



NSW GOVERNMENT  
**Department of Planning**

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Our ref: MP 09\_0039  
File: S09/00260

Greg Colbran  
Dei Corp  
5/140-152 New Canterbury Road  
PETERSHAM NSW 2049

Dear Mr Colbran,

**DIRECTOR GENERAL'S REQUIREMENTS FOR THE CONSTRUCTION OF AN 18 STOREY MIXED-USE BUILDING CONTAINING RETAIL, COMMERCIAL, RESIDENTIAL USES AND THE REDFERN RSL CLUB, 157 REDFERN STREET, REDFERN (MP 09\_0039).**

Thank you for your request, dated 19 February 2009, requesting confirmation that your proposal is a Major Project to which Part 3A of the *Environmental Planning and Assessment Act, 1979* (the EP&A Act) applies.

I am writing to inform you that on 27 February 2009 the Director General, as delegate of the Minister for Planning, formed the opinion that your proposal is a Major Project and that Part 3A of the EP&A Act applies.

You may now apply for the approval of the Minister to carry out this Project. I have attached a copy of the Director General Requirement's (DGR's) for Environmental Assessment of the proposal, which have been prepared from the information provided within your preliminary application and in consultation with relevant Government agencies.

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.

Consultation should be undertaken with the owners of 7-9 Gibbons Street, Redfern (MP 08\_0112) to ensure consistency in design approach. This requirement is reiterated further in the attached DGR's.

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. Please contact the Department at least 2 weeks before you propose to submit the Environmental Assessment to determine the fees applicable.

If you have any enquiries about these requirements, please contact Tim Wise on 9228 6334 or via e-mail at [tim.wise@planning.nsw.gov.au](mailto:tim.wise@planning.nsw.gov.au).

Yours sincerely,

Jason Perica  
Executive Director  
(as delegate for the Director General)

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## Director-General's Requirements

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

Application number	MP 09_0039
Project	Project application comprised of the following: The construction of an 18 storey mixed-use building containing, retail, commercial, residential uses and the Redfern RSL Club.
Location	Lot A, DP 354297 and Lots 1 and 2 Section D, DP 7328 157 Redfern Street, Redfern
Proponent	DeiCorp Construction Pty Ltd
Date issued	25/3/09
Expiry date	2 years from date of issue
Key issues	<p>The Environmental Assessment (EA) must address the following key issues:</p> <ol style="list-style-type: none"> <li><b>Relevant EPI's policies and Guidelines to be Addressed</b> <ul style="list-style-type: none"> <li>Address planning provisions applying to the site, including permissibility and the provisions of all plans and policies including: <ul style="list-style-type: none"> <li>SEPP (Major Projects) 2005 Schedule 3 – The Redfern–Waterloo Authority Sites;</li> <li>SEPP (Infrastructure) 2007;</li> <li>SEPP (Building Sustainability Index: BASIX) 2004;</li> <li>SEPP 55 - Remediation of Land;</li> <li>SEPP 65 - Design Quality of Residential Flat Development;</li> <li>SEPP (Temporary Structures and Places of Public Entertainment) 2007;</li> <li>Sydney Metropolitan Strategy (and the Sydney City Subregional Strategy);</li> <li>Redfern-Waterloo Built Environment Plan (Stage One) August 2006 (BEP);</li> <li>Redfern - Waterloo Authority Contributions Plan 2006; and</li> <li>Redfern - Waterloo Authority Affordable Housing Contributions Plan 2006.</li> </ul> </li> <li>Demonstrate compliance with the development standards set out in clause 21 of Schedule 3, Part 5 – The Redfern-Waterloo Authority Sites of SEPP (Major Projects) 2005 (MP SEPP).</li> <li>Address the nature and extent of any non-compliance with other relevant environmental planning instruments, plans and guidelines and justify any non-compliance.</li> </ul> </li> <li><b>Built Form and Urban Design</b> <ul style="list-style-type: none"> <li>The proposal must be capable of exhibiting design excellence in accordance with the provisions contained in Schedule 3, Part 5, clause 22 of the MP SEPP.</li> <li>The proposal must demonstrate consideration of the local and regional context of the site, particularly how the proposed built form interfaces with adjacent development (both existing and future), in the context of the Business Zone – Commercial Core objectives of the MP SEPP.</li> <li>The proposal must demonstrate consideration of the design principles and concepts contained within the Redfern Waterloo BEP - in particular demonstrate how the proposed built form: <ul style="list-style-type: none"> <li>Establishes an appropriate urban and human scale along Redfern Street and Gibbons Street by providing active street frontages and podium interface whilst reinforcing the sense of enclosure to streets and providing a harmonious street edge;</li> <li>Reinforces the Civic Space, adjacent to Redfern Railway Station, as the civic heart of the Commercial Core zone through maintaining view corridors, through public domain works and strong built form edges; and</li> <li>Eliminates blank facades, extensive car entry/parking and inactive servicing areas along public streets, including laneways, by providing active frontages to all public domain areas.</li> </ul> </li> <li>Consideration should be given to providing activated retail frontages to residential and RSL foyer areas, inline with the BEP requirement to provide an interface between public and private areas as currently indicated on the plans.</li> <li>The design and location of any plant equipment is to be integrated with the building, to minimise visual and acoustic impacts.</li> </ul> </li> </ol>

<p><b>Key Issues (Continued)</b></p>	<p><b>3. Environmental and Residential Amenity</b></p> <ul style="list-style-type: none"> <li>• Address solar access, acoustic privacy, visual privacy, view loss and wind impacts to achieve a high level of environmental and residential amenity.</li> <li>• Demonstrate how vehicular and rail noise impacts will be mitigated to achieve an acceptable level of residential amenity.</li> </ul> <p><b>4. Safety / Public domain / Landscaping</b></p> <ul style="list-style-type: none"> <li>• Demonstrate how the proposed building envelopes, building design and treatment of the public domain will: <ul style="list-style-type: none"> <li>- 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; <i>Crime prevention and assessment of development applications</i>, 2001;</li> <li>- Addresses street activation including the potential for outdoor dining areas; and</li> <li>- Minimise potential for vehicle and pedestrian conflicts.</li> </ul> </li> </ul> <p><b>5. Proposed Uses in Business - Commercial Core Zone</b></p> <p>Provide a detailed explanation of the proposed uses including description, mix, hours of operation, number of staff and/or visitors to each component of the development, and whether any areas of the development are to be used as a Place of Public Entertainment.</p> <p><b>6. Car parking / Transport and Accessibility Impacts (Construction and Operational)</b></p> <ul style="list-style-type: none"> <li>• Demonstrate the provision of sufficient on-site car parking for the proposed use, whilst also having regard to the accessibility of the site to public transport.</li> <li>• The EA shall also provide a Traffic Impact Study prepared in accordance with the RTA's <i>Guide to Traffic Generating Developments</i>, 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.</li> <li>• Outline measures to mitigate potential impacts for pedestrians and cyclists during the construction of the project.</li> </ul> <p><b>7. Rail Impacts</b></p> <p>Address noise and vibration impacts from nearby rail activities, including mitigation and monitoring measures where appropriate, consistent with guidelines published by Rail Corp including <i>Interim Guidelines for Applicants – Consideration of Rail Noise and Vibration in the Planning Process</i> and <i>Interim Guidelines for Councils – Consideration of Rail Noise and Vibration in the Planning Process</i>.</p> <p><b>8. Ecologically Sustainable Development (ESD)</b></p> <p>Detail how the development will incorporate ESD principles in the design, construction and ongoing operation phases of the development and demonstrate how the proposal will address the ESD strategies outlined in the Redfern Waterloo BEP.</p> <p><b>9. Drainage and Flooding</b></p> <p>Address drainage/flooding issues associated with the development/site, including stormwater, drainage infrastructure and incorporation of Water Sensitive Urban Design measures.</p> <p><b>10. Utilities</b></p> <p>In consultation with relevant agencies, address the existing capacity and requirements of the development for the provision of utilities including staging of infrastructure works. In particular, the requirement for an electrical substation and impacts on overhead wires are to be addressed.</p> <p><b>11. Staging</b></p> <p>Include details regarding the staging of the proposed development (if proposed).</p> <p><b>12. Consultation</b></p> <p>Undertake consultation in accordance with the Department's <i>Major Project Community Consultation Guidelines, October 2007</i>, with the relevant local, State or Commonwealth government authorities, service providers, community groups or affected landowners - in particular the Proponent must be able to demonstrate that a high level of consultation with the Redfern Waterloo Authority.</p>
<p><b>Deemed refusal period</b></p>	<p>60 days</p>

## Plans and Documents to accompany the Application

<u>General</u>	<p>The Environmental Assessment (EA) must include:</p> <ol style="list-style-type: none"> <li>1. An executive summary;</li> <li>2. A signed statement from the author of the Environmental Assessment certifying that the information contained in the report is neither false nor misleading;</li> <li>3. A thorough site analysis including site plans, aerial photographs and a description of the existing and surrounding environment;</li> <li>4. A thorough description of the proposed development;</li> <li>5. A Design Statement prepared by a registered Architect;</li> <li>6. A report prepared by a qualified environmental energy consultant, which demonstrates achievement of ESD requirements;</li> <li>7. A Quantity Surveyor's Certificate of Cost to verify the capital investment value of the project (in accordance with the definition contained in the MP SEPP);</li> <li>8. An assessment of the key issues specified above and a table outlining how these key issues have been addressed;</li> <li>9. 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;</li> <li>10. The plans and documents outlined below; and</li> <li>11. 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.</li> </ol>
<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"> <li>1. An <b>existing site survey plan</b> drawn at an appropriate scale illustrating;             <ul style="list-style-type: none"> <li>• The location of the land, boundary measurements, area (m<sup>2</sup>) and north point;</li> <li>• The existing levels of the land in relation to buildings and roads;</li> <li>• The location and height of existing structures on the site;</li> <li>• The location and height of adjacent buildings and private open space; and</li> <li>• All levels to be to Australian Height Datum.</li> </ul> </li> <li>2. A <b>Site Analysis Plan</b> must be provided which identifies existing natural elements of the site (including all hazards and constraints), as follows:             <ul style="list-style-type: none"> <li>• Existing vegetation;</li> <li>• Geotechnical conditions;</li> <li>• Footpath crossing levels and alignments;</li> <li>• Existing pedestrian and vehicular access points and other facilities;</li> <li>• Slope and topography;</li> <li>• Utility services;</li> <li>• Boundaries;</li> <li>• Orientation;</li> <li>• View corridors; and</li> <li>• All structures on neighbouring properties where relevant to the application (including windows, driveways, private open space etc).</li> </ul> </li> <li>3. A <b>Locality / Context Plan</b> drawn at an appropriate scale should be submitted indicating:             <ul style="list-style-type: none"> <li>• Significant local features such as parks, community facilities and open space and heritage items;</li> <li>• The location and uses of existing buildings, shopping and employment areas;</li> <li>• Traffic and road patterns, pedestrian routes and public transport nodes; and</li> <li>• The existing site plan and locality plan should be supported by a written explanation of the local and site constraints and opportunities revealed through the above documentation.</li> </ul> </li> </ol>

	<p>4. <b>Architectural drawings</b> at an appropriate scale illustrating:</p> <ul style="list-style-type: none"> <li>• The location of the existing building envelopes and/or structures on the land in relation to the boundaries of the land, and development on adjoining land;</li> <li>• Detail of proposed building envelopes and/or structures where known on adjacent land in relation to the form of the subject development (indicate potential building envelopes where detail can not be obtained);</li> <li>• The location of the CBD Rail Link in relation to the land;</li> <li>• Detailed floor plans, sections and elevations of the proposed building;</li> <li>• Elevations and sections, including elevation details of proposed developments on adjacent land (indicate potential building envelopes where detail can not be obtained);</li> <li>• Fenestrations, balconies and other features;</li> <li>• Accessibility requirements of the Building Code of Australia and the Disability Discrimination Act;</li> <li>• The height (AHD) of the proposed development in relation to the land, to top of building and top of plant;</li> <li>• The level of the lowest floor, the level of any unbuilt area and the level of the ground; and</li> <li>• Any changes that will be made to the level of the land by excavation, filling or otherwise.</li> </ul> <p>5. A <b>Materials and Finishes Board (external)</b> providing details of the external building materials and colours proposed.</p> <p>6. A <b>BASIX Certificate</b> for the residential component of the development.</p> <p>7. <b>Other plans:</b></p> <ul style="list-style-type: none"> <li>• <b>Stormwater Concept Plan</b> - illustrating the concept for stormwater management;</li> <li>• <b>Transport and Accessibility Report</b> – determining the likely transport needs of the future operations of the proposed development and the capacity of the existing transport services to meet the demand;</li> <li>• <b>View Analysis</b> – visual aids including a number of photomontages must be used to demonstrate visual impacts of the proposed development in particular having regard to the architecture, materials, finishes and colours, siting, bulk and scale relationships from key areas. Photomontages must detail the form of proposed adjacent developments (indicate potential building envelopes where detail can not be obtained);</li> <li>• <b>Public Domain Plan/Landscape Plan</b> - illustrating works proposed to the public domain and the interface between private and public areas;</li> <li>• <b>Shadow Diagrams</b> – showing solar access to the site and adjacent properties at winter solstice (June 21) and the equinox (March 21 and September 21) at 9.00 am, 12.00 midday and 3.00 pm;</li> <li>• <b>Construction Management Plan</b>;</li> <li>• <b>Electrolysis Risk Report</b> – in relation to the effects of any stray currents, as a result of rail operations, on the development; and</li> <li>• <b>Geotechnical and Structural Report</b> – prepared by a recognised professional which addresses potential impact on the existing rail tunnels. Design solutions, work methodologies, monitoring regimes and loadings will also be relevant.</li> </ul>
<p><u>Documents to be submitted</u></p>	<ul style="list-style-type: none"> <li>• 1 copy of the EA, plans and documentation for the Test of Adequacy;</li> <li>• 12 hard copies of the EA (once the EA has been determined adequate);</li> <li>• 12 sets of architectural and landscape plans to scale, including one (1) set at A3 size (to scale); and</li> <li>• 1 copy of the Environmental Assessment and plans on CD-ROM (PDF format), not exceeding 5Mb in size.</li> </ul>