

Proposed Mixed Residential & Retail Development Site 2A & 3A Walker Street, Rhodes

February 2011

Prepared for **Billbergia Developments Pty Ltd**

Major Project MP 10_0105
Preferred Project Report

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1 Introduction

1.1 Preliminary

This Preferred Project Report has been prepared by Architectus Group Pty Ltd on behalf of the Proponent Billbergia Developments Pty Ltd, to provide a response to the submissions received during the exhibition period of Major Project Application MP 10_0105 for the proposed mixed residential and retail development at Site 2A and 3A, Walker Street Rhodes.

The Environmental Assessment (dated December 2010) was submitted to the NSW Department of Planning and the City of Canada Bay Council and exhibited between 15 December 2010 and 11 February 2011.

This Preferred Project Report provides a detailed response to the issues raised in the submissions, and includes modifications to the proposed development and Draft Statement of Commitments.

The Preferred Project Report is structured as follows:

- **Section 2: Key amendments to the Project Application**

This section describes the changes to the exhibited Project Application in response to the submissions.

- **Section 3: Responses to submissions**

This section outlines the Proponent's response to each individual submission from State and local government departments and agencies and the public.

- **Section 4: Revised Draft Statement of Commitments**

- **Section 5: Conclusion**

This report should be read in conjunction with the plans and documentation provided at **Appendices A to F**.

2 The preferred project

2.1 Overview

This section of the Preferred Project Report describes the preferred project including the amendments to the proposal following the exhibition of the Environmental Assessment. Planning consent is sought from the Minister for Planning for the construction of a mixed residential and retail development at Site 2A and 3A within Precinct B at Rhodes West.

The following is a brief overview of the preferred project including amendments following the exhibition of the project application in response to submissions received on the Environmental Assessment:

- **734 residential units** built across **5 separate buildings** within the subject lot:
 - **Building A** - 25 storeys containing 251 units;
 - **Building B** – 6 storey building containing 65 units;
 - **Building C** – 20 storey building containing 160 units;
 - **Building D** – 25 storey building containing 208 units; and
 - **Building E** – 6 storey building containing 50 units.
- **773 car parking spaces** and **113 bicycle spaces**, which are located in two basement levels.
- An **additional 137 bicycle spaces** are located in the public domain adjacent public entries and the retail uses;
- **A public park of 11,530m²** to be dedicated to Council. The design and embellishment of the park is to be subject to a separate Part 4 Development Application.
- **Common landscaped open space** between buildings B and C on Podium level, on level 1 on the southern side of Bldg B and on Level 07 to the north end of Building D and private open as courtyards and balconies;
- **Vehicle access from Gauthorpe Street and Timbrol Avenue** and pedestrian access to all street frontages, direct access to the public open spaces and building entries of the street frontages. Equitable access throughout the public open spaces areas and to all building entries provided from street frontages; and
- A **total Gross Floor Area of 55,986sqm**. The floor space ratio is 2.71:1.

2.2 Amendments to Project Application

In response to the issues raised in public and government agency submissions received during the exhibition the following amendments to the proposed development are described in relation to each building in **Table 1**. Other changes

Table 1. Amendments to Project Application

| Building | Description of proposed amendments |
|--|--|
| Building A | <ul style="list-style-type: none"> • Move building A east between 1 and 1.5 metres in response to GMU assessment; • Depth of balconies at Levels 01, 02, 03, 04, 05, 06, 07 increased to reinforce the Walker Street streetwall and DCP built-to-line. • Direct access to Timbrol Avenue is to be provided for Unit A.PO.01; • Home office units provided in place of proposed Units A.PO.03 and A.PO.03; • Privacy screening provided to southern façade of Unit A1.09, A.2.10, A.3.10, A.4.10, A.5.10, B.6.10, B.7.10; and • Remove storage from terraces and relocate within the units and in the basement levels. |
| Building B | <ul style="list-style-type: none"> • Additional steps have been introduced from the common access to podium level units to Timbrol Avenue footpath; • Palisade fencing is providing to north facing podium level units fronting Timbrol Avenue; • Privacy screening provided to Units B.1.11, B.2.12, B.3.12, B.4.12, and B.5.12; and • Privacy screening provided to Units B1.01, B.2.01, B.3.01, B.4.01, and B.5.01; and • Common garden area at Level 01 indicated as “possible common garden area”. |
| Building C | <ul style="list-style-type: none"> • It is noted that no amendments have been made to Building C. |
| Building D | <ul style="list-style-type: none"> • Additional retail tenancy provided on southern side of building at Level 1 Basement Level (ground floor of building fronting proposed public plaza space); • Frontage to the retail units including stairs and ramps has been reconfigured to provide pedestrian and equitable access; • Stairs and ramp arrangements in front of the residential lobby from Walker Street reconfigured to improve equitable and pedestrian access; and • Retail activity has been introduced around the western side of Building D. |
| Building E | <ul style="list-style-type: none"> • Rationalise location of substations and switch room and other services to improve Gauthorpe Street streetscape; • Introduces a frame element to the car park entry from Gauthorpe Street to provide greater articulation with variety of building materials; • Introduce retail activity at Gauthorpe Street frontage; and • Entry to Building E made more prominent at Gauthorpe Street. |
| Public open space/communal facilities | <ul style="list-style-type: none"> • Deletion of the proposed communal facilities building. Details of uses and design and embellishment of the public open space and publicly accessible facilities will be the subject of a separate Development Application; and • The edge of the Level 1 basement car parking structure has been set back from the lower level public open space on Basement Level 1 to improve the diagonal view corridor and the transition in level between Basement Level 1 and the Podium level. The final resolution of the levels and line of the podium level will be the subject of a separate agreement with Council and subject to a separate development application, which will be publicly exhibited. |

2.3 Documentation

The following plans and documents provided in **Table 2** have been submitted as accompaniments to the Preferred Project Report and where referred to in the preparation of the report. The plans identified in the table below are provided at **(Appendix A** (architectural drawings) and **Appendix F** (stormwater concept plans) respectively.

Table 2. Preferred project documentation schedule

| Document | Description | Date and Revision/Issue |
|--|-------------------------------------|-------------------------|
| Architectural drawings prepared by SJB Architects | | |
| A-0101 | Locality/Context Plan | 23.02.2011 Rev. 1A |
| A-0102 | Site Analysis Plan 1 | 23.02.2011 Rev. 1A |
| A-0201 | Level 2 Basement | 23.02.2011 Rev. 1A |
| A-0202 | Level 1 Basement | 23.02.2011 Rev. 1A |
| A-0203 | Podium Plan | 23.02.2011 Rev. 1A |
| A-0204 | Level 01 Plan | 23.02.2011 Rev. 1A |
| A-0205 | Level 02 Plan | 23.02.2011 Rev. 1A |
| A-0206 | Level 05 Plan | 23.02.2011 Rev. 1A |
| A-0207 | Level 06 Plan | 23.02.2011 Rev. 1A |
| A-0208 | Level 07 Plan | 23.02.2011 Rev. 1A |
| A-0209 | Level 09 Plan | 23.02.2011 Rev. 1A |
| A-0210 | Level 13 Plan | 23.02.2011 Rev. 1A |
| A-0211 | Level 16 Plan | 23.02.2011 Rev. 1A |
| A-0212 | Level 17 Plan | 23.02.2011 Rev. 1A |
| A-0213 | Level 19 Plan | 23.02.2011 Rev. 1A |
| A-0214 | Level 20 Plan | 23.02.2011 Rev. 1A |
| A-0215 | Level 21 Plan | 23.02.2011 Rev. 1A |
| A-0216 | Roof Plan | 23.02.2011 Rev. 1A |
| A-0221 | Area Calculation – GFA | 23.02.2011 Rev. 1A |
| A-0222 | Area Calculations - GFA | 23.02.2011 Rev. 1A |
| A-0231 | Apartment Typologies Building A | 23.02.2011 Rev. 1A |
| A-0232 | Apartment Typologies Building B & C | 23.02.2011 Rev. 1A |
| A-0233 | Apartment Typologies Building D & E | 23.02.2011 Rev. 1A |
| A-0234 | Apartment Typologies – Adaptable | 23.02.2011 Rev. 1A |
| A-0251 | Shadows - Winter | 23.02.2011 Rev. 1A |
| A-0252 | Shadows - Summer | 23.02.2011 Rev. 1A |
| A-0253 | Shadows - Equinox | 23.02.2011 Rev. 1A |
| A-0261 | Podium Level – Solar Study | 23.02.2011 Rev. 1A |
| A-0262 | Level 01 – Solar Study | 23.02.2011 Rev. 1A |
| A-0263 | Level 02 – Solar Study | 23.02.2011 Rev. 1A |
| A-0264 | Level 03 – Solar Study | 23.02.2011 Rev. 1A |
| A-0265 | Level 04 – Solar Study | 23.02.2011 Rev. 1A |
| A-0266 | Level 05 – Solar Study | 23.02.2011 Rev. 1A |
| A-0267 | Level 06 – Solar Study | 23.02.2011 Rev. 1A |
| A-0268 | Level 07-08 – Solar Study | 23.02.2011 Rev. 1A |
| A-0259 | Level 09 – Solar study | 23.02.2011 Rev. 1A |
| A-0270 | Level 10 – Solar study | 23.02.2011 Rev. 1A |
| A-0271 | Level 11-12 – Solar study | 23.02.2011 Rev. 1A |
| A-0272 | Level 13-15 – Solar study | 23.02.2011 Rev. 1A |
| A-0273 | Level 16 – Solar study | 23.02.2011 Rev. 1A |
| A-0274 | Level 17-18 – Solar study | 23.02.2011 Rev. 1A |
| A-0275 | Level 19 – Solar study | 23.02.2011 Rev. 1A |
| A-0276 | Level 20 – Solar study | 23.02.2011 Rev. 1A |
| A-0277 | Level 21-24 – Solar study | 23.02.2011 Rev. 1A |
| A-0501 | Walker Street Elevation | 23.02.2011 Rev. 1A |
| A-0502 | Timbrol Avenue Elevation | 23.02.2011 Rev. 1A |
| A-0503 | Shoreline Avenue Elevation | 23.02.2011 Rev. 1A |

| Document | Description | Date and Revision/Issue |
|---|--|-------------------------|
| A-0504 | Gauthorpe Street Elevation | 23.02.2011 Rev. 1A |
| A-0505 | Elevations – Building A | 23.02.2011 Rev. 1A |
| A-0506 | Elevations – Building A | 23.02.2011 Rev. 1A |
| A-0507 | Elevations – Building B | 23.02.2011 Rev. 1A |
| A-0508 | Elevations – Building C | 23.02.2011 Rev. 1A |
| A-0509 | Elevations – Building C | 23.02.2011 Rev. 1A |
| A-0510 | Elevations – Building D | 23.02.2011 Rev. 1A |
| A-0511 | Elevations – Building D | 23.02.2011 Rev. 1A |
| A-0512 | Elevations – Building E | 23.02.2011 Rev. 1A |
| A-0601 | North-South Site Section | 23.02.2011 Rev. 1A |
| A-0602 | East-West Site Section | 23.02.2011 Rev. 1A |
| A-0603 | External Materials Finishes | 23.02.2011 Rev. 1A |
| A-0901 | 3D Visualisations | 23.02.2011 Rev. 1A |
| A-0902 | 3D Visualisations | 23.02.2011 Rev. 1A |
| A-0903 | 3D Visualisations | 23.02.2011 Rev. 1A |
| Stormwater Concept Plans <i>prepared by Cardno</i> | | |
| N10957-STW – H00 | Coversheet | 16.02.2011 Rev 02 |
| N10957-STW – H01 | Basement 2 | 16.02.2011 Rev 02 |
| N10957-STW – H02 | Basement 1 | 16.02.2011 Rev 02 |
| N10957-STW – H03 | Stormwater Sketch | 16.02.2011 Rev 02 |
| N10957-STW – H04 | Stormwater Details | 16.02.2011 Rev 02 |
| N10957-STW – H05 | Rainwater Tank Details | 16.02.2011 Rev 02 |
| N10957-STW – H06 | Stormwater Sediment & Erosion Control Plan & Details | 16.02.2011 Rev 02 |

3 Response to submissions

3.1 Introduction

This section of the report provides a response to submissions received during the statutory exhibition period between 15 December and 11 February 2011. Submissions were received from the public, from the City of Canada Bay and from State government agencies.

3.2 Public submissions

The section of the report provides the proponent's response to the key issues raised in public submissions. In total there were 34 public submissions received. In summary, 22 submissions objected to the development and 12 submissions supported the development.

Key issues raised in the public submissions are identified and some of the submission comments provides with a response provided to:

- Traffic, access and parking impacts
- Public transport
- Height, bulk and scale and visual impacts
- Shadow impacts
- Insufficient infrastructure
- Setback to Timbrol Avenue
- Density
- Provision of open space
- Architectural aesthetics
- Acoustic impact
- Increase in pollution
- Car park exhaust plant roo
- Carpark entry/exit on Timbrol Avenue
- Recommendation for signage
- Wind impacts
- Visual impact
- Heat load on western facade

These issues are addressed in the following sub-sections of this report. A sample of quotes from the submissions raising objection to the proposed development is provided with the Proponent's response.

3.2.1 Traffic, access and parking impacts

Submission comments

“The proposal does not include any improvements to roads”.

“Increased traffic problems bearing in mind the limited access to and from the Rhodes Peninsula. The feeder roads are already chaotic in peak times and on weekends”.

“Rail parking needs to be addressed, as all residential streets west of Concord road are totally parked out by 10am each weekday”.

Lack of parking: Already the precinct affords no parking during business hours Monday to Friday due to commuter parking. The areas already developed have little or no parking available at all times and these areas have a density far less than proposed on the two sites”.

“There is not adequate parking for residents and their visitors and no provision for the flow on effect to surrounding residents”.

Proponent response

The proposal includes the upgrade of the Walker Street frontage in accordance with the plans submitted at Appendix W of the Environmental Assessment. The Voluntary Planning Agreement for this site and other remaining development sites at Rhodes West includes monetary contributions from the landowners towards the upgrade of local streets in both Rhodes West and the area of Rhodes east of the railway Station. Some of these moneys are available through existing funding arrangements under the Rhodes Contributions Framework Plan and the moneys contributed through the VPAs for the additional gross floor space area” under the Draft Rhodes West LEP.

The VPA for the Site 2A and 3A site states, in relation to contributions of the upgrade of local streets at Rhodes that:

“Public purposes for Monetary Development Contribution

- *Upgrading of roads and footpaths in Rhodes (East and West) to improve access and traffic flows; vehicular, cyclist and pedestrian safety and management, in and out of the Peninsula; and to improve amenity and safety generally above and in addition to that required in the Planning Framework and Renewing Rhodes Transport Management Plan dated November 2011”.*

The traffic generating capacity of the total Rhodes West redevelopment (incorporating the subject site) has been estimated and assessed with respect to impacts on the surrounding road network and transport infrastructure within the 2009 Masson Wilson Twiney “Traffic Report for Rhodes Peninsula – Traffic and Transport Analysis of additional development”.

The subject development is [projected to generate] approximately 250 peak hour vehicle trips. The Mason Wilson Twiney report concluded that “the intersection analysis results indicate that generally the additional traffic from the additional proposed development (incorporating the subject development) *would not create measurable adverse impact when compared with the traffic conditions under the approved development levels”.*

The RTA has suggested to Council that an investigation into possible measures to improve safety concerns at the junction of Homebush bay Drive and Oulton Avenue be undertaken. It is understood that such an investigation and any required intersections upgrades in that location will be funded through a Voluntary planning Agreement.

Commuter parking for the Rhodes Railway Station is not the subject of this development proposal. Commuter car parking on local residential streets can be controlled through signage, which Council may wish to investigate.

Car parking rates were agreed to by Council and the RTA and the proposed development complies with the maximum residential rate and minimum and maximum visitor parking rates of the Rhodes DCP.

3.2.2 Public transport

Submission comments

“Northern rail line at peak times through Rhodes are currently standing room only”.

“Although Rhodes Railway Station has been upgraded and services have increased trains are running at capacity in peak hours to and from Rhodes especially with residential developments in adjacent suburbs such as North Strathfield, Concord West and Meadowbank”.

“There has been no consideration of a wharf to enable utilisation of the Parramatta River ferry service which passes through the precinct”.

“Peak hour public transport problems with such high density. The problem will be much worse when the proposed bridge from Wentworth Point to Rhodes is completed”.

Proponent response

Public transport patronage from the proposed development was considered at the time of preparing the Rhodes West Master Plan 2009, which was adopted by Council. The impacts of additional demand for rail transport was considered in the original assessment prepared by Masson Wilson Twiney (now Halcrow). The Halcrow assessment concluded that the train timetable enabled adequate services to cater for the increased rail-related transport demand for the current and future residents at Rhodes, the result of the Rhodes West Master Plan.

Consideration of the ferry wharf services was considered at the time of the Rhodes West Master Plan 2009. The ferry services offers an alternative to cars and other forms of travel for people accessing destinations along the Parramatta River and Sydney Harbour however more accessible forms of public transport, that provide access to the centre of Sydney and other key centres in the inner West are available for the residents and visitors to the proposed development.

3.2.3 Height, bulk and scale and visual impacts

Submission comments

“A 25 storey building is not in keeping with the suburb’s skyline or architecture”.

“Twenty five storey buildings are not appropriate, necessary or acceptable on the Rhodes Peninsula and any future development in Rhodes should be limited to ten storeys”.

“The structure does not fit within the current height levels for the Rhodes Peninsula set by Canada Bay Council”.

The proposed building is much taller than any existing structures around it and will visually and aesthetically diminish the attractiveness of the built environment of the peninsula”.

Proponent response

The proposed 25 storey tower buildings A and D comply with the maximum height limit under the Draft Rhodes West LEP and adopted Rhodes West DCP.

Buildings B and E vary from the maximum DCP height limits of 5 storeys by 1 and 2 storeys respectively. Justification for the variation with the maximum height in storeys is provided in the response to Council’s urban design consultant comments in this Preferred Project Report.

3.2.4 Shadow impacts

Submission comments

“Not only will the proposed tripling of this building height destroy any remaining vista, it will also shadow large areas of the suburb. During winter, these shadows will fall across our houses for most of the afternoon”.

The 25 storey building will significantly block views and sunshine for all surrounding residents”.

Proponent response

The proposed development has maximum heights of buildings in metres and storeys that comply with the requirements of the Draft Rhodes West LEP and the Rhodes West DCP. Views and vistas were considered at the time of preparing the Rhodes West Master Plan, which Council has approved and which the draft planning instrument and the adopted DCP.

Shadow impacts of the maximum 25 and 20 storey tall tower buildings were considered at the time of preparing the Rhodes West DCP. Minor amendments to the siting of Building A by moving the tower 1 to 1.5 metres closer to Walker Street, as requested by Council’s urban design consultant GMU, will result in a minor change to the overshadowing impact of the tower A on the area of Rhodes east of the railway station. The shadow will likely extend marginally east after approximately 1pm in the afternoon. A minimum of 3 hours of sunlight access will be maintained throughout the year, having regard to the shadows cast by the proposed development on the residential area east of the railway line.

3.2.5 Insufficient infrastructure

Submission comments

“The Master Plan has not satisfactorily considered or made sufficient provision for additional infrastructure to support either the 7500 new residents currently being added to Rhodes or for the additional 2000 proposed under this new draft plan”.

There are no schools in the suburb and most surrounding schools are at or near capacity with little real estate available to allow for any expansion”.

There is no mention of improvement in libraries, hospitals, medical centres and other health care services, sporting clubs, grounds or facilities, additional preschools and childcare centres, emergency services, waste transfer, boat ramps, playgrounds, swimming pools and government services and agencies”.

“The suburb is situated on a peninsula that is already fast reaching capacity for both population and general access to shopping, recreation and transport. Increased population will have flow-on effects for local schools, public transport, including Rhodes Railway Station, and roads in the area”.

“There are currently no plans for providing local schools to accommodate the increased population of the peninsula, although the local primary schools and high schools are all filled to capacity”.

“This will significantly increase the population in our suburb, and therefore place extra burden on public facilities”.

“There is no outline for increasing resources to the Fire Brigade services who will have to cater for a 16% increase in population in the Canada Bay area and deal with servicing towers whose access and inherent difficulties require greater resources”.

“There is no plan to increase resources to Police services”.

“I could not find any indication of increase in Hospital Beds for our local area. NSW Area Health should be advised”.

“There is no church other than the Coptic Orthodox Cathedral. Where are the plans for further religious services planned for with the increase”.

Proponent response

The proposed development is consistent with the density requirements for the site in terms of Gross Floor Area and Floor Space Ratio, under the Draft Rhodes West LEP. Council considered the impact of the overall development of the remaining sites at Rhodes West (including the subject site) at the time of adopting the Rhodes West Master Plan and the Draft LEP and DCP proposed development on services and facilities for future residents.

In relation to additional schools, it is understood that Council will continue to discuss solutions for accommodating additional demand for school placements in the local area with the Department of Education.

It is understood that fire brigade and police services will be considered as development proceeds at Rhodes by the relevant authorities.

Demand for hospital beds are addressed by the NSW Department of Health. It is noted that the Department of Health submission received during the exhibition period did not mention the need to cater for the

additional demand for hospital beds and medical services as a result of the proposed development.

3.2.6 Setback to Timbrol Avenue

Submission comments

“The provision of a setback on this corner would clearly provide a more appealing streetscape, particularly in view of the surrounding buildings being effectively built up to the footpath. This would also assist in addressing privacy issues for all of the existing corner apartment sin the building on the other side of Timbrol Avenue”.

There will be two separate sets of balconies on each level on the proposed tower building opposite and overlooking our property”.

Proponent response

In relation to the DCP requirement for a small plaza on the corner of Timbrol Avenue and Walker Street, consultation with GMU since the end of the exhibition period, has confirmed the necessary amendments to be made for this Preferred Project Report. GMU have requested that Building A be moved between 1 metre and 1.5 metres forward to Walker Street. This amendment is required to reinforce the DCP ‘streetwall’ to Walker Street.

The setback to the corner of Timbrol Avenue is identified as a non-compliance by Council’s urban design consultant GMU Architects and Urban Designers. GMU states that the proposed setbacks to Timbrol Avenue are acceptable for the following reason:

“the buildings overall separation is more than 18 metres required by the RFDC, therefore the minor non-compliance is acceptable”.

It is therefore considered that because the adequate separation distances is provides that visual privacy will be within an acceptable for opposing buildings fronting Timbrol Avenue.

3.2.7 Density

Submission comments

“The Rhodes Peninsula Plan did not provide for site density anywhere near the numbers based on the current DA. This is over development on a grand scale”.

Proponent response

Density of development at Rhodes West is controlled through the Draft Rhodes West LEP and the Voluntary Planning Agreement for the site. The Draft LEP includes a Floor Space Ratio (FSR) control of 2.8:1. The proposed development has an FSR of 2.71:1, which complies with the maximum FSR control for the site.

The Voluntary Planning Agreement includes an allocation of an “Additional Gross Floor Space Area”.

3.2.8 Provision of open space

Submission comments

“The current open space all along the foreshore and leading to Bicentennial Park, is well under used... The proposed additional space will be substantially under utilised. In other words a waste of space. Lower buildings and less wasted open space should be, we are sure, a more acceptable to the local residents”.

“There is not enough green space for the number of residents expected”.

Proponent response

There were a variety of opinions presented in the public submissions about the open space provision.

Council identified an need for more open space provided at the time of preparing the Rhodes West master Plan 2009, which was subsequently approved by Council and reflected in the Rhodes DCP and the Voluntary planning Agreement for the site.

The proposed development includes a provision of public open space in accordance with the Voluntary Planning Agreement for the site. The area of location of public open space is shown in the diagram provided to Council for their review during the public exhibition period.

3.2.9 Architectural aesthetics

Submission comments

“The design looks box-like, stogy and unattractive”.

Proponent response

Architectural design is subjective and there any many different opinions about the design of a building. The architectural expression of the buildings is contemporary to reflect its time and place. The forms of the building are varied through the lengths of depths, and articulation provided, the materials and finishes and the balustrade and balcony designs.

It is noted that Council’s urban design and architectural consultant GMU Architects and Urban Designers states in relation to the architectural design of the buildings that:

“the proposal generally complies with the objective of the Rhodes West Master Plan 2009 and the vision for the precinct set out in the various planning instruments applicable to the site”.

In relation to the proposed façade design, the GMU assessment states that:

“The materials sample board included in the submission presents a high standard of material finishes and a well composed colour palette, which seen as a very good design outcome”.

3.2.10 Acoustic impact

Submission comments

“The two 25 storey towers that face Walker Street will create a sound wall that will bounce the noise of the trains, particularly the goods train – 2 an approx, right over Rhodes East and my house”.

Proponent response

The are no requirements or guideline that seek to control noise reflection from buildings from railway lines onto adjacent residential properties. An assessment of the acoustic impacts of the railway line on the proposed residential dwellings was provided with the Environmental Assessment.

3.2.11 Increase in pollution

Submission comments

“Pollution from rubbish and trolleys left in our streets will increase. It is unhygienic and in the case of trolleys dangerous”.

Proponent response

Trolleys from the Rhodes Waterside shopping Centre are the responsibility of the shopping centre management. It is understood from the minutes of the Rhodes Residents Consultative Committee that trolleys are an ongoing issue at Rhodes. Council has consulted with the owners of the Shopping centre and requested that trolleys be collected on a regular basis from residential streets.

3.2.12 Car park exhaust plant room

Submission comments

“Request to relocate the car park exhaust plant room as it is in close proximity to residential units at the Village Quay Apartment complex”.

Proponent response

The car park exhaust is located beneath the Timbrol Avenue and exhaust is provide at high level in compliance with the requirements of AS1628.2. The car park ventilation system will e provided with variable speed drives (VSD) motors and CO sensors as per Australia Standard AS1668.2, BCA requirements to minimise energy use and limit overall noise levels. The car park exhaust is provided a minimum 3 metres from pedestrian access and 6 metres from the adjoining residential properties with openable windows on Site 1A. Refer to Cardo mechanical services drawings at Appendix H of the Environmental Assessment.

3.2.13 Carpark entry/exit on Timbrol Avenue

Submission comments

“Request to remove the carpark entry/exit on Timbrol Avenue on the basis of glare from headlights and noise generated from both the incoming and outgoing motor vehicles. Given that there are residential units on the ground floor which are directly situated on the same level on Timbrol Avenue”.

Proponent response

Vehicle access is proposed from Timbrol Avenue in accordance with the Rhodes West DCP. The second vehicle driveway to the site via Gauthorpe Street is required given the scale of the development and the number of cars entering and exiting the site. Dividing the vehicle access arrangements will improve vehicle access and safety for pedestrians and motorists and will reduce the number of vehicle entering and exiting the site via Timbrol Avenue.

3.2.14 Recommendation for signage

Submission comments

“At foot of Walker Street stairs into Rhodes Station – place a Local Area Map on the fence section;

Blaxland Road bus shelter – a suitable place for a Local Area Map, also for a map of bus routes and bus timetables;

Blaxland Road East side opposite Station entrance – Below directional sign to the Foreshore, add directional signs for Rhodes Community Centre to the north, the bus stop on Homebush Bay Drive, Kakoda Park and Concord Hospital via the lights at corner of Mary Street and Homebush Bay Drive”.

At corner of Mary Street and Blaxland Road – Add a warning sign “No through way” “Path Closed at Homebush Bay Drive”.

Proponent response

The recommended signs within the Rhodes West area, are outside of the Site 2A and 3A site, the subject of this Major Project Application. It is suggested that Council consider signage and way finding at Rhodes through its own funding arrangements for public domain improvements.

3.2.15 Wind impacts

Proponent response

“Those walking on 40 Walker Street will surely feel the strong wind and it will no longer suitable for walking for elderly or families in the morning and evening”.

Submission comments

A wind impact assessment was submitted with the Environmental Assessment for the proposed development. A number of problem areas were identified in terms of the comfort of the pedestrian environment surrounding the proposed buildings. Measures have been incorporated to minimum impacts.

During the assessment of the Environmental Assessment, the wind consultant recommended some adjustments to the built form and introduced wind screens and strategically placed landscaping to counter the problem wind areas.

Refer to Appendix S of the Environmental Assessment.

3.2.16 View impact

Proponent response

“The site analysis submitted with the application – dwg 4410-a0102 A – does not show the view to the Millennium Marker as indicated in the Public Domain section of the 2002 DCP. We think that view is important. It is compromised by the proposal”.

Submission comments

The view to the Millennium Maker will be maintained from the upper level of the public open space along the alignment of Marquet Street and over the lower rise buildings fronting the Foreshore Reserve from the upper levels of residential buildings.

The proposed development is consistent with the maximum building heights of the Rhodes West Master Plan 2009 and the Draft Rhodes West LEP. Impacts of the uplift in floor space area and building height of views from key vantage points in the Homebush Bay environs where considered by Council to be acceptable in adopting the Draft Rhodes West LEP and Rhodes West DCP.

The Millennium Maker has a maximum height of RL 29.00. The height of Walker Street on Sites 2A and 3A ranges from approximately RL 13.00 and RL 15.00, which is approximately half the elevation of the top of the Millennium Maker. The maximum height of buildings which comply with the SREP 29: Rhodes Peninsula maximum building height limits is 8 storeys, which based on the Site 1A development, approved by the Minister for Planning and now constructed has a maximum height of RL 40.880 plus roof plant and lift overruns.

It is considered that even if the buildings were to comply with the current maximum SREP 29 height limit of 8 storeys, these buildings will impede views of the Central Sydney skyline from the top of the Millennium Maker.

3.2.17 Heat load on western façade

Submission comments

“The design of the high rise towers raised concern as to the architectural treatment of their western exposure. The provision of adjustable sliding screens to the balconies to reduce heat load appears desirable”.

Proponent response

The minimum thermal performance can be achieved through a variety of measures including but not limited to roof, ceiling and wall insulation, glazing, balcony and roof overhangs, in floor heating and cooling, and external shading.

A thermal comfort assessment was prepared by Eco-Specifier ESD Consultants for the proposed development, an Accredited Assessor The thermal performance has been certified by Eco-Specifier to achieve a minimum performance required to pass the BASIX requirements. Refer to ABSA Certificates submitted with the Environmental Assessment.

3.3 Local government submissions

3.3.1 City of Canada Bay Council

The City of Canada Bay Council wrote to the Proponent on the 24 January 2011 with comments from Council's internal departments requesting a response to the key issues raised and additional information. The additional information is provided to Council in this section of the Preferred Project Report and the accompanying appendices.

Council commissioned GMU Architects and Urban Designers and Professor John Toon to provide separate urban design assessments of the Major Project Application. Both Council's Urban Design Consultant reports were dated 14 February 2011. **Table 4** provides a response to the issues of concern raised in the GMU assessment. A response to the Prof. Toon assessment was prepared by Architectus and provided to Council on 21 February 2011 under separate cover. Copies of the CCBC submissions are provided at **Appendix E**.

Table 3 provides the Proponent's responses to the issues raised by the City of Canada Bay Council in their submission.

Table 3. City of Canada Bay Council

| CBCC Comment | Response |
|---|---|
| <p>1) Stormwater</p> <p>The following additional information is required:</p> <ul style="list-style-type: none"> • The size of proposed downpipes. • Shape of rainwater re-use tank and dimensions must be confirmed and amended on Drawing No. N10957-STW-H01. • A cross sectional detail showing sub-soil drainage around perimeter of building and where discharge is not by gravity, the mechanical pump-out system (where required) is also to be provided and detailed. • Details of trench drains are required. • Typical cross section through re0-use tank is require. • The rainwater tank is located in landscape area. Minimum depth required is 1 metre is to be considered for deep soil planting f less than 1 metre it is considered impervious area. • Calculations are required to show how much of the site is to be collected by the rainwater tank and what areas will bypass and be directly discharged to the street drainage system. • Subsurface water, water collected from balconies and on ground areas not to be discharged into the rainwater re-use tank. • The invert and surface of all street pits for which the site's drainage system will be discharged into is to be confirmed. • All internal stormwater drainage pits are to have silt/sediment traps installed. Details are to be provided. • A Soil and Water Management Plan is to be provided. • Subsurface drainage must not encroach beyond site boundaries. | <p>Amended Stormwater Concept Plans are provided at Appendix F. These drawings have been prepared by Cardno in response to the request for additional information from the City of Canada Bay Council.</p> <p>It I noted by Cardno that a mechanical pump-out system is not required for the proposed development.</p> <p>In relation to the rainwater tank, Cardno have advised that a single rainwater tank has been provided to the site to provide some irrigation water only as the site has access to non-potable water mains. The only water collected will be the water from the roofs of Building D and E.</p> <p>Cardno have noted that the Street Pit Invert Levels (ILs) are shown on Drawing No. H01.</p> <p>A Sole and Water Management Plan has been included in the updated Stormwater Concept Plans by Cardno at Appendix F.</p> |

| CBCC Comment | Response |
|--|---|
| <p>Services</p> | |
| <p>No private services shall encroach beyond the proposed boundaries of the site.</p> | <p>Noted.</p> |
| <p>Details of irrigation services/conduits, reuse water line etc must be shown on the services plan.</p> | <p>The services drawings have been updated to include irrigation services/conduits and reuse water lines are shown on the updated stormwater concept plans. Refer to Appendix F.</p> |
| <p><u>Basement car parking directly under the proposed open space areas</u></p> <ul style="list-style-type: none"> • Adequate waterproofing above roof of car park is required to ensure water penetration through the surface layer is able to be conveyed to the street drainage system. Tree roots penetrating the slab is also of concern. • The car park needs to be adequately designed structurally to include maximum surcharge loads on the slab due to structures and water not adequately removed. The slab would need to be fully waterproofed to ensure there is no stormwater penetration through the roof. Certification of the slab design is essential. • Maintenance responsibilities of the roof slab are to be held with the private ownership and minimum or no liability to Council once the open space area is dedicated. • Any agreement with Council must include the indemnification (for Council) against common problems such as a leaky roof, seepage through the slab, any water damage to vehicles and structures etc. • A Sectional detail through the OSD tank is also required. The OSD tank must not be located in the zone to be dedicated as open space. | <p>The project Structural engineers Bonacci Group have provided a response to the issues raised by Council in relation to the basement car park under the proposed public open space. Refer to Appendix B. The structural engineer's response states that:</p> <p><i>“Bonacci Group have been appointed the structural engineers for the above development and will be undertaking the detailed design of all major structural elements. This specifically includes the design of the podium slabs, columns and other elements that form the roof of the carparks.</i></p> <p><i>Bonacci Group will be designing these elements to support the full design loads that may be applied to this structure during its design life in accordance with the relevant Australian Standards. This includes allowing for the weight of all soil, water ponding, live load activities and traffic loads where appropriate as detailed on the architectural and landscaping plans. As part of our works, Bonacci Group will undertake inspections of the structural elements that are designed and documented by Bonacci Group.</i></p> <p><i>As with all Billbergia projects, the podium slabs will be designed with a high degree of crack control and with a high degree of post-tensioning to reduce potential cracking to the slab which when combined with an appropriate waterproofing system will provide a watertight structure”.</i></p> <p>It is noted there are no on-site detention required at Rhodes Peninsula and as such no OSD tanks is proposed. The rainwater retention and reuse tank has been provided in the south eastern corner of Basement Level 2 which is within the private residential stratum and the responsibility of the owners corporation(s) within the development.</p> |
| <p>2) Vehicle access/parking</p> <ul style="list-style-type: none"> • All new walls adjacent to vehicular crossings must be lowered to a height of 600mm above the internal driveway level for a distance of 1.5-m within the site or splayed 1.5 metre by 1.5 metre to provide satisfactory sightlines. Details are to be submitted to the Certifying Authority prior to the release of the construction certificate showing compliance with this condition. • The access ramp leading to the level 1 basement carpark indicates a change in grade of 15% at the top of the ramp, This does not achieve compliance with the requirements of AS2980.1:2004 and may cause cars to scrape. Vehicle access shall achieve compliance with the requirements of the Australian Standard. | <p>The Council letter requires any obstructions within a 1.5m x 1.5m triangle adjacent to the vehicular access driveways to be less than 600mm in height.</p> <p>The requirement for walls or obstructions adjacent to driveways to be of a low height is to facilitate sight distance between vehicles exiting the site and pedestrians along the frontage roadway. The sight distance triangle is therefore only required adjacent the egress driveway, not the ingress driveway. It appears from the plans we have on file that there is no wall or physical obstruction within the 1.5m x 1.5m triangle extending from the junction of the egress driveway from Basement Level 2 and the property boundary extending to the east along Gauthorpe Street, so adequate sight distance is afforded to exiting vehicles.</p> |

| CBCC Comment | Response |
|---|---|
| <ul style="list-style-type: none"> • The applicant shall install a stop hump at the exit from the site. The stop sign must be accommodated by the associated line marking and speed hump shall be set back by 1.5 metres from the boundary alignment. The devices shall be designed and constructed in accordance with provision of all relevant Australian Standards. The building plans shall indicate compliances with this requirement prior to the issue of a construction certificate. • Vehicle access shall comply with the relevant provisions of AS/NZS 2890.1:2004. • The applicant is required to provide the following details: <ul style="list-style-type: none"> - Longitudinal sections through all proposed access ramps from the roads into the basement are to be submitted for assessment. The detail of the long-section shall include the dimensions and gradients to a natural scale and must comply with the scraping provisions and overhead height clearances as given in AS/NZS2890.1:2004 “Off Street Car Parking” Code. - In relation to the circulation movements and dimensions of parking spaces and aisle widths within the basement areas, details are to be provided, including a certificate from a Qualified Traffic Consultant to indicate/verify compliance with AS/NZ2890.1:2004. | <p>Whilst there appears to be a wall adjoining the exit driveway from Basement Level 1 to Timbrol Avenue, it appears that this wall is set-back 1.5m from the western edge of the driveway thereby suggesting that an adequate sight distance triangle is provided.</p> <p>The Council letter states that the access ramp leading into the level 1 basement carpark provides a change in grade of 15% at the summit. The plan provides a transitional grade between level and 1:5 of 1:20. This transitional grade needs to be increased to 1:10. The Proponent commits to provide details of the compliance of the access ramps into the basement car parking level 1 in accordance with the relevant Australia Standards to the Principal Certifying Authority prior to the issue of a Construction Certificate the relevant areas of the development.</p> <p>Council requires that a stop sign and hump, associated line marking and speed hump (set-back 1.5m from the boundary alignment) be installed at the exits from the site. The Proponent commits to provide a stop sign and hump at the exits to the site designed in accordance with the relevant Australia Standards to the Principal Certifying Authority prior to the issue of a Construction Certificate the relevant areas of the development.</p> <p>Council requires long sections to be provided through all access ramps from the roads into the basement. The Proponent agrees to provide long sections for all access ramps for the driveways into the basements, designed in accordance with the scraping provisions and overhead height clearances as given in AS/NZS2890.1:2004 “Off Street Car Parking” Code to the Principal Certifying Authority prior to the issue of a Construction Certificate for the relevant areas of the development.</p> <p>Council requires the total access, internal circulation and basement parking areas to be certified to be in accordance with AS2890.1. The Proponent commits to design all access, internal circulation and basement parking areas in accordance with AS 2890.1. Documentary evidence, in the form a certification from a qualified traffic engineer is to be provided to the Principal Certifying Authority prior to the issue of a Construction Certificate for the relevant area of the development.</p> |
| <p><u>Parking provision</u></p> <ul style="list-style-type: none"> • Council supports the proposed car parking provision of 773 spaces including 37 visitor spaces and 666 resident spaces and 70 adaptable spaces. • The reduced number of onsite parking spaces is inline with the State Government policies which aim to encourage public transport use by limiting the reliance on private motor vehicle travel. | <p>Noted.</p> |
| <p><u>Bicycle storage</u></p> <ul style="list-style-type: none"> • Proposal for 77 residential and 60 retail spaces does not comply with DCP requirement for 245 resident, 62 visitor | <p>It is noted that Council's planning offers did not raise concern with the provision of bicycle parking spaces with the proposed development at pre-DA lodgement discussions.</p> |

| CBCC Comment | Response |
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| <p>and 42 retail (café) spaces.</p> | <p>While there are fewer resident parking spaces within designated bicycle parking areas than the DCP requirement, additional storage cages are available for residents in the basement for storing their bicycles if required. It is noted that the provision of visitor and retail bike parking exceeds the minimum requirement of the DCP.</p> |
| <p><u>Motorcycle parking</u></p> <ul style="list-style-type: none"> Based on provision of 774 passenger vehicles, a total of 16 motor cycle spaces are required to be provided. The proposed development provides 7 motor cycle spaces and therefore does not comply with Council's motorcycle parking requirements. | <p>The 7 motorcycle spaces provided in the development are considered appropriate for the development. Should residents have motorcycles, these are to be catered for within the allocated car parking spaces. Further more the additional 9 spaces can reasonably be provided on-street adjacent to the development.</p> |
| <p><u>Car parking layout</u></p> <ul style="list-style-type: none"> Council's Draft DCP states that 'stack parking is not permitted for residential development. The proposed development indicates that 48 spaces will be stacked/tandem. Council does not object to stack parking on the condition the stacked spaces (max 2 spaces nose to tail) must be attached to the same strata title comprising a single dwelling unit or commercial/retail tenancy) subject to maximum parking limit applying. Stacked parking spaces must be designated (with signage) for employee or tenant parking only (not visitor parking), prior to an Occupation Certificate. Moving of stacked spaces must occur wholly within the property. The disabled parking spaces have not been clearly marked on the plans. Disabled spaces must be clearly marked, shall not be allocated to any unit and shall achieve compliance with the requirements of AS2890.6:2009. Parking spaces that are allocated to adaptable housing units shall achieve compliance with the requirements of AS4299:1995. | <p>The staked parking will be allocated to the same strata title comprising a single dwelling.</p> <p>Disabled spaces are to be clearly marked with a universal disabled parking symbol, will not be allocated to any unit and will be designed in accordance with the requirements of Australian Standard AS2890.6:2009.</p> <p>Parking spaces allocated to adaptable housing units are to be designed in accordance with the requirements of Australia Standard AS4299:1995.</p> |
| <p>3) Contamination</p> <p>Potential issues</p> <ul style="list-style-type: none"> Where construction work commences prior to completion of remediation works on the site, a construction Environmental Management Plan shall be implemented – submitted to Council, approved by appropriate authorities, implemented. Clarification is required as to which CEMP is to be relied on (either Douglas Partners or Billbergia document) Environmental Management Plan does need to address OHS issues if remediation is not complete. Council requests a copy of this approved plan. The Occupation Certificate scenario discussed seems a very slim chance of happening however there should be provision for this. In relation to on going management of the site, the site management plan/environmental management plan would need to be forwarded to Council for placement on the appropriate certificates etc. In relation to the disposal of soil, there should be an excavation to a depth below that of the appropriate | <p>In the event that construction of the proposed mixed residential and retail development commences prior to the completion of remediation activities on site a Construction Environmental Management Plan is to be prepared and implemented. The Construction Environmental Management Plan will be prepared by a suitably qualified environmental engineer and a copy will be provided to the Principal Certifying Authority prior to the commencement of construction activities on site associated with the proposed development.</p> <p>In the event that occupation of any residential dwellings or retail units on site is proposed prior to the completion of remediation activities, an assessment of the Human Health Risks associated with the remediation activities within Precinct B is to be prepared by a suitably qualified Environmental Engineer to demonstrate that the human health index (HI) is less than 1.</p> <p>The Proponent also agrees to prepare an Environmental Management Plan that included the necessary mitigation measures to minimise the impacts of construction and remediation activities on occupants of the Site 2A and 3A development.</p> |

| CBCC Comment | Response |
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| <p>remediation level therefore the soils to be disposed of shall be managed/classified and disposed appropriately.</p> | <p>The Environmental Management Plan will be prepared by a suitably qualified environmental engineer and a copy will be provided to the Principal Certifying Authority prior to the issue of an occupation certificate for the first residential dwelling on site associated with the proposed development.</p> <p>The Site Management Plan submitted with the Environmental Assessment at Appendix T is a generic plan, that has been used for the Precinct B sites. The document was prepared by Thiess Environmental Services in consultation with DECCW. The final Site Management Plan is to be updated with the relevant site audit reports and Site Audit Statements following the completion of the remediation activities on Sites 2A and 3A.</p> |
| <p>3) Waste management</p> <p><u>Construction and demolition</u></p> <p>No waste generation volumes have been supplied for the construction phase for the development. Council requires a completed Waste Management Plan for the construction phase of the development.</p> | <p>A Construction Waste Management Plan is best prepared and is most meaningful when prepared with the input of the construction contractor. Targets for waste minimisation and reuse from construction can be developed in consultation with the buildings once the construction documentation has been prepared. The Planning Approval stage can only provide estimates of waste volumes and recycling targets.</p> <p>The proponent commits to prepare a Construction Waste Management Plan prior to the issue of a Construction Certificate for the site.</p> |
| <p><u>Domestic – Ongoing management</u></p> <p><u>The total number of bins required should be adjusted to:</u></p> <p>Temporary recycling on each floor</p> <ul style="list-style-type: none"> 79 x 240ltr recycle bins required for permanent storage in the waste room on each residential floor, to be emptied into 660ltr bins for servicing as required. | <p>The architectural drawings at Appendix A have been amended to provide 660L bins in the recycling storage area.</p> |
| <p>Permanent storage in waste room/s in basement</p> <ul style="list-style-type: none"> Requirements are provided in a table provided in Council's submission. | <p>The architectural drawings at Appendix A have been amended to provide garbage bins in the waste storage room in the basements in accordance with the table provided in Council's waste services department comments.</p> |
| <p>Bulk Household items Disposal/recovery area</p> <ul style="list-style-type: none"> No storage area has been allocated per building for the storage of bulky household items requiring disposal. While Council will not be supplying the disposal/recovery service for bulky household items to this development it is a requirement of the DCP to have dedicated storage areas for these items. Storage should be divided into sections to maximise resource recovery, i.e. whitegoods and metals, e-waste, furniture and mattresses', and to reduce ongoing disposals costs to residents. <p><u>The drawings and waste management plan need to be adjusted to show storage space for bulky household items.</u></p> | <p>An area has been include in the amended architectural drawings At Appendix A for the storage of bulky items in the lower basement of buildings A, C and D (the tower buildings).</p> <p>An additional common area at car park entries has been provided for buildings B and E in the amended architectural drawings.</p> |

| CBCC Comment | Response |
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| <ul style="list-style-type: none"> Consideration should also be given to obtaining a Charity Clothing, Printer Cartridge and Mobile Phone bin as these items will be recovered free of charge by the supplier of the service. | <p>A separate bin has been provided in the amended architectural drawings at the lower ground level for Charity Clothing, Printer Cartridge and a Mobile Phone bins, as requested by Council's waste services department.</p> |
| <p>Commercial premises</p> <ul style="list-style-type: none"> Commercial waste cannot be combined with the domestic waste. Commercial and residential premises waste handling, storage and collection systems are to be completely separate and self contained. They must have separate keys and locking systems. The drawings and waste management plan need to be adjusted to show separate storage for each commercial premise. | <p>Separate commercial waste chutes for Buildings D and E have been included in the amended architectural drawings at Appendix A.</p> |
| <p>The following issues should be given consideration</p> <ul style="list-style-type: none"> Allocated space for the storage of garden organics bin/s; and An appropriate chute system for waste disposal/recovery of recycling. | <p>The storage for garden organics will form part of the solution for the public open space area which is to be the subject of a separate Development Application.</p> <p>The technology is currently not available to allow for an efficient and low maintenance recycling chute system. The proposed solution for recyclables to be stored at each level and removed by the building manager/caretaker to the centre recycling rooms prior to on-site collection is considered the most suitable solution that is currently available for the development.</p> |
| <p>4) Landscaping</p> <ul style="list-style-type: none"> The communal roof top garden areas should be on the Strata Management Plan for maintenance purposes and to ensure they don't become weed pits. <i>Acer negundo</i> is to be removed from the Indicative Plan Schedule. | <p>The communal roof top garden areas are to be managed by the owners corporation for Building B, if they are found to be viable. Strata-by laws, which will be included in a separate Development Application to Council for Strata approval, will include maintenance and management requirements to ensure the gardens are maintained to a high standard.</p> <p>The list of planting species is indicative only and will be subject to a review of the availability of the species at the time of planting. <i>Acer negundo</i> can be removed from the species to be planted with an appropriate alternative species that achieves the same plant characteristics in terms of growth at maturity can be provided.</p> |

Table 4. Response to GMU Urban Design Assessment

Issues and concerns raised in the GMU urban design assessment are addressed.

| GMU Comment | Response |
|--|--|
| <p>Open space/view corridors</p> <p>The proposed car park entry and vast blank wall along Gauthorpe Street will have a negative impact on the amenity of the street and on the level of surveillance for what can be an important pedestrian/cycle link in the future.</p> | <p>The Preferred Project amends the Gauthorpe Street frontage and includes retail terraces that will activate the streetscape and minimise the extent of all proposed in the exhibited Environmental Assessment.</p> |
| <p>Surroundings</p> <p>The proposal does not clearly specify any public domain improvements to the streets surrounding the development. GMU strongly recommends that consideration is given to the public domain improvements for the streets surrounding the proposal, especially to the outlook across from Walker Street.</p> | <p>Public domain works to streets are proposed. Walker Street for the full width and length of the site frontage is to be upgraded by the Proponent. Refer to drawings at Appendix W of the exhibited Environmental Assessment.</p> |
| <p>Building envelopes and building depth</p> <p>Building B is 1 storey higher than required in the Draft DCP 5 storeys.</p> <p>Building E is 2 storeys higher than required in the Draft DCP.</p> <p>The proposed above ground car park level on Building E may create a non activated building edge and generate safety issues and a poor quality outlook onto the street.</p> <p>Building depth – Most of the buildings are non-compliant in depth against SEPP 65 18m (glass to glass) requirement. Unit layouts for Buildings A, C, D and E seem to achieve satisfactory daylight and natural ventilation in spite of building depths greater than 18m.</p> | <p>The height of Building B is a total of 7 levels above Gauthorpe Street and 6 levels above the level of the public open space to the north of the building.</p> <p>It is considered that the design amendments to the lower levels of the buildings will improve the activation and human scale of the buildings, reducing the overall bulk and scale of the buildings when viewed in the surrounding streetscapes. The addition 1 storey in Building B and 2 storey in building E are justified having regard to the environmental impacts of the additional height, the context of surrounding buildings within Precinct B and the improvements made to the street level activation.</p> <p>The GMU assessment raised concern with the height of the podium wall to Timbrol Avenue in Building B and the lack of individual private residential addresses to activate the streetscape. Additional stairs from the footpath are proposed and palisade fencing for individual units courtyards at the podium level are introduced in the Preferred Project. These design amendment to the lowest residential level will assist in provided a more human scale to the building when viewed in the Timbrol Avenue streetscape.</p> <p>It is also noted that the adjoining buildings to the north in Site 1A are 6 storeys (Building 1A2) and 8 storeys (Building 1A1). The proposed 6 storey building to Timbrol Avenue will provide a consistent streetscape of buildings on opposing sides of Timbrol Avenue.</p> <p>GMU raised concern with the degree of activation of Gauthorpe Street, which has been addressed in the Preferred Project by introducing two double height retail units on Gauthorpe Street frontage of the building. GMU was concerned that the limited activation at street level, exacerbated the perceived height of the building in terms of the bulk and scale impacts.</p> |

| GMU Comment | Response |
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| | <p>The changes introduces at street levels (Level 2 Basement) and above the street level (Level 1 Basement) will articulate the Gauthorpe Street frontage to Building B and assist in breaking down the bulk and scale of the building in the streetscape.</p> <p>The additional height of the proposed building will not result in any significant additional overshadowing impacts on the surrounding area. To the south of the building is Gauthorpe Street road reserve and further south is the existing industrial building with in Precinct D.</p> <p>The southern elevation of Building E has been amended to incorporate additional activation of the street frontage and to break down the scale of the Gauthorpe Street podium wall. Two retail units with double height spaces have been introduced, as well as additional landscaping.</p> <p>In relation to building depth it is understood that GMU are satisfied that as the natural cross ventilation and daylight access is satisfactory that the non-compliances with the building depth requirements are acceptable.</p> |
| <p>Building depth</p> <p>Building A – 24 to 25 metres in depth Building C – 22.9 to 24 metres in depth Building D – 24 metres in depth Building E – 22 metres in depth</p> | <p>The proposed building depths generally comply with the Rhodes West DCP requirements.</p> |
| <p>Building separation</p> <p>Separation distances between the proposed buildings on site (A, B, C, D and E) meet to comply, however there are some privacy issues between the balconies, open air access corridors and habitable rooms as follows:</p> <ul style="list-style-type: none"> • <i>Building A and B</i> – distance an open air access corridor and habitable balcony is only 5.5 metres which is not compliant with the RFDC (should be min 13 metres). The affected units 01-03 for levels 2-5 of Building A; • <i>Buildings B and C</i> – distance between habitable balconies and the open air access corridor is at 6m, which is not compliant with the RFDC (should be mini. 13 metres). Affected units 07 for levels 02-05. • <i>Building A and D</i> – distance between habitable balcony and an open air access corridor is 12m, which is not compliant with the RFDC (should be min 13 metres). The affected units are 08 and 09 for Building A for levels 1-6. <p>The separation distance tower buildings A and D is 33m which is less than the 40m recommended in the supplementary Planning report prepared in March 2010.</p> | <p>The Preferred Project includes the recommended screening devices as suggested in the GMU Assessment to address privacy concerns, as result of the non-compliances with the separation distances.</p> <p>The DCP requirement is 35 metres between Tower Building A and Tower Building D. The separation distance complies with the RFDC rule of thumb for buildings above 8 storeys. The non-compliance with the DCP separation distance is considered minor. Tower Building D is oriented to avoid unacceptable overlooking opportunities.</p> |
| <p>Street setbacks</p> <p><i>Building A to Walker Street</i> – Minor partial non-compliance. It is not compliant with the 10 metre setback for the tower, but it is compliant with the 5 metre setback requirement for the podium.</p> | <p>The proposal has been amended to move Building A between 1 and 1.5 metres closer to Walker Street, as recommended by GMU.</p> |

| GMU Comment | Response |
|---|--|
| <p>It is non-compliance with the minimum 15 metre setback for the first two storeys to allow a forecourt space in the northern part of the building.</p> <p><i>Building A to Timbrol Avenue</i> – Non-compliant with the required 5 metre setback to the north of Timbrol Avenue.</p> <p><i>Building B to Timbrol Avenue</i> – Non-compliant with the minimum 5 metre setback requirement to the north of Timbrol Avenue by 1.2 metres.</p> <p><i>Building D to Walker Street</i> – Non-compliant with the required 5 metre setback to Walker Street, build to line.</p> <p><i>Building D to Gauthorpe Street</i> – Non-compliant with the required 20 metre setback to Gauthorpe Street.</p> <p><i>Building E to Gauthorpe Street</i> – Non-compliant with the required 5 metre setback to Gauthorpe Street.</p> | <p>It is understood that amendments to the Preferred Project are acceptable to GMU (and Council) including brining Building A forward to Walker Street.</p> |
| <p>Deep soil zones The deep soil area could be increased by minimising the footprint of the basement car parking, which at the moment seems unnecessarily excessive.</p> | <p>The podium level alignment to the diagonal plaza level has been amended in the Preferred Project to increase opportunities for soft landscaping in the public open space, which will be the subject of a separate DA.</p> |
| <p>Fences and walls</p> <p>In some cases the walls and fences create a tall blank wall that leads to a lack of natural surveillance and negative outlook for surrounding residents. The following fences and walls heights along street frontages should be limited to allow natural surveillance:</p> <ul style="list-style-type: none"> - <i>to the north – Timbrol Avenue</i> <ul style="list-style-type: none"> • 2.8 metre street wall • 5.25-5.95m of blank wall between Building B and C on the north side of the site – when changing levels. - <i>to the east – Walker Street</i> <ul style="list-style-type: none"> • Masonry wall of 1m-1.8m and a landscaped fence (shrubs) on top of 1-1.2m, which increases to a 3m high fence. - <i>to the south - Gauthorpe Street</i> <ul style="list-style-type: none"> • Corner of Walker St – 3.1 metre all • 2.1-2.4m high wall as site slope drops • 7m high masonry wall plus landscape plus back of retail on top. | <p>Amendments have been made in the Preferred Project to improve the treatments of the podium walls.</p> <p>Refer to architectural drawings at Appendix A.</p> |
| <p>Landscape design</p> <p>Location of proposed communal vegetable gardens on the southern side of a 6 storey building could be an issue due to overshadowing.</p> | <p>The communal vegetable gardens have been removed from the southern side of Building A and replaced with shrubs and ground covers.</p> |
| <p>Orientation</p> <p>The repositioning or further rotation of the longitudinal axis of Building C could be investigated to try ameliorating the overshadowing impacts to the public open space, especially during mid-day hours in winter.</p> | <p>No changes are proposed to the origination of Building C. Further rotating the tower building will result in additional overshadowing of the public open space to the south of the building.</p> |

| GMU Comment | Response |
|---|--|
| <p>Stormwater management</p> <p>The documentation does not discuss measures to minimise the discharge of sediments and other pollutants during the construction process. It is recommended that Council requires this information is provided at the appropriate stage in the process.</p> | <p>The Stormwater Management Plans at Appendix F have been updated in response to Council's technical requirements and a Sediment and Erosion Control Plan has been included.</p> |
| <p>Safety</p> <p>A Crime Prevention Through Environmental Design assessment is required to be provided by the Proponent. To address the safety and natural surveillance issues on the site.</p> | <p>A CPTED assessment has been prepared by Architectus, and included with this Preferred Project Report at Appendix C.</p> |
| <p>Visual Privacy</p> <p>Areas of non-compliance with NSW RFDC 200 separation distance requirements identified. Suggested measures to remedy the privacy issues may include:</p> <ul style="list-style-type: none"> - Vertical privacy screens to the edges of open air corridor in Building B; - Horizontal privacy screening attached to slabs of the corridor; - Redesign of the east edge unit of Building B to reduce length of the corridor and provide greater distance between the corridor and Building A; - Vertical privacy screens to the western balconies of Building A; - Balconies with opaque balustrades instead of clear glass. <p>Any or a combination of these measures should be used to mitigate privacy issue.</p> <p>Courtyards of units on the podium level in Building C and B and on Level 1 in Building B and C are overlooked by the upper levels of those buildings. Horizontal slab extensions; screens and/or pergolas attached to the slab.</p> <p>Irregular shaped balconies in building B and D allow for overlooking into adjacent balconies. The balconies should be redesigned and or provided with a privacy screen are:</p> <ul style="list-style-type: none"> - D2.07-D6.07 and D7.03 overlooking the balcony of the adjacent unit to the south; - B2.05-B3.05 and B.2.09-B.3.09 and B.4.02 and B4.07 overlooking adjacent balconies to the east from corners of the balcony features. <p>Privacy screens between east corner units of Building E (units 09 and 10).</p> <p>Units in the northern part of Building D have long windows from the bedrooms looking onto the open air corridor. Consider use of partially frosted glass. And or planters and only upper part of window should be operable.</p> | <p>The recommended privacy screens have been incorporated into the proposed design, as recommended by GMU. Refer to the architectural drawings at Appendix A.</p> |
| <p>Building entry</p> <p>The only equitable access to Building E is from the corner of Walker Street and Gauthorpe Street and leads through a complicated path with multiple turnings.</p> | <p>Changes have been made to Building E which will improve access. Refer to Architectural drawings.</p> |
| <p>Parking</p> | <p>A second vehicle access on Gauthorpe is proposed to</p> |

| GMU Comment | Response |
|--|--|
| <p>DCP requires car park entry/egress from Timbrol Avenue and not Gauthorpe Street. The applicant should be required to provide further detailed traffic and pedestrian movement projections for this location to justify additional vehicle access.</p> <p>The number of visitor parking spaces is non-compliant with the requirements of the Draft DCP.</p> <p>An additional 49 tandem parking spaces are provided, therefore the size of the basement footprint is larger than the car park footprint outlined in the Draft DCP. This effects the deep soil provision of the site.</p> <p>The proposed development is non-compliant with the minimum bicycle parking requirements of the Draft DCP.</p> | <p>minimise the impacts of vehicle movements on a single enter/egress on Timbrol Avenue.</p> <p>The visitor parking proposed in the Environmental Assessment is consistent with the minimum parking rate of 1 space per 20 units and maximum of 1 space per 10 units as per the adopted Rhodes West DCP.</p> <p>It is understood that Council's supports the arrangement of tandem spaces proposed in the Environmental Assessment.</p> <p>Refer to comments in response to Council's internal department comments in relation to bicycle parking.</p> |
| <p>Pedestrian access</p> <p>The following concerns with pedestrian access are raised:</p> <ul style="list-style-type: none"> - Accessibility to the Building D lobby is questionable from visitor parking; - No activation of Gauthorpe Street is provided; - No direct wheelchair access to Building E from Gauthorpe Street is provided. Access is from Shoreline Ave and the corner of Walker Street and Gauthorpe Street. - Building D has a complicated system of ramps in front of the building compromising the access to the retail uses and provides poor outlook onto the street. | <p>Pedestrian access to Building D has been improved in the Preferred Project Report.</p> <p>Retail units are proposed along the street front to Gauthorpe Street which will improve the streetscape as well as provide direct pedestrian access from the street level.</p> <p>Wheelchair access has been improved to Building E in the Preferred Project.</p> |
| <p>Vehicle access</p> <p>Two separate vehicle entries are located on the secondary streets on opposite sides of the block which limits vehicle and pedestrian conflicts along the footpath of the main roads. This is a positive outcome.</p> <p>Concerns with the proposed vehicle access relate to the following:</p> <ul style="list-style-type: none"> - Proposed width of vehicle entries is 10 m from Gauthorpe St (southern entry) and 6.9 m from Timbrol Ave. - The height of the vehicle entry at Building E is 4.8 metres. GMU recommended screening, articulation or further landscape treatment to the wall at address excessive height. - Further traffic analysis is recommended to justify the second vehicle entry/egress from Gauthorpe Street. | <p>The driveway width has been reviewed by the project traffic and transport engineers, who have confirmed that the separated ingress/egress driveway to service Gauthorpe Street providing 4.5 metre wide ingress and ingress laneways separated by a 1 metre wide raised concrete median has been designed in accordance with the Roads and Traffic Authority's <i>Guide to Traffic Generating Development</i>.</p> <p>The guidelines provide design recommendations based on a number of site characteristics such as the number of parking spaces provided on-site and the functional hierarchy of the access road.</p> <p>Based on the Gauthorpe Street and Timbrol Avenue driveways servicing a total of 428 and 346 spaces respectively, the RTA recommends at minimum combined ingress/egress driveways of between 6 – 9 metres wide. The proposed separated access arrangements therefore comply with such minimum requirements.</p> <p>The Preferred Project has reduced the height of the Gauthorpe Street vehicle entry. Refer to architectural drawings at Appendix A.</p> |
| <p>Apartment layout</p> <p>Most units are single aspect east or west facing with a depth exceeding 8 metres, which limits sun penetration in the apartment and is seen as a poor outcome.</p> <p>Only 2% of all units are south facing. This is a positive outcome.</p> | <p>It is noted that elsewhere GMU confirm that the depths of buildings are acceptable due to the good sunlight access and natural ventilation performance.</p> |

| GMU Comment | Response |
|---|--|
| <p>Kitchens are accessed in some cases directly off the main entry or corridor which is not a good outcome.</p> <p>For Building unit Type 3 the position of terrace doors in living room causes circulation problems around the furniture and creates inflexibility of furniture layout.</p> | <p>There are no instances where units are access through a kitchen. Kitchens are all offset from the entry hall the units or kitchens are located adjacent to living rooms.</p> <p>Apartment Type 3 in Building D and Building B has adequate living room space to allow for a flexible furniture layouts.</p> |
| <p>Balconies</p> <p>Most balconies for Buildings C and A present issues of privacy as they do not meet horizontal separation distances and screening devices are not shown.</p> <p>There are a few apartment types that do not meet the minimum 2 metre depth requirement:</p> <ul style="list-style-type: none"> - In Building C apartment type 4 is only 1.2m wide and apartment type 3 is partially 0.45m side, where an infant or child could get stuck. - In Building D apartment type 14, the balcony is only 1.7m wide and apartments 7 and 13 have narrow balconies. | <p>Privacy screened has been incorporated into the balconies of building A and B to minimum overlooking opportunities between adjacent buildings. Refer to Architectural drawings at Appendix A.</p> <p>Apartment type 7 in building D is a corner apartment with a wrap round balconies which is generous in size and depth.</p> <p>Apartment type 13 in building D is a corner apartment with a wrap round balconies which is generous in size and depth.</p> <p>Apartment type 14 is a large 3 bedroom unit with balconies off the loving room, kitchen and bedroom 1.</p> |
| <p>Ground floor apartments</p> <p>From the proposed 9 ground floor units, none have direct access from the street and 4 have in-direct access from Timbrol Ave via a ramp and a platform raised above the street level.</p> | <p>Direct access to the podium level apartments fronting Timbrol Avenue in Building B has been provided in the Preferred Project at Appendix A.</p> |
| <p>Internal circulation</p> <p>Under the RFDC units arranged off a corridor should be limited to 8. The proposed building layouts have up to 12 units per floor. This results in poor amenity and address to the units.</p> | <p>The internal corridors to all buildings have access to natural light and air which will enhance the amenity of these spaces.</p> |
| <p>Storage</p> <p>Some of the units have storage provided on the balcony. This could lead to a poor outcome as it could lead to a cluttered look.</p> | <p>The units proposed with storage on balconies have been amended. No storage is to be provide on balconies and the storages within the units and in the basements has been increased to compensate.</p> |
| <p>Acoustic privacy</p> <p>The open air corridor in Building B could lead to visual and acoustic privacy and overlooking impacts.</p> | <p>The walls at the ends of the open air corridor in Building have been extended to provide a screen from direct viewed between opposing apartments in Buildings A and C.</p> |
| <p>Daylight access</p> <p>As per the RFDC a minimum of 3 hours of daylight access for at least 70% of units between 9am and 3pm is required. 2 Hours of daylight is on acceptable for developments in dense urban areas such as the CBD.</p> <p>Partition walls and furniture arrangements for secondary bedrooms limit sunlight access within some units.</p> | <p>It is understood that Council have used the 2 hours of direct sunlight access to the living rooms and private open spaces of a minimum of 70% of the proposed units rule of thumb to assess recent developments at Rhodes West. The proposed development complies with this minimum rule of thumb.</p> <p>Generally, bedrooms are zones with minimum dimensions of 3 m x 3m excluding wardrobes to allow for flexible layouts to suit the occupants sunlight access needs.</p> |

| GMU Comment | Response |
|--|---|
| <p>Natural ventilation</p> <p>Cross ventilation of single aspect units on Building B is dependent on small high windows to a common open air corridor, which slabs will operate like a solid canopy, which could block wind downdraft and therefore impede air flow. The cross ventilation of these units should be further tested.</p> <p>Further testing of the ventilation of kitchens should be required.</p> | <p>The natural cross ventilation assessment undertaken by Cardno for the Environmental Assessment provides a detailed section of the proposed natural ventilation qualities of some of the single aspect units, which rely on ventilation through the common corridor spaces.</p> <p>The ventilation of kitchens and units are to be certified that acceptable airflow can be achieved prior to the issue of a Construction Certificate for the proposed development.</p> |

3.4 State government agency submissions

The City of Canada Bay Council referred the Major Project Application to the following State Government Agencies for comment:

- Manager Contaminated Sites, Department of Environment Climate Change and Water
- Manager, Planning and Aboriginal Heritage Section, Department of Environment Climate Change and Water
- Senior Policy Analyst, Air Quality Environmental Health Branch Department of Health
- Manager Property Planning, NSW Maritime Authority
- Land Use Planning and Assessment Manager, Roads and Traffic Authority
- Manager Traffic Planning, State Transit Authority
- Manager Urban Growth Strategy and Procurement, Sydney Water
- Acting Manager, Transport Planning NSW Transport and Infrastructure
- Director, Sydney South West Area Health Service

The following agencies provided a submission with their comments on the Project Application to the City of Canada Bay Council:

- Sydney Water Corporation
- Department of Environment Climate Change and Water
- Roads and Traffic Authority
- Department of Health

Copies of the State Government agencies submissions are provided at **Appendix D**.

The Proponent's response to the issues raised in the submissions is provided in this section of the report.

3.4.1 Sydney Water Corporation (SWC)

Sydney Water Corporation wrote to the City of Canada Bay Council on 25 January 2011 to provide comments on the exhibited Environmental Assessment. The Proponent’s Civil Engineer AT&L Consulting Engineers wrote to Sydney Water Corporation to seek clarification on the Sydney Water comments on wastewater. SWC reissued its letter on 11 February 2010 amending its previous comments on waste water. **Table 5** provides the Proponent’s response to the SWC submission.

Table 5. Response to SCW submission

| SWC comment | Response |
|---|--|
| <p>Water The existing drinking water network has sufficient capacity to service the proposed development. The development will need to connect to the 300 mm main available on the western side of Shoreline Drive or the 250 mm main available on the western side of Walker Street.</p> <p>The connection will need to be sized and configured according to the Water Supply Code of Australia (Sydney Water Edition WSA 03-2002). Evidence of Code compliance should be attached with the extension design.</p> | <p>The proponent commits to provide evidence to SWC that the connection to the Sydney Water mains in Shoreline Avenue and Walker Street are in accordance with the Water Supply Code of Australia (Sydney Water Edition WSA 03-2002). Refer to the Draft Statement of Commitments at Section 4 of this Preferred Project Report</p> |
| <p>Wastewater Sydney Water and Brown Consulting P/L have carried out a full system study to define the amplifications needed to service the proposed development. Brown Consulting P/L designed the sewer to serve the proposed development and the 225mm property connection sewer mains that will serve each lot.</p> <p>The extensions have been sized and configured to the Sydney Supply Code of Australia (Sydney Water WSA 03-2002).</p> | <p>Noted.</p> |
| <p>Recycled water The existing recycled water network has capacity to service the development. The developer will need to connect to the 250mm main available on the eastern side of Shoreline Drive or the 150 mm main available on the eastern side of Marquet Street.</p> | <p>The existing recycled water supply network is currently not completed for connection to the subject development. The recycled system which is currently available to Sydney Olympic Park and Newington is not recognised by BASIX in the suburb of Rhodes and as such is not accommodated within the proposed development. Alternative water supply system is provided for the development in stormwater retention and reuse tank is proposed in the south eastern corner of basement level 2 for irrigating common landscape areas and for recharging fire sprinkler test water.</p> |
| <p>Sydney Water servicing Further assessment of amplification and/or changes to the system will be undertaken when the Proponent applies for a Section 73 Certificate.</p> | <p>An application for a Section 73 Certificate will be provided to SWC by the proponent, prior to the issue of a Construction Certificate for the development. Refer to Draft Statement of Commitments.</p> |
| <p>Sydney Water e-planning Email address to fast track Sydney Water servicing advice is available.</p> | <p>Noted.</p> |

3.4.2 DECCW

The NSW Department of Environment, Climate Change and Water wrote to the Department of Planning on 1 February 2011 and provided comments on the exhibited Environmental Assessment. **Table 6** provides the Proponent's response to the key issues raised in the DECCW submission.

Table 6. Response to DECCW submission

| DECCW Comment | Response | | | | | | | | | | | |
|---|--|----------|--|--|---------|---------|------------------------------|----------|----------|------------------------|----------|----------|
| <p>Final remediation levels are unavailable for inclusion in the proposal. An additional Site Audit Report is required if site remediation levels change to ensure that the remediated Lots remain suitable for their new proposed use and configuration.</p> | <p>The remediate levels of the site were confirmed by the remediation contractor Thiess Environmental Services and included in the Environmental Assessment, as follows:</p> <table border="1" data-bbox="719 730 1489 846"> <thead> <tr> <th></th> <th>Site 2A</th> <th>Site 3A</th> </tr> </thead> <tbody> <tr> <td>Remediated earthworks</td> <td>RL 8.600</td> <td>RL 7.550</td> </tr> <tr> <td>Bulk earthworks</td> <td>RL 9.100</td> <td>RL 8.050</td> </tr> </tbody> </table> <p>Remediated levels are not expected to change from those provided in the above table. Should remediation levels change before the completion for the remediation activities a site audit report will be prepared by a n accredited site auditor, in accordance with the provisions of the Contaminated Land Management Act and previous development consent for the remediation of the former Lednez site (including the subject site).</p> | | | | Site 2A | Site 3A | Remediated earthworks | RL 8.600 | RL 7.550 | Bulk earthworks | RL 9.100 | RL 8.050 |
| | Site 2A | Site 3A | | | | | | | | | | |
| Remediated earthworks | RL 8.600 | RL 7.550 | | | | | | | | | | |
| Bulk earthworks | RL 9.100 | RL 8.050 | | | | | | | | | | |
| <p>The Site Management Plan included as Appendix T is a generic Plan without mentioned Appendices.</p> | <p>The Final Site Management Plan is to be submitted to the Consent Authority prior to the occupation of the first residential unit on the site. This timing follows the orderly timeframe for the registration of the stratum and strata subdivision plans for the subject site. The generic plan has been endorsed by DECCW and was submitted with each planning application for the adjoining Site 1A (Billbergia) development and Site 1B (Renewing Homebush Bay) development.</p> | | | | | | | | | | | |
| <p>Douglas Partners advice that the shale is 'suitable for supporting the proposed buildings using appropriately designed piles', the advice does not describe the types of piles anticipated.</p> <p>DECCW would like to insist that driven piles (piles which result in little or no material extracted during their placement) be required across this and any other proposal for the former Union Carbide Site.</p> | <p>The Proponent commits to constructing the building with driven piles to minimise the potential to extract remediated material from below the maintenance layer.</p> <p>Refer to the Draft Statement of Commitments at Section 4.</p> | | | | | | | | | | | |
| <p>Prior to approval, if materials reconfiguration or material extracted from beneath the Maintenance Layer is anticipated by the proponent, a detailed Waste Management Plan, should be required to determine if any excavated material could safely and legally be disposed of in NSW.</p> | <p>As above, if the remediated levels and the level for the maintenance layer of clean fill is altered during the finalisation of the remediation works, the Site Management Plan approved by DECCW is to be amended with the new levels included. The Site Management Plan submitted with the Environmental Assessment will be adapted to suit the site specific remediated conditions for the Site 2A and 3A and included on the title of the common property of the site, as previously agreed by DECCW.</p> <p>The Site Management Plan included protocols for the treatment of remediated fill in the event that it is excavated. Specifically, Section 5 of the Site Management Plan deals with 'intrusive site works management'.</p> <p>Where disturbance of the site is proposed, certain restrictions for excavation and materials handling will apply. In terms of the earthworks,</p> | | | | | | | | | | | |

| DECCW Comment | Response |
|---------------|---|
| | <p><i>“During excavation works, care should be taken to separate differently classified materials from each other and from the surrounding soils. Excavated/disturbed materials must be replaced in the order/depth that they were removed and the surface level maintained and restored upon reinstatement.</i></p> <p><i>Excess spoil generated that cannot be reinstated to the original excavation area (or at another suitable location) must be classified and assessed for off-site disposal as per the NSW EPAs Environmental Guidelines: Assessment, Classification and management of Liquid and Non-Liquid Wastes (1999)”.</i></p> <p>The Site Management Plan includes requirements for the preparation of a details Contaminated Soil Management Plan, as follows:</p> <p><i>“5.3.7 Contaminated Soil Management</i></p> <p><i>A detailed contaminated soil management plan should be prepared prior to the excavation/disturbance of the site and implemented for the duration of the works. The contaminated soil management plan should include consideration of the following:</i></p> <ul style="list-style-type: none"> <i>• Procedures for testing and classification of excavated/disturbed impacted materials;</i> <i>• Procedures and processes for the management of excavated materials;</i> <i>• Provision for the management of excavated materials during all staged of the works, including excavation, transport, storage and disposal/reinstatement;</i> <i>• Details of measures to be implemented to minimise the loss of chemicals of concern to the environment by volatilisation, dust or lechate generation and other significant emission pathways that may occur as a result of intrusive activities on the site;</i> <i>• Management systems, procedures, structures and equipment to be applied to ensure best environmental practice for all contaminated materials disturbance ad handling activities on the site, including but not limited to:</i> <ul style="list-style-type: none"> <i>- Excavation and related activities;</i> <i>- Transport of materials;</i> <i>- Storage and handling of excavated materials; and</i> <i>- Reinstatement of materials.</i> |

3.4.3 Roads and Traffic Authority (RTA)

On 10 February 2011, the Sydney Regional Development Advisory Committee of the RTA wrote to the City of Canada Bay Council to provide their comments on the proposed development. **Table 7** provides a response to the issues raised by the RTA in their commission.

Table 7. Response to RTA submission

| RTA comment | Response |
|---|---|
| <p>1. Traffic modelling result of the intersections is unacceptable. The reality of the intersection operations is that some of the intersections are now operating at capacity during peak hours. The report does not include some critical intersections such as Homebush Bay Drive/Concord Road. The traffic model for the following intersections shall be revised using the traffic survey data in 2011 as a model input data:</p> <ul style="list-style-type: none"> • Concord Road/Averill Street; • Concord Road/Mary Street • Homebush Bay Drive/Oulton Avenue • Homebush Bay Drive/Concord Road <p>Identify any required countermeasures to improve the performance of the intersections.</p> | <p>The modelling referred to and contained within the Traffic Transport Report prepared by Thompson Stanbury is the modelling sourced from the Masson Wilson Twiney Traffic Report: Rhodes Peninsula - Traffic and Transport Analysis for Additional Development prepared for Architectus for the Rhodes West Master Plan 2009. This assessment included the total redevelopment of the remaining development sites including the subject site.</p> <p>The RTA has previously expressed concerns with respect to the findings of the Masson Wilson Twiney report and suggested (in their letter to Council on 26 August 2010) that a Strategic Traffic Model should be prepared to evaluate a cumulative impact of developments within Rhodes Peninsula of the existing road network. A subsequent letter to the RTA from Council's General Manager dated 8 September 2010 made reference to a meeting held between Council, the RTA and Masson Wilson Twiney during which the abovementioned RTA concerns were discussed. Council's letter stated that 'Masson Wilson Twiney and Council did not agree that the modelling undertaken by Masson Wilson Twiney was inadequate and it was believed that the RTA's concerns with the modelling were fully addressed at the meeting'.</p> <p>The above issues were discussed with representatives of the RTA prior to the finalisation of the Thompson Stanbury Transport Impact Assessment. From those discussions, we understand that the RTA have requested that Council investigate measures to improve road safety at the junction of Homebush Bay Drive and Oulton Avenue. In response to this, it is further understood that Council has advised the RTA that any potential upgrading works to this junction (most likely to include full signalisation of the right turn movement from Oulton Avenue) could be funded through a Voluntary Planning Agreement.</p> |
| <p>2. The maximum car parking spaces provided for each-unit shall be restricted to average one car parking space for one residential unit.</p> | <p>The proposed development compiles with the maximum residential car parking rate of 1 space per residential unit (on average).</p> <p>The issue of car parking provision within the Rhodes Peninsula has been the subject of discussions between the RTA and Council for some time. Council has previously indicated that the RTA recommendation of 1 space per 2 units is not practical due to various market forces. In this regard, Council has committed to engaging a specialist Travel Planner to prepare a detailed Travel Plan to assist with the coordination of services and promoting non car-based models of travel to incoming residents.</p> |
| <p>3. Recommend sustainable initiatives and measures such as Travel Access Guide (TAG) which will reduce car dependency and increase use of buses, bicycles and walking.</p> | <p>The proponent commits to prepare a Travel Access Guide for new residents prior to the issue of an occupation certificate for the first residential unit. Refer to the Draft Statement of Commitments at Section 4.</p> |

| RTA comment | Response |
|---|--|
| 4. Consult Transport NSW and the State Transit Authority (STA) to determine if additional bus services can be provided or rerouted to the development. | It is understand the Council are to consult with State Transit Authority to determine whether additional buses or existing bus services rerouted to service Rhodes West. |
| 5. Recommended treatment options for Homebush Bay Drive/Oulton Avenue intersection. | This has been discussed in relation to Point 1. It is understood that Council has committed to undertaking the required assessment and implementing the subsequent VPA. |
| 6. Swept path analysis of the longest vehicle entering and exiting the subject site, as well as manoeuvrability through the site. | Swept paths of garbage vehicles were formulated by Thompson Stanbury Traffic and Transport Engineers and provided on the architectural plans prepared by SJB and submitted as part of the application. These are referenced within Section 7.2.2 of the Transport Impact Assessment Report submitted with the Environmental Assessment. |
| 7. All vehicles are to enter and leave the site in a forward direction. | Noted. |
| 8. All vehicles should be wholly contained on site before being required to stop. | Noted. |
| 9. All loading and unloading shall occur on site. | Noted. |
| 10. The required sight lines to pedestrians and/or other vehicles in or around the entrances are not to be compromised by landscaping, signage, fencing or other materials. | All issues pertaining to the compliance of the design with respect to AS2890.1-2004 will be covered by a certification, prior to the issue of a Construction Certificate. |
| 11. Maximum gradients of 1 in 20 (5%) between edge of frontage road and property line, building line or pedestrian path. | All issues pertaining to the compliance of the design with respect to AS2890.1-2004 will be covered by a certification, prior to the issue of a Construction Certificate. |
| 12. Clear sightlines shall be provided at the property boundary line to ensure adequate visibility between vehicles leaving the car park and pedestrians along the frontage road footpath in accordance with AS2890.1 – 2004 for light vehicles and AS2890.2 – 2002 for heavy vehicles. | All issues pertaining to the compliance of the design with respect to AS2890.1-2004 will be covered by a certification, prior to the issue of a Construction Certificate. |
| 13. A Construction Traffic Management Plan detailing construction vehicle routes, number of trucks, hours of operation, access arrangement and traffic controls should be submitted to Council prior to the issue of a Construction Certificate. | <p>The Environmental Assessment included a description of the issues to be addressed in a Construction Traffic Management Plan prepared by the Proponent with input from the site contractor. A Construction Traffic Management Plan is to be prepared and submitted to the PCA prior to the issue of a Construction Certificate.</p> <p>Refer to the Draft Statement of Commitments at Section 4 of this report.</p> |
| 14. All demolition and construction vehicles are to be contained wholly within the site and vehicles must enter the site before stopping. | Noted. |
| 15. The Developer is responsible for all public utility adjustments/relocation works, necessitated by the development. | Noted. |
| 16. All works and regulatory signposting are to be at no cost to the RTA. | Noted |

3.4.4 NSW Department of Health

The Sydney Local Health Network of the NSW Department of Health wrote to the Department of Planning on 11 February 2011 to provide comments on the Environmental Assessment for the proposed Major Project Application. **Table 8** paraphrases the Department of Health comments and provides the Proponent's response.

Table 8. Response to NSW Department of Health submission

| NSW Department of Health comment | Proponent's response |
|---|---|
| <p>General comment</p> <p>The overall design of the proposed development at 40 Walker Street is consistent with the principles outlined in the Rhodes West Master Plan 2009, and includes several features that would create a healthy urban development.</p> | <p>Noted.</p> |
| <p>Public open space</p> <p>Commends the proposal for providing a large open space for diverse recreational purposes.</p> <p>Seeks to be involved in the design and embellishment of the open space to encourage use by a wide range of user groups for recreational activities and social interaction.</p> | <p>It is noted that the areas reserved for public open space to be dedicated to Council is supported by the Department of Health to support active recreational pursuits.</p> <p>Council may wish to consult with the Department of Health on the design of the public open space, during their assessment of the separate Development Application for that area of the site.</p> |
| <p>Social infrastructure</p> <p>Proposal would be strengthened by providing an assessment of the impact that future population will have on key social infrastructure, including health services, aged care services, welfare services, childcare services and education facilities. Consideration of demographic profile of perspective residents and needs of the community.</p> | <p>Council's assessment of the Planning Proposal for the Draft Rhodes West LEP and VPA for the remaining development parcels included consideration of the key social infrastructure and the impact of the future population.</p> |
| <p>Transport</p> <p>Requests that a Green Travel Plan be prepared.</p> <p>Suggests the number of bicycle parking spaces be increased or areas reserved for future bicycle parking spaces, should demand increase. Bicycle parking facilities should be located with good surveillance to deter theft.</p> | <p>The Proponent commits to prepare a 'Green Travel Plan' prior to the occupation of the first residential unit. Refer to the Draft Statement of Commitments at Section 4.</p> |
| <p>Adaptable housing</p> <p>Notes that the proposed development complies with Council's requirement for 15% adaptable housing.</p> | <p>The provision of 15% adaptable housing is consistent with Council's Rhodes West DCP and supports the future adaptation of units for the accessibility needs of people with varying mobility needs.</p> |

4 Revised Draft Statement of Commitments

The Director General's Requirements include a requirement to provide a Draft Statement of Commitments detailing measures for environmental management, mitigation measures and ongoing monitoring for the project. This section of the report outlines the commitments made by the Proponent to manage the site and the development and mitigate the on-going impacts of the development, that are understood to be implemented part of the conditions of development consent.

Following the exhibition of the Environmental Assessment, and receipt of submissions, the Draft Statement of Commitments has been revised to include additional environmental management and mitigation measures.

4.1 Other development approvals

The Proponent commits to seeking separate development approvals for the following development on the subject site:

- Public open space and public facilities
- Separate retail use and fitout for each tenancy
- Strata and Stratum subdivision

4.2 Ecological Sustainable Development

All dwellings are to be design and constructed to meet the minimum BASIX targets for energy and water conservation and thermal comfort, as outlined in the BASIX Certificates submitted with the Environmental Assessment.

4.3 Open space and public domain

The separate Development Application for public open space and public facilities is to be prepared by the Proponent and submitted to Council prior to the determination of this Part 3A Major Project Application.

All public open space areas are to be dedicated to the Council.

Embellishment works will be undertaken in accordance with the agreed staging under the signed Voluntary Planning Agreement for the subject site. The staged embellishment of the public open space is to be completed prior to the occupation of the corresponding building construction stage.

4.4 Public art

The Proponent will work with Council to prepare a public art strategy for the site in accordance with the Rhodes West DCP. Public art strategy is to be prepared in consultation with Council and finalised prior to the issue of the first Construction Certificate for the residential buildings on the site.

The Proponent commits to provide a monetary contribution to the City of Canada Bay Council of \$25,000 for the provision of public art on the site. The monetary contribution is to be provided to Council prior to the issue of the first Construction Certificate for the residential buildings on the site.

4.5 Walker Street upgrade

Upgrade works to surface and both sides of Walker Street is to be undertaken in accordance with the civil drawings prepared by the Proponent and submitted to Council for approval at Appendix W of this Environmental Assessment. Works to Walker Street are to be in accordance with Council's standards.

The timing for the construction of the proposed Walker Street upgrade works is to be in accordance with the staged development of Site 2A and 3A. Each stage of the Walker Street upgrade works are to be completed prior to the issue of an Occupation Certificate for the immediately adjacent building on the corresponding stage of development.

4.6 Residential apartment design

The Proponent commits to construct the residential buildings in accordance with the Architectural Plans prepared by SJB Architects, and in accordance with the Design Quality Principles of SEPP 65.

4.7 BASIX Certificate

The Proponents commits to constructing the proposed development in accordance with the BASIX Certificates provided with the Environmental Assessment.

Certification is to be provided to the Certifying Authority that the commitments identified in the BASIX Certificate have been fulfilled prior to the issue of an Occupation Certificate. The Proponent will provide a copy of the documentation to Council.

4.8 Consistency with the Building Code of Australia

The Proponent commits to comply with the relevant provisions of the Building Code of Australia.

4.9 Construction Management

Prior to the commencement of construction works, the Proponent will provide a Construction Management Plan prior to the commencement of works. The construction management plan is to include the following sub-plans:

- Air Quality Management Plan
- Noise and Vibration management Plan
- Construction Traffic Management Plan

4.10 Hours of construction activities

The Proponent committees to undertake construction activities within the timing times:

- Monday to Friday: 7am to 6pm
- Saturday: 8am to 1pm

No construction work is to be undertaken on the subject site on Sundays or Public Holidays.

4.11 Electricity supply details

Details confirming the proposed electricity supply and outcomes of negotiations between the Proponent and Energy Australia regarding existing power cables on the subject site are to be provided to the Principal Certifying Authority prior to the issue of the first Construction Certificate.

4.12 Gas supply details

An application to Jemena will be made by the Proponent for the provision of gas supplies to the subject site. Details are to be made available to the Principal Certifying Authority, provision to the issue of the first Construction Certificate.

4.13 Connection to Sydney Water Corporation mains

The proponent commits to provide evidence to SWC that the connection to the Sydney Water mains in Shoreline Avenue and Walker Street are in accordance with the Water Supply Code of Australia (Sydney Water Edition WSA 03-2002).

4.14 Stormwater infrastructure

Stormwater infrastructure including connections to the approved stormwater infrastructure within the public domain areas are to be constructed in accordance with Council's requirements.

4.15 Erosion and Sediment Control

The Proponent will implement the erosion and sediment control measures recommended by Cardno in the Stormwater Management Report submitted with the Environmental Assessment throughout the construction period.

4.16 Waste Management

The Proponent commits to adopting the recommended garbage room construction requirements outlined in the report prepared by Elephant Foot submitted with the Environmental Assessment, as follows:

1. The room floor to be sealed with a two pack epoxy;
2. All corners coved and sealed 100 mm up, this is to eliminate build up of germs;
3. A hot and cold water facility provided for washing all the bins;
4. A bucket trap type floor water installed where all concrete levels are to direct the water to;
5. All wall painted with light colour and washable paint;
6. Equipment electric outlets to be installed 1700 mm above FFL;
7. The room must be mechanically ventilated;
8. Optional automatic odour pest control system installed to eliminating all pest types. Note: This can be done after hand over where management can install if needed);
9. All hinged doors are to self closing, roller doors must be key operated with only access to authorised personnel; and
10. Garbage collection area, must be provided adjacent to the

garbage room with in the building envelope, all bin movements should be on even surface way from ramps.

The Proponent will provide documentation to the PCA demonstrating that the recommendations have been sufficiently addressed prior to the issue of a Construction Certificate.

4.17 Positive covenant & Site Environmental Management Plan

The Proponent commits to the registration of the public positive covenant on the title of the land that references the Site Environmental Management Plan that outlines the procedures and protocols for any future excavation of the site in accordance with Appendix T of the Environmental Assessment.

4.18 Construction Environmental Management Plan

The Proponent commits to preparing a detailed Construction Environmental Management Plan prior to the commencement of any construction on the site.

The Construction Environmental Management Plan is to include, but not be limited to the following sub-plans:

- Air Quality and dust management;
- Soil and water management;
- Contaminated Land Management;
- Waste management and reuse; and
- Noise and vibration management.

The Contaminated Land Management sub-plan will detail procedures for the constructing piles for building structure, which may excavate through remediated material.

A DECCW accredited site auditor (preferably with previous experience on the former Lednez site) will review the Contaminated Land Management sub-plan. The Site Auditor will also confirm that excavation works for the building piles, that may disturb remediated material have been undertaken in accordance with the Contaminated Land Management sub-plan.

Documentary evidence that excavation works have been undertaken in accordance with the Contaminated Land Management sub-plan from a Site Auditor is to be provided to the Certifying Authority prior to the issue of a Construction Certificate for above ground building works.

4.19 Contaminated soil management plan

A detailed contaminated soil management plan is to be prepared prior to the excavation and disturbance of soil and implemented for the duration of the works.

4.20 Acoustic mitigation measures

Mechanical Plant

The Proponent commits to undertaking an assessment of all external mechanical plant prior to the issues of a construction certificate once the plant selections have been finalised.

Acoustic treatments are to be determined in order to control plan noise emissions to the levels within the Noise Emission Requirements for Residential Receives provided in the Noise Impact Assessment prepared by Acoustic Logic submitted with the Environmental Assessment.

All plant types are to be satisfactorily attenuated to levels that comply with the Industrial Noise Policy criteria through appropriate location and (if necessary) acoustic treatments such as screens, enclosures and in-duct treatments (attenuators or lining) included.

4.21 Piling construction method

The Proponent commits to using driven piles, which result in little or no material being extracted during their placement for the construction of the structural pile support for the development.

4.22 Waste Management Plan

A Waste Management Plan will be prepared by the Proponent that outlines the procedures for safely and legally disposing of any waste material extracted from beneath the site maintenance layer.

4.23 Green Travel Plan

The Proponent commits to prepare a 'Green Travel Plan' prior to the occupation of the first residential unit.

4.24 Section 73 Certificate

An application for a Section 73 Certificate will be provided to SWC by the proponent, prior to the issue of a Construction Certificate for the development.

5 Conclusion

The proposed development of Site 2A and 3A at 40 Walker Street Rhodes, seeks consent for:

- **734 residential units**, a reduction of 2 units built across **5 separate buildings** within the subject lot:
 - **Building A** - 25 storeys containing 251 units, a reduction of two units;
 - **Building B** – 6 storey building containing 65 units;
 - **Building C** – 20 storey building containing 160 units;
 - **Building D** – 25 storey building containing 208 units; and
 - **Building E** – 6 storey building containing 50 units.
- **773 car parking spaces** and **113 bicycle spaces**, which are located in two basement levels.
- An **additional 137 bicycle spaces** are located in the public domain adjacent public entries and the retail uses;
- **A public park of 11,530m²** to be dedicated to Council. The design and embellishment of the park is to be subject to a separate Part 4 Development Application.
- **Common landscaped open space** between buildings B and C on podium level, on level 1 on the southern side of Bldg B and on Level 07 to the north end of Building D and private open as courtyards and balconies;
- **Vehicle access from Gauthorpe Street and Timbrol Avenue** and pedestrian access to all street frontages, direct access to the public open spaces and building entries of the street frontages. Equitable access throughout the public open spaces areas and to all building entries provided from street frontages; and
- **A total Gross Floor Area of 55,986sqm**. The floor space ratio is 2.71:1.

Following the Environmental Assessment, where 34 public submissions were received by the City of Canada Bay Council, submissions from State Government agencies as well as comments from Council's internal and external referrals were forwarded to the Proponent. This report has provided a response to the key issues raised in the submissions.

In response to the key issues the following amendments have been made to the proposed development:

- **Building A**
 - Move building A east between 1 and 1.5 metres in response to GMU assessment;
 - Depth of balconies at Levels 01, 02, 03, 04, 05, 06, 07 increased to reinforce the Walker Street streetwall and DCP built-to-line.
 - Direct access to Timbrol Avenue is to be provided for Unit A.PO.01;
 - Home office units provided in place of proposed Units A.PO.03 and A.PO.03;
 - Privacy screening provided to southern façade of Unit A1.09,

- A.2.10, A.3.10, A.4.10, A.5.10, B.6.10, B.7.10; and
- Remove storage from terraces and relocate within the units and in the basement levels.
- **Building B**
 - Additional steps have been introduced from the common access to podium level units to Timbrol Avenue footpath;
 - Palisade fencing is providing to north facing podium level units fronting Timbrol Avenue;
 - Privacy screening provided to Units B.1.11, B.2.12, B.3.12, B.4.12, and B.5.12; and
 - Privacy screening provided to Units B1.01, B.2.01, B.3.01, B.4.01, and B.5.01; and
 - Common garden area at Level 01 indicated as “possible common garden area”.
- **Building C**
 - It is noted that no amendments have been made to Building C.
- **Building D**
 - Additional retail tenancy provided on southern side of building at Level 1 Basement Level (ground floor of building fronting proposed public plaza space);
 - Frontage to the retail units including stairs and ramps has been reconfigured to provide pedestrian and equitable access;
 - Stairs and ramp arrangements in front of the residential lobby from Walker Street reconfigured to improve equitable and pedestrian access; and
 - Retail activity has been introduced around the western side of Building D.
- **Building E**
 - Rationalise location of substations and switch room and other services to improve Gauthorpe Street streetscape;
 - Introduces a frame element to the car park entry from Gauthorpe Street to provide greater articulation with variety of building materials;
 - Introduce retail activity at Gauthorpe Street frontage; and
 - Entry to Building E made more prominent at Gauthorpe Street.
- **Public open space**
 - Deletion of the proposed communal facilities building. Details of uses and design and embellishment of the public open space and publicly accessible facilities will be the subject of a separate Development Application; and
 - The edge of the Level 1 basement car parking structure has been set back from the lower level public open space on Basement Level 1 to improve the diagonal view corridor and the transition in level between Basement Level 1 and the Podium level. The final resolution of the levels and line of the podium level will be the subject of a separate agreement with Council and subject to a separate development application, which will be publicly exhibited.

Amendments to the proposed waste and recycling have also been made to the project application in response to comments from Council's waste services department.

The Project Application has been prepared in accordance with the Part 3A of the Environmental Planning and Assessment Act 1979, the Director General's Environmental Assessment Requirements. This report has address the issues raised in submission with amendments to the exhibited Environmental Assessment, as well as the Draft Statement of Commitments.

Accordingly, it is recommended that the Planning Assessment Commission approve the Project Application subject to the revised Draft Statement of Commitments.