

## **APPENDIX A ENVIRONMENTAL IMPACT STATEMENT AND SECTION 75 MODIFICATION APPLICATION**

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## **APPENDIX B      SUBMISSIONS**

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## **APPENDIX C    APPLICANT'S RESPONSE TO SUBMISSIONS**

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### **Response to Submissions**

Key modifications made in the RtS report include:

- the ground floor has been setback 1.05 - 1.42m from the eastern boundary to provide a footpath along the eastern boundary, to improve pedestrian circulation and allow for the collection of garbage from Carriageworks Way;
- the bedroom windows to the Type B apartments have been made larger to improve access to natural sunlight;
- additional screening has been added to balconies and the rooftop garden to improve safety;
- additional balconies have been added to the west facing balconies at levels 1 to 6 to increase the street activation;
- the building has been increased in height from RL 48.1 to RL 49.1 to allow stormwater to be gravity fed to the on-site detention tanks;
- a visitor parking space has been added to the basement; and
- the entry at the northeastern corner of the ground floor of the building has been redesigned to include more solid elements.

### **Supplementary Submission**

Key modifications made in the supplementary submission:

- the relocation and redesign of the garbage room, so that it is approximately 10m closer to Carriageworks Way and is accessible from the eastern boundary;
- the floor to ceiling heights of the building have been increased from 3.0m to 3.09m, with a consequential 450mm increase in the height of the building;
- two additional visitor car parking spaces have been provided, by reallocating two resident spaces;
- individual entries have been provided to four of the ground level apartments addressing Carriageworks Way; and
- the height of the zinc roof over the mid-section of the upper storey has been increased.

## APPENDIX D CONSIDERATION OF ENVIRONMENTAL PLANNING INSTRUMENTS

### State Environmental Planning Policy 55 – Remediation of Land

*State Environmental Planning Policy 55* requires a consent authority to consider whether land is contaminated, and if so, whether the land will be remediated before the land is used for the intended purpose.

The site is being remediated under a Part 5 approval issued by the UGDC. The Environmental Protection Authority anticipates that the site remediation will be completed prior to any construction works commencing.

It is the recommendation of this report that a condition be imposed specifying that a site audit statement must be issued by an accredited Site Auditor in relation to the Part 5 approval, specifying the site is suitable for the use, before any construction certificate is issued.

### State Environmental Planning Policy (Infrastructure) 2007

*State Environmental Planning Policy (Infrastructure) 2007* requires that relevant public authorities be consulted in relation to certain development during the assessment process or prior to development commencing. Relevant authorities, being Roads & Maritime Services, Ausgrid and Railcorp were notified and given the opportunity to make representations in respect of the proposed development. No agency has raised objection to the development (refer to **Section 4**).

### State Environmental Planning Policy No. 65 (SEPP 65) – Design Quality of Residential Flat Buildings

SEPP 65 seeks to improve the design quality of residential flat development through the application of a series of 10 design principles. A Design Verification Statement has been provided by Mr Ross Styles (Director – Architect No. 6383) of Architectus (refer to **Appendix GG** of EIS), which concludes that the proposal satisfies the relevant requirements of SEPP 65's design quality principles.

The Department has undertaken its own assessment against the SEPP 65 principles, as detailed below.

Key Principles of SEPP 65	Department Response
Principle 1: Context	North Eveleigh is an urban renewal precinct whose character is evolving from industrial/rail to mixed use. The Minister's Concept Plan approval establishes parameters for its development and broadly defines its future character. The proposed development is consistent with the themes of the Concept Plan approval, occupying a development envelope within the established built form structure. The use and form of the proposed building is generally that sought by the Concept Plan approval.
Principle 2: Scale	The scale of buildings varies across the North Eveleigh precinct. The historic buildings are low rise, but occupy large footprints. The approved envelopes for new development are smaller in footprint than the historic buildings, but are greater in height, stepping up from 4 storeys at Wilson St to 12 storeys adjacent to the rail line.  The proposed modification to the Concept plan to allow an additional storey will not result in any substantial change in

Key Principles of SEPP 65	Department Response
	<p>relationship with the surrounding residential area. The change in scale will also not result in any adverse impacts on the North Eveleigh precinct, which has differently scaled buildings.</p> <p>The significance of the Carriageworks building will not be unduly affected by the change in height, as that building is large scale and visually dominant and will remain so.</p>
<b>Principle 3: Built Form</b>	The proposed building extends outside the approved building envelope on its eastern and south western edges. The proposed building envelope has an appropriate edge to its eastern street frontage. The reduced separation from the surrounding buildings does not detract from their heritage significance or unreasonably impact on their development potential (refer <b>Sections 5.2 &amp; 5.5</b> ).
<b>Principle 4: Density</b>	<p>The Concept Approval provides for a maximum residential GFA of 95 095m<sup>2</sup> with 6 480m<sup>2</sup> to be provided on site D4. The proposed building has 6098.4m<sup>2</sup> of GFA consistent with the Concept Plan approval.</p> <p>The Concept Plan approval established that the site is suitable for increased density given its good location to transport, education, employment and health infrastructure.</p>
<b>Principle 5: Resource, Energy and Water Efficiency</b>	The proposed building exceeds the BASIX energy targets. The building is well designed maximising the sites northerly aspect and & opportunities for cross ventilation, minimising reliance of artificial lighting and mechanical cooling/heating devices.
<b>Principle 6: Landscape</b>	<p>The proposed landscape scheme creates spaces which meet the needs of future residents and improve the aesthetic relationship of the building to the street.</p> <p>The primary landscaped area is located in the south-eastern corner of the site. The area is divided into a series of spaces including seating areas, a vegetable garden and lawn space. The garden contains species capable of reaching substantial heights which will add to the amenity of the broader area. A landscape strip of varied length and treatment extends along the northern boundary, providing a seating area and reflecting the buildings patterning.</p> <p>The roof top terrace provides a space where residents can enjoy an outlook and sunlight.</p>
<b>Principle 7: Amenity</b>	The proposal has been assessed with regards to residential amenity. It is considered that the amenity of residents both at the subject site and in the surrounding sites have been addressed and are acceptable.
<b>Principle 8: Safety and Security</b>	In general, the design allows for good passive surveillance of the road networks, and public and private open space areas on the site.
<b>Principle 9: Social Dimensions and Housing Affordability</b>	<p>The proposed developments includes a mix of apartment sizes and types, however the majority (94%) are smaller apartments (studio, 1 &amp; 2 bed). City West housing maintains a register, which identifies the needs of its potential clients. The register demonstrates that the greatest demand is for smaller apartments and it is appropriate that housing be provided to meet that demand.</p> <p>City West Housing is a recognised affordable housing provider and intends to retain use the site in perpetuity for affordable housing.</p>
<b>Principle 10: Aesthetics</b>	The building design and materials used are considered to be

Key Principles of SEPP 65	Department Response
	satisfactory to this design. The selection of material and its heritage impacts were discussed in Section 5.3 of the report.

### Residential Flat Design Code

The Residential Flat Design Code (the Code) is closely linked to the principles of SEPP 65. The Code sets out a number of "rules of thumb" which detail prescriptive standards for residential flat development that would ensure the development complies with the intent of the Code.

	RFDC requirement	Proposed	Consistent
<b>Part 1 Local Context</b>			
<b>Building Height</b>	Responds to desired scale and allows daylight to public and private domain.	Refer Sections 5.2 & 5.5.	Y
<b>Building Separation (habitable rooms &amp; balconies)</b>	Up to 4 storeys: 12 metres between habitable rooms/balconies Above 5 storeys: 18 metres between habitable rooms/ balconies.	Min 6.4m.	N (refer Section 5.5)
<b>Street Setbacks</b>	Compatible with desired streetscape character.	Generally consistent with Concept Approval. Reduced setback from eastern boundary.	N (refer Section 5.5)
<b>Part 2 Site Design</b>			
<b>Deep Soil Landscaping</b>	Min 25% of open space.	>25 of open space deep soil.	Y
<b>Fences + Walls</b>	Provide privacy and security. Contribute to public domain.	Public & private domain clearly defined. Street level walls broken by fenced and landscaped sections.	Y
<b>Landscape design</b>	Add to resident's amenity and contribute to environment.	Various landscaped area, providing spaces for residents to recreate, as well as making a contribution to the local environment.	Y
<b>Open Space</b>	Larger and brownfield sites potential for >30%	Concept plan requires provision of 9 980m <sup>2</sup> of public parks, including a 3 350m <sup>2</sup> park at the western end of the Precinct, near to the site. Proposed landscaped scheme provides areas for passive (e.g. vegetable garden), small scale active (lawn area) and social (roof top kitchen).	Y
<b>Orientation</b>	Optimise solar access, reinforce street edges	The proposed building envelope generally follows the alignment of approved building envelope. Solar access impact on Lot D1 are discussed in Section 5.5.	Y
<b>Planting on structures</b>	Promote quality communal spaces and	Landscape elements over car park and OSD tanks, able to be	Y



	RFDC requirement	Proposed	Consistent
	provide appropriate conditions for vegetation	grown in planters (vegetable gardens) and shallow soil depths (lawn).  Trees capable of reaching great heights located in deep soil areas	
<b>Stormwater Management</b>	Minimise impact of urban development on waterways	The stormwater management system includes a retention tank to capture water for reuse on site.  The system also includes a detention tank and water filtration measures to achieve water quality objectives.	Y
<b>Safety</b>	Provide safety to buildings and the public domain	The application was accompanied by a CPTED assessment. The apartments address the street providing surveillance of the public domain. Clear sight lines are available to the entry points and CCTV is to be provided.	Y
<b>Visual Privacy</b>	Maximise internal and external privacy. Maximise views and outlook	Apartments generated oriented outwards overlooking street or garden.  Windows addressing the gallery are dual layered with an internal layer of glazing and external layer of screening. The layers can be adjusted to achieve visual and acoustic privacy.  Ground floor apartments are elevated above the street to provide privacy.	Y
<b>Building Entry</b>	Provide a desirable entry	Main entry is generous in area and is visible due to large span glazing. The location of the entry is reinforced by the additional height of the building at the corner.  Multiple entries are provided to street. Design provides adequate activation and surveillance of street.	Y
<b>Parking</b>	Provide well located parking and minimise parking provision	Car park is located below the footprint of the building.  Parking provision has been minimised based on known characteristics of future tenants and proximity to transport	Y
<b>Pedestrian Access</b>	Provide good connections to the street	Pedestrian entries are provided to the northern and western elevations. Northern entry includes accessible ramp, southern entry has stair preventing equitable access. This issue is identified in the access	Y

	RFDC requirement	Proposed	Consistent
		report and will need to be addressed.	
<b>Vehicle Access</b>	Integrate with building and minimise impact on street	Vehicular access is provided from the western elevation. The dimensions of the opening generally match that of the upper levels of the building.	Y
<b>Part 3 Building Design</b>			
<b>Apartment layout</b>	Provide functional layouts and maximise internal amenity.  1 bed – 50m <sup>2</sup> 2 bed – 70m <sup>2</sup> 3 bed – 95m <sup>2</sup>	Apartments have a functional layout which makes good use of available space  48.5m <sup>2</sup> – 51.2m <sup>2</sup> 69.8m <sup>2</sup> – 87.5m <sup>2</sup> 89.3m <sup>2</sup> – 99.0m <sup>2</sup>	N (refer Section 5.5)
<b>Apartment mix</b>	Provide mix of apartments	Studio – 11% (10 Apts) 1 bed – 42% (37 Apts) 2 bed – 41% (36 Apts) 3 bed – 6% (5 Apts)  Proposed mix meets known demands of City West housing clients.	Y
<b>Balcony Depth</b>	Min 2m	Min 2m	Y
<b>Floor to ceiling heights</b>	≥2.7m	2.7m	Y
<b>Ground floor apartments</b>	Activate streets and increase housing choice	Multiple entries are not provided to street, as it necessary to control entry to the building controlled points. Design provides adequate activation and surveillance of street.	Y
<b>Internal circulation</b>	Create pleasant circulation spaces	Lift core at either entry of building Gallery space designed to promote interaction and ownership by residents	Y
<b>Storage</b>	Studio & 1 bed – 6m <sup>3</sup> 2 bed – 8m <sup>3</sup> 3 bed – 10m <sup>3</sup>	Able to comply. Internal storage provided via cupboards and robes. Storage cages provided in basement	Y
<b>Building Depth</b>	Max 18m	<14 metres	Y
<b>Acoustic Privacy</b>	Separate noisier spaces from quieter spaces	Design locates uses to minimise noise impacts between apartments	Y
<b>Solar Access</b>	70% of living rooms & private open space to achieve 3hrs sunlight between 9am-3pm on 21 June (Winter solstice)  Ensure direct access to communal open space	84% - 3 hours 95% - 2 hours  Ground floor communal open space will received limited directed sunlight. Residents can access rooftop open space.	Y
<b>Single aspect units</b>	Limit those with southerly aspect to no more than 10%	No single aspect southerly apartments.	Y
<b>Naturally cross ventilated</b>	Min 60% of apartments cross ventilated	87% of apartments are cross-ventilated.  Security doors to be provided to apartments to allow opening when	Y



	RFDC requirement	Proposed	Consistent
		home.	
<b>Facades</b>	Promote high quality facade design	Facade is broken into three sections to break up massing. The three sections have a patterning which provides visual interest to the facade. The materials are appropriate for the historic context	Y
<b>Roof</b>	Provide roof design which contributes to the building.	Roof design varies. Parapet surrounds eastern corner element and western end. Metal cladding covers mid section. Roof terrace located mid section. Plant is hidden from street by parapet	Y

#### State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004

SEPP BASIX requires all new residential dwellings in NSW to achieve the following sustainability targets depending on the geographical location of the proposed dwellings: 20% reduction in energy use and 40% reduction in potable water. More specifically, SEPP BASIX requires residential flat buildings such as those proposed on the subject site to achieve the following energy targets:

- 35% for 3 storey residential buildings;
- 30% for 4-5 storey residential buildings; and
- 20% for buildings 6 or more storeys.

A BASIX Certificate (No: 469854M) has been submitted with the EIS (refer **Appendix Q**) which demonstrates that the development will meet the relevant targets.

#### State Environmental Planning Policy (Major Development) 2005

Clause 7 of State Environmental Planning Policy (Major Development) 2005, specify that the provisions within Schedule 3 relating to development have effects. An assessment of the development against the provisions of Part 5 – The Redfern Waterloo Authority sites is made below.

Schedule 3 – State Significant Site Part 5 – The Redfern Waterloo Authority Sites		
Provision	Comment	Complies
<b>1. Land to which Part applies</b>	The site is within the area shown edged heavy black on the Redfern Waterloo Authority Sites land application map.	Y
<b>7. Land Use Zones</b>  Consideration must be given to each zone objective when determining a development application.	The land is zoned 'D' Business Zone – Mixed Use.	Y
<b>8. Business Zone – Mixed Use</b>	Development for the purpose of Affordable Housing is permissible in the zone.  The development is consistent with the zone objectives, as it is compatible with the	Y

	adjoining non-residential use, achieves design excellence, limits on-site parking to meet known needs and encourage use of public transport and provides high quality landscaped areas.	
<b>21. Height, floor space ratio and gross floor area restrictions</b>  Developments must comply with the controls specified on the maps, except in circumstances where a concept plan permits a different level of development.	The Concept Plan approval approves a FSR of 2.5:1 for the site (B4), which provides a total gross floor area of 6,480m <sup>2</sup> . The proposed building has an FSR of 2.38:1 and total GFA of 6 098.4m <sup>2</sup> .  The development is the first new building on the western portion of the site and does not lead to a breach of the total gross floor area of 41 800m <sup>2</sup> .  The proposed building exceeds the height permitted under the SEPP and Concept Plan approval. The modification application seeks to amend the Concept Plan approval and gain approval for the additional height.	Y
<b>22. Design Excellence</b>	The building achieves design excellence. The building has a modulated form which breaks down its bulk and scale. It is restrained in appearance and does not compete with the adjoining Carriageworks building. The internal layout will provide future residents with a high level of amenity.	Y
<b>26. Notification of advertised development</b>	The development was advertised for a period of 30 days. Adjoining and affected owners and relevant authorities were notified.	Y

### Sydney City Local Environmental Plan 2012

Sydney City Local Environmental Plan 2012 does not apply to the site.

### Sydney Regional Environmental Plan 26 – City West

The aim of SREP is to establish planning principles for the City West lands to promote their orderly development.

Clauses 11 and 15 of the SREP identify planning principles of regional significance for City West and its sub precincts, which the consent authority is required to consider in their decision making. The provisions of the clauses are addressed in the table below.

Division 4 (Zoning) applies land use zones to the site and zones the site 'Railways'. State Environmental Planning Policy (Major Development) 2005 was enacted subsequent to SREP and zones the site 'Business Mixed Use'. The provisions of the MD SEPP prevail over the SREP.

Division 5 (Building Height and Floor Space) of the SREP establish built form controls. These apply to the lands within the broader North Eveleigh precinct which are south of the railway lines.

Division 6 (Master Plans) of the SREP nominates sites which require a Master Plan. The site does not require a Master Plan.

<b>SREP 26 – City West</b>		
<b>Clause 11 – Planning Principles of Regional Significance for City West</b>		
<b>Regional Role</b>	The proposed development will renew brownfield land in an area with excellent access to services and public transport. The development is an Affordable housing project and will benefit the city by maintaining its diversity through providing living opportunities for people of all financial means.	Y
<b>Land Use Activities</b>	The proposal is a residential development. Other portions of the North Eveleigh Precinct will be developed for non-residential uses.	Y
<b>Mixed Living and Working Environment</b>	The proposal is a residential development. Employment opportunities will be provided in other portions of the North Eveleigh Precinct.  The project is an Affordable housing development.	Y
<b>Education</b>	Not applicable	Not Applicable
<b>Leisure &amp; Recreation</b>	Future residents will be able to make use of the available leisure and recreation facilities.	Y
<b>Port Functions</b>	Not applicable	Not Applicable
<b>Social Issues</b>	The project does not generate the need to provide or augment social infrastructure within the area.  The Minister's Concept Plan approval provides for social infrastructure including parks and a child centre. These will be provided, when the need for them arises.	Y
<b>Environmental Issues</b>	It has been discussed in Section 4 of this report that the project satisfies the ESD principles.  The development includes environmental features, including low use water fixtures and good environmental design, to minimise the resource demands of future residents.	Y
<b>Urban design &amp; the Public Domain</b>	It has been discussed in Section 5.5 of this report that the building has a high quality design and will provide residents with a high level of amenity.	Y
<b>Heritage</b>	It has been discussed in Section 5.3 that the building respects the adjoin heritage item.	Y
<b>Movement &amp; Parking</b>	On-site parking is minimised in the development, in response to the known needs of future residents and the proximity of public transport.  The Minister's Concept Plan approval includes footpaths and bike facilities. The site is also well placed to make use of Sydney City Council's excellent bike and pedestrian facilities which pass by the site.	
<b>Implementation &amp; Phasing</b>	There is capacity within existing infrastructure to accommodate the development.	Y

	The Minister's Concept plan acknowledges the need to augment infrastructure (such a road infrastructure) as the development of the North Eveleigh precinct increases in intensity.	
<b>Clause 15 - Planning Principles of Regional Significance for City West North Eveleigh</b>		
<b>Role and Land Use Activities</b>	<p>The development is an affordable housing project.</p> <p>The development will not compromise the ability of Railcorp to access its lands or develop the North Eveleigh dive.</p>	Y
<b>Urban Design</b>	It has been discussed in Section 5.5 of this report that the height of the building relative to the Carriage Works building is appropriate, as the Carriage Works building will retain its visual prominence due to its bulk, scale and elaborate finishing.	Y
<b>Public Domain</b>	The Minister's Concept plan includes footpaths, bike facilities and public parks. These will be provided as future stages of the precinct are realised.	Y

#### **State Environmental Planning Policy (Affordable Rental Housing) 2009**

The development is an Affordable housing project. The application is not relying upon the provisions of the SEPP for permissibility or bonus floor space.

#### **Redfern-Waterloo Built Environment Plan (Stage One) 2006**

The Redfern-Waterloo Built Environment Plan (BEP) (Stage One) was prepared to provide a planning framework for the redevelopment of the RWA's strategic sites, including North Eveleigh. The plan established potential land uses and built form controls for the site. The BEP was considered in the preparation of the Minister's Concept plan.

## APPENDIX E CONSISTENCY WITH CONCEPT PLAN APPROVAL

Concept Plan Condition	Proposed development consistency
<p><b>PART A – TERMS OF APPROVAL</b></p> <p><b>A1 Development description</b></p> <p>Concept approval is granted only to the carrying out of development solely within the concept plan area as described in the document “North Eveleigh Concept Plan” prepared by Urbis dated 28 March 2008 and in the document titled “North Eveleigh Concept Plan Response to Key Issues, Preferred Project Report and Revised Statement of Commitments”, prepared by the Redfern Waterloo Authority dated September 2008, including:</p> <p>(1) The redevelopment of the site for a mix of commercial, retail cultural, community and residential uses involving a maximum of 177,527m<sup>2</sup> of GFA comprised of:</p> <ul style="list-style-type: none"> <li>(a) A maximum of 55,672m<sup>2</sup> of commercial GFA;</li> <li>(b) A maximum of 4,000m<sup>2</sup> retail GFA;</li> <li>(c) A maximum of 22,796m<sup>2</sup> cultural / community GFA; and</li> <li>(d) A maximum 95,059m<sup>2</sup> residential GFA.</li> </ul>	<p>The proposed development is the first new building to be developed under the Concept plan. A total gross floor area of 6 098.4.2m<sup>2</sup> is proposed which is less than the 95 059m<sup>2</sup> permitted under the Concept plan.</p> <p>The Concept plan allocates GFA across the site, with 6, 480m<sup>2</sup> allocated to the subject site (Building D4). The proposed GFA is below that permitted by the Concept plan and as such will not compromise the redevelopment of other portions of the site.</p>
<p>(2) Maximum building heights and envelopes within development blocks as identified in ‘Drawing Land Use Plan Eastern Site’ and ‘Land Use Plan and Western Sites’ prepared by Bates Smart dated October 2008 of the Preferred Project.</p>	<p>It is proposed to modify the Concept plan to provide an additional storey and extend the building footprint.</p>
<p>(3) A maximum of 1800 car parking spaces to service the mix of uses, including retention of existing car parking spaces allocated to Carriageworks and Blacksmiths’ Shop buildings, with the final amount to be determined at the detailed design stages using the following maximum car parking rates.</p> <ul style="list-style-type: none"> <li>– Studio apartment: 0.25 spaces per dwelling</li> <li>– 1 bedroom apartment: 0.5 spaces per dwelling</li> <li>– 2 bedroom apartment: 1.2 spaces per dwelling</li> <li>– 3+ bedroom apartment: 2 spaces per dwelling</li> </ul>	<p>The maximum permissible parking under the Concept approval is:</p> <p>10 x studio = 2.5 spaces</p> <p>37 x 1 bed = 18.5 spaces</p> <p>36 x 2 bed = 43.2 space</p> <p>5 x 3 bed = 10 spaces</p> <p>Total = 74.2 spaces</p> <p>It is proposed to provide 39 spaces, which is less than the maximum number permitted.</p> <p>The provision of a reduced number of spaces is appropriate given proximity to public transport and services, and the known parking demands of future residents (refer Section 5.4).</p>
<p>(4) Additional on –street parking for 75 spaces on the newly created roadways within the</p>	<p>No on-street parking is proposed.</p>



Concept Plan Condition	Proposed development consistency
site (subject to Council approval if dedicated).	
(5) Public Parks, Public Domain and Roads.	The development does not impact on the parks, public domain or roads.
(5) Retention and adaptive reuse of buildings.	The site does not include any of the listed buildings.
(7) (b) Affordable housing.	Affordable housing is specified within the description of development approved under the Concept plan.
<b>A2 Development in accordance with the plans and documentation</b> The approval shall be generally in accordance with MP 08_0015 and with the Environmental Assessment, except where amended by the Preferred Project Report and additional information to the preferred Project Report and the Concept Plan drawings prepared by Bates Smart.	The proposed development is generally consistent with the Environmental Assessment and Preferred Project Report. It has been identified above that it is proposed to modify the approved Concept drawings to increase the height and footprint of the building.
<b>B1 Built form</b> (1) Approval is given to a mixed use development involving a maximum of 177,527m <sup>2</sup> GFA, comprised of (d) a maximum 95,059m <sup>2</sup> residential GFA.	A total gross floor area is proposed which is less than the 95 059m <sup>2</sup> permitted under the Concept plan.  The Concept plan allocates 6 480m <sup>2</sup> of GFA for the site (Building D4). The proposed GFA of 6 098.4m <sup>2</sup> is below that permitted and will not compromise the development potential of other portions of the site.
(2) Despite (1) above, future project applications are not to exceed the GFA in each precinct (c) Western Precinct 50,698m <sup>2</sup> .	The site is located within the Western site. As stated above, the proposed GFA is less than that allocated to the site. Accordingly, the development is consistent with the planned intent of the Concept plan to provide a maximum GFA of 50 698m <sup>2</sup> in the western precinct.
<b>B2 Impacts on heritage buildings</b>	The application does not apply to the buildings specified within this modification.
<b>B3 Transport and Pedestrian Management</b> (1) A transport Management and Accessibility Plan (TMAP) is to be prepared prior to or concurrently with the first project application that includes new floor space for the site and should include: (a) Identification of measures to support the achievement of a maximum 40% mode share to car. The measures proposed should be to the satisfaction of the Ministry of Transport, and may include enhancements to public transport, changes in parking allocation and/or pedestrian infrastructure, policy initiatives or behaviour change programs.	A Transport Management and Accessibility Plan (TMAP) has been submitted ( <b>Appendix U</b> of the EIS).  The submitted only applies to the first 200 dwellings developed in the western precinct. The TMAP will be developed in a staged approach as future stages are realised. This approach is necessary due to uncertainty around certain portions of the site, which may be required for rail purposes.  Transport for NSW and the Department of Planning agreed to the preparation of a staged TMAP.  Transport for NSW has advised that it approves

Concept Plan Condition	Proposed development consistency
<ul style="list-style-type: none"> <li>(b) Detailed modelling of critical local and regional intersections, are to be calibrated and reviewed in consultation with the RTA and Ministry of Transport. Both AM and PM peaks are to be modelled to determine the impact of any proposed works on intersection operation.</li> <li>(c) Funding mechanisms and timing of road and intersection upgrades.</li> <li>(d) The method of achieving restriction to traffic generated by site staff and delivery vehicles during AM and PM peak periods.</li> </ul> <p>The TMAP is to be submitted to the Ministry of Transport for approval.</p>	<p>the TMAP.</p>
<p>(2) Notwithstanding modification B2(1)(c), the following are to be incorporated into the final TMAP:</p> <ul style="list-style-type: none"> <li>(a) Any recommended improvements to existing intersections controlled by traffic signals require assessment by the RTA's Network Operations Section.</li> <li>(b) The extension of existing left and right turning lanes in Abercrombie and Lawson Streets may involve the removal of on-street parking, and will require the concurrence of the City of Sydney Local Traffic Committee.</li> <li>(c) Further investigation into the feasibility of extending the existing right hand turn bay on Cleveland Street into Shepherd Street.</li> <li>(d) Costs associated with any road improvements are to be borne by the Proponent.</li> <li>(e) Further information regarding the consequences for pedestrians, if any, by removing the pedestrian scramble phase at the intersection of Abercrombie and Shepherds Streets.</li> </ul>	<p>The subject application does not generate the need to undertake the specified works. These matters will be addressed in subsequent versions of the TMAP.</p>
<p><b>B4 Staging of development</b></p> <ul style="list-style-type: none"> <li>(1) The Proponent shall demonstrate with each project application that the proposed development represents orderly and coordinate development, such that: <ul style="list-style-type: none"> <li>(a) It may be serviced by existing infrastructure, by infrastructure approved by this Concept Plan, or is capable of being serviced; and</li> <li>(b) Access for vehicles and pedestrians is</li> </ul> </li> </ul>	<p>UGDC has issued a Part 5 approval for infrastructure works, including roadways, intersection works, footpaths and a park. The proposed works will provide the western site with vehicular and pedestrian connections to the surrounding areas. The works are currently under construction.</p> <p>Sydney Water and Ausgrid have advised that there is sufficient capacity within their networks</p>

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<p>available and can be made available; and</p> <p>(c) Relevant infrastructure and publicly accessible areas are available.</p>	<p>for the proposed development.</p>
<p>(4) The project applications associated with the public parks identified by modification B(1)(3) are to be concurrently submitted with the respective first project applications lodged for new GFA in the Western Precinct. Public parks and other open space areas are to be provided as soon as practicable.</p>	<p>UGDC has lodged a development application with Sydney City Council seeking consent for 2 parks including a 3 350m<sup>2</sup> park in the western corner of the precinct.</p>
<p><b>B5 Developer Contributions</b> Contributions will be required by the Minister based on the 'Redfern-Waterloo Authority Contributions Plan 2006' or any other applicable Contributions Plan as advised by the Redfern Waterloo Authority or the Department of Planning at the time that future project applications are determined.</p>	<p>Clause 6 of the 2006 Contributions Plan identifies development to which the plan applies. Under this clause, development for provision of affordable housing, that is provided by or on the behalf of a community housing organisation registered with the Office of Community Housing can be exempt from the Contributions Plan, with permission from the Minister.</p> <p>The application is seeking approval for an affordable housing development as defined by the <i>State Environmental Planning Policy (Affordable Rental Housing) 2009</i>. City West Housing Pty Ltd is registered on the NSW Government Register of Community Housing (Registration No: R0158090625)</p>
<p><b>B6 Affordable Housing Contribution</b> To contribute to the provision or refurbishment of affordable housing within the Redfern Waterloo Operational Area, contributions will be required by the Minister based on the Redfern Waterloo Authority Affordable Housing Contributions Plan 2006, or other applicable Affordable Housing Contributions Plan, as advised by the Redfern Waterloo Authority or the Department of Planning at the time that future project applications are determined.</p>	<p>Clause 6 of the <i>Affordable Housing Contributions Plan 2006 – Redfern-Waterloo Authority Operational Area</i> defines which development does not apply to.</p> <p>Under this provision, the Plan does not apply to affordable housing by a Registered Housing Provider.</p> <p>The application is seeking approval for an affordable housing development as defined by the <i>State Environmental Planning Policy (Affordable Rental Housing) 2009</i>. City West Housing Pty Ltd is registered on the NSW Government Register of Community Housing (Registration No: R0158090625).</p>
<p><b>Part C – Future Assessment Requirements</b> <b>C1 Wind Impacts</b></p> <ul style="list-style-type: none"> <li>• Recommendations made in the Wind Effects Study, prepared by Vipac Engineers and Scientists Ltd and dated 12 September 2008, are to be implemented in each subsequent project application.</li> <li>• A wind tunnel based assessment is to be undertaken when building design(s) are resolved at each project application stage, and should consider the following: <ul style="list-style-type: none"> <li>– Main entries to buildings being located</li> </ul> </li> </ul>	<p>The VIPAC wind report (12 Sept 2008) provides an assessment of the potential impacts across the entire North Eveleigh site. Particular attention is given to the impacts from the taller buildings (8 – 16 storeys). A general recommendation of the report is that a wind tunnel assessment be undertaken of future buildings when detailed designs are prepared.</p> <p>The submitted EIS includes a wind impact report (<b>Appendix K</b>) also prepared by VIPAC. The report identifies that in general the wind</p>

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<p>away from building corners;</p> <ul style="list-style-type: none"> <li>- The use of canopies/awnings to assist in effective wind amelioration;</li> <li>- The use of other wind amelioration measures necessary.</li> </ul>	<p>conditions will be acceptable, but recommends the addition of trees in the north-western corner and midway along the western boundary to ameliorate some impacts. The trees would need to be located outside the boundaries of the site in the public domain areas currently controlled by UGDC. It is a recommendation of this report that a condition be imposed requiring the applicant to negotiate with UGDC to provide the trees.</p>
<p><b>C2 Site Contamination and Remediation</b> Prior to lodgement of the first project application, a remediation strategy and remediation action plan are to be prepared and submitted to the Department and Council. The remediation strategy and remediation action plan must be implemented in a staged manner and in a rational and orderly manner.</p>	<p>The site is being remediated as early works undertaken under the Part 5 approval issued by UGDC. In their submission the Environmental Protection Authority state that they anticipate that the site remediation will be completed prior to any construction works commencing.</p> <p>It is the recommendation of this report that a condition be imposed specifying that prior to commencement of construction works, a site audit statement should also be issued by an accredited Site Auditor specifying the site is suitable for the proposed use.</p>
<p><b>C3 Heritage and Archaeology</b></p> <p>(1) Archival or oral historical research together with the local Aboriginal community into the nature and significance of the Aboriginal connections with the railyards as a whole is to be undertaken prior to or during the preparation of an Interpretation Plan for the site.</p> <p>(2) An Aboriginal Cultural Heritage Impact Assessment on archaeological grounds for the small area of land adjacent to Wilson Street, as identified in the Historical Archaeological Impact Assessment and Zoning Plan and Impact Mitigation Strategy prepared by AHMS dated April 2008, is to be prepared and submitted with the project application for development in this part of the site.</p> <p>(3) An interpretation plan is to be submitted:</p> <ul style="list-style-type: none"> <li>• With the lodgement of the first Project Application, if the site is developed as a whole, or</li> <li>• With the first Project Application for each precinct, if the site is developed in parts.</li> </ul>	<p>UGDC has prepared an Interpretation Plan and Implementation Strategy (3D Projects – Artscape and Only Human - February 2012). The strategy was prepared in consultation with the community and other stakeholders and has been adopted by the Minister for Planning &amp; Infrastructure.</p> <p>The site does not include the two areas with the North Eveleigh precinct with the potential to contain Aboriginal relics.</p> <p>A Heritage Impact Assessment was included as part of the EIS (<b>Appendix P</b>).</p>
<p><b>C4 Landscaping and Tree Removal</b></p> <p>(1) The recommendations contained in the conclusion of the Arboricultural Assessment and Development Impact Report prepared by Guy Paroissien Landscape Matrix Pty Ltd are to be adopted and incorporated in to the</p>	<p>The referenced Arboricultural assessment identifies a Cinnamon Camphor Laurel (Tree No.227) within the site area. The tree is identified as an environmental weed species and recommended for removal.</p>



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<p>detailed design of future project applications, including replacement trees.</p> <p>(2) Detailed landscape plan(s) are to be submitted with subsequent project applications, informed by principles set out in the Landscape Masterplan Drawing No. DAL1 dated 20.10.08 prepared by Bates Smart Architects and Turf Design Studio + Jeppe Aagaard Andersen.</p>	<p>The EIS includes a detailed landscape plan (<b>Appendix R</b>). The plan is consistent with the landscape master plan providing a consolidated landscaped area on the southern portion of the site.</p>
<p><b>C5. Dedication of Public Open Space and Roadways</b></p>	<p>The application does not include any public parks, roads or public domain elements.</p>
<p><b>C6 Site Management Agreement</b> A Site Management Agreement for construction and ongoing operations, between the owner of Carriage Works and the Blacksmiths Shop and the owner(s) of residential and commercial buildings, will be required to be prepared for future Project Applications.</p>	<p>The EIS includes a Site Management Agreement (<b>Appendix T</b>). The applicant advises that this agreement was prepared in consultation with the operators and other stakeholders in the Precinct and has been executed.</p>
<p><b>C7 Site servicing</b> Emergency and service vehicles must have adequate access to and within the site and into each proposed basement car parking area.</p>	<p>The applicant advises that "the basement will be accessible to cars and small van servicing and emergency vehicles. Larger emergency vehicles will be capable of accessing the site easily from the street, with emergency crew able to access the building via the ground floor lobby".</p>
<p><b>C8 ESD and Sustainable Design</b></p> <ul style="list-style-type: none"> <li>The future project applications for residential development are to demonstrate compliance with the provisions of SEPP BASIX.</li> <li>Future project applications are to consider the Water Management Plan of the Environmental Assessment and are to investigate options for reducing potable water consumption, provision of alternative water supply for non-potable uses, and the use of recycled water.</li> </ul>	<p>The EIS includes a BASIX Certificate (No: 469854M) (<b>Appendix Q</b>). The certificate specifies that the apartments will include 4 star toilet flushing systems and 5 star bathroom taps, which are considered 'sustainable' fittings under the Water Management Plan for North Eveleigh. It is proposed to collect and harvest roof water for toilet flushing and laundry uses to reduce usage of potable water.</p> <p>The selected landscape scheme has low water requirements.</p> <p>The EIS includes an ESD Report (<b>Appendix N</b>).</p>
<p><b>C9 Sydney Water</b></p> <ul style="list-style-type: none"> <li>Future project applications are to consider the impacts on Sydney Water stormwater infrastructure. Prior to lodgement of project applications, consultation with Sydney Water regarding any potential impacts on this infrastructure is to occur.</li> <li>Future project applications are also to liaise with Sydney Water to: <ul style="list-style-type: none"> <li>– Ensure water and sewer infrastructure</li> </ul> </li> </ul>	<p>Sydney Water did not raise any issue in their submission regarding impacts on their infrastructure.</p> <p>The EIS includes a Stormwater Management Plan (<b>Appendix L</b>). The proposed stormwater system includes tanks and basins to mitigate the flows of water from the site.</p>



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<p>are appropriately sized to correlate with the requirements of the Water Management Plan.</p> <ul style="list-style-type: none"> <li>Investigate the potential of having a reticulated recycled water scheme for the development.</li> </ul>	
<p><b>C10 RailCorp</b> Future project applications must address the following requirements of RailCorp:</p> <ul style="list-style-type: none"> <li><b>Corridor Protection</b> <ul style="list-style-type: none"> <li>Prior to lodgement of an application seeking approval for any structure within 25 metres of the rail corridor that involves ground penetration of greater than 2 metres, the following are to be prepared in accordance with RailCorp's requirements and lodged with the relevant application:               <ol style="list-style-type: none"> <li>A Geotechnical and Structural Report;</li> <li>An Excavation and Construction Methodology; and</li> <li>Cross Sectional drawings showing ground surface, rail tracks, sub soil profile, proposed basement excavation and structural design of sub ground support adjacent to the Rail Corridor.</li> </ol> </li> </ul> </li> </ul>	<p>The proposed development is approximately 60-90 metres from the existing rail line.</p> <p>Railcorp has provided a set of conditions which it requests be included within any development consent. The conditions require that the development comply with the requirements of the geotechnical report included in the EIS (<b>Appendix Z</b>).</p>
<ul style="list-style-type: none"> <li><b>Derailment protection</b> <ul style="list-style-type: none"> <li>Prior to the lodgement of any project application seeking approval for new structures located within 20 metres of the rail corridor, a derailment protection risk assessment in accordance with AS 5100 must be prepared and lodged with the application.</li> </ul> </li> </ul>	<p>The proposed development is approximately 60-90 metres from the existing rail line.</p>
<ul style="list-style-type: none"> <li><b>Drainage</b> <ul style="list-style-type: none"> <li>Stormwater drainage from the North Eveleigh site may be discharged across the rail corridor utilising either the existing drainage system or through the installation of a new drainage system across the corridor serving the subject land;</li> <li>The final drainage solution is to be development in consultation with Railcorp, with the written approval of Railcorp and landowner, prior to the lodgement of either the first application for subdivision or first application for new GFA, whichever occurs first.</li> <li>Notwithstanding the above, the following information is to be submitted regarding the final drainage solution:</li> </ul> </li> </ul>	<p>UGDC has prepared a stormwater management plan for the broader western precinct. This plan and the works it proposes was approved under by UGDC under the Part 5 approval it issued for infrastructure works. The plan was included in the EIS. The EIS also included a site specific stormwater plan.</p> <p>Railcorp has provided a set of conditions which it requests be included within any development consent. The conditions require that a final stormwater plan be provided to them for their approval, prior to commencement of works.</p>

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<ul style="list-style-type: none"> <li>(i) Demonstrate that drainage and stormwater within the site can be managed without any adverse impact on the rail corridor, and that any existing future pipes, across the corridor, can accommodate any increase in stormwater and drainage loads. Any necessary amplification or upgrading of the downstream drainage system is to be borne by the Proponent. Stormwater runoff from and through the property is to be appropriately managed, including by volume, direction and speed, so as to control nuisance, damage and hazard during storm events.</li> <li>(ii) Provide drainage calculations carried out in accordance with 'Australian Rainfall and Runoff' published by the Institute of Engineers Australia, including a contoured catchment diagram and delineation of flow paths for storms of average recurrence interval of 1:100 years (1% AEP) where appropriate.</li> <li>(iii) Provide full computer modelling of stormwater drainage design and analysis of the site and results of the computer output shown on the engineering plans. Detention system shall not be designed to ensure that post development flow rates from the site is not more than the pre-developed site discharge at each discharge point for all rainfall events up to 1 in 100 year ARI.</li> <li>(iv) That stormwater runoff from all impervious surfaces on the property is collected and conveyed to a point suitable for integration with the construction drainage system. The drainage system shall convey runoff from storms up to the 10% AEP. Defined overland flow paths shall be provided to safely convey runoff from the storm events up to 1% AEP.</li> <li>(v) Details of future care and control of the drainage system.</li> </ul>	
<ul style="list-style-type: none"> <li>• Noise and vibration <ul style="list-style-type: none"> <li>– An acoustic assessment is to accompany any project application for a new building.</li> </ul> </li> </ul>	<p>The EIS included an Acoustic Report (<b>Appendix J</b>). The acoustic assessment concludes that Railcorp's noise criteria can be met with</p>

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	appropriate glazing and wall treatments.
<ul style="list-style-type: none"> <li>Balconies and Windows <ul style="list-style-type: none"> <li>Any proposed balcony or window that is within 20 metres of the rail corridor is to incorporate adequate measures that prevent the throwing of objects onto the rail corridor.</li> </ul> </li> </ul>	The proposed development is approximately 60-90 metres from the existing rail line.
<ul style="list-style-type: none"> <li>Reflective material <ul style="list-style-type: none"> <li>Future structures located along the railway corridor are to minimise the use of reflective material such as mirrored glass and metal finishes.</li> </ul> </li> </ul>	The proposed development comprises mostly solid masonry material. The roof over the mid-section of the upper storey is zinc (a metal finish). The southern face of the roof is narrow, and only a small portion of the overall southern face and unlikely to cause any significant glaze.
<ul style="list-style-type: none"> <li>Future North Eveleigh Dive Alignment <ul style="list-style-type: none"> <li>Railcorp have nominated the North Eveleigh Dive Alignment adjacent to the southern boundary and in the southern section of the site, which may accommodate a future underground rail connection.</li> <li>All new structures which have the potential to impact on the North Eveleigh Dive Alignment must be designed in accordance with RailCorp's design criteria.</li> <li>The location of basements for Block B, C and D are to be located outside the RailCorp exclusion zone for the Dive Alignment. Future project applications involving basement structures of any block adjacent to the Dive Alignment are to be developed in consultation with RailCorp.</li> <li>A detailed regime is to be prepared in consultation with RailCorp, for the future excavation of the site and the construction of building foundations (including ground anchors) which have a potential impact on the Dive Alignment, and may include geotechnical and structural certification.</li> </ul> </li> </ul>	The proposed development is located 60-90 metres from the identified North Eveleigh Dive Alignment. Railcorp have provided comments on the application and have not raise any issue regarding impact on their future corridor.
<p><b>C11 Water Table / Ground Water</b></p> <p>Future project applications involving basement structures are to provide details of how the water table and ground water will be managed during and after construction of the basement car park.</p>	The EIS included a Groundwater Impact Assessment ( <b>Appendix AA</b> ). The assessment concludes groundwater is present and consideration will need to be to including drainage in the basement retaining walls (pumps) or tanking the basement.
<p><b>C12 Airport zone of influence</b></p> <p>The future project application(s) involving an RL in excess of 51 metres AHD are to be in</p>	The proposed building reaches a maximum height of RL 49.82.

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accordance with the requirements of the <i>Airports (Protection of Airspace) Regulations 1996</i> .	
<b>C13 Car Share</b> Details of car share arrangements are to be submitted with future project applications.	The EIS includes an in-principal letter of support ( <b>Appendix X</b> ) from 'goget', a provider of shared car schemes. The letter states feasibility study will need to be undertaken.
<b>C14 Child Care</b> Details of location and timing of child care use(s) are to be submitted with future project applications for commercial and residential uses.	The EIS includes a Social Impact Assessment (SIA) ( <b>Appendix H</b> ). It is a conclusion of the SIA that it is unlikely that the small increase in local population will have a significant impact on local social infrastructure (such as child care centres). The SIA also notes the existing centres within the area and the centre planned for the North Eveleigh Precinct.  The Statement of Commitments includes a commitment to provide child care facilities on site in accordance with Council's DCP.
<b>C15 Design Competition</b> The proposed residential tower located at the eastern end of the site will be subject to a design competition in accordance with Clause 22(3) of the Major Projects SEPP.	Not applicable.