



NSW GOVERNMENT
Department of Planning

Contact: Izlem Boylu
Phone: (02) 9228 6369
Fax: (02) 9228 6540
Email: izlem.boylu@planning.nsw.gov.au

Meriton Apartments Pty Ltd
Level 11, 528 Kent Street
SYDNEY NSW 2000
Att: Tom Hutchison

Our ref: MP05_0043
Your ref:
File: S07/00416-1

Dear Mr Hutchison,

Submissions in response to Exhibition of the Construction of 2 residential flat buildings varying in height between 4 and 7 storeys and containing 75 apartments, basement car parking for 81 vehicles and strata subdivision – Lot 104, Precinct C, 42 Walker Street, Rhodes MP05_0043

Thankyou for your Environmental Assessment (EA) for the above development, lodged with the Department on 18 March 2007. As you are aware, the Department publicly exhibited the EA for 30 days, from 28 March 2007.

Section 75H (5) of the *Environmental Planning and Assessment Act 1979* (the Act), requires the Director-General to provide the proponent with a summary of the issues raised in submissions. Accordingly, please find a summary of the 2 submissions from the public received by the Department to date, at **Attachment 1** to this letter.

In accordance with the same Clause of the Act, please find **enclosed** copies of submissions from the following government agencies:

1. Ministry of Transport, dated 3 May, 2007
2. NSW Health, dated 2 May 2007.
3. Department of Environment and Conservation NSW, dated 30 April 2007.
4. Nature Conservation Council of NSW, dated 26 April 2007.
5. RailCorp, dated 24 April 2007.
6. City of Ryde Council, dated 18 April 2007.
7. Canada Bay Council, dated 8 May 2007.
8. NSW Maritime, dated 1 May 2007.

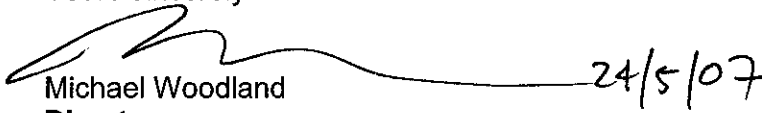
As permitted by Section 75H(6) the Director-General may require the proponent to submit:

- (a) a response to the issues raised in submissions, and
- (b) a preferred project report that outlines any proposed changes to the project to minimise its environmental impact, and
- (c) any revised statement of commitments.

In this regard, you are requested to provide a response which addresses the concerns raised by the submissions. Please be advised that the Department is currently undertaking a comprehensive assessment of the Project Applicant and will be providing any further issues for consideration in the near future.

If you have any queries regarding this letter, please contact Izlem Boylu on 9228 6369 or via email to izlem.boylu@planning.nsw.gov.au.

Yours sincerely


Michael Woodland
Director
Urban Assessments

24/5/07

ATTACHMENT 1

Issue	Detail
John Witton Bridge	The developer should contribute to the construction of access to both ends of the John Witten Bridge.
Traffic and Parking	Concern is raised that the proposal will generate a significant increase in traffic to the area and will result in a unreasonable increase in the demand for car parking in the streets surrounding the site, which will create difficulty for local residents or their guests attempting to park in the street.
Deep Soil Planting	The proposal does not provide sufficient deep soil planting area.
Storage Space	Insufficient storage space is provided for the units.
Solar access	Too many units are south facing and not receiving sufficient sunshine.



City of Canada Bay Council

Canada Bay Civic Centre Drummoyne
1a Marlborough Street Drummoyne NSW 2047
Locked Bag 1470 Drummoyne NSW 1470
Tel: 9911 6555 * Fax: 9911 6550
council@canadabay.nsw.gov.au
www.canadabay.nsw.gov.au

8 May 2007

NSW Department of Planning
Urban Assessments
GPO Box 39
SYDNEY NSW 2001

Attention: Michael Woodland - Manager Urban Assessments
Aaron Sutherland – Assessing Officer

Dear Michael and Aaron

RE: Major Project Application MP 05 – 0043 42 Walker Street, Rhodes (Lot 104)

I refer to your letter to Council of 12 March 2007, and provide the following comments in relation to the subject application:

1. GENERAL/ENVIRONMENT

The following comments are provided by Council's Environmental Health Section:

- It is noted that a *Human Health Risk Assessment for Onsite Construction Workers* is provided in the application (Tab21), however this document seems to be the

same as the one previously prepared for Lot 100 and relates to workers on that allotment.

- Odour has been an ongoing issue on the site, particularly when dealing with some of the more "toxic" material on the site. Council expresses concern for the workers on the site, and the associated risks to them seeking as the studies were not prepared at the beginning of this process taking into account an increased load of workers within close proximity. This could generate occupational hazards, such as odours, non-odorous toxic chemicals, dust and noise.
- Noise has been identified as an issue on both remediation sites and the noise goal set has been hard to reach and maintain so far. Council expresses concern for the cumulative noise impacts to neighboring receptors. Not only would two thermal treatment plants possibly be in 24 hour operation, but during the day, general building noise including building works, truck deliveries etc. would increase the noise emitted from the general area.
- Dust, from construction works to be carried out on the proposed site, would also contribute to the general dust levels being emitted. This would not only impact workers on the site itself but workers on neighboring sites and the residents surrounding the development.
- Tracking of soils from the site may also be an issue and clear boundaries which could not be penetrated and cross contaminated would need to be identified. Trucks entering the remediation site should not be permissible.

Council is concerned to ensure that in any remediation requirements of this or any other consent for the precinct that it is managed in such a way that workers on development sites within the precinct and occupants of the buildings within the precinct or adjoining sites are not exposed to contamination or the smoke from burning of contaminants due to any inappropriate attenuation of the remediation or inappropriate scheduling of those works.

Ideally, all remediation activities in the vicinity of the proposed development should be completed before constructed is commenced and/or occupation is permitted.

2. USE OF CONTAMINATED FILL

Council is opposed to the use of contaminated fill being retained on any part of the site, including on any roadways or land proposed for public reserve.

In this regard certification by a suitably qualified person endorsing that the fill material is suitable for its purpose and free from deleterious substance and contamination, must be provided. The fill should be "Virgin Excavated Natural Material", as defined in Schedule 1 of the Protection of the Environment and Operations Act, 1997.

3. TOWN PLANNING COMMENTS

These comments deal with the Design Quality Principles of SEPP65 and the Residential Flat Design Code Environmental Planning and Assessment (SEPP65) Regulations 2000, with additional reference to Major Project documents referred by DOP 7 March 2007, SREP 29 Rhodes Peninsula and accompanying DCP, and Sydney Harbour Catchment REP and accompanying DCP.

Submission deficiencies:

- There are a number of deficiencies in the submission relating to this project. These deficiencies could potentially lead to a misinterpretation of the proposed development unless rectified. They include:
 - The submission does not comply with SEPP65 and Regulations requirements for submissions of this scale of development. In particular the provisions of Schedule 1 Part 1 "Development Applications", Clause 2(5) of the Environmental Planning and Assessment (SEPP65) Regulations 2002 which prescriptively provides details of the submission documents which must be provided for a development.
 - Sub-clause (b): The drawings do not include the streetscape as required.
 - Sub-clause (c): The plans, sections and elevations do not have the building height, height planes and Building envelope controls marked on them as required.
 - Sub-clause (d): The Landscape Plans are non-specific and do not include the context framework as required.
 - Sub-clause (g): No proposed materials sample board is provided.
 - Sub-clause (h): Detailed wall sections to show essential information for SEPP65 and Residential Flat Design Code evaluation are not provided.
 - Sub-clause (i): In such a sensitive site a model is considered to be a necessary requirement.
- Annexure 7 does not show height controls. However, the SREP29 height control plan shows the site to be wholly within the 4 storey height limit area.
- The proposed exhaust system from the car parking basement levels is exhausted into the central courtyard area. While the distances to habitable spaces complies with the minimum requirements of the BCA this solution in the context of a "U" shaped building form is considered unacceptable unless the system is backed up by UV-C filtration to destroy the volatile organic compounds. The basement car park should be provided with a suitable exhaust duct beside the lift/s shaft/s to exhaust the gases through a dilution chamber above the highest roof level.
- Existing and future site levels are not adequately shown on the architectural plans. The survey plan, which does not identify Lot 104, is to a different and irreconcilable

datum to that used in the Architectural plans. All levels for comparison purposes need to be assessed at the same datum level and no consent should issue until the levels are reconciled and checked.

- Although not part of an urban design statement but certainly part of any proper environmental assessment of the development there is a strong concern at the statements relating to remediation and in the risk and safety assessment in that statement:
 - The Safety Statement is said to be restricted to assessment of the site workers and visitors only. There is no assessment of future occupants' exposure and no assessment of exposure on neighboring sites. This is considered to be an unacceptable exclusion and does not seem to meet the Director General's requirements.
 - The assessment is limited to "the site". "The site" is not defined and it is vital that it be clarified so that it is certain whether "the site" means lot 104 or the wider area of Precinct C. This is important particularly in the light of the lack of assessment in respect of future occupants for reason that if remediation is continuing around this development site after completion and occupation then it should be mandatory that an assessment is made in respect of the occupants.
 - Given the high level of site contamination reported it is extraordinary that the assessment report can determine that there is relatively little risk factor to site workers and visitors during construction and while remediation is continuing. If remediation is not to be completed prior to any construction work then a second, independent opinion, should be engaged by the consent authority, at the applicant's cost, to verify the report.

SEPP 65 ASSESSMENT

Principle 1 Context

This is to be one of the first buildings in this precinct; the site, nevertheless, has a strong contextual framework, which apart from the statutory planning controls context relevantly include:

- The historical context, which is formulated in the SREP29 and the DCP.
- The topographical context.
- The landscape context, which is formulated in the SREP29/DCP, the Sydney Harbour Catchment REP.
- The foreshore context.

Historical Context:

It is a fundamental concept and a stated **Planning Principle** of the SREP29 (Clause 10 Public Domain) that the history of the site be "*interpreted*" through the continuity of existing features such as street layout and plantings. The concept is more fully expressed in the DCP, which requires that Shoreline Avenue follow the line of the pre-reclaimed

foreshore and that this is to be "*reflected*" in the streetscape by replication of the riparian environment of that pre-existing shoreline.

The proposed development, despite assertions, fails to achieve the objective and there appears to be no attempt to address the historic context of Shoreline Avenue and the detailed requirements to give expression to that former foreshore riparian zone as required by the Rhodes DCP.

Topographic Context:

The general Rhodes locality slopes down from ridges located along the railway line and Walker, Urban and Marquet Streets to the foreshore.

The statutory SREP29 context requires that the highest buildings be located on the ridge tops and the lower (maximum 4 storey buildings) be located adjacent to the foreshore park. Lot 104 is generally flat along the N/S axis and has a 1:10 to 1:15 slope on the E/W axis. The northern building has a general height of 5 storeys and the southern building a height of 4/8 storeys.

The site lies wholly within the 4 storey height limit area as shown on the SREP29 Height Map. Clause 16(4)(c) of SREP29 provides that "not more than 4% of the total gross floor area allowed within the precinct may be added up to a maximum height of 6 storeys. Accordingly, where a part of the proposed development is up to 7/8 storeys, there appears to be no legal mechanism by which that could be approved. Simply the development is non-compliant and may not be approved. Moreover, it is vital that building elements along the immediate foreshore do not exceed 4 storeys to ensure that visual impacts on the waterway and the foreshore park are minimised.

Foreshore Context:

This precinct and this site is a small part of the Canada Bay foreshore and an even smaller part of the Sydney Harbour and tributaries foreshores. Those wider foreshore areas are administered under the strong ecological and environmental objectives and detailed requirements of the Sydney Harbour Catchment REP together with the accompanying DCP. That context emphasises the restoration of the natural landscape particularly, but not only, in the riparian zone which includes restoration of the complex layering of grasses/herbs, small and large shrubs/ferns and small and large trees including canopy trees and trees overhanging the waterways which were typical of the former harbour foreshore. This ecological emphasis is aimed at replicating the complex, structure of plant and habitat biodiversity endemic to the locality.

The frontage of the subject site, which adjoins the foreshore park, can be considered as forming part of the important riparian zone. There is no evidence that the landscape plan for the proposed development has responded at all to the requirements of the context. Notwithstanding, that the Rhodes DCP seeks to express something of the sites former industrial history in the rigid stone retaining walls used for reclamation the scheme is unimaginative, one-dimensional and does not represent a committed attempt to replicate the complex layering or provisioning for biodiversity and there is no attempt to

sensitively respond to the foreshore context of the site. Moreover, the SREP29 Clause 10 Built Form **Planning Principle** requires a "*high quality of landscaping and planting*" and the Ecological **Planning Principles** require the "*adoption of appropriate revegetation of the foreshores*" ie. an ecologically appropriate approach.

The statutory context of the foreshore requires the provision of a 30 metre setback from the waterway for any buildings (Fig 5.2.3.iii SREP29 DCP) which is not met by the proposed development in that significant parts of the development intrude upon the setback area. Clause 5.2.3 and figure 5.2.3.ii provides for a relaxation of that control where the parts of the building forward of the building line do not exceed a width of 18m. The proposed development breaches the control in that the width of the building components forward of the building line are respectively 20m and 22m.

The statutory context also states as a **Planning Principle** that "*the predominant height of buildings adjacent to the foreshore is not to exceed 4 storeys*" (Clause 10 – Built Form). The northern building is appropriately categorised as 5 storey and the southern building as 4/8 storey. Accordingly, the proposed development is non-compliant.

The Environmental Context:

Both the SREP29 and DCP require a strong environmental response (Clause 10 **Planning Principles** Built Form and Ecological Issues). Given the original flawed master plan building layout and inappropriate building orientation of that plan, any attempt to achieve a high quality environmental response would be inevitably compromised. Nevertheless, some 70 % of the units have a northern, north eastern or north western orientation which, if controlled, can be acceptable although not ideal. The elevation graphics are simplistic and difficult to read in that rendered panels and glazing seems to have the same graphic representation. Nevertheless, it is clear that most windows in most of the units do not have summer heat load shielding. The proposed development, as a result does not meet the most basic of passive solar and sunlight penetration requirements, notwithstanding, that a Basix Certificate has issued for the development. It is noted that Basix assessment deals only with a limited range of environmental and ecological issues and accordingly, those other ecological and environmental issues not covered by the standard, but required in accordance with the SREP29 and the DCP, are more particularly discussed at Principle 5.

The application does not demonstrate a committed attempt to overcome the flawed planning framework by appropriate passive or active solar design to achieve a better environmental outcome for the project and the units in the project.

Principle 2: Scale

Given that this is to be one of the first buildings in the new precinct the appropriate scale response derives directly from the planning controls including SREP29 and the Rhodes DCP.

- SREP29 requires that buildings adjacent to the foreshore **must not** exceed 4 storeys in height. It is clear that the proposed northern building is 5 storeys while the southern building is 4/8 storeys and that, as a result, they are non-compliant.

It is clear from the submitted montages that the proposed development is excessively bulky and will create an adverse bulk and scale impact on the waterway, which is unsatisfactory (see also elevation Plan 16 DA). The northern building, it is considered, would benefit from a reduction of one storey to make it compliant and to reduce the impact on the waterway.

- The bulk and scale of building elements facing Shoreline Avenue presents a height, bulk and scale which is considered unsatisfactory in the streetscape and contrary to the maximum height requirements of the SREP29.

Principle 3: Built Form

Built form controls and **Planning Principles** establishing height, setbacks, orientation, building disposition on site are incorporated in the SREP29/DCP and the Master Plan, however, in an endeavour to accumulate additional floor space, the proposed development breaches the height controls as follows:

- Height: Overall the northern building is one storey above the permissible 4 storey height limit and the southern building is in part 2 storeys above the maximum bonus height limit imposed by the SREP29.
- Separation: For buildings of 4 to 8 storeys the Residential Flat Design Code requires that buildings, both between sites and buildings on a site, be separated by not less than 18m between balconies; between balconies and habitable rooms and between habitable rooms. The control objectives are designed to limit building impacts and maintain area character, maintain visual and acoustic privacy and control of overshadowing. The applicant claims that because windows are offset that the many non-compliances in the building should be accepted. However, the minimum distance between some balconies is less than 6m and the separation distances between windows, including windows which are not offset, is as little as 7m. Clearly the applicant has misunderstood the objectives of the separation controls, notwithstanding that they are explicitly stated in the instrument. Given the level of non-compliance the proposed development cannot be supported.

This is one of the more prominent sites within the Rhodes Peninsula and given the non-compliances in relation to the waterway setback and the height, together with the unacceptable separation distances, the application cannot be supported in its present form and should be refused or at very least the applicant be advised to amend the proposal to ensure compliance.

Principle 4: Density

In general, the overall precinct density has been linked through the original planning strategy, to the capacity of the infrastructure and public/private transport to accommodate the increased densities.

It is clear that the additional one and two floor levels on the buildings, and the increased density, results in a bulk and scale which impacts adversely on the streetscape and on the waterway and should not be supported.

Principle 5: Resource, energy and water efficiency

While a Basix certification has been obtained for the proposed buildings, Basix is not a complete environmental analysis in that it deals only with a selected range of environmental indicia. SREP29 and the DCP require further ecological and environmental considerations including:

- There is clearly a major reliance in the development on largely western orientation for sunlight penetration, which is undesirable. There are no sectional details of the western, eastern and northern walls, as required by the SEPP 65 Regulations, to enable a full determination as to whether the scheme has been appropriately designed to allow deep penetration of winter sun and reduction of heat loads as a result of summer sun. However, most windows in most units seem to have no solar protection.
- There appears to be no quantitative allowance for water recycling, or stormwater re-use which in current circumstances is unacceptable and the proposal for re-use of stormwater in garden areas only should be extended to include all toilets. There appears to be no proposal for recycling and re-use of grey water and again in the present circumstances, it is necessary that recycling forms part of any major new development scheme. (Has connection to the WRAMS facility been properly considered?)
- No opportunity has been taken to try to get sunlight into the basement areas of the building to provide a saving on the use of electrical lighting during the daylight period, notwithstanding, an opportunity given by a large void in the southern building. Opportunities should be provided through both levels of the car park to facilitate as much as possible effective day lighting of the spaces.
- There is no allocation of a common external drying area for the units although there is a statement, which identifies that screened balcony areas are available. Since the plans and elevations are minimal, there is no opportunity to identify what is meant by such a statement and whether the solution is acceptable.

Direct sunlight penetration:

No boundary bearings are shown, however, accepting that the north point on the submitted plans fairly represents true or solar north it is clear that western and eastern summer sun will be a problem for most units and that many units must rely on western winter sun for day lighting access which is unacceptable.

- It is noted that the Residential Flat Design Code requires that 70% of apartments should achieve at least 3 hours of direct sunlight between 9am and 3pm in mid winter. The generalised analysis submitted refers to sunlight penetration between 7.30am and 4.30pm only and apart from the fact that the time frames do not

coincide with the requirements of the Residential Flat design Code the analysis is of little value in that it cannot be verified due to the poor documentation.

Use of low embodied energy materials and use of materials from sustainable sources is not demonstrated except by generalised statements.

There is no demonstration that the landscape is designed to trap and filter surface stormwater, as required by SREP29/DCP and the Sydney Harbour Foreshore Catchment REP.

Principle 6: Landscape:

This is an important, foreshore site and in consideration of that context, a wide array of environmental and ecological controls has been imposed on all developments. To a large degree these **Planning Principals** and other statutory and non-statutory controls appear not to have been embraced and have in most instances been actively breached.

The Statement of Environmental Effect states (page 25) that "*A detailed landscape scheme has been prepared by Guy Sturt & Associates, which depicts the number and size of plants and trees*". The proposed landscape scheme provides a plan with a schedule of planting but the location of those scheduled plants and the numbers of plants to be used is not referenced on the plan. Accordingly, the application provides no certain and assured outcome. Indeed the imagery on the plans (including landscape plan) and montage reveals a one-dimensional approach to landscape design, which is contrary to the controls.

The Sydney Harbour Catchment REP provides a range of controls and the SREP29 and accompanying DCP require the following:

Planning Principles:

- SREP29 Built Form: Development is to "*provide a high quality of landscaping and plantings*".
SREP 29 Ecological Issues: "*Appropriate vegetation of the foreshore is to be encouraged*".
- Rhodes DCP:
Clause 3.1.1(v) "*Preserve the cultural heritage value of the place by retaining wherever practical, existing streets, established stands of trees, site benching, the pre-reclamation shoreline and the flat terrain of the reclaimed land*".
Comment: The principle of site benching to re-establish former contours, the flattening of the area below the former pre-reclamation shoreline, and giving expression to the former shoreline (Shoreline Avenue) by means of riparian style vegetation, has not been observed.

Clause 3.1.4(vi) "*Promote biodiversity by protecting and extending existing habitats particularly by extending riparian vegetation along the foreshore*". In

addition the provisions of Clause 3.1.4 require conformance with SEPP 56 guiding principles, now repealed and replaced by the Sydney Harbour Foreshore Catchment REP.

Clause 3.1.8(i) *"Promote a high quality architectural and landscape design to create a strong identity for all new developments"*.

Clause 3.1.8(v) *"Encourage built form that optimises sun access to new and existing streets and public open spaces"*.

Clause 3.1.8(vii) *"Create private internal and external environments that achieve a high level of amenity for occupants and neighbours"*.

Clause 3.1.10(i) *"Design communal landscape spaces to be useable and easily accessible from buildings with a pleasant and comfortable environment"*.

Clause 3.1.10(ii) *"Include deep soil landscape areas in internal gardens that allow planting of large trees and encourage infiltration of run off"*.

Clause 3.1.10(iii) *Provide front gardens to dwellings set back from the street edge in residential areas, wherever possible, to promote privacy and contribute to streetscape quality"*.

Clause 4.2.3(ii) The diagrams indicate the scale of planting required continuously along Shoreline Avenue (which follows the pre-reclamation shoreline) with the notation that street tree planting should relate to the indigenous riparian environment of Homebush Bay to interpret the pre existing shoreline and, on the western side, the trees should be open canopy type.

Clause 4.2.3(iii) *"Nominates wide streets with parkway character."*

Clause 4.1.6(1) Landscape Strategy

- *"pre- existing indigenous landscapes, both ridge and riparian, to emphasise the relationship of the public framework to landform and landscapes"*.
- *"the desire to recreate a riparian zone along the foreshore, for protection of the river and to extend avian habitat"*.
- *"The Department of Land and Water encourages re-establishment of a riparian vegetation zone along the foreshore"*.
- The diagram notes the riparian planting regime is to extend along Shoreline Avenue.

Clause 4.1.6(6) *"Extend a riparian zone along the foreshore, minimum 20 metres in width, with appropriate tree, shrub and ground cover species"*.

Clause 5.4.1 Private and Communal Open Space: The provisions require the maximising of groundwater infiltration; a minimum 20% of the site for deep soil planting; plus a further 5% which may be in planting boxes; the car park is to be restricted mainly to the footprint of the building.

Clause 5.5.3(1) *"Stormwater Drainage must promote natural infiltration"*.

The only common green open space of any utility is located on the western side of the development, adjoining the foreshore park. This open space has inadequate shade planting and will have very little utility as the space has not been designed for either active or passive communal use.

High quality landscape design does not and cannot mean simply that any type of grass, tree and paving solution is acceptable. To provide the necessary "quality" of landscape required by the controls and by the contextual framework set by the Sydney Harbour Catchment REP, an amended and more committed ecological and environmental approach will be necessary. That approach should demonstrate a clear commitment to integration of the site landscape with the landscape principles required for Shoreline Avenue, the foreshore park and the street landscaping. The present landscape scheme is not supported and should be refused.

The architectural documentation graphics reveal a landscape concept, which is alien to the locality and a great deal of care would need to be exercised to ensure that these plans are not stamped to infer an approval of the alien landscape. See in particular the montages.

Council is generally concerned that insufficient open space is provided for in the Precinct, to cater for the recreational needs of the new population. Council therefore requests that amended landscape plans be required of the applicant which meticulously address the above issues raised, and that obtain the best possible landscape result for the area provided.

Principle 7: Amenity

Individual unit amenity is compromised by the orientation and the likely excessive summer heat loadings.

Acoustic and in many instances visual amenity is adversely affected due to lack of proper separation between units and their balconies. There is also a concern in respect of the very large balconies provided to units 38 and 40, both balconies are in excess of 200 sq m. These balconies are just 6m to 10m from adjoining balconies. Given the size of these spaces, it is imperative that the noise emanating from the spaces is carefully controlled. In addition the use should be restricted to passive use and the useable area should be set back, perhaps by planting zones or other means to assure appropriate separation distances are met.

Although the initial macro planning of the sites and distribution of buildings was fundamentally flawed there appears to have been little attempt to modify those adverse orientation impacts and to achieve a better outcome for the units.

Principle 8: Safety and Security

Passive surveillance seems to be well-handled in the development, however, pedestrian entry and pedestrian exit points will need to be well-lit at all times with vandal secure lights.

The recess area between the courtyard fence of unit 9 and the basement air intake vent in the southern corner of the southern building should be reviewed and the space deleted.

Principle 9: Social Dimensions

The overall Rhodes Planning Strategy has established a social framework for the locality, which will largely be funded out of development contributions and there is an integrated park system for passive and active recreation. However, at the site level there are concerns that the communal open space has not been designed for a range of active and passive uses as required by the Residential Flat Design Code.

Although there is a pool/spa and small gymnasium to be provided there is no communal meeting room, which is considered essential for a development of this size.

Principle 10: Aesthetics

Major pedestrian entry points are not well-defined in the streetscape; being consumed in the clutter of the building elements and detail. It will be necessary to provide some additional design and articulation into these elements, to ensure that they can be read more clearly.

Summary Planning Comments:

1. The landscape scheme should be refused in its entirety as being unresponsive to the detailed requirements of the context and the relevant controls.
2. The scheme should be amended by:
 - a. Reduction in the height of the foreshore buildings to 4 storeys to meet compliance and the maximum height of the building element at the corner of Shoreline Avenue and Darling Avenue, should be reduced to not more than 6 storeys.
 - b. Once appropriate wall sections are provided, it will be necessary to review the direct sunlight penetration of all apartments to ensure that there is direct winter sunlight penetration into all living areas for not less than 3 hours (between 9am and 3pm, as required) and to ensure that summer sun heat loadings are reduced by appropriate shading.

- c. Efforts should be made throughout the design to avoid, during daylight hours, the need for electric lighting of spaces including the basement parking areas.
 - d. A common room should be provided and the communal open space should be designed for specific communal uses.
 - e. It will be necessary to ensure that pedestrian access and egress areas are well-lit with vandal proof lighting.
 - f. It will be necessary to provide better articulation and identification of main pedestrian access points.
 - g. It will be necessary to provide controls on the use of terrace areas for units 38 and 40 so that the use is strictly limited to passive uses. It will also be necessary to provide sound level controls.
 - h. It will be necessary to increase separation distances throughout the development in accordance with the requirements of the Residential Flat Design Code.
 - i. It will be necessary to amend the design to achieve compliance with the foreshore setback provisions of the Rhodes DCP.
3. The survey and architectural plan levels need to be reconciled to the same datum and the existing and proposed levels more explicitly shown on the architectural plans.
 4. It will be necessary to upgrade the submission in accordance with the requirements of SEPP65 regulations.

COMMENTS FROM COUNCIL'S RECREATION PLANNING SECTION

The following is an assessment of both the communal private and the public realm landscaping.

General Comments - Landscape Plans

- The generalised nature of the plans provides difficulty in assessing them, e.g. the symbol for the proposed large trees vary from deep soil planting areas to narrow areas with mass paving. The pallet of trees proffered (9 in all) not all would suit all these conditions. A plan with greater definition of detail would be preferred as it will greatly affect the outcome.
- Some of the species suggested in the species list are not appropriate-
 - *Angophora costata* in an urban area is not good as it drops live limbs when under stress and urban trees are often under stress
 - *Ficus rubiginosa* in an urban area should be used with great care due to its root system
 - *Melaleuca quinquinervia* is not a good urban tree due to its root system

- Brachychiton acerifolium is not an acceptable risk in an urban area – brittle branches and live limb drops, also a weed species
- Lagunaria patersonia is an allergy hazard due to its seed pods
- High quality landscape plans showing proposals for the Public Realm areas need to be submitted in conjunction with the communal and private open space areas, for a more in depth assessment with all relevant information included, e.g. details on planters drainage and irrigation, soil etc., planting schedules and densities, materials and finishes of the landscape spaces.

Communal Private Landscaped Spaces

- Irrigation
 - As there is a large proportion of landscaped areas that are on slab &/or in planters, it is recommended that the water collected from the drains in these areas is recycled back to reticulate through the planters irrigation system to achieve water efficiency and sustainability.
- Shadow Diagram
 - The shadow diagrams (Drawing no 27-DA by Nation Viney Architects/ Urban Designers (19/02/2007)) are extremely small and thus very difficult to read and assess. One Diagram per A4 page would be appreciated so that a proper assessment can be made.
- Landscape
 - There is one area of proposed 'usable' communal space which is turfed, there does not seem to be any strong linkages either visually or physically with the units to this space.
 - 'Quality' of the communal space is negligible to the social and cultural needs of the community within the units proposed
 - The only other communal areas within the development are actually access ramps, not high quality landscape areas for social interaction and leisure. There is very little opportunity for the community to meet and utilise this space in a meaningful way.
 - 4 large trees are proposed to be planted hard up against a retaining wall (approx. 1 metre high – guesstimate from the number of steps) This is likely to make the wall fail in the short term.
 - Balcony on Unit 2.25 overhangs the garden of the flat below, both face south thus limiting the lower flats (unit 1.11) access to sun.
 - Balcony on Unit 1.05 overhangs the boundary of the development and is over where a medium sized tree is proposed on the level below.

Public Realm Landscaped Spaces

- **Landscape Plan**
 - No plans indicating how the public realm landscaped spaces along the foreshore were to be treated were included – these need to be included so that assessments can be made.
 - The public / private interface of the landscaped spaces needs to be carefully designed so as not to alienate the community, but also to indicate where the community are able to access.
 - The trees proposed in Shoreline Avenue courtyards are unsustainable. These trees can not be relied upon to soften the streetscape – large (broad canopy and tall) street trees are required.
 - The scale of the development 4-6 storey's will required large scale landscape solutions to soften the built form and provide scale to the pedestrian areas of the public realm – the private / communal landscaped area allowed for in the proposal to provide this landscape will not achieve this aim.

COMMENTS FROM COUNCIL'S LAND INFORMATION SYSTEM OFFICER

Logical orderly numbering of new properties created in the course of new developments is required.

Address systems need to be as simple and logical as possible for a number of reasons:

- Mail and other deliveries
- Provision of utilities (Electricity, water, gas, communications)
- Emergency services (timely response depends on simplicity of locating the emergency)
- Visitors to the area finding who and what they seek

Leaving the numbering to sort itself could potentially result in uncertainty and lack of logical and orderly numbering.

The situation in Rhodes Peninsula is that development initially commenced at the southern end and gradually proceeded northwards. As new apartment blocks were completed, each received the next series of numbers ascending as they proceed. The situation now is that developments are being completed in a non-ordered manner. The attached pdf will show numbers already known as well as parcels yet to be numbered (heavy pale blue outlines) and logic will show that each property can only be numbered if the property to the south of it has been numbered.

For example, the Statewide development has just been completed and subdivided. About 2 dozen townhouses front Shoreline Drive. Which numbers on Shoreline Drive will they

be known as? This is difficult to ascertain because there are other developments south of this one which must be allocated numbers first.

Such an allocation may have already been done but Council has not been advised. When developers to the south ask what numbers their buildings should be, Council is not able to advise them.

The numbering of units within blocks is also of concern because certain illogical or impractical numberings are coming into use which cause problems. The simplest solution for all would be for the unit number to match the lot number. Descriptions such as G01 for ground floor unit one may not work with all property databases because of conflicts between numeric and alphabetic fields in those databases. For example Council's property database simply will not permit the letter G to be part of the unit number because the Authority database will not permit an alphabetic character in what it considers a numeric field. If this is the case with Council's database, then it could be the case in other databases ie Australia Post, banks, utilities, etc,

The best time to consider the future numbering of an area is at the earliest possible moment, and it is recommended that the Department of Planning consults with Council (Land Information Section) in this regard, and that a suitable condition is imposed on all subsequent development consents.

Yours faithfully



Ursula Lang
Executive Planner, Rhodes Peninsula

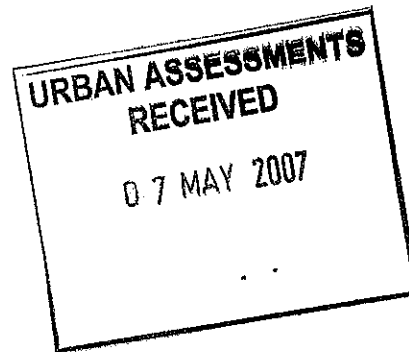


MINISTRY OF TRANSPORT

Level 19, 227 Elizabeth Street Sydney 2000
GPO Box 1620 Sydney 2001

Telephone 9268 2800 Facsimile 9268 2900
Internet www.transport.nsw.gov.au

ABN 25 765 807 817



Ms Heather Warton
Director – Urban Assessments
Department of Planning
GPO Box 39
Sydney NSW 2001

Att: Aaron Sutherland

Your ref: MP 05_0042
Our ref: TP07/02182

Dear Ms Warton,

MAJOR PROJECT
(MP 05_0042) Lot 104, Precinct C, 42 Walker Street, Rhodes

Thank you for the opportunity to comment on the abovementioned application for a multi unit residential development. The Ministry has reviewed the Environmental Assessment Report and Annexures dated March 2007 prepared by Meriton Pty Limited and offers the following comments.

Clause 13 of SREP 29 – Rhodes Peninsula requires that a consent authority must not grant consent to the development of land unless arrangements have been made to the satisfaction on the consent authority for:

(a) railway and bus infrastructure that will provide an adequate public railway and public bus service an adequate public railway and public bus service for people who will reside or work on, or otherwise use, the land to which this plan applies, and

(b) roads and related infrastructure of a standard adequate to provide public and private vehicular transport access to, and egress from, the land to which this plan applies from and to other land within the region.

Accordingly, the Ministry seeks confirmation that the proponent will be required to contribute towards the maintenance and improvement of bus transport services and facilities to and from the Rhodes peninsula either as works in kind or via a monetary contribution. I understand that a Planning Agreement under Section 93F of the *Environmental Planning and Assessment Act 1979* will be agreed between the Department of Planning, Canada Bay Council and the proponent.

Please find the Ministry's detailed comments attached, which I trust are of assistance to you. If you would like to discuss this matter further, please contact William Gastineau-Hills, Transport Analyst, Transport Planning on 9268 2841 or email william.gastineau-hills@transport.nsw.gov.au.

Yours sincerely



Juliet Grant

Acting Director, Transport Planning

3/5/07

Ministry of Transport detailed comments on Major Project (MP 05_0043)

Lot 103, Precinct C, 42 Walker Street, Rhodes

Development specific issues

In relation to this project, the Ministry has identified the following specific issues:

- The proposed supply of 76 on site car parking spaces is below the maximum permissible on site supply specified in Rhodes Peninsula DCP 2000 and is consistent with the planning principles detailed in SREP 29.
- Nonetheless, car share arrangements should also be seriously considered to mitigate the need for privately owned vehicles and replace a number of private car parking spaces. Given the State Plan's objective of reducing car use in the peak, attention to parking issues is crucial.

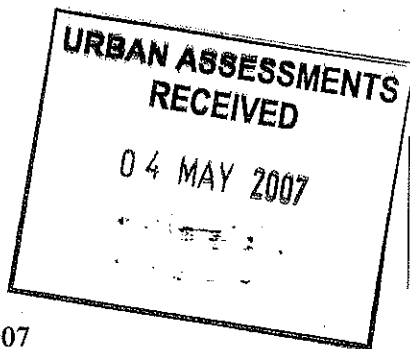
Contributions

The Ministry of Transport is particularly concerned about ensuring the provision of suitable and efficient public transport networks to serve residents and visitors to the site. Given the objectives of SREP 29 and other transport policies, and taking into account the large number of new residents and their cumulative demand for transport, there is a need to extract contributions for the enhancement of public transport infrastructure and services. Planned bus priority enhancements for Strategic Bus Corridor 39 (Burwood to Macquarie) and the Integrated Network Plan review in 2008 will also increase the demand for trips between Rhodes and the Ryde and Concord areas.

Contributions could be sought for some or all of the following initiatives:

- Improved and increased linkages for pedestrians and cyclists between the east and west sides of Rhodes, as stated in SREP 29. These linkages are particularly important for access to Strategic Bus Corridor 39 on Concord Road, thereby providing access to more distant destinations.
- Improved pedestrian linkages between the site, Rhodes Station and Rhodes Shopping Centre, which should be attractive in terms of streetscape amenity, and be convenient and safe for pedestrians and cyclists.
- Connections from the development to the broader pedestrian and cycling networks planned under SREP 29 for the Rhodes peninsula.
- Enhanced cycling and pedestrian signage, for example by using specific signage schema that refer to destinations or to the public transport modes reached and their ultimate destinations.
- Bus stop infrastructure, including lighting, kerbing, passenger waiting areas, signage and shelters.
- SREP 29 requires that appropriate infrastructure *and services* are to be provided to *increase* the use of public transport. Contributions could therefore also be required to increase bus frequencies on Strategic Bus Corridor 39 to encourage this increase in public transport use as well as to provide for Rhodes' increasing residential population.

The Planning Agreement and conditions of consent will need to address such infrastructure and service needs, and the Ministry would be happy to be involved further in this regard.



**SYDNEY SOUTH WEST
AREA HEALTH SERVICE
NSW HEALTH**

Your ref: MP05_0043

2 May, 2007

Mr Michael Woodland
Director Urban Assessment
Department of Planning
GPO Box 39
SYDNEY NSW 2001

Dear Mr Woodland

**Re: Major Project 05_0043 Multi Residential Development
Lot 104, 42 Walker Street Rhodes**

Thank you for your letter and a copy of the major project application for the above proposed development. The proposal is for 75 residential apartments in two buildings with parking for 81 vehicles in the basement.

As with comments provided recently for other proposed developments on the Rhodes Peninsula NSW Health is concerned that no occupation occurs until the remainder of remediation works have been completed and understand that the applicant has made a commitment to that effect.

With regard to the potential risks to construction workers, the applicant should comply with any requirements of WorkCover NSW as was recommended to the applicant last year in the initial consultation phase (refer to email response tab 3). I note that a *Human Health Risk Assessment for Onsite Construction Workers* is provided in the application (Tab21), however this document seems to be the same as the one previously prepared for Lot 100 and relates to workers at that allotment. The report also refers to the previous arrangements for thermal treatment on the Lednez site, which has now been varied by a recent Section 96 modification both for location and type of plant (figure 4.2). Lot 104 is also adjacent to the Lednez site.

There have been recent problems with managing odorous materials with the current Peninsula remediation works. It would seem to be highly undesirable to have people working in this area other than actual site remediation workers who have a site specific occupational health protection program. We recommend that WorkCover's advice is sought regarding the health and safety implications for construction workers on this site while any remediation works are proceeding on the Peninsula which could generate occupational hazards, such as odours, non-odorous toxic chemicals, dust and noise.

I trust these comments are useful and please do not hesitate to contact me if further clarification is required.

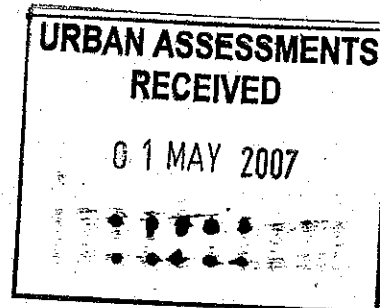
Yours sincerely

Graham Burgess
Deputy Director, Public Health Unit

Sydney South West Area Health Service
Public Health Unit
PO Box 374
CAMPERDOWN NSW 1450
Ph: 9515 9420 Fax: 9515 9440

Your reference : MP 05_0043
Our reference : DOC07/14412
Contact : Helen Davies , 02 99955613

Mr Michael Woodland
Director Urban Assessments
Major Projects Assessment
Strategic Sites and Urban Renewal
23-33 Bridge Street
Sydney NSW 2000



Dear Mr Woodland

**Environmental Assessment exhibition – Major projects 05_0043.
2 Residential Buildings Rhodes**

We refer to your letter dated 26 March 2007 inviting submissions on the above Major Project Application and to the Meriton Apartments Pty Ltd report attached to your letter titled Environmental Assessment Report Lot 104, 42 Walker Street, Rhodes (Precinct C) which provides details of the project.

We have reviewed the application, and in doing so have also taken into consideration the advice that has previously been supplied to the Department of Planning in April 2007 about another development in this area, our reference DOC07/11681 (attached). Based on our review we provide the following response:

Construction or Occupation during remediation of the immediately adjacent areas on the Lednez and Allied Feeds sites

- We note the commitment by the Proponent that there is no intention of commencing occupation prior to the completion of the remediation works at the Lednez site or the Allied Feeds site. We support this commitment, however it would be our preference that no occupation occurs until after all current and endorsed remediation works have been completed on the Peninsula and in the sediments of Homebush Bay. We recommend that this requirement be included in any approval.
- We note that the proposed development site at Lot 104 (noting that the reference in the site description in section 2.1 of the Meriton report incorrectly refers to Lot 100 DP1049649 as Lot 104) is located near to the boundary of an area of the Lednez site where licensed remediation activities, involving excavation of contaminated material and thermal treatment, are ongoing and adjacent to the licensed remediation work and soil thermal treatment being done on the Allied Feeds site, the site of the application. While we would not consider that any such licences under the *Protection of the Environment Operations Act 1997* would apply to the proposed development site there will exist the strong potential that the licensed remediation activities on these two sites could result in

the construction workers on Lot 104 being exposed to elevated or offensive odour levels and potentially contaminated dust from the remediation and thermal treatment works from these sites. Indeed, we note from conclusions of the human health risk assessment for Lot 100 on the Allied Feeds site (the results of which appears to have been applied to Lot 104 and noting that Lot 104 is closer to the active remediation areas than Lot 100) that construction workers could commonly be experiencing strong odours from the remediation activities. In light of this it would be our preference that the commencement of construction activities associated with the proposed development be delayed until after the completion of odour generating works, or other works that could pose potential occupational risks, the latter being a matter to be discussed with WorkCover Authority of NSW.

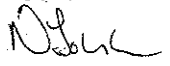
- We note that the remediation company doing the work for both the Lednez and Allied Feeds sites holds Environment Protection Licences issued by the DEC for the remediation works. These licences include the requirement that *'the licensee must not cause or permit the emission of an offensive odour beyond the boundary of the premises'*. We particularly note that Lot 104 is located approximately 50 metres from the nearest thermal treatment work and within the current boundary of the licence for the remediation works on the Allied Feeds site. While DEC would not consider that the above conditions would apply to the proposed development site for the purposes of the licences, whilst ever licenced remediation activities are being undertaken, there is the strong potential that the licensed remediation activities on nearby sites could result in the construction workers on Lot 104 being exposed to elevated or offensive odour levels and potentially contaminated dust from the remediation and thermal treatment works on the sites. If the Department of Planning gives consent for the construction whilst odour and dust generating remediation actions are ongoing, the potential and the responsibility for such exposure would be held by the developer and the consent should specify this.
- We also note that while there are noise limits in the Environment Protection Licences for the remediation sites noted above and they require noise to be limited at the most sensitive noise receptors, the DEC would not consider the proposed development site to be the most sensitive noise receptor for the purposes of the licences.

Others

- Any approval for development should include requirements for the Proponent to avoid the generation of waste and promote the re-use, recycling and reprocessing of any waste generated by the project.
- It is noted that the Proponent has stated that a site audit will be issued upon completion. At this stage, given that the remediation is ongoing, it is unclear whether an environmental management plan will be required, and its need will ultimately be determined after the remediation is completed. This will need to be noted on the consent for transparency in land transaction details.

Should you have any questions with regard to this matter please contact John Coffey on 9995-5621.

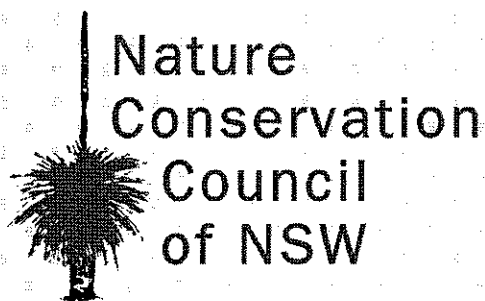
Yours sincerely

 30/4/2007

Niall Johnston
Manager Contaminated Sites Section

Cc: Dr Vicky Sheppeard – Dept of Health
Mr Graham Burgess – Sydney South West Health Service

Attachment – DOC07/11681



The voice for the environment since 1955

Level 2, 301 Kent Street, Sydney NSW 2000

Ph: 02 9279 2466 Fax: 02 9279 2499

Email: ncc@nccnsw.org.au

Web: www.nccnsw.org.au

ABN: 96 716 360 601

26th April 2007

The Director
Urban Assessments
Department of Planning
GPO Box 39
Sydney 2001
Email: aaron.sutherland@planning.nsw.gov.au

Re: Lot 104, Precinct C, 42 Walker Street, Rhodes (MP 05_0043)

Dear Director,

The NCC would like to comment on the proposed residential flat buildings at Rhodes. We are concerned that the environmental sustainability outcomes of the building could be significantly improved and have outlined these issues below. We have also identified that the building is not BASIX compliant and that no approval should be given to any multi-unit residential building since the BASIX regulation came into use on October 1, 2005.

BASIX non-compliance

The Environmental Assessment states that as the preliminary environmental assessment was received before BASIX became effective for multi-dwelling buildings, that the buildings would only comply with NatHERS. NatHERS is now being replaced by It is very important that the building be approved based on the modern regulations. Not doing so would mean that the buildings will not achieve any efficiencies in the areas of water or through efficient appliances. The BASIX regulations are now legally in place, and therefore it is necessary that developers submitting full environmental assessments for apartments after October 1, 2005 meet the targets of BASIX.

NatHERS

NatHERS is used as a tool to rate the thermal efficiency of houses and buildings but is no longer used due to BASIX taking precedent. In Victoria NatHERS is now in use

and there is a requirement for multi apartment dwellings to achieve an average of 5 stars. The building proposal does not meet the NatHERS standard that is used in Victoria.

Energy Efficiency

The environmental assessment at 3.8 states that:

"The buildings have been designed to ensure that their dwellings have maximum energy efficiency."

This is not true for the following reasons:

- The cross ventilation in the majority of apartments is at the limit of what is permissible. The maximum appropriate depth is 18m with all the apartments having a depth of 18 metres. This does not represent maximum energy efficiency, with only 65% of apartments being naturally cross ventilated.
- The NatHERS assessment shows that building materials could significantly improve the thermal efficiency of the building.

The Development Code Plan (DCP) indicates that solar hot water heating and low energy appliances and lighting be should be used where possible. The Meriton response to this in the environmental assessment says that this will be done where possible, although they have not qualified this with any detail. We expect that this occur and that this be a condition of approval. There may be limitations on the amount of solar hot water heating that can be used within the apartments, but it is possible and necessary that energy efficient lighting and appliances be used throughout the development.

Water Efficiency

The neighbouring apartment building at 40 Walker St will have dual reticulation utilising reclaimed water from Olympic Park. Significant water savings can be made through reusing greywater for laundry and toilet use. This shows that significant water savings can be achieved at the Rhodes site but are being overlooked within this development.

The environmental assessment states (p.77) that *"where possible greywater will be captured and stored for irrigation purposes."* There is no information as to how this will occur. At the planning stage it is very possible to design a greywater recycling and use system. If this apartment is given approval the use of greywater should be mandated for irrigation and for use in toilets and laundry.

Parking

Although adhering to regulations, in terms of parking available, the amount of bicycle parking needs to be increased so that there is sufficient bicycle parking for all apartments. With bicycles now outselling cars in Australia it is necessary that bicycle parking at least match that which is provided for cars.

Waste

The waste management report annexure as part of the environmental assessment is deficient as it does not allow for any change in waste generation. The report states

that the figures used are only a guide and could change. The building would not cater for any changes in the waste in terms of space allocated.

Parking

The development states that bicycle parking will be provided but does not quantify this. It is necessary that bicycle facilities should be provided for at least 81 bicycles – which would meet the parking requirement provided for cars .

If you have any questions on this matter please contact the Sustainable Cities Campaigner, Sam McGuinness on (02) 92792466 or smcguinness@nccnsw.org.au.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'Cate', followed by a long horizontal line.

Cate Faehrmann
Executive Director

**URBAN ASSESSMENTS
RECEIVED**

26 APR 2007



RailCorp

RailCorp Property

GPO Box 47

Sydney NSW 2000

DX 390 SYDNEY

Tel: (02) 9224 3930 Fax: (02) 9224 3962

Email: alexander.scott@railcorp.nsw.gov.au

24 April 2007

The Director, Urban Assessments
Department of Planning
GPO Box 39
Sydney NSW 2001

ATTENTION: Aaron Sutherland

Dear Sir/Madam,

ENVIRONMENTAL ASSESSMENT – MP05_0043
Address: Lot 104, 42 Walker Street, Rhodes (Precinct C)

I refer to the Department's letter dated 26 March 2007 regarding the proposed development at the above address.

The Director-General's Environmental Assessment Requirements included an assessment of rail noise and vibration and electrolysis for this proposed development. I note that this Environmental Assessment Report includes noise and vibration and electrolysis assessments, and details measures to mitigate any negative effects. RailCorp looks to the Department to ensure that these measures are incorporated into the final approval plans.

RailCorp has no further concerns relating to the proposed development.

It is asked that the Department forward to RailCorp a copy of the final notice of determination to enable RailCorp to monitor the applicant's compliance with rail related conditions of consent.

Thank you for providing RailCorp the opportunity to comment and please contact me if you have any further enquires.

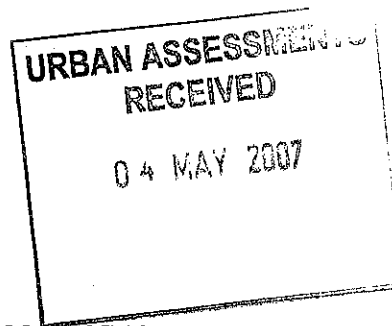
Yours sincerely,

Alexander Scott
Town Planner
RailCorp Property

1 May 2007

File W02/1405

The Director,
Urban Assessments
Department of Planning
GPO Box 39
Sydney NSW 2001



By Facsimile to Aaron Sutherland 9228 6540

Dear Mr Sutherland,

**Environmental Assessment Requirements — Major Project 05_0043
Construction of Two Residential Flat Buildings,
Precinct C, Lot 104, 42 Walker Street, Rhodes**

I refer to your letter dated 26 March 2007 seeking NSW Maritime's review of the Environmental Assessment (EA) for the above project.

NSW Maritime's interest in the project relates to the demolition and construction activities proposed adjacent to land under the ownership of NSW Maritime as well as NSW Maritime's role under Part 3A of the *Rivers and Foreshores Improvement Act 1948* (RFI Act).

It is noted that the project is classified as a Major Project and will be assessed under Part 3A of the *Environmental Planning and Assessment Act 1979*. Accordingly, a Part 3A Permit under the RFI Act is not required.

Following review of the Environmental Assessment, NSW Maritime suggests the subsequent matters be addressed:

1. Landscape strategies should reflect the guiding principles of the Rhodes DCP while providing connectivity of species with those planned for the Foreshore Park. Accordingly waterfront plantings should comprise species which reflect the Sydney Turpentine Ironbark Forest (STIF) being an Endangered Ecological Community listed under the Threatened Species Conservation Act.
 - a. Consequent landscape plans should define the species, numbers and location of suitable STIF trees to be provided for the waterfront plantings of Lot 104. Numbers should meet the requirements of the Rhodes DCP for plantings per square metre, to provide biodiversity connectivity with the abutting Foreshore Park.

NSW MARITIME

James Craig Road Rozelle NSW 2039
Locked Bag 5100 Camperdown NSW 1450

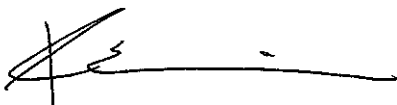
- b. Current landscape plans fail to detail the projected density of shrubs and groundcovers to be provided for the waterfront landscaped areas. Again species should reflect the STIF community.
2. Sediment controls, to ensure that no sediment, fines, and like material can enter the waterway or drainage system are to be in place for the duration of the works. The applicant is to carry out works generally in accordance with the Site Management Plan in respect to environmental management and safeguards. These controls are to be maintained at design level throughout the duration of the works and are to be inspected for this purpose at frequent and regular intervals. Any deficiencies are to be immediately made good. Methods shall be in accordance with the relevant specifications and standards contained in the manual *Managing Urban Stormwater – Soils & Construction* issued by the NSW Department of Housing/Landcom in 2004 and any other relevant requirements.

Additionally, to facilitate a mutually satisfactory outcome for the peninsulas foreshore, NSW Maritime would appreciate the opportunity to comment further on any landscape works proposed for the foreshore open space.

Under Section 13TA of the *Maritime Services Act 1935*, the applicant is to gain the prior written approval of NSW Maritime to carry out any stormwater drainage works, excavate or remove soil, sand or other material, or remove a retaining wall, from land within a distance of ten metres from the high water mark. In these circumstances the applicant will be required to submit appropriate detailed information (including plans) which fully describes all the works proposed. Further detail on this approval can be obtained from Assessments Officer (phone: 93642344).

Thank you for consulting with NSW Maritime. Should further discussions on the proposal be required to achieve the desired outcomes, please contact Brendan Dowd, Environmental Scientist on telephone 9364 2371 or email: bdowd@maritime.nsw.gov.au.

Yours sincerely



Persephone Rougellis
Manager Property Planning
Maritime Property Division

City of Ryde

ABN 81 621 292 610

Civic Centre

1 Devlin Street Ryde

Locked Bag 2069

North Ryde NSW 1670

DX 8403 Ryde

cityofryde@ryde.nsw.gov.au

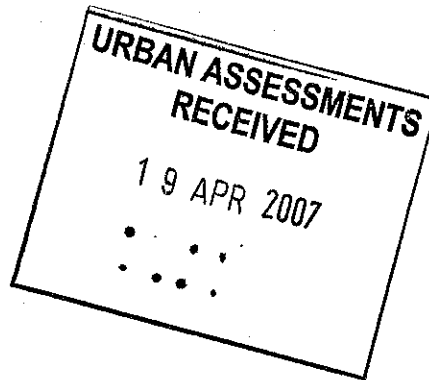
www.ryde.nsw.gov.au

TTY (02) 9952 8470

Facsimile (02) 9952 8070

Telephone (02) 9952 8222

Director, Urban Assessments
Department of Planning
GPO Box 39
SYDNEY NSW 2001



18 April 2007

Dear Mr. Woodland

**Lot 103 & Lot 104, Precinct C, 42 Walker Street, Rhodes
Development Consent No. 05_0042 & 05_0043**

In reference to the above application and your letter dated 26 March 2007, after reviewing the documents, the City Of Ryde advises that we have no objection to the multi residential developments.

Please contact me on 9952 – 8238, or email cstephens@ryde.nsw.gov.au if you require any further comments.

Yours faithfully

Claire Stephens
Client Manager