

## Director-General's Requirements

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

Application number	MP 09_0146
Project	Project Application for the development of a mixed use (residential, serviced apartments, retail, commercial and community uses) development.
Location	Eastlakes Shopping Centre, Gardeners Road, Eastlakes
Proponent	JBA Urban Planning Consultants Pty Ltd
Date issued	5 APRIL 2011
Expiry date	If the environmental assessment is not exhibited within 2 years after this date, the applicant must consult further with the Director-General in relation to the preparation of the environmental assessment.
Key issues (Core)	<p>The Environmental Assessment (EA) must address the following key issues:</p> <ol style="list-style-type: none"><li><b>1. Relevant EPI's policies and Guidelines to be Addressed</b> Planning provisions applying to the site, including permissibility and the provisions of all plans and policies are contained in <b>Appendix A</b>.</li><li><b>2. Built Form/Density</b> The EA shall address the height, bulk, scale and density (FSR) of the proposed development within the context of the locality and existing LEP controls. In particular, detailed envelope/height and contextual studies (including a comparable height study incorporating 16 Maloney and 1 Florence Street) should be undertaken to ensure the proposal integrates with the local environment.  In addition, the EA shall also discuss how the proposal will protect privacy and solar access to neighbouring properties.</li><li><b>3. Urban Design</b><ul style="list-style-type: none"><li>• The EA shall address the design quality of the proposal with specific consideration of the façade, massing, setbacks (including Eastlakes Reserve), building articulation, use of appropriate colours, materials/finishes, landscaping, safety by design, public domain improvements and street activation.</li><li>• The EA shall also address potential site isolation and provide a detailed analysis of how the development will integrate with adjoining sites to prevent any adverse impacts.</li><li>• Additionally, the redevelopment of the shopping centre should consider a holistic approach that attempts to integrate the adjoining sites and establishes a planning vision for Eastlakes.</li></ul></li><li><b>4. Environmental and Residential Amenity</b><ul style="list-style-type: none"><li>• The EA must address solar access, acoustic privacy, visual privacy, view loss and wind impacts and achieve a high level of environmental and residential amenity.</li><li>• The EA shall also address aircraft noise, traffic noise, noise associated with loading dock activities and noise emissions from plant and equipment, together with those generated by both consumer deliveries and waste services.</li></ul></li></ol>

#### **5. Economic Impact Assessment**

The EA shall address the economic impact of the proposal and include an investigation into the impact upon surrounding retail/commercial centres having regard to the Metropolitan Plan 2036 and the hierarchy of centres in the relevant regional strategy.

#### **6. Transport and Accessibility**

- The EA shall provide a Transport & Accessibility Impact Assessment (for the site and wider Eastlakes precinct) prepared with reference to the *Metropolitan Transport Plan – Connecting the City of Cities*, the *NSW State Plan 2010*, *NSW Planning Guidelines for Walking and Cycling*, the *Integrating Land Use and Transport policy package* and the *RTA's Guide to Traffic Generating Developments*.
- The EA shall address the recommendations of the report titled: Review of Traffic & Parking Matters prepared by Fred Gennaoui Pty Ltd (Appendix B).
- The EA shall consider those issues outlined within both the RTA's letter dated 22 March 2010 and the letter from NSW Transport dated 9 March 2011 (attached).
- Appropriate on-site parking provision having regard to Council and RTA guidelines and the availability of public transport (Note: the Department supports reduced car parking in areas well-served by public transport)

#### **7. Ecologically Sustainable Development (ESD)**

The EA shall detail how the development will incorporate ESD principles in the design, construction and ongoing operation phases of the development.

#### **8. Contributions**

The EA shall address Council's Section 94 Contribution Plan and/or details of any Voluntary Planning Agreement.

#### **9. Contamination**

The EA is to demonstrate compliance that the site is suitable for the proposed use in accordance with SEPP 55.

#### **10. Consultation**

Undertake an appropriate and justified level of consultation in accordance with the Department's *Major Project Community Consultation Guidelines October 2007 (including demonstrated consultation with Council through the design development stages of the proposal)*.

#### **12. Staging**

The EA must include details regarding the staging of the proposed development (if proposed).

#### **13. Drainage and Groundwater**

The EA shall address drainage/flooding issues associated with the development/site, including: stormwater, drainage infrastructure (Infrastructure Management Plan) and incorporation of Water Sensitive Urban Design measures (Integrated Water Management Plan).

The EA is to identify groundwater issues and potential degradation to the groundwater source and shall address any impacts upon groundwater resources, and when impacts are identified, provide contingency measures to remediate, reduce or manage potential impacts.

	<p><b>14. Archaeology</b>  A Heritage Impact Statement shall be prepared in accordance The EA shall provide an Archaeological Assessment of Aboriginal and non-Indigenous archaeological resources, including an assessment of the significance and potential impact on the archaeological resources in accordance with DECCW guidance for Aboriginal Cultural Heritage Assessment and Community Consultation.</p> <p><b>15. SEPP 65 – Design Quality of Residential Flat Development</b>  The EA must address the design principles of SEPP 65 and the Residential Flat Design Code with particular reference to unit sizes.</p> <p><b>16. Utilities</b>  In consultation with relevant agencies, the EA shall address the existing capacity and requirements of the development for the provision of utilities including staging of infrastructure works.</p> <p><b>17. Obstacle Limitation Height</b>  The EA shall provide evidence of consultation with the Sydney Airport Corporation (SAC) regarding compliance with Obstacle Limitation Height requirements and that any additional approval and agreements required from the SAC.</p> <p><b>18. Public Domain</b>  The EA shall provide details on the interface between the proposed uses and public domain, and the relationship to and impact upon the existing public domain and Address the provision of linkages with and between other public domain spaces.</p> <p><b>19. Statement of Commitments</b>  The EA must include a draft Statement of Commitments detailing measures for environmental management, mitigation measures and monitoring for the project.</p>
<b>Deemed refusal period</b>	60 days

## APPENDIX A

**Relevant EPI's policies and Guidelines to be Addressed** - including the Nature and extent of any non-compliance with relevant environmental planning instruments, plans and guidelines and justification for any non-compliance:

- Objects of the EP&A Act
- NSW State Plan
- Metropolitan Plan for Sydney 2036
- Draft East Sub-regional Strategy
- SEPP(Infrastructure) 2007
- SEPP (Building Sustainability Index: BASIX) 2004;
- SEPP 64 – Advertising and Signage
- SEPP 65 – Design Quality of Residential Flat Development;
- Botany Local Environmental Plan 1995
- Botany Bay Planning Strategy 2031
- Airports Act 1996 and the Airports (Protection of Airspace) Regulations 1996
- NSW Bike Plan, NSW Government 2010
- Planning Guidelines for Walking and Cycling, NSW Dept of Infrastructure, Planning and Natural Resources, RTA, 2004.
- Integrating Land Use and Transport Policy Package (Dept of Urban Affairs and Planning, Transport NSW
- Healthy Urban Development Checklist, NSW Health, 2010
- Development Near Rail Corridors and Busy Roads – Interim Guideline, NSW Dept of Planning, 2008

## Plans and Documents to accompany the Application

<p><b>General</b></p>	<p>The Environmental Assessment (EA) must include:</p> <ol style="list-style-type: none"> <li>1. An executive summary;</li> <li>2. A thorough site analysis including site plans, areal photographs and a description of the existing and surrounding environment;</li> <li>3. A thorough description of the proposed development;</li> <li>4. An assessment of the key issues specified above and a table outlining how these key issues have been addressed;</li> <li>5. 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>6. The plans and documents outlined below;</li> <li>7. 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>8. A Quantity Surveyor's Certificate of Cost to verify the capital investment value of the project (in accordance with the definition contained in the Major Projects SEPP; and</li> <li>9. 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>
<p><b>Plans and Documents</b></p>	<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 (sq.m) and north point;</li> <li>• the existing levels of the land in relation to buildings and roads;</li> <li>• location and height of existing structures on the site; and</li> <li>• location and height of adjacent buildings and private open space.</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), 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).</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.</li> </ul> </li> <li>4. <b>Architectural drawings</b> at an appropriate scale illustrating: <ul style="list-style-type: none"> <li>• 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</li> </ul> </li> </ol>



	<ul style="list-style-type: none"> <li>land;</li> <li>• detailed floor plans, sections and elevations of the proposed buildings;</li> <li>• elevation plans providing details of external building materials and colours proposed;</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;</li> <li>• the level of the lowest floor, the level of any unbuilt area and the level of the ground;</li> <li>• any changes that will be made to the level of the land by excavation, filling or otherwise;</li> </ul> <p>5. <b>Other plans</b> (to be required where relevant):</p> <ul style="list-style-type: none"> <li>• <b>Stormwater Plan</b> - for stormwater management;</li> <li>• <b>Erosion and Sediment Control Plan</b> – plan or drawing that shows the nature and location of all erosion and sedimentation control measures to be utilised on the site;</li> <li>• <b>Geotechnical Report</b> – prepared by a recognised professional which assesses the risk of Geotechnical failure on the site and identifies design solutions and works to be carried out to ensure the stability of the land and structures and safety of persons;</li> <li>• <b>View Analysis</b> - 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;</li> <li>• <b>Landscape plan</b> - illustrating treatment of open space areas on the site, screen planting along common boundaries and tree protection measures both on and off the site.</li> <li>• <b>Shadow diagrams</b> 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.</li> <li>• <b>A Physical Model</b> of the proposed development for the entire site and surrounding developments</li> </ul>
<p><b>Documents to be submitted</b></p>	<ul style="list-style-type: none"> <li>• 1 hard copy of the EA (3 on CD-ROM), plans and documentation for the Test of Adequacy;</li> <li>• <b>Once the EA has been determined adequate and all outstanding issues adequately addressed,</b> <ul style="list-style-type: none"> <li>• 7 hard copies of the EA (once the EA has been determined adequate);</li> <li>• 7 sets of architectural and landscape plans to scale, including one (1) set at A3 size (to scale); and</li> <li>• 10 copies of the Environmental Assessment and plans on CD-ROM (PDF format), not exceeding 5Mb in size.</li> </ul> </li> </ul>

**ATTACHMENT 2**

**Government Authority Responses to Request for Key Issues  
For Information Only**