

**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

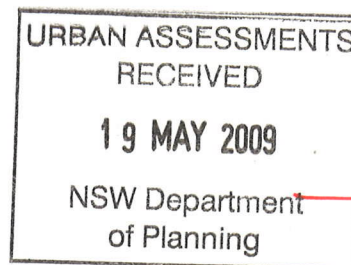
General	<p>The Environmental Assessment (EA) must include:</p> <ol style="list-style-type: none"> 1. An executive summary; 2. A thorough site analysis including site plans, areal photographs and a description of the existing and surrounding environment; 3. A thorough description of the proposed development; 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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NSW Government
Department of Water & Energy



Mr Andrew Smith
NSW Department of Planning
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Sydney
NSW 2001

Contact: Janne Grose
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File: []
Our Ref: ER20618

15 May 2009

Attention: Andrew Beattie

Dear Mr Smith

Subject: Major Project (MP09_0066) – Mixed use Commercial, Retail and Residential development – Thomas Street and Albert Street, Chatswood – Willoughby LGA – Director General Requirement's

Thank you for your letter of 4 May 2009 seeking key issues and assessment requirements from the Department of Water and Energy (DWE) for the proposed project.

Specific comment is outlined in Attachment A. The Department's key issues and assessment requirements are in relation to:

- Groundwater

Contact Details:

Should you have any queries in respect to this matter, please contact Janne Grose on (02) 9895 7651 at the Parramatta office in the first instance or Jeff Hunt on (02) 4904 2634 at the Newcastle office.

Yours sincerely

Janne Grose

for Jeff Hunt
Senior Project Planner
Major Projects and Planning



NSW Government

Department of Water & Energy

ATTACHMENT A

Major Project – Mixed use commercial, retail and residential development – Thomas St and Albert St – Chatswood

Director-General's Environmental Assessment Requirements

Department of Water and Energy – Key Issues

Relevant Legislation

The Department is responsible for administering the Water Act 1912 and the Water Management Act 2000 (WMA) which manage and regulate the use of surface water and groundwater resources. The Environmental Assessment (EA) is required to take into account the objectives and regulatory requirements of these Acts, as applicable.

Relevant Natural Resource Policies

The EA is required to take into account the following NSW Government policies, as applicable:

- NSW Groundwater Policy Framework Document - General
- NSW Groundwater Quantity Management Policy
- NSW Groundwater Quality Protection Policy
- NSW Groundwater Dependent Ecosystem Policy

Groundwater

NSW State groundwater policy requires the protection of groundwater resources. Appropriate measures need to be considered and adopted to avoid any adverse impacts.

Section 5.1.4 of the Preliminary Assessment Report (PAR) indicates that basement car parking is required as part of the proposal. The EA needs to outline whether groundwater may be encountered during excavation and the potential need to dewater.

The EA is required to identify groundwater issues and potential degradation to the groundwater source and provide the following:

- details of any works likely to intercept, connect with or infiltrate the groundwater sources.
- details of any proposed groundwater extraction, including purpose, location and construction details of all proposed bores and expected annual extraction volumes.
- details on preventing groundwater pollution so that remediation is not required.
- details on protective measures for any groundwater dependent ecosystems (GDEs).
- Assessment of the need for an Acid Sulfate Management Plan (prepared in accordance with ASSMAC guidelines).

Where potential impacts are identified the EA will need to identify limits to the level of impact and contingency measures that would remediate, reduce or manage potential impacts to the existing groundwater resource and any GDEs.

Licensing

If the proposal is likely to intercept or use groundwater, the need for a water license under Part 5 of the Water Act 1912 should be addressed in the EA. No works which impact upon groundwater can commence before a groundwater licence is obtained.

All proposed groundwater works, including bores for the purpose of investigation, extraction, dewatering, testing or monitoring must be identified in the proposal and an approval obtained from DWE prior to their installation.

DWE will not allow any proposal that requires permanent or semi-permanent extraction of the groundwater to protect the proposed buildings. Therefore the proposal must ensure that the design of the buildings will not require this style of facility or activity.

The construction of the basement car park, or any structure that may be impacted by groundwater, will require a water proof retention system (i.e. a fully tanked structure) with an adequate provision for future fluctuations of the watertable level.

In regard to the demolition and clearing of the site for development, DWE does not have a role in licensing provided these activities do not impact on groundwater.



MINISTRY OF TRANSPORT

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07 MAY 2009

Mr Michael Woodland
Director
Urban Assessments
Department of Planning
GPO Box 39
SYDNEY NSW 2001

Attention: Mr Andrew Beattie

Dear Mr Woodland,

**DIRECTOR GENERAL'S REQUIREMENTS – MIXED USE DEVELOPMENT,
THOMAS AND ALBERT STREETS, CHATSWOOD (MP 09_0066)**

I refer to the Department's letter seeking comment on the Director General's Requirements for the proposed construction of a mixed use commercial, retail and residential development at the above mentioned site. The Ministry appreciates this opportunity to provide input to the DGRs for this application.

The Ministry has reviewed the preliminary assessment for the proposal, together with the Department's draft requirements and suggests that the DGRs also require the proponent to address the consistency of the proposal with the *NSW Planning Guidelines for Walking and Cycling (2004)* and the Department's *Interim Guideline for Development near Rail Corridors and Busy Roads (2008)*.

If you would like to discuss this further, please contact Jose Sevilla Jr on 9268 2833 or email jose.sevilla@transport.nsw.gov.au.

Yours sincerely,

Brendan Bruce
Director, Transport Planning

TP09/03198

Our Reference: RDC 09M657
Your Reference: MP09_0066
Contact: Angela Malloch
Telephone: 8849 2041



The Director
Strategic Sites and Urban Renewal – Urban Assessment
Department of Planning
GPO Box 39
Sydney NSW 2001

Attention: Andrew Beattie

**DIRECTOR GENERAL'S ENVIRONMENTAL ASSESSMENT REQUIREMENTS
– CONCEPT PLAN APPLICATION FOR THE CONSTRUCTION OF A MIXED
USE COMMERCIAL, RETAIL AND RESIDENTIAL DEVELOPMENT AT
THOMAS STREET & ALBERT STREET, CHATSWOOD**

Dear Sir / Madam,

I refer to your letter of 4 May 2009 (Ref: MP09_0066) requesting the Roads and Traffic Authority (RTA) to provide details of key issues and assessment requirements regarding the abovementioned development for inclusion in the Director General's Environmental Assessment (EA) requirements.

The RTA would like the following issues to be included in the transport and traffic impact assessment of the proposed development:

1. It is noted that the Metropolitan Strategy has designated Chatswood as a Major Centre and a major focal point for regional transport connections and jobs growth. It is important that the development of the proposed mixed-use commercial and residential development takes into consideration, and contributes to the achievement of, transport objectives contained in this and other high-level NSW Government strategies.

These strategies include the NSW State Plan, Urban Transport Statement and draft Inner North Subregional Strategy. These policies share the aims of increasing the use of walking, cycling and public transport; appropriately co-locating new urban development with existing and improved transport services; and improving the efficiency of the road network.

By addressing both the supply of transport services and measures to manage demand for car use, the EA report should demonstrate how users of the proposal, will be able to make travel choices that support the achievement of relevant State Plan targets.

2. Daily and peak traffic movements likely to be generated by the proposed development including the impact on nearby intersections and the need / associated funding for upgrading or road improvement works (if required).

The key intersections to be examined / modelled include:

Roads and Traffic Authority ABN 64 480 155 255

- Albert Avenue/Pacific Highway
 - Centennial Avenue/Pacific Highway
 - Mowbray Road/Pacific Highway
 - Mowbray Road/Elizabeth Street/Orchard Road
 - Albert Avenue/Orchard Road
3. Details of the proposed accesses and the parking provisions associated with the proposed development including compliance with the requirements of the relevant Australian Standards (ie: turn paths, sight distance requirements, aisle widths, etc).
 4. The proposed number of car parking spaces is to comply with the appropriate parking codes. As this area is serviced well by public transport, it should be ensured the parking provision is kept to the minimum. It is also noted the existing public car park accommodates 200 vehicles however the future public car park proposes to accommodate 250 vehicles; any increases in car parking on this site is to be discouraged.
 5. Details of service vehicle movements (including vehicle type and likely arrival and departure times).
 6. The RTA requires the EA report to assess the implications of the proposed development for non-car travel modes (including public transport use, walking and cycling); the potential for implementing a location-specific sustainable travel plan (e.g. 'Travelsmart' or other travel behaviour change initiative); and the provision of facilities to increase the non-car mode share for travel to and from the site. This will entail an assessment of the accessibility of the development site by public transport.
 7. A joint RTA / Council Traffic Study of the road network between Mowbray Road and Boundary Street is currently being carried out by consultants GHD Pty Ltd. It is highly likely that the outcomes and recommendations of this study will impact on road widening reservations and upgrades to intersections along the Pacific Highway and to key routes within and surrounding the Chatswood City Centre. Any recommendations from this study that may impact upon the concept plan application "must" be considered in the preparation of the EA report.
 8. The RTA will require in due course the provision of a traffic management plan for all demolition/construction activities, detailing vehicle routes, number of trucks, hours of operation, access arrangements and traffic control measures.

Further enquiries on this matter can be directed to the nominated Assistant Planner, Angela Malloch on phone 8849 2041 or facsimile (02) 8849 2918.

Yours faithfully,



Andrew Popoff
A / Senior Land Use Planner
Transport Planning, Sydney Region

21 May 2009