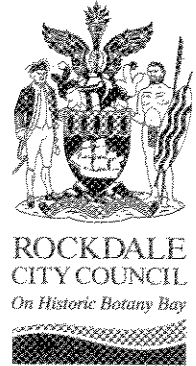


15 November 2010

Our Ref: P3A-2010/2
Contact: Marta Sadek - 9562 1743



NSW Department Of Planning
GPO Box 39
SYDNEY NSW 2001

ATTENTION : Simon Truong – Planning Officer

Dear Mr Truong

Re: MP09_0169 MOD 1 - Stage 1 - 78-98 Arncliffe Street & 31-47 Princes Highway, Wolli Creek

Thank you for giving Council the opportunity to comment on the proposed modification under S75W of the Environmental Planning and Assessment Act, 1979. This submission highlights some implications of the proposed modifications in regards to compliance of the modified development with Council's policies, including Rockdale Section 94 Contributions Plan 2004. Furthermore, the proposed modifications result in a reduction to the architectural and environmental quality of the development as approved, particularly as viewed from the Princes Highway.

As stated in Council's previous submission to the original application, the subject site is a major gateway to the future Wolli Creek town centre. The site's high visibility and strategic importance is recognized in DCP 62 by nominating it as a landmark site. Council's vision for this site is for an outstanding development that will establish an identity for Wolli Creek as a high quality, high density urban environment.

1. Urban Design

Modification to the footprint of the Phase B Building

The proposed modifications to the Phase B building will result in a particularly poor impression of the Wolli Creek precinct when viewed from the corner of Brodie Spark Drive and the Princes Highway as discussed below.

The deletion of the landscaped area between the building and the carpark greatly reduces the environmental and visual amenity of the development. In addition, the bland unarticulated treatment of the Brodie Spark Drive and southern façades does not provide an appropriate response to the building's important location. Any specialty retail on Brodie Spark Drive should provide an active frontage to the street including access to the shop and glazed frontages.

Because of the deleterious environmental impacts, the proposed modification to the footprint of the Phase B building is not supported.

2 Bryant Street Rockdale NSW 2216 Australia
PO Box 21 Rockdale NSW 2216 Australia
Tel 02 9562 1666 Fax 02 9562 1777 Email rcc@rockdale.nsw.gov.au
DX 25308 Rockdale www.rockdale.nsw.gov.au
ABN 66 139 730 052

Elevations

The modification plans include numerous changes to the façade of the building from the approved plans which have not been annotated as changes. For example, the rendered spandrel on the Arncliffe Street elevation that is shown on the approved plans is not included on the modification plans and the top of glass brick openings are shown as consistently finishing at RL 10.200, whereas the modifications plans show them at different heights. Such changes are not supported.

Annotated changes on the modification plans are also not supported, such as the substitution of the flat sheet metal sheeting with fibre cement wall cladding, paint finish.

The proposed elevational treatment in the modification plans will result in a significantly inferior design outcome that is not commensurate with the development's important location. It is recommended that the drawings be revised so that they accord with the materials selection and design detailing in the approved plans.

Given the significance of the site as a gateway to the Wolli Creek town centre, it is strongly recommended that Council is consulted on the selection of materials and finishes and that condition of consent B14 is modified accordingly.

Public Domain

Street trees should be in accordance with the Wolli Creek and Bonar Street Public Domain Plan. In this regard, street trees on Brodie Spark Drive should be *Platanus digitala* not *Platanus hispanica*. In Princes Highway the street trees should be *Lophostemon confertus* not *Angophora costata*. It is noted that condition B27 of the Notice of Determination issued by the Deputy Director General requires the approval of a Final Landscape Plan in consultation with Council. This condition should remain in the consent unchanged.

2. Signage

Condition B3 of the Notice of Determination requires separate development consent for signage to be submitted to Council. It was Council's submission to the original application that signage be part of a separate approval given the lack of information. It is Council's position that this condition should remain and that signage should not be approved as part of this proposed modification for the reasons stated below.

Whilst the applicant has submitted more detailed plans and statements to support the proposed signage strategy, there are concerns regarding the cumulative impacts of signage in the locality. Details such as the degree of illumination has not been provided, nor a photomontage to demonstrate that the signage (particularly the pylon sign) meets the Assessment Criteria under Schedule 1 of SEPP 64 in regards to illumination, streetscape, setting and character of the area. It is noted that the height of the pylon sign is not supported by Council's DCP 29 – Outdoor Advertising and draft Rockdale DCP 2011. A maximum height of 6m is required for a pylon sign under DCP 29.

3. Notification

Council has been made aware that the modification application has not been notified to local residents. It is considered that issues such as the illuminated signs and the proposed

changes to the hours of operation of the loading dock, may have a negative impacts on the amenity of surrounding residents and as such the local residents should be formally notified and given the opportunity to comment.

4. Rockdale Section 94 Contributions Plan 2004

The proposed increase in retail floor space by 408m² has been assessed in accordance with Rockdale Section 94 Contributions Plan 2004 and the current contributions rates set out in Council's adopted Fees and Charges and will result in an increase in the total contributions payable by the development from \$581,699.00 to \$674,767.88.

It is therefore requested that Condition B7 of the current consent be modified to incorporate this increased contribution amount. Refer to the attachment to this letter showing the proposed amended condition B7.

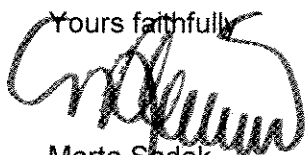
The Department may be aware that Council has agreed to the periodic payment of the required section 94 contributions, in accordance with Council's letter to the applicant dated 27 October 2010. However, Council further advise the Department that:

a) Council requires the revised payment methodology to be specifically incorporated in the consent conditions and the proponent will therefore need to make an application to the Department to modify the current consent accordingly. (As the present modification application does not seek such an amendment, a further modification application will be required.)

b) In view of the changed contribution amounts arising from the current modification application, Council will now need to review the payment schedule agreed to with the applicant before any application to incorporate the periodic payment methodology can be determined.

Should you have any queries, please contact Marta Sadek on 9562 1743.

Yours faithfully



Marta Sadek

Senior Development Assessment Planner