

2.3. Project Need and Justification

NSW State Plan

The NSW State Plan seeks to achieve improved urban environments and deliver attractive and sustainable development through reductions in greenhouse gas emissions and development in close proximity to existing centres, services and transport.

The proposed development is located with excellent access to public transport, recreational facilities and employment opportunities, consistent with the aims of the State Plan.

Metropolitan Plan for Sydney 2036

The *Metropolitan Plan for Sydney 2036*, is a strategic document that guides the development of the Sydney Metropolitan area towards 2036. The Metropolitan Plan forecasts a population increase for Sydney of 1.7 million people by 2036, taking the total population to 6 million. As a result, Sydney will need 770,000 additional dwellings by 2036, a 46% increase on the current housing stock of 1.68 million dwellings.

The Plan also sets an employment target of 2.85 million jobs in Sydney by 2036, which requires the creation of an additional 760,000 jobs.

The Plan further refines Sydney wide targets for the south sub-region for an additional 58,000 dwellings and an additional 52,000 jobs by 2036. The Plan seeks at least 70% of new dwellings to be located within existing urban areas, focused around centres served by public transport. The proposal is consistent with these aims having the potential to deliver between 1200 and 1500 apartments across the site, resulting in increased housing opportunities located close to jobs, retail facilities and public transport services.

Draft South Subregional Strategy

The *Draft South Subregional Strategy* identifies Wolli Creek as a "Village", which typically contains between 2100-2500 dwellings. The Strategy targets the provision of an additional 35,000 new dwellings and an employment capacity target of 29,000 new jobs for the region by 2031, with the Rockdale LGA containing a dwelling capacity target of 7,000 dwellings and 13,000 jobs.

The project would provide between 1,200 – 1,500 additional dwellings across a mix of unit sizes to cater for the needs of the locality. The development is also expected to generate approximately 6,000 full-time equivalent construction jobs and 459 ongoing full-time equivalent operational jobs.

The proposal is considered to be consistent with the overall objectives of the Strategy, contributing towards identified housing and job targets.

3. STATUTORY CONTEXT

3.1. Major Project

The proposal is a major project under Part 3A of the *Environmental Planning and Assessment Act 1979* (EP&A Act) because it is development for the purpose of a residential, commercial or retail project with a capital investment of more than \$100 million under clause 13 of Schedule 1 of *State Environmental Planning Policy (Major Development) 2005*. Therefore the Minister for Planning is the approval authority.

On 25 January 2010, the former Minister for Planning delegated responsibility for the determination of concept plans under Part 3A of the *Environmental Planning and Assessment Act 1979* to the Director-General where:

- the development the subject of the application is consistent (in the opinion of the delegate) with the Metropolitan Plan for Sydney 2036 and the relevant Sub-Regional Strategy prepared by the Department of Planning and endorsed by the Minister for Planning; and
- there are fewer than 25 submissions in the nature of objections in respect of the project application; and
- the project is not a critical infrastructure project under section 75C of the EP&A Act.

The project is consistent with the relevant Strategy (see **Section 2.3**), received fewer than 25 submissions in the nature of objections, and is not a critical infrastructure project. The Director-General can therefore determine the project under delegated authority.

3.2. Permissibility

The site is currently zoned Mixed Use 10(a1) Railway Precinct under the Rockdale LEP 2000 and Open Space 6(c) Heritage Conservation under the Rockdale Planning Scheme Ordinance. The proposed land uses are permissible with consent.

At the time of writing this report, Draft Rockdale LEP 2011 had been exhibited and submissions received were being reviewed by Council. Draft Rockdale LEP 2011 proposes to rezone the Discovery Point site to B4 Mixed Use and RE2 Private Recreation. The proposed land uses are permissible under the Draft Rockdale LEP 2011.

The Department considers that the proposal is consistent with the objectives of the zone in the draft Rockdale LEP 2011 that is to provide a mixture of compatible land uses and to integrate suitable business, office, residential, retail and other development in accessible locations so as to maximise public transport patronage and encourage walking and cycling.

3.3. Environmental Planning Instruments

Under Sections 75I(2)(d) and 75I(2)(e) of the EP&A Act, the Director-General's report for a project is required to include a copy of, or reference to, the provisions of any State Environmental Planning Policy (SEPP) that substantially governs the carrying out of the project, and the provisions of any environmental planning instruments (EPI) that would (except for the application of Part 3A) substantially govern the carrying out of the project and that have been taken into consideration in the assessment of the project.

The Department's consideration of relevant SEPPs and EPIs is provided in **Appendix D**.

3.4. Objects of the EP&A Act

Decisions made under the EP&A Act must have regard to the objects of the Act, as set out in Section 5 of the Act. The relevant objects are:

(a) *to encourage:*

- the proper management, development and conservation of natural and artificial resources, including agricultural land, natural areas, forests, minerals, water, cities, towns and villages for the purpose of promoting the social and economic welfare of the community and a better environment,*
- the promotion and co-ordination of the orderly and economic use and development of land,*
- the protection, provision and co-ordination of communication and utility services,*
- the provision of land for public purposes,*
- the provision and co-ordination of community services and facilities, and*
- the protection of the environment, including the protection and conservation of native animals and plants, including threatened species, populations and ecological communities, and their habitats, and*
- ecologically sustainable development, and*

- (viii) *the provision and maintenance of affordable housing, and*
- (b) *to promote the sharing of the responsibility for environmental planning between the different levels of government in the State, and*
- (c) *to provide increased opportunity for public involvement and participation in environmental planning and assessment.*

The Department has considered the Objects of the Act, including the encouragement of Ecologically Sustainable Development (ESD) in the assessment of the application. The project does not raise significant issues with regards to the Objects under the Act.

3.5. Ecologically Sustainable Development

The EP&A Act adopts the definition of Ecologically Sustainable Development (ESD) found in the *Protection of the Environment Administration Act 1991*. Section 6(2) of that Act states that ESD requires the effective integration of economic and environmental considerations in decision-making processes and that ESD can be achieved through the implementation of:

- (a) *the precautionary principle,*
- (b) *inter-generational equity,*
- (c) *conservation of biological diversity and ecological integrity,*
- (d) *improved valuation, pricing and incentive mechanisms.*

The proposal is considered consistent with the ESD principles. A full assessment of the proposal in relation to ESD principles is included in **Appendix D**.

3.6. Statement of Compliance

In accordance with section 75I of the EP&A Act, the Department is satisfied that the Director-General's environmental assessment requirements have been complied with.

4. CONSULTATION AND SUBMISSIONS

4.1. Exhibition

Under section 75H(3) of the EP&A Act, the Director-General is required to make the environmental assessment (EA) of an application publicly available for at least 30 days. After accepting the EA, the Department:

- publicly exhibited it from 25 August 2010 until Friday 24 September 2010 (30 days):
 - on the Department's website;
 - at the Department's Information Centre; and
 - at Rockdale City Council.
- advertised the public exhibition in the Sydney Morning Herald, Daily Telegraph and the St George and Sutherland Shire Leader on 25 August 2010; and
- notified landholders and relevant State and local government authorities in writing.

The Department received 18 submissions during the exhibition of the proposal - 9 submissions from public authorities and 9 submissions from the general public. A summary of the issues raised in submissions is provided below.

4.2. Public Authority Submissions

9 submissions were received from public authorities.

Rockdale City Council

Comments on EA

Council's submission included comments that the general layout of buildings, streets and public spaces in the proposal will provide a superior urban design and public domain outcome than the approved Masterplan. Council also does not object to the proposed building heights (noting that the maximum height of 21 storeys is confined to 2 buildings), total gross floor area and diversity of building types.

Concerns were expressed with parts of the proposal, in particular: the proposed reduction in non-residential floorspace and the associated impact that the reduction would have on the Wolli Creek locality; and the Proponent's request to offset / waive Section 94 contributions due to works being constructed on the site that will benefit the community.

Council suggested amendments to improve the proposal, including:

- additional activation of frontages to the proposed supermarket;
- alteration of ground floor uses to increase the extent of commercial floor space and increase ceiling heights on level 1 of Building 1, 2, 3, 4, and 5 for conversion into commercial in the future if required;
- recommendation that the area above the railway line be covered to form a plaza or park; increase in road widths to provide pedestrian scaled streets (Discovery Point Place and Chisholm Street);
- recommending an increase to the setbacks to Discovery Point Place and Chisholm Street to a minimum road width of 20 metres; and
- recommended that the public domain be undertaken in accordance with the draft Wolli Creek and Bonar Street Precinct Public Domain Plan and Technical Manual.

Council also requested that:

- all car parking be provided underground and capped at 2,240 spaces in accordance with the approved Masterplan;
- the apartment mix be amended to comply with the range contained in the draft Rockdale DCP 2011; and
- that dwelling sizes comply with the RFDC and be assessed at the time of assessing the construction of the buildings.

An audit of existing road infrastructure was also recommended to be undertaken in conjunction with Sydney Buses to determine the extent of work required to ensure effective bus operations and that the road networks remain in private ownership with positive covenants regarding public access and road maintenance.

Comments received on PPR

Council maintained concerns that the width of Discovery Point Place should be increased to achieve a more satisfactory relationship with the height of the buildings and that the reduction in commercial floor space has not been addressed. Council requested that:

- the apartment mix within the development comply with the draft Rockdale DCP 2011 (10-30% as studios and 1 bedroom units, 50-75% as 2 bedroom units and 10-20% as 3 bedroom + units);
- that the minimum floor areas of three bedroom apartments increase in size to a minimum of 115m²; and
- stated that the dimensions of the road carriageways may change to comply with relevant requirements.

Council also raised concerns with the introduction of the proposed Discovery Point Concept Plan Development Design Guidelines and the Landscape Design Guidelines / Public Domain Plan. Council recommends that Council's Wolli Creek and Bonar Street Precinct Public Domain Plan

provides greater certainty, will provide a consistent approach in Wolli Creek and the guidelines do not promote Water Sensitive Urban Design initiatives.

Council supports the proposed reduction in above ground parking (provided the structures are treated appropriately) and the offer to enter into a Voluntary Planning Agreement for Section 94 contributions (subject to the terms of the VPA to be further discussed).

Council also advised that the Draft Native Vegetation of the Sydney Metropolitan Catchment Management Authority Area, an area within the Discovery Point site (just to the east of the Wolli Creek Train Station) may contain the Endangered Ecological Community Swamp Oak Floodplain Forest. The Proponent has advised that all studies that have been carried out (by Australand and Landcom) have no knowledge of any endangered ecological community in existence within the Discovery Point site and that Council has previously approved the construction of a basement for the existing Masterplan approval within the area identified. It is noted that the Sydney Metropolitan Catchment Management Authority's website states that *'The product ("Draft Native Vegetation of the Sydney Metropolitan Catchment Management Authority Area") is a draft, and therefore is subject to change. For that reason, the product is not intended to be used for planning or decision making purposes until the review period has ceased and the final version of the product has been released'*.

Marrickville Council

Marrickville Council (located on the opposite side of the Cooks River) raised concerns that the "northern" precinct, which is orientated towards the Cooks River, contained excessive building heights (Building 8 and 10 heights of 15 storeys over a podium). Council recommended that an appropriate interface with the Cooks River would be 6 storeys, with additional height setback from the boundary of the Cooks River.

Roads and Traffic Authority (RTA)

The RTA raised concern over the cumulative traffic impact of the development upon other existing and proposed developments within the precinct on the road network. The RTA requested that the timing of the road network upgrades identified in Council's Section 94 Developer Contributions Plan be reviewed.

The RTA advised that the provision of car parking, loading areas and bicycle storage should be provided to the satisfaction of the Department. The RTA provided conditions relating to construction standards and traffic management, which are relevant to future applications.

Sydney Airport Corporation / Department of Infrastructure and Transport

Sydney Airport Corporation and the Department of Infrastructure and Transport raised no concerns to the proposed buildings heights (inclusive of lift over-runs, vents, chimneys, aerials, antennae, construction cranes, rooftop gardens and trees, etc) that range between a minimum of 20.75 metres AHD to a maximum of 79.65 metres AHD.

Comments were also provided that the landscape plan contain only non-bird attracting plants; the site management plan include measures to minimise foraging birds; and the development incorporate anti-bird roosting measures.

Further approval is required should any equipment or cranes exceed the above height limitations (i.e. 51 metres AHD and 50 feet (15.24 metres AHD)).

Transport NSW

Transport NSW generally supports the project and noted the high accessibility of the site to public transport and local facilities. Transport NSW advised that the provision of one space per unit is noted and should also apply to two and three bedroom units. Alternatively or additionally, some

studio apartments could be approved without parking and consideration should be given to incorporating car share opportunities and unbundling of parking from specific units.

State Transit Authority (STA)

STA raised concerns that sufficient details had not been provided in the EA to assess the proposed final bus terminus / layover and that detail on the proposed staging of the works were to be provided. The STA also requested clarification on the walking distance between the set down bus stop area and the Wolli Creek Train Station entrance.

STA also advised that trees should not encroach into carriageways as this can cause damage to vehicles and sought further details on configuration and road widths proposed along Magdalene Terrace and Discovery Point Place.

Other comments from STA stated that the existing arrangements for the 348 bus service, which terminates at the Wolli Creek Train Station, is to be maintained (the bus has 'standing time' at the station until the next service commences) and that a copy of the traffic management plan for all stages of construction be provided for assessment prior to the approval of the RTA.

Sydney Water

Sydney Water advised that the existing drinking water and wastewater systems have sufficient capacity to cater for the project. Further assessment of the impact that the individual developments will have on the existing systems and any requirements for connections / modifications will be undertaken during the future application stages.

Heritage Council of NSW

The Heritage Council of NSW has noted that the Tempe House and Magdalen's Chapel heritage items and curtilages are located in the near vicinity of the proposed works. No concerns were raised with the project, subject to the inclusion of conditions / recommendations from consultants reports submitted in support of the EA.

RailCorp

Comments received on EA

RailCorp raised concerns with a number of references relating to easements and impacts upon rail infrastructure and sought clarification on whether owners consent from RailCorp was required for the Concept Plan application. In addition, RailCorp:

- Sought clarification on whether the Concept Plan would amend, co-exist or replace the existing approved Masterplan. RailCorp's concern relates mostly to the existing Development Agreement (between RailCorp and the Proponent) and the need for an amended version.
- Advised that the site includes a number of easements, rail assets and works within the rail corridor that has not been addressed by the Proponent.
- Advised the new pedestrian thoroughfare / southern station entrance has not been endorsed;
- Requested that future applications are to consider "*Development Near Rail Corridors and Busy Roads – Interim Guidelines*";
- Advised that rock anchors will not be permitted within RailCorp's land or easements, unless the Development Agreement permits; and
- Approval is required from RailCorp for any landscaping or excavation near rail services.

Comments received on PPR

RailCorp advised that owners consent for works in RailCorp's land has been provided to the Proponent and that a number of the concerns that were previously raised are now resolved or could be conditioned for endorsement prior to lodgement of future applications.

RailCorp recommended a number of conditions be included within the approval, some of which are more appropriate to be included in future application determinations.

NSW Office of Water

NSW Office of Water advised that the Concept Plan is not considered to adequately address the protection and enhancement of riparian land, however noted that there is existing land use development constraints in achieving riparian outcomes.

The NSW Office of Water recommended that a riparian zone of 40 metres plus a 10 metre wide vegetative buffer be provided along the Cooks River. Any development associated with the proposal (including proposed buildings, pathways, water quality treatment structures, roads, fill, etc) should be located outside of the riparian land.

NSW Office of Water commented that the proposal includes the construction of basements and recommended that monitoring of groundwater levels commence prior to basement design and continue through to construction. Licences under Part 5 of the *Water Act 1912* are to be obtained for bores and dewatering systems. Basements that intercept groundwater are to be tanked.

4.3. Public Submissions

9 submissions were received from the public (3 submissions in support of the proposal, 1 objection on behalf of 121 apartments or 350 owners / residents and another objection containing 9 signatures). All issues raised are discussed in **Table 3**.

Issue	Issues Raised	Proportion of submissions (%)
Loss of retail / commercial floor area	6	66%
Loss of opportunity to improve railway station and create a town centre	5	55%
Lack of community consultation	4	44%
Proposal should be considered by Council, not Department of Planning	3	33%
Loss of child care centre and shopping centre	3	33%
Loss of employment opportunities	2	22%
Town square overshadowed for most of the day during winter months	2	22%
Infrastructure and amenity impacts	2	22%
Above ground parking	1	11%
Loss of views due to the increased height	1	11%
Adequacy of parking given site is a rail hub	1	11%
Buildings heights	1	11%
Use of Tempe House and Chapel not as intended under Masterplan	1	11%
Open space is not publicly accessible	1	11%

Table 3: Summary of issues raised in public submissions

The 3 submissions received in support of the project stated:

- the adjoining site (NAHAS development) is more appropriately located for a retail development than the subject site which offers a '*more intimate kind of retail facing a village green that local residents can enjoy and hopefully attract more boutique retail businesses*';
- the new Masterplan creates a sense of community by opening up the site for more foot traffic and will give the place a village atmosphere; and
- the outdoor cafes and restaurants will bring to life a social aspect of the suburb.

The Department has considered the issues raised in submissions in its assessment of the project.

5. ASSESSMENT

The Department considers the key environmental issues for the project to be:

- Departure from approved Masterplan
- Built form and residential amenity
- Traffic, access and parking
- Section 94 contributions
- Other issues

5.1. Departure from approved Masterplan

Public submissions and Council raised concerns with the departure of the proposed Concept Plan from the approved Masterplan, particularly with increased building height and the reduction of non-residential floor space.

The Masterplan (9 development sites) restricts the Gross Floor Area (GFA) for the Discovery Point site of 7.8 hectares to 167,504m² (including a maximum retail GFA of 14,000m² and a minimum non-residential use area of 54,000m²), building envelopes (maximum height of 67 metres AHD or approximately 19 to 20 storeys) and other controls relating to built form, circulation and access, open space and the public domain, heritage and environmental management.

The Concept Plan is considered to reduce the bulk of the buildings, provide a functional layout that allows residents, employees and visitors to move freely within the site to better utilise the open space areas provided. The Concept Plan continues to maintain the heritage arc provided along Brodie Spark Drive with additional height proposed at the entrance to the site and adjoining the Wolli Creek Railway Station. Council also acknowledges that the Concept Plan "will deliver a far superior urban design and public domain outcome".

Key differences between the Masterplan and proposed Concept Plan are the proposed building heights and the modified distribution of gross floor areas and the subsequent potential impact upon the locality. These issues are discussed below:

Height

The current height controls for the site are prescribed in the *Rockdale LEP 2000*, which set building heights in accordance with the approved Masterplan. The proposed building envelopes do not comply with this control, as the Concept Plan proposes to introduce new building envelopes across the site. **Figure 7** illustrates the Masterplan heights compared to the Concept Plan proposed heights.

Generally, the proposal has reduced the bulk and scale of buildings by generally providing taller more slender buildings than those approved in the original Masterplan. The height of buildings has increased from a maximum of 67 metres AHD to a maximum of 79.65 metres AHD, for 2 buildings only.

The height of the building envelopes is considered to be acceptable when considering the maximum height of 21 storeys is limited to 2 buildings (Building 2 and 13) which are consistent with the height of the neighbouring 'Proximity' development (21 storeys) adjacent to the site. The orientation of the site and the separation to adjoining developments provided by the existing road layout also assists in minimising the proposal's impact upon overshadowing, privacy and views of adjoining developments (which will be considered further during submission of future applications to construct the buildings). Furthermore, given the strategic imperative to locate dwellings in highly accessible locations such as this site, the increased height is supported. In view of the above, the Department considers that the proposed building heights are acceptable.

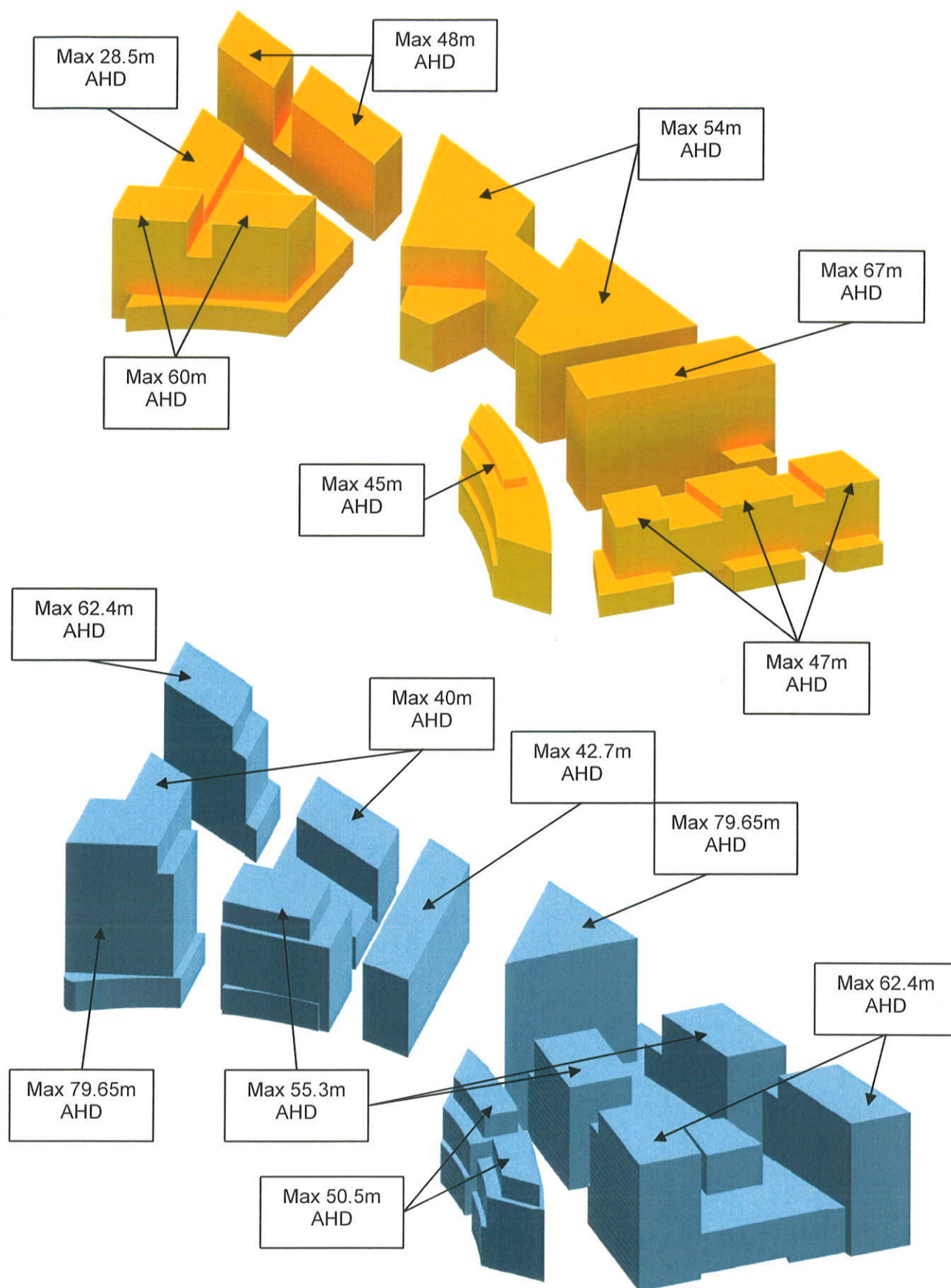


Figure 7: Comparison of Masterplan (**orange**) and Concept Plan (**blue**) building envelopes (not including sites built or under construction), as contained in the PPR. Heights provided by Department of Planning based on EA / PPR documentation.

Reduction of Commercial and Retail Floor Space

Council raised concerns with the proposed reduction of non-residential floor space. A minimum of 9,000m² of non-residential floor space is now proposed instead of constructing the remaining 48,830m² as approved by the existing Masterplan. The majority of the remaining non-residential floor space was to be provided within a commercial tower located over the top of the Wolli Creek Railway Station.

The PPR demonstrates that non-residential floor space will largely be provided through the provision of a supermarket and retail areas adjoining the Neighbourhood Park or along pedestrian links between the Wolli Creek Train Station and the southern site boundary. Commercial floor space will be provided within Building 14 (4 levels above ground) located adjacent the Wolli Creek Train Station. Indicative plans also illustrate that an area has been set aside for a community facility located near the intersection of Magdalene Terrace and Spark Lane.

Leyshon Consulting prepared an Economic and Social Assessment in support of the proposal to examine its economic and social implications compared to the approved Masterplan. This indicates the Masterplan was based on an assessment of market conditions as they existed in the late 1990s. Since this time a number of changes to market conditions have occurred, including the emergence of low cost office locations (Macquarie Park, Rhodes, Norwest); increase in commercial activity in nearby localities (Sydney Airport and Cooks Cove); inclusion of major retail competition in Wolli Creek and the surrounding area (adjoining NAHAS site proposed for approximately 25,000m² of retail space).

Leyshon Consulting estimate that as a result of transferring the non-residential floor space to residential floor space, total job creation on the Discovery Point site will be 532 jobs (2,176 fewer jobs than envisaged under the original Masterplan) and the number of additional dwellings to be provided on the site increases by between 311 and 611 (depending on the size of the units).

Despite this reduction in potential jobs provided on the site, Leyshon Consulting advise that the Rockdale LGA will still achieve required job targets (additional 13,000 jobs by 2031) under the Draft South Subregional Strategy through the development of Cooks Cove (approximately 7,000 jobs) and Sydney Airport and Environs (approximately 4,000 jobs). The remaining 2,000 jobs could be provided either within the Wolli Creek locality or in other centres located in the Rockdale LGA, including the Rockdale Town Centre.

The Department considers that the loss of commercial and retail floor space at this location is acceptable given:

- the Rockdale LGA can still achieve required job targets as required under the Draft South Subregional Strategy despite the proposed reduction in commercial and retail floor space;
- the site's location with access to Wolli Creek Railway Station and Princes Highway are attributes that support higher residential densities;
- the additional dwellings improve the mix of apartments to be provided within the locality; and
- the amended proposal has resulted in an improved urban form with the building widths being reduced from bulky commercial buildings to more slender residential buildings.

Conclusion

The Concept Plan design and proposed GFA for residential and non-residential uses is considered to have appropriate regard to the site's locality and proximity to public transport. The reduction in non-residential uses to the site is not considered to impact upon the Rockdale LGA achieving required dwelling and job requirements.

5.2. Built Form

Building Separation (Discovery Point Place)

Council raised concern regarding the proposed width of Discovery Point Place, which will act as the principal entry point to the site for train commuters. Council advised the width should be

increased to 20 metres to assist in achieving an appropriate 'human scale', given the heights of the proposed buildings flanking the street.

Diagrams submitted with the PPR demonstrate that Discovery Point Place is to be provided with a range of widths between building envelopes (noting that future applications provide the final design of the buildings). These widths include a minimum width of 13 metres between Building 14 and 4, 13.5 metres between Building 14 and 1C and 16 metres between Building 14 and 1B (**Figure 8**). The PPR reduced the separation between Building 14 and 1C from 16 metres to 13.5 metres, contrary to Council's request.

The Department has considered the proposed separation distances on merit. It is considered that the separation distance along the entire frontage of Discovery Point Place should be increased to a minimum of 16 metres, (not including colonnades) consistent with the setback of Building 1B. This modification is considered appropriate as the increase in building separation:

- improves the scale relationships between the buildings and the ground level public domain;
- improves the visual link between Discovery Point Place and Discovery Point Park for pedestrians;
- improves opportunities for pedestrian circulation throughout Discovery Point Place; and
- provides opportunity for greater solar access at ground level.

A separation distance of 20 metres is not considered necessary given Building 14 is to be used for retail and commercial purposes and not residential uses (which would require a greater separation distance to protect residential amenity).

Building Separation (remaining building envelopes)

The RFDC recommends minimum building separation distances (depending on building height) in order to maximise visual and acoustic privacy between residential flat buildings. The proposed Concept Plan includes varied building separations throughout the site, including areas that do not comply with the requirements of the RFDC (based on indicative building layouts). The areas of non-compliances are shown in **Table 4** below:

Location	Minimum Separation Required	Proposed	Complies
Between Building 6 & Building 7	12m	9m	NO
Between Building 1C & Verge Building	24m	18m	NO
Between Building 11 & Building 6	24m	20m	NO
Between Building 8 & Building 7	24m	21m	NO

Table 4: *Proposed Building Separations- Areas of non-compliance with RFDC rule of thumb*

The Department raises concerns with the proposed 9 metre building separation provided between Building 6 and 7. The RFDC recommends a separation of 12 metres for buildings over 25 metres in height that provide non-habitable to non-habitable rooms. This separation distance is sought partly on the basis that the previous Masterplan approved building was provided as a single mass and the revised design provides clear site lines and pedestrian linkages from Chisholm Street through to Discovery Point Park.

The Department considers that the separation between Buildings 6 and 7 should be increased to the recommended 12 metre requirement on the basis that when viewed from Chisholm Street, a 9 metre separation is considered to provide inadequate view lines towards Discovery Point Park. The additional width also improves the public domain area enabling additional

treatments/circulation space to be provided at ground level for the enjoyment of residents and visitors to the site.

Variations proposed to other building separation requirements are considered to be minor and acceptable. It has been demonstrated that adequate residential amenity could be maintained through the inclusion of offset windows / balconies and orientating apartments away from living areas to reduce direct overlooking. Impacts on the amenity of individual buildings will be further considered during the assessment of future applications for each building. Further, the Discovery Point Guidelines state building separation distances as minimum requirements, meaning that building separation distances could be increased if adequate levels of residential amenity could not be demonstrated at future application stages.