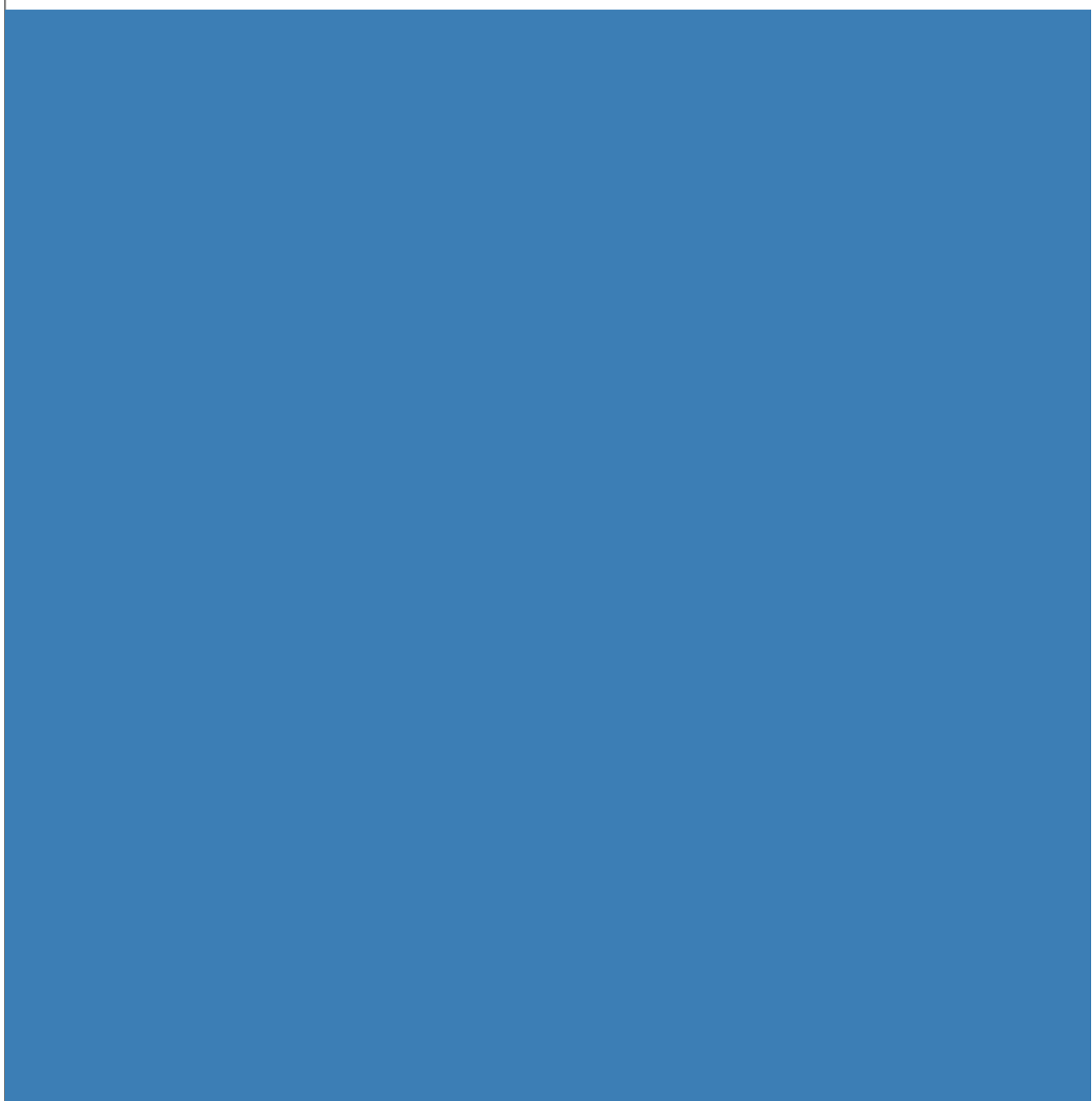


78-96 Arncliffe St and 31-45 Princes Highway, Wolli Creek, NSW
Stage I Retail Development

Section 75W of the EP&A Act Modification Application



September 2010



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.....

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* This document is for **discussion purposes only** unless signed and dated by the persons identified. This document has been reviewed by the Project Director.

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Introduction

This report has been prepared in association with an application lodged by Mecone on behalf Nahas Constructions Pty Ltd (Nahas) to modify the Stage I Project Approval for the retail development located at 31-45 Princes Highway and 78-96 Arncliffe Street, Wolli Creek (Determination No. MP 09_0169, dated 7 July 2010).

The application seeks to modify certain conditions and drawings associated with the Stage I Project Approval, including:

- Modify commencement date of 15 year temporary operation period;
- Modify hours of operation;
- Increase in specialty retail floor space in Phase B from 600sqm to 1008 sqm;
- Modified car park layout due to increase in specialty store, including relocation of motorcycle spaces and bike racks. Modification equates in a slight reduction in parking spaces in Phase B from 184 to 172 car spaces;
- Inclusion of trolley corral;
- Modify size and relocate mechanical plant and access hatch;
- Alteration to roof ridge line;
- Addition of the airlock and awning;
- Addition of external stairs from fire exit;
- Addition of substation;
- Relocation of signage parapet to be located along southern and eastern sides of mechanical plant and amend to height RL12.900;
- Relocation and provision of detailed signage
- Addition of new wall and frosted safety glazing to north west elevation;
- Addition of fire exit door to north west elevation; and
- Modified landscaping at store entrance, in location of modified specialty store and in location of new trolley corral.

The application is lodged under the provisions of Section 75W of the *Environmental Planning and Assessment Act 1979*. It is understood from pre-lodgement discussions with the Department of Planning that the Director-General may exercise delegation to determine the request, based on the nature of the requested changes. Further, it is understood that environmental assessment requirements are not required to be obtained as the proposed modification would not generate any significant additional impacts.

The following sections of the report address the following matters:

- Background and approved development – discussion on the approved Stage I development;
- Proposed modification to conditions of approval – outline of the proposed amendments to the conditions in the Stage I Project Approval;
- Proposed design modifications – general description of the proposed modifications;
- Urban planning assessment – outline of relevant urban planning plans, policies and legislation;
- Assessment – Environmental assessment against proposed modifications and justification for amendments; and

- Conclusion – concluding comments regarding the proposed modifications and the determination of the application under Section 75W.

2 Background and Approved Development

2.1 Background

This project application forms Stage 1 of the overall concept for a mixed-use retail and residential development at 78-96 Arncliffe St and 31-45 Princes Highway, Wolli Creek. In September 2009 the Department of Planning re-issued specific Director General's Requirements (DGRs) to allow the lodgement of a first stage project application preceding a Concept Plan Application. It is anticipated a Concept Plan Application will be lodged in late 2009.

The inclusion of a temporary supermarket and associated specialty shops as the first stage (stage 1) of the Part 3A Application for 78-96 Arncliffe Street & 31-45 Princes Highway, Wolli Creek. The inclusion of Stage 1 will allow the economic use of existing buildings and the land until the overall concept is delivered. The temporary supermarket and associated specialty shops being the first stage of the overall development project is considered to be 'related development' as provided under Section 75B(3) of the *Environmental Planning and Assessment Act 1979* (EPA Act).

Given the current difficult economic climate, the development of stage 1 will allow the temporary use of existing buildings that will generate revenue from the site until conditions improve. The application for this first stage precedes the lodgement of the overall concept plan and environmental assessment.

The progress to date of this proposal is listed below:

- Request for Ministers Declaration and DGRs - October 2008;
- Ministers Declaration under Clause 6 - January 2009;
- Concept Plan - Mixed use retail/residential development - DGRs Issued March 2009;
- Request for DGRs for a first stage project Application – June 2009;
- Project Application Stage 1 - DGRs Issued September 2009;
- Project application lodged on 9 December 2009; and
- Approval of Stage 1 project application on 7 July 2010.

2.2 Approved Development

Construction Phase A

This phase involves the construction of the supermarket, loading dock, car park and small southern retail component (refer to Figure 10). However this phase excludes the major specialty retail and car parking on Lots 3 and 4 DP 1032962.

Table 1. Land Use Phase A

GFA	Supermarket 4,000 sq.m Additional retail 200 sq.m Extern/ Internal walls 150 sq.m Total 4,300 sq.m
Parking	168 spaces (4 disabled + 6 staff) 8 motorbike 32 Bicycles

Construction Phase B

This phase involves the construction of a major speciality retail and a slight reduction of car parking, in addition to Phase A outlined above (refer to Figure 11).

Table 2. Land Use Phase B

GFA	Supermarket 4,000 sq.m Additional retail 200 sq.m Specialty retail 600sqm Extern/ Internal walls 150 sq.m Total 4,950 sq.m
Parking	184 spaces (4 disabled + 6 staff) 8 motorbike 32 Bicycles

3 Proposed Modifications

3.1 Modification to Conditions

Nahas is seeking a modification to two conditions of approval, which are identified in Table 1 below.

Table 3. Modifications to conditions

Proposed Modifications to Conditions of Approval	
Existing Condition	Proposed Modification
<i>B1 Temporary Use</i> <i>The site be used for retail purposes for a maximum of 15 years from the date of this approval.</i>	<i>The site be used for retail purposes for a maximum of 15 years from the date of issue of Occupation Certificate.</i>
<i>F3 Hours of Operation</i> <i>The hours of operation shall be restricted to between;</i> <ul style="list-style-type: none">- <i>trading hours are 6:00am – 12:00 midnight seven days per week, and</i>- <i>loading hours are 8:00am – 9:00pm Monday to Friday and 8:00am – 7:00pm Sundays and Public Holidays</i>	<i>The hours of operation shall be restricted to between;</i> <ul style="list-style-type: none">- <i>trading hours are 6:00am – 12:00 midnight seven days per week, and</i>- <i>loading hours from 6:00am-11:00pm Monday to Saturday and 7:00am -9:00pm Sundays and Public Holidays.</i>

3.2 Design Modifications

Nahas is seeking design modifications to the approved development, which are identified in Table 4. Refer to Appendix 1 for all relevant plans.

Table 4. Modifications to design

Item	Approved Item/plan	Approved Drawing No.	Proposed Modification	Drawing No.
1	600 sqm specialty retail in Phase B	DA 02.01 Rev A	Increase in specialty retail floor space in Phase B from 600sqm to 1008 sqm.	A110 Rev L
2	Ground floor plan Phase A and B	DA 02.01 Rev A	Modified car park layout due to increase in specialty store, including relocation of motorcycle spaces and bike racks. Modification equates in a slight reduction in parking spaces in Phase B from 184 to 172 car spaces.	A110 Rev L
3	Ground floor plan Phase A and B	DA 02.01 Rev A	Inclusion of trolley corral	A110 Rev L
4	Roof plan	DA 02.02 Rev A	Modify size and relocate mechanical plant and access hatch	A203 Rev G
5	Roof plan	DA 02.02 Rev A	Alteration to Roof Ridge Line	A203 Rev G
6	Ground floor plan Phase A and B Roof plan	DA 02.01 Rev A DA 02.02 Rev A	Addition of the airlock and awning	A203 Rev G
7	Ground floor plan Phase A and B	DA 02.01 Rev A	Addition of external stairs from fire exit	A401 Rev F, A110 Rev L
8	Ground floor plan Phase A and B	DA 02.01 Rev A	Addition of substation	A110 Rev L
9	Elevations	DA 3.01 Rev A	Relocation of signage parapet to be located along southern and eastern sides of mechanical plant and amend to height RL12.900	A402 Rev E, A203 Rev G
10	Elevations Signage diagrams Signage details	DA 3.01 Rev A DA 5.01 Rev A DA 6.01 Rev A	Relocation and provision of detailed signage	A401 Rev F

Item	Approved Item/plan	Approved Drawing No.	Proposed Modification	Drawing No.
11	Elevations	DA 3.01 Rev A	Addition of new wall and frosted safety glazing to north west elevation	A402 Rev E
12	Elevations	DA 3.01 Rev A	Addition of fire exit door to north west elevation	A402 Rev E
13	Colour landscape plan Stage 1 and 2	SS09-1956 Rev A	Modified landscaping at store entrance, in location of modified specialty store and in location of new trolley corral	XS10-15 Rev B

4 Urban Planning Assessment

4.1 Environmental Planning and Assessment Act 1979

The *Environmental Planning and Assessment Act 1979* (EP&A Act) is the main environment and planning legislation that applies to development in NSW. The EP&A Act amongst other actions establishes the process by which any development is to be considered for approval by the relevant consent authority being either, a Local Government Authority, a determining authority or the Minister for Planning. Specifically, three parts of the EP&A Act provide the framework for assessment and determination namely, Part 3A, Part 4 and Part 5.

The proposed development has been captured as a major project to which Part 3A of the EP&A Act applies.

4.2 State Planning Strategies

4.2.1 Sydney Metropolitan Strategy

The Metropolitan Strategy identifies employment capacity targets for each Subregion. For the South Subregion, which includes Rockdale LGA, the employment capacity target is 21,000 new jobs by 2031.

Relevant parts of the Strategy include:

- Part A1 Provide suitable commercial areas in strategic areas seeks to provide suitable commercial sites and employment lands in strategic areas. In particular this direction seeks to ensure that employment lands and retail centres are located in areas accessible to public transport.
- Part B1 Concentrate activities near public transport promotes the concentration of retail activity in centres, business development zones and enterprise corridors.
- Part B6 Focus development in renewal corridors to maximise infrastructure utilisation where demand and opportunity exist promotes the development of mixed use centres. The primary aim is the place jobs and housing in close proximity and to optimise the use of existing infrastructure.
- Part D3 Influence travel choice to encourage more sustainable travel seeks to influence more sustainable travel behaviour through a mix of local infrastructure improvements and land use measures.

Assessment

The proposed modification is still consistent with the key actions in the in the Strategy. The proposed development will continue to achieve the above by:

- Being located within 230 metres from the Wolli Creek Station, Sydney's only cross-over interchange railway station, providing excellent public transport access to the site.
- Providing retail services close to public transport and along the Princes Highway, which is a major Subregional road artery.
- Encourages local residents to walk to services (rather than currently driving to other retail centres) as well as act as a retail destination along the train line.

4.2.2 Draft South Subregional Strategy

The Draft South Subregional Strategy builds upon the aims and objectives of the Metropolitan Strategy and delivers upon those aims and objectives at the subregional level. A hierarchy of centres are established along with a centres typology. Wolli Creek has been identified as a “Village”.

Assessment

The proposed modifications to not alter the approved use of the site and will provide for a supermarket, which will meet the present shortfall of retail provision and assist to establish Wolli Creek as a Village.

4.3 State Planning Instruments and Policies

4.3.1 SEPP (Major Development) 2005

Formerly known as State Environmental Planning Policy (Major Projects) 2005, the *State Environmental Planning Policy (Major Developments) 2005* (Major Development SEPP) defines certain developments that are considered major projects and required to be assessed under Part 3A of the *Environmental Planning and Assessment Act 1979* and determined by the Minister for Planning.

Assessment

This project has been identified as a Major Project in accordance Schedule 1 of the Major Development SEPP. Pursuant to Clause 6 of the SEPP, the Minister for Planning has formed the opinion that the project is a Major Project to which Part3A of the EP&A Act 1979 applies.

4.3.2 SEPP No. 64 – Advertising and Signage

Aims to ensure that outdoor advertising is compatible with the desired amenity and visual character of an area, provides effective communication in suitable locations and is of high quality design and finish. The SEPP was amended in August 2007 to permit and regulate outdoor advertising in transport corridors (e.g. freeways, tollways and rail corridors). The amended SEPP also aims to ensure that public benefits may be derived from advertising along and adjacent to transport corridors. Transport Corridor Outdoor Advertising and Signage Guidelines (DOP July 2007) provides information on design criteria, road safety and public benefit requirements for SEPP 64 development applications

Assessment

The Stage 1 development approval includes approval for signage. However, detailed signage plans were not lodged at the time because a retail tenant was not secured for the tenancy.

A retail tenant has now been secured and detailed plans are provided at Appendix 1. An assessment against SEPP 64 requirements is provided at Appendix 2.

4.4 Local Planning Instruments and Policies

4.4.1 Rockdale Local Environmental Plan 2000

Zoning

Rockdale Local Environmental Plan 2000 (Rockdale LEP) applies to the site. The site is zoned mixed uses I0(a) under the Rockdale LEP which permits a number of uses including shops, cinemas, and residential flat buildings.

Assessment

The proposed modifications does not alter the permissible uses within the Mixed Use zone and is consistent with the zone objectives, providing for a high quality retail development.

Clause 22 of the Rockdale LEP state the requirements for outdoor advertising in Rockdale. The objectives of clause 22 are:

“22 Outdoor advertising

Objective of the provision

To ensure that advertisements do not detract from the character of the locality.”

Specifically, clause 22(3), states that:

“(3) The consent authority must not consent to development for the purpose of an advertisement unless it is satisfied that the advertisement:

- (a) conveys the advertiser’s message or image, while complementing and conforming to both the building on which it is displayed and the character of the locality, and*
- (b) does not adversely affect the amenity of the locality in terms of appearance, size, shape, illumination or overshadowing, or in any other way, and*
- (c) does not lead to visual clutter through the proliferation of signs in the locality.”*

Assessment

The proposed signage is consistent with the aims and objectives of Clause 22 of the Rockdale LEP. All signage is strictly related to the tenants of the Supermarket and Specialty Retail, and are considered to compliment the proposed building facades and finishes. Furthermore, the size, shape and selected illuminated signs do not adversely affect the amenity of the locality and the number of signs is sensibly minimalist on all frontages. Finally, the appropriate number of signs has been provided and has been strategically placed allowing for an appropriate level of advertising as well as directional and informative use by customers in and around the site.

Floor Space Ratio

Rockdale LEP also contains floor space ratio (FSR) controls relating to the site. The LEP stipulates an FSR of 2.85:1.

Assessment

The proposed modification would only slightly increase the GFA of the approved development. The final FSR of the development will be approximately 0.4:1.

Flooding

Amcliffe Street is subject to flooding. The Rockdale LEP contains provisions relating to flooding. Specifically, the proposed development must not:

- Adversely impede the flow of flood waters on that land and land in its immediate vicinity, or
- Imperil the safety of persons on that land and land in its immediate vicinity, or
- Aggravate or be likely to result in erosion, siltation or the destruction of vegetation, or
- Cause any adverse effect on the water table of that land or land in its immediate vicinity.

Assessment

The proposed modifications do not alter the approved drainage outcomes across the site. The approved development still provides for minimum freeboard levels, safety and evacuation guidelines, limited surface ponding in the car park, and rain gardens to reduce surface runoff.

4.4.2 Rockdale DCP No. 62 – Wolli Creek

Rockdale Development Control Plan No. 62 – Wolli Creek (Wolli Creek DCP) is the primary Development Control Plan that applies to the site. However, the DCP controls relate to the redevelopment of the entire site in line with the Concept Plan proposal and are therefore not of major relevance to Stage 1 proposal.

Core Controls

The Wolli Creek DCP sets out the core urban design controls for the site (refer to Figure 22). The main controls can be summarised as follows:

- Maximum floor space ratio - 2.85:1
- Maximum building depth - 18m non-residential, 15m residential excluding balconies
- Minimum & maximum floor to ceiling heights - 3.6m ground floor fronting Arncliffe Street, 3.3m Commercial
- Minimum deep soil planting zone 15% of total site area
- Minimum 49% of the site to be used for non-residential uses

4.4.3 Rockdale DCP No. 29 - Outdoor Advertising

The *Rockdale DCP No. 29 – Outdoor Advertising* (DCP 29) relates to signage and outdoor advertising within Rockdale LGA.

The aims and objectives of the DCP are:

- To convey advertisers' messages and images while complementing and conforming to both the development on which it is displayed and the character of the surrounding locality
- To contribute to the quality appearance of the building, structure or place where advertisements are displayed using sympathetic architectural treatment, higher quality of design and materials;
- To prevent inappropriately designed and uncoordinated advertising which will detract from an area's visual character;
- To protect residential areas, open space areas, and buildings or areas of heritage significance from any adverse effects of inappropriate signage;
- To provide efficient controls to ensure advertising is compatible with the site and area, while providing a simpler application process.

An assessment of the proposed signage is found at Appendix 2. Design Development of all signage has been informed by the DCP.

4.4.4 Rockdale DCP No. 78 - Stormwater Management

The *Rockdale DCP No. 78 - Stormwater Management* (DCP 78) sets out drainage requirements, which aim to reduce the impact of runoff and flooding, as a result of new development, within Rockdale LGA.

Assessment

The proposed modifications do not alter the approved drainage outcomes across the site. The approved development still provides for minimum freeboard levels, safety and evacuation guidelines, limited surface ponding in the car park, and rain gardens to reduce surface runoff.

5 Assessment of Modifications

5.1 Modifications to Conditions of Approval

5.1.1 Term of temporary use

The applicant seeks a modification to Condition of Consent B1, from:

B1 Temporary Use

The site be used for retail purposes for a maximum of 15 years from the date of this approval.

to,

The site be used for retail purposes for a maximum of 15 years from the date of issue of Occupation Certificate.

The commercial leasing arrangements for the Stage 1 retail facility are hinged on obtaining a 15 year lease from when the occupation certificate is issued. It is considered standard for retail facilities to enter into such arrangements, where leases commence at point of issue of occupation certificate.

We also note that Nahas are committed to achieving the overall Concept Plan and uplifted scheme, which includes approximately 60,000sq.m of floor space, of which approximately 24,000sq.m is for retail purposes. However, in order to achieve the scheme and make it commercially viable, securing suitable tenants on a 15 year lease from issue of occupation certificate is imperative.

5.1.2 Hours of operation

The applicant seeks a modification to Condition of Consent F3, specifically the loading hours, from:

F3 Hours of Operation

The hours of operation shall be restricted to between;

- trading hours are 6:00am – 12:00 midnight seven days per week, and
- loading hours are 8:00am – 9:00pm Monday to Friday and 8:00am – 7:00pm Sundays and Public Holidays

to,

The hours of operation shall be restricted to between;

- trading hours are 6:00am – 12:00 midnight seven days per week, and
- loading hours from 6.00am-11.00pm Monday to Saturday and 7.00am -9.00pm Sundays and Public Holidays.

In regards to the hours of operation, the ability to access the dock and unload before the store opens is fundamental to the business, particularly where fresh foods are concerned. Being able to get fresh milk, bread and produce on the shelves, before customers are in the store, ensures the sale of the freshest products and that any conflict between staff stocking shelves and boxes and roll cages taking up space on the trading floor is minimised.

It should be noted that the loading dock provisions in the Wolli Creek centre are not typical and as the loading dock is contained within a building structure (encompassed by walls and a roof), any noise will be contained within the building structure. Refer to Appendix 13 for the Acoustic Assessment in the complete Stage 1 Project Application, titled, “*Proposed Retail Development Wolli Creek, Acoustic Assessment*” prepared by Heggies Pty Ltd, dated 24 September 2009. Section 6.2 of that report states that:

"The noise of the occasional delivery vehicle entering and departing the Loading Dock will be negligible compared to the noise of other vehicles passing along Brodie Spark Drive and Arncliffe Street.

Loading Dock noise will thus be attenuated via the Dock's steel deck roof and the roller-shutter doors."

5.2

Design Modifications

An environmental assessment of the proposed design modifications has been provided Table 5 below.

Table 5. Assessment of Design Modifications

Item	Proposed Modification	Drawing No.	Assessment
1	Increase in specialty retail floor space in Phase B from 600sqm to 1008 sqm.	A110 Rev L	<p>The proposal will not exceed Council's existing FSR development standard on the site. The additional floorspace does not impact on vehicular or pedestrian access. The modification improves the parking arrangement by allowing motorcycles to park at the eastern end while providing sufficient space for vehicles to manoeuvre within.</p> <p>The proposal will also include landscaping along Brodie Sparks Drive as per the approved plans. In addition, the edge of building on the eastern side generally finishes in the same location as per the approved development. Access from Brodie Sparks Drive will still be maintained from this side of the site.</p>
2	Modified car park layout due to increase in specialty store, including relocation of motorcycle spaces and bike racks. Modification equates in a slight reduction in parking spaces in Phase B from 184 to 172 car spaces.	A110 Rev L	<p>The car park is required to respond to the additional floorspace of the specialty store and addition of the trolley corral. The proposed modifications allow improves the parking arrangement by allowing motorcycles to park at the eastern end while providing sufficient space for vehicles to manoeuvre within.</p> <p>In addition, safe and suitable access is maintained across the site for pedestrians and vehicles. The car park design complies with Australian Standards.</p>
3	Inclusion of trolley corral	A110 Rev L	The proposed location of the trolley corral allows for trolleys to be safely stored. The location will not have any impact on the access point to the site from Arncliffe Street. No modification to this access is being proposed from the approved development.
4	Modify size and relocate mechanical plant and access hatch	A203 Rev G	Locating the mechanical plant in between the Phase and Phase B works allows the plant to be contained within one space. The plant will be attenuated in accordance with Australian Standards. A parapet to the full height of the plant will negate any visual impacts of the plant to the streetscape.
5	Alteration to roof ridge line	A203 Rev G	It is required to alter the location of the ridge line on the roof in order to accommodate the internal structure and

Item	Proposed Modification	Drawing No.	Assessment
6	Addition of the airlock and awning	A203 Rev G	The airlock and awning provides weather protection for customers. The airlock and awning will be located to the west of the specialty store and therefore does not generate an adverse visual impact to the streetscape. The entrance will provide a safe and visible entrance to the store, which will catch customer's line of sight from the car park.
7	Addition of external stairs from fire exit	A401 Rev F, A110 Rev L	It is required to include these stairs in accordance with Australian Standards. The stairs do not obstruct pedestrian access along Arncliffe Street.
8	Alteration of substation	A402 Rev E	<p>The substation is to be located in the north-west corner of the site. The substation has been placed in this location to coincide with the greater development of the site, i.e.: the overall concept plan. The substation will be housed above the 1 in 100 ARI flood level and will not impact on the drainage of the site. The substation will be appropriately screened via landscaping and aesthetically pleasing treatment, which will result in minimal impact to surrounding residences. In addition, the substation will not impact the entry to the site from Arncliffe Street and will not obstruct visibility to vehicular and pedestrian movements.</p> <p>Furthermore, the nature of the operation of the substation means that it will not generate any noise impacts to surrounding residences.</p>
9	Relocation of signage parapet to be located along southern and eastern sides of mechanical plant and amend to height RL12.900	A402 Rev E, A203 Rev G	The modification to the signage parapet is a response to the relocation of the mechanical plant. The parapet will be to the full height of the plant, which will negate any visual impacts of the plant to the streetscape. Appropriate tenancy signage will be provided.
10	Relocation and provision of detailed signage	A401 Rev F	<p>All signage is strictly related to the tenants of the Supermarket and Specialty Retail, and are considered to compliment the proposed building facades and finishes. It is considered that the size, shape and selected illuminated signs do not adversely affect the amenity of the locality and the number of signs is sensibly minimalist on all frontages as per general practice in this type of retail facility.</p> <p>Finally, the appropriate number of signs has been provided and has been strategically placed allowing for an appropriate level of advertising as well as directional and informative use by customers in and around the site.</p> <p>The pylon sign to be provided in the south-west corner of the site along the Princes Highway is a maximum of 8 metres in height, however it is located in a position that does not impact on driver visibility along the Princes Highway. Importantly, the sign is located on the proponent's land and does not impact on or impede pedestrian usage</p>

Item	Proposed Modification	Drawing No.	Assessment
			<p>of the adjacent footpath along the Princes Highway.</p> <p>The proposed signage is consistent with the aims and objectives of the Rockdale LEP, and the Rockdale Outdoor Advertising DCP. The signage also complies with the requirements of SEPP 64 (refer to Appendix 2).</p>
I 1	Addition of new wall and frosted safety glazing to north west elevation	A402 Rev E	The proposed modification is in keeping with the approved development. The modification contributes to an improved streetscape along Arncliffe Street.
I 2	Addition of fire exit door to north west elevation	A402 Rev E	The fire door is required in accordance with Australian Standards. The exit does not obstruct pedestrian access along Arncliffe Street.
I 3	Modified landscaping at store entrance, in location of modified specialty store and in location of new trolley corral	XS10-15 Rev B	Landscaping is generally provided in accordance with the approved development. Landscaping will provide a soft interface between adjoining streets and within the car park layout. However, the landscaping has been designed so that it does not impact on pedestrian and vehicular safety.

Summary and Conclusion

This report has been prepared in association with an application lodged by Mecone on behalf Nahas Constructions (Nahas) to amend the Stage 1 Project Approval for the retail development located at 31-45 Princes Highway and 78-96 Arncliffe Street, Wolli Creek (Determination No MP 09_0169, dated 7 July 2010).

The application seeks to amend certain conditions and drawings associated with the Stage 1 Project Approval, including:

- Modify commencement date of 15 year temporary operation period;
- Modify hours of operation;
- Increase in specialty retail floor space in Phase B from 600sqm to 1,008 sqm;
- Modified car park layout due to increase in specialty store, including relocation of motorcycle spaces and bike racks. Modification equates in a slight reduction in parking spaces in Phase B from 184 to 172 car spaces;
- Inclusion of trolley corral;
- Modify size and relocate mechanical plant and access hatch;
- Alteration to roof ridge line;
- Addition of the airlock and awning;
- Addition of external stairs from fire exit;
- Addition of substation;
- Relocation of signage parapet to be located along southern and eastern sides of mechanical plant and amend to height RLI 2.900;
- Relocation and provision of detailed signage
- Addition of new wall and frosted safety glazing to north west elevation;
- Addition of fire exit door to north west elevation; and
- Modified landscaping at store entrance, in location of modified specialty store and in location of new trolley corral.

The proposed modifications are considered to not have any significant environmental impact as they achieve the following:

- Do not impact on the existing or future traffic;
- Do not pose any adverse visual impacts;
- The mechanical plant will be attenuated in accordance with Australian Standards;
- The development provides safe access and egress for customers and staff;
- The development provides suitable and safe fire exits;
- The development will still provide landscaping that addresses the interface between the sit and adjoining streets without posing a hazard for pedestrians and vehicular traffic; and
- The proposal addresses Arncliffe Street and provides a much need facelift to the rear of the site.

Therefore, it is considered that the modifications will enhance the approved development providing better pedestrian access and vehicular access. The modifications do not generate any adverse impacts.

Based on the above, approval of the Section 75W application is considered suitable.

Appendix I – Plans of proposed modifications

Appendix 2 – Signage assessment