

Director-General's Requirements

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

Application number	MP 08_0043
Project	Mixed Use retail and commercial with associated car parking.
Location	Lot 25, Honeysuckle Drive, Newcastle.
Proponent	Eureka / Buildev - Joint Venture.
Date issued	17 June 2008 <i>If the environmental assessment is not exhibited within 2 years after this date, the applicant must consult further with the Director-General in relation to the preparation of the environmental assessment.</i>
Key issues (Core)	<p>The Environmental Assessment (EA) must address the following key issues:</p> <ol style="list-style-type: none"> 1. Relevant EPI's policies and Guidelines to be Addressed Planning provisions applying to the site, including permissibility and the provisions of all plans and policies including: <ul style="list-style-type: none"> • SEPP (Infrastructure) 2007 • SEPP No.55 – Remediation of Contaminated Sites • Draft SEPP No.66 – Integration of Land Use and Transport • SEPP No. 71 – Coastal Protection • Lower Hunter Regional Strategy 2006 • Newcastle City Centre Local Environmental Plan 2008. • Newcastle City Centre Development Control Plan design requirements as inserted into the Newcastle Development Control Plan 2005. Nature and extent of any non-compliance with relevant environmental planning instruments, plans and guidelines and justification for any non-compliance. 2. Built Form / Design / Visual Impacts The EA shall demonstrate that the proposal is of a high standard of architectural and urban design which addresses: <ul style="list-style-type: none"> • height, bulk and scale of the proposal within the context of the locality and adjoining building. • design quality with specific consideration of the façade, massing, setbacks, proportions to openings, building articulation, materials and colours and amenity (internal and external). • measures to screen any above ground parking (prefer active uses to street frontage) • visual impacts of the proposal when viewed from the street frontages, city centre, nearby foreshore areas, waterways and along significant view corridors. • the development's interface with the public domain. 3. Environmental Amenity The EA must provide details of solar access, acoustic privacy, visual privacy, view loss and wind impacts and achieve a high level of environmental amenity. 4. Noise Impacts The EA should include a comprehensive noise assessment of the existing environment, potential impacts and proposed noise amelioration measures for the proposed development. The NSW Industrial Noise Policy (DEC, 20000) provides a guide to the methodology and assessment criteria preferred by DECC to determine noise planning levels. 5. Water Quality The EA must provide sufficient information to demonstrate that the proposed development can be

operated while complying with the *Protection of The Environment Operations Act 1997*, in particular, the protection of water quality during construction and operation of the proposed development.

6. Car parking / Traffic Impacts (Construction and Operational)

The EA must demonstrate the provision of sufficient on-site car parking for the proposal having regard to local planning controls and RTA guidelines. The EA must demonstrate that the closure of Worth Place or Honeysuckle Drive during construction is not necessary. The EA shall also provide a Traffic Impact Study prepared in accordance with the RTA's Guide to Traffic Generating Developments, considering traffic generation, any required road / intersection upgrades, access, loading dock(s), car parking arrangements, measures to promote public transport usage and pedestrian and bicycle linkages.

The EA must also have regard for the traffic study prepared by Mark Waugh Pty Ltd for the Honeysuckle Development Corporation. If the proposed development is likely to cause traffic generation rates that are higher than anticipated by the Mark Waugh Pty Ltd study, then further modelling of the impacted intersections are to be provided.

7. Mine working and Risk of Subsidence

Include an assessment/information in regards to:

- The suitability of the site to support the proposal given the existing mine workings;
- Location, condition and risk of subsidence from mine workings affecting the proposal.
- Removal of any risk of mine subsidence by a suitable means, such as grouting. Alternatively, geotechnical investigations must confirm that the workings are long term stable and there is no risk of mine subsidence affecting the site.
- The geotechnical investigation undertaken must address the Mine Subsidence Board's requirements and include a sufficient number of boreholes to the floor of the seam and numerical modelling/sensitivity analysis to demonstrate the appropriateness of the strata to support the development.

8. Ecologically Sustainable Development (ESD)

Detail how the development will incorporate ESD principles in the design, construction and ongoing operation phases of the development, including water, energy use, and waste minimisation and recycling strategies. Demonstrate that the commercial office buildings achieve a 4.5 star ABGR and detail the specific ESD measures incorporated into the design.

9. Heritage

Include a Heritage Impact Statement prepared in accordance with the NSW Heritage Office publication "Statements of Heritage Impact" addressing impacts on state significant heritage items in the vicinity of the site including Lee Wharf and former Civic Railway Workshops and the impact of the proposed development on the adjacent Newcastle City Centre Heritage Conservation Area.

An archaeological assessment is required given the likelihood of disturbance of known Aboriginal sites within the locality and must determine the potential Aboriginal heritage significance of the site.

10. Stormwater / Flooding

The EA is to address drainage issues associated with the development / site and, where relevant, incorporation of Water Sensitive Urban Design measures. The site is identified as flood liable land. The EA must review and address existing flood models and reports and the Council's Floodplain Risk Management Plans. The proposed design must minimise flood and associated risks.

11. Safety/Public Domain/Landscaping

Demonstrate how the proposal will:-

- Maximise safety and security, activity and surveillance within the public domain and basement car park and show consistency with 'Safer by Design' principles.

	<ul style="list-style-type: none"> • Minimise potential for vehicle and pedestrian conflicts. • Ensure access for people with disabilities. <p>12. Utilities In consultation with relevant agencies, the EA shall address the existing capacity and requirements of the development for the provision of utilities including staging of infrastructure works in particular:-</p> <ul style="list-style-type: none"> • Include details of how the easement for noise, vibration and electrolysis is to be addressed in the design of the proposal. • Address the impacts of the development on the adjacent rail infrastructure. <p>13. Staging The EA must provide details regarding the staging of the proposed development (if proposed).</p> <p>14. Contributions The EA shall address provision of public benefit, services and infrastructure having regard to the relevant Contribution Plan and/or details of any Voluntary Planning Agreement.</p> <p>15. Contamination The EA is to demonstrate compliance that the site is suitable for the proposed use in accordance with SEPP 55.</p> <p>16. Consultation Undertake an appropriate and justified level of consultation in accordance with the Department's <i>Major Project Community Consultation Guidelines October 2007</i>.</p>
Consultation	Undertake an appropriate and justified level of consultation in accordance with the Department's Major project <i>Community Consultation Guidelines October 2007</i> .
Deemed refusal period	60 days

Plans and Documents to accompany the Application

<u>General</u>	<p>The Environmental Assessment (EA) must include:</p> <ol style="list-style-type: none"> 1. An executive summary; 2. A thorough site analysis including site plans, aerial photographs and a description of the existing and surrounding environment; 3. A thorough description of the proposed development; 4. An assessment of the key issues specified above and a table outlining how these key issues have been addressed; 5. An assessment of the potential impacts of the project and a draft Statement of Commitments, outlining environmental management, mitigation and monitoring measures to be implemented to minimise any potential impacts of the project; 6. The plans and documents outlined below; 7. A signed statement from the author of the Environmental Assessment certifying that the information contained in the report is neither false nor misleading; 8. A Quantity Surveyor's Certificate of Cost to verify the capital investment value of the project (in accordance with the definition contained in the Major Projects SEPP; and 9. A conclusion justifying the project, taking into consideration the environmental impacts of the proposal, the suitability of the site, and whether or not the project is in the public interest.
<u>Plans and Documents</u>	<p>The following plans, architectural drawings, diagrams and relevant documentation shall be submitted;</p> <ol style="list-style-type: none"> 1. An existing site survey plan drawn at an appropriate scale illustrating: <ul style="list-style-type: none"> • the location of the land, boundary measurements, area (sq.m) and north point; • the existing levels of the land in relation to buildings and roads; • location and height of existing structures on the site; and • location and height of adjacent buildings and private open space. • all levels to be to Australian Height Datum. 2. A Site Analysis Plan must be provided which identifies existing natural elements of the site (including all hazards and constraints), existing vegetation, footpath crossing levels and alignments, existing pedestrian and vehicular access points and other facilities, slope and topography, utility services, boundaries, orientation, view corridors and all structures on neighbouring properties where relevant to the application (including windows, driveways, private open space etc). 3. A locality/context plan drawn at an appropriate scale should be submitted indicating: <ul style="list-style-type: none"> • significant local features such as parks, community facilities and open space and heritage items; • the location and uses of existing buildings, shopping and employment areas; • traffic and road patterns, pedestrian routes and public transport nodes. 4. Architectural drawings at an appropriate scale illustrating: <ul style="list-style-type: none"> • the location of any existing building envelopes or structures on the land in relation to the boundaries of the land and any development on adjoining land; • detailed floor plans, sections and elevations of the proposed buildings; • elevation plans providing details of external building materials and colours proposed; • fenestrations, balconies and other features; • accessibility requirements of the Building Code of Australia and the Disability Discrimination Act; • the height (AHD) of the proposed development in relation to the land; • the level of the lowest floor, the level of any unbuilt area and the level of the ground; • any changes that will be made to the level of the land by excavation, filling or otherwise;.

	<p>5. Shadow Diagrams - showing solar access to the site and adjacent properties including open space areas at winter solstice (June 21) and the equinox (March 21 and September 21) at 9.00am, 12.00 midday and 3.00pm.</p> <p>6. Materials and finishes board including colours proposed.</p> <p>7. Other plans (to be required where relevant):</p> <ul style="list-style-type: none"> • Stormwater Concept Plan - illustrating the concept for stormwater management; • Erosion and Sediment Control Plan – plan or drawing that shows the nature and location of all erosion and sedimentation control measures to be utilised on the site; • Geotechnical Report – prepared by a recognised professional which assesses the risk of Geotechnical failure on the site and identifies design solutions and works to be carried out to ensure the stability of the land and structures and safety of persons; • View Analysis - Visual aids such as a photomontage must be used to demonstrate visual impacts of the proposed building envelopes in particular having regard to the siting, bulk and scale relationships from key areas; • Landscape plan - illustrating treatment of open space areas on the site, screen planting along common boundaries and tree protection measures both on and off the site. • Shadow diagrams showing solar access to the site and adjacent properties at summer solstice (Dec 21), winter solstice (June 21) and the equinox (March 21 and September 21) at 9.00 am, 12.00 midday and 3.00 pm.
<u>Documents to be submitted</u>	<ul style="list-style-type: none"> • 1 copy of the EA, plans and documentation for the Test of Adequacy; • 12 hard copies of the EA (once the EA has been determined adequate); • 12 sets of architectural and landscape plans to scale, including one (1) set at A3 size (to scale); and • 1 copy of the Environmental Assessment and plans on CD-ROM (PDF format), not exceeding 5Mb in size. • If the EA is bulky and lengthy in volume, you will be required to package up each EA ready for distribution by the Department to key agencies.