



MAJOR PROJECT ASSESSMENT:
***Early Works Project Application for a
Studio and Office Complex at the
Australian Technology Park, Eveleigh***

Director-General's
Environmental Assessment Report
Section 75I of the
Environmental Planning and Assessment Act 1979

January 2007



Figure 1. Perspective of proposed building from Central Avenue

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1. EXECUTIVE SUMMARY

1.1 The Proposal

Architectus (the Proponent), on behalf of Sydney Broadcast Property Pty Ltd, have submitted a Project Application for 'Early Works' in relation to the proposed development of land owned by the Redfern-Waterloo Authority at the Australian Technology Park, Eveleigh for the purposes of preparing the site, excavating and construction of a basement structure in preparation for a media studio and office complex, with car parking which is subject to a separate application ("the proposal") refer to Figure 1. The Department is concurrently considering a Concept Plan application for the entire building which includes the following:

- Twelve (12) storeys including office space and plant room, and part five (5) storey associated low-rise building for office and other uses, including a child care centre.
- Four (4) large studios and associated warehousing
- 44,000m² of gross floor space.
- Two levels of basement car parking (697 spaces), one level (347 spaces) to provide carparking for the subject development, with the remaining level (350 spaces) to be managed by the landowner being Redfern Waterloo Authority and to cater for demand generated by the existing heritage buildings on the wider ATP site and to provide car parking for visitors to the ATP.
- A roof sign, and satellite communications facilities to the roof of the building.

The estimated project cost of the entire development is \$123 million, whilst the Early Works component is \$11 million. Up to 600 "job years" during construction (i.e. if construction takes two years it would result in 300 jobs), with up to 60 construction jobs for indigenous workers, and 2000 full time equivalent operational jobs will be created by the proposal.

The subject Project Application for Early Works is limited to the following:

Stage 1

- Site establishment (including removal of vegetation)
- Demolition (several temporary building and sheds, retaining wall)
- Temporary diversion of a stormwater pipe
- Shoring
- Bulk excavation
- Decontamination
- Archaeology and heritage works (if required)
- Rock anchoring
- Dewatering

Stage 2

- Detailed excavation
- Install detention tank
- Install box culvert
- Piling and pile capping
- Construction of a basement slab and lift pits

1.2 Environmental Assessment - Exhibition and Approval Process

The Proponent prepared an Environmental Assessment (EA) for Early Works which was publicly exhibited between 14 September 2006 and 13 October 2006. (A Concept Plan application for the subject development was lodged concurrently with the EA for Early Works and the exhibition of both the Concept Plan application and the Early Works Environmental Assessment occurred at the same time). Four public submissions were received, one of which contained twenty signatures, relating to concerns regarding traffic, noise, Section 94 contributions, security, scale, landscaping, car parking, height, views, signage, plant rooms and construction impacts. Four

submissions were received from agencies including the NSW Heritage Office, the Redfern-Waterloo Authority, City of Sydney Council, RailCorp and the RTA. It is noted that the submissions were made to both the Early Works application and the Concept Plan application due to their concurrent exhibition period.

1.3 Key Issues

The following key issues relating to the subject application arose during the exhibition and referral of the project application:

- Construction management and acoustic impact;
- Ecologically sustainable development;
- Hours of work proposed;
- Waste management;
- Traffic and pedestrian management;
- Heritage;
- Rail impacts;
- Remediation;
- Easements;

The Department's assessment of these key issues can be found in Section 2 of this report.

1.4 Conclusion

This report documents an assessment of the proposed Early Works and concludes that the proposal's potential environmental impacts can be mitigated to an acceptable level by adopting the draft Statement of Commitments identified by the Proponent and imposed in the Recommended Conditions of Approval.

It is recommended that the proposed Major Project for Early Works be approved by the Minister.

2. BACKGROUND

THE SITE

The Proponent is proposing to develop land owned by the Redfern-Waterloo Authority and known as the Australian Technology Park (ATP), Eveleigh. The site is located approximately 4 kilometres south of the Sydney GPO in the suburb of Eveleigh. The ATP itself has an area of 13.89 hectares and is described as Lots 50 and 51 in DP 859192.

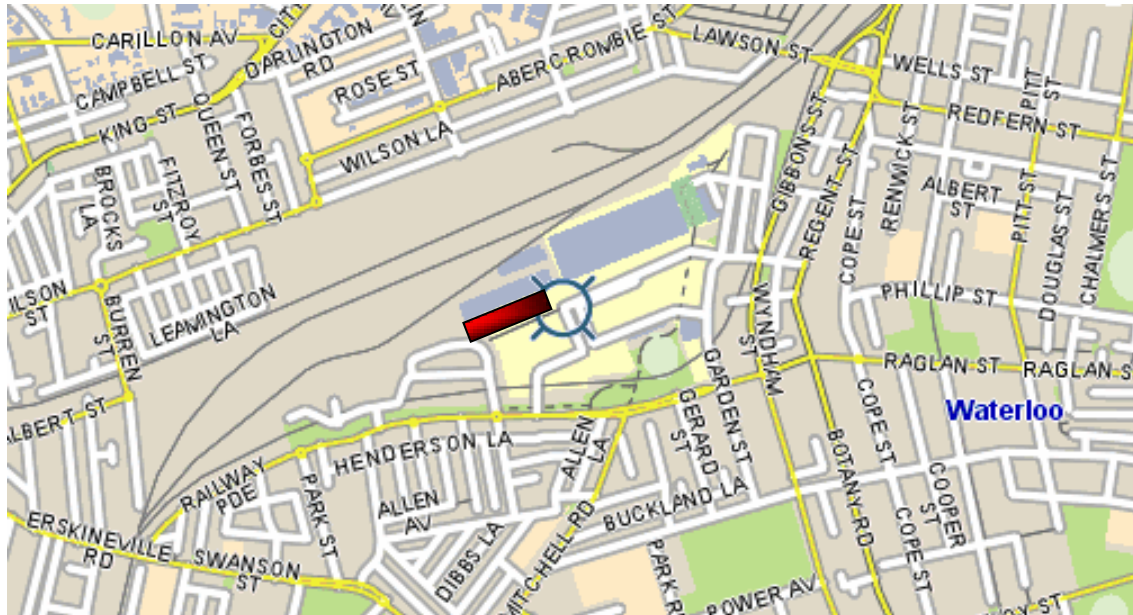


Figure 2. Site Location

The location of the proposed building forms part of Lot 500 DP1033739 within the broader site and is between the proposed access roads known as Locomotive Street to the north, Central Avenue to the south, Alexander Street to the west and extends over part of the extension of Davy Street to the east.

Locomotive Street is located to the north of the subject site. Beyond Locomotive Street lies the existing Large Erecting Shed, and further to the east, the Locomotive Workshops. These buildings are located to the south of the existing railway line.

The extension of Davy Street, which is to incorporate an open plaza, (approved by the Redfern Waterloo authority under Development Application No. 194-9-2005) is adjacent to the east of the site. Beyond Davy Street is a development site which has the potential under the controls of the Major Project SEPP to accommodate a multi storey building of similar scale to that which is proposed.

Central Avenue is located to the south of the site and beyond Central Avenue is a development site for a building of similar proportions to that which is proposed in this application. An existing child care facility owned and operated by the City of Sydney Council is located to the south-west of the subject site, whilst an existing medium density residential development is located to the west of the site, beyond Alexander Street.

Access to the site is available by rail, bus, car, and pedestrian links. Redfern Railway Station lies approximately 400m to the north-east. Vehicular access is available from a number of entry points into the ATP site, with the primary vehicular access to the site being from Central Avenue, whilst heavy vehicle access is available via Locomotive Street to the north. Bus facilities are available to the west of the site on Henderson Road.

THE AUSTRALIAN TECHNOLOGY PARK - Land Use Plan



- Existing Building to Remain
- Predominately Business
- Main site entry point
- Proposed secondary access point
- Potential pedestrian/cycle access route
- Proposed road bridge
- Shared vehicle/pedestrian cycle route
- Existing open space

Figure 3. Location plan within ATP Site

The site is currently used as a carpark for the occupants of the other buildings within the Park and for visitors to the Park, containing approximately 75 of the existing 648 car parking spaces at the ATP, and is divided into two sections by a brick retaining wall along an east/west axis which is approximately 3.5m in height. The higher portion of the site was occupied by storage sheds, however these have recently been removed. The two car parking areas, on the northern and southern parts of the site, are accessed via a ramp near the northeast corner of the site. A significant proportion of the site is currently grassed and a mature tree exists in the centre of the site near the retaining wall

The development will be visible in the context of the Australian Technology Park from the immediately surrounding suburbs as well as from the southern end of the Sydney CBD.

3. PROPOSED DEVELOPMENT

3.1 Nature of Proposal

The proposed Early Works comprise of the following:

Stage 1

- Site establishment (including removal of vegetation)
- Demolition (several temporary building and sheds, retaining wall)
- Temporary diversion of a stormwater pipe
- Shoring
- Bulk excavation (approximately 45,000m³)
- Decontamination
- Archaeology and heritage works (if required)
- Rock anchoring
- Dewatering

Stage 2

- Detailed excavation
- Install detention tank
- Install box culvert
- Piling and pile capping
- Construction of a basement slab and lift pits

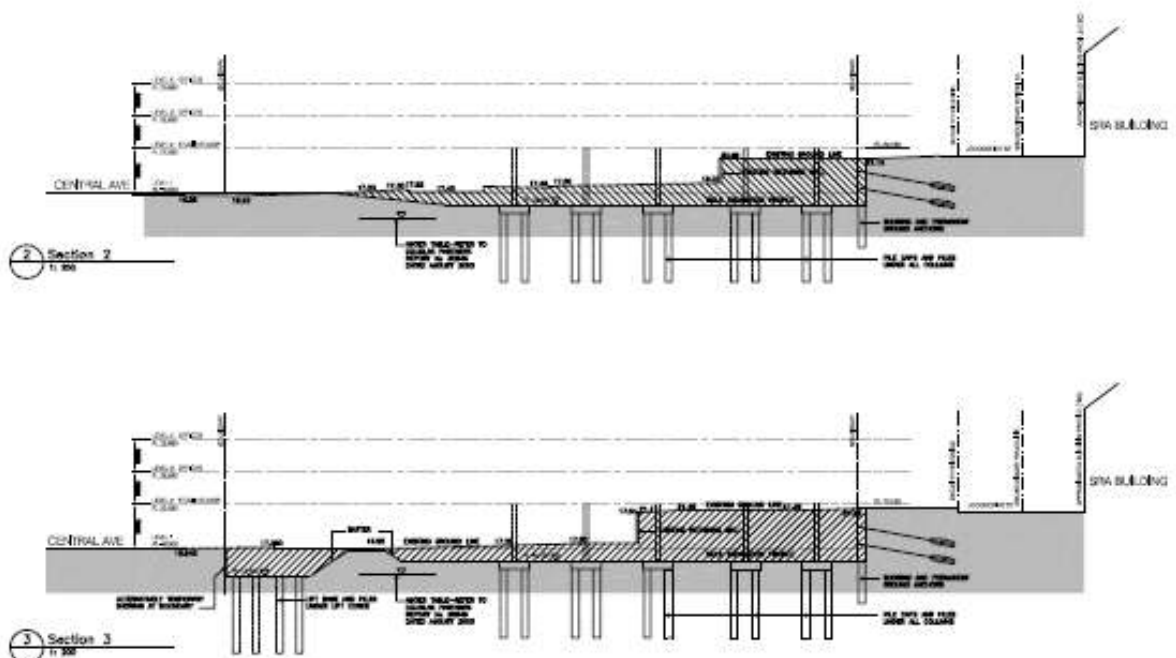


Figure 4. Indicative plans detailing excavation detail.

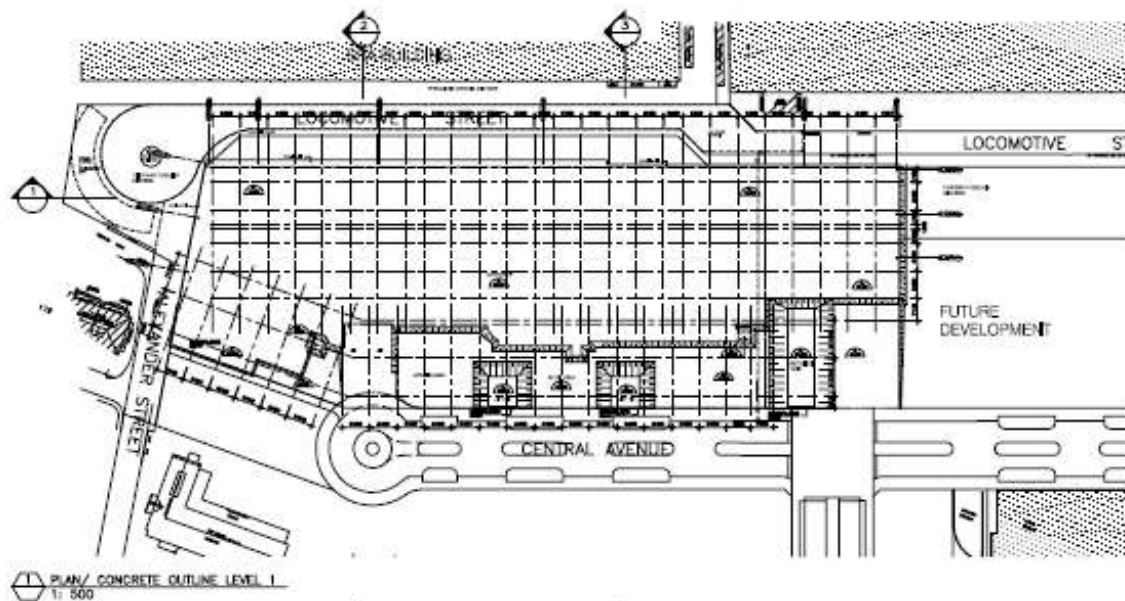
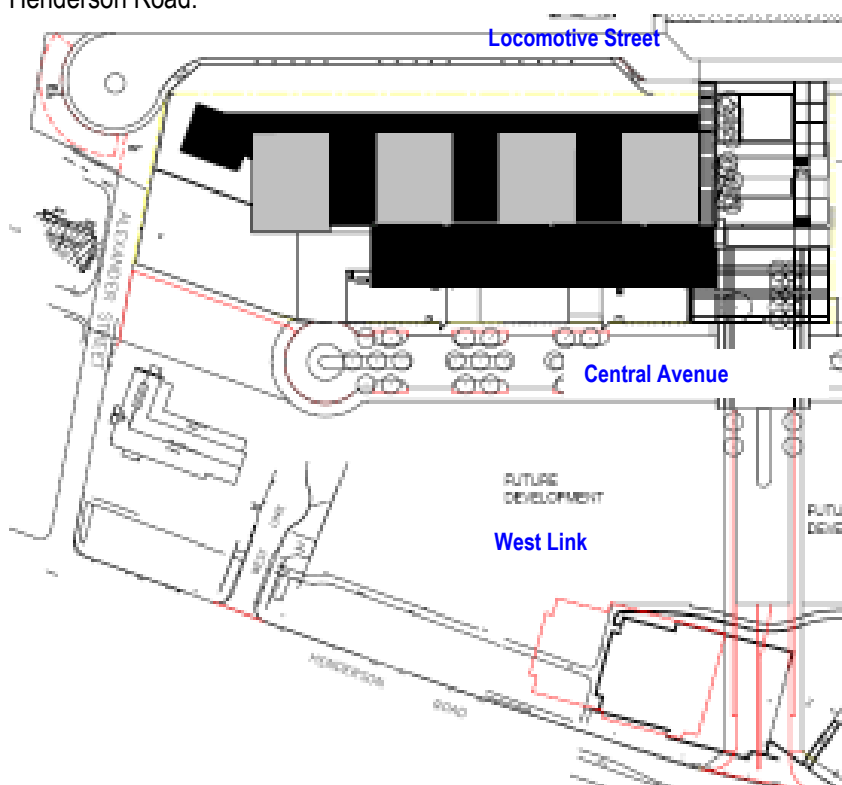


Figure 5. Indicative plan detailing basement slab detail

3.2 Parking and Access

The site will be accessed via West Link roadway during construction, which is proposed to remain open for construction purposes until the proposal is complete. The Davy Road connection to Henderson Road, will be commenced in the near future and will likely be completed well before the construction works associated with the Concept Plan proposal are complete. The new Davy Road will not be used for any construction access to the site, the preference being for the West Link road to remain open for construction access for the duration of the construction work.

Pedestrian access is to be managed on a day to day basis in accordance with the requirements of the Construction Management Plan. Manual traffic control is to be utilised for the intersection of West Link and Henderson Road.



4. STATUTORY CONTEXT

4.1 Major Project

The proposal is subject to assessment under Part 3A of the Act and the approval of the Minister for Planning is required to carry out the project. On 19 May 2006, the Director-General as delegate for the Minister, formed the opinion that the project is one to which Part 3A of the Act applies under Schedule 2, Clause 13 of the Major Project SEPP (Clause 13 of Schedule 2 has since been repealed, and the project is a major project under Part 3 of Schedule 3 of the Major Projects SEPP). The Minister authorised the submission of an Environmental Assessment for Early Works with respect to the site, pursuant to section 75M of the Act on 5 June 2006. Consequently the Proponent has sought the Minister's approval for the Early Works Project Application under Section 75M of the Act.

4.2 Permissibility

The site is located within the Australian Technology Park which is within Map 3 to Schedule 3 of *State Environmental Planning Policy (Major Projects) 2005*. The site is within Zone C – Business Zone – Business Park, and the proposed development for the purposes of a media studio and office complex is permissible according to the provisions of Part 3, Division 3, Clause 8(3). The proposal is consistent with the objectives for the zone as stipulated in Part 3, Division 3, Clause 8(1), and is therefore permissible subject to the Minister's approval.

4.3 Minister's power to approve

The Department has exhibited the Environmental Assessment for Early Works in accordance with Section 75N of the Act (which refers to Section 75H (3) of the Act) as described in Section 5 below. Additionally, the project is entirely permissible and meets the requirements of the Major Projects SEPP. Therefore, the Department has met its legal obligations and the Minister has the power to determine this project.

4.4 Environmental Planning Instruments

To fulfil the requirements of Section 75I Clause 2 (d) and (e) this report includes references to the provisions of any environmental planning instruments that substantially govern the carrying out of the project and have been taken into consideration in the assessment of the Environmental Assessment of the Project Application for Early Works.

The assessment of the proposed development is subject to the following environmental planning instruments:

- *State Environmental Planning Policy (Major Projects) 2005*;
- *State Environmental Planning Policy No. 55 (Remediation of Land)*; and
- *Sydney Regional Environmental Plan No. 26 (City West)*.

The Department has considered the Environmental Assessment of the Project Application for Early Works against the objectives and aims of these instruments, and is satisfied that the proposed project, subject to the implementation of the recommended conditions of approval, is generally consistent with the provisions of these instruments (refer **Appendix D**).

4.5 Other Controls

The State Environmental Planning Policy (Major Projects) 2005 gives effect to the Redfern-Waterloo Built Environment Plan (Stage One) which was created pursuant to Part 4 Clause 27(1) of the Redfern-Waterloo Authority Act 2004.

The Australian Technology Park, Eveleigh 2005 Master Plan was created in accordance with the requirements of Sydney Regional Environmental Plan No. 26 (City West).

Both of these Plans provide guidance in the consideration of proposals for the development of the subject site. The Department has considered the proposed project for Early Works against the objectives and aims of these Plans, and is satisfied that the proposed project, subject to the implementation of the recommended conditions of approval, is generally consistent with the provisions of these Plans (refer **Appendix E**).

5. CONSULTATION AND ISSUES RAISED

On 5 September 2006, the Proponent lodged a Project Application for the proposed Early Works with the Department.

The Department subsequently:

- notified all residents in the vicinity of the site who could be affected by the proposal;
- notified City of Sydney Council and all the relevant State government agencies;
- advertised the exhibition of the Project Application in the Sydney Morning Herald and The Sydney Central Courier on 13 September 2006;
- advertised the Concept Plan on the Department of Planning website; and
- exhibited the Project Application from 14 September 2006 until 13 October 2006.

This satisfies the requirements for public participation in the EP&A Regulation.

5.1 Submissions Received

During the period after lodgement and the exhibition period, the Department received nine submissions comprising five submissions from public authorities and four submissions were received from the general public, one of which contained twenty signatures.

5.2 Project Application Exhibition

The Proponent prepared a Project Application for Early Works which was publicly exhibited between 14 September 2006 and 13 October 2006. (A Concept Plan application for the subject development was lodged concurrently with the EA for Early Works and the exhibition of both the Concept Plan application and the Early Works Environmental Assessment occurred at the same time). Four public submissions were received. Five submissions were received from agencies as follows:

- Redfern-Waterloo Authority;;
- The Heritage Council of NSW;
- City of Sydney Council;
- RTA; and
- RailCorp.

Summaries of these agencies' responses and public submissions is included in the Department's assessment of key issues and also listed at **Appendix B**. The Proponent responded to the issues raised in the submissions on 1 December 2006 in the Preferred Project Report for the Concept Plan Application (MP06_0149) as attached at **Appendix C**.

6. ASSESSMENT OF ENVIRONMENTAL IMPACT

The assessment of the proposal has been undertaken with regard to the Director General Environmental Assessment Requirements for the development. The proposal is considered satisfactory in respect of these requirements, subject to the imposition of conditions of approval.

Key issues raised in the submissions to the proposal and/or identified during the Department's assessment included:

- Possibility of incomplete excavation works;
- Construction management and acoustic impact;
- Ecologically sustainable development & Waste Management;
- Hours of work proposed;
- Traffic and pedestrian management;
- Heritage;
- Rail impacts;
- Remediation;
- Easements;

6.1 **Key Issue** Possibility of incomplete excavation works

Raised By Urban Assessments

Consideration Concern has been raised regarding the potential issue of works on the site stalling after excavation has begun, which may result in a negative visual impact upon the locality.

Resolution The risk of works stalling in this instance is considered very low as the tenant (Channel 7) is committed to moving from their existing site in Epping, which has development approval requiring the commencement of works on that site. Nonetheless, it is considered appropriate to impose a condition requiring the submission of a bank guarantee to the Department to ensure that in the event that works stall on the site, the Department is able to undertake rectification of the site, to minimise the visual impact upon the locality.

6.2 **Key Issue** Construction management & Acoustic Impact

Raised By Urban Assessments, Public Submission

Consideration Concern has been raised regarding potential impacts during construction. The proponent has provided a Construction Management Plan which addresses impacts during construction. Furthermore, several reports including the Acoustic Report and Traffic Impact Report conclude that impacts during the construction phase are able to be managed to mitigate these impacts to a reasonable level, with respect to the short term nature of the construction works. In addition, conditions have been included limited hours for excavation work, rock cutting, and piling works.

The acoustic report submitted with the Concept Plan/Early Works project application, concludes that acoustic impacts during the construction phase are able to be managed to mitigate these impacts to a reasonable level. The acoustic report also recommends the preparation of a 'construction noise management plan' to be developed during the detailed design stage of the project. It is noted that a satisfactory Construction Noise Management Plan has not been lodged with the application.

<u>Resolution</u>	It is considered that the implementation of a Construction Management Plan and imposition of conditions will adequately control and mitigate impacts relating to the construction of the building. Furthermore, a satisfactory 'construction noise management plan' can be developed to mitigate acoustic impacts during construction to a reasonable level. Accordingly, a condition requires the submission of a satisfactory construction noise management plan.
6.3 <u>Key Issue</u>	Ecologically Sustainable Development & Waste Management
<u>Raised By</u>	Urban Assessments
<u>Consideration</u>	The assessment of the Early Works application is required to ensure the development will incorporate ESD principles and appropriate waste management procedures during construction works, including appropriate sediment and erosion control and water conservation and minimisation practices.
<u>Resolution</u>	The proponent has provided adequate details regarding sediment and erosion control. A Statement of Commitment has also been provided by the proponent detailing a commitment to comply with the erosion and sediment control plan and waste management provisions of the ESD report prepared by Bassett Applied Research, as outlined in the Construction Management Plan. These details are considered satisfactory to ensure appropriate ESD measures and waste management are undertaken during the Early Works phase of construction.
6.4 <u>Key Issue</u>	Hours of work proposed
<u>Raised By</u>	Urban Assessments
<u>Consideration</u>	The Construction Management Plan is to outline proposed hours of work which are appropriate for the site. The proponent is seeking hours which are claimed to conform to those that operate within the City of Sydney local government area, which are 7am to 7pm Monday to Friday and 7am to 5pm on Saturday with no work on Sunday and Public Holidays. However, these hours are for works which are within the CBD which are unlikely to cause an impact upon surrounding properties, whereas the subject site is within close proximity to nearby residential dwellings.
<u>Resolution</u>	It is considered appropriate to adopt hours of construction with Redfern Waterloo Authority have previously imposed in the interests of protecting the amenity of the nearby residential dwellings and child care centre. Accordingly, the hours of 7am to 6pm Monday to Friday and 8am to 1pm on Saturday with no work on Sunday and Public Holidays shall be imposed. Some activities may be identified within the 'construction noise management plan' (to be submitted prior to release of Construction Certificate) for which further restrictions on hours of work may be required, and these activities will be restrained under the provision of the 'construction noise management plan'.
6.5 <u>Key Issue</u>	Traffic and pedestrian management
<u>Raised By</u>	Urban Assessments
<u>Consideration</u>	The Early Works phase of the construction works needs to ensure that appropriate ingress and egress of vehicles to the site is achieved. The Proponent must detail operation of the site with respect to loading and unloading, predicted traffic volumes, types and routes, and pedestrian and traffic management methods.

The Proponent has provided a Traffic Report which concludes that construction volumes will be well within acceptable limits with respect to traffic impacts upon the area. The West Link will be the sole construction access and this will be managed by manual traffic control and all loading and unloading will take place within the ATP site. No trucks are to use Henderson Road west of the West Link intersection.

The construction of the Davy Road/Henderson Road intersection is expected to be commenced soon which will provide alternative public access to the ATP other than via West Link. Pedestrian control elsewhere around the site is to be managed on a day to day basis in accordance with the Construction Management Plan, which provides specific measures to ensure that pedestrian flow through and around the site is maintained.

Resolution The conclusions of the Traffic Report are considered satisfactory with respect to identifying potential traffic impacts upon the area and measures to be implemented to mitigate such impacts. The Construction Management Plan also provides appropriate measures to manage traffic and pedestrian activities in relation to the proposed works including identifying existing footpaths and areas used by pedestrians and establishing a pedestrian traffic control plan to temporarily re-route pedestrian traffic where necessary, which shall be implemented via a Statement of Commitment.

6.6 **Key Issue** Heritage

Raised By Heritage Office

Consideration The site is located within the former Eveleigh Railyards which is listed on the State Heritage Register. The Locomotive Workshop to the north east and the Large Erecting Shop to the north are existing heritage buildings adjoining the site. The proponent has provided a Statement of Heritage Impact prepared by Otto Cserhalmi + Partners PL, and an Archaeological Assessment & Research Design prepared by Austral Archaeology. It is noted that these Statements have been prepared in respect of the entire development, and are not limited to the Early Works aspects of construction.

The Archaeological Assessment & Research Design concludes that the potential for intact archaeological resources on the site is low and recommends that the Proponent engages a qualified archaeologist to undertake monitoring of the bulk excavations and record the archaeological resources before they are destroyed. Where the resources are considered to be state significant, work is to be halted and consultation with NSW Heritage Office and the Redfern-Waterloo Authority is undertaken.

The conclusions of the Archaeological Assessment and Research Design are supported and the Heritage Office should be contacted immediately should any archaeological relics be discovered during the monitoring of excavation works.

Resolution The comments received by the Heritage Office are generally with respect to the overall proposed development. The subject proposal for Early Works on the site is not considered to result in any impacts upon views to, from and within the site. A Statement of Commitment ensures that the Early Works will be undertaken in accordance with the recommendations of the Archaeological Assessment & Research Design.

6.7 **Key Issue** Rail impacts

Raised By Urban Assessments, RailCorp

Consideration The proponent must address noise and vibration impacts from adjacent rail activities, including mitigation and monitoring measures where appropriate, consistent with guidance published by Rail Corp including *Interim Guidelines for Applicants – Consideration of Rail Noise and Vibration in the Planning Process* and *Interim Guidelines for Councils – Consideration of Rail Noise and Vibration in the Planning Process*.

The Proponent must also identify the existence of any existing RailCorp services (such as pipes and cables) and structures within the development area by initiating the appropriate service searches. Where RailCorp services exist, an agreement must be made with RailCorp regarding the accommodation of the services.

The proponent has liaised with RailCorp and provided a Statement of Commitment that, other than for the purposes of archaeological investigation or physical investigation of occupations of the site, the Proponent shall obtain written approval from RailCorp prior to commencement of excavation work on the site and shall undertake the investigations and consultations with RailCorp in accordance with the letter from RailCorp dated 19th July 2006, as appended to the EA Report for the Early Works Project Application.

Resolution It is considered that Statement of Commitment will ensure that appropriate liaison and measures will be undertaken to ensure the noise and vibration impacts from the adjacent rail activities are able to be adequately mitigated.

6.8 **Key Issue** **Remediation**

Raised By Urban Assessments,

Consideration The assessment of the proposal needs to consider compliance with the requirements of SEPP 55.

The proponent has provided a Remediation Action Plan and Acid Sulphate Soil Management Plan which discusses the findings of the previous investigations of the site, provides goals and a strategy for remediation, and concludes that the site can be made suitable for the proposed commercial development subject to such remediation. A Statement of Commitment is also provided which requires the implementation of strategies to avoid potential impact on construction workers

Resolution The Remediation Action Plan concludes that, subject to remediation, the site is suitable for its proposed use. A condition of approval has been included requiring a site validation certificate prior to construction works commencing.

6.9 **Key Issue** **Easements**

Raised By Urban Assessments

Consideration The site is affected by a number of easements, including an access easement for Railcorp extending along Locomotive Street. This easement must remain unobstructed otherwise it will be necessary to obtain Railcorp's agreement to extinguish or alter the easement.

The Proponent has undertaken initial consultation with RailCorp who are satisfied with the proposal subject to the imposition of conditions to require the Proponent to liaise with RailCorp to ensure the necessary arrangements are undertaken in relation to easements.

Resolution The imposition of a condition requiring the Proponent to extinguish or create easements to the satisfaction of RailCorp is appropriate in this instance.

6.10 Other Matters

(i) Issues raised in public submissions

There were 4 public submissions, one of which contained 20 signatures, made in response to the public exhibition of the major project relating to concerns regarding traffic, noise, Section 94 contributions, security, scale, landscaping, car parking, height, views, signage, plant rooms and construction impacts. A summary of these issues and the Proponent's responses has been included at **Appendix B** and **Appendix C**.

The issues which relate to the Early Works Project Application have been discussed earlier in this report and where appropriate, conditions of consent have been recommended to address particular issues.

(ii) Public interest/benefits

The proposal for Early Works, as a component of the broader development of the site for a Studio and Office Complex, is considered to be in the public interest as it facilitates the timely re-location of the primary tenant for the site, Channel 7. The existing site for Channel 7 in Epping is to be developed for up to 650 dwellings and a child care centre which contributes to accommodating population growth within Sydney, and these works cannot commence until the tenant successfully re-locates to the subject site.

Furthermore, approval is subject to conditions which will ensure that the proposed works do not result in any significant amenity impacts upon the locality and prevent negative visual impacts from potential delays in works on the site.

CONCLUSION

The Department has assessed the Environmental Assessment, and considered the submissions on the proposal. The key issues raised in submissions related to the possibility of incomplete excavation works, construction management, acoustic impacts, ecologically sustainable development, hours of work proposed, waste management, traffic and pedestrian management, heritage, rail impacts, remediation and easements. The Department has considered these issues and recommended conditions to ensure impacts from the proposal are adequately managed.

In addition, to mitigate likely and potential impacts the Proponent proposes to implement a range of measures that are described in the Statement of Commitments (**Appendix A**). The Department accepts this Statement of Commitments and recommends that they be adopted with the following amendments set out in the recommended Conditions of Approval.

The proposed Early Works, and broader media and office complex development, are consistent with the use proposed for the site in the Australian Technology Park, Eveleigh Master Plan and the urban form of the proposal is consistent with the objectives and desired future character of the zone outlined in the State Environmental Planning Policy (Major Projects) 2005.

The Early Works provide the benefit of allowing the timely re-location of Channel 7 from Epping to the ATP. A condition of consent requires the submission of a bond to ensure that rectification can be undertaken in the event that excavation works stall, which will ensure that the works do not result in a negative visual impact upon the locality. Given the benefits of the Early Works, the Department believes the proposal is in the public interest, and recommends approval of the Environmental Assessment for Early Works subject to conditions.

RECOMMENDATION

Recommendation

It is recommended that the Minister for Planning pursuant to Part 3A of the Environmental Planning and Assessment Act, 1979 (as amended):

- (A) grant **consent** to the 'Early Works' as described in the Proponent's Environmental Assessment application including plans and documents and the Statement of Commitments (Appendix A), subject to the Conditions of Approval (Schedule 2) by signing and dating the Determination of Major Project **tagged 'A'**, and
- (B) authorise the Department to carry out post-determination notification.

For Ministerial Approval

Prepared by:

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APPENDIX A. STATEMENT OF COMMITMENTS

(1) APPROVED DEVELOPMENT

a) Development is to be generally in accordance with the Early Works Project Application 06-0294 and Environmental Assessment prepared by Architectus dated and drawings numbered PA-001 and PA -002 prepared by PTW Pty Ltd dated 8th August 2006 and as amended by the conditions of this approval:

b) In the event of any inconsistency between the approved plans and supplementary documentation, the plans will prevail.

(2) ARCHAEOLOGICAL DISCOVERY DURING EXCAVATION

a) Should any historical relics be discovered on the site during excavation, all excavation or disturbance to the area is to stop immediately and the Redfern Waterloo Authority informed.

b) Should any Aboriginal relics be discovered then all excavation or disturbance of the area is to stop immediately and the National Parks and Wildlife Service is to be informed in accordance with Section 91 of the *National Parks and Wildlife Act, 1974*.

(3) CONTAMINATED WASTE

The generation, storage, transport, treatment or disposal of industrial, hazardous or Group A liquid waste must be in accordance with the requirements of the Protection of the Environment Operations Act 1997 and the NSW Department of Environment and Conservation's (DEC) waste tracking requirements. For further information contact the Department of Environment and Conservation (DEC) on 133 372.

(4) CONTAMINATION

a) The export of waste (including fill or soil) from the site is to be in accordance with the provisions of the *Protection of the Environment Operations Act 1997* and the Department of Environment and Conservation's (DEC) Environmental Guidelines Assessment, Classification and Management of Non-Liquid Wastes

b) Any new information which comes to light during remediation, demolition or construction works which has the potential to alter previous conclusions about site contamination must be immediately notified to the Redfern Waterloo Authority and the Principal Certifying Authority.

c) The site must be remediated in accordance with the Remedial Action Plan prepared by Douglas partners dated August 2006.

d) A *Validation and Monitoring Report* must be submitted to Redfern Waterloo Authority together with notice of completion of remediation pursuant to clause 18 of SEPP 55.

(5) CONSTRUCTION MANAGEMENT

Comply with the Construction Management Plan and the reports and their enclosures. These reports and enclosures include:

- an acoustic report on construction noise prepared by Bassett Acoustics dated 15th August 2006 and submitted with the Concept Plan.
- a traffic report prepared by Masson Wilson Twiney dated 22 August 2006 as submitted with the Concept Plan.
- the recommendations of the Heritage Impact Statement prepared by Otto Cserhalmi and Associates dated 24th August 2006 and Archaeological Assessment (and research design) prepared by Austral Archaeology dated August 2006
- the Stormwater Management Plan prepared by Woolacotts Consultant Engineers dated August 2006 and the erosion and sediment control plan as appended to the Construction management Plan.

- the Acid Sulphate Soil Management Plan dated June 2006 and Remediation Action Plan dated August 2006 prepared by Douglas Partners dated
- the environmental management and waste management provisions in the ESD Report prepared by Bassett Applied Research dated 15th August 2006.

The Construction Management Plan is to be submitted and approved by the Redfern Waterloo Authority prior to the issuing of a Construction Certificate for the early works by the certifying authority.

(6) ARCHAEOLOGY

The proponent shall provide the Redfern Waterloo Authority with a report on the archaeological features identified in any excavation work undertaken and shall undertake the site recording and investigation in accordance with the Research Design prepared by Austral Archaeology dated August 2006.

(7) STRUCTURAL CERTIFICATION FOR DESIGN – BCA CLASS 2 – 9

Prior to the issue of a Construction Certificate, structural details and a Structural Certificate for Design in accordance with Clause A2.2(a)(iii) of the Building Code of Australia must be submitted to the satisfaction of the Certifying Authority (Council or a private accredited certifier). A copy of the certificate is to be submitted to the Redfern Waterloo Authority.

(8) CERTIFICATION OF GEOTECHNICAL INSPECTION

Prior to the issue of a Construction Certificate, a **Geotechnical Inspection Certificate** in accordance with Clause A2.2(a)(iii) of the Building Code of Australia prepared by an appropriately qualified person must be submitted to the satisfaction of the Certifying Authority and a copy submitted to Redfern Waterloo Authority.

(9) GEOTECHNICAL REPORT AND CERTIFICATION

Prior to commencement of any foundation or bulk excavation, a Geotechnical Report is to be submitted to the satisfaction of the Principal Certifying Authority (an accredited certifier) and a copy submitted to the Redfern Waterloo Authority.

(10) NOTIFICATION OF EXCAVATION WORKS

The Principal Certifying Authority and the Redfern Waterloo Authority is to be given a minimum of 48 hours notice that excavation, shoring or underpinning works are about to commence.

(11) CONNECTION TO SEWERS OF SYDNEY WATER CORPORATION

Waste water arising from the use is to be directed to the sewers of the Sydney Water Corporation (SWC) under a Trade Waste License Agreement. The pre-treatment of wastewater may be a requirement of the Corporation prior to discharge to the sewer. Details of the Corporation's requirements should be obtained prior to the commencement of construction work.

(12) HAZARDOUS AND INDUSTRIAL WASTE

Hazardous and/or industrial waste arising from the demolition/operational activities is to be removed and/or transported in accordance with the requirements of the Department of Environment and Conservation (DEC) and the NSW Work Cover Authority pursuant to the provisions of the following:

- a) *Protection of the Environment Operations Act 1997.*
- b) *Protection of the Environment Operations (Waste) Regulation 1996.*
- c) *Waste Avoidance and Recovery Act 2001.*
- d) *New South Wales Occupational Health & Safety Act 2000.*

- e) *New South Wales Construction Safety Act 1912 (Regulation 84A-J Construction Work Involving Asbestos or Asbestos Cement 1983).*
- f) *The Occupational Health & Safety Regulation 2001.*
- g) *The Occupational Health & Safety (Asbestos Removal Work) Regulation 1996.*

(13) COVERING OF LOADS

All vehicles involved in the excavation and/or demolition process and departing the property with demolition materials, spoil or loose matter are to have their loads fully covered before entering the public roadway.

(14) VEHICLE CLEANSING

Prior to the commencement of work, suitable measures are to be implemented to ensure that sediment and other materials are not tracked onto the roadway by vehicles leaving the site. It is an offence to allow, permit or cause materials to pollute or be placed in a position from which they may pollute waters.

(15) LOADING AND UNLOADING DURING CONSTRUCTION

The following requirements apply:

- a) All loading and unloading associated with construction is to be accommodated on site.

(16) RailCorp CONSULTATION AND APPROVAL

Other than for the purposes of archaeological investigation or physical investigation of occupations of the site the proponent shall obtain written approval from RailCorp prior to commencement of excavation work on the site and shall undertake the investigations and consultations with RailCorp in accordance with the letter from RailCorp dated 19th July 2006, as appended to the EA Report for the Early Works Project Application.

(17) DILAPIDATION REPORT

Dilapidation report/s, including a photographic survey of adjoining/nearby buildings nominated by the Redfern Waterloo Authority following receipt of its written advice, are to be prepared by an appropriately qualified structural engineer and submitted for the approval of the Redfern Waterloo Authority and the Principal Certifying Authority:

- a) prior to the commencement of demolition/excavation works; and
- b) on completion of construction demolition/excavation works.

In the case of (a), prior to the issuing of a Certificate of Construction and in the case of (b) prior to the issuing of a Certificate of Occupation for the building, or at such time(s) as the RWA may require beforehand, by notice in writing to the proponent.

APPENDIX B. SUBMISSIONS

Summary of agency submissions received after lodgement of Environmental Assessment for this application (**the Concept Plan application and Early Works Project Application were exhibited concurrently, and as such the below submissions relate to both applications**):

Date	Issue	Agency Comment
Heritage Council of NSW		
11/10/06	Height	The proposed development substantially exceeds the height limits of the Master Plan.
	View Corridors	More appropriate visual analyses should be undertaken to assess the impact of the proposed building envelope on the significant views to and from the nearby significant heritage items. If the visual analysis suggest there are adverse visual impacts on the heritage significance of the site, some design modifications should be foreshadowed as an option.
	Retaining wall	Recommendation that alternative design options be explored for the retention (wholly or partly) of the existing brick wall.
	Architectural vocabulary	The architectural vocabulary of the development should be carefully considered to allow a sympathetic relationship between the dominant industrial character of the existing heritage buildings and the proposed development.
	Archaeological monitoring	The conclusions of the Archaeological Assessment and research Design are supported and the Heritage Office should be contacted immediately should any archaeological relics be discovered during the monitoring of excavation works.
RailCorp		
24/10/06	Property/Title Searches and Survey	Request for a condition of consent to require the proponent to accurately define and locate the property boundaries between the development and RailCorp's facilities to protect such facilities.
	Services Search	Request for a condition of consent to require the proponent to identify the existence of any existing RailCorp services and structures such as pipes and cables within their development area. Where RailCorp services exist within the development site, the proponent must enter into discussion, and reach agreement with RailCorp regarding the accommodation of the services.
	Noise and vibration	The provided 'Noise and Vibration' assessment report does not detail how the proposed buildings comply with the standards detailed in RailCorp's <i>Interim Guidelines for Councils – consideration of rail noise and vibration in the planning process</i> and <i>Interim Guidelines for Applicants – consideration of rail noise and vibration in the planning process</i> .
	Stray currents and Electrolysis	The proponent should consider the possible impact of stray currents and electrolysis from rail operations and engage an expert consultant when designing its buildings. It is requested that the proponent provide an electrolysis risk and mitigation report to later stage application for this project.
City of Sydney Council		
16/10/06	Visual Impact	Inadequate visual impact assessment which fails to clearly demonstrate the relationship between the proposal and the adjoining heritage items.
	Signage	Signage is excessive and should be integrated into the envelope of the building, and should not extend above the building parapet.
	Shadow Impacts	The shadow diagrams provided with the application demonstrate that part of Council's child care centre at 41 Henderson Road, Alexandria will be in shade from the morning through to the afternoon on 21 June. In mid-winter, the amenity of the outside play areas will be substantially reduced as a consequence of the proposed development. Any design modifications

		capable of being made to improve this situation are requested to be considered.
	Remediation	The proponents "Remediation Action Plan and Acid Sulphate Soil Management Plan" makes no specific mention of impacts to occupants of adjoining land which may arise during the remediation of the site. Concern is raised regarding the potential impacts upon the occupants of the child care centre.
	Public Domain	Condition are provided for imposition dependant upon whether or not any area of works are to be dedicated to the Council.
	Satellite Dish	A report should be prepared regarding the potential electromagnetic radiation exposure from the proposed satellite dish to the existing child care centre.
	Child Care Centre	The location of the child care centre within the multi-storey building is considered inappropriate to limited egress in the event of an emergency.
	Traffic	It may be appropriate to include a condition of consent which limits the number of tenant car parking spaces within the carpark and which also sets rates of payment for public car parking to discourage use by commuters.
	Early Works	No objection raised to early works. However, it is recommended that Redfern-Waterloo Authority enter into a deed of agreement with the proponent which enables site rectification to take place in the event that the substantive building does not proceed.
Roads and Traffic Authority		
19/10/06	Transport Management & Accessibility Plan	A condition should be imposed to ensure that the objectives and recommendations within the ATP – Transport Management and Accessibility Plan (TMAP) are appropriately implemented.
	Davy Road link	It is noted that the works for the Davy Road leg at the intersection of Mitchell Road/Henderson Road have commenced. These works should be completed prior to the issue of the Occupation Certificate for the subject development.
	Parking	The proposed parking areas for tenant and general public parking must be clearly segregated and signposted. The layout of parking areas shall be in accordance with AS 2890.1-2004 and AS 2890.2-2002 for heavy vehicles.
	Construction Management Plan	Where relevant, the findings and recommendations within the ATP – Traffic and Parking Construction Management Plan by Varga Traffic Planning Pty Ltd must be appropriately implemented.
	Traffic	The developer should examine and implement appropriate strategies to minimise the additional traffic impact to residents in Garden Street. This could include but is not limited to directional signposting within Central Avenue and Davy Road. It is also recommended that the Department discuss implementation of possible traffic calming measures within Garden Street with the City of Sydney Council's Local Traffic Committee if required.
	Costs	The developer shall be responsible for all public utility/relocation works as required by various public utility authorities. All works/regulatory signposting associated with the proposed development shall be at no cost to the RTA.
Redfern-Waterloo Authority		
13/10/06	Building Height	The proposal exceeds the 4 storey height applying under SEPP (Major Projects) 2005. A fifth storey is proposed at the western end of the building, to accommodate a child care facility which has approximately 300m2 of floor space. Inadequate explanation or justification is provided as to why the childcare facility could not be accommodated within the maximum height limits. Furthermore, details of the appearance of the fifth storey element are not provided. It is not visible in any perspectives or montages, and the roof shape is not indicated on plans. Additional detail is required to provide clarity to the appearance of this storey.

		From the information provided we are unable to determine whether part of the 11 – 12 storey component falls within the 4 storey height limit. Accordingly, details of the proposed building height in relation to the maximum height limits applying under the SEPP are required.
	Shadow Diagrams	The shadow diagrams do not provide an adequate assessment of the shadow impacts on the adjacent child care centre. In order to properly assess the extent of shadow impacts of the proposal on the childcare centre, further analysis is required. The shadow diagrams should illustrate the extent of the existing and proposed overshadowing to the outdoor and indoor play areas, particularly during mid winter.
	Wind Impacts	The Wind Environment Statement does not adequately demonstrate that the proposal development can achieve acceptable wind conditions at street/ground level to ensure pedestrian amenity within the public domain surrounding the site, particularly within the eastern plaza. Wind tunnel testing should be undertaken to ensure the proposed development can achieve acceptable wind conditions within the public domain around the site for pedestrians.
	Pedestrian Amenity and Security	The Traffic Report indicates that only 45% of staff will drive to work. The remainder will catch public transport. The report indicates that the proposal is likely to increase pedestrian traffic to the Station along Central Ave, rather than the route along Locomotive St which was envisaged by the ATP Masterplan. The basis for this assumption is unclear given Locomotive Street provides the most direct link to the site from the Station. Amicable
	Traffic Impacts	• The existing car parking needs to be clarified. • The assessment of impacts on external roads relies on data from the 2002 Transport Management Plan (TMAP). The assessment of the external road network in the TMAP is based on surveys that predate 2002. Therefore, the traffic assessment does not adequately address the cumulative impacts on the local and arterial roads and intersections from development and changed traffic conditions that have occurred since 2002. • In accordance with the recommendations of Traffic Assessment non-borne modes of travel for staff and visitors should be actively encouraged for the development and support the measures within the TMAP. Details of strategies to encourage this should be provided with the Project Application.
	Plant Rooms	Any proposed roof top plant must be integrated into the overall design of the building. This is not adequately demonstrated in the Environmental Assessment. Setting back the plant and limiting its visibility from foreground will not ensure it is integrated with the building design, as the plant may still be visible when viewed from a distance. Furthermore, there are inconsistencies between montage view, perspectives and plan detail. In this regard additional information should be provided to give clarity to the appearance of the plant rooms. It is preferable that further details of how the roof is to be integrated with the design of the building be provided with the Concept Plan.
	Signage	It is unclear from the information provided whether the signage shown in the montages forms part of the Concept Plan application. If this is the case, design details of the signage are required.
	Design Excellent Provisions	In accordance with the savings and transitional provisions of Amendments No. 7 Redfern Waterloo to SEPP (Major Projects), the Design Excellence provisions (CI 22) of the SEPP apply to the application. Details of how the proposal exhibits design excellence should be provided.

Office of Community Housing		
9/10/06	Acoustic separation	The design must provide acoustic separation between the turning circle that terminates in Locomotive Street and the nearby Community Housing properties.
	Privacy & solar access	The new building must be designed to prevent overlooking for the adjoining dwellings and minimise overshadowing.
PUBLIC SUBMISSIONS		
1.	Proposal is welcomed	The proposal is welcomed as it is considered a catalyst for the revitalisation of Redfern-Waterloo
	Traffic	Concern that proposed widening of Garden Street will result in being utilised by through traffic. A central planted median strip and traffic calming devices should be used in Garden Street. Particular attention should be given to reinforcing the new Davy Street entry as the predominant entry.
2. & 3.	Noise	Concern is raised regarding the potential noise resulting from the plant associated with the building.
4. (Including 20 signatures)	S.94 contribution	Disclosure of S94 contributions and how these will address the additional usage and stress of existing public space infrastructure adjacent to the site
	Security	Concern raised regarding security measures within the ATP.
	Scale	The scale of development should be sensitive to the surrounding environment to the south.
	Landscaping	The landscaped quality of Henderson Rd should be retained.
	Traffic	The nature of traffic movements during the construction phase should be qualified. The traffic study does not consider the impacts of the nearby development in the Ashmore Estate on Mitchell Road. Impacts on Alexander St south of Henderson Rd have not been considered adequately.
	Car Parking	Concern regarding the number of car parking spaces provided when the site is in close proximity to Redfern Railway Station
	Height	The height of the building is not sensitive to the heights of the single and two storey terraces in the conservation area next to the site.
	Views	The proposed building will block views from Sydney Park to the CBD.
	Signage	The Channel 7 sign is excessive and should be integrated into the building.
	Plant rooms	The plants rooms should not exceed the maximum permissible height for the building.
	Construction	The local community are seeking assurances that no construction will occur at weekends before 7.30am or after 4.30pm and that construction vehicles are not allowed to use Henderson Road travelling east from Erskinvile.

APPENDIX C RESPONSE TO SUBMISSIONS

A summary of the Proponent's response to submissions received on 1 December 2006:

Submission received by Dept of Planning from the Public

Issue	Comment	Response
Concern at the proposal to widen Garden Street. Works are required to Garden Street to effect traffic calming. Davy Street should be emphasised as the main entry to ATP.	RWA to consider if it has an obligation to contribute to works in Garden Street. Davy Street is to be a main access into the ATP site.	The proponent is not aware of any proposal to widen Garden Street. The proposal itself does not generate a need to widen Garden Street. Any future widening and/or traffic calming of Garden Street requires a whole of government policy response (RTA, Sydney City Council and RWA). The resolution of this issue is not directly consequential to the development of this individual site.
Plant room noise	Acoustic Report at Appendix P (S 4.1.1) of the Environmental Assessment (EA) Report addresses general requirements based on accepted standards and principles that are referred to in S 3.1.5 of that report. Additional supplementary advice has been provided at Appendix O to this report.	The proposal will comply with the standards nominated in the acoustic criteria provided at S 3.1.5 and the principles outlined in Section 4 of the Acoustic Report (Appendix P in the EA Report for the Concept Plan). These standards also apply to mechanical noise (including from the plant rooms).
Details of S94 contributions to compensate for usage stresses on public open space infrastructure	A S94 Plan documents infrastructure requirements that new development may be obliged to contribute towards. The ATP does not have a current S94 Plan, although a Draft S94 Plan has recently been exhibited. However, the proposal includes open space initiatives adjacent to the site that are part of the proponent's lease arrangement with RWA, as landowner.	A S94 Contributions Plan does not apply to the ATP site, although a S94 Plan is currently being exhibited. The Plan, if made into law prior to the determination of the development would, under the draft Plan as exhibited, require a 2% contribution based on the cost of development. Such contribution must be used to specifically implement the works according to the S94 Plan. It is normal to allow for a set off of such works "in kind" against any S94 contributions otherwise payable.
Security measures throughout the ATP site.	The RWA currently manages security for the ATP site. The proponent will coordinate on site security with that of the RWA.	Advice received from the RWA is that there is planned CCTV coverage to extensive areas of the ATP site. Current security measures include full time security staff manning of CCTV surveillance and regular patrols. The proponent will coordinate security measures within this development with those controlled by the RWA.
Scale of the development should be sensitive to existing development to the south.	The scale of development on the ATP site has been considered in the Built Environment Plan and the SEPP Major Projects 2005 revised controls. The proposal is consistent with the envisaged scale relationship with other existing buildings.	The proposal is generally consistent with the controls provided for under the SEPP (Major Projects) 2005. These controls took into account the sensitivity and proximity of residential zones.
Landscaped quality of Henderson Road should be retained.	The works associated with the proposal are not affecting Henderson Road at all, especially its landscaping.	The proposal does not directly affect landscaping in or around Henderson Road at all, especially its landscaping features.
Traffic impacts (including during construction phase) on nearby Ashmore Estate and Alexander Street south of Henderson Road need to be considered		Before construction commences the proponent will prepare a Construction Management Plan for approval of RWA that takes into account the foreseeable status of other construction activities and conditions of the ATP site and local roads as well as the recommendations of the Varga Report dated August 2006. Refer to Statement of Commitments relating to the Construction Management Plan.
Car parking. Concern over excessive parking provision when the site is close to Redfern Station.	The proposal is consistent with the parking strategy indicated in the ATP Master Plan at S4.10.2. The car parking provision is modest with a 353 space allocation for the studios, the remainder (350 spaces) for RWA use. There are limited places available to implement car parking due to the location of existing heritage items. The employment potential of the ATP site is in the order of 18,000 jobs. The vast majority of employees will use public transport.	The proposal is consistent with the parking strategy indicated in the ATP Master Plan at S4.10.2.

Height of building not sensitive to nearby terraces in Conservation Areas.	The appropriate height of development on the ATP site has been considered in the Built Environment Plan and the SEPP (Major Projects) 2005 revised controls. This took into consideration the planned relationship of the proposal (and other planned buildings) with other lower scaled buildings in the locality.	The permissible heights of development on the ATP site have been formulated in the Built Environment Plan and specified in the recently gazetted SEPP (Major Projects) 2005 revised controls. The proposal is generally consistent with the permitted height (refer also to SEPP 1 Objection at Section 2.4 of this report).
Views to the City from Sydney Park will be blocked.	Sydney park is located some 1200metres to the south east of the site. Redevelopment of the ATP site will see a number of buildings constructed on and around the ATP site. These buildings range from 4 storeys up to 12 storeys with most at or more than 10 storeys. It will be inevitable that some measure of restriction of views will occur. The nominated view corridors in the Built Environment Plan have been complied with.	Redevelopment of the ATP site will see a number of buildings constructed on and around the ATP site. These buildings range from 4 storeys up to 12 storeys with most at or more than 10 storeys. It will be inevitable that some restriction of views will occur as a result, although it is not likely that the visual impact will be a significant factor relative to Sydney Park (some 1.2Km to the south west of the site). The view corridors nominated in the Built Environment Plan have been complied with.
The Channel 7 sign is excessive and should be integrated into the building.	Following discussion with the Department of Planning who raised similar concerns, alternative roof sign locations have been nominated in the modified plans at Appendix A. The communication tower is integrated into the architecture of the building but could nevertheless be utilised as an opportunity for a building sign.	The sign on the communication tower has been deleted and alternative locations have been shown. Refer to the Plans at Appendix A and montage views at Appendix G.
Plant room should not exceed the maximum permitted height of the building.	The plant room comprises the 12 th storey. The proposal complies with the SEPP Major Projects 2005.	The plant room comprises the 12 th storey. The roof plant room of the proposal complies with the SEPP (Major Projects) 2005.
Construction hours at week ends not to commence before 7.30am or continue after 4.30pm.	Currently the proposal is for 7am to 5pm on Saturdays. No work is proposed on Sundays	The proposal is to use standard construction hours that apply to the City of Sydney. Acoustic performance requirements or limitations on activities in early morning or late afternoon can be apply to account for sensitivity of these times as well as proximity to sensitive land uses. This would be dealt with in the Construction Management Plan, subject to the approval of the RWA.
Construction vehicles are not to use Henderson Road travelling east from Erskineville.	The proponent's traffic consultant MTW advises that construction traffic route(s) should be the subject of further consideration under a Construction Management Plan, prepared immediately prior to the commencement of construction (and taking into account the recommendations of the Varga Report). Matters such as the status of other construction projects and interaction with new road works on the ATP site may have a bearing on the selection of optimum routes for construction traffic taking into account particular sensitivities.	Before construction commences the proponent will prepare a Construction Management Plan for approval of RWA that takes into account the foreseeable status of other construction activities and conditions of the ATP site and local roads as well as the recommendations of the Varga Report dated August 2006. Refer to Statement of Commitments relating to Construction Management.

Submissions received from Government Agencies.

Issue	Source	Comment (or Action)	Response
Proposal exceeds height limits in ATP Master Plan	Heritage Council	Proposal substantially complies with height limits in SEPP (Major Projects) 2005.	Proposal substantially complies with height limits in SEPP (Major Projects) 2005. A minor non compliance exists in the storey control as described in the SEPP No 1 Objection at S 2.4 of this report.
Visual analysis should be undertaken to identify and mitigate against visual impact (montages as per Cserhalmi report) and impact on views of heritage items.	Heritage Council	The necessary montages have been identified (and in consultation with the DoP) and are enclosed at appendix G. Note that the scale and bulk of buildings and location of view corridors have been nominated in the Built Environment Plan. These have been used to illustrate (by greyscale in some of the views) the planned built form context.	The montages are supplied at Appendix G. These illustrate an acceptable contextual relationship between the proposal and the existing heritage items, having regard to the planned outcome envisaged by the Built Environment Plan. The montages confirm that the proposal does not impact on the settings or context of the heritage items.
Alternative design options should be explored to allow retention of existing brick retaining wall.	Heritage Council	The retention of the wall is not feasible. The physical re-use of masonry elements of the wall and its interpretation of the wall is proposed in the landscaping design. The recording and interpretation of the wall will be undertaken as part of the archaeological and heritage investigation of the site.	The retention of the wall is not feasible. The physical re-use of masonry elements of the wall and its interpretation of the wall is proposed in the landscaping design (refer to Appendix J).
Final architectural vocabulary should be carefully considered to allow sympathetic relationship with the dominant industrial character of nearby heritage items	Heritage Council	The Architectural Design Statement at Appendix B explains how the proposal relates in both material and scale to the heritage workshops to the north.	Refer to the Architectural Design Statement at Appendix B.
The archaeological investigation proposed by the archaeological report [in the EA report] is supported by the Heritage Council.	Heritage Council		The proponent intends to implement the Archaeological Research Design submitted with the Concept Plan and reiterated in the Early Works Project Application, as soon as possible
Height zones need to be defined	RWA	Interpretation of height zones has been prepared by Architectus at Appendix F. This shows a minor non compliance with the 4 storey zone. The non compliance does not contribute to significant adverse impact. Refer to the SEPP 1 Objection at Section 2.4 of this report.	The height zones have been interpreted as accurately as possible and shown at Appendix F.
Child care facility in 4 storey zone does not comply	RWA	The child care facility has been deleted. The amended plans at Appendix A show a revised layout.	The child care facility has been deleted. Refer to amended plans at Appendix A.
Shadow Diagrams to illustrate impact on existing Child Care facility. Control cited is the City of Sydney Child Care DCP 2005.	RWA	The City of Sydney Child Care DCP does not technically apply to development in the ATP. However, after examination of additional large scaled shadow diagrams the proposal appears to comply, as well as complying with the ATP Master Plan 2005.	The additional shadow diagrams (attached) demonstrate compliance with the shadowing criteria of both the ATP Master Plan which applies to the ATP site as well as the Sydney City Child Care DCP 2005 (which technically does not apply to development within the ATP site).
Wind impacts need to be addressed for the south eastern corner adjacent to café and plaza and public domain. Wind tunnel testing is required.	RWA	A wind tunnel test has been carried out. The Wind Environment Study and Update - supplement advice - is at Appendix D. It advises that the wind environment will be acceptable subject to the incorporation of screens at the Plaza located at the SE corner.	A wind tunnel test has been carried out. The Wind Environment Study and Update - supplement advice - is at Appendix D. It advises that the wind environment will be acceptable subject to the incorporation of screens at the Plaza located at the SE corner.
Wind impact for proposed child care facility	RWA	Child care facility is to be deleted.	The proposed child care facility is to be deleted from the proposal. Refer to amended plans as submitted.
Plant rooms need to be integrated into the design. Additional information and clarification is required.	RWA	Refer to the Architectural Design Statement at Appendix B.	Refer to the Architectural Design Statement at Appendix B and additional montages at Appendix G.

Signage – design details are required	RWA	The montages at Appendix G and the elevations at Appendix A illustrate the alternative locations for building identification signs.	The montages at Appendix G and the elevations at Appendix A illustrate the alternative locations for building identification signs.
Pedestrian amenity and security. Explanation of basis of increase of pedestrian traffic along Central Avenue	RWA	The main front entries to the office are to Central Ave. The easiest grade to Redfern Station is via Central Avenue whereas a climb to Locomotive Street is required through the plaza (via steps). Arrivals to the site may be proportionately higher via Locomotive Street and the plaza but departures to Redfern Station are likely to be via Central Ave and (the extension to) Mitchell Road.	The main front entries to the office are to Central Ave. The easiest grade to Redfern Station is via Central Avenue whereas a climb to Locomotive Street is required through the plaza (via steps or the lift). Arrivals to the site may be proportionately higher via Locomotive Street and the plaza but departures to Redfern Station are likely to be via Central Ave and (the extension to) Mitchell Road given the easier grade and to avoid the need to use the steps or the lift.
Traffic impacts need to use latest data source for evaluation.	RWA	Traffic consultant verifies that the existing numbers of parking on the site was that as existed at the time of the parking survey conducted in March 2006. The determination from the survey was also that the parking demand in the ATP site was <u>well below capacity</u> . The trip generation conclusions stemming from the traffic assessment therefore remain valid. Comparison of the more recent surveys with TMAP confirms that there has been negligible traffic growth in the peak hour traffic conditions.	The advice from MWT traffic consultants is that the conclusions of their report appended to the Concept Plan EA Report remain valid.
Non borne modes of transport should be encouraged.	RWA	Alternative transport modes other than car use should be encouraged. The proponent will prepare a Parking Management Plan that addresses transport modes and a Work Place Travel Plan.	A Statement of Commitment has been formulated and incorporated to prepare a Parking Management Plan that addresses transport modes and a Work Place Travel Plan.
Visual analysis needs to be supported by additional information especially the relationship with adjoining heritage items	SCC	Additional photomontages have been prepared by PTW – refer to appendix G.	Additional photomontages have been prepared by PTW – refer to appendix G.
Signage should be redesigned to achieve identified criteria (sourced from Council's own DCP) Overall signage strategy is warranted.	SCC	The proponent will develop a signage strategy for the whole building (other than for the building identification signs which are proposed as part of the Concept Plan). Approval for this signage strategy will be sought from the RWA.	A signage strategy will be prepared and submitted for approval of the Redfern Waterloo Authority prior to the occupation of the building by tenants. A Statement of Commitment has been incorporated in Section 5 of this report.
Shadow impacts over child care facility are excessive. Request design modifications to improve morning and afternoon access to sunlight (because children are taking a nap at noon).	SCC	The additional shadow diagrams at Appendix H demonstrate substantial compliance with ATP and City of Sydney controls. Modifying the building to provide any significant improvement of access to early morning and late afternoon sun would require deletion of floors which would be unreasonable.	The additional shadow diagrams at Appendix H demonstrate substantial compliance with ATP and City of Sydney controls. Modifying the building to provide any significant improvement of access to early morning and late afternoon sun would require deletion of floors which would be unreasonable.
Remediation of site to take into account the proximity of Child Care. Council wishes to have assurance of no negative health implications for the child care facility while the remediation is taking place	SCC	The contamination consultant has examined this request and has previously recommended measures for Remediation Action Plan (RAP) or Construction Management Plan in Early Works PA. Refer to letter at Appendix E.	The contamination consultant has examined this request and has previously recommended measures for Remediation Action Plan (RAP) or Construction Management Plan in Early Works PA. Refer to letter at Appendix E.

Dedication of public areas to the City	SCC	RWA has been consulted about potential for dedication. The RWA advises that there are no plans for dedication of land or infrastructure in the foreseeable future.	The proposal does not envisage any dedications of land in the ATP site to the Sydney City Council.
Interface of the site with the public domain. NB proximity of awning and overhang to road formation.	SCC	This issue relates to the potential for the awnings and/or the overhang at the turning circle and trafficable part of Central Avenue to pose a traffic hazard. In this respect the height above the trafficable part of Central Avenue is 4.5 metres, well above the height likely to provide any potential hazard.	The height of the awning and overhang above the trafficable parts of Central Avenue is 4.5 metres, well above the height likely to provide any potential hazard.
Satellite Dish – potential exposure to electromagnetic impacts to be assessed and supported by technical advice.	SCC	Satellite dish has been deleted from the proposal. It may be considered separately at some future date, if required. If so it will be accompanied by an EMF assessment report.	Satellite dish has been deleted from the proposal. It may be considered separately at some future date, if required, at which time a full technical (EMF emissions) and environmental assessment report will be provided.
Proposed Child care facility supported, but Council prefers ground floor location.	SCC	Child care facility has been deleted.	The proposed child care facility has been deleted from the proposal. Refer to amended plans at Appendix A.
Council strongly supports encouragement of non-car modes of transport to and from the site.	SCC (refer to SRDAC submission also)	Proponent, in conjunction with RWA, is to formulate transport strategy to encourage non car modes.	A Statement of Commitment has been incorporated to prepare a Parking Management Plan that addresses transport modes and a Work Place Travel Plan.
Conditions should be imposed to limit tenant use of the car park and set rates and charges for the public car park to discourage commuter parking.	SCC	The operation of the car park is to be subject to a Traffic and Parking Management Plan (to be subject to the approval of RWA).	A Statement of Commitment has been incorporated to prepare a Traffic and Parking Management Plan that addresses transport modes and a Work Place Travel Plan.
Early Works proposal for excavation should be controlled by deed of agreement to ensure site security and rectification if main building works are not proceeded with following excavation.	SCC	Similar provisions are incorporated into the lease agreement with RWA.	There is provision in the lease agreement to cater for site rectification.
Items recommended by SRDAC: 1. Provision for Work Place Travel Plan 2. Road works to be completed before Occupation Certificate granted. 3. Segregation of public and tenant parking. 5. Implementation of Varga Report	SRDAC	The advice of the SRDAC has been incorporated into a Statement of Commitment	A Statement of Commitment is incorporated to submit a Plan of Management for the car park to the Redfern Waterloo Authority for approval prior to the issuing of an occupation certificate for the building. The Plan is to address items 1, 2, and 3 of the SRDAC letter dated 19 October 2006. A Statement of Commitment to comply with the Varga Report has also been incorporated.
4. Design layout to be in accordance with listed standards.	SRDAC	The proposal complies with the standards applicable to a commercial car park.	A Statement of Commitment to comply with the required Australian Standards for the layout of the car park has been incorporated.
6. Developer to examine ways of minimising additional traffic to Garden Street.	SRDAC	This is an RTA/RWA/City Council issue that requires a joint examination prior to a fully developed ATP site. It should not prevent implementation of this proposal as the parking being generated is less than 45% of the threshold amount that has been nominated by RWA in the controls for the whole ATP site.	This is an RWA/City Council issue that requires a joint examination prior to a fully developed ATP site. It should not prevent implementation of this proposal as the parking being generated is less than 45% of the threshold amount that has been nominated by RWA in the controls for the whole ATP site.
7 and 8. Developer to responsible for meeting costs of all work and adjustments to public utilities.	SRDAC	Works to areas within the site are subject to a lease agreement. External works around the ATP site are a matter for the RWA and City Council.	Works to areas within the site are subject to a lease agreement. There are no peripheral works outside the ATP site that are required.

Condition requiring full property title boundaries to be defined and all search and other information to be forwarded to RailCorp.	RailCorp	This requirement is to aid in defining where railway boundaries occur.	The proposed RailCorp condition is acceptable.
Condition requiring services searches to be carried out that impact on rail infrastructure on the site or adjacent to the site (rock anchors).	RailCorp	Rock anchors appear to no longer affect RailCorp land.	The proposed RailCorp condition is acceptable.
Noise and vibration details to be provided as to how compliance with RailCorp requirements is achieved.	RailCorp	Means to satisfy the proposed condition supported by acoustic consultant advice will be provided prior to construction works commencing.	The proposed RailCorp condition is acceptable.
Stray currents and electrolysis from rail operations may impact on structures.	RailCorp	RailCorp advises that this is no longer required. Refer to Appendix C. Note that the proponent intends to undertake a routine evaluation of potential electrolytic impact.	RailCorp advises that this is no longer required. Refer to Appendix C.

APPENDIX D ENVIRONMENTAL PLANNING INSTRUMENTS CONSIDERATION

Environmental Planning Instruments considered in the assessment of the proposal:

The majority of considerations with respect to the overall proposed development for the site are addressed in the Director General's Report for the Concept Plan for the development. This is being considered concurrently with the subject Environmental Assessment for Early Works. Accordingly, the below assessment against the relevant EPIs is limited to the works which are the subject of the Early Works Project Application.

Environmental Planning Instrument	Consideration
<i>State Environmental Planning Policy (Major Projects) 2005</i>	The project is located within the area identified on Map 16, Schedule 2 of the MP SEPP and satisfies the CIV criteria specified in Clause 13, Schedule 2 of the MP SEPP in that the value of the proposal exceeds \$5m. The project is therefore a kind to which Part 3A applies. (Clause 13 of Schedule 2 has since been repealed, and the project is a major project under Part 3 of Schedule 3 of the Major Projects SEPP).
<i>State Environmental Planning Policy (Major Projects) 2005 (Amendment 7)</i>	
2 Aims of the Policy (a) to provide for the redevelopment of the Redfern–Waterloo area in a manner consistent with the objects of the <i>Redfern–Waterloo Authority Act 2004</i> , and (b) to increase building density around the Redfern town centre, and (c) to provide for a diversity of land uses and to achieve a sustainable, vibrant and safe community, and (d) to encourage the revitalisation of the Redfern–Waterloo area by enhancing employment opportunities in the area, and (e) to provide for development controls in relation to the land to which this Policy applies, whether the development is carried out under an approval under Part 3A of the <i>Environmental Planning and Assessment Act 1979</i> or a development consent under Part 4 of that Act, and (f) to implement the Redfern–Waterloo Plan prepared under the <i>Redfern–Waterloo Authority Act 2004</i> .	The proposal significantly contributes to the creation of additional employment opportunities within the area and is considered to represent a catalyst for future investment and further development within the area. The scheme generally complies with the controls for the development of the site as expressed within the SEPP and also the Redfern–Waterloo Plan as discussed further in this table. The Early Works construction works are required to facilitate the timely completion of the broader project.
Part 3 Division 3 Clause 8 (1) Business Zone-Business Park - Objectives The objectives of the Business Zone—Business Park are as follows: (a) to establish business and technology parks to encourage employment generating activities that provide for a wide range of business, technology, educational and entertainment facilities in the Zone, (b) to support development that is related or ancillary to business, technology or education, (c) to support development for retail uses that primarily serve the needs of the working population in the Zone and the local community, (d) to ensure the vitality and safety of the community and public domain, (e) to ensure buildings achieve design excellence, (f) to promote landscaped areas with strong visual and aesthetic values to enhance the amenity of the area.	The broader development is generally considered consistent with these objectives. The proposal significantly contributes to the creation of additional employment opportunities within the area and is considered to represent a catalyst for future investment and further development within the area. The design of the building and public domain are considered to represent an appropriate response to the site and the building will result in a positive contribution to achieving the desired planning outcome for the site. The Early Works construction works are required to facilitate the timely completion of the broader project.
Part 3 Division 3 Clause 8 (2) and (3) Business Zone-Business Park - Permitted Uses	The proposed development is permissible on the site under Clause (3) as it is not a prohibited

Part 3 Division 4 Clause 26 Notification of advertised development	form of development under Clause (2). The Department has exhibited the Environmental Assessment in accordance with Section 75N of the Act (which refers to Section 75H (3) of the Act) as described in Section 5 above.
<i>State Environmental Planning Policy No. 55 (Remediation of Land)</i>	
7 Contamination and remediation to be considered in determining development application	The issue of contamination is considered in detail in Section 6 of this report. The proponent has provided a Remediation Action Plan and Acid Sulphate Soil Management Plan to implement an appropriate management of contamination on the site. These works will be audited by an appropriately licensed auditor.
9 Category 1 remediation work: work needing consent For the purposes of this Policy, a category 1 remediation work is a remediation work (not being a work to which clause 14 (b) applies) that is: d) development for which another State environmental planning policy or a regional environmental plan requires development consent, or	The remediation work is category 1 as SREP 26 provides the necessity for development consent for such work. The proposal seeks consent under part 3A to undertake the remediation work in compliance with the prepared Remedial Action Plan.
10 Consent authority in relation to remediation works The clauses specify the identity of the consent authority for remediation work.	The Minister is the consent authority as Part 3A prevails over the clause in this case.
13 Advertising of development application	The Department has exhibited the Environmental Assessment in accordance with Section 75N of the Act (which refers to Section 75H (3) of the Act) as described in Section 5 above
17 Guidelines and notices: all remediation work (1) All remediation work must, in addition to complying with any requirement under the Act or any other law, be carried out in accordance with: (a) the contaminated land planning guidelines, and (b) the guidelines (if any) in force under the Contaminated Land Management Act 1997 , and (c) in the case of a category 1 remediation work—a plan of remediation, as approved by the consent authority, prepared in accordance with the contaminated land planning guidelines. (2) A notice of completion of remediation work on any land must be given to the council for the local government area in which the land is situated (or, if the land is within the unincorporated area, to the Western Lands Commissioner). (3) The notice is to be given within 30 days after the completion of the work. (4) A copy of the notice must also be given within the same period to the consent authority, if consent was required for the remediation work and the consent authority is not one of the authorities referred to in subclause (2).	A Statement of Commitment is provided by the proponent which requires the proponent to adhere to the necessary process, as outlined in the submitted Remediation Action Plan.
18 Notice of completion of remediation work The notice required by clause 17 (2) must: (a) be in writing prepared and signed by the person who carried out the work, and (b) provide the person's name, address and business telephone number, and (c) provide details of the person's qualifications to carry out the work,	A Statement of Commitment is provided by the proponent which requires the proponent to adhere to the necessary process.

and

- (d) specify, by reference to its property description and street address (if any), the land on which the work was carried out, and
- (e) provide a map of the location of the land, and
- (f) state when the work was completed, and
- (g) specify the uses of the land, and the substances, that contaminated it in such a way as to present a risk of harm to human health or some other aspect of the environment, and
- (h) specify the uses of the land immediately before the work started, and
- (i) briefly describe the method of remediation used in the work, and
- (j) specify the guidelines that were complied with in the work, and
- (k) specify the standard of remediation achieved (in the light of the use proposed for the land), and
- (l) show in what manner the work (if a category 1 remediation work) complied with the conditions of the relevant development consent, and
- (m) state what action must be maintained in relation to the land after the completion of the remediation work if the standard of remediation achieved is to be maintained.

Note: A site audit statement (within the meaning of Part 4 of the [Contaminated Land Management Act 1997](#)) may be given in partial compliance with this requirement.

<i>Redfern-Waterloo Built Environment Plan (Stage one) August 2006</i>	
Chapter 4.1 – Land Use and Design Concepts for RWA's Strategic Sites – Australian Technology Park Section 4.1 discusses existing characteristics within the Park, existing land use zones, proposed land use concept, proposed design concept and proposed land use zoning.	The proposed development is consistent with the future desired character for the Park. The building will assist in achieving growth in the innovation and technology sectors and with contribute substantially to job creation.
<i>Sydney Regional Environmental Plan No. 26 – City West</i>	
4 Aims of this plan The aims of this plan are: • to establish planning principles of regional significance for City West as a whole with which development in City West should be consistent, and • to establish planning principles and development controls of regional significance for development in each Precinct created within City West by this plan and by subsequent amendment of this plan, and • to promote the orderly and economic use and development of land within City West.	The proposal assists in achieving these aims by promoting the orderly and economic use of the site in a manner which will facilitate further investment in the region and assist in achieving the vision for the area as envisaged in the controls. The Early Works construction works are required to facilitate the timely completion of the broader project.
29 General considerations (Heritage) Development of or including a heritage item, in the vicinity of a heritage item, or within a conservation area, must be compatible with the conservation of the heritage significance of the item or the character of the conservation area.	The heritage considerations associated with the development are discussed in detail in Section 6 of this report. The development is generally considered satisfactory with respect to surrounding heritage items. The Statement of Commitments provided by the proponent has measures to ensure that should historical relic be discovered during excavation works, works are to cease immediately and the Redfern-Waterloo Authority will be informed.
33 Potential archaeological sites Before determining an application for consent to development on land identified in an urban development plan as a potential archaeological site, the consent authority may request a report on the likely impact of the development on any archaeological material.	The proponent has provided an Archaeological Assessment of the site and the Environmental Assessment for the Early Works (excavation of the site) includes a commitment to that should any historical relics be discovered during excavation, the Redfern-Waterloo Authority will be advised immediately.

49 Land decontamination

The consent authority must not consent to development on a site or part of a site unless:

- it has taken into consideration whether there is any risk to public health or safety from contamination of the site or part by past industrial use, and
- where such a risk exists on the site or part, it is satisfied that appropriate remediation measures will be undertaken to remove such a risk before development commences on that site or part.

The proponent has provided a Remediation Action Plan and Acid Sulphate Soil Management Plan which concludes that the site can be made suitable for the proposed commercial development subject to remediation of the site.

The Statement of Commitments provided by the proponent has measures to ensure that the recommendations and guidelines contained within the Remediation Action Plan and Acid Sulphate Soil Management Plan are implemented during the construction phase.

Australian Technology Park, Eveleigh 2005 Master Plan

4 Master Plan: Objectives and Provisions**Objectives**

- ☐ To provide space for high tech uses not generally available in the Sydney CBD;
- ☐ To provide a density of development that reflects the Site's accessibility and compatibility considerations, i.e. its role as a specialised employment node with high public transport access;
- ☐ To allow for temporary residential accommodation uses that are complementary/supportive of the ATP;
- ☐ To make provision for other supplementary uses associated with the ATP,
- ☐ To provide open space located in a manner appropriate to interface with surrounding areas and provide recreation opportunities for workers on-Site; and
- ☐ To encourage activity points at key locations on the Site.

Provisions

- a) Provide business floor space to accommodate high technology enterprises involved in research, development and commercialisation and supporting supplementary uses.
- e) Locate child care facilities on Sites which:
 - ☐ meet the requirements of the relevant licensing authorities (Dept. of Community Services);
 - ☐ have adequate north facing private open space and are close to public recreational space; and
 - ☐ can have independent public access and vehicular drop off.

The proposal is generally consistent with these objectives. The proposal significantly contributes to the creation of additional employment opportunities within the area and is considered to represent a catalyst for future investment and further development within the area.

The scheme generally complies with the controls for the development of the site as expressed within the SEPP (Major Projects) and also the Redfern-Waterloo Plan.

The building provides for media studios and offices and as such is considered to accommodate high technology enterprises.

The Early Works construction works are required to facilitate the timely completion of the broader project.

4.5 Noise and vibration**Objectives**

- ☐ Minimise the impact of rail and road noise on the functioning of the ATP;
- ☐ Minimise the impact of vibration on the functioning of the ATP; and
- ☐ Minimise the impact of noise from development within the ATP on the surrounding locality.

The proponent has provided an acoustic report, prepared by Bassett Acoustics, which assesses the impacts associated construction. The report provides general recommendations to ensure construction noise emission does not exceed the relevant criteria as discussed in the report. A condition of consent requires the submission of a comprehensive noise and vibration management plan prior to release of Construction Certificate.

4.9 Site contamination**Objective**

- ☐ To ensure that there is no unacceptable risk to public health or safety from residual contamination on the Site.

The proponent has provided a Remediation Action Plan and Acid Sulphate Soil Management Plan which concludes that the site can be made suitable for the proposed commercial development subject to remediation of the site.

The Statement of Commitments provided by the proponent has measures to ensure that the

recommendations and guidelines contained within the Remediation Action Plan and Acid Sulphate Soil Management Plan are implemented during the construction phase.

4.10 Transport and Access

Objectives

- ☐ Establish a permeable street pattern that provides several links to the surrounding street system and provides an internal grid system;
- ☐ Protect existing and proposed residential areas from the impact of increased traffic;
- ☐ Protect the ATP from through traffic;
- ☐ Ensure that all buildings have easy vehicular access and a street address;
- ☐ Ensure safe access and egress from adjacent streets;
- ☐ Maintain access to ongoing SRA operations;
- ☐ Minimise pedestrian/vehicle conflict;
- ☐ Provide adequate service and emergency vehicle access; and
- ☐ Develop a vehicular movement system that is consistent with a safe pedestrian and cycle environment.

The proposal is considered to generally satisfy these objectives. The proponent has provided a Traffic and Parking Construction Management Plan which provides recommendations regarding traffic management during the construction phase to mitigate traffic and parking impacts upon the locality. It is considered that subject to the implementation of these measures, traffic and parking impacts are able to be mitigated to an acceptable level.

4.13 Heritage

Objectives

- ☐ Evaluate, conserve and re-use nominated heritage items;
- ☐ Respect the character of the heritage buildings through the juxtaposition of new buildings, and
- ☐ Evaluate and address the appropriate response to archaeological items.

The heritage considerations associated with the development are discussed in detail in Section 6 of this report. The development is generally considered satisfactory with respect to surrounding heritage items.

The Statement of Commitments provided by the proponent has measures to ensure that should historical relic be discovered during excavation works, works are to cease immediately and the Redfern-Waterloo Authority will be informed.