

ENVIRONMENTAL ASSESSMENT REPORT

LOTS 101 AND 102, 52 WALKER STREET RHODES (PRECINCT C)



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STATEMENT OF VALIDITY

Submission of Environmental Assessment

Prepared under Part 3A of the Environmental Planning and Assessment Act 1979.

Environmental Assessment prepared by

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Qualifications	BA, MURP, Assoc. Dip. Valuation, MAPI
Address	Meriton Apartments Pty Ltd Level 11, 528 Kent Street SYDNEY NSW 2000
In respect of	Lots 101 and 102, 52 Walker Street, Rhodes, NSW

Applicant & Land Details

Applicant	Meriton Apartments Pty Ltd Level 11, 528 Kent Street SYDNEY NSW 2000
Subject Site	Lots 101 and 102, 52 Walker Street, Rhodes, NSW
Lot & DP	Lots 101, 102 and part 107 in DP 1134195
Project Summary	Development of four new apartment buildings with basement car parking, strata subdivision, staged occupation and onsite management.

Environmental Assessment

An Environmental Assessment is attached.

Declaration

I certify that I have prepared the contents of the Environmental Assessment in accordance with the requirements of the *Environmental Planning and Assessment Act 1979* and Regulation and that, to the best of my knowledge, the information contained in this report is not false or misleading.

Signature
Name	Walter Gordon
Date	4 June 2010

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EXECUTIVE SUMMARY

This Environmental Assessment report accompanies a Project Application under Part 3A of the Environmental Planning and Assessment Act, 1979. The report addresses the Director General's Requirements issued in relation to the site.

Subject Site

The subject site is located at the northern end of the Rhodes Peninsula and is known as 52 Walker Street, Rhodes, or Precinct C. The subject development site in the Precinct comprises Lots 101 and 102. It is currently unimproved and has recently completed an extensive remediation program in accordance with development consent 233-07-2002-i. The site is well located in close proximity to public transport and shopping and recreation facilities.

Proposal

The proposed development is for construction of four apartment buildings over a three level excavated basement area. The development is to provide for 583 residential apartments and parking for 694 vehicles in the basement. The development varies in height from 6 storeys to 25 storeys. The buildings are orientated towards Homebush Bay and also provide views towards the Parramatta River. All dwellings will be provided with private open space in the form of courtyard areas or balconies. It is also proposed to strata subdivide the development and staged occupation is also proposed.

Consultation

Consultation has been undertaken with various stakeholders, which has guided the process and the design of the development.

The site has also been the subject of a Council approved masterplan that allows for increased height. The Rhodes West Draft Masterplan 2009, approved by Council on 8 December 2009, was publicly exhibited to residents and considered by the Rhodes Peninsula community consultation group. Canada Bay Council is currently preparing an amendment to the Canada Bay Local Environmental Plan 2008 to incorporate the masterplan objectives into the statutory planning framework. To complement the proposed LEP and refine the masterplan objectives, Canada Bay Council is also drafting a Development Control Plan that relates to the site.

Design Consideration

The proposed development will have positive social and economic impacts on the local and wider area. Careful design consideration has resulted in a development that is consistent with the approved masterplan for the site.

The design of the development is consistent with the relevant provisions of SEPP 65, and Sydney Regional Environmental Plan (Sydney Harbour Catchment) 2005, in terms of its relationship with the waterway.

The design of the buildings has been guided by the requirements of the Rhodes West Draft Masterplan 2009. Accordingly, it is generally consistent with its provisions. The development proposal has also been designed to meet the anticipated Development Control Plan being prepared by Canada Bay Council.

The key issues identified by the Director General have been addressed. In this respect:

- the proposed development is consistent with the masterplan for the site;
- Relevant consideration has been given in respect of the health and safety of humans on the site;
- Due consideration has been given the potential impacts caused by the railway line that is located to the east of the subject site and recommendations made in that respect;
- The built form, bulk and urban design of the project has been carefully considered and assessed, particularly in the context of its relationship to the public domain;
- The provisions of the required services and facilities under Section 94 of the Environmental Planning and Assessment Act, 1979, has been acknowledged and considered.

Draft Statement of Commitments

The draft Statement of Commitments contains all the necessary identification of issues and mitigation measures to be implemented during the construction phase. This has been prepared as a requirement by the Director General but also in recognition that such considerations need to be made to minimise any adverse impacts associated or arising from construction activities on the site.

This Environmental Assessment concludes that the proposed development is well designed and is compliant with the requirements of the approved masterplan for the site and the relevant planning controls. The report addresses all the Director General's Requirements. The proposed development should receive endorsement from the Department of Planning in the form of an approval.

1 INTRODUCTION

1.1 BACKGROUND

On 5 May 2010, the Department of Planning provided written confirmation that the proposed development is to be considered under Part 3A of the Environmental Planning and Assessment Act, 1979 (the Act).

On 1 June 2010, the Department of Planning provided a copy of the Director Generals Environmental Assessment Requirements under Part 3A of the Act.

This Environmental Assessment Report accompanies a Project Application in accordance with the Act. The Project Application is accompanied with the relevant documentation listed under Stage 1 of the *"Draft Guidelines – Major Infrastructure and Other Projects under Part 3A of the Environmental Planning and Assessment Act"*, as detailed below.

Application Requirement	Documentation
(a) A written graphical description of the project and any ancillary components, including relevant preliminary plans.	Written description - Section 3. Graphical plans - Annexure 4, 5 and 6 .
(b) The location(s) and a map identifying the site(s) / alignment / corridor.	Section 2.
(c) The capital investment value and other relevant information in relation to parameters set out in the major project SEPP for determining whether Part 3A applies to the project.	Section 1.2.
(d) The planning provisions applying to the site and whether the project is permitted under the prevailing EPI.	Section 5.1.
(e) The views of other agencies, local Council or the community if known.	Section 5.13.
(f) List any other approvals required in particular if a licence from the Dept Environment and Conservation under the Protection of the Environment Operations Act is required.	Section 1.2.
(g) If relevant, justification as to why the project should be considered to be a major project under Part 3A taking into consideration the relevant criteria.	Section 1.2.
(h) Preliminary assessment to identify the likely environmental issues.	Section 5.
(i) Completed application form.	Lodged with documentation.
(j) The prescribed application fee.	Lodged with the application.
(k) Number of copies.	Noted.
(l) Any other matters required by the director-general, following consultation with the Department.	Noted. Will be provided where required.

1.2 STATUTORY CONTEXT

Clause 6(1)(a) of SEPP (Major Projects) states that in the opinion of the Minister development described in Schedule 1 is declared to be a project to which Part 3A of the Act applies.

Item 13(1) of Schedule 1 states as follows:

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

For the purpose of the above requirements, the proposed development has a capital investment value of \$197,184,402.

Pursuant to clause 6(1)(a) of SEPP (Major Projects), the Minister declared the development a Major Project on 5 May 2010.

In accordance with Item (f) of the draft guidelines for major projects the following approvals or licenses are required for the proposed development:

- (i) License / approval under the Protection of the Environment Operations Act 1997.
- (ii) Part 3 permit under the Water Management Act, 2000.

1.3 PROPOSED DEVELOPMENT

This development application proposes the erection of four apartment buildings containing 583 residential apartments, 1 retail tenancy, basement parking for 694 vehicles and public and private landscaped open space. Strata subdivision and staged occupation of the proposal is also proposed as part of this application. Details of staged occupation will be submitted with the construction certificate for the development.

1.4 DIRECTOR GENERAL REQUIREMENTS

Section 4 of this Environmental Assessment report contains a summary of how the Director General's Environmental Assessment Requirements have been addressed.

2 SITE AND SURROUNDINGS

2.1 SITE CONTEXT

The subject site is located at 52 Walker Street on Rhodes Peninsula within the City of Canada Bay, which is known as Precinct C within the REP 29 and relevant Rhodes documents. The location of the site is illustrated in **Figure 1** below.

The part of Precinct C that is the subject of the proposal (the development site) is Lots 101, 102 and part Lot 107 (road reservation between Lots 101 and 102) in DP 1134195 (see land title at **Annexure 2**).

Figure 2 shows the location of the development site in Precinct C. The development site has an area of 15,091 sqm.

The site is strategically located near to the geographic centre of the Sydney metropolitan area, enjoying a direct visual connection to Millennium Park and the post Olympic site at Homebush.

At a broader scale, the site is well located with good accessibility to nearby centres, including Parramatta, Strathfield, Burwood, Epping and Ryde, as well as to the remainder of the metropolitan region.

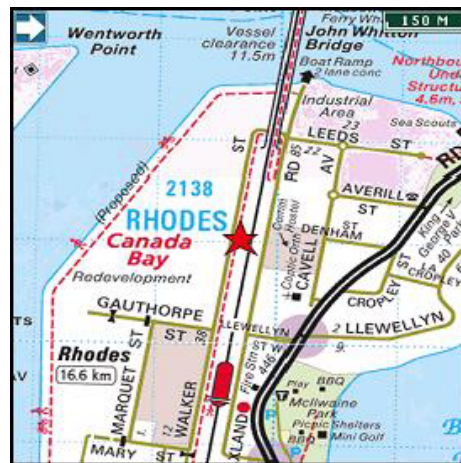


Figure 1: Rhodes Peninsula, showing road access and hierarchy



Figure 2: Location of Precinct C and Lot 102 (shaded)

The Rhodes Peninsula has been subject to significant changes arising from the historical development of the Sydney Basin including:

- Early European settlement along the Parramatta River between Sydney Cove and Parramatta;
- Industrial development as a consequence of both the introduction of rail infrastructure (main northern line 1886) and use of Parramatta River for transport of materials;
- Road improvements, particularly from the 1930s, connecting Concord Road via the Rhodes Bridge to Ryde and Victoria Road, which rendered Concord an area suitable for employment and residential development; and
- The restructuring of manufacturing industry and the development of port facilities, which saw the consolidation and relocation of industry during the 1960s up to the 1900s.

The cessation of operations on the Orica site presented an opportunity for redevelopment, subject to the remediation of the site. The remediation is being finalised in accordance with the Remediation Development Consent issued by the Minister in 2003. A copy of the consent is contained at **Annexure 18**.

2.2 SITE DESCRIPTION

The development site is located at the southeastern corner of Precinct C (see **Figure 2**). The site has been totally cleared of vegetation and, due to the remediation works on the site, it no longer has any natural form in terms of contours. A survey of the site, prior to remediation works commencing on the site, is at **Annexure 3**.

The site has good access to nearby arterial roads, including Homebush Bay Drive and Concord Road, connecting directly to Victoria Road to the north and Parramatta Road and the M4 to the south from Walker Street (see **Figure 1**). There is existing public transport infrastructure, with direct access to buses, on Concord Road, and train, at Rhodes Railway Station. The site is also close to the ferry wharf at Meadowbank (see **Figure 3**). An aerial view of the site is at **Figure 4**.

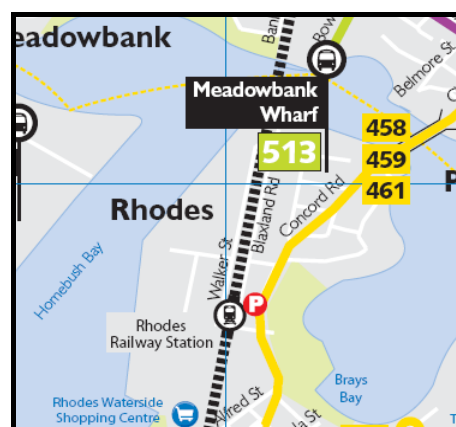


Figure 3: Rhodes Peninsula showing rail (showing Rhodes Railway Station), bus (showing services along Concord Road) and ferry services (showing Meadowbank Wharf).



Figure 4: Aerial photograph of the Rhodes Peninsula (showing Precinct C outlined) and Lots 101 and 102 in Precinct C (shown outlined in the inset)

2.3 SURROUNDING DEVELOPMENT

The area to the north of the site comprises the remainder of Precinct C, which has been subject to redevelopment for multi-unit housing. The immediately adjoining site (Lot 100) to the north is occupied by residential flat buildings up to 10-storeys in height.

Immediately to the east of the site is the Northern line of the CityRail network. Further to the east, over the railway line, are the existing industrial and residential areas of Rhodes.

Precinct B is located to the south and a multi-unit housing development is under construction on the immediately adjoining site to the south. Precinct B also contains land that is to be developed for high rise residential towers up to a height of 25 storeys with a central park to be dedicated to Council. Further to the south is a mixture of residential and commercial development in Precincts A, B and D. This includes the Rhodes Waterside Shopping Centre.

To the west of the site is a vacant allotment of Precinct B and Lot 104 in Precinct C upon which construction of a residential flat building is nearing completion.

Figure 4 shows the nature of the surrounding development.

3 DESCRIPTION OF DEVELOPMENT PROPOSAL

3.1 OVERVIEW

This application proposes the erection of four apartment buildings containing 583 residential apartments, 1 retail tenancy, basement parking for 694 vehicles and public and private landscaped open space. Strata subdivision and staged occupation of the proposal is also proposed as part of this application. Details of staged occupation will be submitted with the construction certificate for the development.

The proposed development incorporates the elements contained in the following table.

ELEMENT	PROPOSED DEVELOPMENT
Site Area	15,091 m ²
Unit Mix	Studio 57 One Bed 159 Two Bed 323 Three Bed 44 Total 583
Gross Floor Area	49,236 m ²
Car Parking	Resident 630 Visitor 59 Retail 2 Childcare 3 Total 694
Deep Soil Landscaping	23.6% (3,573 m ²) See Deep Soil diagram at Annexure 4 and the landscape plan at Annexure 6 .
Public Open Space	4,600 sqm
Building Height (storeys)	6-25 storeys
Cross Ventilated Apartments	65%

The proposed development is shown on a reduced copy of the drawings that can be found at **Annexure 4**. The perspectives at **Annexure 5** show how the completed development will appear from a pedestrian point of view.

3.2 DETAILED DESCRIPTION

3.2.1 Basement Parking Levels

The proposal includes three basement levels, and a partial additional level beneath Building A. Details are provided in the following paragraphs.

Basement Parking Level 1 occupies the northern half of the site. The level contains 124 parking spaces, resident storage cages, building plant and vehicular and pedestrian access facilities.

Basement Parking Level 2 occupies a larger part of the site. The level contains 270 parking spaces, resident storage cages, building plant and vehicular and pedestrian access facilities. From this level up, the basement parking areas are divided into separate northern and southern sections.

Basement Parking Level 3 contains parking for 228 vehicles, resident storage cages, building plant and vehicular and pedestrian access facilities. Garbage storage facilities are also located at this level. Vehicular access is provided to the northern parking area by a ramp connecting to Meredith Avenue.

The proposal contains an additional underground basement level beneath Building A and parts of Buildings B and D. Vehicular access is provided to the southern parking area by a ramp connecting to Nina Grey Avenue. At this level, a total of 73 parking spaces are provided in addition to resident storage cages, building plant, garbage storage facilities, and vehicular and pedestrian access facilities.

3.2.2 Building A

Building A is a 25-storey tower located in the southeastern part of the site. The tower is shown on Level 1 to Level 25 of the architectural plans.

Level 1 of Building A contains:

- the main building entry and lobby;
- a retail tenancy with a floor area of 173.8 sqm;
- a childcare centre with an internal floor area of 392.3 sqm and outdoor play area; and
- indoor swimming pool and gymnasium.

Building A contains a total of 198 apartments as presented in the table below.

Level	Studio	1 Bed	2 Bed	3 Bed	Total
Level 1	0	0	0	0	0
Level 2	2	7	2	0	11
Level 3	2	7	2	0	11
Level 4	2	7	2	0	11
Level 5	2	7	2	0	11
Level 6	0	0	7	1	8
Level 7	0	0	7	1	8
Level 8	0	0	7	1	8

Level	Studio	1 Bed	2 Bed	3 Bed	Total
Level 9	0	0	7	1	8
Level 10	0	0	7	1	8
Level 11	0	0	7	1	8
Level 12	0	0	7	1	8
Level 13	0	0	7	1	8
Level 14	0	0	7	1	8
Level 15	0	0	7	1	8
Level 16	0	0	7	1	8
Level 17	0	0	7	1	8
Level 18	0	0	7	1	8
Level 19	0	0	7	1	8
Level 20	0	0	7	1	8
Level 21	0	0	7	1	8
Level 22	0	0	7	1	8
Level 23	0	0	7	1	8
Level 24	0	0	3	2	5
Level 25	0	0	3	2	5
TOTAL	8	28	140	22	198

All apartments are provided with generous balcony areas. Some apartments have more than one balcony.

Air-conditioning condenser units have been provided in a common enclosure near the lifts. Some apartments at lower levels in the building have a condenser unit located in an enclosure alongside the balcony. These enclosures will form part of the building elevation design treatment.

A total of four lifts are proposed in a central location in the building. Garbage storage facilities and a services room are centrally located on each level.

3.2.3 Building B

Building B is a 7-storey 'L' shaped building located in the southwestern part of the site. The building is shown on Ground Level to Level 6 of the architectural plans. The building contains a total of 93 apartments as presented in the table below.

Level	Studio	1 Bed	2 Bed	3 Bed	Total
Ground	2	5	2	0	9
Level 1	4	7	2	0	13
Level 2	4	9	2	0	15
Level 3	4	9	2	0	15
Level 4	4	9	2	0	15
Level 5	2	5	6	0	13
Level 6	2	5	6	0	13
TOTAL	22	49	22	0	93

All ground level apartments are provided with a landscaped private courtyard and all apartments above ground have generous balcony areas.

Air-conditioning condenser units have been provided in the basement, for lower level apartments, and in screened enclosures on the rooftop, for upper level apartments.

The building has two entries and lobbies – one facing Nina Grey Avenue and the other facing Shoreline Avenue. Each lobby has one lift. Garbage storage facilities and a services room are centrally located on each level.

3.2.4 Building C

Building C is a 25-storey tower located in the northwestern part of the site. The tower is shown on Ground Level to Level 24 of the architectural plans.

Ground Level of Building C contains:

- the main building entry and lobby; and
- indoor swimming pool and gymnasium.

Building C contains a total of 208 apartments as presented in the table below.

Level	Studio	1 Bed	2 Bed	3 Bed	Total
Ground	0	1	3	0	4
Level 1	2	8	2	0	12
Level 2	2	7	3	0	12
Level 3	2	7	3	0	12
Level 4	2	7	3	0	12
Level 5	2	1	6	1	10
Level 6	0	0	7	1	8
Level 7	0	0	7	1	8
Level 8	0	0	7	1	8
Level 9	0	0	7	1	8
Level 10	0	0	7	1	8
Level 11	0	0	7	1	8
Level 12	0	0	7	1	8
Level 13	0	0	7	1	8
Level 14	0	0	7	1	8
Level 15	0	0	7	1	8
Level 16	0	0	7	1	8
Level 17	0	0	7	1	8
Level 18	0	0	7	1	8
Level 19	0	0	7	1	8
Level 20	0	0	7	1	8
Level 21	0	0	7	1	8
Level 22	0	0	7	1	8
Level 23	0	0	3	2	5
Level 24	0	0	3	2	5
TOTAL	10	31	145	22	208

All apartments are provided with generous balcony areas. Some apartments have more than one balcony, and ground level apartments have a landscaped courtyard instead of a balcony.

Air-conditioning condenser units have been provided in a common enclosure near the lifts. Some apartments at lower levels in the building have a condenser unit located in an enclosure alongside the balcony. These enclosures will form part of the building elevation design treatment.

A total of four lifts are proposed in a central location in the building. Garbage storage facilities and a services room are centrally located on each level.

3.2.5 Building D

Building D is a 7-storey 'L' shaped building located in the northwestern part of the site. The building is shown on Ground Level to Level 5 of the architectural plans. The building contains a total of 84 apartments as presented in the table below.

Level	Studio	1 Bed	2 Bed	3 Bed	Total
Ground	4	6	2	0	12
Level 1	3	9	2	0	14
Level 2	3	10	2	0	15
Level 3	3	10	2	0	15
Level 4	2	8	4	0	14
Level 5	2	8	4	0	14
TOTAL	17	51	16	0	84

All ground level apartments are provided with a landscaped private courtyard and all apartments above ground have generous balcony areas.

Air-conditioning condenser units have been provided in the basement, for lower level apartments, and in screened enclosures on the rooftop, for upper level apartments.

The building has two entries and lobbies – one facing Meredith Avenue and the other facing Walker Street. Each lobby has one lift. Garbage storage facilities and a services room are centrally located on each level.

3.3 LANDSCAPING AND OPEN SPACE

The proposal involves extensive landscaping on the site to provide for communal and private open space, as well as a centrally located public park that is to be dedicated to Council.

3.3.1 Private and Communal Open Space

The submitted landscape plans (see **Annexure 6**) show the proposed treatment of the private open space courtyards at ground level around Building B, C and D. The paved private courtyards for the apartments are to be separated from the street by soft landscaping that includes shrubs, groundcovers and small trees.

The landscape plans show that two communal open space areas are proposed on the site – one situated between Buildings A and B, and the other situated between Buildings C and D. These communal open space areas contain paving/tiling, turf, gardens beds and trees. Seating is strategically situated to provide areas for relaxation and enjoyment of the spaces.

3.3.2 Public Open Space

The proposal involves the creation of a 4,600 sqm public park, located in the middle of the site and providing east-west connection between Walker Street and Shoreline Avenue.

The proposed landscaped treatment of the park is shown on the landscape plans at **Annexure 6**. Areas of paving and turf are proposed with cluster tree planting. The design provides for a view corridor across the site from Walker Street, down Darling Avenue and into Homebush Bay. Areas of seating are proposed and the pathways have been designed to provide access for people with a disability. The completed park is to be dedicated to Canada Bay Council, which will provide its ongoing maintenance.

3.4 EXTERNAL FINISHES AND MATERIALS

The buildings will contain a mix of materials and finishes to express articulation and interest. The use of painted masonry will express verticality and the glass balustrades will provide horizontal emphasis. The colours have been selected by picking up on the neutral hues and tones within the locality. Highlight colours are used to distinguish the building's features.

A schedule of the proposed colours and materials accompanies the application to the Department.

3.5 ACCESSIBILITY

The development has been designed to meet the objectives of the Disability Discrimination Act and other relevant considerations. The public open space at the centre of the site has been designed to ensure all areas are accessible. The buildings have also been designed with appropriate access for disabled persons. An access report, prepared by Morris Goding, is at **Annexure 7**.

3.6 WASTE MANAGEMENT

The development has been designed to include garbage chutes in each building and waste collection facilities in the basement level. The development has also been designed to enable waste collection, by Council and/or contractor, to occur fully entirely within the basement area. A Waste Management Plan, prepared by Wastech, provides details and is at **Annexure 8**.

3.7 ENERGY EFFICIENCY

The buildings have been designed to ensure that all apartments achieve maximum energy efficiency. The development complies with the requirements of BASIX. A BASIX Certificate, issued by Efficient Living, is at **Annexure 9**.

3.8 TRAFFIC, ACCESS AND PARKING

Vehicular access to the southern basement parking area is via a ramp that is located on Nina Grey Avenue, and access to the northern basement parking area is via the ramp at Meredith Avenue. All vehicle parking, unloading/loading and associated manouvreing of vehicles will be contained within the underground basement levels of the development. A Traffic Report, prepared by TTPA, is at **Annexure 10**.

3.9 SOLAR ACCESS

The buildings have been designed to maximise solar access to apartments and to minimise overshadowing of other apartments within the site and on adjoining sites. A Solar Access Analysis, prepared by Heggies, is at **Annexure 11** and shadow diagrams, prepared by Meriton, are at **Annexure 4**.

3.10 WIND ENVIRONMENT

The buildings have been designed with relevant consideration to wind effects on the pedestrian environment and the public open space. A wind environment report, prepared by Windtech, is at **Annexure 12**.

3.11 ACOUSTIC QUALITIES

The development has been designed with consideration to the existence of the railway line that is located to the east of the site. A Train Noise and Vibration Assessment Report, prepared by Acoustic Logic Consultancy, are at **Annexure 13**. The Report provides recommendations on acoustic treatments that are necessary to the buildings.

3.12 ELECTROLYSIS

Some construction methods have been recommended in order to resolve the issue of the extent of stray current interference associated with the electrified railway infrastructure, located to the east. An Electrolysis report, prepared by Savcor, is at **Annexure 14**.

4 THE DIRECTOR GENERAL'S ENVIRONMENTAL ASSESSMENT REQUIREMENTS

The table below addresses the General Requirements of the Director General.

REQUIREMENT	COMMENT / REFERENCE
1. An Executive Summary;	An Executive Summary is at the beginning of this report, at page i (before the Introduction).
2. A thorough site analysis including site plans, aerial photographs and a description of the existing and surrounding environment;	Various site analysis drawings are included at Annexure 4. Aerial photographs and a description of the site and its surroundings are at section 2 of this report.
3. A thorough description of the proposed development;	A detailed description of the proposed development is at section 3 of this report.
4. An assessment of the key issues specified above and a table outlining how these key issues have been addressed;	The key issues are addressed in section 5 of this report.
5. An assessment of the potential impacts of the project and a draft Statement of Commitments, outlining environmental management, mitigation and monitoring measures to be implemented to minimise any potential impacts of the project;	An assessment of potential impacts is incorporated into section 5 of this report. The Statement of Commitments is at section 5.14 of this report.
6. The plans and documents outlined below;	The required documents are listed in the Annexure at the beginning of this report. A physical model and a colours and materials sample board accompany the Major Project application
7. A signed statement from the author of the Environmental Assessment certifying that the information contained in the report is neither false nor misleading;	Provided immediately before the Contents pages of this report.
8. A Quantity Surveyor's Certificate of Cost to verify the capital investment value of the project (in accordance with the definition contained in the Major Projects SEPP); and	The quantity surveyors certificate is at Annexure 23.
9. A conclusion justifying the project, taking into consideration the environmental impacts of the proposal, the suitability of the site, and whether or not the project is in the public interest.	The conclusion to the Environmental Assessment is at section 6.

The table below addresses the plans and documents Requirements of the Director General.

REQUIREMENT	COMMENT / REFERENCE
1. An existing site survey.	Refer Annexure 3.
2. A Site Analysis Plan.	Refer Annexure 4.
3. A locality/context plan.	Refer Annexure 4.
4. Architectural drawings.	Refer Annexure 4.
5. A Design Compliance Statement.	Refer Annexure 15.
6. A schedule of materials and finishes.	Accompanying application.
7. Visual and view analysis.	Refer section 5.2 and Annexure 5.
8. A physical model.	Accompanying application.
9. Shadow diagrams.	Refer Annexure 4.
10. Landscape plan.	Refer Annexure 6.
11. Accessibility.	Refer Annexure 7.
12. Stormwater / drainage concept plan.	Refer Annexure 22.
13. Site contamination assessment / human health risk assessment.	Refer section 5.9.
14. Geotechnical report.	Refer Annexure 24.
15. Groundwater assessment.	Refer Annexure 24.
16. Transport Management Plan.	Refer Annexure 10.
17. Waste Management Plan / garbage and recycling management plan.	Refer Annexure 8.

5 KEY ISSUES

5.1 RELEVANT EPI'S POLICIES AND GUIDELINES

The following planning controls are relevant to the subject site:

1. NSW State Plan 2010;
2. Draft Inner West Subregional Strategy;
3. Metropolitan Transport Plan 2010;
4. Integrating Land Use and Transport policy package, NSW Department of Planning, 2005;
5. Sydney Regional Environmental Plan No. 29 – Rhodes Peninsula;
6. Draft Amendment No.1 to City of Canada Bay Local Environmental Plan;
7. Rhodes West Draft Masterplan 2009;
8. Rhodes Peninsula Development Control Plans;
9. State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004;
10. State Environmental Planning Policy No. 55 – Remediation of Land;
11. Contaminated Land Management Act 1997;
12. State Environmental Planning Policy No.65 - Design Quality of Residential Flat Development;
13. State Environmental Planning Policy (Infrastructure) 2007.

The following paragraphs contain an assessment of the proposed development under each of the above planning instruments.

5.1.1 NSW State Plan

The NSW State Plan 2010 sets targets, priorities and actions for the delivery of services in New South Wales. The Plan sets some specific targets and measures relating to various categories. The following table provides an assessment of the proposed development against the relevant targets contained within the Plan.

Target	Comment
<i>Increase walking and cycling.</i>	The proposed development is located in close proximity to shops near Rhodes railway station and is well provided for in terms of pedestrian facilities. The site is also located nearby Foreshore Reserve and Point Park which provide pedestrian and cycling facilities.

Target	Comment
<i>Increase the number of jobs closer to home.</i>	The proposed apartments will provide for opportunities to work from home, as many units contain studies or media spaces. The proposal also provides for a retail tenancy and a childcare centre, which will provide local jobs.
<i>Grow cities and centres as functional and attractive places to live, work and visit.</i>	The proposal is consistent with the Rhodes West Draft Masterplan 2009, which was the subject of extensive consultation and analysis of all relevant planning considerations. The proposed apartments will have a high level of amenity and have been skilfully designed to provide for an attractive environment.
<i>Improve housing affordability.</i>	The proposal will increase the supply of housing in the Rhodes area. Increasing the supply of housing is the most effective way of reducing housing costs.
<i>Maintain and invest in infrastructure.</i>	A Voluntary Planning Agreement has been entered into with Council to provide a large central public park and Section 94 funds will go towards a new community centre in the Rhodes Peninsula.
<i>Increase business investment and support jobs.</i>	The proposal constitutes a substantial business investment and the development will involve the creation of numerous construction and ongoing maintenance jobs.
<i>Make sure children have the skills for learning by school entry.</i>	The proposal includes a childcare centre that will contribute to the early education of children before they enter school years.
<i>Improve air quality.</i>	The proposal is located in close proximity to the Rhodes railway station and other public transport options, which will reduce car use. The apartments have been designed to be energy efficient pursuant to BASIX. These measures will assist in improving air quality by minimising emissions.
<i>Reduce waste.</i>	The proposal provides for recycling facilities to minimise waste from the completed apartments. The construction management plan at Annexure 8 provides details in relation to waste management during construction.
<i>Improve child wellbeing, health and safety.</i>	The proposed childcare centre in the development will provide for a safe and secure environment for parents to leave their children as they go about their daily business.

Target	Comment
<i>Increase the number of people using parks.</i>	The proposed apartments are located in close proximity to Foreshore Reserve and Point Park in the Rhodes Peninsula. This proximity will encourage use of those open space areas.
<i>Reduce rates of crime, particularly violent crime.</i>	A crime risk assessment report has been prepared and is at Annexure 20. The report concludes that with the undertaking of certain safety measures, crime risk on the site will be minimised.
<i>Reduce levels of antisocial behaviour.</i>	

5.1.2 Draft Inner West Subregional Strategy

Subregional planning is an important aspect of the planning and implementation of the 2005 *Metropolitan Strategy, City of Cities: A Plan for Sydney's Future*.

The draft Subregional Strategies act as a broad framework for the long term development of the area, guiding government investment and linking local and state planning issues.

The Inner West Subregion is situated between Sydney CBD and Parramatta, a Regional City. It takes in the Local Government Areas of Ashfield, Burwood, Canada Bay, Leichhardt and Strathfield.

With regard to Canada Bay, the Draft Inner West Subregional Strategy states as follows:

Canada Bay is located only 10 km from Sydney CBD, covering an area of approximately 20 km², with over 38 km of foreshore and 130 parks, open spaces and reserve links. In 2004, the population of Canada Bay was approximately 65,800. The area is well known for its cultural diversity, with approximately 30 per cent of the population speaking other than English as a first language. Rhodes has been a major focus for residential and employment development activity in recent years.

The Subregional Plan, for the Inner West, is seeking an additional 30,000 new dwellings over the next 20 years. The proposed provision of 583 new units will greatly contribute towards this target.

The following table provides an assessment of the proposed development against the main relevant objectives and actions contained within the Strategy.

Objective / Action	Comment
<i>C2.1: Focus Residential Development Around Centres, Town centres, Villages and Neighbourhood centres.</i>	<p>The subject site is located towards the northern end of Rhodes Peninsula and in close proximity to Rhodes w/railway station. The Rhodes town centre is also in close proximity. Details relating to the surrounding services and facilities are at section 2 of this report.</p> <p>The proposal is considered to complement this objective of the Strategy by providing housing to contribute to the emerging Rhodes neighbourhood.</p>
<i>C2.3: Provide a Mix of Housing.</i>	<p>The proposal involves the creation of 583 residential apartments in the form of studios and 1, 2 and 3 bedroom apartments. A variety of apartment styles and configurations are proposed to meet different particular consumer needs. Some apartments have studies and more than once balcony or a landscaped courtyard instead of a balcony.</p> <p>The proposal is considered to complement this objective of the Strategy in that it will constitute a substantial contribution to the mix of apartment living in the area.</p>
<i>C4.1: Improve the Affordability of Housing.</i>	<p>One of the most effective ways of making housing more affordable is by increasing supply. This is particularly relevant in recent times. The proposed introduction of 583 apartments into the local housing market will assist in easing prices and improving housing affordability. Therefore, the proposal is considered to be complementary to this objective of the Strategy.</p>
<i>C4.3: Use Planning mechanisms to provide affordable housing.</i>	<p>The Rhodes West Draft Masterplan 2009 has allowed for additional housing to be built on the subject site and others in the Rhodes Peninsula. The proposed additional 583 apartments are consistent with the vision of the masterplan and the allocated additional floor space and height for the subject site. These planning mechanisms are assisting in the supply of additional housing in the local market, which will assist in easing housing prices.</p>

Objective / Action	Comment
<p><i>C5.1: Improve the design quality of new development.</i></p>	<p>The form of the apartment buildings achieves a high residential amenity both internally within the apartments and throughout the site. All apartments achieve northern, eastern or western orientation – there are no south facing units. 61% of apartments are naturally cross ventilated, reducing the demands placed on artificial heating and cooling.</p> <p>The majority of apartments enjoy views over the central public park area, or over the other buildings in the Precinct and towards Parramatta River and Homebush Bay.</p> <p>The layout of the apartments enhances their residential amenity with appropriately sized internal living areas, which flow onto generous usable balconies and courtyards.</p> <p>The proposal complies with the requirements of SEPP 65 and the Residential Flat Design Code and meets the intent of the Rhodes West Daft Masterplan and the anticipated new DCP for the site.</p> <p>Accordingly, the proposal is considered to be complementary to this objective of the Strategy.</p>

5.1.3 Metropolitan Transport Plan 2010

The Metropolitan Transport Plan 2010 is the NSW State Government's policy document for the delivery of public transport services across the Sydney Metropolitan area. The document:

- examines the likely future composition of the Metropolitan area (including dwelling yields);
- analyses the existing infrastructure and services; and
- makes commitments for future services and infrastructure to meet the expected new demands.

The subject site is not located within an area that has been identified within the Plan as having substantial additional growth in the coming years – most likely because the Rhodes Peninsula is largely completed.

The subject site is serviced by existing rail and bus services, details of which are outlined in section 2 of this report.

5.1.4 Integrating Land Use and Transport policy package, NSW Department of Planning, 2005

Integrating Land Use and Transport policy package, NSW Department of Planning, 2005, requires consideration of relevant matters including aims and objectives, densities that help achieve viable public transport services and urban form that and structure that encourages walking, cycling and public transport use.

The proposed development is consistent with, the aims, objectives and principles of the Integrating Land Use and Transport policy package in that:

- it is located in an area with existing public transport infrastructure and will support the use and improve the viability of these transport initiatives;
- the proposal will have little impact on trip patterns and travel demands and will not result in any adverse traffic impacts;
- the proposal will contribute to the efficient utilisation of public investment in the surrounding arterial road network; and
- the site is well suited for the proposed uses.

5.1.5 Sydney Regional Environmental Plan No. 29 – Rhodes Peninsula

Status and Aims

The SREP, gazetted on 19 November 1999, replaced all local environmental planning instruments which otherwise applied to the Rhodes Peninsula at the date of gazettal.

Canada Bay Council is currently drafting an amendment to Canada Bay Local Environmental Plan 2008 to address the additional height and floor space envisaged in the Rhodes West Draft Masterplan 2009. The new amended LEP will supersede the SREP. Further consideration in this respect is undertaken where relevant below.

Planning Principles

Clause 10 stipulates that before granting consent to a development application within the Rhodes Peninsula SREP, the Minister must be satisfied that the proposed development will be consistent with the planning principles for the Rhodes Peninsula.

The following table provides an evaluation of the proposed development for its consistency with the relevant planning principles.

Planning Principles	Evaluation	Consistency
Role and Land Use		
Development should be carried out in a manner consistent with the principles of ecologically sustainable development.	<p><i>The principles of ESD are outlined in the DCP for Rhodes. The proposed development embodies ESD principles in the design of the building layout and external spaces as required by the DCP.</i></p> <p><i>The development complies with the minimum requirement for solar access and cross ventilation. The areas of open space around the site will be planted with appropriate species to ensure sustainability with the environment.</i></p>	Yes
Development of the Rhodes Peninsula is to provide for a significant increase in residential population, open space and limited commercial and retail uses.	<i>The proposed development provides 583 residential apartments, which achieves the principle of increasing the residential population in the Rhodes Peninsula.</i>	Yes
Retail development in the Mixed Use Zone should service the needs of the local and district community and have convenient and direct access to the public transport network.	<i>The subject site is identified as a residential zone.</i>	N/A
Office development should have convenient and direct access to the railway station and be no more than 500 metres walking distance from the railway station.	<i>There is no commercial office component in the proposed development. One retail tenancy is proposed.</i>	N/A
Development in the Mixed Use Zone should optimise the use of public transport infrastructure.	<i>The subject site is not located in the mixed use zone. However, the development is located close to bus and rail infrastructure thereby providing opportunities for use of public transport.</i>	N/A
A vibrant community and safe public domain is to be created through encouraging active frontages along main streets.	<i>Opportunity will be available for suitable streetscaping of trees, grass, pedestrian thoroughfares overlooked by residential apartments.</i>	Yes

Planning Principles	Evaluation	Consistency
Built Form		
Building heights are to reflect and emphasise the topography and other natural attributes of the Rhodes Peninsula. Building height should allow a reasonable sharing of views from buildings with lower buildings at the foreshore and higher buildings and densities adjacent to the railway line.	<i>The subject site is located alongside the railway line and provides buildings varying in height from 6 to 25 storeys. The buildings are sited to prevent any loss of views to existing residents in the Peninsula. The buildings are sited to maximise the sharing of views for the future residents of the proposed development.</i>	Yes
The predominant height of buildings adjacent to the foreshore is not to exceed 4 storeys.	<i>The proposed development is not located immediately adjacent to the foreshore.</i>	N/A
The height, form and orientation of buildings are to be taken into account both land and water based visual impact, solar access, ventilation, wind impact and the amenity and privacy of residences.	<i>The scale, massing and orientation of buildings result in a distinctive development, consistent with its future surroundings. High internal amenity is achieved through unit layouts, cross ventilation and unit orientation within the building envelope established by the approved Masterplan.</i>	Yes
Design should promote a public domain and residential areas with a high quality of amenity and follow design practices, which encourage energy conservation and the promotion of public transport.	<i>The proposal is consistent with the public domain envisaged under the approved masterplan for the site.</i>	Yes
Development is to provide for a high quality of landscaping and plantings.	<i>The development proposes 23% of the site as deep soil landscaping and generous areas of communal open spaces.</i>	Yes
The history of the site should be interpreted through continuity of existing features such as street layout and plantings.	<i>The site is the subject of a previous masterplan and previous approvals, which have set the scene in terms of street layout and tree plantings and the like. The Rhodes West Draft Masterplan 2009 provides for a slight change to the site by combining Lots 101 and 102 and replacing a street with a centrally located public park area.</i>	Yes
Public Domain		
The foreshore is to be publicly accessible, to be continuously linked within the Rhodes peninsula and linked to public areas adjoining the Rhodes Peninsula, and to provide variation in open space character.	<i>The proposal is consistent with providing access to the foreshore area and pedestrian linkages to Shoreline Avenue and Point Park.</i>	Yes

Planning Principles	Evaluation	Consistency
A range of recreational opportunities for the residents, workers and the community is to be provided within the public domain.	<i>The embellishment of foreshore open space forms part of a separate approval.</i>	Yes
There should be public gathering points within the public domain. Those gathering points are to include places located at the water's edge accessible to public transport and some places at which small scale retailing can occur.	<i>The proposal includes a central public park area that will facilitate gathering spaces.</i>	Yes
Coordinated pedestrian and cycling networks, and public transport services are to be provided throughout the Rhodes Peninsula.	<i>The application is consistent with the envisaged pedestrian and cycle network for the Precinct.</i>	Yes
The railway station should be linked to the foreshore through the provision of generously proportioned landscaped streets.	<i>Not relevant to the subject proposal.</i>	N/A
All streets should be publicly accessible.	<i>All streets, as approved, are publicly accessible from the site.</i>	Yes
Accessibility, Movement and Parking		
Transport and traffic should be managed in accordance with a comprehensive plan that provides for the coordinated provision of infrastructure and the staging of its provision.	<i>Provision of infrastructure relating to transport and traffic is subject to a separate approval.</i>	Yes
Access to and use of public transport is to be optimised through appropriate land use and density distribution.	<i>The application will increase the population of Rhodes Peninsula as envisaged and will have access to existing public transport.</i>	Yes
The provision for vehicular movement is to be consistent with the development of a high quality pedestrian environment within the street system.	<i>The street layout, car parking provision and access are consistent with the Rhodes West Draft Masterplan 2009.</i>	Yes
Ecological Issues		
Development within the Rhodes Peninsula is to make a significant contribution to ecological sustainability through reduced energy requirements, particularly those of a non-renewable nature, and to waste reduction.	<i>A BASIX Certificate is at Annexure 9.</i>	Yes

Planning Principles	Evaluation	Consistency
Water and energy efficient design criteria are to be promoted and soil erosion and sedimentation control measures implemented during remediation and construction phases.	<i>Soil erosion and sedimentation control measures will be implemented during the construction phase.</i>	Yes
Development should not have adverse impacts on the water quality of Homebush Bay or the Parramatta River.	<i>Measures are proposed to preserve as far as possible the appropriate drainage patterns and to prevent sedimentation of water environments.</i>	Yes
Appropriate revegetation of the foreshores is to be encouraged.	<i>Not applicable to the subject proposal.</i>	N/A

Zoning

Clause 11 of the REP contains the zoning and general land use controls for the site. The subject site is located within Precinct C which is zoned Residential under Clause 1 of the REP.

The development of the site is for residential purposes. This is considered to be fully consistent with the objectives of the zone, namely:

"(a) to ensure that land within the zone is primarily used for residential purposes."

Floor Space

Clause 14(l) of Sydney Regional Environment Plan No. 29 – Rhodes Peninsula permits a maximum GFA of 53,300m² in Precinct C.

Subclause (2), states:

"(2) Subclause (3) applies to the granting of consent for development within Floor Space Precinct A, B or C if:

- (a) all land in the Floor Space Precinct concerned that is within the Open Space Zone (including any land in that Precinct taken to be within that zone by clause 18(6), but excluding any land in that Precinct taken not to be within that zone by that subclause) is dedicated in favour of the corporation free of cost as a public reserve, and*
- (b) arrangements are or have been made to the satisfaction of the consent authority for the embellishment and ongoing maintenance of all of that dedicated land in that Precinct as a public reserve."*

The Department of Planning has previously confirmed that agreements are in place that satisfy subclause 2, and accordingly, a total gross floor area of 70,850m² is available within Precinct C.

However, more recently the Rhodes West Draft Masterplan 2009 has been adopted by Council and allows for an additional 13,292 sqm of gross floor area allocated to Lots 101 and 102. This results in a total permissible gross floor area for Lots 101 and 102 of 49,377 sqm.

Canada Bay Council is currently preparing an amendment to the Canada Bay Local Environmental Plan 2008 to incorporate the masterplan objectives into the statutory planning framework.

Consistent with the masterplan and the impending amended LEP, the proposed development has a total gross floor area of 49,377 sqm.

Bulk and Scale

In terms of bulk and scale, the development has been designed to be consistent with the Rhodes West Draft Masterplan 2009 and the anticipated new DCP for the site. The buildings will be consistent with the scale of other building types proposed for the Precinct.

The proposal ranges in height from 6 to 25 storeys which falls within the Masterplan approved height limits for the site.

All elevations of the buildings have been well articulated to add expression and interest when viewed from the public domain, of the streets surrounding the site, and the central public park area. This articulation has been achieved through the use of balconies, window placement, floor plans and colours and materials.

The use of balconies as shading devices and expressed structural elements help to articulate the facades and appropriate the scale and bulk of the buildings. The principles of modulation throughout the proposal are consistent resulting in continuity to both form and scale to the buildings. The overall concept provides a contemporary architectural expression. Bulk and scale of the buildings are reflected in the perspectives at **Annexure 5**.

Residential Amenity

The form of the apartment buildings achieves a high residential amenity both internally within the apartments and throughout the site. All apartments achieve northern, eastern or western orientation – there are no south facing units. 61% of apartments are naturally cross ventilated, reducing the demands placed on artificial heating and cooling.

The majority of apartments enjoy views over the central public park area, or over the other buildings in the Precinct and towards Parramatta River and Homebush Bay.

The layout of the apartments enhances their residential amenity with appropriately sized internal living areas, which flow onto generous usable balconies and courtyards.

In two and three bedroom apartments, bedroom locations have been "split" to enable more private sleeping zones. All two bedroom apartments contain either a bathroom and separate toilet or a separate bathroom and ensuite. All three bedroom apartments have a separate bathroom and ensuite. Most apartments are provided with a separate study or media nook to facilitate the growing trend of "working from home" and to accommodate the "mandatory household computer".

It is therefore considered that the development exhibits high residential amenity.

Parking and Traffic

The number of car parking spaces proposed and the resultant trip generation had been allowed for in the package of road improvement works that have been / are being implemented to serve the Rhodes Peninsula.

Accordingly, the proposed floor space that generates a demand for 694 car parking spaces is considered appropriate and within the density envisaged for the Rhodes Peninsula.

The provision of proposed parking on the site is in accordance with the anticipated new DCP for the site.

Architectural Merit

The development will incorporate high quality materials, such as painted hebel/base bricks, masonry, stone cladding and other detailing to create a modernist approach. The quality materials and façade modulation creates a striking architectural character which results in an attractive and desirable living environment. A colours and materials sample board accompanies the application.

Embellishment of Open Space

The detailed design of the open space has been undertaken by Site Image, landscape architects. The landscape intent captures the landscape principles of the Rhodes West Draft Masterplan 2009 and incorporates appropriate species selection. The landscape plan is attached at **Annexure 6**.

Height of Buildings

Clause 16 and the height map of SREP 29 – Rhodes Peninsula nominates a height of 6 storeys within the subject site.

However, more recently the Rhodes West Draft Masterplan 2009 has been adopted by Council and allows for buildings varying in height from 6 storeys to 25 storeys on Lots 101 and 102. Canada Bay Council is currently preparing an amendment to the Canada Bay Local Environmental Plan 2008 to incorporate the masterplan objectives into the statutory planning framework.

Consistent with the masterplan and the impending amended LEP, the proposed development has two towers with a maximum height of 25 storeys in addition to two shorter buildings of 6 and 7 storeys.

Acid Sulphate Soils

The 1:25,000 Prospect / Parramatta River Acid Sulphate Soil (ASS) Risk Map shows a high probability of Acid Sulphate Soils underlying the reclaimed areas in the western portion of the site, although this material was not specifically identified within the reclaimed portion of the site based on review of geological logs for test holes undertaken during site assessment. However, the site is being extensively remediated, replacing the existing soils on the site with clean soils.

Infrastructure Provisions (Clause 13)

The clause stipulates that:-

- "(1) The consent authority must not grant consent to the development of land to which the plan applies unless arrangements have been made to the satisfaction of the consent authority for:*
- (a) railway and bus infrastructure that will provide an adequate public railway and public bus service for people who will reside or work on, or otherwise use, the land to which this plan applies; and*
 - (b) roads and related infrastructure of a standard adequate to provide public and private vehicular transport access to, and egress from, the land to which this plan applies from and to other land within the region."*

In accordance with the provisions of the Rhodes Peninsula Contributions Framework Plan, a monetary contribution towards infrastructure provisions will be a condition of development consent and forms part of the Voluntary Planning Agreement (see **Annexure 25**).

In summary, it is considered that the subject development fully complies with the objectives of SREP 29 and exhibits exemplary architectural design.

The development will make a positive contribution to the Rhodes Peninsula and reflects the planning intent of SREP 29.

5.1.6 Draft Amendment No.1 to City of Canada Bay Local Environmental Plan

On 31 March 2010, Canada Bay Council lodged a Planning Proposal with the Department of Planning to provide additional 46,200sqm floorspace, increase height up to 25 storeys and make provision for an additional 17,230 sqm of open space in the form of local parks and civic plazas in undeveloped parts of Rhodes Peninsula.

The proposal has passed the Gateway process with conditions and Canada Bay Council is currently preparing a draft Local Environmental Plan.

Council has advised that the draft LEP is not yet available for consideration and reference should be made to the Planning proposal submitted with the Department.

The Planning Proposal states as follows:

It is proposed to implement the Master Plan by incorporating the relevant provisions of SREP 29 into the Canada Bay Local Environmental Plan 2008. This will require the provisions of the SREP to be translated into Standard Instrument format, whilst also being amended to capture the changes proposed by the Rhodes West Master Plan. It is envisaged that the SREP will be repealed when the amendments to the LEP are gazetted.

The Planning Proposal shows how it is proposed to incorporate the SREP provisions into the Canada Bay LEP. Generally, the only provisions that are to be changed are those relating to maximum permitted floor space and height. The proposed development has been designed to comply with the additional allocated floor space and height for the site. Accordingly, it is considered that the proposed development will comply with the proposed draft LEP.

5.1.7 Rhodes West Draft Masterplan 2009

The Rhodes West Draft Masterplan 2009 was approved by Council on 8 December 2009. The masterplan sets out the vision for the development of selected sites in the Rhodes Peninsula.

The masterplan has been adopted by Council and allows for an additional 13,292 sqm of gross floor area allocated to Lots 101 and 102. This results in a total permissible gross floor area for Lots 101 and 102 of 49,377 sqm.

However, more recently the Rhodes West Draft Masterplan 2009 has been adopted by Council and allows for buildings varying in height from 6 storeys to 25 storeys on Lots 101 and 102. Canada Bay Council is currently preparing an amendment to the Canada Bay Local Environmental Plan 2008 to incorporate the masterplan objectives into the statutory planning framework.

5.1.8 Rhodes Peninsula Development Control Plans

The Renewing Rhodes Development Control Plan was prepared in 2002 to guide the redevelopment of the Rhodes Peninsula. The DCP is about to be superseded by the new proposed DCP that Council is currently preparing. Accordingly, it is not considered appropriate to give consideration to the Renewing Rhodes Development Control Plan, as it will soon be ineffective.

The proposed development has been designed to comply with the requirements of the Rhodes West Draft Masterplan 2009. The new proposed DCP for Rhodes is being drafted on the basis of that masterplan. The proposal has also been designed to comply with the provisions of the impending new DCP.

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

State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004 applies to the subject site and requires the submission of a BASIX Certificate with the development application. A BASIX Certificate is at **Annexure 9**.

5.1.10 State Environmental Planning Policy No. 55 – Remediation of Land

Clause 7 of State Environmental Planning Policy No 55 (Remediation of Land) requires the consent authority to consider whether land is contaminated, prior to granting of consent to the carrying out of any development on that land.

Remediation of the site has recently been completed in accordance with the Remediation Development Consent 233-07-2002-i issued by the Minister in 2003 (refer to **Annexure 18**).

A site audit statement will be issued to permit residential development of the site.

5.1.11 Contaminated Land Management Act 1997

The objects of the Contaminated Land Management Act 1997 are as follows:

- (1) *The general object of this Act is to establish a process for investigating and (where appropriate) remediating land that the EPA considers to be contaminated significantly enough to require regulation under Division 2 of Part 3.*
- (2) *Particular objects of this Act are:*
 - (a) *to set out accountabilities for managing contamination if the EPA considers the contamination is significant enough to require regulation under Division 2 of Part 3, and*
 - (b) *to set out the role of the EPA in the assessment of contamination and the supervision of the investigation and management of contaminated sites, and*
 - (c) *to provide for the accreditation of site auditors of contaminated land to ensure appropriate standards of auditing in the management of contaminated land, and*
 - (d) *to ensure that contaminated land is managed with regard to the principles of ecologically sustainable development.*

Remediation of the site has recently been completed in accordance with the Remediation Development Consent 233-07-2002-i issued by the Minister in 2003 (refer to **Annexure 18**). Section 5.9 of this report provides information relating to the current status of the site and the issue of site audits. The information contained in these sections of the Environmental Assessment report is considered adequate to address the objects of the Contaminated Land Management Act 1997.

5.1.12 State Environmental Planning Policy No 65 – Quality of Residential Flat Buildings

Objectives

This Policy applies to residential flat building developments of three or more storeys comprising four or more self-contained dwellings. The Policy aims to improve the design quality of residential flat developments in New South Wales as:

- To contribute to the sustainable development of New South Wales;
- To achieve a better built form and aesthetic of buildings, of the streetscape and the public spaces they define;
- To better satisfy the needs of all members of the community including those with disabilities;
- To maximise amenity, safety and security of the occupants and the community;
- To conserve the environment and to reduce greenhouse gas emissions.

Application

Clause 30(2) of the Policy stipulates as follows:

“(2) In determining a development application for consent to carry out residential flat development, a consent authority is to take into consideration (in addition to any other matters that are required to be, or may be, taken into consideration):

- (a) the advice (if any) obtained in accordance with subclause (1), and*
- (b) the design quality of the residential flat development when evaluated in accordance with the design quality principles, and*
- (c) the publication Residential Flat Design Code (a publication of the Department of Planning, September 2002).”*

Residential Flat Design Code

Annexure 15 contains a table that outlines the compliance of the proposed development against the relevant guidelines contained in the SEPP 65 Residential Flat Design code. The assessment in that table demonstrates that the proposed amendments ensure that the development maintains compliance with the policy and is consistent with its aims and objectives.

Annexure 15 contains the Design Verification Statement for the development, as required by Section 50 of the Environmental Planning and Assessment Regulation, 2000.

An assessment of the development against the design quality principles has been prepared and is contained at **Annexure 15**.

5.1.13 State Environmental Planning Policy (Infrastructure) 2007

State Environmental Planning Policy (Infrastructure) 2007 applies to the subject site. The Policy requires referral of development applications to the Roads and Traffic Authority for comment.

5.2 BUILT FORM AND URBAN DESIGN IMPACTS

The proposed development has been designed to comply with the Rhodes West Draft Masterplan 2009 and the anticipated LEP and DCP. The height and scale of the buildings was the subject of extensive planning research and consideration by Council and other stakeholders.

To demonstrate consistency with the masterplan, an assessment against its main principles is contained at **Annexure 16**.

The preparation of the masterplan was also the subject of an extensive 3D modeling exercise to assist in visual analysis of buildings on the site. These 3D images are included in **Annexure 21**. The images provide an appreciation of how the subject site and the remainder of the Rhodes Peninsula will look once all the buildings are erected in accordance with the masterplan vision.

A view analysis using photomontages is contained at **Annexure 5**. The photomontages show the proposed building from three different angles – from northwest; southwest and southeast. The photomontages show that the development has been designed with the low-rise buildings ‘grounding’ the overall development. This will provide a human scale to the development particularly in the pedestrian environment immediately surrounding the site.

A crime risk assessment report has been prepared and is at **Annexure 20**. The report has been prepared with consideration to the Department of Planning’s guidelines entitled *Crime Prevention and the Assessment of Development Applications*. The report concludes that with the undertaking of certain safety measures, crime risk on the site will be minimised.

5.3 PUBLIC DOMAIN / OPEN SPACE AND ACCESSIBILITY

Site Image landscape consultants were engaged to prepare the landscape plan at **Annexure 6**. The following landscape statement has been prepared by Site Image:

The landscape design has been derived as a response to the characteristics of the Rhodes Peninsula, the architectural design, the existing streetscape and the topography of the site.

As such, the following principles have been embraced:

- To incorporate the landscape intent of the Rhodes Peninsula planning controls.*
- To respect and enhance the streetscape treatment around the development, by incorporate paving, plantings and furniture elements which are established within the Rhodes precinct.*
- To provide a large, public communal open space area that is identifiable, functional, friendly and usable through the central spine of the development, incorporating pedestrian links, gathering spaces, open lawn areas (for formal and informal play), and edge plantings, whilst still belonging to the overall open space regime of the Rhodes peninsula.*
- To establish a sense of place to the communal open space with feature planting and sculptural elements.*
- To enable view corridors through the site to the water.*
- To enable equal access to all public spaces.*
- To provide distinctive and identifiable entries to the residential buildings.*
- To select appropriate, robust and hardy plant material to the Canada Bay area.*
- To provide private communal open space areas that are both attractive and usable to the residents and their guests.*
- To provide privacy from the street and public areas to all residential apartments.*

The site contains opportunities for the provision of public art. A public art strategy will be prepared that provides suitable ideas for the future installation of public art. Good art is the result of a time-consuming and competitive process whereby artists express their interest in creating the artworks. A full detailed public art plan and costing will be submitted before any issue of a construction certificate on the site.

5.4 ENVIRONMENTAL AND RESIDENTIAL AMENITY

The proposed development has been designed to provide for a high level of amenity for the future residents. The buildings comply with the requirements of SEPP 65 and the Residential Flat Design Code – details of which are at **Annexure 15**. In summary, the units achieve the required minimum 70% solar access and 60% cross ventilation. The development complies with the building separation requirements, which ensures good visual and acoustic privacy. All units will be provided with compliant storage inside units and in the basement.

A wind environment report is at **Annexure 12**. The report makes recommendations to ameliorate the effects of wind on pedestrians and building occupants. The recommendations include tree planting and special treatment to selected balconies.

5.5 TRANSPORT AND ACCESSIBILITY (CONSTRUCTION AND OPERATIONAL)

A traffic and parking study has been prepared by TTPA traffic consultants and is at **Annexure 10**. The report has been prepared in accordance with the relevant guidelines and gives consideration to matters relating to traffic generation, on-site car and bicycle parking, servicing and public transport options.

The traffic study analyses the existing public transport options currently available in the locality; and consideration is given to the future circumstances and likely demand for future public transport. The study concludes that the transport services available at Rhodes will be able to accommodate the proposed additional trips.

Measures relating to protection of pedestrian amenity are contained in the construction management plan at **Annexure 19**. A final detailed construction management plan will be submitted for approval with the application for the future construction certificates for the site.

5.6 NOISE AND VIBRATION ASSESSMENT

The Director General requirements require that consideration be given to noise and vibration effects from nearby rail activities, including mitigation and monitoring measures where appropriate, consistent with any guidance published by Rail Corp.

Consultations have also been undertaken with Railcorp (see section 4).

An Acoustic and Vibration Report has been prepared by Acoustic Logic and is contained in **Annexure 13** of this report. The report concludes that with the incorporation of various construction methods and inclusions, the proposed development will comply with the relevant criteria.

An electrolysis report for stray currents from the railway line has been prepared and is at **Annexure 14**. Some construction methods have been recommended in order to resolve the issue of the extent of stray current interference associated with the electrified railway infrastructure, located to the east.

5.7 ECOLOGICALLY SUSTAINABLE DEVELOPMENT

The proposed development has been designed to contain various ESD initiatives to meet the requirements of BASIX. The BASIX Certificate at **Annexure 9** provides details of all the energy efficiency requirements to be installed as part of the construction of the buildings.

On 18 November 2009, Landcom unveiled a new planning tool called Precinx, which analyses the potential sustainability performance of new development projects. Precinx is a mathematical modeling tool to measure the potential sustainability of neighbourhood-scale developments, against environmental, social and economic performance. It comprises six interdependent modules:

- Onsite energy
- Embodied CO2
- Potable water
- Stormwater
- Housing diversity
- Transport.

The Policy is mostly focused on the creation of new suburbs, including new streets and major infrastructure and all its associated dwelling houses. Accordingly, it is not considered to be relevant in the assessment of the proposed development.

All the proposed buildings comply with BASIX, which is the primary energy efficiency State Policy to be used for the construction of new residential buildings. Precinx is not a statutory or policy requirement for high density residential development.

5.8 DRAINAGE AND STORMWATER MANAGEMENT

Stormwater drainage plans have been prepared that provide all relevant details for the stormwater drainage and treatment of stormwater on the site. Details are provided at **Annexure 22**.

The site is not subject to flooding.

An assessment of groundwater on the site is contained in the geotechnical report at **Annexure 24**. The report concludes that water, which has pooled on the site from rain, is likely to be affecting the groundwater readings. Further assessment of the potential existence of groundwater on the site may be required as part of documentation to be submitted with a construction certificate.

5.9 CONTAMINATION HUMAN HEALTH RISK AND GEOTECHNICAL ISSUES

5.9.1 Geotechnical

A preliminary geotechnical investigation has been undertaken to ascertain ground conditions and in particular the level of the underlying sandstone bedrock. This information will be used to develop the appropriate shoring system for the site.

Further geotechnical investigations will now be carried out, the results of which will be used to formulate the structural design for the building forming part of the proposed development.

Preliminary investigations indicate that there is unlikely to be any unusual geotechnical and groundwater conditions.

A geotechnical report which examines the subsurface composition is at **Annexure 24**.

Consideration under the requirements of State Environmental Planning Policy No 55 (Remediation of Land) is at section 5.1.4.

5.9.2 Contamination

All remediation of the site is complete and Thiess, which was responsible for remediation works, have been off-site for many months.

Site Audit statements have been issued for all parts of the site (the site comprising Lots 100 - 107) with the exception of Lots 101, 102 and 106 which are in the process of being finalised.

The site auditor is in possession of the final validation reports and has requested that some minor additional information be provided by Thiess. This information is intended to be provided by no later than 11 June 2010.

The issue of the site audit statements has been intentionally delayed so as to ensure that the site auditor is satisfied with the intended future use of the land comprising lot 101, 102 (and part lot 107/formerly Darling Avenue East and which will now form part of this proposed development) which has varied as a result of this proposal.

Annexure 26 contains Interim Site Audit Advice which concludes that if the proposed changes are made to the development they will not affect the conclusions of the site audit statement. The site audit report and statement are expected to be issued in June 2010 and will conclude that the site is suitable for its intended uses.

5.9.3 Human Health

Meriton has commissioned numerous human health risk assessment reports for both occupation of completed buildings and for construction workers. At the time these reports concluded that the human health risks to workers and occupants were low and acceptable.

Since these reports were generated there are a significant number of factors that have altered which reduce the "low risk" even further. These are as follows -

- a) Thiess are off site and as such there is a significant reduction in truck movements;
- b) Additional road areas (being the major source of dust emissions) have been sealed;
- c) By August 2010 all road carriageways within the entire site will have been sealed thereby eliminating the major source of dust emissions;
- d) There are no further emissions from excavating activities as these have since been completed. Dust emissions from lot 104 and from Point Park have also since been substantially eliminated;
- e) Meriton has put in place management measure to minimise both dust and noise emissions to nominated criteria. For several months now both dust and noise emissions have been below criteria; and
- f) Dust and stack emissions from the neighbouring Lednez site have significantly reduced such that it has been deemed safe for residents to occupy the "Billbergia site".

5.10 UTILITIES

Meriton is in discussions with the various utility providers to ensure that services are made available to the development at the appropriate stage of construction.

5.11 CONTRIBUTIONS

A Voluntary Planning Agreement (VPA) has been entered into with Council for the construction and dedication of 4,600 sqm of public open space valued at \$2,396,876. A monetary contribution of \$4,742,998 is also to be made for a new community centre facility in the Rhodes Peninsula. Other items that form part of the VPA include the provision of a public toilet and bicycle parking facilities. A copy of the VPA is at **Annexure 25**.

5.12 CONSULTATION

Various relevant agencies and community groups have been consulted during the broader period of redevelopment of the Precinct C sites.

More recently, the site has also been the subject of a Council approved masterplan that allows for increased height. The Rhodes West Draft Masterplan 2009, approved by Council on 8 December 2009, was publicly exhibited to residents and considered by the Rhodes Peninsula community consultation group. Canada Bay Council is currently preparing an amendment to the Canada Bay Local Environmental Plan 2008 to incorporate the masterplan objectives into the statutory planning framework. To complement the amended LEP and refine the masterplan objectives, Canada Bay Council is also drafting a Development Control Plan that relates to the site.

The proposed development will be notified by the Department of Planning as part of the assessment process for the Major Project. Any concerned resident or citizen will have the opportunity to raise concern with regard to the proposal.

5.12.1 NSW Department of Environment and Conservation

On 6 November 2006, consultations were undertaken with the DEC in respect of Project Applications at 52 Walker Street. In the correspondence (see **Annexure 17**), the DEC stated that it would prefer to give its consideration to all proposals on the site once they are submitted to the Department of Planning and referred for comment. At that time, it will make a thorough assessment of the proposed developments.

5.12.2 NSW Department of Health

On 20 November 2006, the Sydney South West Area Health Service (NSW Health) was consulted, by telephone and email, in respect of Project Applications at 52 Walker Street. An email response and confirmation was received that same day. The email outlined issues that require consideration in all Project Applications at 52 Walker Street. Refer to **Annexure 17** for email correspondence.

NSW Health identified that it has previously provided comments in respect of Lot 100 in Precinct C. Its comments relate to timing of occupation and apartments; risks to construction workers; and reuse of stormwater and grey water. Meriton informed NSW Health that occupation of the apartments is not intended before remediation on the site is concluded and that reporting has been done in respect of the health risk of workers. Meriton also informed NSW Health that it would harness the use of stormwater and grey water in accordance with the appropriate regulations.

More recently, the remediation activities on the site have concluded. The Draft Statement of Commitments contained in this Environmental Assessment provides details in respect of occupation.

5.12.3 Sydney Water Corporation

On 25 November 2005, Sydney Water Corporation was consulted in respect of Project Applications at 52 Walker Street (see **Annexure 17**). No response was received from Sydney Water. However, it is anticipated that a similar response to the RTA would be received from Sydney Water (see below).

5.12.4 NSW Roads & Traffic Authority

On 28 November 2005, the RTA was consulted in respect of Project Applications at 52 Walker Street. On 9 December 2005, the RTA responded and advised that a thorough assessment would be made through the referral process with the Department of Planning upon the Environmental Assessment Report and plans being lodged with the Minister (refer to **Annexure 17**).

5.12.5 Railcorp

On 20 November 2006, consultation (see **Annexure 17**) with Railcorp confirmed that the issues that have been identified for all development lots at 52 Walker Street are electrolysis and rail vibration. An electrolysis report and an acoustic and vibration assessment report have been prepared and they are at **Annexure 13**.

5.12.6 Rhodes Community Consultative Committee

On 30 November 2005, a presentation on the proposed development was made to the Rhodes Community Consultative Committee. Questions were taken and addressed. The main issues raised related to the staging of development and how long it would take to complete. Contact details were provided and to this date no submissions or queries were received.

More recently, during the preparation of the Rhodes West Draft Masterplan 2009, the Rhodes Community Consultative Committee was actively involved in the process of formulating the parameters of the new masterplan.

5.13 STAGING

The development is to be constructed in two stages.

Stage 1 is to involve the construction of Buildings D and C and a northern segment of the public park. The area of public park is to be constructed and completed before issue of an Occupation Certificate for Building C. The landscape staging plan at **Annexure 6** shows the extent of the public park to be constructed in Stage 1.

Stage 2 is to involve the construction of Buildings B and A and the remainder of the public park. The remainder of the public park is to be constructed and completed before issue of an Occupation Certificate for Building A. The landscape staging plan at **Annexure 6** shows the extent of the public park to be constructed in Stage 2.

These details are also contained in the draft Statement of Commitments.

5.14 STATEMENT OF COMMITMENTS

Relevant to the proposed development, statement of commitments relate to stormwater management, construction impacts, project waste management, waste collection, crane management, staging of construction/open space and staging of construction/amenity of existing residents. The commitments proposed below also identify the general environmental risk associated with construction and provides solutions to remedy the risk. Each of these issues and commitments are made in the paragraphs that follow in this section.

5.14.1 Stormwater Management

Stormwater management of the site will be designed in accordance with the relevant guidelines of Canada Bay Council.

An undertaking is made that stormwater will be removed from the development lot by way of pipes and pits connected to the public drainage system (currently being designed on behalf of Meriton Apartments Pty Ltd).

Drainage pipes will be designed to account for 1 in 20 and 1 in 100 year flooding similar to Meriton's other developments on Lots 100, 103 and 104 at Precinct C.

Where possible, stormwater will be captured and stored for irrigation purposes for landscaping for the completed development. The use of any such water will be undertaken in accordance with the relevant standards and regulations.

5.14.2 Construction Impacts

Excavation for the car parking basement levels will involve water tanks placed upon trucks being used to wet the site on a periodical basis to reduce dust emissions, which is a standard method on construction site.

Noise emissions are primarily from machinery on the site and trucks entering and leaving a development site. To minimise noise impacts, the hours of work will be restricted to between 7am-6pm Monday-Fridays 7am-3pm Saturdays, and no work on Sundays.

Sediment run off will be managed with the provision of siltation traps, silt meshing at sensitive locations along the perimeter of the site during construction of the buildings. Sediment control management will be based on the Canada Bay Council's guidelines.

A truck route map will be made available to Council identifying which way vehicles will arrive and depart the site.

5.14.3 Waste Generation and Collection

Construction material on the site is used in an efficient manner to reduce wastage and costs. All construction material that is no longer requires is sent to local building recycling companies or reused elsewhere on site where applicable.

Waste collection for the final development has been designed to take place from the basement car parking levels. The ceiling to floor heights and manoeuvrability of trucks have been designed as instructed by TTPA traffic consultants to ensure Council garbage trucks and service vehicles can enter and leave the site in a forward direction (refer to **Annexure 8**).

Where possible, grey water will be captured and stored for irrigation purposes for landscaping. The use of any such water will be undertaken in accordance with the relevant standards and regulations.

5.14.4 Use of Cranes

Cranes and other equipment will not intrude above rail corridor land.

Wiring will be appropriately covered where equipment or cranes are over transmission lines.

5.14.5 Staging of Development and Occupation

The development is to be constructed in two stages.

Stage 1 is to involve the construction of Buildings D and C and a northern segment of the public park. The area of public park is to be constructed and completed before issue of an Occupation Certificate for Building C. The landscape staging plan at **Annexure 6** shows the extent of the public park to be constructed in Stage 1.

Stage 2 is to involve the construction of Buildings B and A and the remainder of the public park. The remainder of the public park is to be constructed and completed before issue of an Occupation Certificate for Building A. The landscape staging plan at **Annexure 6** shows the extent of the public park to be constructed in Stage 2.

5.14.6 Mitigation of Amenity Impacts from Construction Activities

Relevant mitigation matters have been identified and addressed above. A complete Construction Management Plan will be prepared and submitted with an application for a Construction Certificate for the development.

6 CONCLUSION

In accordance with Part 3A of the Act, the proposed development is a major project application by virtue of Schedule 2 pursuant to SEPP (Major Projects) and is an appropriate form of development.

The proposed development of 583 residential apartments at Lots 101 and 102, 52 Walker Street, Rhodes, is permissible with the Minister's consent and provides a high quality development, which exhibits a high standard of architecture and excellent residential amenity. The development will make a notable contribution to the Rhodes Peninsula assisting in the revitalising of this former industrial land.

The design concept provides for built form that has a strong sense of edge to the streetscape whilst creating a central public park area. The design adopts both strong architectural and urban design principles that allow the development to integrate well within its context.

Visual corridors are maintained whilst view vistas through to the site are established to provide visual linkages through and beyond the site advancing the public environment at street level.

The key design consideration was to create a positive lifestyle environment for the residents and take advantage of the site location with its proximity to foreshore open space and outlook to Homebush Bay. The site comprises an entire block and an appropriate response is developed to embrace its immediate context as well as contributing to the precinct as a whole.

The proposal satisfies the intent of Sydney Regional Environmental Plan No. 29 and the Rhodes West Draft Masterplan 2009 as well as the other relevant planning instruments. The apartments provide a high level of residential amenity through their spacious design, orientation, natural ventilation and visual outlook to contribute to providing a mix of housing choices on the Rhodes Peninsula.

This Environmental Assessment Report has demonstrated that the development is an appropriate residential development in terms of floor space, building height, quality of design and finishes, provision of active street frontages, provision of quality open space, access to natural light, traffic, parking and waste management.

The development will significantly improve the view of the Rhodes Peninsula from Homebush Bay and will enhance the address of the surrounding street network. Occupants of the development will enjoy immediate access to excellent public transport, recreational, cultural, and retail, services of the Rhodes Peninsula. The development supports and reinforces the continuing redevelopment of the Rhodes Peninsula as a lively, sustainable, and pleasant place to live.