

**Director-General's Requirements**Section 75F of the *Environmental Planning and Assessment Act 1979*

Application number	MP 09_0066
Project	Construction of a mixed use residential, retail and commercial development with public plaza and associated basement parking
Location	Thomas Street & Albert Avenue, Chatswood
Proponent	Conybeare Morrison on behalf of Welles Thomas Pty Ltd
Date issued	21/6/2009
Expiry date	If the Environmental Assessment (EA) is not exhibited within 2 years after this date, the applicant must consult further with the Director-General in relation to the preparation of the environmental assessment.
Key issues	<p>The Environmental Assessment (EA) must address the following key issues:</p> <p>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:</p> <ul style="list-style-type: none">• Objects of the EP&A Act;• NSW State Plan, Urban Transport Statement;• Draft Inner North Sub-regional Strategy;• SEPP 53 Metropolitan Residential Development;• SEPP 55 Remediation of Land;• SEPP 65 Design Quality of Residential Flat Development;• SEPP (Building Sustainability Index: BASIX) 2004;• Sydney Regional Environmental Plan 5 – Chatswood Town Centre, relevant Development Control Plans and Local Housing Program; and• Nature and extent of any non-compliance with relevant environmental planning instruments, plans and guidelines (including the Willoughby DCP) and justification for any non-compliance. <p>2. Built Form The EA shall address the height, bulk and scale of the proposed development within the context of the locality and detailed envelope/height, FSR and contextual studies should be undertaken to ensure the proposal integrates with the local environment, and that the form, layout and siting of the towers achieve optimal design and amenity outcomes.</p> <p>In particular, consideration should be given to the tower setbacks to the eastern (side) boundary, and the impacts upon the future development potential of adjacent land.</p> <p>3. Urban Design/Public Domain The EA shall address the design quality with specific consideration of the façade, massing, setbacks, building articulation, materials/finishes & colours palette, landscaping, safety by design and public domain, including an assessment against the CPTED Principles.</p> <p>The EA shall provide the following documents:</p> <ul style="list-style-type: none">• Comparable height study to demonstrate how the proposed height relates to the height of the existing/approved developments surrounding the subject site;• View analysis to and from the site from key vantage points; and• Options for the siting and layout of building envelopes having regard to views from adjoining

buildings, adequacy of separation between buildings on the site, impacts on the development potential of adjoining properties and solar access to properties to the south between the buildings.

4. Staging

The EA must include details regarding the staging of the proposed development and, in particular, staging for the construction of the public carpark.

The staging documentation should include information regarding future Project Applications and the extent of works proposed for each application.

5. Environmental and Residential Amenity

The EA must address solar access, acoustic privacy, visual privacy, view loss and wind impacts and achieve a high level of environmental and residential amenity.

Particular consideration must be given to overshadowing impacts on residential uses to the south of the site and areas of open space, including the public open space south of Ellis Street, Chatswood. In this regard, the shadow diagrams must superimpose the shadow cast by the existing buildings in Ellis Street over the proposal's shadow to demonstrate any additional impacts.

6. Transport & Accessibility Impacts (Construction and Operational)

The EA shall address the following matters:

- Provide a Transport & Accessibility Impact Assessment prepared in accordance with the RTA's *Guide to Traffic Generating Developments* and making reference to the *NSW Planning Guidelines for Walking and Cycling*, considering the following issues:
 - Traffic generation including daily and peak traffic movements likely to be generated by the proposed development, the impact on nearby intersections and the need for funding or upgrading or road improvement works (if required). The intersections which are required to be modelled are detailed on Page 2 of the correspondence from the RTA dated 21 May 2009;
 - Access, loading dock(s) and service vehicle movements;
 - Car parking arrangements, including number of spaces;
 - Demonstrate that a minimalist approach to carparking provision is taken based on the accessibility of the site to public transport;
 - Measures to promote sustainable means of transport including public transport usage and pedestrian and bicycle linkages in addition to addressing the potential for implementing a location specific sustainable travel plan;
 - Demonstrate how users of the development will be able to make travel choices that support the achievement of relevant State Plan targets;
 - Detail the existing pedestrian and cycle movements within the vicinity of the site and determine the adequacy of the proposal to meet the likely future demand for increased pedestrian and cycle access;
 - Identify measures to mitigate potential impacts for pedestrians and cyclists during the construction stage of the project; and
 - Provide an assessment of the implications of the proposed development for non-car travel modes (including public transport, walking and cycling).
- There is a joint RTA/Council Traffic Study currently being undertaken in the Chatswood CBD area investigating environs traffic options. Any recommendations from this study that may impact upon the application should be taken into consideration in the EA.

7. Ecologically Sustainable Development (ESD)

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

	<p>The EA must demonstrate that the development can achieve a minimum 5 star NABERS rating, or any other suitably accredited rating scheme.</p> <p>8. Contributions The EA shall address the provision of public benefit, services and infrastructure having regard to Council's Section 94 Contribution Plan, and considering that this proposal is in excess of the development anticipated for this site, provide details of any Planning Agreement or other legally binding instrument proposed to facilitate this development.</p> <p>9. Consultation Undertake an appropriate and justified level of consultation in accordance with the Department's <i>Major Project Community Consultation Guidelines October 2007</i>, and provide an outline of the proposed consultation program to be adopted.</p> <p>10. Drainage The EA shall address drainage/flooding issues associated with the development/site, including: stormwater, drainage infrastructure and incorporation of Water Sensitive Urban Design measures.</p> <p>11. Groundwater The EA is to identify whether groundwater may be encountered during excavation, the potential need to dewater and whether there are any groundwater issues including degradation.</p> <p>The EA shall also address whether a licence is required under Part 5 of the Water Act 1912.</p> <p>12. Noise and Vibration Assessment The EA shall address the issue of noise and vibration impact from the railway corridor and Pacific Highway and provide detail of how this will be managed and ameliorated through the design of the building, in compliance with relevant Australian Standards and the Department's <i>Interim Guidelines for Development near Rail Corridors and Busy Roads</i>.</p> <p>13. Statement of Commitments The EA must include a draft Statement of Commitments detailing measures for environmental management, mitigation measures and monitoring for the project.</p> <p>The draft Statement of Commitments must also address how 250 carparking spaces will be transferred to Council ownership following completion of the development.</p>
Deemed refusal period	60 days

Plans and Documents to accompany the Application

General	<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, areal 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;
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	<ol style="list-style-type: none"> 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.
Plans and Documents	<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; • location and height of adjacent buildings and private open space, and • 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; and • 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; and • any changes that will be made to the level of the land by excavation, filling or otherwise. 5. Stormwater Concept Plan - illustrating the concept for stormwater management. 6. Landscape/Public Domain Concept plan - illustrating treatment of open space/public domain areas, screen planting along common boundaries and tree protection measures both on and off the site. 7. 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. 8. 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 <p>A massing model of the proposed development for the entire site (i.e. Concept Plan).</p>

Documents to be submitted	<ul style="list-style-type: none"> • 1 copy of the EA, plans and documentation for the Test of Adequacy (TOA); • 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), each file not exceeding 5Mb in size.
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