

Environmental Impact Statement

The Timberyards by RTL Co.

Marrickville, NSW

Submitted to the Department of Planning, Housing and Infrastructure
on behalf of RTL Co.

SSD-76927247



'Gura Bulga'

Liz Belanjee Cameron

'Gura Bulga' – translates to Warm Green Country. Representing New South Wales.



'Dagura Buumarri'

Liz Belanjee Cameron

'Dagura Buumarri' – translates to Cold Brown Country. Representing Victoria.



'Gadalung Djarri'

Liz Belanjee Cameron

'Gadalung Djarri' – translates to Hot Red Country. Representing Queensland.

Ethos Urban acknowledges the Traditional Custodians of Country throughout Australia and recognises their continuing connection to land, waters and culture.

We pay our respects to their Elders past, present and emerging.

In supporting the Uluru Statement from the Heart, we walk with Aboriginal and Torres Strait Islander people in a movement of the Australian people for a better future.

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Appendices

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B. Architectural Drawings	<i>Design Team</i>
C. Statutory Compliance	<i>Ethos Urban</i>
D. Landscape Report	<i>Arcadia</i>
E. Consolidated Mitigation Measures	<i>Ethos Urban</i>
F. EDC Report	<i>WT Partnership</i>
G. Engagement Outcomes Report	<i>JOC</i>
H. Site Survey	<i>LTS</i>
I. Staging Plans	<i>RTL Co.</i>
J. Design Report	<i>Turner</i>
K. HHRA Report	<i>Enrisk</i>
L. Fire Engineer Statement	<i>Minerva</i>
M. Public Art Plan	<i>Aileen Sage</i>
N. Connecting with Country	<i>Yerrabingin</i>
O. Landscape Plans	<i>Arcadia</i>
P. Economic Impact Assessment	<i>Ethos Urban</i>
Q. Social Impact Assessment	<i>Ethos Urban</i>
R. Flooding Peer Review	<i>GRC</i>
S. Visual Impact Assessment	<i>Ethos Urban</i>
T. Crime Prevention Through Environmental Design	<i>Ethos Urban</i>
U. Geotechnical Report	<i>JK Geotechnics</i>
V. Hydrology	<i>JK Geotechnics</i>
W. Detailed Site Investigation	<i>JK Geotechnics</i>

Appendix	Author
X. Remediation Action Plan	Waratah
Y. Asbestos Management Plan	Waratah
Z. Acid Sulfate Soil Management Plan	Waratah
AA. BCA Report	Jensen Hughes
BB. Accessibility Report	Architecture and Access
CC. Aviation Report	Avlaw
DD. Reflected Glare Assessment	Inhabit
EE. Pedestrian Wind Environment Assessment	Windtech
FF. Acquisition offer to adjacent lots	RTL Co.
GG. Acoustic Report	Acoustic Logic
HH. Aboriginal Cultural Heritage Assessment Report	AMAC
II. Heritage Report	Urbis
JJ. BDAR Waiver	Narla
KK. Arboricultural Impact Assessment	Naturally Trees
LL. Flood Impact Risk Assessment	MM
MM. Water Management Plan	MM
NN. Civil Drawings	MM
OO. Waste Management Plan	MRA
PP. Façade Report	Inhabit
QQ. ESD Report / BASIX certificate / NatHERS Certificate	Atelier Ten
RR. Traffic Report	Ason Group
SS. Traffic Peer Review	JMT
TT. Acoustic Peer Review	PWNA
UU. Infrastructure Delivery Report	JHA
VV. Operational Management Plan	RTLco
WW. Council acknowledgement of offer	Inner West Council
XX. Draft Statum Subdivision Plan	LTS Lockley
YY. Clause 4.6 Variation Request	Ethos Urban
ZZ. Community Housing Provider	RTL Co.
AAA. Hazardous Materials Survey	Waratah
BBB. State VPA	RTL Co.
CCC. Draft Letter of Offer to Inner West Council	RTL Co.

Appendix	Author
DDD. Historical Archaeological Assessment	<i>Urbis</i>
EEE. Preliminary Site Investigation	<i>JK Geotechnics</i>
FFF. RTL Co Platform Book	<i>RTL Co.</i>
GGG. Urban Design Statement	<i>Matt Pullinger Architect</i>
HHH. Video Flythrough	<i>Turner</i>
III. Sydenham Road overshadowing Analysis	<i>Ethos Urban</i>

Signed Declaration

Project Details

Project Name	The Timberyards by RTL Co.
Application Number	SSD-76927247
Land to be Developed	39 lots bound by Sydenham Rd, Victoria Rd, Farr St and Mitchell St, Marrickville

Applicant Details

Applicant Name	Varsity Assets Management Pty Ltd (Developer) on behalf of RTL Investments 2 Pty Ltd as trustee for RTL Marrickville Property Trust (RTL Co.)
Applicant Address	Level 14, 275 George Street, Sydney NSW 2000

Prepared by

Name	Caoimhlin Nic Niell	Aaron Hogan
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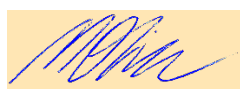
Declaration

Name	Michael Oliver
Qualifications	Bachelor of Planning (Hons 1) (UNSW); Master of Environmental Law (USYD); Registered Planner (PIA)
Registration Number	40820
Organisation Registered With	Planning Institute of Australia

The undersigned declares that this EIS:

- has been prepared in accordance with the Environmental Planning and Assessment Regulation 2021;
- contains all available information relevant to the environmental assessment of the development, activity or infrastructure to which the EIS relates;
- does not contain information that is false or misleading;
- addresses the Planning Secretary's environmental assessment requirements (SEARs) for the project;
- identifies and addresses the relevant statutory requirements for the project, including any relevant matters for consideration in environmental planning instruments;
- has been prepared having regard to the Department's State Significant Development Guidelines - Preparing an Environmental Impact Statement;
- contains a simple and easy to understand summary of the project as a whole, having regard to the economic, environmental and social impacts of the project and the principles of ecologically sustainable development;
- contains a consolidated description of the project in a single chapter of the EIS;
- contains an accurate summary of the findings of any community engagement; and
- contains an accurate summary of the detailed technical assessment of the impacts of the project as a whole.

Signature



Date 3 February 2025

Executive Summary

Purpose of this Report

This Environmental Impact Statement (EIS) has been prepared on behalf of Varsity Assets Management Pty Ltd (Developer) on behalf of RTL Investments 2 Pty Ltd as trustee for RTL Marrickville Property Trust (RTL Co.) (the Applicant) in support of a State Significant Development Application (SSDA) identified as SSDA-76927247. The EIS is submitted to the NSW Department of Planning, Housing and Infrastructure (DPHI) for the development of *The Timberyards by RTL Co.* as a new rental housing precinct comprising Build to Rent housing (BTR), co-living housing, affordable housing, commercial premises and a publicly accessible recreation area. The proposal is located at Precinct 47: Victoria Road as identified in the *Marrickville Development Control Plan 2011* (MDCP 2011). The site is primarily contained in the Timber Yards sub-precinct of Precinct 47, with the lots fronting Victoria Road falling within the Victoria Road Corridor sub-precinct.

Development for the purposes of Build-to-Rent Housing on land within Greater Sydney that has a capital investment value of more than \$50 million of which the tenanted component represents at least 60%, is identified in Schedule 1 of *State Environmental Planning Policy (Planning Systems) 2021* and is therefore declared to be State Significant Development (SSD) for the purposes of the *Environmental Planning & Assessment Act 1979* (EP&A Act). The proposed development is for Build-to-Rent Housing and meets the thresholds and as such, is classified as SSD and will be assessed by the DPHI and determined by the Minister for Planning.

A request for the issue of project-specific Secretary's Environmental Assessment Requirements (SEARs) was made on 14 October 2024. Accordingly, the SEARs were issued on 12 November 2024. This submission is in accordance with DPHI's *State Significant Development Guidelines* (2024) for applications lodged under Part 4 of the EP&A Act, and addresses the issues raised in the SEARs.

Project Overview

The proposed SSDA seeks approval for a rental housing precinct development comprising Build to Rent housing (BTR), co-living housing, affordable housing, commercial premises and publicly accessible recreation area. An overview of the proposed development sought under this SSDA is provided below:

- Demolition and site preparation works (including remediation and tree removal);
- Construction of 7 buildings ranging from 8 to 13 storeys;
- Construction of a basement car park, plant and storage areas;
- Construction of:
 - 484 BTR apartments;
 - 115 affordable apartments;
 - 589 co-living dwellings;
 - 2,394m² of commercial floor space (including a Neighbourhood shop);
- Landscaping, publicly accessible open space, and resident communal open space;
- Works to site frontages;
- Lot amalgamation and stratum subdivision of proposed buildings; and
- Extension and augmentation of infrastructure and services as required.

A detailed description of the proposal is provided under **Section 3.0** of this EIS. The proposal will be undertaken in accordance with the Architectural Drawings prepared by Turner, Tribe Studio Architects and Architecture AND ('Design Team') (**Appendix B**) and the landscaping plans prepared by Arcadia (**Appendix O**). The design of the proposal has also been contributed to by Yerrabingin for designing with country, Aileen Sage for public domain and Matthew Pullinger for urban design. An illustration of the development, and architect associated with each component, is provided in **Figure 1** below.

The proposed development comprises three precincts, Precinct 1 being delivered in two stages (the basement as Stage 1 and Buildings A and B at Stage 2). Precinct 2 comprises Buildings C and D and Precinct 3 comprising Buildings E, F and G. This is illustrated at **Figure 2**.

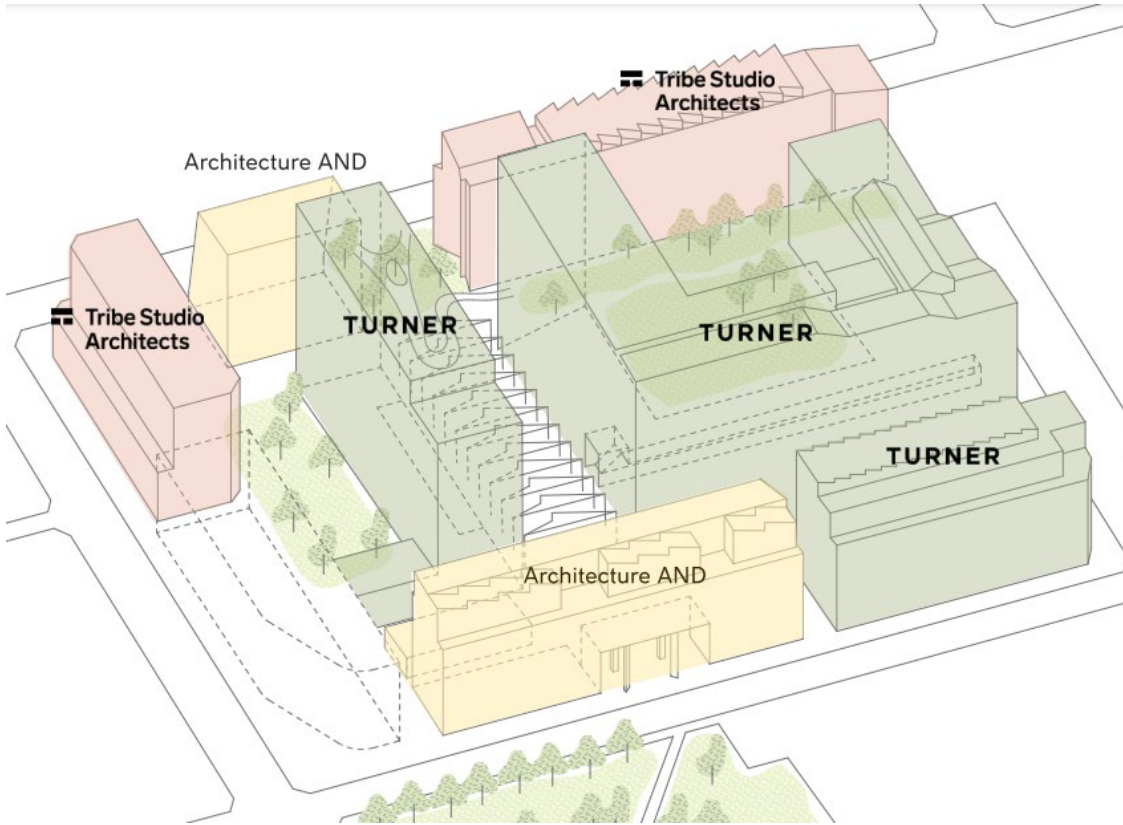


Figure 1 Buildings and their architects

Source: Design Team

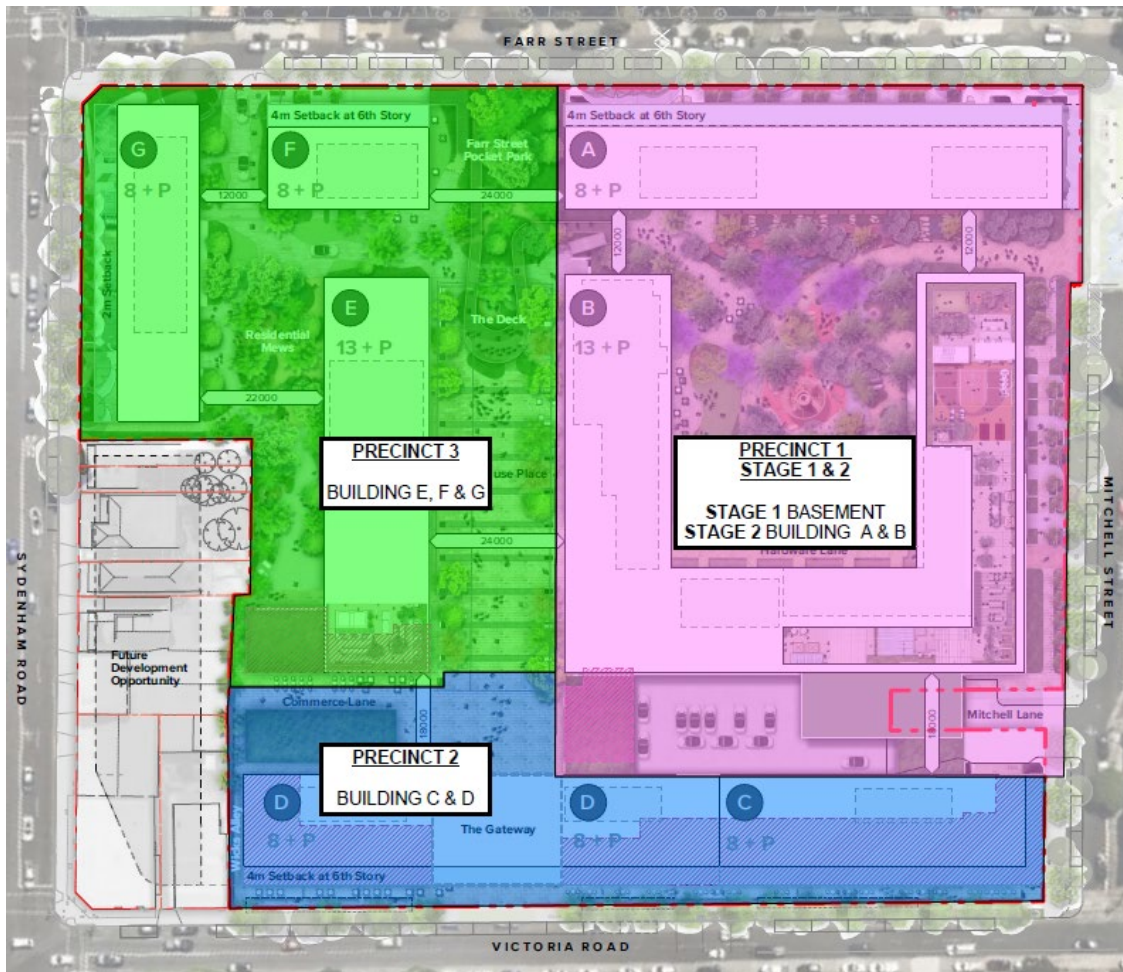


Figure 2 Precincts of the proposed development

Source: RTL Co.

Site Overview

The site is known as the 'Timberyards', located in Marrickville within the Inner West Local Government Area (LGA). The site comprises 39 lots with legal identification listed in **Table 1** below and has a site area of 22,770m².

The site is less than 700m walking distance to the newly opened Sydenham Metro Station, with 7-minute travel time to the Sydney CBD.

The site currently comprises primarily industrial and light industrial uses, with residential dwellings to a minor portion of the site on Farr Street (western boundary) and Victoria Road (eastern boundary). The site also has frontage to Sydenham Road to the south and Mitchell Street to the north (and encompassing a small lane off Mitchell Street). **Figure 3** shows the site and its surrounding context.

Table 1 Legal identification of lots included in the subject site

Lot/DP	Property Address	Lot/DP	Property Address
1/724487	119A Sydenham Rd	1/572829	35 Farr St
1/972534	121 Sydenham Rd	12/4590	14 Mitchell St
B/439802	129 Sydenham Rd	13/4590	10 Mitchell St
A/439802	131 Sydenham Rd	14/4590	8 Mitchell St
D/377270	133 Sydenham Rd	15/4590	183 Victoria Rd
1/700223	135 Sydenham Rd	16/4590	4 Mitchell St
B/343286	7 Farr St	17/4590	2 Mitchell St
A/304426	9 Farr St	3/4590	165 Victoria Rd
A/304426	11 Farr St	2/4590	167 Victoria Rd
1/78883	13 Farr St	1/4590	169 Victoria Rd
1/252507	15 Farr St	A/301985	171 Victoria Rd
2/252507	17 Farr St	B/301985	173 Victoria Rd
3/252507	19 Farr St	C/301985	175 Victoria Rd
4/252507	21 Farr St	D/301985	183 Victoria Rd
5/252507	23 Farr St	E/301985	175 Victoria Rd
6/252507	25 Farr St	A/166330	183 Victoria Rd
7/252507	27 Farr St	20/667441	183 Victoria Rd
8/252507	29 Farr St	1/315293	183 Victoria Rd
9/252507	31 Farr St	345/587262	191 Victoria Rd
1/583801	33 Farr St		



Figure 3 Site Context Map

Source: Nearmap, Ethos Urban

Strategic Context and Project Vision

RTL Co. aim to deliver Sydney's premier neo-industrial residential neighbourhood - a global benchmark for imaginative urbanism. The Timberyards aims to seamlessly integrate diverse residential offerings into the distinctive character of Marrickville, fostering a sense of pride among residents and the local community. The project will deliver a wide range of rental living solutions, complemented by recreation spaces and local retail, all underpinned by Connection to Country and environmentally sustainable design principles.

The proposed development will facilitate the redevelopment of a large parcel of land in Marrickville for the delivery of a rental housing precinct development comprising primarily of Build to Rent housing (BTR), co-living housing and affordable housing, which will assist in alleviating and reducing the pressure of the current housing affordability and crisis in NSW, which is a common goal and objective across several State and Federal government initiatives, including the following:

- National Housing Accord 2022
- NSW State and Premier's Priorities
- Greater Sydney Region Plan – *A Metropolis of Three Cities*
- Eastern City District Plan
- Housing 2041
- Inner West Local Strategic Planning Statement 2020
- Inner West Local Housing Strategy 2022
- Future Transport
- Better Placed
- NSW Connecting with Country Framework

The proposal aligns with the overall aims and objectives of Precinct 47 under the Marrickville Development Control Plan 2011 (MDCP 2011), prepared in association with gazettal of the Marrickville Local Environmental Plan 2011 (Amendment No.14) which rezoned the site to accommodate the proposed development, while also aligning with the State Government's principles for well-located housing. **Section 2.4** of this EIS provides a detailed assessment against the abovementioned strategic policies.

Statutory Context

The site forms a key part of the Victoria Road Precinct, which is identified as Precinct 47 under the MDCP 2011. The Victoria Road Precinct was the subject of a Planning Proposal that was lodged with (then) Marrickville Council in August 2015. The objectives of the Planning Proposal included:

- provide a 15 to 20-year strategic plan for Precinct 47;
- provide a broader mix of businesses that better meet the local employment profile and changing demographics of the Marrickville LGA whilst ensuring that new development does not directly compete with existing retail centres;
- incorporate medium to high-density residential development along the Victoria Road strategic bus corridor where appropriate;
- ensure that all new development achieves compliance with standards for internal acoustic amenity;
- facilitate improvements to permeability, streetscapes and amenity within the precinct; and
- ensure appropriate interfaces between the precinct, surrounding residential and industrial areas.

Following an extensive negotiation process, the Marrickville Local Environmental Plan 2011 (Amendment No.14) reflecting the final Planning Proposal was gazetted in December 2017. The precinct specific Development Control Plan Amendment, prepared concurrently with the Planning Proposal, was subsequently adopted by Inner West Council on 26 September 2018.

The site is therefore the subject of a relatively recent and prescriptive set of planning controls that have been tailored to deliver the intended outcome for the Victoria Road Precinct. Four (4) development applications have been approved since gazettal of the LEP amendment and adoption of the DCP in 2018, these being the *Rich Street Creative Industries Hub*, the mixed-use development known as 'Wicks Place', a new non-residential development at Faversham Street and more recently a six (6) storey residential flat development at 37-47 Farr Street.

The site is partly zoned MU1 Mixed Use (land adjacent Victoria Road) and R4 High Density Residential (majority of site) under the *Inner West Local Environmental Plan 2022 (IWLEP 2022)*. All proposed uses are permissible with consent on the subject site, with co-living being permissible by virtue of Section 67 of the *State Environmental Planning Policy (Housing) 2021 (Housing SEPP)*, which allows co-living housing in a zone in which development for the purposes of residential flat buildings or shop top housing is permitted.

Under the IWLEP 2022, the site is subject to a base floor space ratio of 3:1 and multiple base heights of buildings of 11m, 20m, 23m and RL50m. The proposed development is subject to Section 16 of the Housing SEPP, which facilitates additional floor space ratio and height for development that includes affordable housing above the LEP standards. The proposed development includes affordable housing equivalent to 10.3% of the proposed floor space, for which the Housing SEPP provides for an increase in height and FSR of up to 20%.

Further detail on the statutory planning context of the proposed development is provided in **Section 0**.

Engagement

Consultation has been undertaken with various stakeholders including the DPHI, Inner West Council, and the NSW Government Architect State Design Review Panel.

In addition, consultation has been undertaken with local residents, community members and business owners, and representatives of the local Aboriginal and Torres Strait Islander community and stakeholder groups.

The key concerns raised during the consultation process included dwelling mix, density, overshadowing, traffic and parking impacts, flooding and construction impacts to surrounding properties. The community also raised queries and showed interest in the proposed uses as a build-to-rent housing and co-living housing, and these uses differ from a typical build-to-sell development.

The outcomes of the consultation process have been considered in the design of the project as detailed in the Engagement Outcomes Report at **Appendix G**.

Environmental Impacts and Mitigation Measures

This EIS provides an assessment of the environmental impacts of the project in accordance with the SEARs and sets out the undertakings made by the proponent to manage and minimise the potential impacts arising from the proposal. The key environmental matters identified include:

- Built form and urban design;

- Landscaping and public domain;
- Residential amenity;
- Visual impact;
- Overshadowing;
- Traffic, parking and access;
- Safety and security;
- Sustainability; and
- Social and economic impact.

The proposed development has been assessed in each of these instances by technical experts across a range of disciplines as guided by the SEARs and industry best practice. These assessments confirm that while there may be potential impacts resulting from the change of the existing conditions, these can be appropriately managed and mitigated. Additionally, it is noted that these potential impacts are as expected considering the existing primarily light industrial land is anticipated to be redeveloped as high density residential to accord with the recent rezoning (gazetted December 2017).

Conclusion and Justification

This EIS comprehensively addresses the SEARs and demonstrates that the potential impacts are not unreasonable and are able to be managed accordingly. Having regard to environmental, economic, and social considerations, the carrying out of the project is justified for the following reasons:

- The proposal will facilitate the redevelopment of the site for the purposes of Build-to-Rent (BTR), co-living and affordable housing, accompanied by commercial premises and recreation area, which will deliver important social and economic benefits to the community by contributing to housing diversity and stability for the increasing population as well as providing employment generating floor space in a highly accessible location proximate to existing jobs;
- Delivery of 1,188 well-located homes, including 115 homes that will be used for the purpose of affordable rental housing;
- The proposed development is a direct response to the strategic vision and objectives for the delivery of additional housing supply, stated in such documents as the National Housing Accord 2022, Housing 2041, as well as the Greater Sydney Region Plan and Eastern City District Plan.
- The proposal has been carefully designed to provide a contextual response to its setting and to minimise perceived bulk and scale impacts to the public domain and adjoining buildings;
- The proposal is a high-quality suite of architectural buildings and represents a significant improvement to the existing site condition, which represents a redundant light industrial use;
- The proposed development represents a high-quality urban design outcome that will contribute to a safe, secure and active environment;
- The proposal represents a significant investment opportunity delivered in one line and will provide a total of 760 construction jobs, and 108 operational jobs as per the Economic Report, which includes both residential and retail;
- The assessment of the proposal has demonstrated that the development will not result in any unreasonable environmental impacts that cannot be appropriately managed consistent with the relevant planning controls for the site;
- The proposal represents an evolution of the site into a true mixed use offering with focus on rental housing complimenting the diverse Marrickville locality and the ongoing revitalisation of the precinct to accord with its rezoning;
- The proposal aligns with State Government's strategic approach for facilitate the deliver of housing in well-located areas by delivering new dwellings within less than 700m of the Sydenham Metro Station;
- The proposal will facilitate the delivery of a high level of quality publicly accessible and resident-focused communal open spaces and amenity areas, as well as public domain improvements, particularly to Victoria Road and Mitchell Street with additional footpath width and upgraded laneway off Mitchell Street;
- The proposal will significantly contribute to an activated public domain and streetscape through the incorporation of diverse ground level commercial premises, and flexible publicly accessible through site links and recreation area (public open space equates to 10,207m² or 45% of the site area; and
- The proposal is consistent with the principles of ecological sustainable development as defined by Section 190 of the *Environmental Planning and Assessment Regulation 2021*.

On balance, the proposed development is considered to be in the public interest and will not result in any unacceptable social, economic or environmental impacts that cannot be appropriately managed through the identified mitigation measures and conditions of consent.

1.0 Introduction

This Environmental Impact Statement (EIS) has been prepared by Ethos Urban on behalf of Varsity Assets Management Pty Ltd (Developer) on behalf of RTL Investments 2 Pty Ltd as trustee for RTL Marrickville Property Trust (RTL Co.) (the applicant) in support of a State Significant Development Application (SSDA). The EIS is submitted to the NSW Department of Planning, Housing and Infrastructure (DPHI) for a proposed rental housing precinct on land at Marrickville, NSW (the site).

Development for the purposes of Build to Rent (BTR) with an estimated development cost (EDC) of more than \$50 million with the tenanted component representing at least 60% of the EDC, is identified in Schedule 1 of *State Environmental Planning Policy (Planning Systems) 2021* and is therefore declared to be State Significant Development (SSD) for the purposes of the *Environmental Planning & Assessment Act 1979* (EP&A Act). The proposed development is for Build-to-Rent Housing and meets the thresholds and as such, is classified as SSD and will be assessed by the DPHI and determined by the Minister for Planning.

A request for the issue of project-specific Specific Secretary's Environmental Assessment Requirements (SEARs) was made on 14 October 2024, with the SEARs issued on 12 November 2024.

This EIS is based on the Architectural Drawings prepared by Turner, Tribe Studio Architects and Architecture AND (the Design Team) (see **Appendix B**) and other supporting technical information appended to the report (see Table of Contents).

This EIS has been prepared in accordance with the requirements of Part 4 of the EP&A Act, clause 175 of the *Environmental Planning and Assessment Regulation 2021* (EP&A Regulation), and the issued SEARs. A SEARs Compliance Table is provided at **Appendix A** that identifies where the SEARs have been addressed in this EIS. This EIS should be read in conjunction with the supporting information and plans appended to and accompanying this report. The EIS intends to inform the community and stakeholders about the Proposal, including its social, economic and environmental impacts, mitigation measures and benefits, as well as providing an environmental assessment of the proposal.

1.1 The Applicant

The Applicant's details are presented in **Table 2** below.

Table 2 Applicant Details

Applicant:	Varsity Assets Management Pty Ltd (Developer) on behalf of RTL Investments 2 Pty Ltd as trustee for RTL Marrickville Property Trust (RTL Co.)
Address:	Level 14, 275 George St, Sydney NSW 2000
ABN:	94 620 640 148

1.2 Overview of Proposed Development

This SSDA seeks consent for redevelopment of the Site for the purpose of delivering a rental housing precinct, comprising BTR housing, co-living housing and affordable housing with part ground level commercial, carparking and public and private recreation area.

Specifically, this SSDA seeks approval for:

- Demolition and site preparation works (including remediation and tree removal);
- Construction of 7 buildings ranging from 8 to 13 storeys;
- Construction of a basement car park, plant and storage areas;
- Construction of:
 - 484 BTR apartments;
 - 115 affordable apartments;
 - 589 co-living dwellings;
 - 2,394m² of commercial floor space (including a Neighbourhood shop);
- Landscaping, publicly accessible open space, and resident communal open space;
- Works to site frontages;

- Lot amalgamation and stratum subdivision of proposed buildings; and
- Extension and augmentation of infrastructure and services as required.

This EIS provides further description of the proposal in **Section 3.0**. The proposal will be undertaken in accordance with the Architectural Drawings prepared by the Design Team (**Appendix B**).

1.3 Objectives of the Development

*“RTL Co. aim to deliver **Sydney's premier neo-industrial residential neighbourhood** - a global benchmark for imaginative urbanism. This development, called the Timberyards, aims to **seamlessly integrate diverse residential offerings into the distinctive character of Marrickville**, fostering a sense of pride among residents and the local community. The project will deliver a wide range of rental living solutions, complemented by recreation spaces and local retail, all **underpinned by Connection to Country and environmentally sustainable design principles.**”*

RTL Co.

The principal objective of the proposed development relates to the provision of additional housing options to respond to a coalition of key demographic trends in Sydney, including a well-publicised shortage of appropriate housing options, declining housing affordability, an expanding population of younger renters, as well as a general shift towards higher density living. The proposal therefore seeks to address these growing issues through a significant delivery of housing options that cater towards a broad market, within an integrated mixed-use precinct that also provides complementary employment opportunities as well as generous recreational spaces.

Key objectives of the proposed development are to:

- Facilitate the renewal of an underutilised parcel of land at a critical location in Marrickville as part of the rezoned Precinct 47.
- Contribute to the surrounding neighbourhood by delivering a high-quality, contemporary, activated mixed-use precinct that supports housing affordability and jobs.
- Enhance the streetscape and permeability of the precinct through pedestrian-focused site thoroughfare.
- Integrate the built form and design with the vibrant and diverse urban landscape of the Marrickville precinct, which is transitioning to be a high-density, mixed-use locality.
- Ensure a high level of residential amenity by providing an abundance of both publicly-accessible and resident-focused communal amenities and open space throughout the development.
- Create flexible commercial spaces on the site, to compliment and support the dynamic and vibrant makers and small-business innovators based in Marrickville.

1.4 Background

1.4.1 Prior Approvals

Planning Proposal (Marrickville Local Environmental Plan 2011 (Amendment No.14))

The site forms a key part of the Victoria Road Precinct, which is identified as Precinct 47 under the Marrickville DCP (refer **Figure 4**). The Victoria Road Precinct was the subject of a Planning Proposal that was lodged with (then) Marrickville Council in August 2015. The objectives of the Planning Proposal were to:

- *provide a 15 to 20-year strategic plan for Precinct 47;*
- *maintain and grow employment within the precinct;*
- *provide a broader mix of businesses that better meet the local employment profile and changing demographics of the Marrickville LGA whilst ensuring that new development does not directly compete with existing retail centres;*
- *incorporate medium to high-density residential development along the Victoria Road strategic bus corridor where appropriate;*
- *ensure that all new development achieves compliance with standards for internal acoustic amenity;*

- create a vibrant hub for Marrickville's burgeoning creative industries that complements the existing arts and cultural premises in the precinct.
- facilitate improvements to permeability, streetscapes and amenity within the precinct;
- facilitate continuation of industrial, warehousing and other business uses;
- ensure appropriate interfaces between the precinct, surrounding residential and industrial areas;
- create unique retail experiences that do not compete with established retail along Marrickville Road and at Marrickville Metro by providing an opportunity to build on the precinct's existing home renovation showrooms and cafes.

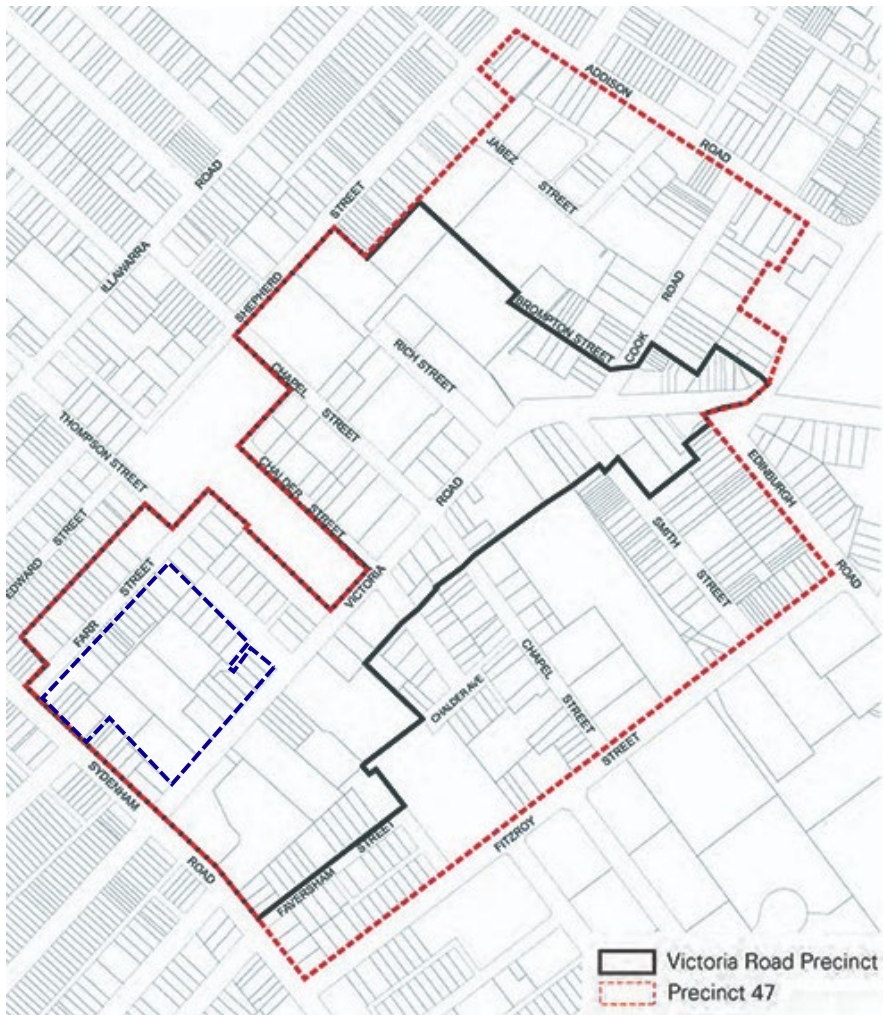


Figure 4 Victoria Road precinct associated with the Planning Proposal (site shown dashed in blue)

Source: Marrickville DCP, Ethos Urban

Following an extensive negotiation process, the Marrickville Local Environmental Plan 2011 (Amendment No.14) reflecting the final Planning Proposal was gazetted in December 2017. Key amendments included:

- rezoning of land from 'IN1 General Industrial' to medium and high-density residential zones, mixed use zones and business zones (facilitating development of approximately 1,100 apartment dwellings and a variety of business uses including creative industries);
- Increase the maximum height of buildings (building heights range from 3 to 14 storeys across the precinct);
- to increase maximum floor space ratios for the precinct ranging from 1:1 to 3.5:1; and
- to provide acoustic design specifications to mitigate aircraft noise.

The precinct specific Development Control Plan (DCP) Amendment, prepared concurrently with the Planning Proposal, was then adopted by Inner West Council on 26 September 2018. The DCP provides detailed controls for the built form, internal laneways and new areas of open space for the Victoria Road Precinct, to guide the future development of the area over a 15–20-year period.

The site is therefore the subject of a relatively recent and prescriptive set of planning controls that have been tailored to deliver the intended outcome for the Victoria Road Precinct. Four (4) development applications have been approved since gazettal of the LEP amendment and adoption of the DCP in 2018, these being the *Rich*

Street Creative Industries Hub, the mixed-use development known as ‘*Wicks Place*’, a new non-residential development at Faversham Street and more recently a six (6) storey residential flat development at 37-47 Farr Street.

1.5 Housing Typologies

1.5.1 Build To Rent Housing

‘Build-to-Rent’ (BTR) is a growing asset class in Australia that improves housing diversity and quality for both renters and institutional investors. BTR schemes are defined as housing that is purpose designed and built for renting, typically offering longer rental terms and onsite support, with leases centrally and professionally managed by a single entity. It is a major contributor to housing supply globally, with widespread adoption in the US and Europe.

BTR provides increased choice of housing for the growing number of renters in Australia, improving housing diversity by providing a secure rental home for those saving to buy their home or for those who choose to rent long term. Key characteristics of ‘build-to-rent’ projects typically include the following:

- **Purpose built:** Build-to-rent housing projects are constructed explicitly for providing residential rental accommodation, with a focus on shared communal amenities and services.
- **Scale:** Build-to-rent projects typically contain a minimum of at least 100 dwellings.
- **Centralised ownership:** All the dwellings within a build-to-rent project are held as a whole asset under singular ownership and are not subdivided.
- **On-site management:** Build-to-rent schemes typically include dedicated onsite management staff to support residents and day-to-day site operations.

The *State Environmental Planning Policy (Housing) 2021* (Housing SEPP) sets parameters that define BTR housing and establishes the relevant non-discretionary development standards for designing and assessing BTR housing. Further, the Housing SEPP enables flexible application of certain provisions of the NSW Apartment Design Guide (ADG) to reflect the more communal nature and management of BTR housing. A detailed assessment of the proposal against the Housing SEPP is provided in **Section 0**.

1.5.2 Affordable Housing

In-fill affordable housing provides opportunities for the delivery of new affordable housing in well-located areas to meet the needs of a wide range of households on very low to moderate incomes.

On 14 December 2023 the NSW Government implemented in-fill affordable housing reforms to encourage private developers to boost affordable housing and deliver more market housing. The reforms include a floor space ratio (FSR) bonus of 20–30% and a height bonus of 20–30% for projects that include at least 10-15% of gross floor area (GFA) as affordable housing. The height bonus only applies to residential flat building and shop-top housing. The FSR and height bonuses are proportional to the affordable housing component.

The affordable housing portion of a development is to remain affordable and be managed by a registered Community Housing Provider (CHP) for a minimum of 15 years in accordance with Section 21 of the Housing SEPP, whilst RTL Co. will manage the day to day on site tenancy management (including asset management).

RTL Co. has proposed 10.3% of the GFA as affordable housing, being committed to delivering a diverse rental housing precinct that supports delivery of housing for residents on very low to moderate incomes. RTL Co. has partnered with City West Housing, a registered CHP to manage the affordable apartments. A detailed assessment of the proposal against the Housing SEPP is provided in **Section 0**.

1.5.3 Co-Living Housing

Co-living housing provides compact rental accommodation in well-connected areas, where residents have convenient access to work, study and recreation opportunities. The Housing SEPP prescribes maximum room sizes for private rooms to make a clear distinction between apartments in a residential flat building and these housing types. The smaller room sizes are offset by the shared spaces and communal facilities provided in these developments. Co-living housing often appeals to young professionals and key workers.

The *State Environmental Planning Policy (Housing) 2021* (Housing SEPP) sets parameters that define co-living housing and establishes the relevant non-discretionary development standards for designing and assessing co-living housing. While the Housing SEPP has provision of a FSR bonus for development of co-living housing, this

has not been exercised in the proposed development. A detailed assessment of the proposal against the Housing SEPP is provided in **Section 0**.

To complement and increase the diversity of rental housing options across the site, RTL Co. has proposed co-living housing alongside BTR and affordable housing. The co-living dwellings have been designed to be self-contained (each including a laundry, kitchen and bathroom). All co-living units have access to a private balcony.

As owner and long-term manager of each housing type across the proposed development, RTL Co. has a strong long-term interest in maximising positive outcomes for the site and will maintain a high degree of control over the operation of the project, whilst enabling the creation of a truly mixed-use precinct.

2.0 Site and Strategic Context

“Housing supply challenges need to be addressed to ensure Australians have access to safe, stable and affordable housing, as well as better housing choices that are close to work, schools and transport.”

National Housing Accord, 2022

This section identifies key strategic matters relevant to the assessment of the proposal, including the site's features, context, strategic context and other development in the surrounding area. This section also provides an analysis of feasible alternatives that were considered in light of the proposal's objectives.

2.1 Site Location and Context

The site comprises a group of adjacent lots identified in **Table 1**, within the Inner West Council Local Government Area (LGA). The site is located within Precinct 47: Victoria Road as identified in the MDCP 2011. The site is primarily contained in the Timber Yards sub-precinct of Precinct 47, with the lots fronting Victoria Road being within the Victoria Road Corridor sub-precinct, and has an area of 22,770m².

The site comprises multiple lots bound by Victoria Road, Sydenham Road, Farr Street and Mitchell Street. An unnamed laneway off Mitchell Street is contained within the site. The site does not include lots at the corner of Sydenham and Victoria Roads.

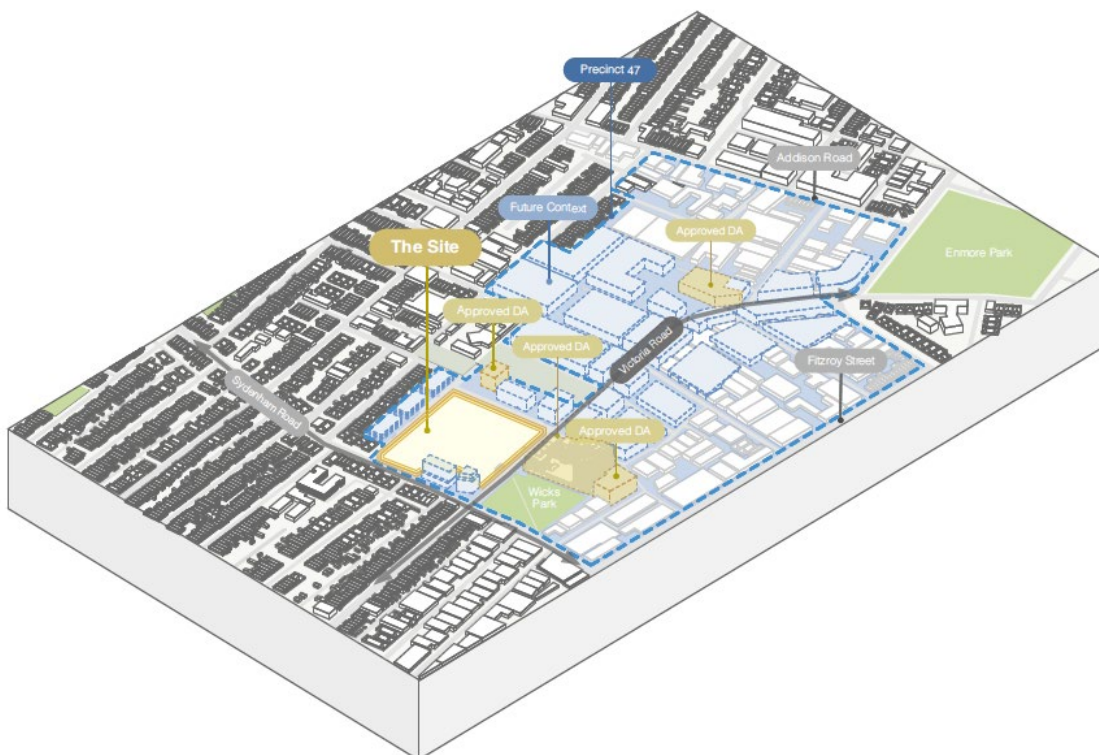


Figure 5 The subject site within Precinct 47

Source: Design Team

The site currently comprises primarily industrial and light industrial uses, with residential dwellings to a minor portion of the site on Farr Street (western boundary) and Victoria Road (eastern boundary), see site aerial map in **Figure 7**.

The surrounding context comprises a mix of 1-2 storey showroom and light industrial buildings, 1-2 storey residential dwellings, Wicks Park and a new 12 storey mixed-use development (Wicks Place) to east on the

opposite side of Victoria Road. Sydenham Railway Station, with recently opened Sydenham Metro Station, is located less than 700m to the southeast of the site, refer site context map in **Figure 6**.



Figure 6 Site Context Map

Source: Nearmap, Ethos Urban



Figure 7 Site Aerial Map

Source: Nearmap, Ethos Urban

2.2 Key Features of Site and Surrounds

2.2.1 Existing development

The site represents a significant landholding in 'Precinct 47', and Marrickville. The site currently comprises predominately industrial and light industrial uses. The existing timberyards located centrally within the site being the reason the majority of the site is identified as the 'Timberyards sub-precinct' within Precinct 47. Aging residential dwellings occupy a minor portion of the site on Farr Street (western boundary) and Victoria Road (eastern boundary). Scattered vegetation is primarily located in the rear yards to these dwellings.



Figure 8 Existing site conditions (Timberyards on left and warehousing adjacent dwellings on right)

Source: Google Maps

2.2.2 Topography

A site survey detailing the topography of the site is provided at **Appendix H**, which illustrates an approximate slope of 5 metres across the site from the northern boundary on the corner of Victoria Road and Sydenham Road (RL2.77m) to the southern boundary on the corner of Farr Street and Mitchell Street (RL7.8m).

2.2.3 Vegetation

A total of 57 trees have been identified within the site and immediately adjacent land by the arborist, Naturally Trees. 20 trees are located within the subject site and 37 trees adjacent to it, within the road reserve and on private properties. The majority are street verge trees, as shown in **Figure 9** below. Existing trees vary in terms of species, age, health and significance. The existing trees and vegetation on the site are illustrated and further detailed within the Arboricultural Impact Assessment prepared by Naturally Trees at **Appendix KK**.

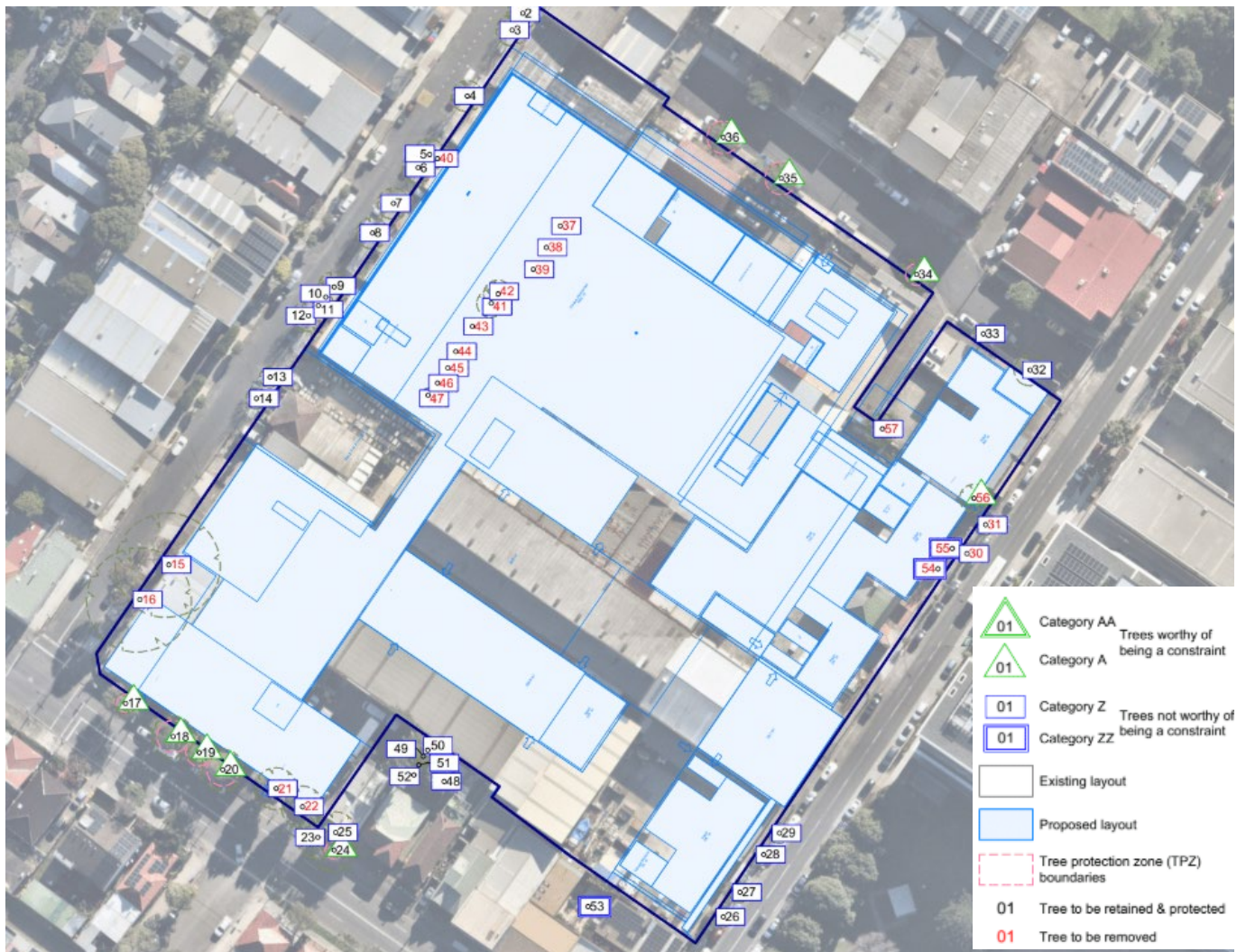


Figure 9 Existing Trees on site

Source: Naturally Trees

2.2.4 Flooding

The Marrickville Valley has two specific flooding characteristics. Land can be part of the Marrickville Industrial Area (MIA) where ground levels are low (as low as 1m AHD) and in times of flood deep ponding can occur. Alternatively, land can be in the upper catchment area which drain to the MIA, where only overland flow flooding occurs. The subject site in the 1% AEP event is within the upper catchment area. Victoria Road and Sydenham Road drain past the site toward the MIA, however backwater does not impact the site in the 1% AEP and as such the site is flood free in the 1% AEP (refer below discussion). In light of this, Council did not select the site for inclusion in the FPA as part of their *Marrickville Valley Floodplain Risk Management Study and Plan (2017 FRMSP)* nor do they describe the site as being flood liable in their 1% AEP flood liability map (refer mapping provided in FIRA in Appendix A and B).

1% AEP flood depths in the vicinity of the Timberyards typically range from 300 and 500 mm along Sydenham Road and Victoria Road and are shown in **Figure 10**. The low-lying area surrounding the Sydenham Stormwater Basin (Marrickville Industrial Area) is subject to deep ponding of flood water, being the natural low point of the catchment. 1% AEP water depths exceed one metre in a number of locations and most roads are impassable. The site is located on the fringe of this area, and flooding from overland flow is confined to the road corridors and does not inundate the Timberyards site itself.

Further discussion on potential flooding impacts is provided in the Flood Impact and Risk Assessment prepared by Mott MacDonald provided at **Appendix LL**. Refer also to the flooding peer review by GRC at **Appendix R**.

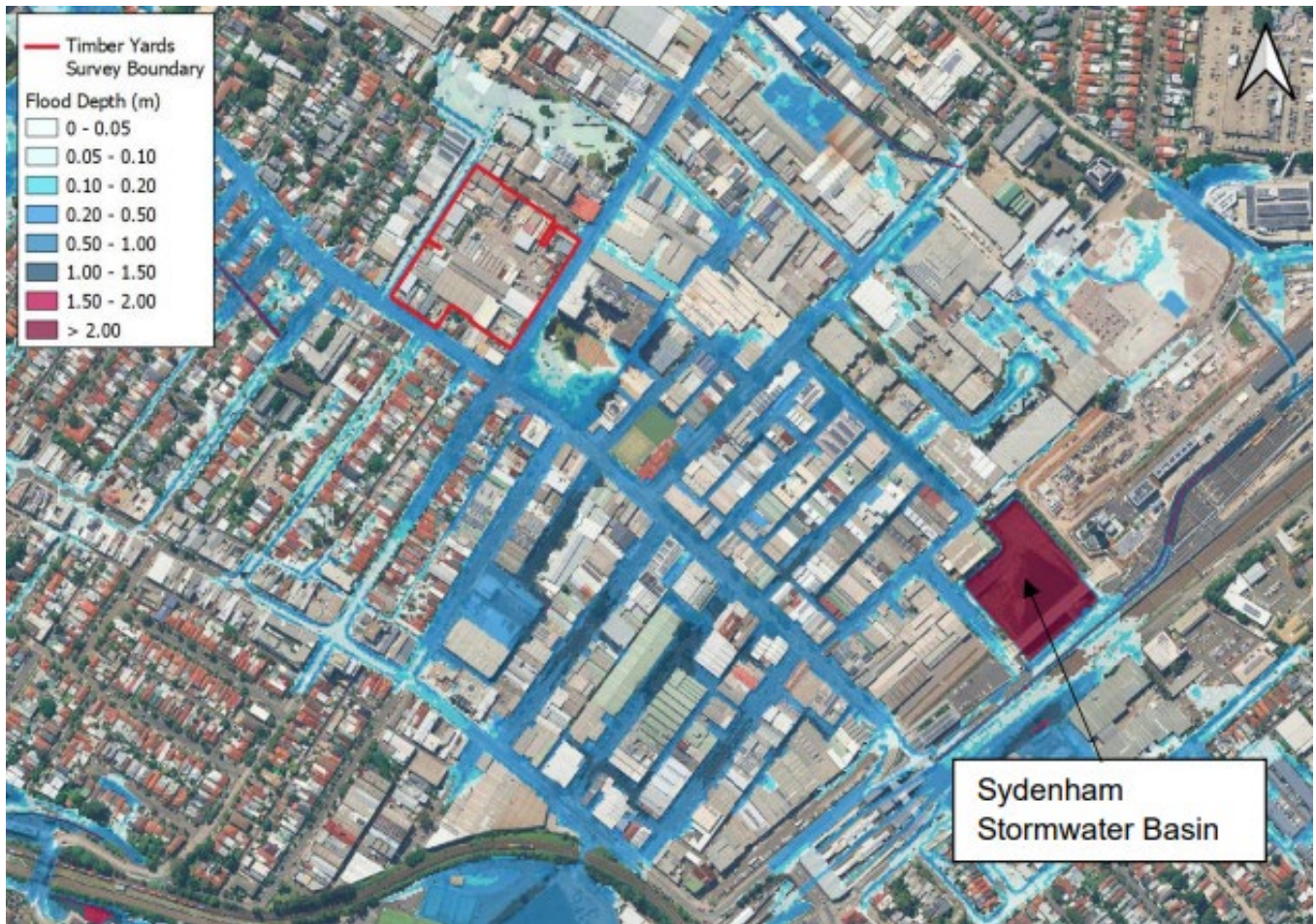


Figure 10 1% Flood Depths and Extents

Source: Mott MacDonald

2.2.5 Heritage

The site is not located in a Heritage Conservation Area nor does the site contain any State or locally listed heritage items. Nearby to the site are two local heritage items:

- I1218 Marrickville Public School, including interiors; and
- I1281 Victorian Italianate style mansion – “Lauraville”, including interiors (2 Thompson Street).

Further information regarding these heritage items is contained within the Statement of Heritage Impact provided at **Appendix II**.

2.2.6 Geotechnical Conditions

The Geotechnical Investigation prepared by JK Geotechnics (provided in **Appendix U**) notes that the site comprises a concrete pavement ranging in thickness from 50mm to 180mm, which sits on top of clayey soils that in turn overlay sandstone bedrock, which is interpreted to be Hawkesbury Sandstone. Groundwater seepage was encountered during auger drilling at depths ranging from 1.5m to 6m. Further detail on the geotechnical conditions of the site as they relate to the proposed development is presented in **Section 6.7**.

2.2.7 Contamination

The historical context and recent use of the site for industrial and warehouse purposes means the site is affected by three classes of Acid Sulfate Soils – Class 2, 4 and 5. Soil, groundwater and vapour samples were noted to contain contaminants including lead and asbestos, with heavy metals and traces of chlorinated solvents. Further discussion is provided in the Detailed Site Investigation Report prepared by JK Geotechnics (refer to **Appendix W**), as well as in **Section 6.6**.

2.2.8 Airspace Operations

The site is subject to airspace operation restrictions (which informed the central LEP height limit of RL50 at time of rezoning). Under the *Airports Act 1996* (Airports Act) of the Commonwealth, Part 12, Division 4 development consent cannot be granted unless the applicant has obtained approval for the controlled activity under regulations made for the purposes of that Division. Avlaw, in their Aviation Report at **Appendix CC**, identify that the critical (i.e. lowest) prescribed airspace protection surface covering the site is the Sydney Airport OLS. This surface rises across the site towards the NW from 47.6m AHD to 51.0m AHD.

2.2.9 Transport and Accessibility

The site is located in proximity to a number of transport services, including public transport and arterial roads.

Rail and Metro

The site is located less than 700m walking distance from Sydenham Station and 900m walking distance from Marrickville Station, providing ready access to the greater Sydney heavy-rail network. The recently opened Sydenham Metro Station, with 7-minute travel time to the Sydney CBD, provides the site with excellent, highly-frequent connectivity to the Sydney CBD, North Sydney, Chatswood, Macquarie Park and Sydney's north-western suburbs.

Sydney Metro is currently converting the existing T3 Bankstown line between Sydenham to Bankstown stations to provide an extension by mid-2025 to the recently opened metro services. Temporary bus replacement services (Southwest Link) are available between Sydenham Station and Bankstown Station throughout these upgrades. When the conversion is complete, passengers will have access to a high-tech, frequent and reliable metro with a train every 4 minutes during peak, along with fully accessible stations and services. Currently, there are some stations on the T3 line that only receive four trains an hour in the peak. The extended metro line will connect seamlessly into the recently constructed M1 line facilitating a continuous metro line from Bankstown in Sydney's south-west and Tallawong in the north-west through Sydenham and Sydney CBD.

Bus

The site is well located for a range of bus transport services. Bus stops are located on Victori Road between 100 to 200 metres north and south of the site. The site is accessible to a range of local and regional bus services. This is summarised in **Table 3** below.

Table 3 Bus services adjacent the site

Route	Description	Frequency (peak / off peak)
358	Sydenham to Randwick (loop service)	10 mins/ 20 mins
418	Sydenham to Burwood	20 mins/ 30 mins
423	Kingsgrove to City Martin Place (via Newtown)	10 mins/15 mins
425	Dulwich Hill to Tempe	15mins/ 60 mins
426	Dulwich Hill to City Martin Place (via Newtown)	15 mins/ 20 mins
430	Sydenham to City Martin Place (via Newtown)	10 mins/15 mins

2.3 Surrounding Development

The urban context of Precinct 47 itself is generally characterised by an industrial and warehouse typology. More contemporary development within the vicinity of the site includes high-density mixed-use buildings which are representative of the precinct's future character and objectives of the rezoning. Specifically, the site is surrounded by the following:

Northeast

To the immediate northeast of the site is Mitchell Street. Mitchell Street has a mixed-use typology with the presence of some residential dwellings, industrial units and business premises. Further northeast of the site is

Marrickville Public school, and a vibrant mix of light industrial and business premises attracting a diverse array of creative and maker tenants.

Southeast

The site is bordered by Victoria Road to the southeast. Opposite the site is a new mixed-use residential development known as Wicks Place. Wicks Park is also opposite the site and at the corner of Sydenham Road. The park comprises sporting courts and open recreation area.

Southwest:

Sydenham Road runs along the southwestern boundary of the site. Sydenham Road is a key arterial route through Marrickville. Opposite the site is primarily low-density residential with pockets of higher density residential development.

Northwest:

Farr Street directly bounds the site to the northwest. Farr Street is characterised by small-scale warehouse and light industrial premises, with predominantly low-density residential beyond. Henson Park further to the north west is a key local sporting anchor for the Inner West.

Figure 11 illustrates the site's surrounding context.



Northeast: Street view of Mitchell Street



Southeast: Wicks Place



Southeast: Wicks Park



Southwest: Street view of Sydenham Road



Northwest: Street View of Farr Street



Further Northwest: Henson Park

Figure 11 Surrounding Development context

Source: Google Maps

2.4 Strategic Planning Context

“Providing ongoing housing supply and a range of housing types in the right locations will create more liveable neighbourhoods and support Greater Sydney’s growing population.”

Greater Sydney Region Plan: A Metropolis of Three Cities – Objective 10

Numerous State and Federal government initiatives have been developed in recent years to assist in alleviating and reducing the pressure of the current housing affordability and supply crisis in NSW, all of which have a common goal of delivering significantly greater housing supply in key locations. At a finer grain level, Precinct 47 in Marrickville has also been strategically identified to grow the Inner West’s Housing supply. The project will contribute to economic growth and investment whilst creating a distinct ‘neighbourhood’ that embodies best practice placemaking and provides opportunities for culture, community collaboration and residential living.

In light of the above, the proposed development is uniquely positioned to champion numerous government initiatives relating to the delivery of additional housing supply and contributing to the growth and development of Precinct 47 as envisaged.

Government plans, policies and guidelines relevant to the Project’s strategic context include:

- National Housing Accord 2022;
- NSW State and Premier’s Priorities;
- Greater Sydney Region Plan – A Metropolis of Three Cities;
- Eastern City District Plan;
- Housing 2041;
- Inner West Local Strategic Planning Statement 2020;
- Future Transport Strategy;
- Better Placed; and
- Connecting with Country Framework.

The Table below also considers the strategic planning vision contained in the Marrickville DCP 2011, Part 9.47 Victoria Road (Precinct 47). While a DCP is not a matter of consideration applicable to a State Significant Development, the proposal’s consistency with the precinct-specific chapter has been reviewed.

Table 4 below summarises the proposals strategic context as established by these documents.

Table 4 Summary of Strategic Context

Strategic Plan	Strategic Context
National Housing Accord 2022	<p>The Federal Government announced the National Housing Accord in October 2022, which committed to delivering 1 million houses in well-located areas in 5 years starting from the year 2024. Given that a large proportion of young people are renting and want to live close to their workplace and highly amenable and serviced areas, BTR housing has the potential to deliver on these needs and assist in meeting the target. This approach is backed and supported by the commitment to undertake further work to ensure the target is achievable. Specifically, the Accord stated that additional support for institutional investment was required, with the commitments summarised below:</p> <ul style="list-style-type: none"> • Commonwealth Commitment: Commission the National housing Supply and Affordability Council to review barriers to institutional investment, finance and innovation in housing (e.g. BTR Housing). • State and territory commitments: Participate in Commonwealth led reviews of barriers to institutional investment, finance and innovation in housing. <p>As such, the Federal Government has particularly taken an interest in BTR in that they are exploring opportunities to incentivise the model. The proposed development is in full alignment with the National Housing Accord as it seeks to deliver significant additional housing supply as part of a modern housing model in BTR, in a strategic location of the Inner West LGA.</p> <p>In response, the NSW Government has committed to building 377,000 new homes across the state in the next 5 years. The Government has set a target for Inner West Council of 7,800 homes to be completed by 2029. The targets intend to address the housing shortage and prioritise more diverse</p>

and well-located homes in areas with existing infrastructure capacity – such as transport, open spaces, schools, hospitals and community facilities.

The proposal makes a significant contribution to Inner West Council meeting their target, offering diverse BTR and affordable housing, and delivering on housing supply contemplated in the earlier rezoning process. Those particularly affected by housing affordability are younger generations seeking to find housing close to employment. The proposed quantum of co-living dwellings and higher proportion of studio and 1 bedroom apartments appropriately responds to this specialised demand, a fit for purpose product designed to meet local demand. Marrickville presently provides a higher proportion of larger type dwellings in the form of terraces, townhouses and detached dwellings. The proposed development will seek to balance existing housing stock with fit-for-purpose rental dwellings.

NSW State and Premier's Priorities

The proposal will deliver on key State and Premier's Priorities, principally, through the delivery of additional housing in a strategic location. Further, the proposal will deliver on the priority of 'well connected communities with quality local environments' through the provision of quality open space and community access. The site also has strategic merit to improve the connectivity of the community by providing accommodation in close proximity to major public transport infrastructure such as the Sydenham Metro Station and various bus routes connecting the site to various locations around Greater Sydney as discussed below.

Greater Sydney Region Plan – A Metropolis of Three Cities

The Greater Sydney Region Plan – A Metropolis of Three Cities (Region Plan) prepared by the then Greater Sydney Commission (GSC) is the overarching strategic plan to manage change and growth in the Greater Sydney Region. It sets a 40-year vision where most residents live within 30-minutes of their jobs, education and health facilities, services and great places.

The proposed redevelopment of the site will support the vision of boosting Greater Sydney's liveability, productivity and sustainability. Specifically, the proposal will closely align with the key priorities outlined in the Region Plan by:

- Integrating and targeting delivery of dwellings and infrastructure to support a growing population and response to the needs of this demographic.
- Increase housing supply and more diverse and affordable housing; and
- Integrating a diverse range of services on site.

A detailed assessment against each of the directions is provided below.



A city supported by infrastructure

The proposed development benefits from existing public transport infrastructure, particularly the existing Sydenham Metro Station as well as numerous bus stops along Victoria Road and Sydenham Road. Resident-serving social infrastructure will be delivered on site to complement the existing infrastructure to the east and west of the proposal. The site is able to be serviced by key utilities.



A city for people

The proposed development incorporates a range of services, infrastructure and amenities to ensure that all residents, workers and visitors have access to appropriate services and amenities.



Housing the city

The proposed development will deliver an additional 1,188 dwellings, including 115 affordable dwellings, of varying sizes and typologies in a strategic location, one that can leverage locational amenity in proximity to numerous transport links as well as other existing infrastructure and community services.



A city of great places

The proposed development will include a number of recreational spaces, including a pocket park and a wide central pedestrian boulevard and community gathering space which will support the residents, workers and visitors to the precinct, and contribute to the vibrancy and amenity of a truly mixed-use precinct.

Further, the site is located within the diverse Marrickville precinct, where significant employment opportunities, including retail, creative and maker are

concentrated. Numerous riverside open spaces are also located in proximity to the site.



A well-connected city

The proposed development delivers a significant number of new dwellings within close proximity to Sydenham Metro Station and Marrickville Station and adjacent to numerous bus services.

The site is located in a well-connected area of Sydney with easy access to the CBD as well as other strategic centres within 30 minutes by public transport.



Jobs and skills for the city

The proposal will support 108 FTE jobs on-site across the commercial, retail and food and beverage tenancies, as well as the BTR housing component, and 56 indirect FTE jobs across the wider Sydney region. This is in addition to the 325 direct and indirect FTE construction jobs will be supported throughout the proposal's development.

The site is also strategically located in proximity to the Sydney CBD.



A city in its landscape

The proposal includes a generous provision of landscaping and open space, commensurate with the ultimate goal of providing a high amenity and liveable development outcome. Deep soil areas are integrated into the proposal, with a total provision of 13.49% (2,447sqm), whilst additional landscaping embellishes the proposed buildings.



An efficient city

The proposal has sought to integrate principles of ecologically sustainable development (ESD) throughout the development. This includes aiming to achieve a 4-star green buildings rating, as well as numerous initiatives to ensure the efficient use of resources.



A resilient city

The proposed development has been designed to minimise exposure to natural hazards by ensuring that the flooding risk is appropriately mitigated..

Eastern City District Plan

The Eastern City District Plan (District Plan) builds upon the Regional Plan's vision, objectives and strategies to provide a 20-year plan to manage growth in the Eastern District. The proposal is consistent with a number of these priorities, as follows:

Infrastructure and collaboration

The proposal is located in an area that is adequately serviced and strategically located in close proximity to public transport and road infrastructure, making it appropriate for the provision of residential dwellings as well as supporting commercial uses.

Liveability

The proposal provides significant additional residential development in an area with an established community that is well-connected to transport and local amenities, and that maintains the existing character of the area whilst providing additional pedestrian connections to promote active lifestyles.

Productivity

The additional supply of residential dwellings will support the ongoing growth of Marrickville and in particular Precinct 47, enabling workers and students to live close to where they work or study.

Sustainability

Landscaping throughout the site will enhance the sustainable outcomes of the development. As is discussed further below, the proposal includes a total provision of 4,707m² tree canopy coverage as well as 2,447m² deep soil.

Housing 2041

Housing 2041 is the NSW Government's 20-year vision for the delivery of housing across the State. Released in 2021, *Housing 2041* sets the framework for delivering more housing in the right locations, more diverse housing options that suit diverse demographics, as well as high amenity housing. *Housing 2041* establishes four pillars which will underpin the future of housing, and the proposed development will closely align with each of these pillars in the following manner:

Supply

The proposal will deliver a total of 1,188 dwellings to contribute to the shortfall in housing supply in the Eastern District.

Diversity

A broad range of co-living, studio, 1, 2 and 3-bedroom dwellings are incorporated into the proposal to appeal to a broad residential market and ensure that all household demographics have a place in the development.

Affordability

BTR Housing presents an opportunity for greater affordability given its nature as a holistic housing model which incorporates residential amenities into its design and function. In the particular case of the proposed development, amenities in the form of internal flexible gathering and activities spaces, co-working spaces and rooftop recreational spaces are all provided as part of the residential offering. Additionally, the proposed development includes 10.3% of the floor space as affordable housing, a direct address of this priority and a significant contribution of 115 apartments.

Resilience

The proposed development has been designed with the principles of ecologically sustainable development in mind, contributing to a development outcome that is highly sustainable. Further discussion on this is provided in **Appendix QQ**.

Inner West Local Strategic Planning Statement

The site is identified on the Centres Hierarchy Plan as a Neighbourhood Centre / out of centre mixed use. The site and its immediate surrounds is therefore targeted to include small-scale commercial servicing the local community.

The Plan identifies that housing affordability is a significant issue and the affordability gap will widen further unless we take action now. The proposed development's inclusion of 10.3% affordable housing is a direct address of this issue.

The proposal directly addresses Priority 6 in particular, which is to plan for high quality, accessible and sustainable housing growth in appropriate locations integrated with infrastructure provision and with respect for place, local character and heritage significance.

Connecting to Country Framework

The Connecting to Country Framework acts as a guide for developing connections with Country to inform the planning, design, and delivery of built environment projects in NSW. Connection to Country will be incorporated throughout the lifecycle of the proposal and has formed part of the design development process. Further detail is provided within the Connecting with Country Report at **Appendix N**.

Future Transport Strategy

The Future Transport Strategy sets out a 40-year vision, directions and outcomes framework for customer mobility in NSW and will guide transport investment over the longer term. The refreshed Future Transport Strategy takes into account events such as the COVID-19 pandemic, drought, bushfires, floods, alongside population growth and global megatrends. It includes a new focus on the six cities region, striving to revitalise and connect communities, encourage thriving local neighbourhoods, and built on economic success.

The proposal is consistent with the Strategy by delivering increased residential accommodation within a highly accessible location within the Marrickville area, which has excellent access to transport, jobs, education and health services. The proposal does not prevent the objectives of the Strategy from being achieved.

Marrickville DCP – Part 9.47 Victoria Road (Precinct 47)

Part 9.47 of the Marrickville DCP is site specific for Victoria Road (Precinct 47). The site is partly located in the Victoria Road Precinct, which is envisaged to be a vibrant, and sustainable mixed -use area, that provides interesting and appropriate new built form, high-quality public spaces, improved connectivity and increased employment opportunities that will make the precinct a desirable place to work and live. The proposed development is consistent with the following desired future characteristics:

- To integrate urban and architectural design excellence and sustainability in the precinct to provide an environment that encourages sustainable living for all residents;
- To enhance existing streets and incorporate new shared zones to encourage pedestrian activity;
- To enhance the streetscape by incorporating sustainable design such as green streets and pathways throughout the precinct that form part of a wider green network;
- To foster the transition of industrial uses to cleaner and modern, light and creative industries to improve the amenity of the precinct, while retaining employment opportunities;

- To ensure that higher density developments, within the precinct, demonstrate good urban design and environmental sustainability for occupants of those developments;
- To ensure the provision of a high level of residential amenity for development within the precinct and to mitigate any impacts on the residential amenity of adjoining and surrounding properties;
- To support the upgrade of existing parks and the provision of new publicly accessible open spaces, located on private land, to provide useful open space and landscaped areas; and
- To ensure development within the precinct is compatible with the operations of Sydney Airport.

Better Placed

The objectives and design principles of Better Placed have been considered and responded to in the proposed design. The strategy seeks to promote good design and capture our collective aspiration and expectations for the places where we work, live and play. Better Placed includes seven objectives for good design, which has been considered in the preparation of the proposed development as follows:

Objective 1: Better Fit – contextual, local and of its place

The proposed development responds to the surrounding context and its location within Marrickville. By proposing a mixed-use build-to-rent building, it will facilitate additional housing supply, while also enhancing the sense of community within the site. This will be achieved through the provision of abundance of communal amenities, as well as a significant amount of publicly accessible open space.

Objective 2: Better Performance – sustainable, adaptable, and durable

RTL Co. have ensured that principles of ESD have been incorporated into the proposal, ensuring effective and environmentally responsive design initiatives. The target goals for the proposed development include a 4 Star Green Star Rating. Further discussion is provided at **Appendix QQ**.

Objective 3: Better for Community – inclusive, connected and diverse

Through the incorporation of through site links throughout the development, the site is easily accessed by pedestrians from all street frontages. Additionally, the proposed development will incorporate measures to ensure that it is accessible and inclusive to all community groups. This is confirmed in the Accessibility Report prepared by Architecture Access at **Appendix BB**.

Objective 4: Better for People – safe, comfortable and liveable

The proposed development has been designed accordingly to ensure private and communal open space and amenity spaces are secure and safe. Additionally, the site will improve visual links between the built form and the streetscape, while also activating the ground floor by providing retail tenancies. This will enhance the passive surveillance to public and private areas. The safety and security of the development is assessed in the CPTED Report at **Appendix T**.

Objective 5: Better Working – functional, efficient and fit for purpose

The proposal involves the redevelopment of an underutilised site that is not being used to its full potential following is rezoning for high density residential and mixed-use development. Therefore, the provision of residential development will not only revitalise the site, but also assist with alleviating the housing affordability and supply crisis.

Objective 6: Better Value – creating and adding value

As per the above, the proposed development creates and adds value to the site by proposing a use that will make better use of the site and meet the demands of the local and extended community.

Objective 7: Better Look and Feel – engaging, inviting and attractive

The design principles have informed the proposal as illustrated in the Design Report prepared by the Design Team and included at **Appendix J**.

2.5 Cumulative Impacts

The nearby relevant future proposals that have the potential to result in cumulative impacts are shown in **Figure 12** and identified in **Table 5** below.

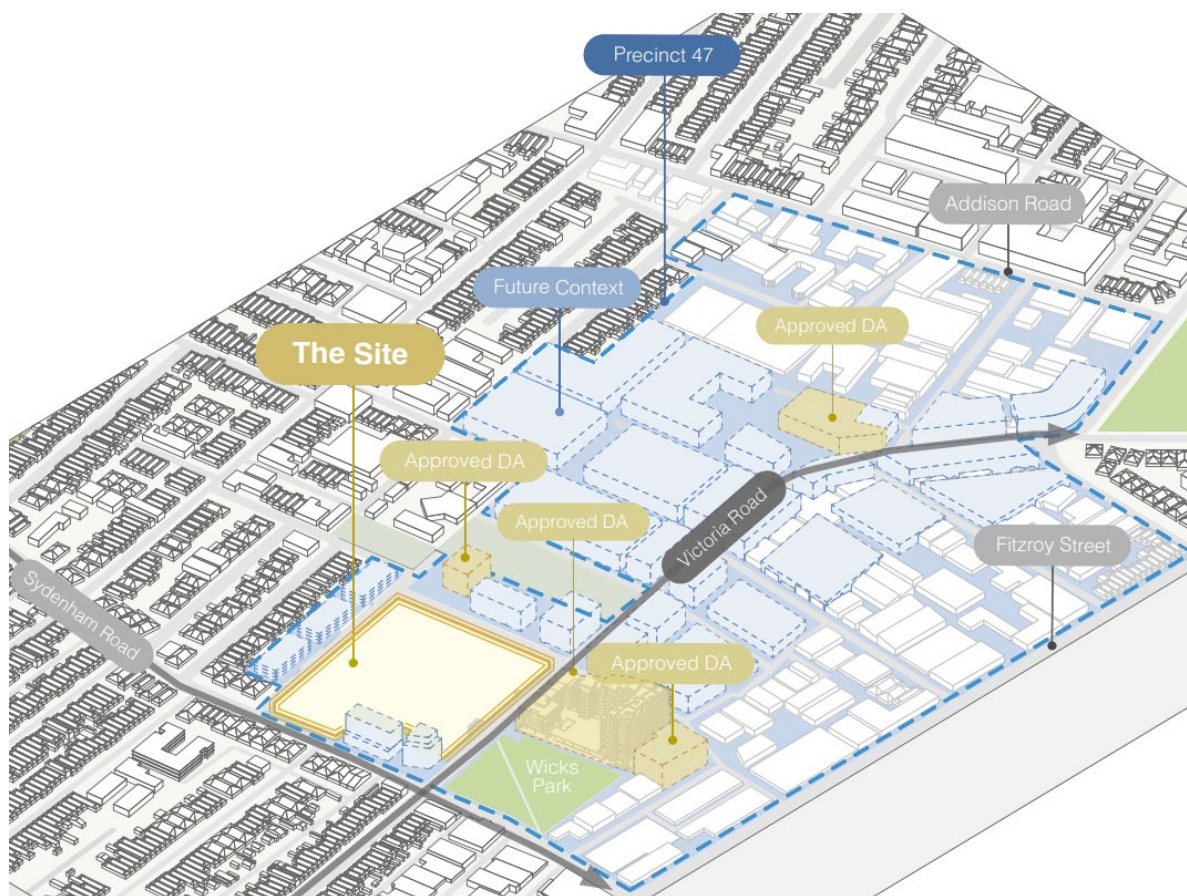


Figure 12 Context of nearby future proposals

Source: Turner

Table 5 Surrounding Future Development

Development	Description	Location	Status
DA/2022/0057	Demolition of the existing building and construction of a development containing light industrial uses, food and drinks premises and specialist retail premise with parking, landscaping and associated works.	18-26 Faversham Street MARRICKVILLE NSW 2204	Approved and under construction.
Local DA for light industrial			Approx. 150m east of the site
DA/2022/0751	Demolition of existing structures on site. Construction of a residential flat building comprising 37 apartments with basement parking, landscaping and associated works. 5.4% height Variation.	41-47 Farr Street MARRICKVILLE NSW 2204	Approved (construction not commenced)
Local DA for mixed use development			Immediately adjacent north boundary
DA/2023/0235	Change of use to a takeaway food and drinks premise, office premises on first floor level, associated external and internal alterations and additions and business identification signage.	7 Mitchell Street MARRICKVILLE NSW 2204	Approved (completed)
Local DA for food and drink premises			Approx. 20m north of the site

Development	Description	Location	Status
DA/2019/00096 Local DA for mixed use development	WICKS PLACE - Demolition and construction of a 6 to 12 storeys mixed-use development including basement parking, ground floor retail, 272 residential apartments and associated public domain and landscaping works (subsequent modifications).	182 Victoria Road MARRICKVILLE NSW 2204	Recently (completed) Approx. 20m east of the site
DA/2017/00558 DA for commercial precinct	Commercial precinct including 10,000 square metres of commercial space and 3,000 square metres of public space, including for markets, a central courtyard, cafe outlets and an outdoor cinema/events space.	1-9 Rich Street MARRICKVILLE NSW 2204	Approved (construction not commenced) Approx. 200m northeast of the site

An assessment of the cumulative impacts associated with these proposals are considered under the relevant issue in **Section 6.0**.

2.6 Project Agreements

2.6.1 State VPA

The lots within the subject site previously owned by Danias Holdings Pty Ltd, are subject to an existing State Voluntary Planning Agreement (VPA) (reference number 2018/9539) dated 4 September 2019 between the Minister for Planning and Public Spaces and Danias Holdings et al. The Applicant is in the process of entering into a deed of variation to this VPA and seeking novation.

In December 2017, the Marrickville Local Environmental Plan 2011 (amendment No 14) (MLEP 2011) was gazetted, which had the effect of amending the local planning controls as they apply to the Victoria Road, Marrickville Precinct. The existing Planning Agreement relates to State contributions to be made in connection with the amendments to the MLEP2011, which required the Secretary to certify that 'satisfactory arrangements' had been made to contribute to the provision of designated State public infrastructure in relation to the land on which the development was proposed to be carried out. The existing VPA enabled the Secretary to provide the certification required by the MLEP 2011 for the development anticipated at the Site.

The existing VPA includes land outside of the Site, as well as land to be acquired for delivery of the road works.

It was necessary to amend this VPA as:

- The land affected by the existing VPA associated with the Wicks Place development, Rich Street and Faversham Street lots is not owned by RTL Co and should be under separate agreement.
- The existing VPA requires monetary contributions and road works (and associated land dedication) that are tied to the issue of Occupation Certificates (OCs) for "lots" (rather than dwellings as per terminology in the Housing and Productivity Contribution (HPC)). Both the proposed BTR and co-living uses cannot be strata subdivided into lots. Further, the affordable housing dwellings are intended to remain under the developer's ownership and so will not be strata subdivided. As such, traditional residential lots will not be created in the proposed development arrangement and therefore the obligations of the developer to make the contributions cannot be met as the trigger points will not be reached under the existing Planning Agreement.
- Transport for New South Wales (TfNSW) have separately advised DPHI that, given land acquisition constraints and traffic volumes along this section of Sydenham Road having dropped post opening of recent City Shaping Infrastructure Projects. Delivery of the road works required by the existing VPA is precluded. This is supported by the fact that TfNSW is of the view that, given the proposed land use (including BTR), located within walking distance of the Sydenham Metro Station, traffic mitigation measures should focus on Travel Demand Management (TDM) measures in lieu of providing additional road capacity.
- The amendments to the MLEP 2011 referenced above, which required the Secretary to certify that 'satisfactory arrangements' had been made to contribute to the provision of designated State public infrastructure in relation to the land on which the development was proposed were repealed by the introduction of the Inner West Local Environmental Plan (IWLEP) on 30 June 2022. The IWLEP does not contain any equivalent statutory provision for 'satisfactory arrangements' to be made in respect of development on the Site.

The draft agreement proposes the following. It is noted that negotiation with DPHI is in progress and the below is subject to the outcomes of that negotiation, as outlined in **Appendix BBB**.

- Provision of the HPC. The contribution is to be paid as a monetary contribution or delivered as works-in-kind. This detail is to be discussed with DPHI.
- Payment of a development contribution for Regional Open Space (subject to CPI adjustment) in instalments to be agreed with DPHI.

2.6.2 Local VPA

The proposed development will open the site to the public to provide 10,207m² of open space with Country-led design, retail, a Creative Hub with rent-free spaces for the local artist community, public art installations, and a reinvigorated streetscape experience. Importantly, RTL Co. will retain long-term management of these spaces as a dedicated owner-operator, ensuring their ongoing quality, activation, and integration into the community.

Compared to the originally envisaged Build to Sell development on the subject site, the proposed development generates a much larger contribution obligation under the *Inner West Local Infrastructure Contributions Plan 2023* (IWLCP), given the BTR apartment typology and mix, as well as the additional affordable housing apartments.

The IWLCP identifies a number of LGA-wide and Marrickville-specific community and cultural facilities that RTL Co will deliver as part of the proposed development. The proposed agreement includes delivery of this community infrastructure on-site as well as making a monetary contribution to delivery of public infrastructure off-site. The offer also involves the upgrade to Council's unnamed lane of Mitchell Street.

The Applicant has met with Council to discuss a local VPA to accompany this SSDA. A Letter of Offer (**Appendix CCC**) was submitted to council on 5 December 2024, which outlined the following delivery of community infrastructure on the subject site:

- **New open space in Marrickville, with playground:** establishment of a public access easement to over 8,000m² of land, fully embellished with landscaping, play equipment and pedestrian access infrastructure;
- **Public Art:** in accordance with the Public Art Plan (**Appendix M**), delivery of a significant public artwork in The gateway, contributing to Council's envisaged local level public art trail; and
- **Cultural production space:** Development and fit-out of a local cultural production space for local artists and creatives rent free.

The draft Letter of Offer (as noted above) was issued to Council on 05 December 2024 and a subsequent meeting held with Council on 18 December 2024. Council's acknowledgement of this is provided at **Appendix WW**.

RTL Co and Council will continue to meet and negotiate the terms of the VPA whilst the application is publicly exhibited and assessed by DPHI. Should Council agree to VPA terms, the VPA would be subject to a separate public exhibition process.

2.6.3 Status of agreements

Discussions with both DPHI and Council will be ongoing throughout the assessment of the SSDA to refine each respective offer, if required. In this regard, it must be noted that a VPA does not need to be formally signed between both parties for the SSDA to be lodged and assessed, as stipulated in the NSW Government's Explanatory Note on Planning Agreements, which states that:

When the developer makes the application or submits a planning proposal to the relevant authority, it should be accompanied by the draft planning agreement that has been signed by the developer and the explanatory note...

Any amendments required to the application or planning proposal and draft agreement as a result of submissions received are made...

The draft planning agreement is either executed before the relevant application is determined or not long after the application is determined.

In line with the above, it is noted that an agreement is only required to be in a preliminary state at the time of lodgement of an SSDA, given that public exhibition of the proposal (as well as the draft VPA) may lead to amendments to the application and therefore any VPA. A VPA is required to be executed only prior to determination, or soon after determination. As such, it is requested that the execution of both a State and local VPA form a condition of consent.

2.7 Analysis of Alternatives

Alternative options have been considered by RTL Co. in response to the strategic need and objectives for the development of the site. This includes not undertaking any works on the site ('do nothing'), proceeding with a different use on the site, and alternative design options of the redevelopment scheme.

2.7.1 Option 1 - Do Nothing

Under the 'Do Nothing' scenario, the existing light industrial, commercial and isolated dwelling assets would be retained and continue to underperform and be out of step with the rezoning. The option does not provide a desirable outcome as it fails to adequately plan for future growth and opportunities to increase the diversity of housing types and need for more rental housing within the Inner West LGA and across Sydney more broadly.

Additionally, this approach would represent a missed opportunity to contribute to the growth and character of the Precinct 47, which as per its rezoning is envisaged to transform into a vibrant and well-connected mixed-use neighbourhood. The failure to deliver housing and urban renewal envisaged in the earlier rezoning would directly impact on the capacity to deliver well-located housing to meet the future needs of the community within the Inner West and Sydney more broadly.

On this basis, the 'Do Nothing' scenario is not considered to be an acceptable approach.

2.7.2 Option 2 – Different use: build to sell residential

The preceding rezoning of the site (outlined in **Section 1.4.1**), supported by the Planning Proposal technical studies, anticipated a high density build to sell residential development on site. The preparation of these instruments occurred at a time when the Housing Crisis was less understood, and the need for more diverse and affordable housing typologies was not at the forefront of planning reform. Since this time, it is clearly apparent that reliance on development of build to sell housing fails to achieve housing diversity and housing affordability. The proposed development seeks to deliver a rental housing precinct comprising 1,188 dwellings that exhibit significant diversity and choice for future residents. This includes affordable dwellings managed by a CHP, co-living dwellings that offer an independent lifestyle for those that do not require a typical apartments and desire community-centred living, as well as BTR apartments that are complimented with significant communal amenities.

Importantly, a build to sell development would result in a "gated" style community, with little publicly accessible space on site. Such a development has little to offer in terms of generating community benefit and opportunities to gather and engage in community events.

Further, a build to sell development has a significantly higher demand for vehicular parking, meaning a much greater impact on the surrounding street network. The proposed central pedestrianised boulevard would require to be delivered as a shared vehicle and pedestrian zone, with no opportunity to become a congregating space with deep soil planting.

As opposed to a build to sell scheme, the proposed rental housing precinct offers:

- Housing choice and secure tenure;
- Housing affordability and affordable housing;
- A single entity ownership with precinct wide initiatives;
- A car-free precinct with increased pedestrian permeability;
- A gateless community with more public open space; and
- A local and eclectic retail offering.

2.7.3 Option 3 - Alternative Designs

Throughout the design development of the proposal, a number of alternative designs have been considered and tested for the new built form proposed on the Timberyards development site. Early massing options for the site were undertaken to explore and understand the capacity of the site as well as ascertain the most appropriate bulk and scale outcomes that would complement the future context of the Victoria Road Precinct, particularly with respect to the indicative masterplan provided in the Precinct 47 chapter of the MDCP.

The massing options were assessed against a key evaluation criterion, including:

- Yield potential with housing diversity;
- Consistency with the NSW Apartment Design Guide;

- Staging Potential;
- Delivery of publicly accessible open space and through-site links;
- Views and outlook; and
- Building efficiency.

A rigorous and detailed design testing process was conducted across multiple options for the arrangement of buildings. Nine design options were developed and considered, as shown below in **Figure 13**. Following analysis, it was determined that a 7-building form was the most appropriate outcome for the site.

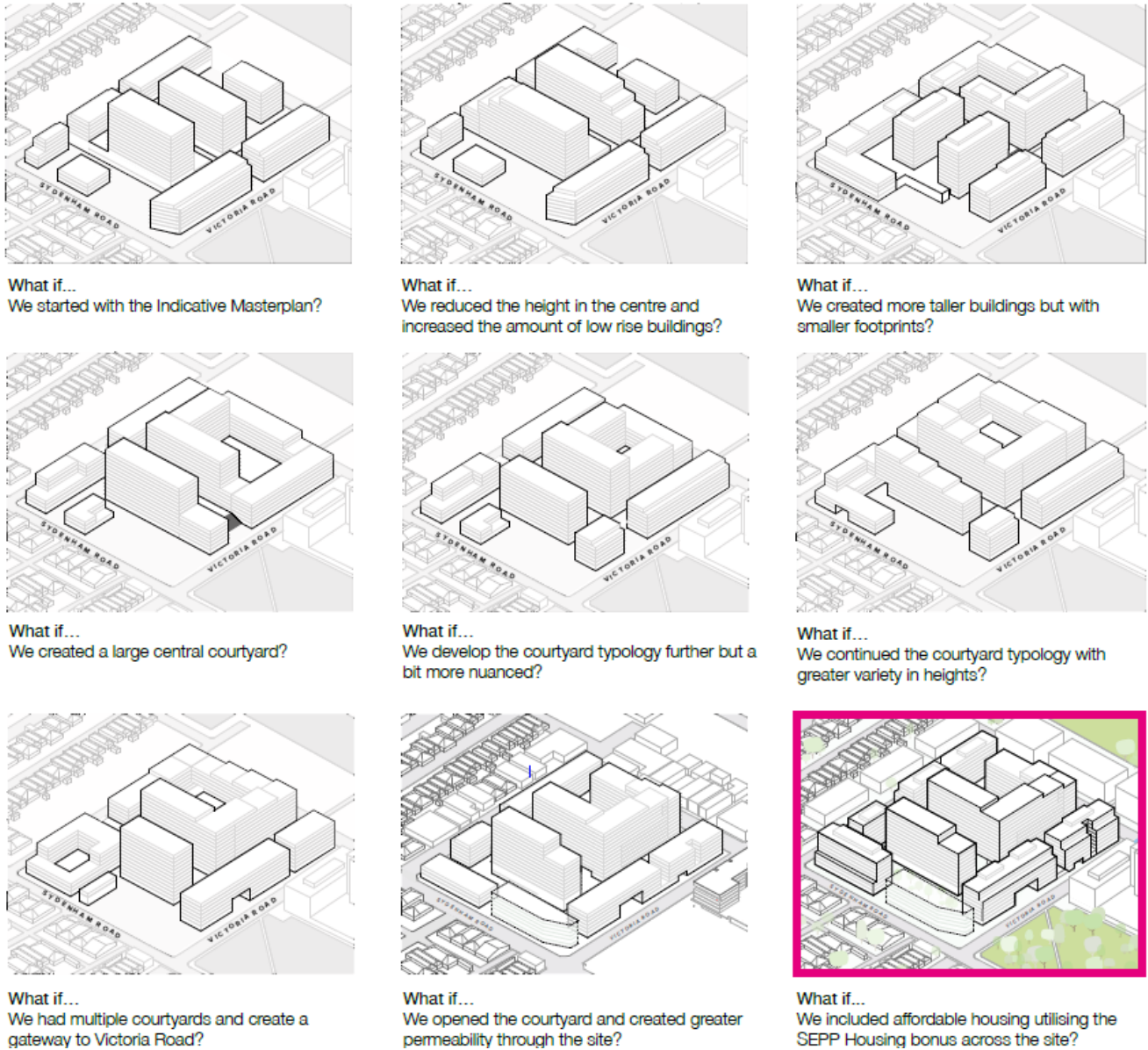


Figure 13 Design option evolution

Source: Turner

The above options considered different arrangements for the bulk and scale of the tower forms to be distributed across the site, each creating different relationships to the street and public domain. View comparisons were also undertaken to understand how the proposal would be visually perceived from various points in the public domain, in order to determine which option provided the best amenity outcome for both future open space as well as adjacent developments.

Of these alternative design options, it was found that the last option (outlined in red) was the most appropriate outcome for the site. This is further detailed below and in the Design Report at **Appendix J**.

2.7.4 Option 4 - The Proposed Development

Following the highest and best use analysis of the site, it was determined that a mixed use BTR housing scheme with supporting ground floor commercial space was the most appropriate outcome for the site. This is supported

by the Economic Statement prepared by Ethos Urban (refer **Appendix P**), which reiterates the site's suitability for residential development).

Furthermore, and after extensive design analysis, the selected design scheme as illustrated above is considered to be the optimal outcome on the site, as it has been informed by the key criteria, and remains respectful of preserving the amenity of the surrounding development context.

Specifically, the preferred arrangement of massing was selected for the following reasons:

- It provides an ADG compliant (or better) building separation between volumes;
- It presents pedestrian-focused street interfaces, welcoming the general public to traverse the site and utilise extensive publicly accessible open space;
- It isolated vehicular access to the Mitchell Street laneway and Farr Street, making permeable the majority of the site frontage for pedestrian access.
- It achieves delivery of 10.3% affordable housing through incorporation of additional height, anticipated by the Housing SEPP, in a manner that minimises additional adverse impact to surrounding neighbour and open space amenity; and
- It maximised solar access to the dwellings, private and communal open space, as well as the surrounding public open space.

The proposal will greatly increase housing supply, choice and affordability with ready access to jobs, services and public transport for the growing population of the Inner West LGA and Greater Sydney. The proposed arrangement facilitates a high quality and sustainable development that demonstrates design excellence and Connection to Country.

For the above reasons, the proposed scenario is the preferred outcome for the site. Further assessment of the design and amenity outcomes of the proposal is provided in the Architectural Design Report at **Appendix J**.

3.0 Project Description

3.1 Project Overview

The Applicant will seek development consent under Division 4.7 – Stage Significant Development of the EP&A Act for the redevelopment of the site in Marrickville as rental housing precinct comprising Build to Rent housing (BTR), co-living housing, affordable housing, commercial premises and public and private recreation area.

Specifically, this SSDA seeks approval for:

- Demolition and site preparation works (including remediation and tree removal);
- Construction of 7 buildings ranging from 8 to 13 storeys;
- Construction of a basement car park, plant and storage areas;
- Construction of:
 - 484 BTR apartments;
 - 115 affordable apartments;
 - 589 co-living dwellings;
 - 2,394m² of commercial floor space (including a Neighbourhood shop);
- Landscaping, publicly accessible open space, and resident communal open space;
- Works to site frontages;
- Lot amalgamation and stratum subdivision of proposed buildings; and
- Extension and augmentation of infrastructure and services as required.

The proposed development is discussed further in the following subsections and detailed on the Architectural Drawings prepared by the Design Team. Photomontages of the proposed development are provided in **Figure 14** to **Figure 18** below.



Figure 14 Victoria Road fronting Wicks Park

Source: Design Team



Figure 15 *Bridge from Farr Street to Warehouse Place*

Source: Design Team



Figure 16 *Warehouse Place with retained warehouse structure*

Source: Design Team



Figure 17 *New pocket park adjacent Farr Street*

Source: Design Team



Figure 18 *The Commons publicly accessible open space internal to the site*

Source: Design Team

3.2 Key Project Details

The key project details regarding the proposal are outlined in **Table 6** below.

Table 6 Key Project Details

Component	Description
Proposed Land Use	Residential accommodation for the purposes of Build-to-Rent housing, Affordable Housing and co-living housing, commercial premises.
Site Address	Multiple lots bound by Victoria Road, Sydenham Road, Farr Street and Mitchell Street
Legal Description	Refer Table 1
Site Area	22,770m ² (for the purpose of calculation of floor space, an area of 22,564m ² - excluding the SP2-zoned Victoria Road widening land, which is within the site boundary)
GFA	76,634m ²
FSR	3.43:1
Maximum Height	RL50.8 (Building E, LEP Height of Building = RL50)
Boundary Setbacks	Ground level setbacks as follows: <ul style="list-style-type: none"> • Victoria Road: 1.5m from SP2 zoned land • Sydenham Road: 2m setback • Farr Street: 3m setback • Mitchell Street (north of lane): 3m setback • Mitchell Street (south of lane): 0m setback
Car spaces	Total of 278 car parking spaces, comprising: <ul style="list-style-type: none"> • Residential: 238 spaces (22 provided with a car share vehicle) • Retail: 33 spaces • RTL Co. staff: 7 spaces
Bicycle Spaces	Total of 726 bicycle parking spaces, comprising: <ul style="list-style-type: none"> • Residential: 594 long stay spaces and 119 short stay spaces • Retail: 8 long stay spaces + 5 short stay spaces
Publicly accessible land	10,207m ²
Communal Open Space	<ul style="list-style-type: none"> • External: 10,601m² (47%) • Internal: 2,890m²
Deep Soil Area	2,447m ²
Construction Hours	Monday to Saturday: 7:00am to 6:00pm (demolition works up to 5:00pm) Sunday and Public Holidays: No works
Operational Hours	Concierge - 9:00am to 6:00pm, 7 days Fitness Centre - 6:00am to 10:00pm, 7 days Rooftop terraces and resident communal areas - 24 hours, quiet use from 10:00pm to 6:00am
Construction Jobs	760 direct FTE construction jobs
Operational Jobs	108 FTE jobs on-site across the commercial, retail and food and beverage tenancies, as well as the BTR housing component, and 56 indirect FTE jobs across the wider Sydney region.
Estimated Development Cost	Refer to the EDC Report prepared by WT Partnership (Appendix F).

3.3 Project Area

The subject site encompasses the amalgamated lots and is inclusive of embellishment of the SP2 zoned land within the amalgamated lot boundary.

Additionally, works are proposed to the frontage (public domain) to each site boundary (including landscaping, pavement and undergrounding of services). In particular, the unnamed laneway off Mitchell Street, which is encompassed by the amalgamated lot, is proposed to be regraded and embellished suitable for vehicular and pedestrian access. This is illustrated in the site plan at **Figure 22** below.



Figure 19 Site Plan

Source: Design Team

3.4 Design Principles

The following design principles and urban approaches have been adopted to ensure the overall vision and objectives for the site are achieved:

- **Housing choice and affordability** - Deliver a range of flexible and secure rental housing options to accommodate the diverse Inner West community, underpinned by good amenities and community spaces.
- **A gateless community where everyone is welcome** – A place where residents, locals and visitors feel safe and welcome to visit and walk through day or night, weekday or weekend.
- **Pedestrian priority precinct** – A permeable and accessible precinct where ground floor active frontages along street edges, pedestrian through site links, lanes and public and communal spaces are interconnected and layered.



- **Local and eclectic offering** – Embracing the unique Marrickville qualities – culturally diverse, creativity, independence and community spirit
- **Restoring ecologies** - The Timberyards prioritises the regeneration of endemic landscapes, weaving nature into every layer of the precinct, supporting urban biodiversity and connecting the site to surrounding green corridors. The site’s history as a swamp and floodplain is celebrated through water-sensitive urban design, offering seasonal activation and passive cooling while enhancing ecological resilience
- **Authenticity** - Embracing Marrickville’s eclectic charm, the architectural language reflects a harmonious tension between the intentional and the incidental. Salvaged materials and remnant structures are juxtaposed with new infill, creating a raw yet playful materiality. This functional eclecticism mirrors the ad hoc composition of the surrounding urban fabric, ensuring the built form is as diverse and vibrant as the community it serves
- **Thresholds and layers** - The design emphasises shifts in spatial and visual connectivity, carefully layering public, communal, and private spaces to enhance amenity and encourage interaction. A fully accessible ground floor invites exploration, while central communal “hidden gems” activate adjacent open spaces. Generous circulation pathways support incidental gatherings, and layered views highlight overlapping neighbourhood character. Acoustic amenity is thoughtfully managed through solid construction, dense planting, and strategic orientation, ensuring comfort amidst the urban bustle.
- **Hyperlocal** - The Timberyards celebrates local craftsmanship and community identity by integrating locally made materials, salvaged remnants, and site-specific fabrications. Movable street furniture, custom-painted doors, and individualized features such as letterboxes and blinds foster a sense of ownership and custodianship. Seasonal activations, informed by the interplay of light and shadow, invite dynamic occupation and evolving experiences throughout the precinct.

3.5 Connection to Country

Through collaborative workshops with the local Aboriginal community, RTL Co and the Design Team, Indigenous Design Consultant, Yerrabingin, have guided the design process to carefully consider First Nations and Connection to Country, placing it at the forefront of the design development.

Four elements of Country exploration were identified to guide and influence the proposed development, outlined in **Table 7** below, and illustrated in **Figure 20**. These are further detailed in the Connecting with Country report prepared by Yerrabingin (provided at **Appendix N**). Each element is informed by zones including Move with Country, Non-human Kin Country, Water Country, Deep Country, Sky Country and Wind Country.

Table 7 Elements of Country

Element	Description
<p>Custodianship for generations</p> 	<p>Opportunity</p> <ul style="list-style-type: none"> • Developing a reference group focused on custodianship to operate through out the design process • Partnerships with local creative groups and organisations • Ongoing care and maintenance led by Indigenous led/owned companies • Subsidised spaces for Indigenous people to produce, share and exhibit art and products
<p>Water Collection, Treatment and Flow</p> 	<p>Opportunity</p> <ul style="list-style-type: none"> • Feature water on site in a celebratory way that speaks to the site’s ecological past as Gumbramorra swamp. • Embed a site specific water sensitive strategy that seeks to collect, cleanse and re-use water on site where possible. • Draw on remnant ecological community vegetation species that will support a water sensitive strategy

Element	Description
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Material Reuse and Adaptation



Opportunity

- Salvage and re-use materials from site and or local sites in innovative ways that extends material life cycles and promotes a circular material economy.
- Consider how materials may acknowledge and convey multiple layers of history as they are significant to Indigenous people.
- Embed materials throughout site that positively contribute to non-human kin habitat and resource supply.

Connectivity and Care



Opportunity

- Connect the local existing and emerging creative network throughout this new community in the form of partnerships, platforms and spaces
- Foster nurturing relationships between people (kin) and also non-human kin
- Significantly improve the way finding and pedestrian experience of Marrickville by way of topography and view creation across site and beyond site

Source: Yerrabingin



Figure 20 Connecting with country opportunities across the site

Source: Yerrabingin

3.6 Site Preparation Works

Site preparation works are proposed in order to facilitate preparation for the proposed built form. This includes demolition, earthworks and tree removal as in the following sections below.

3.6.1 Demolition

The proposed development seeks the demolition of all existing structures on the site, with exception to the proposed retained truss structure of the existing Timberyards warehouse. Demolition will include all other structures (including warehousing, commercial buildings and existing dwellings), concrete and asphalt areas, and retaining structures. An excerpt of the demolition plan is provided in **Figure 21** below.

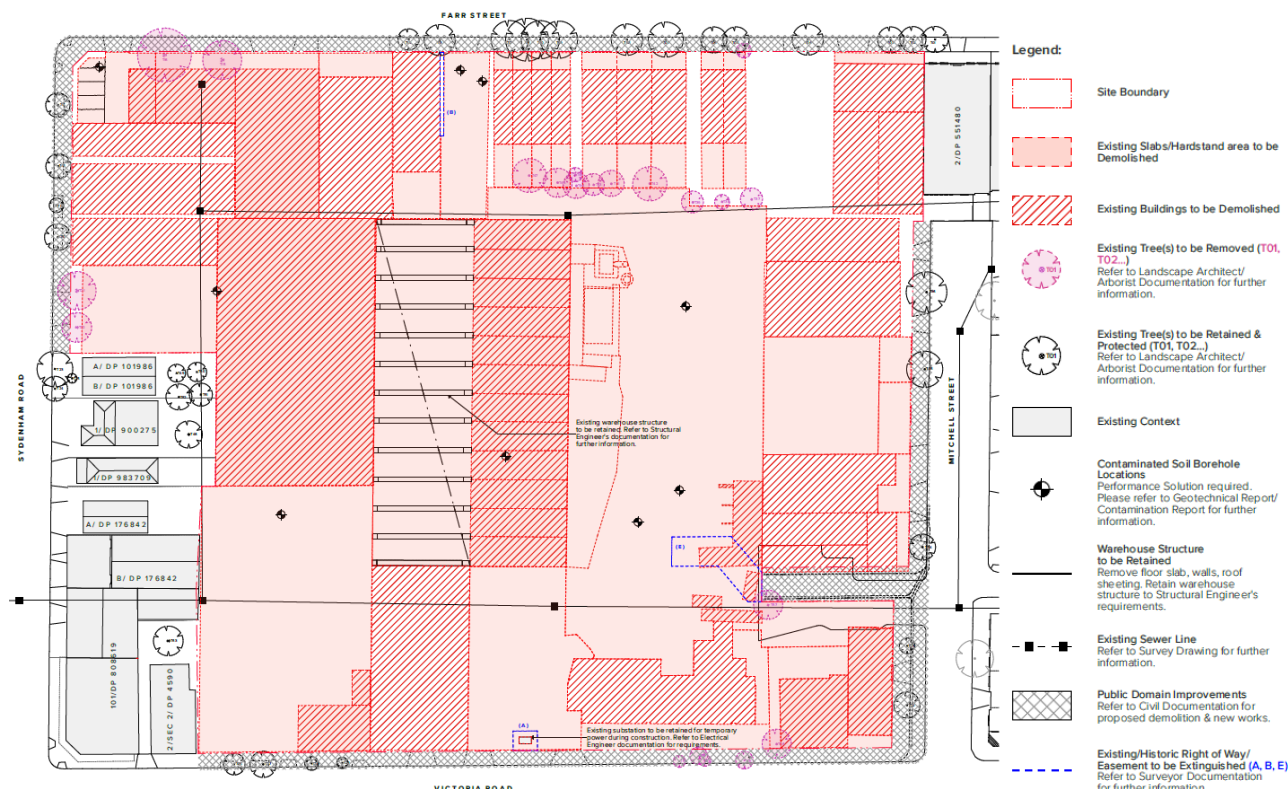


Figure 21 Demolition plan

Source: Design Team

3.6.2 Earthworks

Bulk earthworks is required to grade the site, excavate the proposed basement structure and provide platforms for future buildings. The proposed earthworks are generally constructed to the footprints of the proposed building envelopes, which is further discussed in the sections below.

Excavation is proposed to a depth ranging from about 6.5m over the north-western part of the site to about 2m over the south-eastern portion and are expected to encounter clayey fill, alluvial soils, residual soils and weathered sandstone bedrock. The proposed excavation is further discussed in the Geotechnical Investigation Report at **Appendix U**.

3.6.3 Tree Removal

A total of 57 trees are located within the site or adjoining the site (twenty located within the subject site and thirty-seven adjacent to it, on public and private properties). Where possible, street trees are proposed to be retained, and protection measures are to be implemented to enable ongoing protection during construction works. 22 trees are proposed to be removed, all of which are identified as low category trees with exception to Tree 56, which is a category A tree. This, therefore, results in the retention of 35 trees, including all 8 remaining category A trees. Refer to the tree retention plan prepared by Naturally Trees at **Appendix KK**.

3.7 Layout and Built Form

The proposed development comprises seven (7) buildings ranging from 8 to 13 storeys. **Figure 22** below illustrates the proposed siting and layout of the development. Each proposed form is rectilinear in shape to maximise residential amenity, while seeking to deliver an appropriate bulk and scale to the streetscape.

The key objective of the arrangement of built form is to facilitate a development with a built form and land use that is complementary to the context and character of the site and its surrounds. The Design Report prepared by the Design Team (**Appendix F**) provides the design evolution of the building envelopes and a detailed design analysis of how the proposed massing responds to the adjoining development and the site's locality and context.

Publicly accessible and resident open space is critical to the arrangement of built form across the site. Spaces between buildings are provided with elevated and at grade open space, supported by deep soil and landscaping. Hardstand areas are provided where pedestrian thoroughfare and ground floor activation is the focus. Ground floor commercial and internal common areas are strategically located for activation to Victoria Road and of the central pedestrian court.

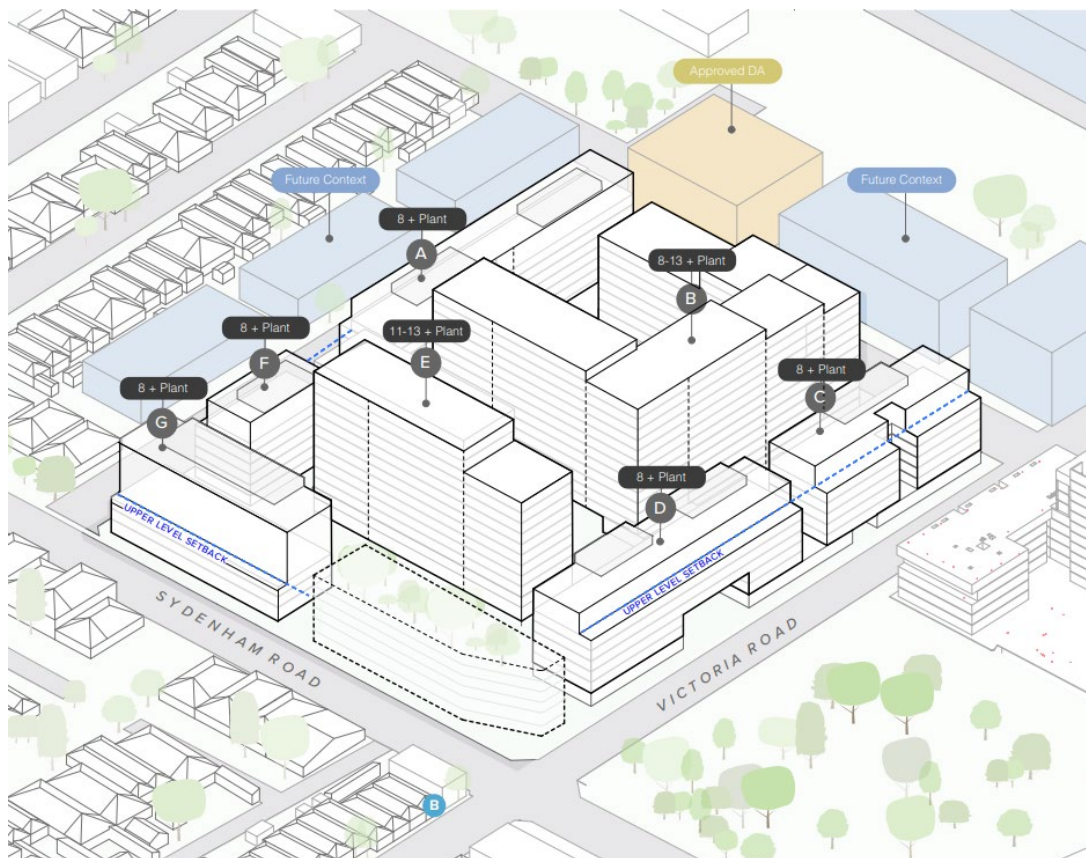


Figure 22 Proposed Built Form

Source: Design Team

A breakdown of the proposed buildings and their key elements are detailed in **Table 8** below, which includes elevations in **Figure 23** to **Figure 29**.

Table 8 Breakdown of proposed buildings

Building	Location/Frontage	Number of Storeys	Maximum Building Height	Shape of Building	Main Use(s)
A	Along the western boundary of the site with a primary street frontage to Farr Street	8	31.2m	Rectangular with tapered form to upper storeys from Farr Street	<ul style="list-style-type: none"> BTR



Figure 23 Building A - Elevation

Source: Design Team

B	Centrally located within the site with northern frontage to Mitchell Street	8-13	RL46.24	'U' shaped form with stepping heights to provide for rooftop communal open space and improved solar access.	<ul style="list-style-type: none"> BTR Co-living Affordable Housing
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Figure 24 Building B - Elevation

Source: Design Team

Building	Location/Frontage	Number of Storeys	Maximum Building Height	Shape of Building	Main Use(s)
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C	Northeastern corner of the site with primary street frontage to Victoria Road and corner to Mitchell Street	8	33.3m	Rectangular with additional upper levels setback to Victoria Road	<ul style="list-style-type: none"> • Co-living • Commercial / retail
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Figure 25 Building C - Elevation

Source: Design Team

D	Eastern boundary of the site with primary frontage to Victoria Road	8	31.1m	Rectangular with additional upper levels setback to Victoria Road	<ul style="list-style-type: none"> • Co-living • Commercial / retail
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Figure 26 Building D - Elevation

Source: Design Team

Building	Location/Frontage	Number of Storeys	Maximum Building Height	Shape of Building	Main Use(s)
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E	Centrally located within the site between Buildings B and G	11-13	RL50.8m	Rectangular with stepped form down towards Victoria Road	<ul style="list-style-type: none"> • BTR • Co-living • Affordable Housing • Commercial / retail
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Figure 27 Building E - Elevation

Source: Design Team

F	At western boundary with primary frontage to Farr Street	8	29.2m	Rectangular with tapered form to upper storeys from Farr Street	<ul style="list-style-type: none"> • Affordable Housing • Neighbourhood shop
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Figure 28 Building F - Elevation

Source: Design Team

Building	Location/Frontage	Number of Storeys	Maximum Building Height	Shape of Building	Main Use(s)
G	Southwestern corner of the site, with primary frontage to Sydenham Road and corner frontage to Farr Street	8	30.2m	Rectangular with additional upper levels setback to Sydenham Road	<ul style="list-style-type: none"> BTR



Figure 29 Building G - Elevation

Source: Design Team

3.8 Gross Floor Area

The Marrickville Timberyards development proposes a gross floor area (GFA) of 76,634m² or 3.43:1 FSR. This is entirely compliant with the maximum floor space ratio of 3.6:1 (inclusive of the Affordable Housing additional floor space of 20% for inclusion of 10.3% affordable floor space), as further discussed in **Section 4.5.2**.

A breakdown of the proposed GFA is provided in **Table 9** below.

Table 9 Breakdown of GFA per building

Use	Building A	Building B	Building C	Building D	Building E	Building F	Building G
Affordable	-	2,405	-	-	2,527	2,948	-
Co-living	-	4,054	5,284	6,665	2,326	-	-
Build to Rent	9,886	22,494	-	-	7,305	-	5,456
Commercial	-	271	802	684	567	-	-
Communal	142	1,613	362	422	351	-	-
Neighbourhood Shop	-	-	-	-	-	70	-
RTL Co. Management	-	-	-	-	-	-	-
Total	10,028	30,837	6,448	7,771	13,076	3,018	5,456

3.9 Setbacks

The proposed development adopts the following setbacks and building separations:

- **Victoria Road:** (Buildings C and D) Ground level setback of minimum 1.5m from the SP2 zoned land. Varied additional (approximately 3m to 4m) setback from the SP2 zoned land above the sixth storey.
- **Sydenham Road:** (Building G) Ground level setback of 2m from the site boundary. Varied additional (approximately 3m) above the third storey.
- **Farr Street:** (Building A, F and G) Ground level setback of 3m from the site boundary. (Building A and F) Varied additional tapered setback to the upper storeys.
- **Mitchell Street:** (Building A) Ground level setback of approximately 3m from the site boundary, additional setback to the upper storeys. (Building B) Building setback of approximately 7m from the site boundary. (Building C) Building setback of approximately 0m from the site boundary.

Additionally, Apartment Design Guide building separation requirements have been implemented between buildings.

Figure 30 below provides an excerpt of the setback diagram for Trinita Stage 2.

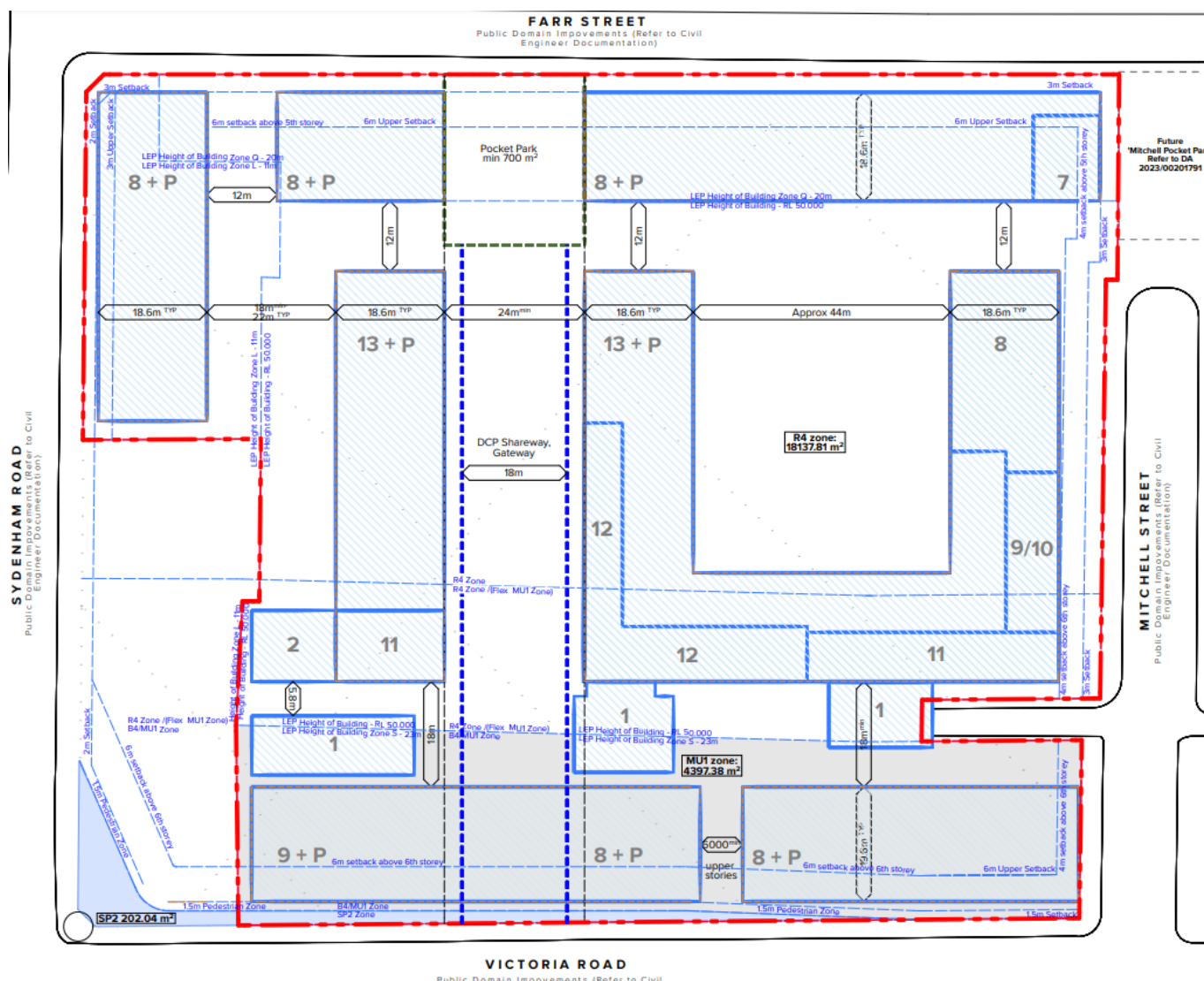


Figure 30 Setback diagram

Source: Design Team

3.10 Uses and Activities

3.10.1 Residential

The proposed development is predominantly for rental housing, with a total residential gross floor area of 74,240m². The development comprises a total of 1,188 dwellings which are broken down as per **Table 10** below.

Table 10 Residential Use and Mix

Typology	A	B	C	D	E	F	G	Total
Build-To-Rent								
Studio	8	55	-	-	1	-	-	64
1 Bedroom	44	55	-	-	11	-	30	140
2 Bedroom	54	110	-	-	54	-	26	244
3 Bedroom	4	22	-	-	-	-	10	36
Co-living								
Dwelling	-	128	172	208	81	-	-	589
Affordable Housing								
Studio	-	4	-	-	7	8	-	19
1 Bedroom	-	10	-	-	31	20	-	61
2 Bedroom	-	13	-	-	4	14	-	31
3 Bedroom	-	4	-	-	-	-	-	4
Total	110	401	172	208	189	42	66	1,188

Of the 1,188 dwellings proposed, the development comprises 37 accessible dwellings (10 fully accessible (mobility impairment and multiple disability), 17 speech and hearing impairment and 10 vision impairment), and 599 silver level units (all Build to Rent and Affordable Housing apartments achieve Liveable (Silver) standards). The design and location of these units are illustrated in the Architectural Drawings at **Appendix B**.

3.10.2 Retail and Commercial

The development proposes a total commercial and retail gross floor area of 2,394m² that will include approximately 15 tenancies, used for retail, commercial and food and beverage services, with one neighbourhood shop in the R4 zoned land. As provided in **Figure 31** and **Figure 32** below, the retail floor area is located at ground level and upper ground level, primarily fronting Victoria Road and addressing the central pedestrian boulevard. The provision of ground level retail activates the public domain (particularly within the Victoria Road sub-precinct) and enhances the pedestrian experience of the site.

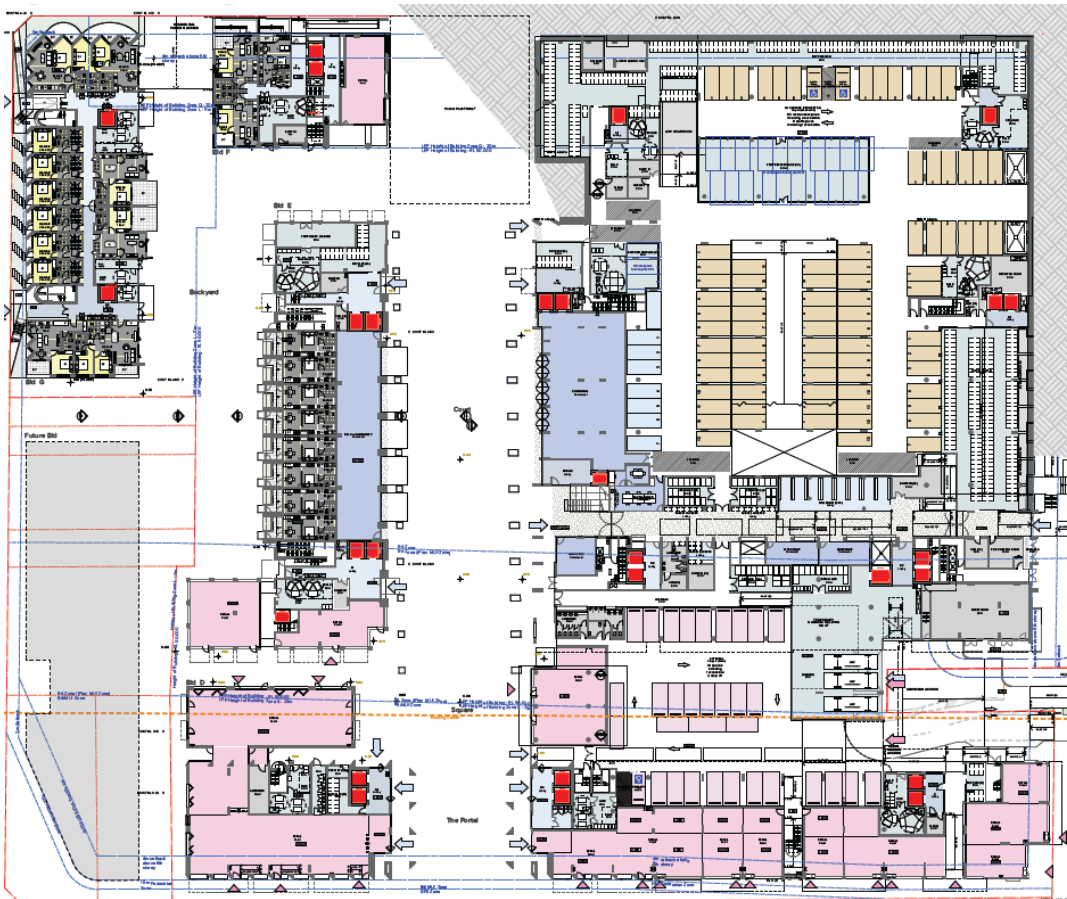


Figure 31 Ground Floor Retail (coloured in pink)

Source: Design Team

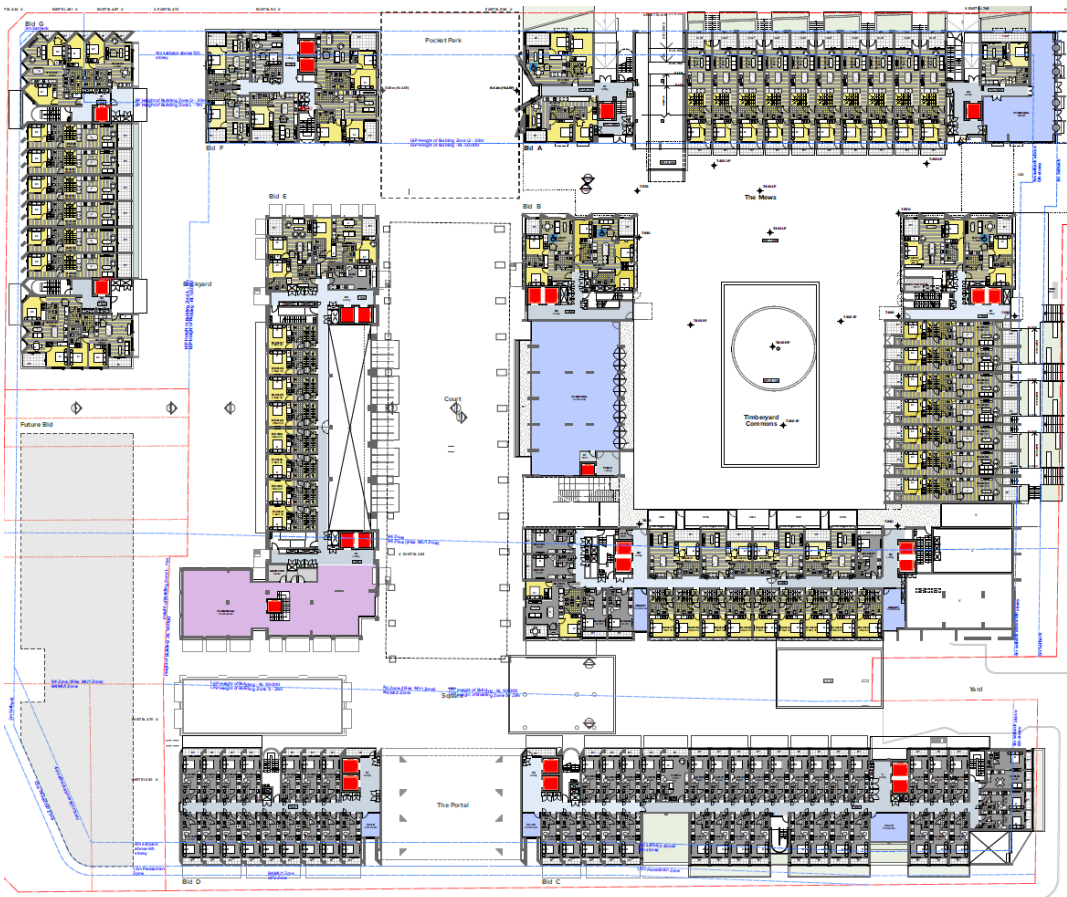


Figure 32 Upper Ground Floor Commercial (coloured in purple)

Source: Design Team

3.10.3 Internal communal amenities

Consistent with the underlying objectives of the build-to-rent housing model, and as required by the Housing SEPP for co-living housing, the proposed development delivers a high level of amenity spaces through the provision of a significant and diverse quantum of communal residential amenities.

Specifically, the development comprises a total of 2,890m² of internal communal residential amenities (including 784m² of co-living exclusive internal communal area) that will be used and accessed by residents. The Design Report provided at **Appendix J** details the approach to the design and selection of the amenities, which is to activate and engage with the communal open space, enhance sustainable design initiatives, create flexible spaces that can be adapted over time, and foster a sense of community.

Table 11 provides a summary of the proposed internal communal amenity spaces throughout the development.

Table 11 Residential Amenities and Communal Open Space

Location	Location	Amenity provided
Building A	Upper Ground	Family room
Building B	Ground Level	Community kitchen, vinyl lounge, RTL Co concierge, bicycle and repair workshop, makers workshop
	Upper Ground	Wellness and Juice bar, shared music room, share library
	Level 1-7, 10-11	Share library
	Level 8	Share library, gym, yoga terrace
	Level 9	Share library, clubhouse
Building C	Upper Ground	Communal kitchen, share library
	Level 1	Communal reading room, communal e-games room, share library
	Level 2-3	Share library
	Level 4	Music Room, share library
	Level 5	Share library, dog wash station, Outdoor BBQ, communal kitchen
	Level 6	Share library, podcast / karaoke, communal lounge
Building D	Upper Ground	Share library
	Level 1, 4-5	Communal reading room
	Level 2	Share library, communal sport equipment
	Level 5	Share library
	Level 6	Share library, communal lounge
Building E	Ground Level	RTL Co. Community Hub
	Level 3-11	Share library

Key amenity spaces are illustrated in **Figure 33** and **Figure 34** below.

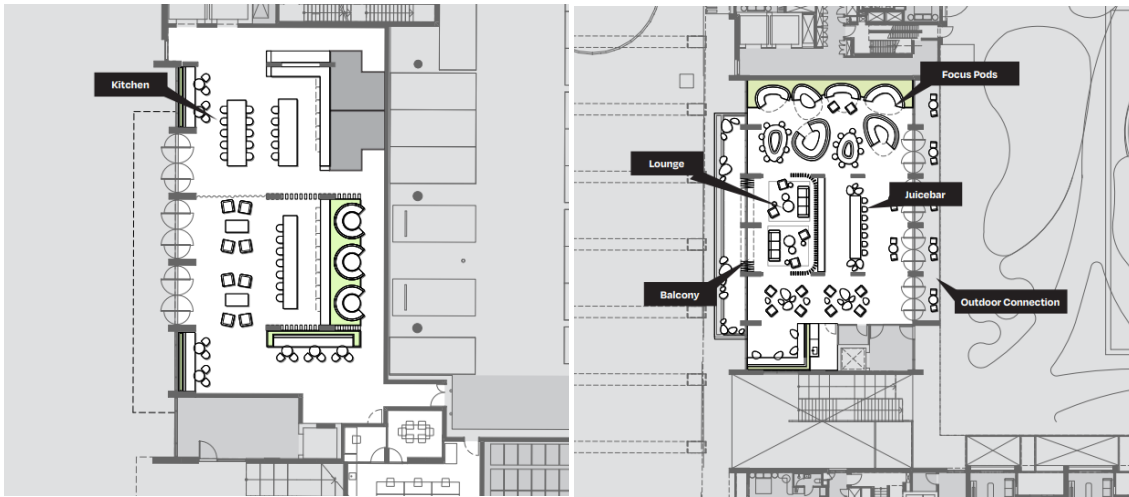


Figure 33 Community kitchen, wellness and juice bar

Source: Design Team

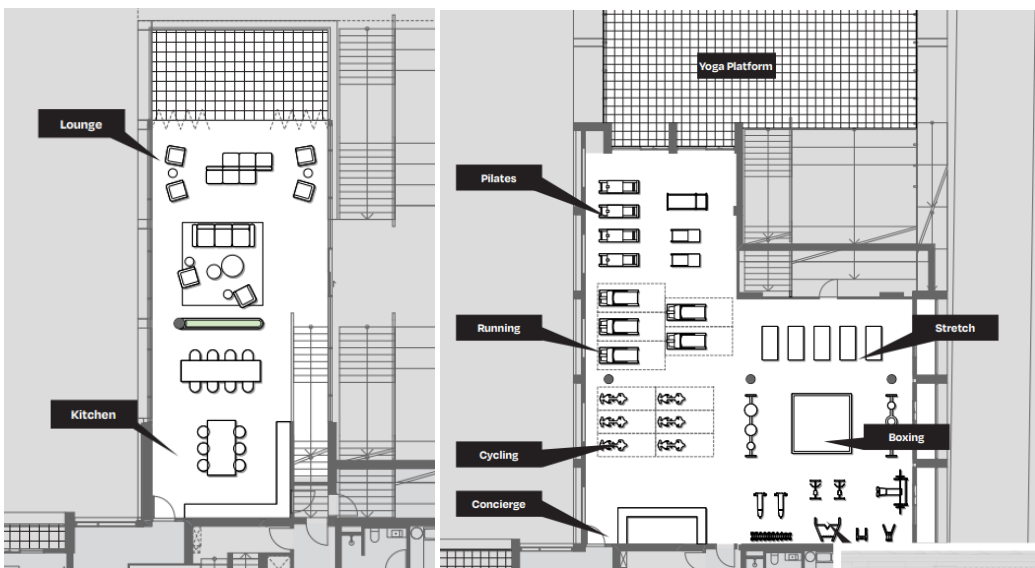


Figure 34 Clubhouse, gym and yoga terrace

Source: Design Team

3.10.4 Communal Open Space (resident exclusive and publicly accessible)

In addition to the internal residential amenities outlined above, the proposed development also comprises a substantial quantum of communal open space, both publicly accessible and exclusively for residents. The total (publicly accessible) open space on the ground plane is 10,207m², which is supplemented by additional open space on rooftops at 1,847m². **Figure 35** provides a diagram of open space.

The publicly accessible open space will not be dedicated to Council. As such, RTL Co will own, manage and maintain the open space across the site. Easements will be established to provide public access to the open spaces across the ground level of the site.

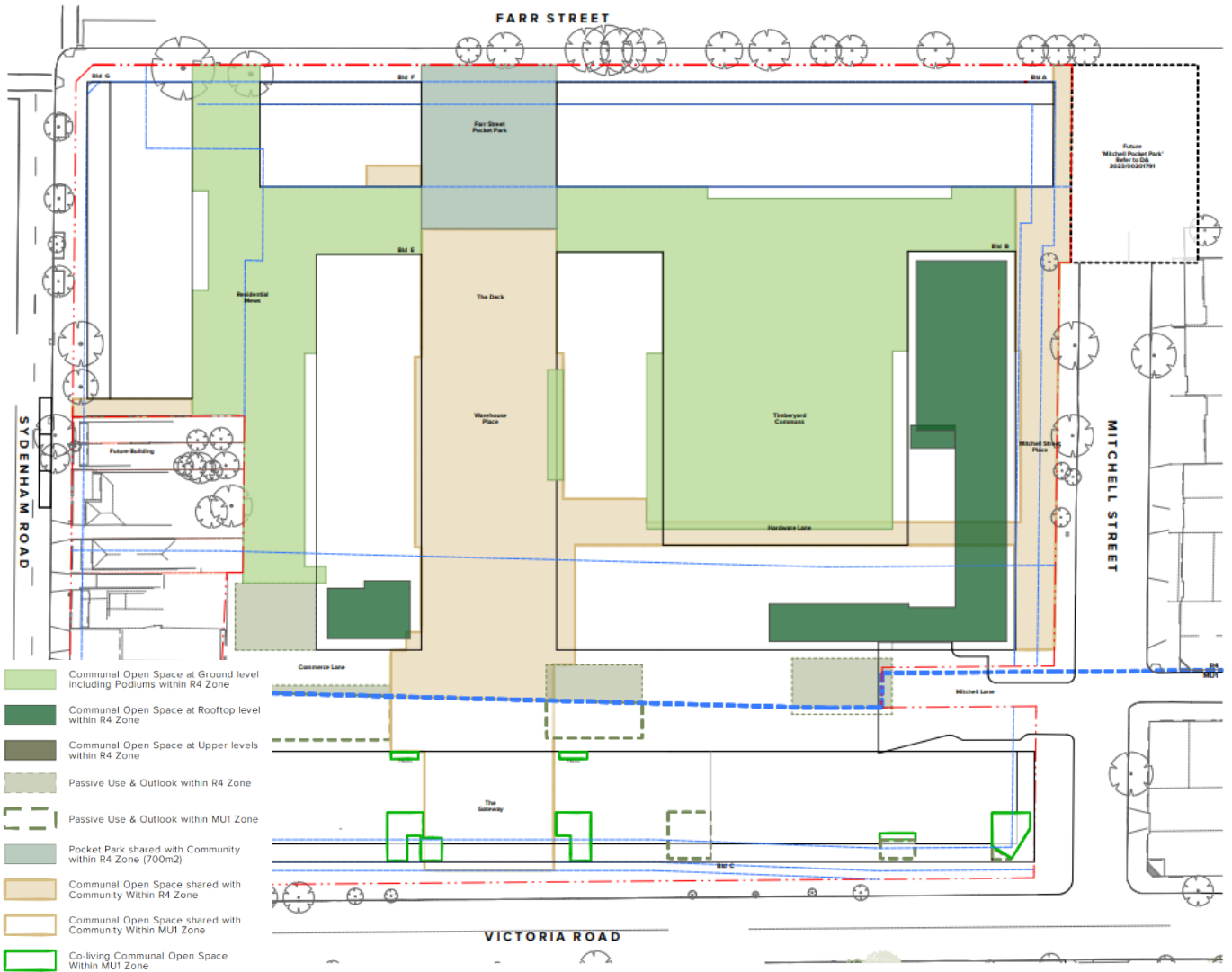


Figure 35 Open space diagram

Source: Design Team

3.11 Façade and Materials

Across the precinct the design team have worked closely to develop a complimentary palette of materials and finishes. Natural and prefinished materials have been adopted across all buildings to reflect the practical and functional industrial aesthetic that is found in Marrickville. This approach also contributes to providing a self-cleaning low maintenance building that aligns with reducing ongoing maintenance costs.

At street level a more tactile selection of materials have been used with a particular focus on brickwork. Brickwork colours and methods of laying vary and contribute to the ‘Marrickville vernacular’ for both fine grain residential detailing and the big format warehouse forms.

A hierarchy of materials and finishes have been used and are grouped into three categories – ‘Primary’, ‘Highlights’ and ‘Neutrals’.

Figure 36 below provides an excerpt of the proposed materials and finishes palette. Further discussion on the façade types, materiality and building articulation is provided in the Design Report at **Appendix J**.

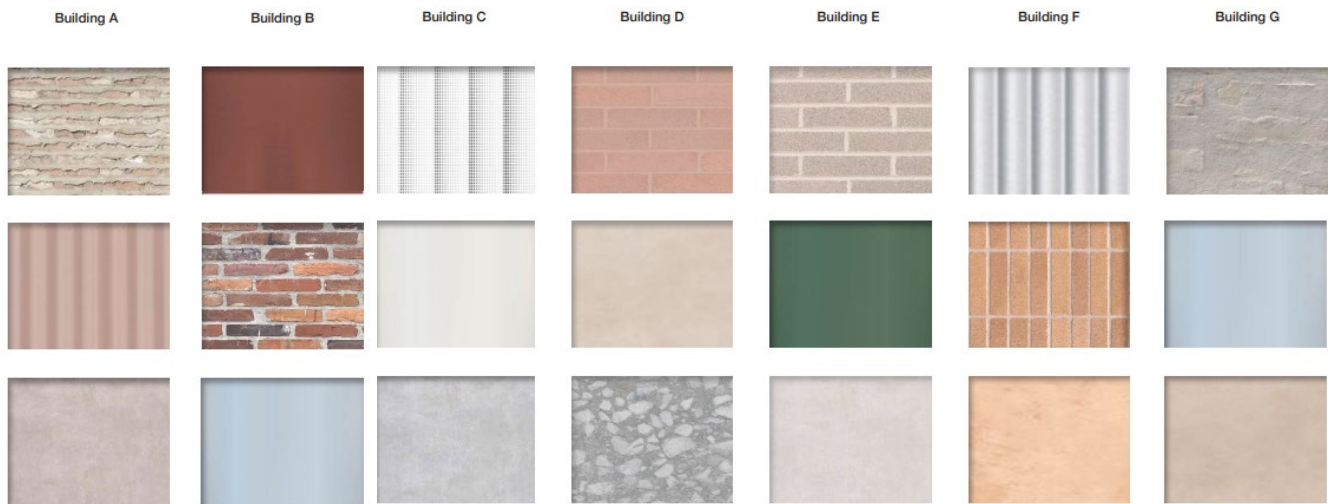


Figure 36 *Materials and finishes palette*

Source: Design Team

3.12 Signage

The proposed development seeks consent for indicative signage zones for the purposes of building identification, retail signs, and wayfinding signs to identify the lobbies and carparking.

Detailed design, content, dimensions, and specifications of each sign will be established during design development stage.

3.13 Site Access and Parking

3.13.1 Pedestrian Access

The development has been designed as a highly permeable, pedestrian-friendly precinct to facilitate architecturally rich, efficient and accessible pedestrian access throughout the site. Specifically, pedestrians can access the site from all street frontages, with key access points being:

- 'The Gateway' thoroughfare off Victoria Road, leading down 'Warehouse Place'
- The pocket park off Farr Street, with feature bridge structure 'The Deck' down to Warehouse Lane
- Pedestrian lane off Mitchell Street – 'Hardware Lane'
- Pedestrian lane off Mitchell Street via retail parking – 'Mitchell Lane'
- The future neighbouring pocket park through the 'Timberyard Commons'
- Pedestrian access off Sydenham Road – 'Wicks Alley'
- The development also proposes a new signalised pedestrian crossing to Victoria Road

Figure 37 below provides a diagram illustrating the accessible paths of travel for pedestrians.



Lower ground



Upper ground

Figure 37 Proposed Pedestrian Access Network

Source: Design Team

3.13.2 Vehicular Access

Vehicular access to the site is provided from Mitchell Street (aligned with the existing unnamed lane) for the retail parking, loading and servicing, and from Farr Street for the residential parking. A secondary access on Farr Street close to Sydenham Road provides access to a shared area to facilitate removalist and taxi / car share collection, as well as small deliveries (food and packages).

Figure 38 below illustrates the proposed vehicular access points to the site.



Figure 38 Vehicular Movement

Source: Ason Group

3.13.3 Carparking

The development proposes a total of 278 carparking spaces, which includes 238 residential spaces (including 22 equipped with a car share vehicle), 33 retail spaces and 7 RTL Co staff parking spaces. Retail parking is located on

the ground floor off Mitchell Street, while residential parking is separated and accessed off Farr Street in a two-storey basement.

Further detail on the proposed carparking strategy is provided in **Appendix RR**.

3.13.4 Bicycle Parking

The proposed development will encourage active transport, particularly cycling, through the provision of appropriate infrastructure and a Green Travel Plan. The proposed development provides a total of 726 bicycle parking spaces, which is inclusive of 602 long stay spaces (resident and commercial premises employees) and 124 short stay spaces (resident visitor and commercial premises visitors), dispersed across the various user groups.

The majority of bicycle parking spaces is located adjacent the Basement car park in Building B, however bicycle parking is also provided to the ground floor of each building to maximise convenience for residents and workers at the site.

3.13.5 Motorcycle Parking

While motorcycle parking spaces are not identified on the Architectural Plans, there is ample opportunity to locate motorcycle parking spaces in the basement (residential) and retail parking areas and will be identified as part of detailed design development. The Traffic Impact Assessment identifies that 14 spaces are to be provided (including for retail and resident parking).

3.13.6 Loading and Servicing

Loading and servicing facilities will be provided by a dedicated loading dock accessed from Mitchell Street. The loading dock will provide four loading bays including one small rigid vehicle (SRV), two medium rigid vehicles (MRVs), and Council's 9.5 metre waste truck. Loading dock management measures would be detailed in a separate Loading Dock Management Plan (LDMP). The secondary vehicular access off Farr Street has capacity for vehicles up to an MRV.

3.14 Landscaping

The landscape design approach and vision is structured around four key principles, including restoring ecologies, authenticity, thresholds and layers, and hyperlocal, which directly aligns with the identified Connecting with Country elements and is underpinned by the objectives set out in the GANSW Better Placed policy. The proposed landscaping design aims to create a sense of place that acknowledges and celebrates its connection to Country, while preserving and enhancing the ecological and cultural values of the site and reinforcing its historic layers whilst rewilding its biodiversity.

Fulfilling the landscape design approach and vision, the development will deliver a range of landscaped areas across the development, including the ground plane primary and secondary spaces, laneways, public open spaces and rooftop terraces. The proposed detailed design of these spaces is illustrated and described below as well as detailed in the Landscape Plans and the Design Report at **Appendix O** prepared by Arcadia.

Tree Canopy area on ground floor is 4,617m² and 90m² on rooftops. Total canopy cover area is 4,707m², which equates to 20.8% of total site area. Deep soil is provided to 2,447m² across the site, which is 13.49% of the total site area.

The key landscape zones are identified below.

3.14.1 Pocket Park

Arcadia states the below:

The landscape design of the Farr Street Pocket Park is to provide a rich biodiversity and landscape driven space that respond the Farr Street and creates a Green Anchor to the Northwest portion of the site.

An assortment of trees and palms cast shade over this thriving landscape. A mosaic of sandstone elements to reinforce the narrative character of a sandstone gully that sits within the planting and provide seating and habitat. The location of the stairs provides pedestrian key links, 24/7, and the deck element seamlessly hovers through the planting.



Figure 39 Pocket park

Source: Aileen Sage and Arcadia

3.14.2 Residential Mews

Arcadia states the below:

The passive experience of the residential mews is unique to the Marrickville Timberyards.

Walking through the residential Mews, you're unlikely to notice what's beneath your feet, but in fact it's healthy soil that was a crucial first step in the Country-led approach to recreate the landscape. Taking cues from regenerative planting and the Soils for Life and Microbiology.

The biodiversity in the Residential Mews will ensure species diversity, plant functional type, habitat for fauna and canopy structure.

Communal, bench, hammocks and single seats clustered under tree planting provide opportunities for meeting, socialising and resting with the benefit of natural shade. The balance of privacy and passive surveillance is keen to not only ground floor lobbies and living environments but also the balconies and windows overlooking the Residential Mews.



Figure 40 Residential Mews

Source: Aileen Sage and Arcadia

3.14.3 Warehouse Place + Hardware Lane

Arcadia states the below:

The public domain and landscape sit under the retaining warehouse structure. The structure above will provide an unique and gritty artful approach to a fairly un programmed ground plan. This space has trees that are placed planted in deep soil with paving up to the trunk to maximise the potential use of the space. The tree selection is crucial as the height is restricted due to the existing retained structure and microclimate. The paving is simple but textural to resemble the character of Marrickville.



Figure 41 Warehouse Place

Source: Aileen Sage and Arcadia

3.14.4 The Gateway, Commerce Lane and Wicks Alley

Arcadia states the below:

The Victoria Road interface, 'The Gateway' is the front door to the Marrickville Timberyard Development. The landscape design is simple to allow the visual and physical connection to Wicks Park and then through Warehouse Place and on to Farr Street Pocket Park.

The experience will everchanging and as the long-term activation and artful approach to the Gateway will forever be the immersive experience that resembles the narrative and vision of the development.



Figure 42 The Gateway, Commerce Lane and Wicks Alley

Source: Aileen Sage and Arcadia

3.14.5 Timberyard Commons

Arcadia states the below:

The public domain and landscape of the Commons will exhibit an innovative approach and planting design that is of its place an inspired by the floristic diversity of the Country.

We're at the heart of one of Australia's most a highly populated and multicultural suburbs, but in the park, we never forget Indigenous cultures that precedes us all of these... The planting will also sometimes be lowered to help with directing overland flow and provide onsite detention capacity with a tank located under the playground.

The experience and place within the landscape will have a diverse range of amenity – from passive elements of hammock and small seating area nestled within the planting to play and stage elements with a start gazing, sun basking lawn.



Figure 43 Timberyard Commons

Source: Aileen Sage and Arcadia

3.14.6 Rooftops

Arcadia states the below:

The rooftops for Marrickville Timber Yards are unique as they are all connected by Bleacher Seating and Stairs. Each rooftop space considers the aircraft noise, solar access, wind impacts and looks to provide a very diverse amenity option.

The different cultures and aged groups that will live in the Marrickville Timber Yards Living Precinct need a place to Play, Meet, Celebrate and get some respite – the rooftop looks to provide all these options.



Figure 44 Rooftop Communal Areas

Source: Aileen Sage and Arcadia

3.15 Stormwater Management

Mott MacDonald has developed an Integrated Water Management Plan (IWMP) in accordance with the Inner West Council's Design Guidelines and the MDCP 2011 (**Appendix MM**). With respect to the site's complex grading and existing flood conditions, the proposed stormwater management is designed to avoid increased impact on the existing street drainage system and downstream properties.

To manage stormwater effectively up to the 1% AEP storm events, a set of detention basins are proposed, utilising a combination of orifices to optimise basin storage. A detention basin is located between buildings E and G, will cover an area of 1,000m² (with a 190m² base) to capture runoff from a 3,370m² area post-development. A further detention basin will have a combined above/underground storage area of 1,000m² (with a 126m² base)

to capture runoff from buildings A and B and the upper podium open space (approximately 10,367m²). Roof detention basins for buildings C, D and E will have areas of 231m² and 154m², respectively.

Further detail on the proposed stormwater management is provided in **Section 6.11** of this report.

3.16 Waste Management

A Waste Management Plan (WMP) has been prepared by MRA Consulting Group and is provided at **Appendix OO**. As detailed within the WMP, the proposed development provides several areas throughout the development allocated for waste storage and collection.

Waste chutes are located adjacent to each core in each building (on each level) across the development for general waste and recycling. Waste chute rooms are located on the ground floor or basement level of each building (depending on whether the building is above a basement). Chute rooms will also double as disposal rooms for residents of each building to take their organics waste and bulky waste. These have been appropriately sized to house the bins required to store the volume of waste estimated to be generated by each respective core.

Site management will make use of bin tugs and trailers retained in the bin holding area to retrieve full bins from building cores as required, transporting them to the waste holding areas adjacent the loading dock for collection.

Commercial and retail waste will similarly be transferred to a dedicated waste holding area adjacent the loading dock for collection.

Further detail on the generation, collection, storage, transfer and disposal of waste during both the operation and construction phase of the project is provided in **Appendix OO** and in **Section 0** of this report.

3.17 Operational Plan of Management

Under the project's proposed BTR model, the development will be owned, operated and managed by RTL Co in perpetuity. An integrated on-site management team will service both the development's residential and non-residential uses, comprising concierge, maintenance, property management, and leading staff members to enable a flexible and tailored, yet holistic management approach.

The proposed development will generate an approximate 108 operational jobs across both the residential and retail/commercial components of the development.

An Operational Management Plan (OMP) has been prepared by RTL Co and is provided at **Appendix VV**. The OMP establishes practices and measures to be implemented to ensure appropriate ongoing management, maintenance and risk mitigation during operation of the rental housing precinct, and sets out clear measures and practices for the on-going management of the BTR, affordable housing and Co-living dwellings, as well as all communal areas (both internal and external) and other shared facilities across the development.

The aims of the OMP are to:

- Ensure management procedures and accompanying policies support the suitable operation of the facilities
- Provide framework for the operations to be detailed by Building Management Team, to ensure that the facilities are a safe environment
- Set out roles and responsibilities for Operation/Building Management staff and Security
- Minimise the potential for noise impact on surrounding residential apartments, in accordance with the conditions of consent and recommendations of accompanying acoustic reports
- Ensure that the resident community operates without disturbance to the neighbouring properties and surrounding area

The OMP is considered to be a baseline document, which indicates minimum levels of management for the development. It is noted that additional or amended detail may be included in the document in the future.

Implementation of the OMP will satisfactorily address the requirement to adequately service residents on site, and protect the amenity of neighbouring residents, through management of resident behaviour, hours of operation, waste management and general health and safety management.

The indicative hours of operation for the development are identified in **Table 12** below. Operational hours, fit out and use of commercial and retail tenancies will be subject to separate future planning approval(s). Further details are provided in the Operational Management Plan prepared by RTL Co. and included at **Appendix VV**.

Table 12 Hours of operation

Use	Hours
Concierge	9:00am to 6:00pm, 7 days
Fitness Centre	6:00am to 10:00pm, 7 days
Rooftop terraces and resident communal areas	24 hours, quiet use from 10:00pm to 6:00am
Hardware Lane (public access)	8:00am to 7:00pm, 7 days (24-hour resident access)

For further details see **Appendix VV**.

3.18 Construction Details

3.18.1 Construction Management

A detailed Construction Management Plan (CMP) will be prepared by the appointed contractor prior to the commencement works. The CMP will address the following matters:

- Material management;
- Construction traffic management;
- Health and safety;
- Equipment/materials staging and parking;
- Dust control measures; and
- Methods for disposal of demolition waste.

3.18.2 Construction Hours

The proposed development also seeks approval for extended construction hours to support the expedition of the construction of the development and thus, reduce the impacts to the existing resident and employees in the locality. The following hours of construction work are proposed:

- Monday to Saturday: 7:00am to 6:00pm (with demolition works finishing at 5pm)
- No work on Sunday and Public Holidays

Additionally, it should also be noted that the proposal seeks the implementation of a condition within the development consent to allow 24-hour construction works for internal, quiet building works only. This stage will commence only once the façade and outer shell of the development is completed.

The above details on construction hours will be detailed in the Construction Management Plan.

3.19 Staging and Delivery

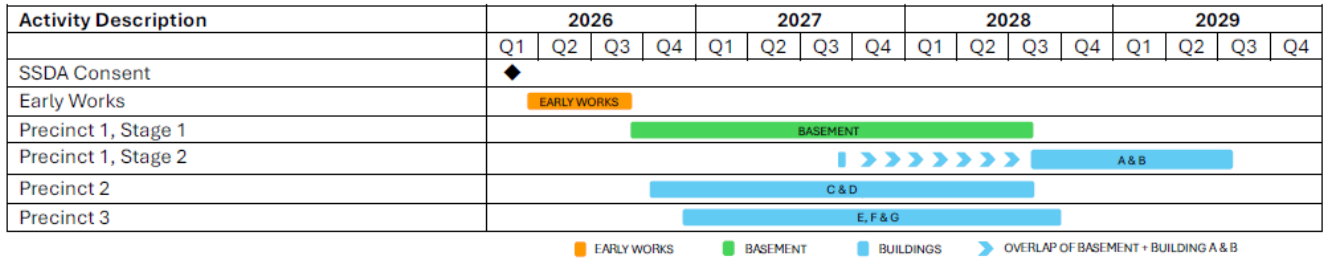
RTL Co will deliver the project in one line with concurrent construction of precincts as identified in **Figure 45** below. Notwithstanding this, the project is proposed to be constructed, occupied, and operated in Precincts (with early works completed prior to the first Precinct). Once all precincts are constructed, operation will be cohesive across all precincts. An indicative Precinct and staging strategy is provided below, illustrated at **Figure 46**. Separately, Precincts will be staged with multiple Construction Certificates (CCs) as required to facilitate construction (such as for foundations, structure, façade, etc). We therefore request that a consent reference a relevant CC rather than a single CC for each Precinct.

- **Early works** – Early works including site establishment, utilities diversion & relocation, demolition and remediation.
- **Precinct 1 Stage 1** – Construction and delivery of the basement (including parking and loading dock).
- **Precinct 2** - Buildings C and D. This will include publicly accessible open spaces areas including The Gateway and connection to Hardware Lane and works and embellishment to the Victoria Road and Mitchell Street Frontages. Total publicly accessible open space on the site delivered in this Precinct is 1,324m² (15.75% of total to be delivered).

- **Precinct 3** - Construction and delivery of Buildings E, F and G, as well as publicly accessible open spaces areas including the Residential Mews, Warehouse Place and the Farr Street Pocket Park and works and embellishment to Sydenham Road & Farr Street frontages. Total publicly accessible open space on the site delivered at this stage is 3,398m² (59.57% of total delivered at completion of this Precinct).
- **Precinct 1 Stage 2** - Construction and delivery of Buildings A & B, as well as publicly accessible open spaces areas including the Timberyard Commons and Mitchell Place and works and embellishment to Farr Street & Mitchell Street Frontages. Total publicly accessible open space on the site delivered at this stage is 3,684m² (100% of total delivered at completion of this Precinct).

An indicative program and plan for the above Precincts and Stages is provided in **Appendix I**, which details timing and delivery. A Staging Report for construction and operation will be prepared and submitted at the relevant stages of the consent.

THE TIMBERYARDS by RTL Co. DEVELOPMENT STAGING PROGRAMME



Precinct & Staging Interfaces			
Precinct	Stage	Building Elements	Staging Clarifications
1	1	Basement	The basement must be delivered in Precinct 1, Stage 1 to support the opening of Precinct 1, Precinct 2 & Precinct 3
1	2	Building A & B	Building A & B are the largest buildings and will be delivered in Precinct 1, Stage 2.
2	-	Building C & D	Precinct 2 will be delivered concurrently with a flexible staged handover.
3	-	Building E, F & G	Precinct 3 will be delivered concurrently with a flexible staged handover.

Notes:
 There is inherent staging flexibility with Precinct 2 and 3 as they are independent to the Precinct 1 basement with suitable construction access provided via Victoria Road, Sydenham Road and Farr St. This enables Precinct 2 and 3 to start construction following the completion of Early Works. There is an opportunity for Precinct 2 and 3 to be occupied immediately after Precinct 1, Stage 1 has achieved OC.

Figure 45 Development staging program

Source: RTL Co.

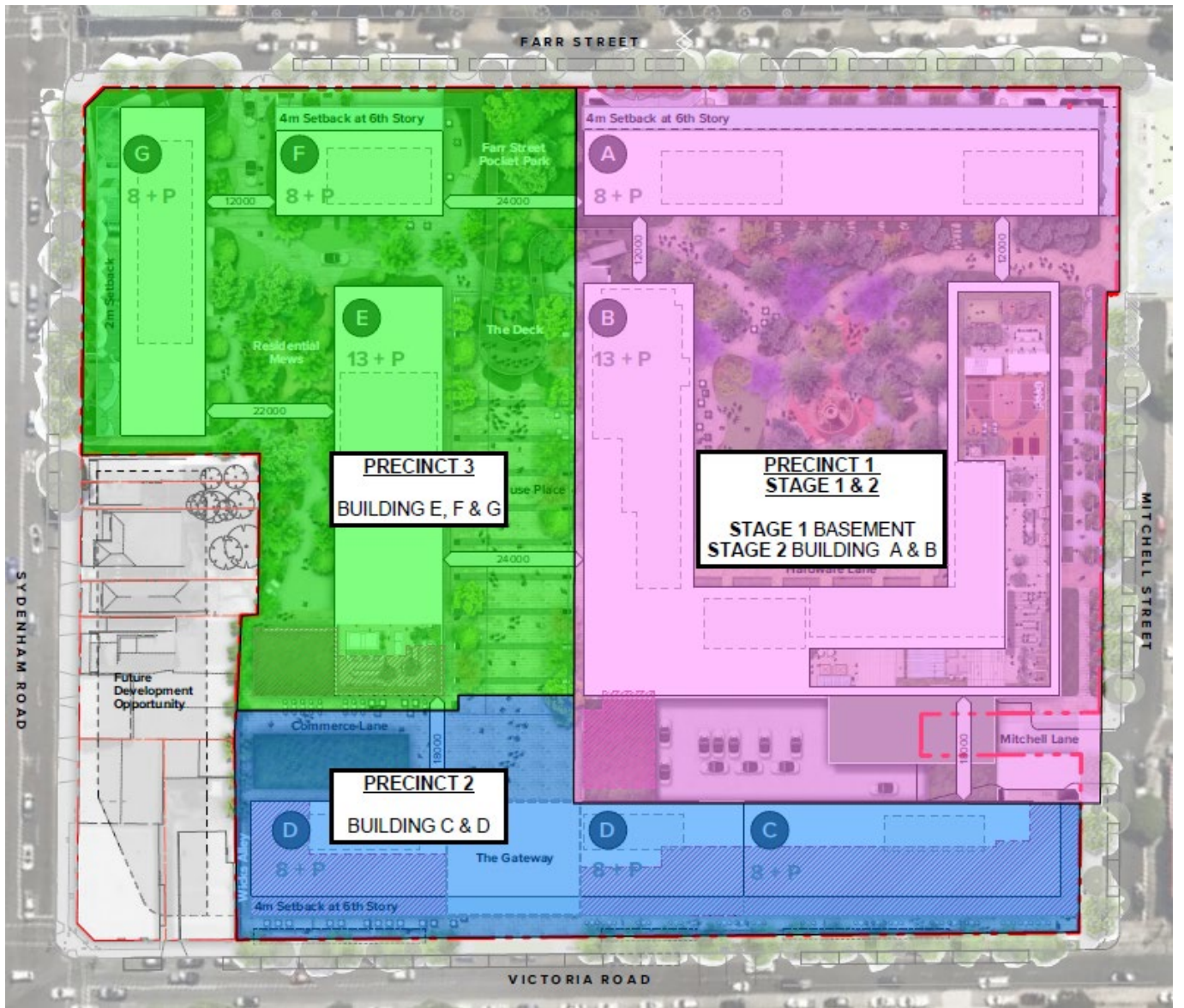


Figure 46 Precinct diagram

Source: RTL Co.

4.0 Statutory Context

Development approval is sought for the project under the State Significant Development provision of Part 4 of the EP&A Act. The sections below outline the project's key statutory requirements. This section is complemented by a Statutory Compliance Table included at **Appendix C** that identifies all statutory requirements and where those requirements have been addressed in the EIS.

4.1 Power to Grant Approval

The legislative pathway under which the consent is sought, why the pathway applies, and the relevant consent authority is outlined in **Table 13** below.

Table 13 Power to Grant Consent

Matter	Consideration
Declaration of State Significant Development	<p>Development consent will be sought under 'Division 4.7 - State Significant Development' of the EP&A Act. Section 4.36(2) of the EP&A Act States that:</p> <p><i>A State environmental planning policy may declare any development, or any class or description of development, to be State Significant Development.</i></p> <p>Schedule 1 of <i>State Environmental Planning Policy (Planning Systems) 2021</i> lists development that is declared state significant development Section 27 of Schedule 1 states:</p> <p>27 Build-to-rent housing</p> <p>(1) <i>Development permitted under the Housing SEPP, Chapter 3, part 4 if –</i></p> <p>(a) <i>The proposed development has a capital investment value of –</i></p> <p>(i) <i>For development on land in the Greater Sydney Region – more than \$50 million, or</i></p> <p>(ii) <i>For development on other land – more than \$30 million, and</i></p> <p>(b) <i>The tenanted component of the proposed development has a value of at least 60% of the capital investment value of the proposed development, and</i></p> <p>(c) <i>For development on land in Zone B3 Commercial Core – the proposed development does not involve development that is prohibited under an environmental planning instrument applying to the land, other than development for the purposes of multi dwelling housing, residential flat buildings or shop top housing, and</i></p> <p>(d) <i>For development on other land – the proposed development does not involve development that is prohibited under an environmental planning instrument applying to the land.</i></p> <p>A State environmental planning policy may declare any development, or any class or description of development, to be State Significant Development.</p> <p>As outlined in Section 4.5.1 the proposal is permissible with consent under Chapter 3, Part 4 of the Housing SEPP. Furthermore, the EDC report (under separate cover), confirms that the development's EDC exceeds \$50 million and the tenanted component of the proposal represents more than 60% of the proposed development's EDC. Therefore, the proposal is declared State Significant Development.</p> <p>The non-SSD components of the development, including commercial premises and co-living housing, are considered sufficiently related to the build-to-rent component of the development in accordance with Section 2.6(2) of the Planning Systems SEPP given their logical synergies from a services, amenity and viability perspective, as well as their co-location within a strategic centre context, and given the combined EDC of these components represent the less dominant elements of the project (less than 40%).</p> <p>Notwithstanding the above, Section 26A of Schedule 1 states:</p> <p>26A In-fill affordable housing</p> <p>(1) <i>Development to which State Environmental Planning Policy (Housing) 2021, Chapter 2, Part 2, Division 1 applies if –</i></p> <p>(a) <i>the part of the development that is residential development has an estimated development cost of –</i></p> <p>(i) <i>for development on land in the Eastern Harbour City, Central River City or Western Parkland City in the Six Cities Region – more than \$75 million, or</i></p> <p><i>Note –</i></p> <p><i>The Act, Schedule 9 sets out the local government areas in each city in the Six Cities Region.</i></p> <p>(ii) <i>for development on other land – more than \$30 million, and</i></p> <p>(b) <i>the development does not involve development prohibited under an environmental planning instrument applying to the land.</i></p> <p>(2) <i>In determining the estimated development cost for subsection (1)(a), the estimated development cost of existing residential development must be included if –</i></p>

Matter	Consideration
	<p>(a) the development will be carried out on the same land as the existing residential development, and</p> <p>(b) the development will result in—</p> <p>(i) for development on land to which subsection (1)(a)(i) applies—at least 40 additional dwellings, or</p> <p>(ii) for development on land to which subsection (1)(a)(ii) applies—at least 20 additional dwellings.</p> <p>(3) This section does not apply to—</p> <p>(a) development to which State Environmental Planning Policy (Housing) 2021, Chapter 3, Part 4 applies, or</p> <p>(b) a development application made, but not finally determined, before the commencement of this section.</p>
	<p>As outlined in Section 4.5.1 the proposal is permissible with consent under Chapter 2, Part 2, Division 1 of the Housing SEPP. Furthermore, the EDC report (under separate cover), confirms that the development's EDC exceeds \$75 million (noting that the value of existing residential on the site is minor, and the development also comprises BTR, which would be excluded for the purpose of satisfying (3)(a)). Therefore, the proposal may alternatively be declared State Significant Development by this Section.</p>
Consent Authority	Section 4.5 of the EP&A Act and Section 2.7 of <i>State Environmental Planning Policy (Planning Systems) 2021</i> stipulate that the consent authority is the Minister for Planning and Public Spaces (or the DPHI as their delegate) unless the development triggers the matter set out in Section 2.7(1) in which case the consent authority will be the Independent Planning Commission.

4.2 Permissibility

The permissibility of the proposed development considering the proposed land use/s and land zoning is outlined in **Table 14** below.

Table 14 Permissibility

Matter	Consideration
Land Use	<ul style="list-style-type: none"> Shop top housing, with ground floor commercial premises (including business, retail and office premises, such as food and beverage spaces, shops, co-working spaces, and other specialist retail spaces), and co-living housing dwellings above. Residential flat buildings, which will be used for the purposes of build-to-rent housing. Mixed use buildings, which will comprise commercial on part ground level, a Neighbourhood shop, residential flats which are used for both BTR housing and affordable housing and co-living housing. Recreation Area
Land Zoning	Under the <i>Inner West Local Environmental Plan 2022 (IWLEP 2022)</i> , the majority of the site is zoned R4 High Density Residential, with MU1 Mixed Use zoned land to the portion of the site fronting Victoria Road.
Permissibility	<p>Under the <i>Inner West Local Environmental Plan 2022 (IWLEP 2022)</i>, the majority of the site is zoned R4 High Density Residential, with MU1 Mixed Use zoned land to the portion of the site fronting Victoria Road.</p> <p><u>R4 Zoned Land</u></p> <p><i>Residential Flat Building</i> is a permitted use in the R4 zone and is a type of residential accommodation that can be used for BTR housing pursuant of section 72 of the Housing SEPP. <i>Co-living housing</i> is prohibited in the zone under the IWLEP 2022. However, the Housing SEPP Section 67 makes co-living housing a permitted use in a zone that permits residential flat buildings. <i>Neighbourhood shop</i> is a permitted use in the R4 zone.</p> <p><i>Recreation area</i> is a permitted use in the R4 zone (the pocket park).</p> <p><u>MU1 Zoned Land</u></p> <p><i>Shop Top Housing</i> is a permitted use in the MU1 zoned land.</p> <p><i>Co-living housing</i> is prohibited in the zone under the IWLEP 2022. However, the Housing SEPP Section 67 makes co-living housing a permissible use in a zone that permits shop top housing.</p>

Matter	Consideration
	Commercial premises (retail) is a permitted use in the MU1 zone.
	The proposed buildings in the MU1 zone are shop top housing, comprising co-living housing dwellings above commercial premises.
	<u>Development Near Zone Boundaries</u> Clause 5.3 of the IWLEP 2022 enables a permitted use in an immediately adjacent zone to be permitted in the subject zone, for a maximum of 25 metres from the boundary of the two zones, where demonstrated to enable a more logical and appropriate development of the site and be compatible with the planning objectives and land uses for the adjoining zone. The proposal seeks to extend the ground floor retail in the MU1 zone into the R4 zone for maximum 25 metres. Refer to Section 4.5 .

4.3 Other Approvals

The other legislative approvals required for the Proposal in addition to a development consent under Division 4.7 of the EP&A Act are outlined in **Table 15** below.

Table 15 Other Approvals

Matter	Consideration																		
Approvals not required for SSD	Section 4.41 of the EP&A Act stipulates that certain authorisations are not required for State significant development. The following legislative approvals would otherwise be required if the Project was not State significant.																		
	<table border="1"> <thead> <tr> <th>Legislation</th> <th>Approval Otherwise Required</th> </tr> </thead> <tbody> <tr> <td colspan="2">Legislation that does not apply to State Significant Development</td> </tr> <tr> <td><i>Fisheries Management Act 1994</i></td> <td>No</td> </tr> <tr> <td><i>Heritage Act 1977</i></td> <td>No</td> </tr> <tr> <td><i>National Parks and Wildlife Act 1974</i></td> <td>No</td> </tr> <tr> <td><i>Rural Fires Act 1997</i></td> <td>No</td> </tr> <tr> <td><i>Water Management Act 2000</i></td> <td>No</td> </tr> </tbody> </table>	Legislation	Approval Otherwise Required	Legislation that does not apply to State Significant Development		<i>Fisheries Management Act 1994</i>	No	<i>Heritage Act 1977</i>	No	<i>National Parks and Wildlife Act 1974</i>	No	<i>Rural Fires Act 1997</i>	No	<i>Water Management Act 2000</i>	No				
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<i>Rural Fires Act 1997</i>	No																		
<i>Water Management Act 2000</i>	No																		
Consistent Approvals	Section 4.42 of the EP&A Act stipulates that certain authorisations cannot be refused if they are necessary for carrying out State significant development. The following table lists legislative approvals that are required for the Project and cannot be refused if the Project is approved.																		
	<table border="1"> <thead> <tr> <th>Act</th> <th>Approval Required</th> </tr> </thead> <tbody> <tr> <td colspan="2">Legislation that must be applied consistently</td> </tr> <tr> <td><i>Fisheries Management Act 1994</i></td> <td>No</td> </tr> <tr> <td><i>Mine Subsidence Compensation Act 1961</i></td> <td>No</td> </tr> <tr> <td><i>Mining Act 1992</i></td> <td>No</td> </tr> <tr> <td><i>Petroleum (Onshore) Act 1991</i></td> <td>No</td> </tr> <tr> <td><i>Protection of the Environment Operations Act 1997</i></td> <td>No</td> </tr> <tr> <td><i>Roads Act 1993</i></td> <td>No</td> </tr> <tr> <td><i>Pipelines Act 1967</i></td> <td>No</td> </tr> </tbody> </table>	Act	Approval Required	Legislation that must be applied consistently		<i>Fisheries Management Act 1994</i>	No	<i>Mine Subsidence Compensation Act 1961</i>	No	<i>Mining Act 1992</i>	No	<i>Petroleum (Onshore) Act 1991</i>	No	<i>Protection of the Environment Operations Act 1997</i>	No	<i>Roads Act 1993</i>	No	<i>Pipelines Act 1967</i>	No
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EPBC Approval	The <i>Environmental Protection and Biodiversity Act 1999 Act</i> (EPBC Act) provides a legal framework to protect and manage nationally and internationally important flora, fauna, ecological communities, and heritage places. These are known as matters of National Environmental Significance. If the proposed development will, or is likely, to impact a matter of National Environmental Significance, then it is required to be referred to the Federal Department of the Environment for assessment to determine if it constitutes a 'controlled action' requiring EPBC approval. Presently, a bilateral agreement allows the Commonwealth Minister for the Environment to rely on the NSW environmental assessment process when assessing a controlled action under the EPBC Act.																		

Matter	Consideration
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The proposed development not likely to impact a matter of National Environmental Significance. Therefore, the proposed development not required to be referred to the Federal Department of the Environment to determine if it constitutes a controlled action and the bilateral agreement applies.

4.4 Pre-Conditions to Exercising the Power to Grant Consent

The pre-conditions to be fulfilled by the consent authority before exercising their power to grant development consent are identified and considered in **Table 16** below

Table 16 Pre-Conditions to Exercising the Power to Grant Consent

Matter	Consideration
Biodiversity Conservation Act 2016	<p>In accordance with this Act, an assessment of any State Significant proposal's biodiversity impacts must be undertaken as part of the provision of any SSDA, including the provision of a Biodiversity Development Assessment Report (BDAR) in instances where it is required.</p> <p>Section 7.14 requires the consent authority to take into consideration the likely impact of the proposed development on biodiversity values as assessed in the BDAR.</p> <p>Given the sites location within a historically light industrial area and the absence of native vegetation communities on site, the proposed development is not considered to result in any adverse impacts to biodiversity on the site or within the surrounding area.</p> <p>As such, this SSDA is accompanied by a BDAR Waiver Request prepared by Narla Environmental, and a BDAR Waiver issued by DPHI, which are provided at Appendix JJ.</p>
State Environmental Planning Policy (Transport and Infrastructure) 2021	<p>The <i>State Environmental Planning Policy (Transport and Infrastructure) 2021</i> (Transport and Infrastructure SEPP) aims to facilitate the effective delivery of infrastructure of the State.</p> <p>Section 2.48 - Determination of development applications—other development</p> <p>Section 2.48 requires the consent authority to give written notice to the electricity supply authority for the area and take into consideration any response to that notice before granting consent to a development likely to affect an electrical transmission or distribution network.</p> <p>The application will be referred to the relevant utility providers during the assessment. Further discussion on infrastructure and utilities is also provided at Appendix UU.</p> <p>Section 2.119 - Development with frontage to classified road</p> <p><i>Section 2.119 relates to development on land that adjoins a classified road. This section requires that:</i></p> <ul style="list-style-type: none"> (2) <i>The consent authority must not grant consent to development on land that has a frontage to a classified road unless it is satisfied that—</i> <ul style="list-style-type: none"> (a) <i>where practicable and safe, vehicular access to the land is provided by a road other than the classified road, and</i> (b) <i>the safety, efficiency and ongoing operation of the classified road will not be adversely affected by the development as a result of—</i> <ul style="list-style-type: none"> (i) <i>the design of the vehicular access to the land, or</i> (ii) <i>the emission of smoke or dust from the development, or</i> (iii) <i>the nature, volume or frequency of vehicles using the classified road to gain access to the land, and</i> (c) <i>the development is of a type that is not sensitive to traffic noise or vehicle emissions, or is appropriately located and designed, or includes measures, to ameliorate potential traffic noise or vehicle emissions within the site of the development arising from the adjacent classified road.</i> <p>As discussed further in Appendix RR and Section 6.5 access has been designed accordingly to ensure the abovementioned provisions are achieved.</p> <p>Section 2.120 - Impact of road noise or vibration on non-road development</p> <p>Section 2.120 requires a consent authority to consider the impacts of road noise and vibration on residential development, when adjacent to a road corridor with an annual average daily traffic volume of more than 20,000 vehicles. The Traffic Impact Assessment confirms that Sydenham Road does not meet this threshold, and therefore that this section does not apply to the proposed development. Refer to Appendix RR for further detail.</p> <p>Section 2.122 – Traffic generating development.</p> <p>Section 2.122 requires the consent authority to provide the TfNSW with written notice of the development application for developments considered a 'traffic generating activity'.</p>

Matter	Consideration
	The proposed development is classified as a traffic generating activity given that it is classified as 'residential accommodation' and comprises more than 300 dwellings. As such, the SSDA will require referral to TfNSW for comment during the assessment.
State Environmental Planning Policy (Industry and Employment) 2021	<p>The <i>State Environmental Planning Policy (Industry and Employment) 2021</i> (I&E SEPP) sets out planning controls for advertising and signage in NSW. Section 3.6 stipulates that a consent authority must not grant development consent to an application to display signage unless the consent authority is satisfied that:</p> <ul style="list-style-type: none"> • The signage is consistent with the objectives of the SEPP; and • The signage satisfies the assessment criteria specified in Schedule 1 of the SEPP. <p>This application seeks approval for indicative signage zones for building identification, however, does not seek consent for the detailed signs and content.</p>
State Environmental Planning Policy (Resilience and Hazards) 2021	<p>The <i>State Environmental Planning Policy (Resilience and Hazards) 2021</i> (R&H SEPP) aims to promote the remediation of contaminated land for the purpose of reducing the risk of harm to human health or any other aspect of the environment.</p> <p>Section 4.6 stipulates that a consent authority must not consent to the carrying out of development unless:</p> <ul style="list-style-type: none"> • It has considered whether the land is contaminated, and • if the land is contaminated, it is satisfied that the land is suitable in its contaminated state (or will be suitable, after remediation) for the purpose for which the development is proposed to be carried out, and • If the land requires remediation to be made suitable for the purpose for which the development is proposed to be carried out, it is suitable that the land will be remediated before the land is used for that purpose. <p>The Contamination Investigation and Management Plans, including Remediation Action Plan prepared by JK Environment and Waratah confirms that the site can be made suitable for the proposed development and use as a mixed use rental housing precinct. Refer to Appendix W and Section 6.6.</p>

4.5 Mandatory Matters for Consideration

The matters that the consent authority is required to consider in deciding whether to grant consent to any development application are identified and considered in **Table 17** below.

Table 17 Mandatory Matter for Consideration

Legislation	Matters for Consideration
Environmental Planning & Assessment Act 1979	<p>The proposed development is consistent with the objects of the EP&A Act for the following reasons:</p> <ul style="list-style-type: none"> • It will enable the delivery of 484 build-to-rent apartments, 115 affordable housing units and 589 co-living dwellings for the growing population of Inner West LGA and more broadly Greater Sydney and will positively contribute to housing supply and affordability. • It allows for additional employment opportunities throughout both the construction and operational phases. • It will facilitate the principles of ESD through a range of design and operation initiatives. • It is a development for public purposes and will facilitate the delivery of commercial premises and publicly accessible open space. <p>The proposed development is consistent with Division 4.7 of the EP&A Act, particularly for the following reasons:</p> <ul style="list-style-type: none"> • It has been declared to have state significance. • It is not prohibited by an environmental planning instrument. • It has been evaluated and assessed against the relevant heads of consideration under Section 4.15(1).
Environmental Planning and Assessment Regulation 2021 (EP&A Regulations)	<p>Part 8, Divisions 2 and 5 of the <i>Environmental Planning and Assessment Regulation 2021</i> (EP&A Regulations) sets out procedures which relate to the preparation and submission of EIS. This EIS has been prepared in accordance with Sections 190 and 192 of Division 5 which relate to the form and content of the EIS. Similarly, the EIS has addressed the principles of ecologically sustainable development through the</p>

precautionary principle (and other considerations), which assesses the threats of any serious and irreversible environmental damage (refer **Section 7.3**).

In addition, and of particular note to this SSDA is Section 26 of the EP&A Regulations which requires the following:

26 *Information about affordable housing development*

- (1) *A development application for development to which State Environmental Planning Policy (Housing) 2021, Chapter 2, Part 2, Division 1, 2 or 5 applies must specify the name of the registered community housing provider who will manage—*
 - (a) *for development to which Division 1 applies—the affordable housing component, or*
 - (b) *...*
 - (c) *...*
- (2) *A development application for development for the purposes of boarding houses or co-living housing must be accompanied by a copy of the plan of management.*

To this end, the application includes a management agreement letter from a registered community housing provider (CHP) at **Appendix ZZ** and a Plan of Management (PoM) at **Appendix VV**.

State Environmental Planning Policy (Housing) 2021

The following parts of the *State environmental Planning Policy (Housing) 2021* (Housing SEPP) applies to this development:

- Chapter 2, Part 2, Division 1 for the purposes of In-fill affordable housing.
- Chapter 3, Part 3 for the purposes of Co-living housing.
- Chapter 3, Part 4 for the purposes of Build-to-rent housing.
- Chapter 4, for the purposes of residential apartment development.

An assessment of the proposed developments consistency with the relevant provisions and controls of the Housing SEPP is provided in **Section 4.5.1** below and supported by assessment of consistency with the Apartment Design Guide (ADG) at **Section 6.2.4**.

The proposal has been reviewed by the SDRP at two meetings, and their advice has been reflected in the current design (as detailed in **Appendix J**).

The ADG is not a matter of compliance as stated in section 147(3) of the Housing SEPP and moreover is to be applied flexibly to build-to-rent development as per section 75 of the Housing SEPP, as well as the flexible design fact sheet prepared by DPHI.

Despite this, through extensive design analysis, the proposed development is still able to comply with majority of the ADG and is generally consistent with the nine design principles enunciated in Schedule 9, which is further detailed in the Design Verification Statement provided by the Design Team at **Appendix J**.

State Environmental Planning Policy (Sustainable Buildings) 2022

The Sustainable Buildings SEPP encourages the design and delivery of more sustainable buildings across NSW. It sets sustainability standards for residential and non-residential development and starts the process of measuring and reporting on the embodied emissions of construction materials. The following parts of the Sustainable Buildings SEPP apply to this development:

- Chapter 2, Standards for residential development – BASIX
- Chapter 3, Standards for non-residential development

An ESD Report is provided at **Appendix QQ**. The components of the development that relate to Chapter 2 (BASIX) are the BTR dwellings, the affordable housing dwellings and the co-living dwellings. The relevant standards for BASIX buildings relate to energy and water use and thermal performance. A BASIX Certificate is provided at **Appendix QQ**. It is noted that the proposed development will be aiming to achieve additional BASIX compliance above the mandated minimum.

The component of the development that relates to Chapter 3 (non-residential) is the commercial premises located on the ground floor, primarily within the Victoria Road fronting shop top housing.

A detailed assessment against the relevant standards has been undertaken and provided in the ESD report at **Appendix QQ**.

Inner West Local Environmental Plan 2022

Clause 2.3
Zone Objectives and Land Use Table

The site is zoned MUI Mixed Use and R4 High Density Residential, whereby the proposed uses are permissible with consent under the Inner West LEP 2014, with exception to co-living housing which is made permissible in both zones by virtue of the Housing SEPP (refer back to **Section 4.2**).

The proposed uses are consistent with the objectives of the **MUI zone** in that:

- The proposed flexible commercial premises will encourage a diversity of business and retail uses that generate employment opportunities on the ground floor.

- The proposal presents diverse and active street frontages to attract pedestrian traffic and to contribute to vibrant, diverse and functional streets and public spaces.
- The proposal minimises conflict between the proposed commercial and shop top housing within this zone and land uses within the adjoining R4 zone by transitioning the development in character to have a greater residential focus toward Farr Street.
- The proposal seeks to compliment rather than compete with the existing Marrickville centre to the south and enhance the role and vitality of the revitalised Victoria Road corridor.
- The proposal enhances the visual appearance and accessibility of the area by revitalising the historic light industrial area with a development that achieves a high architectural, urban design and landscape standard, and caters for the needs of all ages and abilities.

The proposed uses are consistent with the objectives of the **R4 zone** in that:

- The proposal provide for the housing needs of the community within a high density residential environment, at a time of critical housing shortage.
- The proposal provides a variety of rental-focused housing types within a high density residential environment, comprising co-living, BTR and affordable housing that caters for a variety of residents at differing life stages.
- The proposal includes other land uses, such as a neighbourhood shop within the R4 zone, that provide facilities or services to meet the day to day needs of residents.
- The proposed residential development achieves amenity appropriate for a high-density residential area, as discussed in detail in **Section 0**.

Clause 4.3

Height of buildings

The site is mapped with the following maximum heights of buildings:

- Sydenham Road – 11m
- Farr Street – 20m
- Victoria Road – 23m
- Central part of the site – RL50m

As the proposed development comprises 10.3% affordable housing, section 16 of the Housing SEPP applies, and up to 20% additional height can be applied to any part of the proposal comprising a residential flat building or shop top housing. It is noted that the central part of the site is restricted by the Obstacle Limitation Surface (OLS) for Sydney Airport. The resulting maximum heights inclusive of the height bonus are:

- Sydenham Road – 13.2m
- Farr Street – 24m
- Victoria Road – 27.6m
- Central site – RL50m (height bonus not applied due to OLS)

Refer to clause 4.6 below for further discussion of this matter.

Clause 4.4

Floor Space Ratio

The site, with the exception of the land zoned SP2 (identified for the widening of Victoria Road), is mapped with a maximum Floor Space Ratio (FSR) of 3:1. As such, while the site area is 22,770m², for the purpose of calculation of floor space, the extent of site mapped with the 3:1 FSR is 22,564m². There is no floor space proposed on the SP2 zoned land.

As the proposed development comprises 10.3% affordable housing, section 16 of the Housing SEPP applies, and 20% additional floor space applies. The resulting maximum FSR is 3.6:1.

The FSR of the proposed development is 3.43:1, which complies with the maximum FSR. This is discussed in detail at **Section 4.5.2**.

Clause 4.6

Exceptions to development standards

As the central part of the site is restricted in height, the additional floor space granted with delivery of affordable housing by the Housing SEPP is unable to be achieved in this zone. The additional floor space is necessary to deliver affordable housing, and as such, it is proposed to be redistributed to the perimeter of the site, where it can be accommodated without breaching the OLS. This redistribution of floorspace results in an exceedance to the LEP + 20% height and the achievement of 10.3% affordable housing.

The application is therefore accompanied by a Clause 4.6 Variation Request at **Appendix YY**, outlining this redistribution strategy and with comparison of the environmental impact that would otherwise result from a compliant scheme, demonstrating that the variation is justified in the circumstances of the development. This is further discussed in detail at **Section 4.5.3**.

Clause 5.3

Development near zone boundaries

The proposed development exercises use of this clause in relation to the ground floor commercial premises use, which enables a permissible use in an adjacent zone (in this case, the MU1 zone) to also be permissible in the subject zone (in this case, the R4 zone), for a maximum of 25 metres from the boundary of the two zones. The consent authority can be satisfied that the following considerations have been demonstrated in the proposed development:

- **The development is not inconsistent with the objectives for development in both zones.**

Refer to discussion at Clause 2.3 above with respect to how the proposed development meets the objectives of each zone. Clause 5.3 is exercised for the commercial premises use, which is permissible in the MU1 zone, the objectives for which are addressed above. With specific reference to commercial premises in the R4 zone, refer discussion of each R4 zone objective below:

To provide for the housing needs of the community within a high density residential environment.

A permissible use in the R4 zone is shop top housing, which is a high density residential typology that includes commercial premises on the ground floor. As such, commercial premises are anticipated in association with meeting the housing needs of the community.

To provide a variety of housing types within a high density residential environment.

Provision of commercial premises in the R4 zone, within 25m of the MU1 zoned land, promotes activation of the ground plane in a high density residential environment, and concentrates day-today needs in close proximity to dwellings. This in turn facilitates a more diverse variety of housing types, including co-living housing, that are best supported by proximity to commercial premises.

To enable other land uses that provide facilities or services to meet the day to day needs of residents.

The proposed commercial premises within 25m of the zone boundary deliver retail and commercial space that provide goods and services, as well as employment opportunities, that meet the day to day needs of residents.

To encourage residential development that results in appropriate amenity for a high density residential area.

Inclusion of commercial premises on the ground floor of buildings in close proximity to the MU1 zone delivers amenity in a high density residential environment. Ready access to goods and services, including commercial spaces for such uses as co-working, encourages ready access goods and services without reliance on a car, necessary in a high density residential area.

- **The carrying out of the development is desirable due to compatible land use planning, infrastructure capacity and other planning principles relating to the efficient and timely development of land.**
 - The proposed commercial premises within the R4 zone is compatible with residential accommodation in that zone from a land use planning perspective, particularly given its compatibility with shop top housing (being a use that includes commercial premises on the ground floor, and which is a permissible use in the zone).
 - The application has demonstrated suitable infrastructure capacity at **Appendix UU**.
 - Efficient delivery of a rental housing precinct is supported by concurrent delivery of commercial premises to provide for the amenities needed for residents on site, and in the precinct.

Clause 5.4

Controls relating to miscellaneous permissible uses

The proposal seeks consent for a neighbourhood shop in the R4 zoned part of the site (at ground floor of Building F adjacent to Farr Street). Pursuant to sub-clause (7), the neighbourhood shop cannot exceed 100m² of retail floor area. The retail floor area proposed is 70m² and therefore compliant with this control. Refer Schedule in Design Report at **Appendix J**.

<i>Clause 5.10</i> <i>Heritage Conservation</i>	The site is not identified as a heritage item and is not located within a heritage conservation area. Notwithstanding this, as identified and discussed in the Heritage Report at Appendix II a number of heritage items are located in the surrounding area. Further discussion on heritage is provided in Section 6.4.2 .
<i>Clause 5.21</i> <i>Flood planning</i>	The site is identified as being flood prone. A Flood Report prepared by Mott MacDonald is provided at Appendix LL and discussed further at Section 6.10 .
<i>Clause 6.1</i> <i>Acid Sulfate Soils</i>	The site is situated across two risk area classes, Class 2 and Class 4 Acid Sulfate Soils on the IWLEP 2022 Acid Sulfate Soils Map. Pursuant to sub-clause 2, development consent is required for the following proposed works in each class area: <ul style="list-style-type: none"> • Class 2 risk area – eastern-most section of the site. Works in a Class 2 risk area that could pose an environmental risk include all works below existing ground level and works by which the water table is likely to be lowered • Class 4 risk area – majority of the site. Works in a Class 4 risk area that could pose an environmental risk include works at depths beyond 2m below existing ground level and works by which the water table is likely to be lowered beyond 2m below existing ground level Pursuant to sub-clause 3, an acid sulfate soils management plan has been prepared for the proposed works in accordance with the <i>Acid Sulfate Soils Manual</i> , provided at Appendix Z .
<i>Clause 6.2</i> <i>Earthworks</i>	Consent is sought for all earthworks associated with the proposed development. An assessment against the proposed earthworks is provided within the Geotechnical Investigation (Appendix U) and the Detailed Site Investigation (Appendix W), which confirms that the works will not have a detrimental impact on environmental functions, processes, neighbouring uses, cultural or heritage items or features of the surrounding development.
<i>Clause 6.3</i> <i>Stormwater management</i>	Stormwater works are proposed as part of this development and are discussed further in Section 6.11.1 as well as within the Stormwater Management Plan (Appendix MM). The proposal's design has considered the usage of permeable surfaces to support on-site infiltration, and also seeks to avoid any adverse impacts of water runoff on surrounding properties and the broader stormwater network.
<i>Clause 6.7</i> <i>Airspace operations</i>	Development consent must not be granted to development that is a controlled activity within the meaning of the <i>Airports Act 1996</i> (Airports Act) of the Commonwealth, Part 12, Division 4, unless the applicant has obtained approval for the controlled activity under regulations made for the purposes of that Division. Construction of a building is a controlled activity under the Airports Act. While the aviation consultant has confirmed that the proposed development does not intrude into Sydney Airport's prescribed airspace (neither by permanent physical structure nor non-structural protrusion, refer Appendix CC), mobile cranes will be employed during construction. These cranes will only intrude for a short period into the prescribed airspace during curfew hours. Notwithstanding this, this activity will require a controlled activity approval, and the application will be referred to the Department of Infrastructure, Transport, Regional Development, Communications and the Arts with support from the Sydney Airport Corporation Limited (SACL).
<i>Clause 6.8</i> <i>Development in areas subject to aircraft noise</i>	The subject site is located on land in an ANEF contour of greater than 10 (approximately 25 to 30) and is likely to be adversely affected by aircraft noise. The following matters of consideration in relation to this clause are addressed as follows: <ul style="list-style-type: none"> • The development will result in an increase in the number of dwellings and people affected by aircraft noise; and • The location of the development is acceptable in the context of the preceding rezoning of the land to facilitate high density residential development, and is acceptable on basis of the criteria set out in Table 2.1 (Building Site Acceptability Based on ANEF Zones) in AS 2021:2015, as discussed in Appendix GG and in Section 6.8.4 and • The development meets the indoor design sound levels shown in Table 3.3 (Indoor Design Sound Levels for Determination of Aircraft Noise Reduction) in AS 2021:2015, as discussed in Appendix GG and in Section 6.8.4 The consent authority can therefore be satisfied that the objectives of this clause are met.
<i>Clause 6.9</i> <i>Design excellence</i>	The development comprises buildings greater than 14 metres in height, and as such the development has sought to achieve the highest standard of architectural and urban design pursuant to this clause. A highly skilled and experienced group of award-winning design firms have collaborated on the design of the proposed development. The design team has sought to design Sydney's best neo-industrial residential neighbourhood - A global inspiration

for imaginative urbanism.
 The design team has prepared a comprehensive design report at **Appendix J** which addresses each of the matters listed in subclause (4) of this clause. In particular, the report addresses architectural design, the quality and amenity of the public domain, land protected by DCP solar access controls (including Wicks Park and neighbouring development) and the Victoria Road section of the MDCP 2011.
 Further, and also addressing the design excellence matters listed in this subclause, visual impact analysis has been undertaken at **Appendix S**, heritage matters at **Appendix II**, ESD at **Appendix QQ**, acoustic privacy at **Appendix GG** and landscape design at **Appendix O**. Design excellence matters are discussed in **Section 6.0**.

Clause 6.13
Residential accommodation in Zones E1, E2 and MU1

The proposed development includes residential accommodation (co-living housing) in the mixed-use zone (in Buildings C and D). As required by this clause, the consent authority can be satisfied that:

- the proposal is a mixed-use development; and
- the proposal has an active street frontage to the ground floor of Buildings C and D (to both Victoria Road and Mitchell Street and internally within the site where façade is not required for services, vertical circulation and lobbies); and
- the proposal is compatible with the desired character of the area in relation to its bulk, form, uses and scale, as discussed in the Architect’s Design Report at **Appendix J** and **Section 6.1**.

The proposed development therefore supports the vitality of the local centre, notwithstanding inclusion of residential accommodation in the zone.

Clause 6.31
Development on certain land at Victoria Road, Marrickville

The proposed development is located on land identified as Area 13 on the Key Site Map, being land that is transitioning from industrial land uses to residential and commercial uses. Following gazettal of the preceding Planning Proposal to rezone the land, a precinct-specific DCP (Section 9.47 of the MDCP 2011) was endorsed by Inner West Council on 26 September 2018. The precinct specific DCP includes provisions relating to each of the matters listed in this clause, and therefore satisfies the requirement for a DCP to be prepared prior to granting development consent.

An assessment of the key DCP provisions has been undertaken and is provided throughout **Section 6.0**, which confirms that the proposal is generally consistent with Section 9.47 of the MDCP 2011.

Marrickville Development Control Plan 2011

Development Control Plans are not a matter for consideration in the assessment of SSDAs by virtue of Section 2.10 of the Planning Systems SEPP, which states that ‘Development Control Plans... do not apply to... State significant development’.

However, as a precinct-specific section of the DCP was endorsed by Council following gazettal of the Planning Proposal for the Victoria Road precinct, the objectives and provisions of Section 9.47 of the MDCP 2011 have been considered, which specifically relate to development on the subject site.

An assessment of the key provisions has been undertaken and is provided throughout **Section 6.0**, which confirms that the proposal is generally consistent with Section 9.47 of the MDCP 2011.

4.5.1 State Environmental Planning Policy (Housing) 2021

Chapter 2, Part 2, Division 1: In-fill affordable housing

Chapter 3, Part 2, Division 1 of the State Environmental Planning Policy (Housing) 2021 (Housing SEPP) contains the standards for development for the purposes of In-fill affordable housing in NSW. The proposed development includes affordable housing dwellings, which are contained within mixed use buildings (that include residential flats) in the R4 zoned part of the site.

The key provisions of the Housing SEPP have been considered in the preparation of the SSD application and are addressed in **Table 18** below.

Table 18 Relevant provisions of the Housing SEPP under Chapter 2, Part 2, Division 1

Section	Controls	Comment
Section 15A – Objective of division	<i>The objective of this division is to facilitate the delivery of new in-fill affordable housing to meet the needs of very low, low and moderate income households.</i>	Noted.

Section	Controls	Comment
Section 15B - Definitions	-	Noted.
Section 15C – Development to which division applies	<p>(1) <i>This division applies to development that includes residential development if—</i></p> <p>(a) <i>the development is permitted with consent under Chapter 3, Part 4, Chapter 5 or another environmental planning instrument, and</i></p> <p>(b) <i>the affordable housing component is at least 10%, and</i></p> <p>(c) <i>all or part of the development is carried out—</i></p> <p>(i) <i>for development on land in the Six Cities Region, other than in the City of Shoalhaven or Port Stephens local government area—in an accessible area, or</i></p> <p>(ii) <i>for development on other land—within 800m walking distance of land in a relevant zone or an equivalent land use zone.</i></p> <p>(2) <i>Affordable housing provided as part of development because of a requirement under another chapter of this policy, another environmental planning instrument or a planning agreement is not counted towards the affordable housing component under this division.</i></p>	<p>Satisfied. The proposed development is permitted with consent under the IWLEP 2022. It includes 10.3% affordable housing. Further, it is located in an accessible area, being within 400m walking distance of a bus stop used by a regular bus service, within the meaning of the <i>Passenger Transport Act 1990</i>, that has at least 1 bus per hour servicing the bus stop between the hours specified in the SEPP definition. Specifically, these bus stops are adjacent the site on Victoria Road (at corner of Chapel Street and Sydenham Road). Further, the site is within 800m walking distance from the public entrance to the newly opened Sydenham Metro Station and Sydenham Railway Station.</p> <p>It is noted that there are no requirements under another EPI that requires land or contributions for affordable housing.</p>
Section 16 - Affordable housing requirements for additional floor space ratio	<p>(1) <i>The maximum floor space ratio for development that includes residential development to which this division applies is the maximum permissible floor space ratio for the land plus an additional floor space ratio of up to 30%, based on the minimum affordable housing component calculated in accordance with subsection (2).</i></p> <p>(2) <i>The minimum affordable housing component, which must be at least 10%, is calculated as follows—</i></p> <p>affordable housing component = $\frac{\text{additional floor space ratio}}{\text{(as a percentage)}} \div 2$</p>	<p>Noted.</p> <p>Satisfied. The proposed development includes the minimum affordable housing component of 10.3%. As the proposed development comprises at total of 76,634m² of GFA, 10.3% equates to 7,663m². The proposed affordable housing floor space exceeds this, at 7,879m². The entirety of Building F is utilised for affordable housing, and so all residential floor space in this building (including apartments, corridors and lobbies) contributes to affordable floor space. Outside of Building F (in Buildings B and E) affordable housing floor space has been provided within apartments only (not, for example, relying on a proportion of corridors or common areas), maximising the number of affordable housing apartments. The proposal therefore includes 115 affordable apartments. As the proposal includes 10.3% for the affordable housing component, the additional FSR by calculation can be up to 20% (or 0.6:1 additional to the IWLEP 2022 FSR of 3:1, total 3.6:1). The additional FSR has not been fully utilised in the proposed development, and 82% of the additional floor space is utilised for affordable housing.</p>
	<p>(3) <i>If the development includes residential flat buildings or shop top housing, the maximum building height for a building used for residential flat buildings or shop top housing is the maximum permissible building height</i></p>	<p>Noted. An additional 20% height has been applied for assessment, to the maximum permissible building heights mapped for the land under the</p>

Section	Controls	Comment
	<i>for the land plus an additional building height that is the same percentage as the additional floor space ratio permitted under subsection (1).</i>	IWLEP 2022, where the 20% additional height can be accommodated below the Sydney Airport OLS.
	(4) <i>This section does not apply to development on land for which there is no maximum permissible floor space ratio.</i>	Not applicable.
Section 17 - Additional floor space ratio for relevant authorities and registered community housing providers	(1) <i>This section applies to residential development to which this division applies that is carried out—</i> (a) <i>by or on behalf of a relevant authority or registered community housing provider, and</i> (b) <i>on land with a maximum permissible floor space ratio of 2:1 or less.</i>	Not applicable. RTL Co. is not a relevant authority or CHP, nor does the site have a maximum permissible floor space ratio of 2:1 or less.
Section 18 - Affordable housing requirements for additional building height	(1) <i>This section applies to development that includes residential development to which this division applies if the development—</i> (a) <i>includes residential flat buildings or shop top housing, and</i> (b) <i>does not use the additional floor space ratio permitted under section 16.</i>	Not applicable. The development proposes use of the additional floor space ratio permitted under section 16.
Section 19 - Non-discretionary development standards	(1) <i>The object of this section is to identify development standards for particular matters relating to residential development under this division that, if complied with, prevent the consent authority from requiring more onerous standards for the matters.</i>	Noted. Refer below.
	(2) <i>The following are non-discretionary development standards in relation to the residential development to which this division applies—</i> (a) <i>a minimum site area of 450m²,</i>	Satisfied. The subject site exceeds 450m ² .
	(b) <i>a minimum landscaped area that is the lesser of—</i> (i) <i>35m² per dwelling, or</i> (ii) <i>30% of the site area,</i>	Satisfied. The lesser is 30% of the site area (compared to 35m ² per dwelling and accounting for all residential development dwellings on the site (co-living, BTR and affordable). Specific to the R4 zoned land (where the affordable housing is located), 30% of the site area equates to 5,441m ² , which is well exceeded by the proposed landscaped area (as per definition in Housing SEPP) of 6,386m ² . Refer Appendix B .
	(c) <i>a deep soil zone on at least 15% of the site area, where—</i> (i) <i>each deep soil zone has minimum dimensions of 3m, and</i> (ii) <i>if practicable, at least 65% of the deep soil zone is located at the rear of the site,</i>	Not applicable. Refer (3) below.
	(d) <i>living rooms and private open spaces in at least 70% of the dwellings receive at least 3 hours of direct solar access between 9am and 3pm at mid-winter,</i>	Not applicable. Refer (3) below.
	(e) <i>the following number of parking spaces for dwellings used for affordable housing—</i> (i) <i>for each dwelling containing 1 bedroom—at least 0.4 parking spaces,</i> (ii) <i>for each dwelling containing 2 bedrooms—at least 0.5 parking spaces,</i>	Not applicable. In the specific circumstances of the proposed development, the affordable housing is part of a wider rental housing precinct. All dwellings are provided with a consistent parking allocation to ensure all residents on site have equal access to parking. The Housing SEPP provides a non-discretionary development standard for both the co-living and BTR dwellings of 0.2 parking spaces per dwelling. The parking

Section	Controls	Comment
	(iii) for each dwelling containing at least 3 bedrooms—at least 1 parking space,	rate for affordable dwellings is proposed to match this same rate, representing a departure from this non-discretionary development standard. This approach is supported by the traffic engineer's report at Appendix SS . As a non-discretionary standard is a non-refusable standard, no further assessment is necessary.
	(f) the following number of parking spaces for dwellings not used for affordable housing— (i) for each dwelling containing 1 bedroom—at least 0.5 parking spaces, (ii) for each dwelling containing 2 bedrooms—at least 1 parking space, (iii) for each dwelling containing at least 3 bedrooms—at least 1.5 parking spaces,	Not applicable. As identified above, the dwellings not used for affordable housing comprise BTR and co-living dwellings, as the proposal is for a rental housing precinct. As such, the BTR dwellings and co-living dwellings apply the respective non-discretionary development standards prescribed by the Housing SEPP for each type (0.2 spaces per dwelling).
	(g) the minimum internal area, if any, specified in the Apartment Design Guide for the type of residential development,	Satisfied. The minimum area of apartments as per the ADG has been achieved across the development.
	(h) for development for the purposes of dual occupancies, manor houses or multi dwelling housing (terraces)—the minimum floor area specified in the Low Rise Housing Diversity Design Guide,	Not applicable.
	(i) if paragraphs (g) and (h) do not apply, the following minimum floor areas— (i) for each dwelling containing 1 bedroom—65m ² , (ii) for each dwelling containing 2 bedrooms—90m ² , (iii) for each dwelling containing at least 3 bedrooms—115m ² plus 12m ² for each bedroom in addition to 3 bedrooms.	Not applicable.
	(3) Subsection (2)(c) and (d) do not apply to development to which Chapter 4 applies.	Noted.
Section 20 - Design Requirements	(1) Development consent must not be granted to development for the purposes of dual occupancies, manor houses or multi dwelling housing (terraces) under this division unless the consent authority has considered the Low Rise Housing Diversity Design Guide, to the extent to which the guide is not inconsistent with this policy.	Not applicable.
	(2) Subsection (1) does not apply to development to which Chapter 4 applies.	Noted.
	(3) Development consent must not be granted to development under this division unless the consent authority has considered whether the design of the residential development is compatible with— (a) the desirable elements of the character of the local area, or (b) for precincts undergoing transition—the desired future character of the precinct.	Satisfied. Precinct 47 is undergoing transition from a light industrial area to a mixed use high density residential and commercial area. The proposed development accounts for the desired future character, as set out through the previous rezoning, site-specific DCP and Housing SEPP provisions, and as discussed in the Design team's Design Report at Appendix J and at Section 6.1
Section 21 - Must be used for affordable housing for at least 15 years	(1) Development consent must not be granted to development under this division unless the consent authority is satisfied that for a period of at least 15 years commencing on the day	Satisfied. Section 16 applies to the proposed development. The section is satisfied by inclusion of 10.3% affordable housing (refer above). The affordable housing component will be managed by a CHP in accordance with this Section, while

Section	Controls	Comment
	<p><i>an occupation certificate is issued for the development—</i></p> <p>(a) <i>the development will include the affordable housing component required for the development under section 16, 17 or 18, and</i></p> <p>(b) <i>the affordable housing component will be managed by a registered community housing provider.</i></p>	RTL Co. will manage the day to day on site tenancy management (including asset management). The application includes a management agreement letter from a registered CHP at Appendix ZZZ .
	(2) <i>This section does not apply to development carried out by or on behalf of the Aboriginal Housing Office or the Land and Housing Corporation.</i>	Not applicable.
Section 22 - Subdivision permitted with consent	<i>Land on which development has been carried out under this division may be subdivided with development consent.</i>	Noted.

Chapter 3, Part 3: Co-living housing

Chapter 3, Part 3 of the State Environmental Planning Policy (Housing) 2021 (Housing SEPP) contains the standards for development for the purposes of co-living housing in NSW. The proposed development includes co-living dwellings, which are contained within shop top housing buildings in the MUI zone and in mixed use buildings in the R4 zone.

The key provisions of the Housing SEPP have been considered in the preparation of the SSD application and are addressed in **Table 19** below.

Table 19 Relevant provisions of the Housing SEPP under Chapter 3, Part 3

Section	Controls	Comment
Section 67 – Co-living housing may be carried out on certain land with consent	<p><i>Development for the purposes of co-living housing may be carried out with consent on land in a zone in which—</i></p> <p>(a) <i>development for the purposes of co-living housing is permitted under another environmental planning instrument, or</i></p> <p>(b) <i>development for the purposes of residential flat buildings or shop top housing is permitted under Chapter 5 or another environmental planning instrument.</i></p>	Satisfied. The proposed development comprises co-living housing on land that permits shop top housing (applies to both the MUI and R4 zones that apply to the site).
Section 68 – Non-discretionary development standards	<p>(1) <i>The object of this section is to identify development standards for particular matters relating to development for the purposes of co-living housing that, if complied with, prevent the consent authority from requiring more onerous standards for the matters.</i></p> <p>(2) <i>The following are non-discretionary development standards in relation to development for the purposes of co-living housing—</i></p> <p>(a) <i>for development in a zone in which residential flat buildings are permitted— a floor space ratio that is not more than—</i></p> <p>(i) <i>the maximum permissible floor space ratio for residential accommodation on the land, and</i></p> <p>(ii) <i>an additional 10% of the maximum permissible floor space ratio if the additional floor space is used only for the purposes of co-living housing,</i></p> <p>(b) <i>for co-living housing containing 6 private rooms—</i></p> <p>(i) <i>a total of at least 30m² of communal living area, and</i></p>	<p>Noted. Refer to the below.</p> <p>Satisfied. The proposed floor space ratio does not exceed the maximum permissible under the IWLEP 2022 with additional 20% enabled by Chapter 2, Part 2, Division 1 for delivery of affordable housing. The provision for a further additional 10.3% has not been exercised in the proposed development.</p> <p>Not applicable.</p>

Section	Controls	Comment
	(ii) <i>minimum dimensions of 3m for each communal living area,</i>	
	(c) <i>for co-living housing containing more than 6 private rooms—</i> (i) <i>a total of at least 30m² of communal living area plus at least a further 2m² for each private room in excess of 6 private rooms, and</i> (ii) <i>minimum dimensions of 3m for each communal living area,</i>	Satisfied. The required area of communal living area is provided as identified in the architectural drawings at Appendix B . As there are 589 co-living dwellings, 1,189m ² communal living area is required. 772m ² is provided within Buildings C and D (which are co-living), and 1,628m ² is provided across all buildings in the R4 zoned land (co-living is provided in Buildings B and E on this land, and the communal areas in these buildings make up the majority of the 1,628m ²). As such the minimum communal area is well exceeded.
	(d) <i>communal open spaces—</i> (i) <i>with a total area of at least 20% of the site area, and</i> (ii) <i>each with minimum dimensions of 3m,</i>	Satisfied. Communal open space with minimum dimension of 3m exceeds 20% of the site area (proposed at 46%) as identified in the architectural drawings at Appendix B . The communal open space is generally shared for all residents on the site.
	(e) <i>unless a relevant planning instrument specifies a lower number—</i> (i) <i>for development on land in an accessible area—0.2 parking spaces for each private room, or</i> (ii) <i>otherwise—0.5 parking spaces for each private room,</i>	Satisfied. The proposed development, located in an accessible area, provides 0.2 spaces per co-living dwelling.
	(f) <i>for development on land in Zone R2 Low Density Residential or Zone R3 Medium Density Residential—the minimum landscaping requirements for multi dwelling housing under a relevant planning instrument,</i>	Not applicable.
	(g) <i>for development on land in Zone R4 High Density Residential—the minimum landscaping requirements for residential flat buildings under a relevant planning instrument.</i>	Not applicable. There are no specific numeric landscaped area requirements under a relevant planning instrument applicable to the proposed development. Notwithstanding this, the proposal achieves the deep soil design criteria identified in the ADG and includes a variety of landscaped open spaces across the site, which are either publicly accessible, for residents or for both public and residents. Areas proposed are identified the architectural plans at Appendix B .
Section 69 - Standards for co-living housing	(1) <i>Development consent must not be granted for development for the purposes of co-living housing unless the consent authority is satisfied that—</i> (a) <i>each private room has a floor area, excluding an area, if any, used for the purposes of private kitchen or bathroom facilities, that is not more than 25m² and not less than—</i> (i) <i>for a private room intended to be used by a single occupant—12m², or</i> (ii) <i>otherwise—16m², and</i> (b) <i>the minimum lot size for the co-living housing is not less than—</i> (i) <i>for development on land in Zone R2 Low Density Residential—600m², or</i> (ii) <i>for development on other land—800m², and</i>	Satisfied. All co-living dwellings are intended to cater for maximum 2 occupants, and exceed the minimum area without exceeding the maximum area. Satisfied. The site is greater than 800m ² .

Section	Controls	Comment
	(c) <i>for development on land in Zone R2 Low Density Residential or an equivalent land use zone, the co-living housing—</i> (i) <i>will not contain more than 12 private rooms, and</i> (ii) <i>will be in an accessible area, and</i>	Not applicable.
	(d) <i>the co-living housing will contain an appropriate workspace for the manager, either within the communal living area or in a separate space, and</i>	Satisfied. An appropriate workspace for the manager is contained with the ground level concierge located off the central 'Warehouse Place' pedestrian through site link. Refer plans at Appendix B.
	(e) <i>for co-living housing on land in a business zone—no part of the ground floor of the co-living housing that fronts a street will be used for residential purposes unless another environmental planning instrument permits the use, and</i>	Satisfied. Within the MU1 zoned portion of the site, buildings comprising co-living housing (Buildings C and D), the ground floor is not comprised of co-living, but rather commercial premises. Refer plans at Appendix B.
	(f) <i>adequate bathroom, laundry and kitchen facilities will be available within the co-living housing for the use of each occupant, and</i>	Satisfied. Each co-living dwelling is designed to include a bathroom, kitchen and laundry. Refer plans at Appendix B.
	(g) <i>each private room will be used by no more than 2 occupants, and</i>	Satisfied. All co-living dwellings are intended to cater for maximum 2 occupants.
	(h) <i>the co-living housing will include adequate bicycle and motorcycle parking spaces.</i>	Satisfied. Bicycle and motorcycle parking rates have been established as adequate in the circumstances of the site and its locality in the Traffic Report at Appendix SS. It is noted that while motorcycle parking is presently not identified on the plans, there is adequate available area within the basement to locate motorcycle parking spaces.
(2)	<i>Development consent must not be granted for development for the purposes of co-living housing unless the consent authority considers whether—</i> (a) <i>the front, side and rear setbacks for the co-living housing are not less than—</i> (i) <i>for development on land in Zone R2 Low Density Residential or Zone R3 Medium Density Residential—the minimum setback requirements for multi dwelling housing under a relevant planning instrument, or</i> (ii) <i>for development on land in Zone R4 High Density Residential—the minimum setback requirements for residential flat buildings under a relevant planning instrument, and</i>	Satisfied. Co-living dwellings are included in the mixed use buildings on the R4 zoned land. These buildings have been setback from boundaries and separated internally to accord with the separation requirements in the ADG, which is the relevant planning instrument that applies in the case. These setbacks are identified in architectural plans at Appendix B and confirmed in the Design Verification Statement at Appendix J.
	(b) <i>if the co-living housing has at least 3 storeys—the building will comply with the minimum building separation distances specified in the Apartment Design Guide, and</i>	Satisfied. Please refer to item above.
	(c) <i>at least 3 hours of direct solar access will be provided between 9am and 3pm at mid-winter in at least 1 communal living area, and</i>	Satisfied. Please refer to the architectural plans at Appendix B and confirmed in the Design Verification Statement at Appendix J. There are several communal living areas across the site that receive direct solar for a minimum of 3 hours.
	(f) <i>the design of the building will be compatible with—</i> (i) <i>the desirable elements of the character of the local area, or</i>	Satisfied. Precinct 47 is undergoing transition from a light industrial area to a mixed use high density residential and commercial area. The

Section	Controls	Comment
	(ii) <i>for precincts undergoing transition—the desired future character of the precinct.</i>	proposed development accounts for the desired future character, as discussed in the Design Team's Design Report at Appendix J and at Section 6.1 .
Section 70 – No subdivision	<i>Development consent must not be granted for the subdivision of co-living housing into separate lots.</i>	Noted. Subdivision of the co-living dwellings into separate lots is not proposed.

Chapter 3, Part 4: Build-to-rent housing

Chapter 3, Part 4 of the State Environmental Planning Policy (Housing) 2021 (Housing SEPP) contains the standards for development for the purposes of build-to-rent housing in NSW. The proposed development includes BTR housing, which is contained within residential flat buildings in the R4 zone.

The key provisions of the Housing SEPP have been considered in the preparation of the SSD application and are addressed in **Table 20** below.

Table 20 *Relevant provisions of the Housing SEPP under Chapter 3, Part 4*

Section	Controls	Comment
Section 72 – Development for the purposes of build-to-rent housing permitted with consent	(1) <i>The objective of this section is to enable certain residential accommodation to be used as build-to-rent housing.</i>	Satisfied. The proposed development comprises residential flat buildings for the purposes of BTR housing and is therefore, compliant with the objective under Section 72.
	(2) <i>This Part applies to development for the purposes of multi dwelling housing, residential flat buildings or shop top housing on land—</i> (c) <i>In the following zones—</i> (i) <i>a zone in which development for the purposes of residential flat buildings is permissible under another environmental planning instrument,</i> (ia) <i>Zone E2 Commercial Centre,</i> (ib) <i>Zone MU1 Mixed Use,</i> (ii) <i>Zone B3 Commercial Core,</i> (iii) <i>Zone B4 Mixed Use,</i> (iv) <i>Zone B8 Metropolitan Centre,</i> (v) <i>Zone SP5 Metropolitan Centre, or</i> (a1) <i>in a Transport Oriented Development Area under Chapter 5 in which development for the purposes of residential flat buildings is permissible, or</i> (d) <i>For which a site compatibility certificate has been issued under Section 39.</i>	Satisfied. Residential flat buildings are permitted in the R4 zone under the IWLEP 2022. As such, Part 4 of the Housing SEPP applies to the proposed development.
	(3) <i>Development consent may be granted for development to which this Part applies if—</i> (a) <i>the development will result in at least 50 dwellings occupied, or intended to be occupied, by individuals under residential tenancy agreements, and</i> (b) <i>all buildings containing the dwellings are located on the same lot of land.</i>	Satisfied. The proposed development comprises more than 50 BTR dwellings, which are all intended to be occupied by individuals under residential tenancy agreements. All proposed dwellings will be located on the same lot of land.
Section 73 – Conditions of build-to-rent housing to apply for at least 15 years.	(3) <i>Development consent must not be granted to the erection or use of a building for development to which this part applies unless the consent authority is satisfied that, during the relevant period, the tenanted component of the building—</i> (a) <i>will not be subdivided into separate strata lots, and</i>	Satisfied. The proposed development will not be subdivided into separate strata lots.

Section	Controls	Comment
	(b) <i>will be owned and controlled by 1 person, and</i>	Satisfied. The development will be owned and controlled by RTL Co., the proponent.
	(c) <i>will be operated by 1 managing agent, who provides on-site management.</i>	Satisfied. The tenanted component of the building will be operated by RTL Co., the proponent, who will provide on-site management.
Section 74 – Non-discretionary development standards—the Act, s 4.15	(1) <i>The object of this section is to identify development standards for particular matters relating to development for the purposes of build-to-rent housing that, if complied with, prevent the consent authority from requiring more onerous standards for the matters.</i>	Noted. Refer to the below.
	(2) <i>The following are non-discretionary development standards in relation to the carrying out of the development to which this Part applies—</i> (a) <i>the building height of all proposed buildings is not more than the maximum building height permitted under Chapter 5 or another environmental planning instrument for a building on the land,</i>	Not applicable. The proposed development seeks to vary the maximum building height set by the LEP plus the additional 20% height enabled by Chapter 2, Part 2, Division 1. As a non-discretionary standard is a non-refusable standard, no further assessment is necessary. Notwithstanding this, the application is accompanied by a clause 4.6 variation Request for height which finds that the variation is acceptable in the context of site-specific constraints and circumstances, to enable the delivery of affordable housing.
	(b) <i>for development on land in a zone in which no residential accommodation is permitted under another environmental planning instrument—a floor space ratio that is not more than the maximum permissible floor space ratio for other development on the land under another environmental planning instrument,</i>	Not applicable.
	(c) <i>if paragraph (b) does not apply—a floor space ratio that is not more than the maximum permissible floor space ratio for residential accommodation on the land under Chapter 5 or another environmental planning instrument,</i>	Satisfied. The proposed floor space ratio does not exceed the maximum permissible under the IWLEP 2022 with additional 20% enabled by Chapter 2, Part 2, Division 1 for delivery of affordable housing.
	(d) <i>for development carried out wholly or partly on land in the Greater Sydney Region—</i> (i) <i>for land within an accessible area—0.2 parking spaces for each dwelling, or</i> (ii) <i>otherwise—0.5 parking spaces for each dwelling, or</i> (iii) <i>if a relevant planning instrument specifies a requirement for a lower number of parking spaces—the lower number specified in the relevant planning instrument,</i>	Satisfied. The proposed development, located in an accessible area, provides 0.2 spaces per BTR dwelling.
Section 75 – Design Requirements	(1) <i>This section applies to development to which this Part applies only if Chapter 4 applies to the building resulting from the development.</i>	Chapter 4 applies to the development. A detailed assessment against this Chapter and the ADG is provided in the Design Verification Statement prepared by the Design Team at Appendix J .
	(2) <i>In determining an application for the modification of a development consent or a development application for the carrying out of development to which this section applies, the consent authority must—</i> (a) <i>be flexible in applying the design criteria set out in the Apartment Design Guide, including, in particular, the design criteria</i>	As relevant, the design criteria set out in Part 4, items 4E, 4G and 4K are to be flexibly considered by the consent authority. It is emphasised that this, along with the BTR Housing and Flexible Design Fact Sheet should be considered when assessing the proposed development against the ADG.

Section	Controls	Comment
	<p>set out in Part 4, items 4E, 4G and 4K, and</p> <p>(b) in its consideration of the objectives set out in the Apartment Design Guide, Part 4, consider the following—</p> <ul style="list-style-type: none"> i. the amenities proposed to be provided to tenants residing in the building through common spaces and shared facilities and services, ii. whether the configuration and variety of dwellings in the building will provide adequate options to prospective tenants in relation to the size and layout of the dwellings, iii. whether tenants residing in the building will be able to relocate to other dwellings in the building that will better accommodate their housing requirements if their requirements change. 	<p>The Design Verification Statement prepared by the Design Team at Appendix J provides assessment against these items of the ADG. The development seeks to depart from the design criteria for minimum area of balconies (4E), storage (4G) and dwelling mix (4K).</p> <p>In relation to balcony areas, reduced balcony areas are offset by substantial amenities including a variety of internal and external communal spaces. These areas provide recreation space that generates a sense of community, fit for a BTR development, which is designed to encourage time spent in common areas rather than in individual apartments. The area of common facilities offset the reduced balcony area as identified in Appendix J. Further, notwithstanding reduction to selected balcony areas, all remain located off a living space and meet the criteria for 70% of balconies to receive solar mid-winter.</p> <p>In relation to storage, BTR apartments are provided with storage that meets the minimum Design Criteria for 50% of the prescribed storage volume to be located inside apartments.</p> <p>Storage provided outside of apartments in storage cages is available on an ‘as needs’ basis. Storage cages are centrally located in the basement levels. This approach is consistent with a BTR development, where residents have differing storage requirements and a tenant may require additional storage for a temporary period.</p> <p>In relation to dwelling mix, the proposal is designed to best suit the market demand and demographic trends of Marrickville, including targeting socio-economic groups that are better serviced by a larger proportion of studio and one bed apartments that are fit-for-purpose. Importantly, as guided by the Access Report at Appendix BB, dwellings are delivered from the outset that meet various types of access requirements, and tenants have the option to relocate to a different type of size of dwelling should their needs change. Larger dwellings provide accommodation for families and group households.</p>
<p>Section 76 – Active uses on ground floor of build-to-rent housing in business zones</p>	<p>(1) <i>The objective of this section is to ensure that, in relation to development for the purposes of build-to-rent housing, active uses are provided at the street level in business zones to encourage the presence and movement of people.</i></p> <hr/> <p>(2) <i>This section applies to development to which this Part applies if the development is on land in a business zone, including as part of a mixed use development.</i></p> <hr/> <p>(3) <i>Development consent must not be granted for development to which this section applies unless the consent authority is satisfied that a building resulting from the development will have an active street frontage.</i></p> <hr/> <p>(4) <i>An active street frontage is not required for a part of a building used for 1 or more of the following—</i></p>	<p>Not applicable (the BTR buildings are located in the R4 zoned portion of the site, despite the site also including land zoned MUI).</p>

Section	Controls	Comment
	<ul style="list-style-type: none"> (a) entrances and lobbies, (b) access for fire services, (c) vehicular access. 	
Section 77 – Conditions requiring land or contributions for affordable housing	<i>Nothing in this Part overrides a requirement to dedicate land or pay a monetary contribution under the Act, section 7.32.</i>	It is noted that there are no requirements under another EPI that requires land or contributions for affordable housing.
Section 78 – Consideration of Apartment Design Guide for further subdivision of dwellings	<i>Development consent must not be granted for development involving the subdivision of a residential flat building for which consent has been granted under this Part unless the consent authority has considered the relevant provisions of the Apartment Design Guide in relation to the part of the building affected by the subdivision.</i>	Not applicable.

Chapter 4: Residential apartment development

Chapter 4 of the State Environmental Planning Policy (Housing) 2021 (Housing SEPP) contains the standards for the design of residential apartment development in NSW. The proposed development includes BTR apartments and affordable apartments and Chapter 4 applies to both.

The key provisions of the Housing SEPP have been considered in the preparation of the SSD application and are addressed in **Table 20** below.

Table 21 Relevant provisions of the Housing SEPP under Chapter 3, Part 4

Section	Controls	Comment
Section 142 - Aims of chapter	<p>(1) <i>The aim of this chapter is to improve the design of residential apartment development in New South Wales for the following purposes—</i></p> <ul style="list-style-type: none"> (a) <i>to ensure residential apartment development contributes to the sustainable development of New South Wales by—</i> <ul style="list-style-type: none"> (i) <i>providing socially and environmentally sustainable housing, and</i> (ii) <i>being a long-term asset to the neighbourhood, and</i> (iii) <i>achieving the urban planning policies for local and regional areas,</i> (b) <i>to achieve better built form and aesthetics of buildings, streetscapes and public spaces,</i> (c) <i>to maximise the amenity, safety and security of the residents of residential apartment development and the community,</i> (d) <i>to better satisfy the increasing demand for residential apartment development, considering—</i> <ul style="list-style-type: none"> (i) <i>the changing social and demographic profile of the community, and</i> (ii) <i>the needs of a wide range of people, including persons with disability, children and seniors,</i> 	<p>Aim satisfied. The proposed development contributes to the sustainable development of the State as it:</p> <ul style="list-style-type: none"> • demonstrates ESD principles identified in the ESD report at Appendix QQ. • Includes 10.3% affordable housing, • is to be held by RTL Co. as a long term asset in the Marrickville neighbourhood, and • appropriately responds to the urban planning policies for Precinct 47 and the wider Marrickville and Inner West as discussed in this EIS. <p>Aim satisfied. This is addressed in detail in the architect's design report at Appendix J.</p> <p>Aim satisfied. This is addressed in detail in the architect's design report at Appendix J.</p> <p>Aim satisfied. The development proposal comprises a rental housing precinct, inclusive of affordable housing, which addresses the changing profile of residents in the Marrickville community who increasingly chose to 'rent to live'. As identified in the access report at Appendix BB, the proposal includes a suite of apartments delivered from the outset that meet the needs of a wide range of people, including persons with a disability.</p>

Section	Controls	Comment
	(e) <i>to contribute to the provision of a variety of dwelling types to meet population growth,</i>	Aim satisfied. The proposed development comprises a range of purpose-built rental housing dwellings to address the critical housing shortage in NSW. Dwellings range in size and include affordable dwellings and a variety of BTR dwellings.
	(f) <i>to support housing affordability,</i>	Aim satisfied. The proposed development includes 10.3% affordable housing, as well as a range of purpose-built rental housing accommodation types to serve a diverse economic demographic.
	(g) <i>to minimise the consumption of energy from non-renewable resources, to conserve the environment and to reduce greenhouse gas emissions,</i>	Aim satisfied. Refer to the ESD report at Appendix QQ.
	(h) <i>to facilitate the timely and efficient assessment of development applications to which this chapter applies.</i>	Noted.
	(2) <i>This chapter recognises that the design of residential apartment development is significant because of the economic, environmental, cultural and social benefits of high quality design.</i>	Noted.
Section 143 - Land to which chapter applies	<i>This chapter applies to the whole of the State, other than land to which State Environmental Planning Policy (Precincts—Regional) 2021, Chapter 4 applies.</i>	Applies.
Section 144 - Application of chapter	(1) <i>In this policy, development to which this chapter applies is referred to as residential apartment development.</i>	Noted.
	(2) <i>This chapter applies to the following—</i> (a) <i>development for the purposes of residential flat buildings,</i> (b) <i>development for the purposes of shop top housing,</i> (c) <i>mixed use development with a residential accommodation component that does not include boarding houses or co-living housing, unless a local environmental plan provides that mixed use development including boarding houses or co-living housing is residential apartment development for this chapter.</i>	The proposed development comprises residential flat buildings, both as a stand alone use and within mixed use buildings on the R4 zoned land.
	(3) <i>This chapter applies to development only if—</i> (a) <i>the development consists of—</i> i. <i>the erection of a new building, or</i> ii. <i>the substantial redevelopment or substantial refurbishment of an existing building, or</i> iii. <i>the conversion of an existing building, and</i> (b) <i>the building is at least 3 storeys, not including underground car parking storeys, and</i> (c) <i>the building contains at least 4 dwellings.</i>	The proposed development consists of the erection of new buildings greater than two storeys and comprising greater than three dwellings.
	(4) <i>If particular development comprises development for the purposes specified in subsection (2) and development for other purposes, this chapter applies only to the part of the development for the purposes specified in subsection (2).</i>	Noted. This chapter does not apply to the co-living dwellings nor to the non-residential uses proposed.

Section	Controls	Comment
	(5) <i>This chapter does not apply to development that involves only a class 1a or 1b building within the meaning of the Building Code of Australia.</i>	Not applicable.
	(6) <i>To avoid doubt, development to which Chapter 2, Part 2, Division 1, 5 or 6 or Chapter 5 applies may also be residential apartment development under this chapter.</i>	Chapter 2, Part 2, Division 1 (In-fill affordable housing) applies to this development, and is residential apartment development under this chapter.
Section 145 - Referral to design review panel for development applications	(1) <i>This section applies to a development application for residential apartment development, other than State significant development.</i>	Not applicable.
Section 146 - Referral to design review panel for modification applications	(1) <i>This section applies to a modification application for residential apartment development, other than State significant development.</i>	Not applicable.
Section 147 - Determination of development applications and modification applications for residential apartment development	(1) <i>Development consent must not be granted to residential apartment development, and a development consent for residential apartment development must not be modified, unless the consent authority has considered the following—</i> (a) <i>the quality of the design of the development, evaluated in accordance with the design principles for residential apartment development set out in Schedule 9,</i> (b) <i>the Apartment Design Guide,</i> (c) <i>any advice received from a design review panel within 14 days after the consent authority referred the development application or modification application to the panel.</i>	The Design Team has prepared a Design Verification Statement included at Appendix J , confirming that the proposal appropriately addresses each of the design principles for residential development set out in Schedule 9, as well as the Apartment Design Guide (ADG). Key design criteria of the Apartment Design Guide are also discussed in Section 6.2.4 . (Noting that subsection (1)(c) does not apply).
	(2) <i>The 14-day period referred to in subsection (1)(c) does not increase or otherwise affect the period in which a development application or modification application must be determined by the consent authority.</i>	Not applicable.
	(3) <i>To avoid doubt, subsection (1)(b) does not require a consent authority to require compliance with design criteria specified in the Apartment Design Guide.</i>	Noted. Refer to Section 6.2.4 , which identifies minor departures to the design criteria, which are assessed in the context of a rental housing precinct proposal that includes BTR and affordable housing, identifying commensurate amenity is achieved.
	(4) <i>Subsection (1)(c) does not apply to State significant development.</i>	Noted.
Section 148 - Non-discretionary development standards for residential apartment development	(1) <i>The object of this section is to identify development standards for particular matters relating to residential apartment development that, if complied with, prevent the consent authority from requiring more onerous standards for the matters.</i>	Noted. Refer to the below.
	(2) <i>The following are non-discretionary development standards—</i> (a) <i>the car parking for the building must be equal to, or greater than, the recommended minimum amount of car parking specified in Part 3J of the Apartment Design Guide,</i>	As the subject residential apartment development comprises both BTR and affordable apartments, each with their own non-discretionary development standards for parking, reference is made to those standards discussed earlier in this section, in lieu of this section. As a non-discretionary standard is a non-refusable standard, no further assessment is necessary.

Section	Controls	Comment
	(b) <i>the internal area for each apartment must be equal to, or greater than, the recommended minimum internal area for the apartment type specified in Part 4D of the Apartment Design Guide,</i>	Satisfied. As confirmed in the architect's Design Verification Statement at Appendix J , the internal apartment areas specified for residential apartment development in the ADG have been met.
	(c) <i>the ceiling heights for the building must be equal to, or greater than, the recommended minimum ceiling heights specified in Part 4C of the Apartment Design Guide.</i>	Satisfied. As confirmed in the architect's Design Verification Statement at Appendix J , the minimum ceiling heights specified for residential apartment development in the ADG have been met.
Section 149 - Apartment Design Guide prevails over development control plans	(1) <i>A requirement, standard or control for residential apartment development that is specified in a development control plan and relates to the following matters has no effect if the Apartment Design Guide also specifies a requirement, standard or control in relation to the same matter—</i> (a) <i>visual privacy,</i> (b) <i>solar and daylight access,</i> (c) <i>common circulation and spaces,</i> (d) <i>apartment size and layout,</i> (e) <i>ceiling heights,</i> (f) <i>private open space and balconies,</i> (g) <i>natural ventilation,</i> (h) <i>storage.</i>	Development Control Plans are not a matter for consideration in the assessment of SSDAs by virtue of Section 2.10 of the Planning Systems SEPP, which states that 'Development Control Plans... do not apply to... State significant development'. Notwithstanding this, the precinct-specific objectives and provisions of Section 9.47 of the MDCP 2011 have been considered in the design phase, and these matters have been assessed with respect to the ADG in the architect's Design Verification Statement at Appendix J .
	(2) <i>This section applies regardless of when the development control plan was made.</i>	Noted.

4.5.2 Floor Space Ratio

The base floor space ratio (FSR) on the site is 3:1. As the proposed development comprises 10% affordable housing, section 16 of the Housing SEPP applies, and the development is eligible for 20% additional floor space. The resulting maximum FSR is 3.6:1, which represents a GFA of 81,398m². The development proposes a maximum FSR of 3.43:1 and a GFA of 76,621m², which is compliant with the Housing SEPP provision. The proposed development does not seek to utilise this bonus in full, resulting in an FSR variance of only 14.4% from the IW LEP 2022 standard. Furthermore, the vast majority (82%) of the additional floorspace arising from the Housing SEPP bonus is being used for the purpose of affordable housing.

Given the successful inclusion of 10% affordable housing, the proposed development is in line with the Housing SEPP and is not representative of over densification of the site. Importantly, notwithstanding the proposed compliant density, the proposal includes 10,207m² of publicly accessible open space, equivalent to 45% of the site area (inclusive of the SP2 zoned land).

4.5.3 Building Height

The site is subject to the heights mapped in the IWLEP 2022 in **Figure 47** below.



Figure 47 Extract of Land Zoning Map (top) and Height of Buildings Map (bottom)

Source: NSW Legislation

Chapter 2, Part 2, Division 1 of the Housing SEPP provides for additional height and floorspace for development that proposes to provide at least 10% affordable housing. This is expressed as a percentage bonus to be applied to the underlying building height and floorspace development standards expressed in the relevant LEP (the IW LEP 2022 in this instance). The purpose of these provisions is to incentivise the delivery of more affordable housing in NSW by offsetting the cost of providing affordable housing by allowing additional market (in this case rental) housing.

The IW LEP 2022 does not currently require the provision of any affordable rental housing on the site.

This development proposes to deliver at least 10% affordable housing pursuant to clause 16 of the Housing SEPP, and in doing so, the site is eligible for 20% bonus floor space and building height.

For building height, however, the Sydney Airport Obstacle Limitation Surface (OLS) means that a uniform variation to maximum building heights in accordance with the Housing SEPP bonus is not possible, specifically within the central parts of the site (Buildings B and E). In order to deliver the additional affordable housing component facilitated by the Housing SEPP, it is proposed to redistribute the additional floorspace in a non-uniform manner that responds to the OLS and other site constraints. This results in isolated height variations greater than those permitted by the Housing SEPP, therefore requiring reliance on Clause 4.6 to vary the height standard.

A diagrammatic overview of this strategic approach is illustrated in four steps at **Figure 48** and **Figure 49**.

Table 22 below summarises the height variation required to buildings A, F and G (which receive the redistributed floor space from Buildings B and E), as well as to Buildings C, D and E. Building F and Building G extend across two different maximum height controls. As such, the maximum point of the building within the extent of each height control is identified. As context, the IW LEP 2022 Height of Buildings mapping is aligned to existing lot boundaries. The lots comprising the subject site are proposed to be amalgamated, and the proposed arrangement of built form follows a detailed urban design analysis (rather than being dictated by existing lot boundaries).

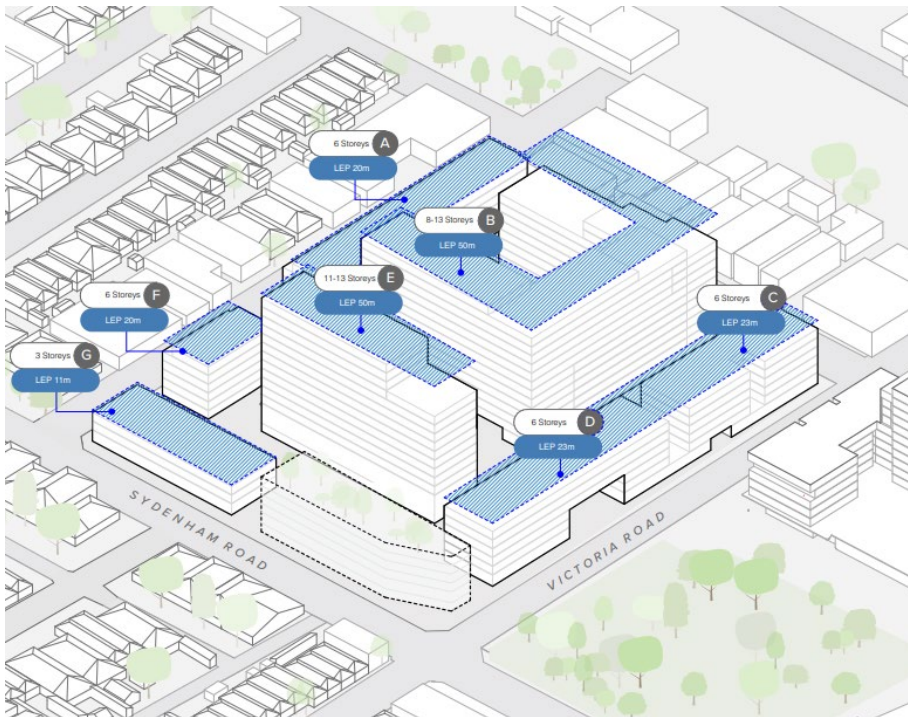
Table 22 Details of the proposed variation to building height

Building	LEP height	Maximum building height*	Proposed building height	Ground level (existing)	Exceedance to maximum building height	Variation % to maximum building height	Overview of variation
A	20m	24m	31.2m	RL 5.340	7.2m	30%**	1 storey + plant
C	23m	27.6m	33.3m	RL 2.860	5.7m	20.7%	Plant + roof
D	23m	27.6m	31.1m	RL 2.850	3.5m	12.7%	Plant + roof
E	RL 50	RL 50	RL 50.8	RL 2.907	0.8m	1.6%	Parapet
F	20m 11m	24m 13.2m	29.2m 27.4m	RL 4.690 RL 4.690	5.2m 14.2m	21.7%** 107.6%	1 storey + plant (primary) The southern corner for 4 storeys (minor – approx. 4m ² only)

Building	LEP height	Maximum building height*	Proposed building height	Ground level (existing)	Exceedance to maximum building height	Variation % to maximum building height	Overview of variation
G	11m	13.2m	30.2m	RL 3.270	17m	155%**	4 storeys + plant (primary)
	20m	24m	28.9m	RL 4.320	4.9m	20.4%	The western corner for 1 storey + plant

1. LEP complaint scheme (no affordable housing)

The existing IW LEP 2022 provisions do not require any affordable housing.



2. Scheme with affordable housing (LEP + 20% scheme height and floor space to all buildings, regardless of OLS) – OLS breach shown in red

Utilising the full extent of the Housing SEPP bonus is not possible due to the hard restriction imposed by the Sydney Airport OLS – the 20% height that breaches the OLS is in **RED**.

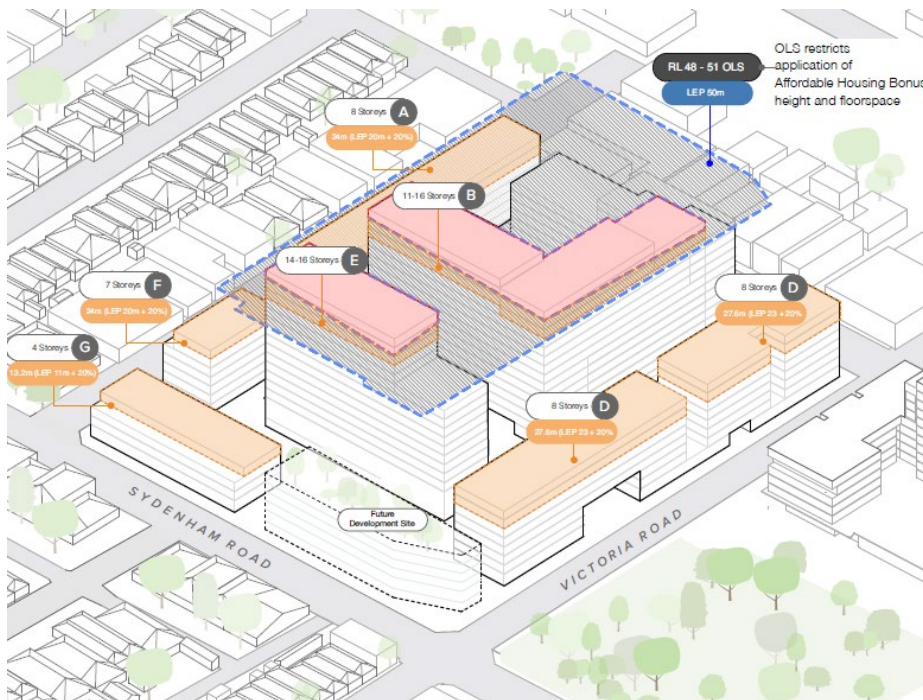
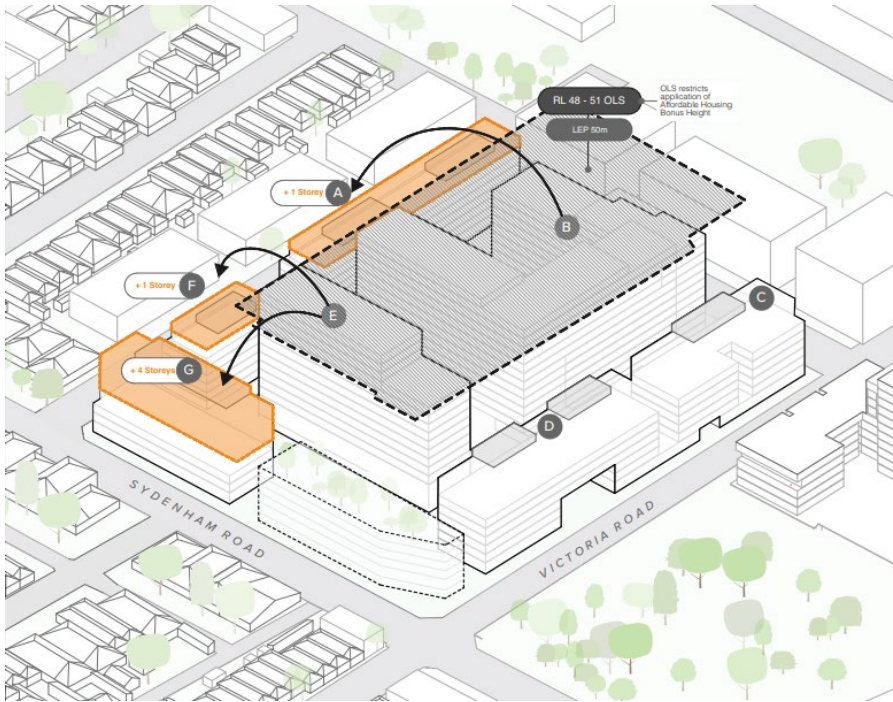


Figure 48 Massing strategy to redistribute bonus floorspace – PART 1

Source: Design Team

3. Redistribution of OLS breaching floor space to perimeter buildings A, F and G.

Floorspace that would have been delivered on Buildings B & E is redistributed to the most suitable locations beneath the Sydney Airport OLS.



4. Resulting height exceedance of Buildings A, F and G following redistribution of floor space to achieve 10% affordable housing.

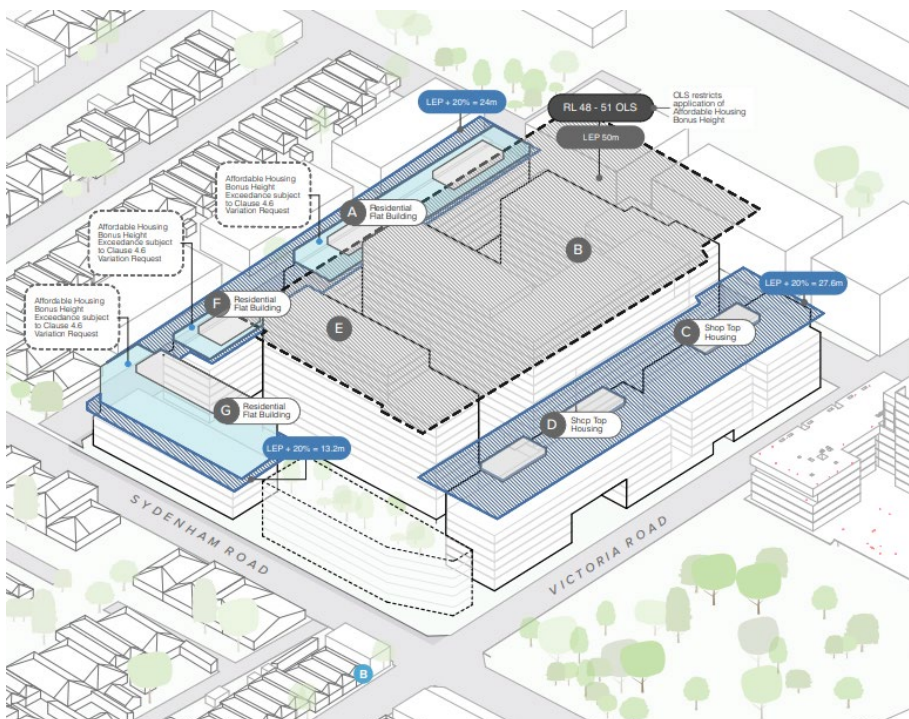
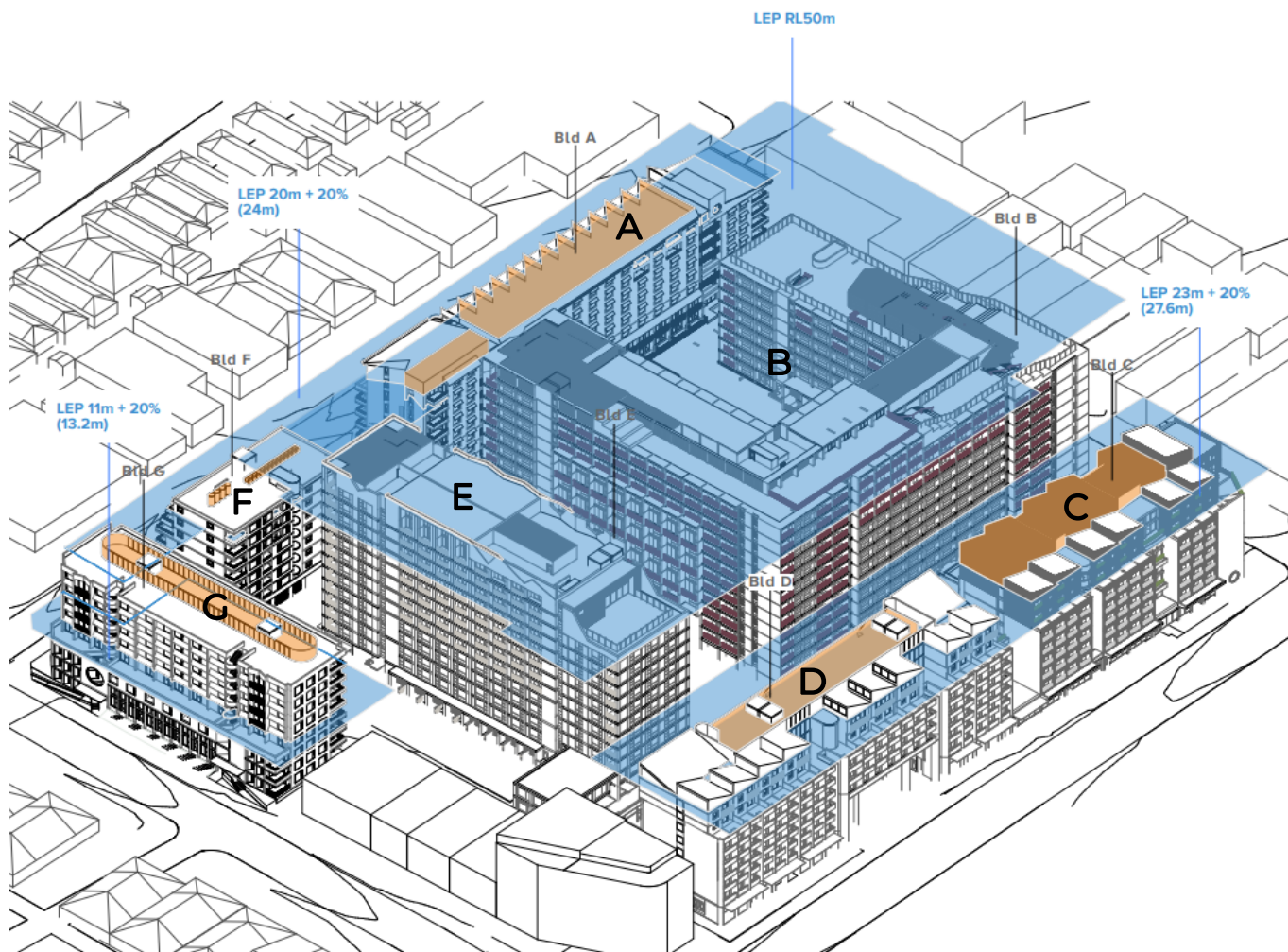


Figure 49 Massing strategy to redistribute bonus floorspace – PART 2

Source: Design Team

The design team has provided a volumetric analysis of the portions of the building that exceed or are below the maximum permitted building height, across the site (all buildings). It was concluded that the total volume of buildings that are below the maximum permissible building height equate to 94%, while the parts of the volume that are above the building height control is 6%. From a numeric standpoint, this demonstrates the building form across the site is largely compliant with the building height development standard.



Overall Site

Total volume of all buildings	360,000m ³	
Site wide volume exceeding LEP + 20% of all buildings	21,400m ³	6%
Site wide volume below LEP + 20% of all buildings	336,800m ³	94%

Note :

Bld B

Total building volume	145,800m ³
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Building height is below LEP height (RL50m)

Figure 50 Site wide overview of proposed height variation

Source: Design Team

The *Inner West Affordable Housing Policy* (May 2022) identifies that there is insufficient affordable housing in the Inner West. Planning intervention to deliver affordable housing across the LGA is warranted due to the loss and non-replacement of affordable housing through gentrification and redevelopment, particularly with regard to the current and projected degree of unmet housing needs.

The Inner West has established ambitious targets for affordable housing, noting that the local policy states that Council will seek to achieve an affordable housing target of 15% of new residential floorspace for DAs outside an AHCS precinct. It is clarified that this is not a requirement for the subject proposal, but nonetheless reinforces that affordable housing provision is a high priority for Inner West Council.

Further, the Social Impact Assessment (**Appendix Q**) identified that based on the SGS Rental Affordability Index, Marrickville (postcode 2204) is rated as unaffordable for the average rental household in Greater Sydney and extremely unaffordable for a single income couple with children.

This SSDA seeks to deliver 10% of GFA as affordable housing, which has been incentivised and facilitated through the floorspace bonuses under the Housing SEPP provisions. Discussed later in this section, it is established that the floorspace accommodated within the redistributed massing enables the delivery of affordable housing, and is therefore consistent with the local policy intent across the Inner West LGA.

It would be unreasonable to require strict compliance with the development standard in circumstances where such compliance directly undermines the alignment of the project with a key policy priority for all levels of government to increase the supply of affordable housing.

The clause 4.6 Variation Request at **Appendix YY** demonstrates that, notwithstanding the non-compliance with the building height development standard:

- Compliance with the development standard would be unreasonable and unnecessary, because the proposal is consistent with the objectives of clause 4.3 of the IW LEP 2022:
 - The proposed building heights sit comfortably in its urban context and is compatible with the existing and desired future character of Precinct 47.
 - The proposed massing strategy is appropriate with regard to site specific constraints, namely the Sydney Airport OLS, adjacent public open space, and low-density residential development. The redistributed floorspace has been carefully sited to minimise adverse environmental impacts on the locality. Notwithstanding this, the variation does not represent an exceedance nor a maximisation of permissible floorspace on the site.
 - The proposed building heights transition from the centre of the site toward the surrounding lower density areas, which is consistent with the overarching principle that drives built form in Precinct 47. Design interventions (e.g. upper level setbacks, street wall heights, façade/corner expression) play a pivotal role in aiding a transition between development upon the site and adjacent developments.
- Strict compliance with the development standard would be unreasonable as it would deny the efforts of the NSW Government to deliver affordable housing, and inhibit the delivery of 115 new affordable housing dwellings in an area identified with a lack of affordable housing.
- Strict compliance would be unreasonable in the case of Building F, where, due to the proposed lot amalgamation, a minor nuance arises where the corner of this building (equating to approximately 4m² in area) encroaches into the 11m LEP height mapped area.
- There are sufficient environmental planning grounds to justify the contravention, including:
 - The building height variation is necessary to facilitate the delivery of affordable rental housing within the project, utilising the Housing SEPP incentives in circumstances where there is no local planning requirement to do so. The variation therefore directly supports the significant social and economic benefits arising from providing affordable housing, and these benefits would not be realised in a development that complied with the building height development standard.
 - The alignment with the national and State planning policy objectives to deliver more housing, including affordable housing, in well-located areas supported by infrastructure. The building height variation arises from the use of additional floorspace that is incentivised and complies with the Housing SEPP, and in doing so directly supports the provision of additional rental and affordable housing, which is a significant public benefit and environmental planning ground that justifies this variation. A compliant scheme would result in no affordable housing and a minor reduction in rental housing (82% of the utilised bonus floor space is attributed to affordable housing), which is a poorer environmental planning outcome in environmental, social and economic terms.
 - Adherence with the Sydney Airport OLS is achieved by siting the additional height and floorspace away from Buildings B and E, as enabled by the in-fill affordable housing provisions of the Housing SEPP.
 - A superior built form and urban design outcome is achieved by:
 - Mitigating the impacts of the variation through upper level setbacks,
 - Appealing roofscapes that tie the site's historic industrial setting and screen plant and services, and

- Minimising the building footprint to create slender building forms that enable opportunities for landscaping and publicly accessible open space.

For further detail please refer to **Appendix YY**.

5.0 Stakeholder Engagement

This section describes consultation undertaken and feedback received prior to the lodgement of the EIS for the proposal and engagement to be carried out following lodgement of the EIS. It is supported by an Engagement Outcomes Report prepared by JOC Consulting at **Appendix G**.

5.1 Engagement Carried Out

Full consideration has been given to the DPHI Secretary's Environmental Assessment Requirements (SEARs) during the consultation for this project, including observance of the *Undertaking Engagement Guidelines for State Significant Projects* (October 2022).

5.1.1 Identified Stakeholders

A comprehensive list of community members and stakeholders to consult throughout during the preparation of the EIS process was developed through:

- The identification of neighbours who would be impacted by the proposal unless mitigation measures were implemented,
- The identification of stakeholders who would have a particular interest in the proposal.
- The identification of stakeholders who would have information of value to the proposal, for example, Aboriginal groups with cultural knowledge relating to the site.
- Consultation with the DPHI.

As a result of the above process, a number of stakeholders were identified for consultation, including:

- Inner West Council;
- Local Residents;
- Local Business and Landowners;
- First Nations;
- Local Government Agencies;
- Infrastructure Agencies; and
- NSW Government Agencies.

5.1.2 Consultation Methods

A range of consultation methods were used throughout the engagement process to engage community members and stakeholders. During the preparation of the EIS, the engagement methods used are identified in **Table 23**. In addition to this, RTL Co initiated targeted engagement with local businesses, relevant Government agencies and services providers.

Table 23 Consultation Methods

Activity/Tool	Description	How engagement will inform the project	Target Audience	Level of Engagement
Notification letter (Inform)	Letter to local residents and local businesses that included key information about the project and opportunities to provide feedback. Distributed to letterboxes within a 150m radius of the site.	Ensured that residents to the site are aware of the project and have the opportunity to attend an event and provide feedback	Local residents, Local businesses	Approx. 464 distributed.
Project Website (https://marrickvilletimberyards.com.au/) (Inform)	A comprehensive website that included key information the project, opportunities to provide feedback and frequently asked questions (FAQs) was published at the start of the engagement program.	Provided detail on the proposed development and opportunities to provide feedback through the various engagement activities.	All stakeholders	Total of 1,562 visits to the website. Traffic: Direct 1012 (65%) Facebook 391 (25%)

Activity/Tool	Description	How engagement will inform the project	Target Audience	Level of Engagement
		It will stay live to provide updates as the project progresses.		Other
1800 Phone Line (Involve)	Set up a 1800 hotline (active Monday-Friday, 9am-5pm) to capture feedback and enquiries from community members throughout the engagement program.	Provided a forum for community members to speak to a member of the project team to ask questions and provide feedback.	All stakeholders	3 phone calls
Project Email account (Involve)	Set up a project email address to capture feedback and enquiries from community members throughout the engagement program.	Provided a forum for community members to speak to a member of the project team to ask questions and provide feedback.	All stakeholders	5 emails
Online Survey (Involve)	An online Social Impact Assessment (SIA) survey was managed by social planning consultants, Ethos Urban to capture feedback about the proposed development.	Provide a forum for community to provide feedback on the positive and negative impacts of the proposed development and their level of support for it.	All stakeholders	147 responses
2 x Community Drop-In Sessions (Involve)	On 4 th November 2024 and 7 th November 2024, hosted 2 x 4 hour Drop-in sessions and 1 x informal feedback session for community members to learn about the project, meet the project team, provide feedback on key topics, and ask questions.	Provided a welcoming forum for community members to be able to find out more about the project and provide feedback.	All stakeholders	61 attendees

This approach follows the *Undertaking Engagement Guidelines for State Significant Projects (2021)* by:

- Engaging with relevant NSW Government agencies, service providers, Council, close neighbours and targeted members of the community who are most likely impacted or interested in the proposal;
- Informing the surrounding community to the site about the proposal and providing opportunities to engage directly with the project team;
- Explaining how community feedback will be considered and documented;
- Providing relevant information in plain English so that potential impacts and implications can be readily understood; and
- Providing channels of communication to gather feedback.

5.1.3 Aboriginal Community Consultation

Consultation was undertaken with Aboriginal groups during the preparation of the Connection to Country Strategy and the Aboriginal Cultural Heritage Assessment as discussed in **Appendix N** and **Appendix HH**.

Engagement sessions assisted to guide the direction of the project, including the response to Country in landscape and open space design, materials and plant species selected. **Table 24** below provides a summary of this engagement.

Table 24 First Nations engagement

Engagement	Activity	Outcome
Local Aboriginal Land Council	On 4 September 2024 a site visit with Local Aboriginal Land Council and AMAC Archaeology as part of the ACHAR process.	Enabled LALC to walk the site and understand the current land use and provide opportunity to comment.

Engagement	Activity	Outcome
Registered Aboriginal Parties (RAPs)	On 24 September, an email was sent to all RAPs with information about the project prepared by AMAC Archaeology as part of the ACHAR (Aboriginal Cultural Heritage Assessment Report) process asking for feedback within a 28-day statutory period	Enabled engagement with RAPs to understand any cultural and heritage significance attached to the site.
Registered Aboriginal Parties (RAPs)	Communication undertaken as part of the Aboriginal Cultural Heritage Assessment Report (ACHAR). On 18 July 2024 letters were sent to the appropriate agencies for the local area to establish a list of possible stakeholders. This included Inner West Council, Greater Sydney Local Land Services, Metropolitan Local Aboriginal Land Council, National Native Title Tribunal, NTSCORP, Heritage NSW, Office of Registrar. A list of RAPs was formed based on responses. On 18 July 2024, a notice was advertised in the Daily Telegraph with registration closed 2 August 2024, asking for interested parties to come forward. There were no additional RAPs added to the list. On 5 August 2024, an email and letter were sent to all 62 stakeholders who appeared on the list of any agency. Following this, eight parties registered for involvement with the project. On 20 August 2024, emails were sent to the eight RAPs with the draft ACHAR methodology for review and comment. Following the 28-day statutory period, two responses were received supporting the methodology.	No elements of social, historical or aesthetic cultural heritage significance specifically linked to the study site has been identified or shared during the stages of Aboriginal Consultation. The development has been assessed as having nil-low potential for intact soils containing Aboriginal archaeological and cultural significance. Consultation with the RAPs will continue throughout each phase of the development.
Local Aboriginal community and the project and design team	In October 2024, Aboriginal-owned design studio, Yerrabingin conducted two Connecting with Country collaborative design workshops with members of the local Aboriginal community and the project and design team. Refer to Appendix N for the Connecting with Country report. These workshops represent the transformative journey facilitated collaboration, summarise the collected data into high level opportunities for further interrogation and collaboration by the project team, and integrate the central opportunities from the How Might We question. These outcomes inform, develop, and advance concepts in the design proposed. The overarching goal of this process is to foster creative and culturally sensitive placemaking, grounding the project in empathetic design solutions driven by community input whilst centring Country.	<p>Fostering Connections:</p> <ul style="list-style-type: none"> • Between residents and also with the surrounding community. • Create physical connections within the site and recognising desire lines across and outside the site. Embedding a sense of custodianship for this place. • Opportunities to provide connections across different cultures and with a multigenerational lens. • Create good relationships and platforms for Indigenous artists and creatives <p>Greening and Endemic Landscapes</p> <ul style="list-style-type: none"> • Strong emphasis on greening and the importance of landscape, with specific examples of including endemic planting with cultural significance and edible planting. • Native medicinal plants for human treatment • Interactive, edible gardens for public and residents <p>Water</p> <ul style="list-style-type: none"> • Recognising and revealing the way water moves through the site, and across Country. • The sites significance in its proximity to Cooks River and the way water moved through this area pre colonisation. • Water having an important role for cooling and relaxation for residents. <p>Education</p> <ul style="list-style-type: none"> • Education was an interesting theme identified by all three groups, with an innovative approach to

Engagement	Activity	Outcome
		<p>what a residential building/s can provide for residents and the broader community.</p> <ul style="list-style-type: none"> Participants identified spaces for education and opportunities for learning and sharing about Country and culture, but also incorporating and celebrating the

Further detail on the Aboriginal Community Consultation undertaken is provided in the ACHA at **Appendix HH**.

5.2 State Design Review Panel

The proposed development was presented to the NSW Government Architect's State Design Review Panel (SDRP) on two (2) occasions prior to lodgement of the SSDA, on 4 September and 17 October 2024, respectively. During these meetings RTL Co's Design Team presented the project and strategy for achieving design excellence. A breakdown of the feedback received by GANSW during both sessions, as well as the response implemented in the proposal, is shown below in **Table 25**. A detailed response has been prepared by the Design Team at **Appendix J**.

Table 25 Responses to SDRP Feedback

Topic	Detail	Project Response
SDRP No.1		
Connecting with Country	<p>1. Continue to engage with Indigenous Knowledge Holders to provide advice and direction to the development of the site strategy, landscape, architecture, and cultural impact.</p> <p>2. Refer to the Connecting with Country Framework and case studies on the GANSW website for more information and guidance.</p>	<p>From the early design stages, Yerrabingin (Connecting with Country) played an integral role within the design team in shaping the project's vision and objectives of ecological regeneration and renewal. Yerrabingin's findings and design recommendations that were collated through incremental design workshops and community consultations were regularly shared and influenced design development within landscape design, architecture and the public domain strategy.</p> <p>Following the SDRP Session No.1, the Collaborative Design Workshop brought together the local aboriginal community, the client and the design team to continue to explore the project site opportunities, design principles and to formulate responses to the How Might We Question 'How might we foster Marrickville's creative community in ways that encourage custodianship, support Country and create interconnected ecosystems?'</p> <p>Four key site-specific Connecting with Country opportunities were composed following the collaborative workshop to implement into the design thinking process:</p> <ol style="list-style-type: none"> 1. Custodian for Generations 2. Water Collection, Treatment and Flow 3. Material Reuse and Adaptation 4. Connectivity and Care <p>These Connecting with Country opportunities have influenced the design strategies listed below:</p> <ul style="list-style-type: none"> Adaptive reuse and retention of the existing warehouse steel structure on the pedestrian through site link Introduction of permeable pavement on deep soil zones along pedestrian thoroughfares aligning with a regenerative response to the site's swamp history and stormwater management. Retail and community spaces activating the ground floor of the central through site link Vehicle Parking consolidation to increase public domain footprint and deep soil zone
Project Wide Advice	<p>1. If affordability is the main goal, then use clear arguments and evidence to prioritise this in conversations with planning. Evidence why certain</p>	<p>The project adopts the Infill Affordable Housing Bonus provisions for additional height and GFA. It provides a minimum 10.3% of Total GFA as affordable housing which makes it eligible for 20% bonus FSR (and Height). However it only utilises 14% bonus FSR</p>

Topic	Detail	Project Response
	<p>decisions will deliver more affordable housing in perpetuity.</p>	<p>which is only possible through the efforts to maximise efficiency and reduce unnecessary development costs.</p> <p>A minimum parking rate of 0.2 car spaces/unit has been adopted. In BTR/ Co-living the car space is decoupled from the unit so residents are not burdened by the cost of a car space if they do not need one.</p> <p>The Basement and below ground area has been consolidated into the most efficient form and location to minimise the time and cost of excavation, structure, enclosure, services and tanking below ground areas. This, and the optimised number of car spaces, reduces the time and costs associated with accommodating cars which is a major factor in making the delivery of the 10.3% affordable housing feasible.</p> <p>Optimising the size, layouts and number of kitchen, bathroom, joinery, and unit types, as well as building elements such as balustrades, window and door types, reduces the cost through building less and benefiting from the efficiency of scale, modularisation and repetition to reduce costs</p>
	<p>2. To build a sense of cultural and social ownership, authenticity and belonging address the following:</p> <p>a. Ensure the project, its housing and the public spaces are fit-for-purpose and functional. Make it work for people.</p> <p>b. Pursue a loose fit approach that helps places, spaces, surfaces be open to adaptation and re-invention.</p> <p>c. Give residents and visitors support, opportunity, and capacity to take ownership and develop the identity of spaces they use in perpetuity.</p> <p>d. Ensure residents have an ongoing and meaningful stake in the management of the place and its spaces.</p>	<p>a-c. The project has integrated a Connecting with Country process from the outset with engagement sessions and collaborative design workshops with the client and project team, and both the local and non-local First Nations community. This has been complemented with open community information sessions on site. These initiatives will foster cultural and social ownership, authenticity and belonging through the reflection of the generated ideas and insights into the project evolution. Refer to the Connecting with Country report from Yerrabingin and the Community Engagement report from JOC Consulting.</p> <p>A key attribute of this project is the 'gateless' ground plane. A range of publicly accessible Communal areas are provided, diverse in size, type and location, that incorporate designs and elements, such as moveable public domain furniture, that are flexible to accommodate different group sizes and a range of curated events or self-initiated activities. There will also be a diverse range and type of Communal Indoor Space which can evolve over time as needs change as they are not a fixed purpose like a pool.</p> <p>Complementing this are resident-only Communal areas, predominantly on rooftops, both internal and external, that allow for a wide range of activities from gardening and entertaining to fitness. These are also loose-fit spaces that can evolve as some uses or activities gain more popularity than others.</p> <p>The central court 'Warehouse Place' retains the steel structure of an early warehouse which will contribute to a sense of legacy and authenticity in the new development. Use of recycled materials, in the public domain and buildings, will also retain a sense of material familiarity with their age, texture and patina. This is all integrated with public art and wayfinding to create a unique and authentically Marrickville character.</p> <p>All unit layouts focus on optimised functionality and range from fully furnished Co-living dwellings with integrated joinery, to more customary apartment layouts that residents furnish themselves to their own style and taste.</p> <p>d. RTL Co as long-term owner and operator have a vested interest in the success of the public domain and overall project, with resident experience as a primary driver for resident retention. The management process, on-site employees and technology platform, will enable residents to provide feedback and suggestions, and participate in the ongoing management and curation of places, spaces and events.</p>
	<p>Having single ownership of the site is a key opportunity and provides a rare ability to curate and manage the project towards shared goals.</p>	<p>The affordable housing will be blind tenure - indistinguishable both externally and internally from the surrounding Build-to-Rent (BTR) apartments and Co-living units. The Affordable Housing will be accommodated in multiple buildings to enable a range of sizes</p>

Topic	Detail	Project Response
	<p>3. Consider and communicate strategies to fairly distribute amenity and resources to residents. Identify who gets better daylight, balconies, views and why and how dwellings with less amenity are provided other opportunities on the site.</p>	<p>and equity in amenity distribution. The type of units and their distribution is in response to the CHP's preferences that reflect their tenant needs as well as their own operational efficiency to minimise wasted resources.</p> <p>The diversity of housing tenure, types and sizes enables a more diverse community to develop as residents do not have to move away as their accommodation requirements change. Residents also have choice to move around the precinct and exercise their priorities for view, location, orientation and/or size. All residents, regardless of housing or tenure type get access to all of the same Communal amenities.</p>
	<p>4. Use the singular ownership of the site to develop ambitious sustainability goals and infrastructure.</p>	<p>A broad range of sustainable initiatives are being pursued across the project life-cycle under 4 main themes of Site Strategies, Energy, Water Management and Ecology. This is complemented by Circular Economy considerations across the 4 stages of Concept, Detailed Design, Construction and Operations. Please refer to the ESD Report by AtelierTen.</p>
<p>Site Strategy and Landscape</p>	<p>The proposed strategy of decanting bonuses from the central building to perimeter buildings requires further investigation and approval from planning.</p> <p>5. To assist planning and to support more detailed discussion of the design implications please provide more information on the impacts of the increased bulk including:</p> <ul style="list-style-type: none"> a. Street views of the three main streets from key points b. Shadow diagrams of any public spaces including parks. c. Shadow diagrams of impacts on private dwellings and other buildings. <p>6. Evidence the quantity, quality, and character of the solar access in the project and how this will positively contribute to the experience of the residents and visitors</p>	<p>Street views from Victoria Road, Sydenham Road, Farr Street and Mitchell St at pedestrian eye level were produced to compare height and bulk of the Indicative DCP/LEP Massing and Proposed SSDA Massing to support the proposal's height strategy as well as building character development including street wall rhythm and articulation.</p> <p>Solar studies on communal and public open spaces evidenced approximately 70% of required communal open space (4,534m²) receiving more than 2 hours of solar access, and an additional 253m² of the public realm receiving over 2 hours of solar access on the winter solstice.</p> <p>The project's aim to not rely on the ADG flexibility for reduced solar access to BTR apartments was evidenced through solar studies to apartments that analysed an exceedance of ADG objectives of over 75% of BTR Apartments receiving over two hours of solar access on the winter solstice.</p> <p>Shadow analysis on the adjacent properties along Sydenham Road presented no additional overshadowing from approximately 10:30am on the winter solstice.</p>
	<p>7. Clearly articulate how the principles of the Apartment Design Guide are being met for each building, and identify, mitigate, and clearly justify any numerical departures.</p>	<p>ADG amenity diagrams covering cross ventilation, solar access to communal open spaces and apartments, and deep soil zone were presented for SDRP Session No.2 to convey satisfied ADG objectives.</p>
	<p>This project presents a unique opportunity to improve the canopy cover of this part of Marrickville. This would be an important contribution to healing Country.</p> <p>8. Further develop the planting and landscape strategies to increase the quality and quantity of impact:</p> <ul style="list-style-type: none"> a. Distil the ambitious landscape strategy, so it produces meaningful and measurable gains for biodiversity. b. Make the site plan work for canopy, deep soil, and ecology first then layer on public spaces and buildings. c. Increase the amount, and connectivity, of deep soil and align deep soil with solar access to promote bigger deeper canopy. 	<p>The landscape design strategy was developed to involve a diverse and native (endemic) planting palette throughout the site and propose a tree canopy cover of 15.53% if the total site area, which includes 3,728 m² of tree canopy cover on the ground floor, and 170 m² on the rooftop communal areas.</p> <p>Please refer to the Landscape Architect's report and drawings.</p>

Topic	Detail	Project Response
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d. Review the location of the underground car park which is presently under the large courtyard which would otherwise be one of the best spots for a large area of deep soil.

Getting the quality and character of the public street frontages right is a key aspect of making this precinct successful.

9. Ensure good urban design principles are developed and implemented across the street frontages including:
- a. Protecting pedestrians from weather.
 - b. Clarity of wayfinding and public access to public areas.
 - c. Ease and clarity of levels changes on the street face.
 - d. Continuous street frontages that define the street.
 - e. Giving each street the functions, activity, and character it needs.

The thresholds between the civic streets, communal open spaces and building interfaces were developed to enhance public permeability and interconnectedness throughout the precinct. The character development of the public street frontages for each street are as listed below.

Victoria Road

- Continuous awnings for ground level retail tenancies along Victoria Road on Building C and D provide uninterrupted retail activation and weather protection along the mixed-used corridor and encourages movement towards Building D's entry gateway into the precinct.
- A visual connection from Wicks Park to Farr Street Pocket Park is maintained through the entry gateway and provides an opportunity to celebrate the entry threshold to the site through public art and wayfinding strategies.
- Building's C and D's street wall shields internal spaces from the impacts of traffic along the busy and noisy Victoria Road.

Sydenham Road

- Building G introduces landscaped stoops, recessed apartment entries and juliet balconies that directs outlook away from the busy road for residents and encourages social activation along Sydenham Road.
- Building G serves as mediating scale between the taller buildings centrally located within the site (Building B and E) and the adjacent existing dwellings along Sydenham Road.

Farr Street

- Farr Street permeability into the Timberyards has a finer grain that responds to its quieter mixed-use character
- Buildings A, F and G provide a diversity of architectural expression, materiality and scale
- Farr Street Pocket Park situated between Building A and F provides a visual link to Wicks Park and an elevated outlook towards the pedestrian through site link ('The Warehouse Place'), to support public activation into the precinct.
- A communal lounge wraps around Building A on the corner of Farr Street and Mitchell Street facing Mitchell Street pocket park to foster a lively community-centric interface.

Mitchell Street

- Mitchell Street provides multiple open-air connections into the central through-site connection and 'Warehouse Place':
 - Mitchell Lane - a public service area for outdoor events
 - Hardware Lane intersecting through Building B
 - Timberyard Commons that provide a landscaped threshold into the precinct
- Building B's 'Civic Stoop' is a generous 7m wide gesture along Mitchell Street to contribute to the future connectivity to the public school, Illawarra Road and Henson Park

10. The proposed car parking entrances are currently half out of the ground; this will produce poor outcomes at street level. Further work is required to resolve this.

The car parking and access strategy has been modified and consolidated since the SDRP Session No.1 to improve street interfaces and increase public domain footprint and contiguous permeable surface areas and deep soil zones. The car parking entrance was moved from the public domain in between Buildings F and G to be nestled within Building A on Farr Street. Vehicular access for retail, service loading and waste collection remains on Mitchell Street. Service walls have been reconfigured to minimise visual impact along Mitchell Street streetscape

Topic	Detail	Project Response
	<p>11. Ensure there is careful consideration of public space throughout:</p> <ol style="list-style-type: none"> Articulate the difference between public and private in the design clearly through material and spatial signals. Make the thoroughfares feel open and inviting for public and readily accessible. Develop the thresholds and gateways into the site, so they are read as public and welcoming. Private areas for residents need more distinction and protection. Identify where residents will do things like hang out their washing or relax without being in public view. Carefully design private areas with an immediate interface with the main public thoroughfares to ensure both functions are well supported. Roof spaces are critical private areas for residents. These need to offer space for both individual moments and communal activities 	<p>The design of the public domain and landscape has evolved significantly since SDRP 01 with a clear hierarchy between different types of open space being:</p> <ul style="list-style-type: none"> Residents' private open space which is principally their balconies or courtyards Resident-only communal spaces which occur at ground and podium level, and on rooftops Publicly accessible communal space which are principally the larger open spaces and through-site connections at Ground and podium level <p>With the intent to maximise the publicly accessible ground plane to create a 'gateless precinct', a balance has been achieved between public access and pedestrian permeability and providing more private areas for residents at ground rather than just at rooftops.</p> <p>Thresholds between streets and buildings have also been carefully considered to layer public, communal and private space in a clear way through the use of landscape, seat platforms, steps, height differences, material changes and screen/ fences where appropriate to provide a balance between privacy and passive surveillance and interaction between residents and with the community.</p> <p>Please refer to the Landscape Architect's report and drawings at Appendix D and Appendix O.</p>
	<p>12. Flooding risks and strategy are not clear. Please provide more information at the next session.</p>	<p>The site's existing flooding risks, Flood Planning Levels, and flood management strategy has been developed following the SDRP Session No.1. The upper ground level interfacing Farr Street is entirely above the level of the PMF, and it is expected that all storeys above the ground floor on the Lower Ground level interfacing Victoria Road would be above the PMF level. The relevant upper ground floor and ground floor levels along Farr Street and Mitchell Street are greater than or equal to the minimum 1% AEP flood level + 500 mm freeboard according to the Marrickville DCP and Victoria Road Precinct DCP respectively.</p> <p>For further detailed information, refer to the Flood Impact and Risk Assessment Report prepared by Mott Macdonald at Appendix LL.</p>
	<p>13. Consider the role of larger events and attractions and how this might create opportunities and require more care with infrastructure such as parking, bike parking, etc.</p>	<p>The public domain and type and function of the main open spaces has evolved significantly since SDRP 01 with the central Warehouse Place prioritised for activation and a range of public events. These could range from small pop-up kiosks to farmers or makers markets, but with an emphasis on 'local' and being for the local community who will predominantly arrive via active transport modes.</p> <p>Visitor bike parking will be distributed within the public domain and visitor WCs have been provided for the public adjacent to Warehouse Place.</p>
<p>Architecture</p>	<p>14. The development of precinct-wide structural and construction systems is supported and will create efficiencies and a coherence. However:</p> <ol style="list-style-type: none"> Ensure the different designers and their buildings have sufficient ability to adapt these systems as needed. Support difference and diversity of architectural expression where possible, particularly with regards orientation and amenity 	<p>Whilst the internal apartment layouts aim for maximal modularity, the external facade and characterisation of each building promote a diverse and colourful architectural expression across the site, each responding to its unique street context and conditions. For further information, refer to Appendix B.</p>

Topic	Detail	Project Response
	<p>15. Current drawings have communal spaces with ceiling heights of 2.2m, recommend 4.5 to 5m for common areas and retail.</p>	<p>Communal spaces and retail tenancies have an average floor to floor height of 4.5m. This height is partly governed by the Sydney Airport OLS (Obstacle Limitation Surface) which varies slightly above and below the LEP Height of RL50. This is a hard constraint for both the overall height of built form and structure, but also for any equipment that might breach the OLS during construction. For further information, refer to Appendix B</p>
<p>Sustainability and Climate Change</p>	<p>16. The full opportunities of having single owner to build and operate a precinct are not currently being met in relation to energy, water, and ecology. Further develop the precinct wide sustainability approach.</p> <p>17. Develop a response to the requirements of the Sustainable Buildings SEPP and articulate the architectural and construction opportunities in future presentations.</p> <p>18. Where possible salvage and reuse material from the existing structures and the Timberyards.</p> <p>19. The introduction of high-performance facades is supported.</p> <p>20. Illustrate how the project will contribute to NSW's Net Zero emissions goal by 2050. Refer to 'NSW, DPIE, Net Zero Plan, Stage 1: 2020-2030' for further information.</p>	<p>The precinct wide sustainability approach has been developed to deliver the minimum sustainability standards by completing a BASIX Certification, NatHERS rating and meeting Section J DTS compliance. In addition, the project will exceed sustainability expectations through aiming to achieve a 4 Star Green Star Building rating.</p> <p>The development is proposed to be electric with 100% of the precinct's energy coming from renewables. The seven buildings are also proposed to achieve the Green Star Climate Positive Pathway which includes fossil free fuel powered by renewables that are highly efficient and built with lower upfront emissions. RTL Co's ESG Targets include net zero carbon operations by 2030 at the latest, along with the shift of procuring renewable electricity.</p> <p>For further reading and detailed responses to the requirements of the SEARs ESD Principles and the Sustainable Buildings SEPP, refer to the ESD Report prepared by Atelier Ten at Appendix QQ</p>
<p>SDRP No.2</p>		
<p>Connecting with Country</p>	<p>1. The idea that Country can lead innovation as well as restoration is supported.</p> <p>2. Let Country be the leading voice in solving the remaining issues and in ongoing management and care of the precinct.</p> <p>3. Continue to engage with Indigenous Knowledge Holders to provide advice and direction to the development of the site strategy, landscape, architecture, and cultural impact.</p> <p>4. Refer to the Connecting with Country Framework and case studies on the GANSW website for more information and guidance.</p>	<p>The Connecting with Country process concluded with Report 3 – Final Connecting with Country Design Report. It identifies the 4 main Design Development Ideas – Custodianship for Generations; Water Collection, Treatment and Flow; Material Reuse and Adaptation; and Connectivity and Care, which sit under the Yerrabingin pillar of Regeneration that was identified as the most appropriate for this project's unique opportunities.</p> <p>Please refer to Yerrabingin's Connecting with Country Design Report which identifies the opportunities that have been incorporated into the project in response to the Design Development Ideas.</p>
<p>Project Wide Advice</p>	<p>The project is now mature enough for the design teams to focus on future users and to test the key decisions and location of amenity against the day-to-day activities of potential user groups.</p> <p>5. Carefully consider:</p> <ul style="list-style-type: none"> a. loading spaces and moving b. rubbish removal and collection c. feeling of safety while moving through site at night d. clarity of addresses for visitors e. provision of sufficient private open space and 	<p>a-b: Loading and moving, as well as rubbish removal and collection, have been key considerations for RTL Co as the ongoing owners, managers and operators. The resident vehicles have been separated from non-residential vehicles with residents' access from Farr Street and retail and service vehicles access from Mitchell Street.</p> <p>An enclosed primary loading dock, with 4 spaces has been provided in the area of the site with the highest number of dwellings, accessed from Mitchell Street. The dock has large temporary holding areas for rubbish bins and move in/out holding rooms and is reached from clear and wide circulation paths to all buildings.</p> <p>Vehicular access for loading, service and emergency services is also provided from Farr Street between buildings F and G. This ground level travel path is also used by the bin-tug that will</p>

Topic	Detail	Project Response
	<p>f. conditions for all demographics, including families.</p>	<p>transfer bins from each building's waste room to the combined collection point</p> <p>c. The 'gateless' ground plane creates a permeable and accessible ground plane appropriate to the population density of the precinct. The number and broad range of resident demographics will promote a busy environment with safety through the presence of others. Wide, open circulation paths with direct lines of sight add to the feeling of security which is physically enhanced with 24/7 on-site concierge and security staff as well as the facilities and maintenance staff during their working hours. It is envisaged that at night, any paths through buildings will be secured for resident access only, and that safe paths will be promoted through clear wayfinding and lighting.</p> <p>d. All buildings except for E have clear street addresses for visitors while E has a clear address off the primary and centrally located Warehouse Place, which also serves the Building B wing that addresses the opposite side. Warehouse Place is a wide pedestrianised through-site connection from Victoria Road to Farr Street and is also the location for the central Concierge for the development.</p> <p>e. All BTR apartments and Co-living dwellings have a balcony which is not typical especially for Co-living. In addition to their private open space, Communal Open Space is provided at Ground and podium levels, and at rooftop levels, distributed across the site.</p> <p>f. A range of unit sizes is provided, from fully furnished Co-living dwellings with integrated joinery, to more customary apartment layouts such as Studios, 1 bedroom, 2 bedroom, 3 bedroom and 2-storey 3 bedroom that residents furnish themselves to their own style and taste. Ground level apartments, often larger types, feature larger courtyards where possible with direct street access like a townhouse or terrace, to cater to families.</p> <p>A range of Communal Open Space is provided, from parks and residential mews to civic 'stoops' and active courts, that are distributed throughout the site at ground and podium level for easy access for families. Complementing this are the Communal rooftops, with both internal and external spaces, that allow for a wide range of activities from gardening and entertaining to fitness. There will also be Communal Indoor Spaces such as co-working spaces, social lounges, 'shared economy' libraries, family rooms, clubhouse, and health and wellness centre which will cater for a broad demographic.</p>
	<p>Single ownership of the site will enable ongoing flexibility and improvement in design solutions in perpetuity.</p> <p>6. Consider how ongoing management of the project can support:</p> <p>a. further optimisation of movement through the site</p> <p>b. the ongoing creation of non-programmed and flexible spaces around the site and in buildings to support future adaptation</p> <p>c. potential adjustments to unit mix to respond to changing demographics.</p>	<p>a. The RTL Co. Facilities Management and Operations team have been involved in reviewing the layouts for the project and providing feedback, advice and requirements for their functional and accommodation needs. This is represented in the current layouts, and we are working through a Plan of Management with RTL Co.</p> <p>b. The project will come on-line in 2028 and so the Communal areas, both internal and external. need to be flexible to respond to emerging and evolving requirements. In response the Communal Indoor Space is diverse in size and location and distributed across multiple buildings. The Communal Open Space is similarly diverse in type, size and location, predominantly at ground and podium but also at rooftop level. The designs of these spaces are not overly prescribed and can evolve and adapt quite easily to accommodate diverse activities, as opposed to a pool which has a singular function. RTL Co as long-term owner and operator have a vested interest in the success of the public domain, retail, and communal spaces, and they will activate and curate all non-residential spaces to ensure a great resident experience as a primary driver for resident retention.</p> <p>c. There is a diverse range of unit types, as described earlier, that cater for a broad demographic and allow for residents to remain</p>

Topic	Detail	Project Response
		<p>living in the project as their circumstances and family configuration changes. However, if a large demographic shift occurs then the project has been designed with many of the unit types dimensionally interchangeable within the building and structural grids. As the buildings are not strata titled in BTR and Co-living this would enable RTL Co to change the unit mix in the future if required.</p>
	<p>7. Look at other campus style precedents such as Australia Technology Park to better understand the difficulties in activating space at this scale.</p>	<p>There has been ongoing design and development of the public domain, especially along the publicly accessible through-site link, to respond to concerns that the space could be too vast in non-event modes combined with low levels of activation along each side.</p> <p>This has resulted in The Gateway and Warehouse Place being prioritised for activation, with a retail pavilion added between buildings D and E to define a spatial hierarchy and increase activation. Movable public domain furniture will promote activity within the space, rather than just at the edges, but also able to be removed for larger events if needed.</p>
<p>Site Strategy and Landscape</p>	<p>In addition to previous advice and recommendations, please note the following:</p> <p>The current scheme is significantly denser than originally conceived in the LGA vision for the site. Some of this density uplift is enabled by recent housing bonuses and some from removing the proposed public road from the project, thus increasing the net FSR.</p> <p>8. To enable a thorough and fair assessment of the project the presentation of complying versus proposed envelopes with clear illustrations of impacts is recommended</p>	<p>The scheme is actually not much denser than originally conceived in the LGA Vision for the site. The LEP FSR was always measured over the entire site area including the through-site link which was previously a vehicular shareway, essentially a wide driveway and not a road dedicated to Council. The primary difference is that it's pedestrianised in the current scheme. The similarity in density is evidenced by the current scheme, prior to the Affordable Housing uplift, being predominantly consistent with the DCP Indicative Masterplan building locations, separation and heights.</p> <p>Therefore, the only increase in conceived density is the Infill Affordable Housing 14% FSR/ GFA bonus (with corresponding 20% Height bonus), of which that policy actually allows up to 30% FSR and Height bonus.</p> <p>The Sydney Airport OLS height is a constraint for how the 14% additional floorspace can be accommodated on the site. Buildings B and E cannot take up their share of the 20% floor space they would have accommodated, which has been redistributed to the other buildings in order to continue to deliver 10.3% affordable housing.</p>
	<p>9. Model and clearly identify overshadowing impacts on Wicks Park and the residential housing to the south on Sydenham Road. Illustrate the relative impact of the original approved envelope heights, housing bonuses and proposed Cl.4.6 extensions</p>	<p>Solar access and overshadowing studies have been carried out for Wicks Park, Wicks Place and the residential housing to the south on Sydenham Road, with additional survey work and detailed investigation by specialist consultants. Shadows from the scheme only reach the edge of Wicks Park at approx. 12pm and so greater than 50% of its total area receives a minimum 3 hours sunlight from 9am – 3pm on 21 June. Shadows from the scheme only reach Level 1 of Wicks Place between 12 – 1pm. All balconies to Victoria Rd receive a minimum 2 hrs solar access, however some recessed living rooms have a reduction in solar access to their glazing. It is a minor reduction that is generally consistent with the impacts created by the DCP Indicative Masterplan building envelopes. Shadows from the scheme clear the backyards of the residential housing to the south on Sydenham Road between 10 – 11am, the major roof areas between 11am – 12pm, and the windows and front yard to Sydenham Road between 12pm – 2pm depending on the individual house. Given the heavy traffic along Sydenham Road the front yards have less amenity than the backyards and do not appear to be used as their principal open space. Therefore, minor overshadowing impacts seem acceptable, especially as it is the provision of Affordable Housing that relates to the impact. Please refer to DA-790-101_Winter Solstice shadow diagrams, DA-790-401_Wicks Park Solar Analysis, DA-795-101_Winter Solstice sun-eye diagrams at Appendix B, and more detailed solar access and shadow study by Ethos Urban at Appendix III.</p>

Topic	Detail	Project Response
	<p>10. More work is needed to improve the quality and quantity of Communal Open Space for residents, especially those living in apartments with impacted amenity.</p> <p>Residents in the long buildings facing the court on the lower floors will have reduced sunlight, are distant from private open space and have compromised balconies.</p> <p>11. Test and evidence building separations to ensure consistency with the Apartment Design Guide (ADG).</p> <p>12. Continue to find ways to alleviate these issues and improve their access to amenity.</p> <p>13. 24 m is the minimum building separation for large, taller buildings and not designed for buildings of this scale and length:</p> <p>a. considers skewing views or introducing other architectural devices to improve amenity.</p> <p>b. To ensure lower apartments facing larger facades have sufficient amenity, test going beyond the minimum requirements for building separation in the ADG for some of the facade.</p>	<p>Following SDRP 02, the Communal Open Space has been re-configured so that resident Communal Open Space is provided at Ground and podium levels, and at rooftop levels, distributed across the site. This is additional to the Communal Indoor Space also provided at multiple levels throughout buildings.</p> <p>The scheme is generally consistent with the building envelopes shown in the DCP Indicative Masterplan, although the scheme's shallower building depths, generally 18.8m façade to façade, creates some increased and decreased building separation. The result is that the buildings generally meet, but also exceed the ADG Design Criteria for building separation. Minor exceptions occur at the ends of Building B to A, and E to F, and between the end of F and G. These are locations where a short end faces an adjoining building and, due to this and the shallow building depths, is satisfactorily resolved through the planning of layouts and elevational treatments to direct sightlines and promote acceptable levels of privacy and outlook.</p> <p>In other locations such as between buildings E and G, and between Building B's wings the separation distance is increased above the Design Criteria by 4m and 20m respectively.</p> <p>In response to feedback about Building E's elevation facing Building B across Warehouse Place, the apartments in the mid-portion of Building E incorporate an angled façade treatment which facilitates longer views across an angle and provides relief for both buildings. Directional views are also employed in the other buildings to alleviate amenity impacts such as Sydenham Road and orientate instead to solar access and/or a better outlook or longer views.</p> <p>Please refer to DA-720-301_Building Separation Diagram and the architectural elevations and sections ant Appendix B</p>
Portal/The Gateway	<p>14. The portal needs to strongly signal public access through its architecture and provide clear view to public activity and retail.</p> <p>15. Consider wrapping retail and transparent activities from Victoria Road around into the Square and Court.</p> <p>16. Review blank walls in public areas and flip around services and lifts where possible to activate spaces. For example, in the entry to the portal.</p>	<p>The Gateway portal including the building form and public domain associated with it has evolved to even more strongly signal public access. Columns have been spaced to create a wide central entry way flanked by narrower passages where retail could spill out. The space is envisaged as a major wayfinding and public art installation opportunity which will draw people into the site to Warehouse Place which is in direct line of sight and continue to the Farr Street Pocket Park and The Deck.</p> <p>As suggested retail wraps around into The Gateway and the D1 and D2 lobbies were reconfigured to be transparent and entered from this space. This has maximised activation and visible activity on both sides which is then continued both sides into Warehouse Place.</p>
The Court	<p>The Court has lots of potential but could be too big or too quiet in non-event mode.</p> <p>17. Consider ways to ensure it has the appropriate scale and activity in BAU mode.</p> <p>18. Dedicate visible corner locations to active and attractive uses to promote a vibrant and legible ground plane.</p> <p>19. Create a bread crump of public activities and attractions to pull people deeper into the site. Continually seek further improvements to movement within the site:</p> <p>20. Walking from cars in the underground parking to apartments is supported but protection from the weather should be considered</p>	<p>The Court has been reconfigured to prioritise The Gateway and Warehouse Place for activation with active frontages maximised on both sides along their length. A retail pavilion between buildings D and E has created a more appropriately wide 'Commerce Lane', activated on both sides, rather than its previous equal width to Warehouse Place and single sided activation.</p> <p>The retail wraps from Victoria Road around into The Gateway and extends as far into the site as the Zoning allows. Activation is then continued with more 'public' communal uses such as the central Concierge, workshops and artist studios, and multiple building lobbies. RTL Co will also curate pop-up events and kiosks in the space in an ongoing programme to foster a sense of community, excitement and resident amenity and happiness.</p> <p>The Farr Street Pocket Park at the end of Warehouse Place is extended further into the site with The Deck overlapping with the retained warehouse structure to provide interesting spatial moments and another level of activation. A neighbourhood retail tenancy has been incorporated into the ground floor of Building F adjacent to Farr Street and the Pocket Park.</p>

Topic	Detail	Project Response
	<p>21. To provide weather protection for public and residents introduce a colonnade or equivalent along one of the edges of the through site link.</p>	<p>Movable public domain furniture will promote activity within the space, rather than just at the edges, but also able to be removed for larger events if needed.</p> <p>A mostly covered path of travel has been included on the Building B side of Warehouse Place that links The Gateway and Building D lobbies to retail and retail parking, through to Concierge, Hardware Lane, carpark and Building B lobbies. This leaves only Building E, F & G lobbies that require short walks across the public domain in wet weather, which is not unusual in a campus style development.</p>
	<p>22. Redistribute the bike parking so safely parking and storing bicycles is easy and accessible from all buildings.</p>	<p>Bike parking has been distributed so that in addition to the large, consolidated areas under buildings A & B which have the largest number of units, there is bike parking associated with lobbies in buildings B, C, D, E, F & G.</p>
	<p>Deep soil is improved but still not meeting the opportunities this site presents and is being impacted by the density of the proposal and the need to activate public realm in the deep soil areas.</p> <p>23. Provide a true measure of deep soil (not including permeable or built over areas)</p> <p>24. Increase the amount of deep soil with large canopy where possible.</p> <p>25. Further develop the deep soil areas on the south of the site to support more planting and moderate public access.</p>	<p>As discussed under the SDRP 01 comment on housing affordability, and the feasible delivery of Affordable Housing being a primary priority, we reiterate that minimising the cost associated with basements and excavation is a major factor in making this feasible. It also locates the parking under the buildings with the greatest number of units.</p> <p>The topography of the site is such that any deep soil to the NW of the site (Building B courtyard) would result in lower finished level with less solar access. Further, the water table does not enable deep soil planting zones within the basement as this would be difficult to achieve structurally due to hydrostatic pressure.</p> <p>The Design Team has sought to increase deep soil where suitable, whilst balancing it against the civic nature of the public spaces (where dense landscaping would not be a suitable public domain outcome).</p> <p>Since SDRP 02 the Landscape Architect, in accordance with the ADG Design Criteria and Guidance, has increased the deep soil amount and continuity where possible, including to the southern end of the site, and the canopy cover also increased where it is appropriate.</p> <p>Please refer to the Landscape Architect's report and drawings at Appendix D and Appendix O.</p>
<p>Architecture</p>	<p>In addition to previous advice and recommendations, please note the following:</p> <p>26. Manipulation of built form at upper levels to reduce impacts to neighbouring houses is supported in principle and could be explored further.</p> <p>The grids on the buildings will simplify construction and help affordability but be careful not to lose the playfulness and lightness present in concepts shared in SDRP. To address this consider the following:</p> <p>27. Disrupt the grid in key locations to break down the large bulk and scale</p> <p>28. Introduce mid-level winter gardens to offer amenity to residents</p>	<p>The heights of all buildings have been explored in detail to minimise the impacts to neighbouring houses, while not triggering the large increase in spatial requirements and cost when a building is deemed over 25m in Effective Height under the NCC. Above 25m Effective Height would require 2 stairs for every core and stair pressurisation risers and mechanical plant for each stair.</p> <p>There is also the negative effect that changing heights has on the solar access to the units and open space within the development, which is finely balanced and performing well in the current scheme considering the density relative to the building heights.</p> <p>While all buildings use predominantly the same unit types, and building and structural grids, for efficiency and interchangeability, the architecture of each building is clearly distinctive and responds to its use and context both within the overall development and within its streetscape.</p> <p>The grid creates an underlying order however each architect has manipulated or subverted the grid in a different way that creates each building's unique character.</p> <p>Playful elements within the facades and roof-scape are motifs that repeat throughout the development but used in different ways and locations that reflect a specific intent and composition.</p> <p>Rather than add winter gardens that would decrease the affordability and number of units delivered including the actual</p>

Topic	Detail	Project Response
	and break the bulk of the large buildings	amount of Affordable Housing, other strategies have been employed including the disruption and subversion of the grid noted above, the angled façade treatment to Building E facing Warehouse Place, use of balconies and façade depth to reduce long planar elevations, articulated roofs to create a profiled skyline to buildings, and changes in materiality between primary building elements
Sustainability and Climate Change	See previous advice and recommendations from SDRP 01.	Refer to response under SDRP 01 and for further reading and detailed responses to the requirements of the SEARs ESD Principles and the Sustainable Buildings SEPP, refer to the ESD Report prepared by Atelier Ten at Appendix QQ

5.3 Inner West Council

Throughout the design development of the proposal, there has been continuous engagement with Inner West Council. A summary of these engagement activities and the items discussed is provided below in **Table 26**. Additional discussion is also provided in the Consultation Outcomes Report (refer **Appendix G**).

Table 26 Summary of Engagement with Inner West Council

Date	Activities	Purpose
09.10.2024	Meeting: Initially presented the development opportunity to Inner West Council's Mayor.	Allowed early feedback from the Mayor as to what the Council and its constituents needed from a new development.
15.10.2024	Meeting: Presented to Councillors about the project and significance to the community	Provided opportunity to discuss the project and hear Councillors' thoughts about how it could contribute to the LGA.
24.10.2024	Meeting: Presented to Inner West Council Strategic Planning Team - briefing session.	Provided opportunity to discuss the project and appreciate from a strategic planning perspective.
22.11.2024	Meeting: RTL co and the project team presented to the Council's technical teams about development particulars for Planning, Traffic and parking, and Flood and civil.	Enabled Council's technical teams to get an initial understanding and feedback to incorporate prior to lodgement.
18.12.2024	Meeting: Met with IWC's contributions team to discuss the draft Voluntary Planning Agreement (VPA).	Opened discussions about the draft contributions and works in kind offered to benefit the public.

5.4 Engagement to be Carried Out

5.4.1 Ongoing stakeholder consultation

The project team remains committed to working with key stakeholders throughout the upcoming public exhibition period to address any issues raised.

In accordance with SEARs requirements for communications and stakeholder engagement, the RTL Co has implemented an engagement strategy that informs the most likely impacted and interested residents, landowners, businesses and key government agencies about the proposed development. This has not only ensured that the community have had the opportunity to be briefed on the proposal but has also provided an important mechanism to gather feedback for consideration prior to lodgement.

5.4.2 Exhibition and Assessment

Following its submission, DPHI will exhibit the EIS on the Major Projects NSW Website and invite submissions from government agencies and the public. Once the exhibition period is complete, DPHI may require RTL Co to prepare a Submissions Report in response to issues raised. The project team will continue to liaise with DPHI and stakeholders during the Project's assessment to address queries that may arise.

6.0 Assessment of Impacts

This section of the report assesses and responds to the environmental impacts of the proposed SSD. It addresses the matters for consideration set out in the SEARs dated November 2024 (see **Appendix A**). The Mitigation Measures proposed to mitigate any environmental impacts are provided at **Appendix E** and complement the findings of this section.

6.1 Built Form

6.1.1 Urban Design, Bulk and Scale

A range of building heights across the site are proposed, from 8 storeys to a maximum height of 13 storeys. Each building's design, bulk and scale are discussed in further detail below:

Building A

Building A has a frontage to Mitchell Street and Farr Street and is sited to the south of a future (approved) pocket park. The north-western side of Farr Street is subject to a maximum building height of 11m, while the north-eastern side of Mitchell Street is subject to a maximum building height of 20m. It is noted that development recently approved at 41-47 Farr Street has an approved building height of 21.1m.

While an additional storey (plus plant) is proposed to redistribute the floorspace (to achieve delivery of affordable housing) that cannot be delivered across Buildings B and E due to the OLS limitation, Building A continues to provide an appropriate transition to surrounding development. This has been achieved by the following design interventions:

- The upper-most levels have been set back 4m above the 5th storey (minor protrusions for stairs), consistent with the MDCP control. This allows the 5-storey street wall to be read as the predominant building form when viewed from the corner of Mitchell Street and Farr Streets and along Farr Street.
- As illustrated in **Figure 51**, the building steps down from 8 storeys from its centre, down to 7 storeys adjacent to Mitchell Street. This allows for an appropriate transition between the site and properties to the north which are subject to a reduced building height of 20m under the IW LEP 2022.
- The building mass is broken into three unequal parts, which softens the massing of the overall development.
- A unique and contextually appropriate roof form is provided for each of the three parts. The roof form to screen the plant in the south-western portion of the building reduces toward Farr Street (**Figure 51**) minimising the scale of the development, while effectively screening services and plant from public view.



Figure 51 Building A steps down toward Mitchell Street and has an upper 4m setback to Farr Street

Source: Design Team

Building B

Building B is the largest building proposed and is centrally located within the site with frontage to Mitchell Street. Building B does not exceed the LEP height and accords with the DCP intent to concentrate height and

mass centrally within the site. Building B includes a significant amount on internal and external communal amenity, as well as being the focal point for resident concierge services for the greater development. Building B has a 'U' shaped form, with stepping heights that allow for the rooftop communal open space and improved solar access and increased amenity to the ground plane and to apartments. The buildings proposed height ranges from 8 to 13 storeys plus plant.

The building includes terrace style apartments with front doors to Mitchell Street, cross through and cross over apartments that take advantage of sunlight and natural cross ventilation, and on the upper levels one bed mezzanine apartments provide double height living areas that are reflected in the façade expression. The building's grid façade allows for a functional expression of window bays, terraces and juliet balconies. The façade references the industrial theme of the precinct, and maximises privacy and shading to each apartment.

The building's continuous and connected roof form steps up each level and creates a series of landscaped communal spaces with city skyline views. Each space serving residents with a different purpose – half court basketball, rock climbing wall, BBQ and dining area, veggie garden and lawn areas.

Building C

Sited on the corner of Victoria Road and Mitchell Street, Building C proposes a building height of 8 storeys plus plant. Building C is required to provide a transition between Wicks Place and future development to the north, noting that the sites in this context are mapped with a maximum building height of 23m under the IW LEP 2022. The following architectural moves have been provided, which allows the building to smoothly transition to existing/future buildings:

- At the corner of Mitchell Street and Victoria Road, the built form presents as a 6-storey splayed development, softening the appearance of the built form. It is noted that this outcome is well below the 23m building height control under the IW LEP 2022.
- The upper-most levels present a flat-roofed mass to the Mitchell Street frontage, and as such this part of Building C does not breach the maximum height control.
- The upper-most levels have been set back from the building line by approximately 4m on the Victoria Road frontage.
- The upper-most levels are staggered in plan, which further mitigates the visual impact of the building height variation.
- The upper-most levels and sawtooth roof form adopt a unique and lightweight materiality, differentiated from the lower levels.
- Deep indents in the façade break up the street wall to Victoria Road, which assist in modulating the mass of the building.

Building D

Building D proposes a building height of 8 storeys plus plant and serves as the gateway building into the Timberyards Precinct. As this building is directly opposite to Wicks Park, it is considered that this building is not met with the same sensitivities as other buildings on the site in terms of transitioning between other buildings in the immediate context. Notwithstanding, it is acknowledged that Building D is within the visual catchment of Wicks Place and any future development to its immediate south, so a transition in building height remains important. The perception of a building that transitions in height has been achieved by the following design moves:

- The upper-most levels of Building D have been set back from the building line by approximately 4m.
- The upper-most levels and sawtooth roof form adopt a unique and lightweight materiality, differentiating from the masonry materials below (concrete podium and brick 'middle').
- Deep indents in the façade break up the street wall to Victoria Road, which assist in modulating the mass of the building.

Building E

Building E is located centrally between Buildings B and G. As only the parapet exceeds the LEP height control, Building E accords with the DCP intent to concentrate height and mass centrally within the site. The building is surrounded by open space that offers key pedestrian connections, with an inviting and permeable ground floor with commercial and cultural spaces for use by residents and the wider community. The building proposes a height of 11 to 13 storeys and plant. The building is rectangular in shape and has a stepped form which falls towards Victoria Road (see **Figure 52** below). The playful roof form acknowledges the warehouse typology and responds to the sense of place supported by the SDRP.

The ground floor double height community cultural production spaces, aligned with the retained warehouse structural grid, opens onto 'Warehouse Place' with large panel lift doors, inviting visitors to engage with creatives working or showcasing their talent. The functional expression is continued in the overall composition of the building and aligns apartment amenity with an efficient layout. The building contains both Build to Rent and Co-living apartments with a mix of cross over and cross through typologies. Shared libraries on each floor and a rooftop terrace on level ten contribute to resident amenity in the precinct.

The primary façade facing 'Warehouse Place' is folded to maximise views and outlook with a playful parapet that acknowledges the warehouse roof typology and contributes to the eclectic Marrickville skyline.



Figure 52 Building E steps down towards Victoria Road

Source: Design Team

Building F

Located on Farr Street, Building F proposes a building height of 8 storeys and is the smallest building across the Timberyards Precinct. The massing of Building F adopts a sculpted 'tapering' form to respond to the stepped DCP envelope. The tapered upper-level setbacks (illustrated in **Figure 53**) adopt splayed spandrels, which further soften the corners of the building and enhance the perception of a sculpted building mass. These design moves are effective in facilitating a transition between built form upon the site to lower building heights across Farr Street, as the upper levels (which includes the extent of the proposed variation) graduate away from the public domain.



Figure 53 The upper levels of Building F taper from Farr Street

Source: Architecture AND

Building G

At the corner of Farr Street and Sydenham Road, Building G plays a role in mediating between an industrial/residential context to the north-west, and a low-density residential context to the south-west. Building G plays an important role in the massing strategy, noting that this building accommodates the majority of the decanted floorspace to deliver affordable housing across the site. Given that this building represents the largest variation to the building height development standard, the design of this building has been carefully considered to ensure that a suitable transition is provided between its surrounding context.

The urban design outcome has played a significant role in informing the proposed height and massing for Building G. Notwithstanding the contravention to the development standard relating to building height, the proposed development continues to provide an appropriate transition through the following:

- **Street wall to Sydenham Road:** The building height transitions from 8 storeys down to a three-storey street wall height to Sydenham Road, providing an appropriate transition to adjacent low density residential development. The three-storey street wall provides an appropriate visual mass, which allows the lower elevation to be read at the primary building form that minimises visual bulk and scale when viewed from the public domain.
- **Street wall to Farr Street:** Although the upper levels to Farr Street do not adopt an additional setback, the visual impact has been mitigated through the additional unanticipated break between Buildings F and G. The building separation between built form is approximately 12m, which allows the surrounding 'space' between buildings to assist in the transition between massing.

The presentation of Building C to Mitchell Street and Victoria Road similarly holds the corner by adopting a splayed corner, and without an additional upper-level setback to Mitchell Street. The presentation of Building G to Farr Street and Sydenham Road also adopts a splayed masonry wall and does not provide an additional level setback to Farr Street. This design move has been carefully considered to ensure that the overall massing of Building G ties into a holistic design response across the site.

- **Corner expression:** The diversity of form on Farr Street between Buildings A, F and G is guided by the urban design rationale. Importantly, Building G is different to these other buildings as it holds a unique position at the corner. The corner of Farr Street and Sydenham Road is a key urban corner which should be expressed or

'held' with strength. This has been achieved by adopting a three-storey masonry splayed wall, successfully holding the corner at this intersection.

This is a precinct experiencing significant transition from light industrial to high density residential, yet referential to its industrial past. Building G is a residential expression with a "neo industrial" sensibility. In its corner position, its strength of this character expression is critical.

6.1.2 DCP Setbacks

The proposed setbacks are consistent with the setback provisions of the Inner West DCP and have been adopted based on the surrounding built form context, adjacent buildings, and privacy concerns. The below summarises the proposed setbacks.

- **Victoria Road:**
 - Buildings along Victoria Road adopts the 1.5m boundary setback from storeys 1-5, and additional 4m upper setback from storeys 6-8.
 - A cohesive and continuous retail strip along the ground floor enable an inviting and active street interface
- **Sydenham Road:**
 - Buildings along Sydenham Road adopts the 2m boundary setback from storeys 1-3, an additional 4m upper setback is proposed for best practice
- **Farr Street:**
 - Buildings adhere to 3m boundary setback from storeys 1-5, and additional 4m upper setback from storeys 6-8.
- **Mitchell Street:**
 - Building B exceeds the 3m boundary setback with an additional 4m setback dedicated towards contributing to a civic stoop

Further detail is provided in the Design Report at **Appendix J**.

6.2 Environmental Amenity

6.2.1 Overshadowing

This EIS is accompanied by shadow diagrams prepared by the Design Team and included at **Appendix J** and **Appendix B**. The analysis illustrates overshadowing from the proposed development on adjoining properties. Overshadowing impacts are discussed below:

Wicks Park

Section 9.47.11.1(C41) of the DCP prescribes a solar access protection control to Wicks Park, as follows:

'Building height ensures 50% of the total area of Wicks Park receives a minimum of 3 hours of direct sunlight from 9:00am to 3:00pm on 21 June.'

The proposed development meets the solar access protection requirements to Wicks Place to the southeast. As the additional height for Buildings C and D is limited to the roof form and plant (which is further setback from the front façade), it does not present additional adverse overshadowing of Wicks Park. The overshadowing analysis prepared by the Design Team (**Figure 54**) confirms the following solar access conditions, concluding that Wicks Park receives more than 3 hours of direct sunlight to more than 50% of the park during Winter Solstice based on a moving shadow.

- Current: Greater than 50% for 4 hours (11am to 3pm)
- Compliant building envelope: Greater than 50% for 4 hours (11am to 3pm)
- Proposed building envelope (with variation): Greater than 50% for 3 hours (11am to 2pm)

The analysis also considers the cumulative impact following the future development of the Sydenham Road and Victoria Road corner site, and finds that Wicks Park would continue to receive greater than 50% for 3 hours.

The analysis demonstrates that Wicks Park receives direct solar to an average of 71.5% of its total area for 3 hours between 11am and 2pm on 21 June, and is therefore compliant with the MDCP 2011 requirement notwithstanding the variation to building height. The compliant scheme comparison presents the same average percentage (71.02%) of solar exposure, however for one additional hour. Notwithstanding this, the average with the additional height is 21.5% greater than the DCP prescribed minimum of 50%.

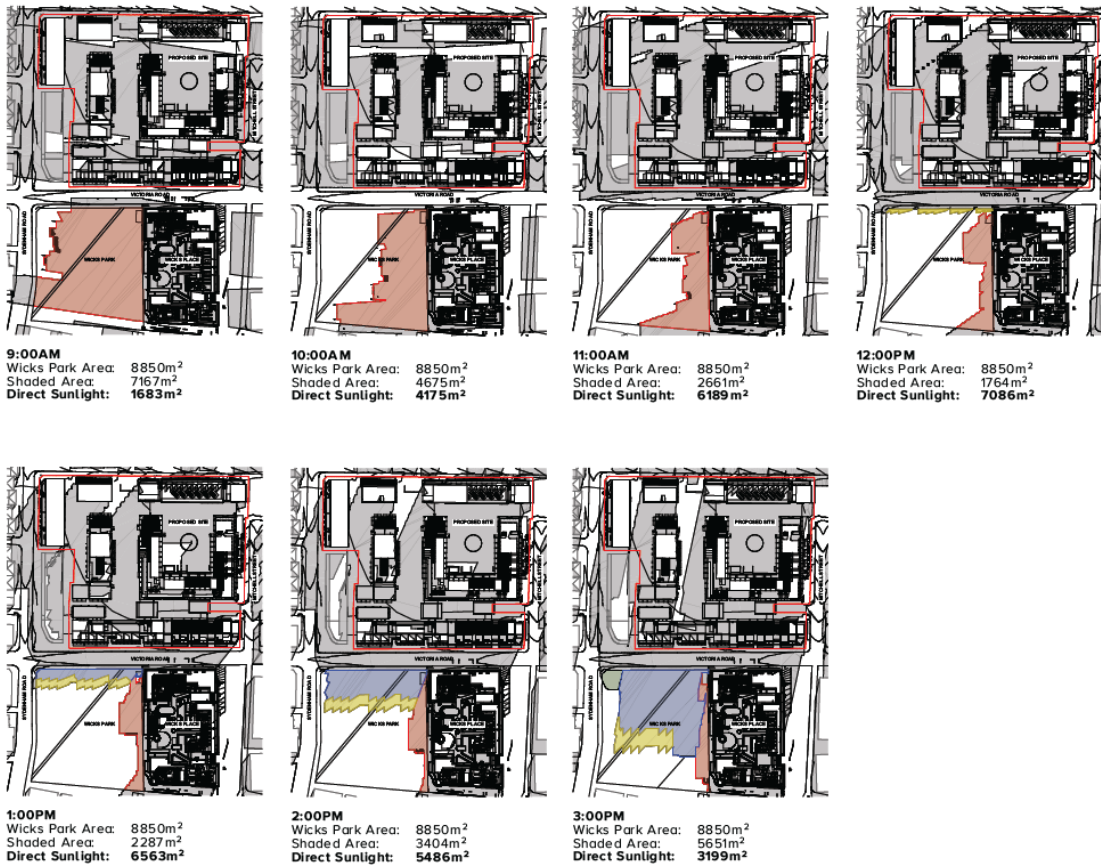


Figure 54 Wicks Park overshadowing study

Source: Design Team

Wicks Place

The recently completed Wicks Place development has been assessed to achieve 70.2% of apartments with two or more hours of direct solar on 21 June from 9am to 3pm, meeting the ADG Design Criteria. 30 of these apartments face Victoria Road, and benefit from the subject site being largely comprised of low-scale development in its current state to achieve solar access.

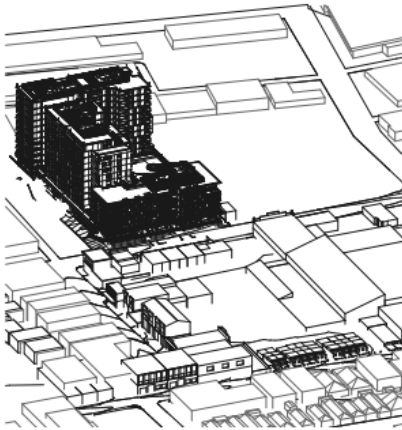
The Design Team has conducted a thorough overshadowing analysis of the Wicks Place Victoria Road façade (**Figure 55**), reviewing direct solar to balconies and living room windows to apartments under existing, compliant and proposed conditions. The analysis identifies that, on 21 June between 9am and 3pm:

- 30 apartments receive at least 2 hours direct solar in the existing condition.
- 24 apartments receive at least 2 hours direct solar with the MDCP2011 indicative masterplan envelopes modelled on the site (does not account for the affordable housing uplift).
- 17 apartments receive at least 2 hours direct solar when the additional 20% height is applied to those DCP envelopes, representative of a compliant scheme that includes 10% affordable housing and exercises the opportunity for a maximum additional height of 20%
- 13 apartments receive at least 2 hours direct solar in the proposed condition

As identified above, when compared to a compliant scheme, there is an additional 4 apartments that receive less than 2 hours of solar access between 9am and 3pm at midwinter. This is a result of the proposed variation to the height of Building C and D. The additional height proposed to both Buildings C and D involve the sawtooth roof, with plant set further back from the boundary. The sawtooth roof angles are such that the lowest points generally fall below the maximum height plane. Importantly, the design of the sawtooth roof is a rich architectural reference to the historical warehouse typology of the site and the immediate precinct. The highly articulated roof form is designed to achieve a design-excellent outcome, as required by the IW LEP 2022.

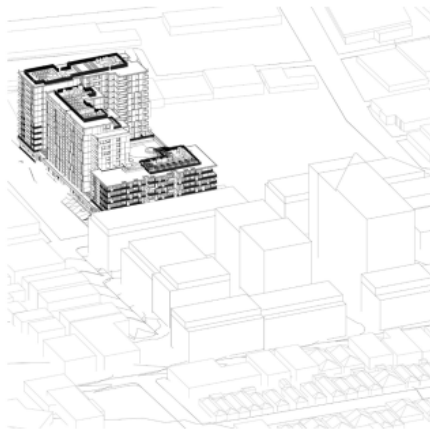
The saw-tooth roof admits natural light into the upper apartments and top-floor communal space of the proposed development. When viewed from the public domain and Wicks Place, from a visual bulk perspective, the moderated form presents as much lighter than a flat block roof with a flat block plant enclosure above.

Existing Massing with current conditions



Sun Eye Diagram at 2:00pm on 21st June of current conditions

Indicative DCP/LEP Massing



Sun Eye Diagram at 2:00pm on 21st June of Indicative DCP/LEP Massing

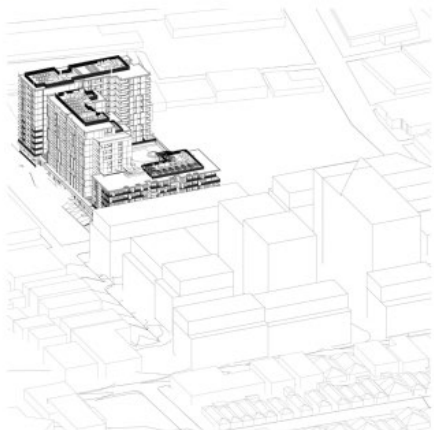
30 Apartments
achieving 2hr solar access

Living	30 Apartments
Balcony	30 Apartments
Bedroom	30 Apartments

24 Apartments
achieving 2hr solar access

Living	24 Apartments
Balcony	30 Apartments (no change)
Bedroom	30 Apartments (no change)

**Indicative DCP/LEP Massing
+20% Infill Affordable Housing Bonus**



Sun Eye Diagram at 2:00pm on 21st June of Indicative DCP/LEP Massing + 20% AHB

**SSDA Submission
(Inc. +20% Infill Affordable Housing Bonus)**



Sun Eye Diagram at 2:00pm on 21st June of SSDA Submission (inc. + 20% AHB)

17 Apartments
achieving 2hr solar access

Living	17 Apartments	(3.6%)
Balcony	30 Apartments	(no change)
Bedroom	30 Apartments	(no change)

13 Apartments
achieving 2hr solar access

Living	13 Apartments	(5.7%)
Balcony	30 Apartments	(no change)
Bedroom	30 Apartments	(no change)

Figure 55 Wicks Place overshadowing study – 21 June

Source: Design Team

Of the four apartments that no longer receive solar access when compared to a compliant scheme, the loss applies to the living room solar access only, as the balconies of these four apartments continue to receive at least 2 hours direct solar.

The Affordable Housing Practice Note (the Practice Note) states that '*The height and FSR bonus may not be achieved in full where the development would cause unreasonable overshadowing or would result in substantial reduction the mid-winter solar access available to existing dwellings.*' The table below provides a

detailed breakdown between a compliant scheme and the proposed development, and demonstrates that there is **no substantial reduction** in solar access at midwinter (from the two hour minimum), noting that the 4 apartments continue to achieve at least 45 minutes of solar access at midwinter.

Table 27 Analysis of Wicks Place apartment solar impact

Unit	Solar access (compliant)	Solar access (proposed)	Net reduction from 2hrs
2.3.01	>2hrs	45 mins	1h15m
1.4.06	>2hrs	1h30mins	30mins
1.5.04	>2hrs	1h30mins	30mins
1.5.05	>2hrs	1h30mins	30mins

In addition to the above analysis, the Design Team has also analysed direct solar at the equinox, between 9am and 3pm. Their finding is that the proposed development (inclusive of the variation) does not present any change to the existing direct solar to the Victoria Road facing apartments.

As a result of the proposed development, 62.5% of Wicks Place apartments achieve direct sunlight access for a minimum of 2 hours on 21 June from 9am to 3pm. Given the substantial quantum of affordable housing proposed on the site, and in light of the flexibility envisaged in the Affordable Housing Practice Note, the minor overall reduction of 7.5% below the 70% ADG design criteria is acceptable.

Low density residential development

Part 2.7.3(C2) of the MDCP 2011 relates to solar access to surrounding buildings and states that:

Direct solar access to windows of principal living areas and principal areas of open space of nearby residential accommodation must:

- i. Not be reduced to less than two hours between 9.00am and 3.00pm on 21 June*
- ii. Where less than two hours of sunlight is currently available on 21 June, solar access should not be further reduced. However, if the development proposal results in a further decrease in sunlight available on 21 June, Council will consider:*
 - a. The development potential of the site;*
 - b. The particular circumstances of the neighbouring site(s), for example, the proximity of any residential accommodation to the boundary, the resultant proximity of windows to the boundary, and whether this makes compliance difficult;*
 - c. Any exceptional circumstances of the subject site such as heritage, built form or topography; and*
 - d. Whether the sunlight available in March to September is significantly reduced, such that it impacts upon the functioning of principal living areas and the principal areas of open space. To ensure compliance with this control, separate shadow diagrams for the March/September period must be submitted in accordance with the requirements of C1;*

Where less than two hours of sunlight is currently available on 21 June and the proposal is not reducing it any further, Council will still consider the merits of the case having regard to the above criteria described in points a to d.

The application is accompanied by a detailed solar analysis of the Sydenham Road properties, which are affected by overshadowing resulting from Building G in particular. An overview of the overshadowing of properties south of Sydenham Road is illustrated in **Figure 56** below, where the additional shadow (at June 21) resulting from the exceeding height is shown in yellow.

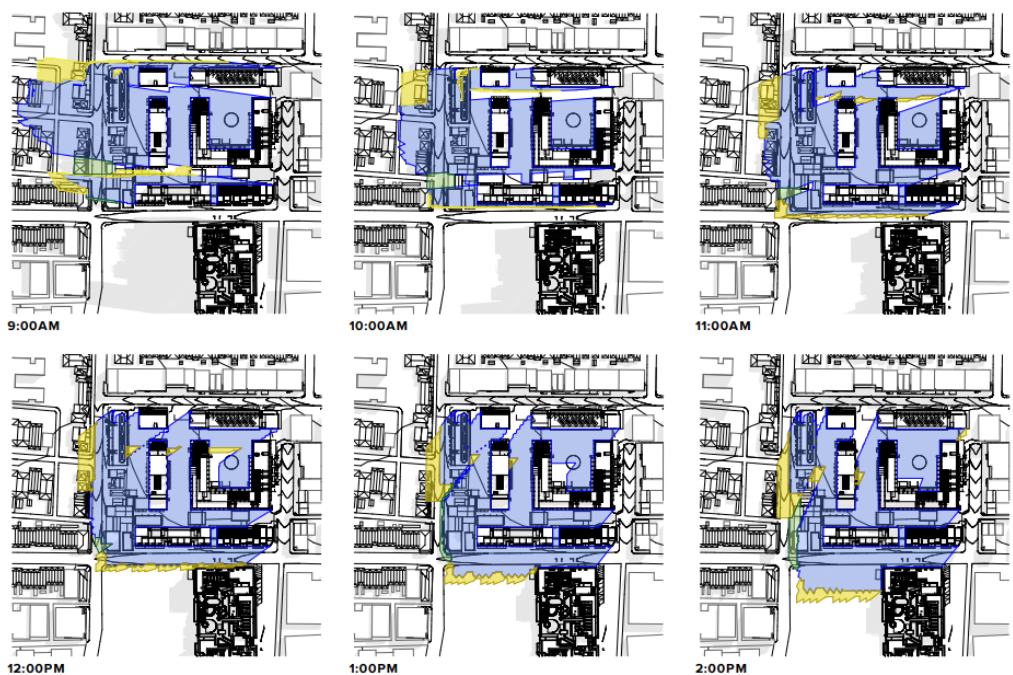


Figure 56 Overshadowing diagram

Source: Design Team

It is evident that by midday, the private open space to the rear of all dwellings fronting Sydenham Road is not overshadowed by the compliant or exceeding height shadow, and therefore all dwellings retain at least 2 hours direct solar between 9am and 3pm on June 21, compliant with the relevant MDCP 2011 provision.

Research was undertaken to identify the internal spaces of the elevation fronting Sydenham Road. Regardless of the findings of that research (and whether or not the front rooms were principal living areas), all windows to the front elevation of each dwelling were modelled and assessed for solar access. An excerpt from the assessment is illustrated at **Figure 57** below.

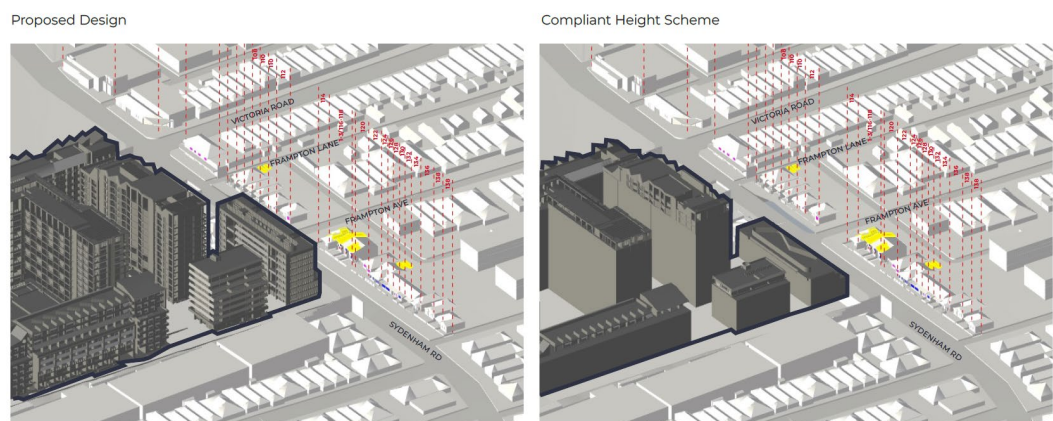


Figure 57 Detailed analysis of Sydenham Road properties

Source: Ethos Urban

It was found that a height compliant development on the subject site impacts direct solar access (to below 2 hours) to one of two windows to a property on Sydenham Road, however the use of the room behind this window is unknown. By comparison, the proposed development impacts direct solar access to an additional two windows. One of these windows is also one of two that face Sydenham Road (the other window retains 2 hours solar), and the use of the room behind both windows is also unknown. The breakdown is provided in table below.

Table 28 Analysis of Sydenham Road dwellings solar impact

Address	Internal space	Solar access (compliant)	Solar access (proposed)	Net reduction
110 Sydenham Road	Window 1: Unknown	1 hour 30 minutes	30 minutes	1 hour
112 Sydenham Road	Window 1: Unknown	2 hours and 15 minutes	1 hour	1 hour and 15 minutes

Address	Internal space	Solar access (compliant)	Solar access (proposed)	Net reduction
114 Sydenham Road	Window 1: Unknown	3 hours 30 minutes	1 hour	2 hours 30 minutes

Notwithstanding the net reduction of solar access to these windows, all windows detailed above face the property's front yard, and it is more likely that a principal living area would face the property's backyard given the character of Sydenham Road. This is typical for properties that face a busy road, as is the case with Sydenham Road. As June 21 is the most compromised solar access point in the year, it is clear that, at the March and September equinox, the two additional windows impacted by the height exceedance would receive additional direct solar.

Importantly, 21 windows across 12 properties fronting Sydenham Road retain at least 2 hours solar with the proposed development, including all windows that are known to be to a living room. Given the number of Sydenham Road facing properties, the loss of solar (to less than 2 hours) to two windows (one of which is to a property that retains solar to its other Sydenham Road window) resulting from the exceeding height is considered minor.

Solar Amenity to common open space within the site

The proposed built form achieves good solar access to the internal common open spaces proposed across the site. With the additional height, 2,786m² of the ground (non-rooftop) communal open spaces (inclusive of publicly accessible areas) within the R4 zoned land receives 2 or more hours of direct solar between 9am and 3pm on June 21 (refer **Figure 58**). This contributes to the overall achievement of 63% direct solar to communal open space across the site, which well exceeds the ADG minimum design criteria of 50% direct solar to the principal usable part of communal open space.



Figure 58 Solar amenity to common open spaces

Source: Design Team

6.2.2 Reflectivity

A Reflected Glare Assessment has been prepared by Inhabit (**Appendix DD**) to assess the façade of the proposed development, for likelihood of external reflected glare and the potential impact to the surrounding area. The results of the assessment conclude that potential impacts can be managed and mitigated with the recommended strategies outlined in **Appendix DD** and included within the mitigation measures found in **Appendix E**.

6.2.3 Wind Impacts

A Pedestrian Wind Environment Assessment and Wind Model Report has been prepared by Windtech (refer **Appendix EE** and **Appendix FF**), which provides an assessment of the proposed development's impacts on the local wind environment at the critical outdoor areas within and around the subject site.

The report identifies a suite of measures that have been incorporated into the design of the proposal to ensure that amenity is preserved for pedestrians utilising ground level trafficable areas, balconies located throughout Level 01 to Level 11 and elevated terraces throughout Level 05 to Level 12. These include:

Ground Trafficable Areas:

- Inclusion of densely foliating evergreen trees capable of growing to a height of 5-8m throughout Mitchell Street, Farr Street, Victoria Road and the pocket park between Buildings A and F, as detailed in the body of the report;
- Retention of the proposed densely foliating evergreen trees capable of growing to a height of 5-8m and bushes capable of growing to a height of 2m throughout Mitchell Street, Farr Street, Victoria Road and the Pocket Park between Buildings A and F, as detailed in the body of the report;
- Inclusion of impermeable awnings on the street facing aspect of Building D and on the south-western aspect of Building E;
- Retention of awnings/canopies on the street facing aspect of Building C;
- Potential inclusion of screens, canopies or plantings along the Farr Street facing aspect of Building A, adjacent to the northern-most corner of the building. Exact treatments + extent pending the results of the wind tunnel based Pedestrian Wind Environment Report;
- Inclusion of dense planting/vegetation in the form of tree planting, shrubs, planter boxes, etc. located in the Pocket Park and Court area between Buildings A, B, E and F and in the Timberland Commons; and
- The inclusion of raised planter boxes on the east corner of Building B and the west corner of Building G.

Balconies located throughout Level 01 to Level 11:

- Inclusion of full height impermeable end screens covering two thirds of the length of the balcony or full height porous end screens covering the full length of the balcony with a porosity of 30 percent or less on the north-eastern most corner balconies of Building A throughout Level 01 to Level 06;
- Inclusion of 2m high impermeable end screens on the western-most corner balconies of Building B throughout Level 08 to Level 11;
- Inclusion of 1.5m high impermeable intertenancy screens on the south-eastern facing balconies of Building D on Level 05;
- Retention of recessed balcony design on the south-eastern facing balconies of Building D on Level 06;
- Inclusion of 2m high impermeable end screens on the southern-most corner balconies of Building E throughout Level 01 to Level 09 and on the northern-most corner balconies throughout Level 07 to Level 11; and
- Potential inclusion of higher balustrades or end screens on the northern-most corner balconies of Building F throughout Level 01 to Level 06. The necessity/extent of these treatments are to be confirmed pending the results of the wind tunnel based Pedestrian Wind Environment Report.

Elevated Terraces throughout Level 05 to Level 12:

- Inclusion of 1.8m high impermeable balustrade in the Level 10 outdoor terrace on the south-eastern end of Building E;
- Retention of 1.8m high impermeable balustrade throughout the Level 08 to Level 12 outdoor terrace on Building B; and
- Inclusion of dense planting/vegetation in the form of interlocking clumps of trees, shrubs, planter boxes, etc. with a ground coverage of 20 percent throughout the Level 08 to Level 12 outdoor terrace on Building B.

With the inclusion of the abovementioned recommendations in the final design, it is expected that wind conditions for the various trafficable outdoor areas within and around the development will be suitable for their

intended uses, and that the wind speeds will satisfy the applicable criteria for pedestrian comfort and safety. Nonetheless, wind tunnel testing is currently being undertaken to quantitatively assess the wind conditions and to optimise the size and extent of the treatments required.

6.2.4 Residential Amenity

The proposed development seeks to provide a high standard of residential amenity within each of the dwellings, consistent with RTL Co.'s vision to deliver a high quality BTR living model that embodies a quality residential product. Importantly, the proposal has been designed with consideration of the relevant provisions of the Apartment Design Guide (ADG).

Notably, Section 75 of the Housing SEPP states that the consent authority must be flexible in applying the design criteria set out in the ADG, particularly the design criteria set out in Part 4, items 4E, 4G and 4K, when determining an SSDA for build-to-rent housing to reflect the community orientated nature of such developments. Further, Section 147 of the Housing SEPP sets out that compliance with the ADG design criteria is not required.

An assessment against the ADG is provided in **Table 29** and a further detailed assessment is provided in the Design Report at **Appendix J**. A Design Verification Statement has been prepared by Turner at **Appendix J**, confirming that the proposal has been designed by a registered architect and that it meets the design quality principles set out in Chapter 4 of the Housing SEPP.

An assessment of the proposal's consistency with the key objectives and design criteria of the ADG is provided in **Table 29** below.

Table 29 Assessment against the Apartment Design Guide

Objectives and Design Criteria	Commentary	Satisfies Criteria
Part 3 Siting the Development		
3D Communal and Public Open Space		
Communal open space has a minimum area equal to 25% of the site.	The proposed development provides more than 34.7% of communal open space, exceeding ADG minimum requirements. Further communal open space is provided for Co-living dwellings bringing the total communal open space within the development to 43%. As such, the proposal comfortably complies with this design criteria.	✓ Yes
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 9am and 3pm on 21 June (mid-winter).	Over 87% of the collective usable communal open space receives solar access on the winter solstice.	✓ Yes
3E Deep Soil Zones		
Deep Soil zones are to meet the following minimum requirements	In strict accordance with the ADG calculation criteria, the R4 portion of the site achieves 10% deep soil. When taking into consideration additional deep soil zones within the R4 zone (outside of the ADG Design Criteria calculations) the deep soil zones increase to 14%.	✓ Yes
Site Area	Min Dimensions	Deep Soil Zone (% of site area)
Less than 650sqm	-	7%
650sqm- 1,500sqm	3m	
Greater than 1,500sqm	6m	
Greater than 1,500sqm with significant	6m	

Objectives and Design Criteria	Commentary	Satisfies Criteria												
existing tree cover														
3F Visual Privacy														
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:	Building separation has been carefully considered to achieve reasonable levels of external and internal privacy to apartments to both the existing context and future anticipated developments adjacent. This is further enhanced with the proposed location and design of landscaping within the site. Further detail is provided in the Design Report at Appendix J	✓ Yes												
<table border="1"> <thead> <tr> <th data-bbox="113 486 304 600">Building Height</th> <th data-bbox="309 486 501 600">Habitable rooms and balconies</th> <th data-bbox="505 486 715 600">Non-habitable rooms</th> </tr> </thead> <tbody> <tr> <td data-bbox="113 607 304 680">Up to 12m (4 storeys)</td> <td data-bbox="309 607 501 680">6m</td> <td data-bbox="505 607 715 680">3m</td> </tr> <tr> <td data-bbox="113 687 304 761">Up to 25m (5-8 storeys)</td> <td data-bbox="309 687 501 761">9m</td> <td data-bbox="505 687 715 761">4.5m</td> </tr> <tr> <td data-bbox="113 768 304 842">Over 25m (9+ storeys)</td> <td data-bbox="309 768 501 842">12m</td> <td data-bbox="505 768 715 842">6m</td> </tr> </tbody> </table>	Building Height	Habitable rooms and balconies	Non-habitable rooms	Up to 12m (4 storeys)	6m	3m	Up to 25m (5-8 storeys)	9m	4.5m	Over 25m (9+ storeys)	12m	6m		
Building Height	Habitable rooms and balconies	Non-habitable rooms												
Up to 12m (4 storeys)	6m	3m												
Up to 25m (5-8 storeys)	9m	4.5m												
Over 25m (9+ storeys)	12m	6m												
3K Bicycle and Car Parking														
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 proposal includes 278 on-site car parking spaces for the various uses of the site in accordance with the requirements of the Housing SEPP 2021 (for the BTR component) and the Marrickville DCP 2011 (for the non-residential component).	✓ Yes												
Part 4 Designing the Buildings														
4A Solar and Daylight Access														
Living rooms and private open spaces of at least 70% of apartments in a building receive a minimum of 2 hours direct sunlight between 9am and 3pm at mid-winter in the Sydney Metropolitan Area.	Taking into consideration the unique site qualities established with the DCP Victoria Road Precinct and the careful layout of built form and apartment layouts, 70.6% of apartments receive a minimum of 2 hours direct sunlight between 9am and 3pm at mid-winter to living rooms, and 71.6% to balconies.	✓ Yes												
A maximum of 15% of apartments in a building receive no direct sunlight between 9 am and 3 pm at mid-winter.	9% of apartments receive no direct sunlight between 9am and 3pm mid-winter.	✓ Yes												
4B Natural Ventilation														
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.	Across the development, 61.6% of apartments are naturally cross ventilated.	✓ Yes												
Overall depth of a cross-over or cross-through apartment does not exceed 18m, measured glass line to glass line.	The proposal does not include any cross over or cross through apartments	N/A												

Objectives and Design Criteria	Commentary	Satisfies Criteria	
4C Ceiling Height			
Measured from finished floor level to finished ceiling level, minimum ceiling heights are:	The proposed development has been designed to meet these ceiling height requirements for all rooms. Ceiling plans are provided in the Architectural Drawings at Appendix B	✓ 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			
Apartments are required to have the following minimum internal areas:	The proposed development comprises a mix of studio, one, two and three bedroom apartments, each designed to comply with the minimum internal area requirement.	✓ Yes	
Apartment Type			Minimum Internal Area
Studio			35sqm
1 bedroom			50sqm
2 bedroom			70sqm
3 bedroom	90sqm		
The minimum internal areas include only one bathroom. Additional bathrooms increase the minimum internal area by 5sqm each.			
A fourth bedroom and further additional bedrooms increase the minimum internal area by 12sqm each.			
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.	All habitable rooms include a window opening of over 10% of the floor area of the room for natural daylight and air.	✓ Yes	
Habitable room depths are limited to a maximum of 2.5 x the ceiling height.	All habitable room depths are limited to a maximum of 2.5 x the ceiling height.	✓ Yes	
In open plan layouts (where the living, dining and kitchen are combined) the maximum habitable room depth is 8m from a window.	The maximum habitable room depths in open plan layouts will be 8m from a window.	✓ Yes	
Master bedrooms have a minimum area of 10sqm and other bedrooms 9sqm (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).		✓ Yes	

Objectives and Design Criteria	Commentary	Satisfies Criteria															
<p>Living rooms or combined living/dining rooms have a minimum width of:</p> <ul style="list-style-type: none"> - 3.6m for studio and 1-bedroom apartments - 4m for 2- and 3-bedroom apartments 	<p>All living rooms or combined/living dining rooms comply with the minimum width requirements.</p>	<p>✓ Yes</p>															
<p>The width of cross-over or cross-through apartments are at least 4m internally to avoid deep narrow apartment layouts.</p>		<p>✓ Yes</p>															
4E Private Open Space and Balconies																	
<p>All apartments are required to have primary balconies as follows:</p>	<p>All apartments have required primary balconies in accordance with the ADG.</p>	<p>✓ Yes</p>															
<table border="1"> <thead> <tr> <th data-bbox="113 562 368 651">Dwelling Type</th> <th data-bbox="368 562 544 651">Minimum area</th> <th data-bbox="544 562 719 651">Minimum depth</th> </tr> </thead> <tbody> <tr> <td data-bbox="113 651 368 707">Studio</td> <td data-bbox="368 651 544 707">4sqm</td> <td data-bbox="544 651 719 707">-</td> </tr> <tr> <td data-bbox="113 707 368 763">1 bedroom</td> <td data-bbox="368 707 544 763">8sqm</td> <td data-bbox="544 707 719 763">2m</td> </tr> <tr> <td data-bbox="113 763 368 819">2 bedroom</td> <td data-bbox="368 763 544 819">10sqm</td> <td data-bbox="544 763 719 819">2m</td> </tr> <tr> <td data-bbox="113 819 368 875">3 bedroom</td> <td data-bbox="368 819 544 875">12sqm</td> <td data-bbox="544 819 719 875">2.4m</td> </tr> </tbody> </table>	Dwelling Type	Minimum area	Minimum depth	Studio	4sqm	-	1 bedroom	8sqm	2m	2 bedroom	10sqm	2m	3 bedroom	12sqm	2.4m	<p>Notwithstanding this, it is noted that the Build-to-Rent Housing and Flexible Design Fact Sheet provides greater flexibility with regard to balcony sizes where the communal open space area is over and above the minimum 25% ADG requirement.</p> <p>In this regard, the proposal considerably exceeds the 25m² minimum communal open space requirement, comprising 34.7% of communal open space, and 43% when including communal open space for the co-living dwellings.</p>	
Dwelling Type	Minimum area	Minimum depth															
Studio	4sqm	-															
1 bedroom	8sqm	2m															
2 bedroom	10sqm	2m															
3 bedroom	12sqm	2.4m															
<p>The minimum balcony depth to be counted as contributing to the balcony area is 1m.</p>																	
<p>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 15sqm and a minimum depth of 3m.</p>	<p>Primary balconies are located to take advantage of views and provide privacy to occupants with all apartments providing balconies directly off living areas. With the various interfaces and orientations around the site each building and apartment typology is provided with a site specific response, including:</p> <ul style="list-style-type: none"> • Ground Level apartments are provided with front courtyards with individual gates / front door entries. • The taller buildings have balconies orientated to views rather than the adjacent building. • Secondary balconies are provided to bedrooms in some conditions including cross through apartments. • Balcony areas are provided with double height space in conditions that integrate into the building design. • Balconies are provided with solid or screened elements to improve privacy and protection from the afternoon sun whilst maintaining outlook. 	<p>✓ Yes</p>															
4F Common Circulation and Spaces																	
<p>The maximum number of apartments off a circulation core on a single level is eight.</p>	<p>The proposal meets the apartments per core in accordance with the flexibility provided, where no more than 12 apartments are provided off a circulation core on a single level.</p>	<p>✓ Yes</p>															
<p>For buildings of 10 storeys and over, the maximum number of apartments sharing a lift is 40.</p>	<p>Complies.</p>	<p>✓ Yes</p>															
4G Storage																	
<p>In addition to storage in kitchens, bathrooms and bedrooms, the following storage is provided:</p>	<p>Within the basement / parking levels of the proposal, storage cages are provided for use by</p>	<p>✓ Alternative proposed.</p>															

Objectives and Design Criteria		Commentary	Satisfies Criteria
Dwelling Type	Minimum Area	residents on a 'as needs' basis which is managed as part of the rental agreement. This alternate approach to the ADG design criteria is considered appropriate for the housing types, consisting of BTR, affordable housing and co-living, which are provided across the development.	Appropriate in the circumstances.
Studio	4sqm		
1 bedroom	6sqm		
2 bedroom	8 sqm		
3+ bedroom	10sqm		
At least 50% of the required storage is to be located within the apartment.			

6.2.5 Privacy to 111-119 Sydenham Road

As illustrated in Figure 59, 111 and 113 Sydenham Road comprise built form up to their rear boundary (with open driveway to the side of 111 Sydenham Road), and therefore do not have private open space at risk of overlooking from the proposed development.

The properties at 115, 117 and 119 Sydenham Road each have private open space in the form of a rear yard adjacent the boundary of the subject site. The proposed buildings closest to these properties are Buildings E (to the north) and G (to the west).

Building E has a setback of 12 metres to the shared boundary. Its façade comprises windows and balconies to habitable rooms. The setback meets the ADG Design Criteria for Visual Privacy (Objective 3F-1) (12m minimum). This distance has been determined to achieve a reasonable level of neighbouring privacy. To further assist privacy, the façade is articulated with a deep grid comprised of brick, that projects past the glazing.

Building G has a setback of 3 metres to the common boundary. The façade comprises windows and balconies to habitable rooms. While this setback is less than the ADG design criteria, the façade has been designed to incorporate privacy measures to restrict viewing of the adjacent private open space. The resolution of these privacy measures to the façade is subject to further coordination following lodgement, in a manner that continues to achieve the architectural expression of the proposal. Importantly, an indicative scheme for this isolated site has been prepared by the Design Team, including a building envelope that accords with the ADG privacy separation distance from Building G. Should the adjacent site be developed in a manner consistent with the indicative scheme, privacy measures applied to the Building G façade would be additional and not strictly necessary.



Figure 59 Aerial of 111-119 Sydenham Road

Source: NearMap

6.3 Visual Impact

Ethos Urban in collaboration with Virtual Ideas and CMS Surveyors has prepared a Visual Impact Assessment (VIA) to support the SSDA (refer **Appendix S**). The purpose of the VIA is to assess the acceptability of the proposal's view and visual impact on the public domain.

The proposed development involves a significant change to the visual characteristics of the locality. The scale of this change is inherent in the desired future character of the precinct, as enunciated by the Precinct 47 LEP and DCP amendments, and is not a negative impact simply for the reason that it is a significant change. Rather, the visual impacts of the proposal arise because development is occurring in order to achieve the desired future character of the precinct. Through careful urban and architectural design, the project has been developed having regard to urban design principles, key visual sensitivities and creating a precinct that is visually appealing and in keeping with the desired future character of the locality, including drawing on existing visual and architectural references. Even where a visual change is identified as being significant, this change may still be considered to be acceptable because it achieves the intended urban planning outcome.

The VIA determined that the significance of the proposal's visual impact on the 7 assessed public domain viewpoints is as follows:

- Viewpoint 1 – Wicks Park (tennis court pedestrian path): moderate
- Viewpoint 2 – Victoria Road near Mitchell Street: moderate
- Viewpoint 3 – Sydenham Road near Farr Street: moderate – high
- Viewpoint 4 – Frampton Avenue near Frampton Lane: high
- Viewpoint 5 – Gorman Street: moderate
- Viewpoint 6 – Farr Street: moderate.

Figure 60 shows the proposal as seen from Viewpoint 1 – ‘Wicks Park (tennis court pedestrian path)’. This figure illustrates that while the proposal is visible in views from the park, it is screened and softened by existing vegetation, has a scale and form compatible with that of the nearby Wicks Place adjacent to the northern side of the park, will continue the nature of renewal established by Wicks Place, and strengthens the visual definition of the park context.



Figure 60 Viewpoint 1 – Wicks Park (tennis court pedestrian path): future view

Source: Virtual Ideas

Figure 61 shows the proposal as seen from ‘Viewpoint 2 – Victoria Road near Mitchell Street’. Theoretical maximum built form under planning controls (height and setbacks) is shown in green.

This figure illustrates that while the proposal is visible, it will both contribute to the evolution of the Victoria Road Precinct as a higher density, mixed use precinct, and integrates with and is compatible with the desired future visual character of this precinct. Future development in accordance with the Precinct 47 LEP and DCP controls will provide additional context for the proposed building heights and form.



Figure 61 Viewpoint 2 – Victoria Road near Mitchell Street: future view

Source: Virtual Ideas

A key finding of the VIA is that the proposal is fundamentally compatible with the desired future character of the Victoria Road Precinct under the planning framework, when factoring in the Housing SEPP, which appropriately contextualises the significant visual changes proposed. Other findings of the VIA are that the proposal:

- does not block significant views from the public domain identified in planning instruments
- has an acceptable impact on public domain views, including from nearby residential areas
- represents a considerable improvement to the visual amenity of the site and its surrounds
- represents a new, contemporary and well-designed urban precinct that will increase visual amenity as follows:
 - strengthening and defining the Victoria Road streetscape
 - enhancing this streetscape by incorporation of active frontages providing space for diverse ground level commercial premises
 - enhancing the setting of Wicks Park
 - delivering high quality, publicly accessible open spaces and amenity areas including through site links
 - delivering public domain improvements, particularly to Victoria Road and Mitchell Street with additional footpath width and upgraded laneway off Mitchell Street
 - referencing historic elements in the local area, including the ‘serrated’ skyline profile and terrace typology fronting part of Sydenham Road.

While acknowledging that the proposal represents a change to the existing visual conditions, the VIA notes that this is both an inherent outcome of delivering on the desired future character of the Victoria Road Precinct (refer **Figure 62**) and also occurs in other precincts planned for renewal in Sydney including those in other parts of the Eastern Harbour City.



Figure 62 Existing view to Wicks Place from Meeks Road

Source: Turner Studio

In and of its own right such visual change is not inherently negative. Rather, what is important is a well-considered, design led response to this matter. As has been outlined in section 12 'Mitigation measures' of the VIA, the proposal has adopted a range of siting, massing and design measures to mitigate visual impact. These include:

- locating the largest and tallest buildings within the centre of the site
- variation between building heights
- separation between buildings
- variation in massing, including recessed upper levels to the site's Victoria Road and Farr Street frontages
- extensive articulation of elevations, in particular through balconies, windows
- a 'serrated' roof form to simultaneously create a dynamic and visually interesting skyline that references aspects of the area's industrial heritage
- a wide, three storey high entrance to the inner publicly accessible open space and through-site link to visually break up the Victoria Road frontage
- In particular it also incorporates measures to manage interfaces with residential uses including:
 - a lower building height to Sydenham Road and Farr Street
 - a street wall and tower typology facing Sydenham Road.

Based on these findings, the view and visual impact of the proposal is considered acceptable and as such can be supported on view and visual impact grounds.

6.4 Heritage

6.4.1 Aboriginal Cultural Heritage

An Aboriginal Cultural Heritage Assessment Report (ACHAR) has been prepared by AMAC and is provided at **Appendix HH**. The ACHAR documents the process of investigation, Aboriginal community consultation and assessment with regards to aboriginal cultural heritage.

This report has been carried out in consultation with the following documents which advocate best practice in New South Wales:

- Aboriginal Archaeological Survey, Guidelines for Archaeological Survey Reporting (NSW NPWS 1998);
- Aboriginal Cultural Heritage Standards and Guidelines Kit (NPWS 1998);

- Australia ICOMOS 'Burra' Charter for the conservation of culturally significant places (Australia ICOMOS 1999, revised 2013);
- Code of Practice for Archaeological Investigation of Aboriginal Objects in New South Wales, Part 6 National Parks and Wildlife Act 1974, (DECCW 2010b);
- Due Diligence Code of Practice for the Protection of Aboriginal Objects in New South Wales, Part 6 National Parks and Wildlife Act 1974, (DECCW 2010a);
- Guide to Investigating, Assessing and Reporting on Aboriginal Cultural Heritage in NSW, Part 6 National Parks and Wildlife Act 1974 (OEH 2011)
- Part 6; National Parks and Wildlife Act Aboriginal Cultural Heritage Consultation Requirements for Proponents (DECCW 2010c); and
- Protecting Local Heritage Places: A Guide for Communities (Australian Heritage Commission 1999).

Consultation for this report was undertaken in accordance with Consultation Requirements (DECCW 2010c). A list of 62 potentially interested parties were provided by Heritage NSW and eight registered in response to the advertisement. All registered stakeholders have been given a copy of a proposed Aboriginal Cultural Heritage Research Methodology on the 20th of August 2024 with 28 days to respond to this methodology (Stage 2-3). Two responses were received by AMAC Group supporting the methodology. On the 24th of September 2024, all registered stakeholders were provided with a copy of this report and given a minimum of 28 days to review and comment (Stage 4). One response was received by AMAC Group supporting the ACHAR with no further comments or submission to the registered stakeholder questions. A consultation log summarising all interactions and responses between AMAC Group, authorities, stakeholders and Registered Aboriginal Parties is presented in **Appendix HH**.

An AHIMS extensive 1km search was conducted on 08/07/2024 (ID: 908023). This search resulted in one registered site (45-6-2654). The site card was inspected and an assessment made of the likelihood of the sites being impacted by the proposed development. The one registered site (45-6-2654) was located southeast of the study site and consisted of a potential archaeological deposit (PAD) within an open site (see **Figure 63**). It is unlikely that this registered site would extend into the study area.

To date, no elements of social, historical or aesthetic cultural heritage significance specifically linked to the study site has been identified or shared during the stages of Aboriginal community consultation. The study area has been assessed as having nil-low potential for intact soils which may contain Aboriginal archaeological and cultural significance, as a result of its high level of disturbance from modified landforms and 20th century development. The analysis of predicative modelling also suggests the site is unlikely to yield evidence of Aboriginal occupation, archaeological material is not expected to be present within the study area. As a result, additional heritage mitigation activities such as Aboriginal test excavation or community collection is not considered necessary in advance of the proposed development works



Figure 63 AHIMS Search Results

Source: AMAC Group

6.4.2 European Heritage

A Heritage Impact Statement has been prepared by Urbis and is provided at **Appendix II**. This report provides an assessment of the proposed developments potential impacts on surrounding heritage amenity principally, in relation to two (2) local heritage items in proximity to the site, being “Lauraville” (LEP Item I1281) and Marrickville Public Primary School (LEP I1218 Item), listed on the Inner West Local Environmental Plan 2022 (LEP).

In the first instance, Urbis has also undertaken an assessment of the site itself to ascertain any heritage significance, however it is concluded that the site is not listed as a heritage item, and the land does not contain any elements of potential built heritage significance. The proposed works will not have a detrimental impact on the heritage items within the vicinity. As the proposed development on the subject site is located south of Marrickville Public Primary School and east of the house “Lauraville”, the primary street views of and to the heritage items will not be affected and will largely be seen as a backdrop to the items. It has been determined in previous heritage assessments that there are no potential heritage items within the subject area.

Overall, the proposed redevelopment of the subject site is sympathetic to the vicinity heritage items whilst also taking design cues from the industrial character of the site and surrounds in its design and will revitalise this area of Marrickville. For the reasons stated above, the proposed works are recommended for approval from a heritage perspective

6.4.3 Historical Archaeology

A Historical Archaeological Assessment has been prepared by AMAC and is provided at **Appendix DDD**. The assessment has been prepared in accordance with Heritage NSW guidelines (NSW Heritage Manual 1996). The document assesses the potential historical archaeological relics within the proposed development footprint to produce a set of recommendations that are optimal for the project under the Heritage Act 1977.

The study site has three zones of archaeological potential. Zone 1 has been assessed as having nil potential due to a lack of historic development and considerable 20th century developments. Zone 2 has low archaeological potential due to 19th century developments being impacted by subsequent 20th century development. Zone 3 has the highest level of potential, low to moderate. This zone contains areas that were developed in the mid to late 19th century that have experienced minimal impacts since. In many cases the original 19th century structures still occupy the site. These zones are shown in **Figure 64** below.



Figure 64 Archaeological Potential of the study site

Source: AMAC

The site has been assessed as having areas of nil to moderate archaeological potential depending on the level of 20th century impacts. Preparation of an Archaeological Research Design per Heritage NSW guidelines can mitigate any potential impact to locally significant relics that may be on the site. The Archaeological Research Design may recommend a combination of briefing, site inspection, monitoring, testing or salvage excavation to investigate potential archaeological site. The Archaeological Research Design should be prepared prior to works commencing on the site and should also provide an Unexpected Finds Protocol to manage unexpected relics outside those identified by this report

6.5 Access and Transport

A Traffic Report and a Green Travel Plan have been prepared by Ason Group provided at **Appendix RR** and **Appendix SS**. The reports include an assessment of traffic movements, car parking, public transport and active transport arrangements.

6.5.1 Operational Traffic Impacts

Traffic Growth and Impacts

The surrounding road network has experienced a gradual and continued decline in traffic volumes over recent years. On this basis, it is not appropriate to apply any such background traffic growth rates for this assessment. This is consistent with the approach taken by Cardno for the Precinct 47 traffic assessment.

With consideration to the estimated traffic generation and distribution, the post-development intersection operation has been modelled through the key intersections close to the site to confirm if there are any such

traffic related impacts. The future network includes the proposed midblock signalised crossing on Victoria Road, with an estimated 100 pedestrians adopted during each peak hour.

The modelling results indicate the following:

- The Victoria Road/ Sydenham Road intersection is expected to operate at LoS C post-development consistent with current conditions with negligible increases to average delay across the intersection.
- The Sydenham Road Road/ Farr Street is expected to operate at LoS A post-development consistent with current conditions. During the AM peak hour, a queue of up to five vehicles is expected on Farr Street due to increased traffic associated with residents leaving in the morning. This is considered acceptable and shown to not noticeably impact overall intersection operation.
- The Victoria Road/ Mitchell Street intersection would continue to operate well with a minor increase in delays for vehicles on Mitchell Street, noting that queues are shown to be minor during all peak hours.
- The impact to the Sydenham Road/ Fitzroy Street intersection would be minimal with the right turn from Fitzroy Street remaining the critical movement. Though, the development is not anticipated to exacerbate these delays with the intersection expected to continue operating at a consistent LoS to existing conditions.
- The midblock crossing is anticipated to operate well, with no discernible queuing along Victoria Road on account of the need to link signal timing.

Overall, the proposed development is not expected to have a material impact on the surrounding road network. Notwithstanding, the existing site contains several industrial, residential and commercial lots which naturally contain some level of existing traffic. Modelling has conservatively not considered any discounts through removal of these existing land uses.

Parking Provisions

The proposal includes 278 on-site car parking spaces for the various uses of the site in accordance with the requirements of the Housing SEPP 2021 (for the BTR component) and the Marrickville DCP 2011 (for the non-residential component). A summary of the proposed parking provision is noted below:

- BTR (including affordable apartments): 238 parking spaces (including 8 accessible and 22 car share spaces)
- Retail / commercial uses: 33 parking spaces (including 1 accessible and 2 drop off spaces)
- RTL Co staff car spaces: 7 parking spaces (including 2 accessible)

Car parking rates are consistent with the Housing SEPP and guided by relevant planning controls, and is considered appropriate to accommodate expected demands. Within the residential car parking allocation there are to be 22 privately operated car share spaces. These car share spaces will provide additional transport options to residents who may not own a car and support travel to destinations not well serviced by public transport.

6.5.2 Construction Traffic Impacts

Section 11 of the Traffic Report provides an overview of the Construction Pedestrian and Traffic Management Plan (CPTMP) initiatives to be implemented as part of the construction works associated with the proposed development. Specifically, this overview CPTMP considers the following:

- truck routes to/ from the site
- anticipated truck volumes during construction stages
- construction site access arrangements
- works zone details
- pedestrian and cyclist access
- worker parking (if any)
- traffic control measures
- overview of CPTMP requirements.

A detailed CPTMP, confirming the details within this overview CPTMP, will form part of subsequent planning stages.

Given the considerable footprint of the site and building arrangement, a combination of internal site loading and works zone are key to support the construction timelines, ensure efficient loading/ unloading activities, and mitigate the effects on the immediate surrounding area. Works zones and loading areas have also been selected with consideration to crane locations.

The proposed construction vehicle access locations are summarised below and are subject to consultation with relevant stakeholders in regard to location, extent, and traffic control measures.

- Mitchell Street (North) – Providing entry and exit at the northern extent of Mitchell Street with a vehicle turnaround and loading/ unloading area located centrally adjacent to the Building B footprint
- Mitchell Street Laneway – Providing entry and exit at the northern extent of Mitchell Street with a vehicle turnaround and loading/ unloading area located centrally adjacent to the Building B footprint.
- Sydenham Road and Farr Street – Entry via Sydenham Road with a loading/ unloading area adjacent to Building G with exit via Farr Street.

Construction vehicles generated by the site would generally include vehicles up to 12.5-metre heavy rigid trucks, 18.1-metre truck and dog combinations and 19-metre-metre semi-trailers. The anticipated daily construction vehicle volumes are summarised below:

- Building A and B
 - Basement (retention and bulk excavation): 50-60 vehicles.
 - Construction (non-pour days): 20-25 vehicles.
 - Construction (pour days): 35-40 vehicles.
- Building C and D
 - Construction (non-pour days): 25-30 vehicles.
 - Construction (pour days): 35-40 vehicles.
- Building E, F, and G:
 - Construction (non-pour days): 30-40 vehicles.
 - Construction (pour days): 35-40 vehicles.

Principles of Traffic Management

The general principles of traffic management during construction activities are as follows:

- minimise the impact on pedestrian and cyclist movements
- maintain appropriate public transport access
- minimise the loss of on-street parking
- minimise the impact on adjacent and surrounding buildings
- maintain access to/ from adjacent buildings
- restrict construction vehicle movements to designated routes to/ from the site
- manage and control construction vehicle activity near the site
- carry out construction activity in accordance with approved hours of works

6.6 Contamination

A Detailed Site Investigation Report has been prepared by JK Geotechnics and is provided at **Appendix W**. This report provides an analysis of the nature and extent of any contamination across the site and proposes suitable measures to manage contamination and make the site suitable for the proposed development.

Fieldwork for the DSI included soil sampling from 35 boreholes, groundwater sampling from five existing and five new groundwater monitoring wells and soil vapour sampling from four sub-slab pins and two vapour implants. Previously, the following potential sources of contamination/areas of environmental concern (AEC) were identified for the site: fill material; use of pesticides around site; fuel storage (UST); historical motor garages/automotive repairers; historical panel beaters/spray painters; other commercial/industrial land uses (timber merchant/treatment including upholsterers, material manufacturing); hazardous building materials in former and existing buildings; and off-site commercial/industrial land uses (including dry cleaners, fuel storage, solvent processing, etc).

The boreholes generally encountered fill materials to depths of approximately 0.24m to 2.6m below ground level (BGL), (though we note fill was generally reported to depths of less than 1m BGL), with inclusions of ironstone, igneous and sandstone gravel, brick, concrete, glass, metal and plastic fragments, ceramic fragments, sand, slag and root fibres. Hydrocarbon odours were recorded in BH119 between 0.6m and 1.0m BGL and Fibre cement fragment (FCF)/asbestos containing materials (ACM) were encountered in BH119, BH130 and BH134 during fieldwork.

JKE is of the opinion that potential risks associated with the elevated concentrations of heavy metals in the groundwater at the site are low in the context of the proposed development and are not indicative of site contamination. Remediation of the site is required to address the contamination identified during the PSI/DSI. A RAP has been prepared for the site and is provided at **Appendix X**. Further to this, an Acid Sulfate Soil Management Plan is provided at **Appendix Z**, an Asbestos Management Plan at **Appendix Y**, a Human Health Risk Assessment at **Appendix K** and a Hazardous Materials Survey at **Appendix AAA**.

Subject to implementation of the RAP and compliance with the HHRA, the site can be made suitable for the proposed development, with no unacceptable risks to human health or the environment.

6.7 Groundwater and Soil Conditions

A Geotechnical Report and Hydrology Report have been prepared by JK Geotechnics provided at **Appendix U** and **Appendix V**. The Geotechnical Report was undertaken to assess the subsurface conditions of the site and provide advice on the construction methodology for the proposed development.

A total of six (6) boreholes (BH1 to BH6) were completed using spiral auger techniques to depths of between 9.67m to 15.05m. The boreholes confirmed the following:

- Concrete pavements were encountered at the surface of all boreholes and ranged in thickness from 50mm to 180mm;
- Steel reinforcement was encountered within BH1, BH2, BH203 and BH205;
- In BH205 a 100mm thick brick paver was encountered below the concrete;
- Fill was encountered in all boreholes to depths ranging from 0.4m to 1.8m;
- The fill comprised silty clay, silty sand and sandy clay and contained inclusions of igneous, sandstone and ironstone gravel and fragments of concrete, brick, plastic, shell, tile, ceramic, slag, ash, glass and clay nodules;
- A thin layer of alluvial soils were encountered over the south-western portion of the site below the fill in BH1 to BH3, BH202 and BH203 and extended to depths ranging from 1.1m to 1.2m;
- Residual silty clay was encountered within all boreholes at depths ranging from 0.5m to 1.2m, either underlying the alluvial silty clay or the fill;
- Weathered sandstone bedrock was encountered in all boreholes at depths ranging from 2.7m (BH2) at the north-western corner of the site to 7.8m (BH6) at the south-eastern corner of the site; and
- Groundwater seepage was encountered in BH1 to BH6 and BH201 to BH205 during auger drilling at depths ranging from 1.5m (BH201) to 6m (BH202).

Subject to the implementation of the mitigation measures relating to excavation, foundations and dewatering, it is considered that the proposed development can be geotechnically viable. The recommended mitigation measures are summarised in **Appendix E**.

6.8 Noise and Vibration

A Noise and Vibration Impact Assessment has been prepared by Acoustic Logic and is provided at **Appendix GG**. This report has been prepared in accordance with the NSW Environment Protection Authority's (EPA) guidelines including the Noise Policy for Industry (NPfI), the Interim Construction Noise Guidelines and Road Noise Policy so as to provide an assessment of operational noise, construction noise and road noise respectively.

A summary of the assessment and proposed mitigation measures is provided below.

6.8.1 Existing Noise Environment

Acoustic Logic has identified a total of five (5) noise sensitive receivers around the site, comprising a range of residential, commercial and public typologies. These receivers are nominated as the following and are also shown below in **Figure 65**.

- **R1:** - Residential Receiver 1 – Multi storey Wicks Place Residential Development located southeast of the site adjacent Victoria Road.
- **R2:** - Public Recreation 1 – Public Recreation receiver adjacent Victoria Road.
- **R3:** - Residential Receiver 2 – Residential Receivers (1-2 storey) located southwest of the project site adjacent Sydenham Road.
- **R4:** - Commercial Receiver 1 – Commercial Receivers located northwest of the project site adjacent to Farr Street.

- **R5:** - Commercial Receiver 2 – Commercial Receivers located northeast of the project site adjacent Mitchell Street.

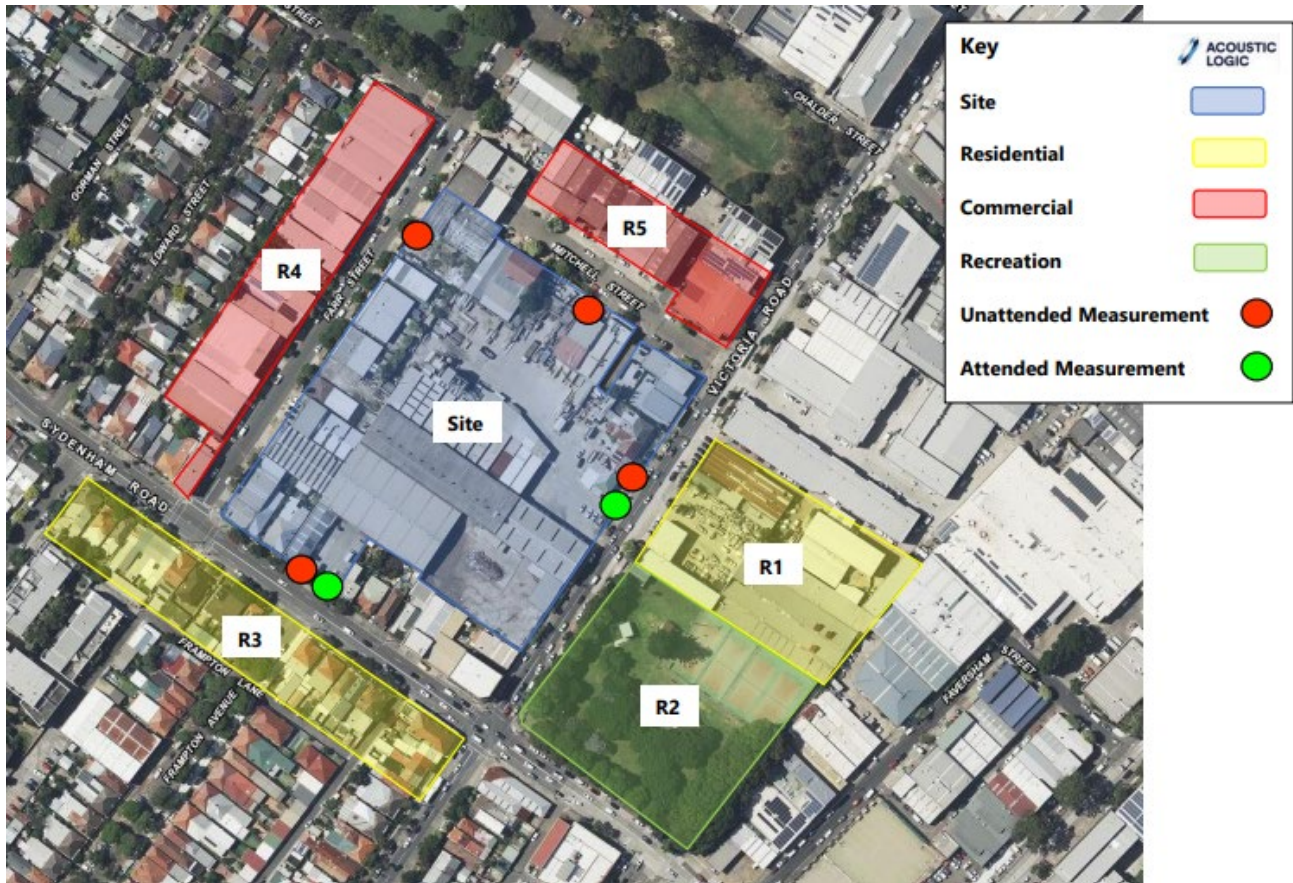


Figure 65 Nearest Surrounding Noise Receivers

Source: Acoustic Logic

6.8.2 Operational Noise

Mechanical Plant

Acoustic Logic notes that the main source of emissions associated with the proposed development is mechanical plant, as well as traffic movements and operation of the proposed loading dock. Whilst it is noted that detailed plant selections as well as their location have not yet been undertaken, this will be completed at the Construction Certificate (CC) stage, as will more detailed assessment of acoustic impacts. Acoustic Logic notes that satisfactory levels of noise emissions will be achievable through standard measures such as:

- Plant selection;
- Considered location of plant; and
- Standard acoustic treatments such as duct lining, acoustic silencers and enclosures.

Loading Dock

The following preliminary controls have been recommended for the loading dock area to ensure satisfactory levels of noise emissions are achieved, these include:

- Trucks are to limit the use of airbrakes as much as possible, particularly when entering the site;
- Trucks are to limit idling where feasible during loading and unloading (unless required); and
- Where feasible, the loading dock shall only be used in the daytime and evening periods (7:00am-10:00pm).

Basement Car Park

The following development controls should be incorporated to ensure that noise emissions from the basement car park comply with the nominated criteria.

- The car park pavement shall be smooth and level to ensure minimal vertical displacement and potential for noise generated by wheel to concrete impacts;
- Concrete to have a broom finish or similar, to prevent tyre squeal;

- Traffic signs should be implemented to controls vehicle speeds to 10km/h;
- No speed humps are to be installed within the car park; and
- Grate and any cover plates are to be fixed flush and tight. Any cover plates are to be smooth and level with the slab.

6.8.3 Construction Noise

While no detailed construction program is confirmed at this stage, the report has assumed construction and demolition tasks, along with the equipment likely to be used and their sound power and vibration levels. As such, noise and vibration levels have been predicted and assessed against the relevant construction noise criteria. It is recommended that prior to the commencement of works on the site, a comprehensive Construction Noise and Vibration Management Plan in accordance with the Interim Construction Noise Guideline (ICNG) recommendations should be developed to regulate activities and response procedures.

6.8.4 Aircraft Noise

The project site is located between the ANEF 25 and ANEF 30 contour, based on the Sydney Airport Master Plan 2039. The SEAR identifies that it is recognised that the site is impacted by aircraft noise and an acceptable level of amenity will be achieved if the internal noise levels comply with the levels recommended in AS 2021. The following treatment is indicated for the proposed development to comply with the nominated assessment criteria.

- Acoustically rated external windows and doors. All external windows and doors listed are required to be fitted with Q-lon type(or equal)acoustic seals. Double glazing to living rooms and bedrooms throughout.
- External walls constructed from concrete/masonry elements will not require any acoustic upgrading to achieve the acoustic requirements. External walls constructed of lightweight materials will require acoustic construction.

6.9 Biodiversity

The site is located within a highly urbanised location and is highly developed. Therefore, no biodiversity is likely to be significantly impacted by the proposed development. A request for a Biodiversity Development Assessment Report (BDAR) Waiver Request was prepared by Narla, and a BDAR Waiver received (**Appendix JJ**), which confirms the following:

- The vegetation with the subject site is not native to the Sydney Basin as per the *Royal Botanic Gardens PlantNET*(2024), where is it listed as naturally occurring in the Northern Tablelands of NSW.
- The subject site does not contain any waterbodies or watercourses, any natural rocks, karst, caves, cervices, cliffs, and other geological features of significance.
- No hollow-bearing trees, microbat habitat or other resources of potential importance to native fauna are present on the site.
- The development does not propose the construction of any turbines that may cause harm to any protected birds or bats and therefore, it is unlikely to result in a significant impact to the flight paths of any threatened species.
- The subject site currently contains very limited and negligible biodiversity values.

Overall, the landscape vegetation and man-made structures to be removed provide marginal artificial habitat for any threatened species potential utilising the subject site. The removal of these features is not likely to result in a significant impact on any threatened species, population, or ecological community. For these reasons, the DPHI have granted a waiver for the preparation of a BDAR. Refer to **Appendix JJ** for the BDAR Waiver.

6.10 Flooding

A Flood Impact and Risk Assessment (FIRA) has been undertaken by Mott MacDonald and is provided at **Appendix LL**. The report provides an assessment of the hydraulic behaviour of the site and the proposed development's susceptibility to any flooding related impacts, including mainstream flooding events and overland flow.

As identified in **Section 2.2.4**, the Marrickville Valley has two specific flooding characteristics. Land can be part of the Marrickville Industrial Area (MIA) where ground levels are low (as low as 1m AHD) and in times of flood deep ponding can occur. Alternatively, land can be in the upper catchment area which drain to the MIA, where only overland flow flooding occurs. The subject site in the 1% AEP event is within the upper catchment area. Victoria Road and Sydenham Road drain past the site toward the MIA, however backwater does not impact the site in the

1% AEP and as such the site is flood free in the 1% AEP (refer below discussion). In light of this, Council did not select the site for inclusion in the FPA as part of their 2017 FRMSP nor do they describe the site as being flood liable in their 1% AEP flood liability map (refer mapping provided in FIRA in Appendix A and B). Refer also to the flooding peer review by GRC at **Appendix R**.

6.10.1 Flooding Hazards

Mott MacDonald has undertaken hydraulic modelling which incorporates the proposed development so as to ascertain any flooding risks that may burden the proposal. The results of this are summarised below.

1% AEP Event

The 1% AEP storm forms the basis of Council's flood planning levels. The storm is very rare, having a 1% chance of occurring during any given year. During the 1% AEP, flooding is present in the roads surrounding the Timberyards site with the greatest depths predicted in Sydenham Road and Victoria Road, shown in **Figure 66**. There is no flooding across the Timberyards site itself. This is consistent with the MDCP 2011 Flood Liable Land and Flood Planning Area mapping.

Farr Street experiences flood depths that are relatively shallow as the road falls towards Sydenham Road. The greatest depths are predicted in the gutters, with water reaching up to 0.22 m.

Sydenham Road is the most flood affected road that interfaces the Timberyards as it conveys flows from the north of the catchment towards the Sydenham Detention Basin. Flood depths along the interface at Farr Street are generally between 0.25 m and 0.35 m. Greater flooding depths are predicted at the Victoria Road intersection, however, this area does not interface the Timberyards precinct.

Victoria Road is relatively flat, highlighted by the spacing of the water level contours. Water depths vary along Victoria Road, ranging from 0.30 m at the intersection with Mitchell Street to 0.45 m at the intersection with Sydenham Road.

Mitchell Street is predicted to be free from inundation during the 1% AEP event.

1% AEP depth plots are based on key locations where flooding is predicted. The hydrographs show the rate of rise is fast, reaching a maximum depth after 30 minutes. After two hours, the water depth has typically receded.



Figure 66 1% AEP Flood Depth, Level and Extent

Source: Mott MacDonald

PMF Event

PMF results are provided for flood planning requirements but do not form part of the flood impact assessment. The PMF is a theoretical maximum flood that can occur at a location with a probability of occurring between 1 in 100,000 and 1 in 10,000,000 in any year. The area around the Timberyards site is subject to very deep ponding during the PMF as the low-lying area around the Sydenham Detention Basin fills with water, acting like a large bathtub. Flood depths, levels and extents are shown in **Figure 67** below.

Farr Street PMF depths along much of Farr Street are relatively shallow as the road falls towards Sydenham Road with the deepest flows typically confined to the gutter. Backwater from Sydenham Road causes deeper ponding at the intersection with depths reaching up to 1.00 m.

Sydenham Road and Victoria Road There is very deep ponding of flood water along much of Sydenham Road and Victoria Road with PMF depths ranging between 1.50 m and 2.50 m. This presents a significant challenge for emergency management in this location.

Mitchell Street The western half of Mitchell Street is predicted to be free from inundation during the PMF event. The eastern half is subject to deeper ponding, reaching up to 1.50 m at the intersection with Victoria Road.

PMF depth plots are based on key locations where flooding is predicted. The hydrographs show the rate of rise is fast, reaching a maximum depth after one hour. The flood water takes a number of hours to recede, particularly from the deeper area of ponding at the Sydenham Road / Victoria Road intersection and areas to the southeast. However, the northwestern direction of Sydenham Road should be free from flooding after three hours providing access away from the development site.

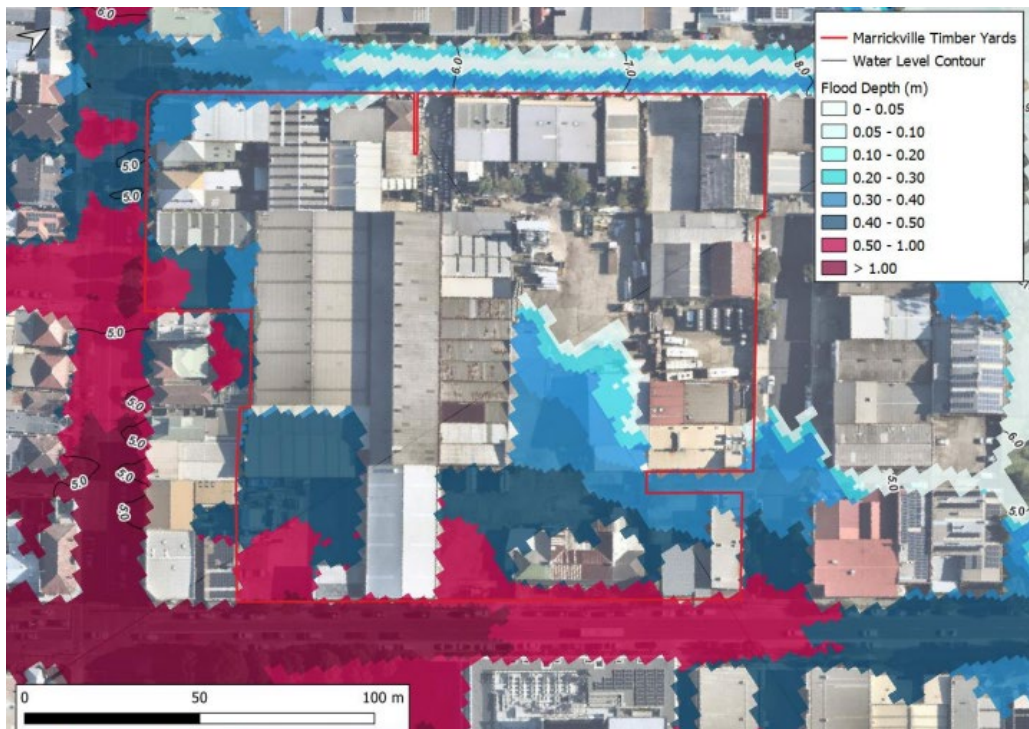


Figure 67 PMF Depth, Level and Extent

Source: Mott Macdonald

6.10.2 Flood Impacts

The flood impact assessment has identified that there is no material change in flood risk to the precinct as a result of the proposed development, even with the conservative approach of using building block-outs. The key parameters of the flood assessment are summarised below:

• Changes in peak 1% AEP water level

- the changes in peak water level as a consequence of the development do not exceed the recommended thresholds for habitable buildings or residential zoned land
- no cumulative impacts predicted
- no new areas of flood inundation

• Changes in 1% AEP inundation duration

- there are no increases in duration of inundation that exceed the recommended timeframes
- **Change in 1% AEP flood velocity**
 - flood water velocities are not significantly changed by the proposed development
 - there are no changes in flood water velocity outside the site boundary
- **Change in 1% AEP flood hazard**
 - there are no changes in flood hazard outside the site boundary

6.10.3 Managing Flood Risk

The area around the Victoria Road (Precinct 47) is significantly flood affected with regional flooding issues identified by the flood model. It is beyond the scope of this development to alleviate these flooding issues, however, the overall intent behind the design is to make the Timberyards as resilient to flooding as is practicable.

It is situated in a unique location where PMF depths along the eastern aspects are many times greater than the 1% AEP depth which limit opportunities to prevent water ingress into the basement via lift shafts. The MDCP and VRDCP allow basement openings along Victoria Road to be at the Flood Planning Level (1% AEP + 500 mm freeboard) as the 1% AEP flood hazard is generally low (< H4), however, this would permit entry of water in a PMF event. This approach has also been adopted by the adjacent Wicks Place development which was designed in 20192 with construction completed in 2024.

Inner West Council support using the Flood Planning Level along Victoria Road so long as emergency access can be achieved from Farr Street.

The design of the site has located basement car park ramps at the most suitable locations on Farr Street and Mitchell Street which are not subject to such extreme PMF depths and low flood hazard. The MDCP notes: "Flood free access must be provided where practicable", however, roads around the site are flood affected, so there is limited flood free access available. The site is not flood affected, therefore, the safest course of action for users should be to remain in place in a flood event and wait for flood waters to recede.

The Upper Ground level interfacing Farr Street is entirely above the level of the PMF and it is expected that all storeys above the ground floor on the Lower Ground level interfacing Victoria Road would be above the PMF level. The ground floor on this side of the development will be retail.

The proposed development will be stable during flooding up to the PMF and all non-ground floor residents in would be only exposed to an indirect flood risk.

6.10.4 Flood Risk Mitigation

The following mitigation measures have been incorporated into the proposed development:

Residential

Flood Planning Levels are greater than or equal to the 1% AEP flood level + 500 mm freeboard according to the MDCP 2011 and VRDCP 2019 respectively.

GRC Hydro, in their peer review, identify that the development improves net flood risk outcomes despite increased resident population by:

- Elevation of residential dwellings. Retail is proposed for lower floors. Above the ground floor residential areas are flood free in the PMF.
- Increasing availability of elevated shelter (that is shelter above the PMF)
- Reducing the number of site users that may want to egress the area in time of flood (residents versus employees)
- Reducing traffic flow onto Victoria Street and Sydenham Road via provision of entrances for vehicles on Farr Street.
- Supply of flood protected carparking

Retail

To activate the street along Victoria Road, it is proposed to have retail floor levels at (or above) the adjacent 1% AEP water level to prevent a disconnection between the street and the unit. Alternatively, ramps would limit access from the street and reduce the available footprint within the unit itself. Retail tenancies are proposed to have a back of house location set to the Flood Planning Level to allow the locating of more sensitive features (such as kitchens or storerooms) above the adjacent 1% AEP flood level.

Basement

The unique flood behaviour of the area makes protecting basements from the PMF challenging. Council considers this in the Precinct 47 DCP, which requires basement protection to the 1% plus 500mm level only (for those areas where low hazard 1% AEP flooding occurs). The development meets this requirement by having basement entrances for vehicles coming off Farr Street where 1% AEP inundation is minimal. Appropriate egress routes are provided from the basement up (in compliance with the DCP) and the single basement level helps contribute to mitigation of risk.

6.10.5 Flood Emergency Management

The design facilitates a vertical evacuation procedure. The nature of flooding in the upper areas of the catchment is quick. Waters are quick to rise and quick to dissipate. The site is conducive to Shelter In Place (SIP) and as per the DPHI SIP guidelines, SIP is a fit given the:

- Short time to rise (no effective warning time for overland flow from north and north-east)
- Short time to fall (durations above H2 are quite low, two to three hours at most on Sydenham Road)
- Safety of vertical evacuation versus horizontal given possibility of road flooding. As per EMA Manual 20, SIP is preferred if evacuation is more dangerous than sheltering. This is clearly the case here.
- Overall, a resident could conceivably go through numerous 1% AEP events and not be inconvenienced at all or even notice their occurrence. Whilst secondary risks associated with the limited period of isolation could be mitigated by conditioning on-site resources be available.
- Access during a flood event – Access to the site by emergency vehicles has been suitably considered. Section 5.3.1.2 identifies the issue at Surry Street which was highlighted by the SES in their contribution to the SEARS. The duration of this impediment is relatively short being a maximum of four hours (time above H2 is far less). Arguably secondary risks for the site are a minor issue given that time of isolation is limited and the potential for self-reliance measures to be conditioned for the whole site due to the nature of the BTR development.

The GRC Hydro peer review of the FIRA concludes with the following statement: the FIRA report has been reviewed and the findings are supported by the author. All relevant aspects of flooding have been considered, as summarised above, and the design suitably incorporates and manages flood risk. The report's findings regarding compliance with state and local policy are supported.

6.11 Water Cycle Management

An Integrated Water Management Plan has been prepared by Mott MacDonald and is provided at **Appendix MM**. This report details the stormwater strategy for the site, which has been prepared in accordance with the Marrickville DCP 2011.

6.11.1 Stormwater Management

Water Quantity

The purpose of the stormwater quantity management is to limit the stormwater runoff from the site and ensure there is no surcharge to existing street drainage. Based on the Stormwater Drainage Design requirements by Council, Mott MacDonald has investigated the existing site conditions with proposed architectural plans to seek the best outcome of stormwater runoff and restrictions from the site with minimal impact to the neighbouring properties

To manage stormwater effectively up to the 1% AEP storm events, a set of detention basins are proposed, utilising a combination of orifices to optimise basin storage. A detention basin is located between buildings E and G, will cover an area of 1,000m² (with a 190m² base) to capture runoff from a 3,370m² area post-development. A further detention basin will have a combined above/underground storage area of 1,000m² (with a 126m² base) to capture runoff from buildings A and B and the upper podium open space (approximately 10,367m²). Roof detention basins for buildings C, D and E will have areas of 231m² and 154m², respectively.

Water Quality

To ensure that the development improves the quality of stormwater leaving the development site, Mott MacDonald has reviewed the site and formulated a Water Sensitive Urban Design concept model. MUSIC software was utilised to simulate urban stormwater systems operating at a range of temporal and spatial scales. MUSIC models the total amounts of gross pollutants, phosphorus, nitrogen and total suspended solids produced within various types of catchments. It allows the user to simulate the removal rates expected when

implementing water quality treatment devices to reduce the increased gross pollutant and nutrient levels created by the proposed development.

The following treatment train has been proposed for the site:

- 20kL rainwater tanks are to be provided for each post-development catchment for landscape irrigation purposes, as per architect’s specifications; and
- Stormwater capture within the development area is directed into the civil stormwater network consisting of pit and pipe networks and is to be treated by OceanGuards and StormFilters from Ocean Protect or equivalent.

A Model for Urban Stormwater Improvement Conceptualisation (MUSIC) model has been undertaken to assess pollutant export rates for the post development scenario as detailed in **Table 30** below:

Table 30 MUSIC Model Results

Pollutant	Inner West Council, Marrickville DCP2011, Part 2.17, Section 2.17.4	Reduction %	Results
Gross pollutants	100%	100%	Satisfy
Total Suspended Solids (TSS)	85%	91.5%	Satisfy
Total Phosphorus (TN)	60%	72.5%	Satisfy
Total Nitrogen (TN)	45%	45.1%	Satisfy

6.11.2 Erosion and Sediment Control

Mott MacDonald have also addressed erosion and sediment controls within their report and have proposed measures which will prevent sediment from entering the external stormwater network. As such the following measures are to be undertaken as part of the proposed construction works:

- Sediment fence to be installed around the site perimeter to trap any sediment;
- Shaker grid/wash down facility to be installed at the site egress to limit any sediments from being carried outside of the constructions site; and
- Stockpile location to be confirmed by contractor on-site during the construction phase, preferably to be located at the highest point of the site.

A sediment and erosion control plan is provided in **Appendix MM**.

6.12 Crime Prevention Through Environmental Design (CPTED)

A CPTED Report has been prepared by Ethos Urban and is provided at **Appendix T**. This report identifies the potential crime concerns in and around the site and provides recommendations to guide crime prevention, safety, and security arrangements as part of the detailed design of the development.

In accordance with the NSW Department of Planning and Environment’s guidelines (2001), the aim of the CPTED strategy is to influence the design of buildings and places by:

- increasing the perception of risk to criminals by increasing the possibility of detection, challenge and capture;
- increasing the effort required to commit a crime by increasing the time, energy or resources which need to be expended;
- reducing the potential rewards of crime by minimising, removing or concealing 'crime benefits'; and
- removing conditions that create confusion about required norms of behaviour.

The CPTED Report outlines recommendations, which are summarised in **Table 31** and provided in the Mitigation Measures at **Appendix E**. Subject to the implementation of the below, the proposed development can achieve CPTED objectives.

Table 31 CPTED Recommendations

Recommendations	
Surveillance	<ul style="list-style-type: none"> • Ensure suitable on-site landscaping that does not obscure sightlines to key site entrances and through-site links or provide opportunities for concealment. • Consider CCTV monitoring in key areas such as: <ul style="list-style-type: none"> • Entrance/exit points of all buildings • Basement access points and loading docks. • Back of house areas. • End of trip facility hallways and entry and exit points • Public open space areas including the communal and public parks, courtyard and plaza spaces and through site links. • Building lift and lobby areas • Provide adequate lighting at the entryway to the end-of-trip facilities, waste rooms, back of house and loading dock areas to improve the sense of safety in areas with limited surveillance. • Ensure adequate lighting in communal and public open space areas at night, particularly around stairs and walkways to provide legibility for pedestrians. • Retail and communal spaces fronting streetscapes and internal public space areas to have large, glazed windows and doors to create a positive public domain appearance and enable passive surveillance inwards and outwards.
Access Control	<ul style="list-style-type: none"> • To deter public access to communal outdoor spaces at ground and upper ground floor levels, consider changing the ground floor material type, texture or colour. Also use different types of landscaping to create a sense of privacy at the entrances to communal spaces.
Territorial Reinforcement	<ul style="list-style-type: none"> • Street numbers, building numbers and wayfinding signage should be clearly displayed and visible from Victoria Road, Mitchell Street, Sydenham Road and Farr Street to direct vehicles and cars to all entries. Signage would be lit at night to provide easy identification for visitors and emergency vehicles. Landscaping to be always maintained around key signage areas. • Wayfinding signage to be provided at ground and upper ground floor to direct pedestrians internally to public open space areas, buildings and retail spaces. • Consider a dedicated address location for delivery drop-offs (food delivery and postal delivery) and easy pick/up and drop/off (uber/taxi's). This could be Mitchell Street, as its off the main road and already closely located to the mail room. Provide signage and communicate with future residents about the dedicated drop off/pick up location. • Define walking paths at ground floor level where vehicles will be driving between Buildings G, F and E to ensure pedestrian safety in this area. • Provide rubbish bins near outdoor seating areas, in Warehouse Place and at the pocket park to encourage cleanliness and reduce littering. • Consider other ways to activate the main thoroughfare so it does not become or be perceived as a 'dead space'. This could include hard elements like small-landscaped elements at the centre where people could sit and idle and public artwork. It could also include soft elements like regular programming of community market stalls to encourage use of this space as a public plaza.
Activity and Space Management	<ul style="list-style-type: none"> • Develop and implement a Plan of Management for the site to include security plans (like hours, number of staff on at any given time), maintenance schedules for cleaning and landscaping, opening hours for retail and key communal spaces (e.g. the gym, communal rooms), dedicated quiet hours and rapid removal policies for graffiti. • High-quality public seating and other furniture, building materials and design of signage should be used to lessen the likelihood of damage and to help reduce maintenance costs.

Recommendations

- Use street art on exterior walls at street level to reducing risk of tagging / unwanted graffiti on large blank surface. This also contributes to creating a more welcoming lived-in space.
- Provide a tenure blind approach to the affordable housing and work with the CHP on design, management and maintenance requirements.
- Clear communication to future residents about who they contact to report any issues of vandalism, unusual activity or any incidences.

6.13 Landscaping

As described above in **Section 3.14**, the proposed development's landscaping scheme has been designed to complement the design excellence strategies, Connect to Country and enhance the character, vibrancy and accessibility of the precinct, while providing a variety of high-quality open spaces. The landscape objectives and vision is further detailed in the Landscape Design Report provided at **Appendix D**.

The development provides a total of:

- 2,559m² of deep soil (14% of site area)
- 4,707m² total tree canopy cover (20.8% of site area)

In response to the SEARs, the proposed landscape scheme incorporates the following key components to help the development thrive to achieve the overall design vision:

- **Contribution to long term landscape setting:** The long-term landscape setting will be maintained through the planting of native vegetation and the utilisation of diverse landscaping materials. The proposed landscaping will assist in minimising the visual impacts of the proposed development from the streetscape and the neighbouring buildings.
- **Urban heat island effect:** The retention of mature trees to the street frontage, as well as the planting of additional trees works to reduce solar impact to the lower levels. Additionally, a range of lighter coloured materials have been considered to all outdoor areas.
- **Tree canopy cover:** The development proposes to a variety of tree species in deep soil, as well as several small, containerised trees throughout the site and the landscaped areas, which will create amenity and shade for the residents and visitors of the development. It is noted that the development will achieve a tree canopy cover of 20.8% (4,707m²) across the entire development, which is a significant increase from the existing development.
- **Green infrastructure:** The use of native vegetation species has been implemented to all outdoor areas significantly increasing the plant density on site, providing quality outdoor amenity whilst contributing to the biodiversity of Marrickville.
- **Deep Soil:** The development proposes approximately 2,559m² of deep soil, which equates to 14%. This includes both areas of deep soil that meet the ADG design criteria and additional areas outside the ADG design criteria, and will facilitate and support the growth and retention of mature plants and trees.

6.14 Tree Removal

An Arboricultural Impact Assessment has been prepared by Naturally Trees (**Appendix KK**). The report assesses the trees located directly within the building footprints and the associated asset protection zone of the development.

A total of 57 trees were assessed within the site and its surrounds. To accommodate the proposal and to ensure a suitable tree protection zone, the removal of 21 trees is required. 20 of these trees have been identified as having low and very low retention value. However, it is acknowledged that the proposed development will necessitate the removal of one high category tree which is considered to have moderate to high significance and displays good health and condition.

A number of recommendations have been provided in the Arborist Report, these include:

- **Protection of retained trees:** The successful retention of trees within the site will depend on the quality of the protection and the administrative procedures to ensure protective measures remain in place throughout

the development. An effective way of doing this is through an arboricultural method statement that can be specifically referred to in the planning consent.

- **New planting:** In the context of the loss of trees, a comprehensive new landscaping scheme is proposed including semi-mature trees to be planted within available areas in prominent locations. The new trees should have the potential to reach a significant height without excessive inconvenience and be sustainable into the long term, significantly improving the potential of the site to contribute to local amenity and character.
- **Summary of the impact on local amenity:** One high category tree and twenty low category trees will be lost because of the proposal. However, many of these trees are not visible from the verge and the retention of the significant boundary tree cover will ensure there is little impact on the wider setting. A comprehensive landscaping scheme to mitigate these losses is proposed that will include the planting of new trees.

A tree retention and removal plan is provided within **Appendix KK**. Refer also to the Landscape Drawings at **Appendix O** and Landscape Design Report at **Appendix D** for further detail.

6.15 Sustainability

An Ecologically Sustainable Development (ESD) Report has been prepared by Atelier Ten and is included at **Appendix QQ**, detailing the relevant sustainability principles and targets applicable to the site, as well as how the proposed development will meet the relevant industry recognised building sustainability and environmental performance standards.

The Marrickville Timberyards neighbourhood will exemplify innovative development by leading shift of carbon neutrality, embracing a holistic circular approach, and integrating climate change mitigation strategies. The project will consistently work towards fostering a vibrant cohesive community and environment that is reflective of the Marrickville community history and identity, and further committing to preserving the distinct culture.

As a result of RTL Co.'s strong sustainability ambitions, the proposed development targets 4 Star Rating Green Star Buildings v1.0, and 7 Star NatHers. The following outlines a summary of the key design initiatives that have been incorporated into the proposed development, which allow the development to achieve these performance targets are shown in **Figure 68** below.

Further detail on the proposed sustainability performance measures is provided in the ESD Report (**Appendix QQ**).

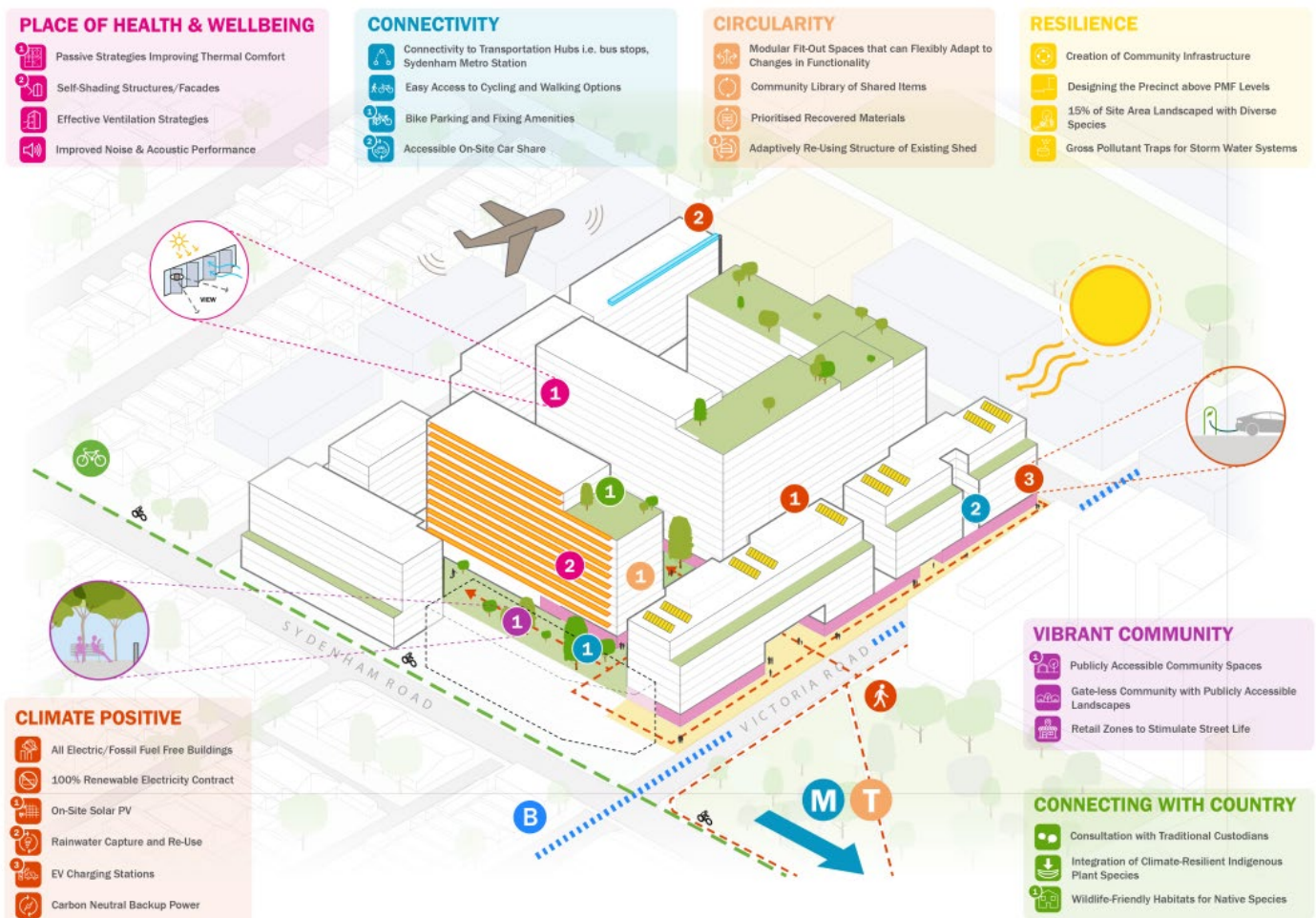


Figure 68 Sustainability Vision Axonometric

Source: Atelier Ten

6.16 Site isolation

The subject site does not include land at the corner of Sydenham Road and Victoria Road, specifically the land bounded in yellow in **Figure 69** below and listed in **Table 32**. Collectively, these lots are referred to as the 'Sydenham Road and Victoria Road Corner Site' (Corner Site). The purpose of this section is to address the SEARs, which require the consideration of potential isolation of the Corner Site.

RTL Co. has sought (and continues) to negotiate to acquire the Corner Site, and it remains possible that negotiations may allow for the successful acquisition and integration of that site into the broader precinct. However, negotiations with the various landowners to date have not been sufficiently successful to allow for this to occur, and consequently should this occur in the future these properties would be the subject of a separate planning application. It is not necessary for the carrying out of this project for the Corner Site to be included, which already provides for a much higher level of property amalgamation and coordinated development than was anticipated at the time of the rezoning of the land or finalisation of the Precinct 47 DCP.

Table 32 Lots in isolated Precinct 4

Address	Lot	Address	Lot
199 Victoria Road	Lot 2 Section 2 in DP4590	113 Sydenham Road	Lot 1 in DP983709
203 Victoria Road	Lot 101 in DP808619	115 Sydenham Road	Lot 1 in DP900275
109 Sydenham Road	Lot B in DP176842	117 Sydenham Road	Lot B in DP101986
111 Sydenham Road	Lot A in DP176842	119 Sydenham Road	Lot A in DP101986

Note: Not all addresses identified in DPHI's SEAR 3 for the Corner Site are correct, for correct property descriptions refer to table above.



 The site

Figure 69 Site Aerial Map with isolated site bound in yellow

Source: Nearmap, Ethos Urban

Whilst not applicable to development that is SSD, Council's Precinct 47 site-specific DCP (at 9.47.6.2) encourages amalgamation of properties to assist in realising the masterplan, but acknowledges that amalgamation may not occur precisely in a manner indicated in the DCP. The DCP provisions seek to ensure that amalgamation occurs in a manner that does not result in the isolation of sites in a manner that would preclude the development of remaining sites, such as the Corner Site, in a manner generally consistent with the rezoning.

In order to demonstrate that the Corner Site would not be isolated by this development, and would continue to be capable of being developed separately from this project in a manner that is consistent with the IW LEP, a reference scheme has been prepared for the Corner Site, documented in the Design Report at **Appendix J**.

The Land and Environment Court (LEC) has established principles for the consideration of site isolation, as expressed in *Karavellas v Sutherland Shire Council* [2004] NSWLEC 251 at [17-19]. The decision in *Karavellas* builds on the principles established by the court in *Melissa Grech v Auburn Council* [2004] NSWLEC 40 and *Cornerstone Property Group Pty Ltd v Warringah Council* [2004] NSWLEC 189.

The steps to address site isolation, as set out in the Planning Principle, are addressed below.

1. Is amalgamation of the subject site and the Corner Site feasible?

Firstly, where a property will be isolated by a proposed development and that property cannot satisfy the minimum lot requirements then negotiations between the owners of the properties should commence at an early stage and prior to the lodgement of the development application.

The Corner Site is not subject to a minimum lot size pursuant to the IWLEP 2022. Section 9.47.6 of MDCP 2011 (which does not apply to this development in any instance by virtue of the Planning Systems SEPP) specifically states that the DCP does not seek to mandate any specific property amalgamation pattern. Rather, the DCP establishes a series of objectives and controls that seek to support the overarching vision for the precinct by ensuring that all redevelopment sites are of sufficient size and shape to enable high density residential and mixed use development as contemplated by the IWLEP 2022 provisions, to ensure that smaller allotments are not isolated and thereby prevented from redevelopment, and to ensure vehicular access throughout the precinct minimises the impact of flooding and stormwater inundation.

As there is no minimum lot size applicable or defined amalgamation pattern required by the applicable planning instruments, this principle is satisfied and the Planning Principle does not require the proponent to undertake

negotiations with surrounding lot owners. Notwithstanding this, RTL Co. have sought to undertake such negotiations for commercial reasons and the status of these negotiations is outlined for information only.

Secondly, and where no satisfactory result is achieved from the negotiations, the development application should include details of the negotiations between the owners of the properties. These details should include offers to the owner of the isolated property. A reasonable offer, for the purposes of determining the development application and addressing the planning implications of an isolated lot, is to be based on at least one recent independent valuation and may include other reasonable expenses likely to be incurred by the owner of the isolated property in the sale of the property.

Whilst not required to do so by the applicable planning framework or the approach set out in the LEC Planning Principle, RTL Co. has presented a reasonable offer to each property owner comprising the Corner Site, as identified in **Appendix FF**. Over the course of 2024, the response from owners has been varied, with some owners open to divestment of their property, and others unwilling. This would result in a piecemeal ownership of non-adjacent lots that would be inadequate for amalgamation and redevelopment with the subject site. Such an outcome would be contrary to the intent of the LEC Planning Principle and MDCP to ensure that redevelopment of the Corner Site could occur in the future.

Thirdly, the level of negotiation and any offers made for the isolated site are matters that can be given weight in the consideration of the development application. The amount of weight will depend on the level of negotiations, whether any offers are deemed reasonable or unreasonable, any relevant planning requirements and the provisions of s 79C of the Environmental Planning and Assessment Act 1979.

Negotiations and a reasonable offer is demonstrated in the correspondence at **Appendix FF**. As identified in this appendix, certain landowners remain unwilling to accept an offer of purchase.

2. Can orderly and economic use and development of the separate site be achieved if amalgamation is not feasible?

In answering this question the key principle is whether both sites can achieve a development that is consistent with the planning controls. If variations to the planning controls would be required, such as non-compliance with minimum allotment size, will both sites be able to achieve a development of appropriate urban form and with acceptable level of amenity.

To assist in this assessment, an envelope for the isolated site may be prepared which indicates height, setbacks, resultant site coverage (both building and basement). This should be schematic but of sufficient detail to understand the relationship between the subject application and the isolated site and the likely impacts the development will have on each other, particularly solar access and privacy impacts for residential development and the traffic impacts of separate driveways if the development is on a main road.

The Design Team in their Design Report at **Appendix J** have prepared an indicative development scheme for the Corner Site that generally accords with the MDCP 2011 Indicative Masterplan and the Apartment Design Guide Part 2 - Developing the Controls and Part3 - Siting the Development, illustrated at **Figure 70**. The scheme comprises a singular linear form that addresses its prominent corner location. The envelope has been designed to align with boundary setbacks identified in the MDCP 2011, as well as ADG building separation criteria internally from the subject development proposal. The scheme demonstrates that the site can be independently developed in the future in a manner that is consistent with the planning controls (noting that no variation is required to a minimum lot size control). The scheme represents an appropriate urban form and acceptable level of amenity, demonstrating opportunity to achieve each of the Housing SEPP's Schedule 9 Design principles for residential apartment development and key design criteria of the Apartment Design Guide (ADG) including solar and natural ventilation amenity.

The indicative development scheme also addresses site egress with respect to the flooding risk. In the corner position, there is expansive street frontage for egress opportunity.

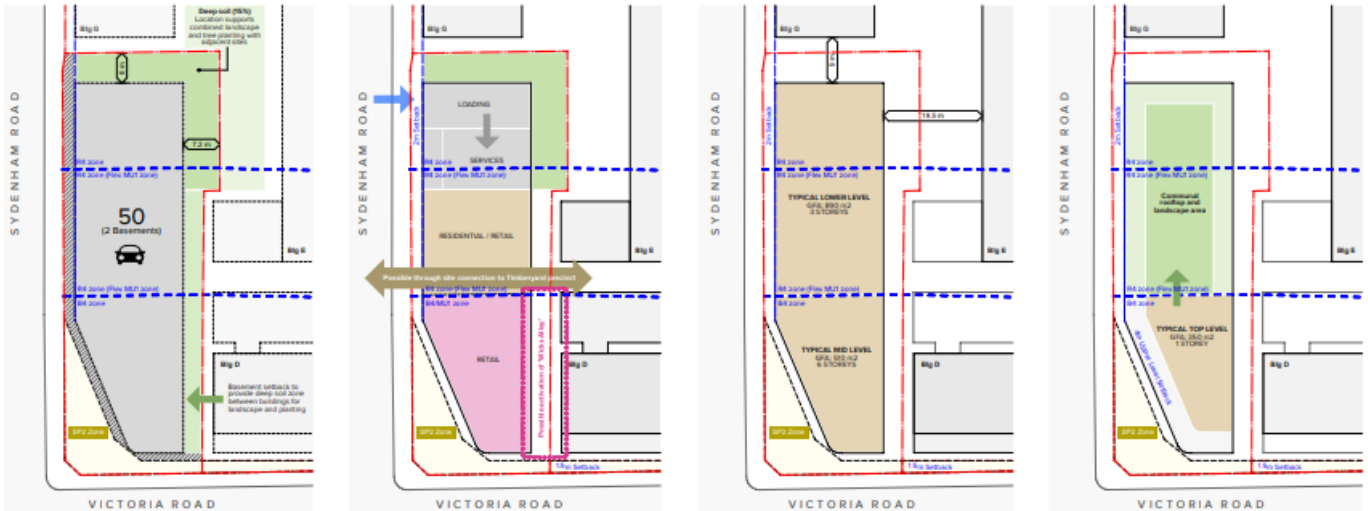
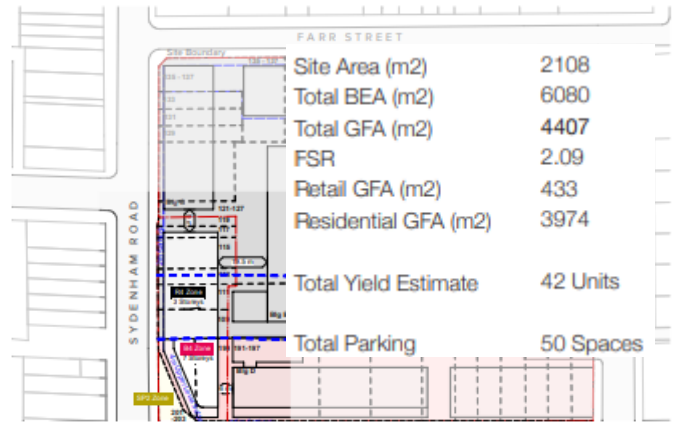
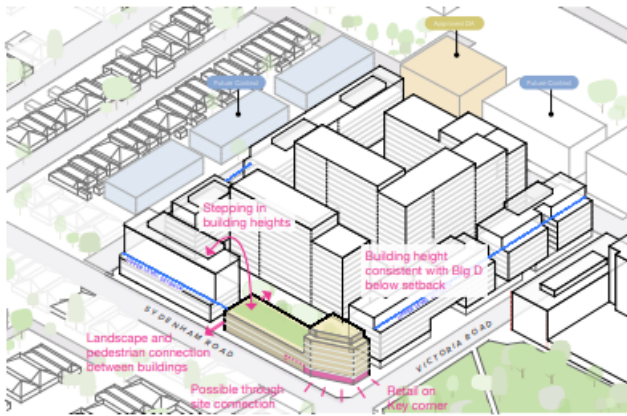


Figure 70 Sydenham Road & Victoria Road 'Corner Site' - Indicative Concept

Source: Design Team

Key aspects of the scheme that support its independent developability include:

- Two basement levels with sufficient room for a deep soil zone.
- Active street level with retail uses, vehicle and service access off Sydenham Road with potential to connect to the Timberyards precinct (noting that vehicular access off Sydenham Road is supported by the traffic engineer at **Appendix RR**).
- Typical apartment level, building depth and setbacks consistent with DCP and ADG objectives and controls.
- Upper levels with communal rooftop and landscaped area. Setbacks from street edge consistent with MDCP 2011 upper level setback requirements.

The subject application may need to be amended, such as by a further setback than a minimum in the planning controls, or the development potential of both sites reduced to enable reasonable development of the isolated site to occur while maintaining the amenity of both developments.

As demonstrated by the indicative scheme, which achieves an estimated yield of 42 apartments in a building envelope that demonstrates opportunity to meet ADG amenity criteria, the site in isolation is considered to have a high development potential. Further, future residents on the site have opportunity to utilise the significant quantum of publicly accessible open space and landscaped area in the adjacent proposed development. Development on the Corner Site is therefore not considered to be compromised by the proposed development.

6.17 Aviation

An Aeronautical Impact Assessment has been prepared by Avlaw and is provided at **Appendix CC**. The report assesses the proposed built and temporary structures that will be erected at the site against all applicable aviation restrictions. The report concludes that the buildings as proposed will not intrude any airspace protection surfaces covering the site and will therefore not require controlled activity approval.

The preliminary crane strategy reviewed by Avlaw ensures that tower cranes remain below the OLS and therefore do not require controlled activity approval. It is proposed that tower crane installation and dismantle occurs during the Sydney Airport flight curfew, however, further engagement is required with all aviation authorities and stakeholders to ensure safe operating procedures and adequate control measures are implemented. It is acknowledged that mobile crane operations will require controlled activity approval with specific conditions applied by aviation stakeholders that will require detailed coordination between the building contractors, Sydney Airport and Airservices Australia.

The proposed construction at the site has also been assessed against other aviation hazards as defined in the NASF and Avlaw has not identified any impediments to the development proceeding. The proposed permanent and temporary structures at the site should be supported by aviation stakeholders and, it will not adversely affect the safety, efficiency or regularity of aircraft operations at Sydney Airport.

6.18 Infrastructure and Utilities

An Infrastructure Delivery Report for the proposed development has been prepared by JHA and ADP and is included at **Appendix UU**. This report addresses the potential impact of the renewal of the site on the relevant services on the site, including any impacts on existing utility infrastructure and service provider assets, and any infrastructure upgrades required to facilitate the renewal. A summary of the assessments are provided below.

6.18.1 Electrical

Electricity

The site is currently supplied from the existing Ausgrid Low Voltage (LV) distribution street network via overhead and underground connections as below:

- The existing on-site substation S.7843 located centrally on Victoria Road. This substation has an LV arrangement that allows four service supplies, these supplies are as follows;
 - Distributor 1: 179 Victoria Road – current load reading is approximately 395A on this distributor. This is a direct distributor supplying 179 Victoria Road.
 - Distributor 2: Victoria Road – current load reading is approximately 294A This supplies the Ausgrid network on Victoria Rd north of substation S.7843.
 - Distributor 3: Victoria Road - current load is 197A. This supplies the Ausgrid network southwest of this substation S.7843.
- Existing substation S035279 located 182-198 Victoria Rd serves an LV pillar on the corner of Mitchell Street and the laneway.

The existing low-voltage Ausgrid assets reticulate around the perimeter of the site, outside of the development boundary within public footpaths and roadways.

The high-voltage (HV) underground network extends along Victoria Road, Sydenham Road, and Farr Street. The low-voltage and streetlight networks are situated around the perimeter of the site. The nearest Ausgrid Zone Substation is the Marrickville Zone Substation, located approximately 300 meters from the site.

Preliminary maximum demand calculations have been undertaken for the development, the current total maximum demand for the proposed development is calculated to require approximately 7,100A/Ph with an after diversity estimated demand of 4,500A. Based on the above, the development can be supplied via a new 3 x 1,500kVA transformer chamber substation.

Telecommunications

Telstra and NBNCo have existing cables and pits surrounding the site. The existing buildings are served by NBNCo and Telstra within the site, which are required to be decommissioned and removed to make way for the new development. The existing site is well-served by NBNCo and Telstra via existing conduits and pits. The NBNCo and Telstra existing pits located along Victoria and Sydenham Road can likely be utilised for the new development.

Optus have existing cables and pits surrounding the site. The existing site is well-served by Optus via existing conduits and pits. The Optus existing pits located along Victoria and Sydenham Road can likely be utilised for the new development.

6.18.2 Hydraulic

Water Supply

There are a number of existing Sydney Water mains located in proximity to the site, including:

- 100mm CICL (Cast Iron Cement Lined) water main runs along the western side of Farr St
- 100mm CICL (Cast Iron Cement Lined) water main runs along Mitchell St
- 250mm CICL (cast Iron Cement Lined) water main runs along the western side of Victoria Rd
- 250mm CICL (cast Iron Cement Lined) water main runs along the eastern side of Victoria Rd
- 200mm CICL (cast Iron Cement Lined) water main runs along the northern side of Sydenham Rd
- 200mm CICL (cast Iron Cement Lined) water main runs along the southern side of Sydenham Rd
- 500mm CICL (cast Iron Cement Lined) trunk water main runs along within Sydenham Rd

It is proposed that each precinct or building will have its own water connection into the authority water main, these are as follows:

- Buildings C and D to connect via the 250mm CICL water main on Victoria Road
- Buildings A and B to connect via the 100mm water main on Farr Street
- Buildings E, F and G to connect via the 200mm water main on Sydenham Road

Should Sydney Water deem the main inadequate based on the load to the existing infrastructure an upgrade would potentially be required. A Sydney Water feasibility application was lodged on 10 December 2024, as required by Sydney Water.

Sewerage

Multiple sewer connections will be proposed to the diverted sewer main for each individual building A, and B according to the staging requirements. Each building is likely to have its own individual sewer connection into the diverted authority sewer main. Multiple junctions will also be required in the existing sewer service main in the properties along Sydenham Road to service buildings C, D, E, F, and G and Section 73 applications will therefore be required to be made for the entire site and its individual buildings. The exact location of the sewer connections will therefore be subjected to the respective Section 73 Notice of Requirements (NOR) advice.

Gas

There are no proposed connections as this will be a zero fossil fuel, gas-free site. However, demolition of the 32mm Nylon 210 kPA gas main may be required if excavation works affect the existing main. Gas advice is subject to consultation with Jemena.

6.19 BCA

A BCA Report prepared by Jensen Hughes has been provided at **Appendix AA**. The report reviews the capability of the proposed design to meet the requirements of the Building Code of Australia 2022 (BCA). Overall, it is considered that the design is generally capable of meeting the deemed to satisfy provisions and performance requirements of the BCA and relevant Australian Standards.

6.20 Accessibility

An Access Report has been prepared by Architecture and Access and is attached at **Appendix BB** which concludes that a high level of compliance has been achieved at this stage of the design. Further, detailed compliance with accessibility requirements, pertaining to external site linkages, building access, common area access, sanitary facilities and parking can be readily achieved.

Access for people with disabilities will be provided to and through the landscaped areas and the main paths of travel to the principal pedestrian entrances of each of the buildings, to all the retail tenancies located on the ground floor. Vertical transportation (lifts and stairs) is proposed to provide access to each of the upper levels to services communal spaces and each of the accommodation levels and up to the front door of all Sole Occupancy Units (SOUs) on an accessible path of travel.

An accessible path of travel or circulation spaces are not required to 'back of house' areas (Waste Rooms, Loading Dock, Service Cavity, Cleaner Store, Elect/PV Store) which are deemed to be inappropriate for people with disabilities due to the health and safety risk they pose. These areas are exempt under D3.4 of the Disability (Access to Premises- Buildings) Standards 2010.

Rather than provision of non-accessible dwellings up front, designed for future adaptation, the proposed development includes up-front accessible units, which is appropriate to a rental housing precinct designed to cater to a variety of resident needs. The provision has been guided by the NCC and Statistical data from the Australian Bureau of Statistics, The Australian Institute of Health and Welfare, and the National Eye Health Survey Report.

Of the 1,188 dwellings proposed, the development comprises 37 accessible dwellings (10 fully accessible (mobility impairment and multiple disability), 17 speech and hearing impairment and 10 vision impairment), and 599 silver level units (all Build to Rent and Affordable Housing apartments achieve Liveable (Silver) standards). The design and location of these units are illustrated in the Architectural Drawings at **Appendix B**.

6.21 Waste Management

A Waste Management Plan has been prepared by MRA Consulting and is provided at **Appendix OO**, which details the waste management strategies for the proposal during both its construction and operation, and provides an assessment of waste practices in accordance with the Inner West DCP 2011, as well as the NSW EPA's Better Practice Guide for Resource Recovery in Residential Developments.

The report outlines the anticipated waste generation estimates for each phase of the proposal – being demolition, construction and operation. Based on these calculations, the report provides a suite of recommendations relating to waste management practices.

Demolition and Construction

Demolition and construction activities at the site will generate a range of construction and demolition waste. Throughout the development process, materials will be reused and recycled where possible, minimising the disposal (landfilling) of materials other than those that are contaminated or unsuitable for reuse or recycling processes.

Waste storage during construction operations will involve some stockpiling of reusable material, as well as placement of wheeled bins for the separation of construction materials for recycling. A bin for residual waste or contaminated material will also be made available at the site for disposal where necessary. Bins may require alternative placement across construction operations to facilitate the safe and efficient storage of materials and will be retained within property boundaries to avoid illegal dumping.

A waste storage area shall be designated by the demolition or construction contractor and shall be sufficient to store the various waste streams expected during operations. Waste storage areas will be kept clear to maintain access and shall also be kept tidy to encourage separation of waste materials and for WHS reasons. The waste storage area will retain multiple bins to allow for source separation of waste to allow for ease of recovery and reuse of materials. Waste management principles, management measures and facilities in use on the site shall be included as part of the site induction for all personnel working on the site.

Operation

Waste management areas have been provided across each building, to align with each buildings core and population density, ensuring waste is able to be managed effectively across the site. MRA Consulting has also estimated waste generation arising from the operational phase of the proposal, and recommends the following disposal infrastructure shown in **Table 33** and **Table 32** below.

Table 33 Residential Weekly Waste Generation Volumes

Building	Waste Stream	Weekly Waste Generation	Ongoing disposal infrastructure (2 days of waste)
Building A – Core 1	General Waste	6,600	3 x 660L bin carousel
	Recycling	3,300	2 x 660L bin carousel
	FOGO	550	3 x 240L bins within bulk waste area
	Bulky Waste		8m2 + 3 x 240L bins
Building A – Core 2	General Waste	6,600	3 x 660L bin carousel
	Recycling	3,300	2 x 660L bin carousel
	FOGO	550	3 x 240L bins within bulk waste area

Building	Waste Stream	Weekly Waste Generation	Ongoing disposal infrastructure (2 days of waste)
		Bulky Waste	8m ² + 3 x 240L bins
Building A			
Building B – Core 1	General Waste	7,680	4 x 660L bin carousel
	Recycling	3,840	2 x 660L bin carousel
	FOGO	640	3 x 240L bins within bulk waste area
	Bulky Waste		8m ² + 3 x 240L bins
Building B – Core 2	General Waste	9,360	5 x 660L bin carousel
	Recycling	5,400	3 x 660L bin carouse
	FOGO	1,020	3 x 240L bins within bulk waste area
	Bulky Waste		8m ² + 3 x 240L bins
Building B – Core 3	General Waste	11,360	5 x 660L bin carouse
	Recycling	7,160	3 x 660L bin carousel
	FOGO	1,440	6 x 240L bins within bulk waste area
	Bulky Waste		8m ² + 6 x 240L bins
Building B – Core 4	General Waste	9,480	5 x 660L bin carousel
	Recycling	5,100	3 x 660L bin carousel
	FOGO	910	4 x 240L bins within bulk waste area
	Bulky Waste		8m ² + 4 x 240L bins
Building B			
Building C	General Waste	6,800	3 x 660L bin carousel
	Recycling	6,800	3 x 600L bin carousel
	FOGO	1,700	8 x 240L bins within bulk waste area
	Bulky Waste		8m ² + 8 x 240L bins
Building C			
Building D – Core 1	General Waste	4,840	2 x 660L bin carousel
	Recycling	4,840	2 x 660L bin carousel
	FOGO	1,210	5 x 240L bins within bulk waste area
	Bulky waste		4m ² + 5 x 240L bins
Building D – Core 2	General Waste	3,560	2 x 660L bin carousel
	Recycling	3,560	2 x 660L bin carousel
	FOGO	890	4 x 240L bins within bulk waste area
	Bulky Waste		4m ² + 4 x 240L bins
Building D			
Building E – Core 1	General Waste	8,800	4 x 660L bin carousel

Building	Waste Stream	Weekly Waste Generation	Ongoing disposal infrastructure (2 days of waste)
	Recycling	5,200	3 x 660L bin carousel
	FOGO	1,000	5 x 240L bins within bulk waste area
	Bulky Waste		8m ² + 5 x 240L bins
	Building E – Core 1		
Building E – Core 1	General Waste	7,400	4 x 660L bin carouse
	Recycling	4,520	3 x 660L bin carousel
	FOGO	890	4 x 240L bins within bulk waste area
	Bulky Waste		8m ² + 4 x 240L bins
Building E			
Building F	General Waste	5,040	3 x 660L bin carousel
	Recycling	2,520	2 x 660L bin carousel
	FOGO	420	2 x 240L bins within bulk waste area
	Bulky Waste		4m ² + 2 x 240L bins
Building F			
Building G – West	General Waste	3,960	2 x 660L bin carousel
	Recycling	1,980	2 x 660L bin carousel
	FOGO	330	2 x 240L bins within bulk waste area
	Bulky waste		4m ² + 2 x 240L bins
Building G – East	General Waste	3,960	2 x 660L bin carousel
	Recycling	1,980	2 x 660L bin carousel
	FOGO	330	2 x 240L bins within bulk waste area
	Bulky waste		4m ² + 2 x 240L bins
Building G			
Total:	General waste*	95,440	73 x 660L bins (collected twice per week)
	Recycling	59,500	91 x 660L bins (collected weekly)
	FOGO	11,980	50 x 240L bins (collected weekly)

Table 34 Commercial/Retail Waste Generation

Use Type	Waste Stream	Generation Rate (L/100m ² /day)	Total Weekly Generation (L)
Retail	General Waste	50/100/day	3,609
	Recycling	25/100/day	1,804
	Paper & Cardboard*	25/100/day	1,804
Other	General Waste	215/100/day	7,758

Use Type	Waste Stream	Generation Rate (L/100m ² /day)	Total Weekly Generation (L)
	Recycling	300/100/day	10,826
	Food waste**	-	7,758
	Paper & Cardboard*	-	10,826
Totals:	General Waste		11,367L
	Recycling		12,630L
	Paper & Cardboard		12,630L
	Food Waste		7,758L

MRA Consulting also proposes a suite of management methods to ensure waste is managed in a safe and efficient manner. Further discussion on this is provided within **Appendix OO**.

6.22 Social and Economic Impacts

6.22.1 Social Impacts

A Social Impact Assessment (SIA) has been prepared by Ethos Urban and included at **Appendix Q**. This SIA has been prepared in accordance with the *Social Impact Assessment Guideline for State Significant Projects (2021)*.

The purpose of the SIA is to assess the impacts of the development, both positive and negative, for all stages of the project lifecycle for key stakeholders and the broader affected community. The report concluded that the development resents an overall positive impact.

A discussion of the social impacts is provided below.

Negative residual impacts:

- **Temporary disruption to daily routines during construction** - Construction activities will be approximately 41 months in duration and are expected to impact the community surrounding the site during this time. This will likely include dust, noise, vibration, increased traffic and reduced on street parking. This could have impacts on people's wellbeing and ability to enjoy their home environments and local surroundings or ability to concentrate especially if they work from home. Excavation of the basement will take approximately six months, which is likely to be the most disruptive period in terms of noise and vibration for local residents and businesses. Mitigation measures will manage but not remove all of these impacts.
- **Relocation of on-site businesses and residents** - Relocating businesses from light industrial uses in inner-city areas undergoing urban renewal can negatively impact local builders and tradespeople and the relocation of existing residents has the potential to negatively affect wellbeing, accessibility outcomes, and community connections. Finding new accommodation in the context of the current housing shortage may lead to increased stress.
- **Increased traffic** - Concerns about traffic were emphasised during community consultation, with most survey respondents viewing traffic and parking as a key issue associated with the proposal. Importantly, however, the development results in a net increase to on-street parking given removal of driveways to the existing individual properties that comprise the site. Further, the development is supported by a green travel plan that identifies increased use of public transport rather than reliance on private vehicle use. Also, as the retail proposed is to service the local area, rather than being destinational, it is not anticipated to attract users that would arrive by car.
- **Increased height, bulk and scale of buildings on site, changing views, outlook, and solar access for immediate neighbours** - The development of an 8-13 storey, seven-building complex in a neighbourhood characterised by low-rise semi-detached housing and commercial buildings will impact the look and feel of the locality. The building height will change the visual characteristics of the neighbourhood and potentially reduce solar access for surrounding residents. This may affect existing residents' sense of place and overall enjoyment of the area, notwithstanding that the change in character has been planned for some time as a result of the Precinct 47 LEP and DCP amendments which were subject to extensive community consultation.
- **Contribution to cumulative change in the local character of Marrickville, including loss of industrial lands** - Cumulative impacts are a result of incremental, sustained and combined effects of human action. They can

be caused by the compounding effects of a single project or multiple projects in an area, and by the accumulation of effects from past, current and future activities as they arise. Marrickville is undergoing a period of transition from its industrial past to higher density housing, facilitated by rezoning and supported by the Southwest Metro. The proposed development will contribute to the cumulative change in visual character and community composition of the area by introducing greater height and density on the site. While a few respondents highlighted the transition away from industrial as a positive, generally Marrickville's community and culture are highly valued by the community and the potential change from development was raised as a concern.

Social Benefits:

- **Increased supply of rental housing (including affordable rental housing) in a good location** - The proposal aims to address Marrickville's affordable housing social challenge by delivering 599 new BTR dwellings, including 115 affordable apartments, and 589 co-living dwellings in a good location well placed for more housing. The inclusion of affordable housing will particularly benefit lower-income groups, including key workers and cultural workers who might otherwise lack the opportunity to live near their employment or accessible public transportation connecting to key employment precincts.
- **Increased provision of community spaces, local services and public space and opportunities for connection which will alleviate pressure on local infrastructure** - The provision of 1,188 residential dwellings is expected to generate a net increase of 1,700 residents. A high-level benchmarking assessment was carried out and this found that the good level of provision of community spaces, open spaces, wellness areas and artist studios on-site will likely meet the needs of the incoming population and alleviate pressure on the social infrastructure and open space network surrounding the site.
- **Improved utilisation and safety of Wicks Park and the surrounding street network** - The proposal will improve public safety by providing new pedestrian and visual access through the site and encourage greater activity throughout the day and nighttime with a mix of uses. Increasing this will improve passive surveillance outcomes, supported by food and beverage, retail and residential activation. This will benefit the future residents as well as the broader community surrounding the site by providing 'eyes on the street' across the locality.
- **Supporting local creative economy** - The proposal will provide a number of flexible artist studios rent free and support an artist residency programme for locals which will ensure continued support of Marrickville as a hub for arts and creative industries. Providing additional studio and workshop spaces will likely benefit local people engaged in the creative industries. It will also help ensure that creative industries remain viable in Marrickville throughout urban renewal, which can threaten the viability of creative industries by reducing the availability of suitable spaces, in favour of residential or other commercial uses.
- **Recognition and celebration of local Aboriginal culture through design of the built form** - The implementation of Connecting with Country principles at the foundation of a large-scale urban renewal project in consultation with relevant Aboriginal stakeholders has the potential to change the urban landscape to reflect the locality's precolonial context and cultural heritage. This will benefit the local Aboriginal community, who have higher representation through increased recognition of indigenous knowledge systems and cultural practices, as well as non-Aboriginal residents and visitors who will gain an increased awareness of indigenous knowledge systems and cultural practices.
- **New employment opportunities** - The proposal is anticipated to support employment during the construction and operations phases. The construction phase has the potential to deliver livelihood benefits to construction workers from across the Inner West and surrounding region. It is anticipated that 760 direct and 2,500 indirect FTE construction jobs will be supported throughout the proposal's development. The operation of the proposed development is anticipated to support 108 FTE jobs onsite and 68 indirect FTE jobs across the wider Sydney region (Ethos Urban, 2024). This will improve the livelihoods of future workers who will be directly and indirectly employed across a range of industries (hospitality, retail, ancillary, operations management, security, etc.).

The assessment has identified social benefits with a residual Very High, High and Medium positive impact rating. Potential negative social impacts, after mitigation measures, have a residual rating of High (temporary) for construction impacts, and medium to low/neutral for all other impacts. Recommendations have been provided within the report to further enhance the social benefit of the proposal and further mitigate identified impacts.. These are summarised in the Mitigation Measures table at **Appendix E**.

6.22.2 Economic Impacts

An Economic Impact Assessment has been prepared by Ethos Urban and is provided at **Appendix P**. This report provides an assessment of the economic impacts (including benefits) likely to occur as a result of the project. The

report considered the impacts of the project at a local and regional level, and outlines the market demand and opportunity for proposed uses at the Site.

Economic Impacts:

- **Residential** – There is a significant market need for residential dwellings across the defined Secondary Study Area (defined as the Housing Market Catchment for the project) and the Inner West LGA overall, noting strong population growth, significant price and rental cost escalation, low vacancy rates, a high proportion of rented dwellings, and high rates of rental stress within the local and regional area. The EIA notes that the population in the Secondary Study Area is forecast to increase by +20,250 between 2024 and 2041, with an estimated market gap of 9,840 dwellings by 2041 taking into account implied housing demand and future housing supply.

At 1,188 dwellings/rooms proposed at the Site, this will satisfy 11.9% of the estimated market gap by 2041, providing a material increase in housing supply while allowing for the continuation of other known and future developments. The proposed SSDA will be delivering an alternative housing model that is not typically provided in the local area, and that it will be complementary rather than competitive in the market. Accordingly, the proposed SSDA will not impact on the ongoing viability of continued operational of any residential facility.

- **Retail/Other Ancillary Uses** – The Inner West Employment Lands and Retail Strategy highlights that between 2016 and 2036, an additional +30,000m² of retail floorspace and c+28,000m² of commercial floorspace will be required in Marrickville to support growth. At 2,057m² of retail floorspace and 324m² of commercial (co-working) floorspace proposed, this represents a limited provision of demand requirements, and therefore will not result in a negligible impact on the ongoing operational of any existing or future facility. Importantly, the retail component of the project will satisfy 53.2% of on-site resident demand requirements, allowing for 46.8% of retail spending from on-site residents to be directed to other existing or future facilities in the local area.

Economic Benefits:

- **Employment Activity** – The proposed SSDA will result in a net uplift employment across the Site, supporting activity during both the construction and operational phases, and is described as follows:
 - During the construction phase, the project will support 760 direct Full Time Equivalent (FTE) construction job years. These job years will support a direct value add to the economy of \$123.1 million.
 - Once complete and fully operational, the project will support an estimated 108 direct FTE ongoing jobs, contributing an estimated \$17.8 million in value added to the economy annually. Then the multipliers are taken into account, the project has the potential to support total ongoing employment of 176 FTE jobs, and \$30.3 million in value added annual through direct and indirect benefits.
 - When taking into account existing employment at the Site (22 FTE jobs), there will be a net uplift of 86 direct FTE operational jobs.
- **Expenditure Activity** – At 1,188 dwellings/rooms proposed, the project will support an estimated net increase of +1,680 residents at the Site (noting existing dwellings and population at the Site). These residents will support additional retail expenditure of +30.9 million annually, benefiting local business growth and activity within the local economy.
- **Other Benefits** – The proposed SSDA will result in a range of other economic benefits including:
 - The proposed 115 affordable dwellings proposed will increase the provision of affordable rental housing available for very low, low and moderate income earners in the Inner West LGA by 23.8%.
 - Support the need for increased housing supply and diversity in the local area, including the National Housing Accord targets of +7,800 new dwellings in the Inner West LGA by 2029.
 - Provide a range of rental housing accommodation options including BTR and co-living that will align with the demographic profile and housing needs and preferences of the existing and future community.

Taking the above into account, any impacts likely to result from the proposed SSDA will be limited and will be far outweighed by the benefits anticipated to be generated as a result of the proposal. As such, the proposed development is likely to result in an overall net gain to the economy and community.

6.23 Infrastructure Contributions and Public Benefits

Through the delivery of 1,188 dwellings (including 115 affordable dwellings) and the revitalisation of an underutilised parcel of land, the proposed development represents a significant benefit to the public and will positively contribute to alleviating the current housing crisis in NSW. In addition, RTL Co has offered to enter into a planning agreement with Inner West Council.

The *Inner West Local Contributions Plan 2023* (IWLCP 2023) identifies a number of LGA-wide and Marrickville-specific community and cultural facilities that RTL Co will deliver as part of the proposed development. The proposed agreement includes delivery of this community infrastructure on-site as well as making a monetary contribution to delivery of public infrastructure off-site. The offer also involves the upgrade to Council's unnamed lane of Mitchell Street.

A Letter of Offer (**Appendix CCC**) was submitted to council on 5 December 2024, which outlined the following delivery of community infrastructure on the subject site:

- **New open space in Marrickville, with playground:** establishment of a public access easement to over 8,000m² of land, fully embellished with landscaping, play equipment and pedestrian access infrastructure;
- **Public Art:** in accordance with the Public Art Plan (**Appendix M**), delivery of a significant public artwork in The gateway, contributing to Council's envisaged local level public art trail; and
- **Cultural production space:** Development and fit-out of a local cultural production space for local artists and creatives rent free.

The draft Letter of Offer (as noted above) was issued to Council on 05 December 2024 and a subsequent meeting held with Council on 18 December 2024. Council's acknowledgement of this is provided at **Appendix WW**.

RTL Co and Council will continue to meet and negotiate the terms of the VPA whilst the application is publicly exhibited and assessed by DPHI. Should Council agree to VPA terms, the VPA would be subject to a separate public exhibition process.

7.0 Project Justification

In general, investment in major projects can only be justified if the benefits of doing so exceed the costs. Such an assessment must consider all costs and benefits, and not simply those that can be easily quantified. This means that the decision on whether a project can proceed or not needs to be made in the full knowledge of its effects, both positive and negative, whether those impacts can be quantified or not.

The proposed development involves construction and operation of a mixed-use rental housing precinct development, as outlined in **Section 3.0**. The assessment must, therefore, focus on the identification and appraisal of the effects of the proposed change over the site's existing condition.

In considering the justification of the proposed development and in reference to Section 4.15 of the EP&A Act which specifies matters for consideration a consent authority must consider in determining a development application, the following matters have considered:

- Design of the proposed development, including actions taken to avoid or minimise the impact of the proposed development while still achieving the objectives of the project;
- Consistency with the strategic context;
- Consistency with the statutory requirements;
- The likely impacts of that development, including environmental impacts on both the natural and built environments, and social and economic impacts in the locality;
- The suitability of the site for the development; and
- The public interest.

7.1 Consistency with the Strategic Context

The proposed development aligns with the strategic framework presented in **Section 2.4** given that:

- The proposed development will provide 1,188 rental dwellings in a highly accessible location within 700m of the Sydenham Metro Station, contributing to the State Government's policy priority to facilitate the delivery of housing in well-located areas that are serviced by infrastructure.
- The Proposal directly addresses the current housing affordability and supply crisis by delivering 1,188 dwellings, including 115 affordable rental dwellings, in a precinct in Marrickville that has recently been rezoned for this purpose.
- The proposed development will include activating uses at the ground level to enhance the vibrancy of the locality and provide convenience to residents and visitors. Further, the Proposal will allow for the enhancement of the recreational amenity of the precinct, with a pocket park, children's discovery play area and a variety of open landscaped areas.

7.2 Consistency with the Statutory Requirements

The relevant statutory requirements have been discussed in **Section 4.0** and assessed in **Appendix C**.

Specifically, this EIS has addressed each matter specified in the issued SEARs dated 12 November 2024 (refer to **Appendix A**) and Section 190 and 192 of the EP&A Regulation (refer to **Appendix C**).

7.3 Ecologically Sustainable Development

Section 193 of the EP&A Regulation outlines four (4) principles of ecologically sustainable development to be considered in assessing a project. They are:

- The precautionary principle.
- Intergenerational equity.
- Conservation of biological diversity and ecological integrity.
- Improved valuation, pricing and incentive mechanisms.

An analysis of these principles is provided in the following sections.

Precautionary Principle

The precautionary principle is utilised when uncertainty exists about potential environmental impacts. It provides that if there are threats of serious or irreversible environmental damage, lack of full scientific certainty should not be used as a reason for postponing measures to prevent environmental degradation. The precautionary principle requires careful evaluation of potential impacts in order to avoid, wherever practicable, serious or irreversible damage to the environment.

This EIS and its supporting reports and studies has not identified any serious threat of irreversible damage to the environment and therefore, the precautionary principle is not relevant to the Proposal.

Intergenerational Equity

Intergenerational equity is concerned with ensuring that the health, diversity and productivity of the environment are maintained or enhanced for the benefit of future generations. The proposed development has been designed to benefit both the existing and future generations by:

- The final development will incorporate a range of best-practice sustainability measures to deliver a high-performing, environmentally sustainable design, as presented in **Section 6.15** and the ESD Report prepared by Atelier Ten (**Appendix QQ**). These measures will help reduce the development's energy and water consumption and waste and greenhouse gas production.
- Facilitating housing to meet the needs of current and future generations.
- Including design and administrative mechanisms to ensure the provision of enhancements to the public domain, including new publicly-accessible open space, and enhanced permeability within the precinct for pedestrians and cyclists.
- The consolidated list of mitigation measures (**Appendix E**) outlines measures to safeguard and protect the environment.

The Proposal has integrated short and long-term social, financial and environmental considerations so that any foreseeable impacts are not left to be addressed by future generations. Issues with potential long-term implications such as waste disposal would be avoided and/or minimised through construction planning and the application of safeguards and management measures described in this EIS and the appended technical reports.

Conservation of biological diversity and ecological integrity

The principle of biological diversity upholds that the conservation of biological diversity and ecological integrity should be a fundamental consideration. The proposed development would not have any significant effect on the biological diversity and ecological integrity of the study area, as confirmed in the BDAR Waiver (**Appendix JJ**).

Improved valuation, pricing and incentive mechanisms

The principles of improved valuation and pricing of environmental resources requires consideration of all environmental resources which may be affected by a proposal, including air, water, land and living things. Mitigation measures for avoiding, reusing, recycling and managing waste during construction and operation would be implemented to ensure resources are used responsibly in the first instance.

7.4 Objects of the EP&A Act

The Proposal is consistent with the relevant Objects of the Act as listed under Section 1.3 of the EP&A Act and will not result in any unjust or significant environmental impact. Specifically, the Proposal is consistent with the Objects of the Act as discussed below in **Table 35**.

Table 35 Objects of the EP&A Act

Object	Comment
<i>(a) to promote the social and economic welfare of the community and a better environment by the proper management, development and conservation of the State's natural and other resources</i>	<p>The proposed development promotes the social and economic welfare of the community for the following reasons:</p> <ul style="list-style-type: none">• It includes the delivery of 115 affordable housing dwellings in a well-serviced location, which promotes the social welfare of the community with effective use of existing infrastructure and through reinvigorating the site which is currently underutilised.• It responds to the need for additional rental housing supply in Marrickville and Greater Sydney by establishing the delivery of 1,188 dwellings in a highly accessible location and within walking distance of employment, shops, services, and public open space.

Object	Comment
	<ul style="list-style-type: none"> It will support the creation of healthy, safe and inclusive places by facilitating a high-quality public domain and an activated ground plane with commercial premises and communal space.
<i>(b) to facilitate ecologically sustainable development by integrating relevant economic, environmental and social considerations in decision-making about environmental planning and assessment</i>	<p>As described in Section 6.15 above, the principles of ESD have been incorporated into the Proposal's design and strategy.</p> <p>Refer to the ESD Report (Appendix QQ) for further discussion.</p>
<i>(c) to promote the orderly and economic use and development of land</i>	<p>The Site is an underutilised landholding (its rezoning not yet acted upon) within walking distance of the Sydenham Metro Station as well as a range of other services and employment opportunities within Marrickville. Further, the Site is also unconstrained from matters such as bushfire and biodiversity, and is well-positioned to provide an activated ground plane to enhance the envisaged vibrancy of the Victoria Road sub-precinct.</p> <p>The Proposal represents an orderly development as:</p> <ul style="list-style-type: none"> It is consistent with the strategic objectives of the NSW Government to facilitate greater housing supply in areas with excellent access to services and employment opportunities. It is permissible with consent by virtue of the Housing SEPP. It complies with the FSR development standards under the IWLEP 2022 with affordable bonus under the Housing SEPP (subjected to environmental amenity testing) meaning the Proposal's density of development is appropriate for the Site. <p>Therefore, the Proposal will facilitate the orderly and economic use of land by revitalising a significantly underutilised landholding in the rezoning Precinct 47 in Marrickville.</p>
<i>(d) to promote the delivery and maintenance of affordable housing</i>	<p>The proposed development, owing to the variation to building height, strongly delivers this object as it enables the provision of 115 affordable housing dwellings. Council's local policy identifies a lack of affordable housing in the Inner West, and this proposal makes adequate provision of this housing type.</p> <p>The EIS includes a Letter of Support with the intent to enter into a property management agreement from a registered community housing provider (CHP) at Appendix ZZ and a Plan of Management (PoM) at Appendix VV.</p>
<i>(e) to protect the environment, including the conservation of threatened and other species of native animals and plants, ecological communities and their habitats</i>	<p>The BDAR Wavier at Appendix JJ confirms that the Proposal is unlikely to significantly impact biodiversity values, including threatened and other species of native animals and plants, ecological communities and their habitats.</p>
<i>(f) to promote the sustainable management of built and cultural heritage (including Aboriginal cultural heritage)</i>	<p>As presented in Section 6.4, the Proposal promotes the sustainable management of built and cultural heritage (including Aboriginal cultural heritage) for the following reasons.</p> <ul style="list-style-type: none"> There are no items of heritage significance on the site, nor is it within a heritage conservation area, and the project will not result in adverse impact on the significance of any heritage items or conservation areas within the vicinity of the site. The Proposal exhibits design excellence and will in turn be of a high architectural and landscape design standard that positively contributes to the setting of nearby heritage items. <p>The mitigation measures presented in Appendix HH include appropriate management of archaeological deposits and Aboriginal items that might be uncovered at the construction stage.</p>
<i>(g) to promote good design and amenity of the built environment</i>	<p>The proposed development has been designed by an award-winning collaboration of architects, including Turner, Tribe Studio and Architecture AND, with Aileen Sage, Pullinger, Arcadia and Yerrabingin.</p>

Object	Comment
	As detailed in Section 6.1 and Section 6.2 , the Proposal has been designed to appropriately respond the Site's surrounding context, whilst protecting the environmental amenity of the area. The form, function and overall design of the development is of a high quality that will support the amenity of its occupants and surrounding community.
<i>(h) to promote the proper construction and maintenance of buildings, including the protection of the health and safety of their occupants</i>	The BCA Report (Appendix AA) and Access Report (Appendix BB) confirm that the proposal is capable of compliance with the BCA and the <i>Disability (Access to Premises – Buildings) Standards 2010</i> .
<i>(i) to promote the sharing of the responsibility for environmental planning and assessment between the different levels of government in the State</i>	The proposed development achieves the objectives of the Housing SEPP provisions that incentivise affordable housing, established to address national and NSW Government policy priorities in respect of housing affordability, including as set out under the <i>National Housing Accord</i> . The significance of the project is reflected in the Planning Systems SEPP, which makes the project SSD, and the flexibility encouraged by Planning Circular PS 23-003 to adapt to local planning considerations. RTL Co is working closely with Inner West Council to facilitate the delivery of infrastructure necessary to support the development through the process of negotiating a Voluntary Planning Agreement, and Council will also have the opportunity to provide formal input on the project through the SSD assessment.
<i>(j) to provide increased opportunity for community participation in environmental planning and assessment</i>	As outlined in Section 5.0 , the Proponent has carried out extensive consultation per the Department's <i>Undertaking Engagement Guidelines for State Significant Development (2021)</i> .

7.5 Likely Impacts of Development

Having regard to the natural environment, built environment and economic and social impacts of the proposed development, the likely impacts of development are considered acceptable as outlined in the following sections.

Additionally, the proposed mitigation measures detailed within **Section 6.0** and **Appendix E** outlined mitigation and management measures that will minimise the impact of the proposed development.

Biophysical

The environmental impact assessment (**Section 6.0**) demonstrates that:

- the Proposal will not have any significant effect on threatened species, populations or ecological communities or their habitat arising from the construction or uses of the proposed development. The Proposal will not have an impact on any matters of national environmental significance under the *Environmental Protection and Biodiversity Conservation Act 1999* (Cth), or *Biodiversity Conservation Act 2016* (NSW); and
- the Proposal will not result in any undue adverse environmental impacts. Potential sources of risk associated with the construction works and operation of the proposed development can be managed with the appropriate safeguards and mitigation measures as outlined at **Appendix E**.

Social and Economic

The Proposal's social and economic impacts include:

- Facilitating the delivery of 1,188 dwellings in a highly accessible and amenity rich location to support the critical shortfall of rental housing options and the requirement to deliver 7,800 new dwellings in the Inner West LGA by 2029. The proposed supply will significantly support the need for additional secure rental housing options within Marrickville.
- Will address the recognised shortage in housing supply across Greater Sydney, which has accentuated the current housing affordability crisis in NSW.
- The proposed RTL Co. model will increase social cohesion, create a sense of community, deliver on key social infrastructure and provide an improved way of life through the enhanced public domain and pedestrian experience on the Site.

- The Proposal will support approximately 760 construction jobs and 108 operational jobs (both retail and residential) during sequential phases of the development.
- It will revitalise a currently underutilised site in a key rezoned precinct nearby to the recently opened Sydenham Metro Station, which will help in furthering the growth of Marrickville with a significant residential living component that demonstrates design excellence.

7.6 Suitability of the Site

Having regard to the characteristics of the site and its immediate surrounding context, the proposed development is suitable for the site for the following reasons:

- The site has recently been rezoned MUI and R4, in order to permit and facilitate the proposed uses that are the subject of this development (inclusive of co-living by virtue of the Housing SEPP);
- Is under single ownership;
- Responds to the strategic vision enunciated by various levels of government regarding the delivery of additional housing supply in key locations, including those with locational proximity to key transport nodes;
- Delivers high quality, diverse rental housing at a key site, improving housing stability and diversity in Sydney's inner-west with well-located (proximity to public transport) build-to-rent, co-living and affordable housing;
- Has been designed to be development in a manner that minimises impacts on its surrounds and has been designed to in some respects improve the natural, historic, and environmental qualities of the site; and
- Will result in only minor environmental impacts that can be appropriately managed and mitigated.

7.7 Public Interest

The proposed development is in the public interest as it will:

- facilitate the renewal of a significant underutilised site at a critical location in Marrickville (its recent rezoning not yet acted upon);
- demonstrate excellence in both design and ecologically sustainable development initiatives;
- deliver 1,188 dwellings, including 115 affordable dwellings, which will take advantage of this accessible location, proximity to services and existing networks with direct connections to major employment destinations.
- create a more vibrant and activated precinct that provides a range of day to day services and offerings for employees, visitors, and the local community, tailored to support existing creative and diverse offerings in Marrickville;
- create new jobs during the construction and operation phases of the development, providing employment and amenities for residents on site and in the greater precinct;
- deliver 115 affordable dwellings which directly addresses the critical need for affordable housing in the area; and
- include over one hectare of publicly accessible open space, with a diverse array of landscaped, passive and active recreational spaces.

8.0 Conclusion

This Environmental Impact Statement (EIS) has been prepared to consider the natural environment, built environment and social and economic impacts of the proposed mixed-use rental housing precinct development, with commercial premises on part ground floor to specified buildings. The EIS has addressed the issues outlined in the SEARs (**Appendix A**) and accords with section 190 and 192 of the EP&A Regulation, with regard to consideration of the relevant environmental planning instruments, built form, social and environmental impacts resulting from the proposed development. Appropriate mitigation measures have been identified to manage the impacts of the development through the construction and operational phases of the project, noting that these potential impacts are inevitable for a project like this as it involves the redevelopment of site that has been rezoned for revitalisation comprising high-density residential accommodation.

The proposal is identified as having strong strategic merit, by delivering a contemporary and high-quality mixed-use development, comprising a total of 484 BTR apartments, 115 affordable apartments and 589 co-living dwellings, complemented by various commercial premises. The proposal is consistent with the various strategic planning initiatives enunciated by federal, state and local government, principally, in relation to the delivery of additional housing supply, with affordable housing, in key locations across Greater Sydney.

Having regard to environmental and economic and social considerations, including the principles of ecologically sustainable development, the carrying out of the project is justified for the following reasons:

- The proposed development is permissible with consent and meets the relevant statutory requirements of the relevant environmental planning instruments, including the Inner West LEP 2022;
- The proposed development will not result in adverse environmental impacts, with appropriate mitigation measures that will minimise any potential impact;
- The proposal will facilitate the redevelopment of the site for the purposes of Build-to-Rent (BTR), co-living and affordable housing, accompanied by commercial premises and recreation area, which will deliver important social and economic benefits to the community by contributing to housing diversity and stability for the increasing population as well as providing employment generating floor space in a highly accessible location proximate to existing jobs;
- Delivery of 1,188 well-located homes, including 115 homes that will be used for the purpose of affordable rental housing;
- The proposed development is a direct response to the strategic vision and objectives for the delivery of additional housing supply, stated in such documents as the National Housing Accord 2022, Housing 2041, as well as the Greater Sydney Region Plan and Eastern City District Plan.
- The proposal has been carefully designed to provide a contextual response to its setting and to minimise perceived bulk and scale impacts to the public domain and adjoining buildings;
- The proposal is a high-quality suite of architectural buildings and represents a significant improvement to the existing site condition, which represents a redundant light industrial use;
- The proposed development represents a high-quality urban design outcome that will contribute to a safe, secure and active environment;
- The proposal represents a significant investment opportunity delivered in one line and will provide a total of 760 construction jobs, and 108 operational jobs as per the Economic Report, which includes both residential and retail;
- The assessment of the proposal has demonstrated that the development will not result in any unreasonable environmental impacts that cannot be appropriately managed consistent with the relevant planning controls for the site;
- The proposal represents an evolution of the site into a true mixed use offering with focus on rental housing complimenting the diverse Marrickville locality and the ongoing revitalisation of the precinct to accord with its rezoning;
- The proposal aligns with State Government's strategic approach for facilitate the deliver of housing in well-located areas by delivering new dwellings within less than 700m of the Sydenham Metro Station;
- The proposal will facilitate the delivery of a high level of quality publicly accessible and resident-focused communal open spaces and amenity areas, as well as public domain improvements, particularly to Victoria Road and Mitchell Street with additional footpath width and upgraded laneway off Mitchell Street;
- The proposal will significantly contribute to an activated public domain and streetscape through the incorporation of diverse ground level commercial premises, and flexible publicly accessible through site links and recreation area (public open space equates to 10,207m² or 45% of the site area; and

- The proposal is consistent with the principles of ecological sustainable development as defined by Section 190 of the *Environmental Planning and Assessment Regulation 2021*.; and
- The proposed development is suitable for the site and in the public interest.

Given the merits described above, and the significant benefits associated with the proposed development, it is requested that the application be approved.