



Planning

Contact: Mark Brown
Phone: 02 9228 6385
Fax: 02 9228 6544
Email: mark.brown@planning.nsw.gov.au

Our ref: MP 10_0031

Mr Chris Pope
Senior Development Manager
Apartments NSW
Australand Holdings Limited
Level 3, 1C Homebush Bay Drive
RHODES NSW 2138

Dear Mr Pope,

**CONSTRUCTION OF A RESIDENTIAL FLAT BUILDING AND ANCILLARY WORKS
STAGE 6 - DISCOVERY POINT, 1 PRINCES HIGHWAY, WOLLI CREEK
MP 10_0031**

I refer to your correspondence, on behalf of Discovery Point Pty Limited, requesting approval to amend the Director-General's Environmental Assessment Requirements (DGRs) issued on 23 March 2010 to include Stage 6 instead of Stage 2.

Following a review of your submission, the Department considers that the issues associated between the stages are similar. In this regard the DGRs have been amended to substitute Stage 6 for Stage 2 as requested (as attached).

Please note however, should the Concept Plan be approved, it is likely that the Department will recommend that all future stages of the proposal be considered under Part 4 of the *Environmental Planning and Assessment Act, 1979*, including Stages 1 and 6.

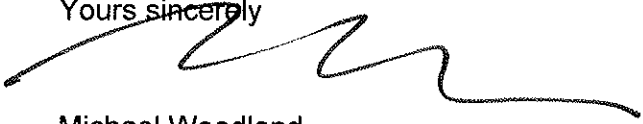
Under section 75F(3) of the Act, the Director-General may alter or supplement these requirements if necessary and in light of any additional information that may be provided prior to the Proponent seeking approval for the project.

Prior to exhibiting the Environmental Assessment, the Department will review the document to determine if it adequately addresses the DGRs. If the Director-General considers that the Environmental Assessment does not adequately address the DGRs, the Director-General may require the Proponent to revise the Environmental Assessment to address the matters notified to the Proponent.

Following this review period the Environmental Assessment will be made publicly available for a minimum period of 30 days. Please contact the Department at least two weeks before you propose to submit the Environmental Assessment to determine the fees applicable to the application.

Should you have any questions regarding any of the above, please contact Mark Brown on the contact details above.

Yours sincerely


Michael Woodland
Director
Metropolitan Projects
As delegate for the Director-General

9/12/2010

Director-General's Requirements

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

Application number	MP 10_0003 – Concept Plan MP 10_0030 – Stage 1 Project Application MP 10_0031 – Stage 6 Project Application
	Concept Plan Application for a mixed use development Stage 1 Project Application involving construction of Building 1c, part of Building 1b (including a supermarket), a new neighbourhood park and associated landscaping, car park and infrastructure works. Stage 6 Project Application involving construction of Building 6 (including a basement car parking area), Station Park, roadways and landscaping.
Location	Discovery Point, 1 Princes Highway, Wolli Creek
Proponent	Discovery Point Pty Limited
Date issued	9/12/2010
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	The Environmental Assessment (EA) must address the following key issues: 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 are contained in Appendix A. 2. Built Form and Height - The EA shall address the height, bulk and scale of the proposed development within the context of the locality. In particular, detailed building envelope / height and contextual studies should be undertaken to ensure the proposal integrates with the local environment. - The EA shall demonstrate that the building heights have been approved by relevant authorities where required, including the Federal Department of Infrastructure, Transport, Regional Development and Local Government; Airservices Australia and the Civil Aviation Safety Authority. - The EA shall address the impacts (including overshadowing and amenity of the plaza on the corner of Arncliffe Street and Brodie Spark Drive) of the proposal upon the adjoining Major Project (MP 08_0235). - The EA shall also provide the following: - Comparison to the existing approved masterplan; - View analysis to and from the site from key vantage points; - View analysis from existing tall buildings in Wolli Creek; - Options for the siting and layout of the building envelope; and - Comparison to the Obstacle Limitation height. 3. Urban Design - The EA shall address the design quality with specific consideration of the façade, massing, setbacks, building articulation, use of appropriate colours, materials/finishes, landscaping, safety by design (CPTED) and public domain. - The EA shall also provide:

- Active retail frontages should be provided to Brodie Spark Drive, Magdalene Terrace and adjacent to the railway station.
- All weather protection to be provided on retail streets.
- Pedestrian access to Discovery Point Park, the Cooks River foreshore and the train station is to be improved.

4. Economic Impact Assessment

- The EA shall address the economic impact of the proposal (including the reduction to the gross floor areas of the non-residential component of the proposal when compared to the existing masterplan on the site) and include an investigation into the proposal's impact upon the retail, commercial and residential industry within the locality.
- The EA shall address how the proposal would support the objectives / aims of relevant State and regional strategies for the locality.

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. In this regard, the EA should consider appropriate separation distances to any adjacent residential buildings.
- The EA shall address the issue of noise from the airport and railway line and provide details of how this will be managed and ameliorated through the design of the building, in compliance with relevant Australian Standards.

6. Noise and Vibration Assessment

- The EA shall address the issue of noise and vibration impacts from the railway corridor and provide detail how this will be managed and ameliorated through the design of the building, in compliance with relevant Australian Standards and the Department's *Development near Rail Corridors and Busy Roads - Interim Guidelines*.

7. Transport & Accessibility Impacts (Construction and Operational)

- The EA shall provide a Traffic and Accessibility Impact Study prepared in accordance with the RTA's Guide to Traffic Generating Developments, considering:
 - traffic generation and any required road / intersection upgrades (including but not limited to the intersection of Princes Highway / Brodie Spark Drive),
 - the adequacy of on-site car parking for the proposal having regard to local planning controls, RTA guidelines and the high public transport accessibility of the site (Note: the Department supports reduced car parking rates in areas well-served by public transport),
 - the ability of buses to maintain services during construction and once completed,
 - access, loading dock(s) and service vehicle movements,
 - the potential for implementing a location-specific sustainable travel plan (e.g. 'Travelsmart' or other travel behaviour change initiative)
 - the implications of the proposed development for non-car travel modes (including public transport use, walking and cycling) and the provision of facilities to increase the non-car travel share, including bicycle connections from the site to the surrounding bicycle network and bicycle parking in both residential and commercial / retail portions of the proposed development (including the provision of amenities for cyclists), and

- how the proposal integrates with the Wolli Creek Railway Station and how the proposal would impact upon the operation of the existing railway lines.

8. 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.
- The EA must demonstrate that the development has been assessed against a suitably accredited rating scheme to meet industry best practice.

9. Contributions

- The EA shall address the provision of public benefit, services and infrastructure having regard to Council's Section 94 Contribution Plan and provide details of any Voluntary Planning Agreements or other legally binding instrument proposed to facilitate this development.

10. Staging

- The EA is to include details regarding the staging of the proposed development.

11. Contamination

- The EA is to demonstrate compliance that the site is suitable for the proposed use in accordance with SEPP 55.

12. Public Domain

- The EA shall provide details on the interface between the proposed uses and public domain, and the relationship to and impact upon the existing public domain and address the provision of linkages with and between other public domain spaces, including Cahill Park and Waterford Park. The EA shall consider the provision of a public art strategy.

13. Drainage and Groundwater

- The EA shall address drainage/flooding issues associated with the development/site, including: stormwater, drainage infrastructure and incorporation of Water Sensitive Urban Design measures.
- The EA shall provide an assessment of any flood risk on site in consideration of any relevant provisions of the NSW Floodplain Development Manual (2005) including the potential effects of climate change, sea level rise and an increase in rainfall intensity.
- The EA shall address any impacts upon groundwater resources, and when impacts are identified, provide contingency measures to remediate, reduce or manage potential impacts.

14. Heritage

- The EA shall provide an Heritage Impact Assessment of the site, and a Statement of Heritage Impact, that is to include:
 - Detailed evaluation on any impacts that the development would have on the heritage significance of the site, in particular the heritage significance and setting of Tempe House and St Magdalen's Chapel,
 - Consideration of the cumulative impacts of the proposed works on the heritage items and their curtilages,
 - Awareness of the possible existence of any archaeological relics which may be disturbed during the works that may require an archaeological assessment to be undertaken, and

	• The EA shall provide an Archaeological Assessment of Aboriginal and non-Indigenous archaeological resources, including an assessment of the significance and potential impact on the archaeological resources. 15. Electrolysis Risk • The EA shall provide a report by an electrolysis expert on the Electrolysis Risk to the development from stray currents. 16. Statement of Commitments • The EA must include a draft Statement of Commitments detailing measures for environmental management, mitigation measures and monitoring for the project. 17. Land Ownership • The EA shall provide details showing the proposed development in relation to the land / stratum ownership in the area, in particular RailCorp's land / stratum ownership. 18. Development Agreements • The EA shall address the existing Development Agreement in place with RailCorp for the Discovery Point works. 19. Consultation • Undertake an appropriate and justified level of consultation in accordance with the Department's <i>Major Project Community Consultation Guidelines October 2007</i> (including demonstrating discussions with Rockdale City Council, RailCorp, State Transit, Sydney Airport Corporation, Civil Aviation Safety Authority and Air Services Australia).
Deemed refusal period	60 days

APPENDIX A

Relevant EPI's policies and Guidelines to be Addressed

- Objects of the EP&A Act 1979
- NSW State Plan
- Draft South Sub-regional Strategy
- SEPP 55 - Remediation of Land
- SEPP 65 - Design Quality of Residential Flat Development
- SEPP (Building Sustainability Index: BASIX) 2004
- SEPP (Infrastructure) 2007
- Rockdale Local Environmental Plan 2000 and relevant Rockdale Development Control Plans and policies
- Airports Act 1996 and the Airports (Protection of Airspace) Regulations 1996
- Metropolitan Transport Plan 2010 (available at <http://www.nsw.gov.au/shapeyourstate>)
- Integrating Land Use and Transport policy package
- Development Near Rail Corridors and Busy Roads – Interim Guideline
- Planning Guidelines for Walking and Cycling
- Nature and extent of any non-compliance with relevant environmental planning instruments, plans and guidelines and justification for any non-compliance.

Plans and Documents to accompany the Application

<u>General</u>	The Environmental Assessment (EA) must include: 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 complete and 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 Development 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>	The following plans, architectural drawings, diagrams and relevant documentation shall be submitted; 1. An existing site survey plan drawn at an appropriate scale illustrating; • 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: • 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: • 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 and elevations of the proposed buildings; • detailed cross sectional drawings showing ground surface, rail tracks, sub soil profile, proposed basement excavation and structural design of sub ground support adjacent to the Rail Corridor; • 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. Model of the proposed development at an appropriate scale. 6. Geotechnical and Structural 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. The report is to be prepared having regard to the RailCorp document titled <i>'Brief for review of geotechnical and structural design for developments adjacent to or above rail corridor for external third party works performed under the NSW State Environmental Planning Policy (Infrastructure) 2007'</i>. 7. Other documents / plans: • 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; • 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; • Construction Management Plan and Traffic Management Plan – addressing the management of traffic (including bus operations) during the construction stages of the development; and • Construction methodology with details pertaining to structural support during excavation and details of any track / tunnel monitoring requirements during excavation and construction phases.
--	---

<u>Documents to be submitted</u>	• 1 copy of the EA, plans and documentation for the Test of Adequacy; • Once the EA has been determined adequate and all outstanding issues adequately addressed, 5 hard copies of the EA for exhibition; • 5 sets of architectural and landscape plans to scale (A1 size plans), including one (1) set at A3 size (to scale); and • 5 copies of the Environmental Assessment and plans on CD-ROM (PDF format), each file not exceeding 5Mb in size. <u>NOTE:</u> Each file must be titled and saved in such a way that it is clearly recognisable without being opened. If multiple pdf's make up one document or report, these must be titled in sequential order.
----------------------------------	---