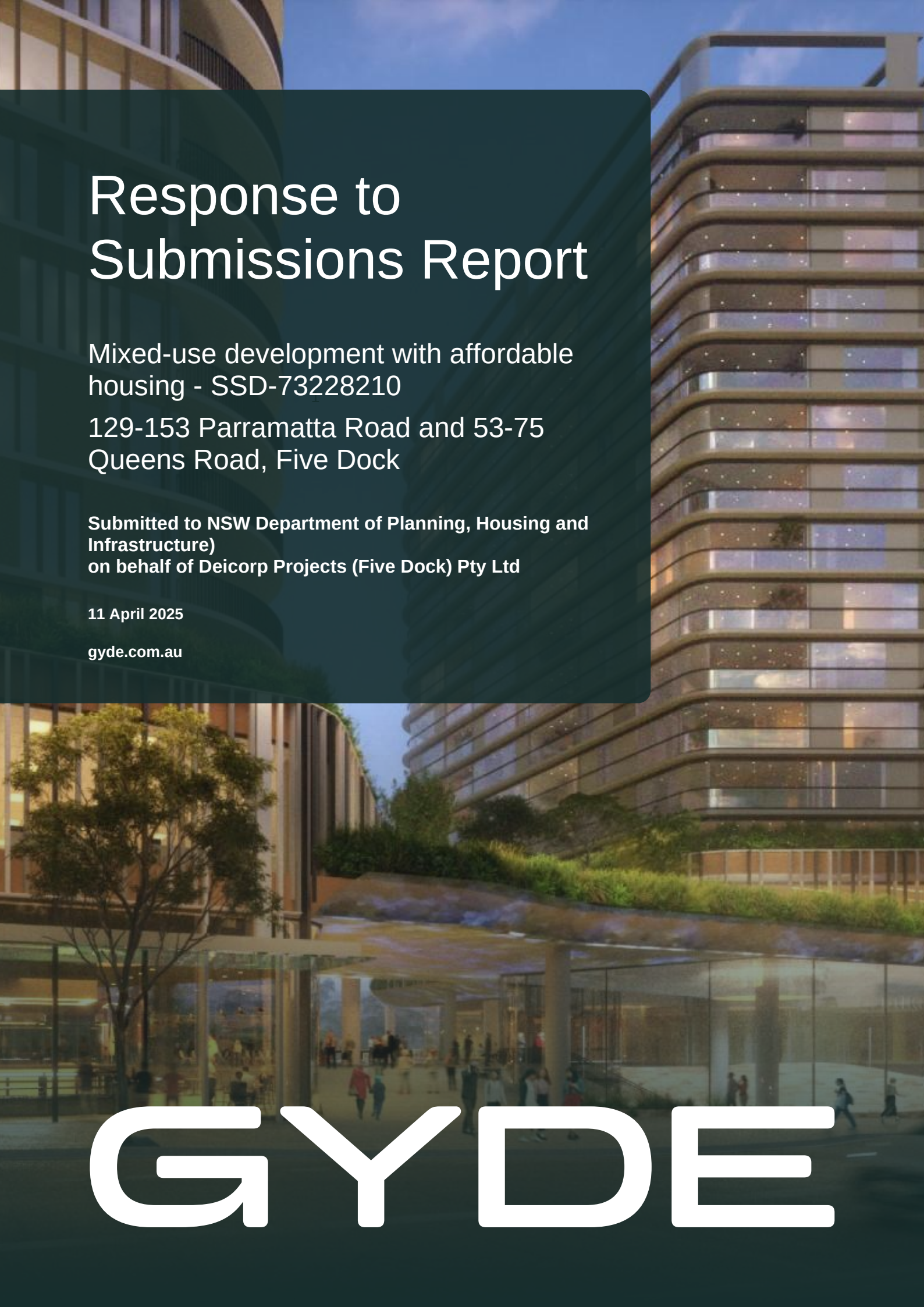


Response to Submissions Report

Mixed-use development with affordable housing - SSD-73228210

129-153 Parramatta Road and 53-75 Queens Road, Five Dock

Submitted to NSW Department of Planning, Housing and Infrastructure)
on behalf of Deicorp Projects (Five Dock) Pty Ltd

11 April 2025

gyde.com.au

GYDE

Acknowledgment of Country

Towards Harmony by Aboriginal Artist Adam Laws

Gyde Consulting acknowledges and pays respect to Aboriginal and Torres Strait Islander peoples past, present, Traditional Custodians and Elders of this nation and the cultural, spiritual and educational practices of Aboriginal and Torres Strait Islander people. We recognise the deep and ongoing connections to Country – the land, water and sky – and the memories, knowledge and diverse values of past and contemporary Aboriginal and Torres Strait communities.

Gyde is committed to learning from Aboriginal and Torres Strait Islander people in the work we do across the country.

This report was prepared by:

Approver:	Stephen Kerr (Executive Director)
Author:	Yvonne Kanti (Senior Associate) and Hannah Collins (Project Planner)
Project:	Mixed-use development with affordable housing - SSD-73228210
Report Version:	Final

This report was reviewed by: Stephen Kerr (Executive Director)

Contents

1. Introduction 1

2. Analysis of Submissions 2

2.1 Supported Outcomes 3

2.2 Key Issues Raised by the Community 3

2.2.1 Summary of Key Issues 3

2.2.2 Breakdown of Community Submissions 4

2.2.3 Analysis of Community Objections 5

2.3 Categorising Issues 5

2.3.1 The project (e.g. the site, the project area, the physical layout and design, key uses and activities, timing) 5

2.3.2 Procedural Matters (e.g. level or quality of engagement, compliance with the SEARs, identification of relevant statutory requirements) 6

2.3.3 Economic, environmental, and social impacts (e.g. amenity, air, biodiversity, heritage) 6

2.3.4 Justification and evaluation of the project as a whole (e.g. consistency of project with Government plans, policies or guidelines) 7

2.3.5 Issues that are beyond the scope of the project (e.g. broader policy issues) or not relevant to the project. 7

3. Actions Taken Since Exhibition 7

3.1 Project Refinement 7

3.2 Further Assessment of Project Impacts 9

3.3 Review and Analysis of Submissions 10

3.4 Instruction of Technical Consultants 10

3.5 Further Engagement 10

3.5.1 Community 10

3.6 Post-Exhibition Consultation 10

3.6.1 Department of Planning, Housing and Infrastructure 10

3.6.2 City of Canada Bay Council 10

3.6.3 Transport for New South Wales (TfNSW) 11

3.6.4 Rosebank College 12

4. Response to Submissions 12

4.1 Response to Community Concerns 14

4.2 Response to DPHI Key Issues 16

4.3 Response to Kings Bay Estate 47

4.4 Response to Rosebank College 62

4.5 Response to City of Canada Bay Council 64

4.6 Response to Inner West Council 81

4.7 Response to Other Agencies 93

5. Updated Project Justification 103

6. Conclusion 104

Figures

Towards Harmony by Aboriginal Artist Adam Laws ii
Figure 1: Aerial photo of site, site outlined in blue (Source: Nearmap) 1
Table 2: Response to DPHI Key Issues 16
Table 3: Response to KBE submission 47
Table 4: Response to Rosebank College 62
Table 5: Response to City of Canada Council 65
Table 6: Response to Inner West Council 81
Table 7: Response to Agency Submissions 93

Tables

Table 1: Response to Community Submissions Table 14
Table 2: Response to DPHI Key Issues 16
Table 3: Response to KBE submission 47
Table 4: Response to Rosebank College 62
Table 5: Response to City of Canada Council 65
Table 6: Response to Inner West Council 81
Table 7: Response to Agency Submissions 93

Appendices

Appendix 1 Amendment Report

Appendix 2 Amended Clause 4.6 Variation Request

Appendix 3 Design Integrity Letter

Appendix 4 Statutory Compliance Table

Appendix 5 Mitigation Measures Table

Appendix 6 Staging Plan

Appendix 7 DA Architectural Drawings

Appendix 8 Civil and Stormwater Drawings

Appendix 9 Water Management Plan (Stormwater Management Report)

Appendix 10 Flood Impact and Risk Assessment Report

Appendix 11 Flood Model

Appendix 12 Remediation Letter

Appendix 13 Operational Waste Management Plan

Appendix 14 Landscape Report

Appendix 15 Landscaping Plans

Appendix 16 Transport Impact Assessment

Appendix 17 Noise and Vibration Impact Assessment

Appendix 18 Pedestrian Wind Assessment Memo

Appendix 19 Solar Reflectivity Report

Appendix 20 Site Survey

Appendix 21 Draft Stratum Plans
Appendix 22 Land Subdivision
Appendix 23 Easement Plan / Dedication Plan
Appendix 24 Staging Management Plan
Appendix 25 Specialist Lighting Report
Appendix 26 Level 3 Letter
Appendix 27 CWMP, CTMP, CEMP
Appendix 28 Flood Emergency Response Assessment
Appendix 29 MUSIC Model
Appendix 30 DRAINS Model
Appendix 31 Draft VPA
Appendix 32 Social Impact Assessment
Appendix 33 Growth Data Form
Appendix 34 Design Report
Appendix 35 Development Schedule
Appendix 36 Updated Project Description
Appendix 37 Site Area Letter
Appendix 38 BASIX Reports and Certificates
Appendix 39 Arboricultural Report

1. Introduction

The application (SSD-73228210) was submitted with the Department of Planning, Housing and Infrastructure (DPHI) for a new mixed-use development (inclusive of shop-top-housing with in-fill affordable housing and an indoor recreation facility) on 28 October 2024.

The site is located within the Canada Bay Local Government Area (LGA) and comprises 17 different allotments. The proposed development, as originally submitted included:

- Construction of 6 residential towers up to 31 storeys including 5-7 level podiums with a mix of retail tenancies, commercial floor space, residential apartments and an indoor recreation facility.
- Excavation for basement levels with car parking and associated services, and a tunnel connecting two parking lots below a future public road.
- Removal of existing trees on site.
- Landscaping and a connected public space network that incorporates new public open space, the new Spencer Street road extension, and new pedestrian-focused through-site links
- 16 Stratum Subdivision Lots
- Off-site works for William Street widening and temporary embellishment of 3m setback to Queens Road and 6m setback to Parramatta Road (as per the VPA)

Under the Housing SEPP provisions, the development has claimed the 30% Floor Space Ratio (FSR) and height incentive by providing 15% of the total GFA as affordable housing.

Key SSDA milestones thus far include:

- A request for Industry Specific SEARS was made on 5 July 2023.
- SEARs for mixed use development including in-fill affordable housing were issued on 12 July 2024.
- The SSDA was submitted to DPHI on 28 October 2024.
- The SSDA and associated documentation was placed on public exhibition from 15 November 2024 to 12 December 2024.

This Response to Submissions (RtS) Report provides a detailed analysis of the submissions received from the community, and NSW Government agencies during the public exhibition period and provides details of the actions undertaken by the project team in response to the matters raised in the submissions.

Figure 1: Aerial photo of site, site outlined in blue (Source: Nearmap)

2. Analysis of Submissions

A total of 39 submissions were received from the public / community during the exhibition period. In addition, 12 submissions were received from various authorities, notably the Department of Planning, Housing and Infrastructure (DPHI), Canada Bay Council, Inner West Council, amongst others.

Of this combined total of submissions (inclusive of public and agency) received:

- 33 submissions (64.7%) objecting to the proposal.
- 5 submissions (9.8%) provided general comment on the proposal.
- 1 submission (1.9%) supporting the proposal.
- 12 submission/advice were provided by agency/council (23.5%).

Submissions were received from the following locations:

Locality	Number of submissions
Objections	
Five Dock	24
Croydon	6
Haberfield	1
Cheltenham	1
Interstate (Victoria)	1
Comment	
Five Dock	3
Croydon	1
Concord	1
Support	
Wolli Creek	1
Total	**39**
Authority	
Various	12

Out of the 33 submissions opposing the development, three were duplicates. While many submissions shared consistent approach and wording, the majority were customised, resulting in distinct contributions.

In addition to submissions received from the community, submissions were received from the following authorities:

Authority
Department of Planning, Housing and Infrastructure
City of Canaday Bay Council
Inner West Council
Sydney Water
NSW Department of Climate Change, Energy, the Environment and Water – Water Group
NSW Department of Climate Change, Energy, the Environment and Water – Heritage NSW
NSW Government - Fire and Rescue
NSW State Emergency Service
Transport for NSW
Ausgrid
Biodiversity Conservation and Science Group
Sydney Metro

2.1 Supported Outcomes

The submissions identified the following positive outcomes of the proposal:

- Support of the proposals positive contribution to the current housing supply shortage in Greater Sydney
- Support of the provision of new homes for thousands of people including the provision of affordable housing
- Contribution to the local community through the provision of communal open space and public recreation areas

2.2 Key Issues Raised by the Community

2.2.1 Summary of Key Issues

Of the 33 submissions received from the community in objection to the proposal, the key issues raised include:

- Traffic / Roads
- Parking
- Overshadowing
- Impact on Rosebank College
- Flooding
- Building height
- Bulk and Scale
- Public Transport
- Open Space / Landscape
- Noise

- Air pollution
- Request for Parramatta Rd Footbridge
- Property Value
- Privacy
- Housing Diversity
- Community Consultation / Exhibition Period

2.2.2 Breakdown of Community Submissions

The key issues raised by the local community in response to the application at Five Dock predominantly centre around building height, overshadowing, traffic congestion and parking, public transport, open space and the impact on the adjacent school, amongst other items.

A significant portion of the feedback highlights the proposed height. Many submitters have expressed concerns that this height is inconsistent with the local character and exceeds what was anticipated for the redevelopment of the area. A key concern is that the proposed height will lead to greater overshadowing and cause the existing lower density dwellings to be dwarfed.

Traffic congestion is a significant concern raised by residents, particularly regarding William Street, which is already viewed as heavily congested. Many fear that the proposed development, with its additional apartments, will further strain the area's traffic, especially during peak hours. Questions have been raised about whether the existing infrastructure can adequately support the growing population density. In particular, the need for an elevated pedestrian crossing on Parramatta Road has been highlighted as a critical consideration.

Parking is another key issue highlighted in the community objections. Residents are concerned that the proposed development fails to adequately address parking demands, potentially resulting in significant shortfalls. This is believed to potentially affect the development's functionality and accessibility while increasing reliance on surrounding streets for parking, potentially adding to the existing pressures in the area.

A number of submissions raised concerns regarding the provision of open space in the proposal. Specifically, submissions raised concern that the increased density on the site and the 30% bonus utilises should provide an opportunity to enhance and improve open space, and the amount of green space and tree canopy included in the proposal is considered by some community members as disproportionate to its size, highlighting a need for greater consideration of liveability and environmental sustainability in the design.

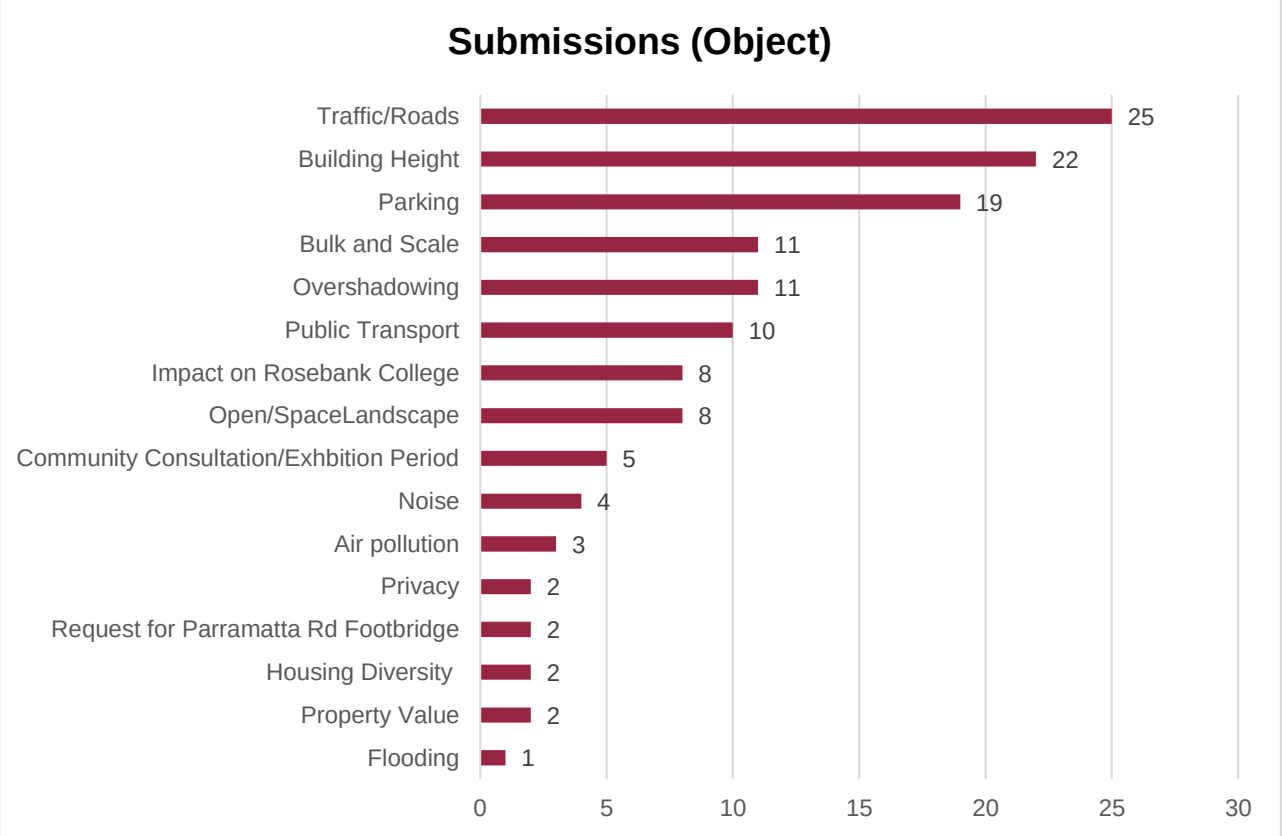
Submissions raised concerns regarding the anticipated population influx would substantially increase demand for public transportation services, potentially compromising the current service levels relied upon by the existing population. While future plans for a Metro station at Five Dock were acknowledged, several submissions highlighted that its location, approximately 1.2km from the site, may not effectively address the increased demand or provide sufficient connectivity for future residents.

Concerns about community consultation have also been voiced, with some residents feeling that the process was insufficient, or that they were not properly consulted about the development.

The matters raised in objections to the proposal have been carefully considered by the project team and a response to each item of concern has been provided in Section 4.1 of this report to highlight how the project has been designed to address many of these concerns.

2.2.3 Analysis of Community Objections

Further to the summary of the key issues raised, all 33 community submissions received in objection to the proposal were read and analysed to determine the main areas of concern. This data has been graphed below to provide insight into the number of submissions which raised the issues identified in Section 2.2 of this report.



2.3 Categorising Issues

The issues (received by the community and agencies / authority) are grouped into the categories adopted from the *'State Significant Development Guidelines – Preparing a submissions report' (October 2022)*.

2.3.1 The project (e.g. the site, the project area, the physical layout and design, key uses and activities, timing)

Height and Density Concerns:

- **Building Height:** The environmental planning grounds used to justify the proposal are not considered sufficient to warrant a departure from the Height of Building Development Standard.
- **Bulk and Scale:** The scale of the development is viewed as out of character for the local area.
- **Overshadowing:** The proposed variation contributes to adverse overshadowing impacts on the low-density residential development to the south of the subject site.

Traffic/Roads:

- **Traffic Congestion:** Concern that the proposed development will worsen existing traffic congestion in the local area.
- **Construction Traffic:** Concern the construction phase is expected to cause significant disruption, including parking and movement issues for construction vehicles in local streets.

- **Public Transport:** Concern that the proposal will increase demand for public transportation services and impact existing service levels. Some believe that a pedestrian crossing leg should be introduced at the signalised intersection of Harris Road and Parramatta Road.
- **Car parking:** Concern that the proposed development is considered to underestimate the parking requirements for this scale of development.

Open Space:

- Concern that the scale is not considered to be responsive to the area and density of the proposed development.
- Concern that the density and scale lacks balance with planting and open space at ground level.

Demolition (Rosebank College):

- It was raised that assurance would be appreciated prior to excavation works being undertaken that adequate studies have been undertaken to ensure the school will not be damaged by the proposed works.
- Concern was raised that the old warehouses to be demolished contain asbestos.
- Concern was raised as to the associated dust blowing onto the school site.

2.3.2 Procedural Matters (e.g. level or quality of engagement, compliance with the SEARs, identification of relevant statutory requirements)

Community Consultation:

- Concerns about insufficient community consultation, with residents submitting that they have not been properly consulted about this development.

2.3.3 Economic, environmental, and social impacts (e.g. amenity, air, biodiversity, heritage)

Environmental Impact:

- **Open Space:** Concerns that the project does not provide sufficient open space
- **Flooding:** Concerns that the proposal does not response to the flooding considerations of the site

Social Impact:

- Concern that the proposal will potentially negatively impact on local character, residents, and schools.
- Concern is raised that the proposal does not address the implications of the affordable housing component ending after the minimum 15-year period.
- Concern is raised that the SIA must analyse the impact of increased population on public transport services.

Impact on Local Amenity:

- **Overshadowing**: Concerns that the proposed height will result in significant overshadowing of nearby properties.
- **Acoustic Impacts**: Concerns that the proposal will result in noise impacts from use of public spaces, construction and increased traffic.
- **Visual Impacts**: Concerns that the proposal will impact on the visual amenity and sense of community within the local area.
- **Wind Impacts**: Concern that strong wings are likely to persist in the upper levels of the development and question if the proposal provides comfort and safety for upper levels.

2.3.4 Justification and evaluation of the project as a whole (e.g. consistency of project with Government plans, policies or guidelines)

Compatibility with Local Character:

- Need for additional commentary and assurance of how the proposal is compatible with the existing and future local character.

Consistency with Government Plans and Policies:

- Concerns that proposed height and density are inconsistent with the desired character of the area as it is believed that the development exceeds the height limit and does not align with strategic planning.

2.3.5 Issues that are beyond the scope of the project (e.g. broader policy issues) or not relevant to the project.

Broader Policy Issues:

- Perception of the proposal as driven by developer interests rather than community needs.
- Concerns about political planning reforms and their alignment with broader government policies and community interests.

3. Actions Taken Since Exhibition

In response to the issues raised during the public exhibition of the proposed development, the applicant has undertaken a series of actions to address community concerns and refine the project. These actions are detailed as follows:

3.1 Project Refinement

In response to the RFI issued by the DPHI, the SSD application required design amendments and as a result, additional assessment of the economic, environmental and social impacts of the amended project, which has resulted in an Amendment Report (Appendix 1) to accompany this RtS Report.

The Amendment Report is submitted in accordance with *Environmental Planning and Assessment Regulation 2021*, Division 2 Section 37 Amendment of development application. Subsection (1) allows an applicant to apply to the consent authority for an amendment to the development application at any time before the application is determined. As such, this formal amendment is submitted to the DPHI for their consideration and is in response to the public submissions.

As detailed in the Amendment Report, the key proposed project amendments comprise the following:

- Height of Buildings: reduction in building height for Building A, B1, C, D and E1. No change for Building B2. Minor increase in building height for Building E2 - podium.
- Project description: minor change relating to proposed stratum subdivision. This is an administrative change that does not require further assessment. An updated project description is provided at Appendix 36.

A high-level outline of all the proposed building design changes in the amended scheme is provided below.

- Height of roof articulation reduced to parapet height for adequate fall protection for safety and sufficient screening of PV panels from neigbouring future developments minimise overshadowing on neighbouring properties.
- Plant enclosure reduced in height to top of service/fire stair where appropriate to minimise overshadowing on neighbouring properties.
- Amendment to column layout to remove transfers and increase efficiency in the design as part of detailed structural coordination.

- Amendment to retail and basement layout as a result of structural coordination such as carparking arrangement, driveway and ramp location adjustments.
- Building B podium lift core reduced from 2 lifts to 1 to improve design outcome in the basement layouts.
- Amendment to layout of loading docks (North and South basement) and introduction of turntable to increase efficiency and align with retail operational requirements such as:
  - Waste collection
  - Vehicular parking & Loading zones
  - Storage/Coolrooms
  - FOGO and cardboard recycling bins added on each level, with associated planning changes.
- Amendment to layout of loading docks (North and South basement) to accommodate changes in waste calculation and bin tug provision as raised in the DPHI RtS and Canada Bay Council's objection letter.
- Amendment to Substation location, extent and spatials as per Level 3 Designer input and Ausgrid requirements. Including Substation Kiosk in William Street park with subsequent landscape amendments and changes to deep soil. Amendments improve design outcome and buildability of substation chambers and address issues raised regarding visibility of substation kiosk in prominent street junction.
- Retail design amendments to improve the design outcome, relating to:
  - Loading dock arrangement
  - Stepped tenancies (consistent with the Flood Report outlining AHD's to adhere to)
  - Services and maximising retail shopfronts / grille widths
  - Simplifying shape of firestairs / egress routes
  - Consolidation of tenancies on Level 1 following input from prospective tenants.
- Amendment to apartment layouts to maximise solar amenity. These include:
  - Internal layout change to ensure habitable spaces are orientated North where possible
  - Glazing locations/extent orientated North where possible
- Minor adjustments to the façade glazing to accommodate layout changes.
- Proposed anti-glare treatment reflected in the architectural documentation as raised in the DPHI RtS. Proposed treatments are consistent with recommendations from the Solar Reflectivity Report, conducted by RWDI and dated 24/01/24.
- Rationalisation of building C and D podium brick columns to be rectangular instead of splayed.
- Reduction of awning extent to be 2200mm max cantilever for buildability.

Project clarifications and refinements that have eventuated since public exhibition have resulted in the following additional changes / updates to the proposal, which are addressed in the Amendment Report:

- Minor update to the site area. The amended proposal clarifies the total site area as 31,342m^2
- Minor adjustment to the total FSR and GFA permitted at the site
- Clarification of breakdown of residential and non-residential GFA
- Minor change to parking provision as a result of GFA clarifications
- Minor change to solar access
- Improvements to overshadowing impacts
- Clarifications relating landscaping and deep soil calculations
- Design refinement of Building A facade

- Clarification relating to parking provision for the proposed indoor recreation facility
- Additional traffic mitigation measures (operational and during construction)
- Minor reduction to communal open space
- Minor changes to stormwater and civil design
- Updated construction hours
- Minor regrading of the William Street slip-lane for an improved flood impact outcome
- Reconfiguration of waste services and relocation of garbage holding rooms
- Additional recommendations for social impact to mitigate the potential loss of affordable rental accommodation after the 15-year period
- Clarification of affordable housing GFA and contributions to be provided in accordance with the local affordable housing requirements if clause 6.12 of the Canada Bay LEP

As a result of the proposed amendments, the following updated environmental assessments are provided at Section 6 of the Amendment Report:

- Design Quality
- Built form and Urban Design
- Environmental Amenity
- Visual Impact
- Trees and Landscaping
- Traffic, Transport and Accessibility
- Flood Risk
- Waste Management
- Construction, Operation and Staging
- Contributions and Public Benefits

Additionally, the report addresses certain clarifications requested by DPHI and project refinements that have eventuated since public exhibition. They include the following matters:

- Noise and Vibration
- Water Management
- Social Impact

3.2 Further Assessment of Project Impacts

To support the additional impact assessment, additional or updated technical reports and/or addendum letters are provided as part of the revised SSDA package as detailed in the Appendices List.

The environmental impact assessment undertaken for the project as part of the original EIS and the Amendment Report (Appendix 1), has determined that the project would not result in any significant adverse impacts to environmental, cultural, social and economic values. The majority of the remaining impacts have been concluded as being generally consistent with those previously presented in the EIS. Any potential residual impacts can be suitably controlled with the management and mitigation measures proposed.

Therefore, despite the scheme being amended, the overall proposal being a for a new mixed-use development (inclusive of shop-top-housing with in-fill affordable housing and an indoor recreation facility) remains the same as the original proposal.

3.3 Review and Analysis of Submissions

The broader project team, including Deicorp, Gyde Consulting, Turner Studio, Isthmus Landscape Design Mott MacDonald, JMT Consulting, Windtech, Acoustic Logic, OG Urban, JHA and Goldfish & Bay convened on January 20, 2025, to systematically review and analyse the submissions received. This collaborative approach has informed the project's refinement, ensuring that community feedback is incorporated into the final design. It is noted that on 6 February 2025, a post-exhibition consultation meeting was held with the DPHI to discuss key issues of the received RFI as noted further in Section 3.6 and as addressed throughout this report.

3.4 Instruction of Technical Consultants

Technical consultants were instructed to provide specialised advice on several key issues, including architectural, landscaping, traffic, flood, acoustic, reflectivity, etc as details further in Section 4. Their expertise will guide the project team in making informed decisions that enhance the development's functionality and its integration with the surrounding community.

3.5 Further Engagement

3.5.1 Community

It is understood that community consultation and public exhibition was carried out in strict accordance with DPHI's policies and guidelines. All adjoining properties were notified per DPHI's policies, ensuring that the community was adequately informed and had the opportunity to provide feedback.

Refer to additional consultation with Rosebank College as part of RtS process – include date, attendees, topics of discussion and any resolution achieved.

In summary, the applicant has taken significant steps to address the concerns raised during the public exhibition, including refining the project design, conducting additional impact assessments, and engaging with technical consultants. These actions demonstrate the applicant's commitment to delivering a development that is responsive to community needs while maintaining the project's overall viability.

3.6 Post-Exhibition Consultation

Beyond ongoing community consultations, the Proponent and project team have engaged with various agencies following the public exhibition to address all outstanding issues. A high-level overview of the consultations undertaken since lodgement is provided below.

3.6.1 Department of Planning, Housing and Infrastructure

On 6 February 2025, a post-exhibition consultation meeting was held with the DPHI attended by the following attendees; Amy Watson, Michelle Niles, Keith Ng, Greg Colbran, Mitchell Corn, Simon Manoski, and Poonam Chauhan.

Key issues discussed as outlined in the RFI included the status of the VPA, the calculation of GFA in relation to balconies and corridors and ensuring adequate overshadowing and solar access considerations. In addition, the DIP and ongoing consultation via email was raised. Michelle Niles requested a draft submission for review before the final portal submission. As a result, Deicorp noted that a meeting will be organised to review amended documents, particularly design elements, to ensure all issues have been appropriately addressed.

3.6.2 City of Canada Bay Council

Deicorp and stakeholders have engaged in ongoing consultations with Canada Bay Council, including two meetings to resolve outstanding issues. Meeting 1 was held on 17 February 2025, attended by Shannon

Anderson (City of Canada Bay Council), Greg Colbran, and Simon Manoski (Deicorp), addressed key matters as outlined below;

Substation: Council was initially informed that the existing substation did not feed street lighting, noting that Deicorp then presented a letter prepared by JHA dated 4 February confirming that it does. Council agreed to follow up internally. Deicorp also highlighted that transferring the full feed from the existing substation to their site would create unwanted easement burdens on the project.

Flooding: Council has two key concerns regarding flooding. While engineers accept the flooding model and support the wet park concept, the Parks Department opposes it due to maintenance challenges and public health risks related to water quality from Parramatta Road during flooding events. It was agreed that the next meeting would include a clear demonstration of the park's impact and water levels in a 1:100 flood event.

Public Park 3m setback on Queens Road: Deicorp reiterated that the design complies with current DCP controls and is not going to be altered. However, Council noted that the existing controls do not align with Council's evolving vision for the precinct. Deicorp agreed to present at the next meeting the potential impacts on activation and public thoroughfare.

VPA: Council was satisfied with the communication between Deicorp and Council, noting that both parties appeared to be in agreement. Council confirmed that once the VPA is finalised, it will undergo a 28-day advertising period, with a one-time exception allowing the Council Manager to approve it. Council outlined the view that there is no reason why the VPA could not be approved before the SSDA approval by the end of June 2025.

Following this meeting, a draft RtS letter was submitted to Council on Wednesday 19 February 2025.

Meeting 2 was held on 25 February 2025, with Deicorp, the wider project team and Council further discussing several key issues. Deicorp clarified that Spencer Lane would remain under their ownership. The design of public open space was reviewed, confirming alignment with the Kings Bay Street Design Guide. Concerns about waste management were addressed, with proposed solutions for bin transport and access. The slip lane's compliance with the Kings Bay Design Guide was raised, alongside flooding concerns related to the park's inundation and drainage strategy. The substation's location in the park was debated, with Council preferring its removal from the 2290m² public park area. Additionally, lighting design and affordable housing contributions were discussed, with Council agreeing to Deicorp's proposed approach to affordable housing.

3.6.3 Transport for New South Wales (TfNSW)

A meeting with TfNSW was held on 4 February 2025, with attendance from TfNSW, Deicorp, Mott MacDonald and JMT Consulting to discuss relevant transport and road infrastructure matters. Key items discussed included the proposed triangular median on Spencer Street at Queens Road to enforce left-in/left-out traffic movements, land dedication requirements along Parramatta Road, and planned improvements to the Queens Road / William Street intersection.

Deicorp raised potential constraints with implementing a raised median on Spencer Street due to swept path clashes and the proximity to Rosebank College's driveway. As an alternative, they proposed a raised central median on Queens Road to enforce the left in/left out restriction. TfNSW expressed concerns about this option, including the impact on adjoining landowners who rely on right-turn movements, the potential effect on a future cycleway corridor on Queens Road, and the road geometry, as the 1.2m median width required by TfNSW standards could affect the layout. In response, Deicorp adjusted the design, removing the central median on Queens Road and adding a triangular-shaped median at the northern end of Spencer Street to enforce the left-in/left-out movements. They also widened the western side of Spencer Street at the intersection with Queens Road to accommodate an MRV left turn. The updated design and swept path were provided, and signage indicating "No Left Turn – Vehicles Under 10m excepted" was proposed, with HRVs entering the precinct via Spencer Street and/or Parramatta Road. TfNSW is to confirm whether the revised design addresses their feedback.

In relation to land dedication requirements on Parramatta Road, TfNSW clarified that the requirements for the project are consistent with Deicorp's submitted subdivision plan, and no further action is required.

Regarding the Queens Road/William Street intersection, Deicorp noted that DPHI had requested consultation with TfNSW on potential traffic mitigation measures. The adjoining site to the west of William Street has submitted a SEARs request for future development, which includes an 8m land dedication for the future widening of William Street. Deicorp's traffic modelling has accounted for the intersection in its current form, without relying on future upgrades. Actions included TfNSW to confirm if any further traffic mitigation measures are necessary in response to DPHI's feedback.

3.6.4 Rosebank College

The Proponent met with representatives from Rosebank College on 12 February and 26 February 2025 to discuss potential impacts to the school community.

In attendance were Iris Nastasi (College Principal), James Jeffery (Dean of Finance), Justin Flaherty (Director), Rob Furolo (Executive Manager, Corporate Communications) as well as Greg Colbran (Deicorp).

The College and Deicorp discussed the need for the College to receive updates on construction traffic monitoring, noise, and general methodologies. The possibility of the College renting commercial space from Deicorp was raised. The College emphasised the importance of considering the Year 12 exam schedule, and Deicorp was given the exam timetable. Deicorp provided an update on the SSDA application noting aims for construction to begin in July 2025. Deicorp also explained that due to basement excavation, two existing sewer feeds to the College would need to be rerouted down Spencer Street, with further updates to be shared. The College agreed to the sewer diversion, provided that the correct procedures were followed, and they were kept informed.

Deicorp requested permission to remove trees along the College's northwestern boundary, as they would not withstand new wind loads after demolition. The College agreed, and a meeting will be arranged to select suitable replacement trees. Deicorp also agreed to conduct a site visit to review the College's student arrival and departure patterns, with permission to use drones for better data collection.

Following this meeting, a site visit was conducted to observe the College's student arrival and departure processes, with two sessions held. The team reviewed all three entry and exit points, noting issues at the corner of Queens and Harris Street due to a narrow footpath and sharp turn. They also observed illegal drop-off and pick-up practices causing traffic congestion. It was agreed that Harris Street would be off-limits to construction vehicles, and Deicorp would share the drone footage captured by Alex Furolo from AF Media with the College.

The conclusions and responses resulting from post-exhibition consultation have been thoroughly addressed throughout this report.

4. Response to Submissions

The following sections respond to the key issues raised by the community and the relevant authorities. This response has been prepared based on the following supporting documents:

Appendix 1 Amendment Report

Appendix 2 Amended Clause 4.6 Variation Request

Appendix 3 Design Integrity Letter

Appendix 4 Statutory Compliance Table

Appendix 5 Mitigation Measures Table

Appendix 6 Staging Plan

Appendix 7 DA Architectural Drawings

Appendix 8 Civil and Stormwater Drawings
Appendix 9 Water Management Plan (Stormwater Management Report)
Appendix 10 Flood Impact and Risk Assessment Report
Appendix 11 Flood Model
Appendix 12 Remediation Letter
Appendix 13 Operational Waste Management Plan
Appendix 14 Landscape Report
Appendix 15 Landscaping Plans
Appendix 16 Transport lmpact Assessment
Appendix 17 Noise and Vibration Impact Assessment
Appendix 18 Pedestrian Wind Assessment Memo
Appendix 19 Solar Reflectivity Report
Appendix 20 Site Survey
Appendix 21 Draft Stratum Plans
Appendix 22 Land Subdivision
Appendix 23 Easement Plan / Dedication Plan
Appendix 24 Staging Management Plan
Appendix 25 Specialist Lighting Report
Appendix 26 Level 3 Letter
Appendix 27 CWMP, CTMP, CEMP
Appendix 28 Flood Emergency Response Assessment
Appendix 29 MUSIC Model
Appendix 30 DRAINS Model
Appendix 31 Draft VPA
Appendix 32 Social Impact Assessment
Appendix 33 Growth Data Form
Appendix 34 Design Report
Appendix 35 Development Schedule
Appendix 36 Updated Project Description
Appendix 37 Site Area Letter
Appendix 38 BASIX Reports and Certificates
Appendix 39 Arboricultural Report

4.1 Response to Community Concerns

The table below contains a response to the issues raised in submissions.

Table 1: Response to Community Submissions Table

Issue	Response
Project	
Traffic / Roads	Please refer to Section 4.2 for a comprehensive response to these concerns, as outlined in the response to the RFI received by the DPHI. These issues are further addressed in detail throughout the report, from Section 4.2 through to Section 4.7.
Building Height	
Parking	
Bulk and Scale	
Open Space / Landscape	
Housing Diversity	The proposal will facilitate the redevelopment of the site for the purposes of a mixed-use development comprising 1,185 residential apartments, as well as commercial, retail and indoor recreational facility uses, which will deliver important social and economic benefits to the community by contributing to housing diversity and stability for increasing population as well as providing employment generating floor space in a highly accessible location proximate to existing employment. The proposal provides a diversity of housing typologies, including 1, 2 and 3 bedroom, adaptable and liveable apartments to suit a varied demographic. Within each apartment type there is a range of sizes, orientations and balcony or terrace size. The accommodation mix and size of apartments have been determined to appeal to a diverse range of occupant profiles and to provide price points to support housing diversity and affordability.
Impact on Rosebank College	For detailed responses to the key issues raised regarding the impacts on Rosebank College, please refer specifically to Section 4.4, as well as the report in its entirety.
Property Value	Possible impacts on property values are not legitimate planning considerations. Nevertheless, it is noted that the proposal aligns with the planning framework set out in the Parramatta Road Urban Transformation Strategy and is consistent with the 2024 infill affordable housing provisions released by the Department of Planning. Moreover, the proposed development will enhance existing infrastructure while introducing new amenities, including a public park, improved access to commercial and retail opportunities, and job creation. These elements will contribute to transforming the neighbourhood into a vibrant, well-connected community, supported by assets such as the Sydney Metro.
Procedural matters	
Community Consultation / Exhibition period	It is understood that community consultation and public exhibition was carried out in strict accordance with DPHI's policies and guidelines. All adjoining properties were notified per DPHI's policies, ensuring that the community was adequately informed and had the opportunity to provide feedback. In summary, the applicant has taken significant steps to address the concerns raised during the public exhibition, including refining the project design, conducting additional impact assessments, and engaging with technical consultants. These actions demonstrate the applicant's commitment to delivering a development that is responsive to community needs while maintaining the project's overall viability.

Issue	Response
Economic, environmental and social impacts	
Environmental Impacts	For a detailed response to environmental impact concerns, as outlined in the RFI received by the DPHI, please refer to Section 4.2. These concerns are also addressed in greater detail throughout the report, from Section 4.2 to Section 4.7.
Social Impact	A comprehensive Social Impact Assessment (SIA) was prepared and submitted with the application. This assessment evaluated the potential effects of the development on various aspects of community life, including residents' way of life, community cohesion, and accessibility to services It is noted that an updated SIA has been prepared to accompany this RtS report and is provided at Appendix 32. Additionally, response to concerns regarding Social Impact have been responded to in further detail in Section 4.6.
Justification and evaluation of the project as a whole	
Compatibility with Local Character	The proposal seeks to transform the existing light industrial service industries into a dynamic, mixed-use urban renewal precinct featuring high-quality amenities, generous landscaping, open spaces, and extensive setbacks. It also enhances the road and pedestrian network, aligning with the future vision for the Kings Bay Precinct as outlined in PRCUTS. The design draws inspiration from the local architectural character, with podiums reflecting the vernacular urban fabric of the surrounding residential area. While the towers feature distinct architectural expressions, they maintain a cohesive identity, contributing positively to the Five Dock skyline. Thoughtful setbacks reduce visual bulk from the street, fostering a more refined and human-scaled streetscape. Further responses on the proposals compatibility with local character is provided throughout this RtS report. Refer to Section 4.2 to Section 4.7.
Consistency with Government Plans and Policies	The proposed height of the new building is consistent with the approved planning proposal and includes incentive height provisions established within the Housing SEPP, which are designed to support the delivery of affordable housing. This is further addressed in the updated Statutory Compliance Tables provided in Appendix 4, as well as throughout this RtS report.
Issues that are beyond the scope of the project	
Broader Policy Issues	The proposed development is a strategically designed mixed-use building that integrates retail, commercial, residential, and affordable housing components. This approach aligns with the NSW Government’s priorities as outlined in the Housing SEPP, which aims to increase housing supply in well-located areas and address housing affordability. By incorporating affordable housing, the proposal not only adheres to state policies but also contributes to broader government efforts to enhance housing affordability and supply.

4.2 Response to DPHI Key Issues

The table below provides a response to the key issues raised by the DPHI.

Table 2: Response to DPHI Key Issues

DPHI Raised Issue	Response	Relevant Report(s)
1. Voluntary Planning Agreement (VPA) Provide an update of the VPA negotiations with Council including the steps to be taken to resolve the terms of the VPA in a timely manner to allow exhibition and execution to run concurrently with the assessment and determination of the application. This should include a copy of a draft VPA including terms agreed by Council.	All negotiations with council are resolved and Nick Hubble – Development Manager from Canada Bay Council Property advised on Monday 10 March that the draft VPA went on exhibition on Friday 7 March and will be exhibited until Sunday 6 April 2025.	Refer to the Draft VPA at Appendix 31
2. Local Affordable Housing requirements a) In relation to local affordable housing requirements of Clause 6.12 of the Canada Bay Local Environmental Plan 2013 (LEP): i. Confirm whether it is intended to provide physical dwellings or a monetary contribution (or a combination of the two) to satisfy the LEP requirements ii. Where a financial contribution is proposed, provide a calculation in accordance with Council's Affordable Housing Contribution Scheme iii. Where physical dwelling are proposed, identify the location of the dwellings and discuss amenity afforded to the dwellings compared to the broader development.	Deicorp is happy to accept this as a condition of consent to address the affordable housing contributions identified under clause 6.12 of the Canada Bay Local Environmental Plan 2013, the City of Canada Bay Affordable Housing Contribution Scheme and the developer contributions under Section 7.11 of the Environmental Planning and Assessment Act. The relevant floor area for the purpose of Affordable Housing Contribution of the development application is the residential floor area (113,472.64m^2) less the floor area to be used to provide affordable housing under the SEPP (19,251.83m^2) which equals 94,220.81m^2. The affordable housing levy contribution is to be calculated on 4% of 94,220.81 m^2, equating to 3,768.83m^2. It is understood that the affordable housing levy contribution can be satisfied through the dedication of completed dwellings free of cost, and to the satisfaction of Council, or the payment of a monetary contribution, or a combination of both. It is requested that any Affordable Housing Contribution condition which is imposed by the Department is worded flexibly to enable: • The dedication of completed dwellings free of cost, and to the satisfaction of Council; or	-

DPHI Raised Issue	Response	Relevant Report(s)
	• The payment of a monetary contribution; or, • A combination of both. Evidence that the affordable housing contribution requirement is satisfied will be provided to the Department of Planning prior to the granting of final Occupation Certificate.	
3. Gross floor area (GFA) a) Clarify whether south-west balconies in Building A will be fully enclosed to satisfy mitigation recommended by the Pedestrian Wind Study. Where these balconies are fully enclosed, GFA figures for the development will need to be updated, and additional affordable housing GFA would be required. b) A number of corridors within buildings have not been identified as GFA contributing spaces. Provide plans/details demonstrating the design of these corridors as breezeways, to demonstrate that they will not fall within the definition of GFA in the LEP. c) Provide updated GFA calculation plans which better contrast the GFA calculated locations from the background colour of the plan.	a) The balconies on the south-west side of Building A are not proposed to be fully enclosed, as full enclosure is not required for wind mitigation based on the recommendations in the Pedestrian Wind Study. The study suggests a different wind mitigation treatment, specifically the adoption of full-height screening along one side of the balconies, which has been incorporated into the design. This screening detail is shown in the relevant floor plans, sections, and elevations. As such, the balconies will not be fully enclosed, and no updates to the GFA figures or additional affordable housing GFA are required. Refer to DA-770-100_GFA Diagram Residential 01-06 for amended GFA figures. b) The corridors in question are designed as open "breezeways," meaning they are not enclosed spaces. As such, they are not intended to contribute to the Gross Floor Area (GFA). For further clarification, please refer to DA-920-001 GFA Corridors_ Breezeways 3(b) and DA-920-002 GFA Corridors_ Breezeways 3(b). These drawings clearly identify the areas proposed as breezeways, with accompanying sections for additional detail. The section drawings demonstrate that these corridors are fully open, with no walls or enclosures, from the top of the balustrade to the underside of the soffit above. This open design ensures that the breezeways are considered external spaces, in line with the relevant LEP provisions. As such, they do not contribute to the GFA calculation.	Refer to the updated architectural set prepared by Turner at Appendix 7. Specifically: a) DA-770-100_GFA Diagram Residential 01-06 for amended GFA figures. b) DA-920-001 GFA Corridors_ Breezeways 3(b) and DA-920-002 GFA Corridors_ Breezeways 3(b). c) DA-770 subset for updated GFA calculations

DPHI Raised Issue	Response	Relevant Report(s)
	c) Turner has revised the GFA diagrams to enhance legibility, ensuring that the GFA-calculated areas are more clearly contrasted from the background colour of the plans.	
4. Building height a) The Department notes that each building exceeds the maximum permissible building height under the Housing SEPP. The Department requests that you: i. Provide further justification for these variations, including analysis, plans and details which consider alternative building forms (for example larger floor plates) which would allow the floor space to be accommodated below the maximum height. ii. Consider options to either reduce the extent of the height variations and/or design more recessive roof features/elements. iii. Update your clause 4.6 variation as necessary to include this analysis and demonstrate how the proposal results in improved outcomes to justify the environmental planning grounds for the variation.	Turner has developed a series of massing iterations (refer to Appendix 7), including three alternative massing options alongside the selected SSDA design: • **Option 1: Increased Podium Heights** – This approach raises the podium heights while lowering the tower heights. However, it results in greater overshadowing of Rosebank College to the east. Additionally, the increased podium bulk negatively impacts the streetscape by exceeding the desired street wall heights and adding visual mass at eye level. • **Option 2: Wider Tower Floor Plate** – This option increases the width and depth of the towers while reducing their height. However, it introduces compliance challenges with the ADG and DCP, particularly failing to meet the ADG's minimum tower separation requirement (<24m between some towers). As a result, the design creates a bulkier tower form. • **Option 3: Marker Tower** – This iteration increases the height of the northern towers by 16–20m above the 30% uplift height limit while lowering the southern towers. While this creates a dynamic skyline, it leads to overshadowing within the development itself. Additionally, the proposed tower heights (37+ storeys) are misaligned with the emerging urban fabric. In line with this, an increased street wall height requires a balance with the width of the road and public domain. Axonometric drawings highlighted how squat developments negatively impacted the public domain, while wider towers reduced sky views and increased visual bulk. In contrast, the selected scheme's taller, slender towers improved openness and reduced bulk, enhancing	Refer to the following updated documents: • Updated architectural set prepared by Turner at Appendix 7. • Drawing Numbers for Massing Comparisons (Found in Appendix 7 - Arch Supplementary Drawings - Massing Options) – DA-721-000_01 Massing Options 2 – DA-721-001_02_William Street Views 3 – DA-721-002_01_Parramatta Road Views 3 • Section 6.2.1 of the Amendment Report (Appendix 1) which provides details on how the proposal has reduced the extent of the building heights. • Amended Clause 4.6 Variation Request at Appendix 2.

DPHI Raised Issue	Response	Relevant Report(s)
	sky views and sightlines. The human-scale podium heights also contributed to a more pedestrian-friendly streetscape with better articulation and active frontages. Ultimately, the alternative schemes resulted in greater environmental and visual impacts than the selected SSDA scheme. The proposal does not include any habitable floor area above the height limit. Instead, elements exceeding the height limit are limited to architectural roof features and roof service/plant areas. These elements are seamlessly integrated into the architectural design, enhancing the buildings' visual interest. The Design Integrity Panel has acknowledged this integration, emphasising the following key considerations: • The SSDA scheme's approach to distributing the in-fill affordable 30% bonus height and FSR in taller towers has improved the proposal's skyline and massing. • Three other massing distributions were presented and reviewed, with the option to go up rather than out, retaining no greater than 750sqm floor plates, and more slender tower forms preferred. Supportive of option 4, which is the proposed SSDA scheme. • Architectural roof elements above the height plane improve elegance and visual interest of tower forms, whilst maintaining an important function of concealing roof plant and service areas. • The impacts of taller buildings are relatively preferable to increased bulk in width of buildings – noting the surrounding context is also undergoing change. • Articulation and extra height with modest tower footprints helps with elegance. It is noted that the proposed building heights have been amended to respond to DHPHI's comments to consider ways to reduce the extent of the height variations and/or design more recessive roof features whilst avoiding	

DPHI Raised Issue	Response	Relevant Report(s)
	visual bulk and adverse impacts to the public domain. As shown in the amended scheme (refer to the architectural plans at Appendix 7) the proposal has reduced the overall extent of the proposed variation by designing more recessive architectural roof features. Further coordination with services engineers has allowed plant equipment to be minimised in both scale and quantity, therefore reducing the extent of the rooftop services and plant areas for all buildings, except for the Building B2 and E2, which has significant mechanical services required for the commercial uses. The change in the proposed building height variations is summarised below: • Building A – Variation reduced from 3.9% to 1.9% • Building B1 – Variation reduced from 4% to 1.54% • Building B2 – No change • Building C – Variation reduced from 3.9% to 0.8% • Building D – Variation reduced from 3.8% to 2.6% • Building E1 – Variation reduced from 3.6% to 3.2% • Building E2 (podium) – Variation increased from 7.7% to 15.4% The greatest extent of the proposed variation (being 15.4%) relates to the significant mechanical services required for the commercial uses on Building E2 (podium) roof level and the extended parapet which conceals the rooftop plant area. It is noted that the height of the parapet is only marginally higher than the mechanical equipment which includes a 2m switchboards, 3.5m cooling towers, 2.5m exhaust amongst other mechanical items. with the greatest extent of the variation being towards Building E2's north-western edge, set away from the public domain and neighbouring Rosebank College. No change proposed to the roof articulation of Building B2 which is significantly lower than the other towers	

DPHI Raised Issue	Response	Relevant Report(s)
	to ensure adequate visual screening of the services plant within. The proposal ensures that all habitable levels remain within the 30% uplift height plane, maintaining tower proportions that comply with both the ADG and DCP. The Clause 4.6 variation has been updated as necessary to include further analysis (Appendix 2).	
5. Overshadowing and solar access a) Provide sun eye diagrams and a development data table identifying the hours that each apartment received solar access. b) Provide overshadowing plans which model future development surrounding the site in accordance with the LEP standards and Housing SEPP uplift scenarios. c) Consider the impacts of future surrounding development on the ability of the proposal to achieve solar access recommendations of Section 4A of the ADG and additionally, the impacts of the proposal on surrounding future development being able to achieve solar access recommendations of Section 4A of the ADG. d) Provide additional shadow diagrams at a larger scale to as well as accompanying analysis of the overshadowing impacts and solar access retained to affected properties.	a) Sun Eye Diagrams have been included in the SSDA submission and have been increased in size for legibility. Regarding the development data table, 2 x columns have been added to show number of hours & minutes receiving solar. b) Turner has included the massing model of future developments surrounding the site in the Shadow and Amenity Diagrams, in accordance with the Canada Bay DCP Part K Special Precincts - K20 Kings Bay (PRCUTS) for setbacks, as well as the Canada Bay LEP and the incentive height provisions for buildings. Based on our understanding, the building envelope comprises 3-5 storey developments to the north, 20-storey towers to the west, and no proposed changes to Rosebank College to the east. c) The solar compliance of the proposal has been assessed based on the existing context to ensure it meets the ADG solar access requirements. Specifically, at least 70% of apartments in the building must receive a minimum of 2 hours of direct sunlight between 9 am and 3 pm at mid-winter in living rooms and private open spaces. The proposal meets these requirements under the current context. In consideration of the future surrounding development context, as outlined in the City of Canada Bay Development Control Plans (Park K Special Precincts), a review of the potential future impacts has been	Refer to the updated architectural set prepared by Turner at Appendix 7. Specifically: a) Sun Eye diagrams at DA-710 subset b) Solar Diagrams at DA-711 subset including: – DA-711-200_02_3D Shadow Diagrams 30% Uplift 9AM 3 – DA-711-201_02_3D Shadow Diagrams 30% Uplift 10AM 3 – DA-711-202_02_3D Shadow Diagrams 30% Uplift 11AM 3 – DA-711-203_02_3D Shadow Diagrams 30% Uplift 12PM 3 – DA-711-204_02_3D Shadow Diagrams 30% Uplift 1PM 3 – DA-711-205_02_3D Shadow Diagrams 30% Uplift 2PM 3 – DA-711-206_02_3D Shadow

DPHI Raised Issue	Response	Relevant Report(s)
	conducted. While the assessment identifies some variations in solar access potential under the future context, the proposal is still designed to achieve the solar access objectives where possible. Turner has prepared a set of shadow diagrams (DA-7110199 to DA-7110104) and “view from the sun” drawings (DA-711-200 to DA-711-206) that illustrate the future context. This includes the LEP-compliant height, and a potential 30% height increase allowed under the SEPP (Housing) Infill Affordable Housing policy, as it relates to the proposed development. The 30% height increase is highlighted in purple. These diagrams should be viewed alongside the solar compliance and future context building diagrams (DA-720-310 to DA-720-343), which show the apartments that meet solar compliance based on the existing context but fail to do so when assessed with the future context. These impacted apartments are marked in pink. d) Solar analysis of the existing properties at 2 Lang Street and 49-73 Dalmar Street has been conducted, using survey data to identify window positions and, where available, marketing plans indicating the location of living rooms. In instances where marketing information is not available, it has been assumed that the living room is located on the northern side of the property. Additionally, the potential overshadowing impacts on these properties, including solar access retained and effects on private open spaces, have been carefully assessed. Detailed shadow diagrams and analysis of these impacts are provided in the DA-850 subset, offering a comprehensive view of how the proposed	Diagrams 30% Uplift 3PM 3. c) Shadow Diagrams on surrounding properties - Arch Supplementary Drawings - 2A Lang St and 49-73 Dalmar St Solar Analysis) including: – DA-722-001_01_Croydon and Burwood Solar Analysis 01 3 – DA-722-002_01_Croydon and Burwood Solar Analysis 02 3 – DA-722-003_01_Croydon and Burwood Solar Analysis 03 3. d) Shadow diagrams at Larger Scales including: – DA-711-001_03_Existing context - Shadow Diagrams 3 – DA-711-002_03_Existing context - Shadow Diagrams 9AM-10AM 3 – DA-711-003_03_Existing context - Shadow Diagrams 11AM-12PM 3 – DA-711-004_03_Existing context - Shadow Diagrams 1PM-2PM 3 – DA-711-005_03_Existing context - Shadow Diagrams 3PM 3 e) Accompanying Analysis of existing dwellings - Arch

DPHI Raised Issue	Response	Relevant Report(s)
	development interacts with the surrounding properties.	Supplementary Dwellings - 2A Lang St & 49-73 Dalmar St Solar Analysis).
6. Acoustic Impacts a) Clarify how apartments identified as achieving natural ventilation but also require alternative ventilation as an acoustic mitigation measure, will achieve natural ventilation as recommended by Section 4B of the Apartment Design Guide (ADG). Provide plans/details demonstrating the design and function of the ventilation and acoustic mitigation measures. b) Provide an assessment, and if required, recommended mitigation measures to address noise impacts associate with the operation of the loading docks (including vehicles arriving and manoeuvring into the loading dock driveways) to apartments and communal open spaces within the development. c) Provide an assessment, and mitigation measures if required, to address potential noise impacts from use public spaces within the proposal (such as the new park and through site link) and communal open spaces. d) Provide an assessment of the acoustic amenity of balconies addressing road frontages and whether measures are required to ensure the spaces are comfortable to use and comply with any noise guidelines or requirements for balconies fronting busy roads.	a) The ADG specifies the requirements to achieve natural ventilation of apartments in section 4B. There is no explicit acoustic requirement associated with the design criteria noted in Section 4B in order to achieve compliance. Therefore, any acoustic compliance is related to NCC considerations only. The proposed development demonstrates ADG compliance in drawings DA-720-001 to 008 and consists of 3 (three) x strategies to achieving Cross Ventilation. • Natural Cross Ventilation via apartments with more than one aspect (such as corner apartments and cross through apartments) • Natural Cross Ventilation via skylights • Natural Cross Ventilation via Passive Ducts For units affected by high noise levels from areas as identified in the Acoustic Report reference "20230993.2/2401A/R2/PF" dated 28/03/25", achieving the NCC natural ventilation requirement through traditional means, like openable windows, may not be feasible due to acoustic concerns. As a result, it is proposed to use mechanically assisted ventilation systems to ensure compliance with the NCC's natural ventilation standards. This strategy is in alignment with the requirements of the NSW Government's Department of Planning published guidelines on 'Developments near rail corridors and busy roads'. ADG and NCC Natural Cross Ventilation schedules are provided in separate drawing sets to avoid any confusion on this matter. Please refer to drawing number DA-720-001 to 008 for ADG section	Refer to: • drawing number DA-720-001 to 008 for ADG section 4B Natural Ventilation Amenity Diagrams (Appendix 7) • DA-723-001 to 009 for Section 4J for Noise and Pollution Amenity Diagrams with reference to Acoustic Engineer input via the Noise and Vibration Assessment (Appendix 17) • Sections 7.2.3 and Table 7-3, 9.3 and 9.4 of the Noise and Vibration Impact Assessment report (Appendix 17), (dated 28/03/2025) prepared by Acoustic Logic (AL)

DPHI Raised Issue	Response	Relevant Report(s)
	4B Natural Ventilation Amenity Diagrams. Please refer to drawing number DA-723-001 to 009 for Section 4J for Noise and Pollution Amenity Diagrams with reference to Acoustic Engineer input via the Noise and Vibration Assessment (Appendix 17) and the ventilation strategy to allow for sufficient ventilation while maintaining appropriate internal noise levels as advised by the Mechanical Engineer. A detailed ventilation assessment has been conducted, and results has been presented in Section 7.2.3 and Table 7-3 of the Noise and Vibration Impact Assessment report (Appendix 17), (dated 28/03/2025) prepared by Acoustic Logic (AL). NSW Department of Planning's Development near Busy Roads and Rail Corridors - Interim Guideline dictates that: "If internal noise levels with windows or doors open exceed the criteria by more than 10 dB(A), the design of the ventilation for these rooms should be such that occupants can leave windows closed, if they so desire, and also to meet the ventilation requirements of the Building Code of Australia." AL note that for apartment units listed in Table 7-3 that will not meet internal noise levels with windows open, mechanical ventilation systems will be implemented. Any supplementary ventilation system proposed to be installed should be acoustically designed to ensure that the acoustic performance of the acoustic treatments outlined above is not reduced and does not exceed Council criteria for noise emission to nearby properties. A mechanical engineer is to confirm if supplementary ventilation (to meet Australian Standard AS1668.2 requirements) will be required to these rooms.	

DPHI Raised Issue	Response	Relevant Report(s)
	b) There are no statutory requirements for loading dock noise emission to apartments/communal open spaces within the project site. However, in response to this RFI, assessment has been conducted in Section 9.3 of updated Noise and Vibration Impact Assessment report (Ref: 20230993.2/2401A/R2/PF, dated 28/03/2025). Predictions have been made to the closest apartment units to the loading dock entry and results show that the use of loading dock will not impose any adverse impact on the amenity of occupants. c) There are no statutory requirements for noise emission from the use of public spaces to receivers. However, to ensure the amenity of occupants, assessment has been conducted, and results are provided in Section 9.4 of updated Noise and Vibration Impact Assessment report (Ref: 20230993.2/2401A/R2/PF, dated 28/03/2025). The assessment has considered the worst-case scenario where Level 1 COS (with a larger area and potentially with a higher capacity) are right next to the level 1 bedroom window. The precited noise levels show that internal noise levels will comply with design criteria. Hence, all other COS on other levels will not cause any additional impact on receivers given they have smaller area (smaller capacity) and equal or more distance attenuation from receivers. Predicted results show that noise levels are within the designed criteria of bedroom (35dB(A)) and provide comfort that the amenity of the residents can be easily controlled. d) There are no statutory requirements for traffic noise intrusion into balconies. No additional acoustic treatments are required for balcony areas.	
7. Deep soil and landscaping a) Deep soil zones (DSZ) proposed include areas below	a) In the initial SSDA submission, Deep Soil was reported as 2,192 m^2, which complies with the ADG	Refer to Section 6.3.4 of the Amendment Report and the following drawing numbers for Deep Soil &

DPHI Raised Issue	Response	Relevant Report(s)
the minimum dimensions recommended in Section 3E of the ADG. Provide an updated DSZ calculation and justification for variations of any design criteria. b) The areas of the site identified as being a 'landscaped area', required by clause 19(2) of the State Environmental Planning Policy (Housing) 2021 (Housing SEPP), include areas on the buildings which do not comply with the definition of 'landscaped area' in the Housing SEPP. Provide an updated calculation and justification if a variation is proposed.	requirement of 7% of the total site area, amounting to 2,191 m^2. Secondary deep soil along the Parramatta Road frontage was reported as 1,032 m^2, exceeding the minimum requirement to accommodate future public domain needs, such as an undetermined bus stop. Certain areas that did not meet the ADG's minimum dimension of 6m were initially included in the total deep soil calculation but have since been corrected in the amended scheme. In the amended scheme, the deep soil area of 2,301.02m^2 is provided which reflects 7.3% of site area, ensuring continued compliance with the ADG. "Secondary deep soil" has been amended to 551.02m^2 which is not included in total deep soil calculation but is an additional offering. b) The landscaped area was initially calculated to include all planting and hardscape areas, both open to the sky and undercover, while excluding roads and driveways. However, this approach did not align with the definition of "landscaped area" as per the Housing SEPP, which defines it as "the part of the site area not occupied by a building and includes a part used or intended to be used for a rainwater tank, swimming pool, or open-air recreation facility, but does not include a part used or intended to be used for driveway or parking area." The amended SSDA now revises the landscaped area to align with this definition and clearly distinguishes between areas at grade and those on structures. It is important to note that the landscaped area on the Ground Floor is 9,130.24m^2, which is approximately 259.76m^2 less than the required 30% of the total site area (9,390m^2).	Landscaped Areas (Found in Appendix 7 - Architectural Drawings): • DA-730-200 - Deep Soil • DA-730-300 - Landscaping Area 01 • DA-730-301 - Landscaping Area 02 • DA-730-302 - Landscaping Area 03

DPHI Raised Issue	Response	Relevant Report(s)
	The proposed development offers extensive landscaping, including rooftop and podium communal open spaces for residents to access and enjoy which is shown in the DA-730 subset Landscape Area diagrams as blue and differentiated from the Ground Floor Landscaped Area shown in green. The ground plane features a substantial public domain offering, such as a public park and pedestrian laneways, which benefit from overhead awnings and pergola-like structures for the purposes of weather protection. These structures were not included in the landscaped area calculation but are freely accessible by the public and enhance the comfort and usability of the public domain. If these spaces under weather protection structures were permitted to be included, the total "landscaped area" would exceed the 30% total site area requirement. In summary: The proposal has total landscaped area of 9,130.24m^2 (29.13%) of the site area in accordance with the definition of landscaped area under the Housing SEPP. This is marginally below the 30% minimum non-discretionary standard. However, it is noted that the total landscaped area for the proposal far exceeds the 30% minimum when including the additional 6,276.53m^2 (20.05%) landscaped areas provided above ground/on buildings.	
8. Design a) Provide responses to the recommendations contained in the Design Integrity Panel (DIP) Report (Appendix 9). b) The proposal must be presented to the DIP prior to submission of the RtS, in accordance with the endorsed Bridging Design Excellence	a) The DIP provided three recommendations in the DIP Report which are outlined and responded to below: • Indoor weather protected space for all-year round entertaining to be considered for inclusion in COS. • A weather protected COS area was included in the submitted SSDA scheme (as lodged in October 2024). The indoor weather protected	Refer to: a) Section 6.1 of the Amendment Report (Appendix 1) for further details relating to the DIP recommendations. b) Design Integrity Letter at Appendix 3 regarding the DIP's review and

DPHI Raised Issue	Response	Relevant Report(s)
Strategy. Provide a table in the RtS responding to any recommendations or matters raised in the DIP review. c) Demonstrate how visual privacy will be provided to future residents of west facing apartments in Building C in line with objectives of Section 3F of the ADG. d) Provide examples of the treatments proposed to windows, balconies or facades where internal visual privacy is not in line with the design criteria of Section 3F of the ADG. For example, western facing apartments of Building E1, western facing apartments of Building D at levels 4-6 and apartments 408.C2 and 406.D/405.D. e) Provide the further assessment undertaken to determine whether the proposal will have adverse visual glare impacts. Where mitigation is required, it should be incorporated into updated plans and reviewed by the reflectivity consultation prior to submission of the RtS.	space for all-year round entertaining is located on Level 1 of Building E providing 108.45m2 if indoor residential community area and 113.04m2 of external community area (refer to GA Plans Building E, Level 1, DA-115-010). • Making some towers taller than proposed may benefit the scheme, noting the limitations in the planning controls • The chosen SSDA scheme ensures that all habitable levels remain within the 30% uplift height plane, maintaining tower proportions that comply with both the ADG and DCP. Ultimately, the proposal's scale and density are consistent with local and State planning policy. This scheme was deemed the preferred option of the Design Integrity Panel (DIP) as noted in the DIP Report. • Investigate further cost-effective methods to increase contrast of Building A podium to tower above. This may be done with colouration to enhance the scallop pre-cast above. • The change in colour from Building A's podium to its tower is a deliberate design decision that reinforces the architectural distinction between the base and upper levels of the building. This shift in colour creates a clear visual separation, emphasising the transition from the podium to the tower while maintaining a cohesive overall design. • The tower A is further distinguished by the inclusion of a veranda-style projected balcony, which introduces an element of depth and texture to the building's façade. This balcony, along with the prominent feature columns to the outside face of the balustrade, highlights the verticality of the tower and adds a level of articulation that contrasts with the simpler, more grounded expression of the podium. • The tower A is also visually set back from the podium, creating a further differentiation in massing. This setback ensures that the tower	assessment of the amended proposal in accordance with the endorsed Bridging Design Excellence Strategy. c) Architectural drawings at Appendix 7, specifically DA-921 subset. d) Architectural drawings at Appendix 7, specifically DA-921 subset. e) Solar Reflectivity Report by RWDI and dated 24/01/24 at Appendix 46 of the original submission and Architectural drawings at Appendix 7, specifically DA-926-001 subset.

DPHI Raised Issue	Response	Relevant Report(s)
	appears lighter and more dynamic, contributing to the overall sculptural quality of the design. Together, these elements create a distinct and cohesive architectural expression that effectively differentiates the podium from the tower while maintaining a unified overall design. b) As required by the DPHI and as outlined in the Endorsed Bridging Design Excellence Strategy, a review of the updated scheme is to be undertaken by the Design Integrity Panel (DIP) prior to lodgement of 'Response to Submissions'. A DIP is a quorum of the competition jury engaged to review whether the project retains design integrity. As such, and in accordance with the GANSW Design Competition Guidelines (2023), a quorum of 3 Jury members, including the Chair, was convened by the Competition Manager (Gyde Consulting) on behalf of the Applicant (Deicorp Projects (Five Dock) Pty Ltd) on Thursday 6 March 2025 to discuss the amended package, with Turner architects in attendance to present the amended design and respond to any questions. The key items discussed and summary of the DIP's assessment of the amended proposal is provided in the Design Integrity Letter at Appendix 3. The DIP unanimously agreed that the proposed amended design for SSD-73228210 retains and improves upon the design excellence qualities exhibited in the original SSDA submission and retains the potential to achieve design excellence. No further recommendations or matters were raised in the DIP review. c) Proposed treatments to ensure visual privacy for future residents of the west-facing apartments in Building C have been identified and are detailed in the DA-921 subset. These treatments include the use of opaque/obscure glass, adjustments to the layout and positioning of windows, and the	

DPHI Raised Issue	Response	Relevant Report(s)
	removal of certain windows to mitigate potential privacy issues. The amended floor plans, elevations, and diagrams in the DA-921 subset demonstrate how these treatments effectively address and resolve visual privacy concerns, in line with the objectives of Section 3F of the Apartment Design Guide (ADG). d) Proposed treatments to ensure visual privacy for future residents of the west-facing apartments in Building C have been identified and are detailed in the DA-921 subset. These treatments include the use of opaque/obscure glass, adjustments to the layout and positioning of windows, and the removal of certain windows to mitigate potential privacy issues. Unit 405.D and 404.D - Building D, Level 04: The apartment layout has been flipped to improve privacy. Additionally, coloback glass and solid panels have been incorporated into the design to reduce direct sightlines and enhance privacy. It is noted that Unit 404.D is proposed to have coloured back glass applied to part of the west-facing living room window only. This design allows sunlight to enter the living space through the remaining section of the window. To enhance the solar amenity further, we've modified this visual privacy treatment to use semi-transparent glass. This change permits more light into the apartment while still meeting the visual privacy requirements. With the introduction of the screening around the perimeter of the balcony on unit 405.D, the solar compliance for this unit is no longer achievable. The solar compliance diagrams have been updated to reflect this change, resulting in 830 out of 1185 units meeting the minimum requirement of 2 hours of solar access, which equals 70.04%. Unit 406.D and Unit 407.C2: A window blinker has been added to these units to limit direct visibility	

DPHI Raised Issue	Response	Relevant Report(s)
	into adjacent spaces, improving privacy for the residents. Unit 406.D: The window has been repositioned to further address visual privacy concerns, ensuring better separation between internal spaces. These changes are aimed at ensuring compliance with the visual privacy requirements of the ADG while maintaining functional and aesthetic considerations for the apartments. The amended floor plans, elevations, and diagrams in the DA-921 subset demonstrate how these treatments effectively address and resolve visual privacy concerns, in line with the objectives of Section 3F of the Apartment Design Guide (ADG). e) A solar reflectivity report, conducted by RWDI and dated 24/01/24, has been prepared for the proposed development. The report identifies several areas where reflectivity may have potential adverse visual glare impacts on surrounding areas. To mitigate these impacts, the report recommends the application of anti-glare coating on specific surfaces. The proposed anti-glare treatment is reflected in the architectural documentation, and the location and extent of the treatment are clearly shown. For further details, please refer to the DA-926-001 subset, which provides additional information regarding the identified locations and the proposed mitigation measures.	
9. Wind impacts a) Confirm that the wind mitigation strategy recommended in Section 3.4 of the Pedestrian Wind Study (PWS) is based on the proposed configuration rather than the cumulative configuration scenarios, including any amendments as needed to provide sufficient comfort and safety levels for the proposal from day one	a) The proposed mitigation strategy discussed in the report was based on the proposed configuration of the site (Day 1). b) The context of this statement refers to improvements in the overall wind environment under the cumulative scheme. However, it acknowledges that certain areas are still likely to experience strong winds even with the inclusion of surrounding future buildings. Hence, while some mitigation measures can be	Refer to the Pedestrian Wind Assessment Memo prepared by RWDI at Appendix 18

DPHI Raised Issue	Response	Relevant Report(s)
(without relying on future development surrounding the site). b) Confirm that the mitigation measures provide confirm and safety for the upper levels of the development from day one, noting the statement in the last paragraph of Section 3.4 of the PWS which notes that strong winds are likely to persist in the upper levels of the development. c) Clarify whether the landscaping recommendations in Section 3.4 of the PWS have been incorporated into the proposal.	removed as the wind environment improves, others – such as those required for Level 8 – will remain essential regardless of the surrounding scenario. c) Wind tunnel tests were undertaken without any landscaping included on the models. A qualitative review was undertaken by RWDI of the Landscape Plans received in October 2024. This was included in the Pedestrian Wind Study.	
10. Visual impacts a) Clarify whether mitigation measures identified in Section 10.4 of the Visual Impact Assessment (VIA) have been incorporated into the proposal. b) Confirm whether the VIA has been prepared in accordance with established Land and Environment Court planning principles related to view impacts.	a) Please refer to the amended Architectural Drawings (Appendix 7) and particularly DA-921-001 Visual Impact 2. b) The NSW Land and Environment Court (LEC) provides the following policies and principles relevant to assessment of visual impacts: – Policy: Use of Photomontages and Visualisation Tools (May 2024) – Principle – Views-general principles – Tenacity Consulting v Warringah Council (2004)NSWLEC 140 – Principle – Impact on public domain views – Rose Bay Marina Pty Ltd v Woollahra Municipal Council and anor (2013) NSWLEC 1046. Commentary on this VIA with regard to each of these is provided below. Use of Photomontages: Photomontages prepared for the VIA are consistent with the LEC Policy. They have been prepared over professional photographs taken from viewpoints that have been located and referenced by a registered surveyor. Rationale for selection of viewpoints has been provided. Focal lengths for base photos are consistent and have been referenced for each photograph. Reference points in each photo have been selected by specialists and	Refer to: • the amended Architectural Drawings (Appendix 7) and particularly DA-921-001 Visual Impact 2 • Sections 5, 6, 7, 8, 9 and 10 of the VIA report (Appendix 59 of the original submission).

DPHI Raised Issue	Response	Relevant Report(s)
	surveyed to ensure accurate positioning of the 3D electronic model within the image. Verification of data and method is available and can be provided on request. General view principles ("Tenacity"): The so-called Tenacity Principles are derived from a specific LEC Appeal and provide a step through process for assessment of the impact of a proposed development on view loss from properties in its vicinity. The Principles generally apply to impacts on views from private properties, as distinct from the Rose Bay Marina principle that apply more to views from the public domain. Essentially, the Tenacity Principles apply to detailed view loss assessment from individual properties in response to objections to development from individual property owners. The Principles are of less relevance to broader assessments of visual impacts within a locality. However, the underlying guidelines for assessment of the relative value of views are relevant and these have been used in this visual impact assessment. Impacts on public domain views (The Rose Bay Marina Principle): Broadly, the Principle includes the following steps for assessment of impacts on views from the public domain: • Identify the nature and scope of existing views. • Identify locations in the public domain from which potentially interrupted views may be enjoyed. • Identify the extent of the obstruction of views from each location. • Identify the intensity of public use of locations where views are interrupted. • Identify whether or not the importance of any view is described in any planning document. • Qualitatively and quantitatively assess the impact of the proposal on views that will be obstructed. • The process adopted for this VIA follows the NSW Government Environmental impact assessment practice note EIA-N04 (Guideline for	

DPHI Raised Issue	Response	Relevant Report(s)
	landscape character and visual impact assessment) – Section 5 of the VIA report. This is the recognised process for EIS of visual impacts in NSW. It is essentially consistent with the above steps in the LEC Principle for assessment of views from the public domain. • Nature and scope of views are described in Sections 7 & 8 of the report. • Viewpoints are also identified in Sections 7 & 8 and the extent of obstruction of these is identified and assessed in Section 9. • Intensity of use is described under each viewpoint assessment in Section 9. • Relevant planning controls are described and discussed in Section 6.1. • Qualitative and quantitative assessment of impacts is described in Section 9 and summarised in the Conclusions to the report (Section 10).	
11. Flooding a) Respond to the concerns raised by Council, Biodiversity Conservation and Science Group and NSW State Emergency Services related to flood impacts, how the proposed design responds to the flooding constraints in the current day and future scenarios, and evacuation management,	Please refer to the response to BCS and SES tables in Section 4.7.	Refer to the Flood Impact and Risk Assessment Report at Appendix 10
12.Traffic and parking *William Street roadworks* a) Discuss outcomes of consultation with the relevant roads authority regarding the addition of the slip lane to William Street and utility providers regarding relocation of infrastructure needed to accommodate the road width expansion. b) Respond to the matters raised by Council related to the design of William Street and	*William Street roadworks* a) The slip-lane was discussed with both Transport for NSW and Canada Bay Council, both understood the requirement of the slip-lane to provide safe access to the site and also the reduction if flood impacts along Willaim Street as a result. Utilities assessment was undertaken with the two affected services being electrical and gas, protection and/or relocation of these two services are proceeding as a part of post-SSDA	Refer to the Transport Impact Assessmentat Appendix 16

DPHI Raised Issue	Response	Relevant Report(s)
demonstrate how it meets applicable Council design and engineers standards. Any areas which do not meet these requirements should be discussed with Council. c) Provide a site plan and cross sections which detail the proposed layout of William Street including the road reserve and pedestrian walkways. These plans should clearly identify the boundary between the public and private lands. d) Where part of the road reserve will be on private land, discuss whether any easements will be required for access (both pedestrian and utility providers). *Parking* e) Parking rates in the LEP for commercial premises and retail land uses have been used to calculate parking for all non-residential land uses. The proposed 'recreation facility (indoor)' land does not fall within the definition of 'commercial premises' in the LEP and gas it own car parking requirements in Canada Bay Development Control Plan (DCP). Provide an updated Transport Impact Assessment (TIA) which considers the parking needs of the proposed recreation facility (indoor) land use. f) Clause 8.11 of the LEP requires the rounding down of spaces. As such, commercial parking should be rounded down to 8 spaces in Table 3 of the TIA. *William Street/Queens Road intersection* g) Respond to the concerns raised by Council and public	detailed designs with those utility authorities b) A council meeting was held on the 26th of February where these matters were discussed, alongside briefing them on a separate TfNSW session held earlier in the year The proposal meets councils requirements and detailed responses are contained within the Response to Submissions document c) This plan is attached and has been provided to council, it is also shown on the subdivision plan d) Please refer to the subdivision plan, any utility authority easements will be subject to detailed design of protection and/or relocation requirements with Ausgrid and Jemena *Parking* e) Please refer to the updated Transport Impact Assessment (Appendix 14) which provides revised car parking allocations for the non-residential and residential uses, including the use of the parking rate for gyms as noted in the Canada Bay DCP. f) Noted – commercial parking spaces rounded down to 8 as per DPHI comment. *William Street/Queens Road intersection* *g)* This matter was discussed during consultation with TfNSW held in February 2025. It was noted that traffic modelling had been undertaken which confirmed the intersection would perform at acceptable levels of performance in future years with the advent of the development. Additionally, it was noted that the adjoining site to the west of William Street has recently submitted a SEARs request for future development, which will include an 8m land dedication / setback to facilitate future road widening of William Street. During the consultation TfNSW did not	

DPHI Raised Issue	Response	Relevant Report(s)
submissions regarding the operation of the William Street/Queens Road intersection. In consultation with TfNSW, consider whether any mitigation measures could be implemented to improve the level of service of the intersection.	identify the requirement for any additional mitigation measures at this intersection. Subsequent correspondence provided by TfNSW in relation to this matter noted the following *"It is noted that TfNSW has previously advised Deicorp that an extensive precinct wide traffic studies have been carried out as part of the Parramatta Road Corridor Urban Transformation Strategy (PRCUTS), therefore no further traffic modelling is required for the proposed development. TfNSW confirm that no further traffic modelling is required"*	
13. Trees a) Tress 1 to 5 identified in the Arboricultural Impact Assessment Report (Arborist Report) are not identified on the Survey Plan. Provide confirmation that these trees are located on the site or provide owners consent to remove the trees. b) The Arborist Report advises that the tree groups 43 and 44 (referred to as tree group 42 and 43 respectively in Appendix D of the Arborist Report) are proposed for removal and may be damaged as a result of demolition works which do not form part of this application. Provide owners consent for the removal of these trees.	Deicorp has requested College permission to remove a group of trees located on the College's land /North Western boundary, as once the existing buildings are demolished Deicorp's arborist noted these trees will not be able to withstand the new wind loads they will be exposed to and are more than likely to fall and cause possible damage to the College. College requested for a follow meeting with Deicorp and the arborist to select a more suitable tree replacement. College raised no concern in removing existing trees and they are in the process of obtaining consent from their internal team. It is noted that owners consent from Rosebank College will be required prior to determination of the proposal for removal of trees on their property.	Refer to the Arboricultural Report at Appendix 39.
14. Easements a) Discuss implications of the proposal to the water supply pipe and underground cable easements applying to the site. b) Where changes to any easements are required for this proposal, provide consent from the easement beneficiary for changes.	The water supply easement allows 2/591225 to have water reticulation through 1/591225. This is a private easement and is only needed while 2/591225 exists. Deicorp is in discussion with Rosebank College regarding sewer diversion and consent. A detailed assessment will be undertaken at detailed design stage. Decommissioning approval has been provided by Ausgrid for the underground cable easements affecting the site. Once the land is acquired and decommissioning actioned, Deicorp will	Refer to updated Subdivision Plan (Appendix 22) and Plan of Existing Easements (Appendix 23)

DPHI Raised Issue	Response	Relevant Report(s)
	proceed with land consolidation and the extinguishing of all easements with approval from Ausgrid and Sydney Water. Owners consent is expected from Ausgrid in May 2025.	
15. Infrastructure a) Existing sewer lines on the site serve both the site, the adjoining property to the east (Rosebank College) and other properties located further east of the site. As the proposal seeks to divert and construct new sewer lines partially on the Rosebank College site to maintain sewer access to the properties east of the site, provide: i. Owners consent from the landowner of Rosebank College confirming agreement for these works on their land ii. An updated Arborist Report which considers the impact of the new sewer line on both existing and proposed trees in vicinity to the proposed new sewer line. b) Provide evidence of the consideration undertaken of the adequacy of sewer, gas and water infrastructure to reach the conclusion that adequate capacity is available for these utilities in the Infrastructure Delivery, Management and Staging Plan Report prepared by Goldfish & Bay. c) The proposal includes an electricity substation along the street frontage to William Street. The location of this substation could potentially result in an undesirable visual and urban design outcome, noting it may disrupt the landscape buffer proposed along the western boundary of the village green and obstruct connection of public areas	**Water/Sewer Infrastructure** Confirming Opal Water Management submitted a Section 73 (anticipated) application to Sydney Water in August 2024. Sydney Water completed their initial review and issued Notice of Anticipated Requirements (NOR) dated 2ND October 2024 with commentary for the Potable Water, Wastewater and stormwater networks, reference case number 217131. In general, the Potable Water network has capacity to service the proposed development based on the estimated flow provided by the hydraulic consultants. Sydney Water outlined two potential options for upgrade requirements to provide appropriate frontage to water mains. Either via Parramatta Road or via Queens Road, both from Harris Street. Deicorp issued direction to Opal to pursue investigation of option within Queens Road upgrade. The Wastewater network is still under continued investigation by Sydney Water. The NOR issued has raised concern with respect to part of Sydney Waters existing network and cannot accept increased wastewater flows into this sewer network. An alternative connection strategy to resolve this network issue is currently under review by Sydney Water. Following this analysis, it will be confirmed if acceptable to proceed to detailed design stage or if additional network modelling is required to be completed by Deicorp consultants to further review. As noted above, Deicorp is in discussion with Rosebank College regarding sewer diversion and consent. As discussed in the updated Arboricultural Report at Appendix 39, Sydney Water Plan 217131WW shows no tree locations within the document where determining impacts to adjacent trees is difficult to assess. Based on the Scaled plan, it appears a direct SRZ conflict may exist between trees 44.6 &	Refer to the following documents: • Upated Arboricultural Report at Appendix 39. • Level 3 Letter prepared by JHA at Appendix 26 and the Level 3 ASP Services Report prepared by JHA at Appendix 55 (original submission) • Infrastructure Delivery, Management and Staging Plan prepared at Appendix 24.

DPHI Raised Issue	Response	Relevant Report(s)
within the street. The Departments request that you: i. Outline the options that have been explored to locate the substation elsewhere on the site, for example integrated into one of the buildings ii. Include an options analysis to inform the substation location, including both technical and design requirements iii. Provide plans and imagery to support the preferred option and demonstrate that it would achieve an acceptable visual and urban design outcome. d) Provide a consolidated Infrastructure Delivery and Stage Plan for the proposal.	44.7. To determine impacts requires further detailed information by plotting trees and services within construction drawings for project arborist review and comment. As the sewer diversion appears located within the 6m TPA any excavation within the TPA requires tree root investigations to determine the location, distribution and impact on critical underlying tree roots. Therefore, as recommended in the Aroboricultural Report, prior to works, final Sydney Water sewer diversion plans that clearly locate trees to pipes and services, including demolition and Construction Management Plan (CMP) are to be reviewed and endorsed by an appointed project arborist providing any additional tree management advice. Ideally, given the close Avenue screen planting of tree group 44.1 to 44.8, the sewer diversion should be located where no tree impact will occur. **Gas Infrastructure** the proposed site is surrounded by the following gas mains: • A 75 NY 210 kPa gas main located in Queens Road. The existing main cannot be utilized due to its insufficient pressure capacity. • A 100 ST 1050 kPa gas main located in William Street, will serve as a connection point for the North and South Precinct. An isolated service which formally service this site is located incoming from the high pressure main (this might be used for a future connection) • A 110 NY 7 kPa gas main located in Parramatta Road. The existing main cannot be utilised due to its insufficient pressure capacity. As confirmed in the Infrastructure Delivery, Management and Staging Plan at Appendix 24, the embedded networks provider will need to apply for a “complex works” application to obtain formal approval to connect from Jemena (Gas Authority) for extension works if required. Approval was provided by Jemena on 29 January 2025 to connect to the high-pressure	

DPHI Raised Issue	Response	Relevant Report(s)
	gas main which has enough capacity to cater for this site. Refer to Section 3.5.2 of the Infrastructure Delivery, Management and Staging Plan at Appendix 24. **Substation** Substation S.370 is an existing chamber type substation located on the corner of William Street and Proposed Spencer Street extension. This substation currently supplies the site it resides on, as well and a number of Ausgrid LV network distributors which supply the street lighting, the Ausgrid LV network in the area, and surrounding private lots. This substation is proposed to be removed to allow for the proposed Spencer Street extension and widening, and a new smaller kiosk type substation S.38669 is to be installed within the proposed public park to retain existing Ausgrid LV network supplies, being a Public Utilities substation only (no connection to the proposed development site). The new kiosk substation S.38669 to resupply connections from the removed S.370 chamber is proposed to be installed within the new William Street Park to be dedicated to Council as it supplies Ausgrid Public Utility assets only. This substation, in its final configuration will supply only Public Utility connections the following Ausgrid LV networks external to the proposed development site: ▪ Spencer Street East & West ▪ William Street South ▪ Parramatta Road ▪ Lang Street An existing Ausgrid ASP3 certified design (AN-25680, certified 11/04/2024) is already in place to undertake these removal/ relocation works. The Ausgrid certified design has been provided as Appendix D of Appendix 24, together with the Ausgrid certification letter. Ausgrid has also formally provided design requirements for consideration of the proposed kiosk substation location, which limits its installation to	

DPHI Raised Issue	Response	Relevant Report(s)
	be within the new Council park. Refer to Appendix I of the Level 3 ASP Services report prepared by JHA at Appendix 55 of the original submission, which clarifies this new substation is required to be located at the proposed location within the park due to: • proximity to the original site to ensure seamless integration with the current infrastructure, • this location providing suitable proximity to existing HV and LV cables for stable and reliable power supply, • enhanced fault-clearing capabilities, • easy accessibility for construction, maintenance and emergency repairs, and • compliance with Ausgrid standards NS141 and NS143. Refer to the Level 3 ASP Services report prepared by JHA at Appendix 55 (original submission) showing the location of the new substation in the new William Street Park (Figure 2, Page 2) and Landscape Plans prepared by Isthumus at Appendix 15 showing the suitable planting and paving treatments proposed to surround the new substation within the park location. **Infrastructure Delivery and Stage Plan** A consolidated Infrastructure Delivery, Management and Staging Plan has been prepared for the proposal. Refer to Appendix 24.	
16. Contamination a) Provide a copy of the Preliminary Site Investigation undertaken for the site. b) The Department notes that the Remediation Action Plan includes steps required to be undertaken at the demolition stage. Noting that demolition works do not form part of this application, confirm how	a) In accordance with the EPA (2020) Consultants Reporting on Contaminated Land, Contaminated Land Management Act 1997, and State Environment Protection Policy (Resilience and Hazards) 2021, a Preliminary Site Investigation (PSI) was conducted to qualitatively assess the environmental condition of the land by appraising the potential for contamination based on field	Refer to the Remediation Action Plan (RAP) at Appendix 28 of the original submission and Detailed Site Investigation Report at Appendix 27 of the original submission.

DPHI Raised Issue	Response	Relevant Report(s)
remediation would be managed during demolition works, which do not form part of this application.	observations, historical land uses, and other documentary evidence. To date, the following environmental investigations have been completed for the site: – JBS&G (2022): Pre-Purchase Investigation Summary, Report Ref. 63532-147461, dated 13 September 2022. – EI (2024): Detailed Site Investigation (DSI), Report Ref. E25587.E02.002_Rev0, dated 13 September 2024. The following works were completed in EI's 2024 DSI report: • Evaluation of the potential for site contamination based on historical land uses, anecdotal evidence, and documentary records of possible pollutant sources (Preliminary Site Investigation). • Assessment of contamination levels through targeted intrusive sampling and laboratory analysis for relevant contaminants of concern (Detailed Site Investigation). It is concluded that the EI 2024 DSI report sufficiently covered the necessary scope for both PSI and DSI requirements. The site was adequately assessed, and a Remediation Action Plan (RAP) (EI, 2024b) was subsequently developed for the proposed development. As such, an additional PSI report is not necessary for the subject site. b) As outlined in Remediation Action Plan (EI, 2024b), a detailed Hazardous Building Materials Survey will be completed prior to any works, including safe removal of all hazard materials found. This survey will be conducted once all buildings are unoccupied and decommissioned and prior to site demolition. Deicorp can confirm, full access for this assessment will only be available around mid-2025. Remediation will be actioned under CDC.	
17. Staging a) The staging plan at Figure 150 of the EIS and Appendix 13	a) The intended staging for the development is outlined in the staging diagrams, which distinguish between construction staging and	Refer to the Staging Management Plan at Appendix 24 and DA-012 subset at Appendix 7.

DPHI Raised Issue	Response	Relevant Report(s)
provide for different staging of the proposal. Clarify the intended staging for the development. b) Both versions of the staging plan indicate that the podium levels of all buildings will be constructed and occupied ahead of the towers and Spencer Street extension construction. Provide a comprehensive Staging Management Plan which clearly outlines the proposed construction and occupation staging. This should consider how the site will be managed which includes, but is not limited to: i. Amenity impacts to occupants and users of the podium levels including construction traffic, noise, vibration, odour and dust impacts ii. Vehicle site access noting that the Spencer Street extension will not be operational until the last stage of the development and will be used as a construction vehicle thoroughfare and loading area during all construction stages iii. Pedestrian access noting that public domain interfaces are not being delivered until the last stage of the development iv. Traffic and parking impacts including how basement parking will be accessed and how traffic will be managed onsite v. Safety impacts and mitigation measures to ensure users are not harmed by construction activities or vehicles vi. The timing of occupation of the affordable housing component of the development	Occupation Certificate staging. The construction staging is designed to align with a logical sequence for building works, while the Occupation Certificate staging focuses on what will be operational and dedicated to Council, which may not always align with the construction timeline. For further details regarding the staging plan, please refer to the DA-012 subset. b) The Staging Plans have been prepared by Turners and have been incorporated into the updated Construction Environmental Management Plan (CEMP) at Appendix A and form the basis of the Site Management Plan staging. There are three proposed Construction and Occupation stages as detailed below: **Construction Staging** • **Stage 1 – Completion of;** ○ North & South Basements incl. tunnel ○ North & South Retail / Commercial ○ North & South Residential – to Podium Levels ○ Public Domain works incl. Public Park & Public Road ○ Embellishment of Setbacks • **Stage 2 – Completion of**; ○ Above podium level residential towers of Building C, D & E ○ Completion of laneway works • **Stage 3 – Completion of**; ○ Above podium level residential towers of Building A & B ○ Final finishes of all public domain works (i.e) Public Park & Spencer Street extension, William Street, Queens Road and Parramatta Road land dedications (prior to final OC)	

DPHI Raised Issue	Response	Relevant Report(s)

	Occupation Staging
	• **Stage 1 – Completion of;**
	  ○ North & South Basements incl. tunnel
	  ○ North & South Retail / Commercial & Associated Stratums
	• **Stage 2 – Completion of**;
	  ○ Residential Buildings C, D & E & Associated Stratums
	• **Stage 3 Final – Completion of**;
	  ○ Residential Buildings A & B & Associated Stratums
	• **Prior to the final OC Stage 3;**
	  ○ Land Dedication back to Council all public domain works (i.e.) Public Park, Spencer Street extension, William Street and Queens Road and Parramatta Road setbacks
	  ○ Land dedication to TfNSW along Parramatta Road
	  ○ Creation of easements on Spencer Ln, William Street, Industry Ln, Marketplace. And all associated stratum incl. easement below public road.
	Prior to the Stage 1 Occupation Certificate of the retail and commercial up to the Podium level all works on site will be complete with the exception of the residential above the podium level in buildings A, B, C, D and E.
	i) Amenity
	Construction traffic will be managed in works zone in William Street and in Spencer Street, although Spencer Street is an internal private road until it is dedicated to Council just prior to the issue of the final OC (see staging above) it will be treated no differently than a formal work zone in a public road.
	Noise and Vibration Management will be managed in accordance with the requirements of the Noise and Vibration Management Plan.
	In terms of odour and dust, as all works outlined in Stage 1 Construction will be	

DPHI Raised Issue	Response	Relevant Report(s)
	completed, there will be minimal exposed unconstructed areas on site in the basements, at the ground and up to the top of the podium level. Therefore, the only remaining works will be that of the residential buildings above the podiums which would have minimal dust generation. Any exposed areas will be managed in accordance with the requirements of the Soil and Water Management Plan. Any odour generation is potentially only likely to come from equipment used on site to construct the residential buildings and the construction traffic. **ii) Vehicle Access** As shown in the updated Construction Traffic Management Plan (CTMP), for stages 1, 2 and 3 construction vehicle entry and exit to the site will be from William Street, Parramatta Road, as well as entry only from Queens Road. There will also be a works zone in William Street and the new Spencer Street extension for stages 1, 2 and 3. Construction vehicles will use the loading/unloading area in similar arrangement to that of a works zone if the road was dedicated. **iii) Pedestrian Access** As Spencer Street, the Public Park (but not dedicated to Council), the Marketplace and Industry Lane (easement) works will be completed in the Occupation Certificate Stage 1. Pedestrians will have complete access to the site from William Street, Queens Road, Parramatta Road and the internal access (which will become Spencer Street once dedicated to Council in stage 3). **iv) Traffic and parking impacts** As the Spencer Street road works and all basement parking will be completed as part of the Occupation Certificate Stage 1, the car parking areas will operate as it would in its completed form. Construction Traffic will be managed in the internal access road similar to works zone in a public road. **v) Safety impacts and mitigation measures** Construction activities in stage 1 will be managed as outlined in the CEMP similar to most construction sites. In	

DPHI Raised Issue	Response	Relevant Report(s)
	stages 2 and 3 where residential buildings will be built on top of the podiums built in stage 1, all mitigations measures will be placed in action for safe movement of pedestrian as well as construction and non-construction vehicles. Further detailed CEMP will be prepared at detailed design stage. Construction traffic will be managed as outlined in items i), ii) and iv) above. **vi) Affordable Housing** Prior to issue of last OC of the development, Deicorp will submit the evidence to consent authority that indicating that: a) the affordable housing component is complete and ready for occupation; • a restriction has been registered against the title of the site on which Development is to be carried out, in accordance with section 88E of the Conveyancing Act 1919, requiring: • Environmental Planning Policy (Housing) the affordable housing component is be managed by a registered community housing provider; • an agreement with a registered community housing provider for the management of the affordable housing component has been given to the Registrar of Community Housing, including the name of the registered community housing provider.	
Other matters a) The site is identified as having an approximate site area of 31,300m^2, provide a calculation table which identifies the exact site area (within two decimal places) of each component lot. b) Provide updated FSR calculations, as necessary, reflecting the exact site area. c) For each building, provide a summary table to accompany the gross floor area (GFA) Diagram Plans breaking down: i. the GFA for each level by land use	a) Previously provided as a rounded down number, the total site area was stated to be 31,300m^2 in the originally submitted SSDA scheme. The amended proposal confirms the total site area to be **31,342m^2** as detailed in the Site Area Letter prepared by LTS registered surveyors (Appendix 37). As stated in the letter, survey regulations for preparing plans of subdivision state that areas to be shown to 4 significant figures and not more than 0.1 of a m^2 for smaller lots. Based on this we will not be able to show the areas to 2 decimal places when it comes time to prepare the final subdivision plan for	Refer to the following: • Site Area Letter prepared by LTS registered surveyors (Appendix 37). • GFA Diagram Plans. at Appendix 7, DA-770 subset for a detailed breakdown. • DA-805 subset for the Affordable Housing GFA. • Architectural Drawings (Appendix 7), specifically DA-923-001_03_Location of Recreational Facilities

DPHI Raised Issue	Response	Relevant Report(s)
ii. where provided, affordable housing GFA on each level iii. the total GFA for the building. d) Identify the location and size of the recreational facility (indoor) (i.e. gym) land use on the plans. e) Owner's consent, on a company letter head, must be provided for Lot C DP 332646.	registration at Land Registry Services. b) Based on the revised total site area (31,342m^2) and the maximum permitted floor space ratio (FSR) being 4.095:1, the maximum permitted gross floor area (GFA) for the site has increased from 128,173.5m^2 to 128,345.49m^2. Notwithstanding, the amended proposal proposes a minor 0.86m^2 reduction in proposed total GFA. (being 128,172.64m^2) which continues to comply with the 4.095:1 maximum permitted FSR for the site. c) Turner has provided a summary table to accompany the GFA Diagram Plans. Please Refer to Appendix 7, DA-770 subset for a detailed breakdown. Affordable Housing GFA is identified in DA-805 subset. d) Please refer to the updated Architectural Drawings (Appendix 7), specifically DA-923-001_03_Location of Recreational Facilities 2 which details that the recreational facility is located on Level 1, Building E and is approximately 816.44m^2. e) Consent will be provided as soon as Ausgrid procure it from their internal team. Deicorp are in discussion with Ausgrid regarding the purchase of land.	2 for details of the recreational facility is located on Level 1, Building E.
Additional items raised post RFI letter: Request for confirmation that construction cranes will not exceed the OLS.	The aviation height for the Five Dock area are as follows: • OLS: 156m AHD • PANS-OPS: 184.8m AHD • RTCC: 243.8m Building A to a maximum height of 108.9m AHD will not require an aviation approval. It is not Deicorp's intent to cross the aviation line of 156M AHD. If required, for any construction crane proposed above OLS height 156.0 m, this will be subject to a separate approval from the aviation authority.	-

4.3 Response to Kings Bay Estate

The table below provides a response to the key issues raised by Natalie Richter on behalf of the owners of the Kings Bay Estate (KBE).

The chosen SSDA scheme ensures that all habitable levels remain within the 30% uplift height plane, maintaining tower proportions that comply with both the ADG and DCP. Ultimately, the proposal's scale and density, inclusive of the 30% additional height and FSR sought, is consistent with local and State planning strategic and statutory planning policy.

The elements above the height limit relate to architectural roof features and roof service/plant areas that do not accommodate habitable floor area. These elements are integrated into the architectural expression of the buildings and enhance elegance and visual interest of the tower forms according to the Design Integrity Panel.

Table 3: Response to KBE submission

Issue	Response
Existing and Proposed Density	
Five Dock has a predominantly low-density character (prevailing R2 and R3 low and medium density residential). The area is characterised by much lower building heights than proposed. The planning controls contain specific requirements for the management of street heights and height tapering to respond to the lower forms. As part of the PRCUTS and subsequent re-zonings, this area was not envisaged to be of the highest density given it is not located next to rail/mass transit.	By virtue of recent and current state-led planning initiatives, including principally the Parramatta Road Corridor Urban Transformation Strategy (PRCUTS), and the subsequent rezonings, the visual character and density of the site and its immediate locality is set to undergo significant change. In line with PRCUTS and the associated rezonings, the site and its surroundings will transform from a predominantly low- to medium-scale mix of commercial, industrial, and residential uses into a high-density, mixed-use urban village along Parramatta Road. PRCUTS also outlines proposed changes to planning controls for the Parramatta Road Corridor within the Inner West and Burwood LGAs. Currently, Canada Bay Council is the only council to have adopted the new planning controls outlined in PRCUTS and amended its LEP. However, Inner West Council has prepared a planning proposal to amend its LEP, initiating the incremental implementation of PRCUTS Stage 1. On 25 June 2024, the draft Planning Proposal, as exhibited, was submitted to the Department of Planning for finalisation. The proposed scale and density, including the requested 30% increase in height and Floor Space Ratio (FSR), aligns with both local and State strategic and statutory planning policies, as detailed further below.
The City of Canada Bay adopted height and forms controls were decided based on significant consultation. These adopted controls appear to be substantially varied by the proposal in a number of respects which will have substantial effects on the intended area character, the village intent of Kings Bay, the visual quality of the area and on the amenity of surrounding lower density neighbours.	The development seeks to apply the In-fill affordable housing provisions under Chapter 2, Division 1 of the Housing SEPP by providing 15% of the total Gross Floor Area (GFA) for affordable housing floorspace. The proposal seeks the additional 30% height and FSR bonuses permitted under Chapter 2, Division 1 of the Housing SEPP. As discussed above, the proposed scale and density, including the requested 30% increase in height and Floor Space Ratio (FSR), aligns with both local and

Issue	Response
	State strategic and statutory planning policies, as detailed further below. The mixed-use proposal provides a density and scale of development which is compatible with the desired future character of the area, as envisaged for the site through the Parramatta Road Corridor Urban Transformation Strategy (PRCUTS) master planning process and urban design study. In this context, the proposed development will be consistent with the developing character of its locality.
Park K of the Canada Bay Development Control Plan ('DCP') which contains objectives for the Kings Bay Precinct indicates that development should: 'encourage and facilitate development on the site which, in terms of scale, bulk, form and character reflects the physical context of the site and is sympathetic to surrounding residential development'.	Whilst DCPs are not considerations in the assessment of a SSDA (pursuant to Section 2.10(1)(a) of the Planning Systems SEPP), the proposal has been carefully developed in compliance with the provisions outlined in the Canada Bay Local Environmental Plan (CBLEP) and the Canada Bay Development Control Plan (CBDCP), including Part K 20 Kings Bay (PRCUTS) of the CBDCP, as well as the Apartment Design Guide (ADG). It reflects the intended form of development for the site, consistent with the vision outlined in the relevant Environmental Planning Instruments (EPIs). The proposed development aligns with the mixed-use, high-density character designated for the Kings Bay area, as specified in the local planning controls. The proposal seeks to contribute positively to the ongoing transformation of Kings Bay, ensuring that it not only meets the strategic goals for urban growth but also maintains harmony with the surrounding built environment through minimising environmental impacts to surrounding residents, as further outlined below.
The proposal involves considerably higher buildings than surrounding residents understood were to be provided under the exhibited Canada Bay controls. We appreciate that uplifts are available in order to deliver housing/affordable housing under State controls (subject to aims of providing quality housing to also address its context) and residents appreciate the need for affordable housing. However, the height difference is extreme (compared to the local controls). This is one of the first developments in the area.	Intended by the more recent NSW Government's In-fill Affordable Housing Policy, which allows certain development to seek a 30% height and FSR bonus by providing 15% GFA as affordable housing for at least 15 years. The 30% additional height and GFA applied to provide the 15% affordable housing component is consistent with the Housing SEPP and will result in taller and more slender residential towers of varying heights above human scale mixed use podiums that are harmonious with the surrounding context and will generate significant social benefit and not result in any unreasonable environmental impact. The variation has no adverse environmental effects and does not cause adverse overshadowing (refer to the shadow diagrams in the original submission Design Report at Appendix 16 of EIS). The distribution of the additional GFA and height respects the desired future character of a lower street wall within the emerging precinct. The additional height proposed above the building height plane relate to rooftop plant and service rooms and decorative screening. They contain no habitable space and have been thoughtfully integrated into the building design.

Issue	Response
	The proposed height variation facilitates achievement of the permissible floor area on the site which responds to the current housing crisis with no unreasonable environmental impacts. Residential and public amenity will be improved by the proposal by delivering new public open space, access to retail, through-site pedestrian connections and an enhanced streetscape and public domain.
The height of the towers will dwarf many of the existing lower density housing areas. The documentation appears preoccupied with the development and housing uplift and justifying this substantial scale variation based on what they can 'have' under affordable housing measures rather than nuanced response to mandated scales and urban character. The density is also based on the applicant's submission that this site is well serviced by transport, which is not considered to be accurate.	The massing and façade design facilitate a gradual transition in height and density towards adjacent residential areas, with particular consideration given to the proximity of Rosebank College. Building forms and distinct height datums are strategically positioned to reinforce the street edges and key corners, enhancing the overall urban character. The proposed development protects the amenity of residential accommodation, neighbouring properties and public spaces in terms of visual and acoustic privacy, solar access and view sharing by: • Arranging the buildings and floor plans to optimise solar access which is demonstrated by the achievement of the relevant design criteria in the ADG. 70.2% of apartments achieve a minimum of 2 hours solar access. Only 10% of apartments receive no direct sunlight in mid-winter. • Orienting buildings in a north south direction to minimise the overshadowing of neighbouring properties. Building heights taper significantly towards its nearest neighbour, Rosebank College, to reduce visual bulk and minimise overshadowing of the school's open space, ensuring a respectful scale and preserving sunlight for the surrounding areas. • Ensuring adequate separation between buildings that achieves the relevant design criteria in the Apartment Design Guide. • Arranging the towers to optimise sunlight access to the podiums and neighbouring towers. • Providing solid and robust façades provide a buffer, shielding the interior spaces from external disturbances while maintaining a cohesive aesthetic that blends with the urban context. The proposal will not interfere with any existing views and will not cause unacceptable wind conditions for residents and pedestrians. Refer to updated Pedestrian Wind Assessment (Appendix 18) prepared by RWDI. The proposal is of a high visual quality and is the result of an architectural design competition and subsequent Design Integrity Assessment and exhibits design excellence. Refer to the Visual Impact Assessment prepared by OG Urban (Appendix 59, original submission) which concludes that given the appropriate quality of architecture, materials and finishes of the proposal and

Issue	Response
	the developing context of the Parramatta Road corridor as well as the offset advantage of providing additional affordable housing within a new mixed-use area, the impact of the proposed uplift is considered acceptable with respect to visual impacts.
Delivery of affordable housing is positive. As is the architect designed/award winning aspects to the presented design. However, residents request that the scale, density and landscaping outcome is further nuanced and considered closely in terms of the prevailing and desired scale articulated in PRCUTS and local controls, the ability of the road and bus network to cope and environmental impacts on neighbours and the area.	The purpose of the infill affordable housing bonus is to allow sites in well-located areas, such as this site, to boost affordable housing supply and deliver more market housing in response to the State's housing crisis. Importantly, other sites in the mixed-use zone and Kings Bay Precinct, including sites on the southern side of Parramatta Road, are capable of significant uplift under PRCUTS and planning controls, including seeking the in-fill affordable housing bonus. This site, and surrounding sites, are located in a well serviced, accessible area – consistent with the definition under the Housing SEPP. The proposed development is carefully designed to complement the emerging urban context of the Kings Bay Precinct and align with the statutory requirements of the Housing SEPP provisions, CBLEP and CBDCP, particularly Part K – Special Precincts - Kings Bay (PRCUTS) DCP.
Residents are concerned in relation to whether the site/area has capacity for this sort of density in terms of water management, the environment, alleviation/management of traffic congestion, open space, to support new housing, employment and infrastructure. Sustainable and balanced development is how great neighbourhoods are created.	The proposal has been underpinned by the urban design principles and design approach developed for the Kings Bay Precinct (PRCUTS) master plan. The precinct wide traffic modelling undertaken for the PRCUTS, in consultation with TfNSW and DPHI, has already considered the traffic implications arising from development of the subject site as well as neighbouring sites in the precinct. The proposal will deliver 1185 apartments, with a minimum of 15% affordable housing dwellings for a minimum of 15 years, to meet the needs of a wide range of households on very low to moderate incomes and provide more affordable housing choice in a well-located area that is close to diverse range of employment and existing services and infrastructure. It will also contribute towards improving the delivery of services to the Five Dock locality as well as the delivery of employment generating opportunities throughout a variety of sectors.
The guiding 'Principles' (aims) of *State Environmental Planning Policy (Housing) 2021* for delivery of quality apartment/shop top housing outcomes do state that development should respond to the context and ensure a quality living environment outcome (underlined to emphasise points relating to character/amenity) 'The principles of this Policy are as follows—	The proposed development provides a built form consistent with and appropriate to the desired future character of the site and the Kings Bay Precinct, as outlined in the Parramatta Road Corridor Urban Transformation Strategy (PRCUTS). The PRCUTS Planning Proposal proposed new planning controls under the Canada Bay LEP and was gazetted on 16 December 2022. These local planning controls envisage a high-density mixed-use development at the site with a significant proportion of non-residential uses in the podium, a new public park, road extensions and pedestrian-orientated

Issue	Response
(a) enabling the development of diverse housing types, including purpose-built rental housing, *(b) encouraging the development of housing that will meet the needs of more vulnerable members of the community, including very low to moderate income households, seniors and people with a disability,* *(c) ensuring new housing development provides residents with a reasonable level of amenity,* *(d) promoting the planning and delivery of housing in locations where it will make good use of existing and planned infrastructure and services,* *(e) minimising adverse climate and environmental impacts of new housing development,* *(f) reinforcing the importance of designing housing in a way that reflects and enhances its locality,* *(g) supporting short-term rental accommodation as a home-sharing activity and contributor to local economies, while managing the social and environmental impacts from this use,* *(h) mitigating the loss of existing affordable rental housing.*	through-site links. The development will form part of a cluster of high-density mixed-use towers in the emerging Kings Bay Precinct and significantly contribute to the provision of affordable housing dwellings in a well-located neighbourhood. The 30% additional height and GFA applied to provide the 15% affordable housing component is consistent with the Housing SEPP and will result in taller and more slender residential towers of varying heights above human scale mixed use podiums that are harmonious with the surrounding context. The mixed-use proposal provides a building height, bulk, and scale which is compatible with the desired future character of the area, as envisaged under the PRCUTS, and contributes to the provision of affordable housing, therefore resulting in an increased scale of residential development, as intended by the NSW Government's In-fill Affordable Housing Policy.
The lack of balance with planting and soft landscaping, additional hard reflective surfaces, potential for water management issues and likely increase in traffic congestion are not considered to minimise the climate and environmental impacts of new housing.	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. Furthermore, the site is suitable as the proposal is permissible under the CBLEP, displays consistency with the MU1 zone objectives, compliant with DCP controls, and is without any unreasonable environmental impacts. The proposal provides a number of positive outcomes as discussed in the submitted consultant reports that confirm the site's suitability for this development.
As further detailed in this submission, this site is not considered to be supported by adequate public transport, parks, community facilities or infrastructure to support the scale and this is likely to adversely impact the quality of amenity for future residents.	The proposal includes 6,575m^2 of communal open space (COS) distributed across all building podiums and Levels 01, 02, 04, 05, 06, and 08. The COS will feature extensive landscaping and significant tree planting, including canopy trees and indigenous plant species to enhance the urban environment. In addition to communal spaces, the development will provide a new 2,290m^2 public park and an active pedestrian link via Spencer Lane, strengthening community infrastructure and connectivity. To summarise, key contributions include:

Issue	Response
	• William Street Park (2,290m^2 public park): A future Council asset that will enrich green space in the area. • Enhanced public domain along street frontages: Improving pedestrian experience and urban vibrancy. • A new 12m-wide pedestrian laneway: Linking the Spencer Street extension to Parramatta Road, fostering a walkable, pedestrian-focused precinct. • Upgraded road network connections, enhancing accessibility and traffic flow. Beyond open space enhancements, the development will cater to the needs of both existing and future residents by incorporating on-site amenities and essential services, including: • 14,700m^2 of retail space, featuring a full-line supermarket to serve the growing community. • Food and dining precincts, promoting vibrant social spaces. • Health, well-being, and medical services, ensuring convenient access to essential care. • Affordable housing options for individuals and families on very low, low, and moderate incomes. By integrating public space, pedestrian-friendly infrastructure, and essential services, the proposal fosters a vibrant, connected, and inclusive urban precinct.
Scale and Design Response	
Residents understand that the substantial departure from local form, scale and landscaping controls is in order to pursue available density bonuses via State Environmental Planning Policy (Housing) to provide affordable housing. Considerable thought has been put in place for design and acknowledging the competitive design/jury process, there are considerable merits of the design in terms of encouraging end of trip facilities, encouraging non-car transport, increasing building sustainability, providing quality materials and public art, modelling solar management etc. The Housing SEPP aims also for a development to align with the desired character of the area and provide a high-quality living environment. The proposal is very different to what was envisaged under the local controls. We submit that the SEPP provides a development opportunity for increased density however it also intends a development to be sensitive to a context, to reflect established local planning objectives and be supportable by a location and a	The site is located within the PRCUTS Kings Bay Precinct - a strategic urban transformation location on Parramatta Road. Planning and Design Guidelines were developed to support PRCUTS. The Guidelines envisage Kings Bay Precinct, spanning both sides of Parramatta Road, evolving from a low scale industrial precinct into a new residential and mixed-use urban village along Parramatta Road, with an active main street and strong links to the open space network along Sydney Harbour. The PRCUTS Planning Proposal proposed new planning controls under the Canada Bay LEP and was gazetted on 16 December 2022. These local planning controls envisage a high-density mixed-use development at the site with a significant proportion of non-residential uses in the podium, a new public park, road extensions and pedestrian-orientated through-site links. The NSW Government introduced new legislation under the State Environmental Planning Policy (Housing) 2021 (Housing SEPP) to enable additional GFA and height in return for the provision of Affordable Housing. Certain eligible sites, including the subject sites, may seek a 30% height and FSR bonus by providing 15% GFA as affordable housing for at least 15 years.

Issue	Response
community in terms of roads, parks, facilities and infrastructure.	The proposed development is carefully designed to complement the urban context of the Kings Bay Precinct and align with the statutory requirements of the Housing SEPP provisions, CBLEP and CBDCP.
In relation to scales and density and whether this is appropriate for the Kings Bay Precinct or rather would detrimentally impact the area, we make the following submissions for consideration: The Metropolis of 3 Cities (Plan for Growing Sydney) principles suggest focusing on increasing housing choice close to centres and stations and that these areas are an important focus due to the rail network as Centres rely on efficient transport. This location is not close to an established rail network and is challenged with limited bus services, hence the pre-existing traffic issues which are likely to worsen Higher density development that is matched by local infrastructure improvements and good design enhances liveability. The scale of development should align with the suitability of a site for development The PRCUTS determined that Burwood as a Strategic Centre and Parramatta as a CBD in terms of redevelopment scale and urban hierarchy. The extensive type of redevelopment proposed for this smaller, village precinct of Kings Bay would be better placed in more connected strategic areas.	The Greater Sydney Region Plan (GSRP) – A Metropolis of Three Cities (2018) sets out a strategic vision for Greater Metropolitan Sydney. The site is located within the Kings Bay strategic centre in the Eastern Harbour City. Objective 10 of the GSRP identifies the need for 157,500 new homes in the Eastern Harbour City between 2016 and 2036 to meet housing demand. Additionally, Objective 11 emphasizes the importance of housing diversity and affordability. The plan highlights opportunities for urban renewal to create housing capacity in well-connected locations within a 30-minute public transport journey of a strategic centre. The site is strategically positioned along Parramatta Road, which accommodates a frequent and reliable bus network. It is directly serviced by four bus routes that provide connections across the Inner West and Greater Sydney. The site is within 400m of multiple bus stops that meet the service frequency requirements of the *Passenger Transport Act 1990*. These stops provide at least one bus per hour between 6 AM and 9 PM on weekdays and between 8 AM and 6 PM on weekends, ensuring continuous connectivity for residents and visitors. Additionally, the Sydney Metro West will further enhance connectivity. The Five Dock Metro Station, located approximately 1.2 km from the site, will be within a walkable 15-minute catchment and is also accessible by bus or bike. To support sustainable transport, the proposal includes 2,817 bicycle spaces, comprising 2,370 for residents and 380 publicly accessible spaces for visitors. This initiative aims to encourage cycling and reduce reliance on private vehicles. As previously discussed, the site was identified under the PRCUTS for significant uplift and high-density housing due to its accessibility to frequent and reliable rapid transit. Additionally, a portion of the land will be dedicated to Transport for NSW (TfNSW) for road widening, facilitating the creation of a dedicated bus lane to improve public transport efficiency. The proposed development is permissible under the MU1 Mixed Use zone in the Canada Bay Local Environmental Plan 2013 (LEP). It will include a 15% affordable housing component, aligning with broader regional housing goals.
The residential apartment living/urban design principles of State Environmental Planning Policy No. 65 (Design Quality of Residential Flat Buildings) should also be considered in	Compliance with Chapter 4 of the Housing SEPP, which aligns with the Apartment Design Guide (formerly SEPP 65), is demonstrated in Table 4 of the Statutory Compliance Tables (Appendix 4).

Issue	Response
relation to area response and quality of the shop top housing/planning outcome; • Principle 1: Context and neighbourhood character • Principle 2: Built form and scale • Principle 3: Density • Principle 4: Sustainability • Principle 5: Landscape • Principle 6: Amenity • Principle 7: Safety • Principle 8: Housing Diversity and Social Interaction • Principle 9: Aesthetics	Additionally, Section 6.1.1 – Design Quality (SEAR 3) and the Design Report (Appendix 16, original submission) provide a comprehensive assessment of the proposal against the nine (9) Design Principles for Residential Apartment Development outlined in the Housing SEPP 2021.
Lack of Balanced Landscaping, Open Space and Tree Coverage to Suit the Locality and Provide Quality Area and Housing Outcomes	
The scale is not considered to be responsive to the area and the density and scale lacks balance with planting and open space at ground level as discussed below.	See response below.
The proposal is noted not to comply with the Kings Bay DCP in relation to tree planting, landscape to balance built form, and the provision of street trees. The Kings Bay chapter of the DCP aims to create lively and attractive streetscapes that are safe and attractive and to improve the pedestrian experience, to increase tree canopy cover and provide for more greenery associated with the public domain. Part K20.18 of the DCP in relation to 'Landscape Design' in Kings Bay indicates that C3. Landscape design should 'complement' the proposed built form and minimise the impacts of scale, mass and bulk of the development in its context. One of the 'public domain' objectives in K20.8 is to increase tree canopy cover and provide for more greenery associated with the public domain. Part K C5 requires that for development along Parramatta Road, a minimum of 1 canopy tree per 10m of length of frontage is to be planted in the 'green edge' setback area, capable of reaching a mature height of at least 10m. Appropriate street trees to balance the frontages and improved planting would benefit the scale, create the village character and	The selection and arrangement of tree and understorey species align with the Kings Bay Precinct Street Design Guideline and complement the scale of the proposed built form. Proposed species heights range from 4–6m to over 20m, ensuring a diverse and well-integrated landscape. The projected canopy (34%) exceeds the GANSW Greener Places target of 25%. The public domain canopy is complemented with internal site canopy and shade meeting Part K20.18 C7 (DCP) with '50% of the accessible roof area is shaded by a shade-structure or covered with vegetation, including tree canopy'. The proposed public domain canopy meets the Part K20.18 C9 (DCP) control of 40% projected tree canopy. The public domain tree canopy to William Street park meets Part K20.19 C10 (DCP) control of 75% projected tree canopy. The proposal details high value community and environmental outcomes as follows; • Contiguous canopy that presents high strategic value to establishing an inter-connected urban canopy from the foreshore of Parramatta River and across Parramatta Road • Village Green conceived as a community hub looking to maximise the available area for active recreation, provide for community events, be a key driver in the proposed landscape character of the Kings Bay

Issue	Response
improve the pedestrian experience for residents and visitors. The proposed tree canopy appears to be 34% when 25% is required for Greener Places medium to high density target of >25%. Given the particularly high density and housing uplift, improved tree and urban canopy provision would be appropriate. This would assist in meeting urban heat island objectives and mitigate urban climate issues. This would improve the appearance and visual quality and create pleasant amenity for residents, workers and visitors. Heat, water flow over hard surfaces and reflectivity will be made worse for existing residents. Only 40% (the minimum) of street tree canopy is provided. Given the scale departure from the local controls, additional and generous tree planting would be appropriate in relation to pedestrian environment, natural environment, character, effective landscape screening and shading/amenity/microclimate management. Given the proposed significant uplift in housing and potential impacts on the area, it would be appropriate to provide parks, quality landscaped spaces, tree replenishment sufficient to scale and facilities that give back to the community. With a development of this size, this would ensure quality of life providing different spaces, including a play area for children as well as supportive spaces for other/all members of the community.	Village, key the development into the surrounding neighbourhood and establish a contiguous vegetation connection between Kings Bay Village and the foreshore of Parramatta River. • Substantial soft landscaping utilising extensive deep soil available. Species selection shall provide a range of habitat types with provenance stock to be used wherever possible. • To mitigate heat island effect extensive soft landscaping proposed within public domain in place of existing hardstand, soft landscaping proposed to rooftops in place of existing roofing and finish selection to public domain, podiums & rooftop common open space will look to have an initial SRI rating of 39. • Guided by the GANSW Connecting with Country Framework design elements have been included to further themes of kinship, balance between Indigenous and non-Indigenous cultures and the importance of the river in providing a means of connection.
The development should provide appropriate landscaping and open space to balance the scale, in accordance with the Canada Bay DCP and to provide a desirable living environment. The proposal is not considered to comply with the objectives of the DCP in relation to balanced landscaping. The DCP is an important design consideration to respond to the context and provide quality outcomes for residents. The Canada Bay local controls require the allocation of William Street Park. Clause 8.3 of the Canada Bay Local Environmental Plan, 2013 indicates that '(e) for Area 32—at least 2,290m2 of public open space on land at 57 Queens Street, Five Dock that fronts William Street, Five Dock. It appears that despite the size and scale of the development and its variation with scale and density controls, only the minimum required park size is proposed as required/expected for the site.	In the original SSDA submission, Deep Soil was reported as 2,192 sqm, which complies with the ADG requirement of 7% of the total site area, amounting to 2,191 sqm. Secondary deep soil along the Parramatta Road frontage was reported as 1,032 sqm, exceeding the minimum requirement to accommodate future public domain needs, such as an undetermined bus stop. Certain areas that did not meet the ADG's minimum dimension of 6m were initially included in the total deep soil calculation but have since been corrected in the amended scheme. In the amended scheme, the deep soil area of 2,301.02sqm is provided which reflects 7.3% of site area, ensuring continued compliance with the ADG. "Secondary deep soil" has been amended to 551.02 sqm which is not included in total deep soil calculation but is an additional offering.

Issue	Response
The subject site is 31,300m2 in area and is to be developed with an affordable housing development to increase homes in accordance with FSR and height uplifts. The minimum of required open space is provided. Development of this large site provides the opportunity to provide improved open space. Balanced open space and planting would provide the appropriate type of public interest benefits to off-set the density variations/Clause 4.6 as well as importantly, providing the type of liveability and residential support envisaged/promoted by all levels of applicable planning controls. Various ratios are provided in the documents in relation to the proposed deep soil zones. The Housing SEPP suggests 15% of the site in the non-discretionary standards and the EIS indicates that SEPP 65 prevails which requires less. The documents state that 3,808m2 (only 12%) of soft landscaping is provided at the ground plane. In the landscaping assessment. The EIS the discussion indicates there would be 8% of deep soil and 1,032m2 of 'secondary deep soil'. In the context of a 31,300m2 site and a massive built development with height variations/Clause 4.6 submission to vary standards, additional landscaping would be appropriate. Sufficient and more appropriate deep soil zones for the scale and 'mitigating landscaping' would meet all planning objectives in creating a great living environment, alleviating adverse environmental impacts, fitting with the area and supporting residents and workers.	
Transport Infrastructure and Traffic Issues	
It is understood that as part of the New Parramatta Road Precinct Transport Report considered for PRCUTS, a range of transport improvements will be 'investigated'. This has not been addressed in the documentation. Park K of the Canada Bay DCP indicates the following development constraints for this area: 'existing high traffic volumes on surrounding streets, limited north-south connections across Parramatta Road, particularly for pedestrians and cyclists, a current lack of reliable public transport, heritage items and sensitive uses which require appropriate setbacks and transitions, and limited, poor quality public domain are challenges for development.' There are no railway stations within reasonable walking distance and the planning and traffic report put forward the availability of	The project will facilitate a significant number of transport improvements, including: • Setback of between 6m and 7.6m is to be provided along Parramatta Road to facilitate an improved public domain, footpath widening and future road widening by Transport for NSW • Delivery of the Spencer Street extension which will provide a public road link connecting William Street (to the west) and Queens Road (to the east) • Deicorp will undertake works along William Street to provide for additional traffic capacity, above and beyond that envisaged as part of the original Kings Bay masterplan. his will involve the introduction of a right turn bay on William Street so vehicles turning onto Spencer Street do not cause delay to general traffic. This initiative will improve general traffic flow in the area including along William Street and potentially Parramatta Road.

Issue	Response
bus services. With the potential new employment zone and planned housing numbers, what is the strategic plan for additional servicing? Has the additional pressure on the strategic road network from additional necessary buses been assessed? This should occur so as to prevent worsening traffic issues and grid locks in this area and along Parramatta Road. Concern is raised that the development will lead to worsening on street parking/bottle neck issues, delays at intersections (roads already not functioning well) and potentially worsened safety issues and driver frustration. This is because this development provides 'minimum' compliance with on-site parking requirements (only what is required) and is not accessible to rapid transit transport, would generate additional peak times (already problematic), queues and deliveries for the commercial component.	• The project will facilitate the introduction of multiple through site pedestrian links and pedestrian crossing opportunities – improving permeability and enhancing access to bus stops on Parramatta Road as well as connections between Parramatta Road and Queens Road. • Significant levels of bicycle parking and end of trip facilities are to be provided to support cycling as a mode of transport. • Car share and electric vehicle charging is to be provided.
The following submissions have been offered by one of the long-term residents of KBE in relation to the traffic assessment provided by JMT Consulting: • The traffic assessment is not considered to assess traffic issues that would impact William Street North of Queens Road ('William Street North') which affects KBE. References to Willian Street to not make clear distinctions between sections of William Street which fall on either side of Queens Road. • William Street North, which goes past KBE and provides access at Rowe Street, is a sweeping, curved, fast moving, dangerous, parked out road (with constrained visibility and a limited lane width due to the parking on either side). Visibility is not clear along this street. Cars and trucks tend to often not slow down which leads to accidents and damage to parked vehicles. This is a thoroughfare to and from the broader area and would be a connection to the site. The commercial component of the development would likely attract residents from further afield. William Street North is problematic, congested and noisy for Kings Bay residents and concern is raised over the worsening of this and exacerbated adverse impacts to commute/access times. • Residents from KBE already experience issues with queuing, parking pressure	• The traffic assessment has considered the impacts of the proposal on the surrounding area including Queens Road and William Street. The extent of the modelling has been reviewed by Council and TfNSW with no objections raised to the scope of the model boundary. • While the concerns raised are noted the proposal is considered to have very limited impacts to the Kings Bay Estate road network. Residents, staff and visitors accessing the proposed site will do so via the classified road network including Parramatta Road, Harris Road and Queens Road – with little to no reliance on the local roads through the Kings Bay Estate. Multiple points of entry have been provided to effectively disperse traffic around the area. • Traffic modelling has been undertaken in accordance with Transport for NSW guidelines on the surrounding road network, including along William Street and Queens Road. The traffic modelling has been reviewed by Transport for NSW with no objections raised in relation to the impacts of the proposal on the surrounding road network. • The proposal complies with Council's maximum parking rates in place for the Kings Bay Precinct and the parking rates contained in the Housing SEPP 2021. These rates provide for sufficient levels of on-site parking to meet expected demands while also promoting public transport, walking and cycling as modes of transport to the site.

Issue	Response
within the estate and along William Street North and request assessment of the impact of how this high-density development with peak times of vehicle movements (retail and supermarket and additional dwellings) will impact on traffic volumes, congestion, on-street parking and safety at intersections for residents. • The residents within KBE are already impacted by people from the broader area parking within its specific, limited driveway network and this implicates available parking for visitors of KBE residents. This is a serious issue for visitors who require accessible access. There are generally no or very few.	
Opportunities to park within the estate due to broader community members using the area for parking due to shortfalls of parking associated with other uses. With the substantial increase of housing and lack of public transport and on-site parking to just meet requirements, it is likely there will be spillover issues.	Car parking will be provided in four (4) basement levels. The basements will accommodate retail (authorised staff only), residential and visitor parking with a boom gate provided in the basement that will prevent unauthorised access to residential parking levels. The number of parking spaces for market residential dwellings and affordable housing dwellings complies with the non-discretionary minimum car parking rates set under Section 19 of the Housing SEPP. The number of parking spaces designated for visitor, commercial and retail uses comply with the applicable maximum car parking rates under Clause 8.11 of the Canada Bay LEP.
The roads are not considered to be functioning at the level stated in the traffic assessment, particularly during school times and peak hours in this local area. Based on lived experience, KBE residents suggest that the local road function described as better described as LOS Level F – Unsatisfactory with consistent and frequent excessive queuing and road delays. Currently, drivers use William Street North and the small 15km/h circuits/lanes within KBE (Myler Street, Kings Park Circuit, Kings Bay Avenue and Rowe Street) as 'rat runs' to avoid the regular traffic delays and congestion on Lyons Road West, Harris Road and Queens Road. This increases noise and pedestrian safety impacts within the KBE lanes.	The traffic modelling undertaken for the project has taken into account the projected level of growth anticipated from development in the wider Kings Bay area. Consultation undertaken with TfNSW have indicated that there are no plans for any precinct wide modelling to be undertaken, noting the significant improvements in public transport that are planned for the area with the future Sydney Metro West project. The traffic study has adopted standard rates of traffic generation that consider peak usage times for different land uses within the site. No objections by either Council nor Transport for NSW were raised in relation to the traffic modelling assumptions adopted for the study.
The traffic impact assessment is not considered to adequately address the cumulative effects of increased traffic resulting from this high-density development with supermarket/commercial uses during peak hours in the broader area as well as any other likely much higher density developments made under state controls in the future.	The accompanying Transport Impact Assessment prepared by JMT Consulting has considered the proposal's cumulative impacts of traffic generation. The resulting increase in traffic movements at each intersection based on the forecast traffic generation and distribution is generally modest, as a result of the relatively low net traffic increase and multiple routes available.

Issue	Response
Concern is raised relation to the impact of large trucks for the supermarket, delay times and peak times which are associated with supermarket developments. There would be peaks likely with the employment uses as well.	In relation to truck movements a loading dock management would be prepared prior to occupancy which outlines the delivery routes and typical arrival / departure times for trucks accessing the supermarket. Importantly this plan will specify that all trucks are to utilise the classified road network and, where practical, avoid travelling during busy peak hours to limit the impact on the surrounding road network.
The traffic impact assessment is considered to underestimate the additional traffic movements and consequently, the impact on the already problematic traffic situation which current residents suffer. The graph taken from the traffic report raises particular concern, showing significant increase in peak movements.	The resultant additional traffic movements from the proposed SSDA (refer to Figure 130) is a relatively modest 45 – 55 vehicles in the morning and afternoon peak hours. This is equivalent to less than one extra vehicle movement every minute. In the context of the broader study area, where combined traffic flows on surrounding roads exceed 7,000 vehicles per hour, these relatively minor additional vehicle movements would not materially alter the outcome of the precinct wide traffic modelling already undertaken as part of the PRCUTS. A right turn bay on William Street is also proposed for northbound traffic movements entering the site. This right turn bay will provide for additional traffic capacity, above and beyond that envisaged as part of the original Kings Bay masterplan. The right turn bay will allow vehicles travelling on William Street turning onto Spencer Street to not cause delays to general traffic. This initiative will improve general traffic flow in the area including along William Street and Parramatta Road. Road widening of approximately 3m will be required to facilitate this improved traffic outcome. As the proposal includes a 3m setback to William Street, a sufficient pedestrian space will be maintained on the eastern side of William Street where the slip lane is proposed adjacent to the development. The proposed road widening requires the readjustment of the road verge and site boundary.
The fact that drivers will seek alternative routes in the local road network when congestion occurs should be considered. The area traffic study mentioned as occurring as part of the PRCUTS it is not referenced. A reference should be provided to this document. The review with the PRCUTS would likely not have studied the density proposed for this site (and for any others if undertaken at the same density uplift without supportive, efficient and connected public transport).	The updated transport impact assessment report provides a reference to the traffic study undertaken for the PRCUTS.
Does the Transport for NSW comment which said it is pre-DA commentary only and subject to full assessment. Did the pre-DA comment assess the include the uplift in housing numbers/vehicle movements/parking pressures?	The detailed traffic assessment undertaken in support of the application has considered the proposed development uplift along with the effects of cumulative traffic increases in the surrounding area

Issue	Response
The traffic report refers to counts in July 2023. Noting that covid lockdowns and work from home arrangements have been in place for the last few years. It is only just now that many people are being required to attend/commute again to offices and traffic has returned to pre-covid levels. The traffic count is not considered to be representative of the real situation.	The traffic report incorrectly noted the date of the traffic counts – these were in fact undertaken in July 2024 and therefore are representative of current traffic conditions.
The traffic report refers to a strategic assessment which was done as part of the PRCUTS. However, this strategy did not envisage the additional dwellings proposed under this proposal. The strategic traffic and parking study should therefore be reviewed to be current given the State Affordable Housing provisions being utilised for larger developments. This is critical for the ability of the area to cope. As noted in the documentation this is a traffic generating development. Transport for NSW should re-visit the additional volumes in pressure which now would likely depart from the PRCUTS assumptions. Certainly, if additional similar developments were to unfold, this would change the tested scenario. The traffic and planning assessments should assess the cumulative impact of this development in connection with other much denser developments on the broader local road network. The assessment should be revisited by Council and Transport for NSW.	The traffic modelling undertaken for the project has taken into account the projected level of growth anticipated from development in the wider Kings Bay area. Consultation undertaken with TfNSW have indicated that there are no plans for any precinct wide modelling to be undertaken, noting the significant improvements in public transport that are planned for the area with the future Sydney Metro West project. Consultation undertaken with TfNSW have indicated that there are no plans for any precinct wide modelling to be undertaken, noting the significant improvements in public transport that are planned for the area with the future Sydney Metro West project.
The traffic and planning reports discuss this site as being ‘walking distance’ to the Metro station however the station is to be 1.2km away, around 20-minute walking distance which is not considered to be close walking distance for the purposes of reducing traffic/reliance on cars. Burwood North Metro would also not be within a close or reasonable walking distance.	The proposed development is in a favourable location, being. Not only will the Metro station be located within 1.2km walking distance of the site and will support significantly improved public transport accessibility in the precinct, but the site is also within 400m walking distance of regular bus services on Parramatta Road.
Traffic impacts such as these will impact existing residents in terms of emergency response times which should also be considered for residents and emergency personnel. Increased risks at intersections, and risks to the elderly and children should be considered in relation to increased problem traffic, increase in larger delivery vehicles, hazards and driver impatience frustrated.	The site’s strong access to existing and future public transport services was recognised through it’s inclusion within the broader Kings Bay Precinct. This precinct was the subject of detailed planning, traffic analysis and modelling by Transport for NSW, Canada Bay Council and the Department of Planning. This modelling considered factors such as general traffic movements as well as emergency response times. Deicorp is providing measures to support traffic movements and reduce congestion by widening William Street to accommodate a right turn bay into Spencer Street, as well as facilitating the extension of Spencer Street between Queens Road and William Street.

Issue	Response
	With respect to delivery vehicles careful consideration has been given to ensure vehicle approach and departure routes do not impact the local street network surrounding the site. Delivery vehicles will approach the site from main roads such as Parramatta Road and then enter one of two dedicated loading docks. The loading docks have been designed to allow for all trucks to enter and exit in a forward direction.
Infrastructure	
Concern is raised in relation to the pressure of this development on local infrastructure and how it will be planned/upgraded to support this and potential other larger developments than anticipated. Whilst no objection is proposed to the affordable housing, the area needs to be able to support it. It needs to be supported by a liveable environment and supportive/capable roads, transport and community facilities.	The proposal will provide public benefit with a significant contribution to local infrastructure in the form of a minimum of 2,290m^2 of public open space, new public roads and pedestrian through-site links and approximately 14,700m^2 of retail space, including a full-line supermarket to support the additional residents and service the broader local community. The increased demand for public transport will support provision of public transport at current or increased levels of service, including the delivery of the new Metro station at Five Dock.
Consultation	
We understand from the KBE Strata Management and residents have advised that they were not aware of this proposal or change to strategic planning documents until this point. KBE residents submit that they have not been properly consulted about this development including the increased traffic impact, which is a key consideration in urban planning, and greatly impacts their properties, access and wellbeing. We understand that there has not been evidence of a genuine attempt by DEICORP as the Developer or the NSW Government via the Department of Planning, Housing and Infrastructure to consult with KBE residents. We understand from the KBE community that the first that was heard was the Development Notice Letter from the Department of Planning, Housing and Infrastructure dated 13 November 2024 and received 2 days later in our letter boxes on 15 November 2024. Given the scale change and broader environmental impacts, this level of consultation when substantially changing expected planning outcomes is not considered reasonable or to be in the public/community interest.	Engagement has been undertaken in accordance with *Undertaking Engagement Guidelines for State Significant Projects.* An Engagement Outcomes Report was prepared by Gyde Consulting (Appendix 11, original submission). During the preparation of the SSDA the following community consultation activities were undertaken: • Project website and contact form was established on 13 August 2024 for community enquiries. • A dedicate webpage was made available at fivedockconsultation.deicorp.com.au on 13 August 2024, providing information about the project scope, artist impressions of the proposed building and access to the community survey and contact form. Environmental Impact Statement Page 75 • A meeting with Rosebank College was held on 5 August 2024. The meeting involved a presentation to the principal and staff of the SSDA proposal. A previous meeting was held with the school in 2023, to discuss the early stages of proposal, prior to the SSDA stage of the project. • A community flyer was distributed to approximately 4,500 residences and businesses within a 1km radius of the site. The flyer was distributed on 20 August 2024. • A link to an online survey was provided within the community flyer. Attendees of the community information session were also invited to complete the survey. 30 surveys were completed.

Issue	Response
	• A letter was distributed on 26 July 2024 to 514 residents surrounding the site, likely to be impacted by the development. • A Connecting with Country discovery session was held on 23 August 2024 with representatives of the local Aboriginal community to explore the history and context of the site and local area, and to discuss the Connecting with Country approach for the Kings Bay Village project. • A Walk on Country site visit was held on 9 September 2024 with three representatives of the local Aboriginal community (Wangal people of the Darug language) and members of the project team. • An in-person, community drop-in session was held on 12 September 2024 at Concord Oval, allowing members of the community to speak with the project team and view more detailed project plans. 20 individuals attended the community drop-in session, including a member of Rosebank College's staff.
Construction Impacts	
Concern is raised in relation particularly to traffic impacts and accessibility during the construction period. Traffic, parking and accessibility are problems now and this will be exacerbated by the increase in traffic/delivery movements and parking needed by workers on the development.	Traffic modelling for the key points of access to the site indicates that the proposal is not anticipated to result in unacceptable traffic impacts on the surrounding road network and these key points of access can function adequately during the morning and afternoon peak hours. Broader traffic modelling for the regional road network has separately been completed by TfNSW and DPHI as part of the PRCUTS. In the above context, the traffic and transport impacts arising from the proposal are considered acceptable. The Construction Traffic Management Plan details traffic management procedures and systems for the excavation and building stages for the proposal. Potential construction traffic impacts have been identified locally with control measures specified to address these impacts.

4.4 Response to Rosebank College

The table below provides a response to the key issues raised by Rosebank College.

Table 4: Response to Rosebank College

Issue	Response
We would like some assurance that prior to any excavation works being undertaken that comprehensive studies have been undertaken to ensure that our neighbouring building will not be damaged by these works.	A pre dilapidation report will be prepared and handover to Rosebank College to clearly show any existing damage. All precautions will be taken during the construction activity on site to avoid any further damage to neighbouring building. It is expected that department of planning will impose a standard condition around preparing a pre dilapidation report for all neighbouring properties and council assets.

Issue	Response
We would like dilapidation reports to be prepared for the buildings on our neighbouring site to ensure no damage was caused during this process.	Please refer to the above comment.
We are concerned that the old warehouses to be demolished contain asbestos. We would like some guarantees that the process of demolition will contain any and all asbestos becoming airborne.	Although demolition is not part of this application, Deicorp assures that they take safety of our internal and external stakeholders directly or indirectly involved during construction activity seriously. All works removing asbestos containing materials will be carried out by a suitably licensed asbestos removalist duly licensed with Safework NSW, holding either a Friable (Class A) or a Non-Friable (Class B) Asbestos Removal Licence which ever applies. All asbestos removal will be carried out in accordance with the Work Health and Safety Regulation 2017 and the NSW Government and SafeWork NSW document entitled How to manage and control asbestos in the workplace: Code of Practice (Safework NSW).
We ask that all communication regarding asbestos removal take into account the sensitivities of parents of children who attend a neighbouring site. Whatever risk mitigations developed need to be effectively communicated to promote confidence and also reflect every necessary step be taken to protect the 1450 students who attend Rosebank.	Deicorp and Rosebank College are in the process of establishing ongoing consultative procedures to effectively communicate during construction activity.
To provide our parents with confidence, we seek that all trucks access and leave the site via Parramatta road. Currently we have a complex supervision and release of students into Harris Road and Queens Road. Both are narrow and old. Canada Bay Council has been supporting to keep access and exits safe. and have been reducing some access to heavy vehicles around the school which mount our kerbs and often break traffic signals. We also supervise the crossing on Parramatta road. Additional trucks will pose significant dangers and risks.	The project team have considered and propose direct left in left out access to Parramatta Road via an existing driveway/vehicle crossing which is subject to TfNSW approval. However, construction vehicles will also have to enter some local roads in order to access the site to enable trucks turning right out of and into Parramatta Road. The construction traffic route proposed in the CTMP was prepared to minimise the use of local roads. In this regard at the intersection of William Street/Parramatta Road, William Street is too narrow to support turning construction vehicles. Therefore, the next closest intersection is Regatta Road/Parramatta Road, which is restricted to left in and left of Parramatta Road. In order to minimise the impact on Rosebank College, rather than use Harris Street/Parramatta Road to enable trucks to turn right into and right out of Parramatta Road the next viable intersection of Burwood Road/Parramatta Road is proposed to be used.
The development needs to take into account the potential behaviour of teenagers crossing the roads and again we ask for no trucks on the small streets.	Construction Traffic will be managed by dedicated traffic controllers in Queens Road near the works zone in William Street and at the site entrance in Queens Road at the eastern boundary of the site. The traffic controllers are to prioritise pedestrians in the Queens Road footpath over the construction traffic. During the progress of works this can be monitored and additional traffic controllers can be allocated where necessary is safety is a concern.

Issue	Response
During all phases of the development, we would like for the site to provide a protective barrier to contain associated dust from blowing onto our site.	Noted.
During construction we ask that the builders park all private vehicles, trucks and other vehicles required within the perimeter of their site.	It is recommended within the submitted CTMP that there should be no workers parking their vehicles in the road network in the vicinity of the school.
We ask that at all times during development the College have a point of contact to discuss building activity. There are times during the year where we have examinations where we require there to be no external distractions like building noise. HSC regulations require us to ensure noise controls. Any interference leads to HSC review and appeals processes.	As noted in the CTMP, the contact details of Deicorp's site manager will be provided to the college.
Deicorp has expressed its desire to study the arrival and dismissal times of our students for the purposes of their traffic management assessment. To our knowledge they have not undertaken this exercise.	The Proponent met with representatives from Rosebank College on 12 February and 26 February 2025 to discuss potential impacts to the school community. Following this meeting, a site visit was conducted to observe the College's student arrival and departure processes, with two sessions held. The team reviewed all three entry and exit points, noting issues at the corner of Queens and Harris Street due to a narrow footpath and sharp turn. They also observed illegal drop-off and pick-up practices causing traffic congestion. It was agreed that Harris Street would be off-limits to construction vehicles, and Deicorp would share the drone footage captured by Alex Furolo from AF Media with the College.
We have discussed the idea of creating a road / street with Deicorp that runs between our two sites. One that runs from Queens Road and exits onto Parramatta Road. We believe that this would not only benefit our school by creating a drop off opportunity for students, it would reduce traffic and would provide another access way from Queens Rd to Parramatta Road.	Deicorp explored various options to create a drop off opportunities for students at Rosebank College and has considered in the proposed design to provide a pedestrian connection between the two properties. Parents can drop off kids in the non-resi basement carparking, on street drop off was not considered safer option from various safety perspectives.
We ask that we can explore opportunities for our young people at Rosebank. Having a school adjacent to the development may open up opportunities for the development and vice versa. We would welcome discussions regarding use of the green space.	As detailed above, the Proponent met with representatives from Rosebank College on 12 February and 26 February 2025 to discuss potential impacts to the school community. The possibility of the College renting commercial space from Deicorp was raised. The proposed William Street Park within the development will be delivered to council for public use prior to the last OC of the development. School is encouraged to discuss opportunity to use open space with council directly.

4.5 Response to City of Canada Bay Council

The table below provides a response to City of Canada Bay Council.

Table 5: Response to City of Canada Council

Issue	Council's Position	Response
Public Open Space – William Street Park	CBC1 1. The proposed 2,290m² William Street Park is to be dedicated to CCBC as an unencumbered public open space, free from any encroachments, affectations, or reliance on shared infrastructure or services. The park area must exclude basement car parking, substations, or other infrastructure, and the footpath area cannot be included in the required park space. All elements within the park, including utilities and landscaping, must function independently, ensuring straightforward long-term maintenance and accessibility without imposing additional burdens on CCBC. To preserve the park's integrity and maximise its usability for the community, the following measures must be implemented: a) Substation Relocation: Substation S.36176 must be relocated outside William Street Park to protect the open space's potential and maintain passive surveillance. b) Defined Lot Boundary: The eastern boundary between William Street Park and Building A's basement must be clearly delineated with a constructed edge. All infrastructure must remain within its respective lot, with no shared dependencies, to ensure maintenance obligations are well-defined. c) Ground Anchor Usage: Ground anchors (temporary or permanent) for the western wall of Building A's basement should only be used as a last resort and must receive CCBC approval. This restriction prevents encroachment into CCBC's future land.	1. The park area will not include any area, building or infrastructure that does not directly relate to the operation of the public park or servicing of the surrounding street network. All park elements, including landscaping and utilities function independently of the proposed mixed-use development. It is noted that the stormwater connection has been updated with an additional junction pit added within the site boundary to avoid encroachment on William St Park (Refer to Appendix 15). Note, a detailed response regarding the substation proposed to be located within William Street Park is provided below under 'a)'. The proposed 2,290m² William Street Park will be dedicated to Canada Bay Council in accordance with Clause 8.5(e) of the Canada Bay LEP (see below), and as per the Voluntary Planning Agreement (VPA) currently under negotiation with Council. *Clause 8.5(e) – for Area 32—at least 2,290m² of public open space on land at 57 Queens Street, Five Dock that fronts William Street, Five Dock,* The location of the 2,290m² park area is not defined on any LEP mapping, rather Part K – Kings Bay (PRCUTS) of the DCP shows that the park area commences from the existing site's Queens Road and William Street boundary line. Refer to Figure K20-9 Public Domain Plan and Figure K20-13 Building Envelopes Plan, specifically. An extract of Figure K20-9 is shown below.  As shown at the figure above, the 3m setback for future public domain improvements does not extend into the park area. The required 2,290m² quantum of land

Issue	Council's Position	Response
		to be dedicated as a public park commences from the site's Queens Road and William Street boundary line. It is noted that the proposed design of the footpath within the park area complies with the public domain elements prescribed under Council's Kings Bay Precinct Street Design Guide. For avoidance of doubt, a setback is not required to the park. The park area and proposed footpath are not defined as "structures" and are therefore not subject to Clause 8.6(e) of the Canada Bay LEP, which requires a 3m wide setback for land that fronts Queens Road, Five Dock. Further, Part K of the DCP and Street Design Guide do not show any adjustment to the site's boundary line or area of the park to accommodate any setback or footpath extension. The required footpath sits entirely within the park area. This is also shown at Figure 3. Paving Masterplan, in Council's Street Design Guide. a) The decommissioning and relocation of existing Ausgrid ground substation S.370 William Street is required to allow for the proposed Spencer Street extension and widening. The existing ground substation S.370 currently supplies the following entities: – Spare distributor – Private Lot: 75 Queens Road (Lot A DP 332646, current development site) – Ausgrid LV Network: Spencer Street East – Ausgrid LV Network: Spencer Street West – Ausgrid LV Network: William Street North & S.36176 – Ausgrid LV Network: William Street South – Ausgrid LV Network: Parramatta Road – Ausgrid LV Network: Lang Street The proposed kiosk substation S.38669 will re-instate supplies to the following entities: – Ausgrid LV Network: Spencer Street East & West (currently supplied by S.370 – Distributor 3 & 4) – Ausgrid LV Network: William Street South (currently supplied by S.370 – Distributor 6) – Ausgrid LV Network: Parramatta Road (currently supplied by S.370 – Distributor 7)

Issue	Council's Position	Response
		– Ausgrid LV Network: Lang Street (currently supplied by S.370 – Distributor 8) As such a new kiosk substation S.36176 will be installed at the corner of William Street and Spencer Street, within park / land to be dedicated to Council. The proposed kiosk substation will not be supplying the proposed development site, with all transferred loads on this substation supplying the Ausgrid LV network which includes the surrounding private lots, street lighting, and the Ausgrid network. As such, the new Ausgrid Public Utility kiosk substation has been suitably located within the public park, on Council land, and to not burden the proposed development which will not benefit from this kiosk's power supply. Refer to the Level 3 Letter prepared by JHA (Appendix 26) for further details. The new kiosk will be screened by new planting around the easement zone to assist in minimising the visibility of the kiosk within the public domain. Refer to the amended Landscape Plans prepared by Isthmus (Appendix 15). b) A continuous edge treatment is proposed within site boundary. Refer to the amended landscape plan. c) Noted, no anchors will be proposed without prior discussion or agreement with Council.
Traffic and Transport	<u>CBC2</u> a) The proposed pedestrian crossing connecting Industry Lane is recommended to be shifted west, centred on the northern laneway opening, to provide a more continuous connection. Bollards should be installed across the laneway openings, aligned with the building line, to prevent vehicles from travelling up Industry Lane. b) The proposed pedestrian crossing on Spencer Street, closest to William Street, appears to be an at-grade pedestrian crossing. This is not the preferred option and should be replaced with kerb buildouts at the intersection of William Street and Spencer Street.	a) The revised public domain plans have relocated the pedestrian crossing connecting Industry Lane to the west in accordance with Council's feedback. Bollards or other suitable treatments will be installed to physically restrict vehicles from driving along Industry Lane. b) An at-grade pedestrian crossing to the west of the William Street / Spencer Street intersection is considered appropriate to provide for pedestrian crossing movements to the adjacent public park. Kerb buildouts at the intersection are not practical as they would prohibit the safe turning movements of vehicles into and out of Spencer Street – resulting in swept path clashes. c) This future mid-block link will be delivered at the time of delivery of the site to the west of William Street. The current design for the subject site does not preclude the future introduction of a pedestrian link across William Street (north of Spencer Street) in future once further planning for the area progresses.

Issue	Council's Position	Response
	c) The proposal has omitted the raised pedestrian crossing on William Street, north of Spencer Street, as outlined in the Kings Bay Precinct Street Design Guide. The applicant is to provide an alternative mid-block pedestrian link across William Street between Queens Road and Parramatta Road to ensure accessibility to the future park.	
	<u>CBC3</u> a) The maximum vehicle size referenced in the traffic reports is 12.5m HVMs. A condition should be imposed requiring all delivery vehicles for future commercial/retail properties in the development to be restricted to 12.5m in length, with a preferred truck route exiting via Spencer Street into Queens Road only. b) Given the constrained road environment, the applicant should consider dedicating additional land on the southern side of Queens Road at its intersection with William Street to provide a dedicated left-turn lane into William Street. c) To facilitate and manage Left-in Left-out (LILO) movements at the Queens Road/Spencer Street intersection, it is suggested to provide a median island (with a pedestrian refuge) to enforce LILO movements, minimise driver confusion, and provide some level of pedestrian safety at this conflict point, subject to swept path assessments. d) Sightlines at the access driveway must comply with Figure 3.3 of AS2890.1:2004. Any objects, including landscaping, within a splay of 2.5m by 2.0m adjacent to the driveway at the property boundary must not exceed 600mm in height above the internal driveway level. Plans must demonstrate compliance with the sight distance requirements in AS/NZS2890.1:2004.	a) Noted, no objections are raised to this suggested condition. b) Traffic modelling has demonstrated that the provision of a dedicated left turn lane into William Street from Queens Road is not required to support the application. The project already involves road upgrades and land dedication through the introduction of a right turn lane on William Street into Spencer Street along with the enhanced left turn lane out of William Street onto Parramatta Road. Consultation with Transport for NSW undertaken in February 2025 confirmed that no further road upgrades / land dedication was warranted at this location. It is noted that the adjoining site to the west of William Street has recently submitted a SEARs request for future development, which will include an 8m land dedication / setback to facilitate future road widening of William Street. c) In response to feedback from Transport for NSW and Council, the Deicorp team has undertaken a further review and adjusted the road geometry to accommodate a raised triangular median on Spencer Street to physically restrict right turns into and out of Spencer Street. Changes made include: • Addition of a triangular-shaped median at the northern end of Spencer Street to enforce left-in/left-out movements; and • Widening of the western side of Spencer Street to the intersection with Queens Road providing adequate space for an MRV left turn into and out of Queens Road. A pedestrian refuge is not considered appropriate at this location given the nature of Queens Road as a classified road. Additionally, there is insufficient space within the existing road reserve to provide the necessary 2m minimum width for a pedestrian refuge.

Issue	Council's Position	Response
	e) Commercial/retail car spaces must follow the dimensions specified for User Class 3 in AS2890.1:2004, which require a wider width (2.6m) compared to residential car spaces (2.4m).	d) Noted, and agreed – the design makes provision for appropriate driver sight lines as per AS2890.1. Refer to Basement Plans by Turner (Appendix 7) (DA 110-005 - DA 110 - 008)" Amended Design. e) Noted, the design makes provision for suitable parking space dimensions in line with the requirements of AS2890.1. Refer to Basement Plans by Turner (Appendix 7) (DA 110-005 - DA 110 - 08)
	<u>CBC4</u> a) In the proposed loading dock (south-east building), the location of the five van/courier spaces in Basement 02 is unclear. The proponent must clearly indicate these spaces in the architectural plans. b) The proposed service area of the loading dock near the supermarket loading area accommodates 12.5m HRV trucks. A swept path assessment must be conducted to confirm an HRV can safely turn out of its space to the exit ramp, ensuring a minimum three-point turn is feasible. The design envelope around parked vehicles must remain clear of columns, walls, or other obstructions, as specified in Figure 5.2 of AS/NZS 2890.1:2004. Plans must demonstrate compliance with this requirement. c) The pedestrian crossing located at the bend on Spencer Street, adjacent to the loading dock access driveway, is not recommended due to sight distance issues that increase the risk of pedestrian-vehicle collisions. It is suggested to move this crossing further north, subject to a sight distance assessment. d) The proposed large mixed-use residential, commercial, and retail development has the potential to generate significant traffic volumes, particularly at site access points. It is essential to assess the potential for traffic queues at these access points to ensure vehicles can enter and	a) The updated architectural plans now indicate the location of the five van / courier parking spaces. Refer to Appendix 7, DA-110-007 - Basement 2 Plan prepared by Turner. b) Refer to the revised swept path analysis showing the movement of service vehicles entering and exiting the loading dock as provided in the updated Traffic and Parking Impact Assessment (Appendix 16). c) The pedestrian crossing has been moved to the north consistent with Council's feedback. Refer to Civil Drawing 427623-MMD-FDK-01-DR-C-0005 prepared by Mott Macdonald (Appendix 8). d) Traffic modelling has been undertaken which confirms the suitability of the site access points. Licence Plate Recognition (LPR) technology will be in place to provide for efficient vehicle access to the basement car parks, with up to 600 vehicles per hour per entry point possible. The design makes provision for multiple points of access which will effectively disperse traffic across the precinct. Additionally, a below ground basement connection is provided which will further reduce traffic volumes at the surface level. e) Noted.

Issue	Council's Position	Response
	exit efficiently without causing congestion on surrounding roads. e) Should future pedestrian and light/heavy vehicle conflicts arise, traffic calming devices should be installed along Spencer Street following further discussions with Council. As per Council policy, any proposed traffic calming measures must be presented to the Traffic Committee.	
Flood Study and Management	<u>CBC5</u> a) The submitted document indicates that the proposed development requires William Street Park to be inundated during a 1% AEP storm event in both interim and ultimate development scenarios. b) The flood impact and risk assessment does not account for the raised pedestrian crossings proposed at the intersection of William Street and Spencer Street, as outlined in Council's Kings Bay Street Design Guide (Page 57/99). c) The applicant's flood engineer must collaborate with the traffic engineer to ensure that the development does not adversely affect surrounding properties during interim or ultimate scenarios. d) The flood impact report (Map A.14) shows that the proposed design will negatively impact downstream properties and the intersection of William Street and Parramatta Road. Mitigation strategies must be provided to ensure the development does not contribute to upstream or downstream flooding. e) Section 4.6 of the flood assessment (Implemented Mitigation Measures – Preservation of Overland Flow Paths) states that "the flow path at the intersection of William Street and Parramatta Road was significantly impeded by initial design levels." Revised levels are claimed to restore similar	a) This is an important feature in minimising flood risk. The design follows best engineering practice, and balances park amenity/maintenance frequency (for flooding)/flood risk in a best-case scenario which means inundation is not frequent but occurs in major flood events to provide flood storage. It is noted in the design that the park is protected from inundation in events up to the 5% AEP and this represents the balance between open space requirements and flood hazard on William Street in accordance with the objectives of the NSW Floodplain Development Manual. b) Noted. The future raised pedestrian crossing is to occur as part of future road widening of William Street which does not form part of this development application. c) The development has been designed with appropriate traffic stormwater mitigation measures to avoid any additional effects to surrounding developments. Refer to amended civil design (Appendix 8) for proposed additional mitigation measures along William Street. d) FIRA Rev B Map A.14 shows ultimate conditions as proposed by the PRCUTS strategy. This strategy intends to open William Street through vastly increased setbacks to the west which is not the subject of this development application. Deicorp cannot mitigate for potential works in the future by others. e) This discussion is in reference to previous consultation with Council on previous design iterations. The previous design iterations which had flood impacts are no longer relevant and the design has moved on, but discussion remains (in the report) on this issue so Council is aware that the previous issues have been addressed. The mitigation measures are not separable to

Issue	Council's Position	Response
	water volumes to the existing scenario, but these revised levels and their locations are not clearly demonstrated in the flood report or civil/stormwater engineering drawings. Further detailed designs and additional information must be provided, ensuring mitigation measures can be implemented without cost to Council. f) Electronic flood modelling results (Flood Maps A.1 to A.15) must be provided to Council, as the submission does not include all referenced results. g) A kiosk substation is proposed within William Street Park, adjacent to Flood Hazard H4 during a 1% AEP flood event and H5/H6 during PMF. Relevant flood mitigation measures for this infrastructure have not been addressed in the flood impact and risk assessment.	the design, they are integrated into the design in terms of levels and grades etc, so there is no potential for the development to occur without the required mitigation embedded. f) Noted. Further electronic files (Appendix 7) (including the modelling package and results) are provided in support of the design report and mapping submission with this Response to Submissions. g) This asset has been located in accordance with requirements as detailed by the distributor. PMF hazard category is not a design requirement as noted within the relevant NSW Floodplain Development Manuals.
Stormwater and Civil Engineering	<u>CBC6</u> a) The submitted stormwater and civil plans require revisions to comply with Council's DCP, Appendix 2 – Engineering Specification: b) The proposed stormwater connection from "Building A" must avoid encroaching on William Street Park, with the discharge point located within the subject lot's frontage. c) Junction pits and pipes for "Building B" and "Building E" must be entirely within the proposed lots and not within the future Council footpath or road reserve. d) The Water Management Report reveals that the on-site stormwater detention (OSD) systems are not designed in accordance with Clause OSD6 of Council's DCP. These must be revised to meet permissible site discharge requirements. e) The 1% AEP tailwater level must reflect the flood level at the discharge point as per the Flood	a) This has been updated with additional junction pit added within the site boundary to avoid encroachment on William St Park. Please refer to drawing number: 427623-MMD-FDK-00-DR-C-0051 and drawing number: 427623-MMD-FDK-01-DR-C-0051 for details (Appendix 8). b) This has been updated with additional junction pit added within the site boundary to avoid encroachment on William St Park. Please refer to drawing number: 427623-MMD-FDK-00-DR-C-0051 and drawing number: 427623-MMD-FDK-01-DR-C-0051 for details (Appendix 8). c) This has been updated with pits and pipes for both Buildings 'B' and 'E' relocated entirely within the proposed lots. Please refer to drawings number: 427623-MMD-FDK-00-DR-C-0052, 427623-MMD-FDK-00-DR-C-0054, 427623-MMD-FDK-01-DR-C-0052 and 427623-MMD-FDK-01-DR-C-0054 for details (Appendix 8). d) The On-site Detention systems were designed and sized based on the City of Canada Bay DCP, Appendix 2, Clause OSD6. Please refer to the Water Management Plan (Appendix 9), Section 2.5.2, Table 2-2 and Section 5.1 for the Design Requirements and Water Quantity Management.

Issue	Council's Position	Response
	Impact and Risk Assessment Report by Mott MacDonald, not an assumed value. f) The catchment area for the pedestrian link along the eastern property boundary has not been considered a bypass area. OSD calculations and analysis must be updated. g) Table 5-3 of the MUSIC Modelling must be revised using Canada Bay Council's LGA Pluviography Data. h) Pipelines within the road reserve, including footpaths, must be Ø375mm Class 4 minimum. For depths less than 600mm, Class 6 pipes are required. All pipes must be steel-reinforced concrete pipes (RCP). i) Pipelines must maintain a gradient of 1%, or no less than 0.5% if restricted by depth, ensuring adequate drainage capacity without affecting upstream or downstream catchments. j) The pipeline between Pit A-04 and A-05 must be upgraded to Ø525mm RCP. k) Pit C-01 must be relocated away from the vehicular crossing layback and designed with a minimum 2.4m kerb lintel. l) Footpath cross-falls must slope away from property boundaries at a gradient of 1% and must not slope into private properties (e.g., Chainages 243.226, CH244.703, CH254.579). m) Since all pipes and pits within the road reserve are to be dedicated to Council, it is strongly recommended that Council be appointed as the Principal Certifier for the subdivision works certificate. n) Spencer Street (North): Kerb ramps must be provided at the intersection with Queens Road.	e) The 1% AEP taliwater level was based on the Flood Impact and Risk Assessment prepared by Mott MacDonald. Please refer to the Water Management Plan (Appendix 9), Section 5.1.3: *"It is noted that the subject site is identified as flood fringe land with William Street acting as floodway in the Parramatta Road Corridor-Flood Risk Assessment by WMA Water Rev.3 (Sept 2020) and detailed flood study for 5%, 1% and PMF storm events has been investigated by Mott MacDonald as outlined in the Flood Impact and Risk Assessment (Rev C).* *The flood model consolidates existing authority's asset features and proposed development configuration with the flood level at the point of downstream connection to existing Sydney Water culvert at RL:1.9967 (A.H.D) for 5% AEP storm events and RL: 2.1299 for 1% AEP storm events at intersection between William Street and Spencer Street (East)."* f) The catchment area for the pedestrian link along eastern property has been included in our calculations. OSD calculations and analysis have been updated accordingly. Please refer to the updated Catchment Plan (Appendix 8), drawing number: 427623-MMD-FDK-01-DR-C-0511 and the updated DRAINS model (Rev 11, dated 18/02/2025) for details. g) This was a typographical error. Canada Bay Council's LGA Pluviography data was used, specifically the Concord Golf Club Station. This has been updated in the latest Water Management Plan (Appendix 9), Revision C, dated 18/02/2025. h) Minimum pipe size and cover are meeting Council requirements. Pipe Class has been revised to Class 4 as a minimum. Please refer to drawings: 427623-MMD-FDK-XX-DR-C-0301 and 427623-MMD-FDK-XX-DR-C-0302 for details (Appendix 8). i) This is already achieved. Please refer to drawings: 427623-MMD-FDK-XX-DR-C-0301 and 427623-MMD-FDK-XX-DR-C-0302 for details (Appendix 8). j) This has been upgraded. Please refer to drawings: 427623-MMD-FDK-00-DR-C-0052 and 427623-MMD-FDK-XX-DR-C-0301 for details (Appendix 8). k) Pit C-01 This has been relocated clear of the vehicular crossing layback with a 2.4m kerb lintel. Please refer to drawing number:

Issue	Council's Position	Response
		427623-MMD-FDK-00-DR-C-0051 for details (Appendix 8). l) The 3D design reflects a concept level design to inform cut/fill and flood modelling, further refinement to occur in subsequent design phases. All transition areas to be locally graded to achieve minimum 1% cross-fall away from private properties. Please refer to drawing number: 427623-MMD-FDK-00-DR-C-0052 for details (Appendix 8). m) Council will be the final authority to approve subdivision certificate, Principal Certifier (Private Certifier) will be appointed by Deicorp in consultation with council for subdivision works certificate. n) This has been noted on the drawings and will be carried through to detailed design. Please refer to drawing number: 427623-MMD-FDK-00-DR-0052 for details (Appendix 8).
Lighting	CBC7 **Proposed Substation Relocation** It is our position that the relocated substation must be placed on the developer's private land and not within the public park or road reserve. Locating infrastructure such as a substation within public parkland or road reserves raises potential complications, including long-term maintenance, access issues, and future land use conflicts. The substation must be located within the developer's land boundaries to ensure proper management and mitigate potential issues related to land tenure or accessibility. **Lights within the Public Domain** a) Council does not support the use of strip lights, tree uplight, or similar decorative lighting in the public domain due to concerns around maintenance, durability, and light pollution. b) All luminaires proposed for the public domain must align with Council's requirements and be approved prior to installation. We request that the proposed lighting design exclude strip lights and tree uplight, with alternative luminaires selected in consultation with the Council.	**Proposed Substation Relocation** The proposed kiosk substation S.38669 will re-instate supplies to the following entities: • Ausgrid LV Network: Spencer Street East & West (currently supplied by S.370 – Distributor 3 & 4) • Ausgrid LV Network: William Street South (currently supplied by S.370 – Distributor 6) • Ausgrid LV Network: Parramatta Road (currently supplied by S.370 – Distributor 7) • Ausgrid LV Network: Lang Street (currently supplied by S.370 – Distributor 8) As such a new kiosk substation S.36176 will be installed at the centre of Queens Road and Spencer Street, within park / land to be dedicated to Council. The proposed kiosk substation will not be supplying the proposed development site to avoid potential complications, including long-term maintenance, access issues, and future land use conflicts. **Lights within the Public Domain** All strip lights are all proposed to be concealed and integrated under seating pointing down to the floor or concealed under an overhead structure. Therefore, no light pollution will be caused. When detailed correctly and installed using quality specifications (not cheap alternatives) these have been shown to last and are still operating in some of our public domain

Issue	Council's Position	Response
	Under-Awning Lighting Requirements Under-awning lighting must be installed to provide uniform lighting for the footpath beneath, ensuring compliance with the lighting categories specified by the Council. Ownership and maintenance of these lights will remain the responsibility of the developer. **Parramatta Road (from Harris Road to William Street) Lighting Requirements** As outlined in the CCBC Kings Bay Precinct Street Design Guide, multifunction poles (MFPs) are to be installed along Parramatta Road, owned and maintained by the Council. These requirements apply only within the Local Government Area (LGA) boundary. Where there are clashes between Council poles and Ausgrid's overhead assets, utilities must be undergrounded. Existing roadway lighting fittings are classified under V1. All lighting on the roadway must comply with the V1 category.	projects today. Most quality specifications have a 5-year warranty. Tree Uplights are proposed to be removed from the revised lighting design. Catenary lighting – Although these look decorative, they are important in providing lighting levels required to meet AS/NZS1158 within the public activity points. Our intent with the decorative lighting is to create a vibrant and inviting atmosphere for the Marketplace area, which is a public activity zone. By creating an inviting aesthetic, this increases perception of safety as more people are likely to congregate in these spaces. Moreover; Market Place, Industry Lane and Spencer Lane are publicly accessible privately owned land. Ongoing maintenance will be developer responsibility. All proposed fittings use LED technology, which offers a long lifespan and energy efficiency. **Under-Awning Lighting Requirements** Noted, under-awning lighting will be to Council standard and ongoing maintenance will be shop owners' / developers responsibility. **Parramatta Road (from Harris Road to William Street) Lighting Requirements** Parramatta Road is a state road controlled by TfNSW. JHA reached out to TfNSW on 29/08/2024 who advised that existing AS/NZS1158 lighting sub-category in Parramatta Road is V3 and is to be maintained as part of any changes. Council have requested a higher lighting category requirement of V1 which will require additional light poles and be much brighter than the rest of the Parramatta Road extent beyond the site. Design proposed to remove or relocate existing Ausgrid timber poles along site frontage, streetlights and most of the aerial conductors are to be removed and the Ausgrid network relocated underground through the use of LV pillars (Subject to TfNSW and Ausgrid approval). New street lighting levels will be achieved by the installation of Council owned MFPs as noted in the planning requirements.
	CBC8	**Queen Street (from Harris Road to William Street) Lighting Requirements**

Issue	Council's Position	Response
	Queen Street (from Harris Road to William Street) Lighting Requirements Lighting must meet the standards of AS1158, with Category V3 for the roadway and PP2 for the footpaths. Footpath lighting is required on both sides of the street. Multifunction poles (MFPs) from Multipole should be used for installation. As per the Kings Bay Precinct Street Design Guide, MFPs installed along Queen Street are to be owned and maintained by the Council. The existing light fittings are V3 category, and all lighting on the roadway must comply with the V3 category. **Spencer Street Lighting Requirements** Lighting must comply with AS1158, with Category PR1 for the roadway and PP2 for the footpaths. Multifunction poles (MFPs) from Multipole must be supplied and installed. Lighting pole assets will be owned by the Council. **William Street Lighting Requirements** Lighting must comply with AS1158 standards: Category V3 for the roadway and PP2 for the footpaths. Multifunction poles (MFPs) by Multipole should be installed, with assets owned and maintained by the Council. In William Street Park, lighting should be reduced to meet Category PP2, using pole-top lights and fixtures mounted on the proposed structure to adequately illuminate the turfed area. Light levels must be determined in consultation with the Council's Public Space Planning team.	Queens Road is a state road controlled by TfNSW. JHA reached out to TfNSW on 29/08/2024 who advised that existing AS/NZS1158 lighting sub-category along Queens Road is V5 and is to be maintained as part of any changes. JHA has conducted assessment for existing lighting level. It has been concluded that the existing light fittings currently comply to the requirement of V5. JHA would recommend a single additional light fitting to be installed on an existing pole, i.e. no new poles. All existing overhead Ausgrid conductors are across Queens Road away from site boundary and therefore no further undergrounding works are considered required. It will be subject to future applications by others on the other side of Queens Road. **Spencer Street Lighting Requirements** Public lighting in Spencer Street will be designed to Council requested AS1158 requirements of PR1 and PP2 being a Council owned road. This will be achieved by the installation of MFPs as noted in the planning requirements. **William Street Lighting Requirements** Public lighting in William Street will be designed to Council requested AS1158 requirements of V3 and PP2 being a Council owned road. This will be achieved by the installation of MFPs as noted in the planning requirements. Public lighting within the William Street Park will be undertaken to Council requested AS1158 PP2 lighting using pole-top lights to illuminate the pathways as required by AS1158. A formal Ausgrid application has been submitted and formal Supply Offers received for these works dated 17/07/2024 and accepted on 24/07/24 for formal design.
Landscape	CBC9 **Public Domain**	All street designs, pavement materials, furniture, street trees, lighting, and public domain elements now comply with the Kings Bay

Issue	Council's Position	Response
	All street designs, pavement materials, furniture, street trees, lighting, and public domain elements must comply with the Kings Bay Precinct Street Design Guide.	Precinct Street Design Guide. Refer to the amended Landscape Plan (Appendix 15) Issue N - finishes, fittings and arrangement in accordance with Kings Bay Precinct Guideline.
	CBC10 **Urban Canopy** Street tree planting must utilise strata vaults to maximise long-term tree survival and minimise root damage and pavement trip hazards. The proposal must demonstrate compliance with Council's 2:1 tree replacement requirement for any tree removals. Tree planting must be maximised to meet Council's goal of achieving a 25% urban tree canopy cover at maturity.	Refer to the amended Landscape Plan (Appendix 15) Issue N - Village Green design amended. Projected canopy proposed is 34%. Replacement planting exceeds 2:1 requirement. Arborist report notes a total of 42 existing trees or stands of self-seeded trees. Total proposed trees across site is 352. Kings Bay Precinct Guideline references both structural soil buildup and strata vaults to trees pits. Relevant details 3.02, 3.03, 3.04, 3.05. Structural soil option better suited to internal site works (Spencer Street).
	CBC11 **Soil Depth** Landscape podiums must have appropriate soil depths to comply with the Apartment Design Guide. Adequate soil depths for tree planting must be provided to support canopy cover requirements. Façade greening should be incorporated to enhance cooling and greenery.	Refer to the amended Landscape Plan (Appendix 15) Issue N - additional detail and annotation provided. Soil depths are in accordance with ADG requirements.
	CBC12 **Village Green** Seating walls adjacent to proposed table settings are unnecessary and will increase Council's maintenance burden. Garden bed widths should be reduced to minimise maintenance and maximise the open turf area. A potable water supply should be provided for drinking fountains and garden maintenance taps. Furniture should include bins, bicycle racks, and seating at regular intervals along footpaths, as well as bollards to restrict vehicle movement. Retaining walls below the proposed shelter structure should be removed to provide better connectivity between the turf and paved areas.	Refer to the amended Landscape Plan (Appendix 15) Issue N - Village Green design amended.

Issue	Council's Position	Response
	The area below the shelter structure must remain flexible to function as a potential stage/event space, with fixed furniture sited to maintain a clear, appropriately sized space. Table settings with bench seating are preferred over individual seating, offering more seating options and provisions for wheelchair access. Perimeter tree siting must allow for service and maintenance vehicle access to the park.	
	CBC13 **Queens Road** Kerb realignment, street tree placement, street lighting, and paving on the Queens Road frontage must comply with the Kings Bay Precinct Street Design Guide. Furniture such as bins, bicycle racks, and seating at regular intervals along footpaths, along with bollards, must be provided to restrict vehicle movements. **William Street** The Kings Bay Street Design Guide specifies a realigned kerb with a 3-metre-wide footpath. Future kerb realignments must be considered when placing street trees. **Spencer Street (North)** Kerb ramps must be provided at the intersection with Queens Road. **Spencer Street (West)** Landscaping and low fencing should be introduced to discourage pedestrians from shortcutting across the intersection with William Street instead of using the designated crossing further east. Raised pedestrian crossings should be considered to enhance safety. Furniture, including bins, bicycle racks, seating at regular intervals, and bollards, must be installed to restrict vehicle movements. **Spencer Lane (South)**	**Queens Road** Refer to the amended Landscape Plan (Appendix 15) Issue N - finishes, fittings and arrangement is in accordance with the Kings Bay Precinct Street Design Guideline. **William Street** Refer to the amended Landscape Plan (Appendix 15) Issue N - pathway extent revised to a 3m width in accordance with Kings Bay Precinct Street Design Guideline. **Spencer Street (North)** This has been noted on the drawings and will be carried through to detailed design. Please refer to drawing number: 427623-MMD-FDK-00-DR-C-0052 for details. **Spencer Street (West)** Refer to the amended Landscape Plan (Appendix 15) Issue N - soft landscape treatment and furniture / fittings proposed for passive management of pedestrian circulation to Spencer Street / William Street intersection. Bollards / furniture proposed to restrict vehicular movement in coordination with soft landscape treatments. **Spencer Lane (South)** Spencer Lane is a publicly accessible private lane and will be owned and managed by Deicorp. Due to safety reasons, no vehicle will be permitted on this lane apart from emergency vehicle. **Industry Lane** Plans have been amended to show reduced seating. Refer amended Landscape Plan

Issue	Council's Position	Response
	There is an oversupply of seating walls in this area. If this lane is to be dedicated to Council, the maintenance burden of garden beds must be addressed. Service vehicle access and rubbish collection logistics must be considered. Taps must be installed at maximum 20-metre intervals for garden maintenance. **Industry Lane** There is an oversupply of fixed table settings. Space should instead accommodate outdoor dining areas for potential adjacent commercial spaces.	(Appendix 15) Issue N -Industry Lane seating and planter arrangement revised.
Waste management	CBC14 The waste generation calculation in the provided WMP is incorrect. It must align with Council's DCP, which requires: • 120L of waste and recycling per household. • FOGO (Food Organics and Garden Organics): • 25L per household for 1- and 2-bedroom units. • 50L per unit for 3+ bedroom units.	Noted - Calculations have been updated to use the above generation rates in the latest Operational Waste Management Plan (Appendix 13) Revision F and plans have been updated to include the proposed waste strategy.
	CBC15 **Architectural Plans** Waste collection points must be clearly identified in the architectural plans. **Bin Rooms** Common FOGO bin areas must be provided for each building. These areas should be located away from chute discharge rooms and positioned to encourage utilisation of FOGO.	The residents of each building have access to FOGO bins in the chute discharge rooms. Please note that the linear tracks and carousel systems will be caged off (as indicated in the architect plans, provided at Appendix 7) and are inaccessible to residents for their safety.
	CBC16 **Waste Chutes** Waste chutes must: • Be fully enclosed and fire-rated, compliant with the Building Code of Australia.	Noted, this will be addressed during detailed design development. In addition, commercial and retail tenancies do not have access to the residential chutes.

Issue	Council's Position	Response
	• Include a chute inlet on each floor with clear usage instructions. • Restrict access to residential chutes for commercial properties.	
	CBC17 **Bin Tug** Due to the size of the property and the location of bin rooms on each level: • More than one bin tug is recommended. • Bin tug storage must be secure and located close to or within the bin rooms.	There are a 2 bin tugs proposed on this site with storage in convenient locations as demonstrated in the amended Architectural Drawings (Appendix 7) – Basement Level 02 DA-110-007.
	CBC18 **Bulky Waste Room** A designated area for bulky and tricky waste collection must be included, ensuring collection staff do not need to travel more than 10m. The applicant must identify where bulky waste collection will occur, given that the loading dock is already in use five days a week for commercial and residential bin collection. The design must accommodate additional waste streams, such as textiles and problematic waste, as specified in Council's DCP.	Residential waste and recycling bins are only collected twice per week. On a pre-organised day to pick bulky waste, bulky waste will be moved from bulky waste room to Residential waste room for council collection which is located within 10m from loading dock. The bulky waste will fit sufficiently in the residential bin collection rooms on the collection day. Furthermore, bulky waste is only collected several times a year, a dedicated bulky waste room and tricky waste pick is not required.
	CBC19 **HRV Truck Access** The development must accommodate an HRV (Heavy Rigid Vehicle), compliant with Australian Standard 2890.2:2018, with the following dimensions: Length: 12.5m Width: 2.8m Height: 4.5m Ensure pathways are designed to accommodate the HRV truck size for seamless waste collection operations.	The development is designed to accommodate an HRV (Heavy Rigid Vehicle), fully compliant with Australian Standard 2890.2:2018. Refer to Architectural Plans prepared by Turner and Traffic Impact report by JMT.
	CBC20 **Contamination Management** In addition to the standard conditions that the assessment and determination authority may impose	Demolition is subject to a separate application which includes remediation of land. Deicorp is happy to accept the below condition to be impose upon approval of SSD:

Issue	Council's Position	Response
	regarding contamination management, including the decommissioning and removal of underground storage tanks (USTs), Council requests the inclusion of the following condition: Registration of Covenant – Before Issue of an Occupation Certificate Prior to the issuance of a Final Occupation Certificate, the applicant must register a covenant on the land title under Section 88E of the Conveyancing Act 1919. The covenant must confirm: The land has been remediated in accordance with an approved Remediation Action Plan. A Site Audit Statement has been issued for the remediation works. The covenant must also include but is not limited to: a) Detailed information regarding the delineation of any contaminated soil containment cell, including required survey drawings as specified in the development consent. b) A reference to the Environmental Management Plan reviewed by the NSW EPA-accredited site auditor, as required by the development consent. The City of Canada Bay must be nominated as the sole authority authorised to release, vary, or modify the terms of the covenant. Evidence of the covenant's registration on the land title must be provided to the Principal Certifier before the Occupation Certificate is issued.	Prior to the issuance of a Final Occupation Certificate, the applicant must register a covenant on the land to be dedicated to Council under Section 88E of the Conveyancing Act 1919. The covenant must confirm: • The land to be dedicated to Council has been remediated in accordance with an approved Remediation Action Plan. • A Site Audit Statement has been issued for the remediation works. The covenant must also include, but is not limited to: a) Detailed information regarding the delineation of any contaminated soil containment cell, including required survey drawings as specified in the development consent. b) A reference to the Environmental Management Plan reviewed by the NSW EPA-accredited site auditor, as required by the development consent. The City of Canada Bay must be nominated as the sole authority authorised to release, vary, or modify the terms of the covenant on the land subject to council dedication under VPA. Evidence of the covenant's registration on the land title must be provided to the Principal Certifier before the Occupation Certificate is issued.
Developer Contributions	CBC21 Council requests that should consent be granted that a suitable condition is imposed to capture the affordable housing contributions identified under clause 6.12 of the Canada Bay Local Environmental Plan, 2013 and the City of Canada Bay Affordable Housing Contribution Scheme and the developer contributions under section 7.11 of the Environmental Planning and Assessment Act.	Deicorp would accept this as a condition of consent to address the affordable housing contributions identified under clause 6.12 of the Canada Bay Local Environmental Plan 2013, the City of Canada Bay Affordable Housing Contribution Scheme and the developer contributions under Section 7.11 of the Environmental Planning and Assessment Act. The relevant floor area for the purpose of Affordable Housing Contribution of the development application as submitted is the residential floor area (113,472.64m^2) less the floor area to be used to provide affordable housing (19,251.83m^2) which equals

Issue	Council's Position	Response
		94,220.81m^2. The affordable housing levy contribution is to be calculated on 4% of 94,220.81m^2, equating to 3,768.83m^2. It is understood that the affordable housing levy contribution can be satisfied through the dedication of completed dwellings free of cost, and to the satisfaction of Council, or the payment of a monetary contribution, or a combination of both. It is requested that any Affordable Housing Contribution condition which is imposed by the Department is worded flexibly to enable: • The dedication of completed dwellings free of cost, and to the satisfaction of Council; or • The payment of a monetary contribution; or • A combination of both. Evidence that the affordable housing contribution requirement is satisfied will be provided to the Department of Planning prior to the granting of final Occupation Certificate.

4.6 Response to Inner West Council

Table 6: Response to Inner West Council

Issue	Council's Position	Response
Height of Building Variation	• As outlined in Appendix 5 – Clause 4.6 Variation Request, the proposal seeks to vary the Height of Building Development Standard between 3.6% to 7.7% for Buildings A, B1, B2, C, D, E1 and E2 (podium). This proposed variation contributes to adverse overshadowing impacts on the low-density residential development to the south of the subject site, as discussed in Point 2 of this correspondence. • The Clause 4.6 Variation Request advances eight environmental planning grounds to justify contravening the Height of Building Development Standard. However, these grounds are not considered sufficient to warrant a departure from the Height of Building Development Standard. • Regarding environmental planning ground three, the variation request states that the proposed variation 'facilitates an increase in floor-to-floor heights from 3.15m to 3.2m which will allow for additional insulation and set downs for water proofing in keeping with contemporary construction standards.'	• An updated Clause 4.6 Variation Request (refer to Appendix 2) has been prepared by Gyde Consulting to reflect the amended scheme which reduces the extent of the variation (except for Building B2 and Building E2 (podium)) when compared to the originally submitted scheme. The change in the proposed building height variation is summarised below: • Building A – Variation reduced from 3.9% to 1.9% • Building B1 – Variation reduced from 4% to 1.54% • Building B2 – No change • Building C – Variation reduced from 3.9% to 0.8% • Building D – Variation reduced from 3.8% to 2.6% • Building E1 – Variation reduced from 3.6% to 3.2% • Building E2 (podium) – Variation increased from 7.7% to 15.4%

Issue	Council's Position	Response
	The abovementioned environmental planning ground is not considered to be well-founded, as the Apartment Design Guide (ADG) only requires 400mm of ceiling-to-floor space to accommodate services and insulation above habitable areas, while maintaining the minimum 2.7m floor-to-ceiling heights for habitable rooms apartments. The Council objects to the merit of the submitted Clause 4.6, given that there is adequate scope to reduce the height of the proposed buildings by reducing the floor-to-floor heights in accordance with the minimum requirements as outlined under Part 4C – Ceiling Heights of the ADG. • The ADG controls are designed to provide apartments suitable for residential purposes, providing adequate comfort and useability. Amending the floor-to-floor heights to align with the ADG's minimum requirements would still allow for the construction of habitable residential apartments while protecting the solar amenity of surrounding low-density residential developments within the Inner West Council LGA to the south.	The greatest extent of the proposed variation (being 15.4%) relates to the significant mechanical services required for the commercial uses on Building E2 (podium) roof level and the extended parapet which conceals the rooftop plant area. Building E2 proposes the greatest variation; however, this building has a total building height of 28.28m and the height of the parapet is only marginally higher than the mechanical equipment which includes a 2m switchboards, 3.5m cooling towers, 2.5m exhaust amongst other mechanical items, with the greatest extent of the variation being towards Building E2's north-western edge, set away from the public domain and neighbouring Rosebank College. No change proposed to the roof articulation of Building B2 which is significantly lower than the other towers to ensure adequate visual screening of the services plant within. The reduction in roof articulation height across the towers preserves and enhances the core architectural language of each building design, ensuring the overall aesthetic and intent remain intact while minimising the impact of overshadowing to the context in the south. • As observed by Preston CJ in *Initial Action Pty Ltd v Woollahra Council* [2018] NSWLEC 118, in order for there to be 'sufficient' environmental planning grounds to justify a written request under Clause 4.6 to contravene a development standard, the focus must be on the aspect or element of the development that contravenes the development standard, not on the development as a whole. And in *Four2Five Pty Ltd v Ashfield Council* [2015] NSWLEC 90, Plain J observed that it is within the discretion of the consent authority to consider whether the environmental planning grounds relied on are particular to the circumstances of the proposed development on the particular site.

Issue	Council's Position	Response
		In our opinion, the Clause 4.6 Variation Request (Appendix 2) provides 'sufficient' environmental planning grounds to justify the proposed variation to the Height of Building Development Standard. The environmental planning grounds include (but are not limited to: ○ The proposed height variation enables the achievement of the additional floor area, the purpose of which is to increase the supply of market and affordable housing in response to the current housing crisis. Clearly, there is an inherent public benefit in providing additional residential dwellings including affordable housing on the site. ○ The variation facilitates an increase in floor-to-floor heights from 3.15m to 3.2m needed to achieve the requirements of the Design and Building Practitioners Act 2020 (DBP Act) and associated regulations and guidelines. ○ The site is partially flood affected, and the exceedance is partially derived from the design response to the flood planning levels. ○ The exceedance is relatively minor when compared to the desired future character of the site and locality expressed in the planning controls. The exceedance relates to plant rooms and roof features that do not accommodate habitable floor area. These elements are integrated into the architectural expression of the buildings and enhance elegance and visual interest of the tower forms according to the Design Integrity Panel.

Issue	Council's Position	Response
		○ The development is contextually appropriate and provides a scale and form of development that is compatible with the desired future character as envisaged by the planning control framework including the CBLEP 2013 and Housing SEPP. ○ The proposed development achieves the objects in Section 1.3 of the EP&A Act. Additional environmental planning grounds to justify the proposed variation are provided in the Clause 4.6 Variation Request at Appendix 2. The objectives of Clause 4.6 are to provide an appropriate level of flexibility in applying certain development standards to particular development, and to achieve better outcomes for and from development, by allowing flexibility in particular circumstances. In the circumstances of this development application, the flexible application of the height of buildings development standard results in a better outcome for and from the proposed development. • Increased floor to floor heights needed to achieve the requirements of the Design and Building Practitioners Act 2020 (DBP Act) and associated regulations and guidelines. Whilst the ADG (2015) recommends an allowance of 3.1m for floor-to-floor heights when crafting development standards, to achieve the amenity standards prescribed in the DBP Act and regulations, in particular the waterproofing standards, 3.2m is now the commonly accepted standard. The consequences of not increasing the floor-to-floor height would be reduced apartment amenity, if indeed the apartments were buildable. • The variation facilitates an increase in floor-to-floor heights from 3.15m to 3.2m needed to achieve the requirements of the Design and Building Practitioners Act 2020 (DBP

Issue	Council's Position	Response
		Act) and associated regulations and guidelines. To achieve the amenity standards prescribed in the DBP Act and regulations, 3.2m is now the commonly accepted standard to allow for additional insulation and set downs for water proofing in keeping with contemporary construction standards, improving the amenity of the residential component of the development. The consequences of not increasing the floor-to-floor height would be reduced apartment amenity, if indeed the apartments were buildable.
Solar Access and Overshadowing	Croydon, a suburb within the Inner West Council LGA, is located to the south of the subject site and is likely to be significantly impacted by the proposed development, especially in relation to solar access and overshadowing impacts as evident in the provided Shadow Diagrams. According to the Winter Solstice plan view Shadow Diagram on page 106 of the Architectural Plans (DA-711-001, Rev 01), the low-density residential dwellings located along Lang Street and the northern side of Dalmar Street will be additionally overshadowed from 11am to 3pm on June 21 and the dwellings located along Byron Street will also be impacted at 3pm. The Comprehensive Development Control Plan (DCP) 2016 applies to the suburb of Croydon, and the following provisions from Chapter F – Development Category Guidelines of the Comprehensive Inner West DCP 2016 are pertinent: • DS13.1 – Sunlight to at least 50% (or 35 m² with minimum dimension 2.5 m, whichever is the lesser area) of private open space areas of adjoining properties is not reduced to less than three (3) hours between 9 am and 3 pm on 21 June Note: if existing solar access is already less than this standard it is not to be further reduced • DS13.2 – Existing solar access is maintained to at least 40% of the glazed areas of any neighbouring north facing primary living area windows for a period of at least three (3) hours between 9 am and 3 pm on 21 June	In relation to the proposed development and its potential impact on solar access in the neighbouring Croydon properties, Turner has undertaken additional testing and analysis to assess and demonstrate compliance with the solar access provisions outlined in the Comprehensive Development Control Plan (DCP) 2016, specifically regarding: DS13.1: Sunlight to at least 50% (or 35 m² with minimum dimension 2.5 m, whichever is the lesser area) of private open space areas of adjoining properties is not reduced to less than three (3) hours between 9 am and 3 pm on 21 June. DS13.2: Existing solar access is maintained to at least 40% of the glazed areas of any neighbouring north-facing primary living area windows for a period of at least three (3) hours between 9 am and 3 pm on 21 June. **Solar Access to Private Open Space Areas** A comprehensive analysis has been conducted for the properties located at 2A Lang Street, 49-73 Dalmar Street, and others in the surrounding area, considering both the existing and future proposed contexts. The results indicate that: Out of 14 assessed properties, 11 meet the solar access compliance requirements outlined in DS13.1. (Refer to Solar Swept Path Schedule, DA-850-008) 2A Lang Street, 71 Dalmar Street and 63 Dalmar Street receive less than

Issue	Council's Position	Response
	Note: if existing solar access is already less than this standard it is not to be further reduced • The overshadowing caused by the proposed uplift scheme and the associated variation to the Height of Building Development Standard will reduce solar access to private open space areas and the main living room glazing of the low-density residential dwellings along Lang Street, Dalmar Street and Byron Street during the Winter Solstice. This overshadowing is inconsistent with the DCP's solar access provisions. Specifically, properties from No. 73 to No. 49 Dalmar Street and No. 2A Lang Street will be overshadowed from midday onward and properties from No. 34 to 42 Byron Street will be overshadowed at 3pm, creating adverse solar access impacts. Additionally, it is important to consider the future residential development potential along Lang Street, Dalmar Street and Byron Street, ensuring that compliant solar access is achievable under the Apartment Design Guidelines (ADG). The relevant ADG controls are: • Living rooms and private open spaces of at least 70% of apartments in a building receive a minimum of 2 hours direct sunlight between 9 am and 3 pm at mid-winter in the Sydney Metropolitan Area and in the Newcastle and Wollongong local government areas. • A maximum of 15% of apartments in a building receive no direct sunlight between 9 am and 3 pm at mid-winter. Considering the above, Inner West Council recommends the built form of the proposed mixed-use development is designed in consideration of the solar amenity of the low-density residential dwellings within Croydon. Specifically, it is recommended that the height of the buildings is reduced to ensure compliance with the Height of Building Development Standard.	three (3) hours of solar when assessed against the future proposed context. Refer to DA-850-009 to 033 for shadow diagrams showing indicative extent of shadows across the site and DA-850-008 for solar schedule noting times of the day that the Private Open Space receives solar. **Solar Access to North-Facing Living Room Windows** Similarly, Turner have assessed the impact of the proposed development on the glazed areas of north-facing primary living room windows in the same properties. The results, based on survey information, Google Maps imagery, and marketing plans, show that: 11 properties continue to meet the solar access requirements, receiving at least 40% solar access to their north-facing living areas for at least three (3) hours between 9 am and 3 pm on 21 June, even with the proposed development in place. (Refer to Solar Schedule to Living Room Window, DA-850-034). 2A Lang Street, 73 Dalmar Street and 53 Dalmar Street receive less than three (3) hours of solar when assessed against the future proposed context. 71 Dalmar Street, 68 Dalmar Street and 55 Dalmar Street did not achieve any solar to their living room window when assessed against the existing context. No change to this is proposed with the future context. Refer to DA-850-100 to 106 for shadow diagrams showing indicative extent of shadows across the site and DA-850-034 for solar schedule noting times of the day that 40% for north-facing living room glazed areas receives solar. Turner further note that properties identified in yellow have been assessed with an assumed living room window location due to insufficient survey or marketing plan information. **Solar Access to future low-density residential dwellings within Croydon** Assessment of solar access is based on the following controls: PRCUTS - The Parramatta Road Corridor Urban Transformation Strategy

Issue	Council's Position	Response
		Burwood DCP - Employment Zones LEP Amendment (October 2023) Inner West DCP - Parramatta Road Corridor Stage 1 Implementation For Exhibition (November 2023). Refer to DA-722-100 for diagram of controls in relation to the subject and assessed site. Two scenarios are compared in this study: the first evaluates the overshadowing effects of the future commercial corridor development on its own, while the second considers the combined impact of the commercial corridor development along with the proposed development at development. The analysis indicates that: In both scenarios, the Eastern and Southern facades will not receive more than two (2) hours of solar access. In both scenarios, the Northern and Western facades will receive more than two (2) hours of solar access to the majority of the elevation. The inclusion of the proposed development at 129-153 Parramatta Road and 53-75 Queens Road Five Dock leads to an average of 33.8% reduction in solar access compared to the commercial corridor development. The massing study demonstrates that solar access compliance to neighbouring future residential development potential along Lang Street, Dalmar Street and Byron Street is achievable provided the living rooms are orientated toward the Northern and Western facades. Refer to DA-722 subset for further information. **Response to Solar Access and Overshadowing Concerns for the Croydon Area for future context** Turner's solar access analysis confirms in the broader context of future development, the proposed development will not impede neighbouring sites' ability to achieve the ADG's minimum solar access requirements. As depicted in the PRCUTS Future Developments – Croydon and Burwood drawings (Drawing DA-772-001, Appendix 7), the planned

Issue	Council's Position	Response
		redevelopment of the surrounding area has been thoroughly considered. PRCUTS provides proposed changes to planning controls for the Parramatta Road Corridor, including land south of Parramatta Road (Opposite Kings Bay Village) within the Inner West Council and Burwood Council LGAs. PRCUTS was endorsed by NSW Government in November 2016. There is significant redevelopment also envisaged for the south of Parramatta Road. As it stands, Canada Bay Council is the only council to have adopted new planning controls as per PRCUTS and amended its LEP. However, Inner West Council have prepared a planning proposal to amend the Inner West LEP to start the incremental implementation of PRCUTS Stage 1 to promote mixed use and higher density residential development in the form of residential flat buildings where these existing low-density dwellings are located. Council's decision at its May 2024 meeting resolved to send the PRCUTS Planning Proposal to the NSW State Government for finalisation and gazettal. On 25 June 2024, the draft Planning Proposal (as exhibited) was sent to the Department of Planning for finalisation. **Minimising Overshadowing Impact** The impacts of overshadowing to the existing and future context to the South of Parramatta Road are minimised through the following measures: **Height and Massing Adjustments** Roof articulation has been reduced to 1200mm above roof level to reduce the overshadowing impact to the existing and future context to the South of Parramatta Road. **Reduction of rooftop services** Rooftop plant equipment has been minimised in order to reduce the impact of overshadowing, this is achieved through relocation of equipment to lower rooftops or podium levels, specification of equipment to be smaller and shorter than previously allowed for and offset from the building edge.
Parking	Motorcycle Parking The maximum car parking spaces generated by the proposed development	Motorcycle Parking Noted, 49 motorcycle parking spaces are to be provided and reinforced

Issue	Council's Position	Response
	as per Clause 8.11 of Part 8 of the Canada Bay Local Environmental Plan 2013 is equivalent to 1,456 spaces. Control C35 under Part B3 of the Canada Bay Development Control Plan (CBDCP) requires one motorcycle parking space for every 30 car parking spaces. Accordingly, 49 motorcycle parking spaces are required for the proposed development, based on the maximum. Bicycle Parking The proposed development is considered to underestimate the bicycle parking requirements for retail staff and visitors. Based on a GFA of 13,815sqm, the required bicycle parking spaces are 111 for staff and 276 for visitors, which is double the provision identified in the Traffic Impact Assessment by JMT Consulting. Part B3.7 of the CBDCP, specifies the provision of personal lockers, showers, changing cubicles, and lockers. Due to the shortfall in bicycle parking facilities, the proposal has a significant shortfall in the required end-of-trip facilities. The proposed development is not considered to adequately address motorcycle parking, and bicycle parking requirements, leading to shortfalls that could negatively impact the proposed development's functionality, accessibility and reliance on surrounding streets for parking (including streets in the Inner West Council LGA).	through a suitably worded consent condition Bicycle Parking The development provides space for over 2,800 bicycle parking space – approximately double the number of car parking spaces provided. This substantial level of bicycle parking is considered appropriate to accommodate expected demands and supporting cycling as a mode of transport to the site. The proposed bike parking provision is consistent with levels recommended under industry standard guidelines such as the City of Sydney DCP, *NSW Planning guidelines for walking and cycling, Parramatta Road Corridor Urban Transformation Strategy and Austroads.*
Traffic	The following recommendations should be considered to enhance public transport access and improve safety for pedestrians: • **Pedestrian Crossing**: A pedestrian crossing leg should be introduced at the signalised intersection of Harris Road and Parramatta Road. This element is deemed essential to accommodate the expected increase in pedestrian traffic and improve active transport connections. • **Bus Stop Review:** The bus stop location near the site, particularly Bus Stop ID.204668 should be revised to take advantage of the expanded public domain space along the site's frontage. Additionally, Bus Stop ID.213221, located on the southern side of Parramatta Road, should be reviewed	**Pedestrian Crossing** The project will deliver a series of improvements for pedestrians including new through site links, widened footpaths and additional crossing opportunities of internal roadways. The Harris Road / Parramatta Road intersection is located outside of the subject site boundary and any additional pedestrian crossings would be delivered by Transport for NSW. Discussions with TfNSW undertaken in February 2025 indicated no plans to alter this intersection due to the impact it would have on traffic movements. **Bus Stop Review** Any alterations to bus stops would be at the direction of Transport for NSW. Discussions with Transport for NSW undertaken as part of this project have

Issue	Council's Position	Response
	to ensure both bus stops complement each other and are accessible. • **Public Transport:** The proposal is anticipated to increase demand for public transportation services and impact existing service levels. The Transport Impact Assessment by JMT Consulting at Appendix 40 should evaluate the potential impacts on existing services and propose measures to address these issues. These findings can also guide the development of strategies for inclusion in the Preliminary Green Travel Plan by JMT Consulting provided in Appendix 39.	not indicated any requirements for changes to existing bus stop arrangements in the vicinity of the site. As part of the project a (minimum) 6m setback is to be provided which will offer the opportunity for an improved public domain fronting the site – potentially facilitating any changes to bus stops (to be undertaken by Transport for NSW) **Public Transport** The site benefits from being located adjacent to Parramatta Road where high frequency bus services operate throughout the day. The Transport Impact Assessment details the various services on offer, with more than 100 bus services per day stopping immediately adjacent to the site. In addition, the future Five Dock metro station is located approximately 15 minutes away from the site which will be of benefit to site users – accommodating a large component of the expected future public transport demands. More broadly public transport requirements was considered as part of the Planning Proposal for the Kings Bay Precinct covering the Canada Bay, Burwood and Strathfield areas. This has resulted in further investigations for rapid bus services along Parramatta Road to further enhance public transport capacity. Transport for NSW has not raised any concerns in relation to public transport capacity during direct discussions with Deicorp or as part of their submission to DPHI following the exhibition of the EIS. The project makes suitable provision for setbacks of up between 0m – 1.7m on Parramatta Road in accordance with the road widening plan provided by TfNSW – which may be used to provide improved / priority bus lanes along Parramatta Road.
Social Impact Assessment	The Social Impact Assessment (SIA) prepared by Sarah George Consulting, included as Appendix 67, estimates that the proposed development will increase the local population by approximately 2,175 people. This population influx will significantly increase demand for public transportation services, potentially compromising the current service levels enjoyed by the existing population. While	The amended SIA prepared by Sarah George Consulting (Appendix 32) outlines that the increased population generated by the proposal may result in increased demand for public transport. The increased demand for public transport that may arise as a result of the proposal may result in increased service provision to the area

Issue	Council's Position	Response
	future plans for a metro station at Five Dock are acknowledged, the station's location approximately 1.2km from the site does not meet the definition of an "accessible area" under the State Environmental Planning Policy (Housing) 2021, which specifies a maximum walking distance of 800m from a public entrance to a metro station. The SIA also highlights the benefits of affordable housing but does not address the implications of the affordable housing component ending after the minimum 15-year period. This raises concerns about the long-term availability of affordable housing and the potential displacement of lower-income residents once the term expires. These issues warrant further consideration within the SIA. Inner West Council recommends: 1. Revising the SIA to analyse the impact of increased population on public transport services and propose measures to mitigate these impacts. Reference should be made to the proposal's Transport Impact Assessment. 2. Providing a strategy for the long-term management of the affordable housing component to ensure it remains available beyond the 15-year period. Incorporating these considerations into the SIA will help address residual social impacts and enhance the development's contribution to the people who would benefit most from affordable housing.	representing a positive impact in terms of accessible public transportation. The site is located in proximity to public transport in the form of buses from Parramatta Road immediately east (approximately 30m walking distance) and provides bus services to the east and north to Chiswick and Chatswood. Buses travelling west/south to Campsie and Burwood are accessible from the bus stop on the southern side of Parramatta Road, approximately 280m walking distance from the site. The site is also proximate to the proposed Five Dock Metro Station, located approximately 1.2km walking distance from the subject site on Great North Road, Five Dock. The proposal will take advantage of the site's proximity to public transport (existing and proposed), shops and services and provide a proportion of the accommodation as affordable housing. In addition to existing and future public transport options, the Transport Impact Assessment prepared by JMT Consulting (Appendix 16) includes a Preliminary Green Travel Plan which highlights proposed strategies to reduce reliance on private vehicles. Strategies included in the Preliminary Green Travel Plan include: • Provision of publicly accessible car share spaces within basement of the building • Bicycle parking for residents, staff and visitors at leaves outlined in the Canada Bay DCP • End of trip facilities (showers, lockers, change areas) for staff • Pedestrian through site links • Motorbike parking within the basement of the car park • Strong links to existing public transport. Potential strategies identified in the Preliminary Green Travel Plan include: • Provision and maintenance of sufficient, secure and accessible cycle parking for residents, visitors and staff

Issue	Council's Position	Response
		• Cycle parking to be clearly visible and/or signed to direct people to the cycle bays • Provision of a map showing cycle routs and bike stands in the area • Provision of a communal toolkit for staff including puncture repair equipment, bike pump, spare lock and lights • Promote participation in annual events such as 'Ride to Work Day' • Develop a map showing public transport routes in the area • Put up a noticeboard with leaflets and maps showing the main public transport • routes to and from the site. • Establish a car-pooling program to assist people to find someone to share in their daily commute. • Engagement with carshare operators to establish demand for car share within the development • Develop a map showing car-share spots in the area. While some concern about the capacity of existing public transport to accommodate additional demand was raised during the engagement process, there is nothing to suggest that existing public transport is unable to cope with additional demand. The Five Dock area will benefit from the proposed new Metro station, and increased demand for buses is likely to result in increased service provision to the area. In addition, the amended SIA outlines that in order to mitigate the potential loss of affordable rental accommodation after the 15-year period, it is recommended that the following strategies be implemented: • regular review and assessment of the current rental affordability and levels of housing stock compared to local income levels • periodic Community Housing Provider-led surveys of tenants to understand needs and affordability • periodic monitoring of local demographics in line with updated Census data

Issue	Council's Position	Response
		• ongoing collaboration with the engaged Community Housing Provider to discuss tenant needs and issues, and rehousing strategies (if required).

4.7 Response to Other Agencies

A response to commentary for the relevant agencies has been provided in Table 4 below.

Table 7: Response to Agency Submissions

Comment	Response
Sydney Water	
Water Servicing Our preliminary assessment indicates that water servicing should be available for the proposed development. a) Amplifications, adjustments, deviations and/or minor extensions may be required. b) Detailed requirements will be provided at the S73 application stage.	Confirming Opal Water Management submitted a Section 73 (anticipated) application to Sydney Water in August 2024. Sydney Water completed their initial review and issued Notice of Anticipated Requirements (NOR) dated 2ND October 2024 with commentary for the Potable Water, Wastewater and stormwater networks, reference case number 217131. In general, The Potable Water network has capacity to service the proposed development based on the estimated flow provided by the hydraulic consultants. Sydney Water outlined two potential options for upgrade requirements to provide appropriate frontage to water mains. Either via Parramatta Road or via Queens Road, both from Harris Street. Deicorp issued direction to Opal to pursue investigation of option within Queens Road upgrade. The Wastewater network is still under continued investigation by Sydney Water. The NOR issued has raised concern with respect to part of Sydney Waters existing network and cannot accept increased wastewater flows into this sewer network. An alternative connection strategy to resolve this network issue is currently under review by Sydney Water. Following this analysis, it will be confirmed if acceptable to proceed to detailed design stage or if additional network modelling is required to be completed by Deicorp consultants to further review.
Wastewater Servicing c) Sydney Water has assessed that there might be some constraints on the wastewater systems performance during wet weather with the proposed development discharge. d) The proponent is required to engage with a hydraulic consultant to undertake hydraulic modelling on possible servicing solutions. e) Further discussions regarding servicing requirements are to be carried out between the applicant and their Water Servicing	It is noted that there is ongoing discussion between Sydney Water and Deicorp's Water Service Coordinator to resolve wastewater system performance. Deicorp is waiting to hear back from Sydney Water with our proposed design option to connect to the existing Sydney water asset.

Comment	Response
Coordinator (WSC), Case Manager and Account Manager under CN 217131.	
Maintenance structures - Wastewater a) Maintenance structures, in the form of a vent shaft, lamp hole and maintenance holes, are located within the property boundary. These assets must be well protected/access maintained. b) For more details on the necessary requirements, the proponent is to refer to the issued NoAR under CN 217131.	Noted.
Stormwater a) Sydney Water notes that the applicant is proposing possible connections to our existing stormwater asset. b) For more details on the necessary stormwater requirements, the proponent is to refer to the issued NoAR CN 217131.	Noted.
Growth Information Sydney Water supports government-backed growth initiatives within our area of operations, striving to provide timely and cost-effective water and wastewater infrastructure without undue impacts. To offer robust servicing advice and investigate staged servicing possibilities, we require the proponent to provide anticipated ultimate and annual growth data for this development as outlined in the enclosed Growth Data Form.	Please refer to the provided Growth Data Form (Appendix 33).
Next Steps a) Should the Department decide to progress with the subject development application, Sydney Water would require the following conditions be included in the development consent. b) Section 73 Compliance Certificate c) Building Plan Approval d) Further details of the conditions can be found in Attachment 1. e) The proponent is advised to continue engaging with their WSC, Case Manager and f) Account Manager(s) under CN 217131 regarding their proposed commitment work g) and progress as early as possible. h) The proponent should complete and return the enclosed Growth Data Form as part i) of their existing S73 application. The Growth Data Form should be updated promptly with j) Sydney Water in case of changes.	Noted.

Comment	Response
k) DPHI is advised to forward the enclosed Sydney Water Development Application l) Information Sheet (for proponent) to assist the proponent in progressing their m) development. This Info Sheet contains details on how to make further applications to n) Sydney Water and provides more information on Infrastructure Contributions.	
NSW Department of Climate Change, Energy, the Environment and Water – Water Group	
<u>Water supply, take and licensing</u> The proponent should ensure a water access license (WAL) is obtained to account for the maximum predicted water take for construction and operation activities unless an exemption applies under the Water Management (General) Regulation 2108.	Post SSDA approval, applicant will engage EI Australia to submit relevant applications to Water NSW (GTA, Water access license, etc) after obtaining discharge permit from council. Both Groundwater Monitoring Report and Dewatering Management Plan submitted as part of the SSDA.
<u>Groundwater impacts and dewatering requirements</u> The proponent must prepare a Dewatering Management Plan in consultation with NSW DCCEEW Water Group.	
NSW Department of Climate Change, Energy, the Environment and Water – Heritage NSW	
Based on our review, the ACHAR and EIS meet the Secretary's Environmental Assessment Requirements in relation to Aboriginal cultural heritage. Heritage NSW has no further comment to make on the project as there is no proposed impact to Aboriginal cultural heritage.	Noted.
NSW Government - Fire and Rescue	
FRNSW submit no comments or recommendations for consideration, nor any requirements beyond that specified by applicable legislation at this stage.	Noted.
NSW State Emergency Service	
Note: the flash flood risk to parts of the site, including parts that are inundated during a 20% Annual Exceedance Probability (AEP) event, and depths exceeding 0.875m and H5 hazard flooding during a Probable Maximum Flood (PMF). The site overlaps with an identified flood hotspot, as per the Exile Bay, St Lukes and William Street Flood Study.	Noted.
a) Recommend reconsidering the location of the driveways and access roads to maintain access to the site during flood events, such as relocating the driveway entrance to the east of the site, where some areas appear to remain flood free during a PMF.	a) Assessment of the evacuation potential for all areas of the development has been carried out for the 1% AEP event, and extreme flooding including the PMF. Due to the short nature of the flood events which present the worst-case conditions in the vicinity of the site, evacuation to other areas is not likely to be coordinated by

Comment	Response
○ The current proposed evacuation route appears to suggest vehicles to drive through H5 hazard flooding, 5 which is dangerous for all people and vehicles. Evacuation must not require people to drive or walk through flood water. b) Recommend re-considering the locations of all access/egress points for the buildings on the site, particularly building entrances on the western edge of the site, to ensure people do not enter high hazard floodwater. c) Recommend several design considerations to minimise flood risk – see Appendix A for further details. d) Recommend closing the worksite and securing all materials and equipment prior to the start of the working day if there is a risk of flooding, on receipt of advice from the Bureau of Meteorology (BoM), or when other evidence leads to an expectation of flooding. During site works, check the BoM website prior to start of the workday for any Severe Weather Warnings which are likely to lead to flooding.	emergency services. The driveways have been designed above the PMF level so basement and residential areas of the building will remain floor free in all events. b) Due to the short nature of intense storms that cause inundation of Parramatta Road, William Street and Queens Road, it's advisable that occupants remain in place during major and extreme flood events as the duration of inundation is relatively short and the surrounding regional road network is potentially at higher hazard than the site. c) The Kings Bay Village Flood Emergency Response Plan (FERP) prepared by Mott MacDonald in 2025 has considered various options and recommended design to minimise flood risk for the site. d) the worksite will be closed after securing all materials and equipment prior to the start of the working day if there is a risk of flooding, on receipt of advice from the Bureau of Meteorology (BoM), or when other evidence leads to an expectation of flooding. During site works, it will be Deicorp's project managers/site managers responsibility to check the BoM website prior to start of the workday for any Severe Weather Warnings which are likely to lead to flooding.
Sydney Metro	
Sydney Metro is of the view that the proposed development would have negligible impacts on the Sydney Metro – West rail corridor because the proposed development does not involve excavation work occurring: (i) within, below or above, the Sydney Metro – West rail corridor; (ii) within 25m (measured horizontally) of the Sydney Metro – West rail corridor; (iii) within 25m (measured horizontally) of the ground directly below Sydney Metro – West rail corridor; or (iv) within 25m (measured horizontally) of the ground directly above an underground rail corridor.	Noted.
Transport for NSW	
Comment	
TfNSW has identified that proposed development involves civil works to connect Spencer Street (local road) to Queens Road (classified road), the removal of redundant vehicle crossings and reinstatement with kerb and gutter on classified roads (Queens Road and Parramatta Road) and	It is noted that the plans have been amended to include: • Addition of a triangular-shaped median at the northern end of Spencer Street to enforce left-in/left-out movements

Comment	Response
drainage connections to classified roads (Queens Road and Parramatta Road). As such, TfNSW advises that all the proposed civil works on the above classified roads require concurrence of TfNSW under section 138 of the Roads Act, 1993. At this stage, TfNSW is not able to determine whether to grant concurrence to the proposed Spencer Street connection to Queens Road as there is insufficient documentation provided by the applicant regarding traffic management enforcement measures to restrict movements at the above intersection to left turn movements only.	• Installation of a 'No Right Turn' sign on Queens Road to prohibit and alert eastbound motorists of the restriction. • Provision for kerb ramps on the raised triangular median island and footpath to provide pedestrian connectivity across the new local road (Spencer Street) .
Recommendation:	
As part of the Response to Submissions (RtS), TfNSW requires a redesign of the proposed Spencer Street intersection with Queens Road that accommodates a raised triangular concrete island in Spencer Steet to physically restrict all movements at the above intersection to left turn movements only. As such, the following documents shall be provided with the RtS: a) Concept road design plan of the intersection of Queens Road and Spencer Street illustrating a raised triangular concrete median island in Spencer Street with full road design dimensions (i.e. lane and median widths etc.). b) Swept path plan of the design vehicle undertaking left turn movements at the above intersection. c) TfNSW will review the documents as part of the RtS and if satisfied, will be in the position to provide concurrence to the civil works on Queens Road and Parramatta Road under section 138 of the Roads Act, 1993 and provide conditions for inclusion in any development consent.	The TfNSW concern around traffic management on Queens Road, particularly the enforcement of the 'left in – left out' restriction at the Spencer Street intersection, is noted and agreed. This matter was discussed during consultation undertaken with TfNSW on 4 February 2024. In response to this consultation the Deicorp team has undertaken a further review and adjusted the road geometry to accommodate a raised triangular median on Spencer Street as per the TfNSW request. Changes made include: • Addition of a triangular-shaped median at the northern end of Spencer Street to enforce left-in/left-out movements; and • Widening of the western side of Spencer Street to the intersection with Queens Road providing adequate space for an MRV left turn into and out of Queens Road.
Comment	
The property is located within an area under investigation for potential long-term upgrade of Parramatta Road. Further information regarding the vision for Parramatta Road can be obtained by visiting the project website at https://www.transport.nsw.gov.au/projects/current-projects/victoria-road-vision. The Subdivision Plan (Appendix 51) identifies proposed Lots 7 and 8 as TfNSW road widening (in blue colour) along the Parramatta Road frontage of the site. TfNSW advises that variable widths identified in proposed Lots 7 and 8 are inclusive of the 6m	Noted, the subdivision plan (Appendix 22) has been amended to show long-term upgrade of Parramatta Road separate from 6m land to be dedicated to Council for 6m green edge.

Comment	Response
green edge setback envisaged for public domain improvements by Council and are not required by TfNSW for the purposes of road widening.	
Recommendation	
TfNSW recommends that the area affected by the 6m green edge setback, proposed to be dedicated to Council under a local Voluntary Planning Agreement (VPA).	Noted, the subdivision plan (Appendix 22) has been updated to clearly show the lot boundary to be dedicated to Council under VPA for Parramatta Road 6m green edge.
Suggested Condition	
As part of the ongoing operation of the development, a detailed Green Travel Plan (GTP), which includes target mode shares to reduce the reliance on private vehicles, should be prepared. The GTP must be implemented accordingly and updated annually. **Reason**: To encourage and support sustainable transport outcomes for future users of the development.	Noted and no objections raised to this suggested condition.
Prior to the issue of any construction certificate or any preparatory, demolition or excavation works, whichever is the earlier, the Applicant should prepare a Construction Pedestrian and Traffic Management Plan (CPTMP) in consultation with TfNSW. The CPTMP needs to specify matters including, but not limited to, the following: a) A description of the development. b) Location of any proposed work zone(s). c) Details of any alteration/s to the traffic arrangements including any lane closures. d) Details of crane arrangements including location of any crane(s) and crane movement plan. e) Haulage routes. f) Proposed construction hours. g) Predicted number of construction vehicle movements, detail of vehicle types and demonstrate that proposed construction vehicle movements can work within the context of road changes in the surrounding area, noting that construction vehicle movements are to be minimised during peak periods. h) Construction vehicle access arrangements. i) Construction program and construction methodology, including any construction staging. j) A detailed plan of any proposed hoarding and/or scaffolding.	Noted, this is standard condition of consent though Deicorp has lodged a detailed CPTMP for authority assessment.

Comment	Response
k) Measures to avoid construction worker vehicle movements within the precinct. l) Consultation strategy for liaison with surrounding stakeholders, including other developments under construction. m) Identify any potential impacts to general traffic, cyclists, pedestrians, and bus services within the vicinity of the site from construction vehicles during the construction of the proposed works. Proposed mitigation measures should be clearly identified and included in the CPTMP; and n) Identify the cumulative construction activities of the development and other projects within or around the development site. Proposed measures to minimise the cumulative impacts on the surrounding road network should be clearly identified and included in the CPTMP. Submit a copy of the final plan to TfNSW for endorsement via development.ctmp.cjp@transport.nsw.gov.au. **Reason**: Ameliorate construction traffic impacts to the surrounding transport and classified road network throughout the development's construction activities.	
Ausgrid	
Ausgrid Underground Cables are in the vicinity of the development. Special care should be taken to ensure that driveways and any other construction activities do not interfere with existing underground cables located in the footpath or adjacent roadways. It is recommended that the developer locate and record the depth of all known underground services prior to any excavation in the area. Information regarding the position of cables along footpaths and roadways can be obtained by contacting Before You Dig Australia (BYDA). In addition to BYDA the proponent should refer to the following documents to support safety in design and construction: • SafeWork Australia – Excavation Code of Practice. • Ausgrid's Network Standard NS156 which outlines the minimum requirements for working around Ausgrid's underground cables. • The following points should also be taken into consideration: • Ausgrid cannot guarantee the depth of cables due to possible changes in ground levels from	JHA Consulting (Accredited Service Provider) engaged by the applicant are aware of the existing underground cables within vicinity of the site. Prior to start of concept design, development team procure dial before you dig to investigate all existing services including Ausgrid Underground cabelling. Subsequently, Deicorp also engaged Sure Search to investigate all services in detail to ensure location, depth and size are accurately documented in our site survey.

Comment	Response
previous activities after the cables were installed. • Should ground anchors be required in the vicinity of Ausgrid underground cables, the anchors must not be installed within 300mm of any cable, and the anchors must not pass over the top of any cable.	
Ausgrid Overhead Powerlines are in the vicinity of the development The developer should refer to SafeWork NSW Document – Work Near Overhead Powerlines: Code of Practice. This document outlines the minimum separation requirements between electrical mains (overhead wires) and structures within the development site throughout the construction process. It is a statutory requirement that these distances be maintained throughout the construction phase. Consideration should be given to the positioning and operating of cranes, scaffolding, and sufficient clearances from all types of vehicles that are expected be entering and leaving the site. The “as constructed” minimum clearances to the mains must also be maintained. These distances are outlined in the Ausgrid Network Standard, NS220 Overhead Design Manual. This document can be sourced from Ausgrid’s website at www.ausgrid.com.au. It is the responsibility of the developer to verify and maintain minimum clearances onsite. In the event where minimum safe clearances are not able to be met due to the design of the development, the Ausgrid mains may need to be relocated in this instance. Any Ausgrid asset relocation works will be at the developer’s cost.	JHA Consulting (Accredited Service Provider) engaged by applicant are aware of the existing overhead powerlines with the expectation to underground those on our side of William Street and Parramatta Road or retain in place along Parramatta Road with consideration to clearance requirements.
Ausgrid Chamber Substation in the vicinity of the development. The substation ventilation openings, including substation duct openings and louvered panels, must be separated from building air intake and exhaust openings, natural ventilation openings and boundaries of adjacent allotments, by separation distances which meet the requirements of all relevant authorities, building regulations, BCA and Australian Standards including AS 1668.2: The use of ventilation and air-conditioning in buildings - Mechanical ventilation in buildings. In addition to above, Ausgrid requires the substation ventilation openings, including duct openings and louvered panels, to be separated from building ventilation system air intake and	Deicorp engaged JHA Consulting who are aware of the existing Ausgrid substations in the area and have already completed an Ausgrid Contestable ASP3 design to augment these assets (AN-25680).

Comment	Response
exhaust openings, including those on buildings on adjacent allotments, by not less than 6 metres. Exterior parts of buildings within 3 metres in any direction from substation ventilation openings, including duct openings and louvered panels, must have a fire rating level (FRL) of not less than 180/180/180 where the substation contains oil-filled equipment, or 120/120/120 where there is no oil filled equipment and be constructed of non-combustible material. The development must comply with both the Reference Levels and the precautionary requirements of the ICNIRP Guidelines for Limiting Exposure to Time-varying Electric and Magnetic Fields (1 HZ – 100 kHZ) (ICNIRP 2010). For further details on fire segregation requirements refer to Ausgrid's Network Standard 113. Existing Ausgrid easements, leases and/or right of ways must be maintained at all times to ensure 24-hour access. No temporary or permanent alterations to this property tenure can occur without written approval from Ausgrid. For further details refer to Ausgrid's Network Standard 143.	
New Driveways - Proximity to Existing Poles Proposed driveways shall be located to maintain a minimum clearance of 1.5m from the nearest face of the pole to any part of the driveway, including the layback, this is to allow room for future pole replacements. Ausgrid should be further consulted for any deviation to this distance	All proposed driveways for the development are off new street, Spencer Street. The project team have not proposed any driveway entry from Parramatta Road and Queens Road. Willam Street and Spencer Street lighting has been redesigned to Council standard and poles are placed away from driveway entries and street intersection.
Streetlighting The developer is to consider the impact that existing streetlighting and any future replacement streetlighting and maintenance may have on the development. Should the developer determine that any existing streetlighting may impact the development, the developer should either review the development design, particular the placement of windows, or discuss with Ausgrid the options for relocating the streetlighting. The relocating of any streetlighting will generally be at the developers cost. In many cases is not possible to relocate streetlighting due to its strategic positioning.	Public lighting in William Street, Parramatta Road and Spencer Street are at design stage to Council requested standard AS1158. It is noted that Deicorp has received design brief from Ausgrid for William Street and Spencer Street. A formal application has been lodged to upgrade streetlights along Parramatta Road.
New or modified connection To apply to connect or modify a connection for a residential or commercial premises. Ausgrid recommends the proponent to engage an Accredited Service Provider and submit a connection application to Ausgrid as soon as	Deicorp did engage JHA (Accredited Service Provider) to start the process to submit connection applications prior to SSD lodgement. Currently applications are at design stage, we've received the design brief from Ausgrid for the submitted applications.

Comment	Response
practicable. Visit the Ausgrid website for further details; https://www.ausgrid.com.au/Connections/Get-connected	
Biodiversity Conservation and Science Group	
a) The Flood Impact Risk Assessment is incomplete, as it does not adequately address the impacts of flooding and the emergency management constraints for the site b) If approved the development will significantly increase exposure of flood risk for residents occupying the buildings c) Flood function maps are to be provided to demonstrate that the development will not obstruct floodways across the full range of flood events, ensuring the preservation of natural flood pathways. d) BCS requests the proponent present the results to clearly show upstream areas of the catchment. e) Provide an analysis of potential increases in water levels during flood events, including impacts on public infrastructure and private properties f) To ensure flood hazards on public roads are not increased, evaluate changes in flood levels alongside changes in hazard categories g) Provide detailed afflux mapping for the full range of flood events as required by the NSW Flood Risk Management Manual h) Provide details on how flood-free access will be provided to the site and how critical infrastructure such as the fire pump room will be protected from rare flood events i) Consult with the NSW State Emergency Service for advice on all matters related to emergency management of the site and in developing a flood emergency response plan j) The Response to Submissions clarifies the non-prescribed trees proposed to be removed k) Section 2 Conclusions and Recommendations from the Arboricultural Impact Assessment be included as conditions of consent and all selected trees, shrubs and groundcover species to be native and of local provenance l) The description of the development in the EIS is consistent with proposed development description outlined in the Biodiversity Development Assessment Report (BDAR) waiver.	a) The Flood Impact Risk Assessment (FIRA) is complete and has been prepared in accordance with the *Flood Impact and Risk Assessment - Flood Risk Management Guide LU01* and is consistent with comparable approved SSDA's. b) There are no current residents occupying buildings so there is no increase in exposure of flood risk, future residents will be adequately protected from flood waters with both horizontal evacuation available to the northeast of the site and all areas meeting the required Flood Planning Levels as addressed in both the FIRA and the FERP. c) This was addressed as a part of the original Kings Bay Masterplan which included regional assessment of the flooding and the PRCUS strategy, this development is aligned with both studies. Flood function maps and regional flooding are available within the approved Kings Bay Masterplan flood study and the PRCUTS flood study. d) Note above response for flood function maps. The extent of mapping is selected to provide detail on the flood behaviour in the vicinity of the site, and includes the upstream limit of flood impacts for the minor and major storm event noting alignment with the previously completed regional flood assessments e) This has been undertaken as a part of the updated Response to Submissions, previous impacts along William Street in the interim scenario have been alleviated with flood reductions noted outside the existing Volvo dealership where previous impacts were noted. This has been achieved through re-grading and more detailed assessment of the William Street slip-lane. It is noted that the flood impacts in the ultimate scenario result from the future William Street widening to the west which does not form part of this SSDA and are produced at the request of council only to show potential future changes in flood level on the development site under the Ultimate Scenario. Any impacts in the ultimate scenario will need to be considered during the design of the William Street widening which does not form part of this application or as a part of the Deicorp works.

Comment	Response
	f) The FIRA documents the changes across 1% AEP and PMF events in Revision B and this has been the subject of repeated discussions with Council. The Response to Submissions FIRA includes additional mapping of minor events in addition those included previously. g) Noted, minor event and PMF are provided in an updated Response to Submissions FIRA h) As noted in the FERP, flood-free access is provided to the site via Queens Road where evacuation is possible in the 1% AEP noting if required during detailed design, a shelter-in-place approach would be consistent with the endorsed Shelter-in-Place policy. All critical infrastructure is located within basements that are protected to a PMF level. i) Comments by SES relating to the proposed development have been received and responded to as a part of the Response to Submissions, including updates to the FERP. j) Non-Prescribed Trees: Four (4) non-prescribed including dead trees: T8, 15, 20x5, and 39, out of which (Dead (exempt) trees are identified as trees: T8 and 39. Please refer to the original submission Appendix 34 - Arboriculture Assessment for further detail. k) Noted. l) Noted.

5. Updated Project Justification

Consistent with the originally submitted EIS, the development involves the construction of a high-quality mixed-use development which contains activated retail tenancies and high-quality residential apartments, and which contributes to the transformation of the Kings Bay Precinct.

The project aligns with the PRCUTS by providing by providing diverse and affordable housing while supporting job creation, sustainable infrastructure and contributing to the transformation of the Kings Bay precinct. The development will deliver important social and economic benefits to the community by contributing to housing diversity and stability for increasing population as well as providing employment generating floor space in a highly accessible location proximate to existing employment.

The additional information provided in the RtS and Amendment Report further demonstrates the proposal's suitability for the site, addressing concerns and illustrating how the development aligns with the area's needs and urban development goals. By introducing affordable housing options, enhancing the streetscape, and prioritising thoughtful architectural design, the development will foster vibrant communities and positively contribute to the Kings Bay socio-economic landscape, leaving a lasting impact on the area's future.

6. Conclusion

In conclusion, the proposed development represents a strategically designed mixed-use project that integrates retail, commercial, residential, and affordable housing components, aligning with the NSW Government's priorities and the Housing SEPP.

The response to submissions report has thoroughly addressed community and authority concerns, including those related to height, overshadowing, bulk and scale, traffic impacts, housing diversity, amongst others. The additional information provided, inclusive of design amendments, demonstrates the proposal's suitability for the site, effectively mitigating concerns and showcasing how the development meets the area's needs.

By incorporating affordable housing, enhancing the streetscape, and prioritising thoughtful architectural design, the project is set to foster vibrant communities and make a positive, lasting impact on Five Dock's socio-economic landscape. The comprehensive response to feedback and alignment with broader government policies confirm the proposal's commitment to achieving sustainable and inclusive urban growth.