

## Section 75W to Concept Plan (MP10\_0003)



### 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

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Date 30/08/2012

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Date 30/08/2012

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## 1.0 Introduction

This Environmental Assessment Report for modifications to the approved Concept Plan for 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 approved Concept Plan allows for a mixed use development including:

- Use of the site for a mixed use development with associated public open space;
- Building envelopes for 14 buildings to a maximum height of 79.65m AHD;
- Maximum GFA of 132,000m<sup>2</sup>;
- Basement level, ground and above ground parking (with a maximum of 2,240 spaces not to be exceeded);
- Road works to support the development;
- Public pedestrian and cycle pathway; and
- Landscaping areas throughout the site.

The future detailed design of each building is to be guided by the Discovery Point Development Design Guidelines.

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

The proposed modifications to the Concept Plan approval relate to amending the parking rate for non-residential development (commercial), modifying the basement extent across the site, and clarifying the deep soil zone extent.

### 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” (refer **Figure 1**). 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).

The approved Concept Plan was a finalist at the UDIA Awards for Excellence in 2010 in the category of 'Concept Ideas'.

Two buildings have been approved under the Concept Plan Approval being Stage 1 and Stage 6 as Part 3A 'transitional projects'. Two further buildings (Stage 2 and Stage 7) have been lodged with Rockdale City Council.



**Figure 1 – Existing Built Stages and Concept Plan Site**

### Modified Concept Plan

Approval was granted on 15 June 2012 to amend the Concept Plan (MP10\_0003 MOD 1). The modification related to:

- removing the numerical standard for solar access in relation to Building 6;
- making an administrative amendment to correct the building separation diagram; and
- associated amendments to the Development Design Guidelines.

## 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 required 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 Stage 1 Project Approval – MP10\_0030) 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 second through reducing the commercial parking rate from 1 space per 50sq.m of GFA to 1 space per 100sq.m of GFA.

In addition and as noted, adjustments to the envelope extent of the proposed basement are required and are being proposed under this application. These amendments involve:

- Pulling the basement away from the rail corridor (Illawarra and South Cost Rail Line) to the west of the site. This change was flagged within the Stage 1 PPR, where approved plans locate the basement extent away from the rail corridor. This detailed design change is necessary in order to provide for simpler construction of basement structures, and ensure that the interface and potential for impacts on the rail corridor are further minimised/avoided; and
- Correspondingly pushing the extent of the basement to the south towards/adjoining Magdalene Terrace (still wholly contained within land owned by Discovery Point Pty Ltd). This change seeks to partially compensate for the loss of the basement parking area along the rail corridor. It is noted that the Stage 2 DA currently under assessment by Council includes basement parking adjoining Magdalene Terrace in accordance with this revised extent.

As noted a concurrent Section 75W modification application in relation to Stage 1 (MP10\_0030) has been lodged and which details the basement car park proposed beneath the Neighbourhood Park.



## 3.0 Description of Proposed Modifications

The proposed modifications to the approved Concept Plan are described in this section.

### 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***.

*Condition A2 – Development in Accordance with Plans and Documentation*

*The approval shall be generally in accordance with MP 10\_1003 and the Environmental Assessment prepared by JBA Planning dated August 2010, except where amended by the Preferred Project Report prepared by JBA Planning dated December 2010 and Section 75W Modification dated April 2012 **and the Section 75W Modification by JBA Planning dated August 2012**, and the following drawings and documents*

Architectural Drawings prepared by Bates Smart			
<i>Drawing No</i>	<i>Revision</i>	<i>Name of Plan</i>	<i>Date</i>
DA1-001	A	Location Plan	16.06.2010
DA1-002	D	Site Analysis	16.12.2010
DA3-001	G	Proposed Building Envelopes	30.01.2012
DA3-B01	<del>D</del> G	Proposed Basement Extent	<del>14.12.2010</del> 28.8.2012
DA3-002	C	Building 1B Envelope Parameters	23.02.2011
DA3-003	B	Building 1C Envelope Parameters	10.12.2010
DA3-004	C	Building 2 Envelope Parameters	23.02.2011
DA3-005	B	Building 3 Envelope Parameters	10.12.2010
DA3-006	B	Building 4 Envelope Parameters	10.12.2010
DA3-007	B	Building 5 Envelope Parameters	10.12.2010
DA3-008	B	Building 6 Envelope Parameters	10.12.2010
DA3-009	A	Building 7 Envelope Parameters	16.06.2010
DA3-010	B	Building 8 Envelope Parameters	10.12.2010
DA3-011	B	Building 9 Envelope Parameters	10.12.2010
DA3-012	B	Building 10 Envelope Parameters	10.12.2010
DA3-013	B	Building 11 Envelope Parameters	10.12.2010
DA3-014	B	Building 12 Envelope Parameters	10.12.2010
DA3-015	B	Building 13 Envelope Parameters	23.02.2011
DA3-016	A	Building 14 Envelope Parameters	16.06.2010
DA3-101	C	Street Layout	14.12.2010

Architectural Drawings prepared by Bates Smart			
<i>Drawing No</i>	<i>Revision</i>	<i>Name of Plan</i>	<i>Date</i>
DA3-200	C	Extent of Above Ground Parking – Ground Floor Level	14.12.2010
DAD-201	B	Extent of Above Ground Parking – First Floor Level	10.12.2010

Documents			
<i>Reference</i>	<i>Revision</i>	<i>Title</i>	<i>Date</i>
10710	<del>May 2012</del> August 2012	Discovery Point Concept Plan Design Guidelines	<del>24/05/2012</del> 30/08/2012

**Reason:** This condition is updated to reflect the revised Proposed Basement Extent Diagram (included at **Appendix A**), the revised Development Design Guidelines (amended to reflect the revised commercial parking rates and remove reference to deep soil zone under the Neighbourhood Park – included at **Appendix B**) and references this modification application.

#### Schedule 4 Final Statement of Commitments

**Table 1** – Final Statement of Commitments

<i>Subject</i>	<i>Commitments</i>	<i>Approved by Whom</i>	<i>Timing</i>
Parking Rates	<p>Parking rates to be utilised across the development in subsequent Project Applications/Development Applications are:</p> <ul style="list-style-type: none"> <li>– Maximum 1 space per studio and one bedroom units;</li> <li>– Minimum 1 space and maximum of 2 spaces per two bedroom units;</li> <li>– 2 spaces per three + bedroom units;</li> <li>– Minimum 1 visitor space per 20 residential units;</li> <li>– Minimum 1 space per <del>50m<sup>2</sup></del> 100m<sup>2</sup> of non-residential GFA (commercial);</li> <li>– Minimum 1 space per 35m<sup>2</sup> of non-residential GFA (retail).</li> <li>– Minimum 1 bicycle space per 15 residential units;</li> <li>– Minimum 1 motorcycle space per 15 residential units;</li> <li>– Minimum 1 bicycle space/200m<sup>2</sup> non-residential GFA, with 15% accessible by visitors;</li> <li>– Minimum 1 motorcycle space/20 non-residential car spaces.</li> </ul>	Department of Planning	No timing. General Statement Of Commitment

**Reason:** This Statement of Commitment is amended to reflect a more appropriate non-residential (commercial) minimum parking rate for the Discovery Point site. A reduced requirement for non-residential (commercial) development also assists with meeting the parking demand generated by residential development.

## 3.2 Proposed Modifications to Development Design Guidelines

### 4.1 Open Space and Landscape Design

#### Objective

- *To enhance the streetscape and promote a scale and density of planting that is appropriate to the surrounding built form.*
- *To provide privacy and enhance environmental amenity.*
- *To promote quality landscape solutions that do not rely on high levels of maintenance.*

#### Controls

- *Landscaped areas should be provided in accordance with the Concept Plan (refer to Landscape Plan at Figure 19).*
- *Deep soil zones are limited to Discovery Point Park, **and** Waterfront Park ~~and part of Neighbourhood Park~~. All other landscaped areas are provided above basement car parks consistent with the Concept Plan.*
- *Landscaped front setback areas are to be consistent with the Concept Plan.*
- *Where basement car parking protrudes above ground level and is not wrapped in residential or retail uses, the facades are to be screened with planting or appropriate treatments.*

**Reason:** This revised wording updates the Development Design Guidelines to enable basement car parking to occur beneath the Neighbourhood Park. The provision of car parking beneath the Neighbourhood Park will ensure that the future demand for parking generated by residential development is met.

### 7.2 Parking Rates

#### Controls

- *Development is to provide on-site parking in accordance with the following rates;*
  - *Maximum 1 space per studio and one bedroom unit;*
  - *Minimum 1 space and maximum 2 spaces per two bedroom unit;*
  - *2 spaces per 3+ bedroom unit;*
  - *Minimum 1 visitor space per 20 residential units;*
  - *Minimum 1 space per ~~50m<sup>2</sup>~~ 100m<sup>2</sup> of non-residential GFA (commercial);*
  - *Minimum 1 space per 35m<sup>2</sup> of non-residential GFA (retail);*
  - *Minimum 1 bicycle space per 15 residential units;*
  - *Minimum 1 motorcycle space per 15 residential units;*
  - *Minimum 1 bicycle space/200m<sup>2</sup> non-residential GFA, with 15% accessible by visitors;*
  - *Minimum 1 motorcycle space/20 non-residential car spaces.*

- *Maximum 2,240 car spaces are to be provided across the Discovery Point Concept Plan site (including parking spaces within Greenbank, Vine and Verge developments).*

**Reason:** This revised wording updates the Development Design Guidelines to reflect a more appropriate non-residential (commercial) minimum parking rate for the Discovery Point site. A reduced requirement for non-residential (commercial) development also assists with meeting the parking demand generated by residential development.

## 4.0 Environmental Assessment

### 4.1 Traffic and Parking Considerations

An assessment of the proposed reduction to the non-residential (commercial) car parking rate for Discovery point has been undertaken by Transport and Traffic Planning Associates (included at **Appendix C**).

This assessment considers the historical context of commercial parking rates applied to the Discovery Point site, reviews commercial parking rates at comparative locations across Sydney, and considers traffic related impacts associated with the proposed reduced commercial parking rate.

In summary, Transport and Traffic Planning Associates conclude that:

- Early studies undertaken in support of the development of Discovery Point identified the need to constrain the parking provision for commercial floorspace;
- All studies and planning documents relevant to the site have recommended the constraint of parking, however the current commercial parking rate of 1 space per 50m<sup>2</sup> GFA is not particularly 'constrained' or reduced;
- The proposed reduced commercial parking rate of 1 space per 100m<sup>2</sup> GFA is comparable to the circumstances at many Metropolitan locations served by rail, such as Parramatta, Bondi Junction, Chatswood etc;
- The proposed reduced commercial parking rate of 1 space per 100m<sup>2</sup> GFA reflects State Government policy for reducing reliance on private travel and encouraging sustainable means of travel (e.g. public transport); and
- A reduction in commercial parking requirements will result in reducing traffic generation.

As noted, it is not the intention for the maximum car parking 'cap' of 2,240 spaces to be varied. This 'cap' will remain in place. Through reducing the commercial car parking rate however it enables priority of basement parking to be allocated to residential development where there is presently envisaged to be insufficient parking spaces to meet future demand and requirements.

### 4.2 Deep Soil Zone

It is noted that amendments to the proposed basement extent diagram (DA3-B01) are sought as part of this modification application. Overall however, the 'extent' of the basement area will be reduced from what was originally approved (refer to **Figure 2**).



**Figure 2** – Comparison of existing and proposed basement extent

Whilst it was originally intended for the Neighbourhood Park to be located above existing ground level and act as a deep soil zone, approval under the Concept Plan was granted to construct a basement across the whole of the southern precinct (including under the approved Neighbourhood Park).

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, this includes beneath the proposed Neighbourhood Park.

There will importantly remain significant areas of the site that will act as 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. 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).

Further details in terms of the design of the basement below the Neighbourhood Park, including confirming that the Neighbourhood Park as approved can still be delivered, consideration of rainwater absorption, water retention etc forms part of the Stage 1 modification application lodged concurrently with this application.

Importantly, there will be no change to the approved landscape design as a result of extending the basement carpark below the Neighbourhood Park with careful detail and attention paid to ensuring that the soil zone and depth and drainage is adequate to accommodate all the features of the approved park, including:

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

## 4.3 Rail Interface

The approved basement extent diagram (DA3-B01) included basement parking in close proximity to the Illawarra and South Cost Rail Line. Detailed design development of individual stages has however resulted in a review of the relationship of the basement extent to this adjoining rail corridor. Accordingly, it has been determined that a more appropriate outcome from both a buildability perspective (in terms of enabling simpler construction of basement structures) and interface perspective (in terms of minimising/avoiding potential impacts on the rail corridor) would be achieved through pulling the basement away from the rail corridor. This proposed change would be expected to be welcomed by RailCorp.

Correspondingly, it is proposed for the basement extent to be pushed south towards Magdalene Terrace within the boundary of land still owned by Discovery Point Pty Ltd. This ensures the area of basement parking that was planned to occur in close proximity to the Rail Line is reapportioned (partially) to a more appropriate location.

## 5.0 Conclusion

Fulfilling the demand and meeting the car parking requirements for residential development at Discovery Point will not be achievable under the existing Concept Plan approval framework. At the same time the traffic assessment has demonstrated that the Concept Plan non-residential (commercial) car parking rate is higher than other comparable locations and a reduction in the commercial rate is warranted given the site's context and history of seeking to constrain commercial parking.

The assessment of the proposed modification application indicates that reducing the commercial parking rate and establishing car parking beneath the Neighbourhood Park is justified and will have no adverse impacts over and above that expected as part of the approved Concept Plan.

Improvements are also proposed as part of the modification application to the relationship of the basement to the adjoining Rail Line.

The modification to Conditions A2 and Schedule 4 - Statement of Commitments (Parking Rates) of the Concept Plan approval and to the Parking Rates and Open Space and Landscape Design section of the Development Design Guidelines is therefore warranted in this instance.