



**'Bay Park' residential development  
23 Bennelong Parkway, Wentworth Point**

**Environmental Assessment for Concept Plan  
Part 3A Environmental Planning & Assessment Act 1979**

**December 2009**

## EXECUTIVE SUMMARY

### INTRODUCTION

This Environmental Assessment (“EA”) has been prepared under Section 75N of the Environmental Planning and Assessment Act (“the Act”) to accompany an application to the Planning Assessment Commission (as the delegate of the Minister for Planning) for the Concept Plan described below.

### THE PROJECT SITE & CONTEXT

Wentworth Point (formerly Homebush Bay West) is located on the peninsula adjoining Sydney Olympic Park and Millennium Parklands. The subject site is located on the south western corner of the Wentworth Point. The site has an area of 25,570m<sup>2</sup> and is prominently located at the entrance to the precinct near the intersection of Bennelong Parkway and Hill Road. The site is currently occupied by a TNT Distribution Centre. A detailed analysis of the site and its context is contained in **Section 2** of this report.

### PROJECT DESCRIPTION

The application is for Concept Plan approval under Part 3A of the Act for a residential flat building containing 601 apartment in two 7 - 8 storey buildings (Buildings B and C) and a smaller 4 - 5 storey building (Building A). The proposal also comprises a large community park, the extension of Amalfi Drive and associated facilities. A detailed description of the proposal is contained in **Section 3** of this report. Reduced copies of the plans for the proposal are appended to this report at **Appendix 3**.

The Capital Investment Value of the project is estimated at \$129 million as confirmed by the Quantity Surveyor Cost Report attached at **Appendix 5**.

### ASSESSMENT CRITERIA

The Director-General of Planning has confirmed that the project is one to which Part 3A of the Act applies, has authorised the submission of the Concept Plan and has issues his requirements for the assessment. The Director General’s requirements are detailed in **Section 4** of this report. A summary of the key issues required to be assessed follows.

### STATUTORY CONTEXT

The relevant statutory regime and assessment criteria applicable to the development comprise the following:

- Draft West Central Subregional Strategy;
- State Environmental Planning Policy No. 55 - Remediation of Land;
- State Environmental Planning Policy No.65 - Design Quality of Residential Flat Buildings and Residential Flat Design Code;
- State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004;
- State Environmental Planning Policy (Infrastructure) 2007;
- Sydney Regional Environmental Plan No 24- Homebush Bay Area;
- Sydney Regional Environmental Plan (Sydney Harbour Catchment) 2005;
- Draft Auburn Local Environmental Plan 2009
- Homebush Bay West Development Control Plan 2004 (including Vol. 2 Homebush Bay West Public Domain Manual 2005);
- Sydney Harbour Waterways Development Control Plan; and

- Auburn Development Contributions Plan 2007.

A comprehensive assessment of the proposal against these planning controls is contained in **Section 5** of this report. The assessment concludes that the proposal is almost entirely consistent with the controls and guidelines and that the minor areas of non-conformity are reasonable and justifiable.

### KEY ISSUES

A detailed assessment of the key issues identified in the Director General's Requirements and our own identified issues is contained in **Section 6** of this report. A summary of those issues follows.

#### Built form

The EA addresses the height, bulk and scale of the proposed development within the context of the locality. It provides a comparable height study to demonstrate how the proposed height relates to the height of the existing/approved developments surrounding the subject site and the Homebush Bay West DCP height guidelines for the site. The density of development on the site, as measured as part of the overall maximum residential floor space on the peninsula, complies with the Homebush Bay West DCP. It demonstrates that the layout, form and height of the development are entirely compatible with surrounding development. The height of the buildings at all points remains below RL 29 metres, prescribed as the height limit by the DCP. A minor variation to the DCP guideline on the number of storeys for one part of the building fronting the Amalfi Road extension is reasonable and justifiable as it creates no adverse impacts.

#### Urban design

Whilst only designed up to a conceptual stage, the EA determines that the development has been designed consistent with the design principles in SEPP 65 - Design Quality of Residential Flat Buildings. Future applications will outline the more detailed design elements of the development. Basement heights are generally less than 1.2 metres above the ground and do not dominate the public domain.

#### Environmental and residential amenity

Shadow diagrams have been prepared which confirm the adequacy of solar access to apartments. Whilst more details will be contained in future applications, the structure of the proposal allows all units to have the capability to obtain cross ventilation, visual and acoustic privacy and generally have the capacity to be compliant with the rules of thumb under SEPP 65. High quality community and private open spaces (most particularly in the form of the major proposed park fronting Amalfi Drive), will provide a high level of amenity for the proposed residents and existing surrounding community.

The proposed development will provide significantly improved amenity to neighbouring residential development in terms of design and operation, particularly in consideration of the level of heavy vehicle generation related to the existing distribution activity on the site.

#### Car parking

A parking assessment has been undertaken by Varga Traffic Planning which demonstrates that there will be sufficient on-site car parking for the proposal having regard to the DCP and RTA guidelines.

### **Transport and accessibility**

A traffic and transport assessment has been undertaken by Varga Traffic Planning which concludes that *“the traffic generation potential of the development is minimal and is consistent with the findings and objectives of the Masterplan .... and .... the proposed development will not have any unacceptable traffic implications in terms of road network capacity”*.

### **Environmentally sustainable development**

The details of environmentally sustainable development initiatives to be incorporated into the development will be contained in any subsequent application. At this stage, the general ESD principles upon which the concept is based will include overall building design and orientation enabling cross-ventilated, good natural daylight and solar access into primary living spaces and external living areas, use of energy efficient appliances and water efficient devices, tanks for stormwater retention and reuse, substantial deep soil areas for significant planting, BASIX certification and compliance with Section J of the BCA.

### **Flooding, drainage and ground water**

Appropriate water management principles are to be incorporated in the proposed development.

The relatively high water table in the locality limits the extent of potential basement excavation. The proposed basement levels are above and do not affect the water table.

The stormwater concept plans accompanying the application demonstrate the ability to adequately deal with water quantity and quality issues, having no adverse impacts on the adjacent wetlands, adjoining properties or Homebush Bay.

### **Utilities**

An assessment of utility provision and capacity has been undertaken and confirms that there is capacity to meet the demands of the proposed development.

### **Site Suitability**

Preliminary investigations into the physical suitability of the site for the proposed development have identified no encumbrances to that development.

Geotechnical analysis of the adjoining area has previously concluded conditions are suitable for similar types of development to that proposed. It is expected that similar conditions will apply to the subject site.

The preliminary environmental assessment of the site has indicated that whilst there is potential contamination associated with its historical industrial use, it can be remediated to a level suitable for its proposed residential use, consistent with other recently approved development in the locality.

### Social impacts

The proposal provides an additional supply of 601 dwellings into the local housing market, consistent with Metropolitan and the West Central Subregional Strategies, which promote the supply of a significant majority of the region's housing demand in accessible established areas.

The area is a highly desirable location given its accessibility to public transport, retail, sporting and community facilities, open space and the Harbour. Higher density housing in such a location optimises the number of people able to take advantage of such a desirable location and reduces the demand for housing in far less accessible fringe areas of the Metropolitan Area.

The proposal involves a mix of apartment sizes, including 1, 2 and 3 bedrooms which provides for housing choice and optimises affordability.

The proposal incorporates a new community park providing good amenity to the future residents of this site and the existing residents of adjoining sites.

### CONCLUSION

The EA concludes that the site is appropriately zoned and highly suitable for the development, subject to certain technical and design considerations. These include the need to limit the extent of excavation and to remediate the site, which have been either incorporated in the design or will be undertaken prior to the site's development.

This assessment also concludes that the development conforms with relevant planning controls, most particularly in the SREP No. 24 and the Homebush Bay West DCP. The main area of non-compliance relates to the height of the buildings fronting the proposed extension of Amalfi Drive, however the limited extent of the variation and lack of adverse impacts justifies the variation.

Subject to compliance with the Statement of Commitments outlined in **Section 7**, on the basis of this environmental assessment, the report concludes in **Section 8** that the Concept Plan, warrants approval.

### CERTIFICATION

I hereby certify that the information contained in this Environmental Assessment is neither false nor misleading:



**David Ryan**

BTP (Hons), Dip Law (SAB), Grad Dip Leg Prac, MPIA, CPP

**Executive Director**

**City Plan Strategy and Development Pty Limited**

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**LIST OF APPENDICES**

No.	Item	Prepared by
1	Environmental Assessment Requirements	Director-General of Planning
2	Survey Plan	Lockley Land Title Solutions
3	Architectural Drawings & Statement, SEPP 65	Turner + Associates
4	Landscape Statement & Drawings	Aspect Studios
5	Development Cost Estimate	Rider Levett Bucknall
6	Pedestrian Wind Environmental Assessment	Windtech
7	Civil Engineering Report	Buckton Lysenko
8	Drainage Concept Plans	VOS Group Consulting
9	Traffic and Parking Assessment	Varga Traffic Planning
10	Preliminary Environmental Assessment	Consulting Earth Scientists
11	Notes of Community Meeting	Payce

Job No/ Document No	Description of Issue	Prepared By/ Date	Reviewed by	Approved by Project Manager/Director
29073/EA	<i>Final Draft</i>	<i>DR/09.12.09</i>	<i>SF/09.12.09</i>	 <i>Name: David Ryan Executive Director</i>
29073/EA	<i>Final</i>	<i>DR/11.12.09</i>	<i>SF/11.12.09</i>	
<p><b>Note:</b> This document is preliminary unless it is approved by a Project Manager or Director of City Plan Strategy &amp; Development</p>				

## 1 INTRODUCTION

### 1.1 Overview

This Environmental Assessment (“EA”) has been prepared for Henlia No. 3 Pty Limited by City Plan Strategy and Development Pty Ltd in respect of a Concept Plan Application to construct a residential flat building, community park and associated facilities on land at Wentworth Point.

The application relates to Lot 3 DP 776611 and Lot 22 DP 1044874, known as 23 Bennelong Parkway, Wentworth Point (formerly Homebush Bay West).

The proposal is for a residential flat building of four to eight storeys accommodating a mix of 601 one, two and three bedroom apartments and providing basement car parking over two levels for up to 829 cars. The development also involves a new community park and the extension of Almalfi Drive. The development will be known as “Bay Park.” A more detailed description of the proposal is provided under **Section 3**.

Advice has been received from the Director General of the NSW Department of Planning that:

- he has formed the opinion that the proposal is development of a kind described in Schedule 1, Clause 13 of SEPP Major Development and is therefore a project to which Part 3A of the *Environmental Planning and Assessment Act 1979* (“the Act”) applies;
- he has authorised the submission of a Concept Plan for the proposal under Section 75M of the Act;
- because the proponent has disclosed a reportable political donation, the application will be referred to the Planning Assessment Commission for determination;
- Director General’s Environmental Assessment Requirements for the project have been issued.

In accordance with this advice, this report contains the Environmental Assessment addressing the Director General’s Requirements, as set out in **Appendix 1**.

### 1.2 Concept Plan

The application is made under the provisions of Section 75M of the Act, which relates to Concept Plan Applications.

Because the application includes conceptual proposals for the whole development, some of our assessment is general in nature and deals with the appropriateness and capability of the site for uses of the nature and size proposed. The level of assessment will be sufficient for the PAC to be confident that approval may reasonably be granted to the overall concept, subject to additional details being the subject of future planning applications.

### 1.3 Project Team

Discipline	Consultant
Architecture	Turner + Associates
Landscape design	Aspect Studios
Town planning	City Plan Strategy and Development
Environmental auditing	Consulting Earth Scientists
Traffic engineering	Varga Traffic Planning
Wind assessment	Windtech
Civil engineering	Buckton Lysenko and VOS Group Consulting Engineers

### 1.4 Consultation

The following consultations have informed the proposal and the preparation of this EA:

Consultation undertaken	Outcome
Meeting with Auburn Council Director and Manager of Planning on 21 May 2009	Generally acknowledged that the proposal largely conformed with the relevant DCP guidelines, however that any variations are to be justified.
Meeting with NSW Department of Planning Major Assessments Director on 6 August 2009	Generally acknowledged that the proposal largely conformed with the relevant DCP guidelines, however that any variations are to be justified.
Undated note from Auburn Council in response to DOP's request for comments	Copy of letter attached to DGR's (refer Appendix 1)
Letter dated 9 October 2009 from DECCW in response to DOP's request for comments	Copy of letter attached to DGR's (refer Appendix 1)
Letter dated 13 October 2008 (sic) from RTA in response to DOP's request for comments	Copy of letter attached to DGR's (refer Appendix 1)
Letter dated 22 October 2009 from SOPA in response to DOP's request for comments	Copy of letter attached to DGR's (refer Appendix 1)
Meeting with Waterfront Residents on 26 November 2009	Copy of Notes of Meeting (refer Appendix 11)

## 2 SITE ANALYSIS

### 2.1 The locality

Wentworth Point is located within the Auburn Local Government Area on the peninsula adjoining Sydney Olympic Park and Millennium Parklands. The precinct is bounded by Parramatta River to the north, Homebush Bay to the east, Bennelong Parkway to the south and Hill Road to the west (refer to Figure 1).

The “The Piazza” retail precinct is located to the south east and a number of existing seven – eight storey residential flat buildings adjoin the site to the north east and south east. On the southern side of Bennelong Parkway is the Nuwi Wetland and Olympic Archery Centre (refer to Figures 2, 3 and 4).

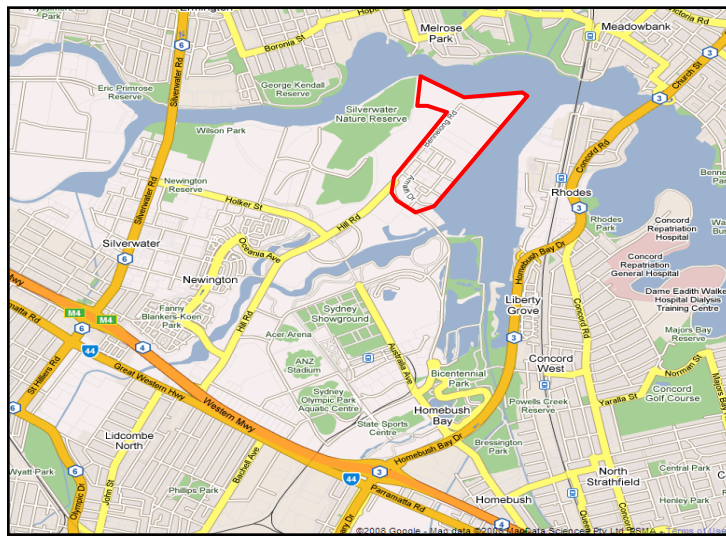


Figure 1: Local and regional context, Wentworth Point. Wentworth Point outlined red.



Figure 2: Wentworth Point and site location (in red)

Locality Images



Bennelong Parkway looking east



Amalfi Drive looking north towards site



Millennium Parklands looking south west



Nuwi Wetlands from Bennelong Parkway



The Piazza



Wentworth Point ferry wharf

**Figure 3:** Locality images

**2.2 Existing road and transport conditions**

Existing traffic and transport conditions have been assessed by Varga Traffic Planning Pty Limited (**Appendix 9**) as follows:

*“Hill Road performs the function of a collector road, providing access from the Homebush Bay peninsula to the higher order arterial route network. It is line-marked as a four-lane route (ie two lanes in each direction) with kerbside parking generally prohibited along its*

length by NO STANDING restrictions. A grade-separated interchange with west-facing ramps is located at the M4 Motorway/Hill Road intersection.

Bennelong Road (ie between Hill Road and Australia Avenue) performs the function of a local access road by providing vehicular access to frontage properties. The line-marking on this section of Bennelong Parkway comprises a centre-line marking only, catering for a single lane (plus bike lane) in each direction. A central turning lane has been provided where necessary to facilitate access to frontage properties.

Regular public transport services are provided along Hill Road by the 401 bus route which operates between the Sydney Olympic Park Ferry Wharf and Lidcombe Station, via the Olympic Park Railway Station. The 533 bus provides a regular service between Chatswood and the Olympic Park Railway Station, allowing for interchange with the 401 bus service. The 525 bus service between Parramatta and Strathfield Railway Stations also operates via Olympic Park Railway Station, thereby allowing for bus passengers to interchange with the 401 bus service.

Residents of the proposed development will therefore have ready access to approximately 160 bus services per day.

The ferry service available at the Olympic Park Ferry Wharf operates between Parramatta and Circular Quay. There are a minimum of 26 ferry services per day which will be accessible to residents of the proposed development.

Extensive intra-urban and inter-urban train services are available at Strathfield Station. In addition, regular train services are also available at the Olympic Park Railway Station, via Lidcombe. There are typically 120 train services per day on weekdays at Olympic Park Railway Station, increasing to 199 train services on weekends and public holidays.

Provision has also been made for the introduction of an additional bus service to serve the Wentworth Point peninsula. The bus service would travel via Baywater Drive, a local north-south road link and Burroway Road as suggested by the Homebush Bay West Structural Design Framework.

### 2.3 The site

The subject site is a “quadrant” shaped block located on the south western corner of the Wentworth Point precinct. The site has an area of 25,570m<sup>2</sup> and is prominently located at the entrance to the precinct adjacent to the intersection of Bennelong Parkway and Hill Road. A site survey is appended to this report at **Appendix 2**.

The subject site is currently occupied by a TNT Distribution Centre and involves container unloading, detailing picking and packing, warehousing and transport operations. Site improvements include a large monolithic industrial warehouse building of more than 20,000m<sup>2</sup> set back in a large concrete apron used for heavy and light vehicle parking and manoeuvring.

The site which is reclaimed land, is relatively flat and contains no existing vegetation apart from a row of trees along its frontage to Bennelong Parkway. Vehicular access is gained from Bennelong Parkway in two places.

**Site images**



North-eastern view of site



Bennelong Pwy frontage

Rear (northern) boundary

**Figure 4:** Existing site

**2.4 Analysis of locality and site**

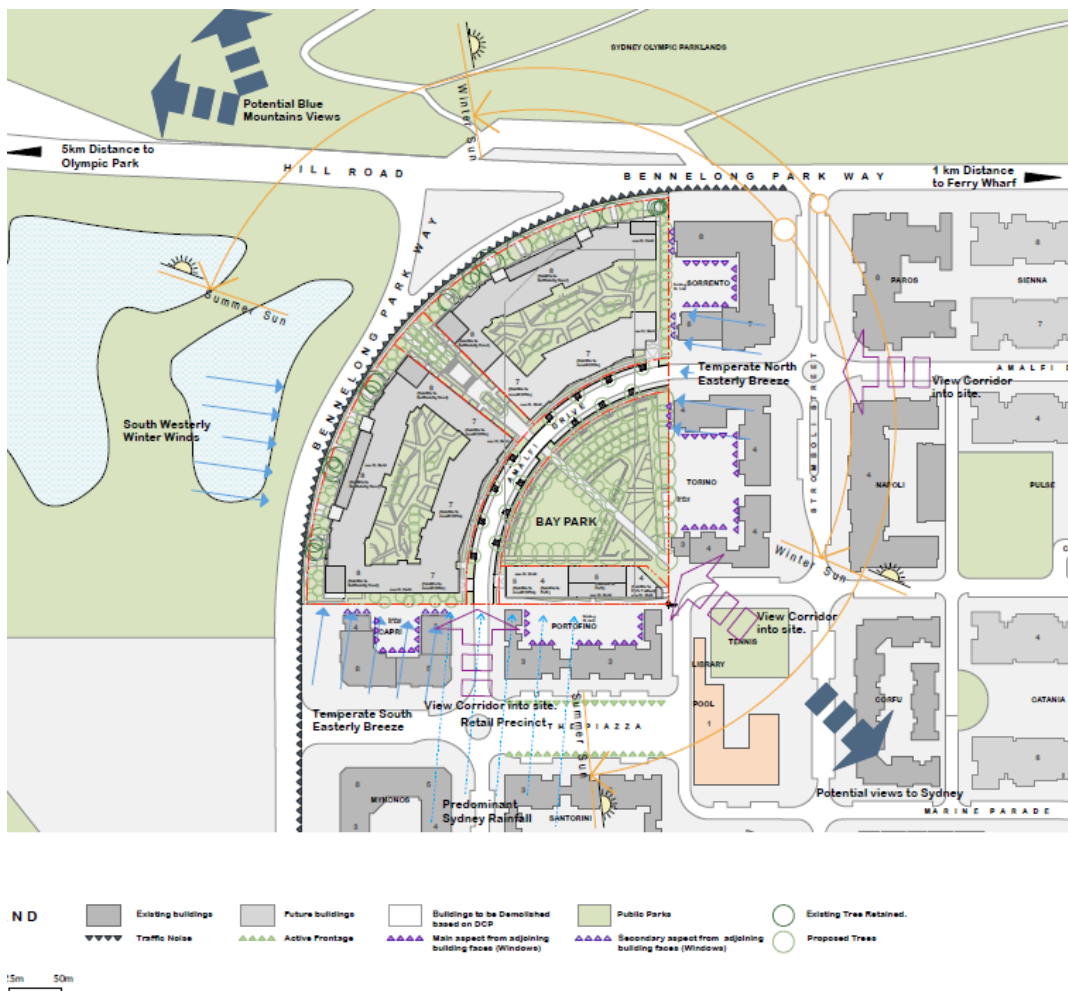
Wentworth Point is an area in transition. It has seen significant recent transformation since the Sydney Olympics, from an industrial, warehousing, distribution area to a

planned urban mixed residential neighbourhood. However, there are still major portions of the peninsula retaining their historical industrial uses, including the subject site.

The most substantial transformation towards its future residential neighbourhood vision has occurred at the southern end of the peninsula, in the form of the Waterfront precinct developed by Payce Properties. The subject site is an anomaly to the image now presented by the Waterfront development.

The development of this site therefore represents an important element in the continuing transition of the peninsula to its ultimate planned form. It is particularly important in this regard because it does represent something of a gateway to the peninsula from its 'landward side'.

A detailed site analysis has been undertaken by Turner and Associates Architects and accompanies this application at **Appendix 3**.



**Figure 5: Excerpt from Site Analysis (Source: Turner + Associates)**

### 3 DESCRIPTION OF THE DEVELOPMENT

#### 3.1 Overview

Concept Plan approval is sought for:

- residential apartment building comprising two 7 - 8 storey buildings (Buildings B and C) configured around two central courtyards over two levels of basement car parking following the sweep of Bennelong Parkway;
- 4 - 5 storey residential apartment building (Building A) fronting Amalfi Drive over one level of basement car parking;
- 4,910m<sup>2</sup> community park; and
- extension of Amalfi Drive between its two existing sections.

#### 3.2 Development statistics

Concept approval is sought for the following development parameters, noting that as more detailed design development occurs, these figures may vary to a limited extent in the subsequent staged application:

Development Parameter	Proposed (approximates)
Site Area	25,570 m <sup>2</sup>
Gross Floor Area	48,000 m <sup>2</sup>
Floor Space Ratio	1.9:1
Apartments	
• 1 Bedroom	184
• 2 Bedroom	394
• 3 Bedroom	23
• Total	601
Car parking	829
Neighbourhood Park	4,910m <sup>2</sup>

Source: Turner + Associates

### 3.3 Development plans

Development, as described above, will be generally in accordance with architectural and landscape plans submitted with this application, reduced copies of which are attached to this report as **Appendix 3** and **Appendix 4** respectively.

#### Architectural plans by Turner + Associates

Drawing DA 01/E	17/11/09	Site Context Plan Existing
Drawing DA 02/E	17/11/09	Site Context Plan Future
Drawing DA 03/E	17/11/09	Site Analysis Diagram
Drawing DA 04/E	17/11/09	Site Context Photographs 01
Drawing DA 05/E	17/11/09	Site Context Photographs 02
Drawing DA 06/E	17/11/09	Area Diagrams
Drawing DA 07/E	17/11/09	Site Statistics
Drawing DA 11/E	17/11/09	Illustrative Street Network Diagrams
Drawing DA 21/E	17/11/09	Illustrative Basement Plan
Drawing DA 22/E	17/11/09	Illustrative Bennelong Parkway Level Plan
Drawing DA 23/E	17/11/09	Illustrative Amalfi Drive Level Plan
Drawing DA 24/E	17/11/09	Illustrative Level 1 Plan
Drawing DA 25/E	17/11/09	Illustrative Level 2 + 3 Plan
Drawing DA 26/E	17/11/09	Illustrative Level 4 Plan
Drawing DA 27/E	17/11/09	Illustrative Level 5 + 6 Plan
Drawing DA 28/E	17/11/09	Comparative Height Study/Illustrative Roof Plan
Drawing DA 29/E	17/11/09	Illustrative West Elevation
Drawing DA 31/E	17/11/09	Illustrative Section AA
Drawing DA 32/E	17/11/09	Illustrative Section BB
Drawing DA 01/E	17/11/09	Urban Form Control Plan
Drawing DA 51/E	17/11/09	Shadows December 21
Drawing DA 52/E	17/11/09	Shadows Sept/March 21
Drawing DA 53/E	17/11/09	Shadows June 21
Drawing DA 54/A	17/11/09	Shadows to courtyard elevation 1
Drawing DA 55/A	17/11/09	Shadows to courtyard elevation 2
Drawing DA 61/A	17/11/09	View north from the Piazza
Drawing DA 62/A	17/11/09	View west from Amalfi Drive
Drawing DA 63/A	17/11/09	View west from Corniche Drive
Drawing DA 64/E	17/11/09	General massing view from Bennelong Pkwy
Drawing DA 65/E	17/11/09	General massing view from new park

#### Landscape plans by Aspect Studios

Drawing S1-DA01/B	19/11/09	Stage 1 DA Landscape Plan
Drawing S1-DA02/B	19/11/09	Indicative Precedent Images

### 3.4 Capital Investment Value

The Capital Investment Value of the project is estimated at \$129 million. This figure is confirmed by the Quantity Surveyor Cost Report attached at **Appendix 5**.

### 3.5 Future applications

Should concept approval be granted, subsequent project or development applications containing detailed building design, materials, apartment layouts and the like will be required to be lodged and assessed before any development may take place on the site.

## 4 DIRECTOR-GENERAL'S ASSESSMENT REQUIREMENTS

The Director-General's Assessment Requirements (DGRs) for the proposal were issued on 26 October 2009. A copy of the DGR is appended at **Appendix 1**. The key issues to be addressed in the EA are set out the following table along with an indication of where they have been addressed in this report.

KEY ISSUES	WHERE ADDRESSED IN EA
<p><b>1 Relevant EPI's policies and guidelines to be addressed</b></p> <p>Planning provisions applying to the site, including permissibility and the provision of all plans and policies including:</p> <ul style="list-style-type: none"> <li>• SEPP (Building Sustainability Index: BASIX) 2004;</li> <li>• SEPP 65 - Design Quality of Residential Flat Development,</li> <li>• Residential Flat Design Code (Planning NSW 2002) for all buildings within the development;</li> <li>• Draft West Central Subregional Strategy;</li> <li>• SEPP (Infrastructure) 2007; and</li> <li>• Nature and extent of any non-compliance with Auburn Council's environmental planning instruments (including SREP 24 - Homebush Bay Area, the Sydney Harbour Foreshores and Waterways DCP, Draft Auburn Local Environmental Plan 2009 (if applicable), Homebush Bay West Public Domain Manual 2005) and justification for any non-compliance</li> </ul>	<p><b>Section 5</b></p> <p>Note that the Sydney Harbour Foreshores and Waterways DCP does not apply to this proposal as it is not within the Foreshores and Waterways Area identified in SREP (Sydney Harbour Catchment) 2005 (as identified on the Foreshores and Waterways Area map).</p>
<p><b>2 Built form</b></p> <p>The EA shall address the height, bulk and scale of the proposed development within the context of the locality. The EA shall also provide a comparable height study to demonstrate how the proposed height relates to the height of the existing/approved developments surrounding the subject site and the Homebush Bay West DCP height controls for the site. (Council height limits are to be indicated on all elevations and sections).</p>	<p><b>Sections 6.2, 6.3 &amp; 6.4</b></p> <p><b>Appendix 3</b> - elevations and sections on architectural plans indicate Council height limits.</p>
<p><b>3. Urban Design</b></p> <p>The EA shall address the design quality with specific consideration of the façade massing, setbacks, building articulation, use of appropriate colours, materials/finishes, landscaping, safety by design and public domain.</p> <p>Basement car parking heights are to be compatible with other existing buildings within Homebush Bay West.</p>	<p><b>Sections 6.5 &amp; 6.6</b></p> <p>It is noted that since this is a Concept Plan which seeks approval for building envelopes rather than detailed building designs, some of the matters identified under this heading will necessarily be the subject of subsequent detailed applications.</p> <p><b>Appendix 3</b> - elevations and sections on architectural plans indicate basement heights.</p>
<p><b>4. Environmental and Residential Amenity</b></p> <p>The EA must address solar access (including shadow diagrams resulting from the proposed development both internal and external to the site), acoustic privacy, visual privacy, view loss and wind impacts and achieve a high level of environmental and communal open space on the site).</p>	<p><b>Sections 6.7 – 6.10</b></p> <p><b>Appendix 3</b> - A detailed shadowing analysis forms part of the architectural plan set.</p>

<p><b>5. Car parking</b></p> <p>The EA must demonstrate the provision of sufficient on-site car parking for the proposal having regard to local planning controls and RTA guidelines (Note: The Department supports reduced car parking rates in areas well-served by public transport).</p>	<p><b>Section 6.14</b> <b>Appendix 9</b></p>
<p><b>6. Transport and Accessibility (Construction and Operational)</b></p> <p>The EA shall provide a traffic management study prepared in accordance with the RTA's Guide to Traffic Generating Developments, considering traffic generation, any required road/intersection upgrades, assess, loading dock(s) including service vehicle movements, car parking arrangements, measures to promote public transport usage and pedestrian and bicycle linkages, as assessment of the implications of the proposed development for non-car travel modes (including accessibility of public transport, walking and cycling), and also identify measures to mitigate potential impacts for pedestrians and cyclists during the construction stage of the project.</p>	<p><b>Section 6.13</b> <b>Appendix 9</b></p>
<p><b>7. Ecologically Sustainable Development (ESD)</b></p> <p>The EA shall detail how the development will incorporate ESD principles /initiatives in the design, construction and ongoing operation phases of the development.</p>	<p><b>Section 6.12</b></p>
<p><b>8. Contributions</b></p> <p>The EA shall address Council's Contribution Plan and /or details of any Voluntary Planning Agreement.</p>	<p><b>Section 5.13</b></p>
<p><b>9 Flooding/Drainage/Groundwater</b></p> <p>The EA shall address flooding, drainage and groundwater issues associated with the development/site, including: impacts of climate change, stormwater, drainage infrastructure and incorporation of Water Sensitive Urban Design measures.</p>	<p><b>Section 6.11</b> <b>Appendix 7 &amp; 8</b></p>
<p><b>10. Utilities</b></p> <p>In consultation with relevant agencies, the EA shall address the existing capacity and requirements of the development for the provision of utilities including staging of infrastructure works.</p>	<p><b>Section 6.18</b> <b>Appendix 7</b></p>
<p><b>11. Staging</b></p> <p>The EA must include details regarding the staging of the proposed development (if proposed)</p>	<p><b>No staging is proposed.</b></p>
<p><b>12. Contamination/Acid Sulphate Soils</b></p> <p>The EA is to demonstrate compliance that the site is suitable for the proposed use in accordance with SEPP 55. The EA shall also provide an acid sulphate soils management plan (if required).</p>	<p><b>Section 6.18</b> <b>Appendix 10</b></p>
<p><b>13. Consultation</b></p> <p>Undertake an appropriate and justified level of consultation in accordance with the Department's <i>Major Project Community Consultation Guidelines October 2007</i>.</p>	<p><b>Section 1.4</b> <b>Appendix 11</b></p>

## 5 STATUTORY PLANNING CONSIDERATIONS

### 5.1 Overview

The relevant statutory regime and assessment criteria applicable to development on the subject site comprise the following:

- Part 3A of the Environmental Planning & Assessment Act
- State Environmental Planning Policy (Major Development) 2005;
- Draft Western Central Subregional Strategy;
- State Environmental Planning Policy No. 55 - Remediation of Land;
- State Environmental Planning Policy No.65 - Design Quality of Residential Flat Buildings and the Residential Flat Design Code;
- State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004;
- State Environmental Planning Policy (Infrastructure) 2007;
- Sydney Regional Environmental Plan No 24- Homebush Bay Area;
- Sydney Regional Environmental Plan (Sydney Harbour Catchment) 2005;
- Draft Auburn Local Environmental Plan 2009
- Homebush Bay West Development Control Plan 2004 (including Vol. 2 Homebush Bay West Public Domain Manual 2005); and
- Auburn Development Contributions Plan 2007.

These controls and guidelines are addressed in the following sections.

### 5.2 Part 3A of the Environmental Planning & Assessment Act 1979

This application is made under Part 3A of the Act and seeks the Minister's approval for the Concept Plan under Section 75O of the Act.

### 5.3 SEPP (Major Development) 2005

Clause 6(1) of SEPP Major Development specifies that:-

*“Development that, in the opinion of the Minister, is development of a kind:*

- (a) that is described in Schedule 1 or 2...is declared to be a project to which Part 3A of the Act applies.”*

Schedule 1 of the SEPP sets out *“Part 3A projects – Projects – Classes of Development”*. Clause 13 refers to Group 5 Residential, commercial or retail projects, and includes:

- (1) Development for the purpose of residential, commercial or retail projects with a capital investment of more than \$100 million.*

The residential flat building and associated works and improvements will have a capital investment value of more than \$100 million. This application is therefore made in accordance with the provisions of Part 3A of the Act.

#### 5.4 Draft West Central Subregional Strategy

The Draft West Central Subregional Strategy was publicly exhibited between 24 December 2007 and 28 March 2008, and is yet to be finalised. It provides more detailed planning strategies to supplement the Sydney Metropolitan Strategy which was released in 2005 and is currently under review. The main elements of the Subregional Strategy relevant to this application can be summarised as follows:

- The Metropolitan Strategy has set the West Central Subregion a target of 95,500 new dwellings by 2031.
- Residential growth is expected to be strongest in the period up to 2013 as identified through the Government's Metropolitan Development Program in consultation with local councils and industry.
- While the subregion is required to provide a percentage of housing to achieve minimum housing capacity targets, existing constraints within the subregion are acknowledged and will be considered. Each LGA within the subregion however will be required to assist in the housing of Sydney's future housing population.
- Over the past decade almost two-thirds of new residential development has been accommodated within existing centres, defined as being 800 metres from a rail line or 400 metres from a high frequency bus route.
- Over the next 10 years, it is proposed that the majority of future dwelling growth will be located in centres with good public transport. Given that there are no Greenfield sites left within the subregion, most of the future dwelling growth will be located within centres (transit nodes) or through infill development. Over the past decade a growing proportion of residential development has occurred within centres.
- The Strategy's dwelling target for the Auburn local government area's share of the Subregion's (95,500) target between 2004 and 2031 is 17,000 new dwellings.
- To ensure that West Central maintains this performance, at least 50 per cent of new dwellings need to be located within 30 minutes by public transport of a Strategic Centre.

The proposed development contributes 600 dwellings on a major 'brown field' site in close proximity to the Regional City of Parramatta and the Specialised Centre of Sydney Olympic Park. It is serviced by public buses and accessible to the public ferry service at Wentworth Point.

The proposal is therefore entirely consistent with the locational criteria for additional housing in the Subregional Strategy and would assist in achieving its housing targets.

### 5.5 State Environmental Planning Policy No. 55 - Remediation of Land

SEPP 55 prescribes State-wide planning controls for the remediation of contaminated land.

A preliminary assessment of ground conditions has been carried out by Consulting Earth Scientists and accompanies this application at **Appendix 10**.

Because this is a concept application and if approved, nothing can be constructed on the site without further planning approval, the level of assessment undertaken is satisfactory to determine potential site contamination and the ability of the site to be made suitable for its proposed residential use in the terms of SEPP 55.

A more detailed environmental audit will be submitted for consideration with any subsequent application involving the construction of any residential buildings.

### 5.6 State Environmental Planning Policy No. 65- Design Quality of Residential Flat Buildings

SEPP 65 aims to improve the quality of design of residential flat buildings across the State.

As stated, because this application is a concept proposal and lacks detailed design, the level of assessment under SEPP 65 is necessarily restricted to the broader elements of its design, such as the appropriateness of the overall placement and interrelationship of its components on the site, suitability of proposed heights and the like. Whilst it is necessary to ensure that the concept, if approved, would have the capability of complying with the detailed design principles of the SEPP, these will only be able to be assessed once future more detailed applications are submitted for assessment.

The development has been designed by Turner and Associates architects consistent with the 10 design principles contained in SEPP 65, details of which are described in the architectural statement (refer to **Appendix 3**).

### 5.7 State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004

SEPP (BASIX) aims to encourage sustainable residential development.

As this is a concept application, which if approved will not allow for the construction of any buildings without further consent, no BASIX certification is required. Notwithstanding this, there is nothing associated with the concept proposal which would prevent the certification and completion of BASIX commitments at the subsequent stages.

### 5.8 State Environmental Planning Policy (Infrastructure) 2007

Clause 104 of SEPP (Infrastructure) requires that before granting consent to a development for residential flat buildings with 300 or more apartments, Councils must

refer the application to the Roads and Traffic Authority for comment and must consider the accessibility of the site, including:

- the efficiency of movement of people to and from the site and the extent of multi-purpose trips, and
- the potential to minimise the need for travel by car, and
- any potential traffic safety, road congestion or parking implications of the development.

Whilst these requirements do not strictly apply to a Part 3A application, a traffic and parking assessment prepared by Varga Traffic Planning, which addresses the relevant issues is appended to this report at **Appendix 9**. A summary of its findings and conclusions is contained in **Sections 6.13** and **6.14** of this report.

### **5.9 Sydney Regional Environmental Planning Policy (Sydney Harbour Catchment) 2005**

SREP (Sydney Harbour Catchment) aims to achieve a consistent planning framework to protect and enhance the unique attributes of the harbour. While the site is located within the boundary outlined by the Sydney Harbour Catchment Map it is not located within or in the immediate vicinity of any foreshore and waterway area. The proposal is for concept approval only and as such many of the provisions of SREP (Sydney Harbour Catchment) do not apply. Regardless, the proposal is for residential development complemented by open space with the aim to encourage a vibrant and safe place for people without compromising the protection of the natural assets of Sydney Harbour. The proposal is therefore consistent with the relevant aims and objectives of the SREP (Sydney Harbour Catchment).

### **5.10 Sydney Regional Environmental Plan Policy No. 24 - Homebush Bay Area**

SREP 24 prescribes the main land use and development controls applicable to the subject site and aims to encourage a co-ordinated approach to development of the Homebush Bay locality within a framework that recognises the environmentally sensitive nature of the general area.

Planning objectives for the Homebush Bay Area are outlined in Clause 12 of SREP 24, with relevant objectives generally being to promote:

- a variety of types of development and land uses including residential uses, without compromising the area's recognised role as a centre for hosting regional, State, national and international events;
- co-ordinated and high quality development;
- ecologically sustainable development; and
- development that preserves and improves views from and of the waterfront and to enhance public access to those waterways and waterfront areas, while protecting flora and fauna habitats.

The proposal is for the use of a site that is zoned to accommodate residential development and is consistent with immediately surrounding residential uses. In this sense, any potentially adverse impacts of residential use of the site on the overall area's ability to host large scale events has been assessed and deemed acceptable through its initial and approved zoning.

The proposal presents a design that responds well to the size and shape of the site, providing an acceptable balance between residential and open spaces. It will transform the site from its current isolated industrial usage to one that connects physically and characteristically with the surrounding mixed use residential/retail precinct. It will create a highly livable place that aims to provide a high level of amenity for future residents on the site as well as respecting the amenity of the existing residents of surrounding development. Further assessment against the overarching urban design principles promoted by the SREP is contained in **Section 5.12** of this report which addresses the Homebush Bay West DCP.

The proposal has been designed consistent with the principles of ecologically sustainable development, as will be discussed in **Section 6.12** of this report. The proposal further addresses sustainability principles through its use of land with good accessibility to various public transport options such as the Homebush Bay Ferry Wharf (approximately 1 km away) as well as the existing well integrated pedestrian and cycling networks in the vicinity, thus reducing reliance of private vehicle use for travel.

### 5.11 Auburn Draft Local Environmental Plan 2009

Draft Auburn is on statutory public exhibition between 8 October 2009 and 8 January 2010. Whilst its making is neither certain or imminent and it should have limited weight in the determination of this application, the following table outlines relevant provisions of the draft LEP.

#### Summary of Compliance with the Auburn Draft LEP 2009

Control	Comments
<p><b>Part 2 Permitted or prohibited development</b></p> <p>The majority of the site is zoned R4 High Density Residential</p> <p>Part of the site is zoned RE1 Public Recreation</p>	<p>Zone R4 objectives refer to the provision of the housing needs of the community within a high density residential environment and residential flat buildings are permitted with consent.</p> <p>Zone RE1 objectives and permissible uses are consistent with the proposed community park, however the part of the proposed residential flat building encroaching into the proposed zone would be prohibited.</p>
<p><b>Clause 6.1 Acid sulphate soils</b></p> <p>The site is identified as being class 2 land, where works more than 1 metre below natural ground surface require the preparation of an acid sulphate soils management plan prior to granting development consent in certain circumstances.</p>	<p>Approval of the proposed Concept Plan does not enable any work. An assessment of ASS will accompany any subsequent application involving works of the nature described in the Clause.</p>

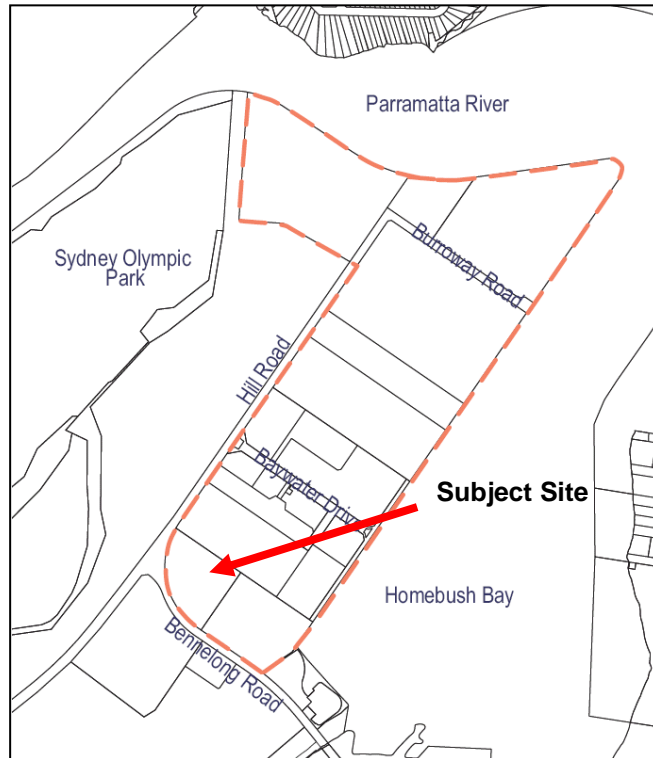
<p><b>Clause 2C Earthworks</b></p> <p>(3) Before granting development consent for earthworks, the consent authority must consider the following matters:</p> <p>(a) the likely disruption of, or any detrimental effect on, existing drainage patterns and soil stability in the locality,</p> <p>(b) the effect of the proposed development on the likely future use or redevelopment of the land,</p> <p>(c) the quality of the fill or of the soil to be excavated, or both,</p> <p>(d) the effect of the proposed development on the existing and likely amenity of adjoining properties,</p> <p>(e) the source of any fill material or the destination of any excavated material,</p> <p>(f) the likelihood of disturbing Aboriginal objects or other relics,</p> <p>(g) proximity to and potential for adverse impacts on any watercourse, drinking water catchment or environmentally sensitive area.</p>	<p>The current application does not involve earthworks, which will be the subject of subsequent applications. Despite this, the preliminary assessments of geotechnical conditions, water management and drainage design indicate that the matters for consideration under the clause can be adequately managed.</p>
<p><b>Clause 4.3 Height of buildings</b></p> <p>Building heights of 30 – 34.9 metres for the site are indicated on the Height of Buildings Map</p>	<p>Maximum proposed building height of 26.7 metres</p>
<p><b>Clause 4.4 Floor space ratio</b></p> <p>Floor space ratios of 1.5 – 1.99:1 for the site are indicated on the Floor Space Ratio Map</p>	<p>Proposed FSR of 1.9:1, however, under the definition of what comprises the site area for calculating FSR, the area of the site zone RE1 would be excluded and the FSR strictly measured in this way would be 2.3:1.</p>

Whilst the proposed development is broadly consistent with the provisions of the draft LEP, there are implications associated with the proposed RE1 Public Recreation zoning on part of the site, which creates constraints to the orderly and economic development of the site and with which the proposal would not comply. These constraints currently do not apply within the REP and there appears to be no planning purpose served by proposals which would effectively reduce the development potential of such a well located site, the development of which is entirely consistent with the principles of the Western Central Subregional Strategy.

It is the intention of the land owner to make submissions to the Council during the exhibition period of the draft LEP, seeking amendments to these provisions. Given the lack of imminence and certainty associated with the final form of the Auburn LEP 2009, any inconsistencies that the proposal has with the exhibited form of the draft LEP should not have any determinative weight on the assessment of the proposal.

## 5.12 Homebush Bay West Development Control Plan

The Homebush Bay DCP provides more detailed provisions relating to assessment of development, supplementing the provisions of SREP24. The subject site is located within the south western boundary of the precinct as demonstrated by **Figure 6** below.



**Figure 6:** Homebush Bay West DCP Precinct Map

The DCP aims to guide integrated development of a connected, accessible urban framework which provides for a range of forms and functions. The DCP anticipates that over time the precinct will be a lively, well used and vibrant urban neighbourhood which is clearly laid out and adaptable and which contributes an area of high quality and amenity.

The proposal has been assessed under the relevant controls of the DCP in the table below. Given this is a Concept Proposal only, the assessment concentrates on the guidelines in the DCP relevant to the general form and configuration of the development. Other more detailed controls will be more relevantly assessed in the subsequent detailed applications.

**Summary of Compliance with the Homebush Bay DCP**

CONTROL	COMPLIES	COMMENTS
<b>2.4 DESIGN FRAMEWORK PRINCIPLES</b>		
<b>2.4.1 LAND USES</b> Mixed commercial residential	Yes	Proposal involves residential development
<b>2.4.2 STREETS AND BLOCKS</b> Minor street following curve of Bennelong Road shown cutting through site	Yes	Proposed extension of Amalfi Drive follows suggested alignment
<b>2.4.3 OPEN SPACE NETWORK</b> ‘Major Park (Indicative)’ on subject site	Yes	Proposed park consistent with suggested size and location
<b>2.4.4 BUILDING HEIGHT AND MASSING</b> Greater heights on major avenues shown along Bennelong Road frontage of site	Yes	Higher building proposed along Bennelong Parkway.
<b>2.4.5 PRECINCT STRUCTURE</b> See figure below	Yes	Form of proposed development closely conforms with the overall Precinct Structure as described in the figures below



CONTROL	COMPLIES	COMMENTS
<b>PART 3 – GENERAL CONTROLS</b>		
<b>3.1.1 PEDESTRIAN NETWORK</b> The pedestrian network should be legible and well connected, offer high amenity and quality design, be safe and secure, and be accessible to everyone.	Yes	Pedestrian movement has been considered through the provision of 14 pedestrian access points to the development linking the proposal with the surrounding pedestrian network.  In addition to the retention and enhancement of existing pedestrian network around the site, the proposal is

		<p>to provide a major pedestrian route linking The Crescent to Bennelong Parkway allowing for increased pedestrian connectivity between the eastern section of the precinct and the foreshore and the major pedestrian route along Hill Road.</p> <p>All footpaths and kerbs will be construction in accordance with the design guidelines in the public design manual.</p>
<b>3.4 BUILT FORM</b>		
<p><b>3.4.1 LAND USES AND DENSITY</b>                  Precinct F totals:                  Floor space maximum: 236,842m<sup>2</sup>                  Commercial, retail etc minimum: 2,200m<sup>2</sup>                  Residential Floor Space: 234,642m<sup>2</sup>                  Public Open Space Minimum: 18,219m<sup>2</sup></p>	Yes	<p>Precinct F actual including proposal:                  Floor space: 225,851m<sup>2</sup>                  Commercial, retail etc: 3,721m<sup>2</sup></p> <p>Residential Floor Space: 222,130m<sup>2</sup>                  Public Open Space: 19,210m<sup>2</sup>                  (Source: Lockley Land Title Solutions)</p>
<p><b>3.4.2 BUILDING HEIGHT</b>                  The maximum overall height for any building, inclusive of lift overruns, services, or any other roof extrusions, is AHD 29</p> <p>Bennelong Road height limit: 8 storeys                  Amalfi Drive height limit: 4 storeys</p> <p>To enable modulation of the skyline and provide for design flexibility within developments while still maintaining a consistent datum appropriate to the street hierarchy and relationship to the water, building heights may be varied as follows: buildings of 4 storeys may be varied by up to 2 additional storeys whose gross floor area is no more than 10% of the total gross floor area of the building.</p>	No	<p>The proposal is for 4 to 8 storeys to a height of RL29 AHD.</p> <p>The 8 storey height of the proposal as it addresses Bennelong Parkway complies with the controls.</p> <p>The height of Blocks B &amp; C fronting Amalfi Drive is 7 storeys measured from the adjoining finished footpath level.</p> <p>Block A is between 4 – 5 storeys (inclusive of a car parking level more than 1200mm above finished footpath level).</p> <p>The floor area of the additional storeys proposed to front Amalfi Drive will constitute approx. 17.7% of the proposed development (based on Turner + Associates' calculations).</p> <p>Justification for the proposed height variations is contained in <b>Section 6.4</b> of this report.</p>
<p><b>3.4.4 BUILDING DEPTH</b>                  i. Provide opportunities for cross ventilation and daylight access by limiting the depth of residential building envelopes to 22m (maximum 18m glassline to glassline)</p> <p>ii. Maximise cross ventilation and daylight access by providing a minimum of 50% of apartments with openings in two or more external walls of different orientation</p> <p>iii Optimise the environmental amenity for single aspect apartments by orienting them predominantly north,</p>	Yes	<p>Building envelop depth does not exceed 22m.</p> <p>The majority of apartments proposed will have a dual aspect and openings in at least two external walls. Details will be contained in subsequent applications</p>

east or west		
<b>3.4.5 BUILDING SEPARATION</b>	Yes	The proposed design configuration enables compliance with controls for building separation in most instances. Attention will be required to ensure corner units in Buildings B and C are adequately designed to avoid overlooking, which will be addressed in the detailed design contained in subsequent applications.
<p><b>3.4.6 STREET SETBACKS</b></p> <p>ii For buildings on Hill Road, provide an 8 metre street setback</p> <p>iv Create a residential character for buildings on secondary streets by providing a minimum 3 metre setback</p> <p>vii Where variable height in excess of the height controls is permitted (see 3.4.2 Heights above), maintain the overall height datum established for streets by providing minimum 3 metre setbacks to the topmost level(s) of the building</p> <p>viii Contribute to building expression, environmental design solutions, and opportunities for activating the street, by allowing balconies and ground floor terraces to extend forward of the street setback line by a maximum of 600mm in accordance with 3.4.6 Building Articulation below.</p>	Yes	<p>The site fronts both Bennelong Parkway and the proposed Amalfi Drive. Neither street is defined within the street hierarchy provided by the DCP, although the existing segments of Amalfi Drive adjoining the subject site are identified as Secondary Streets.</p> <p>In the absence of specific setback controls, the design is to be setback a minimum of 8.0 metres from Bennelong Parkway in an effort to be consistent with the prevailing setback currently displayed by adjoining development on Bennelong Parkway.</p> <p>A setback of 3.0 metres from Amalfi Drive is proposed consistent with the relevant controls for secondary streets.</p> <p>The proposed design enables compliance with other setback controls relating to street activation which will be addressed on lodgement of subsequent applications for development.</p>
<p><b>3.4.7 BUILDING ARTICULATION</b></p> <p>i Balconies and ground floor terraces may extend forward of the street setback line by a maximum of 600mm across a maximum 50% of the building frontage.</p> <p>ii Enhance an active street environment and promote a sense of individual ownership, by providing individual entry to at least 75% of all ground floor apartments.</p> <p>iii Balance opportunities for overlooking of streets and for attractive outlooks with considerations of visual and acoustic privacy.</p>	Yes	<p>The proposal allows for various opportunities for frontage activation, to Bennelong Parkway, but particularly along the Amalfi Drive frontage, where the proposal will allow for a “village green” feel.</p> <p>The proposed design enables compliance with other articulation controls which will be addressed on lodgement of subsequent applications for development.</p>
<b>PART 4 – DETAILED DESIGN GUIDELINES</b>		
<b>4.1 SITE CONFIGURATION</b>		
<p><b>4.1.1 DEEP SOIL ZONES</b></p> <p>A minimum of 15% of the private open space area of a site is to be a deep soil zone.</p>	Yes	Approximately 64% of the total open space area of the development site, inclusive of the proposed park is potential deep soil planting area.

<p>ii Optimise the provision of consolidated deep soil zones by locating basement and sub-basement car parking within the building footprint so as not to extend into street setback zones.</p>		<p>There is proposed to be some basement parking for Building A under a small portion of the proposed park. This will be at a depth that will enable the provision of deep soil planting and will therefore not prejudice the use of the park for open space and recreation purposes.</p>
<p><b>4.1.4 PRIVATE OPEN SPACE</b>  i Provide communal open space at a minimum of 25 percent of the site area (excluding roads).   iv Provide a minimum area of 25m<sup>2</sup> private open space for each apartment at ground level or similar space on a structure, including balconies, such as on a podium or car park; the minimum dimension in one direction is four metres   vii Provide environmental benefits including habitat for native fauna, native vegetation and mature trees, a pleasant microclimate, rainwater percolation and outdoor drying areas</p>	<p>Yes</p>	<p>Communal open space, comprising over 50% of the site area (excluding roads) will be in the form of:</p> <ul style="list-style-type: none"> <li>• the central courtyard areas within the Buildings B &amp; C which will be primarily for the use of the residents of those buildings;</li> <li>• the proposed neighbourhood park fronting Amalfi Drive and through site link from Bennelong Parkway consistent with the location described in the DCP and available for the wider Waterfront community;</li> <li>• setback areas</li> </ul> <p>The proposed design enables compliance with other controls relating to the provision of private open space through adequate provision of private balconies and courtyards to be addressed on lodgement of subsequent applications for development.</p>
<p><b>4.1.7 WIND</b>  i Site and design development to avoid unsafe and uncomfortable winds at pedestrian level in public areas and private open spaces, for example through appropriate orientation and / or screening of seating areas, balcony, terrace and courtyard spaces.</p>	<p>Yes</p>	<p>A pedestrian wind environment assessment was undertaken by Windtech (<b>Appendix 6</b>) to assist in the design of the development. It includes recommendations in relation to building design and landscaping to avoid adverse wind effects to the local surrounding streets and other outdoor areas around the site.</p>

<p><b>4.1.8 GEOTECHNICAL SUITABILITY AND CONTAMINATION</b></p> <p>i Provide a report by a qualified geotechnical engineer establishing that the site of the proposed development is suitable for that development having regard to its groundwater conditions.</p> <p>ii Provide a report by a qualified contamination consultant indicating that the site is suitable for the proposed use or that remediation options are available to reduce contaminant concentrations to a level appropriate for the proposed land use.</p>	<p>Yes</p>	<p>A geotechnical report prepared by GHD LongMac was undertaken for land adjoining the subject site. Its findings are expected to be indicative of conditions on the subject site which have been demonstrated to be suitable for medium-high density residential development subject to compliance with appropriate structural engineering requirements.</p> <p>A preliminary assessment prepared by Consulting Earth Scientists (<b>Appendix 10</b>) has assessed potential site contaminants and concluded that the site is capable of being remediated to a level suitable for residential purposes. This assessment is satisfactory for concept approval which does not enable the construction of any buildings.</p>
<p><b>4.1.9 ELECTRO-MAGNETIC RADIATION</b></p> <p>i Applicants are required to demonstrate that development proposals have carefully considered potential health and interference impacts from the AM radio towers.</p> <p>Further advice and guidance may be obtained from the relevant Commonwealth regulatory bodies including the Australian Broadcasting Authority.</p> <p>ii Building design and siting responds appropriately to any constraints and / or impacts identified, for example, appropriate shielding of electronic and telephonic cables.</p>	<p>Yes</p>	<p>Advice posted on the Sydney Olympic Park Authority website confirms there are no health risks to development in Homebush Bay West associated with these towers (see <b>Section 6.19</b> of this report)</p>
<p><b>4.2 SITE AMENITY</b></p>		
<p><b>4.2.1 SAFETY AND SECURITY</b></p>	<p>Yes</p>	<p>The proposal has been designed in an effort to maximise opportunities for safety and security through two way casual surveillance between open space areas and private dwellings while maintaining privacy.</p> <p>The proposal is able to satisfy other more specific controls relating to safety and security which will be addressed in subsequent applications for development.</p>
<p><b>4.2.2 VISUAL PRIVACY</b></p> <p>i Locate and orient new development to maximise visual privacy between buildings on site and adjacent buildings.</p>	<p>Yes</p>	<p>The proposed design is able to satisfy specific controls relating to visual privacy including building separation and other solutions to limit overlooking to lower apartments or to areas of private open space. These controls will be addressed in subsequent applications containing the details of the development.</p>

4.3 SITE ACCESS		
<p>i. Locate entries so that they relate to the existing street and subdivision pattern, street tree planting and pedestrian access network</p> <p>vi. Generally provide separate entries from the street for pedestrians and cars</p>	<p>Yes</p>	<p>Vehicular access to the proposed basement car parking will be from two primary driveways at either end of the Amalfi Drive frontage. No vehicular access is proposed from Bennelong Parkway.</p> <p>Opportunities for pedestrian access are maximised through the provision of 14 pedestrian entry points scattered along Bennelong Parkway and Amalfi Drive, ensuring greater pedestrian connectivity and access to the proposed park.</p> <p>Other access design controls are able to be satisfied by the proposal and will be addressed in subsequent applications for development.</p>
<p><b>4.3.2 PARKING</b></p> <p>iii Give preference to underground parking, whenever possible.</p> <p>iv A basement podium does not protrude more than 1.2 metres above ground level.</p> <p>vii Provide residential car parking in accordance with the following requirements:</p> <ul style="list-style-type: none"> <li>- Generally provide a minimum of 1 space per dwelling.</li> <li>- Dwelling type Maximum car spaces per dwelling as follows: <ul style="list-style-type: none"> <li>studio - none</li> <li>1 bedroom - 1.0</li> <li>2 bedroom - 1.5</li> <li>3 bedroom – 2.0</li> <li>visitors - 0.2</li> </ul> </li> </ul>	<p>Yes</p> <p>Yes</p> <p>Yes</p>	<p>The proposal requires a minimum of 601 and a maximum of 937 car parking spaces.</p> <p>The proposed basement levels do not generally protrude more than 1.2 metres above ground level (apart from a minor encroachment on building A associated with a level change on the proposed roadway).</p> <p>The proposed basement levels are capable of providing the requisite number of car parking spaces (notionally 829 provided) and of satisfying the other more specific parking provisions of the DCP. Specific details of car parking provision will be assessed in subsequent applications for development.</p>
<p><b>4.3.4 VEHICLE ACCESS</b></p> <p>i Vehicular access is discouraged from Hill Road and from major east-west streets.</p> <p>Access is to be provided from secondary streets where possible.</p> <p>ii Ensure that pedestrian safety is maintained by minimising potential pedestrian/ vehicle conflicts.</p> <p>iii Ensure adequate separation distances between vehicular entries and street intersections.</p>	<p>Yes</p>	<p>There is no direct access from Hill Road. Two vehicular access points are proposed from Amalfi Drive which will essentially act as an internal access road with slow speeds envisaged in an effort to ensure pedestrian safety between the proposed park land area and the building.</p> <p>While vehicular access will be visible so as to be easily located, it will not dominate the street.</p> <p>Other specific controls relating to vehicular access are able to be satisfied by the proposal and will be addressed in subsequent applications for development.</p>

<p><b>4.4.2 APARTMENT MIX AND AFFORDABILITY</b></p> <p>i Provide a variety of apartment types between studio-, one-, two-, three- and three plus-bedroom apartments.</p> <p>ii Locate a mix of accessible one-, two- and three-bedroom apartments on the ground level for people with disabilities, elderly people and families with children.</p> <p>iii Optimise the number of accessible and adaptable apartments.</p>	Yes	<p>The proposed apartment mix is as follows:</p> <p>1 bedroom: 184 apartments 2 bedroom: 394 apartments 3 bedroom: 23 apartments</p> <p>The proposed design is able to incorporate opportunities for the provision of accessible and adaptable apartments and will be addressed in subsequent applications for development.</p>
<p><b>4.4.8 INTERNAL CIRCULATION</b></p> <p>ii Support better apartment building layouts by:</p> <ul style="list-style-type: none"> <li>- designing buildings with multiple cores which increase the number of entries along a street, increase the number of vertical circulation points, and give more articulation to the facade</li> <li>- limiting the number of units off a circulation core on a single level.</li> </ul>	Yes	<p>The proposed design allows for dual orientation and limits the requirement for double loaded corridors as well as maximising the opportunity for multiple entry points.</p> <p>The design of the proposal is able to satisfy the requirements of other controls relating to internal circulation which will be addressed in subsequent applications for development.</p>
<b>4.4 BUILDING CONFIGURATION</b>		
<p><b>4.5.2 DAYLIGHT ACCESS</b></p> <p>i Orient new residential flat development to optimise northern aspect.</p> <p>iii For 3 or more storey developments, provide at least 75% of residential apartments with at least 2 hours of sunlight to living rooms and private open spaces between 9.00 am and 3.00 pm in mid-winter.</p> <p>vi No more than 50% of the public domain (excluding streets) and communal space areas are overshadowed between 10.00 am and 2.00 pm between 21st April and 21st August. Provide appropriate shading in summer.</p> <p>vii Shadow diagrams showing the impact of a proposal on adjacent residential developments and their private open space will be required.</p>	<p>TBC</p> <p>Yes</p>	<p>Whilst this cannot be confirmed until apartment locations and internal designs are determined, the design is capable of satisfying these guidelines, as will be demonstrated in subsequent applications.</p> <p>The size and location of the proposed community park allows it to gain significant sunlight exposure throughout the year.</p>

### 5.13 Auburn Development Contribution Plan 2007

The development site is subject to the provisions of Auburn Council's Developer Contributions Plan (CP) for Homebush Bay West. The CP identifies that development in the Homebush Bay West precinct may generate demands for open space, community facilities and traffic management (including the Hill Road and Bennelong Parkway intersection upgrade).

The proposed development, with its 601 residential units, would be expected to generate the identified demands, although in the case of the provision of the major park on the site, the demands generated for open space from the site would be met or exceeded by this on-site provision. The payment of the monetary contribution identified in the CP will adequately address the projected demands for community facilities and traffic management. It is appropriate that these contributions should be levied on the subsequent planning applications which will give rise to the specific development demands.

## 6 ENVIRONMENTAL IMPACT ASSESSMENT

### 6.1 Overview

In addition to the statutory controls addressed in **Section 5** of this report, the Director-General's Requirements state that the environmental impacts of the proposal must be assessed and specify key issues to be considered. These relate to the built form, residential and environmental amenity, traffic and parking, ESD, water management, the suitability of the site and the public interest. This section contains the assessment of those and other relevant considerations.

Again, as this application is a concept proposal and lacks detail design, the level of assessment is limited to the broad assessment of the capability and suitability of the site, within its context, for a development of the size, nature and general layout of that proposed. Assessment of more detailed elements of the proposal will be necessarily undertaken once subsequent applications are lodged.

### 6.2 Density

Residential densities in Wentworth Point are controlled by limits for specific parts of the precinct prescribed in the DCP.

As indicated in the table in **Section 5.12** of this Report, the total residential floor space in the Precinct F, within which the subject site is situated, will remain within the overall cap of 234,642m<sup>2</sup>.

The proposed 601 apartments represent a medium to high density outcome for the site which is appropriate given its high accessibility and suitability for residential development.

### 6.3 Built form

The proposed development has been designed to closely align with the configuration of buildings, open space and streets outlined for the subject site in the Homebush Bay West DCP (see **Section 5.12** above).

The main buildings (B and C) follow the sweep of Bennelong Parkway and will present an articulated and interesting façade to the entrance to the Wentworth Point peninsula.

This sweep is mirrored at the rear of the main building through the proposed alignment of the continuation of Amalfi Drive. This rear sweeping building will have a pleasant outlook to the proposed new neighbourhood park.

The Buildings B and C, while large, will not be out of context with either the site or its surrounds. This important entrance to the peninsula warrants a grand and imposing building with a strong presence, however its curvilinear form will avoid it being overbearing from Bennelong and Hill Roads. From the rear, the new road and neighbourhood park will provide an expanse of openness within which the large building will sit comfortably and 'book end', without dominating.

The proposed form of the main building is different from the rectilinear forms which characterise much of the recent building design in the Waterfront estate. However this adds interest and compliments the existing pattern of development rather than conflicting with it. Since most of the rest of the street form of the peninsula is rectilinear it follows that the building form would be similarly rectilinear. It is consistent and logical therefore that a building fronting one of the few curved roads in the estate should follow that form rather than being a 'square peg in a round hole' in an attempt to match the adjoining properties.

The smaller 4 - 5 storey building (A) will provide a strong built form fronting to the proposed park.

At ground level, the proposed concept design enables a clear differentiation of the public and the private domain and clear and obvious addresses to the street.

#### 6.4 Height

The height of the buildings remains below RL 29 metres at all points, which is the bench mark derived from the height of the nearby Millennium Marker.

It also complies with the 8 storey height limit prescribed in the DCP in relation to its Bennelong Parkway elevation.

The height of the rear of the Buildings B and C fronting the extension of Amalfi Drive is 7 storeys above the finished footpath level.

The DCP allows an additional 2 storeys above a 'base' level of 4 storeys aimed at enabling some modulation of the skyline and design flexibility.

Building A has 4 full habitable floors with a minor fifth floor at the western end which would otherwise appear to comply with the flexible height arrangement.

The height of Building B and C fronting Amalfi Drive therefore exceeds the DCP guidelines on the number of storeys in buildings. We consider the proposed variations to be justified for the following reasons.

Turner and Associates have prepared a detailed Comparative Height Assessment of the proposed development in relation to surrounding development. This Assessment is appended to the EA at **Appendix 3**. It demonstrates that the proposed variation is not incompatible with surrounding development.

The variations to height are only observable from the proposed extension of Amalfi Drive, since the buildings fronting Bennelong Parkway and Building A at its north eastern corner comply with the height guidelines. The extent of the variations observable from Amalfi Drive is 1 additional storey (7 rather than 6) on Buildings B and C. Building A, fronting Amalfi Drive, presents as 5 storeys due to the basement protruding more than 1.2 metres above the ground, however which is within the maximum 6 storey limit. Its variation and the other variation to Buildings B and C derive from having more than 10% of the total Building FSR above the base level of 4 storeys. Particularly in the case of Building A,

such a variation is highly technical and does not involve any specific impacts which would warrant strict compliance with this floorspace requirement.

As the artist impressions of the development as viewed from the existing limbs of Amalfi Drive demonstrate (see Figures 7 & 8), the proposed heights are compatible with the adjacent development.



**Figure 7:** View from the Piazza looking west along Amalfi Drive towards the site



**Figure 8:** View from Amalfi Drive looking south towards the site

The DCP explicitly allows for variations to the 4 storey height guideline to “enable modulation of the skyline and provide for design flexibility within developments while still maintaining a consistent datum appropriate to the street hierarchy and relationship to the water.”

A modulated skyline is achieved in this design through its “stepping down” from 8 storeys at Bennelong Parkway to 7 and 5 storeys on the alternate sides of Amalfi Drive to 4 storeys at its north eastern extremity. The overall height variation represented by the 7<sup>th</sup>

storey on buildings B and C does not present a major disruption to the street hierarchy and will not be identifiable from the water.

The proposed heights are not substantially different to those of buildings on adjacent sites and there are precedents for variations to strict compliance with the DCP height controls elsewhere in the precinct.

The variation is not antipathetic to the achievement of the objectives of the height control in the DCP in that:

- The development still responds to the desired future character of streets and the precinct as a whole.
- It does not create any adverse impact on Sydney Harbour at Homebush Bay. Its impact on view sharing is limited to some proposed units at the upper levels of Buildings B and C which might otherwise have had views to the north and north east and which may now be obstructed by the additional levels. Since these are not existing views enjoyed by existing residents but views which will be known to be obstructed by incoming residents who will enjoy high amenity from their units in any event, this is not a significant concern.
- The amenity of the foreshore promenade and contiguous public open space is not affected by the proposed variation
- Views from within Sydney Olympic Parklands to the Millennium Marker are not affected as the development remains compliant at all points with the RL 29m limit aimed at protecting its “visual dominance on the horizon”.

Based on all of the above factors, we consider that the proposed variation to the height guidelines relating to the number of storeys is reasonable and justifiable in the circumstances.

## 6.5 Urban design

As indicated in **Section 5.6** of this report, the development has been designed in consideration of the design principles in SEPP 65 - Design Quality of Residential Flat Buildings.

As also indicated, because this is a concept and therefore not fully developed design, it is necessarily only in ‘block form.’ However because the essential elements of the design are well considered, it provides a suitable canvass for a finished design of high quality which we consider can readily meet the more detailed elements of good residential design outlined in SEPP 65. This greater detailing will be demonstrated and assessed as an essential consideration for subsequent planning applications for the site.

## 6.6 Public domain

The development incorporates a large proportion of what can be described as public domain works, notwithstanding they will be principally retained in private ownership. The

public domain includes the proposed new community park, the extension of Amalfi Drive and the associated footpaths.

Whilst the detailed design of the public domain will be subject to future staged applications, the size, location and distribution of the public domain features of the site are capable of providing a high quality public domain. The design philosophy for the public domain is described in the Landscape Statement by Aspect Studios (**Appendix 4**), and is consistent with the Homebush Bay West Public Domain Manual.

### **6.7 Internal residential amenity**

The shape and orientation of the site create challenges in avoiding a certain level of internal overshadowing of private open spaces in the southern parts of the site. Shadow diagrams in the development plans indicate that whilst there is internal overshadow during mid-Winter, most apartments in Buildings A and B are capable of obtaining an acceptable level of sunlight in mid-Winter. Building A will enjoy high levels of solar access throughout the year.

Whilst the internal design of apartments will be refined at the subsequent detailed application stage, it is evident that most will enjoy a high level of internal amenity. This is a result of either a high level of solar access and views over open space for the northerly facing apartments and the expansive views over Millennium Parklands for those with a southerly orientation.

Whilst the details will be contained in the subsequent applications, all units have the capability of being of good size, with cross ventilation, having adequate storage and other amenities and generally be compliant with the rules of thumb under SEPP 65.

The proposal enjoys the benefits to the amenity of its future residents presented by the Millennium Parklands directly opposite, the nearby Bay and foreshores and the major sporting and cultural facilities of Sydney Olympic Park.

As such, it is an entirely appropriate development both for its future occupants and within its physical and social context.

### **6.8 Neighbourhood amenity**

The site is adjoined by other recently completed residential and mixed use developments. This proposal will represent a far more compatible neighbour than the current industrial use operating from the site. Whilst the current use is not entirely compatible with the evolving uses and turns its back on its residential neighbours, the proposal has been designed consistent with the DCP to be entirely integrated in terms of street connections, use and the introduction of a significant new community park for the enjoyment of the whole Waterfront community.

The proposed development will provide significantly improved amenity to neighbouring residential development in terms of design and operation, particularly its level of heavy vehicle generation, compared to the existing distribution activity on the site.

The proposed development is well separated from existing adjoining residential and mixed use developments to its north and east. Given its location to the south west, it has no adverse overshadowing implications and its significant separation avoids any potential visual or acoustic privacy concerns for the adjoining properties.

As with any major development site, there will be short term disruption to neighbourhood amenity during its construction. Because no construction work can occur as a result of the approval of this concept proposal, details of likely impacts and mitigating measures are appropriately dealt with in the subsequent applications.

## 6.9 Natural environment

The site is currently fully developed for industrial activity, with the vast majority hard surfaced coverage, with only a narrow landscaped setback containing some existing trees along the Bennelong Parkway frontage. The proposed 8 metre building setback to Bennelong Parkway enables the existing trees to be retained and augmented as outlined in the indicative landscape plan prepared by Aspect Studios (**Appendix 4**). Therefore there is no threat to the existing natural environment of the site or threatened species associated with proposed development.

The proposal will improve the natural environment by adding significant deep soil planting area where there is now none and a significant sized area of local open space with native species planting.

The Millennium Parklands opposite the site represent a significant natural resource which will be complimented by the new community park and open through site access between Buildings B and C. The proposed development will not have any identifiable adverse impacts on the Parklands. The most sensitive feature of the Parklands proximate to the site is the Nuwi Wetland. The separation of the site by Bennelong Parkway and the water management principles upon which the proposal is designed will ensure there is no impact on the wetlands created by the proposal.

The proposed large community park provides an opportunity to significantly enhance the natural environment through native plantings.

## 6.10 Wind impacts

An analysis of the wind environment impact in relation to the proposed development has been undertaken by Windtech and is attached to this report as **Appendix 6**. Its conclusions and recommendations are summarised as follows:

*The results of this study indicate that wind conditions within and around the various outdoor areas of the site will be acceptable for their intended uses with the following recommendations incorporated into the design:*

- *Inclusion of several densely foliating evergreen trees along the Bennelong Road pedestrian footpath frontage of the site.*
- *Inclusion of several densely foliating evergreen trees through the gap area between Buildings B and C of the proposed development.*

- *Inclusion of a densely foliating evergreen tree either side of Building A, at the north-eastern end.*
- *Implementation of 1.2m high impermeable balustrades around the perimeter all corner balconies of the proposed development.*

*Note that for trees to be effective in wind mitigation throughout all seasons, they should be a densely foliating and evergreen species.*

*The roof areas of all three buildings of the proposed development are exposed to the three critical wind directions for the Sydney region. If these areas are to be trafficable for occupants of the development, it is expected that strategically placed ameliorative devices such as screens, impermeable balustrades, canopies or densely foliating vegetation would be necessary to provide adequate wind conditions. Additionally, if at a later design stage outdoor ground level seating areas are proposed, such as in the case of outdoor seating for cafés or other similar retail tenancy type uses, additional localized ameliorative devices may also be required, depending on the location.*

*With the above treatments incorporated into the design, it is not expected that the proposed development will cause any adverse effect to the wind conditions to the local surrounding streets and other outdoor areas around the site.*

The above recommendations, where relevant, will be considered for incorporation in the detailed design of the subsequent applications to adequately address wind related issues.

### **6.11 Water management**

Appropriate water management principles are to be incorporated in the proposed development.

The relatively high water table limits the extent of potential basement excavation. The two level basement finishes at RL 1.50m, avoiding any interference with the water table.

An Infrastructure Services and Flooding report has been prepared by Buckton Lysenko and accompanies this application at **Appendix 7**.

In relation to water cycle strategy it states the following:

*The Payce Waterfront Precinct is part of the Homebush Bay West development area and therefore forms part of the water cycle strategy for the Homebush Bay area.*

*The water cycle strategy has been formulated by OCA in response to the Olympic focus on ESD issues, resulting in reduced demand for potable water through the use of reclaimed water, provided from a reclaimed water plant located at the Brick Pit. Source water for the reclaimed water system is derived from sewage effluent and stormwater from the Olympic Precinct.*

*The reclaimed water supply to this area became available in 2002 and has been reticulated throughout the Waterfront Precinct under a community title. This will be extended to service the Bay Park development and will meet all irrigation and toilet flushing needs so there will be no need to harvest rainwater.*

*Bay Park will be supplied with potable water from the existing mains belonging to the Waterfront Community and Sydney Water.*

*The Bay Park development will directly connect Sydney Water's 300Ø sewer rising main in Bennelong Parkway via a reticulated sewer rising main under a community title.*

*Stormwater from Bay park development will connect to the existing stormwater system constructed in the previous stages.*

In relation to broad drainage and flooding issues for the precinct, Buckton Lysenko states the following:

*Drainage and flooding issues for the area were investigated by Connell Wagner as part of the development of the Waterfront Precinct and a Drainage Strategy report (March 1996) was prepared for and issued to Auburn Council to assist Council in the approval of those new works.*

*Flood studies in the area have assumed a maximum water level in Homebush Bay of 1.5m AHD. The maximum recorded tide at Homebush Bay was 1.445m AHD on 25 May 1974, the mean high water springs mark is 0.635m AHD and the maximum neaps tide is 0.975m AHD. Therefore, with the ground level of the Payce waterfront precinct being greater than 2.0m AHD, there is not a flooding problem at the site.*

*Drainage from Bay Park will flow to Homebush Bay via existing connections to the Bay, except for small sections of the entrance roads which will drain to Bennelong Road. To achieve improved drainage of the site, existing ground levels will be raised, similar to the levels in the Waterfront Estate.*

*A drainage strategy for Bay Park, with proposed high points allows for an overland flow paths along roads, when pipes are full. Council's requirement is for flows up to the 1 in 20 year average recurrence interval (ARI) be taken in pipes. Gross pollution traps (GPTs) have been constructed on all major discharges to the Bay. Oil interceptors will need to be constructed in large car parking areas.*

*There is no requirement for stormwater detention facilities on this site.*

*Prior to construction, an environmental management plan will need to be prepared. This will address runoff and sediments from the construction site and how they will be managed during construction.*

*This assessment takes notice of the discussion papers of Global Warming and the 100-year forecast for possible rises in seas level.*

*However the current flood studies disclosed in the DEC and LEP show the subject to be 500mm above the known current flood levels and it is anticipated that the substantive Development Application will take civil and hydraulic design and procedural notice of the current discussion papers and projections arising from Global Warming issues.*

*These issues were discussed with Mr George Stamatakos (Director of Engineering at Auburn) and he agreed this matter should be addressed in the substantive Development Application and may well utilize the design benefits of batters, bunding and embankments for flood mitigation and control along with hydraulic engineering one-way discharge control valves and the like.*

Further to these comments, a drainage concept plan has been formulated for the development by VOS Group Consulting Engineers and accompanies this application at **Appendix 8**.

The commentary above and the drainage concept plan demonstrate the ability of the development to adequately deal with water quantity and quality issues to have no adverse impacts on the adjacent wetlands, adjoining properties or Homebush Bay.

### **6.12 Environmentally sustainable development**

Whilst the details of environmentally sustainable development initiatives to be incorporated into the development will be contained in subsequent detailed staged applications, general ESD principles upon which the concept is based are outlined in the Architectural Statement at **Appendix 3** and include:

- Use of multiple cores enabling 60% of apartments being cross-ventilated with good natural daylight and solar access into primary living spaces and external living areas
- Energy efficient appliances and water efficient devices will be used.
- Water cycle management including the use of reclaimed water supply to meet all irrigation and toilet flushing needs as outlined in Section 6.11 above.
- Substantial deep soil areas for significant planting
- BASIX certification

### **6.13 Traffic impacts**

The proposed site development is entirely consistent with the street configuration, parking and access requirements outlined in the Homebush Bay West DCP.

It completes the through-street pattern established on the existing adjoining sites.

A traffic assessment for the proposed development has been undertaken by Varga Traffic Planning Pty Limited and is appended to this report as **Appendix 9**. A summary of its findings and conclusions follows.

*Accordingly, it is likely that the proposed development will result in an increase in the traffic generation potential the site of approximately 155 vph as set out below:*

*Projected Nett Increase in Peak Hour Traffic Activity as a consequence of the development proposal*

*Projected Future Traffic Flows: 240 vehicle trips*  
*Less Existing Traffic Flows: -85 vehicle trips*  
**NETT INCREASE IN TRAFFIC FLOWS: 155 vehicle trips**

*That projected increase in traffic activity as a consequence of the development proposal will not have any unacceptable traffic implications in terms of road network capacity, as is demonstrated by the following section of this report.*

*The results of the analysis of the Bennelong Road/Hill Road intersection are ... that:*

- the intersection currently operates at Level of Service "A" and with an average vehicle delay of approximately 8 seconds/vehicle*
- under the projected cumulative traffic demands expected to be generated by the development proposals, the intersection will continue to operate at Level of Service "A" with changes in total average vehicle delays of less than 1 second.*

*The results of the analysis of the Bennelong Road/The Piazza intersection are ... that:*

- the intersection currently operates at Level of Service "A" and with an average vehicle delay of approximately 2 seconds/vehicle*
- under the projected additional traffic demands expected to be generated by the development proposals, the intersection will continue to operate at Level of Service "A" with changes in total average vehicle delays of less than 2 seconds per vehicle.*

*The results of the analysis of the Hill Road/Stromboli Strait intersection are ... that:*

- the intersection currently operates at Level of Service "A" and with an average vehicle delay of approximately 2-3 seconds/vehicle*
- under the projected additional traffic demands expected to be generated by the development proposals, the intersection will continue to operate at Level of Service "A" with changes in total average vehicle delays of less than 2 seconds per vehicle.*

*The analysis confirms that the traffic generation potential of the development is minimal and is consistent with the findings and objectives of the Masterplan approved by the Minister.*

*In the circumstances, it can be concluded that the proposed development will not have any unacceptable traffic implications in terms of road network capacity.*

#### **6.14 Car parking**

A parking assessment for the proposed development has been undertaken by Varga Traffic Planning Pty Limited and is appended to this report as **Appendix 9**. A summary of its findings and conclusions follows.

*The off-street parking requirements applicable to the development proposal are specified in the Homebush Bay West Development Control Plan (June 2004) in the following terms:*

*vii Provide residential carparking in accordance with the following requirements: Generally provide a minimum of 1 space per dwelling.*

<i>Dwelling Type</i>	<i>Maximum Car Spaces per Dwelling</i>
<i>Studio</i>	<i>none</i>
<i>1 bedroom</i>	<i>1.0</i>
<i>2 bedroom</i>	<i>1.5</i>
<i>3 bedroom</i>	<i>2.0</i>
<i>visitors</i>	<i>0.2</i>

*Application of the above requirements to the development proposal yields a minimum parking provision of 601 parking spaces, and a maximum parking provision of 941 parking spaces.*

*The proposed provision of 829 parking spaces incorporated in the development proposal falls within the range of 601 spaces to 941 spaces, thereby satisfying the parking requirements specified in the DCP.*

*In summary, it is reasonable to conclude that the proposed developments envisaged by the Masterplan will not have any unacceptable parking implications.*

### **6.15 Social Impact in the locality**

The proposal provides an additional supply of 601 dwellings into the local housing market, consistent with Metropolitan and Subregional Strategies which promote the supply of a significant majority of the region's housing demand in accessible established areas.

The area is a highly desirable location given its accessibility to public transport, retail, sporting and community facilities, open space and the Harbour. Higher density housing in such a location optimises the number of people able to take advantage of such a desirable location and reduces the demand for housing in far less accessible fringe areas of the Metropolitan Area.

The proposal involves a mix of apartment sizes, including 1, 2 and 3 bedrooms which provides for housing choice and optimises affordability.

The proposal incorporates a new community park providing good amenity to the future residents of this site and the existing residents of adjoining sites.

The proposal should have an overwhelmingly positive social impact in the locality.

### **6.16 Safety, security and crime prevention**

Whilst detailed design incorporated in subsequent applications will elucidate on this consideration, the open design of the development with clear addresses, passive

surveillance of public spaces and the like, provides the basis of a safe and secure development.

### **6.17 Economic impact in the locality**

This is an important gateway site currently not developed consistent with the longer term planning vision for the peninsula. The proposed development on this prominent site will improve the image of the whole peninsula as an attractive residential neighbourhood, also improving its economic viability. The economic development of the Wentworth Point peninsula is important to the strategic development of the sub region.

The introduction of 601 new dwellings on the site presents the adjoining commercial premises on the Piazza with a significant number of additional potential customers which should assist their commercial viability and longevity.

### **6.18 Site Suitability**

#### **6.18.1 General**

The site is located in the Wentworth Point precinct, which, since its disposal by the State government in the 1980's has been designated as a strategic site for urban development in the region.

The transformation of the area from industrial to residential/mixed use has commenced in this southern part of the precinct and this proposal represents another important step in that planned transformation.

The site is suitably zoned for the proposed purpose in SREP 24 and is identified for the proposed uses in the configuration outlined in the DCP.

As described earlier, the site is highly accessible to a wide range of services and facilities and has high residential amenity and desirability.

#### **6.18.2 Ground conditions**

Investigations into the physical suitability of the site for the proposed development have identified no encumbrances to that development.

The DCP notes that most of the Homebush Bay West peninsula is on reclaimed land and as such is subject to particular geotechnical constraints which affect the siting and massing of buildings, particularly in regard to basement car parking.

Geotechnical analysis of the adjoining site was undertaken by GHD LongMac in 2002. That report concluded that the basic stratigraphy over the site comprised a layer of ripped rock fill underlain by soft estuarine clay deposits and stiff clays over weathered shale and sandstone bedrock. It is expected that similar conditions will apply the subject site. As with adjoining sites that have been developed in the Waterfront estate, it is reasonable to assume that subject to recommendations on appropriate foundation systems, that geotechnical conditions will not preclude the proposed development. More detailed assessments will be undertaken with subsequent applications.

As indicated earlier, the preliminary environmental audit of the site undertaken by Consulting Earth Scientists (**Appendix 10**) has indicated that whilst there is potential contamination associated with its historical industrial use, it can be remediated to a level suitable for its proposed residential use, consistent with other recently approved development in the locality.

The Consulting Earth Scientists also reviews Acid Sulphate Soil conditions and states the following:

*The Auburn City Council's Draft LEP identifies the site as a Class 2 Acid Sulphate Soils (ASS) site. As part of the proposed re-development it is understood that it may be necessary to disturb natural underlying estuarine deposits. An assessment of a neighbouring northern site found the material underlying the fill generally comprised grey to brown, saturated, soft estuarine clays. Peaty clays and discrete layers of peat were sometimes encountered overlying the estuarine clays. Bands of clay containing a large proportion of shells and shell fragments were noted in some boreholes.*

*Mottled grey and reddy brown, very stiff clays were noted in some boreholes underlying the soft estuarine clays. An ASS Management Plan was prepared and implemented successfully on that site. Therefore, it is proposed to carry out an assessment of ASS underlying the site during the Stage 2 ESA to allow for the preparation of a site specific ASS Management Plan to be submitted with any subsequent DA's and to ensure that ASS (if encountered) will be appropriately managed and/or disposed.*

The site is not subject to any other known physical constraints to the proposed development.

### **6.18.3 Utility services**

Investigations undertaken by Buckton Lysenko, appended to this report at **Appendix 7**, find that utility services are available to the site and will be adequate to meet the demand requirements of the proposed development. Further details will be provided at the relevant time in any future applications.

In summary therefore the proposed site is suitable and indeed highly appropriate for the proposed development.

### **6.19 Impact of radio antennae**

Clause 4.1.9 of the Homebush Bay West DCP on Electro-magnetic radiation states that “applicants are required to demonstrate that development proposals have carefully considered potential health and interference impacts from the AM radio towers.”

The Sydney Olympic Park Authority Website posts the following bulletin:

*A recent report, issued by Radhaz, has found that an AM radio tower at Sydney Olympic Park does not pose a health risk to residents.*

*AM radio stations, 2UE and 2SM, which broadcast from a transmission tower at the Park, have emissions below the allowable human exposure limit. Expert advice from Australian Radiation Protection and Nuclear Science Authority (ARPANSA), Therapeutic Goods Administration (TGA) and Radhaz confirms that the 2UE / 2SM tower is transmitting within the levels allowed by the Australian Communications Authority (ACA) standard.*

*ARPANSA reviewed the Radhaz report and concluded in respect of "The Waterfront" development at Homebush Bay West, that: "there is no basis for concern over direct effects of radio-frequency radiation for prospective apartment occupants. Neither the contact currents nor electric and magnetic fields measured by Radhaz in their survey exceeded the limits recommended".*

*In addition, the Commonwealth TGA reviewed the Radhaz report and advised: "therapeutical medical goods such as heart pacemakers would be unaffected by exposure to electromagnetic emissions from AM radio transmissions".*

## **6.20 The Public Interest**

The proposal is entirely consistent with the regional and local planning strategies for the site. It provides significant housing supply in a well located area and introduces a large community park for the benefit of future residents of the site and the surrounding area.

It has few if any countervailing adverse impacts on the environment or surrounding residential amenity and its approval therefore appears on balance to be much in the public interest.

## 7 DRAFT STATEMENT OF COMMITMENTS

The proponent commits to the following matters should approval be granted to this application:

	ISSUES	ACTION
1	Subsequent applications	Applications (hereafter called “subsequent applications”) consistent with the Concept Approval will be lodged with the relevant consent authority and will incorporate the following features.
2	ESD	Subsequent applications will incorporate the ESD principles and features as described in Section 6.12 of the EA.
3	Design quality	Subsequent applications will demonstrate a level of detailed design consistent with the design principles of SEPP 65.
4	Safety by design	Subsequent applications will contain details of how the design of the development embodies ‘safety by design’ principles.
5	Basement design	The geometric design features of the car parking bay dimensions, aisle widths, ramp grades, etc, will comply with the dimensions specified by the Australian Standards publication Parking Facilities Part 1: Off-Street Car Parking (AS2890.1).
6	Wind	Subsequent applications will incorporate the relevant and applicable measures recommended in the Pedestrian Wind Environment Statement by Windtech dated 29 June 2009.
7	Stormwater management	Subsequent applications will be based on the stormwater concept design prepared by Consulting Earth Scientists dated 3 December 2009.
8	Acid sulphate soils	An assessment of ASS underlying the site will be undertaken during the Stage 2 ESA to allow for the preparation of a site specific ASS Management Plan to be submitted with any subsequent DA’s and to ensure that ASS (if encountered) will be appropriately managed and/or disposed.
9	Remediation of contamination	All stage 2 environmental site assessment will be undertaken and submitted with subsequent applications in accordance with the requirements of SEPP 55 and remediation will be undertaken in accordance with any Remediation Action Plan prior to commencement of the development.
10	Developer contributions	Applicable developer contributions commensurate with the demands generated by the development will be levied on subsequent applications.
11	Geotechnical	A geotechnical investigation of the site will accompany subsequent applications

## 8 CONCLUSION

The proposed “Bay Park” development at 23 Bennelong Parkway, Wentworth Point will introduce 601 residential units and associated car parking together with a major community park and associated facilities on a site currently used for industrial activities.

The assessment in this report concludes that the site is appropriately zoned and highly suitable for the proposed development, subject to certain technical and design considerations. These include the need to limit the extent of excavation and to remediate the site, which have been either incorporated in the design or will be undertaken prior to the site’s development in accordance with the recommendations outlined in this report.

The current application is for a concept plan under Section 75M of the Act. As such, it seeks approval only for the broad development envelopes, road and park locations, dwelling numbers and mix and car parking and other associated items. As a consequence, the level of assessment in this report has been sufficient to demonstrate the capability of the site and the suitability of the proposed concept development in its context. The detailed design of the development will be contained in subsequent applications which will necessarily address the more detailed assessment considerations not able to be dealt with in this report.

The proposed development has been designed in conformity with the planning controls, most particularly the building footprints and envelopes, road locations and community park as specified in the Homebush Bay West DCP.

The proposed development is largely compliant with the relevant planning controls, most particularly in the SREP No. 24 and DCP. The main area of non-compliance relates to the height of the buildings fronting the proposed extension of Amalfi Drive. The limited extent of the proposed variation in a development of this size and from which no significant adverse impacts arise, means that the variation is both reasonable and acceptable.

The assessment of the overall impacts of the proposal contained in this report concludes that those impacts are acceptable and reasonable subject to the measures outlined in the draft Statement of Commitments.

In conclusion, the concept proposal is a significant improvement to the current use of the site and an appropriate response to the physical characteristics of the site, its locality and the changing character of the immediately surrounding area. The approval will be in the public interest. The granting of Concept Approval under Section 75O of the Act is recommended.



Survey Plans

**ATTACHMENT 2**

Architectural Statement and Drawings

**ATTACHMENT 3**

Landscape Statement and Drawings

**ATTACHMENT 4**

Development Cost Estimate

**ATTACHMENT 5**





Drainage Concept Plans

**ATTACHMENT 8**





Notes of neighbours' meeting

**ATTACHMENT 11**