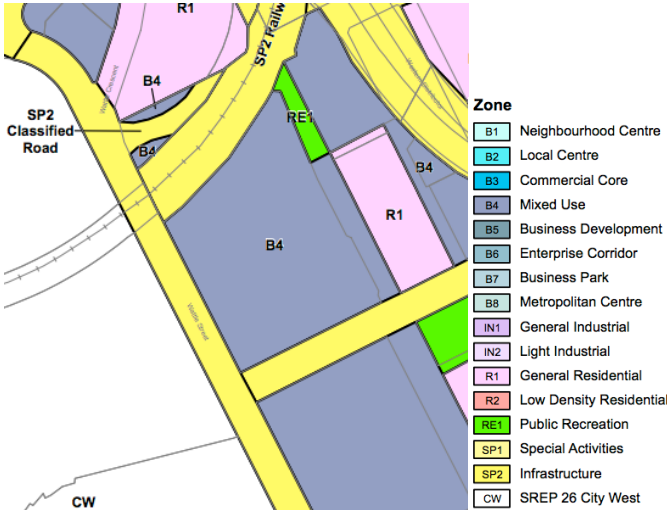
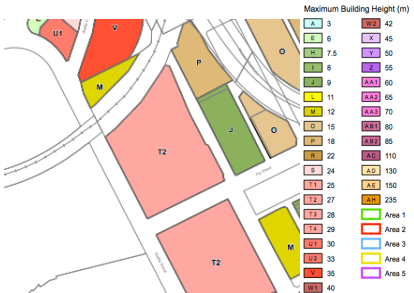
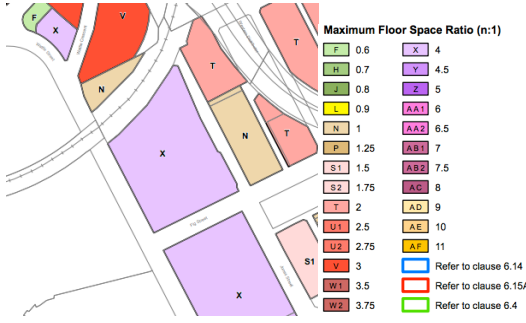
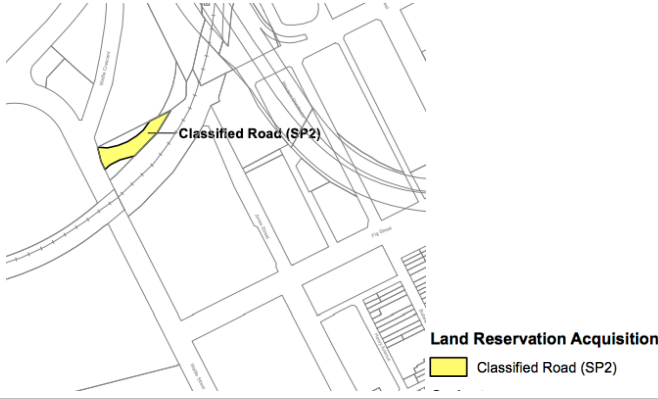


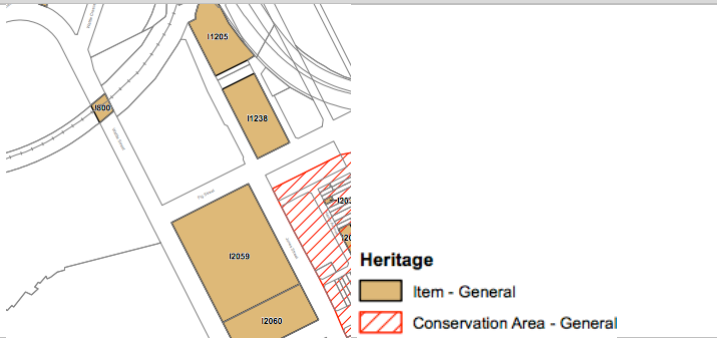
Assessment against Sydney Local Environmental Plan 2012

Zoning / Standard	Provision	Compliance
Land use zone	<p>The site falls within the B4 Mixed Use zone.</p> 	<p><b>Complies</b></p> <p>The proposed mixed use includes residential, commercial, child care and recreational uses are permitted in the zone and consistent with the objectives of the zone.</p>
Permitted without consent	Home occupations	
Permitted with consent	Boarding houses; Child care centres; Commercial premises; Community facilities; Educational establishments; Entertainment facilities; Function centres; Hotel or motel accommodation; Information and education facilities; Medical centres; Passenger transport facilities; Recreation facilities (indoor); Registered clubs; Respite day care centres; Restricted premises; Roads; Seniors housing; Shop top housing; Any other development not specified in item 2 or 4	
Prohibited	Extractive industries; Heavy industrial storage establishments; Heavy industries	
4.3 Building height	<p>Site is subject to maximum height of 27m. The site is eligible for additional 10% Design Excellence FSR or height bonus at the discretion of Council, refer to Clause 6.21 below.</p> 	<p><b>Does not comply</b></p> <p>A Clause 4.6 variation has been provided to support the height variation (Refer to <b>Appendix 9</b>).</p>
4.4 Floor space ratio	Site is subject to maximum base FSR of 4:1. The site is eligible for additional 10% Design Excellence FSR or height bonus at the discretion of Council, refer to Clause 6.21 below.	<p><b>Complies</b></p> <p>The proposed FSR is 3.74:1 which does not exceed the maximum FSR control. The proposal does not seek additional 10% uplift of</p>

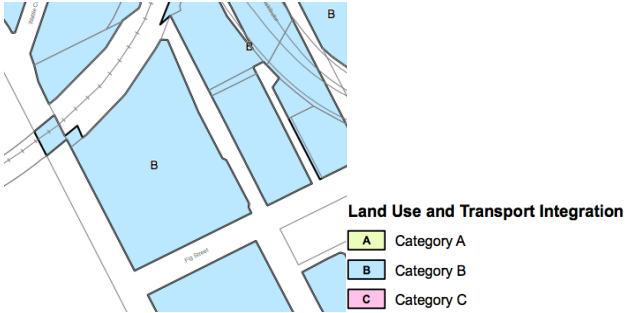
Assessment against Sydney Local Environmental Plan 2012

Zoning / Standard	Provision	Compliance
		<p>the FSR, beyond the maximum permitted 4:1 for the competitive alternatives design process.</p>
<p>5.1 Relevant acquisition authority</p>	<p>There are no required acquisitions for the site as illustrated in the map below.</p> 	<p><b>Not Applicable</b></p>
<p>5.10 Heritage conservation</p>	<p>Site is not within a heritage conservation area and holds no heritage items. The site is adjoining the following heritage items:</p> <ul style="list-style-type: none"> <li>• Northwest of the site is a railway viaduct on Railway Street (state heritage item 1800).</li> <li>• Opposite Fig Street to the south at 28-48 Wattle Street is former woolstore "Winchcombe Carson" including interior (local heritage item 2059).</li> <li>• Opposite Jones Street is former industrial building elements and industrial components "Edwin Davey &amp; Sons Flour Mill" at 2A Allen Street (local heritage item 1205)</li> <li>• Along Jones Street is a terrace group including interiors at 286-318 (local heritage item 1238).</li> <li>• The site also sits approximately 60m to the north west of heritage conservation area C69 with local significance.</li> </ul>	<p><b>Complies</b></p> <p>A Heritage Impact Statement has been prepared to support this DA (Refer to <b>Appendix 11</b>).</p>

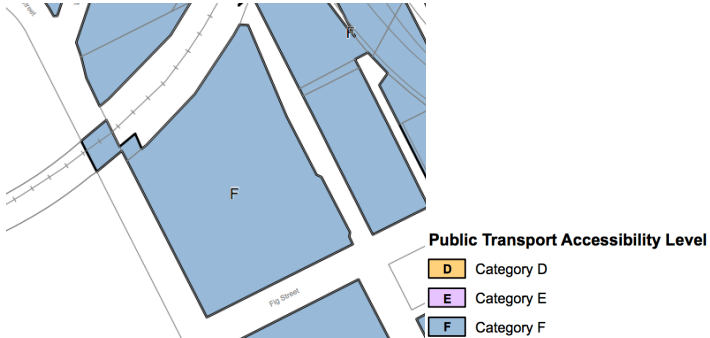
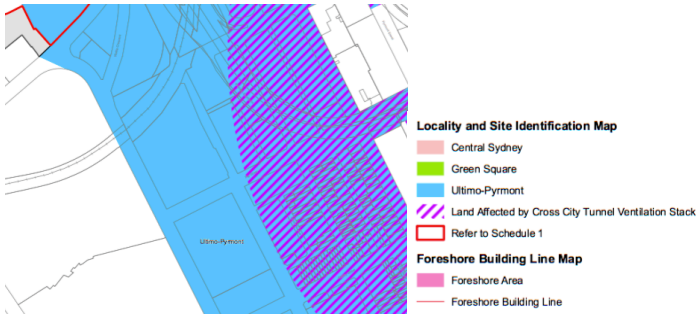
Assessment against Sydney Local Environmental Plan 2012

Zoning / Standard	Provision	Compliance
		
<p>6.21 Design Excellence</p>	<p>1) The objective of this clause is to deliver the highest standard of architectural, urban and landscape design.</p> <p>(2) This clause applies to development involving the erection of a new building or external alterations to an existing building on land to which this Plan applies.</p> <p>(3) Development consent must not be granted to development to which this clause applies unless, in the opinion of the consent authority, the proposed development exhibits design excellence.</p> <p>(5) Development consent must not be granted to the following development to which this clause applies unless a competitive design process has been held in relation to the proposed development:</p> <p>(a) development in respect of a building that has, or will have, a height above ground level (existing) greater than:</p> <p>(i) 55 metres on land in Central Sydney, or</p> <p>(ii) 25 metres on any other land,</p> <p>(b) development having a capital investment value of more than \$100,000,000,</p> <p>(c) development in respect of which a development control plan is required to be prepared under clause 7.20,</p> <p>(d) development for which the applicant has chosen such a process.</p> <p>(7) A building demonstrating design excellence:</p> <p>(a) may have a building height that exceeds the maximum height shown for the land on the Height of Buildings Map by an amount, to be determined by the consent authority, of up to 10% of the amount shown on the map, or</p> <p>(b) is eligible for an amount of additional floor space, to be determined by the consent authority, of up to 10% of:</p> <p>(i) the amount permitted as a result of the floor space ratio shown for the land on the Floor Space Ratio Map, and</p> <p>(ii) any accommodation floor space or community infrastructure floor space for which the building is eligible under Division 1 or 2.</p>	<p><b>Complies</b></p> <p>The SEE provides a detailed analysis of the design excellence requirements. The application is also accompanied by a Design Excellence Strategy and will proceed through a competitive design alternatives process prior to submission of a detailed DA.</p> <p>The proposal seeks to achieve the additional maximum 10% uplift of height as part this concept DA. Refer to Section 6.7.7 of the SEE and <b>Appendix 15</b> for further discussion.</p>

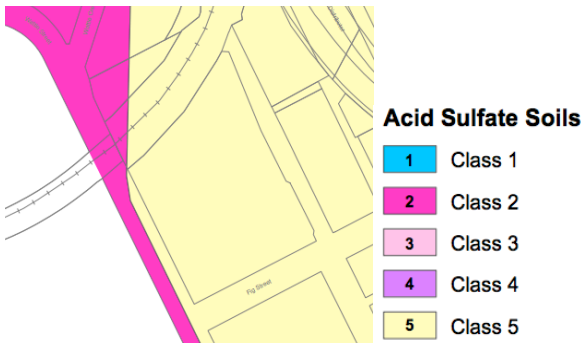
Assessment against Sydney Local Environmental Plan 2012

Zoning / Standard	Provision	Compliance
<p>7.5 Residential flat buildings, dual occupancies and multi dwelling housing</p>	<p>Maximum parking rates are as follows:</p> <p><b>Residential</b> (residential flat building Category B)</p> <ul style="list-style-type: none"> <li>▪ for each studio dwelling—0.2 spaces, and</li> <li>▪ for each 1 bedroom dwelling—0.4 spaces, and</li> <li>▪ for each 2 bedroom dwelling—0.8 spaces, and</li> <li>▪ for each 3 or more bedroom dwelling—1.1 spaces, and</li> </ul> <p><b>Residential visitor</b> (residential flat building Category B)</p> <ul style="list-style-type: none"> <li>▪ for each dwelling up to 30 dwellings—0.167 spaces, and</li> <li>▪ for each dwelling more than 30 and up to 70 dwellings—0.1 spaces, and</li> <li>▪ for each dwelling more than 70 dwellings—0.05 spaces.</li> </ul> 	<p><b>Complies</b></p> <p>The proposal includes a total of 213 car parking spaces for residential and visitors, which is under the maximum number of 318 car spaces permitted. Refer to Section 6.7.5 of the SEE for further discussion and the Traffic and Transport Report at <b>Appendix 12</b>.</p>
<p>7.6 Office premises and business premises, 7.7 Retail premises, 7.8 Industry and warehouse or distribution centres, 7.9 Other land uses</p>	<p>Maximum parking rates are as follows:</p> <p><b>Retail</b> (Category F)</p> <ul style="list-style-type: none"> <li>▪ 1 space for each 50 square metres of gross floor area of the building used for those purposes.</li> </ul> <p><b>Office and business</b> (Category F)</p> <ul style="list-style-type: none"> <li>• For a floor space ratio greater than 1.5:1 – the following formula is to be used:</li> </ul> $(M = (G \times A) \div (50 \times T))$ <p>where:  <b>M</b> is the maximum number of parking spaces, and  <b>G</b> is the gross floor area of all office premises and business premises in the building in square metres, and  <b>A</b> is the site area in square metres, and  <b>T</b> is the total gross floor area of all buildings on the site in square metres</p> <p><b>Child care centres</b></p> <ul style="list-style-type: none"> <li>▪ 1 space plus 1 space for every 100 square metres of the gross floor area of the building used for those purposes.</li> </ul>	<p><b>Complies</b></p> <p>As noted in the Traffic and Transport Report at <b>Appendix 12</b>, the proposal is permitted to provide a maximum of 101 spaces for the non-residential components of the development.</p> <p>Consistent with the requirement, the proposal provides 83 car spaces for commercial, 6 car spaces for retail, 12 car spaces for childcare centre and 0 car spaces for the recreation centre. The proposed parking complies with the maximum number of car spaces identified</p>

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Zoning / Standard	Provision	Compliance
	 <p><b>Public Transport Accessibility Level</b></p> <ul style="list-style-type: none"> <li><span style="background-color: #FFD700; border: 1px solid black; padding: 2px;">D</span> Category D</li> <li><span style="background-color: #9370DB; border: 1px solid black; padding: 2px;">E</span> Category E</li> <li><span style="background-color: #6495ED; border: 1px solid black; padding: 2px;">F</span> Category F</li> </ul>	under the SLEP 2012.
<p>Clause 7.13 Contribution for purpose of affordable housing</p>	<p>The site falls within the Pyrmont precinct and therefore affordable housing would need to be provided or a monetary contribution.</p>  <p><b>Locality and Site Identification Map</b></p> <ul style="list-style-type: none"> <li><span style="background-color: #FFC0CB; border: 1px solid black; padding: 2px;">Central Sydney</span></li> <li><span style="background-color: #90EE90; border: 1px solid black; padding: 2px;">Green Square</span></li> <li><span style="background-color: #6495ED; border: 1px solid black; padding: 2px;">Ultimo-Pyrmont</span></li> <li><span style="background-color: #FFDAB9; border: 1px solid black; padding: 2px;">Land Affected by Cross City Tunnel Ventilation Stack</span></li> <li><span style="border: 1px solid red; padding: 2px;">Refer to Schedule 1</span></li> </ul> <p><b>Foreshore Building Line Map</b></p> <ul style="list-style-type: none"> <li><span style="background-color: #FFC0CB; border: 1px solid black; padding: 2px;">Foreshore Area</span></li> <li><span style="border: 1px solid red; padding: 2px;">Foreshore Building Line</span></li> </ul> <p>(1) The consent authority may, when granting development consent to development (other than development that is excluded development) on land at Green Square or Ultimo-Pyrmont, or on southern employment land, impose a condition requiring a contribution equivalent to the affordable housing levy contribution, being:</p> <p>(b) for development on land at Ultimo-Pyrmont:</p> <p>(i) 0.8% of so much (if any) of the total floor area of the development that is intended to be used for residential purposes, and</p> <p>(ii) 1.1% of so much (if any) of the total floor area of the development that is not intended to be used for residential purposes.</p> <p>(2) The floor area of any excluded development is not to be included as part of the total floor area of a development for the purposes of calculating the applicable affordable housing levy contribution.</p> <p>(3) A condition imposed under this section must permit a person to satisfy the affordable housing levy contribution:</p> <p>(a) by way of a dedication in favour of the Council of land comprising one or more dwellings (each having a total floor area of not less than 50 square metres) with any remainder being paid as a monetary contribution to the Council, or</p> <p>(b) if the person so chooses, by way of a monetary contribution to the Council.</p>	<p><b>Complies</b></p> <p>This can be delivered through an appropriate condition of consent.</p>

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Zoning / Standard	Provision	Compliance				
	<p>(4) The rate at which a monetary contribution is to be taken to be equivalent to floor area for the purposes of this clause is to be calculated in accordance with:</p> <p>(a) for development on land at Green Square, the Green Square Affordable Housing Program adopted by the Council on 12 March 2012, or</p> <p>Note. The Program is made available by the Council on its website (<a href="http://www.cityofsydney.nsw.gov.au">www.cityofsydney.nsw.gov.au</a>).</p> <p>(aa) for development on southern employment land, the Employment Lands Affordable Housing Program adopted by the Council on 30 March 2015, or</p> <p>Note. The Program is made available by the Council on its website (<a href="http://www.cityofsydney.nsw.gov.au">www.cityofsydney.nsw.gov.au</a>).</p>					
<p>7.14 Acid Sulfate Soils</p>	<p>(1) The objective of this clause is to ensure that development does not disturb, expose or drain acid sulfate soils and cause environmental damage.</p> <p>(2) Development consent is required for the carrying out of works described in the Table to this subclause on land shown on the Acid Sulfate Soils Map as being of the class specified for those works.</p> <p>The site is on land classified as Class 5 Acid Sulfate Soils.</p>  <table border="1" data-bbox="379 1429 1005 1711"> <thead> <tr> <th>Class of land</th> <th>Works</th> </tr> </thead> <tbody> <tr> <td>5</td> <td>Works within 500 metres of adjacent Class 1, 2, 3 or 4 land that is below 5 metres Australian Height Datum and by which the watertable is likely to be lowered below 1 metre Australian Height Datum on adjacent Class 1, 2, 3 or 4 land.</td> </tr> </tbody> </table>	Class of land	Works	5	Works within 500 metres of adjacent Class 1, 2, 3 or 4 land that is below 5 metres Australian Height Datum and by which the watertable is likely to be lowered below 1 metre Australian Height Datum on adjacent Class 1, 2, 3 or 4 land.	<p><b>Complies</b></p> <p>A Geotechnical Report has been prepared to accommodate this DA (Refer to <b>Appendix 21</b>).</p>
Class of land	Works					
5	Works within 500 metres of adjacent Class 1, 2, 3 or 4 land that is below 5 metres Australian Height Datum and by which the watertable is likely to be lowered below 1 metre Australian Height Datum on adjacent Class 1, 2, 3 or 4 land.					
<p>7.15 Flood planning</p>	<p>(3) Development consent must not be granted to development on land to which this clause applies unless the consent authority is satisfied that the development:</p> <p>(a) is compatible with the flood hazard of the land, and</p> <p>(b) is not likely to significantly adversely affect flood behaviour resulting in detrimental increases in the potential flood affectation of other development or properties, and</p> <p>(c) incorporates appropriate measures to manage risk</p>	<p><b>Complies</b></p> <p>A detailed Flooding Assessment Report has been prepared to accommodate this DA (Refer to <b>Appendix 16</b>).</p>				

Assessment against Sydney Local Environmental Plan 2012

Zoning / Standard	Provision	Compliance
	<p>to life from flood, and</p> <p>(d) is not likely to significantly adversely affect the environment or cause avoidable erosion, siltation, destruction of riparian vegetation or a reduction in the stability of river banks or watercourses, and</p> <p>(e) is not likely to result in unsustainable social and economic costs to the community as a consequence of flooding</p> <p>(5) In this clause: flood planning level means the level of a 1:100 ARI (average recurrent interval) flood event plus 0.5 metres freeboard.</p>	
<p>7.20 Development requiring or authorising preparation of a development control plan.</p>	<p>(1) This clause applies to any of the following development:</p> <p>(a) development for the purposes of a new building,</p> <p>(b) development that increases the gross floor area of an existing building.</p> <p>(2) Development consent must not be granted to development to which this clause applies on the following land unless a development control plan that provides for the matters in subclause (4) has been prepared for the land:</p> <p>(b) land (other than land in Central Sydney, in Zone B6 Enterprise Corridor or in Zone IN1 General Industrial), if the site area for the development is more than 5,000 square metres or if the development will result in a building with a height greater than 25 metres above ground level (existing),</p> <p>Full draft (3) A development control plan is not required to be prepared if the consent authority is satisfied that such a plan would be unreasonable or unnecessary in the circumstances or that the development:</p> <p>(a) involves only alterations or additions to an existing building, and</p> <p>(b) does not significantly increase the height or gross floor area of the building, and</p> <p>(c) does not have significant adverse impacts on adjoining buildings or the public domain, and</p> <p>(d) does not significantly alter any aspect of the building when viewed from public places.</p> <p>(4) The development control plan must provide for all of the following:</p> <p>(a) requirements as to the form and external appearance of proposed development so as to improve the quality and amenity of the public domain,</p> <p>(b) requirements to minimise the detrimental impact of proposed development on view corridors,</p> <p>(c) how proposed development addresses the following matters:</p>	<p><b>Complies</b></p> <p>The site exceeds 5,000sqm and therefore it will require a site specific DCP to be prepared.</p> <p>Notwithstanding the above, Section 83C of the EP&amp;A Act allows for a staged development application to be carried out in place of the preparation of a development control plan required by any environmental planning instrument.</p> <p>Therefore, a site specific DCP is not required for this Concept DA.</p> <p>A detailed assessment of the proposal's consistency with the requirements of Clause 7.20 is provided in the SEE.</p>

## Assessment against Sydney Local Environmental Plan 2012

Zoning / Standard	Provision	Compliance
	<ul style="list-style-type: none"> <li>(i) the suitability of the land for development,</li> <li>(ii) the existing and proposed uses and use mix,</li> <li>(iii) any heritage issues and streetscape constraints,</li> <li>(iv) the location of any tower proposed, having regard to the need to achieve an acceptable relationship with other towers (existing or proposed) on the same site or on neighbouring sites in terms of separation, setbacks, amenity and urban form,</li> <li>(v) the bulk, massing and modulation of buildings,</li> <li>(vi) street frontage heights,</li> <li>(vii) environmental impacts, such as sustainable design, overshadowing and solar access, visual and acoustic privacy, noise, wind and reflectivity,</li> <li>(viii) the achievement of the principles of ecologically sustainable development,</li> <li>(ix) pedestrian, cycle, vehicular and service access and circulation requirements, including the permeability of any pedestrian network,</li> <li>(x) the impact on, and any proposed improvements to, the public domain,</li> <li>(xi) the impact on any special character area,</li> <li>(xii) achieving appropriate interface at ground level between the building and the public domain,</li> <li>(xiii) the excellence and integration of landscape design,</li> <li>(xiv) the incorporation of high quality public art into the fabric of buildings in the public domain or in other areas to which the public has access.</li> </ul> <p><i>Note. Section 83C of the Environmental Planning and Assessment Act 1979 provides that if an environmental planning instrument requires the preparation of a development control plan before any particular or kind of development is carried out on any land, that obligation may be satisfied by the making and approval of a staged development application in respect of that land.</i></p>	