

**PREFERRED PROJECT REPORT
MP 10_0058**

LOTS 101 & 102, 52-58 WALKER STREET, RHODES

SEPTEMBER 2010

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1.0 INTRODUCTION

A Project Application under Part 3A of the Environmental Planning and Assessment Act was lodged with the Department of Planning on 4 June 2010 for a mixed-use development including basement car parking, communal and public open space and private gymnasium and swimming pool facilities. The Project Application (MP 10_0058) was publicly exhibited by Canada Bay Council for 30 days which ended on 30 August 2010.

On 31 August 2010, Canada Bay Council forwarded a letter detailing the issues raised in its preliminary assessment of the Project Application along with public submissions received during the exhibition period. A copy of the Council's comments is at **Annexure 1**.

To address concern raised and to generally improve the development a revised set of architectural plans accompanies this report. An assessment of the amended plans under the relevant proposed planning controls is also included in this report (details at section 3).

This Preferred Project Report has been prepared in accordance with Section 75 of the Environmental Planning and Assessment Act, 1979. The report addresses all relevant issues raised during the notification period and those raised by the Council in its preliminary assessment of the proposal, which is being undertaken on behalf of the NSW Department of Planning.

This report also contains an amended Statement of Commitments, which is at **Annexure 9**.

This report:

- Outlines the submissions received from each party during the notification period;
- Details the issues raised by the Council in its letter dated 31 August 2010;
- Identifies and describes the response to the submissions received and issues raised and details the proposed improvements to the project; and
- Provides a conclusion to the report.

2.0 RESPONSE TO SUBMISSIONS RECEIVED

The Project Application (MP 10_0058) was recently publicly exhibited until 20 August 2010. Submissions were received from the following organisations:

1. Sydney Water;
2. Railcorp;
3. NSW Health;
4. NSW Department of Climate Change & Water;
5. NSW Department of Transport;
6. SRDAC (RTA);
7. NSW Maritime;
8. Surrounding Residents; and
9. Ryde City Council.

A copy of the submissions is at **Annexure 1**. The issues raised in the submissions are addressed under each organisation below.

2.1 Sydney Water

A copy of the submission received from Sydney Water is included at **Annexure 1**.

No concerns were raised by Sydney Water. The submission states that further consideration will be given to the development once an application is made for a Section 73 Certificate. At such time, Sydney Water will assess if any amplification or changes to the system are necessary.

It is standard to include as a condition of consent the requirement to apply for a Section 73 Certificate.

2.2 Railcorp

A copy of the submission received from Railcorp is included at **Annexure 1**.

Railcorp has raised concern about the acoustic and vibration effects arising from possible increases in rail movements along the adjacent railways line. These concerns have been considered by Meriton's acoustic consultant, Acoustic Logic, and concluded that any likely future impacts will be acceptable. Correspondence from Acoustic Logic is at **Annexure 7**.

2.3 NSW Health

A copy of the submission received from NSW Health is included at **Annexure 1**.

NSW Health requests that consideration be given to better design of the public open space to encourage maximum usage. The proposed public open space has been redesigned to address the issues raised by Council's urban design consultants (see sections 3.2 and 3.3 of this report). The amended landscape plans are at **Annexure 4**. The plans show that the public park now has three distinct areas - an area of deep soil with extensive planting and vegetation; a central area that is more suitable for active uses; and the area alongside Walker Street that provides a viewing area between the buildings and towards Homebush Bay.

NSW Health raises the issue of affordable housing. The site is not subject to any Council or state affordable housing programs. It remains Meriton's view that increasing housing supply does in fact assist in easing housing prices.

NSW Health raises concern over the cumulative traffic impacts in the area. The proposed development is consistent with the yields anticipated for the site and is part of an extensive masterplanning exercise for the Rhodes Peninsula. All cumulative traffic impacts have been previously considered.

NSW Health raises concern about the health risk of residents in the area from remediation activities. The NSW Department of Climate Change & Water confirms that the subject site has been fully remediated and site audit documentation has been completed that confirms suitability of the proposed use (see 2.4, below).

2.4 NSW Department of Climate Change & Water

A copy of the submission received from NSW Department of Climate Change and Water is included at **Annexure 1**.

The Department confirms that the subject site has been fully remediated and site audit documentation has been completed that confirms suitability of the proposed use. The Department raises no further issues.

2.5 NSW Department of Transport

A copy of the submission received from NSW Department of Transport is included at **Annexure 1**.

In response to the issues raised in the Department's letter, the proposed amended development provides further reduced parking to comply with the draft Rhodes West DCP. Bicycle parking is also to be provided in accordance with the requirements of the DCP. These measures, combined with the proximity of the development to the railway station, will reduce reliance on private vehicles for transport.

2.6 SDRAC (RTA)

A copy of the submission received from SDRAC is included at **Annexure 1**.

In response to the issues raised in the SDRAC letter, Meriton's traffic consultant, TTPA, has advised that it is unnecessary for TTPA to undertake traffic modeling because the proposed development yield is as contained in the Halcrow MWT modeling. It is also noted that the proposed development has been amended to comply with the maximum parking rates imposed in the draft Rhodes West DCP.

2.7 NSW Maritime

A copy of the submission received from NSW Maritime is included at **Annexure 1**.

NSW Maritime did not raise any issues.

2.8 Surrounding Residents

A copy of the submissions received from surrounding residents is included at **Annexure 1**.

The issues raised by surrounding residents are summarised under the categories below.

Traffic and parking effects

Rhodes West peninsula has been the subject of recent masterplanning to determine the extent of additional development that can be sustained in the area. The masterplan included traffic modeling undertaken by Halcrow. The subject proposed development at Lots 101 and 102 is in accordance with the anticipated yields in that traffic modeling. Accordingly, the proposal will not create any traffic impacts that exceed those anticipated in the already approved traffic modeling.

Recently the Council has adopted a draft DCP and is currently preparing an amendment to the Council's LEP to incorporate the main planning controls such as height and floor space ratio. The proposed development complies with the proposed height and FSR controls of the LEP and the amended proposed development provides for resident and visitor parking that complies with the maximum rates imposed in the draft DCP.

Insufficient community facilities and open space

The masterplanning exercise gave consideration to the capacity of existing infrastructure in the area. It has been considered that facilities in the area generally have the capacity to accommodate the additional development anticipated by the masterplan.

The subject proposed development includes a new public park with various landscaped areas that will provide improved recreational facilities for the broader Rhodes area. The development also provides for a childcare centre.

The Environmental Assessment report submitted with the Major Project Application contains consideration of the potential impacts on other services and facilities in the area. The report concludes that the proposed development is generally acceptable in this context.

Energy efficiency

The proposal has been designed to meet the standards and requirements set by the State Government requirements under BASIX. The development includes a range of energy efficiency measures to satisfy those requirements.

Unattractive development

The proposed development has been designed in accordance with the approved masterplan for the site and the requirements of the draft DCP and proposed LEP. The building footprints, general siting, building heights and density are all consistent with those controls. The architectural treatment of the buildings has been given careful consideration to ensure they offer a high standard of design integrity.

Lack of consultation and planning

The masterplanning process that was undertaken for the Rhodes West peninsula area involves community consultation. That process made the planning intentions for the area clear. The Council has since moved onto preparing a draft DCP and an amendment to the LEP to implement the principles of the approved masterplan. The LEP and DCP making process are contained on Council's website and are available for public comment.

Overshadowing

The proposed development complies with the maximum height requirements proposed in Council's LEP. Accordingly, the impacts of overshadowing are not beyond those already anticipated under the planning controls. Notwithstanding, the shadow diagrams that are contained in the submitted Environmental Assessment report show that properties on the eastern side of the railway line are only affected by shadow at 9am at mid-winter and marginally at the Equinox. At all other times of the day and throughout the year, those properties are not affected by any overshadowing impacts. This will ensure that the development does not result in shadowing that will reduce solar access to the properties to less than the generally accepted 3 hours per day.

2.9 Ryde City Council

Ryde City Council has raised no objection to the proposal and has relied upon the assessment undertaken by Canada Bay City Council. A copy of the letter from Ryde Council is at **Annexure 1**.

3.0 RESPONSE TO CANADA BAY COUNCIL COMMENTS

On 31 August 2010, Canada Bay Council forwarded a letter detailing the issues raised in its preliminary assessment of the Project Application. Accompanying the letter were the comments received from Gabriel Morrish and John Toon who have been engaged by Council to provide urban design comments on the proposal. Copies of the Council's letter and the urban design assessment reports are at **Annexure 2**.

The following provides a response to each of the issues raised in the above correspondence.

3.1 Canada Bay Council

3.1.1 Compliance with applicable planning controls

The proposal has been amended to address various issues raised relating to the development. The amended plans are at **Annexure 3**.

Annexure 6 contains an assessment of the amended proposal against all the relevant provisions contained in the draft Rhodes West Development Control Plan. The assessment table demonstrates that the proposal generally complies with the requirements of the draft DCP. Where a variation is sought, it has been justified.

The following paragraphs address the specific points raised in Item 1 of Council's letter.

Built Form

The height of the proposed buildings is considered to comply with the LEP controls that are being drafted for the site. The building height map that is being prepared to accompany the LEP amendment shows a maximum height of 82 metres for the subject site. All buildings on the site comply with that requirement.

The height controls contained in section 5.6 of the draft DCP appear to have some anomalies. Controls C1, C2 and C3 state how many storeys the building may contain, and Figure 8.3 contains maximum RL information for each building. However, the maximum RLs do not allow for the buildings to achieve the maximum number of storeys.

It is considered that the DCP needs to be amended to ensure the maximum RLs for the building allow for the maximum number of storeys to be built. In this respect, it is reiterated that the proposal complies with the proposed maximum building height map for the LEP amendment.

Setbacks

The issue of setbacks is addressed in section 3.2, under Gabriel Morrish's issues.

Diversity of Apartment Types

The proposal has been amended to ensure that 15% of the apartments are adaptable. One disabled parking space has been provided in the basement for each adaptable dwelling. The amended architectural drawings are at **Annexure 3**.

Above Ground Open Space

The issue of balconies is addressed in section 3.2, under Gabriel Morrish's issues.

Waste Minimisation, Storage and Removal

Response under 3.1.5 below.

On Site Parking

Response under 3.1.3 below.

Storage Area for Individual Apartments

A unit storage schedule has been prepared and is at **Annexure 8**. The schedule demonstrates that the proposal complies with the storage requirements of SEPP 65.

3.1.2 Urban design

Refer to sections 3.2 and 3.3 of this report for consideration of the urban design reports prepared by Gabriel Morrish and John Toon.

3.1.3 Traffic parking and access

The proposal has been amended to provide parking to comply with the requirements of the draft Rhodes West DCP. In this respect, the following parking provisions are proposed:

Maximum requirement	Proposed	Required	Complies
Resident: 1 space/unit (527 spaces)	527 spaces	527 spaces	Yes
Visitor: 1 space/10 units (53 spaces)	53 spaces	53 spaces	Yes
Childcare: 1 space/4 children (13 spaces)	13 spaces	13 spaces	Yes
Bicycles: 1 space/3 units (176 spaces) for residents	527 spaces	527 spaces	Yes
1 space/12 units (44 spaces) for visitors	44 spaces	44 spaces	Yes

The amended parking layout is shown on the plans that are contained at **Annexure 3**.

The port cocheres have been deleted from the front of Buildings A and C. The entry areas to these buildings have been redesigned and landscaped. Amended architectural plans and landscape plans are at **Annexure 3** and **4**, respectively.

Two car share spaces are proposed to be provided for the development. The car share spaces are to be located on the street, which provides for more convenient access for users of the scheme.

3.1.4 Open space and landscaping

Amended landscape documentation has been prepared by Site Image that addresses the concerns raised by Council. The amended landscape documentation is at **Annexure 4**.

3.1.5 Waste management

Meriton's waste management consultant, Wastech, has amended the waste management report to address the concerns raised by Council in relation to waste management. The amended report is at **Annexure 5**.

3.1.6 External referrals

Refer to section 2 of this report for consideration of all external referral comments received.

3.1.7 Submissions received in response to public notification

Refer to section 2 of this report for consideration of all submissions received from public notification.

3.2 Gabriel Morrish

Relating to local context

The site analysis and locality context plans have been amended to incorporate future buildings to the south. The updated plans are included in the amended architectural drawing set at **Annexure 3**. The Environmental Assessment report that accompanied the Major Project application includes site and locality context plans and diagrams showing the proximity of the site to the Rhodes railway station and surrounding facilities.

The public domain areas surrounding the site are the subject of a previous development approval. DA 497/2007 was issued by Canada Bay Council on 17 April 2008 and gave approval for streetscape and landscaping works to the public domain areas.

Building envelopes and building depth

As stated under Section 3.1 of this report, it is considered that the proposed development complies with the intended planning controls for the site. Specifically, the proposal complies with the proposed LEP building height map and the draft DCP in respect of the maximum number of storeys.

In terms of building depth, we note that Gabriel Morrish has determined that Buildings B and D have generally SEPP 65 compliant depths.

The depths of the two towers, Buildings A and C, vary because of the elliptical shape. The depth of the buildings is also influenced by the 2-metre wide internal circulation areas and corridors, which will provide a high level of amenity for the building residents. The single aspect apartments in the towers have depths of 8 to 8.5 metres (only 1 apartment on the floorplan of each tower has a depth of 10 metres). All kitchens in every apartment are within 8 metres of primary windows.

The elevated nature of the apartments will ensure that the apartments in the towers will receive a high level daylight penetration, particularly because there will be no trees or other objects near the ground to shield daylight. 61% of the total number of apartments in the proposal achieve cross ventilation, which exceeds the SEPP 65 minimum of 60%.

For the reasons above, it is considered that proposed Buildings A and C are acceptable in terms of building depth.

Building separation

With regards to surrounding sites, the following table demonstrates that the building separation complies with the requirements of SEPP 65.

	Subject Setback	Road Reservation	Opposite Setback	Building Separation
Shoreline Drive (west)	5 metres +	22 metres +	5 metres +	= 32 metres
Nina Grey Avenue (south)	5 metres +	16 metres +	3 metres +	= 24 metres
Walker Street (east)	Not relevant			
Meredith Avenue (north)	5 metres +	14 metres +	3 metres +	= 22 metres

Street setbacks

Gabriel Morrish acknowledges that the proposal generally complies with the setback requirements of the draft DCP.

The proposed setback of the towers is in accordance not only with the draft DCP but also with the urban design direction of John Toon in earlier consultations.

Deep soil zones

The location of trees as recommended in the wind environment study has been reconsidered and incorporated, where appropriate, in the redesign of the landscaped area. The amended landscape plan is at **Annexure 4**.

Meriton's landscape design consultants, Site Image, have incorporated trees onto the site where deep soil is to be provided or where appropriate soil depth over podium can be achieved in order to host the identified trees.

Fences and walls

The streetscape elevations have been redesigned to ensure that fences dividing private spaces from public spaces do not exceed 1.8 metres in height. The amended architectural plans are at **Annexure 3**.

The interface between the public park and the proposed development has been redesigned by Meriton's landscape consultants. The amended landscape plans at **Annexure 4** show that additional mounding and/or terracing has been incorporated into the interface area to ensure an improved visual transition.

Meriton is willing to accept a limit of 1.8 metres on the height of fencing to the courtyard areas. The architectural plans have been amended to adjust fencing to address this.

The architectural plans have been amended to provide improved accessibility between the communal open space of the buildings and the central public park area. The amended architectural plans are at **Annexure 3**. The landscape plans have also been amended, providing an improved buffer alongside the building podiums. These amendments can be seen on the landscape plans at **Annexure 4**.

Landscape design

The landscape for the public park has been redesigned to provide for the 'three-room' concept promoted by John Toon. Details are provided at section 3.3 of this report.

The substantial hard paved areas have been removed from the public park and much more emphasis has been placed in providing soft landscaping.

The proposed trees that were identified on the wind environment study for the Walker Street end of the public park gave no consideration to the fact that the approved public domain plan for the Precinct contains street trees. The approved street trees will provide the function intended by the tree locations in the wind environment report.

The proposal complies with the minimum deep soil requirements. It is considered that the existing proposed distribution of deep soil relates well to the proposed amended landscape design for the public park. The landscape 'room' along Shoreline Drive contains a large area of deep soil and provides for extensive deep planting and soft landscaping. A 2-metre deep soil area is provided around the perimeter of the site, which will provide opportunities for deep soil planting to visually soften the development.

Open space

The public park area has been redesigned as explained above. A copy of the amended landscape design is at **Annexure 4**.

Orientation

The rotation of Building C in an attempt to reduce overshadowing to the public open space is not favoured as it will result in adverse impacts on the apartments. If Building C is rotated, a more direct line of sight will occur between its east facing apartments and the apartments in Building D. This is not considered to be a positive outcome.

In any case, the shadow diagrams submitted with the Environmental Assessment report show that the parts of the public park area will receive solar access at various times throughout the day at mid-winter. Access to sunlight in the public park will always be achievable.

Planting on structures

The proposed amended landscape plans provide for the information adequate to undertake an effective assessment of the intended landscape. Meriton's landscape consultants have given careful consideration to the location of deep soil and how it can be utilised to provide for an effective landscape design. The proposed plantings on podium areas will be contained in planter boxes and the like and detailed information will be provided with the documentation for a construction certificate.

The rooftop areas of Buildings B and D will be covered in pebbles to provide for a visually interesting outlook from units above in the two towers.

Stormwater management

The Water Sensitive Urban Design Measures attached to the Environmental Assessment report are the subject of a previous approval. The documentation was provided only to demonstrate that the broader Precinct C provides for water sensitive urban design measures. It is acknowledged that some redesign will be required to ensure proper integration between the subject site and surrounding infrastructure. The inconsistencies have arisen because of the fact that the subject site was previously two separate development sites. Rectification of these inconsistencies will be addressed in the issue of construction certification documentation.

The stormwater drainage concept plans have been submitted with the Major Project Application and are at Annexure 22 of the Environmental Assessment report.

Safety

The landscape plans have been amended, providing an improved buffer alongside the building podiums. These amendments can be seen on the landscape plans are **Annexure 4**. The buffered areas eliminate the casual surveillance concerns.

The building entry areas to the towers have been modified by removing the port cocheres and improving the safety of the area. The amended design ensures there are limited hiding places.

A broad and direct pathway is provided into both tower entry areas. This ensures a safe and open environment.

Stair egress points have been reconsidered and rectified where appropriate. The amended landscape plans have been designed to identify each of the egress points. The architectural plans and landscape plans are at **Annexure 3** and **4**, respectively.

Visual privacy

The amended architectural drawing set includes detailed information on the proposed fences. The information shows the proposed materials and their composition.

Section diagrams are included with the architectural drawing set. The elevation plans also show the ground level line and the proposed street level line. This information shows the proposed level differences between the courtyard areas and the public domain.

Screening has been applied to balconies where appropriate to minimise overlooking opportunities in the L shaped areas of the proposed development. The screening devices are shown on the architectural drawings.

Building entry

The provision of two separate entrances each for Buildings B and D is considered to provide better amenity and assist in way-finding. Appropriate street numbering for the building will be issued according to the building entry locations on each street frontage. The presence of an entry on each street is also considered to improve streetscape activation and provide better amenity in the internal circulation areas.

On the northern side of the development, the pedestrian entry to Building D is immediately adjacent to the vehicle entry. This is because there are limited options for the building entry location. In any case, there will be a high level of visibility between pedestrian and vehicles in this location which will prevent conflicts from occurring.

All building entries have broad and direct pathways to the building entry areas. Adequate and appropriate illumination will be provided to provide a safe environment at night.

The port cocheres have been deleted from the proposal and the entrance areas to Buildings A and C have been redesigned. Details are provided on the architectural plans and landscape plans at **Annexure 3** and **4**, respectively.

Parking

The proposed car parking configuration provide for adequate deep soil around the perimeter of the site and allows for the large area of deep soil required for the landscaped 'room' along the Shoreline Drive frontage of the site.

The basement parking area has been redesigned to be more efficient and address 'dead ends' and the like. The amended plans are included at **Annexure 3**.

Bicycle and motorcycle parking has been provided in accordance with the requirements of the draft DCP. Demonstration of compliance with bicycle and motorcycle parking is contained in the draft DCP assessment tables at **Annexure 6**.

The amended landscape plans at **Annexure 4** show bicycle parking facilities in the public park area.

Pedestrian access

The setback area between the site boundary and Building C is to be well landscaped to provide a lush and visual buffer. This will integrate visually with the adjacent public park area. The building entry location is clear and easily distinguishable.

Gabriel Morrish acknowledges that the towers have good access to the communal facilities. Direct access is provided from the Level 1 lobby area of Building B into the adjoining communal facilities. Building D has slightly less direct access to the communal facilities and requires access through Building C. However, this is largely unavoidable due to site topography and other site constraints.

In accordance with the draft DCP, the number of pedestrian entrances to residential buildings have been maximised to achieve street surveillance. Buildings B and D each have two entry lobbies – a lobby facing each street.

The proposed port cocheres have been deleted from the proposal.

Vehicle access

The proposed vehicle entry locations have been amended so that they have opening no wider than 6 metres.

The amended architectural plans show the vehicle entries to Blocks B and D are 4 metres maximum height.

The entries to the car parking basement will be fitted with gates that will provide screening and security to the basement areas of the development.

The proposed port cocheres have been deleted from the towers and replaced with pedestrian entry areas and landscaping.

The main pedestrian entry to Building B satisfies the required 6-metre separation from the vehicular access driveway from Nina Grey Avenue.

Apartment layout

Gabriel Morrish acknowledges that the apartments generally comply in terms of the depth of apartments, from the windows to the back of the kitchens. Some units have been identified as having 'obstructions' in the way. However, these do not give rise to non-compliance and the access to natural ventilation objective is still achieved.

The internal planning of the apartments provides for appropriate location of kitchens and storage and bench space to meet the requirements of the intended market.

Media rooms have been provided where possible in every apartment. There are no planning controls that require their inclusion. The spaces can serve as internal storage.

Unit 430 in Building C has been deleted from the proposal and the internal floor area of the building has been reconfigured to provide for a different mix of apartments.

Storage provisions for apartments has been provided in accordance with the SEPP 65 Residential Flat Design Code. A unit storage schedule has been prepared and is at **Annexure 8**. The schedule demonstrates that the proposal complies with the storage requirements of SEPP 65.

Balconies

Screening has been provided to balconies where appropriate to minimise overlooking opportunities in the L shaped areas of the proposed development. The screening devices are shown on the architectural drawings.

The architectural plans at **Annexure 3** now illustrate a shaded area that demonstrates that each balcony can provide for the minimum required 2-metre depth.

Flexibility

The amended architectural plans ensure that the development provides 15% of apartments as adaptable in accordance with the requirements of the draft DCP. The plans are at **Annexure 3**.

Ground floor apartments

All ground floor apartments address the street directly, other than those facing Shoreline Drive in Building C which are set back behind the landscaped area. This is considered acceptable in the context as the landscaped setback area will provide a lush and visual buffer and will integrate visually with the adjacent public park area.

Where levels permit, ground level courtyards are accessible directly from the communal open space. This has been achieved for almost all ground level apartments facing the communal space.

Internal circulation

Buildings B and D comply, in that no more than 8 apartments are located off the corridor.

Building C complies, in that no more than 8 apartments are located off the corridor at Levels 6 and above. Below that level, 9 apartments are located off the corridor.

Building A provides for 9 apartments located off the corridor.

The proposed variations to Buildings A and C are considered acceptable given that:

- The corridor widths are 2-metres to provide a high level of amenity;
- A total of four lifts are provided for each tower; and
- The core is located centrally, so the length of corridor from the lift is no more than 18 metres.

Mixed use

The proposal includes a shop and childcare centre. No further non-residential uses are proposed as part of the development. It is considered that the proposed non-residential components in addition to the apartments accessed directly from the street will ensure adequate street activation.

Storage

A unit storage schedule has been prepared and is at **Annexure 8**. The schedule demonstrates that the proposal complies with the storage requirements of SEPP 65.

Acoustic privacy

The acoustic report that was submitted with the Environmental Assessment report contains all relevant matters for consideration to ensure that the development meets all acoustic requirements for aural privacy.

Daylight access

It is considered that the subject site is characterised as dense development and therefore should be considered under the 2-hour solar access rule of thumb in SEPP 65. It is noted other previous approvals for Meriton's developments in Precinct C have been accepted with the 2-hour solar access rule of thumb, having been considered as being in a dense urban area.

The corridors on levels 2 to 23 of Buildings A and C are proposed to be 2 metres wide. This generous width will provide good internal amenity to those areas in lieu of access to natural daylight. The corridors of Buildings B and D have access to natural light and ventilation.

Natural ventilation

An amended set of cross ventilation diagrams has been prepared and is included in the architectural set of plans at **Annexure 3**. The proposal achieves 60% of units with cross ventilation.

Facades

The colours and materials board submitted with the Environmental Assessment report is to be considered in the context of the photomontage that accompanies the board. The photomontage shows the proposed location of the gold-tinted glazing, which is to be provided on the towers. The grey tint glazing is to be provided to the windows of the development.

The use of painted masonry is effective to provide visually interesting elevations, particularly above street level where the building's various elements can be repainted. This provides for easy and cost-effective building maintenance.

Information relating to the colours and materials of the interior spaces of the building will be provided with the construction certificate documentation.

A maintenance program to ensure upkeep of the building finishes will be provided prior to a building occupation certificate being issued. Under the building warranties scheme, builders/developers are required to make good any defects within the first 7 years from completion of the building.

Roof design

The rooftop structures are an important architectural feature of Buildings A and C. The architectural features are permitted under clause 5.6 of Council's LEP and are not factored into the maximum height control for the buildings.

Waste management

All buildings are fitted with garbage chutes. They are clearly identified in the garbage room on each level of every building. The amended architectural plans are at **Annexure 3**.

3.3 John Toon

The design of the public park area has been reconfigured to address the concerns and preferred approach outlined by John Toon. The three-room approach has been fully adopted by providing:

1. A deep soil planting area alongside Shoreline Drive;
2. A central area containing formal tree plantings and totem placement with a defined view line corridor; and
3. An upper area along Walker Street with improved access and enlarged viewing platform.

The amended landscape plans are at **Annexure 4**.

4.0 CONCLUSION

Issues raised by Canada Bay Council and arising from the notification period of the Project Application have been adequately addressed in this Preferred Project Report. The proposed development is considered to address all relevant matters listed in the Director General requirements and is worthy of approval.