

Response to Submissions

Discovery Point Concept Plan – Modification 5

Table 1 *Matters Raised by the Department Planning and Environment and Agency Submissions*

Key Issue	Comment
Department of Planning and Environment	
Building Envelope	
The maximum total Gross Floor Area (GFA) is proposed to increase by 1,353m ² from 142,685m ² to 144,038m ² . Provide further information outlining how the increase of 1,353m ² GFA will relate to the building envelope for Building 14.	<p>The maximum GFA permitted under the Concept Plan (as modified) was originally proposed to increase by 1,353m² from 142,685m² to 144,038m². This reflected a previous understanding of the GFA capacity within the approved Building 14 envelope.</p> <p>Since completion of the voluntary design competition, and through design development of the winning competition scheme, it has been realised that there is additional capacity for GFA within the approved Building 14 envelope. With this in mind, the maximum GFA is now proposed to increase by a total of 4,556m² from 142,685m² to 147,241m². The Reference Design illustrates the outcome of the design competition, providing a demonstration of how the maximum GFA can be delivered within the approved envelope of Building 14.</p> <p>The Reference Design demonstrates that appropriate regard has been given to the amenity of future residents. In the context of the proposed GFA increase and existing planning framework, the Reference Design establishes that a future building is capable of delivering an appropriate visual privacy, solar access, internal room areas, and communal open space outcome upon the site.</p> <p>The Reference Design represents an indicative built form outcome within the approved Building 14 envelope. The scale and massing of the Reference Design demonstrates that a contextually appropriate building can be delivered upon the site, in the context of the proposed amendment to the floor space parameters. On this basis, the site is suitable for the proposed GFA as it will allow for the delivery of a building that is consistent with the envisaged master planned outcome.</p>
The Urban Design Report prepared by Group GSA (2023) outlines an indicative design for Building 14 of two distinct towers reaching a height of 5 storeys with an open centralised space. Amended concept plans in 'Envelope Parameters Plan DA3-016 C' propose to remove the indicative line of the external walls for the two towers for Building 14. Further information is required to demonstrate that the proposed	Throughout the assessment of subsequent detailed design stages in Discovery Point, the individual detailed building designs have been assessed based on the approved building envelope, rather than the 'indicative line of external wall'. As an example, Icon (approved under DA-2016/99) adopts a triangular building form which correlates to the approved building envelope, rather than correlating to the splayed corners implied by the indicative line of external wall illustrated in Figure 1 .

Key Issue

amendment to 'Envelope Parameters Plan DA3-016C' is considered of minimal environmental impact. The justification is to outline whether an environmental assessment has been undertaken based on the indicative lines as part of the original Concept Plan approval (as amended); whether any further environmental assessment is required as a result of the removal of the indicative line of the external walls; and if an alternate indicative line of external walls or building articulation zone may be appropriate given the recent design competition for Building 14.

Comment

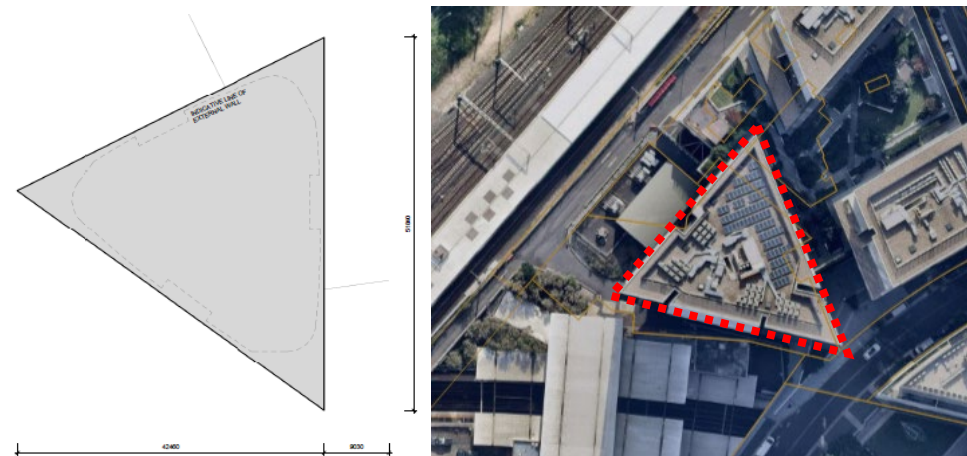


Figure 1 Icon – Approved building envelope (left); Existing building outlined in red (right)

Source: Bates Smart / Nearmap

No change is proposed to the approved envelope for Building 14. As such, there are no greater environmental impacts resulting from the modification application than what has already been tested and deemed acceptable for the site. The substance of the modifications is of minimal environmental impact and the proposal satisfies clause 5(b) of the Savings and Transitional Provisions.

Given the recent design competition, the Proponent has been working through the detailed design with Rothelowman. Rothelowman are continuously exploring opportunities to minimise environmental impacts of the future building of Building 14. The Reference Design illustrates that a building can be delivered well within the maximum approved envelope, enabling significant flexibility and an articulated building form.

This modification application has undertaken a degree of environmental assessment of the Reference Design, particularly in relation to amenity, and overshadowing to private and public spaces. It is acknowledged that a detailed environmental assessment will be undertaken as a part of the future SSDA submission.

Shadow Diagrams

Provide a comparative analysis between the approved and proposed envelope shadow diagrams which clearly identifies 'Discovery Point Place and Village square' on the diagrams and overshadowing impacts.

It is clarified that since public exhibition, the changes sought to the Building 14 envelope are no longer being pursued. Given that no changes are proposed to the approved envelope, the overshadowing analysis undertaken as part of the approved Concept Plan (as modified) for Building 14 remains unchanged.

A detailed Solar Access Study prepared by Rothelowman assesses solar access resulting from the approved envelope for Building 14 and the Reference Design upon:

- Metro apartments

Key Issue	Comment																										
	<ul style="list-style-type: none"> • Metro communal open space • Linc apartments • Discovery Point Place • Village Square. <p>For the purpose of this assessment, the Reference Design has been used as a tool to demonstrate the possible outcome of the future detailed building design within the approved envelope.</p> <p>The table below reproduces the findings of the Solar Access Study. In summary, the Reference Design will improve the solar access outcome when compared to the approved Building 14 Envelope scenario, particularly to Metro (apartments and communal open space) and Linc.</p> <table> <tr> <th></th><th>Approved B14 Envelope</th><th>Reference Design</th><th>Difference</th></tr> <tr> <td>Metro apartments</td><td>38 (50.67%) of the apartments within Metro receiving direct sunlight for a minimum of 2 hours</td><td>43 (57.33%) of the of the apartments within Metro receiving direct sunlight for a minimum of 2 hours</td><td>+ 5 apartments (6.66%)</td></tr> <tr> <td>Metro communal open space</td><td>156.80m² (17.50%) of the communal open space receiving direct sunlight for a minimum of 2 hours</td><td>194.30m² (21.70%) of the communal open space receiving direct sunlight for a minimum of 2 hours</td><td>+ 37.5m² (4.20%)</td></tr> <tr> <td>Linc</td><td>47 (38.84%) of the apartments within Linc receiving direct sunlight for a minimum of 2 hours</td><td>56 (46.28%) of the apartments within Linc receiving direct sunlight for a minimum of 2 hours</td><td>+ 9 apartments (7.44%)</td></tr> <tr> <td>Linc communal open space</td><td>300.15m² (82.30%) of the communal open space receiving direct sunlight for a minimum of 2 hours</td><td>300.15m² (82.30%) of the communal open space receiving direct sunlight for a minimum of 2 hours</td><td>No difference</td></tr> <tr> <td>Discovery Point Place and Village Square</td><td>1529.7m² (31.21%) receiving direct sunlight for a minimum of 2 hours.</td><td>1558.7m² (32.8%) receiving direct sunlight for minimum of 2 hours.</td><td>+ 29m² (0.59%)</td></tr> </table> <p>Source: Rothelowman</p> <p>In assessing the overshadowing impacts of the approved envelope and Reference Design, the ADG is a key reference document to understand the suitability of these impacts and the amenity of surrounding apartments and open spaces. The ADG acknowledges that the amenity of apartments is a complex matrix of different factors, and not all sites and buildings will achieve the highest degree of amenity in all respects. For instance, buildings within Discovery Point overlooking Discovery Point Park have exceptional outlook over the park, but given their southerly orientation, they receive limited solar</p>				Approved B14 Envelope	Reference Design	Difference	Metro apartments	38 (50.67%) of the apartments within Metro receiving direct sunlight for a minimum of 2 hours	43 (57.33%) of the of the apartments within Metro receiving direct sunlight for a minimum of 2 hours	+ 5 apartments (6.66%)	Metro communal open space	156.80m ² (17.50%) of the communal open space receiving direct sunlight for a minimum of 2 hours	194.30m ² (21.70%) of the communal open space receiving direct sunlight for a minimum of 2 hours	+ 37.5m ² (4.20%)	Linc	47 (38.84%) of the apartments within Linc receiving direct sunlight for a minimum of 2 hours	56 (46.28%) of the apartments within Linc receiving direct sunlight for a minimum of 2 hours	+ 9 apartments (7.44%)	Linc communal open space	300.15m ² (82.30%) of the communal open space receiving direct sunlight for a minimum of 2 hours	300.15m ² (82.30%) of the communal open space receiving direct sunlight for a minimum of 2 hours	No difference	Discovery Point Place and Village Square	1529.7m ² (31.21%) receiving direct sunlight for a minimum of 2 hours.	1558.7m ² (32.8%) receiving direct sunlight for minimum of 2 hours.	+ 29m ² (0.59%)
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	<p>access. In this regard, amenity for these apartments has still been determined to be high, but more weighted towards outlook opposed to solar access alone.</p> <p>Objective 4A of the ADG aims to optimise the number of apartments receiving sunlight to habitable rooms, primary windows and private open space. To immediately demonstrate the achievement of this objective, the ADG provides a design criterion that living rooms and private open spaces of at least 70% of apartments in a building are to receive a minimum of 2 hours of direct sunlight between 9am and 3pm in mid-winter. The ADG then further sets out a number of design guidance as a starting point for an alternative solution to achieve the objective if the design criterion is not achieved. The guidance is to be assessed on merit and importantly, are not intended to be an exhaustive list of alternative solutions of achieving consistency with the objective.</p> <p>The ADG reinforces the validity in this method of implementation by stating:</p> <p><i>The design criteria set a clear measurable benchmark for how the objective can be practically achieved. If it is not possible to satisfy the design criteria, applications must demonstrate what other design responses are used to achieve the objective and the design guidance be used to assist in this.</i></p> <p>DPHIs publication 'Better Apartment Design Frequently Asked Questions' (June 2015) also reinforces this method of implementation:</p> <p><i>It may not be possible in all instances to satisfy the design criteria in the Guide, so it gives designers the flexibility to innovate and demonstrate they will achieve the same result with a different approach.</i></p> <p>In respect of Metro and Linc, neither building currently achieves the design criteria as set out under Objective 4A of the ADG.</p> <p>It is acknowledged that while in comparison to the approved building envelope, the Reference Design reflects an improvement to the number of apartments receiving sunlight, the number of apartments achieving 2 hours sunlight within Metro and Linc is below the ADG design criteria. Similarly, the Reference Design presents a slight increase in the area receiving direct sunlight for minimum of 2 hours across Discovery Point Place and Village Square when compared to the approve building envelope</p>
<p>Discovery Point Development Design Guidelines (Updated April 2023)</p> <p>The Development Design guidelines have been updated to include a reference to Section 75 of the State Environmental Planning Policy (Housing) 2021 in relation to certain aspects of the design guideline, specifically (section 5.2) Solar Access, (section 5.3) Natural Lighting and Ventilation, (section 6.2) Dwelling Mix, (section 6.3) Apartment size, (section 6.5) Storage, Waste and Laundry Facilities and (section 8.3) Apartment size. Having regard to cl 3B(2)(f) of Sch 2 to the Environmental Planning and Assessment (Savings, Transitional and Other Provisions) Regulation 2017 (STOP Reg), the notation in relation to section 75 of the Housing SEPP is likely to create uncertainty for assessment of future Development Applications. Please provide further</p>	<p>The DPHI have requested additional information regarding the potential inconsistencies between the Development Design Guidelines and the provisions of the Apartment Design Guide to which section 75 of the Housing SEPP relates. It is noted that the revised modification application will facilitate co-living housing, where the Apartment Design Guide does not apply. Notwithstanding, Clause 3B(2)(f) of Schedule 2 of the STOP Regulations states:</p> <p><i>(f) the provisions of any environmental planning instrument or any development control plan do not have effect to the extent to which they are inconsistent with the terms of the approval of the concept plan</i></p>

Key Issue	Comment
information regarding the potential inconsistencies between the Concept Plan Design Guidelines and the provisions of the Apartment Design Guide to which Section 75 of the Housing SEPP relates.	<p>Condition A5, Part A – Terms of Approval of the Concept Plan states:</p> <p><i>All future development of the site shall be generally consistent with the Development Design Guidelines and Rockdale City Council's Wolli Creek and Bonar Street Public Domain Plan and Technical Manual, where amended by the Modifications in Part B and Future Assessment Requirements in Schedule 3.</i></p> <p>The Guidelines have been revised to give effect to the provisions of Part 3 of the Housing SEPP (co-living housing), where necessary.</p> <p>The intent of these changes to the Development Design Guidelines is to embed flexible design principles found within the Housing SEPP relevant to co-living housing. These changes will guide and provide certainty in the assessment of a future SSDA for a co-living development.</p>
The Building Height Diagram in Figure 9 of the Design Guidelines is proposed to be replaced by Figure 10 which outlines an increase in height from 8 to 11 storeys. Please clarify the increase in height, given that the modification request states no change is proposed to the approved maximum building height of RL 42.7.	<p>The DPHI has requested clarification on the change of the Building Height Diagram in Figure 9 of the Design Guidelines and the perceived increase in height from 9 to 11 storeys.</p> <p>The amendment of this diagram is necessary to reflect the intended residential building now anticipated within the approved Building 14 envelope. Previously, a non-residential building typology was anticipated in the approved Building 14 envelope, with different floor to floor height assumptions compared to a residential building typology. As the development is now residential, and the required floor to floor heights are less than that of a non-residential building, the approved envelope can now accommodate between 9-11 storeys. Therefore, the Building Height Diagram in Figure 9 of the Design Guidelines and the perceived increase in height from 9 to 11 storeys.</p> <p>Importantly, there is no amendment proposed to the approved maximum building height of the envelope. The Reference Design illustrates that a 9 storey building can be delivered within the maximum approved envelope at a height of RL 42.7.</p>
Transport for NSW (TfNSW)	
TfNSW has reviewed the material and advises that the proposed development will have a negligible impact on the surrounding state road network. As such, TfNSW has no objections regarding the application.	Noted.
TfNSW (Sydney Trains)	
Rail Land, Assets, Operations and Service	
TfNSW (Sydney Trains) has reviewed the proposal and advises that in order to protect rail land, assets, operations, and to ensure a safe and reliable rail service, TfNSW (Sydney Trains) requests the Department retain all existing conditions and comments applied to the previous application (MPI0_0030), with the exception of Condition B25 which should be modified as written in Attachment A [reproduced below].	<p>It is acknowledged that the proposed amendment to Condition B25 relates to providing 'detailed drawings demonstrating satisfactory station access and connection from Discovery Point Place' to RailCorp.</p> <p>The Proponent accepts TfNSW (Sydney Trains) recommendation and proposed change to Condition B25 of the Concept Approval.</p>
Condition B25	

Key Issue	Comment
<p>RailCorp Requirements</p> <p><i>B25. Before issuing a Construction Certificate for any works within 25m of the rail corridor, the following documentation must be received and endorsed by RailCorp:</i></p> <ul style="list-style-type: none"> • <i>Geotechnical and Structural Reports</i> • <i>Construction methodology and drawings</i> • <i>Structural support during excavation</i> <p><i>If necessary, after reviewing this documentation, RailCorp may also need:</i></p> <ul style="list-style-type: none"> • <i>Track monitoring requirements</i> • <i>A rail safety plan</i> • <i>Detailed drawings demonstrating satisfactory station access and connection from Discovery Point Place</i> • <i>Any other matter in order to protect the rail corridor</i> <p><i>Prior to the issue of a Construction Certificate for the relevant stage of works, a services search must be undertaken to establish the existence and location of any rail services. If found, the proponent must discuss with RailCorp these services relocation or incorporation into the development site.</i></p> <p><i>The design, installation and use of lights, signs and reflective materials must limit glare and reflectivity to the satisfaction of RailCorp.</i></p> <p><i>Prior to the issue of a Construction Certificate for the relevant stage of works, a Risk Assessment/Management Plan and detailed Safe Work Methods Statements are to be submitted to RailCorp for review and comment.</i></p> <p><i>Prior to the issue of a CC for the relevant stage of works a plan showing all craneage and other aerial operations complying with RailCorp's requirements must be confirmed by RailCorp.</i></p> <p><i>Provide details of any encroachment into RailCorp's easement or RailCorp owned lands for review and approval prior to commencement of works.</i></p>	
<p>Bayside Council</p> <p>Reduction in Non-Residential Floor Space</p> <p>The proposed modification alters the mix of uses to provide more residential and less non-residential GFA and will potentially result in less services and employment opportunities within the precinct. However, it is understood that this is to be balanced with the need to</p>	<p>Noted.</p>

Key Issue	Comment
<p>provide BTR housing to meet the demand for this type of housing in the local area.</p>	
<p>Need for Social Infrastructure</p> <p>Referring to the SEARs submission for the Discovery Point, Building 14 SSD (SSD-30257587, dated 9 November 2021), Council reiterates its concerns in relation to social infrastructure delivery, including open space and recreation facilities, and community facilities. As the modified proposal increases the number of dwellings (additional 72 dwellings indicative) and resident population, this will ultimately place additional demand on existing and planned social infrastructure.</p> <p>The Modification Report asserts that the additional population is highly unlikely to place any substantial strain on existing open space, community facilities and community support services in Discovery Point. However, there is no indication of any investigation of community facility or multi-purpose floor space having been explored.</p> <p>The site is subject to the Wolli Creek and Bonar Street Precincts Urban Renewal Area Contributions Plan 2019. The modification should consider such matters as current Council facilities and items listed in the Section 7.11 Local Infrastructure Contributions Plan applying to Wolli Creek and the broader locality.</p>	<p>Bayside Council and members of the public have raised concern on the pressure of additional residents on existing infrastructure, including recreational areas, community facilities and amenities.</p> <p>The proposed development will provide housing for approximately 217 people (noting that the Reference Design facilitates a 217 co-living rooms which typically are single person). When considered in the context of the existing population of Discovery Point, an additional 217 people will be a marginal increase in relation to the existing communal facilities in Discovery Point.</p> <p>A wide range of diverse facilities and amenities are available to the Discovery Point community, managed under a well-established co-op framework, which include:</p> <ul style="list-style-type: none"> • Greenbank pool and gym • Swimming pools – Shore, Icon and Linc • Gyms – Shore, Icon and Linc • Theatre room – Icon • Community room – Linc • Magdalene Chapel/Tempe House – Co-operative facilities • Barbeque facilities on Linc Podium and in Discovery Point Park • Community herb gardens • Walking and cycling tracks <p>These facilities are provided in excess of the local infrastructure identified within the Wolli Creek and Bonar Street Precincts Urban Renewal Area Contributions Plan 2019. There are several existing facilities within the co-op framework for residents to gather, including the Linc community room and Magdalene Chapel/Tempe House. This existing social infrastructure will be available to future Building 14 residents within this existing co-op framework.</p> <p>In addition, the co-living model focuses on shared facilities and services and more communal space than the build-to-sell model. As illustrated in the Reference Design, the top-most floor is dedicated to communal space for the enjoyment of future Building 14 residents. It is likely that future residents will utilise the on-site facilities to satisfy their social infrastructure needs to formally meet and gather.</p> <p>As noted by Council, the Wolli Creek and Bonar Street Precincts Urban Renewal Area Contributions Plan 2019 applies to the site. This Plan covers local infrastructure including community facilities and multi-purpose community floor space (in excess of the facilities within the Discovery Point co-op framework). A future SSDA would be subject to the Contributions Plan, and a local contribution will be payable in response to the demand placed on local infrastructure by the co-living building.</p>
<p>Affordable Housing</p> <p>In relation to the strategic context of the proposed modification, it is noted that the BTR housing is identified as a housing typology to support more diverse housing types and affordable options in the private rental market. Council wishes to reiterate that it is currently in</p>	<p>Council has requested that the DPHI consider imposing as a condition of consent that BTR housing upon the site be required in perpetuity, instead of 15 years as required by the Housing SEPP. The modification application has been amended facilitate the delivery of co-living housing. Therefore, this matter is no longer relevant to the application with the future building being purpose built for co-living.</p>

Key Issue	Comment
<p>the process of preparing an Affordable Housing Policy and Contributions Scheme, and notes concerns regarding the currently unmet need for traditional affordable rental housing across the Bayside LGA. While the draft Policy and Scheme has not yet been finalised, Council wishes to note that it may potentially be finalised at the later stages of the Discovery Point, Building 14 SSD (SSD-30257587) process.</p> <p>Council officers acknowledge Building 14 will provide BTR housing and recognises the change in non-residential to residential floorspace. Council's Local Housing Strategy contains an objective to improve housing affordability with relatively affordable housing protected, and additional affordable rental housing provided. It is understood that Part 4 Built-to-Rent Housing of the SEPP (Housing) 2021 requires conditions of BTR housing to apply for at least 15 years. Provision of BTR housing is considered an acceptable change, however, it is recommended the Department consider the opportunity to retain the BTR housing for the lifetime of the development as a condition of consent instead of the 15 years as required by the Housing SEPP.</p>	
<p>Proposed Changes to the Building Envelope</p> <p>The GFA of Building 14 will be increased by 1,353m² to provide a total GFA of 5,997m². The change in use from the original consent (entire commercial building/use) to completely residential above ground floor will result in a building with lower floor to ceiling heights, which will in turn potentially generate a higher GFA.</p> <p>However, no detailed information has been provided to demonstrate how the proposed additional GFA will relate to the building envelope to determine the nature of the building form. Given the need for this building to provide a positive connection to the public domain, which will partly involve the provision of well-proportioned undercroft spaces, it is important to determine the ratio of solid built form to open void that will be generated by the proposed increase in GFA.</p> <p>Council acknowledges that a design competition has been undertaken to provide a high quality detail resolution for Building 14 and the outcome from the competition process will form the basis of a future detailed SSDA. However, details of the competition entries were not provided. A review of the competition entries would enable the suitability of the proposed GFA to be determined.</p>	<p>The maximum GFA permitted under the Concept Plan (as modified) was originally proposed to increase by 1,353m² from 142,685m² to 144,038m². This reflected a previous understanding of the GFA capacity within the approved Building 14 envelope.</p> <p>Since completion of the voluntary design competition, and through design development of the winning competition scheme, it has been realised that there is additional capacity for GFA within the approved Building 14 envelope. With this in mind, the maximum GFA is now proposed to increase by a total of 4,556m² from 142,685m² to 147,241m². The Reference Design illustrates the outcome of the design competition, providing a demonstration of how the maximum GFA can be delivered within the approved envelope of Building 14.</p> <p>The Reference Design demonstrates that appropriate regard has been given to the amenity of future residents. In the context of the proposed GFA increase and existing planning framework, the Reference Design establishes that a future building is capable of delivering an appropriate visual privacy, solar access, internal room areas, and communal open space outcome upon the site.</p> <p>The Reference Design represents an indicative built form outcome within the approved Building 14 envelope. The scale and massing of the Reference Design demonstrates that a contextually appropriate building can be delivered upon the site, in the context of the proposed amendment to the floor space parameters. On this basis, the site is suitable for the proposed GFA as it will allow for the delivery of a building that is consistent with the envisaged master planned outcome.</p>
<p>Transport Access</p> <p>It is recommended to review opportunities for an increased provision of bicycle parking for users of the Wolli Creek Train Station, considering that Building 14 includes integrated access to the railway station. Given the location of the site directly adjacent to the train station, the increased pedestrian priority in Wolli Creek implemented by Council, and the significant funnelling of vehicular traffic at the intersection of</p>	<p>Opportunities to encourage active transport, car share and EV charging spaces will be reviewed as part of the SSDA for Building 14. Alternative and sustainable modes of travel will be promoted within a Green Travel Plan, as required by the SEARs.</p>

Key Issue	Comment
<p>Brodie Spark Drive and Princes Highway resulting in a poor intersection performance, the development needs to promote a mode share shift towards sustainable transport modes other than private vehicles.</p>	
<p>The existing car parking rates in the Concept Plan are considered acceptable, however, the bicycle parking provision for Building 14 needs to be revised to be provided at an increased provision consistent with the recently adopted Bayside DCP 2022 Section 3.5.4 Bicycle and Motorcycle Parking. Provision for car share spaces and EV charging spaces should also be explored to be provided as per Section 3.5.9 New and Emerging Transport and Parking Facilities for Building 14.</p>	
<p>The development needs to provide a commitment that the proposed waste collection for this final building will not result in bins being placed on the footpath for collection, and that all waste collection needs to occur in a location that does not impact the amenity of the public domain.</p>	<p>As a part of the preparation of the SSDA, a thorough assessment of the future management of waste generated from Building 14 will be undertaken. The Industry-Specific SEARs requires a Waste Management Plan to be prepared to:</p> <ul style="list-style-type: none"> • Identify, quantify and classify the likely waste streams to be generated during construction and operation. • Provide the measures to be implemented to manage, reuse, recycle and safely dispose of this waste. • Identify appropriate servicing arrangements for the site.
<p>Furthermore, a commitment to provide secure bicycle parking adjacent to the station entrance that can be used by commuters should be provided as part of the Building 14 development, to help improve a mode shift towards travel modes other than private vehicles.</p>	<p>As per above.</p>
<p>In regard to sustainability, Building 14 should be making commitments to reduce its environmental footprint by setting a minimum NABERS/Green Star standard for the building which should be laid out in the Concept Plan.</p>	<p>As established in the Competition Brief for the design competition, the project is to be designed according to best practice ESD principles and must incorporate ESD principles in the design, construction and ongoing operation phases of the development. The Proponent is committed to Building 14 setting a minimum NatHERS average 7.5 star rating and 5 Star Greenstar Building Certification.</p>
<p>Other Considerations</p> <p>The proposed changes to the concept plan should be considered in preparation of the Environmental Impact Statement to demonstrate consistency with all relevant updated planning strategies, plans and Environmental Planning Instruments, including:</p> <ul style="list-style-type: none"> • Greater Sydney Region Plan – A Metropolis of Three Cities; • Eastern City District Plan; • Future Transport 2056; • South East Sydney Transport Strategy; • Better Placed; • Social Impact Assessment Guideline – State Significant Projects [February 2023]; • State Environmental Planning Policy (Planning Systems) 2021; • State Environmental Planning Policy (Housing) 2021; 	<p>The proposed amendments contained within the Section 75W Modification Application are to be considered in the preparation of the EIS and SSDA to demonstrate consistency with all relevant updated planning strategies, plans and environmental planning instruments. This has been taken on notice and a detailed addressed will be provided in the preparation of the SSDA.</p>

Key Issue	Comment
<ul style="list-style-type: none"> State Environmental Planning Policy No 65 – Design Quality of Residential Apartment Development and the accompanying Apartment Design Guide; State Environmental Planning Policy (Resilience and Hazards) 2021; Bayside Community Strategic Plan; Bayside Local Strategic Planning Statement; Bayside Local Housing Strategy; Bayside Local Environmental Plan (LEP) 2021; and Consideration of the objectives and controls contained in the Bayside Development Control Plan (DCP) 2022, in particular, Chapter 7.6 Wolli Creek, as well as the Wolli Creek and Bonar Street Precinct Public Domain Plan and Technical Manual. 	

Table 2 Public Submissions

Key Issue	Comment
General Public	
Traffic Impacts	
Traffic congestion will be worsened due to the proposed change of use from non-residential to non-residential. Additional concern is raised given the high levels of existing traffic congestion at the two key intersections to access and leave Wolli Creek.	Public submissions have raised concerns on the potential increase of traffic congestion and parking requirements resulting from the proposed development within Building 14.
Requests to reconsider and explore alternatives that alleviate the burden on the transport system, which is ill-equipped to handle increased volumes.	The approved Concept Plan (as modified) considered the maximum number of car parking spaces required to service the entire Discovery Point precinct, including Building 14. The Concept Plan approved a maximum of 2,240 car parking spaces to be distributed across the entire Discovery Point Precinct. An allocation of 36 car parking spaces of the total 2,240 have been dedicated for future use by Building 14 tenants, with these spaces already anticipated and provided within the southern basement of Discovery Point.
Increased risk to pedestrians and cyclists associated with increased traffic levels.	
Concerns over limited parking that results in cars illegally parking on the streets, or roads being used as drop-off/pick-up spots.	The 36 car parking spaces allocated to Building 14 will not be utilised for the future co-living development. The future co-living development will therefore have no allocated car parking. This is considered appropriate given the location to the train station, and the housing type, being co-living, where people typically do not own private vehicles.
Concerns over lack of allocated parking for service vehicles.	The approved Concept Plan (as modified) also considered the traffic generation of future developments within Discovery Point, which influenced the final design and planning of the road network. Therefore, the road network as approved and constructed can accommodate future development at Building 14 considering the number of car parking spaces is not proposed to be changed from that already allocated to the building and accommodated in the basement which currently exists below Discovery Point (noting that the 36 spaces allocated to Building 14 are not being utilised for the future co-living development).

Key Issue	Comment
	<p>Further detailed assessment of any potential traffic impacts associated with the future development of Building 14 site will be undertaken as a part of the assessment of the future SSDA.</p> <p>Under the SEARs, the SSDA is required to provide a Traffic, Transport and Accessibility Impact Assessment, Green Travel Plan, and Construction Traffic Management Plan.</p>
Overshadowing and Obstruction of Views	
The development will cast shadows that diminish solar access, and loss of views. This relates to both private and public spaces including solar access to private properties, Discovery Point Place and public open spaces.	It is clarified that since public exhibition, the proposed amendments to the approved Building 14 envelope have been removed. Given that no changes are proposed to the approved envelope, the overshadowing analysis undertaken as part of the approved Concept Plan (as modified) for Building 14 remains unchanged.
Concerns for overshadowing to communal areas in Linc (gym, barbecue, pool) and the retail areas opposite Wolli Creek station.	The Reference Design has been used as a tool to demonstrate the possible outcome of the solar impacts resulting from the proposed increase in GFA. The Solar Access Study assesses the overshadowing impacts of the Reference Design on surrounding residential properties, notably Linc apartments and Metro apartments and communal open space.
Concerns for health and well-being, aesthetics, vibrancy, useability of outdoor spaces, decrease of the enjoyment of public areas and quality of life as a result of limited sunlight.	<p>It is acknowledged that while in comparison to the approved building envelope, the Reference Design reflects an improvement to the number of apartments receiving sunlight, the number of apartments achieving 2 hours sunlight within Metro and Linc is below the ADG design criteria.</p> <p>The Solar Access Study also considers overshadowing impacts upon the public domain including Discovery Point Place and Village Square under the approved Building 14 envelope and Reference Design. The Reference Design presents a slight increase in the area receiving direct sunlight for minimum of 2 hours across Discovery Point Place and Village Square when compared to the approved building envelope.</p> <p>A detailed solar analysis based on the detailed design will accompany the SSDA.</p>
The proposal would unreasonably block views and result in decreased property values. Increasing the height of Building 14 to 9-11 storeys will result in loss to open sky views.	<p>No change is proposed to the approved envelope for Building 14, and the future building will be provided within the approved envelope. As such, the future building will not result in any further visual and view impacts not already considered and deemed acceptable under the Concept Plan (as modified). As shown in the Reference Design, an articulated building is anticipated within the envelope, ensuring opportunities for view sharing when compared to the approved envelope.</p> <p>As required by the SEARs, a View Analysis will accompany the SSDA and will assess amenity impacts with regard to view sharing.</p> <p>It is noted that property values are not a planning consideration.</p>
Increased Height	
Objections to increase the building height to 11 storeys. This includes an objection to replacing the legend of Figure 9 of the Discovery Point Guidelines	At the time the Concept Plan and accompanying Development Design Guidelines were prepared, indicative plans showed a 4-8 storey non-residential building occupying the Building

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to permit a building up of to 11 storeys at Building 14, noting the Guidelines currently state 4-8 storeys.	14 envelope. Since the initial stages of development, realisation of the Concept Plan and Discovery Point has evolved. As detailed in Section 1.1, Building 14 has been the subject of extensive investigations over many years and numerous non-residential land uses have been explored. There are a number of factors which have influenced the decision to pursue the delivery of co-living housing within Building 14 acknowledging the significant opportunity and public benefits this land use presents.
Objections to building height based on its potential impacts including overshadowing, increase in density, overdevelopment in Wolli Creek, traffic congestion and wind tunnels.	<p>There is no amendment proposed to the approved maximum building height of the envelope. The building height (in storeys) amendment in the Development Design Guidelines is a result of changes to assumed commercial floor to floor heights to residential floor to floor heights. As the development is now residential, and the required floor to floor heights are less than that of a non-residential building, the approved envelope can now accommodate between 9-11 storeys. Therefore, the Building Height Diagram in Figure 9 of the Design Guidelines and the perceived increase in height from 9 to 11 storeys.</p> <p>The Reference Design illustrates that a 9 storey building can be delivered within the maximum approved envelope at a height of RL 42.7.</p> <p>The impacts of a detailed building design will be considered in the SSDA. As required in the SEARs, the following documents will accompany the SSDA:</p> <ul style="list-style-type: none"> • Shadow diagrams • Pedestrian Wind Environment Assessment • Transport and Accessibility Impact Assessment
The increase in high-rise buildings can lead to a sense of visual monotony and loss of neighbourhood character.	Building 14 has been the subject of a recent design competition. The competition jury selected the Rothelowman scheme as the successful competition scheme. Design competitions have been proven to be a successful procurement method to test different options for the site and Rothelowman's scheme was identified as capable of delivering the highest quality architectural, landscape and urban design outcome.
Density (Increase in Floorspace and Loss of Non-residential Floorspace)	
Objections to increase the maximum total GFA by 1,353m ² from 142,685m ² to 144,038m ² .	The maximum GFA permitted under the Concept Plan (as modified) was originally proposed to increase by 1,353m ² from 142,685m ² to 144,038m ² . This reflected a previous understanding of the GFA capacity within the approved Building 14 envelope.
Objections to converting the majority of remaining unrealised gross floor area from non-residential to residential, by reducing the minimum non-residential GFA from 9,000m ² to 4,862m ² .	Since completion of the voluntary design competition, and through design development of the winning competition scheme, it has been realised that there is additional capacity for GFA within the approved Building 14 envelope. With this in mind, the maximum GFA is now proposed to increase by a total of 4,556m ² from 142,685m ² to 147,241m ² . The Reference Design illustrates the outcome of the design competition, providing a demonstration of how the maximum GFA can be delivered within the approved envelope of Building 14.
The community expected Fraser's to deliver high-quality retail, commercial and business uses, including cinemas, service, over water cafes and dining.	
Concerns over lack of commercial space. The economic assessment lists a lack of anchor tenants as a reason for office, services and retail being unviable.	
The Economic Assessment is likely to have been fabricated to support more residential development. Responses were provided to the justification in the Economic Assessment, particularly in relation to the lack of viability for a non-	As outlined in Section 1.1.1 of the RTS Report, Building 14 has been the result of extensive investigations into the delivery of non-residential uses such as commercial office, private medical suites and hotel. These non-residential uses were deemed to be unfeasible due to a lack of market and tenant demand. While members of the general public have suggested this is not

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<p>residential development. Submissions raised that there isn't an issue with the non-residential space not being viable.</p>	<p>a viable rationale, if there is no market demand for non-residential uses, they are unable to be provided.</p> <p>These findings are further supported by the accompanying Economic Assessment prepared by Ethos Urban which concluded there was limited potential for non-residential uses at Building 14, apart from convenience-based retail uses at the ground level. The Economic Assessment noted over the last 13 years, there has been insufficient interest from operators, occupiers, developers and market for non-residential uses at the site. Additionally, the Economic Assessment emphasises Wolli Creek is a 'local centre' that is designated to support the immediate needs of local residents only, therefore reinforcing its limited potential and capacity for significant non-residential uses.</p> <p>Therefore, the revised GFA allocation for Building 14 is consistent with the designated strategic role of Wolli Creek as it will continue to ensure the provision of non-residential uses through the inclusion of active ground floor uses such as retail, shops, commercial offices and resident's communal facilities.</p>
Change from Non-residential to Residential BTR Use	
<p>Concerns over lack of commercial space. The economic assessment lists a lack of anchor tenants as a reason for office, services and retail being unviable.</p> <p>The community expected Fraser's to deliver high-quality retail, commercial and business uses, including cinemas, service, over water cafes and dining.</p>	<p>Extensive investigations into the delivery of non-residential floorspace at Building 14 has been undertaken by the previous land owners, Frasers Property, over many years and more recently by the current land owners Cedar Pacific. However, as aforementioned the investigations determined the delivery of non-residential uses within Building 14 to be unfeasible and undesirable due to a lack of market and tenant demand. As a result of these ongoing investigations, Building 14 has remained unresolved and vacant for a number of years, and in turn, the completion of the Concept Plan has stalled. The opportunity for delivering co-living housing within Building 14 is now considered a prime opportunity to realise a land use which is in high demand and will ensure the completion of the Concept Plan.</p> <p>There are several factors which have influenced the decision to pursue the delivery of co-living housing within Building 14. These include a range of locational attributes, the strategic planning framework emphasising the need for greater housing choice and diversity, and the strong market demand for rental housing at different price points in well serviced locations such as Discovery Point.</p> <p>Discovery Point is a well-serviced transit-oriented community less than 10km from Sydney's CBD, with direct access to two rail lines and in close proximity to a range of schools, universities and daily services and facilities. In addition to these locational attributes, there is an established community at Discovery Point, with a well-established co-op framework including precinct amenities and maintenance regime over roads, car parking, and open space. Therefore, the change to co-living housing for Building 14 is appropriate as the site is well-positioned to leverage from these significant benefits and providing new and diverse housing in a highly accessible location, with an established co-op framework will support the diverse needs of the occupants.</p> <p>Further, the change to residential co-living will enable the building to respond to market demand for housing that is located within a key local centre, that has access via public transport to other major employment nodes and key services and infrastructure within nearby</p>

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	metropolitan and strategic centres, such as the Sydney CBD and Rockdale. Additionally, the change to residential co-living for Building 14 will continue to promote a diversity of land uses as envisaged in the Concept Plan, and contribute to the mixed-use nature of Discovery Point, this is due to co-living being a separate offering to the traditional 'build-to-sell' model.
Lack of diversity of businesses	
<p>The assessments for the new Cooks Cove Precinct confirmed high demand for retail, offices and visitor accommodation.</p>	<p>It was raised in public submissions that the Planning Proposal for the new Cooks Cove Precinct confirmed demand for retail, offices and visitor accommodation within the area. The Planning Proposal for Cooks Cove is currently in its final stages, and seeks to facilitate the delivery of a contemporary logistics and warehousing precinct supported by small areas of additional retail, commercial and visitor accommodation uses. The Cooks Cove proposal notes there is currently no existing commercial/retail hub within the immediate area, thereby the proposed commercial and retail uses are to support the daily needs of future visitors and workers of the precinct.</p> <p>The intention of the Cooks Cove proposal is to complement the existing manufacturing and transport services associated with Sydney Airport and Sydney Port, with the proposed visitor accommodation to support the tourism function of Sydney Airport. Further, the context of the two precincts are different, noting that Cooks Cove is focused on becoming a commercial freight and logistics hub with associated visitor accommodation to support the operations of Sydney Airport, whereas Discovery Point is an established mixed use residential precinct. The two different contexts highlight the demand for retail and commercial uses cannot be easily comparable.</p>
<p>There is a lack of diversity of businesses across Wolli Creek, noting 90% of existing services are food-related. There is a need for a bank, Post Office and more professional services.</p> <p>Current businesses in Wolli Creek cannot support new residences.</p>	<p>The change to co-living housing will provide residential accommodation for approximately 217 additional people. When considered in the context of the existing population of Discovery Point, the additional 217 people will be a marginal increase and is unlikely to place any strain on existing businesses capacity to serve the needs of new residents'. It is envisaged that the increase in population will support the role and function of existing businesses to serve new residents.</p> <p>The Reference Design provides 378.4m² of non-residential floorspace to be delivered at Building 14. As illustrated in the Reference Design, non-residential land uses are intended to be delivered on the ground floor. These are intended to be services-oriented tenancies such as news agencies which are well located close to the train station, to support the broader Discovery Point. This identifies the opportunities for the site to contribute to the diversity of business premises within the precinct to support existing and future residents within Discovery Point.</p>
Pressure on Existing Infrastructure / Lack of Infrastructure	
<p>There are existing challenges associated with limited essential amenities including recreational areas. Additional development will further strain infrastructure and negatively impact residents' quality of life.</p> <p>Future development should prioritise exploring additional amenities and services that would enhance the residents' quality of life.</p>	<p>The proposed development will provide housing for an approximate 217 people. The Wolli Creek and Bonar Street Precincts Urban Renewal Area Contributions Plan 2019 applies to the site. A future SSDA would be subject to the Contributions Plan, and a local contribution will be payable in response to the demand placed on infrastructure by a future BTR development.</p>

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Facilities in the area will require additional maintenance, which will pose additional costs to the community.	
Development will result in congestion and overcrowding of rail services. Impact on train passenger requirements will require increased frequency.	<p>Locating increased density adjacent to railway stations aligns with transit-oriented development principles, and more broadly is a policy adopted by the NSW Government. It is anticipated that the existing rail infrastructure will be able to accommodate the marginal population increase from the proposed development, with no significant upgrades necessary. In addition, Wolli Creek Station can be considered a major transport interchange being serviced by two rail lines with frequent express and all-station services stopping at Wolli Creek. Given the frequency of services and two rail lines, the existing rail infrastructure and services have the capacity to accommodate the indicative additional 217 residents which is exceptionally minor in the context of the patronage of the services travelling through Wolli Creek station.</p> <p>It is also noted that TfNSW's submission advised that the proposed development would have a negligible impact on the transport system and has not raised any objection to the application.</p>
Amenity Impacts	
Noise impacts from the construction and ongoing operation of the development, including from additional residents, vehicles and increased train frequencies.	As required by the SEARs, a detailed assessment of the potential noise impacts associated with proposed development will be undertaken in preparation of the SSDA. The assessment will detail construction and operational noise on nearby sensitive receivers, and will outline the proposed management and mitigation measures that would be implemented. A Construction Traffic Management Plan will also accompany the SSDA and will detail how impacts on existing traffic, pedestrian and cycle networks would be managed and mitigated.
Concerns over safety of construction in a highly congested area near a railway line.	As noted in the section 75W Modification Application Report, further analysis of the most optimal structural solution will be undertaken to accompany the SSDA. To address concerns on safety of constructing Building 14 adjacent to an active railway line, Structural Drawings and a Rail Impact Assessment will be provided as a part of the SSDA which will assess potential impacts on the rail corridor and rail assets, and will also include construction methodologies.
Risk to the structural integrity of nearby buildings.	<p>Additionally, no changes are proposed to the approved building envelope. Removing the originally proposed addition to the north-western corner of the site has increased the distance between the Building 14 envelope and railway line.</p> <p>A Noise and Vibration Impact Assessment will accompany the SSDA. The assessment will detail construction impacts on nearby structures, and will outline the proposed management and mitigation measures that would be implemented.</p>
Concerns over an increase in population resulting in increased crime rates.	A Crime Prevention Through Environmental Design (CPTED) Report will be prepared and will accompany the SSDA as required by the SEARs. The CPTED Report will address how crime prevention measures will be integrated into the proposed development to maximise safety in Discovery Point, specifically public spaces.
Increasing dwellings will place pressure on energy supply. Concerns over the capacity of the existing energy authority supply being able to meet future demands of a fully electrified Discovery Point precinct.	<p>As required by the SEARs, consultation with the relevant service providers including energy will be undertaken during the preparation of the SSDA to:</p> <ul style="list-style-type: none"> Assess the impacts of the proposed development on existing utility infrastructure and service providers assets surrounding the site.

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	<ul style="list-style-type: none"> • Identify any infrastructure upgrades required on-site and off-site to facilitate the development and any arrangements to ensure that the upgrades will be implemented on time and be maintained. • Provide an infrastructure delivery and staging plan, including a description of how infrastructure requirements would be co-ordinated, funded and delivered to facilitate the development.
Creation of undesirable wind tunnels as result of increased height.	The Industry-Specific SEARs requires the future SSDA to address wind impacts through the preparation of a Pedestrian Wind and Environment Assessment. The assessment is to assess wind impact on surrounding residential receivers and recommend mitigation measures to achieve high level of environmental amenity and minimise impacts.
Consultation Process	
Complaints over indifferences towards or lack thereof/limited community consultation. Requests were made for more time for other residents to object to the modification.	<p>The Proponent is committed to establishing a genuine and trusting dialogue with the local community and stakeholders. This is underpinned by open and transparent communication, and authentic engagement to ensure views, ideas and issues are considered from the planning to delivery stages. With this in mind, the Proponent has undertaken substantial pre-and post-lodgement consultation with local residents despite no statutory requirement to complete such consultation.</p> <p>As noted in the section 75W Modification Application Report, the previous land owners, Frasers Property, and the project team undertook an engagement program with the local residents of Wolli Creek to better understand the key issues. Initial engagement with the community occurred in 2021, followed by three community engagement sessions held in December 2022, including two online webinars and one drop-in session. The engagement sessions provided the local community an opportunity to participate and provide feedback. The Community and Stakeholder Report prepared as part of the section 75W Modification Application outlines the engagement processes undertaken and the outcomes of consultation.</p> <p>The Proponent anticipates further consultation sessions with the local community in 2025 as part of the subsequent exhibition process. This will allow another opportunity for the community to provide feedback, ask questions and ascertain a better understanding of the proposed design prior to lodgement of the detailed SSDA.</p> <p>In addition to progressing future consultation, we note that the exhibition period for the section 75W Modification Application was completed in accordance with the DPHI's State Significant Development Guidelines which requires modification reports to be placed on exhibition for at least 14 days.</p>
Waste	
Increased pressure on waste management in the precinct which already has no integrated systems for recycling or organic waste management.	<p>As part of the preparation of the SSDA, a thorough assessment of the future management of waste generated from Building 14 will be undertaken. The SEARs requires a Waste Management Plan to be prepared to:</p> <ul style="list-style-type: none"> • Identify, quantify and classify the likely waste streams to be generated during construction and operation.

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	<ul style="list-style-type: none"> • Provide the measures to be implemented to manage, reuse, recycle and safely dispose of this waste. • Identify appropriate servicing arrangements for the site.
State Significant Development	
<p>Building 14 is no longer State Significant Development at \$2,073,943.82, it does not meet the \$30-50 million criteria.</p>	<p>Some public submissions questioned the SSD status of Building 14, suggesting that the building does not meet the threshold for SSD. In response to this matter, the Proponent wishes to clarify the future co-living development will be classified SSD in accordance with Schedule 1 Section 19 of State Environmental Planning Policy (Planning Systems) 2021 (Planning Systems SEPP) which identifies development for the purpose of residential accommodation (including co-living) within a rail corridor with a capital investment value (CIV) of more than \$30 million. The proposed co-living development at Building 14 has a CIV of more than \$30 million and is therefore declared SSD.</p>