 100% internal storage (however no evidence has been provided) - condition of consent required</i>

Parramatta Design Excellence Advisory Panel (DEAP)

The application was considered by the DEAP as follows:

16 September 2021	DEAP meeting
25 November 2021	DEAP-Sekisui workshop
23 September 2022	Final DEAP meeting

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

DEAP Comment	Planning Response	Action
Access to the Level 4 landscape zone is unclear and should be clarified.	The landscape zone to the south on Level 4 is a planter for outlook. Access for maintenance will be via a hatch in the car park screen.	Nil
The integration of solar P/V panels on the south-eastern tower is noted however the north-western tower shows no PV panels. Given the increasing requirement for electrification it would be beneficial to consider installation where possible.	Council's independent ESD consultant has recommended that solar photovoltaic generation must be installed for a roof area of not less than 380m ² . This may be addressed through condition of consent.	Condition
Inclusion of ceiling fans to living areas and bedrooms is still not adopted and is still recommended and likely to become a mandatory provision as an optional alternative to more energy demanding a/c systems.	There are no policy requirements to provide ceiling fans within the development. Notwithstanding this, the applicant advises they will consider this during the detailed CC stage.	Nil
With the increasing moves for electrification a clear commitment should be made to no gas appliances or hot water systems.	There are no policy requirements to require this commitment. Notwithstanding this, the applicant advises they will consider this during the detailed CC stage.	Nil
The Panel suggest that the proponent carry out an independent DDA compliance of all pathways throughout the building precinct.	An access report has been submitted and found to be acceptable.	Nil
The Panel noted that an internal privacy audit be carried out of all key communal areas interface with private courtyards and apartment windows in order to satisfy effective architectural screening and plant material buffers provide adequate short- and long-term privacy.	Whilst the screening and planting appears satisfactory, additional investigation may be carried out to improve privacy. This may be addressed through condition of consent.	Condition
The Panel noted that the proponent should review the number of walls on NW corner as similar heights in levels seems evident and may reduce number of walls to allow for better planting opportunities.	This is a minor issue and does not have any substantial impacts on the overall landscaping of the site. Notwithstanding this, the applicant advises they will consider this during the detailed CC stage.	Nil
The provision of storage has not been clarified in this resubmission and should be addressed in the DA assessment stage.	The architect has advised that 295 apartments have 100% storage provided within the apartments. The remaining 342 apartments achieves min 50% internal which means they will require basement storage cages. • BLD E requires 187 cages in basement. • BLD F require 155 cages in basement. It is considered that this matter should be addressed via a condition of consent (see ADG table discussion).	Condition
The need for more three and four bedroom units across all phases, and the provision for layouts of adjoining units to be capable of modification are still to be addressed and this can be reviewed as part of the DA approval stage.	This matter has been discussed within the assessment report.	Nil

DEAP Summary:

The Panel is supportive of this latest submission and acknowledges the ongoing design resolution that has been undertaken throughout the review process. The quality of the submitted material has assisted the Panel in carrying out its review and is appreciated.

It is noted that there are some minor non-compliances with the ADG and DCP that could be dealt with as DA conditions of approval, however the Panel supports this submission.

It is considered that there are no outstanding design matters on this application which require resolution before determination. 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	R4 Residential 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 = 132m (maximum)	Building E = 132m (lift overrun) Building F = 108.85m (lift overrun)	Yes
	Floor Space Ratio = 7.26:1	47,863m ² = 7.257:1 (7.26:1)	Yes
	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		

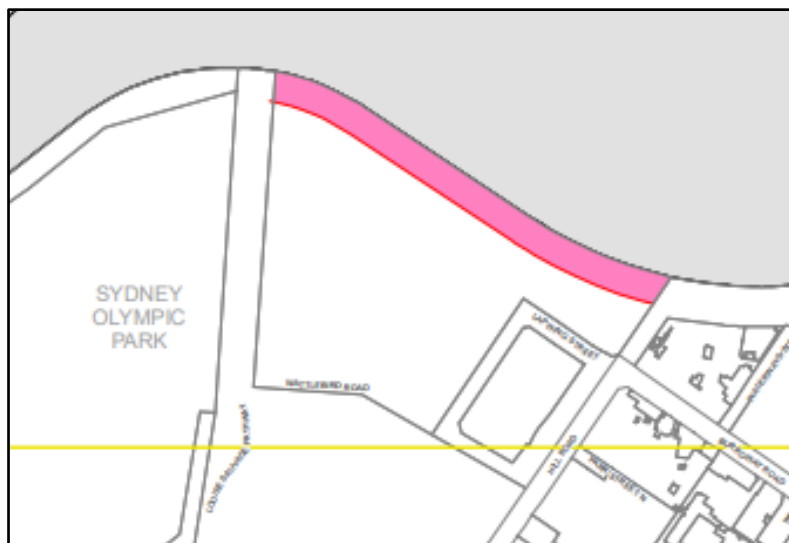
Requirement	Comment																																								
	and the area will be within acceptable limits. The site is also not identified as being of European or Aboriginal archaeological significance.																																								
Part 6 Additional Local Provisions	Clause 6.1 Acid sulfate soils An Acid Sulfate Soils Management Plan (ASSMP) was submitted with the application which identifies potential acid sulfate soils may be encountered during the basement excavation and localised groundwater extraction (if required). 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 The Phase 5 development will not result in the gross floor area of all buildings on the land exceeding 188,800m². The precinct floor space is indicated in the table below. <table><tr><th>SUB- PRECINCT</th><th>DA NUMBER</th><th>DCP</th><th>FLOOR SPACE</th><th>STATUS</th></tr><tr><td>1</td><td>DA/763/2017</td><td>34,625 m²</td><td>34,625m²</td><td>Complete</td></tr><tr><td>2</td><td>DA/622/2021</td><td>47,875m²</td><td>47,863m²</td><td>Pending</td></tr><tr><td>3</td><td>DA/587/2021</td><td>26,400m²</td><td>26,398m²</td><td>Approved</td></tr><tr><td>4</td><td>DA/623/2021</td><td>34,150m²</td><td>34,143m²</td><td>Pending</td></tr><tr><td>5</td><td>DA/588/2021</td><td>14,750m²</td><td>14,748m² <i>Note – DA included the separate 612m² (for SP6) – see below</i></td><td>Approved</td></tr><tr><td>6</td><td>DA/624/2021</td><td>31,000m²</td><td>30,374m² (add 612m² approved under SP5 DA = 30,986m²)</td><td>Pending</td></tr><tr><td>TOTAL</td><td></td><td>188,800m²</td><td>188,763m²</td><td>Complies with LEP & DCP</td></tr></table>	SUB- PRECINCT	DA NUMBER	DCP	FLOOR SPACE	STATUS	1	DA/763/2017	34,625 m ²	34,625m ²	Complete	2	DA/622/2021	47,875m ²	47,863m ²	Pending	3	DA/587/2021	26,400m ²	26,398m ²	Approved	4	DA/623/2021	34,150m ²	34,143m ²	Pending	5	DA/588/2021	14,750m ²	14,748m ² <i>Note – DA included the separate 612m² (for SP6) – see below</i>	Approved	6	DA/624/2021	31,000m ²	30,374m ² (add 612m ² approved under SP5 DA = 30,986m ²)	Pending	TOTAL		188,800m ²	188,763m ²	Complies with LEP & DCP
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TOTAL		188,800m ²	188,763m ²	Complies with LEP & DCP																																					
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. In this regard, no floor space for commercial premises has been approved to date on the site or proposed as part of this application. The commercial premises floor space is proposed to be accommodated within the mixed use building in SP6.																																									

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 (30m wide) 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

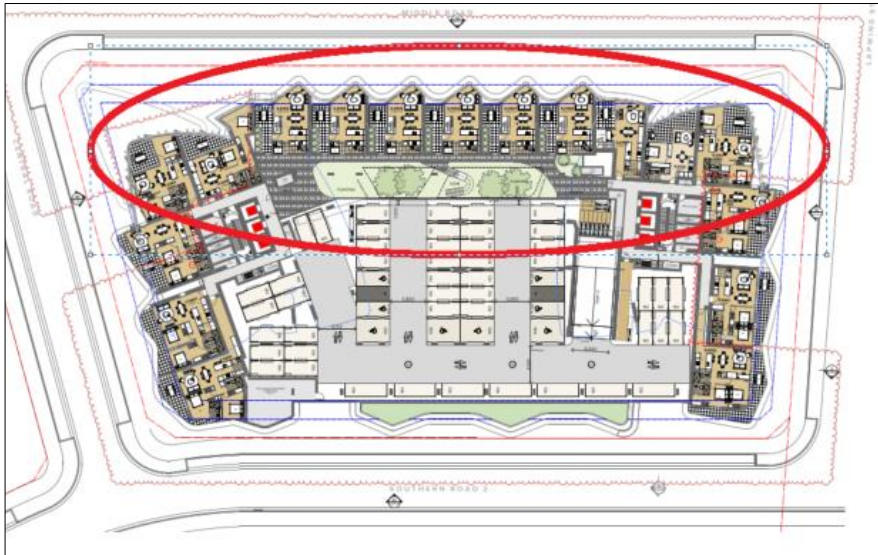
5.1 Wentworth Point Precinct Development Control Plan 2014

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

Requirement	Comment
Section 1.0 Introduction	• 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	The development achieves the vision, development principles and indicative structure. It is noted that the proposed development: • 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.

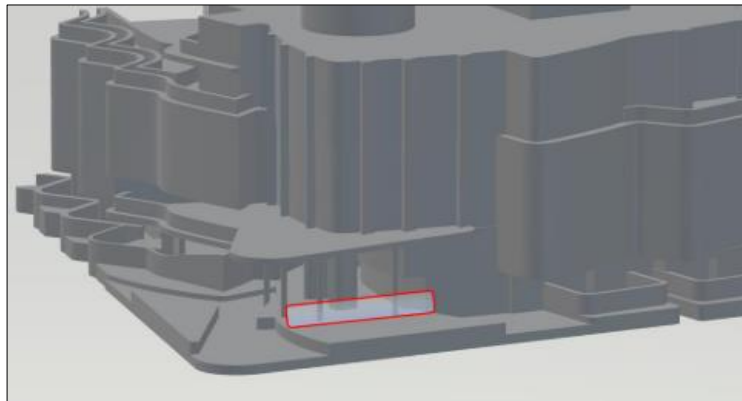
Requirement	Comment
	complies with the indicative structure plan (see below) and provides for an appropriate residential community, built form and movement network in accordance with that plan.  Wentworth Point Precinct Indicative Structure Plan Proposed Subdivision: There is no subdivision proposed as part of this application.
Section 3.0 Public Domain	Street Network and Design - There are no proposed streets proposed as part of this application. The surrounding street network to this sub-precinct has been approved through the SP3 (DA/587/2021) and SP5 (DA/588/2021) development applications. Pedestrian and Cycle Network - The subject application is for development within the lot boundaries only. The provision of pedestrian footpaths along all streets and public cycleway along the transit corridor are contained under separate development applications. - There are no proposed changes to the existing pedestrian and cycle network along the foreshore as part of this application. Landform and Contamination - The site is to be raised as identified within the DCP. The existing landform is raised to accommodate parking above the water table where possible. Notwithstanding this, the buildings are designed at street level to engage and activate the streets. Open Space Network - This application does not propose publicly accessible open space. There is no public open space required on Sub-Precinct 2 within the DCP. Public Art - The Art Strategy approved via the infrastructure and subdivision development application (DA/586/2021) does not identify a proposed art work to be provided within this sub-precinct. An art work is therefore not required as part of this application.

Requirement	Comment		
Section 4.0 Private Domain	Land Use and Floor Space Distribution - The proposal complies with the distribution of land use as indicated in the indicative structure plan (Section 1.0). - Sub-Precinct 2 has a maximum floor space of 47,875m² in the DCP and the proposed floor space is 47,863m².		
	Building Height and Form		
	Requirement	Proposed	Comply
	Perimeter block building forms generally encircle a central communal open space	Towers to the east and west only above podium. Provides for ample surveillance of communal open space.	In part
	Buildings to provide for visual connections between streets and communal open spaces	Visual connections are provided to the central neighbourhood park and streets to the North and to the Millennium Parklands and road to the South	Yes
	Perimeter block & podia consistent in height	4 storey podia. Generally consistent	Yes
	Alignment with street	Podia generally aligned with street – however towers are of Reuleaux triangular shaped form and therefore do not align with streets	No
	Base = 3-8 storeys	Base = 4 storeys	Yes
	<u>Heights</u> Building E = 40 storeys	<u>Heights</u> Building E = 39 storeys	Yes
	Building F = 32 storeys	Building F = 32 storeys	Yes
	Max Length 65m (low rise building)	Podia = 70m (north)	No
	>30m bldg. separated or significant recess/project	Articulated walls	Yes
Tower Controls 32 storey (W location) 40 storey (E location)	32 storey (W location) 39 storey (E location)	Yes	
Max footprint = 750m ²	Tower footprint = 560m ² approx (exc. balconies)	Yes	
Tower façade length = 50m (max)	Tower façade length = 38m (max)	Yes	
Discussion on non-compliance/s:			
Building Alignment. Part of the podium and both the tower forms are not aligned with the street due to the floorplate shape of the buildings being triangular shaped in design. DEAP has given consideration to			

Requirement	Comment																		
	this non-compliance and raise no objections on design grounds. The buildings are otherwise appropriately oriented and provide for a suitable streetscape outcome. Length of Low Rise Building. The northern podia street elevation is 70m in length. The 5m non-compliance is considered minor and does not result in an unacceptable outcome as the street wall is only 4 storeys (compared to the permissible 8 storeys) and is highly articulated in appearance, with greater setbacks located on the corners reducing the visual impact of the street elevation.  Podium length along the northern elevation																		
Setbacks and Public Domain Interface																			
<table><tr><th>Requirement</th><th>Proposed</th><th>Comply</th></tr><tr><td>Setback to road = 3-5m</td><td>3m setback to buildings (minor non-compliance on SW corner Unit F.0104)</td><td>Majority</td></tr><tr><td>Tower above podium Setback 6m from boundary</td><td>Majority of towers setback 3m or greater (exception F.0501 = 2m projection and E.0509 = 1.4m projection)</td><td>No</td></tr><tr><td>Outermost building projections = 3-5m (600mm projection permitted for articulation)</td><td>Podia = various projections into 3m setback Towers = comply – no projections into 3m setback</td><td>No Yes</td></tr><tr><td>Above ground car-parking to be suitably sleeved with active frontages</td><td>All above ground parking is appropriately sleeved with residential uses with the exception of the southern elevation.</td><td>In part</td></tr><tr><td>Building setbacks to Sydney Olympic Park, Parklands are to be generally in accordance</td><td>Building setbacks and local roads have been designed generally in accordance with the DCP requirements</td><td>Yes</td></tr></table>	Requirement	Proposed	Comply	Setback to road = 3-5m	3m setback to buildings (minor non-compliance on SW corner Unit F.0104)	Majority	Tower above podium Setback 6m from boundary	Majority of towers setback 3m or greater (exception F.0501 = 2m projection and E.0509 = 1.4m projection)	No	Outermost building projections = 3-5m (600mm projection permitted for articulation)	Podia = various projections into 3m setback Towers = comply – no projections into 3m setback	No Yes	Above ground car-parking to be suitably sleeved with active frontages	All above ground parking is appropriately sleeved with residential uses with the exception of the southern elevation.	In part	Building setbacks to Sydney Olympic Park, Parklands are to be generally in accordance	Building setbacks and local roads have been designed generally in accordance with the DCP requirements	Yes	
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Requirement	Comment		
	with Figure 15 and enable emergency vehicle access and incorporate landscaping to reduce the visual impact of buildings Residential uses at ground level to have main entry from street at grade or raised 600mm	All units at ground level have access from the street. Levels range from 400mm-600 for majority and 1m-1.2m (eastern road/SE corner)	In part
	Discussion on non-compliance/s: Setback Variations/Projections. There are encroachments with balcony projections on the ground floor to accommodate adequate private open space for the ground floor apartments and minor projections of the podia. 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 result in a highly articulated and interesting built form, and do not result in additional bulk and scale for the development. DEAP have considered this non-compliance and state: <i>While there are still minor podium projections into the 3m setback zone, these do not create any adverse impacts, are not considered to be problematic within the overall built form context.</i> Articulated podium along the northern elevation Above Ground Car Parking. The southern podium elevation does not have residential sleeving around the car park. This matter was workshopped extensively with DEAP. The final design incorporates a stepped approach to the car park allowing for cascading landscaping to integrate more with the adjoining parklands, a greater emphasis on the corner residential apartments to reduce the required sleeving along the southern elevation and use of solid banding to balustrade		

Requirement	Comment
	height to echo the horizontality of the residential components. DEAP support this final design and note the following: <i>The proposed modifications have positively impacted on the scale of the façade allowing the podium to be read as a modulated three storey element. Requested sections extending to the adjacent parkland have also been provided and this assists in the Panel's support for this revision. The provision of landscaping on Level 4 is also supported given the positive contribution it makes to this edge and the canopy views it allows from the podium level.</i>  Treatment of southern podium elevation with car parking behind Height Above Ground. There are 3 apartments along the eastern boundary 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.  Photomontage of ground floor interface with the street Private Open Space • The proposed development provides for balconies in accordance with the ADG requirements. • The proposal provides for multiple communal open space areas on

Requirement	Comment																														
	the site – including a courtyard on Level 04 and Level 06, a large podium area on Level 05 and rooftop open space on Level 23 (west tower) and Level 29 (east tower).																														
	Deep Soil Zones and Landscaping - It is noted in the DCP that the opportunities for providing deep soil are limited. - Appropriate soil volumes have been provided on structures to optimise landscaping within the site.																														
	Building Design and Materials - The proposed development provides for a varied and well articulated built form with varying heights to create a visual interest, whilst maximising amenity through appropriate separation distances and access to sunlight. - The application was considered by the Design Excellence Advisory Panel who are satisfied that the development achieves the design principles of SEPP 65.																														
	Wind Effects 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. It is noted that a 1500mm vertical screen in the planter area on the ground floor of the western tower is the only mitigation measure required. 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.  Indicative location of barrier screen																														
	Vehicular Access and Car Parking 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) x 187</td><td>187</td><td rowspan="3">Not stated</td><td>•</td></tr><tr><td>2 bedroom (1.1) x 333</td><td>366.3</td><td>•</td></tr><tr><td>3 bedroom or greater (2.0) x 17</td><td>34</td><td>•</td></tr><tr><td>TOTAL RESIDENTIAL</td><td>588</td><td>588</td><td>Yes</td></tr><tr><td>Visitors (0.1)</td><td>54</td><td>57</td><td>Yes</td></tr><tr><td>Total</td><td>642</td><td>645</td><td>Yes</td></tr></table>	Dwelling Type	Required	Proposed	Comply	Studio (1.0)	Nil	Nil	N/A	1 bedroom (1.0) x 187	187	Not stated	•	2 bedroom (1.1) x 333	366.3	•	3 bedroom or greater (2.0) x 17	34	•	TOTAL RESIDENTIAL	588	588	Yes	Visitors (0.1)	54	57	Yes	Total	642	645	Yes
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Requirement	Comment
	• A loading dock has been provided on the southern side of Building E (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 approved under separate development applications. • A Travel Access Guide approved by Council prior to occupation is to be made available to residents and non-residential tenants of development. Safety and Security • 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: - 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. Appropriate conditions requiring compliance with the recommendations of the CPTED report are included in Attachment B. Adaptable Housing • 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	Sustainability • The application complies with Basix requirements and proposes 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 has reviewed the application and raises no concerns with the waste facility subject to standard conditions of consent. Water Management • The DCP requires that future development incorporate water management measures. The proposed development drainage solution includes water sensitive urban design measures such as gross pollutant traps, rainwater tanks (for irrigation and car washing), bio retention system and storm filter cartridges. Ecology • The objectives of the section of the DCP are to ensure that

Requirement	Comment
	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.

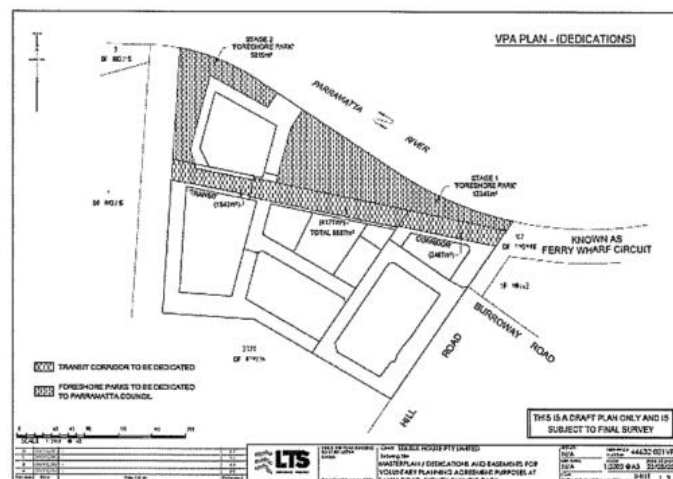
The majority of controls for this proposal are contained within the ADG or the WPP DCP. The following controls would however also apply to this application.

PARAMETER	DESIGN CRITERIA	PROPOSAL	COMPLIANCE
Bicycle Spaces	Required to be provided although no specific rates Recommend (CoP) 1/2 units = 269 spaces	274 spaces	Yes
Adaptable Units	10% of apartments = 54	= 54 apartments	Yes
Liveable Units (ADG)	20% of apartments = 108	= 108 apartments	

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

The implications of the VPA upon this development application is addressed within the table below.

Column 1	Column 2	Column 3	Column 4	Implications for this Application
Item/Contribution	Public Purpose	Manner & Extent	Timing	
Construction of Stage 1 Foreshore Park Works	Provision of public open space	Embellishment of new public open space, such as landscaping, amenities, furniture, seating, and BBQ areas.	Prior to issue of Occupation Certificate for Stages 5, 6, or 7 (whichever is the earlier) of the Development (In accordance with staging plan attached at annexure C) or 3 years from the date of Development Consent for the Stage 1 Foreshore Park Works, whichever is earlier	Potential Impact Construction to occur prior to OC for SP2, SP4, or SP6 whichever is the earlier – or 3 years from park DA consent whichever is the earlier
Construction of Stage 2 Foreshore Park Works	Provision of public open space	Embellishment of new public open space, such as landscaping, amenities, furniture, seating, and BBQ areas.	Prior to issue of Occupation Certificate for Stage 5 of the Development (in accordance with staging plan at annexure C).	Not Impacted Construction to occur prior to OC for SP4
Construction of Transit Corridor	Provision of public infrastructure	Construction of Public Road in accordance with relevant Australian Standards Council guidelines	Prior to issue of Occupation Certificate for Stage 7 of the Development (In accordance with staging plan attached at annexure C)	Not Impacted Construction to occur prior to OC for SP6
Dedication of Land	Dedication	Dedication of Stage 1 of the Foreshore Park	Within 12 months from the date of Practical Completion for the Stage 1 Foreshore Park, unless Council informs the Developer that dedication is not required in accordance with clause 7.5(d) of this Agreement	Potential Impact (refer Stage 1 Construction above)
Dedication of Land	Dedication	Dedication of Stage 2 of the Foreshore Park	Within 12 months from the date of Practical Completion for the Stage 2 Foreshore Park, unless Council informs the Developer that dedication is not required in accordance with clause 7.5(d) of this Agreement	Not Impacted This is linked to the OC of SP4
Dedication of Land	Dedication	Dedication of the Transit Corridor	Prior to issue of Occupation Certificate for Stage 7 of the Development (whichever is the earlier) (In accordance with staging plan attached at annexure C)	Not Impacted Dedication to occur prior to OC for SP6

Table - Schedule 1 Contributions (VPA) and Implications for DA/622/2021

It is noted that the stages referred to in the VPA are not the same as the stages referred to in the DAs

A condition is proposed 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:

6 August to 3 September 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 x individual submissions (from 3 households) were received. The location of the submitters is indicated within the map below.



Locality Map indicating subject site and submissions received

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

Submission	Issue Raised	Planning Comment
4 Waterways Street Wentworth Point	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 537 units will result in 97 vtp and 118 vtp during the morning and afternoon peak periods respectively. The generation of additional vehicle trips during weekday peak hours by the proposed development is consistent with the anticipated development of the area and is not expected to have a significant traffic impact on the surrounding road networks.
	Parking Concern is raised that there is inadequate parking in the area.	The application complies with the required on site car parking requirements under the DCP. In addition, the overall precinct will increase the amount of on street parking with the design and delivery of new roads (approximately 248 car parking spaces).
	Height Concern is raised that 40 storeys is an eyesore and will set a precedent for other development	The proposed height complies with the maximum height restrictions under Auburn LEP 2010. The height was assessed as being appropriate under the recently exhibited and adopted planning proposal for the site.
10 Burroway Road Wentworth Point	Higher Density Impacts Concerns is raised that there will be an increase in negative impacts as a result of the higher density – including additional vehicle noise, less green space available, more garbage and garbage dumping	It is inevitable that higher densities will result in potential impacts, however these impacts are minimised as part of the application. Sufficient waste collection areas have been provided on site for future occupants of the building. The overall precinct will be delivering additional green space in the form of a

		new neighbourhood park, linear park along Hill Road and a foreshore park.
	Height and Scale Concern is raised that the height should be a more reasonable scale.	See previous commentary regarding this issue.
	Parking & Traffic Concern is raised with respect to the insufficient parking in the area and the additional traffic	See previous commentary regarding these issues.
	Overshadowing of Apartment Concern is raised with the overshadowing on the objector's apartment	There will be no overshadowing of the objector's apartment in Burroway Road as a result of this application. The diagram below indicates the 3pm shadow cast (worst case scenario within the vicinity of the objector's property – all earlier shadows are located more westerly).  Shadow diagram indicating that the objector's property (red circle) is not impacted at 3pm during the Winter Solstice
	Wind Impacts along Foreshore Concern is raised that there will be additional wind tunnelling along the foreshore	This sub-precinct is setback from the foreshore with another block located between. There are no wind impacts of this building on the future foreshore park on site. In addition, it is noted that wind tunnel testing of the proposed new foreshore park has been carried out as part of the separate DA for the design and delivery of the new foreshore park and no issues of concern are raised with respect to that wind assessment.
14 Hill Road Sydney Olympic Park (Phase 1)	Traffic Impacts Concern is raised with the increased traffic as a result of the application.	See previous commentary regarding this issue.
	Overdevelopment will impact land values Concern is raised that the increased density will reduce the attractiveness of the area and will affect the land price and economic potential of the area.	The application complies with the maximum floor space permissible under the statutory legislation. No evidence has been provided that suggests that the suburb will become less attractive or impact on the economic potential of the area.
	Building Quality Concern is raised with structural integrity, maintenance and energy consumption.	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. Energy consumption impacts are assessed as part of the application which includes compliance with Basix requirements and the provision of ESD features including the provision of dual piping.
	Insufficient Open Space Concern is raised with the lack of open space proposed which is insufficient for the proposal.	The overall precinct will be delivering additional green space in the form of a new neighbourhood park, linear park along Hill Road and a foreshore park. This provision of open space is significantly greater than the previously approved masterplan for the site despite no increase in density proposed on the site.
	Tower R Opposition is raised to the proposed Tower R for reasons including view loss, overshadowing and restriction of access to the foreshore.	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.

Summary of amendments

The plans were amended with minor modifications to address DEAP comments. The amended proposal retains the same building form (height/floor space/apartment mix/parking), however includes minor changes to external walls on some apartments, communal open space adjustments and car parking reconfiguration.

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:

- 187 x 1 bedroom apartments
- 333 x 2 bedroom apartments
- 17 x 3+ bedroom apartments

The contributions payable are as follows:

Works	DA/622/2021 - Contribution Amount
Plan Administration (HBW)	\$ 181,441.93
Community Facilities (HBW)	\$ 696,343.13
Open Space (HBW)	\$ 1,243,930.62
Traffic Management (HBW)	\$ 514,901.05
Total Contributions Payable	\$ 2,636,616.73

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/622/2021 for the development of proposed Sub-Precinct 2 comprising remediation and construction of a residential flat building comprising 3 x basement car parking levels, a 4 x level sleeved podium and 2 buildings (39 storey tower and 32 storey tower) containing 537 apartments on land at 14-16 Hill Road, Sydney Olympic Park for a period of five (5) years from the date on the Notice of Determination for physical commencement to occur subject to the conditions contained within **Attachment B**.