



NSW GOVERNMENT
Department of Planning

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Our ref: MP 08_0064
File: S08/00646

Ms Kristin Wark
Root Projects Australia Pty Ltd
Suite 2.02 The Cooperage
56 Bowman Street
PYRMONT NSW 2009

Dear Ms Wark

Director General's Requirements for a Project Application for the proposed redevelopment and expansion of The Museum of Contemporary Art, Sydney MP08_0064

The Department has received your Project Application for the proposed redevelopment and expansion of the Museum of Contemporary Art.

On 11 May 2008 the Director General, as delegate for the Minister for Planning, formed the opinion that your proposal is a Major Project and that Part 3A of the *Environmental Planning and Assessment Act 1979* (the Act) applies.

I have attached a copy of the Director General's requirements (DGR's) for Environmental Assessment of the Project Application, which have been prepared in consultation with the relevant government agencies including Council (submissions attached for your information).

It should be noted that the Director-General's requirements have been prepared based on the information provided to date. Under section 75F(3) of the Act, the Director-General may alter or supplement these requirements if necessary and in light of any additional information that may be provided prior to the proponent seeking approval for the project.

I would appreciate it if you would contact the Department before you propose to submit the Environmental Assessment for the project to determine the fees applicable to the application.

Prior to exhibiting the Environmental Assessment, the Department will review the document to determine if it adequately addresses the DGR's. If the Director-General considers that the Environmental Assessment does not adequately address the DGR's, the Director-General may require the proponent to revise the Environmental Assessment to address the matters notified to the proponent. Following this review period the Environmental Assessment will be made publicly available for a minimum period of 30 days.

If you have any enquiries about these requirements, please contact Sumathi Navaratnam on 02 9228 6361 or via e-mail at sumathi.navaratnam@planning.nsw.gov.au

Yours sincerely

Jason Perica *25/8/08*
Executive Director, Strategic Sites and Urban Renewals
as delegate for the Director General

Director-General's Requirements –

Section 75F of the *Environmental Planning and Assessment Act 1979*

Application number	MP 08_0064
Project	Project Application for redevelopment and expansion of the Museum of Contemporary Art (MCA).
Location	Lots 20, 21, 22 and 23 in DP 787906, 140 George Street, The Rocks
Proponent	MCA
Date issued	25/8/08
Expiry date	2 years from date of issue
Key issues	<p>The Environmental Assessment (EA) must address the following key issues:</p> <p>1. Relevant EPI's, Policies and Guidelines to be addressed</p> <p>Planning provisions applying to the site, including permissibility and the provisions of all plans and policies including:</p> <ul style="list-style-type: none"> • SEPP (Major Projects) 2005 Schedule 2 – Sydney Harbour Foreshore Sites • SEPP 55 – Remediation of Contaminated Sites • Sydney Regional Environmental Plan (Sydney Harbour Catchment) 2005 • SEPP (Infrastructure) 2007 • The Sydney Cove Redevelopment Authority Scheme, including an application to vary the Scheme; • Sydney Metropolitan Strategy (and any relevant draft or endorsed Subregional Strategy) • SHFA documents: The Rocks Lighting Policy; The Rocks Outdoor Seating Policy; The Rocks Signage Policy; The Rocks and Circular Quay Telecommunications Policy; • Nature and extent of any non-compliance with relevant environmental planning instruments, plans and guidelines and justification for any non-compliance <p>2. Built Form & Urban Design</p> <ul style="list-style-type: none"> • The proposal is to address the visual impact of the project in the context of the existing building on site, adjoining development, impact on any heritage item (on-site, adjoining and adjacent to the site) and its setting and building mass as viewed from public areas including the foreshore; • Provide a detailed justification for the design of the proposed development in the context of the existing MCA building, including relative heights, set backs, building mass, materials and integration into the site; • Demonstrate that the proposed building siting does not have unacceptable level of impacts on privacy, views and overshadowing of the adjoining sites, in particular the adjoining Police building, and public domain; • Provide details of the impact on the existing substation at the north-western corner of the site, including any proposals to relocate this facility; • Address the visual impact of the proposed development on views from the world heritage-listed Sydney opera House; • Address the proposed development in relation to the 'Sydney Opera House Buffer Zone', pursuant to the SREP (Sydney Harbour Catchment) 2005; • Amelioration of visual impacts through design, use of appropriate colours and building materials, landscaping and buffer areas; • Compatibility with the existing building and character of development in the locality and relative to adjacent buildings including density, street frontage, scale, height, and built form including roof form.

3. Safety / Public domain / Landscaping

- Demonstrate how the proposed building envelopes, building design and treatment of the public domain will:
 - maximise safety, security and public surveillance within the public areas including disabled access and car park access. Specific regard should be given to the Department of Planning's Guideline; *Crime prevention and assessment of development applications*, 2001;
 - address linkages within and between other public domain spaces;
 - ensure access for people with disabilities;
 - minimise potential for vehicle and pedestrian conflicts.
- Provide details of materials and finishes, proposed treatments to the open areas designated for managed public access, and a landscaping plan for the public domain.
- Details of decorative and/or feature lighting and its impact on operations on Sydney Harbour.

4. Transport and Accessibility (Construction and Operational)

- Demonstrate the provision of sufficient on-site car parking for the proposal having regard to local planning controls and RTA guidelines. The EA shall also provide a Traffic Impact Study prepared in accordance with the RTA's Guide to Traffic Generating Developments, considering traffic generation, any required road / intersection upgrades, access, loading dock(s), car parking arrangements, measures to promote public transport usage and pedestrian and bicycle linkages;
- Provide details about consolidation of site access to remove the existing access through First Fleet Park;
- Provide details as to how adequate arrangements will be made to maintain rear access to dock area of adjacent Police building.

5. Construction Impacts

Address measures to ameliorate potential impacts arising from the construction of the proposed development.

6. Ecologically Sustainable Development (ESD)

Detail how the development will incorporate ESD principles in the design, construction and ongoing operation phases of the development.

7. Heritage

- Provide a Heritage Impacts Statement, incorporating a heritage assessment of the existing building.
- Identify any items of European heritage significance and provide a heritage impact statement in accordance with the *Heritage Manual*, (NSW Heritage Office & DUAP 1996).
- Identify whether the site has significance to Aboriginal cultural heritage and where applicable prepare an independent Archaeological report in accordance with the *Draft Guidelines for Aboriginal Cultural Heritage Impact Assessment & Community Consultation*, DEC, July 2005.

8. Land ownership

Clearly identify land ownership for all land that is subject to the application and any ancillary works associated with the development. Land owner's consent must be obtained prior to the lodgement of the EA for all land subject to the proposal.

9. Staging

Include details regarding any proposed staging of the development.

	<p>10. Drainage and Flooding</p> <ul style="list-style-type: none"> • The EA shall address drainage/flooding issues associated with the development/site, including: stormwater, drainage infrastructure and incorporation of Water Sensitive Urban Design measures through an Integrated Water Management Plan. • Provide information on water and wastewater services and any augmentation to services that may be required. <p>11. Contamination</p> <p>The EA is to demonstrate compliance that the site is suitable for the proposed use in accordance with SEPP 55.</p> <p>12. Utilities</p> <ul style="list-style-type: none"> • In consultation with relevant agencies, address the existing capacity and requirements of the development for the provision of utilities including staging of infrastructure works. <p>13. Consultation</p> <p>Undertake, in accordance with the Department's <i>Major Project Community Consultation Guidelines October 2007</i>, consultation with relevant local, State or Commonwealth government authorities, service providers, community groups or affected landowners. The consultation process and the issues raised should be described in the Environmental Assessment.</p>
Deemed refusal period	60 days

Attachment 1: Plans and Documents to accompany the Application

<u>General</u>	<p>The Environmental Assessment (EA) must include:</p> <ol style="list-style-type: none"> 1. An executive summary; 2. A thorough site analysis including site plans, aerial photographs and a description of the existing and surrounding environment; 3. Description of the site, including cadastre, title details, existing easements (including sewer mains, and/or encumbrances) and the surrounds; 4. A thorough description of the proposed development, including details of the proposed layout, built form, land uses, size and scale of the main components of the development, FSR, height (AHD); 5. Details of the methodology used for the calculation of the FSR in accordance with the relevant Environmental Planning Instruments (EPI); 6. An assessment of the environmental impacts of the project with particular focus on the key assessment requirements specified above and a table outlining how these key assessment requirements have been addressed; 7. An assessment of the potential impacts of the project and a draft Statement of Commitments, outlining environmental management, mitigation and monitoring measures to be implemented to minimise any potential impacts of the project; 8. A description of the measures that would be implemented to avoid, minimise, mitigate, offset, manage, and/or monitor the impacts of the project; 9. Demonstration as to how the development, when completed, will achieve the objectives and provisions of the relevant EPI's; 10. The plans and documents outlined below; 11. A signed statement from the author of the Environmental Assessment certifying that the information contained in the report is neither false nor misleading; 12. A quantity surveyor's cost estimate report to verify the capital investment value of the project, calculated in accordance with the definition of 'CIV' in accordance with SEPP Major Projects (2005) - this definition should be quoted in the QS letter/report; and 13. A conclusion justifying the project, taking into consideration the environmental impacts of the proposal, the suitability of the site, and whether or not the project is in the public interest.
<u>Plans and Documents</u>	<p>The following plans, architectural drawings, diagrams and relevant documentation shall be submitted:</p> <ol style="list-style-type: none"> 1. An existing site survey plan drawn at an appropriate scale illustrating; <ul style="list-style-type: none"> • the location of the land, boundary measurements, area (sq.m) and north point; • the existing levels of the land in relation to buildings and roads; • location and height of existing structures on the site; and • location and height of adjacent buildings and private open space. • all levels to be to Australian Height Datum. 2. A Site Analysis Plan must be provided which identifies existing natural elements of the site (including all hazards and constraints), existing vegetation, footpath crossing levels and alignments, existing pedestrian and vehicular access points and other facilities, slope and topography, utility services, boundaries, orientation, view corridors and all structures on neighbouring properties where relevant to the application (including windows, driveways, private open space, etc). 3. A locality/context plan drawn at an appropriate scale should be submitted indicating: <ul style="list-style-type: none"> • significant local features such as parks, community facilities and open space and heritage items; • the location and uses of existing buildings, shopping and employment areas; • traffic and road patterns, pedestrian routes and public transport nodes.

	<p>4. Architectural drawings at an appropriate scale illustrating:</p> <ul style="list-style-type: none"> • the location of any existing building envelopes or structures on the land in relation to the boundaries of the land and any development on adjoining land; • indicative floor plans, sections and elevations of the proposed buildings; • indicative elevations and sections. • accessibility requirements of the Building Code of Australia and the Disability Discrimination Act for the site; • the height (AHD) of the proposed development in relation to the land; • the level of the lowest floor, the level of any unbuilt area and the level of the ground; • any changes that will be made to the level of the land by excavation, filling or otherwise. <p>5. Visual aids such as photomontages and 3 dimensional rendering should be used to demonstrate visual impacts of the proposal and architectural composition, in particular having regard to siting and design, bulk and scale relationships, appropriate relationship with the heritage fabric of the building(s) on site and in the surrounding area.</p> <p>6. Any proposed amendment to the SCRA Scheme is to be accompanied by a replacement SCRA plan/map.</p> <p>7. Other plans:</p> <ul style="list-style-type: none"> • Stormwater Concept Plan - illustrating the concept for stormwater management; • View Analysis - Visual aids such as a photomontage must be used to demonstrate visual impacts of the proposed building envelopes in particular having regard to the siting, bulk and scale relationships from key areas; • Landscape plan - illustrating treatment of open space areas on the site, screen planting along common boundaries and tree protection measures both on and off the site where applicable. • Shadow diagrams showing solar access to the site and adjacent properties at summer solstice (Dec 21), winter solstice (June 21) and the equinox (March 21 and September 21) at 9.00 am, 12.00 midday and 3.00 pm. Plans/elevations and shadow diagrams are to be provided demonstrating the impacts of the proposal within the site and on adjoining sites, including additional overshadowing.
<p><u>Documents to be submitted</u></p>	<ul style="list-style-type: none"> • 1 copy of the EA, plans and documentation for the Test of Adequacy; • 12 hard copies of the EA (once the EA has been determined adequate); • 12 sets of architectural and landscape plans to scale, including one (1) set at A3 size (to scale); and • 1 copy of the Environmental Assessment and plans on CD-ROM (PDF format), not exceeding 5Mb in size.