



1 Burroway Road, Wentworth Point

## RESPONSE TO SUBMISSIONS

State Significant Development 14\_6387

# RESPONSE TO SUBMISSIONS

## 1 Burroway Road, Wenworth Point

Mixed use development comprising 3 buildings containing residential apartments above podium level commercial uses (SSD 14\_6387)

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Prepared under instructions from  
Payce Communities Wentworth Point Pty Limited & SH FWT Development Pty Limited

by

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# 1.0 INTRODUCTION

This report provides a response to the issues raised by the Department of Planning and Environment, other government agencies and the public in response to a State Significant Development Application for a 9 storey mixed use development above 3 common basement levels, comprising two ground floor podium levels, separated by an open air plaza, containing a small supermarket, speciality retail and a child care centre at 1 Burroway Road, Wentworth Point.

The response is accompanied by amended architectural plans which have been developed as a response to the various issues which have been raised. The amended configuration of the proposed buildings has been specifically designed to achieve the following:

- significantly improved street activation in particular along the northern, western and southern facades;
- increased separation between the western and central buildings;
- improved solar access for the development;
- improved servicing and loading dock arrangement and waste management;
- increased provision of common open space; and
- improved apartment mix with an increased percentage of 3 bedroom apartments.

The amended proposal results in only minor changes to the height and gross floor area of the development.

The amended application is accompanied by the following documentation:

- Amended architectural package including solar studies, SEPP65 natural ventilation and daylight access diagrams - Stanisic Architects
- Detailed quantitative assessment of compliance with the rules of thumb in the Residential Flat Design Code - Stanisic Architects
- Amended landscape concept drawings and principles - Context
- Additional traffic discussion and response to submissions - Henson Consulting
- Amended Geotechnical Report - Pells Sullivan Meylink
- Response to contamination issues - DLA Environmental
- Response to submissions - Northrop

The amended application has resolved the issues raised by the Department of Planning and Environment, Auburn City Council, Sydney Olympic Park Authority as well as other government agencies and the public.

The amended application represents an improved urban design outcome in response to the opportunities and constraints of the site. The development has significantly improved connectivity with the existing and future desired context and will contribute positively to the emerging character of the locality.

## 2.0 AMENDED PROPOSAL

### 2.1. Amendments

The following amendments have been made to the proposed development:

- the residential and retail vehicular entry and exits into the basements has been switched with residential access now from the new eastern road and retail access from Burroway Road;
- the loading dock has been relocated from the south-western corner of the development to the southern side of the development and now has the capacity to service all retail components of the development;
- the relocation of the loading dock has allowed for the provision of a retail tenancy at the south-western corner of the development which now provides an active street edge to this corner;
- the ground floor plane on the western side of the development comprises a more generous lobby as well as the new retail tenancy at the south western corner.
- new retail tenancies have been provided along the entire northern frontage facing the foreshore;
- the arrangement of retail tenancies within the internal through-site link have been rationalised and alternative lift core and lobbies provided;
- a new on-site waste collection truck bay has been introduced on the eastern side of the development to facilitate on-site waste collection;
- the footprint of the western building has been reconfigured to align with the western boundary of the site which as provided a significantly improved definition to the south-western corner of the development, improved solar access within the development, improved separation from the central building and also allowed for an increased to the podium level common open space area.
- the roof top slabs between the northern and southern components of each of the three buildings have been joined together to provide improved structural stability;
- the basement levels have been rationalised and reconfigured which also allows for increased bicycle parking provision;
- the internal planning of the apartments has been reconfigured to provide improved solar access to living room windows, an amended mix and to suit the reconfiguration of the western building; and
- the percentage of 3 bedroom apartments has been increased from 3% to 7%.

### 2.2. Numerical Overview and Comparison

The numerical amendments to the scheme are illustrated below:

Control	Originally Proposed	Amended
Site Area	10,430 square metres	
GFA	26,527 square metres	27,447 square metres
FSR	2.54:1	2.63:1
Height	Parapet: RL 31.38 - 32.30 30.1 - 30.7 metres Maximum plant: RL 34.58 - 35.50 33.1 - 33.7 metres	Parapet: RL 33.62 - 33.80 Maximum plant: RL 36.72 - 37.00
Storeys	9	9

## 2.0 AMENDED PROPOSAL

Control	Originally Proposed	Amended
Apartments	<ul style="list-style-type: none"> <li>256 (58 x 1 bed, 189 x 2 bed, 9 x 3 bed)</li> <li>7 of the 2 bedroom apartments are affordable housing apartments to be dedicated to SOPA</li> </ul>	<ul style="list-style-type: none"> <li>256 (58 x 1 bed, 179 x 2 bed, 19 x 3 bed)</li> <li>7 of the 2 bedroom apartments are affordable housing apartments to be dedicated to SOPA</li> </ul>
Non-residential uses	1 supermarket (1,866 square metres) 12 indicative speciality stores 1 child care centre	1 supermarket (1,941 square metres) 12 indicative speciality stores 1 child care centre
Car parking	310 residential 104 retail/commercial	334 residential 111 retail/commercial
Bicycle Spaces	80 retail and visitor; 66 residential	80 retail and visitor; 66 residential
Common Open Space	1,480 square metres (14% of site area)	1,610 square metres (15.4% of site area)
Deep soil	916 square metres (8.7% of site area) (353 square metres on slab and 563 square metres on grade)	1,074 square metres (10.3% of site area) (505 square metres inground and 569 square metres contributory inground)

### 2.3. Indicative Uses

There is no change proposed to the indicative uses and consent is sought for the following indicative uses:

- Food and Drink Premises
- Shops
- Business Premises
- Medical Centre

As well as the above general uses which are currently prohibited, indicative approval is also sought for the following specific components of the development, which are currently permissible, and form fundamental components of the development for which the buildings have been specifically designed to accommodate:

- supermarket
- child care centre

Approval is sought for all of the above indicative uses in this development and it is intended that subsequent detailed development applications will be lodged in the future for the specific detail and fitout of each retail and commercial tenancy.

### 2.4. Apartment Mix

The proposed residential accommodation comprises 58 x 1 bedroom apartments (23%), 179 x 2 bedroom apartments (70%), and 19 x 3 bedroom apartments (7%).

## 3.0 DEPARTMENT OF PLANNING AND ENVIRONMENT

The Department of Planning and Environment raised issues in relation to the subject application on 31 July 2014. A response to each of the issues is provided below:

### 3.1. Design of New Road

The design of the new road should be revised to ensure that, in combination with the three metre setback on the adjoining site to the east, it can accommodate two lanes of traffic, two parking lanes and two footpaths in accordance with the Wentworth Point Precinct Master Plan 2030.

The architectural package have been amended to ensure that in combination with the three metre setback on the adjoining school site to the east, it accommodates two lanes of traffic, two parking lanes and two footpaths in accordance with Figure 11 Secondary Street Typical Section and Plan in the Sydney Olympic Park Wentworth Point Precinct Masterplan 2030

### 3.2. Activation

Servicing areas and retail uses are to be reconfigured to improve activation along the site boundaries, in particular Foreshore Drive

The ground floor layout has been significantly amended by removing non-active elements along the Foreshore Drive elevation such as stairs up to the communal open space and amenities and providing retail premises along the majority of the northern elevation which presents to the Ferry Wharf terminal. In addition, the loading dock has been relocated to the southern elevation to Burroway Road where it can be screened by the 5 metre deep landscaping strip, which provides the opportunity for a retail tenancy on the highly visible south-eastern corner of the building. The relocation of the loading dock has also created the opportunity to provide a more generous lobby on the western elevation. The amended ground floor arrangement results in a significant improvement to activation along the site boundaries.

### 3.3. Solar Access

Identify which units will receive a minimum of three hours of solar access during mid-winter and demonstrate that adequate amenity is provided with consideration of the standards in the Sydney Olympic Park Master Plan 2030 and the Residential Flat Design Code

The Sydney Olympic Park Masterplan suggests under Section 4.6.17(16) that all residential development should provide a minimum of three hours of direct sunlight per day to living rooms and private open spaces in at least 75 per cent of dwellings within a residential development on 30 June between the hours of 9 am and 3 pm. However, permissible residential development in Sydney Olympic Park ranges from relatively low scale 9 metre high development to towers of up to 122 metres in height and the Residential Flat Design Code (RFDC) provides a differentiation between the solar access requirement for residential flat development in low density environments compared to dense urban areas. In dense urban environments the RFDC has a rule of thumb that living rooms and private open spaces for at least 70 percent of apartments in a development should receive a minimum of two hours direct sunlight between 9 am and 3 pm in mid winter. The RFDC standards are widely accepted as achieving an appropriate level of residential amenity and in particular the two hour solar access control is readily accepted for high density development.



## 3.0 DEPARTMENT OF PLANNING AND ENVIRONMENT

The Department of Planning & Environment have previously applied the RFDC two hour solar access requirement for high density residential development in Sydney Olympic Park in preference to the suggested three hour requirement in the Masterplan. Specifically, Stages 2 and 3 on Site 3 Australia Avenue (MP10\_0027) complied with the two hour standard.

The subject proposal has a density of approximately 250 dwellings per hectare which is well in excess of the definition of 'high density' development of 40 dwellings per hectare under Section 2, pageA-4 of the Growth Centres Development Code. In addition, the proposal is for a 9 storey residential flat development which represents a substantial height, and the development provides a variety of ground floor shops including a supermarket. It is appropriately described as a dense urban environment akin to a small town centre. Furthermore, the site will sit within a context of 25 storey towers both to the east and the west along the Parramatta River. The proposed development could not reasonably be described as low density. Accordingly, it is most appropriate to apply the two hour solar access requirement for dense urban environments.

The amended architectural package illustrates those apartments which receive both two and three hours of solar access to living room windows and private open spaces in mid winter and demonstrates that the proposed development exceeds the requirement under the Residential Flat Design Code for 2 hours of solar access to 70% of apartments in dense urban areas. The amended development has been specifically modified by shifting the orientation of some facades and reconfiguring internal layouts to maximise the solar access which can be achieved.

### 3.4. Apartment Mix

Consideration should be given to diversifying the apartment mix or provide further justification as to why the recommended apartment mix in Sydney Olympic Park Master Plan 2030 cannot be achieved.

The amended proposal has been modified to substantially increased the provision of three bedroom apartments from 3% to 7%. Whilst this represents a variation to the suggested provision of 15% 3 bedroom apartments under the Sydney Olympic Park Masterplan 2030, the 'New South Wales Household and Dwelling Projections, 2008-2036: 2008 Release' prepared by the Department of Planning indicates that the average household size in Sydney is expected to continue its decline from 2.61 in 2006 to 2.49 by 2036. In addition, the population projections indicate that the lone person household is the type of household expected to experience the greatest percentage increase between 2006 and 2036 (69%) and accordingly it is critical that high density development meet the growing need for smaller apartments to accommodate smaller households.

The higher the percentage of 3 bedroom apartments within the development also results in a direct decrease in affordability of dwellings within the development. It is Payce's direct experience from their developments in the waterfront that there is that there is limited demand within the market for 3 bedroom apartments, with this apartment typology having the slowest market take-up of all apartment types within the development.

The amended proposal has achieved a substantial increase in the provision of 3 bedroom units and the overall provision of apartments is consistent with the expected increase in smaller households. It also

## 3.0 DEPARTMENT OF PLANNING AND ENVIRONMENT

provides a substantial increase to what have been previously developed at Wentworth Point, with the majority of development approvals containing less than 5% 3 bedroom apartments within the waterfront. For these reasons it is considered that the amended development responds positively and appropriately to the housing needs of the local community.

### 3.5. Residential Flat Design Code

A detailed quantitative assessment of compliance with the rules of thumb in the Residential Flat Design Code is to be provided and justification given for any non-compliances, including the size of the communal open space areas and size of courtyards recommended for the units on the first residential floor above a podium.

Stanisic Architects have provided a detailed quantitative assessment of compliance with the rules of thumb in the Residential Flat Design Code which accompanies the amended proposed development. The assessment includes a detailed justification where the proposed development provides an alternative solution to the suggested amenity standards in the rules of thumb.

### 3.6. Geotechnical Details and Contamination Assessment

Further geotechnical details and contamination assessment based on the full depth of the proposed car park should be provided

An amended Geotechnical Assessment prepared by Pells Sullivan Meyllink and a contamination response prepared by DLA Environmental accompany this response to submissions and address the issue raised.

### 3.7. Waste Removal

The design of the servicing areas are to be revised to ensure all waste removal is undertaken on-site.

The amended architectural package plan provides for a new residential waste collection point on the eastern side of the development. The waste area also includes provision for all waste collection to be completed on site.

## 4.0 SYDNEY OLYMPIC PARK AUTHORITY

The Sydney Olympic Park authority raised issues in relation to the subject application and a summary of the issues relevant to the subject development application and a response is provided below:

Issue	Response
<b>Apartment Mix</b>	
The Sydney Olympic Park Master Plan (SOP MP) requires a unit mix comprising a minimum 15% of units to be studio or 1 bedroom units and a minimum 15% of units to be 3+ bedrooms. The proposal only provides for 3% of the total units being 3+ bedrooms. The proposal provides no justification for this departure.	This issue has been addressed above under Section 3.4.
<b>Solar Access</b>	
The proposed development has adopted the provisions of the Residential Flat Design Code (RFDC) for dense urban environments, thereby requiring the development to only provide 2 hours of sunlight to 70% of dwellings between 9am and 3pm on winter solstice. SOPA and the SOP Design Review Panel are of the opinion that Sydney Olympic Park is not a dense urban environment and all developments should achieve the target of 3 hours of sunlight between 9am and 3pm to 70% of dwellings. In addition the application does not include a solar assessment tabling details of when and how much sunlight individual units receive.	This issue is addressed above under Section 3.3. The permissible height for residential development in Sydney Olympic Park ranges from 9 metres up to towers of 122 metres in height. The existing and future desired context within Sydney Olympic Park is characterised by substantial residential flat buildings and towers which can only be properly described as a dense urban environment. The three hour test under the RFDC as standard practice is reserved for low density residential flat buildings typically of a 3 or 4 storey scale found in suburban garden settings as infill development in areas previously occupied by detached housing. Accordingly, it is appropriate and reasonable to apply the two hour solar access control to the proposed development.
<b>Storage and Bicycle Parking</b>	
The SOP MP and the RFDC both identify specific storage requirements for residential units. It is noted that the submitted EIS suggests that 4m3 is proposed to be provided to each unit. This is significantly below the identified targets and is further compromised by the lack of separate bicycle parking. The SOP MP requires 1 bicycle space per unit (in addition to visitor) which is proposed to be provided in the basement storage cages of each individual unit. This is considered to only be acceptable where the unit storage requirements are in excess of the SOP MP and RFDC.	The proposed development has been amended to increase storage provision for the apartments which complies with the requirements of the Masterplan and the RFDC. The storage cage can be increased in size and to comfortably accommodate a bicycle.

## 4.0 SYDNEY OLYMPIC PARK AUTHORITY

Issue	Response
Ground Level Activation	
<ul style="list-style-type: none"> <li>The development has focused ground level activation on the through-site-link at the expense of the rest of the development.</li> <li>To provide greater activation to New Street the garbage store should be relocated to the basement with the loading dock utilised for collection, it is noted that the SOPA MP requires collection of garbage to occur onsite. The remnant space should be incorporated into the adjoining retail tenancies or additional tenancies provided. Details of screening for the childcare centre should also be provided.</li> <li>Foreshore Drive should be treated in accordance with the expectations of the SOP MP and take advantage of its location. The entire frontage should be made retail deleting the stairs to the communal open space as suggested by the SOP Design Review committee. The addition of more retail space will see a further departure from the nominated FSR for the site however activation of Foreshore Drive is a higher priority.</li> </ul>	<p>The development site is surrounded on all four sides by streets and also has a central through site link. It is inevitable that back of house areas such as loading docks and garbage collection areas must be provided along the perimeter of the development at some point and as such the suggestion for an active frontages to the new eastern street is impractical. Notwithstanding this, the amended proposal has substantially improved street activation along the northern, western and southern facades and is considered to represent a significant and acceptable improvement to streetscape activation. See attached architectural plans.</p>
Through-site link	
<p>The through-site-link shows large trees being planted along its length; however there does not appear to be sufficient depth for such planting. On other plans it shows the trees being planted on mounds which is not particularly desirable and clutters the space. The through-site-link is to be a visual connection from the ferry wharf to the sites beyond and therefore the ground plane should not be cluttered. A deep soil planting zone should be provided to allow for the nominated planting or other more appropriate treatment of the through-site-link should be considered.</p> <p>The stair and ramp treatment of the Foreshore Drive end of the through-site-link should also be reconsidered to remove clutter. Levels should be reconsidered to allow a seamless movement from one end of the site to the other. If a minor level change is required consider use of only a ramp only to de-clutter the space.</p>	<p>An amended landscape plan prepared by Context accompanies this response to submissions which has rationalised the design of the through-site-link including the removal of the raised planter beds and provides an improved visual connection from the ferry wharf to the sites to the south.</p>

## 4.0 SYDNEY OLYMPIC PARK AUTHORITY

Issue	Response
Stormwater Managment	
The treatment/re-use of stormwater from the development appears to be unresolved/contradictory within the submitted EIS. Stormwater is to be treated in accordance with SOPA's adopted policy. It should also be noted that treatment of stormwater from the new roads is required in accordance with the same policy.	An response to submissions prepared by Northrop addresses this concern.
Plans	
The submitted plans do not appear to be resolved to an appropriate level. There is contradiction between detail shown on different plans, particularly at ground level between architectural, landscape and engineering. Also some elevations do not appear correct. This has created some of the issues raised above. The plans should be further resolved and checked for consistency before resubmission.	Noted. The previous elevations were incorrectly printed which had shown sections of the building rather than the proposed elevations. The amended architectural package, landscape plan and engineering detail which accompanies this response to submissions has prepared to ensure that all documentation is coordinated. Particular focus has also been applied to ensuring that anomalies in the original architectural package have been resolved.

## 5.0 AUBURN CITY COUNCIL

Auburn City Council raised issues in relation to the subject application and a summary of the issues which are actually relevant to the subject development application and a response is provided below:

Issue	Response
<b>Contamination</b>	
<p>Concern was raised in relation to contamination:</p> <ul style="list-style-type: none"> <li>Was the depth of the boreholes adequate to assess the soils to be removed for 3 levels of basement parking?</li> <li>An environmental management plan should be included in the proposal, prior to any consent.</li> <li>What form of remediation is proposed for the roads and concern is raised for cap and fill should excavation of the road be required in the future.</li> <li>As groundwater entering the basement is likely to be contaminated, details of measures to treat this water are required.</li> <li>A peer review of the remediation and groundwater strategies as well as the Acid Sulphate study and Management Plan is recommended.</li> <li>Any consent should require an accredited site auditor to certify the remediation of the site.</li> <li>Council has no knowledge of conditions which allow acid sulphate soils to 'naturally neutralise'</li> </ul>	<p>These matters are addressed in the response to contamination issues prepared by DLA Environmental which accompanies this submission.</p> <p>In particular it is noted that an Environmental Management Plan was included in the RAP which as submitted with the application.</p>
<b>Contributions</b>	
Contributions should be retained by the Department of Planning and Environment or transferred to Council for this infrastructure.	The Contributions Plan for Sydney Olympic Park is a confidential document. This is a matter to be resolved by the Department of Planning and Environment.
<b>Water Table</b>	
Given that the water table is only about a metre below ground, and the proposal includes 3 levels of basement parking, Council seeks consideration of the impacts on the water table.	The groundwater will need to be drawn down temporarily to allow construction for the basement.

## 5.0 AUBURN CITY COUNCIL

Issue	Response
<b>Geotechnical Assessment</b>	
This assessment is based on a single level of basement parking only, however the architectural plans show that three basement levels and the Geotechnical Assessment should be revised on the basis of the architectural plans	An amended Geotechnical Assessment prepared by Pells Sullivan Meylink accompanies this response to submissions.
<b>Foreshore Land</b>	
It is noted that the foreshore area is not included within this proposal. Council seeks information on the plans and timing for this critical link between the two components of the urban activation precinct	The development application seeks consent for the erection of the building and new road. Any works beyond the boundary is irrelevant to the consideration of the subject development application.
<b>Traffic Management</b>	
<b>Roads</b>	
<p>Concern was raised in relation to traffic impacts. The matters specifically relating to the development are:</p> <ul style="list-style-type: none"> <li>• The traffic and transport study does not address the cumulative impacts on the regional road network from the additional development.</li> <li>• The road network must be designed to be accessed by a 14.5 metre coach for occasional services.</li> <li>• The construction of the eastern road must be included as part of this development and the entire road completed prior to occupation..</li> <li>• It is not clear whether the roads are to be dedicated and who will own the roads. The eastern road carriageway should be fully provided within the site and remain in the one ownership.</li> <li>• The road widths are inadequate.</li> <li>• The complete ring road be completed prior to occupation.</li> </ul>	An additional traffic discussion and response to submissions prepared by Henson Consulting accompanies this response to submissions and addresses these issues.

## 5.0 AUBURN CITY COUNCIL

Issue	Response
<b>Parking and Loading</b>	
<p>Concern was raised in relation to parking. The matters specifically relating to the development are:</p> <ul style="list-style-type: none"> <li>• Parking is inadequate as it does not meet the Masterplan which contains rates which were designed with the intent to reduce car to the close proximity of the train station which is not the case for the subject site.</li> <li>• It would be more appropriate to use the parking provisions in the draft Wentworth Point DCP or Council's DCP.</li> <li>• Given the prominence given to cycling in the transport study, bicycle parking in the proposed development should meet the requirements of the Masterplan.</li> <li>• Loading bay requirements for the other shops and child care facility have not been addressed.</li> </ul>	<p>An additional traffic discussion and response to submissions prepared by Henson Consulting accompanies this response to submissions and addresses these issues.</p>
<b>Construction Management</b>	
<p>The Construction Management Plan must address the parking of construction vehicles. The plan should ensure that no construction vehicle is kept on street waiting or parking prior to entering the site</p>	<p>The Construction Management Plan will address these issues. It is anticipated that a Condition of Consent will be imposed requiring preparation of the Construction Management Plan prior to release of the Construction Certificate.</p>
<b>Built Form</b>	
<p>The mix of materials, lack of setbacks on 3 streets, and proposed colour mix result in increased perceived bulk and scale of the development.</p>	<p>Within the context of the forthcoming multiple 25 storey buildings on adjacent sites the height and design of the proposed development can only be considered modest in bulk and scale. The materials, setbacks and colour do not result in an increased perceived bulk and scale. The height of the development is generally consistent with the number of storeys anticipated for the site under the Wentworth Point Precinct Masterplan 2030 and is also consistent with the 8 storey scale of buildings which have emerged along Hill Road to the south of the site. The development presents as a highly modulated form with a successful facade dynamic provided by the screens and the use of vibrant colour which provides a high level of visual interest.</p>



## 5.0 AUBURN CITY COUNCIL

Issue	Response
Council does not support the lack of awnings on the northern edge to the foreshore.	The proposal has been amended and now provides awnings on the northern edge to the foreshore
Concern is expressed about the streetscape, in particular on the western and eastern streets. A clause requiring active frontages to all streets is requested.	The development site is surrounded on all four sides by streets and also has a central through site link. It is inevitable that back of house areas such as loading docks and garbage collection areas must be provided along the perimeter of the development at some point and as such the suggestion for active frontages to all streets is impractical. Notwithstanding this, the amended proposal has substantially improved street activation along the northern, western and southern facades and is considered to represent a significant and acceptable improvement to streetscape activation.
Proposed Density and Unit Mix	
The proposed mix has too few larger units suitable for families.	The proposal has been amended to substantially increase the provision of 3 bedroom apartments.
Water Management and Flooding	
<ul style="list-style-type: none"> <li>The submitted report indicates that the adopted PMF flood level is 2.30m AHD, however, Council's information shows the PMF flood level is 2.41m AHD.</li> <li>There is no certainty that the overland flow path will be provided on the UAP site and there is a strong argument for providing the overland flow path through 1 Burroway Road.</li> <li>If the overland flow path is to be provided within the UAP site, any consent should require an easement to be created for the overland flow route.</li> <li>The intended set down adjacent to the western boundary requires a road reserve for a footpath. Water quality measures must be provided to the runoff generated from the road network prior to discharge to Parramatta River.</li> <li>The submitted report states that water quality measures will be incorporated in accordance with the requirement/prescribed by the Road Authority. Council would like to know who the Road Authority will be.</li> </ul>	A response to these issues prepared by Northrop accompanies this response to submissions and addresses these issues.

## 5.0 AUBURN CITY COUNCIL

Issue	Response
Waste Management	
<b>Residential</b>	
<ul style="list-style-type: none"> <li>Council has concerns about the location of the main waste handling room so close to the vehicular access to the development.</li> <li>Waste must be collected on site.</li> <li>It is noted that the ground floor level waste area does not have any manoeuvring space for bins.</li> </ul>	<p>The specific nature of this concern has not been articulated. There is no demonstrated issue with a waste handling room being located adjacent to vehicular access.</p> <p>The proposed has been amended to provide on site waste collection.</p>
<b>Commercial</b>	
Commercial waste collection has not been addressed in the submitted waste management plan. The commercial waste collection area must be shown on the plan.	The waste management plan does discuss commercial waste. The plans have been amended to provide a commercial waste collection area.
<b>ESD</b>	
It is noted that the score card for the commercial area only seeks to achieve a 4 star Green Star rating. This is inconsistent with the requirement for best practice ESD in the Director General's Requirements. Given the scale of the proposal and its location on a prominent part of the foreshore, and therefore its value as an example, a much higher rating is desirable.	We note that there is no current rating tool for mixed use developments and that the scorecard provided in the ESD report submitted with the original application was indicative only. The proposal is considered to incorporate ESD measures which are appropriate for the nature of the application.
<b>Biodiversity</b>	
<p>It is noted that the recommendations of the ecological report by Biosis that supported the proposal for the Urban Activation Precinct surrounding this site, recommended:</p> <ul style="list-style-type: none"> <li>seasonal timing of construction activities to avoid the breeding season of the White-bellied Sea Eagle , or</li> <li>timing of construction determined through consultation with local government and Birdlife Australia.</li> </ul> <p>It is recommended that consultation with Birdlife Australia and OEH be undertaken to ascertain the need for similar measures for this site.</p>	<p>The Biosis report notes that the White-bellied Sea-eagle is resident at the Newington Armory with regular foraging undertaken along the Parramatta River in proximity to the Wentworth Point UAP precinct. Despite suggesting seasonal timing of construction activities to avoid the breeding season for the birds, the report also notes that development on the UAP sites "is unlikely to interfere with the movements of the White-bellied Sea-eagles". The White-bellied Sea-eagle does not reside on the site. The site does not include construction immediately on the River. In light of this and the conclusion that the development on the adjacent sites is unlikely to interfere with movements of the birds, it is considered onerous for and unreasonable for construction timing to be influenced.</p>

## 6.0 OTHER GOVERNMENT AGENCIES

### 6.1. NSW EPA

The NSW EPA raised issues in relation to the subject development application in correspondence dated 9 July 2014. A summary of the issues raised and a response is provided below:

Issue	Response
The EPA notes that excavation works undertaken as part of the proposal may constitute 'extractive activities' as defined under Schedule 1 of the POEO Act. Schedule 1 states that an environment protection licence is required for works involving "the extraction, processing or storage of more than 30,000 tonnes per year of extractive materials, either for sale or re-use, by means of excavation, blasting, tunnelling, quarrying or other such land-based methods." The EPA requests that the EIS include an assessment of the annual volume of material extracted, processed or stored on site during construction of the proposal, and whether the extracted material will be sold or re-used.	The proposed works are for the erection of a new building and the removal of soil from the site is not being undertaken as an industrial or mining activity. Hence there will no ongoing extraction on a yearly basis as anticipated by Schedule 1 of the POEO Act which would be expected for such an industry and no annual volume to report.

### 6.2. Sydney Water

Sydney Water raised issues in relation to the subject development application in correspondence dated 24 June 2014. A summary of the issues raised and a response is provided below:

Issue	Response
<p>Sydney Water is currently reviewing the local area water serving scheme based on the increased densities and dwellings within the Wentworth Point Urban activation precinct.</p> <p>This review is expected to be completed by September 2014. Prior to the completion of this review the developer may consider the following information as a guide when planning water services to the proposed development:</p> <ul style="list-style-type: none"><li>• The 150mm water main in Burroway Road will need to be increased to a 200mm main providing a frontage to the proposed development.</li><li>• Subject to the staging of development in the precinct, additional system augmentation may be required.</li></ul> <p>Detailed requirements will be provided at the Section 73 application phase.</p>	Noted.

## 6.0 OTHER GOVERNMENT AGENCIES

Issue	Response
The developer is to provide an onsite pumping unit and an associated emergency storage that will discharge to a Sydney Water pressure sewer main. The private pump to sewer design will be based on the attached Sydney Water specification for the Wentworth Point development area. Detailed requirements will be provided at the Section 73 application phase.	Noted.
Sydney Water is currently reviewing the existing Service Agreement with SOPA in relation the proposed strategy for provision of recycled water to the Wentworth Point Urban activation precinct Any feasibility advice or Section 73 recycled water requirements should be referred to Ray Thompson who is liaising with SOPA regarding the existing service agreement. The developer may alternatively contact SOPA directly regarding supply of recycled water to their proposed development.	Noted.

### 6.3. Department of Primary Industries

The Department of Primary Industries provided a submission in relation to the subject development application in correspondence dated 24 July 2014. A summary of the issues raised and a response is provided below:

Issue	Response
Fisheries NSW has no objections to this proposal provided that the erosion and sediment control measures and water sensitive urban design measures are implemented as stated in the Environmental Impact Statement.	Noted. The erosion and sediment control measures will be implemented prior to the commencement of any works on site and should be dealt with as a condition of consent.
Any authorisation of the proposed temporary road within the riparian zone should ensure that this road is removed and the impacted area is revegetated as soon as possible after construction is completed. It is noted that there is no commitment within the Environmental Impact Statement to remove the temporary road and remediate this area following construction.	The temporary road does not form part of this development application. It is expected that the conditions of consent for the proposed development application will require the delivery of the road and all public domain elements including landscaping prior to release of the final Occupation Certificate.

## 6.0 OTHER GOVERNMENT AGENCIES

Issue	Response
As part of the SSD proposal, the Office of Water recommends that a Vegetation Management Plan (VMP) is prepared in accordance with the Office of Water Guidelines for Vegetation Management Plans (June 2012) to provide details on the proposed rehabilitation, maintenance and future management of the riparian corridor.	There is no objection raised in relation to the requirement to prepare a Vegetation Management Plan prior to release of the Construction Certificate, however, this relates to on site management during construction and is not necessary to inform the assessment and approval of the proposed development.
The Integrated Water Cycle Management Report (Appendix Q) notes the development site is intended to discharge via two new pipe connections to the Parramatta River (see section 2.3). It is unclear if the pipes will disturb existing riparian vegetation. The outlet structures should be in accordance with the Office of Water Guidelines for Outlet Structures on Waterfront Land (June 2012).	The pipes will not disturb existing riparian vegetation as the outlet structures will be constructed in accordance with the Office of Water Guidelines for Outlet Structures on Waterfront Land (June 2012). It is expected that a condition of consent will require the design of the new pipe connections in accordance with this standard.
The applicant should be advised a controlled activity approval does not apply to State Significant Development in accordance with Section 89J of the Environmental Planning and Assessment Act.	Noted.
The Office of Water notes however, that Appendix E refers to a proposed "single basement level" and not three basement levels as recorded in the EIS and Appendix T. Appendix E indicates the groundwater level is at least one metre above the proposed basement level and it will need to be drawn down temporarily to allow for the construction of the basement (see section 5.1, page 4). For the purposes of this review, Office of Water assumes that three basement levels are proposed and that the findings and recommendations provided in Appendix E remain applicable.	An amended Geotechnical Report prepared by Pells Sullivan Meylink accompanies this response to submissions and confirms that three basement levels are proposed. The findings and recommendations provided in Appendix E remain applicable.
Under the circumstances described in the EIS, the Office of Water is unlikely to support any proposal that requires permanent or semi-permanent pumping/extraction of the groundwater. Therefore the proposal should ensure that adequate construction methods will be used to permanently seal any subsurface voids.	Noted. This will be taken into account in the preparation of the license application for temporary construction dewatering activities which is required under Part 5 of the Water Act 1912.

## 6.0 OTHER GOVERNMENT AGENCIES

Issue	Response
Environmental Management Plan (CEMP) will be prepared prior to the commencement of the works. The CEMP needs to include procedures to be followed for encountering groundwater during construction works, and include the need to contact the Office of Water in such a situation	Noted. The Mitigation Measures are amended in this Response to Submissions.

### 6.4. RMS

RMS provided correspondence on 13 June 2014 which raised no objection or issues of concern in relation to the proposal.

### 6.5. Transport for NSW

Transport for NSW provided a submission in relation to the subject development application in correspondence dated 1 August 2014. A summary of the issues raised and a response is provided below:

Issue	Response
The Transport Impact Study, prepared by Henson Consulting May 2014, does not go into enough detail to allow the reviewer to determine project traffic assignment. It would help when the consultant revises the Transport Impact Study if existing traffic, background traffic and project traffic were presented.	An additional traffic discussion and response to submissions prepared by Henson Consulting accompanies this response to submissions and addresses these issues.
The loop road will have functions beyond the local access needs of the development itself and the dedicated roads should be designed to handle the traffic needs of the transport interchange given the known future development on adjoining UAP sites fronting these roads.	
TfNSW advises that the traffic modelling does not appear to include the forecasted traffic generation from the finalised Homebush Bay West Development Control Plan Amendment No.1	
Project traffic assignment does not appear to match the background plus development SIDRA models. There appears to be trips unaccounted for at the intersection of Hill Road and Burroway Road.	

## 6.0 OTHER GOVERNMENT AGENCIES

Issue	Response
TfNSW has concerns the future intersection, as proposed in the Wentworth Point UAP Traffic Impact Assessment will not be able to support safe and efficient transport movements with the changes to the existing interchange configuration plus the additional traffic generated by the proposed development.	An additional traffic discussion and response to submissions prepared by Henson Consulting accompanies this response to submissions and addresses these issues.
There is insufficient information to determine whether the intersection of Burroway Road and New Road will operate adequately to ensure safe and efficient operation, given likely future pedestrian and traffic generation from the site, as well as potential traffic from the adjoining school site.	
TfNSW has concerns with the proposed design of Foreshore Drive and the new eastern road as these roads will provide access and egress to all vehicle and bus movements to the ferry wharf, as well as commuter bus services, school drop off/pick up, and residential traffic.	
In order for TfNSW to ensure unhindered access and egress to the new transport interchange specific traffic control measures are requested in the Construction Traffic Management Plan.	Noted. The Mitigation Measures have been amended to incorporate these requirements.

## 7.0 PUBLIC SUBMISSIONS

Three public submissions were received during the exhibition of the development application. A summary of the core concerns of the objections and a response is provided below:

Issue	Response
The Sydney Olympic Park Business Association raised issues in relation to the Wentworth Point Urban Activation Precinct including a concern regarding lack of adequate public transport, inadequate egress and traffic congestion and ensuring building materials for residential development to mitigate noise and light spill impacts from major events.	The Sydney Olympic Park Business Association submission did not provide any specific criticism or commentary in relation to the proposed development and instead focuses on the Wentworth Point Activation Precinct which does not include the subject site.
<p>The 2127 Advocacy and Alliance Group raise the following concerns:</p> <ul style="list-style-type: none"> <li>the proposed height is in excess of the Urban Activation Precinct goals of 4 to 5 storeys</li> <li>the bulk of this development does not represent a world class urban design as defined under the SOPA Master Plan 2030</li> <li>traffic issues do not appear to be addressed</li> <li>energy efficient goals such as 6 hours solar access have not been detailed</li> <li>what allowance for disabled/public parking is provided</li> </ul>	<ul style="list-style-type: none"> <li>the proposed is not within the Urban Activation Precinct and is generally consistent with the 30 metres height control which applies to the site.</li> <li>the proposed built form and composition of the development is of a high quality and responds to the emerging character of the area and therefore provides a positive contribution to the visual quality of Wentworth Point.</li> <li>traffic issues are addressed in the response to submissions provided by Henson Consulting which accompany this submission</li> <li>the proposal meets the solar access requirement (i.e 2 hours not 6 hours) of the Residential Flat Design Code</li> <li>the appropriate provision of designated accessible bays to meet the provisions identified in D3.5 of the BCA are provided in the retail car parking level of the development.</li> </ul>
Concern is raised in a public submission about cumulative traffic impact and a lack of evidence based data to support traffic estimates instead of census data.	Attached to this response to submissions is a response prepared by Henson Consulting in relation to the assessment of traffic impacts which addresses this concern.



## 8.0 AMENDED MITIGATION MEASURES

The Mitigation Measures are proposed to be amended as follows (amendments in bold and italic):

Mitigation Measures
<p><b>Environmental sustainability</b></p> <p>Implement the recommendations of the ESD Strategy prepared by The Footprint Company at Appendix O.</p>
<p><b>Accessibility</b></p> <p>The detailed design will incorporate the recommendations in the Accessibility Review report, prepared by Philip Chun Accessibility Consultants at Appendix L.</p>
<p><b>Traffic and transport</b></p> <ul style="list-style-type: none"> <li>The developer will encourage a minimum of deliveries and other site traffic during Special Events both during construction and operation phases.</li> <li>Development construction activity will be staged over a suitable timeframe and in a suitable sequence to avoid clashes with the largest Major Events.</li> <li>Compliance with AS 2890.1 and AS 2890.2 is required.</li> </ul>
<p><b>Geotechnical</b></p> <p>Construction work is to be undertaken in accordance with the recommendations of the Geotechnical Report prepared by Pells Sullivan Meynink at Appendix E.</p>
<p><b>Acoustic</b></p> <p>The recommendations of the Acoustic Report prepared by Renzo Tonin at Appendix F will be implemented during construction and the management measures implemented during operation. Further assessment of mechanical plant will be undertaken in accordance with the recommendations of the Acoustic Report.</p>
<p><b>Biodiversity</b></p> <p>Construction work is to be undertaken in accordance with the recommendations of the Riparian Corridor Assessment prepared by SMEC at Appendix V.</p>
<p><b>Contamination</b></p> <p>Remediation of the site is to be undertaken in accordance with the Remediation Action Plan prepared by DLA at Appendix H.</p>
<p><b>Construction management</b></p> <p>A detailed Construction and Environmental Management Plan will be prepared by the appointed contractor prior to the commencement of works. The Plan will be prepared in accordance with the relevant applicable Australian Standards and Occupational Health and Safety requirements and will address the following matters:</p> <ul style="list-style-type: none"> <li><b><i>procedures to be followed for encountering groundwater during construction works including the need to contact the Office of Water in such a situation;</i></b></li> <li>site access controls, public safety, amenity and security;</li> <li>operating hours;</li> <li>noise and vibration control;</li> <li>material management, waste and material re-use;</li> <li>construction traffic management;</li> <li>dust suppressions;</li> <li>tree protection; and</li> <li>notification of surrounding properties.</li> </ul>

## 8.0 AMENDED MITIGATION MEASURES

***In relation to Construction Traffic Management Measures, the Construction and Environmental Management Plan will incorporate the following requirements:***

- ***No construction vehicle parking occurs anywhere on the interchange road except for near the intersection of Hill and Burroway Roads.***
- ***Construction vehicles should be parked in such a way that does not impede the access to the interchange for kiss and ride vehicles and buses.***
- ***No construction vehicles operate from the interchange road except for constructing the redesigned interchange road (eg concrete pouring trucks).***
- ***During the construction period a turning facility at the eastern end of the interchange road that allows 4.5m non-rear steer buses to do a full circle movement safely (not undertake a double movement) is provided.***
- ***Consultation with TfNSW and local bus operators through the proposed detailed Construction Traffic Management Plan is required to ensure impacts to public transport is minimised during construction.***

### **Operational Waste Management**

The measures identified in the Waste Management Plan at Appendix M will be implemented to reach recycling targets throughout the design, construction and operational activities of the development.

### **Water Sensitive Urban Design**

The proposal will be making use of the Water Reclamation and Management Scheme (WRAMS) system in Sydney Olympic Park which provides a recycled water option for which provides for toilets and clothes washing water for developments within the Park. In addition, the stormwater management and Water Sensitive Urban Design initiatives for the project as identified at Appendix Q will be implemented during the construction of the development.

### **Wind Mitigation**

The recommendations of the Pedestrian Wind Environment Report prepared by Windtech at Appendix R will be implemented during construction of the development.

## 9.0 CONCLUSION

This report and the accompanying documentation provides a detailed response to the issues raised by all parties in relation to the proposed development application.

As a result of consideration of the issues and concerns which were raised in the submissions, the proposed development has been amended to achieve the following primary improvements:

- significantly improved street activation in particular along the northern, western and southern facades;
- increased separation distances between the western and central buildings;
- improved solar access for the development;
- improved servicing and loading dock arrangement;
- increased provision of common open space; and
- increased percentage of 3 bedroom apartments.

This Response to Submissions and the accompanying documentation has demonstrated that the amended development application has resolved the issues of concern provided by the Department of Planning and Environment and has responded to the issues raised by the Sydney Olympic Park Authority, Auburn City Council as well as other government agencies and the public.

The amended proposal represents a more sensitive and improved urban design response to the context of the site and has achieved improved connectivity with the context surrounding the site. This Response to Submissions and the accompanying documentation has demonstrated that the amended proposal is capable of support and appropriate for approval.

# APPENDIX A

## AMENDED ARCHITECTURAL PACKAGE AND QUALITATIVE RFDC ASSESSMENT

A

Stanisic Architects

# APPENDIX B

## AMENDED LANDSCAPE PACKAGE

B

Context

# APPENDIX C

## RESPONSE TO SUBMISSIONS

C

Northrop

# APPENDIX D

## AMENDED TRAFFIC IMPACT ASSESSMENT AND RESPONSE TO SUBMISSIONS

D

Henson Consulting

# APPENDIX E

## AMENDED GEOTECHNICAL ASSESSMENT



Pells Sullivan Meylink



# APPENDIX F

## RESPONSE TO CONTAMINATION ISSUES

F

DLA