

# COUNCIL ASSESSMENT REPORT

<b>Panel Reference</b>	PPSSCC-277
<b>DA Number</b>	DA/624/2021 PAN-115201
<b>LGA</b>	City of Parramatta Council
<b>Proposed Development</b>	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.
<b>Street Address</b>	14-16 Hill Road – Sydney Olympic Park Lot 3 DP 271278
<b>Applicant Owner</b>	SH Hill Road Development Pty Ltd SH Hill Road Development Pty Ltd
<b>Date of Lodgement</b>	12 July 2021
<b>Number of Submissions</b>	6 submissions (6 x households)
<b>Recommendation</b>	Approval subject to conditions
<b>Regional Development Criteria</b>	General Development >\$30 million
<b>List of All Relevant s4.15 Matters</b>	<ul style="list-style-type: none"> <li>• Environmental Planning and Assessment Act and Regulations</li> <li>• SEPP (Planning Systems) 2021</li> <li>• SEPP (Biodiversity and Conservation) 2021</li> <li>• SEPP (Resilience and Hazards) 2021</li> <li>• SEPP (Transport and Infrastructure) 2021</li> <li>• Auburn LEP 2010</li> <li>• Wentworth Point Precinct DCP 2014</li> <li>• Auburn DCP 2010</li> </ul>
<b>List of Relevant Documents</b>	As appearing in Condition 1 of Attachment B
<b>Report Prepared By</b>	Kate Lafferty – Executive Planner
<b>Report Date</b>	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?  
*e.g. Clause 7 of SEPP 55 - Remediation of Land, Clause 4.6(4) of the relevant LEP* **Yes**

## Clause 4.6 Exceptions to development standards

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

## Special Infrastructure Contributions

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

## Conditions

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

# EXECUTIVE SUMMARY

## 1. Summary

This report considers a proposal for the development of proposed Sub-Precinct 6 comprising 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 primary site constraints on the land include contamination, catchment management and proximity to Newington Nature 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

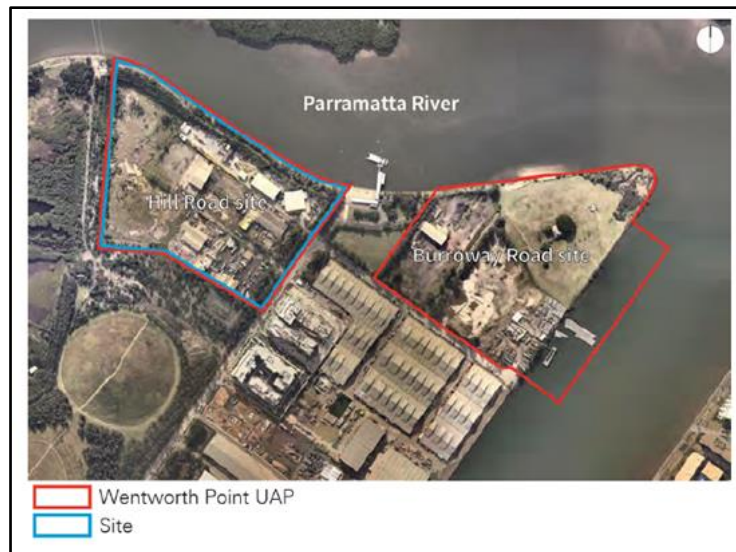
<b>Design Excellence</b>	<p>The proposed development has undergone significant design review by the Parramatta Design Excellence Panel (DEAP). Three (3) meetings and a two (2) design workshops have been held between the applicant and DEAP.</p> <p>The DEAP final report notes that only minor changes are required and provided these changes are incorporated, the panel does not need to review this application again. This is discussed in more detail within the report.</p>
<b>Wentworth Point Precinct DCP</b>	<p>Non-compliances with the Wentworth Point DCP – including building alignment, heights and setbacks. As mentioned above, the application has been through extensive review by DEAP and the minor variations to the DCP are found to be acceptable.</p>
<b>Catchment Management</b>	<p>Given the size and location of the site and the extent of earthworks proposed, consideration of the catchment of the site is a key issue. The applicant has provided Council with various modelling and data including DRAINS, TUFLOW and MUSIC models to appropriately assess the proposed catchment flows and impacts upon the development and adjoining properties. Council's development and catchment engineers have reviewed the information submitted and are generally satisfied that the site is appropriately drained. Some detailing will be required to be submitted before the issue of any construction certificate.</p>

### 3. Background and Site Context

#### Background

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

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



The subject application 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 77,240m<sup>2</sup> 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 – DA/763/2017

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



Phase 1 Plan and Building Layout



Photomontage Phase 1 Buildings

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

- Planning Proposal and DCP Amendment

A planning proposal was lodged with Council to amend the heights and floor space distribution across the site. This was based upon revised master planning of the site within a revised draft DCP. The changes involved a different street and lot pattern, redistribution of floor space across the site (facilitating an alternative distribution of the approved gross floor area for the site of 188,800m<sup>2</sup>), 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.

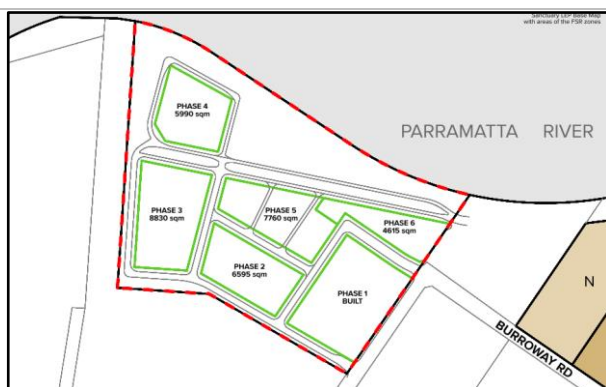
The VPA has been executed and registered on the land title.

### **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**

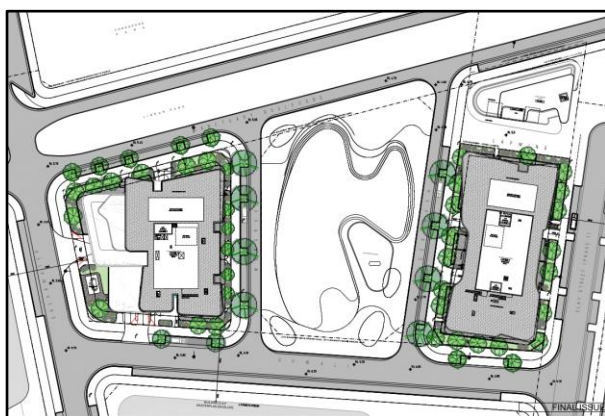


**Concept Public Domain Streetscape Masterplan**

### **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.



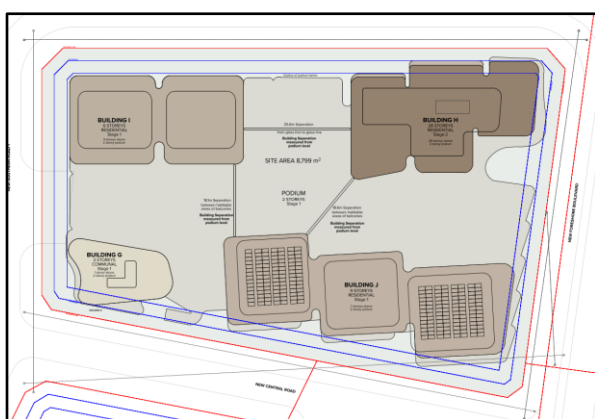
Phase 2 Plan and Building Layout



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.

<b>DA/622/2021</b>	Development of proposed <b>Sub-Precinct 2</b> including remediation and construction of a residential flat building comprising 3 x basement car parking levels, a 4 x level sleeved podium and 2 buildings (40 storey tower and 32 storey tower) containing 537 apartments. The application will be determined by the Sydney Central City Planning Panel.
<b>DA/623/2021</b>	Development of proposed <b>Sub-Precinct 4</b> 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 (9-40 storey) containing 390 apartments. The application will be determined by the Sydney Central City Planning Panel.
<b>DA/624/2021</b>	Development of proposed <b>Sub-Precinct 6</b> including subdivision into 3 lots, remediation, roadworks and construction of a mixed use building comprising 8 x

	basement car parking levels, a 2 x level sleeved podium and 2 buildings (40 storey and 11 storey) containing 331 apartments and ground floor retail tenancies. The application will be determined by the Sydney Central City Planning Panel. <b>This is the subject development application.</b>
<b>DA/420/2022</b>	Staged construction of the <b>foreshore park</b> comprising of a central lawn, children's playground, picnic area, foreshore walk, western entry, associated amenity facilities and seawall upgrade. The proposal is Nominated Integrated Development under the Water Management Act 2000 and Integrated Development under the Fisheries Management Act 1994.

The current development applications seek to develop the remainder of the development lots on the site – being the 5 sub-precincts identified as sub-precincts 2 to 6 and the foreshore park.



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

### **Transit Corridor**

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

### **Foreshore Park**

The redevelopment project includes the design and delivery of a new foreshore park which is to be delivered to Council as part of the voluntary planning agreement associated with the planning proposal. The foreshore park has a total area of 18,160m<sup>2</sup>. A separate application for the staged construction of this park has been submitted and is currently under assessment.



## Overall Project Statistics

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

	Current DAs	Current DAs + Phase 1	Entire Site (including park)
<b>Total number of dwellings</b>	1752 dwellings	2116 dwellings	2116 dwellings
<b>Total estimated cost of development</b>	\$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 6 development of the site which is located on Sub-Precinct 6. The proposal will occur within residual lot 10, which will be created upon the registration of a plan of subdivision associated with the foreshore park (approved through subdivision associated with Sub-Precinct 4), which will precede the construction of the sixth and final phase of the development in the precinct.

Sub-Precinct 6 has a site area of 4615m<sup>2</sup>. The site area of proposed Lot 10 (this part of Sub-Precinct 6 the subject of this application) is 3924m<sup>2</sup>.



**Sub-Precincts reflected in the LEP and DCP**



**Phase 6/SP6 location indicated in blue**

Consent is sought for the following:

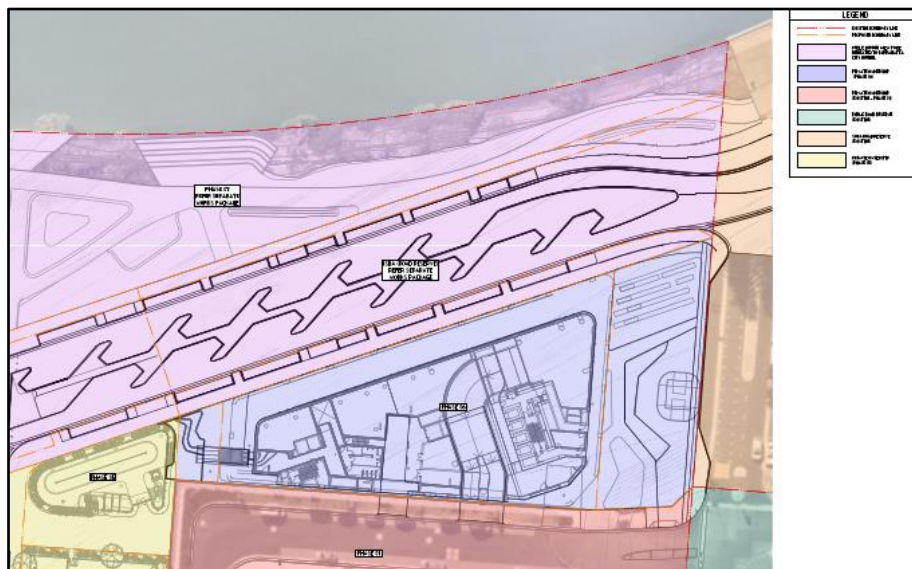
- Subdivision of super lot 10 into 3 allotments representing the new community titled public domain area, a future road allotment to be transferred to Council, and the site containing the proposed development. Details are as follows:
  - Lot 1 – new community title public domain
  - Lot 19 – a future road allotment to be transferred to Council
  - Lot 20 – the new mixed use building.
- Remediation works
- The final portion of the road network along the northern part of the site, which will be created on separate title to facilitate dedication to Council in the future
- A new linear park along the eastern side of the site



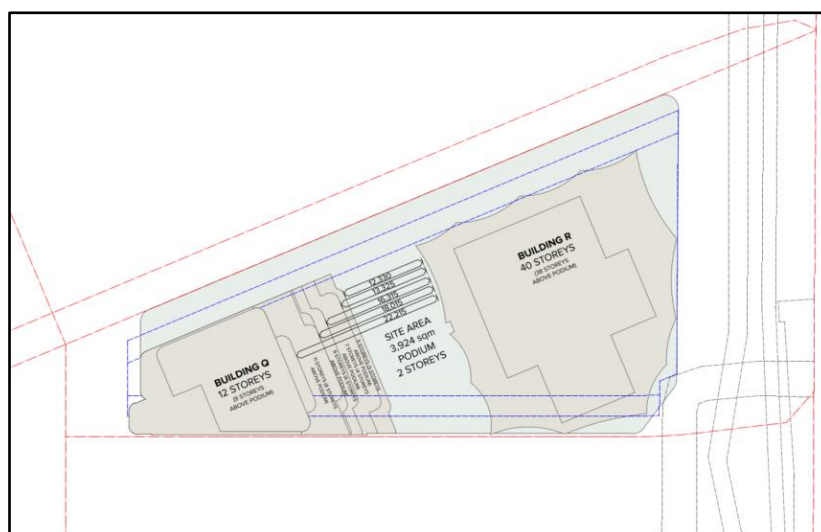
- Eight basement levels across the entire site within the boundaries created by the perimeter road network
- 3 level sleeved podium across the site, with 2 buildings above the podium located around a central common open space area, comprising:
  - Building Q: 12 storey building at western end of the site; and
  - Building R: 40 storey building at eastern end of the site.
 (Note – The tower heights are inclusive of the podium levels)
- The proposal contains a total of 5 retail tenancies on the ground floor, 331 apartments and 410 car parking spaces.

**Cost of Works = \$172,865,000**

It is noted that part of Sub-Precinct 6 has already been approved for a 2 storey gymnasium and pool for resident use under DA/588/2021 (Sub-Precinct/Phase 2 development). The site area for this development has been excluded under this Sub-Precinct 6 application.



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



**Sub-Precinct 6 – Layout of Buildings on Site**



Photomontage – northern view from Parramatta River



Photomontage – northern view of ground plane from Foreshore Boulevard

## 6. Permissibility

### Auburn Local Environmental Plan 2010

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

***mixed use development*** means a building or place comprising 2 or more different land uses

The proposed land uses within the mixed use development are:

- ***residential flat building*** means a building containing 3 or more dwellings, but does not include an attached dwelling or multi dwelling housing.
- ***retail premises*** means a building or place used for the purpose of selling items by retail, or hiring or displaying items for the purpose of selling them or hiring them out, whether the items are goods or materials (or whether also sold by wholesale), and includes any of the following;
  - (a) *(Repealed)*
  - (b) *cellar door premises,*
  - (c) *food and drink premises,*
  - (d) *garden centres,*
  - (e) *hardware and building supplies,*
  - (f) *kiosks,*
  - (g) *landscaping material supplies,*
  - (h) *markets,*
  - (i) *plant nurseries,*
  - (j) *roadside stalls,*
  - (k) *rural supplies,*
  - (l) *shops,*
  - (la) *specialised retail premises,*
  - (m) *timber yards,*
  - (n) *vehicle sales or hire premises,**but does not include highway service centres, service stations, industrial retail outlets or restricted premises.*

The uses are permissible with consent within the B4 Mixed Use 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: **6 submissions**

Issues raised in submissions: Inappropriate height, inadequate parking, traffic impacts, overshadowing, loss of privacy, loss of views, wind impacts on foreshore, overdevelopment/overpopulation, visual impacts on the foreshore, impacts on mental health, reduction of outdoor space, increased garbage and rubbish dumping.

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

## 10. Consideration of SEPPs

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

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

## 12. Wentworth Point Precinct Development Control Plan 2014

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

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



### 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
<b>Planning framework:</b> 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.
<b>Public domain:</b> Extension of the public domain in relation to the foreshore was discussed, with the Panel noting the supplementation of this key open space by the applicant, who will also deliver the parklands in cooperation with Council. Ongoing maintenance and management of public spaces was discussed, and the Panel noted that requirements in this regard are addressed in the VPA, with parklands to be dedicated to Council.	The design and delivery of the foreshore park is contained within the VPA. The approval for the construction of the foreshore park is subject to a separate development application which is currently under assessment.
<b>Staging:</b> 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.  This current application is one of the two priority applications as advised by the applicant.
<b>Traffic and public transport:</b> 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.	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).

<p>The applicant observed that a ferry stop was already in place adjacent to their site, and that although they would strongly welcome light rail, if it were not to proceed, their proposal was able to be adapted for other public transport modes e.g. bus.</p>	
<p><b>Urban design and architecture:</b></p> <p>The applicant provided a detailed presentation regarding the overall urban design intentions for the area, the character proposed for each sub-precinct, and the range of architecture. It was noted that a number of architectural teams are working across the masterplan to ensure diversity of built form within a coordinated framework. Panelists expressed support for this approach, and observed that it was responsive to the wider Sydney context, which is characterized by a range of 'villages' with different characters.</p> <p>Panelists also expressed support for the attention paid to ground level activation of the proposal and the interface of buildings with the public domain.</p> <p>Panelists queried the project architect's response to the ADG, regarding which the architects replied that the site benefited from a northerly aspect towards the water, which had enabled largely north, west and east facing apartments to be proposed for optimal solar access in addition to a water view.</p> <p>Wind impacts were discussed with regard to ground level impacts and pedestrian comfort. The architects noted that both winds resulting from the new buildings and winds from the surrounding parkland had been investigated and addressed in the design proposal.</p> <p>Landscaping was raised, regarding which the applicant advised that they had committed to provide one tree on the site per apartment. The Panel observed that Council is strongly in support of optimizing the tree canopy in Parramatta, and expressed support for this approach.</p>	<p>The application has been the subject of numerous design meetings with Council's Design Excellence Advisory Panel (DEAP), who are satisfied that the proposal has achieved design excellence and ADG requirements have been adequately met.</p> <p>Council's Urban Design Team have reviewed the public domain and raise no significant issues. The proposal provides for satisfactory ground level activation and integration with the public domain.</p> <p>An independent wind assessment has been carried out and the wind conditions for safety and comfort within this sub-precinct are considered acceptable.</p> <p>Landscaping of the site and the public domain has been considered by DEAP, Urban Design and Council's Tree and Landscape Officer, and is found to be satisfactory.</p>
<p><b>Site contamination:</b></p> <p>Panelists queried the status of site contamination. Council advised that the appropriate contamination investigations had been undertaken, with remedial actions planned and undertaken, and sign-off from an independent site auditor to be achieved.</p>	<p>Council's Environmental Health Officer has reviewed the documentation submitted and is satisfied that the site can be made suitable for the development subject to the imposition of appropriate conditions.</p>
<p><b>Procedural matters going forward:</b></p> <p>The Panel noted the proposed timing of applications for determination, which it is recognised may be required to be varied as some DA's are further advanced than others. The Panel requested further briefings as part of the determination process. The Panel Secretariat will liaise with Council in this regard.</p>	<p>Noted.</p>

The Chair requested that insofar as possible the same Panel members as participated in this briefing should be party to the determination.	
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## 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/624/2021 subject to the conditions contained within **Attachment B** of the Assessment Report.

# ATTACHMENT A - PLANNING ASSESSMENT

<b>SCCPP Reference:</b>	PPSSCC-277
<b>DA No:</b>	DA/624/2021 PAN-115201
<b>Address:</b>	14-16 Hill Road – Sydney Olympic Park

## 1. Overview

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

### 1.1 Matters for consideration

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

### 1.2 Referrals

The following external and internal referrals were undertaken:

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



	Condition 70 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	<p>SOPA were notified of the proposed development as an adjoining landowner. SOPA provided comments which did not specifically address the subject development application, however requested that the submission lodged for the planning proposal, draft DCP amendment and VPA be considered in this assessment. The issues raised within the submission were considered in the assessment of the strategic matters. Notwithstanding this, the following comments are provided:</p> <table border="1"> <thead> <tr> <th>Concern</th><th>Comment</th></tr> </thead> <tbody> <tr> <td>Zoning impacts</td><td>Not relevant to this application. The zoning has been approved through the planning proposal and the issue does not warrant re-examination.</td></tr> <tr> <td>Shadowing</td><td> <p>The application was accompanied by an ecological report which assessed the shadowing impact on the adjoining SOPA parklands. This report states:</p> <ul style="list-style-type: none"> <li>• Winter shadowing is in the early morning with shadowing largely on mangroves with only 145m<sup>2</sup> on saltmarsh and 95% full sun on these communities by 10am. The vegetated areas of the Nature Reserve are in full sun from 11am.</li> <li>• 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.</li> <li>• 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.</li> </ul> </td></tr> </tbody> </table>	Concern	Comment	Zoning impacts	Not relevant to this application. The zoning has been approved through the planning proposal and the issue does not warrant re-examination.	Shadowing	<p>The application was accompanied by an ecological report which assessed the shadowing impact on the adjoining SOPA parklands. This report states:</p> <ul style="list-style-type: none"> <li>• Winter shadowing is in the early morning with shadowing largely on mangroves with only 145m<sup>2</sup> on saltmarsh and 95% full sun on these communities by 10am. The vegetated areas of the Nature Reserve are in full sun from 11am.</li> <li>• 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.</li> <li>• 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.</li> </ul>
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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. No boundary walls are indicated at the interface with the adjoining SOPA lands as part of this application.
	Traffic	Concern was raised regarding the additional impacts of introducing mixed use zoning and non-residential uses. The zoning has been approved through the planning proposal and the issue does not warrant re-examination. Traffic impacts of the proposed development have been reviewed by Council's Traffic Officer and found to be acceptable.
DPIE (EES)	The Biodiversity and Conservation Team of DPIE requested consideration of impacts on biodiversity values within the area. An ecological report was submitted which addresses impacts upon the adjoining parklands. This has been discussed further within this report.	
Internal Referrals		
External Surveyors (Land Partners)	Council's independent surveyor (Land Partners) have reviewed the application and raise no significant issues with the proposed development. The detail of easements and the like may be considered at the separate subdivision certificate stages of the development. Conditions are recommended to be imposed.	
ESD Consultant (Flux)	Council's ESD/Basix consultant has reviewed the documentation and raises no objection to the proposal. The Basix certificates are acceptable and recommended ESD conditions have been provided.	
Wind Consultant (Mel Consulting)	Council's Wind consultant has reviewed the application and advises that the wind conditions 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 no further design issues are outstanding. This has been discussed in further detail within this report.
Urban Design (Public Domain)	Council's Public Domain team have reviewed the proposal and raise no objections subject to the imposition of appropriate conditions, including the requirement to submit detailed public domain construction drawings.
Accessibility Officer	Council's Accessibility Officer is generally satisfied with the proposed development. Minor issues may be imposed as conditions.
Development Engineer	Council's Development Engineer has reviewed the proposed development and raises no objections to the proposal. The application was found to be satisfactory in terms of drainage design, water sensitive urban design and flooding subject to the imposition of appropriate conditions.
Catchment Infrastructure	Council's Infrastructure team have reviewed the proposal and recommended conditions be imposed relating to stormwater management details before the issue of a CC, inspections during work and final works sign off.
Infrastructure Alignment	Council's infrastructure (roads) team have reviewed the application and raised no significant issues with the proposal. Conditions regarding road design and inspections have been recommended and imposed.
Infrastructure Roads & Pavement	
Traffic	Council's Traffic Officer has reviewed the proposed development and raises no concerns on traffic or safety grounds. Conditions have been incorporated within the recommendation section of the report.
Infrastructure Planning & Design	The application was referred to the Infrastructure Planning & Design team as the concept proposes an E-W transit corridor that is designed to accommodate the potential PLR2 corridor. No comments or objections were received.
Landscape	The application was referred to Council's Tree Management & Landscape Officer who raises no 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 for the following matters:

- a water supply work approval under the Water Management Act 2000 is required to be obtained from **Water NSW**. Water NSW have issued their General Terms of Approval (IDAS1146240 issued 07 November 2022).
- a controlled activity approval under the Water Management Act 2000 is required to be obtained from the **Natural Resource Access Regulator (NRAR)**. NRAR have issued their General Terms of Approval (IDAS-2021-10050 issued 02 November 2021).

These approvals are 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, public domain and subdivision plans have been submitted with this application.	Yes
5	<i>Indicative Approval – Stratum</i>	Not applicable. No stratum is proposed as part of this application.	Yes
6	<i>Indicative Approval – Foreshore Park</i>	Not applicable. The foreshore park does not form part of this application.	Yes
7	<i>Natural Resources Access Regulator General Terms of Approval</i>	Approval has been granted by NRAR as part of this application.	Yes
8	<i>Public Domain</i>	These requirements (where relevant) have been reflected within the Recommendation section of this consent.	Yes
9	<i>Public Access over Roads</i>	These requirements (where relevant) have been reflected within the Recommendation section of this consent.	Yes



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

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

### 3. Environmental Planning Instruments

#### 3.1 SEPP (PLANNING SYSTEMS) 2021

##### Clause 2.19 Declaration of regionally significant development

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

#### 3.2 SEPP (BIODIVERSITY AND CONSERVATION) 2021


SEPP Section	Comment
<b>Chapter 2 Vegetation in non-rural areas</b>	No vegetation removal is required as part of this application.
<b>Chapter 6 Bushland in urban areas</b>	The site does not contain any bushland to be protected and no vegetation removal is required as part of this application.
<b>Chapter 10 Sydney Harbour Catchment</b>	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

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

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

### 3.4 SEPP (RESILIENCE AND HAZARDS) 2021

SEPP Section	Comment
<b>Chapter 2 Coastal Management</b>	<p>The western portion of the site is affected by the <i>proximity area for coastal wetlands</i> as identified within the policy map (see below extract). Sub-Precinct 6 is NOT affected by this map.</p>  <p>Notwithstanding the above, it is noted that the subject site is in proximity to the Newington Nature Reserve and wetlands (although separated by buildings on the site). A Flora and Fauna report prepared by Ecological Consultants Australia was submitted with the application. This report assesses the likely impacts of the proposed development on the values of this area. Findings include the following:</p> <ul style="list-style-type: none"> <li>It is expected that there will be no significant impact on threatened species or migratory shorebirds as listed under the EPBC Act.</li> </ul>

	<ul style="list-style-type: none"> <li>• The proposed development will not directly remove habitat (foraging/roosting or other).</li> <li>• The proposed development will have a minor (to negligible) shading influence on the Saltmarsh and Mangroves. Thus, the shading will not significantly degrade areas of foraging/roosting or other habitat such that they lose their current habitat value.</li> <li>• Direct (collision) and indirect impacts associated with the proposal are expected to be negligible.</li> <li>• Indirect impacts can be appropriately managed during the design and construction stage.</li> <li>• Lighting designs will follow Best Practice Lighting Design as outlined in the National Light Pollution Guidelines for Wildlife (Migratory Shorebirds).</li> <li>• Effective stormwater management is possible on site and the design leads freshwater away from the reserve and saltmarsh ecological communities within.</li> </ul> <p>The application has been reviewed by Council's Biodiversity Officer who is satisfied that the proposed development will not be likely to significantly impact threatened species, ecological communities or their habitats, and has included recommended conditions to further minimise potential ecological impacts.</p>
<b>Chapter 3 Hazardous and Offensive Development</b>	Not applicable. The application does not involve any hazardous or offensive industries.
<b>Chapter 4 Remediation of Land</b>	<p>Clause 4.6 of this policy requires the consent authority to consider if land is contaminated and, if so, whether it is suitable, or can be made suitable, for a proposed use.</p> <p>A RAP prepared by EI Australia was submitted with the application. This RAP describes the works required to remediate the site, thereby rendering it suitable for the proposed (residential) use.</p> <p>The following indicates the contaminants of concern for remediation:</p> <ul style="list-style-type: none"> <li>• Asbestos within the soil</li> <li>• Presence of metals (nickel/copper).</li> </ul> <p>The source of contaminants is a result of the historic use of the area and includes, importation of unknown fill, storage and use of petroleum based products (oils, fuels, lubricants), weathering of structures containing hazardous materials and migration of mobile ground contaminants (on site and off site).</p> <p>The site remediation works will include (though not necessarily be limited to):</p> <ul style="list-style-type: none"> <li>• Cap and contain for management of asbestos/metal impacted soils.</li> </ul> <p>It is noted that much of the soil on site will be excavated for the basement construction and therefore appropriate waste classification will need to be carried out before disposal.</p>

	<p>The Revised RAP was reviewed by an independent NSW EPA Accredited Site Auditor (Tim Chambers, Phreatic Consulting) who concludes that ... <i>"The Auditor is satisfied that the proposed remedial strategy is appropriate to address the identified contamination at the site. The report adequately meets the NSW EPA reporting requirements."</i></p> <p><i>The Auditor is satisfied that implementation of the remediation proposed in the RAP (Eiaustralia (12.10.2021) Remediation Action Plan, Sanctuary Phase 6, 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></p> <p>At the completion of remediation and validation works, a validation report will be prepared in general accordance with the NSW EPA (2020a) Guidelines for Consultants Reporting on Contaminated Land and other relevant guidance endorsed by the NSW EPA. The site validation report will be submitted for Council and a NSW EPA-accredited Site Auditor review at the completion of the remediation works program.</p> <p>Accordingly, the development application is satisfactory having regard to the relevant matters for consideration under Chapter 4 of the SEPP (Resilience and Hazards) 2021. Subject to the implementation of the remediation action plan, the site will be suitable for the proposed development.</p>
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### 3.5 SEPP (TRANSPORT AND INFRASTRUCTURE) 2021

SEPP Section	Comment
<b>Chapter 2 Infrastructure</b>	
Development likely to affect electricity transmission or distribution networks	<p>Based upon the information contained within the submitted survey, the application is subject to Clause 2.48 of the SEPP as the development does propose works within the vicinity of electricity infrastructure that would trigger a written referral to the energy authority.</p> <p>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.</p>
Development Adjacent to Rail Corridors	<p>The subject site is not adjacent to a rail corridor. Although Parramatta Light Rail (Stage 2) is proposed through the site, this is not a formally identified or declared rail corridor. Notwithstanding this, TfNSW have provided comments which are discussed within this report.</p> <p>Clause 2.99 of the SEPP requires the consent authority to consider the impact of rail noise or vibration on residential</p>



	<p>development. An acoustic report for the proposed development has been submitted that includes an assessment of exiting environmental noise including road traffic noise and ferries using the Sydney Olympic Park wharf as well as future possible noise and vibration impacts from the proposed light rail which will be located on the site.</p> <p>This report details the required acoustic constructions of the building's façade, including external windows, to ensure that the future internal noise levels comply with the relevant noise levels of the Australian Standard AS2107:2016. Providing the recommended constructions detailed in this report are included in the construction of the project the required internal noise levels will be achieved.</p>
Frontage to a Classified Road	The subject site has frontage to Hill Road, which is not a classified road.
Traffic Generating Development	The proposal does trigger a referral to TfNSW under Schedule 3 of the SEPP as the proposed development contains more than 300 apartments and more than 200 car parking spaces. TfNSW raise no objection to the proposal subject to the imposition of conditions.

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

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

- The 9 SEPP 65 Design Quality Principles
- The Apartment Design Guide (ADG).

#### Design Quality Principles

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

Design quality principle	Response
<b>Context</b>	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.
<b>Built form</b>	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.
<b>Density</b>	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.
<b>Sustainability, resource, energy &amp; water efficiency</b>	The development provides opportunities in this regard, as reflected within the submitted Basix Certificate. Energy efficiency is also aided by the use of water/energy efficient fittings, appliances and

	lighting and WSUD measures. The proposal also provides for dual piping.														
Landscape	The landscaping solutions depicted in the detailed landscape plans are considered to be of high quality and appropriately respond to the proposed built environment.														
Amenity	The proposal is considered to be satisfactory in this regard, optimising internal amenity through appropriate room dimensions and shapes, access to sunlight, natural ventilation, visual and acoustic privacy, storage, indoor and outdoor space, outlook, efficient layouts and service areas. The proposal provides for a limited but acceptable unit mix (in terms of number of bedrooms) for housing choice and provides access and facilities for people with disabilities.														
Safety & security	The proposal is considered to be satisfactory in terms of future residential occupants overlooking public and communal spaces while maintaining internal privacy. The building has been designed to be satisfactory in terms of perceived safety in the public domain.														
Social dimensions/housing affordability	<p>This principle essentially relates to design responding to the social context and needs of the local community in terms of lifestyles, affordability and access to social facilities and optimising the provision of housing to suit the social mix and provide for the desired future community. It is considered that the proposal satisfies these requirements.</p> <p>The proposed unit mix is as follows:</p> <table><tr><th>Bedroom Size</th><th>Number</th><th>% of Apartments</th></tr><tr><td>1 bedroom</td><td>131 apartments</td><td>40%</td></tr><tr><td>2 bedroom</td><td>193 apartments</td><td>58%</td></tr><tr><td>3 bedroom</td><td>6 apartments</td><td rowspan="2">2%</td></tr><tr><td>4 bedroom</td><td>1 apartment</td></tr></table> <p>Council would ordinarily expect a higher percentage of 3 bedroom units within the development (minimum 10%) and has encouraged the applicant to provide a greater diversity of unit sizes. It is noted that there are no unit mix requirements in either the Wentworth Point Precinct DCP or the Auburn DCP. The applicant has not amended the unit mix however has shown how apartments are capable of being amalgamated to provide larger units should the market demand this type of accommodation.</p>	Bedroom Size	Number	% of Apartments	1 bedroom	131 apartments	40%	2 bedroom	193 apartments	58%	3 bedroom	6 apartments	2%	4 bedroom	1 apartment
Bedroom Size	Number	% of Apartments													
1 bedroom	131 apartments	40%													
2 bedroom	193 apartments	58%													
3 bedroom	6 apartments	2%													
4 bedroom	1 apartment														
Aesthetics	The proposed development is considered to be appropriate in terms of the composition of building elements, textures, materials and colours and reflect the use, internal design and structure of the resultant building. The proposed buildings aesthetically respond to the environment and context, contributing to the desired future character of the area. The design has been reviewed and supported by the Parramatta Design Excellence Advisory Panel.														

### Apartment Design Guide (ADG)

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

*Site area for ADG = 3924m<sup>2</sup> (site minus Building P site)*

PARAMETER	DESIGN CRITERIA	PROPOSAL	COMPLIANCE												
Communal Open Space	Min 25% of the site area = 981m²	= 1100m² or 28% (podium)  Additional open space (publicly accessible) in Hill Road linear park (1018m²) and western forecourt area	<b>Yes</b>												
	Min 50% of the communal open space is to receive 2 hours direct sunlight between 9.00am and 3.00pm on June 21	Achieved on podium	Yes												
Deep soil zone	7% of the overall site area Minimum dimension of 6m required = 275m²	Nil No deep soil is provided across the entire site  <i>With the exception of the opportunity to provide as part of the Hill Road front setback</i>	<b>No</b> <i>However soil depths on slab range between 300mm-1.9m which can maintain appropriate landscaping</i>												
Building Separation	<table><tr><th>Building Height</th><th>Habitable rooms and balconies</th><th>Non-habitable rooms</th></tr><tr><td>up to 12m (4 storeys)</td><td>12m</td><td>6m</td></tr><tr><td>up to 25m (5-8 storeys)</td><td>18m</td><td>9m</td></tr><tr><td>over 25m (9+ storeys)</td><td>24m</td><td>12m</td></tr></table>	Building Height	Habitable rooms and balconies	Non-habitable rooms	up to 12m (4 storeys)	12m	6m	up to 25m (5-8 storeys)	18m	9m	over 25m (9+ storeys)	24m	12m	<u>To adjoining properties</u> 24m to SP1 development 28m to SP5 development  <u>Within the development</u>  Level 4 – 12.3m L5-L8 – min 13.9m (balcony/glassline) and min16m (windows) L9 – min 19.4m (balcony/glassline) and min 16m (windows) L11/12 - 24m	Yes   In part <i>Privacy screening provided on western side of Building R</i>
Building Height	Habitable rooms and balconies	Non-habitable rooms													
up to 12m (4 storeys)	12m	6m													
up to 25m (5-8 storeys)	18m	9m													
over 25m (9+ storeys)	24m	12m													
Solar Access	At least 70% of living rooms and private open space to receive at least 2 hours direct sunlight between 9.00a.m and 3.00p.m on June 21	245 apartments = 74%	Yes												
	A maximum of 15% of apartments are permitted to receive no direct sunlight between 9.00am and 3.00pm midwinter.	45 apartments = 13.5%	Yes												
Cross Ventilation	At least 60% of apartments are to be naturally cross ventilated (up to 9 storeys)	54 apartments = 63.5%	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)  Ground floor 6.3m-8.3m	Yes												
Apartment Size	Studio – 35m² 1 bed – 50m² 2 bed – 70m² 3 bed – 90m²	Complies	Yes												

	(note: minimum internal size increases by 5m <sup>2</sup> for additional bathrooms, 10m <sup>2</sup> 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 <sup>2</sup> Other bedrooms – 9m <sup>2</sup> Bedroom dimensions – 3m min.  Living rooms have a width of: <ul style="list-style-type: none"> <li>• 3.6m for studio/1bd</li> <li>• 4m for 2 or 3 bd</li> </ul>	Complies	Yes
Balconies	Studio – 4m <sup>2</sup> 1bd – 8m <sup>2</sup> / 2m 2bd - 10m <sup>2</sup> /2m 3bd – 12m <sup>2</sup> /2.4m	Complies	Yes
	Ground or podium apartments to have POS of 15m <sup>2</sup> /3m	No ground floor apartments	N/A
Circulation	Maximum 8 apartments per level	Building Q = 4 (max) Building R = 8 (max)	Yes
Storage	1bd – 6m <sup>3</sup> 2bd – 8m <sup>3</sup> 3bd – 10m <sup>3</sup>	345 storage cages provided within the basement	Yes

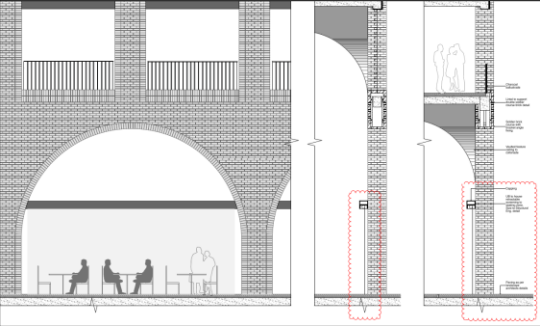
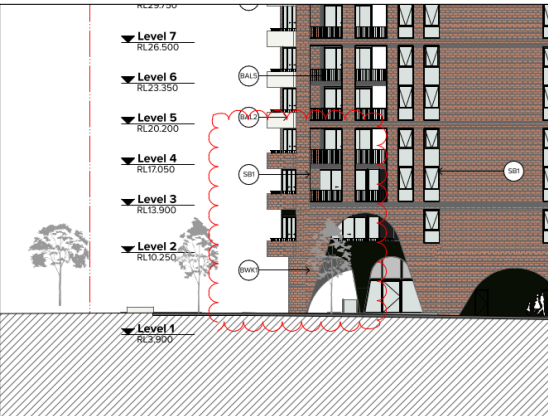
### Parramatta Design Excellence Advisory Panel (DEAP)

The application was considered by the DEAP as follows:

16 September 2021	DEAP meeting
25 November 2021	DEAP-Sekisui workshop
27 January 2022	DEAP-Sekisui workshop
26 April 2022	Pre-final DEAP meeting
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
The Lapwing Street/ Building edge has somewhat improved the public realm due to the provision of a lobby entry at the north-western end of the Building Q. This lobby is however setback from the Lapwing St building edge thereby impacting on potential activation. It is suggested that this could be extended toward the built edge to provide improved street activation and provide a larger lobby area.	The applicant has provided an amended plan which locates the lobby closer to the Lapwing Street building edge. It is now setback 1800mm to create weather protection for residents using the intercom and entering the building. This avoids the need of an awning.	Nil

<p>The resolution of the chairlift within the space between the development and Building P to meet DDA requirements still requires further refinement.</p>	<p>The applicant has indicated that this will be reviewed at CC stage.</p>	<p>Condition</p>
<p>The wind barrier strategy previously addressed via the snaking wind barrier/planter elements have been reconsidered in line with Panel feedback. A clear retractable blind is now proposed to be located in each of the masonry arches and housed within a steel “H”-beam. The beam is currently proposed to be fixed to the reveal of each arch wall and set at a height considered to be appropriate to the opening. It is noted that a series of wind barrier options were included in the resubmission and this was proposed as the preferred.</p> <p>The “H”-Beam section should be a custom ms or marine grade stainless steel element designed to house the blind and its mechanism. The open “H” section will provide a catchment for wind blown debris and dirt where as a custom pelmet element will not. The pelmet element could be relocated to the rear face of the masonry arches thereby allowing for a simpler connection detail to the masonry wall, providing unencumbered arch reveals, provide a smaller or no gap between blind fabric and wall. This relocation also allows for the pelmet element to be altered at the wall junction to provide up lighting to the soffit.</p>	<p>The applicant has provided an updated drawing indicating the design of the H beam for the wind barrier to address the concerns raised by DEAP.</p>  <p><b>Façade elevation and section of wind barrier</b></p>	<p>Nil</p>
<p>The Panel previously raised issues with the white solid balconies on the north-western corner of Building Q and suggested that bottom two balconies be finished in masonry to further delineate and align with the materiality of the podium. There appears to be an inconsistency in the proponent's submitted response to this given that the “Additional Information – Response to DEAP Comments” drawing set notes that the intention to keep to the original design where as the Updated Architectural plans show the lower two balconies adopting the Panel's suggestion. It is noted that in the verbal presentation the proponent was keen to keep to the original scheme and suggested that the white balconies are an extension of equally finished internal structure that is viewed through the masonry openings. The Panel however still has concerns that the language differences between Building Q and these balconies appear</p>	<p>The applicant has provided updated elevations to address this issue. The lower levels have incorporated masonry balconies as suggested by DEAP.</p>  <p><b>Lower levels amended with masonry balconies</b></p>	<p>Nil</p>



to be at odds and requires consideration to link this corner with the podium.		
The resubmission has proposed to increase the distance between the scalloped balcony edges and the solid structure on Tower R given the Panels previous concerns. The increase of 300mm is still considered to be too narrow and this needs to be addressed. Building Q has similar issues in parts that require further attention.	The scalloped balconies have been increased further to the boundary which will create a 700mm gap.	Nil
The proponent noted that no PV solar roof panels are proposed, as the roof footprints are too small for the scale of the project. This is an unfortunate outcome given the general move to electrify buildings wherever possible. The roof plan over the plant level for the Tower R could incorporate PV panels, or there could be an integrated option with a pergola for shade over the podium level roof terrace.	Council's ESD consultant has not raised any concerns with no PV being provided on the roof. Notwithstanding this, the applicant has advised that PV panels are to be incorporated onto the roof plan of Tower R and that this will be reviewed during the design development phase.	Condition
Ceiling fans for bedrooms will soon likely be a mandatory requirement and these should be included in SP6 regardless of whether shading to the façade has been considered. Ceiling fans provide increased comfort due to air movement and assist in minimizing the need for AC.	<p>The subject proposal is accompanied by a BASIX Certificate which addresses issues in relation to consumption of water and thermal performance of the building and demonstrates that the building achieves an acceptable outcome.</p> <p>Further detail is not considered warranted and although such matters may improve the proposal, there are no DCP or ADG requirements that necessitate the additional matters be provided.</p> <p>Council's ESD consultant has not raised any concerns with the thermal comfort within the residential apartments.</p>	Nil
The inclusion of vertical fins on the western face of Tower R is supported however the lack of solar control devices on the northern western concern of Building Q should be addressed and included in any resubmission. It is noted that Tower R's northern façade is now proposed to include 400mm deep horizontal projections along balcony edges and this is supported.	Council's ESD consultant has not raised any concerns with the thermal comfort within the residential apartments. Notwithstanding this, the applicant has submitted plans indicating solar devices have been added to the northern western facades of Building Q.	Nil
The Panel support the improvements to the communal and public realm. More detailed design is required in the interface between the building colonnade and the proposed linear open space on the Eastern edge of the building. The Panel is not yet convinced that the Proponent has resolved the important interface and pedestrian and bike circulation in this area nor are they convinced that the	Amended plans will need to be provided to include a continuation of the cycleway/pedestrian path from the Phase 1 development along the front linear park. Revised plans may be reviewed by Council officers before the issue of a Construction Certificate.	Condition

proposed artwork and electrical substation are contributing to the overall quality of open space.		
The ground floor lobby spaces have been reconfigured to address Lapwing Street edge at the north-western corner and provide a through link to the north for the south-eastern lobby. Whilst both revisions are an improvement both lobbies require the provision for parcel deliveries (lockers etc.) and for seating/pause spaces that encourages social interaction on entering or leaving the buildings.	Additional seating areas have been provided on the northern and southern sections of the lobby. The provision of parcel delivery can be imposed as a condition of consent.	Condition
Entry to Unit R.0302 adjacent the communal amenities for the roof terrace appears unfortunate, and this could be rectified by relocation of the front door off the corridor to R.0301.	Amended plans have been submitted that indicate the apartment has been re-designed to relocate the entry.	Nil
Entries to ground floor foyers for both Buildings Q and R would benefit from inclusion of some nearby low bench-wall seating suitable for social bump space to encourage casual mixing.	Building Q already has seating nearby as part of the change in level from Lapwing street. Notwithstanding this, both areas will be reviewed with the landscape architect in order to add bench-wall seating and encourage casual mixing.	Condition
<p><b>DEAP Summary:</b></p> <p><i>SP6 has continued to be improved throughout the review process and the likely relocation of the Light Rail from the front of this development is very unfortunate. The activity generated by this one mixed-use precinct for the entire site aligned with the proposed public transport link is seen as a logical planning strategy.</i></p> <p><i>Regardless SP6 will still need to provide an active hub for the entire site and it's ground plane resolution is therefore critical. The interface with the SP6 edge and the Linear Park, the consideration of connecting the Phase 1 cycle and pedestrian way, the treatment of the substation in the park and the children's play area all contribute to the quality public realm for this precinct. Given the previous reviews that have been undertaken it is assumed that the remaining issues can be conditioned as part of the DA approval.</i></p>		

There are no outstanding design matters on this application that 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
<b>Part 1 Preliminary</b>	Noted.

Requirement	Comment		
Part 2 Permitted or Prohibited Development	The proposed development is permissible with consent. See Section 5 of the Executive Summary for further detail.		
Part 3 Exempt and Complying Development	Not applicable. The development requires consent.		
Part 4 Principal Development Standards	Requirement	Proposed	Compliance
	Lot Size Not applicable		N/A
	Height 134m (max)	Building R = 133.62m Building Q = 45.65m	Yes
	Floor Space Ratio  6.72:1 (maximum) <i>excluding roads</i> = 31,012m²	30,374m² (SP6 DA/624/2021) + 612m² (Building P DA/588/2021) = 30,986m² or 6.714:1	Yes
	Exceptions	None	N/A
	Sub-Precinct 6 has a site area of 4615m².		
	DA/588/2021 (Phase 2 development) included the construction of Building P (community pool and gymnasium) on part of this sub-precinct. Building P has an approved floor space of 612m².		
The floor space of this current application plus the approved floor space of Building P complies with the maximum floor space permitted on the sub-precinct.			
It is proposed to subdivide the Building P site as a community lot (Lot PT 5), which will represent development well below the maximum permissible floor space on this future sub-divided lot. It is therefore considered appropriate to impose a condition on the proposed Building P lot restricting the floor space so that any future development cannot exceed the floor space permitted on Sub-Precinct 6 as a whole (being Lots PT5 and PT20 as shown on the subdivision plan).			
Part 5 Miscellaneous Provisions	Clause 5.6 Architectural roof features Architectural roof features are all located below the maximum height permissible.		
	Clause 5.10 Heritage Conservation The site of proposed development is not individually heritage listed however it is in the vicinity of the Millenium Parklands Heritage Precinct (listed under SREP24 – Homebush Bay). It is considered that due to the separation between sites, the nature of significance of the item, and the current planning controls, the impact on heritage values of the item and the area will be within acceptable limits. The site is also not identified as being of European or Aboriginal archaeological significance.		
Part 6 Additional Local Provisions	Clause 6.1 Acid sulfate soils An Acid Sulfate Soils Management Plan (ASSMP) was submitted with the application which identifies potential acid sulfate soils may be encountered during the basement excavation and localised		

Requirement	Comment																																								
	groundwater extraction (if required). The ASSMP includes treatment, monitoring and disposal options to manage the impacts.																																								
	<b>Clause 6.2 Earthworks</b> 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, and deep excavation for the provision of multiple basements.																																								
	<b>Clause 6.4 Foreshore building line</b> The site is not affected by a foreshore building line.																																								
	<b>Clause 6.5 Essential services</b> Essential services can be provided to the site (water, electricity, sewage, drainage and road access).																																								
	<b>Clause 6.2 Development of certain land at 14–16 Hill Road, Sydney Olympic Park</b> <ul style="list-style-type: none"><li>The Phase 4 development will not result in the gross floor area of all buildings on the land exceeding 188,800m<sup>2</sup>.</li></ul> <p>The precinct floor space is indicated in the table below.</p> <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 m<sup>2</sup></td><td>34,625m<sup>2</sup></td><td>Complete</td></tr><tr><td>2</td><td>DA/622/2021</td><td>47,875m<sup>2</sup></td><td>47,863m<sup>2</sup></td><td>Pending</td></tr><tr><td>3</td><td>DA/587/2021</td><td>26,400m<sup>2</sup></td><td>26,398m<sup>2</sup></td><td>Approved</td></tr><tr><td>4</td><td>DA/623/2021</td><td>34,150m<sup>2</sup></td><td>34,143m<sup>2</sup></td><td>Pending</td></tr><tr><td>5</td><td>DA/588/2021</td><td>14,750m<sup>2</sup></td><td>14,748m<sup>2</sup> <i>Note – DA included the separate 612m<sup>2</sup> (for SP6) – see below</i></td><td>Approved</td></tr><tr><td>6</td><td>DA/624/2021</td><td>31,000m<sup>2</sup></td><td>30,374m<sup>2</sup> (add 612m<sup>2</sup> approved under SP5 DA = 30,986m<sup>2</sup>)</td><td>Pending</td></tr><tr><td>TOTAL</td><td></td><td>188,800m<sup>2</sup></td><td>188,763m<sup>2</sup></td><td>Complies with LEP &amp; DCP</td></tr></table> <ul style="list-style-type: none"><li>The development will not result in more than 2,000m<sup>2</sup> of the gross floor area of all buildings on the land being used for the purposes of commercial premises.</li></ul> <p>In this regard, the floor space for commercial premises is located within this DA only. The proposed floor space for commercial premises (which includes retail premises) is 668m<sup>2</sup> (including amenities and commercial bin storage) which is all located on the ground floor of the building.</p>	SUB- PRECINCT	DA NUMBER	DCP	FLOOR SPACE	STATUS	1	DA/763/2017	34,625 m <sup>2</sup>	34,625m <sup>2</sup>	Complete	2	DA/622/2021	47,875m <sup>2</sup>	47,863m <sup>2</sup>	Pending	3	DA/587/2021	26,400m <sup>2</sup>	26,398m <sup>2</sup>	Approved	4	DA/623/2021	34,150m <sup>2</sup>	34,143m <sup>2</sup>	Pending	5	DA/588/2021	14,750m <sup>2</sup>	14,748m <sup>2</sup> <i>Note – DA included the separate 612m<sup>2</sup> (for SP6) – see below</i>	Approved	6	DA/624/2021	31,000m <sup>2</sup>	30,374m <sup>2</sup> (add 612m <sup>2</sup> approved under SP5 DA = 30,986m <sup>2</sup> )	Pending	TOTAL		188,800m <sup>2</sup>	188,763m <sup>2</sup>	Complies with LEP & DCP
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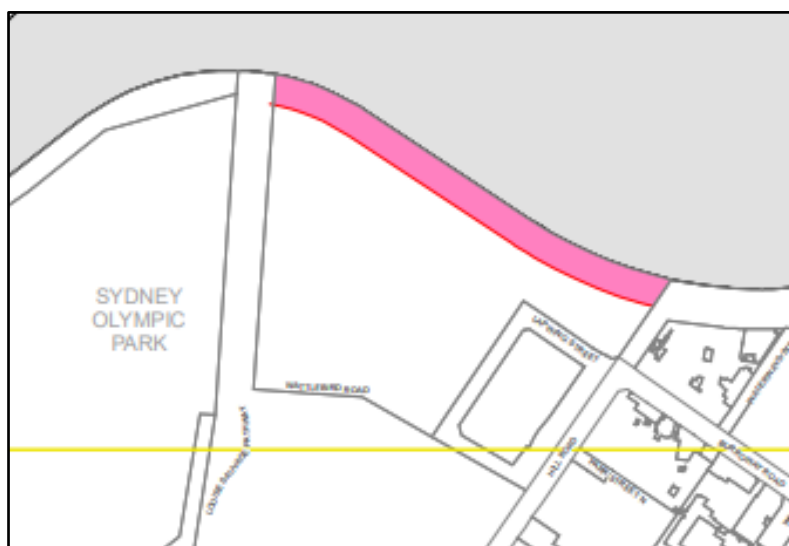
## 4. Draft Environmental Planning Instruments

### 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.


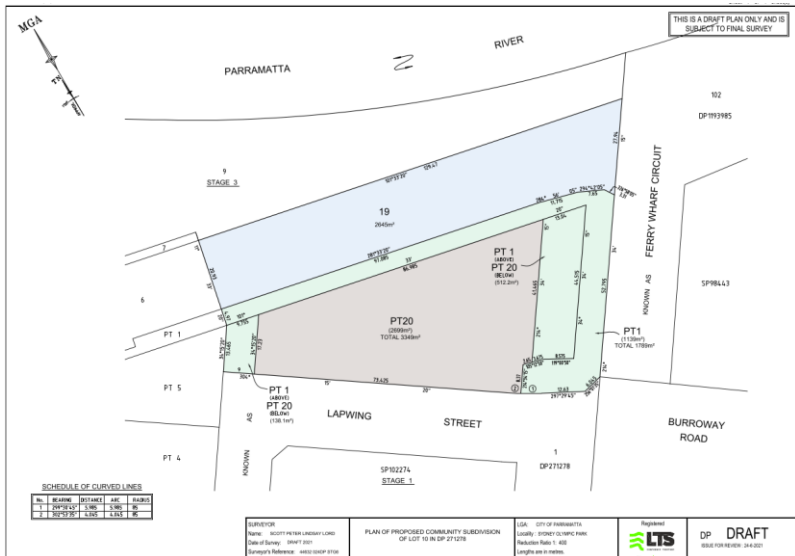
## 5. Development Control Plans

### 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
<b>Section 1.0 Introduction</b>	<ul style="list-style-type: none"> <li>This DCP applies to the subject site.</li> <li>This DCP prevails over the Auburn DCP in terms of any inconsistencies.</li> </ul>
<b>Section 2.0 Vision, Principles and Indicative Structure</b>	<p>The development achieves the vision, development principles and indicative structure. It is noted that the proposed development:</p> <ul style="list-style-type: none"> <li>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.</li> <li>ensures that development in the precinct occurs in a coordinated manner consistent with the vision and development principles for the precinct.</li> <li>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.</li> </ul>




Requirement	Comment
	 <p style="text-align: center;"><b>Wentworth Point Precinct Indicative Structure Plan</b></p> <p><b>Proposed Subdivision:</b></p> <ul style="list-style-type: none"> <li>The subdivision component of the application proposes to create 3 allotments as follows: <ul style="list-style-type: none"> <li>Lot 1 – new community title public domain</li> <li>Lot 19 – a future road allotment to be transferred to Council</li> <li>Lot 20 – the new mixed use building.</li> </ul> </li> <li>The application reflects an appropriate subdivision pattern which is reflected within the approved concept infrastructure and subdivision DA (DA/586/2021) which establishes the coordinated staging of subdivision across the site</li> <li>No significant issues regarding the subdivision were raised by Council's independent surveyor</li> <li>Appropriate easements and restrictions are to be incorporated in conditions of consent – including drainage, car share requirements, waste vehicle collection etc.</li> </ul>  <p style="text-align: center;"><b>Proposed Plan of Subdivision</b></p>

Requirement	Comment
<b>Section 3.0 Public Domain</b>	<b>Street Network and Design</b> <ul style="list-style-type: none"> <li>• The application complies with the street network plan and provides for part of the primary road (E-W transit corridor).</li> <li>• The proposed transit corridor complies with the DCP requirements and provides for adequate aisle widths, parking, footpaths and landscaping. Council's relevant technical specialists (traffic, public domain and civil assets) have not raised any issues with the proposed road design and it is considered an acceptable outcome.</li> <li>• The street sections within the DCP indicate that there is no car parking permitted underneath the streets. No parking is provided under the proposed Foreshore Boulevard.</li> </ul>
	<b>Pedestrian and Cycle Network</b> <ul style="list-style-type: none"> <li>• The application proposes to provide pedestrian footpaths along all streets and public cycleway along the transit corridor. The application provides for appropriate easements for public access over these facilities.</li> <li>• There are no proposed changes to the existing pedestrian and cycle network along the foreshore as part of this application.</li> <li>• It is noted that amended plans will need to be provided to include a continuation of the cycleway/pedestrian path from the Phase 1 development along the front linear park adjoining Hill Road. Revised plans may be reviewed by Council officers before the issue of a Construction Certificate.</li> </ul>
	<b>Landform and Contamination</b> <ul style="list-style-type: none"> <li>• The site is to be raised as identified within the DCP. The existing landform is raised to accommodate parking above the water table. Notwithstanding this, the buildings are designed with apartment sleeving to engage and activate the streets.</li> </ul>
	<b>Open Space Network</b> <ul style="list-style-type: none"> <li>• This application does not require the provision of publicly accessible open space. There is no public open space required on Sub-precinct 6 within the DCP. Notwithstanding this, the application includes a linear park within the Hill Road setback with pedestrian access, landscaping and public art. This area will be accessible to the public.</li> </ul>
	<b>Public Art</b> <ul style="list-style-type: none"> <li>• The Art Strategy approved via the infrastructure and subdivision development application (DA/586/2021) identifies a proposed art work to be provided within this sub-precinct. Details have not as yet been provided regarding this particular art work, however it is envisaged that an art/play installation will be located within the linear park along the Hill Road setback. A condition is included within Appendix B which requires details to be submitted and approved by Council before the issue of a CC for the building on the site.</li> </ul>
<b>Section 4.0 Private Domain</b>	<b>Land Use and Floor Space Distribution</b> <ul style="list-style-type: none"> <li>• The proposal complies with the distribution of land use as indicated in the indicative structure plan (Section 1.0).</li> <li>• Sub-Precinct 6 has a maximum floor space of 31,000m<sup>2</sup> in the DCP and the proposed floor space is 30,986m<sup>2</sup> (total including Building P approved in DA/588/2021).</li> </ul>

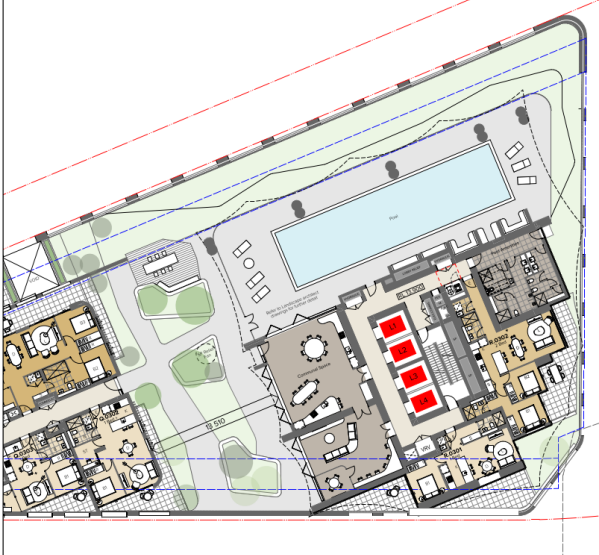

Requirement	Comment		
	<b>Building Height and Form</b>		
	<b>Requirement</b>	<b>Proposed</b>	<b>Comply</b>
	Perimeter block building forms generally encircle a central communal open space	Buildings to the east and west only above podium. Provides for ample surveillance of communal open space.	Yes
	Buildings to provide for visual connections between streets and communal open spaces	Visual connections are provided to the north, and south from the podium.	Yes
	Perimeter block & podia consistent in height	3 store podia proposed – generally consistent	Yes
	Alignment with street	Podium is aligned with the street however Building R tower is not aligned (east and south) and Building Q (south)	In part
	Heights <b>Building Q</b> = 3-8 storeys <b>Building R</b> = 40 storeys	Heights <b>Building Q</b> = 12 storeys <b>Building F</b> = 40 storeys <i>The above heights are including podium levels. Heights must be taken from the street under the DCP</i>	No Yes
	Max Length 65m	Podia = 73.6m (north)	No
	>30m bldg. separated or significant recess/project	No – colonnade provided	No
	<b>Discussion on non-compliance/s:</b>		
	<b>Building Alignment.</b> The eastern and southern sides of the tower are not aligned with the streets, however the scalloped balcony edges are located in a manner that reduces the impact of the skewed building form. Similarly, the southern edge of Building Q is not aligned with the street however balconies have been designed to the straight edge which gives the impression of alignment. The proposed building alignments are considered acceptable given the buildings have been articulated to provide visual interest and variety within the precinct.		

Requirement	Comment
	<div data-bbox="470 190 1380 683" data-label="Image"> </div> <p data-bbox="651 685 1190 719"><b>Sections of building not aligned with the street</b></p> <p data-bbox="467 752 1374 1153"> <b>Height Controls.</b> Building Q exceeds the height controls within the DCP. Under the provisions of the DCP these buildings are to be between 3-8 storeys in height, however Building Q is partially 12 storeys. The proposed height still conforms to the desired character of low-rise, mid-rise and tower form of development and it is considered that the proposed distribution of heights remains consistent with the urban design vision for the site as expressed in the DCP. Furthermore, the proposal meets the objective for building height to create a visually interesting, modulated skyline comprised of perimeter block development supported by a small number of taller towers. The heights are also compliant with the maximum height controls within Auburn LEP 2010. </p> <p data-bbox="467 1189 1374 1559"> <b>Building Length and Articulation.</b> The northern side of the podia is approximately 74m in length, being 9m longer than the maximum controls in the DCP and also is not articulated with recesses. These non-compliances are considered acceptable as this building is a different typology being in a mixed use zone. The building is designed with a linear colonnade along this frontage with the retail tenancies located behind. The colonnade is a different architectural expression to all other buildings within the precinct and provides for an interesting activation space adjoining the foreshore. The rhythmic arches within the colonnade provide for high visual interest and acceptable visual recessing. </p>

Requirement	Comment															
	<div></div> <div>View of the northern colonnade – view from Foreshore Boulevard</div> <p>These non-compliances were considered by DEAP and found to be acceptable.</p> <table><tr><th>Requirement</th><th>Proposed</th><th>Comply</th></tr><tr><td><b>Tower Building</b></td><td><b>Tower Building</b></td><td></td></tr><tr><td>40 storey (NE location)</td><td>40 storey (NE location)</td><td>Yes</td></tr><tr><td>Max footprint = 750m<sup>2</sup></td><td>= 800m<sup>2</sup> approx. (exc. balconies)</td><td>No (but is an “approx” control only, is minor and does not impact on bulk or massing)</td></tr><tr><td>Tower façade length = 50m (max)</td><td>= 33.5m (max)</td><td>Yes</td></tr></table>	Requirement	Proposed	Comply	<b>Tower Building</b>	<b>Tower Building</b>		40 storey (NE location)	40 storey (NE location)	Yes	Max footprint = 750m <sup>2</sup>	= 800m <sup>2</sup> approx. (exc. balconies)	No (but is an “approx” control only, is minor and does not impact on bulk or massing)	Tower façade length = 50m (max)	= 33.5m (max)	Yes
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Tower façade length = 50m (max)	= 33.5m (max)	Yes														
<b>Setbacks and Public Domain Interface</b>																
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Outermost building projections = 3-5m	<u>Podia</u> Balcony projections to the north	No														



Requirement	Comment		
	(600mm projection permitted for articulation)	<u>Towers</u> Setback non-compliance to the south	
	Above ground car-parking to be suitably sleeved with active frontages	No above ground parking proposed	N/A
	Building setbacks to Sydney Olympic Park, Parklands are to be generally in accordance with Figure 15 and enable emergency vehicle access and incorporate landscaping to reduce the visual impact of buildings	The site does not adjoin the parklands	N/A
	Residential uses at ground level to have main entry from street at grade or raised 600mm	There are no residential uses at ground level	N/A
<p><b>Discussion on non-compliance/s:</b></p> <p><b>Setback Variations/Projections.</b> There are encroachments with building and balcony projections into the minimum setbacks required under the DCP. This is primarily due to the narrow and irregular configuration of the site. During the design development during the DEAP consideration process there was a preference to provide an improved foreshore integration with the retail tenancies/colonnade in favour of the resultant nil setback on the southern boundary. The non-compliances with the setbacks do not create an unacceptable built form or adversely impact upon the existing or proposed adjoining properties. Under the DCP, variations may be considered to enable an improved architectural outcome and to provide visual interest in the façade. The proposal has been presented to DEAP who are supportive of the proposal and raise no concerns with the setback encroachments.</p>			
<p><b>Private Open Space</b></p> <ul style="list-style-type: none"> <li>• The proposed development provides for balconies in accordance with the ADG requirements.</li> <li>• The proposal provides communal open space which exceeds the ADG and DCP requirements. The common open space area is located on the podium level and contains a large landscaped area, pool and community rooms.</li> <li>• The common open space areas will include soft and hard landscaping features and will provide a high level of amenity for the dwellings and will have a high standard of finish and design. The common open space areas will receive adequate levels of solar access and air flow.</li> </ul>			

Requirement	Comment
	 <p data-bbox="587 757 1252 790"><b>Plan of podium communal open space/community rooms</b></p> <ul data-bbox="454 824 1388 891" style="list-style-type: none"> <li>• Additional open space (publicly accessible) is provided in the Hill Road linear park (1018m<sup>2</sup>) and western forecourt area.</li> </ul>
	<p data-bbox="454 898 933 931"><b>Deep Soil Zones and Landscaping</b></p> <ul data-bbox="454 936 1388 1070" style="list-style-type: none"> <li>• It is noted in the DCP that the opportunities for providing deep soil are limited.</li> <li>• Deep soil is provided within the road in accordance with Figure 16 of the DCP.</li> </ul>  <p data-bbox="657 1626 1184 1659"><b>DCP Figure 16 - Deep Soil and Street Planting</b></p> <ul data-bbox="454 1693 1388 1760" style="list-style-type: none"> <li>• Appropriate soil volumes have been provided on structures to optimise landscaping within the site.</li> </ul> <p data-bbox="454 1765 874 1798"><b>Building Design and Materials</b></p> <ul data-bbox="454 1803 1388 2029" style="list-style-type: none"> <li>• 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.</li> <li>• The application was considered by the Design Excellence Advisory Panel who are satisfied that the development achieves the design principles of SEPP 65.</li> </ul>

Requirement	Comment																																		
	<p><b>Wind Effects</b></p> <ul style="list-style-type: none"><li>A Wind Effects report was submitted with the application which concludes that wind conditions at the site will be compliant with the relevant safety and comfort criterion. Council's Wind consultant has reviewed the application and advises that the wind conditions for safety and comfort within this sub-precinct are considered acceptable.</li></ul>																																		
	<p><b>Vehicular Access and Car Parking</b></p> <ul style="list-style-type: none"><li>Car parking is provided in accordance with the DCP requirements as follows:</li></ul> <table><tr><th>Dwelling Type</th><th>Required</th><th>Proposed</th><th>Comply</th></tr><tr><td>Studio (1.0)</td><td>Nil</td><td>Nil</td><td>N/A</td></tr><tr><td>1 bedroom (1.0)</td><td>131</td><td rowspan="3">Not stated</td><td>•</td></tr><tr><td>2 bedroom (1.1)</td><td>213</td><td>•</td></tr><tr><td>3 bedroom or greater (2.0)</td><td>14</td><td>•</td></tr><tr><td><b>TOTAL RESIDENTIAL</b></td><td>358</td><td>358</td><td>Yes</td></tr><tr><td><b>Visitors (0.1)</b></td><td>32</td><td>34</td><td>Yes</td></tr><tr><td><b>Retail</b></td><td>18</td><td>18</td><td>Yes</td></tr><tr><td><b>TOTAL PARKING</b></td><td><b>408</b></td><td><b>410</b></td><td><b>Yes</b></td></tr></table> <ul style="list-style-type: none"><li>Car parking is not permitted underneath the streets (except for shareways). The proposed development does not provide for any parking under Foreshore Boulevard and it is entirely contained within the development block.</li><li>A loading dock has been provided on the southern side of the building with satisfactory access for Council waste collection vehicles. It is considered that a loading dock management plan should be prepared to allow for resident use of this area for removalist vans and the like. This requirement is contained within Attachment B of this report.</li><li>On-street parking spaces are provided on the Foreshore Boulevard.</li><li>The application provides for 1 car share space on Lapwing Street. A covenant is to be registered with the subdivision plan advising of the car share parking space and is to include provisions that the car share parking space cannot be revoked or modified without prior approval of Council.</li><li>Although not required by the DCP, 2 x electric vehicle parking spaces have been provided.</li><li>A Travel Access Guide approved by Council prior to occupation is to be made available to residents and non-residential tenants of development.</li></ul>	Dwelling Type	Required	Proposed	Comply	Studio (1.0)	Nil	Nil	N/A	1 bedroom (1.0)	131	Not stated	•	2 bedroom (1.1)	213	•	3 bedroom or greater (2.0)	14	•	<b>TOTAL RESIDENTIAL</b>	358	358	Yes	<b>Visitors (0.1)</b>	32	34	Yes	<b>Retail</b>	18	18	Yes	<b>TOTAL PARKING</b>	<b>408</b>	<b>410</b>	<b>Yes</b>
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	<p><b>Safety and Security</b></p> <ul style="list-style-type: none"><li>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.</li><li>A Crime Risk Assessment and Security Management Plan was submitted with the application. This report identifies opportunities for crime and mitigation and management strategies to avoid situational crime. A list of recommendations is provided, including the following:<ul style="list-style-type: none"><li>Introduction of way finding signage to reinforce legibility</li><li>Provision of appropriate lighting within the area</li></ul></li></ul>																																		

Requirement	Comment
	<ul style="list-style-type: none"> <li>- Provision of restricted electronic access to secure gates of the car park</li> <li>- Provision of an intercom and restricted electronic access to secure residential lobbies</li> <li>- Ensure a prompt response to environmental maintenance is prioritised in maintenance procedures</li> </ul> <p>Appropriate conditions requiring compliance with the recommendations of the CPTED report are included in Attachment B.</p>
	<p><b>Adaptable Housing</b></p> <ul style="list-style-type: none"> <li>• The development provides for a sufficient proportion of dwellings that include accessible layouts and features to accommodate changing requirements of residents.</li> </ul>
<b>Section 5.0 Sustainability and Environmental Management</b>	<p><b>Sustainability</b></p> <ul style="list-style-type: none"> <li>• The application complies with Basix requirements and proposes to include energy efficient fixtures and fittings.</li> <li>• 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.</li> <li>• A waste storage room and loading dock for waste collection has been provided on the ground floor. Council's Waste Management Officer has reviewed the application and raises no concerns with the waste facility subject to standard conditions of consent.</li> </ul> <p><b>Water Management</b></p> <ul style="list-style-type: none"> <li>• The DCP requires that future development incorporate water management measures. The proposed development drainage solution includes water sensitive urban design measures such as rainwater tanks and bio-retention gardens.</li> </ul> <p><b>Ecology</b></p> <ul style="list-style-type: none"> <li>• The objectives of the section of the DCP are to ensure that development does not impact on the ecological values of the adjoining Newington Nature Reserve and Homebush Bay and to protect and enhance the ecological values of the precinct.</li> <li>• 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).</li> <li>• Council's Biodiversity Officer has reviewed the report and raises no objections to the proposal subject to the imposition of appropriate conditions.</li> </ul>

## 5.2 Auburn Development Control Plan 2010

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

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

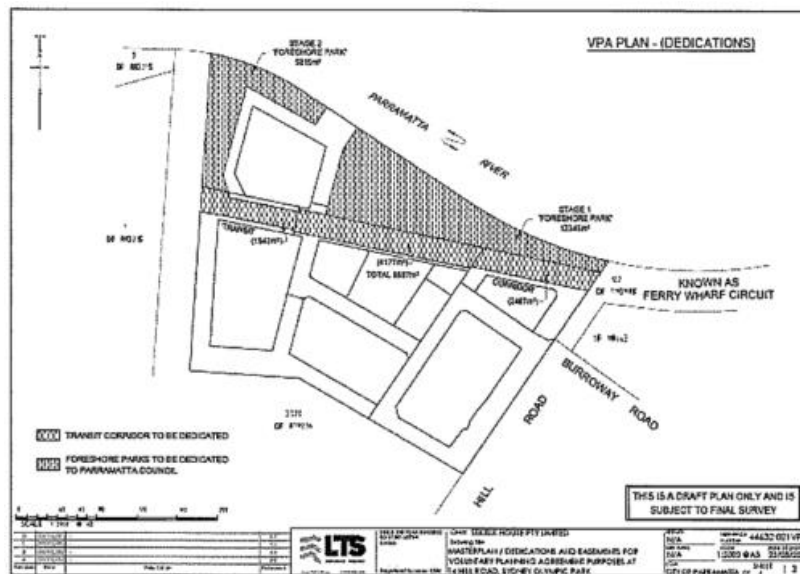
PARAMETER	DESIGN CRITERIA	PROPOSAL	COMPLIANCE
Bicycle Spaces	Required to be provided although no specific rates	162 spaces (4 spaces deficient)	

	Recommend (CoP) 1/2 units = 166 spaces		No but acceptable given there are no specific rates.
Adaptable Units	10% of apartments = 34	34 apartments	Yes

## 6. Planning Agreements

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

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



VPA – Annexure B – Plan Showing Dedication Land

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

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	<b>Potential Impact</b> 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	Provision of public open space	Embellishment of new public open	Prior to issue of Occupation Certificate for Stage 5 of the	<b>Not Impacted</b>



Foreshore Park Works		space, such as landscaping, amenities, furniture, seating, and BBQ areas.	Development (in accordance with staging plan at annexure C).	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)	<b>Potential Impact</b> 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	<b>Not Impacted</b> (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	<b>Not Impacted</b> 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)	<b>Potential Impact</b> Dedication to occur prior to OC for SP6

**Table - Schedule 1 Contributions (VPA) and Implications for DA/624/2021**

*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

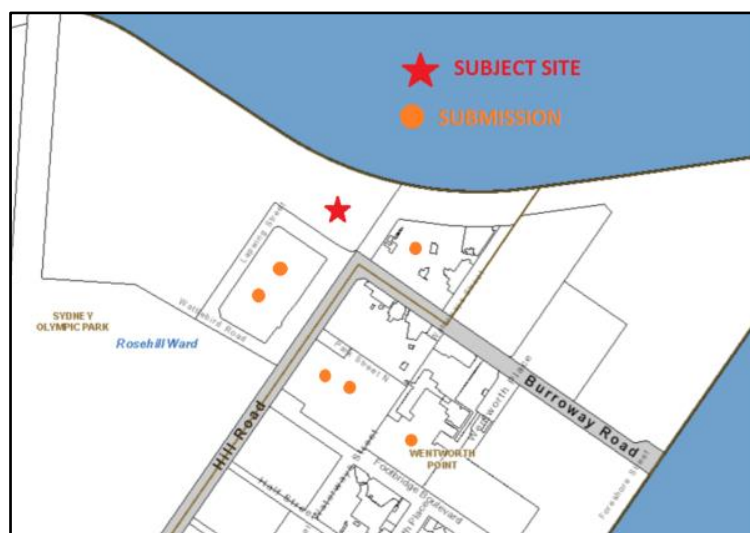
The application was notified and advertised in accordance with Appendix 1 (Consolidated Notification Requirements) of Council's Community Engagement Strategy as follows:

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: **6 submissions**

In response to the exhibition periods, 6 individual submissions (from 6 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
<b>4 Waterways Street Wentworth Point</b>	<b>Traffic</b> 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 will result in 99 and 112 vph during the morning and afternoon peak periods respectively. The generation of additional vehicle trips during weekday peak hours by the proposed development is consistent with the anticipated development of the area and is not expected to have a significant traffic impact on the surrounding road networks.
	<b>Parking</b> 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).
	<b>Height</b> 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.
<b>5 Waterways Street Wentworth Point</b>	<b>Height</b> Concern is raised that the 40 storey building will distort the visual perception of the area (contrary to making WP a recreational/residential area).	See previous commentary regarding these issues.
	<b>Views and Solar Access</b> Concern is raised that the proposal will block the open view and solar access to apartments	Given the location and orientation of the objector's building, it is unlikely that any substantial views would be lost (due to the location of buildings in

		between the objector's building and Parramatta River. No other views would be impacted by this proposed development.
	<b>Traffic</b> Concern is raised with respect to the additional traffic as a result of the development.	See previous commentary regarding these issues.
	<b>Quality of Life</b> Concern is raised with the potential adverse mental health issues from the increased density.	There is no evidence to suggest that the proposed development would have adverse impacts on the mental health of surrounding residents.
	<b>Loss of Outdoor Space</b> Concern is raised that there will be a reduction of outdoor spaces. It should be provided as open space.	The proposed development does not reduce any existing open space on the site. It is noted that the redevelopment of the entire site will provide for greater open space areas and recreational opportunities adjoining the foreshore.
<b>53 Hill Road</b>	<b>Impact on Amenity of Foreshore Public Space</b> Concern is raised that the proposal will not only make the foreshore area overpopulated but will also block many natural views from the area.	The proposed redevelopment of the site will change the views from the foreshore. However, as a result of this redevelopment, a substantial foreshore park will be provided which will significantly increase the area of open space and enhance the usability of the foreshore area.
<b>10 Burroway Road Wentworth Point</b>	<b>Higher Density Impacts</b> 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.
	<b>Height and Scale</b> Concern is raised that the height should be a more reasonable scale.	See previous commentary regarding this issue.
	<b>Parking &amp; Traffic</b> Concern is raised with respect to the insufficient parking in the area and the additional traffic	See previous commentary regarding these issues.
	<b>Overshadowing of Apartment</b> Concern is raised with the overshadowing on the objector's apartment	<p>There will be some minor overshadowing of the development within Burroway Road as a result of this application. The shadow diagrams submitted indicate that the 2pm and 3pm shadows will fall on the site.</p> <p>The exact location of the objector's property cannot be identified, however it is noted that the shadows fall on different sections of the building during the Winter Solstice and only for a short amount of time. In addition, minor overshadowing would be anticipated at the planning proposal stage with the acceptance of the maximum heights permitted on this site.</p>

		 <p>2pm shadow cast (blue shading)</p>  <p>3pm shadow cast (blue shading)</p>
	<p><b>Wind Impacts along Foreshore</b> Concern is raised that there will be additional wind tunnelling along the foreshore</p>	<p>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.</p>
	<p><b>14 Hill Road Sydney Olympic Park (Phase 1)</b></p>	
	<p><b>Different to Original Masterplan</b> The overarching basis for this objection is the new DA is different to what was included in the original Master Plan and sales/advertising information provided. The new DA proposal will be significantly reduce property value.</p>	<p>The proposed application is different to the original DCP site configuration. The amended site configuration was subject to extensive public consultation in the planning proposal and DCP amendment stage. The proposed development is based upon these adopted amended controls.</p> <p>There is no evidence to suggest that the proposed development will impact on property values.</p>
	<p><b>Overshadowing</b> Overshadowing of apartment balcony</p>	<p>Shadow diagrams submitted indicate that this section of the objector's building will be overshadowed at 11am, however full solar access would be available to the apartment between 9-11am and then at 12 noon which is considered acceptable.</p>
	<p><b>Privacy</b></p>	<p>It appears that there are 2 x balconies within the development (on each floor</p>



	Loss of privacy (as the new 40 story height of the updated building design is much higher than the original masterplan)	of the tower) which obliquely face the objector's property. Given there is a separation distance of approximately 90m between buildings, overlooking is not considered to be an issue.
	<b>View Loss</b> Concern is raised with view loss.	Apartments located on the higher levels of the Phase 1 development will in general have view sharing opportunities given the DCP controls and expected building locations and heights across the site. Although existing views will be impacted by the proposed development, reasonable views will be maintained.   <b>View Analysis indicating unobstructed views from Levels 14-28 in Phase 1</b>
<b>14 Hill Road Sydney Olympic Park (Phase 1)</b>	<b>Traffic Impacts</b> Concern is raised with the increased traffic as a result of the application.	See previous commentary regarding this issue.
	<b>Overdevelopment will impact land values</b> 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.
	<b>Building Quality</b> 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.
	<b>Insufficient Open Space</b> 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.
	<b>View Loss</b> Opposition is raised to the proposed Tower R for reasons	Apartments located on the higher levels of the Phase 1 development will

	including view loss, overshadowing and restriction of access to the foreshore.	<p>in general have view sharing opportunities given the DCP controls and expected building locations and heights across the site. Although existing views will be impacted by the proposed development, reasonable views will be maintained.</p>  <p><b>View Analysis indicating unobstructed views from Levels 14-28 in Phase 1</b></p>
	<b>Overhadowing</b>	Shadow diagrams submitted indicate that this section of the objector's building will be overshadowed at 11am, however full solar access would be available to the apartment between 1pm-3pm which is considered acceptable.
	<b>Access to Foreshore</b>	The proposed development will provide for greater access to the foreshore than what currently exists. Access across this site will be provided for in the form of through site links and an extension of the linear park. The foreshore park will also be increased in size which will substantially improve the amenity of the foreshore area.

## AMENDED PLANS

Yes

### Summary of amendments

The plans were amended with modifications to address DEAP comments. The amendments included the following:

- Slight reduction in number of apartments – from 334 to 331 (loss of 1 x 1 bed + 1 x 3 bed + 1 x 4 bed)
- Building Q – added an apartment to Level 12 (previously roof)
- Basement has been setback further from Hill Road (however B1 still projects 6.5m/B2-B8 projects 12.3m into 20m Hill Road setback)
- Increased communal open space on podium to comply with ADG requirements.

### Amended Plans re-advertised or re notified

No

### Reason amendments were 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 would be payable in accordance with the *Auburn Development Contributions Plan 2007 (Amendment 1)* which is contained within Annexure F of the VPA.

It is noted that there is an administrative error in the VPA. Any development with a floor space up to 188,800m<sup>2</sup> should be calculated at the former *Auburn Development Contributions Plan 2007 (Amendment 1)* rate. The development currently falls within this requirement. The executed VPA however states the maximum floor space as 188,000m<sup>2</sup>, which is 800m<sup>2</sup> less than intended. Therefore, any floor space above that stated in the VPA must be calculated at the *City of Parramatta (Outside CBD) Development Contributions Plan 2021* rate.

For the purposes of calculating the contributions payable for this development, the majority of the development will be calculated under the *Auburn Development Contributions Plan 2007 (Amendment 1)*, whilst the floor space over the 188,000m<sup>2</sup> (being 763m<sup>2</sup>) will be calculated under the *City of Parramatta (Outside CBD) Development Contributions Plan 2021* rate as follows:

#### ***Auburn Development Contributions Plan 2007 (Amendment 1)***

<b>Works</b>	<b>DA/624/2021 - Contribution Amount</b>
Plan Administration (HBW)	\$ 108,832.83
Community Facilities (HBW)	\$ 417,682.00
Open Space (HBW)	\$ 746,137.09
Traffic Management (HBW)	\$ 308,849.12
<b>Total Contributions Payable</b>	<b>\$ 1,581,501.04</b>

## City of Parramatta (Outside CBD) Development Contributions Plan 2021

Works	DA/624/2021 - Contribution Amount
Open space and outdoor recreation	\$ 25,954.44
Indoor sports courts	\$ 1,187.10
Community facilities	\$ 1,561.29
Aquatic facilities	\$ 363.87
Traffic and transport	\$ 21,907.47
Plan administration	\$ 1,139.28
<b>Total Contributions Payable</b>	<b>\$ 52,113.45</b>

The total contributions therefore payable is **\$1,633,614.49**.

These figures are subject to the consumer price index and will be imposed under the subject application.

An opportunity to resolve the above matter and potentially adjust the VPA is available and may allow for modification of the required contributions at a later date.

### 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/624/2021 for the development of proposed Sub-Precinct 6 including 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 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**.