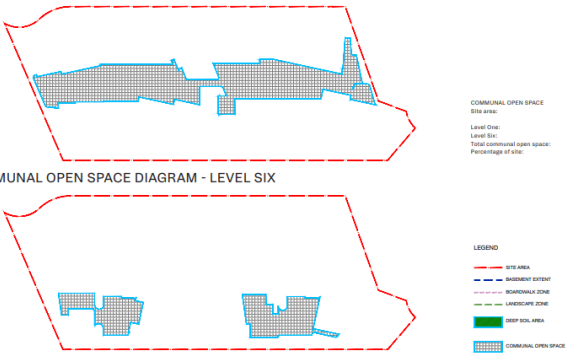
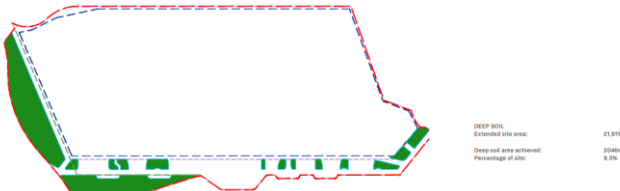


Assessment Against Apartment Design Guide (ADG)			
Part	Objective	Discussion	Compliance
3A-1	Design decisions have been based on opportunities and constraints of the site conditions and their relationship to the surrounding context.	A detailed site analysis has been undertaken and addresses the elements specified in Appendix 1 of the ADG.	Yes
3B-1	Building types and layouts respond to the streetscape and site while optimising solar access.	The design of the buildings has optimised solar access through orientation and building separation.	Yes
3B-2	Overshadowing of neighbouring properties is minimised during mid winter.	The entire northern area of the Panthers Precinct has been master planned. All stages have been designed concurrently and respond to an overall outcome for the area. The development will have no impact on solar access to other residential properties.	Yes
3C-1	Transition between private and public domain is achieved without compromising safety and security.	Apartments overlook the public domain to the west, north, south and east. A pedestrian promenade is expressed along the lake side edge with activated retail tenancies. The edge connects with the pedestrian promenade approved under Stages 2 and 3 (DA18/0999). Residential lobbies are incorporated into the built form and provide opportunity for casual interactions between residents. A condition of consent is recommended requiring wayfinding signage.	Yes
3C-2	Amenity of the public domain is retained and enhanced.	Landscaping is proposed along the pedestrian promenade edge, public domain between Stages 4 and 5, private road front and along facades and roof top edges. A condition of consent is recommended requiring mailboxes within secure lobby areas. Substations are proposed along the private roads. Landscaping is proposed around substations. Access arrangements to residential lobbies are ramped and are capable of achieving compliant grades. Most accessible ramps along the pedestrian promenade are not integrated with the stairs. This results in people with mobility issues or parents with prams to 'search out' an access route which segregates them from other people. A condition of consent is recommended for ramps to be integrated with stairs.	Yes
3D-1	An adequate area of communal open space is provided to enhance residential amenity and to provide opportunities for landscaping.	The ADG suggests a design criteria of communal open space equal to 25% of the site. The proposed development provides a total of 5,221sqm (29.5%) of communal open space across roof tops and at podium level.	Yes

		COMMUNAL OPEN SPACE DIAGRAM - LEVEL ONE  COMMUNAL OPEN SPACE Site area: Level One: Level Six: Total communal open space: Percentage of site: LEGEND SITE AREA ROAD RESERVE ROAD RESERVE ZONE LANDSCAPE ZONE DEEP SOIL AREA COMMUNAL OPEN SPACE COMMUNAL OPEN SPACE DIAGRAM - LEVEL SIX The second design criteria is that at least 50% of the principal open space achieves 2 hours of sunlight between 9am and 3pm at winter solstice. The residential communal open spaces at the level 6 roof tops are north-west facing and the podium open space runs north/south between the buildings. The sun eye diagrams show the extent of solar access the communal open spaces achieve and it has been assessed the development achieves this criteria. The communal areas have widths greater than 3m, canopy planting and landscaping, and direct accessible access from the residential towers. Deep soil is achieved at 9.3% as demonstrated below. In addition, the overall residential precinct has significant deep soil and planting along the riparian corridor which was approved via DA18/0999. DEEP SOIL DIAGRAM - GROUND LEVEL  DEEP SOIL Estimated site area: Deep soil area achieved: Percentage of site:	
3D-2	Communal open space is designed to allow for a range of activities, respond to site conditions and be attractive and inviting.	The design guidance in the ADG refers to providing seating for individuals and groups, barbeque and play areas and common rooms (amongst other suggestions). It also references winter sun, summer shade and concealing services. The proposed development meets these objectives. The communal open spaces have multiple zones with seating (covered and uncovered) and pool areas, all set in a landscaped setting.	Yes
3D-3	Communal open space is designed to maximise safety.	The public domain is visible from habitable rooms and private open space of apartments. Communal open spaces are secure and not accessible by the public. The spaces themselves are visually permeable. A condition of consent is recommended regarding lighting across common areas.	Yes

3D-4	Public open space is responsive to the existing pattern and uses of the neighbourhood.	The public domain along the pedestrian promenade connects with the retail tenancies approved under Stage 2A to the south of this development. It is open to the adjoining lake and open space area. The pedestrian promenade provides an active and connected public domain and provides a meeting place for the public and residents.	Yes
3E-1	Deep soil zones provide areas on the site that allow for and support healthy plant and tree growth. The design criteria is to provide deep soil zones equal to 7% of the site area and having a minimum dimension of 6m.	A total of 2,046sqm of deep soil is available across the subject site. This equates to 9.3% of the site area, which exceeds the ADG design criteria. The majority of this area exceeds the depth of <6m. The deep soil zone is mostly along the western and northern edges. The northern area is limited in its planting ability given the criteria for planting associated with the electricity easement. The residential precinct has been master planned across Stages 1 to 5. A riparian corridor is part of the masterplan and provides extensive deep soil which will be shared by all stages.	Yes
3F-1	Adequate building separation distances are shared equitably between neighbouring sites to achieve reasonable levels of external and internal visual privacy. The design criteria requires: - Up to 12m (4 storeys) - 6m to habitable (H) and 3m to non-habitable (NH); - Up to 25m (5-8 storeys) - 9m (H) and 4.5m (NH); and - Over for 25m (9+ storeys) - 12m (H) and 6m (NH).	The design provides adequate separation between buildings within the development and adjoining and approved buildings.	Yes
3F-2	Site and building design elements increase privacy without compromising access to light and air and balance outlook and views from habitable rooms and private open space. The design guidance references: - Separating communal open space areas from private areas; - Separating habitable rooms (bedrooms, living rooms) from other open gallery access spaces within the apartment;	The primary communal open space is located on the roof at level 6 or on the podium. An acoustic assessment has been undertaken and recommendations have been made for various acoustic treatments to mitigate impacts on units from noise levels in the communal open spaces. Units at the podium level facing the communal open space are inset and access paths and landscaping provides a buffer to units and open space areas which provides privacy. Balconies are provided off living spaces and are inset or positioned so as not to have privacy issues between private open spaces.	Yes

	- Positioning balconies in front of living rooms; - Offsetting windows from adjacent developments; and - Recessing balconies or using fins between adjacent balconies.		
3G-1	Building entries and pedestrian access connects to and addresses the public domain.	There are seven residential entry points, being four along the private road and three along the pedestrian promenade.  Entry points to the buildings are visible from the public domain and will be identifiable by way of signage. A condition of consent requiring wayfinding signage has been recommended.	Yes
3G-2	Access, entries and pathways are accessible and easy to identify.	The entry points are clearly identifiable from the locations mentioned above and are integrated into the building design. The lobby spaces are large which provides good visibility to lifts from the public domain.	Yes
3H-1	Vehicle access points are designed and located to achieve safety, minimise conflicts between pedestrians and vehicles and create high quality streetscapes.	Vehicle access to the residential buildings is via two driveways along the private access road. The entries provide access to basement car parks and are adequately integrated into the building design. The retail parking and loading dock is at ground level and is accessed via a private service road located between Stage 4 and Stage 2A. Servicing and loading activities will not be visible from the public domain.  Sight lines at the driveway entry are assessed to meet required Australian Standards. Conditions of consent are recommended in this regard.	Yes
3J-1	Car parking is provided based on proximity to public transport.	The car parking spaces provided meet the requirements of Penrith DCP 2014.	Yes

3J-2	Parking and facilities are provided for other modes of transport.	The proposal has provision for 118 bicycles and 8 motorbike/scooter spaces.	Yes																																
3J-3	Car park design and access is safe and secure.	The lift lobby areas within the basement areas have adequate circulation space and are safely located. The storage cages within the basement areas and the bicycle racks are positioned away from vehicle circulation areas. A condition of consent is recommended for adequate lighting within all common areas. Waste collection, plant and switch rooms, etc within the basement areas are located to have no conflicts with active vehicle carriageways.	Yes																																
3J-4	Visual and environmental impacts of underground car parking are minimised.	The car parking layout is well organised and logical, with aisles clear of structure.	Yes																																
4A-1	Optimise the number of apartments receiving sunlight to habitable rooms, primary windows and private open space. The design criteria states that: - Living rooms and private open spaces of at least 70% of apartments to receive 2 hours direct sunlight between 9am and 3pm mid winter; and - A maximum of 15% of apartments receive no direct sunlight.	A total of 245 of the 349 apartments receive solar access in mid winter. This equates to 70.2% and achieves the minimum requirement. <table border="1"> <thead> <tr> <th>BUILDING</th><th colspan="3">SOLAR (min 70%)</th></tr> </thead> <tbody> <tr> <td>Stage 4</td><td>120</td><td>171</td><td>70.2%</td></tr> <tr> <td>Bldg K</td><td>49</td><td>70</td><td>70.0%</td></tr> <tr> <td>Bldg L</td><td>71</td><td>101</td><td>70.3%</td></tr> <tr> <td>Stage 5</td><td>125</td><td>178</td><td>70.2%</td></tr> <tr> <td>Bldg H</td><td>45</td><td>64</td><td>70.3%</td></tr> <tr> <td>Bldg J</td><td>80</td><td>114</td><td>70.2%</td></tr> <tr> <td>Total</td><td>245</td><td>349</td><td>70.2%</td></tr> </tbody> </table> There are no apartments within the development that do not achieve solar access.	BUILDING	SOLAR (min 70%)			Stage 4	120	171	70.2%	Bldg K	49	70	70.0%	Bldg L	71	101	70.3%	Stage 5	125	178	70.2%	Bldg H	45	64	70.3%	Bldg J	80	114	70.2%	Total	245	349	70.2%	Yes
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4A-2	Daylight access is maximised where sunlight is limited. The design guidance makes reference to only using courtyards, skylights and high level windows as secondary light sources for habitable rooms and using reflective and light coloured materials.	All apartments receive solar access. There are no apartments with no solar access.	Yes																																
4A-3	Design incorporates shading and glare control, particularly for warmer months.	Glazing is setback with sliding shading screens. Fixed vertical and horizontal adjustable louvres are proposed which reduces building heat gains.	Yes																																

4B-1	All habitable rooms are naturally ventilated.	There are a number of habitable rooms which are either not ventilated or if a window/vent is proposed will have acoustic impacts due to being adjacent to another window/vent within the buildings' slots. In consideration that adjacent windows/vents are not acceptable, the following apartments have habitable rooms which are not ventilated. This is an issue for the Construction Certificate stage as a performance solution under the BCA should provide for a suitable solution. <table><tr><td>J.101 – study</td><td>L.101 – study</td></tr><tr><td>J.201 – study</td><td>L.110 – study</td></tr><tr><td>J.210 – study</td><td>L.210 – study</td></tr><tr><td>J.404 – study</td><td>L.201 – study</td></tr><tr><td>J.504 – study</td><td>L.310 – study</td></tr><tr><td>J.510 – study</td><td>L.410 – study</td></tr><tr><td>J.602 – study</td><td>L.501 – study</td></tr><tr><td>J.703 – study</td><td>L.510 – study</td></tr><tr><td>J.803 – study</td><td>H.209 – study</td></tr><tr><td>J.903 – study</td><td>K.209 – study</td></tr><tr><td>J.1003 – study</td><td></td></tr></table>	J.101 – study	L.101 – study	J.201 – study	L.110 – study	J.210 – study	L.210 – study	J.404 – study	L.201 – study	J.504 – study	L.310 – study	J.510 – study	L.410 – study	J.602 – study	L.501 – study	J.703 – study	L.510 – study	J.803 – study	H.209 – study	J.903 – study	K.209 – study	J.1003 – study		No
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4B-2	The layout and design of single aspect apartments maximises natural ventilation. The design guidance references limiting apartment depths relative to ceiling heights and that 8m is the maximum depth for a single aspect apartment (in an open plan scenario).	The single aspect apartments have open plan living (combining living, dining and kitchen areas) with some being two storeys where ventilation is achieved between one floor to the other.	Yes																						
4B-3	The number of apartments with natural cross ventilation is maximised to create a comfortable indoor environment for residents. The design criteria states that 60% of apartments are naturally ventilated and that inlet and outlet windows are approximately of the same size.	Cross ventilation is assessed as 181 of the 349 apartments achieving cross ventilation, equating to 51.8% of units, which is non-compliant. Individual building compliance is as follows: • Building H - 53% • Building K - 47% • Building L - 58% • Building J - 49% A Natural Ventilation Statement prepared by Windtech, dated 28 September 2023, was submitted to support the application. This report has a number of inconsistencies and therefore cannot be relied on as an accurate assessment of the development proposal. It appears from the marked-up plans at Appendix B of the statement that the cross ventilation assessment has been undertaken on a different version of plans as there are inconsistencies in some apartment layouts. The statement makes no reference to the architectural plans set assessed. The executive summary of the statement indicates that 196 of 318 apartments (61.6%) achieve adequate levels of natural cross ventilation, which is greater than the 60% required under the ADG. In this regard, the	No																						

		number of apartments proposed is 349 and based on the number of units stated to comply, 196 units would only result in 56% of units being compliant. In order to achieve the compliance rate noted in the Natural Ventilation Statement, a number of additional windows are required to be included in the building slots. The inclusion of these windows raises acoustic privacy issues between habitable rooms within opposing apartments and between habitable rooms and circulation spaces. The additional windows required to achieve the stated percentage are not acceptable from a residential amenity perspective given the slot widths. The proposed slot width only allows for one window per floor to ensure acoustic privacy is maintained between apartments and this is the basis on which compliance has been assessed. Alternative methods are available which would allow the flow of air through apartments while still maintaining acoustic privacy (e.g. passive acoustic wall ventilators). Given compliance can be achieved, a condition of consent is recommended for an alternative method to be explored and incorporated into the construction plans for a minimum of 29 apartments to ensure a compliance rate of 60% is achieved.	
4C-1	Ceiling height achieves sufficient natural ventilation and daylight access. The design criteria references habitable rooms achieving a finished floor to ceiling height of 2.7m.	The drawings show floor to floor heights of 4.7m, 3.3m or 3.1 which will achieve the minimum floor to ceiling height of 2.7m for habitable rooms.	Yes
4C-2	Ceiling height increases the sense of space in apartments and provides for well proportioned rooms.	The vertical planning is stacked allowing ceiling heights to be maximised. Floor to ceiling heights of 2.7m for habitable rooms and 2.4m for non-habitable rooms are proposed.	Yes
4D-1	The layout of rooms within an apartment is functional, well organised and provides a high standard of amenity. The design criteria states the following minimum internal floor areas: • 1 bedroom - 50sqm; • 2 bedroom - 70sqm; - and • 3 bedroom - 90sqm. Additional bathrooms increase minimum areas by 5sqm and all habitable rooms are to have BCA compliant windows in terms of size (glass area of not less than 10% of room size).	The proposed development includes 1, 2, 3 and 4 bedroom apartments. All proposed apartments meet the design criteria set out in the ADG.	Yes

4D-2	Environmental performance of the apartment is maximised. The design criteria references habitable room depths limited to 2.5 x ceiling height and open plan layouts have a maximum depth of 8m from the window.	The proposed apartment depths comply with this requirement. Apartment depth in the open plan layout is not greater than 8m, measured from the window to the kitchen bench.	Yes
4D-3	Apartment layouts are designed to accommodate a variety of household activities and needs. The design criteria specifies: • Master bedrooms to be 10sqm and other bedrooms to be 9sqm; • Bedrooms have minimum dimensions of 3m; • Living rooms have minimum widths of 3.6m (for 1 bedroom) and 4m (for 2/3 bedrooms); and • Cross-through apartments are at least 4m wide.	All apartments comply with these requirements.	Yes
4E-1	Apartments provide appropriately sized private open space and balconies to enhance residential amenity. The design criteria states that all apartments are to have primary balcony areas of the following size: • 1 bedroom - 8sqm (2m deep); • 2 bedroom - 10sqm (2m deep); and • 3 bedroom - 12sqm (2.4m deep).	All apartments either comply with or exceed the private open space size and area requirements. Podium apartments are provided with increased balcony sizes.	Yes
4E-2	Primary private open space and balconies are appropriately located to enhance liveability for residents.	Balconies are located adjacent to living areas and are suitability proportioned and orientated.	Yes
4E-3	Private open space and balcony design is integrated into and contributes to the overall architectural form and detail of the building.	Private open space and balconies are integrated into the overall architecture of the building. Individual air conditioning units are provided on balconies.	Yes

	The design guide suggests that front fences are visually permeable, full width full height glass balustrades are avoided, operable screens are used and air conditioning should be located on roofs or screened if on balconies.		
4F-1	Common circulation spaces achieve good amenity and properly service the number of apartments. The design criteria states that no more than 8 apartments can be accessed off a circulation core. The design guidance suggests that greater corridor widths improve amenity, daylight and natural ventilation should be provided and primary windows should not open onto the corridor.	Circulation areas around lift cores are generous and allow positive interactions between residents. No more than 8 apartments are serviced off a circulation core. Buildings have the following number of lift cores which complies with the criteria: • Building H - 2 • Building K - 2 • Building J - 3 • Building L - 4 Lift cores are in open breezeways which are weather protected with glass louvers allowing residents to open louvres during the summer time and close them in the winter.	Yes
4F-2	Common circulation spaces promote safety and provide for social interaction between residents.	Lobby areas are short, direct and provide legible access to all apartments. Lobby areas are generous in size.	Yes
4G-1	Adequate, well designed storage is provided in each apartment. The design criteria requires additional storage as follows: • 1 bedroom - 4 cubic metres; • 2 bedroom - 6 cubic metres; and • 3 bedroom - 10m cubic metres, with 50% of that space in the apartment.	A Storage Schedule has been submitted with the application outlining compliance can be achieved. The Storage Schedule cannot be reconciled with the architectural plans as there is no apartment allocation to storage cages at the basement and ground level. A condition of consent is recommended in this regard.	Yes
4G-2	Additional storage is conveniently located, accessible and nominated for individual apartments.	Additional storage for each apartment is provided in storage cages within the basement level. Storage cages are easily accessed away from vehicle circulation spaces. No storage is proposed on balconies.	Yes
4H-1 and 4H-2	Noise transfer is minimised through the siting of buildings and building layout.	An acoustic assessment has been undertaken and recommendations made which have been incorporated into the design. This includes the introduction of 'wintergardens' to all levels from level 2 to the roof for Buildings H and J for apartments facing the communal pool at the podium level.	Yes

	Noise impacts are mitigated with apartments through layout and acoustic treatments.	This is considered an extreme measure given the development site is not located within a hostile environment and is well setback in green space and away from road or rail noise. The acoustic assessment did not provide user numbers for the communal area but based the assessment on a 75dBA noise level. It is unclear if the acoustic assessment was attempting to achieve a specific noise level for the balcony areas and hence the wintergarden recommendation. It would be accepted that balconies do not need to meet a specific noise criteria as long as indoor noise levels could be achieved through a higher level of acoustic glazing and other methods. Residents choosing to live in an apartment style development near the pool area would accept a certain level of noise. Noise levels would also be managed and maintained through strata by laws and a site manager. In this regard, a condition of consent is recommended for the removal of the wintergardens to all levels to ensure these apartments achieve suitable ventilation and outlook. A condition of consent is also recommended for the development to achieve the indoor noise levels required by the relevant guideline documents, including AS/NZS 2107:2016 - Recommended design sound levels and reverberation times for building interiors.	
4K-1 and 4K-2	A range of apartment types and sizes is provided to cater for different household types and into the future. The apartment mix is distributed to suitable locations within the building.	The development proposes a range of apartment sizes and configurations, with the mix being: • 110 x 1 bedroom units; • 150 x 2 bedroom units; • 73 x 3 bedroom units; and. • 16 x 4 bedroom units. The apartment mix is appropriately distributed.	Yes
4L-1 and 4L-2	Street frontage activity is maximised where ground floor apartments are located. Design of ground floor apartments delivers amenity and safety for residents.	The proposed development complies with these requirements.	Yes
4M-1 and 4M-2	Building facades provide visual interest along the street while respecting the character of the local area. Building functions are expressed by the facade.	The proposed development complies with these requirements.	Yes
4N-1, 4N-2 and 4N-3	Roof treatments are integrated into the building design and positively respond to the street. Opportunities to use roof space for residential accommodation and open	Two communal open spaces are proposed on the roof at level 6 of Buildings J and L. Lift/stair over runs are centralised and will not be visible from ground level. The BASIX Certificate requires a 50kW PV system to be installed.	Yes

	space are maximised. Roof design incorporates sustainability features.																																						
4O-1 and 4O-2	Landscape design is viable and sustainable. Landscape design contributes to the streetscape and amenity.	A concept landscape plan has been submitted in support of the proposal. The landscape plan has been reviewed by Council's Landscape Architect and is assessed as suitable for the development subject to further refinement of the detail prior to Construction Certificate issue. A condition is recommended in this regard.	Yes																																				
4P-1, 4P-2, and 4P-3	Planting on structures contributes to the quality and amenity of communal and public open spaces.																																						
4Q-1, 4Q-2 and 4Q-3	Universal design features are included in apartment design to promote flexible housing for all community members. The design guidance makes references to a 'silver level' in the Liveable Housing Guideline and seven core design features.	The following table provides a summary of the adaptable and liveable units: SUMMARY TABLE <table><thead><tr><th></th><th>Adaptable*</th><th>Livable*</th></tr></thead><tbody><tr><td>Stage 4</td><td></td><td></td></tr><tr><td>Building K</td><td>9</td><td>18</td></tr><tr><td>Building L</td><td>10</td><td>27</td></tr><tr><td>Total (171 Apts)</td><td>19</td><td>45</td></tr><tr><td>Stage 5</td><td></td><td></td></tr><tr><td>Building H</td><td>9</td><td>17</td></tr><tr><td>Building J</td><td>9</td><td>34</td></tr><tr><td>Total (178 Apts)</td><td>18</td><td>51</td></tr><tr><td>St 4+5 Total (349 Apts)</td><td>37</td><td>103</td></tr><tr><td>Compliance Required:</td><td>10% <i>(Penrith Council DCP)</i></td><td>20% <i>(ADG)</i></td></tr><tr><td>Compliance Achieved:</td><td>✓</td><td>✓</td></tr></tbody></table> An Accessibility Statement has supported the proposal and notes compliance in this regard can be achieved.		Adaptable*	Livable*	Stage 4			Building K	9	18	Building L	10	27	Total (171 Apts)	19	45	Stage 5			Building H	9	17	Building J	9	34	Total (178 Apts)	18	51	St 4+5 Total (349 Apts)	37	103	Compliance Required:	10% <i>(Penrith Council DCP)</i>	20% <i>(ADG)</i>	Compliance Achieved:	✓	✓	Yes
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4U-1, 4U-2 and 4U-3	Development incorporates passive environmental design. Development incorporates passive solar design to optimise heat storage in winter and reduce heat transfer in summer.	Adequate natural daylight and sunlight is provided to apartments as per the design criteria of the ADG. Shading is provided by balcony overhangs. Landscaping is provided to the communal open spaces.	Yes																																				
4V-1, 4V-2, and 4V-3	Potable water is minimised. Urban stormwater is treated on site before being discharged to receiving waters. Flood management systems are integrated into site design.	The development site will be connected to the roadway drainage system approved via DA18/0999 (Stages 2 and 3).	Yes																																				
4W-1 and 4W-2	Waste storage facilities are designed to minimise impacts on the streetscape, building entry and amenity of residents.	The proposed development includes provision for on-site waste collection by Council's waste service. However, the proposal has not provided adequate vehicle height clearances and swept paths to accommodate Council's 10.5m waste vehicle. The applicant has provided marked up sketches which	Yes																																				

	Domestic waste is minimised by providing safe and convenient source separation and recycling.	demonstrate a 10.5m was truck could be accommodated within the development with minor modifications and no impacts on overall building height. Council's Waste Management Officer raises no concerns in relation to the proposed arrangement for waste collection as per the sketches provided subject to further detailed design. A condition is recommended in this regard. In addition, the buildings include waste chutes (general waste and recycling) on all upper floors, bulky waste room and other waste infrastructure in the basement areas as well as a waste collection room at the ground level.	
4X-1, 4X-2 and 4X-3	Building design detail provides protection from weathering. Systems and access enable ease of maintenance. Material selection reduces ongoing maintenance costs.	To assist with long term maintenance, the proposal includes glazing that is recessed and protected by the facade with ledges and balconies. The development is proposed to be managed by way of a community title and strata title scheme and will require maintenance and management schedules under this scheme.	Yes