

30 March 2022

218757

Anthony Witherdin
Director – Key Sites Assessments
Department of Planning and Environment
4 Parramatta Square, 12 Darcy Street
Parramatta NSW 2150

ATTN: David Glasgow, Principal Planning Officer, Key Sites Assessments

Dear David,

**RESPONSE TO REQUEST FOR ADDITIONAL INFORMATION
SSD-11429726 – EDEN STREET COMMUNITIES PLUS**

This letter has been prepared by Ethos Urban on behalf of Arncliffe Eden Property Pty Ltd in response to the Request for Additional Information (RFI) issued by the Department of Planning and Environment (DPE) for SSD-11429726 dated 17 March 2022. SSD-11429726 seeks approval for the development of land at 26-42 Eden Street and 161-179 Princes Highway, Arncliffe (the site) into a mixed-use precinct with retail and residential uses, involving both market and social housing.

This letter should be read in conjunction with the following appended documentation:

- Amended Architectural Plans prepared by Group GSA (**Attachment A**);
- Amended Landscape Plans prepared by Group GSA (**Attachment B**);
- Amended ESD Report prepared by Mott Macdonald (**Attachment C**);
- Intersection Performance and Travel Route Diagrams prepared by Stanbury Traffic Consulting (**Attachment D**);
- Potential Basement Easement Connection Statements, prepared:
 - By TTW (**Attachment E**);
 - By Stanbury Traffic Planning (**Attachment F**);
 - By Corporate Counsel Services (**Attachment G**);
- Retail Paid Parking Strategy prepared by Billbergia (**Attachment H**);
- Acoustic Cover Letter prepared by JHA (**Attachment I**);
- Revised Visual Impact Report prepared by Virtual Ideas (**Attachment J**);
- Heritage Cover Letter prepared by Weir Phillips (**Attachment K**); and
- Amended Wind Impact Assessment prepared by SLR (**Attachment L**).

A detailed response to each item raised by DPE is provided below.

1.0 Response to RFI Letter

A response to each item raised in DPE's RFI letter dated 17 March 2021 is provided in **Table 1** below.

Table 1 Response to RFI

Item no.	Item	Proponent's response
ADG compliance		
1	Update the ADG compliance table to include a full assessment against all relevant clauses including 3 a, c, g, h, i, 4 h to k, m- o, q, and t-x.	An updated assessment against the ADG with regards to all relevant clauses, including those nominated by DPE, has been provided at Section 2 of this letter.
2	Provide an analysis and justification for non-compliances of the minimum internal storage space requirements.	Group GSA confirm all apartments meet the minimum internal storage space requirements. There were drafting errors in the previously submitted documentation. This has been corrected at Drawings DA-4051 – DA-4054 of the Amended Architectural Plans at Attachment A , which confirms all apartments comply with ADG internal storage requirements.
3	Confirm whether occupants of Building B will have access to communal open space.	All Building B residents will have access to the communal open space located at the Buildings A and B podium at level 7. Refer to Drawing DA-2012 of Attachment A which shows that access will be provided from the Building B lobby.
4	Highlight on plan all units which do not meet the minimum 3m room size requirement	Group GSA confirm all bedrooms meet the 3m room size dimension requirements. There were drafting errors in the previously submitted documentation. This has been rectified at Attachment A for all buildings as follows: <ul style="list-style-type: none"> • Drawings DA-2101 – DA-2121 for Building A; • Drawings DA-2201 – DA-2222 for Building B; • Drawings DA-2300 – DA-2318 for Building C; and • Drawings DA-2400 – DA-2420 for Building D.
5	Provide an updated analysis of solar access compliance for each individual building.	This information was provided within the covering Drawings List (Drawing DA-0000) of the submitted Architectural Plans. All individual buildings are compliant with ADG requirements for solar access, with >70% of apartments receiving more than 2 hours sunlight between 9am-3pm midwinter. The specific breakdown for all buildings is as follows: <ul style="list-style-type: none"> • Building A: 132 out of 186 apartments (71%); • Building B: 146 out of 202 apartments (72.3%); • Building C: 126 out of 180 apartments (70%); and • Building D: 123 out of 176 apartments (70%).
Amenity impacts		

Item no.	Item	Proponent's response
6	Provide a more detailed response to the objection from 158-164 Princes Highway including a perspective view of the proposed development from the westerly facing side of the building.	A comprehensive response to the submission from 158-164 Princes Highway, as well as a views analysis of the proposal from that building, has been provided at Section 3 of this letter.
Childcare centre		
7	Provide a preliminary assessment of the childcare centre against the relevant parts of the education SEPP including the design quality principles and matters for consideration.	A preliminary assessment against Chapter 3 of <i>State Environmental Planning Policy (Transport and Infrastructure) 2021</i> (former Educational Facilities and Child Care SEPP) is provided in Section 4 of this letter.
Contextual analysis		
8A	Provide further analysis and clarification as to how the testing of the adjacent development site demonstrates compatibility with the proposed development, including higher resolution images and commentary around solar compliance (images on page 12 of the Design Amendment Report).	Additional information has been provided at Section 5 of this letter.
ESD		
9	Clarify the extent and capacity of proposed solar PV and demonstrate how the use of solar energy has been maximised. Update the ESD report to reflect any changes from the EIS.	An updated ESD report has been attached to this letter at Attachment C . The updated ESD report is consistent with the proposal as amended under the RTS and demonstrates that usage of solar energy has been reasonably maximised at the site.
Trees and landscaping		
10	Provide a detailed summary of the proposed amendments to landscaping and planting.	<p>A complete list of amendments to landscaping and planting sought under the RTS amendments are as follows:</p> <ul style="list-style-type: none"> • Inclusion of a basement access ramp accessed from the Princes Highway; • Adjustments to the basement envelope to: <ul style="list-style-type: none"> – increase additional soil width and soil volume to accommodate landscaping along the Princes Highway frontage. – retain trees 44 and 45 on the Princes Highway frontage. – increase tree protection zone to tree 109. – retain tree 03 • Relocation of existing trees 90, 128 and 134; • Minor refinements to planting to accommodate the re-planning of lobbies to Buildings C and D in response to the relocation of the childcare centre; • Provision of a level open space area within Eden Street Park; • Reconfiguration of Tower A rooftop communal open space. • Remove Tower B rooftop communal open space to comply with height limit.

Item no.	Item	Proponent's response
11	Noting the inconsistencies between the landscaping plans and arborist report(s) confirm the number of trees to be retained, removed and relocated, tree protection measures for all trees to be retained (including off site) and provide updated plans/reports to ensure consistency.	Refer to the Tree Removal Plan provided at Drawing DA-9100, and Tree Removal Schedule provided at Drawing DA-9101 of the Amended Landscape Plans at Attachment B .
12	Confirm the number of trees to be removed, retained and relocated.	As above.
13	Provide an annotated plan showing deep soil, natural ground and soil on slab areas in square metres.	Refer to Drawing DA-9706 of the Amended Landscape Plans at Attachment B .
14	Provide additional scale sections through the Princes Highway setback at the southern end, centre and adjacent to the deceleration lane to demonstrate the building setbacks and soil areas provided.	Additional scale sections of the Princes Highway are provided within Drawing DA-9505 – 9506 of the Amended Landscape Plans at Attachment B .
Transport		
15	Provide a summary clearly showing: <ul style="list-style-type: none"> existing and proposed trips and impacts to intersection performance (LOS) during peak periods a diagrammatic representation of predicted travel routes to and from the site. 	Refer to Intersection Performance and Travel Route diagrams prepared by Stanbury Traffic Consulting at Attachment D .
16	Provide details of the studies/analysis undertaken to discount the possibility of including a basement easement to the site to the south.	<p>Potential Basement Easement Connection Statements have been prepared by TTW, Stanbury Traffic Consulting and Corporate Counsel Services at Appendices E, F and G, confirming that a potential future basement connection to the lots south of the site would be unfeasible from structural integrity, traffic planning, and legal perspectives.</p> <p>Accordingly, the proposal would be unable to accommodate this easement.</p>
17	Confirm the number of retail (staff and visitor) and childcare cycle parking spaces and ensure the correct number are shown on plan, noting the Submissions Report, Architectural Plans and Transport Impact Assessment provide varying numbers.	<p>The correct number of bicycle parking spaces are confirmed in Drawing DA-2001 of Attachment A, and are as follows:</p> <ul style="list-style-type: none"> Residential: 509 spaces Retail customer: 4 spaces Retail staff: 26 spaces Childcare staff: 4 spaces
18	Clarify which apartments have access to cycle storage and consider options to provide space for communal/unallocated cycle parking, to ensure flexible use and availability for residents without private storage provision.	<p>The proposal will provide 305 bicycle spaces within residential storage cages, and 204 flexible communal bike storage spaces, for a total of 506 residential bike spaces overall.</p> <p>Refer to Drawings DA-2001 – DA-2005, DA4049 and DA4050 of the Amended Architectural Plans at Attachment A. The locations of residential bicycle parking have been further refined by the proponent as shown on the Plans.</p> <p>Detailed allocation of apartments to bicycle storage will occur at the detailed design stage of development.</p>

Item no.	Item	Proponent's response
19	Provide details of any proposed paid parking restrictions for the retail component.	The proposed retail parking will be subject to paid restrictions. Expected prices are still tentative however it is currently envisioned for the first 3 hours of retail parking to be free, with payment charged for additional hours. Refer to the Retail Paid Parking Strategy at Attachment H .
Other matters		
20	Confirm the residential GFA (and FSR) noting both 61,160 and 61,464m ² are stated on the Architectural plans and provide a breakdown of GFA per building,	<p>The proposal seeks a total residential GFA of 61,160m², broken down as follows:</p> <ul style="list-style-type: none"> • Building A: 17,411m² • Building B: 17,503m² • Building C: 11,999m² • Building D: 14,247m² <p>Updated GFA Plans have been provided at Drawings DA-4350 – DA-4353 of the Amended Architectural Plans (Attachment A) to correct previous inconsistencies in documentation.</p>
21	Confirm and provide analysis of the revised retail GFA noting inconsistencies between the architectural plans (3,353 m ²) and Submissions Report and Transport Impact Assessment (3,153 m ²).	The correct total retail GFA is 3,113m ² . The 3,353m ² figure erroneously included the future 240m ² childcare tenancy.
22	Confirm whether the Acoustic statement has considered the revised proposal.	An Acoustic Cover Letter has been prepared by JHA at Attachment I confirming consideration of the proposal as amended under the RTS.
23	Provide updated VIA images.	<p>An updated Visual Impact Report has been prepared by Virtual Ideas at Attachment K. The VIA provides visual comparative images between the original EIS scheme and the development as amended under the RTS.</p> <p>Additionally, a Heritage Cover Letter has been prepared by Weir Phillips at Attachment K confirming the development as amended under the RTS continues to not have unreasonable heritage impacts.</p>
24	Update the wind impact assessment to reflect the RtS scheme.	An Updated Wind Impact Assessment has been prepared by SLR at Attachment L to reflect the scheme as refined under the RTS.

2.0 Assessment Against ADG Compliance

An assessment of the proposal against all relevant clauses of the ADG including the following nominated in DPE's RFI letter:

- Part 3: Clauses A, C, G, H. Clause I does not exist under Part 3 of the ADG; and
- Part 4: Clauses H through K, M through O, Q, and T through X

Has been provided in **Table 2** below.

Table 2 Assessment against SEPP 65 and the Apartment Design Guide

Objectives and Design Criteria	Commentary	Complies?
Part 3 – Siting the Development		
3A Site Analysis		
<i>Objective</i> Site analysis illustrates that design decisions have been based on opportunities and constraints of the site conditions and their relationship to the surrounding context.		✓ Yes
<i>Design Criteria</i> Each element in the Site Analysis Checklist should be addressed (see Appendix 1).	The proposal has considered all aspects of context and site analysis, including all matters raised in the site analysis checklist at Appendix 1 of the ADG. Refer to pages 15-47 inclusive of the Urban Design Report submitted at Appendix B of the EIS.	✓ Yes
3C Public Domain Interface		
<i>Objective</i> Transition between private and public domain is achieved without compromising safety and security.	The proposal has considered all aspects of interface with the public domain in accordance with the design guidelines under Clause 3C. The proposal provides a variety of activation opportunities through residential lobbies, retail, terrace housing and childcare uses all addressing the public realm. Refer to further discussion provided at pages 81-111 of the Urban Design Report submitted at Appendix B of the EIS.	✓
<i>Objective</i> Amenity of the public domain is retained and enhanced		Yes
3D Communal and Public Open Space		
<i>Objective</i> An adequate area of communal open space is provided to enhance residential amenity and to provide opportunities for landscaping.		✓ Yes

Objectives and Design Criteria			Commentary	Complies?
<i>Design Criteria</i> Communal open space has a minimum area equal to 25% of the site.			The development as amended exceeds the requirements for communal open space (COS): <ul style="list-style-type: none">Site area = 13,440.3m²Minimum COS required = 3,360m²COS provided = 2,893m² (21%) This results in a 467m ² variation to the ADG requirement for communal open space. The proposal includes the construction and ongoing management of a publicly accessible 4,000m ² park and an 870m ² plaza that are immediately adjacent to the buildings. The provision of the publicly accessible open space results in a total of 7,763m ² of high quality communal open space within the development which equates to 57.8% of the site area. For this reason, the proposed variation is considered appropriate in the circumstances.	Variation proposed. Appropriate under the circumstances
Developments achieve a minimum of 50% direct sunlight to the principal usable part of the communal open space for a minimum of 2 hours between 9 am and 3 pm on 21 June (mid winter).			The development exceeds the minimum requirement of 50% direct sunlight to communal open space. <ul style="list-style-type: none">COS provided = 2,893m²50% of COS = 1,446.5m²Area achieving 2hrs solar access = 1,655m² (57%) Refer to drawing DA-4201 of the submitted Architectural Plans.	✓ Yes
3E Deep Soil Zones				
<i>Objective</i> Deep soil zones provide areas on the site that allow for and support healthy plant and tree growth. They improve residential amenity and promote management of water and air quality.				✓ Yes
<i>Design Criteria</i> Deep soil zones are to meet the following minimum requirements:			8% of the site area has been provided as deep soil within Eden Street Park. This meets ADG requirements. An additional 5% has been provided as 'natural ground' area (adequate to be considered deep soil for sites <1,500m ²). See Section 4.5.1 of the submitted RTS report.	✓ Yes
Site Area	Minimum Dimensions	Deep Soil Zone (% of site area)		
Less than 650m ²	-	7%		
650m ² – 1,500m ²	3m			
Greater than 1,500m ²	6m			
Greater than 1,500m ² with significant existing tree cover	6m			
3F Visual Privacy				

Objectives and Design Criteria			Commentary	Complies?
<i>Objective</i> Adequate building separation distances are shared equitably between neighbouring sites, to achieve reasonable levels of external and internal visual privacy.				✓ Yes
<i>Design Criteria</i> Separation between windows and balconies is provided to ensure visual privacy is achieved. Minimum required separation distances from buildings to the side and rear boundaries are as follows:			The design complies with the requirements for building separation for habitable to habitable, habitable to non-habitable and non-habitable to habitable façade conditions.	✓ Yes
Building Height	Habitable rooms and balconies	Non-habitable rooms	The design has taken care to place windows and balconies in locations that minimise privacy concerns for residents.	
Up to 12m (4 storeys)	6m	3m	Refer to DA4120 – DA4123 of the submitted Architectural Plans for building separation diagrams.	
Up to 25m (5-8 storeys)	9m	4.5m		
Over 25m (9+ storeys)	12m	6m		
3G Pedestrian Access and Entries				
<i>Objective</i> Building entries and pedestrian access connects to and addresses the public domain			The proposal provides a high degree of pedestrian access and amenity. This includes: <ul style="list-style-type: none">• A through site link connecting the Princes Highway to Eden Street and Arncliffe station• A cross site directional public access connecting the pedestrian desire line from the Princes Highway traffic lights and surrounding residential communities across the site to the station.• A 4000m² public park (Eden Street Park) which is part of the public realm in the proposal.• An additional direct pedestrian connection crossing from the Princes Highway to Eden Street where the childcare is located on the other side of Eden Street Park, activated by front gates to the terrace houses. Additionally, there are four residential lobbies that address the street interface, providing additional pedestrian amenity. Refer to pages 81-111 and 122-125 inclusive of Urban Design Report by Group GSA submitted at Appendix B of the EIS.	✓ Yes
<i>Objective</i> Access, entries and pathways are accessible and easy to identify				✓ Yes
<i>Objective</i> Large sites provide pedestrian links for access to streets and connection to destinations				✓ Yes
3H Vehicle Access				
<i>Objective</i> Vehicle access points are designed and located to achieve safety, minimise conflicts between pedestrians and vehicles and create high quality streetscapes			Extensive design has gone into vehicular access points to achieve safety, minimise conflicts between pedestrians and vehicles, and create high quality streetscapes. The vehicular access design was further improved through amendments to the proposal made under the RTS. Refer to Section 4.6 of the submitted RTS Report for further discussion.	✓ Yes
3J Bicycle and Car Parking				

Objectives and Design Criteria		Commentary	Complies?
Objective Car Parking is provided based on proximity to public transport in metropolitan Sydney and centres in regional areas.			✓ Yes
Design Criteria For development on sites that are within 800 metres of a railway station or light rail stop in the Sydney Metropolitan Area; or on land zoned, and sites within 400 metres of land zoned, B3 Commercial Core, B4 Mixed Use or equivalent in a nominated regional centre, the minimum car parking requirement for residents and visitors is set out in the Guide to Traffic Generating Developments, or the car parking requirement prescribed by the relevant council, whichever is less. The car parking needs for a development must be provided off street.		The site is located within 800m of Arncliffe station and is zoned B4 Mixed Use. The proposed parking rates achieve an appropriate balance between TfNSW's <i>Guide to Traffic Generating Developments</i> rates and Rockdale DCP rates. Additional discussion has been provided within the Traffic Statement submitted at Appendix N of the RTS Report.	✓ Yes
Part 4 – Designing the Buildings			
4A Solar and Daylight access			
Objective To optimise the number of apartments receiving sunlight to habitable rooms, primary windows and private open space.			✓ Yes
Design Criteria Living rooms and private open spaces of at least 70% of apartments in a building receive a minimum of 2 hours direct sunlight between 9 am and 3 pm at mid-winter in the Sydney Metropolitan Area and in the Newcastle and Wollongong local government areas.		523 (70%) of the apartments in the building receive a minimum of 2 hours direct sunlight during the required hours. Under the RTS scheme, compliance is achieved both site-wide and for each individual building. Refer to drawings DA4450 - DA4453, and DA4460 – DA4593 of the submitted Architectural Plans compliance diagrams, and DA4500 – DA4501 for sun eye diagrams.	✓ Yes
A maximum of 15% of apartments in a building receive no direct sunlight between 9 am and 3 pm at mid-winter.		108 (14.5%) units do not receive direct sunlight due to their orientation.	✓ Yes
4B Natural Ventilation			
Objective The number of apartments with natural cross ventilation is maximised to create a comfortable indoor environment for residents.			✓ Yes
Design Criteria At least 60% of apartments are naturally cross ventilated in the first nine storeys of the building. Apartments at ten storeys or greater are deemed to be cross ventilated only if any enclosure of the balconies at these levels allows adequate natural ventilation and cannot be fully enclosed.		The proposed buildings maximise cross-ventilation. Under the RTS scheme, 232 out of 324 (72%) of all apartments in the first 9 storeys of the development (including at least 63.3% for each building) are naturally cross ventilated. This exceeds the ADG minimum. Refer to DA4400 and DA4440 of the submitted Architectural Plans for compliance details.	✓ Yes
Overall depth of a cross-over or cross-through apartment does not exceed 18m, measured glass line to glass line.		The maximum depth of through apartments is 13m (Apt 109 through A509 and B104 through B504).	✓ Yes
4C Ceiling Height			

Objectives and Design Criteria		Commentary	Complies?
<i>Objective</i> Ceiling height achieves sufficient natural ventilation and daylight access.			✓ Yes
<i>Design Criteria</i> Measured from finished floor level to finished ceiling level, minimum ceiling heights are:		Residential level floor to floor heights have been set to ensure that the required ceiling heights are achievable. Floor to floor heights of 3.1m are provided for all floors, excepting where residential apartments are located on upper ground level for Buildings A and D, where a floor to floor level of 4m has been provided. Refer to DA3050 – DA3051 of the submitted Architectural Plans for floor to floor heights.	✓ Yes
Minimum ceiling height			
Habitable rooms	2.7m		
Non-habitable	2.4m		
For 2 storey apartments	2.7m for main living area floor 2.4m for second floor, where its area does not exceed 50% of the apartment area		
Attic spaces	1.8m at edge of room with a 30 degree minimum ceiling slope		
If located in mixed use areas	3.3m for ground and first floor to promote future flexibility of use		
These minimums do not preclude higher ceilings if desired.			
4D Apartment Size and Layout			
<i>Objective</i> The layout of rooms within an apartment is functional, well organised and provides a high standard of amenity.			✓ Yes
<i>Design Criteria</i> Apartments are required to have the following minimum internal areas:		All apartments are equal to or greater than the minimum internal areas required. Refer to DA4000 – DA4007 of the Architectural Plans for unit mix and area diagrams.	✓ Yes
Apartment TypeMinimum internal area			
Studio	35m²		
1 bedroom	50m²		
2 bedroom	70m²		
3 bedroom	90m²		
The minimum internal areas include only one bathroom. Additional bathrooms increase the minimum internal area by 5m² each.			
A fourth bedroom and further additional bedrooms increase the minimum internal area by 12m² each.			

Objectives and Design Criteria	Commentary	Complies?
Every habitable room must have a window in an external wall with a total minimum glass area of not less than 10% of the floor area of the room. Daylight and air may not be borrowed from other rooms.	External glazing to all habitable rooms is greater than the minimum 10% required.	✓ Yes
<i>Objective</i> Environmental performance of the apartment is maximised.		✓ Yes
<i>Design Criteria</i> Habitable room depths are limited to a maximum of 2.5 x the ceiling height.	All habitable room depths of the proposed development comply with this control.	✓ Yes
In open plan layouts (where the living, dining and kitchen are combined) the maximum habitable room depth is 8m from a window.	All apartments comply with the maximum depths of apartments with open plan living.	✓ Yes
<i>Objective</i> Apartment layouts are designed to accommodate a variety of household activities and needs.		✓ Yes
<i>Design Criteria</i> Master bedrooms have a minimum area of 10m ² and other bedrooms 9m ² (excluding wardrobe space).	Bedrooms and master bedrooms have been designed to be equal to or greater than the minimum sizes required.	✓ Yes
Bedrooms have a minimum dimension of 3m (excluding wardrobe space).	The proponent has reviewed the proposal and can confirm that there are no bedrooms which do not meet the 3m room size dimension requirements. There were drafting errors in the room dimensions of previously submitted documentation which led to the dimensions of certain bedrooms reading less than 3m. This has been rectified at Attachment A for all buildings as follows: <ul style="list-style-type: none"> • Drawings DA-2101 – DA-2121 for Building A; • Drawings DA-2201 – DA-2222 for Building B; • Drawings DA-2300 – DA-2318 for Building C; and • Drawings DA-2400 – DA-2420 for Building D. 	✓ Yes
Living rooms or combined living/dining rooms have a minimum width of: <ul style="list-style-type: none"> • 3.6m for studio and 1 bedroom apartments • 4m for 2 and 3 bedroom apartments. 	All living rooms or combined/living dining rooms comply with the minimum width requirements.	✓ Yes
The width of cross-over or cross-through apartments are at least 4m internally to avoid deep narrow apartment layouts.	All cross-over and cross-through apartments comply with the minimum width requirements.	✓ Yes
4E Private Open Space and Balconies		
<i>Objectives</i> Apartments provide appropriately sized private open space and balconies to enhance residential amenity.		✓ Yes

Objectives and Design Criteria			Commentary	Complies?
<i>Design Criteria</i> All apartments are required to have primary balconies as follows:			All apartments meet the minimum requirements for areas and depths as required. See Drawings DA4100 – DA4103 of the Architectural Plans for details.	✓ Yes
Dwelling Type	Minimum Area	Minimum depth		
Studio apartment	4m ²	-		
1 bedroom apartment	8m ²	2m		
2 bedroom apartment	10m ²	2m		
3+ bedroom apartment	12m ²	2.4m		
The minimum balcony depth to be counted as contributing to the balcony area is 1m.				
For apartments at ground level or on a podium or similar structure, a private open space is provided instead of a balcony. It must have a minimum area of 15m ² and a minimum depth of 3m.			All ground and podium level apartments have been designed to comply with the minimum depth of 3m and area of 15m ² . Ground level townhouses and apartments to Building D typically exceed these requirements. Public open spaces on podiums have been extended to parapets where possible to maximise areas. Public open spaces on podium levels adjacent to community open spaces have had areas increased to comply and provide for extensive privacy planting.	✓ Yes
4F Common Circulation and Spaces				
<i>Objective</i> Common circulation spaces achieve good amenity and properly service the number of apartments.				✓ Yes

Objectives and Design Criteria	Commentary	Complies?								
The maximum number of apartments off a circulation core on a single level is eight.	<p>Design guidance for this criteria states that, in instances where it is exceeded, “<i>no more than 12 apartments should be provided off a circulation core on a single level</i>”. The proposal is consistent with this guidance with no more than 10 apartments provided off a level, except for Building B podium levels 2-5 where 11 apartments are provided.</p> <p>The proposed number of apartments per floor is summarised below:</p> <table><tr><td>Building A</td><td>Building C</td></tr><tr><td><ul style="list-style-type: none">• 6 apartments upper ground• 9 apartments levels 1 to 20</td><td><ul style="list-style-type: none">• 10 apartments levels 1 to 18</td></tr><tr><td>Building B</td><td>Building D</td></tr><tr><td><ul style="list-style-type: none">• 3 apartments upper ground• 9 apartments level 1• 11 apartments levels 2 to 5• 10 apartments level 6• 9 apartments levels 7 to 21</td><td><ul style="list-style-type: none">• 3 apartments upper ground• 8 apartments level 1• 9 apartments levels 6 to 18• 5 apartments level 19</td></tr></table> <p>All cores have access to natural daylight from the lift lobby, and daylight and ventilation have been provided to all common area corridors.</p>	Building A	Building C	<ul style="list-style-type: none">• 6 apartments upper ground• 9 apartments levels 1 to 20	<ul style="list-style-type: none">• 10 apartments levels 1 to 18	Building B	Building D	<ul style="list-style-type: none">• 3 apartments upper ground• 9 apartments level 1• 11 apartments levels 2 to 5• 10 apartments level 6• 9 apartments levels 7 to 21	<ul style="list-style-type: none">• 3 apartments upper ground• 8 apartments level 1• 9 apartments levels 6 to 18• 5 apartments level 19	Complies with design guidance
Building A	Building C									
<ul style="list-style-type: none">• 6 apartments upper ground• 9 apartments levels 1 to 20	<ul style="list-style-type: none">• 10 apartments levels 1 to 18									
Building B	Building D									
<ul style="list-style-type: none">• 3 apartments upper ground• 9 apartments level 1• 11 apartments levels 2 to 5• 10 apartments level 6• 9 apartments levels 7 to 21	<ul style="list-style-type: none">• 3 apartments upper ground• 8 apartments level 1• 9 apartments levels 6 to 18• 5 apartments level 19									
For buildings of 10 storeys and over, the maximum number of apartments sharing a single lift is 40.	<p>2 lifts are provided in Building C. 3 are provided in Buildings A, B and D. It was deemed by the design team that the provision of additional lifts may not provide any significantly greater amenity to occupants, and that the current provision still allowed for wait times within acceptable maximum ranges.</p> <p>This allows the cores to remain at an appropriate size, enabling them to be located either centrally to the floorplate or on the southern elevations to maximise the number of apartments per level with access to sunlight.</p>	✓ Yes								
4G Storage										
<p>Objective</p> <p>Adequate, well designed storage is provided in each apartment.</p>		✓ Yes								

Objectives and Design Criteria		Commentary	Complies?
<i>Design Criteria</i> In addition to storage in kitchens, bathrooms and bedrooms, the following storage is provided:		All apartments exceed the ADG minimum requirements for 50% of storage located within the apartment and 50% located in the basements. Refer to drawings DA4050 – DA-4054 of the Architectural Plans for details.	✓ Yes
Dwelling Type	Minimum Area		
Studio apartment	4m ³		
1 bedroom apartment	6m ³		
2 bedroom apartment	8m ³		
3+ bedroom apartment	10m ³		
At least 50% of the required storage is to be located within the apartment.			
4H Acoustic Privacy			
<i>Objective</i> Noise transfer is minimised through the siting of buildings and building layout.		The proposed development has applied the relevant design guidance provided by the ADG under this clause. The following submitted documents confirm that the proposal will not generate adverse acoustic impacts: <ul style="list-style-type: none">Noise and Vibration Assessment by Stantec, submitted at Appendix P of the EISAcoustic Statement for Ventilation to Apartments by JHA, submitted at Appendix T of the RTS Report	✓ Yes
<i>Objective</i> Noise impacts are mitigated within apartments through layout and acoustic treatments.			✓ Yes
4J Noise and Pollution			
<i>Objective</i> In noisy or hostile environments the impacts of external noise and pollution are minimised through the careful siting and layout of buildings.		The siting and layout of buildings has minimised acoustic impacts where possible. Noise shielding or attenuation techniques form part of the proposed development, including the provision of wintergardens for apartments with an aspect to the Princes Highway to ensure appropriate levels of acoustic amenity are achieved. The following submitted documents confirm that the proposal will not generate adverse acoustic impacts: <ul style="list-style-type: none">Noise and Vibration Assessment by Stantec, submitted at Appendix P of the EISAcoustic Statement for Ventilation to Apartments by JHA, submitted at Appendix T of the RTS Report	✓ Yes
<i>Objective</i> Appropriate noise shielding or attenuation techniques for the building design, construction and choice of materials are used to mitigate noise transmission.			✓ Yes
4K Apartment Mix			
<i>Objective</i> A range of apartment types and sizes is provided to cater for different household types now and into the future		The proposal has been designed to ensure that a diverse and attractive apartment mix is provided. Of the proposed 744 apartments:	✓ Yes

Objectives and Design Criteria	Commentary	Complies?
<i>Objective</i> The apartment mix is distributed to suitable locations within the building	<ul style="list-style-type: none">• 9 are studio apartments• 323 are 1 bedroom apartments• 262 are 2 bedroom apartments• 150 are 3 bedroom apartments Additionally, of the above: <ul style="list-style-type: none">• 180 are to be used for social housing• 3 are 'walk up' townhouses fronting Eden Street Park	✓ Yes
4M Facades		
<i>Objective</i> Building facades provide visual interest along the street while respecting the character of the local area.	The facades of the proposal provide for significant diverse articulation and visual interest elements to improve presentation to the streetscape. The façade design was further refined under the RTS process – refer to Sections 4.2, 4.3 of the submitted RTS Report. The development including facades was endorsed by the SDRP as exhibited design excellence in correspondence dated 20 December 2021.	✓ Yes
<i>Objective</i> Building functions are expressed by the façade.		✓ Yes
4N Roof Design		
<i>Objective</i> Roof treatments are integrated into the building design and positively respond to the street.	The rooftop design of the proposal has been shaped through compliance with PANS-OPS, LEP height limits, and the provision of communal open space on the roofs of all Buildings except B (due to height limitations).	✓ Yes
<i>Objective</i> Opportunities to use roof space for residential accommodation and open space are maximised.	The architectural expression and rooftop design has been endorsed as achieving design excellence by the SDRP in correspondence dated 20 December 2021.	✓ Yes
<i>Objective</i> Roof design incorporates sustainability features.	PV cells have been incorporated into the rooftop design. Refer to ESD Report submitted at Appendix Q of the EIS.	✓ Yes
4O Landscape Design		
<i>Objective</i> Landscape design is viable and sustainable.	The proposal provides substantive landscaping, including within the public realm (Eden Street Park and 'Meeting Place' plaza), and podium and rooftop communal open spaces for residents. Refer pages 81-111, 122-125, 142, 154-155,158, 164-165, and 172-173 of the Urban Design Report at Appendix B of the EIS, and Landscape Plans submitted at Appendix C of the RTS.	✓ Yes
<i>Objective</i> Landscape design contributes to the streetscape and amenity.		✓ Yes
4Q Universal Design		
<i>Objective</i> Universal design features are included in apartment design to promote flexible housing for all community members	Universal design requirements have informed the design of the proposal. 162 of 744 (21%) of all apartments have been provided as SEPP 65 Silver	✓ Yes

Objectives and Design Criteria	Commentary	Complies?
<i>Objective</i> A variety of apartments with adaptable designs are provided	Level Livable Housing. Refer to Accessibility Statement at Appendix F of the RTS Report.	✓ Yes
<i>Objective</i> Apartment layouts are flexible and accommodate a range of lifestyle needs	In addition to this, apartments in Building C have also been designed to achieve Liveable Housing Australia Design Guidelines, with 80% of apartments within Building C achieving Silver, and 20% achieving Gold standards.	✓ Yes
4T Awnings and Signage		
<i>Objective</i> Awnings are well located and complement and integrate with the building design.	Quality awning design and signage areas have been integrated into the design of the proposal.	✓ Yes
<i>Objective</i> Signage responds to the context and desired streetscape character.		✓ Yes
4U Energy Efficiency		
<i>Objective</i> Development incorporates passive environmental design	Energy efficiency requirements have been integrated into the design of the proposal. The SDRP has endorsed the design of the proposal as exhibiting design excellence in correspondence dated 20 December 2021. The proposal will: <ul style="list-style-type: none">• Implement design measures that achieves a NatHERS rating exceeding the requirements of the National Construction Code (NCC) Energy efficiency performance provisions;• Integrate energy efficiency measures achieving a BASIX Energy score exceeding the BASIX Energy Target for high-rise residential buildings;• Meet the deemed to satisfy (DTS) provisions of the NCC Section J Energy efficiency for all retail premises; and• Deploy on-site renewable energy through a solar photovoltaic (PV) array, and integrating water efficiency and water reuse measures. Refer to ESD Report submitted at Appendix Q of the EIS for further detail.	✓ Yes
<i>Objective</i> Development incorporates passive solar design to optimise heat storage in winter and reduce heat transfer in summer		✓ Yes
<i>Objective</i> Adequate natural ventilation minimises the need for mechanical ventilation		✓ Yes
4V Water Management and Conservation		
<i>Objective</i> Potable water use is minimised	The appropriate water conservation and stormwater management systems have been integrated into the design of the proposed development. Refer to ESD Report at Appendix Q, and Stormwater Management Plan at Appendix U, of the submitted EIS.	✓ Yes
<i>Objective</i> Urban stormwater is treated on site before being discharged to receiving waters		✓ Yes
<i>Objective</i> Flood management systems are integrated into site design		✓ Yes
4W Waste Management		

Objectives and Design Criteria	Commentary	Complies?
<i>Objective</i> Waste storage facilities are designed to minimise impacts on the streetscape, building entry and amenity of residents	The proposal provides for effective separation of waste. Waste storage facilities are integrated into the built form and not visible from building entrances or the public domain. Refer to Operational Waste Management Plan at Appendix X of the submitted EIS.	✓ Yes
<i>Objective</i> Domestic waste is minimised by providing safe and convenient source separation and recycling		✓ Yes
4X Building Maintenance		
<i>Objective</i> Building design detail provides protection from weathering	The proposal has been designed to enable protection from weathering, as well as cost efficiency and ease of maintenance.	✓ Yes
<i>Objective</i> Systems and access enable ease of maintenance		✓ Yes
<i>Objective</i> Material selection reduces ongoing maintenance costs		✓ Yes

3.0 Detailed Response to 158-164 Princes Highway Submission

A detailed response to matters raised in the 158-164 Princes Highway submission is provided in **Table 3**.

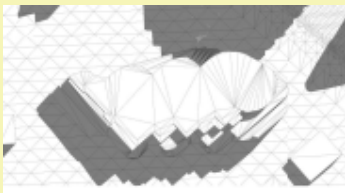

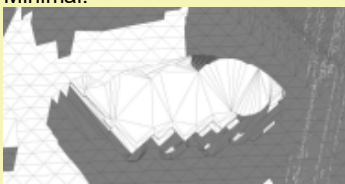
Table 3 Detailed response to 158-164 Princes Highway submission

Issue raised	Proponent's response
<p>I am writing on behalf of the owners and residents of Strata Plan 56932, located at 158-164 Princes Highway Arncliffe.</p> <p>Our Strata Plan building lies 60 metres due south of the closest existing building on the nominated development site. Our location, on the corner of Wickham St and the Princess Highway Arncliffe, is diagonally opposite the Eden Street, Arncliffe Mixed Use Redevelopment.</p> <p>A feature of the design of our building, which is purely residential, is the curved shape facing the Princes Highway which softens the public face of the building and provides curved balconies and living spaces with urban views to the north. For the western side of the building, the primary solar access is to the north in winter, which enhances the living spaces.</p>	<p>Noted.</p>
<p>During the development application process for our site major revisions were required to satisfy the planners. Specifically, the height and bulk of the building was restricted to minimise the solar impact on Arncliffe Public School. The design changes altered the nature of the building from a standard development to a landmark development of 8 two bedroom and 26 three bedroom apartments. Internal apartment sizes vary from 140 square meters to 255 square metres.</p> <p>From the apartments on the western (Princes Highway) side of the building, the internal layout and balconies present a view to the north of the existing social housing screened behind trees. Generally, the public housing is at or below eye level with an uninterrupted view of the sky above the development site.</p>	<p>Noted.</p>
<p>As a permitted building height on the department of housing site is 70 metres (or roughly 22 stories), we consider that our building will be directly impacted by the proposed development in the following aspects:</p> <ul style="list-style-type: none"> • Overshadowing • Loss of views <p>It is our view that no consideration of the impact on our site has been made in the planning process to date.</p>	<p>The proponent has considered impacts to neighbouring residential properties, including that of 158-164 Princes Highway, in line with the requirements of the Rockdale DCP and industry best practice.</p> <p>A detailed response to the issues raised by the submission is provided below.</p>
Overshadowing	

Issue raised	Proponent's response
<p>The Planning Secretary's Environmental Assessment Requirements states (in 7. Environmental amenity) that the applicant's Environmental Impact Statement must:</p> <ul style="list-style-type: none"> demonstrate how the proposal achieves a high level of environmental amenity within the proposal and on surrounding buildings, assessing impacts associated with view loss, ventilation, pedestrian movement, access to landscape and outdoor spaces, visual privacy, lighting and wind 	<p>We understand that the key matters concerning 158-164 Princes Highway are shadow, visual and view impact. The responses provided in this table address these matters in detail.</p>
<ul style="list-style-type: none"> provide a solar access analysis of the overshadowing impacts of the development within the site, on surrounding buildings and public spaces (during summer and winter solstice and spring and autumn equinox) at hourly intervals between 9am and 3pm, when compared to the existing situation and a compliant development". 	<p>Refer to discussion below.</p>
<p>On page 2 of the ESD (attachment Q of the EIS) there is a schematic of the proposed development and its situation in relation to the surrounding buildings. The schematic does not include our building, even though it is within 60 meters of the development site. A similar comment applies to the microclimate assessment diagram on page 9 of the document.</p>	<p>The proximity of 158-164 Princes Highway to the proposal is not relevant for the purposes of the ESD assessment.</p>
<p>In Amended Attachment A of the EIS, shadow diagrams clearly depict overshadowing of the north and north-western faces of our building at various times of the year. We note that the primary purpose of these shadow diagrams is to address the potential overshadowing of St Xavier's Church and Primary School. While this is both admirable and desirable, by narrowly focusing on the church and school the EIS completely overlooks the broad requirement to address the impacts on the other surrounding buildings as to both solar and views.</p>	<p>The discussion below addresses solar and view impact to 158-164 Princes Highway.</p>
<p>Additionally, the four rendered drawings of the four aspects of the site only present views of the sight at a 90 degrees angle to each boundary. The view of the site from our building is from the south to the north along the longest diagonal.</p>	<p>A photomontage of the expected view from 158-164 Princes Highway towards the proposal has been prepared by Group GSA and is provided at Figure 1.</p>

Issue raised	Proponent's response
	
<p>Figure 1 Expected visual impact of the proposal, from 158-164 Princes Highway</p> <p>Source: Group GSA</p>	

Issue raised	Proponent's response
<p>With respect to our building, it would appear that, based on the 21 June reading, of the 17 apartments in the northern end and western sides of the building only 3 will not be impacted by the overshadowing. It appears that the most impacted will lose in excess of 2 hours direct sunshine on that date.</p>	<p>The proposal will have no impact on solar access to the southern and eastern facades of 158-164 Princes Highway.</p> <p>The design criteria under Objective 4A-1 of the Apartment Design Guide requires a minimum of 2 hours direct solar access on 21 June to 70% of a residential flat building. The Overshadowing Plans provided by Group GSA at Appendix B of the RTS Report illustrate that the apartments that face the Pacific Highway and Wickham Street (northern and western aspect) within 158-164 Princes Highway receive 2 hours of direct solar access between 9am – 11am on 21 June. This complies with the 2 hour solar access requirement outlined in the ADG.</p> <p>Refer to additional analysis of the development's impact on 158-164 Princes Highway provided below.</p>

Issue raised		Proponent's response	
Detailed overshadowing analysis onto 158-164 Princes Highway			
Time	Midwinter (worst case)	Equinox (typical)	Midsummer (best case)
9:00	No impact	No impact	No impact
10:00	No impact	No impact	No impact
11:00	No impact	No impact	No impact
12:00	Minimal: 		No impact
13:00	Some overshadowing: 		No impact
14:00	Minimal: 	No impact	No impact
15:00	No impact	No impact	No impact
We strongly urge that, in order to meet the Planning Secretary's specific EIS request, a similar analysis to that conducted on St Xaviers be conducted on our site. We also strongly urge that an elevation rendition of the proposed development be done from a perspective taken from the middle of the westerly facing side of our building.		Refer directly above.	

Issue raised	Proponent's response
<p>As presented, the EIS proposes exceeding the permitted height of 70 meters by 4.6 meters (appendix L). Additionally, it is proposed (evidenced by the schematics supplied) to grow trees on top of the building. Significantly, the proposal to exceed the maximum permitted height applies with respect to the two buildings on the southern end of the site: those most directly impacting on our building. If approved as currently presented, the overall affect would be to generate an effective height of approximately 77.5 meters with an associated increase in overshadowing on 158-164 Princes Highway. Once again, there is no indication of any consideration being given to the solar impact of the increased height on surrounding buildings and specifically 158-164 princes Highway.</p>	<p>Buildings C and D are located on the southern end of the site closet to 158-164 Princes Highway and are compliant with the maximum height limit.</p> <p>The RTS scheme reduced the heights of Buildings A and B (at the northern end of the site), so that:</p> <ul style="list-style-type: none"> • Building A is fully compliant with the 70m height limit; and • Building B is compliant except for a 1.5m exceedance of the centrally located lift overrun, which will not generate additional overshadowing impacts onto 158-164 Princes Highway.
Views	
<p>Appendix H, Visual Assessment, of the EIS, in describing the surrounding developments fails to mention the site at 158-164 Princes Highway. This site is 60 meters due south of the proposed development. The proposed development lies in the northern sightline of 19 of the 34 apartments in our building, the majority of which currently enjoy views to the north across the roof tops of the buildings on the proposed development site.</p>	<p>Noted - view impacts of the proposal were considered in the Visual Impact Statement submitted at Appendix H of the EIS and reaffirmed in the Visual Impact Cover Letter at Appendix G of the RTS Report.</p> <p>Further discussion provided below.</p>
<p>Whilst it is to be expected that the permitted development to 70 meters will cause some considerable loss of views, the alignment of the four buildings on the site has created the effect of a solid wall blocking all of our owners' views to the north across the development site from the sites south western corner to its north eastern corner.</p> <p>The below two photos show the outlook from unit no 22 which is located on level 1. In the first photo, the existing view is of an uninterrupted view of sky. In the second photo the proposed building form has been blocked out in blue colouring, revealing the almost total loss of views of the sky.</p> <p>As you can see, when looking to the north the district views will be almost totally obscured by the development in its current proposed form. Within our building there are at least 8 units that will be similarly affected.</p>	<p>Group GSA have prepared a photomontage of the proposal as expected to be viewed from 158-164 Princes Highway at the Princes Highway Wickham Street intersection. See Figure 1 above.</p> <p>The building footprints, height and scale are comparable to the built form envisaged by the Council's Indicative Built Form Study (Figure 7.7.18 of the Rockdale DCP) and are generally consistent with the built form expectations established for the site by the Bayside LEP, the Affordable Rental Housing SEPP and the Rockdale DCP.</p> <p>The proposal will not obscure any views to the Sydney CBD, significant local landmarks, or Botany Bay.</p>

Issue raised	Proponent's response
<p>Although there are what appear to be four discrete buildings proposed for the site, the alignment of those buildings creates a virtual unbroken wall across the site when viewed from the south.</p> <p>We note that proposed building A is presented as a triangular shape to allow sunlight to penetrate the common open spaces in the centre of the site. We suggest that a similar approach be adopted to Building D so as to create a view potral from the south of the site either between buildings A and D or buildings D and C. The gap does not need to be large, just sufficient to break up the impression of a solid wall of buildings when the site is viewed from the south.</p>	<p>Bayside LEP 2021 under Clause 6.10 Design Excellence requires consideration of the following:</p> <p><i>(iv) the relationship of the development with other development (existing or proposed) on the same site or on neighbouring sites in terms of separation, setbacks, amenity and urban form,</i></p> <p><i>(v) bulk, massing and modulation of buildings,</i></p> <p><i>(vi) street frontage heights,</i></p> <p><i>(vii) environmental impacts such as sustainable design, overshadowing, wind and reflectivity,</i></p> <p>The site layout, massing, scale, and façade articulation has evolved significantly through a detailed and collaborative process with the State Design Review Panel. The SDRP confirmed in December 2021 that:</p> <p><i>the panel is pleased to advise the project (with the latest amendments as proposed and illustrated in views sent 17/12/21) is considered to have satisfied Bayside LEP Clause 6.10 (3) which states:</i></p> <p><i>(3) Development consent must not be granted for development to which this clause applies unless the consent authority considers that the development exhibits design excellence.</i></p> <p>The building facades have been designed and articulated to break down the massing to reduce any perceived visual impact.</p>
<p>We further note that to date there has been no objection to the proposed increase in the Floor Space Ratio (FSR) for the site. The FSR increase has enabled the developer to place more dwellings on the site. This has the effect, given the limitation on building height of increasing the bulk of each of the buildings.</p>	<p>The proposed FSR variation is a 2.69% exceedance and entirely the result of is enclosing certain balconies facing the Princes Highway to become wintergardens, enabling these balconies to achieve the required noise criteria for residential use.</p> <p>If the balconies were not enclosed the noise levels from the Princes Highway would limit their usability. The enclosed balconies will perform the function of regular balconies and have not increase the number of apartments that can be accommodated on site or the development's land use intensity.</p> <p>As noted above, the bulk of the buildings has been considered in detail by the SDRP who concluded that they are:</p> <p><i>pleased to advise the project (with the latest amendments as proposed and illustrated in views sent 17/12/21) is considered to have satisfied Bayside LEP Clause 6.10 (3) which states:</i></p> <p><i>(3) Development consent must not be granted for development to which this clause applies unless the consent authority considers that the development exhibits design excellence.</i></p>

Issue raised	Proponent's response
<p>Given the permitted height of the buildings, and as evidenced by the above photos, from all affected units on our site there will be a total loss of views of sky above the proposed buildings. This will adversely impact the lighting in our building. Because of this, we consider it essential that the creation of a 'view portal' be given serious consideration</p>	<p>Refer to discussion above.</p>
<p>We re-emphasise that the lack of acknowledgment of our building in the EIS documents and that this represents a serious failure of the EIS document to address the Planning Secretary's specific requirements on the impact of the proposed development on surrounding buildings</p>	<p>This response provides a detailed consideration of the matters raised by the owners of 158-164 Princes Highway.</p>
<p>Summary</p>	
<p>The overshadowing of the building at 158-164 Princes Highway Arncliffe, when combined with the complete loss of northerly views over the development site from 158-164 Princes Highway indicate to the Strata Committee of SP 56932 that the EIS has failed to adequately address the Planning Secretary's specific Environmental Assessment Requirements with respect to the amenity of neighbouring buildings.</p>	<p>Refer directly above.</p>
<p>We consider that the communication and engagement activities for the project have, to date, been inadequate. For a project of this magnitude, to only have 4 hours of direct public consultation (two hours each on two successive days with 14 days notice) is clearly inadequate. Additionally, when the notice of the consultations was provided it referred those who could not attend to visit the Billbergia website. When I visited on 10 May, the sole information regarding the development was notice of the two public consultation sessions. No further information was provided. That only 16 people attended the public consultation does not indicate a lack of interest but rather a lack of forethought with regards to the consultation process. (I, for example, was involved in childcare activities on both scheduled drop-in event times.) This current part of the consultation process has, belatedly, provided the first real opportunity to engage actively with what is being proposed.</p>	<p>The project has been designed to generally accord with the statutory planning standards and controls that apply to the site under the ARH SEPP, the LEP and DCP.</p> <p>The pre-lodgement consultation undertaken by the proponent satisfied the Department of Planning and Environment's test of adequacy.</p> <p>The statutory public exhibition of the project from 30 July to 26 August 2021 has provided further opportunity for the public to respond to and provide submissions on the proposal (which is acknowledged in the submission).</p> <p>This response prepared on behalf of the proponent seeks to address the matters raised by the Strata Committee of SP 56932.</p>
<p>While this comment may appear unfair, the public consultation process up to this stage leaves the impression it has been conducted on the basis of another box ticking exercise on a development prior to it being waived through.</p> <p>The owners of SP 56932 consider that our Strata and its residents will be adversely affected with the development proposal as presented and that, contrary to the requirements of the EIS, consideration of the impact on our building has been ignored and or overlooked.</p>	<p>Refer to discussion directly above with regards to consultation.</p> <p>The proponent has carefully considered the impacts of the proposal on the surrounding area with careful regard to the SEARs.</p> <p>The proponent has made significant amendments to the proposal post-lodgement and believes it addresses the SEARs in a comprehensive manner.</p>

4.0 Assessment Against Transport and Infrastructure (Former Education) SEPP

Part 3.3, Chapter 3 of *State Environmental Planning Policy (Transport and Infrastructure) 2021* sets out specific development controls for centre-based childcare facilities. This chapter was formerly known as *State Environmental Planning Policy (Educational Establishments and Child Care Facilities) 2017*.

The SEPP aims to ensure once a childcare centre is approved and built it can meet the physical requirements for the subsequent service approval application. The SEPP absorbs key requirements from the *National Quality Framework for Early Childhood Education and Care Facilities* into the NSW planning system and supersedes local planning controls that are inconsistent with the National regulations. Key elements of relevant to the proposal are:

- A requirement to take Part 2, Part 3 and Part 4 of the Childcare Planning Guideline into consideration when assessing development applications
- The establishment of grounds on which a development application for a centre based childcare centre cannot be refused by the consent authority.

Part 2 contains seven Design Quality Principles that establish the broad design context guide of all new proposals. Part 3 covers Matters for Consideration that support the Design Quality Principles and must be considered by the consent authority when assessing a DA. Essentially, if a proposal is consistent with the Matters for Consideration, the proposal will satisfy the Design Quality Principles. Part 4 contains the guidance on how to apply the National regulations to development proposals.

As noted, the proposal is for the proposed childcare tenancy shell only and further detail, fitout and operation will be confirmed through a future DA to Bayside Council once a childcare operator is confirmed. The intent of the below assessment (**Table 4**) is to demonstrate that the proposal is capable of compliance with Part 2, Part 3 and Part 4 of the Child Care Planning Guideline, and therefore capable of compliance with the Education and Childcare SEPP, the Childcare Planning Guidelines and the National Regulations.

Table 4 Assessment against Child Care Planning Guideline

Component	Proposal
Part 2: Design Quality Principles	
Principle 1 - Context	The childcare centre is ideally located to take advantage of nearby public transport, services and the surrounding Arncliffe town centre and railway station. It is co-located with significant residential and retail floorspace under the proposed development to provide a true mixed-use precinct.
Principle 2 – Built form	The scale, built form and materiality of the proposed buildings were extensively assessed within the submitted EIS and RTS reports. The childcare tenancy is integrated with the overall built form. The detailed design of the childcare centre will be the subject of a separate and future application to ensure it achieves a visual appearance that is aesthetically pleasing.
Principle 3 – Adaptive learning spaces	The childcare centre will be designed as a ‘fit for purpose’ offering. This will be confirmed along with the operation of the centre is a separate and future application.

Component	Proposal
Principle 4 – Sustainability	The proposal, including the childcare centre, has been designed to response to principles of ecologically sustainable development. Refer to Attachment C .
Principle 5 – Landscape	Landscaping opportunities for the childcare centre have been integrated into the design of the broader scheme and will be confirmed in a separate and future application for the fitout and operation of the tenancy once an operator has been confirmed.
Principle 6 – Amenity	The childcare centre has been located fronting Eden Street Park to benefit from/capture a high level of amenity. The future fit out of the centre will be designed to support a variety of age groups by allowing for a range of indoor and outdoor experiences.
Principle 7 – Safety	Secure access will be provided to the childcare centre. Refer to CPTED Letter at Appendix E of the submitted RTS Report. The childcare fitout will be designed to create a welcoming and accessible environment for children and their carers.
Part 3: Matters for consideration	
3.1 Site selection and location Objective: To ensure that appropriate zone considerations are assessed when selecting a site. Objective: To ensure that the site selected for a proposed child care facility is suitable for the use. Objective: To ensure that sites for child care facilities are appropriately located. Objective: To ensure that sites for child care facilities do not incur risks from environmental, health or safety hazards.	The proposed childcare centre will be provided in a B4 Mixed Use Zone and will be delivered in coordination with a mix of residences and retail tenancies. It has been located to activate the public domain, and benefits from surrounding public transport and services, and integrates with the existing and desired future character of Arncliffe. The site is not subject to any environmental, health or safety hazards that would risk the safety of future children on the site.
3.2 Local character, streetscape and the public domain interface Objective: To ensure that the child care facility is compatible with the local character and surrounding streetscape. Objective: To ensure clear delineation between the child care facility and public spaces. Objective: To ensure that front fences and retaining walls respond to and complement the context and character of the area and do not dominate the public domain.	The childcare tenancy shell has been designed in tandem with the broader development to respond to the surrounding streetscape and public domain. 1.8 metre fencing will delineate the childcare centre outdoor play area from the surrounding public domain.
3.3 Building orientation, envelope and design Objective: To respond to the streetscape and site, while optimising solar access and opportunities for shade. Objective: To ensure that the scale of the child care facility is compatible with adjoining development and the impact on adjoining buildings is minimised. Objective: To ensure that setbacks from the boundary of a child care facility are consistent with the predominant development within the immediate context.	The childcare centre has been located and designed to benefit from/capture a high level of amenity, fronting Eden Street Park, and integrating with the broader development. Refer to Section 4.4 of the submitted RTS Report.

Component	Proposal
Objective: To ensure that the built form, articulation and scale of development relates to its context and buildings are well designed to contribute to an area's character.	
Objective: To ensure that buildings are designed to create safe environments for all users.	
Objective: To ensure that child care facilities are designed to be accessible by all potential users.	
3.4 Landscaping Objective: To provide landscape design that contributes to the streetscape and amenity.	No detailed landscaping scheme has been developed for the childcare centre play areas, which will be the subject of a separate and future application for the detailed design and operation of the centre. The landscaping scheme is influenced by the needs and vision of the operator, that is yet to be engaged.
C18 Appropriate planting should be provided along the boundary integrated with fencing. Screen planting should not be included in calculations of unencumbered outdoor space. Use the existing landscape where feasible to provide a high quality landscaped area by: <ul style="list-style-type: none"> • reflecting and reinforcing the local context • incorporating natural features of the site, such as trees, rocky outcrops and vegetation communities into landscaping. 	
C19 Incorporate car parking into the landscape design of the site by: <ul style="list-style-type: none"> • planting shade trees in large car parking areas to create a cool outdoor environment and reduce summer heat radiating into buildings • taking into account streetscape, local character and context when siting car parking areas within the front setback using low level landscaping to soften and screen parking areas. 	Dedicated childcare car parking (6 spaces) will be provided within the basement carpark as confirmed within the submitted EIS.
3.5 Visual and acoustic privacy Objective: To protect the privacy and security of children attending the facility.	Opportunities for pergolas or canopy structures have been integrated into the childcare tenancy shell as a privacy screen and to also provide shade. The detailed design of these pergolas will be considered as part of the future fit-out application. The childcare centre has been designed to limit the potential for overlooking from the public domain.
C20 Open balconies in mixed use developments should not overlook facilities nor overhang outdoor play spaces.	
C21 Minimise direct overlooking of indoor rooms and outdoor play spaces from public areas through: <ul style="list-style-type: none"> • appropriate site and building layout • suitably locating pathways, windows and doors • permanent screening and landscape design. 	
Objective: To minimise impacts on privacy of adjoining properties.	

Component	Proposal
C22 Minimise direct overlooking of main internal living areas and private open spaces in adjoining developments through: <ul style="list-style-type: none"> • appropriate site and building layout • suitable location of pathways, windows and doors • landscape design and screening. 	The childcare centre is sufficiently separated from proposed apartments and fronts onto the public domain (Eden Street Park).
Objective: To minimise the impact of child care facilities on the acoustic privacy of neighbouring residential developments. A new development, or development that includes alterations to more than 50 per cent of the existing floor area, and is located adjacent to residential accommodation should: provide an acoustic fence along any boundary where the adjoining property contains a residential use. (An acoustic fence is one that is a solid, gap free fence). ensure that mechanical plant or equipment is screened by solid, gap free material and constructed to reduce noise levels e.g. acoustic fence, building, or enclosure.	The Noise Assessment prepared by Stantec at Appendix P of the submitted EIS provided preliminary acoustic assessment of the childcare centre and found impacts to be acceptable. Noise to and from the childcare centre will be further assessed as part of any future fitout DA.
C24 A suitably qualified acoustic professional should prepare an acoustic report which will cover the following matters: <ul style="list-style-type: none"> • identify an appropriate noise level for a child care facility located in residential and other zones • determine an appropriate background noise level for outdoor play areas during times they are proposed to be in use determine the appropriate height of any acoustic fence to enable the noise criteria to be met. 	
3.6 Noise and air pollution Objective: To ensure that outside noise levels on the facility are minimised to acceptable levels.	The Noise Assessment prepared by Stantec at Appendix P of the submitted EIS provided preliminary acoustic assessment of the childcare centre and found impacts to be acceptable. Noise to and from the childcare centre will be further assessed as part of any future fitout DA.
C25 Adopt design solutions to minimise the impacts of noise, such as: <ul style="list-style-type: none"> • creating physical separation between buildings and the noise source • orienting the facility perpendicular to the noise source and where possible buffered by other uses using landscaping to reduce the perception of noise • limiting the number and size of openings facing noise sources • using double or acoustic glazing, acoustic louvres or enclosed balconies (wintergardens) • using materials with mass and/or sound insulation or absorption properties, such as solid balcony balustrades, external screens and soffits • locating cot rooms, sleeping areas and play areas away from external noise sources. 	

Component	Proposal
<p>C26</p> <p>An acoustic report should identify appropriate noise levels for sleeping areas and other non play areas and examine impacts and noise attenuation measures where a child care facility is proposed in any of the following locations:</p> <ul style="list-style-type: none"> • on industrial zoned land where the ANEF contour is between 20 and 25, consistent with AS 2021 – 2000 • along a railway or mass transit corridor, as defined by State Environmental Planning Policy (Infrastructure) 2007 • on a major or busy road • other land that is impacted by substantial external noise. 	
<p>Objective: To ensure air quality is acceptable where child care facilities are proposed close to external sources of air pollution such as major roads and industrial development.</p>	<p>An Air Quality Assessment was prepared at Appendix Z of the submitted EIS. It concluded that the proposed development will not be adversely affected by air quality and impacts remain within the relevant impact assessment criteria.</p>
<p>C27</p> <p>Locate child care facilities on sites which avoid or minimise the potential impact of external sources of air pollution such as major roads and industrial development.</p>	
<p>C28</p> <p>A suitably qualified air quality professional should prepare an air quality assessment report to demonstrate that proposed child care facilities close to major roads or industrial developments can meet air quality standards in accordance with relevant legislation and guidelines. The air quality assessment report should evaluate design considerations to minimise air pollution such as:</p> <ul style="list-style-type: none"> • creating an appropriate separation distance between the facility and the pollution source. The location of play areas, sleeping areas and outdoor areas should be as far as practicable from the major source of air pollution • using landscaping to act as a filter for air pollution generated by traffic and industry. Landscaping has the added benefit of improving aesthetics and minimising visual intrusion from an adjacent roadway • incorporating ventilation design into the design of the facility. 	
<p>3.7 Hours of operation</p> <p>Objective: To minimise the impact of the child care facility on the amenity of neighbouring residential developments.</p>	<p>The operation of the childcare centre will be the subject of a separate and future application to Council.</p>
<p>C29</p> <p>Hours of operation within areas where the predominant land use is residential should be confined to the core hours of 7.00am to 7.00pm weekdays. The hours of operation of the proposed child care facility may be extended if it adjoins or is adjacent to non-residential land uses.</p>	

Component	Proposal
Within mixed use areas or predominantly commercial areas, the hours of operation for each child care facility should be assessed with respect to its compatibility with adjoining and co-located land uses.	
3.8 Traffic, parking and pedestrian circulation Objective: To provide parking that satisfies the needs of users and demand generated by the centre. Objective: To provide vehicle access from the street in a safe environment that does not disrupt traffic flows.	Dedicated childcare car parking (6 spaces) will be provided off-street within the basement carpark as confirmed within the submitted EIS. Parking is provided in accordance with Rockdale DCP rate of 1 space per 10 children. The submitted Traffic Statement (latest iteration at Appendix K of the RTS Report) confirms that traffic impacts of the proposal are acceptable.
C31 Off street car parking should be provided at the rates for child care facilities specified in a Development Control Plan that applies to the land.	
C32 In commercial or industrial zones and mixed use developments, on street parking may only be considered where there are no conflicts with adjoining uses, that is, no high levels of vehicle movement or potential conflicts with trucks and large vehicles.	
C33 A Traffic and Parking Study should be prepared to support the proposal to quantify potential impacts on the surrounding land uses and demonstrate how impacts on amenity will be minimised. The study should also address any proposed variations to parking rates and demonstrate that: <ul style="list-style-type: none"> the amenity of the surrounding area will not be affected there will be no impacts on the safe operation of the surrounding road network. 	
Objective: To provide vehicle access from the street in a safe environment that does not disrupt traffic flows.	Access to and from the carpark will be from the Eden Street vehicular entrance, in addition to the Princes Highway vehicular entrance ramp, in accordance with submitted Architectural documentation.
C34 Alternate vehicular access should be provided where child care facilities are on sites fronting: <ul style="list-style-type: none"> a classified road roads which carry freight traffic or transport dangerous goods or hazardous materials. The alternate access must have regard to: <ul style="list-style-type: none"> the prevailing traffic conditions pedestrian and vehicle safety including bicycle movements the likely impact of the development on traffic. 	
C35 Child care facilities proposed within cul-de-sacs or narrow lanes or roads should ensure that safe access can be provided to and from the site, and to and from the wider locality in times of emergency.	

Component	Proposal
<p>Objective: To provide a safe and connected environment for pedestrians both on and around the site.</p> <p>C36 The following design solutions may be incorporated into a development to help provide a safe pedestrian environment:</p> <ul style="list-style-type: none"> • separate pedestrian access from the car park to the facility • defined pedestrian crossings included within large car parking areas • separate pedestrian and vehicle entries from the street for parents, children and visitors • pedestrian paths that enable two prams to pass each other • delivery and loading areas located away from the main pedestrian access to the building and in clearly designated, separate facilities • in commercial or industrial zones and mixed use developments, the path of travel from the car parking to the centre entrance physically separated from any truck circulation or parking areas • vehicles can enter and leave the site in a forward direction. 	<p>A separate entrance will be provided for the childcare centre. The surrounding pedestrian network has been designed to create an open, legible, and comfortable pedestrian environment and will be finished with wide paved areas and outdoor lighting.</p>
<p>C37 Mixed use developments should include:</p> <ul style="list-style-type: none"> • driveway access, manoeuvring areas and parking areas for the facility that are separate to parking and manoeuvring areas used by trucks • drop off and pick up zones that are exclusively available for use during the facility's operating hours with spaces clearly marked accordingly, close to the main entrance and preferably at the same floor level. Alternatively, direct access should avoid crossing driveways or manoeuvring areas used by vehicles accessing other parts of the site parking that is separate from other uses, located and grouped together and conveniently located near the entrance or access point to the facility. 	<p>As above, dedicated off-street parking spaces will be provided. Loading and servicing areas for trucks are separate from the carpark as shown in submitted Architectural documentation.</p>
<p>C38 Car parking design should:</p> <ul style="list-style-type: none"> • include a child safe fence to separate car parking areas from the building entrance and play areas • provide clearly marked accessible parking as close as possible to the primary entrance to the building in accordance with appropriate Australian Standards • include wheelchair and pram accessible parking. 	<p>As above, dedicated off-street parking spaces will be provided for the childcare centre within the basement carpark.</p>
Part 4: Applying the National Regulations to development proposals	
4.1 Indoor space requirements - Regulation 107 - Education and Care Services National Regulations	

Component	Proposal
Every child being educated and cared for within a facility must have a minimum of 3.25m ² of unencumbered indoor space. If this requirement is not met, the concurrence of the regulatory authority is required under the SEPP.	<p>The childcare centre shell will be the subject of a separate and future application, seeking consent for the fitout, detailed design and operation of the centre.</p> <p>Notwithstanding this, the childcare centre tenancy contains 240m² of floorspace which is easily capable of accommodating the envisioned capacity of 40 children.</p> <p>The concurrence of the Secretary of the Department of Education is therefore not required in this instance.</p>
It is recommended that a child care facility provide: <ul style="list-style-type: none">• a minimum of 0.3m³ per child of external storage space• a minimum of 0.2m³ per child of internal storage space.	The childcare centre is provided with a total of 240m ² of internal floor space, which can provide the nominated storage areas. The final quantum of storage, and the centres compliance with this standard, will be demonstrated in a future and separate application.
4.2 Laundry and hygiene facilities - Regulation 106 Education and Care Services National Regulations	
There must be laundry facilities or access to laundry facilities; or other arrangements for dealing with soiled clothing, nappies and linen, including hygienic facilities for storage prior to their disposal or laundering. The laundry and hygienic facilities must be located and maintained in a way that does not pose a risk to children. Child care facilities must also comply with the requirements for laundry facilities that are contained in the National Construction Code.	The detailed design of the proposed childcare centre will be the subject of a separate and future application and will consider, amongst other things, laundry facilities.
On site laundry facilities should contain: <ul style="list-style-type: none">• a washer or washers capable of dealing with the heavy requirements of the facility• a dryer• laundry sinks• adequate storage for soiled items prior to cleaning• an on site laundry cannot be calculated as usable unencumbered play space for children	
4.3 Toilet and hygiene facilities - Regulation 109 Education and Care Services National Regulations	
A service must ensure that adequate, developmentally and age appropriate toilet, washing and drying facilities are provided for use by children being educated and cared for by the service; and the location and design of the toilet, washing and drying facilities enable safe use and convenient access by the children. Child care facilities must comply with the requirements for sanitary facilities that are contained in the National Construction Code.	The detailed design of the proposed childcare centre will be the subject of a separate and future application and will consider, amongst other things, toilet and hygiene facilities for the centre and its occupants.
Toilet and hygiene facilities should be designed to maintain the amenity and dignity of the occupants	
4.4 Ventilation and natural light - Regulation 110 Education and Care Services National Regulations	

Component	Proposal
Services must be well ventilated, have adequate natural light, and be maintained at a temperature that ensures the safety and wellbeing of children. Child care facilities must comply with the light and ventilation and minimum ceiling height requirements of the National Construction Code. Ceiling height requirements may be affected by the capacity of the facility.	The childcare tenancy complies with the light and ventilation and minimum ceiling height requirements of the National Construction Code.
4.5 Administrative space - Regulation 111 Education and Care Services National Regulations	
A service must provide adequate area or areas for the purposes of conducting the administrative functions of the service, consulting with parents of children and conducting private conversations.	The future detailed design of the proposed childcare centre will accommodate administrative functions as required.
4.6 Nappy change facilities - Regulation 112 Education and Care Services National Regulations	
Child care facilities must provide for children who wear nappies, including appropriate hygienic facilities for nappy changing and bathing. All nappy changing facilities should be designed and located in an area that prevents unsupervised access by children.	The future detailed design of the proposed childcare centre will accommodate nappy changing facilities.
Child care facilities must also comply with the requirements for nappy changing and bathing facilities that are contained in the National Construction Code.	
4.7 Premises designed to facilitate supervision - Regulation 115 Education and Care Services National Regulations	
A centre-based service must ensure that the rooms and facilities within the premises (including toilets, nappy change facilities, indoor and outdoor activity rooms and play spaces) are designed to facilitate supervision of children at all times, having regard to the need to maintain their rights and dignity	The detailed design of the proposed childcare centre will be the subject of a separate and future application and will consider, amongst other things, toilet and hygiene facilities and the supervision of the centre.
Child care facilities must also comply with any requirements regarding the ability to facilitate supervision that are contained in the National Construction Code.	
4.8 Emergency and evacuation procedures - Regulations 97 and 168 Education and Care Services National Regulations	
Regulation 168 sets out the list of procedures that a care service must have, including procedures for emergency and evacuation. Regulation 97 sets out the detail for what those procedures must cover including: <ul style="list-style-type: none">• instructions for what must be done in the event of an emergency• an emergency and evacuation floor plan, a copy of which is displayed in a prominent position near each exit• a risk assessment to identify potential emergencies that are relevant to the service.	An emergency evacuation plan will accompany a future application confirming the operation of the centre.
Multi-storey buildings with proposed child care facilities above ground level may consider providing additional measures to protect staff and children. For example: independent emergency escape routes from the facility to the ground level that would separate children from other building users to address child protection concerns during evacuations a safe haven or separate emergency area where children and staff can muster during the initial stages of a fire alert or other emergency. This would enable staff to account for all children prior to evacuation.	

Component	Proposal
An emergency and evaluation plan should be submitted with a DA	
4.9 Outdoor space requirements - Regulation 108 Education and Care Services National Regulations	
An education and care service premises must provide for every child being educated and cared for within the facility to have a minimum of 7.0m2 of unencumbered outdoor space.	The childcare centre will be the subject of a separate and future application, seeking consent for the detailed design and operation of the centre.
If this requirement is not met, the concurrence of the regulatory authority is required under the SEPP.	Notwithstanding this, the childcare tenancy is capable of delivering approximately 295m² of outdoor space, which is easily capable of supporting the nominated capacity of 40 children. The concurrence of the Secretary of the Department of Education is therefore not required in this instance.
4.10 Natural environment - Regulation 113 Education and Care Services National Regulations	
The approved provider of a centre-based service must ensure that the outdoor spaces allow children to explore and experience the natural environment. Creating a natural environment to meet this regulation includes the use of natural features such as trees, sand and natural vegetation within the outdoor space.	No detailed landscaping scheme has been developed for the childcare centre play areas, which will be the subject of a separate and future application considering the detailed design and operation of the centre. The landscaping scheme will be influenced by the needs and vision of the operator that are yet to be engaged.
4.11 Shade - Regulation 114 Education and Care Services National Regulations	
The approved provider of a centre-based service must ensure that outdoor spaces include adequate shaded areas to protect children from overexposure to ultraviolet radiation from the sun.	It is proposed to include pergolas or canopy structure in the outdoor play areas for the childcare centre, subject to future detail to be confirmed in the future application for the detailed design and operation of the centre.
Outdoor play areas should: <ul style="list-style-type: none">• have year-round solar access to at least 30 per cent of the ground area, with no more than 60 per cent of the outdoor space covered.• provide shade in the form of trees or built shade structures giving protection from ultraviolet radiation to at least 30 per cent of the outdoor play area• have evenly distributed shade structures over different activity spaces.	
4.12 Fencing - Regulation 104 Education and Care Services National Regulations	
Any outdoor space used by children must be enclosed by a fence or barrier that is of a height and design that children preschool age or under cannot go through, over or under it.	The outdoor play area will be appropriately enclosed with 1.8 metre fencing. This will be confirmed in a separate and future application detailing the comprehensive landscape design for the centre, in conjunction with the fit out and operation of the centre once an operator is engaged.
Child care facilities must also comply with the requirements for fencing and protection of outdoor play spaces that are contained in the National Construction Code.	

Component	Proposal
<p>Design considerations for side and rear boundary fences could include:</p> <ul style="list-style-type: none"> • being made from solid prefinished metal, timber or masonry • having a minimum height of 1.8 metres • having no rails or elements for climbing higher than 150mm from the ground. 	
4.13 Soil assessment - Regulation 25 Education and Care Services National Regulations	
<p>Subclause (d) of regulation 25 requires an assessment of soil at a proposed site, and in some cases, sites already in use for such purposes as part of an application for service approval. With every service application one of the following is required:</p> <p>a soil assessment for the site of the proposed education and care service premises if a soil assessment for the site of the proposed child care facility has previously been undertaken, a statement to that effect specifying when the soil assessment was undertaken a statement made by the applicant that states, to the best of the applicant's knowledge, the site history does not indicate that the site is likely to be contaminated in a way that poses an unacceptable risk to the health of children.</p>	<p>A Stage 2 Detailed Site Investigation (DSI) was submitted at Appendix R of the EIS. The DSI confirmed that the site is capable of being made suitable for the proposed land uses without the preparation of a Stage 3 Remediation Action Plan.</p>

5.0 Adjacent Development

The proponent has undertaken substantive analysis of surrounding sites to ensure that the proposed development does not prevent them from being feasibly redeveloped in accordance with the ADG, including with regards to solar access.

The footprint of the surrounding built form is shown in **Figure 2** below.

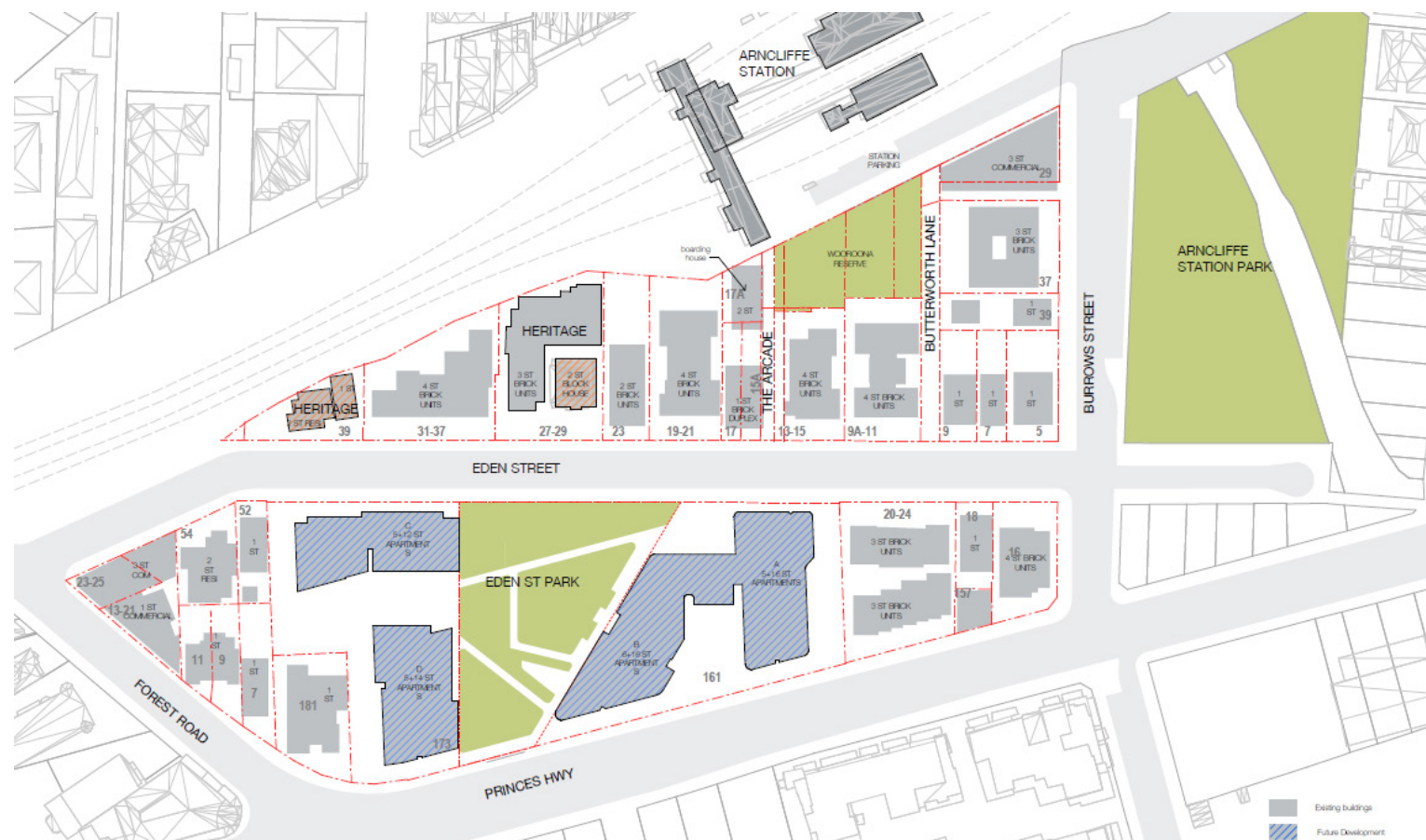


Figure 2 Existing surrounding built context

Source: Group GSA

Group GSA derived a feasible redevelopment scenario in accordance with existing LEP height limits, feasible floorplates, as well as ADG parameters of deep soil and solar access. Refer to **Figure 3** below.

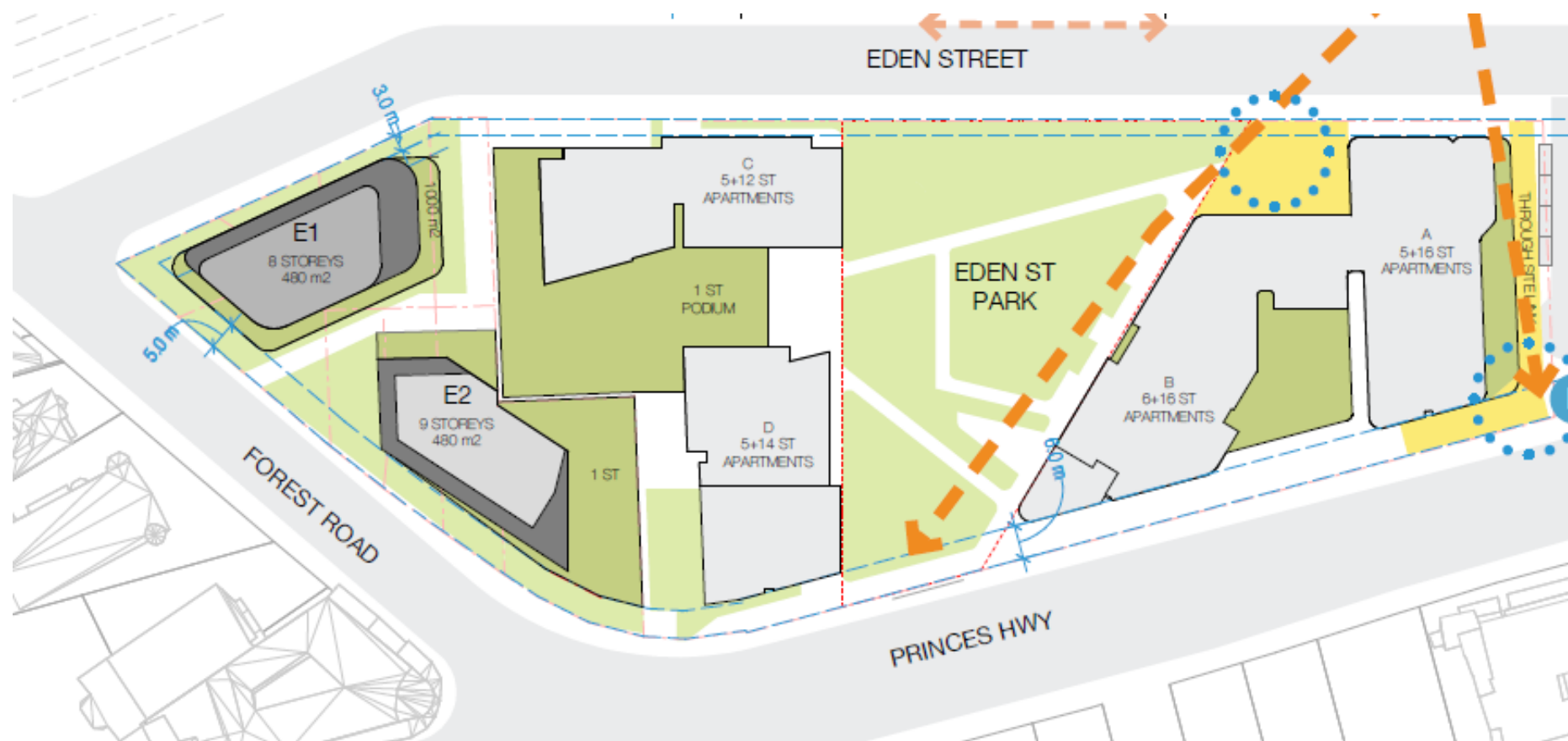


Figure 3 Proposed Building Footprints

Source: Group GSA

5.1 Solar and Ventilation Compliance

The EIS and RTS Report highlighted that the proposal would generally not reduce solar access to surrounding sites to below ADG prescribed minimums (i.e. 2 hours between 9am – 3pm midwinter). Therefore, the proposal will not preclude the redevelopment of these sites with regards to solar compliance.

The sole exception are the two detached dwellings at 7 Forest Road and 181 Princes Highway, the latter of which is vacant and derelict. Notwithstanding this, the proposal has ensured that these two sites can be redeveloped (as part of a consolidated redevelopment that also includes 9-11 Forest Road – see **Figure 3** above) in a manner that meets ADG requirements for solar access and natural ventilation. The following figures illustrate how the indicative concept can achieve solar compliance in plan and through sun eye diagrams.

In the indicative development concept, 32 out of 46 apartments (70%) meet requirements for solar access, and 36 out of 46 (78%) meet requirements for cross ventilation. Therefore, surrounding sites can be redeveloped in accordance with ADG solar access requirements. See **Figures 4 – 7**.



Figure 4 Block E2 hypothetical ground level floor plate
Source: Group GSA



Ethos Urban | 218757

View from sun

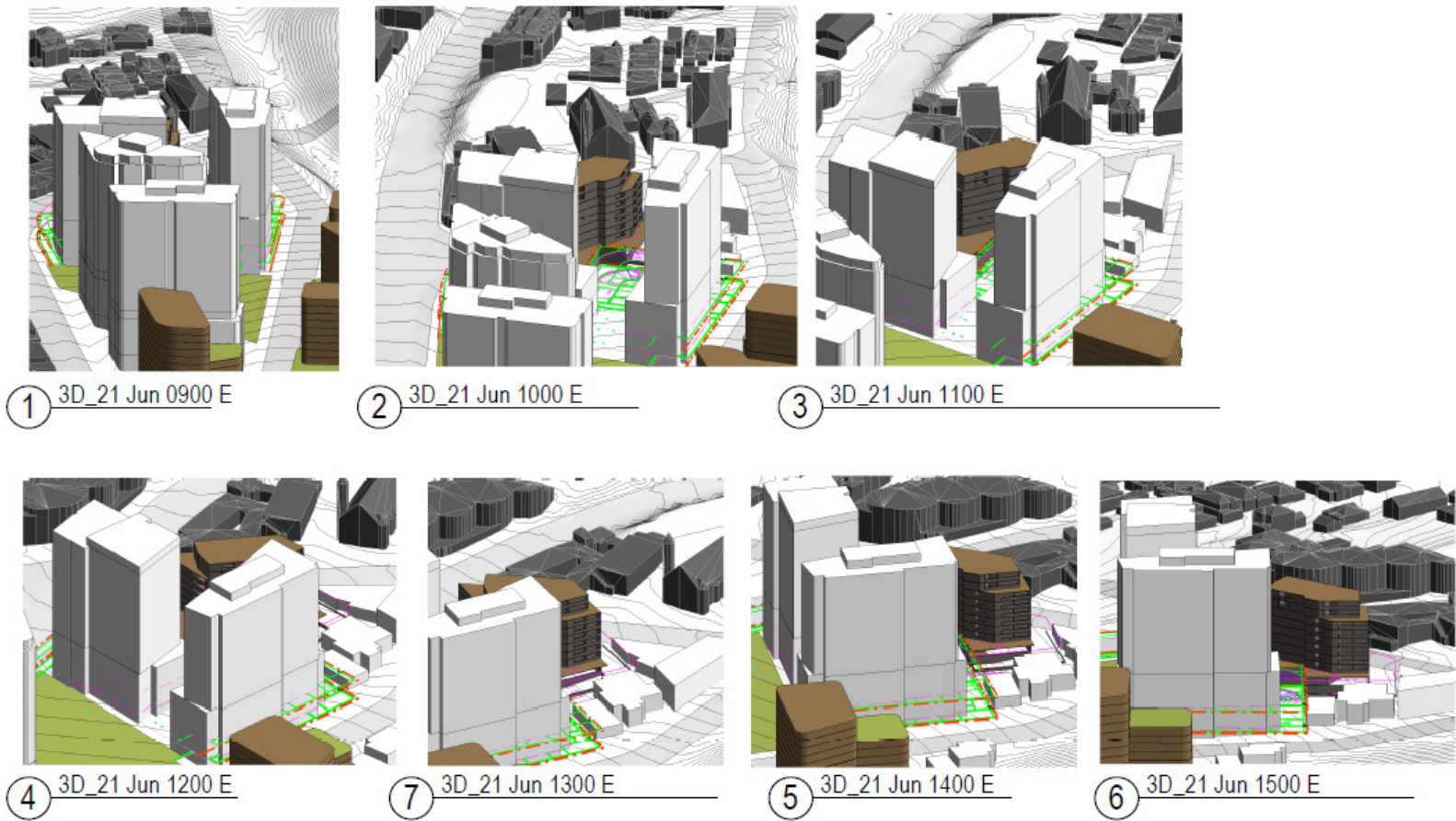


Figure 7 Sun Eye Diagrams – Block E2

Source: Group GSA

6.0 Conclusion

The above letter demonstrates that DPE's comments in its RFI dated 17 March 2022 have been satisfactorily addressed by the applicant and that the development will not generate unreasonable environmental impacts.

We trust that the above is sufficient to enable determination of SSD-11429726.

Yours sincerely,



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