

Section 75W to Stage 1 Mixed Use Development (MP10_0030)



Discovery Point, Wolli Creek

Submitted to Department of Planning and Infrastructure
On Behalf of Discovery Point Pty Ltd and Discovery Point Devt Pty Ltd

August 2012 ■ 12505

Reproduction of this document or any part thereof is not permitted without prior written permission of JBA Urban Planning Consultants Pty Ltd. This report has been prepared with the assistance of Krason Planning Pty Ltd.

JBA Urban Planning Consultants Pty Ltd operates under a Quality Management System. This report has been prepared and reviewed in accordance with that system. If the report is not signed below, it is a preliminary draft.

This report has been prepared by: Alexis Cella

Signature



Date 30/08/2012

This report has been reviewed by: Clare Swan

Signature



Date 30/08/2012

Contents

1.0	Introduction	3
1.1	Background to the Original Approval	3
2.0	Background to the Modifications	5
3.0	Description of Proposed Modifications	7
3.1	Proposed Modifications to the Approval	7
4.0	Environmental Assessment	9
4.1	Traffic and Parking Considerations	9
4.2	Deep Soil Zone	9
4.3	Landscaping / Public Domain	10
4.4	Stormwater / Flooding	12
4.5	Heritage	12
5.0	Conclusion	13

Figures

1	Figure 1 – Existing Built Stages and Concept Plan Site	4
2	Figure 2 – Site Plan	6
3	Figure 3 – Extract of approved landscape plan for Neighbourhood Park	11
4	Figure 4 – Extract of proposed ‘modified’ landscape plan for Neighbourhood Park	11

Contents

Appendices

- A** Revised Architectural Plans
Bates Smart
- B** Revised Landscape Plans
Turf Design Studios
- C** Revised Engineering Plans and Drainage Statement
Bonacci
- D** Soil Strategy Advice
SESL Australia
- E** Arborist Report
Garry Clubley - Arborist and Landscape Consultant

1.0 Introduction

This Environmental Assessment Report (EAR) for modifications to the approved Stage 1 Mixed Use Development at Discovery Point, Wolli Creek is submitted to the Minister for Planning in accordance with section 75W and Clause 3C of Schedule 6 of the *Environmental Planning and Assessment Act 1979* (EP&A Act).

The Stage 1 Project Approval (MP10_0030) allows for a mixed use development including:

- Construction of two mixed use buildings, incorporating 126 apartments and 2,531m² of retail and rooftop level courtyard;
- Basement level car parking;
- Public domain works, including provision of Neighbourhood Park;
- Construction of road infrastructure;
- Early works including earthworks and/or construction of part of the basement structure for stages 2, 3, 4, 5, 6 and 14;
- Temporary works including bus turning loop and changes to Wolli Creek Station Access;
- Stratum subdivision; and
- Associated landscaping and infrastructure works.

This report has been prepared by JBA on behalf of Discovery Point Pty Ltd and Discovery Point Devt Pty Ltd. The report describes the proposed modifications and the reasons it is required.

The proposed modifications to the Stage 1 Project Approval relate to expanding the extent of basement level car parking beneath the Neighbourhood Park and removing the temporary park fronting Magdalene Terrace.

1.1 Background to the Original Approval

Previous Master Plan Consent

Rockdale Council granted consent to a Master Plan DA 500/01 on 11 April 2001 for the development of the Discovery Point site.

Three building stages have been built under the previously approved master plan consent. These buildings are known as “Greenbank”, “Vine” and “Verge”. All future buildings will be developed under the new Concept Plan.

Approved Concept Plan

In September 2009, Discovery Point Pty Ltd embarked on a process of a Voluntary Design Competition, with the primary aim of achieving an improved planning and design outcome for the site. A revised scheme and new master plan for the site was considered necessary for Discovery Point given that desirable design and market conditions had changed significantly since the granting of the original Master Plan consent in 2001.

The winning Bates Smart design formed the basis of a Concept Plan application to the Department of Planning under Part 3A of the EP&A Act. The Concept Plan was approved by the Minister for Planning under delegation to the Director General of Planning on 5 May 2011 subject to a number of conditions (MP 10_0003).

Concept Plan - Development Stages Status

Since the Concept Plan was approved, two (2) subsequent applications for Stage 1 and Stage 6 have been approved as Part 3A 'transitional projects'. Two further buildings (Stage 2 and Stage 7) have been lodged with Rockdale City Council.

Stage 1 Project Application

The Stage 1 Project Application (MP10_0030) Environmental Assessment Report was submitted to the Department of Planning and Infrastructure (DP&I) on 24 June 2011. Public exhibition of this application concluded on 16 August 2011 and the Preferred Project Report was submitted in November 2011 for final assessment. A Project Approval under Section 75J on the EP&A Act was granted by the Department on 19 March 2012.

Figure 1 illustrates the Concept Plan boundary and the general extent of works under the Stage 1 Project Approval. The Stage 1 Project Approval has not been modified previously.



Figure 1 – Existing Built Stages and Concept Plan Site

2.0 Background to the Modifications

Since approval of the Concept Plan detailed design development has been carried out for Buildings 1, 2, 6 and 7. This has resulted in the lodgement and approval of two detailed design applications with the Department of Planning for Stage 1 (Building 1B and Building 1C) and Stage 6 (Building 6) and the lodgement of two detailed design development applications with Rockdale City Council for Stage 2 and Stage 7.

With the staged development of Discovery Point well underway, the more detailed design of individual buildings and site wide infrastructure have highlighted some constraints with achieving more than the minimum number of car spaces permitted by the Concept Plan approval.

The envelope of the proposed extent of basement included in the Concept Plan for instance is planned to be shifted away from the main Illawarra Railway Line to address some detailed design issues associated with building immediately adjacent to the rail corridor. This overall positive change results in a reduction to the area available for basement level car parking across the Discovery Point site. Furthermore, it is desirable that some one bedroom apartments be provided with a car parking space which exceeds the minimum requirement of nil (but still complies with the maximum of 1).

The residential parking rates that were established under the Concept Plan are considered suitable to meet demand and were supported by a detailed traffic assessment. However, with the proposed revised extent of basement parking and other non-residential parking rates that need to be complied with, it means that the expected future demand for car parking of residential development across the site may not be fully met from a market perspective.

Further review of the Concept Plan and Stage 1 Project Approval has subsequently been undertaken in relation to addressing future residential car parking requirements. This application (together with a concurrent modification application lodged in relation to the Concept Plan Approval – MP10_0003) seeks to address the provision of car parking, whilst ensuring compliance with the overall maximum car parking 'cap' (of 2,240 spaces) imposed across the site remains. This is to be achieved through two mechanisms, the first being to enable car parking to occur at basement level below the neighbourhood park/ deep soil zone (the subject of this modification application), the second through reducing the commercial car parking rate from 1 space per 50sq.m of GFA to 1 space per 100sq.m of GFA (the subject of the Concept Plan modification application).

In addition, due to a revision in the extent of the site establishment zone and construction methodology in delivering Stage 1, a temporary park is no longer proposed to be established along Magdalene Terrace on future building sites 3 and 5 (refer to **Figure 2**).

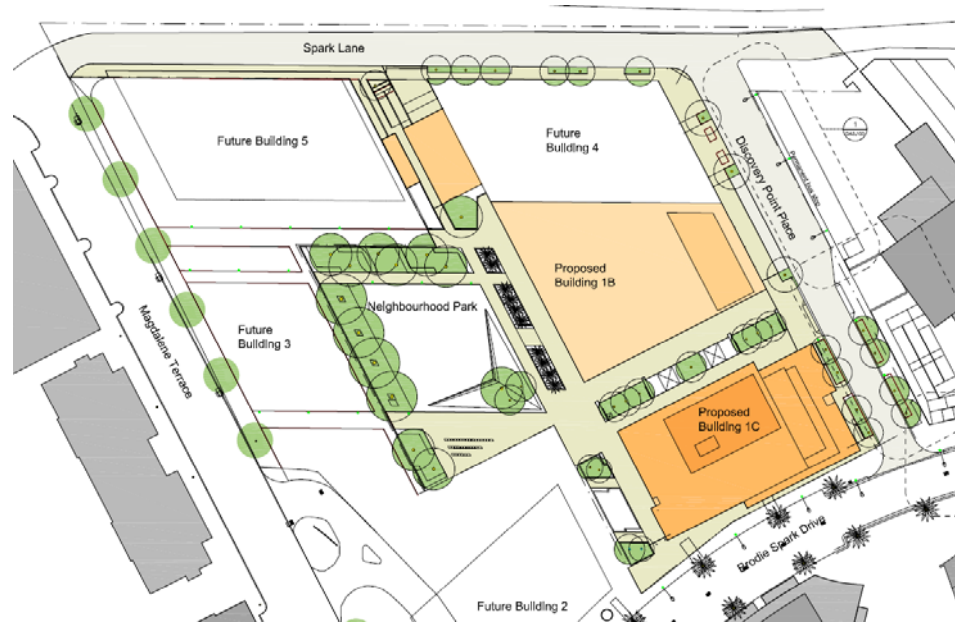


Figure 2 – Site Plan

3.0 Description of Proposed Modifications

The proposed modifications to the approved Concept Plan are described in this section. This Section 75W application relates to expanding basement car parking beneath the Neighbourhood Park together with removing references to the provision of a temporary park along Magdalene Terrace.

To implement these modifications, a number of approved plans require amendment. Amended architectural, landscaping and engineering plans are accordingly included at **Appendix A, B and C** respectively.

3.1 Proposed Modifications to the Approval

Words proposed to be deleted are shown in ~~bold strike-through~~ and words to be inserted are shown in ***bold italics***.

Schedule 2

Condition A2 – Development in Accordance with Plans and Documentation

The development will be undertaken in accordance with MP No. 10_0030 and the Environmental Assessment dated June 2011, prepared by JBA Planning Pty Ltd, except where amended by:

- *the Preferred Project Report dated November 2011, and all appendices;*
- *additional information submitted by JBA Planning on 15 and 23 December 2011 and 5 March 2012;*
- ***Section 75W Modification by JBA Planning dated August 2012;***
- *Statement of Commitments prepared by JBA Planning;*
- *BASIX Certificate Nos. 343553M and 343532M; and*
- *the following drawings:*

Drawing No	Revision	Name of Plan	Date
<i>Architectural Drawings prepared by Bates Smart Pty Ltd:</i>			
DA1-001	C <i>D</i>	Location Plan	22/06/11 <i>8/08/12</i>
DA1-002	A	Site Analysis	22/06/11
DA1-101	D	Proposed Site Plan	15/11/11
DA2.101	C <i>D</i>	Basement Level B0 Part Plan (West)	11/11/11 <i>8/8/12</i>
DA2.102	B	Basement Level B0 Part Plan (East) & Basement Level B1 Plan	11/11/11
DA2.103	B	Basement Level B2 Plan	11/11/11
DA2.104	B	Basement Level B3 Plan	11/11/11
DA2.200	E <i>F</i>	Ground Level Plan	15/11/11 <i>8/8/12</i>
DA2.201	C	Level 01 Plan	11/11/11
DA2.202	C	Level 02 Plan	11/11/11
DA2.203	B	Level 03 – 10	11/11/11
DA2.204	D	Level 11 – 13 & Plant Level Plan	11/11/11
DA2.205	D	Roof Level Plan	11/11/11
DA3.100	D	Permanent and Temporary Bus Stops	15/11/11
DA3.101	D	Station Stairs (as amended by SK581 below)	15/11/11
DA8.001	B	Section E – Linc Tower East Elevation Section C – Building 1C East Elevation	11/11/11

Drawing No	Revision	Name of Plan	Date
DA8.002	B	North Elevation & Section 1 – Building 1B & 1C South Elevation	11/11/11
DA8.003	B	West elevation, Section B – Building 1B East Elevation, & Section A	11/11/11
DA8.004	B	Section D & Section 2	11/11/11
DA8.100	A	Sections 3 and F	8/08/12
DA8.101	C	Western Boundary Section, Spark Lane	11/11/11
SK581	-	Sketch and information submitted with letter dated 23 December 2011 for temporary station stairs and ramp	8/12/11
SK582	-	Sketch and information submitted with letter dated 23 December 2011 for temporary station stairs and ramp	8/12/11
<i>Landscape Plans prepared by Turf Design Studios:</i>			
L3	D E	State 1 Landscape Masterplan	18/11/11 14/08/12
L4	D	Street Typology – Brodie Spark Drive	18/11/11
L5	C	Street Typology – Discovery Point Place	18/11/11
L6	C	Street Typology – Spark Lane	18/11/11
L7	D E	Neighbourhood Park + Stage 1 – Landscape Plan	18/11/11 14/08/12
L8	E D	Neighbourhood Park – Design Intent	18/11/11 14/08/12
L9	E D	Neighbourhood Park – Section AA	18/11/11 15/08/12
L10	E D	Neighbourhood Park – Section BB	18/11/11 15/08/12
L11	E D	Neighbourhood Park – Section GG	18/11/11 15/08/12
L12	C	Neighbourhood Park – Planting	18/11/11
L13	C	Podium Rooftop 1B – Landscape Plan	18/11/11
L14	C	Unnamed	18/11/11
L15	C	Tower Rooftop 1C – Landscape Plan	18/11/11
L16	A	Unnamed	18/11/11
L17	A	Rooftop Terrace – Planting	18/11/11
L18	A	Stage 1 PA Landscape Report	15/08/12
<i>Engineering Plans prepared by Bonacci Group Pty Ltd:</i>			
CSK01	P5 P6	Pavement / Stormwater Trunk-Drainage Plan Layout	21/01/11 17/08/12
CSK02	P3	Stage 1 Pavement / Stormwater Sections	21/01/11
CSK03	P3 P4	Stage 1 Stormwater Catchment Plan Layout	21/01/11 17/08/12
C005	07 B	Early Earthworks Bulk Earthworks Plan	15/12/11 16/08/12
C006	07 B	Early Earthworks Bulk Earthworks Sections – Sheet 1	15/12/11 17/08/12
C007	07 B	Early Earthworks Bulk Earthworks Sections – Sheet 2	15/12/11 17/08/12
C126	03	Typical Road Sections	07/10/11
C005	04	Stg 6 Bulk Earthworks	25/11/11
C006	04	Stg 6 Bulk Earthworks Sections Sheet 1	25/11/11
C007	04	Stg 6 Bulk Earthworks Sections Sheet 2	25/11/11

Reason: This condition is updated to reflect the proposed expanded basement car parking beneath the Neighbourhood Park, to remove reference to the establishment of a temporary park on sites 3 and 5 and references this modification application.

4.0 Environmental Assessment

4.1 Traffic and Parking Considerations

The approved Basement Level B0 is proposed to be expanded south, providing additional car parking beneath the Neighbourhood Park for future residents.

Approval is not sort at this stage for the use of this basement area for car parking, as it is physically isolated from the Stage 1 basement and will form part of the future basement to serve Building 3. Details in terms of how this basement area will be accessed, car parking layout details etc will therefore form part of a future development application to be submitted to Council as part of the Stage 3 DA.

The inclusion of the basement as part of the Stage 1 Project Approval enables it to be physically constructed and to form part of the Stage 1 works contract (which covers the Neighbourhood Park above).

As noted, it is not proposed for the maximum car parking 'cap' of 2,240 spaces to be varied. This 'cap' will remain in place. Through a combination of increasing the physical extent of residential parking areas across the Discovery Point site (whilst remaining wholly within the Concept Plan approved revised basement extent) together with reducing the commercial car parking rate (the subject of a concurrent modification application to the Concept Plan) it enables the projected car parking demand for residential development to be met for all future stages.

4.2 Deep Soil Zone

Basement parking across the site is constrained by a range of factors including rail corridors, heritage, and groundwater. Therefore, there is a need to maximise parking within that part of the Discovery Point site that is suitable for this purpose, including beneath the proposed Neighbourhood Park.

The Neighbourhood Park as approved was intended to contribute to the broader site's extent of deep soil. Notwithstanding this, it is noted that the Neighbourhood Park was to be installed over compacted fill (required in order to provide a cap to existing soils in accordance with the soil contamination recommendations). Therefore its function in terms of acting as a deep soil zone was already diminished (i.e. the Neighbourhood Park was not to be located in an area of natural ground with natural soil profiles).

There will importantly remain significant areas of the broader site that will act as true deep soil zones, including Discovery Point Park and Waterfront Park. These areas are substantial in size and considered to more than fulfil the requirements for providing deep soil zones.

Furthermore, the construction of the Neighbourhood Park basement structure will not have any impacts on the approved park design or its ability to be sustainable with regard to plant growth (refer to Section 4.3). The proposed amendments will therefore continue to support the achievement of one of the key environmental benefits associated with deep soil zones (i.e. promoting healthy growth of large trees with large canopies). The other key aspect of deep soils zones (i.e. infiltration of rain water to the water table and reduction of stormwater runoff) is addressed in Section 4.4.

This aspect is also concurrently addressed in the Concept Plan Section 75W lodged concurrently with this application.

4.3 Landscaping / Public Domain

Neighbourhood Park

Careful attention has been given to finding a design solution that balances the needs of the development in terms of facilitating additional residential parking on site (within the approved minimum and maximum car parking rates already approved), together with ensuring the landscape concept for the Neighbourhood Park as originally approved is fulfilled.

In this regard, advice has been obtained from a specialist soil consultant (SESL Australia – refer to **Appendix D**) and an arborist (Garry Clubley – refer to **Appendix E**) in terms of developing the design of the proposed basement structure and soil zone beneath the Neighbourhood Park.

The Concept Plan approval identifies the extent of basement across the site in Drawing DA3-B01. This plan shows basement under the area occupied by the Neighbourhood Park in the Stage 1 Approval. Despite this, the intention however was to provide the new Neighbourhood Park as a deep zone (albeit on top of fill) as described in the Environmental Assessment Reports for the Concept Plan and Stage 1 Project Applications.

The relevant revised landscape plans (prepared by Turf Design Studios and included at **Appendix B**) detail the proposed new setting of the Neighbourhood Park above a basement/slab structure and are based on the advice provided by the specialist soil consultant and arborist and civil/structural engineer.

Importantly, there will be no change to the approved landscape design as a result of extending the basement carpark below the Neighbourhood Park (as evident from a comparison between **Figures 3** and **4** below). Central to achieving this outcome is the critical similarities (as identified within **Appendix E**) in the setting of the Neighbourhood Park between the approved and proposed concepts. In the approved design the Neighbourhood Park was to be installed over compacted fill. This would have prevented root breakout to the underlying deep alluvial sands and watertable (i.e. the containerisation of the planting elements). The current proposal for the Neighbourhood Park to be located over a basement structure therefore effectively creates the same underlying conditions for the trees and turf.

Overall, the proposed soil zone, depth and drainage arrangements are adequate (as confirmed by the arborist) to accommodate all the features of the approved park, including:

- A large central lawn with feature tree plantings and surrounding pedestrian walks;
- A 'play' focused water feature with fountain elements; and
- An informal seating area along the western edge within a native tree grove.

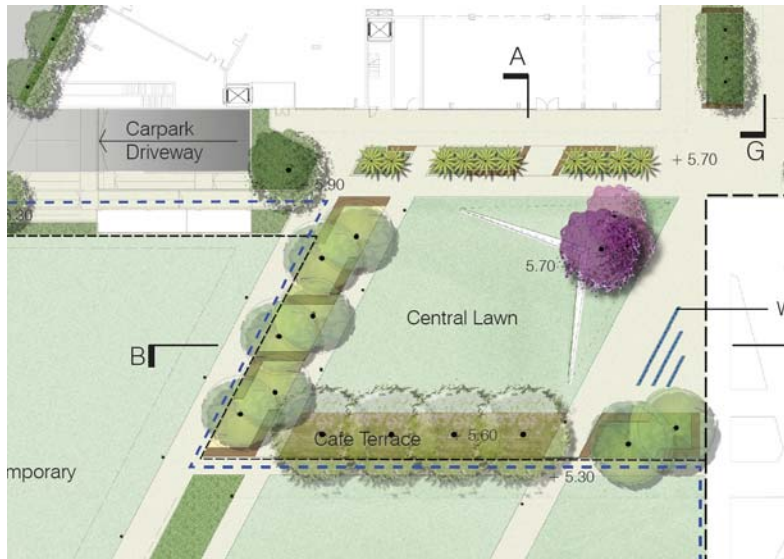


Figure 3 – Extract of approved landscape plan for Neighbourhood Park

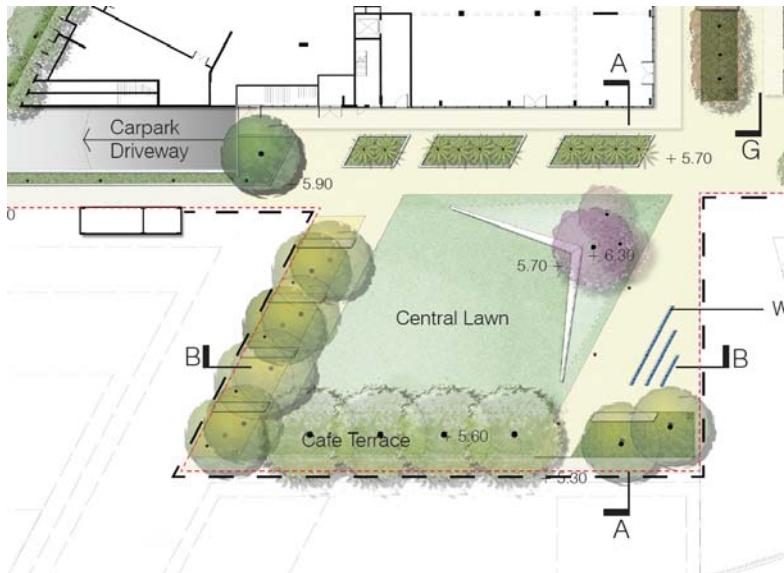


Figure 4 – Extract of proposed 'modified' landscape plan for Neighbourhood Park

In summary, subject to the adoption of the recommendations outlined by the specialist soil consultant, arborist and engineer in terms of drainage (which have been reflected in the revised architectural, landscaping and engineering plans) the growing conditions within the Neighbourhood Park are considered to be acceptable with trees expected to achieve good growth and longer term viability.

Temporary Park

In terms of the removal of the temporary park along Magdalene Terrace, this has primarily resulted from construction requirements associated with delivering Stage 1. Whilst this would have provided interim access and an improved interface with Magdalene Terrace, it is no longer practical or safe to implement. Further, the area is required for site access, set up, materials storage and manufacturing procurement (especially with the timing of Building 4 being brought forward).

The temporary park was never needed to meet open space requirements, and was only a temporary measure to be employed to ensure the site remained presentable during construction staging. Protection/screening of the site in the interim will now include standard hoardings. Ample open space is also available to residents in Discovery Point Park and surrounds during construction.

4.4 Stormwater / Flooding

The proposed revised setting of the Neighbourhood Park over a basement structure (instead of over fill as originally approved) has been considered by Bonacci from a stormwater and flooding perspective (refer to **Appendix C**).

In summary Bonacci confirm that:

- The area available for infiltration is maintained;
- The rate of absorption in both the approved Neighbourhood Park design and the modified Neighbourhood Park design is significantly lower than any design rainfall event, so the designed stormwater system (consisting of pits and pipes and capable of capturing and conveying the 100 year ARI event) operates exactly the same in both cases;
- The introduction of sub-surface drainage prevents the prolonged saturation of the soil (assisting from a runoff perspective as well as a plant health perspective); and
- The changes to the Neighbourhood Park construction methodology do not have an impact on rainwater absorption, retention or capture.

4.5 Heritage

Heritage Reports relating to European Heritage, Indigenous Archaeology and Non-Indigenous Archaeology were prepared by Tanner Architects, Jo McDonald Cultural Heritage Management Pty Ltd and Casey and Lowe Pty Ltd, respectively, during the Concept Plan process. Subsequent reports were prepared specifically relating to the Stage 1 Project Application. These reports considered potential ground disturbance impacts associated with the establishment of the Neighbourhood Park. Therefore, the proposed modifications to the Stage 1 Project Approval do not give rise to any alteration to the assessment of the potential impacts considered as part of the original development application.

Appropriate measures are already in place within the Stage 1 approval conditions (e.g. Condition C16) and statement of commitments to ensure any archaeological heritage found on site is appropriately managed.

5.0 Conclusion

Fulfilling the residential demand for car parking at Discovery Point is not achievable within the extent of basement car park as more than the minimum requirements for car park provision are needed (i.e. some 1 bedroom apartments will require a car space). An opportunity exists to provide additional car parking for residents within the southern precinct beneath the Neighbourhood Park.

The assessment of the proposed modification application indicates establishing car parking beneath the Neighbourhood Park is justified and will not affect the Neighbourhood Park continuing to act as a central focal point for residents of Discovery Point and Wolli Creek to meet/interact and relax, nor will it impact on the ability to provide robust mature landscaping. The assessment also confirms that the modification will have no adverse impacts over and above that expected as part of the Stage 1 Project Approval.

The modification also seeks to remove reference to the provision of a temporary park along Magdalene Terrace. This change is considered minor and has no material impact on the approved development with significant areas of open space in Discovery Point Park and surrounds available for residents during construction.

The modification to Condition A2 of the Stage 1 Project Approval is therefore warranted in this instance.