

Figure 4: Deposited Plan

3.2 Surrounding Land Uses

The site is located approximately 1.5km north of the M5 motorway and 250m south of Canterbury Road which runs east-west linking the Sydney CBD with the greater western suburbs. Directly north along Charlotte Street approximately 350 metres is the Canterbury Hospital which provides a range of medical health care services.

The site is within the “Canterbury Road Enterprise Corridor” and the “M5 Economic Corridor” as identified in Figure B8 of the *Sydney Metropolitan Strategy 2005*.

Existing land uses within the Canterbury Road Enterprise Corridor and the M5 Economic Corridor vary significantly with large tracts zoned industrial, commercial and residential. The existing commercial and industrial premises are dominated by automotive trades and building trades services. There are also a substantial number of vacant commercial premises and a limited number and range of retail activities.

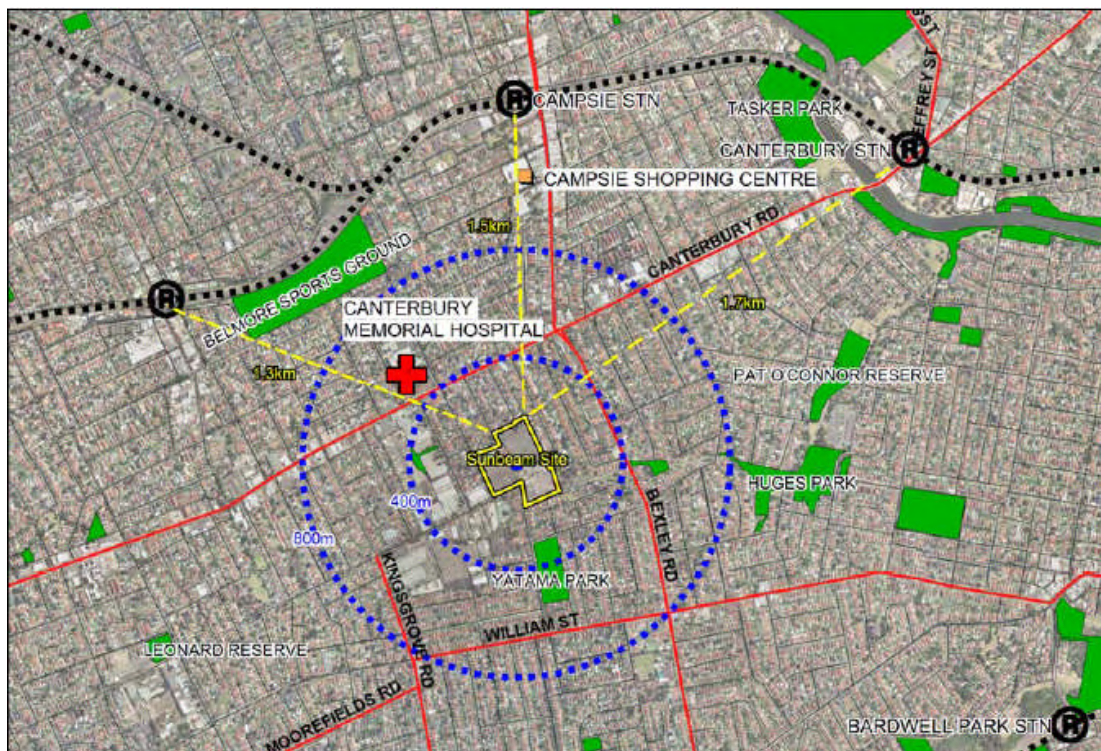


Figure 5: Strategic context Source Macroplan

Residential areas, typically comprising one and two storey dwellings, occupy all sides of the site. The associated residential roadways have a wide carriageway and road reserve, indicative of a residential area in close proximity to main transport routes and an industrial area (See **Photo 9 & Photo 10**).



Photo 9: Adjoining residential dwellings, Troy Street, Campsie.



Photo 10: Adjoining residential dwellings, Alfred Street, Clemton Park.

An extensive pedestrian pathway link to surrounding suburbs and recreation areas originates 500m east of the site at Bexley Road.

The path connects pedestrians from Clemton Park and Campsie to recreation and play areas off Northcote Street along to Hughes Park and Pat O'Connor Reserve and extending east and west through Canterbury and Earlwood along the shores of the Cooks River. Approximately 230 metres south of the subject site is the Yatama Park and bowling greens and club house which provide walkable access to open space assets.



Photo11: of existing development on southwestern side of charlotte street

3.3 Access

The site is located in close proximity to three (3) major distributor roads, namely Canterbury Road, Kingsgrove Road and Bexley Road. Canterbury Road is the main access road to the greater west and the Sydney CBD, and is directly accessible from the site through Charlotte Street. Bexley Rd (east) and Kingsgrove Rd (west) connect with Canterbury Rd approximately 300m from the site and run south to connect to the M5 South West Motorway (M5), the key route between the Sydney CBD and the South Western suburbs. Kingsgrove Road is also accessible through the industrial area via Harp Street.

Additionally, the proposal is located in close proximity to public transport. Campsie train station is approximately 1.2km from the site. Sydney Bus routes operate along Bexley Road and Canterbury Road, and provide public transport alternatives.

In a more local context, the subject site has primary road frontages to Harp Street and Charlotte Street, while secondary accesses are also available at the southern end of Troy Street and Wade Street. These frontages have historically been used for vehicular access to the site and continue to be used as significant site accesses presently.

3.4 Site Analysis

The site analysis interprets the information provided by the survey plan, existing site plan and context plan together with site inspections and photographs, to identify those elements that played a key influence on the design outcome (See **Appendix 4 & 5**).

The table below responds the plans and documents required as part of the DGR's.

Table 1: Site Analysis

Required	Cross referenced
Existing natural elements of the site	Existing site survey at Appendix 4
Existing vegetation	Existing site survey at Appendix 4
Footpath crossing levels and alignments	Existing site survey at Appendix 4
Existing pedestrian and vehicle access points	Existing site survey at Appendix 4
Slope and topography	Existing site survey at Appendix 4 Site analysis plan at Appendix5
Utilities services	Existing site survey at Appendix 4
Boundaries	Existing site survey at Appendix 4 Site analysis plan at Appendix5
Orientation	Existing site survey at Appendix 4 Site analysis plan at Appendix5
View corridors	Existing site survey at Appendix 4 Figure 6 below
Structures on neighbouring properties	Existing site survey at Appendix 4 Site analysis plan at Appendix5

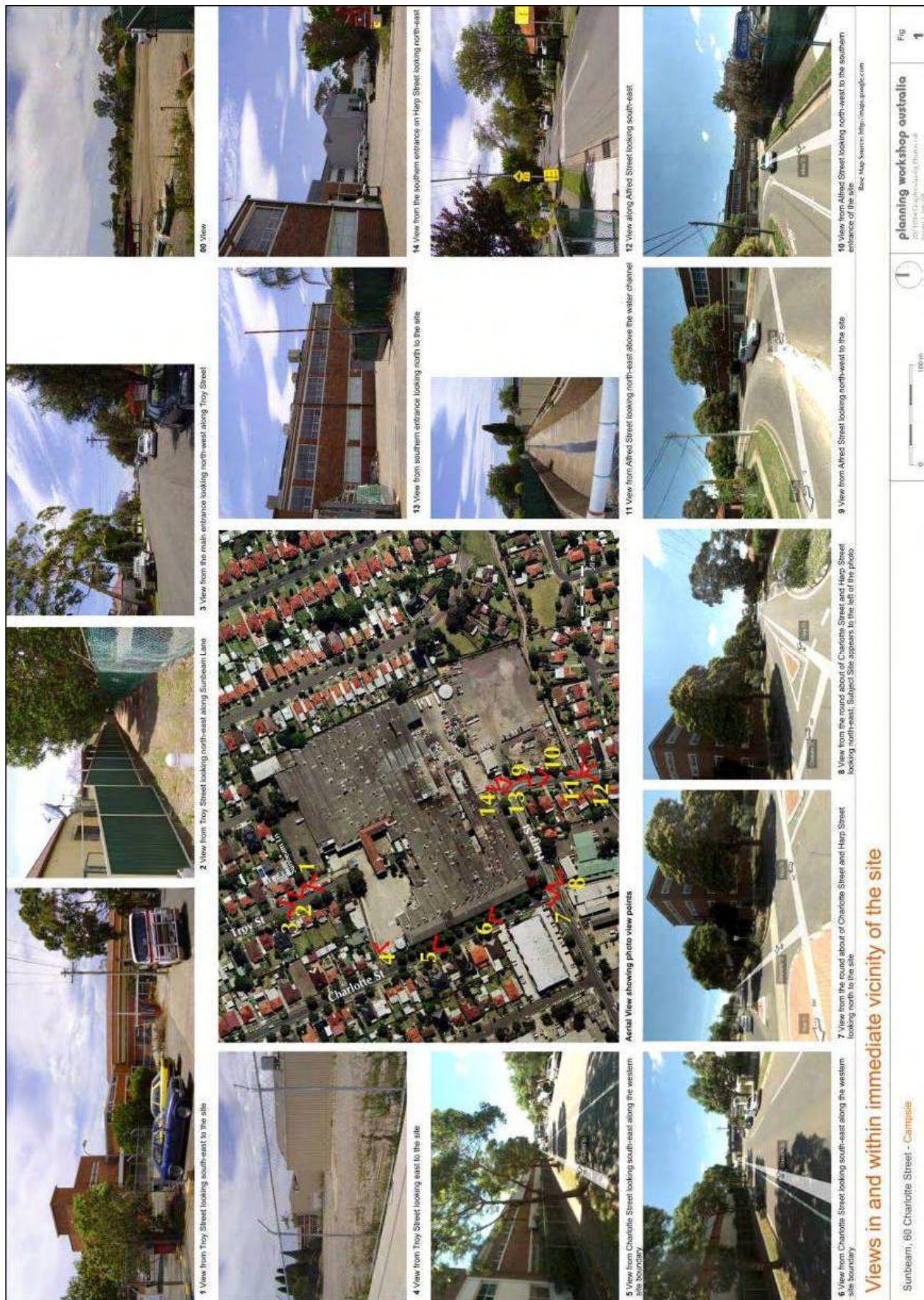


Figure 6: Surrounding context

4. DESCRIPTION OF THE PROJECT

The proponent seeks the Minister's approval pursuant to **Division 3 Section 75O and 75P** of the EP & A Act, for the following:-

- 1 **Concept Plan** for use (including total floor space of 87,332m²) and building envelopes (including allocation of floorspace by use, indicative number of units, height and building footprints), road layout and landscaping across the subject site; and
- 2 **Project Application/s** comprising:
 - a. Progressive demolition of existing structures on the whole of the subject site and remediation in accordance with the Remedial Action Plan (See **Appendix 22**);
 - b. Subdivision of the whole of the land into 5 Torrens Title allotments including roads and services to be dedicated to Council, and a stratum within Lot 2 for a future public reserve (See **Appendix 6**);
 - c. Development for roads and services to be dedicated to Council as public roads and construction to be staged. The first stage of construction of roads and services being completed prior to occupation of development on Lots 1 /or 3 (See **Appendix 14**);
 - d. Development on Lot 1 for bulky goods premises, 30,367m² of floor space and ancillary car parking and other services (refer to Architectural plans and schedules at **Appendix 29**);
 - e. Development on Lot 3 for multiple unit housing (including strata subdivision for 58 units), comprising 5,897m² of floor space and a child care centre comprising 636m² of floor space as well as ancillary car parking and other services (refer to Architectural plans and schedules at **Appendix 30**).

The proponent requests that the Minister approves the 'Concept Plan'. At the same time it is requested that the Minister determine that no further lodgement of an application assessment or determination are required in relation to those aspects identified below within **Section 4.2 "Project Application/s" Section 75P(1)(c)** and approve under **Section 75J**. This will enable these aspects to proceed directly to application for registration of subdivision and construction certificate application.

Table 6 outlines the key aspects of the proposed Concept Plan and Project Applications and Level of Detail and Outcome.

Table 6: Aspects of the proposed Concept Plan and Project Application/s and Level of Detail and Outcome

Part 3A Application	Whole or part of land	DEV STAGE	FLOOR SPACE	INDICATIVE NO. OF UNITS	LEVEL OF DETAIL AND OUTCOME
Project Application/s					
Demolition	Whole	1	NA	NA	Progression to Construction Certificate application
Subdivision - Torrens	NA	1 & 2	NA	NA	Progression to application for registration of subdivision
Lot 1 Bulky Goods Premises and commercial premises	Lot 1 (14,037m ²)	1	30,367m ²	NA	Progression to Construction Certificate application
Lot 3 Multiple unit housing including strata subdivision and child care centre	Lot 3 (4,009m ²)	2	RFB = 5,897m ² Child care centre = 636m ²	58	Progression to Construction Certificate application
Infrastructure Roads and Services	Whole	1	NA	NA	Progression to application for registration of subdivision and staged construction
Concept Plan					
Lot 2 Shops, Medical centre and multiple unit housing	Lot 2 (12,311m ²)	3	Shops = 5,336m ² Medical centre = 3,719m ² Multiple unit housing = 17,952m ²	181	Requires further project approval
Lot 4 Multiple Unit Housing	Lot 4 (4,192m ²)	5	6,802m ²	64	Requires further project approval
Lot 5 Multiple Unit housing (including but not limited to Seniors Living)	Lot 5 (9,991m ²)	4	Building A = 5,250m ² Building B = 5,573m ² Building C = 92 high care beds – 5,800m ²	83	Requires further project approval
Indicative basement areas, landscaping and infrastructure and services ancillary to remainder of the concept plan	Whole	Various stages	NA	NA	Requires further project approval
Total	5 Torrens Title Lots		87,332m²	387 Units	

Source: Marchese Architects and Buchan Group area schedules

Definitions from CPSO and Standard Template in the case of “bulky goods premises” and “medical centre”

4.1 Concept Plan

The **Concept Plan** application seeks approval for use (including total floor space of 87,332m²) and building envelopes (including allocation of floorspace by use, indicative number of units, height and building footprints), road layout and landscaping across the subject site as per **Table 6**, above.

The Concept Plan is described in:

- Architectural drawings (prepared by Marchese at **Appendix 8**);
- Landscape drawings (prepared by Habitation at **Appendix 13**);
- Subdivision plan (prepared by Dunlop Thorpe at **Appendix 6**); and
- Infrastructure plans (prepared by Hyder at **Appendix 14**).

As indicated previously, the stages identified in the concept plan do not connote the order of staging. In other words, development on Lot 5 could precede development on Lot 4 and Lot 2 or the reverse.

A draft statement of commitments has also been prepared to compile the key recommendations of the project team assessment reports and documentation (**Appendix 38**).

4.1.1 Distribution of Uses and Building Envelopes

The proposal seeks Concept Approval for the distribution of uses and indicative building envelopes, indicative road layout, indicative services layout and landscaping illustrated in architectural plans (see **Appendix 8**) and landscape plans (**Appendix 13**). The building envelopes and heights are measured from existing ground level to the topmost point of the building whilst building footprint includes balconies.

The total proposed floor space for the site (including Lots 1, 2, 3, 4 and 5) is 87,332m² (See **Table 6** above). The floor space figures are measured by the responsible architect in accordance with the definition within the Canterbury Planning Scheme Ordinance.

"Floor space" includes all wall thicknesses, ducts, vents, staircases and lift wells, but does not include:

- any car parking space in a building, being a space provided to meet the standards required by the responsible authority (but not car parking space provided in excess of those standards), or any internal access to that car parking space;
- space used for the loading or unloading of goods; or
- lift towers, cooling towers, machinery and plant rooms and any storage space related thereto".

Proposed uses are defined in the table below:

Child Care Centre	<p>"Child care centre" means a building or place used for the supervision and care of children that:</p> <ol style="list-style-type: none"> provides long day care, pre-school care, occasional child care or out-of school- hours care, and does not provide overnight accommodation for children other than those related to the owner or operator of the centre, but does not include: <ol style="list-style-type: none"> a building or place used for home-based child care, or an out-of-home care service provided by an agency or organization accredited by the NSW Office of the Children's Guardian, or a baby-sitting, playgroup or child-minding service that is organized informally by the parents of the children concerned, or a service provided for fewer than 5 children (disregarding any children who are related to the person providing the service) at the premises at which at least one of the children resides, being a service that is not advertised, or
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	<p>(g) a regular child-minding service that is provided in connection with a recreational or commercial facility (such as a gymnasium), by or on behalf of the person conducting the facility, to care for children while the children's parents are using the facility, or</p> <p>(h) a service that is concerned primarily with the provision of:</p> <p>(i) lessons or coaching in, or providing for participation in, a cultural, recreational, religious or sporting activity, or</p> <p>(ii) private tutoring, or</p> <p>(i) a school, or</p> <p>(j) a service provided at exempt premises (within the meaning of section 200 of the Children and Young Persons (Care and Protection) Act 1998), such as hospitals, but only if the service is established, registered or licensed as part of the institution operating on those premises.</p>
Commercial Premises	"Commercial premises" means a building or place used or intended for use as an office or for other business or commercial purposes, but does not include a building or place elsewhere specifically defined in this clause or a building or place used or intended for use for a purpose elsewhere specifically defined in this clause or for a roadside stall.
Flat	"Flat" means a room or suite of rooms occupied or used or so designed, constructed or adapted as to be capable of being occupied or used as a separate domicile and includes a group dwelling but does not include a dwelling-house.
Fruit Shop	Referred to in Schedule 3 of the CPSO
Multiple unit housing	"Multiple unit housing" means a group of 3 or more dwellings (whether or not attached), but does not include multiple dwellings comprising town houses or villa homes.
Recreation Facility (Gym)	"Recreation facility" means a building or place used for sporting activities, recreation or leisure activities, whether or not operated for the purpose of gain, but does not include a building or place elsewhere defined in this clause.
Refreshment room (Café)	"Refreshment room" means a restaurant, cafe, tea room, eating house or the like.
Seniors Living (ILU's / RACF)	"Units for aged persons" means a multiple unit housing used or intended to be used to house aged persons as defined in the Aged Persons Homes Act 1954 as amended, of the Parliament of the Commonwealth, erected or to be erected by an eligible organisation as defined in that Act, the Housing Commission of New South Wales or any other Department or instrumentality of the Crown."
Shop (Retail) (Supermarket)	"Shop" means a building or place used or intended for use for the purpose of selling, exposing or offering for sale by retail goods, merchandise or materials, but does not include a building or place elsewhere specifically defined in this clause or a building or place used or intended for use for a purpose elsewhere specifically defined in this clause or for a roadside stall.
Schedule 3 shops	Chemist's shop; Confectionery shop and milk bar; Fish and chip shop; Fruit shop; Newsagent's shop; Opportunity shop; Smallgoods and sandwich shop; Tobacconist's and hairdresser's shop.
Bulky Goods premises	<p>bulky goods premises means a building or place used primarily for the sale by retail, wholesale or auction of (or for the hire or display of) bulky goods, being goods that are of such size or weight as to require:</p> <p>a large area for handling, display or storage, or</p> <p>direct vehicular access to the site of the building or place by members of the public for the purpose of loading or unloading such goods into or from their vehicles after purchase or hire,</p> <p>but does not include a building or place used for the sale of foodstuffs or clothing unless their sale is ancillary to the sale or hire or display of bulky goods.</p>
Medical Centre	medical centre means business premises used for the purpose of providing health services (including preventative care, diagnosis, medical or surgical treatment, counselling or alternative therapies) to out-patients only, where such services are principally provided by health care professionals, and may include the ancillary provision of other health services

Throughout the site, the buildings vary in height in order to reduce the perception of mass around the perimeter of the site. In establishing the appropriate height, scale and form the

proposed development had regard for the appropriate massing relationships between building form. Accordingly, higher buildings were located within the central part of the proposed development site in order to create a transition from lower buildings on the perimeter adjoining mostly existing 2 storey residential developments to higher buildings. In addition, buildings have been orientated to maximize solar exposure whilst creating view corridors and minimise the impact on the surrounding area.

4.1.2 Ancillary Services and Landscaping

The concept plan includes the following aspects:

- In principle connection to ancillary services and infrastructure described within the reports and plans prepared by Hyder at **Appendix 14**; and
- Landscape concept plans and indicative planting schedule, including concept design of external spaces around the buildings including both public and private areas. The landscape concept and landscape principles for the concept plan are described in the Landscape Statement and Landscape concept drawings prepared by Habitation at **Appendix 13. Infrastructure Provision**

4.2 Project Applications

The Project Application/s comprise the following:

- a. Progressive demolition of existing structures on the whole of the subject site and remediation in accordance with the Remedial Action Plan (See **Appendix 22**);
- b. Subdivision of the whole of the land into 5 Torrens Title allotments including roads and services to be dedicated to Council, and a stratum within Lot 2 for a future public reserve (See **Appendix 6**);
- c. Development for roads and services to be dedicated to Council as public roads and construction to be staged. The first stage of construction of roads and services being completed prior to occupation of development on Lots 1 /or 3 (See **Appendix 14**);
- d. Development on Lot 1 for bulky goods premises, 30,367m² of floor space and ancillary car parking and other services (refer to Architectural plans and schedules at **Appendix 29**);
- e. Development on Lot 3 for multiple unit housing (including strata subdivision for 58 units), comprising 5,897m² of floor space and a child care centre comprising 636m² of floor space as well as ancillary car parking and other services (refer to Architectural plans and schedules at **Appendix 30**).

The project application is for the development on Lots 1 and 3 and the whole of the roads as defined in **Section 4.2.5** including services with progressive construction certificates and progressive occupation certificates.



Artist impression of proposed development at Lot 3



Artist impression of proposed development at Lot 3

4.2.1 Lot 1: Bulky Goods Premises

The information contained in this section of the report is based on the architectural drawings and other information prepared by Buchan Group. Please refer to the architectural drawings at **Appendix 29** of this report. The components within Lot 1 are described in detail as follows:

Basement Floor (RL19.55)

- This basement level provides for a total of 433 car parking spaces.

Lower Floor (RL22.55)

- This lower level provides for a total of 268 car parking spaces;
- This level also provides for retail stores with a total of 1,250m²;
- 193m² lobby area;
- Substation; fire control room; switch room and pump room.

Upper Floor (RL26.25)

- Loading dock;
- Trade Retail stores totalling 3,301m² of floor space;
- 3,628m² of major bulky goods premises floor space;
- A 1,253m² gym;

- 2,081m² mall area;
- Amenities; Back of House and Centre Management.

Level 1 (RL32.71)

- Bulky goods premises totalling 11,339m² of floor space;
- 1,374m² mall area;
- Amenities and Back of house.

Level 2 (RL38.21)

- A 2,974m² commercial use.

Level 3 (RL41.21)

- A 2,974m² commercial use.

Table 2: Details of Lot 1

Element	Number
Site area	14,037m ²
Floor space	30,367m ²
FSR	2.1:1
Building height	25.1m.
Setbacks	3.94m to Charlotte street 0.8m - 1.37m to Harp street 1.5m to new Alfred street 4.66m to new Troy street
Car parking	701 spaces

Source: Buchan Group

4.2.2 Lot 3: Multiple Unit housing and Child Care Centre

The information contained in this section of the report is based on the architectural drawings and other information prepared by Marchese and Partners. Please refer to the architectural drawings at **Appendix 30** of this report. The components within Lot 3 are described in detail as follows:

Basement level (RL23 – RL24)

- The basement level provides for a total of 93 car parking spaces including 6 disabled spaces and 8 spaces for the child care centre staff;
- A car wash bay and 16 bicycle spaces;
- Waste and recycling storage area.

Ground level (RL26)

- 10 ground floor units;
- A 75 placed child care centre at RL26 with a total floor area of 636m² and a total outdoor area of 643m².

Details of Child care centre on ground floor:

Number of Children – 75 places comprising the following:

- 0-2 years of age = 20 places

- 2-3 years of age = 15 places
- 3-5 years of age = 20 spaces

Hours of operation

7am to 7pm Monday to Friday

Number of Staff as per **Table 3** below.

Table 3: Number of Staff

Requirement	Number of kids	Required
1-5 for under 2's	20	5
1-8 for 2-3's	15	8
1:10 for 3-6's	20	2
Total	75	15

A total of 15 staff members are proposed to work from the premises at any given time.

Landscaping

A mix of soft fall areas, turf and Astroturf play surfaces is proposed Refer to Landscape plan at **Appendix 13**.

Fencing

The proposed childcare centre will be enclosed by 1.8m high rendered and painted blockwork retaining walls

Play areas and Shade Structures

The building setback is to be utilised as external play area totalling 643m². Shade structures are proposed over 50% (323m²) of the proposed play area and are to be constructed of lightweight sailcloth.

Level 2 to 4 (RL29 To RL35)

- 16 units per level equalling a total of 48 units ;
- Total floor space for residential component of 5,897m²

Roof level includes 58m² solar panels and plant room

Multiple Unit Housing configuration/mix

Table 4: Lot 3 Apartment Mix

Type	Quantity	Mix %
1 Bed + study	11	19
2 bed + study	39	67.2
3 bed + study	8	13.8
Total	58	100

Source Marchese & Partners

Table 5: Detail of Lot 3

Element	Number
Site area	4,009m ²
Floor space	6,533m ²
FSR	1.6:1
Building height	13m
Setbacks	6.9m to Troy Street 3.5m to New Troy Street 8.1m to North Eastern property boundary
Car parking	Residents = 74 spaces Visitors = 5 spaces within basement and 8 spaces on street Child care staff = 8 spaces Disabled = 6 spaces
Bicycle parking	16

Source: Marchese

4.2.3 Floor Space

The floor space proposed on Lot 1 is 30,367m² and on Lot 3 is 6,533m². The floor space will be contained within the outer envelope and height limits as shown on the Project Application plans at **Appendix 29** and **30** respectively.

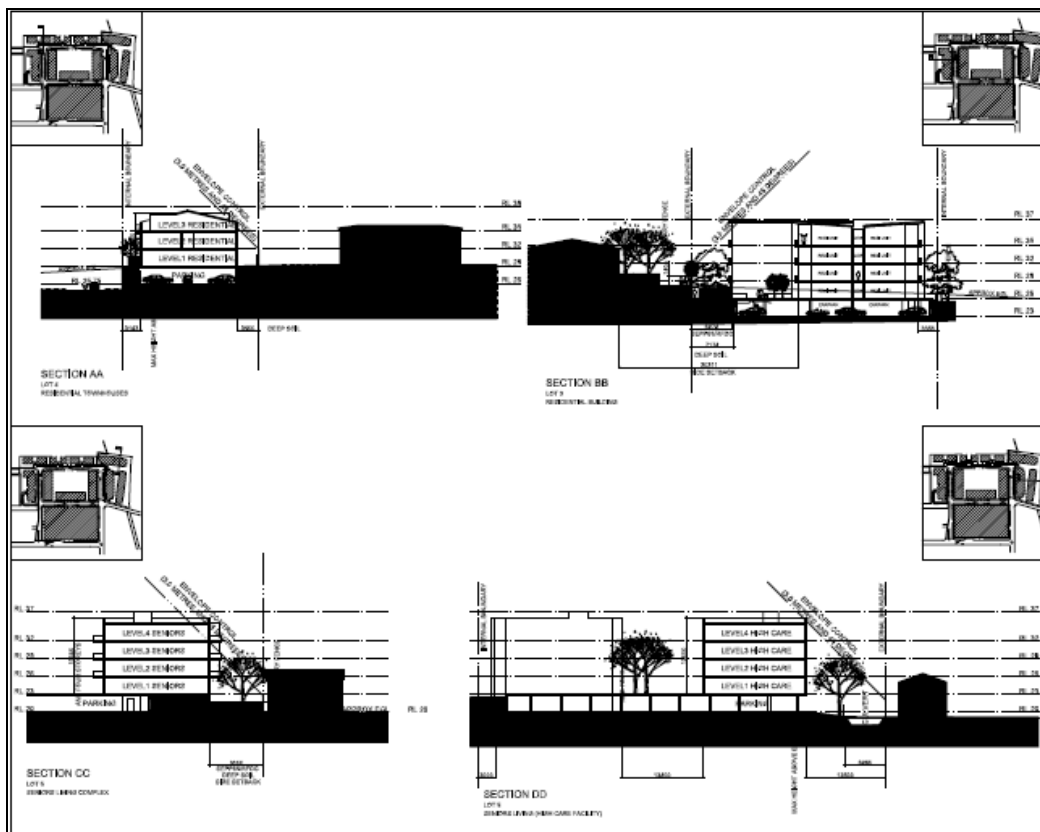


Figure 7: Section 1 Source Marchese & Partners

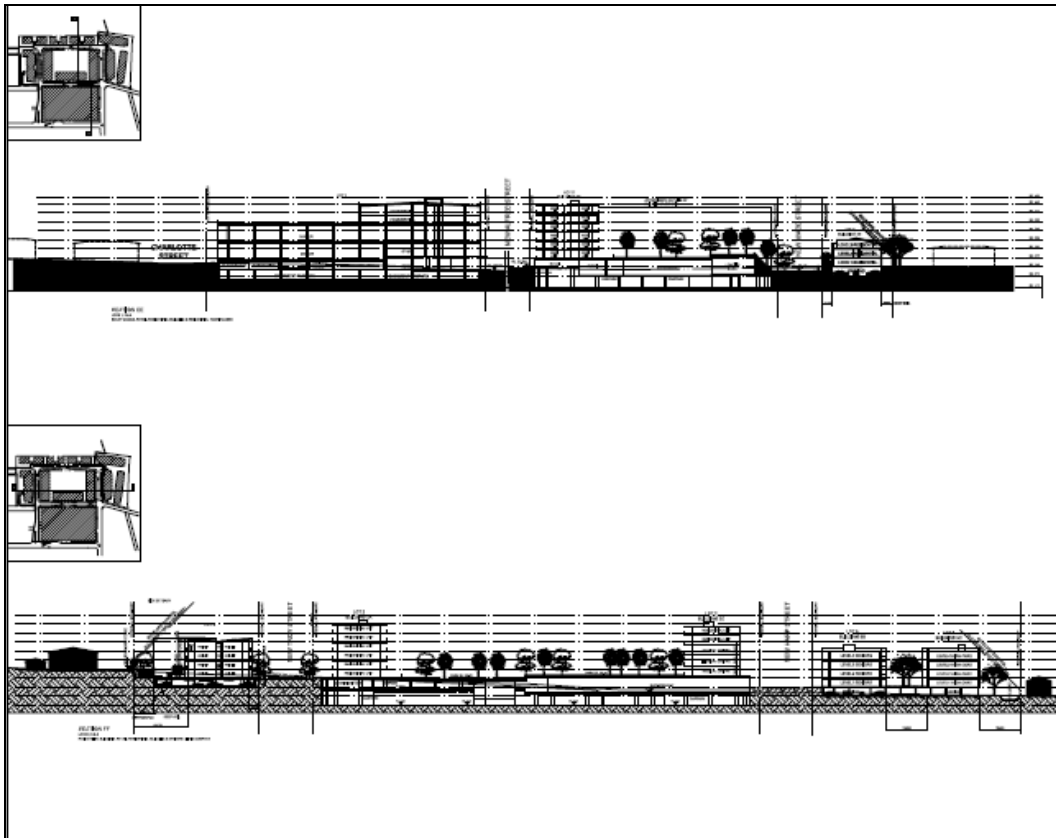


Figure 8: Section 2 Source Marchese & Partners

4.2.4 Torrens Title Subdivision

The Project Application also seeks subdivision of the whole site to create a Torrens Title Scheme. The Subdivision Plan (**Sheets 01 and 02**), prepared by Dunlop Thorpe and included at **Appendix 6**, define the lots which will be comprised within the Scheme.

The Torrens Title subdivision provides for 5 development lots and new public roads to service those lots (to be dedicated to Council). Easements will be created where necessary to provide services such as the electricity as shown on the plans, but the sites of these easements will be clarified with the relevant public utility providers at the design stage.

Once the stormwater pipes are re-routed some of the existing easements will become redundant and these easements will be released and recreated over the site of the new pipes if they run through private lands and not the public roads.

Roads and services

The area of the proposed roads is 9,451m² and contains the following facilities:

- Proposed New Troy Street (variable width to 18m)
- Proposed New Wade Street (15m wide)
- Proposed New Harp Street (18m wide)
- Proposed New Alfred street (15m wide)

Proposed Lots

Lot 1 - Development Lot 1 - comprising bulky goods building.

Lot 2 - Development Lot 2 - comprising mixed use buildings C1; C2 and C3. The plan shows the subdivision of lot 2 into 4 stratum lots as part of subsequent staging. Dunlop Thorpe describes the subdivision as follows:

"The 4 proposed lots are based on the final use of the development, being retail, the residential component, the public reserve and the medical suites. These lots may then be further strata subdivided in the future to provide individual strata titles to the residential apartments, commercial areas or medical suites. It is still a Torrens title subdivision but as the lots 'overlap' it becomes a stratum type subdivision with a building management statement overseeing the operation of the subdivision.

The carparking is included in the lot that it is allocated to, and easements will be created to provide, access, services to each part of the lots".

Lot 3 - Development Lot 3 - comprising a multiple unit housing building including a child care centre. Strata subdivision is sought for the 58 units consistent with the Architectural plans at **Appendix 30**. Detailed plans will be submitted prior to application for registration of the strata subdivision.

Lot 4 - Development Lot 4 - comprising residential buildings F1, F2; F3; F4; F5 and F6. Development Lot 4 will be subject to a future strata subdivision.

Lot 5 - Development Lot 5 – Multiple unit housing (including but not limited to seniors living) buildings E1; E2 and E3. Development Lot 5 will be subject to a future strata subdivision.

Existing Easements:

- Drainage easement 1.83m wide and variable width
- Easement for stormwater channel 2.44m wide
- Easement for sewerage and stormwater purposed 6.095m wide and variable width

Proposed Easements

Easement for electrical purposes

An Easement for electrical purposes (k) are provided on future lots 2, 3, & 5.

Additional Easements

It is envisaged that the need for additional access and service easements will become apparent as the project develops.

4.2.5 Road Layout including Services

The Project Applications also include the following aspects:

- A new road network (See Dunlop Thorpe Torrens Title Subdivision plans at **Appendix 6**) which includes New Troy Street, New Wade Street, New Harp Street and New Alfred Street (Proposed road widths, have been designed generally in accordance with advice from Traffix. Lane widths are 3.25m minimum and parking widths 2.5m minimum – See Hyder's Infrastructure report and plans at **Appendix 14**);
- Closure of Troy Lane (Troy Lane will be realigned to form part of New Troy Street). Driveway crossings to two properties will be replaced.

The proposed Clemton Park Village will maintain the existing alignment of the following roads:

- Wade Street,
- Troy Street,
- Charlotte Street,
- Harp Street, and
- Alfred Street.

Minor ancillary roadworks will be undertaken within these roads including intersection upgrades, kerb and central island realignments, signage and linemarking changes. Hyder has nominated the following works within their report (see **Appendix 14**):

- Road realignment/extension & closures;
- New roads
- External Intersections;
- Vertical and Horizontal geometry
- Pavement Design;
- Subgrade Preparation

Troy Street and Wade Street are both local roads. Due to the sensitivity of local roads, limited access to the site is proposed from Troy Street and no access is proposed from Wade Street.

The majority of traffic will access the site from Charlotte Street and Harp Street. Charlotte Street provides the main access to Canterbury Road while Harp Street provides access to Kingsgrove Road, to the west of the site.

The site for the proposed development of Clemton Park Village is indicated on the civil drawing prepared by Hyder at **Appendix 14** and is surrounded by Harp St, Charlotte St, Viking St, Troy/Sunbeam Lane. Clemton Park Village covers an area of approximately 5.4ha and sits within a 19.8ha drainage catchment. The land grades generally from north to south.

The civil engineering aspects of these works are:

- Sedimentation and erosion control;
- Bulk earthworks;
- Horizontal and vertical road alignments,
- Stormwater drainage,

- Pavement types,
- Signage and line marking;
- Utilities

Staging will allow adequate access, services and drainage with progressive construction of roads and services on commencement of development on adjoining lots.

- **Bulk Earthworks**

The sequence of work for the bulk earthworks will generally include:

- Provision of erosion and sediment control measures typically as outlined above in 'Erosion & Sediment Control' and on civil drawing C010.
- Demolition of existing structure and clearing of vegetation from the proposed development and removal from site.
- Stripping of topsoil and organic matter from the site and stockpiling for future landscaping re-use on site (minimal available).
- Stripping and stockpiling fill materials suitable for reuse as controlled fill,
- Removal of all existing uncontrolled fill and stockpile materials to expose natural soils,
- Inspection of exposed natural material to ensure conformity with design assumptions,
- Proof rolling of exposed sub-grade and replacement of any soft spots with approved engineering fill.
- Placement of cut to fill material in horizontal layers not greater than 200mm in thickness and compacted to not less than 98% standard dry density (SDD), at a moisture content within the range optimum moisture content (OMC) and 2% dry of OMC.

Bulk earthworks as documented in civil drawing C020 shall be undertaken in conjunction with Geotechnical engineer's recommendations (**Appendix 14**).

- **Stormwater Drainage Standards**

The stormwater drainage as documented in civil drawings C025-C028 prepared by Hyder at **Appendix 23** has been designed to comply with the following guidelines:

- City of Canterbury - Specification 9, A Guide for Stormwater Drainage Design, 10th November 1995
- City of Canterbury - Stormwater Management Manual
- Australian Rainfall and Runoff 2000 (ARR).
- NSW Floodplain Management Manual 2001.
- Soils and Construction, Volume 1, 4th Edition, March 2004.

OSD volumes and discharge rates have been modelled by Hyder and the required minimum volumes are specified within Table 1 of **Appendix 23**. The Architectural plans (**Appendix 29** and **30**) include provision for the required on-site detention storage volumes as indicated by Hyder (**Appendix 14**).

- **Utilities**

Utilities are generally located in the existing perimeter road network. A services search and physical survey was undertaken by Dunlop Thorpe and Company Pty Ltd. Refer to the attached

proposed civil drawings C060-C063 prepared by Hyder at **Appendix 24** for the location of the existing and proposed services.

4.3 Development Staging

The Clemton Park Village Development is intended to be developed in 4 stages. In the case of the Project Application development on Lots 1 and 3 and the roadway (including services) progressive CC and occupancy of the buildings is sought. The roadways and services as part of the Torrens Title Subdivision will be progressively constructed notwithstanding the fact that Project Application is sought for the whole of this roadway. The progressive construction of these roads / services on commencement of development on adjoining lots as defined in the plans prepared by Hyder at **Appendix 14**.

4.3.1 Stage 1 (Project Applications requesting no further applications, assessments or determinations would be require under Part 3A (and/ or Part 4) of the EP&A Act and comprising:-

1. Development of Lot 1, being bulky goods premises, together with that part of the road which provides access to the basement car park and services to Lot 1 (New Alfred Street). Stage 1 will also include demolition of the existing structures on the subject development lot.
2. Development of Lot 3 being the multiple unit housing and child care centre together with the construction of New Troy Street, between Charlotte Street and Troy Street, which results in the existing Troy Lane becoming redundant. The works will also include the adjustment to the road reserve boundary so that New Troy Street is wholly within a new area to be dedicated to Canterbury Council. The proposal includes new landscaping between the existing property boundaries on the northern side of the existing Troy Lane to the new kerb alignment of New Troy Street including construction of a concrete footpath. In addition this Stage includes two new concrete vehicle crossings from the new kerb alignment to existing property boundaries to replace existing vehicle crossings. (See engineering plans at **Appendix 14**). Hyder Consulting has provided preliminary services plans (see **Appendix 14**). Full plans and specifications regarding the road works will be documented as part of the Construction Certificate process for Stage 1.

Progressive construction of roads (including services therein in tandem with development on lots with which they share a common boundary as described in item 1 and 2 above.

4.3.2 Subsequent stages

Part 3A Project Applications and /or Part 4 development Applications would be lodged for the remainder of the Concept Plan including:-

1. Development Lot 2, being the mixed use buildings C1-C3 which includes the future public reserve. Stage 2 will also include demolition of the existing structures on the subject

development lot. Progressive construction of that part of the road which gives access to the development lot and provision of services on commencement of development of lot.

2. Development lot 5, being multiple unit housing (including but not limited to seniors living) buildings E1-E3. Progressive construction of that part of the road which gives access to the development lot and provision of services on commencement of development of lot.
3. Development Lot 4, being the multiple unit housing buildings F1-F6. Progressive construction of that part of the road which gives access to the development lot and provision of services on commencement of development of lot.

It is important to note that the stages identified in the Concept Plan do not connote the order of staging. In other words, Stage 5 could precede Stage 4 or the reverse. Accordingly, Concept Plan approval will allow staged construction where construction certificates will be issued progressively.

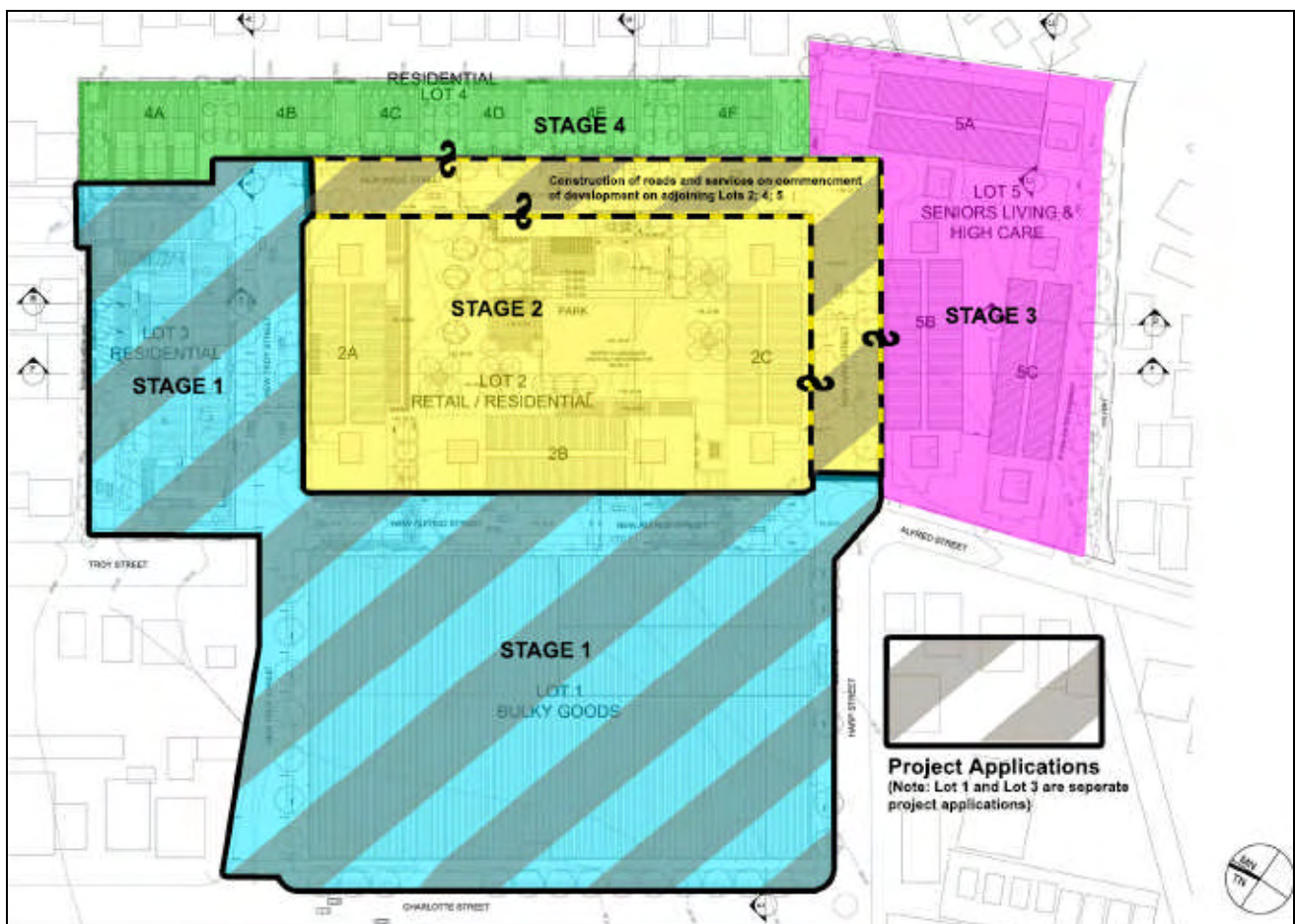


Figure 9: Project Staging Source Marchese & Partners

5. STATUTORY FRAMEWORK

5.1 Environmental Planning and Assessment Act 1979

The *Environmental Planning and Assessment Act 1979* (the Act) commenced in December 1979. The Act is the principle planning and development legislation in New South Wales.

In accordance with **Section 5**, the objectives of the Act are:

“(a) to encourage:

(i) the proper management, development and conservation of natural and artificial resources, including agricultural land, natural areas, forests, minerals, water, cities, towns and villages for the purpose of promoting the social and economic welfare of the community and a better environment,

(ii) the promotion and co-ordination of the orderly and economic use and development of land,

(iii) the protection, provision and co-ordination of communication and utility services...

(v) the provision and co-ordination of community services and facilities, and

(vi) the protection of the environment, including the protection and conservation of native animals and plants, including threatened species, populations and ecological communities, and their habitats...”

The project is consistent with the objects of the Act and will promote and achieve the following:-

1. Economic benefit to the local community through the revitalisation of the area;
2. Increased employment opportunities (1415 jobs), promote and co-ordinate development in a location with abundant public and private transport options;
3. Orderly and economic use of an otherwise disused industrial site;
4. Provision of the catalyst for the creation of a new “centre” for working and living;
5. The proposal will result in the orderly and economic use and development of land as the site is of an appropriate size, location and land use zoning to enable the development;
6. Utilization of existing utility services; and
7. No significant adverse impacts on the environment and the surrounding locality.

5.2 Section 117 Directions

Notwithstanding the fact that directions issued under Section 117(2) of the Act by the Minister to Councils, as requirements when preparing local environmental plans and not applicable to Part 3A applications, regard has been given in the merit assessment of the following:-

1. **Direction 1.1 Business and Industrial Zones**

The proposal retains bulky goods premises whilst introducing a mix of other employment generating uses. The existing zone limited to light industrial uses with a historical employment generation of 1000 jobs compared with the range of employment uses proposed generating a total of 1415 jobs. The proposal therefore does not reduce the total potential for floor space area for employment uses (See **Section 5.6.2** for detail).

2. **Direction 3.1 Residential zones**

The proposal broadens the housing choice and makes efficient use of existing infrastructure and services (See **Section 5.6.4** for detail)

3. **Direction 3.4 Integrating land use and transport**

The proposal will increase the amount of people working and living within close proximity of the existing public transport network, therefore increasing its efficiency. (See **Section 5.6.5** for detail)

4. **Direction 4.3 Flood prone land**

The impact of the proposal including the cumulative effect on flooding has been assessed by Hyder See **Appendix 23**.

5.3 Application of Part 3A of the EP& A Act

Part 3A (Major infrastructure and other projects) of the EP&A Act commenced on 1 August 2005. Part 3A establishes the assessment and approval regime for all Major Projects previously considered under **Part 4** (Development Assessment) or **Part 5** (Environmental Assessment) of the EP&A Act and that are considered to be of State or regional planning significance by the Minister for Planning. The Minister is the consent authority for the determination of Major Projects. Under the provisions of **Division 1 Section 75B** of the EP&A Act, development may be declared to be a Major Project by virtue of a State Environmental Planning Policy or by order of the Minister and published in the Government Gazette.

Section 75B defines 'projects' to which this part of the EP&A Act applies. **Clause 6 of State Environmental Planning Policy (Major Projects) 2005** (SEPP Major Projects) defines 'Major Projects', with the proposal falling within **Group 5 Residential, commercial or retail project** under Clause 13 of Schedule 1 pursuant to SEPP Major Projects:

"13 Residential, commercial or retail projects

- (1) Development for the purpose of residential, commercial or retail projects with a capital investment value of more than \$50 million that the Minister determines are important in achieving State or regional planning objectives.*
- (2) This clause does not apply to major development within the meaning of section 31 of the City of Sydney Act 1988".*

The project comprises of commercial premises, bulky goods premises, medical centre, child care centre, shop, as well as multiple unit housing including but not limited to seniors living on a large underutilised site with a capital investment value of **\$297,800,000.00**. As such, it is considered to be a Major Project and therefore subject to Part 3A of the EP & A Act.

The proposed project is the subject of an authorisation by the Minister to apply for approval of a Concept Plan pursuant to Section 75M of the Act as stipulated within the Department of Planning's letter dated **11 January 2008** see **Appendix 1**.

The EA includes a detailed design and arrangement of the Project Application as described in **Section 4.2** above and we request that pursuant to **Section 75J** and **Section 75P(1)c** that no further application, assessment or approval would be required for these aspects/parts of the Concept Plan. The remainder of the project will require project approval or Part 4 Development Approval being sought prior to the commencement of construction.

In accordance with **Division 3 Section 75M(2)** of the EP & A Act, this report, assessment and attendant plans:

1. outline the scope of the project and any development options;
2. set out the proposal for the staged implementation of the project; and
3. address all other matters required by the Director-General (as outlined in the environmental assessment requirements for the project).

5.3.1 Permissibility

The subject site is **zoned 4(b) Light Industrial** pursuant to The Canterbury Planning Scheme Ordinance (CPSO). Notwithstanding the fact that "shop" (other than those identified within Schedule 3 of the PSO), "multiple unit housing" and "commercial premises" are prohibited development (See **Table 11 at Section 5.13**), the EA responds to the policy opinion of the Minister as defined in paragraph 3 of the **17 January 2008** letter:-

"In forming the opinion the Minister noted the Department's concerns regarding the loss of employment land from the site, particularly as the site is identified within the recently released South Subregional Strategy as land to be retained for industrial purposes. Whilst the Department supports redevelopment of the site and is willing to consider some non employment uses despite the Subregional Strategy, the residential component of the proposal should be reduced in favour of greater industrial/employment uses"

The proposal was declared a Major Project and the Minister authorised the preparation of a Concept Plan Application. Consistent with the Ministers, and Department of Planning advice the proposal presented in the PEA has been amended as follows:-

- a) A reduction the amount of residential development from 32,000m² in the original proposal presented to the Minister on 25 July 2007, to 30,651m² in this EA application; and
- b) An increase in the floor space for employment generating uses by the inclusion of 21,916m² floor space for "bulk goods sale"/ "bulky goods retailing" and 2,585m² supermarket. The employment effect on an industrial trade unit use (960 jobs) compared to a mix of employment generating uses including bulky goods sale / bulky goods retailing and shops/supermarket (1415 jobs) generates 455 additional jobs an increase of 47%.

Table 7 Comparable floor space

	Proposal presented as part of Major Project request (25 July 2007) GFA	PEA (18 April 2008) (GFA)	EA (October 2008) (Floor Space as measured in accordance the CPSO)
Residential	32,000 sqm	29,398sqm	30,651 sqm
Residential care - senior living	20,000 sqm	18,197 sqm	16,623 sqm
Commercial	3,200 sqm	4,686 sqm	5,948 sqm
Retail/shops	5,500 sqm	5,591 sqm	4,001 sqm
Bulky good sales	20,800 sqm	19,666 sqm	21,916 sqm
Childcare	1,000 sqm	661 sqm	636 sqm
Gym		1,639 sqm	1,253 sqm
Medical		5,287 sqm	3,719 sqm
Supermarket			2,585sqm
Total	82,500sqm	85,125sqm	87,332sqm¹

In the preparation of a Comprehensive LEP by Canterbury Council and/or a consequential or other amendment to the zoning by the Minister, it is anticipated that the subject site would be zoned **IN2 Light Industrial** and **B4 Mixed use** as indicated in **Figure 10** below.

In the case of the B4 Mixed Use Zone, "child care centre", "shop", "multiple unit housing", "seniors living" and "commercial premises" would be permissible and "bulky goods premises" would be limited to the IN2 light industrial zone.

Alternatively, the entire site could be zoned **B4 Mixed use zone** pursuant to the **Standard Instrument Order 2006** with the inclusion of "bulky goods premises" as a permissible use within every mixed use zone or specific to the subject site only.

The determination of this Concept Plan is not contingent on the timing of a rezoning pursuant to **section 75R and 75O** of the Act. Notwithstanding, **Table 8** below has been prepared to assist the Minister and Department of Planning in its consideration of the application and "zoning".

Table 8: Possible Zoning Criteria

MATTER	APPLIES? (Yes/No)
Sensitive Coastal Location	No
Coastal Waters	No
SEPP 14 or SEPP 26 applies	No
Reserved as Aquatic Reserve or Marine Park	No
Ramsar Wetland or World Heritage Listing	No
Identified in EPI as high Aboriginal cultural significance or high biodiversity significance	No
State Conservational Area (NPW Act 1974)	No
On the State Heritage Register	No
Reserved or Dedicated under Crown Lands Act for preservation of flora/fauna/geological etc protection	No
Critical Habitat identified in TSC Act 1995 or FM Act 1994	No

Source: Major Projects Assessment -UTS –Ku-ring-gai Campus (MP06_0130) dated June 2008

¹ Note that the increase in total floor space is as a result of the correct measurement of area pursuant to Councils definition of floor space and NOT gross floor area as was the case with the PEA.