

Director-General's Requirements

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

Application number	MP 10_0155 (Concept Plan) and MP10_0180 (Project Application)
Project	<p>Concept Plan application for a mixed use residential, retail and commercial development with parking, public open space, new public streets and associated infrastructure works.</p> <p>Stage 1 Project Application for subdivision, partial demolition and construction of 2 to 6 storey residential and mixed use residential/retail/commercial buildings with basement car parking, together with infrastructure works including new public roads.</p>
Location	2-32 Smith Street, Summer Hill
Proponent	SJB Planning on behalf of EG Funds Management Pty Ltd
Date issued	16 DECEMBER 2010
Expiry date	If the Environmental Assessment 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>CONCEPT PLAN</p> <p>The Environmental Assessment (EA) must address the following key issues:</p> <ol style="list-style-type: none"> 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/Urban Design <ul style="list-style-type: none"> The EA shall address the height, bulk and scale of the proposed development within the context of: <ul style="list-style-type: none"> the surrounding residential area including heritage conservation area/s; the heritage buildings to be retained on site; the adopted Marrickville Council McGill Street Precinct Masterplan; and the Concept Plan application for 78-90 Old Canterbury Road, Lewisham (MP08_0195). The EA shall provide the following: <ul style="list-style-type: none"> Detailed envelope/height and contextual studies demonstrating how the proposal relates to the height of the existing, proposed and approved developments surrounding the subject site and in the locality to ensure the proposal integrates with the local environment and the public domain; Options for siting and orientation of building envelopes, massing and articulation; Visual and view analysis to and from the site from key vantage points; Options for maximising access to and linkages across the proposed Sydney Inner West Light Rail corridor, the proposed Greenway, local path networks and transport facilities such as Lewisham and Summer Hill stations (Evidence of consultation with Railcorp in relation to any work adjacent to the rail corridor and the results of that consultation shall be provided in the EA); and Consideration of any aircraft-related height restrictions (refer to Sydney Airports letter dated 3 December which outlines height restrictions for buildings and temporary structures). The EA shall address the design quality with specific consideration of the façade, massing, setbacks, building articulation, landscape concepts, safety by design and public domain.

3. Land Use

- The EA shall address the relevant metropolitan, regional and local strategies in relation to the desired future mix of land uses, and provide a justification for the amount of residential and non-residential floorspace being proposed.
- The EA shall identify the proportion of housing to be allocated to "affordable housing" and the mechanisms to facilitate this housing including any planning agreement or other binding agreement.

4. Public Domain/Open Space

- The EA must explain the type, function and landscape character of the various private, communal and public areas on site. Pedestrian circulation and linkages between each space should be demonstrated in a schematic form.
- The EA must consider the connectivity to and pedestrian/cycle linkages between the site, the proposed Sydney Inner West light rail corridor and station adjacent to the site, the proposed Greenway, the local path network, Lewisham and Summer Hill Stations, the adopted Marrickville Council McGill Street Precinct Masterplan and the Concept Plan application for 78-90 Old Canterbury Road, Lewisham (MP08_0195). The landscape design treatment should be considered in connection with the Greenway/Light Rail crossing/station design to create a unique identity and high quality public place.
- The EA shall include details on the dedication proposed public areas, including public pedestrian and vehicular access on site and to the proposed light rail station, and consider on-going maintenance needs and costs and public liability cover.
- The EA is to demonstrate how the design of proposed structures and the treatment of public domain and open spaces will:
 - Maximise safety and security within the site and the public domain.
 - Maximise surveillance and activity within the site and the public domain.
 - Comply with Crime Prevention Through Environmental Design (CPTED) principles.
 - Ensure access for people with disabilities.
 - Minimise potential for vehicle and pedestrian conflicts.

5. Environmental and Amenity Impacts

- The EA must address solar access, overshadowing, acoustic privacy, visual privacy and view loss and achieve a high level of environmental and residential amenity.
- The EA must consider any cumulative impacts of the proposal taking into consideration the proposed Sydney Inner West light rail corridor and station adjacent to the site, the proposed Greenway, the adopted Marrickville Council McGill Street Precinct Masterplan and the Concept Plan application for 78-90 Old Canterbury Road, Lewisham (MP08_0195).
- The EA must demonstrate how the Concept Plan addresses the requirements of SEPP 65 and the associated Residential Flat Design Code (RFDC).

6. Transport and Accessibility (Construction and Operational)

- The EA shall provide a Traffic Management and Accessibility Plan (TMAP) prepared in accordance with the RTA's guidelines for TMAP's and to be prepared with reference to the *Metropolitan Transport Plan – Connecting the City of Cities*, the *NSW State Plan 2010*, *NSW Planning Guidelines for Walking and Cycling*, the *Integrating Land Use and Transport* policy package and the RTA's *Guide to Traffic Generating Developments*;
 - The TMAP shall consider traffic generation of the various land uses on site (including daily and peak traffic movements), any required road/intersection upgrades and analysis of intersection capacities to ensure adequate levels of services are maintained, access (including waste collection, deliveries and emergency vehicle access), loading dock(s) including vehicle type and delivery times, car parking arrangements, the impact of additional parking demand for on-street parking in surrounding / adjacent streets, measures to promote public transport usage and pedestrian and bicycle linkages;

- The TMAP shall model the relevant intersections and road network as detailed in the RTA's letter dated 3 December 2010 and Ashfield Council's letter dated 1 December 2010 (Point 6), provide an estimate of the total trips generated by the proposed development and analyse the impact on the road network.
 - The TMAP shall consider any cumulative impacts of the proposal in the context of approved and proposed development within the vicinity of the site:
 - the proposed Sydney Inner West light rail corridor and station,
 - the proposed Greenway,
 - the local path network,
 - Lewisham and Summer Hill stations,
 - the adopted Marrickville Council McGill Street Precinct Masterplan and
 - the Concept Plan application for 78-90 Old Canterbury Road, Lewisham (MP08_0195);
 - The TMAP should consider the appropriate provision of on site car parking for the proposal having regard to the site's very high accessibility to public transport, local planning controls and the RTA guidelines. (**Note:** the Department supports reduced car parking rates). Parking provision for shared cars and adaptive re-use of parking for storage or other uses should also been specifically addressed; and
 - The TMAP should consider demand for on-street parking by potential future light rail users and the need and costs associated with the implementation of a resident parking scheme on the site.
 - The EA shall provide a Transport Map detailing current and proposed public transport provision (bus, rail and light rail) and walking and cycling connections within the vicinity of the site and address the potential for improving accessibility to and from the site, to and from Lewisham and Summer Hill Stations, and connections to the wider region via sustainable transport modes.
 - The EA shall identify measures to manage travel demand, increase the use of public and non-car transport modes, and assist in achieving the objectives and targets set out in the NSW State Plan 2010.
 - The EA should demonstrate impacts of travel demand on bus operations and investigate the provision of bus priority measures at the intersection of Railway Terrace and Old Canterbury Road, and the potential signalised intersection of Edward Street and Old Canterbury Road.
 - The EA should address the potential for implementing a location specific sustainable travel plan, such as a Workplace Travel Plan (WTP) for workers and/or a Travel Access Guide (TAG) for visitors of the site.
- 7. Economic Impact Assessment**
- The EA shall address the economic impact of the proposal and include a detailed investigation into the impact of the proposed retail floor space upon surrounding centres. The EA shall address how the proposal would support the objectives/aims of relevant State and regional strategies for the locality.
 - The EA must consider any cumulative impacts of the proposed retail floor space on the site and the proposed retail floor space within the McGill Street Precinct Masterplan and the Concept Plan application for 78-90 Old Canterbury Road, Lewisham (MP08_0195).
- 8. Noise and Vibration**
- The EA should address the issue of noise and vibration impacts (including from road, heavy rail and aircraft) and provide details of how these will be managed and ameliorated through the design of the building, in compliance with relevant Australian Standards and the Department's *Interim Guidelines for Development near Rail Corridors and Busy Roads*.
- 9. 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.

10. Heritage and Archaeological

- The EA shall provide a Heritage Assessment of the site, and a Statement of Heritage Impact for the proposal undertaken in accordance with the Burra Charter assessment procedures.
- The EA shall nominate heritage items to be retained on site and establish urban design principles for proposed buildings to relate and have a sympathetic scale and form to heritage items on the site and the adjacent heritage conservation area.
- 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.

11. Drainage / Water Management / Flooding

- The EA shall address drainage/flooding issues associated with the development/site, including stormwater, overland flows, proximity to Hawthorne Canal, drainage infrastructure and incorporation of Water Sensitive Urban Design measures.
- The flood assessment and drainage design should consider the development of the site, in addition to any cumulative impacts of the proposed light rail station located in the floodplain and the development yield of the McGill Street Precinct Masterplan and the Concept Plan application for 78-90 Old Canterbury Road, Lewisham (MP08_0195).
- Evidence of consultation with the NSW Office of Water in relation to the potential impacts on Hawthorne Canal and possible rehabilitation/mitigation measures and the results of that consultation shall be provided in the EA.

12. Groundwater Management

- The EA is to identify groundwater issues and potential degradation to the groundwater source and shall address any impacts upon groundwater resources, and when impacts are identified, provide contingency measures to remediate, reduce or manage potential impacts.

13. Rail Impacts

- The EA shall address geotechnical issues and any impacts on the adjacent light rail corridor. A Geotechnical Report, Structural Report and Construction Methodology in accordance with RailCorp's "Standard Brief".

14. Contamination

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

15. Flora & Fauna

- The EA shall address impacts on flora and fauna, including threatened species, populations and endangered ecological communities and their habitats and steps taken to mitigate any identified impacts to protect the environment, both marine and land in accordance with DECC "*Threatened Species Assessment Guidelines 2007*". In this regard, the EA shall include a detailed survey (using a variety of survey methods by a suitably qualified person) of the endangered long-nosed bandicoot population which occurs in this area, and determine whether and how they are using the site and adjoining areas, and assess any potential impact or threat to the population.
- The Commonwealth Department of Environment, Water, Heritage and the Arts should be consulted to ascertain whether the proposed development triggers the need for an assessment and approval under the *Commonwealth Environment Protection and Biodiversity Conservation Act 1999*.

16. 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 Planning Agreement or other legally binding instrument proposed to facilitate this development.

17. Consultation

- Undertake an appropriate and justified level of consultation in accordance with the Department's *Major Project Community Consultation Guidelines October 2007*, including discussion with relevant agencies.

18. Utilities

- In consultation with relevant agencies, the EA shall address the existing capacity and requirements of the development for the provision of utilities, including staging of infrastructure works. Utility capacity planning needs to be considered in the context of the development yields within the McGill Street Precinct Masterplan and the Concept Plan application for 78-90 Old Canterbury Road, Lewisham (MP08_0195).

19. Staging

- The EA must include details regarding the staging of the proposed development (if staged) including details of subsequent Project Applications and Construction Staging.

20. Statement of Commitments

- The EA must include separate draft Statement of Commitments for the Concept Plan and the Stage 1 Project Application detailing measures for environmental management, mitigation measures and ongoing monitoring for the project.

STAGE 1 PROJECT APPLICATION

In addition to addressing relevant items from the list above, the EA for the Project Application must give **detailed** consideration to the following additional project-specific matters:

21. Urban Form and Design

- The EA shall address all relevant requirements of SEPP 65 and the associated Residential Flat Design Code (RFDC).
- The EA shall include with specific consideration of the façade, massing, setbacks, building articulation, appropriate colours, materials, finishes, landscaping, safety by design and public domain, including an assessment against the CPTED Principles.
- The EA shall detail provision of appropriate private and public open space for Stage 1.

22. Heritage

- The EA shall identify all heritage impacts associated with Stage 1 works, and provide a detailed Statement of Heritage Impact for Stage 1 works detailing and evaluating any impacts that the development would have on the heritage significance of the site, including both built and landscape heritage (if applicable).

23. Drainage/Flooding

- The EA shall identify any water management structures proposed to service the Stage 1 Project Application, including any dams, swales or detention basins. Information regarding the size, location, capacity and purpose of any water management structures.

24. Staging and Infrastructure

- The EA shall address how the Stage 1 Project Application development will integrate with the overall Concept Plan proposal, including details of infrastructure work required to ensure that Stage 1 is fully serviced and provided with an appropriate level of infrastructure.

25. Construction Impacts

- The EA shall address noise and other impacts during the construction phase of the development and address how these will be managed and mitigated in accordance with the *"Interim Construction Noise Guideline"* (DECCW, 2009).
- The EA shall provide a Construction Traffic Management Plan (CTMP) to mitigate any potential impacts to accessibility, amenity and safety of public transport use, walking and cycling during construction, including access arrangements for emergency vehicles and workers and an estimation of the number of truck movements expected

	<p>during the construction phase.</p> <p>26. Rail impacts</p> <ul style="list-style-type: none"> Given the possible likelihood of objects being dropped or thrown onto the rail corridor from balconies, windows and other external features (eg roof terraces and external fire escapes) that face the rail corridor, any part of the proposal within 20m of the rail corridor is required to include measures (eg awning windows, louvres, enclosed balconies etc) which prevent the throwing of objects onto the rail corridor. <p>27. Ecologically Sustainable Development (ESD)</p> <ul style="list-style-type: none"> The EA must demonstrate that the development has been assessed against a suitably accredited rating scheme to meet industry best practice and relevant Council controls.
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
- Sydney Metropolitan Strategy
- Draft Inner West Subregional Strategy and Draft South Subregional Strategy
- SEPP (Major Development) 2005
- SEPP (Building Sustainability Index: BASIX) 2004
- SEPP 65 - Design Quality of Residential Flat Development and the Residential Flat Design Code (RFDC)
- SEPP (Infrastructure) 2007
- SEPP 55 - Remediation of Land
- Draft SEPP (Competition)
- Ashfield Local Environmental Plan 1985 and relevant Ashfield Council documents including relevant Development Control Plans
- Marrickville Local Environment Plan 2001 and relevant Marrickville Council documents including relevant Development Control Plans
- Adopted Marrickville Council McGill Street Precinct Masterplan
- Metropolitan Transport Plan 2010
- NSW Bike Plan 2010
- Planning Guidelines for Walking and Cycling
- Integrating Land Use and Transport Policy Package 2001
- Healthy Urban Development Checklist 2010
- Development Near Rail Corridors and Busy Roads – Interim Guideline
- Airports Act 1996 and the Airports (Protection of Airspace) Regulations 1996
- Threatened Species Conservation Act 1995
- Environment Protection and Biodiversity Conservation Act 1999
- "GreenWay Group" Design Principles for Major Development fronting the GreenWay Corridor
- 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>	<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 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 DoP Planning Circular PS10-008); 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>	<p>CONCEPT PLAN APPLICATION</p> <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 prepared by a registered surveyor 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, including identification on whether there are any encroachments onto adjacent land; • the common boundary with any RailCorp landholding and any easements and right-of-ways; • 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, plans and elevations of the station, station concourse, platform and existing pedestrian access points, pedestrian flows, existing 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:
 - the location of any existing and proposed building envelopes or structures on the land in relation to the boundaries of the land, setbacks to top of bank/riparian corridors and any development on adjoining land;
 - building envelopes and heights/ levels;
 - extent of basement car parking and deep soil zones;
 - envelope/ land use staging plans and diagrams;
 - 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;
 - any changes that will be made to the level of the land by excavation, filling or otherwise;
 - indicative section drawings showing overall site, building massing and storeys, topography of land, major landscaping, roads, major infrastructure, cur and fill, and the location of the rail corridor boundary and the location of the nearest light rail infrastructure, ie. stanchions and tracks.
5. **A Physical Massing Model** of the proposed development at an appropriate scale for the Concept Plan proposal and which clearly identifies those works associated with Stage 1.
6. **Other documents / plans:**
 - **Stormwater Concept Plan** - illustrating the concept for stormwater management.
 - **Flooding Report** - prepared by a recognised professional which assesses pre and post development flooding implications and mitigation measures in accordance with the NSW Floodplain Development Manual (2005), including the potential effects of climate change, sea level rise and an increase in rainfall intensity. The flood assessment shall consider pre-development flood impacts on the site, the extent of the 1 in 100 year floodplain, and implications for the proposed site layout, building location and habitable floor levels and the post-development implications of any works within the floodplain and measures to mitigate impacts.
 - **Geotechnical 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.
 - **View Analysis** - Visual aids such as photomontages 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 and may include a 3 Dimensional Model of the proposed development (in CADD format, capable of being imported into Council's computer "Ashfield Simurban" model).
 - **Public Domain/Landscape Concept 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.
 - **Flora and Fauna Report** – to assess the potential flora and fauna impacts and measures to mitigate impacts.
 - **Arborist Report** – outlining retention of existing significant trees within public and communal open space wherever possible, providing justification for trees to be removed and detailing protective measures for the trees to be retained on or in the vicinity of the site.

- **Heritage impact statement** – prepared in accordance with the NSW Heritage Manual and illustrating the impact of the proposed re-use of the building on its heritage value.
- **Archaeological Assessment** – of Aboriginal and non-Indigenous archaeological resources, including an assessment of the significance and potential impact on the archaeological resources.

STAGE 1 PROJECT APPLICATION

In addition to the general assessment requirements specified above, the following additional detailed requirements relate to the preparation of the Stage 1 Project Application (MP10_0180):

1. **Detailed Architectural drawings** at an appropriate scale, illustrating:
 - the location of any existing buildings 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;
 - large scale elevation and section plans showing building fenestration, articulation, height, entries, windows, balconies and other features, other structures, road/footpath/cycleway pavements, cut and fill, basements, parking, landscaping, and labelled dimensions for space allocation.
 - elevation plans providing details of proposed external building materials and finishes and colour scheme(s);
 - section plans showing the location of the rail corridor boundary and the location of the nearest light rail infrastructure, ie. stanchions and tracks;
 - accessibility requirements of the Building Code of Australia and the Disability Discrimination Act; and
 - notation of the height(s) of the development (AHD) in relation to the land, the level of the lowest floor, the level of any unbuilt areas and the level of the ground, and identification of any changes that will be made to the level of the land by excavation, filling or otherwise.
2. **Detailed Landscape plans** detailing existing and proposed plantings, any trees to be removed, detention basins, fences, paving and the like, with specific details on the size and species of proposed plantings provided, along with an **Arborist Assessment** of any trees to be removed.
3. A **Schedule of Materials and Finishes** and a **Sample Board**, detailing all proposed materials and external finishes.
4. A **Stormwater and Drainage Plan** indicating the concept for stormwater management, designed in accordance with Council's guidelines.
5. A **Construction Management Plan** to mitigate impacts on neighbouring properties, including the adjacent rail corridor, and on nearby roads, including impacts on pedestrians and cyclists.
6. An **Access Report** to demonstrate compliance with the various Discrimination and Disability regulations for the building and open space areas, as well as access to the surrounding public spaces and integration with surrounding pathways and transport facilities.
7. An **Integrated Water Management Plan** and **Infrastructure Management Plan** should be prepared in accordance with Sydney Water's requirements.

<p><u>Documents to be submitted</u></p>	<ul style="list-style-type: none"> • 1 hard copy of the EA, plans and documentation, and 1 copy on CD-ROM for the Test of Adequacy; • Once the EA has been determined adequate and all outstanding issues adequately addressed, 8 hard copies of the EA for exhibition; • 8 sets of architectural and landscape plans to scale, including two (2) sets at A1 size (to scale); and • 10 copies of the Environmental Assessment and plans on CD-ROM (PDF format), each file not exceeding 5Mb in size. <p><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.</p>
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