

Section 75 W Modification

Application to Department of Planning and
Infrastructure

Mixed Use Development

21 – 35 Treacy Street, Hurstville

Submitted on behalf of:
Earljest Pty Ltd

April 2012

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EXECUTIVE SUMMARY

This report has been prepared to support an application made pursuant to Section 75W of the Environmental Planning and Assessment Act 1979 (the “Act”) to modify Concept Plan Approval MP 10_0101 for a mixed-use residential and retail development at 21 – 35 Treacy Street, Hurstville granted by the Planning Assessment Commission as delegate for the Minister for Planning on 1 July 2011.

The application is made by Earljest Pty Limited, the proponent nominated in the approval.

Notably, Section 75W was repealed with the repeal of Part 3A of the Act, but has continuing effect for any concept plan approved before the repeal date.

The specific modifications sought to the Concept Plan Approval are:

- Removal of Conditions of Approval A1 (c) & A7 in Schedule 2 Part A – Terms of Approval;
- Include in Condition of Approval A1 in Schedule 2 Part A – Terms of Approval that approval is granted for staged development.
- Replace Concept Plan drawings referenced in Condition of Approval A2 in Schedule 2 Part A – Terms of Approval with the respective architectural drawings in Appendix 2; and,
- Amend Condition of Approval A8 in Schedule 2 Part A – Terms of Approval to require a minimum of 35 parking spaces to be provided for retail uses.

The effect of those modifications in summary is:

1. Decrease in gross retail floor area;
2. Increase in gross residential floor area;
3. Changes to the internal design and layout of the residential units, including residential mix;
4. Increase in the overall number of residential units;
5. Changes to total car parking numbers and layout;
6. Provision of a 200sm community room;
7. More specific description of the proposed staging in the terms of the approval.

The proposed modifications have resulted primarily from:

- the need for flexibility in the provision of dwelling types and mix to better respond to local market demands;
- additional available assessment information concerning the design of parking for the development; and,
- the desire of the proponent to more specifically clarify aspects of the concept plan.

Importantly, **no** significant change is proposed to any key element of the Concept Plan Approval. The use of the site, the indicative building envelope, the maximum Gross Floor Area and the staging of construction all remain unaltered.

Accordingly, the amended concept proposal is generally in accordance with the approved Concept Plan MP 10_0101 and there is no significant environmental impacts arising from the proposed changes.

1.0 INTRODUCTION

This application is submitted to the Department of Planning and Infrastructure in support of proposed modifications to Concept Approval MP 10_0101 pursuant to Section 75W of the *Environmental Planning and Assessment Act 1979*. Concept Approval MP 10_0101 permits a mixed-use residential and retail development at 21 – 35 Treacy Street, Hurstville.

Crosby Textor Pty Ltd has prepared this application to modify Concept Approval MP 10_0101 on behalf of Earljest Pty Ltd. The application provides background information on the concept approval, details of the proposed modifications and an environmental assessment of the proposed modifications.

The environmental assessment in this application is based on the amended architectural drawings prepared by Stanisic Associates and accompanying technical information that supports the proposed modifications.

The project team for the proposed modifications is as follows:

Urban Planning	Crosby Textor Pty Ltd
Architecture & Urban Design	Stanisic Associates
Traffic and Parking	Lyle Marshall & Associates Pty Ltd
Acoustics	Koikas Acoustics Pty Ltd

2.0 BACKGROUND AND APPROVED CONCEPT PLAN

2.1 Background

On the 1 July 2011 the Planning Assessment Commission (PAC) determined to approve a Concept Plan application to develop 21 – 35 Treacy Street Hurstville for retail and residential development. A copy of the approval notice from the PAC can be found at **Appendix 1**.

The PAC determined to approve the Concept Plan subject to:

- terms and modifications;
- the Statement of Commitments;
- further environmental assessment requirements; and
- future stages of the Concept Plan approval to be subject to Part 4 of the EP&A Act.

More recently, Earljest Pty Ltd the original proponents of the concept plan have transferred ownership of their part of the site to Henlia No 24 Pty Ltd as trustee for the Hurstville Unit Trust. Earljest Pty Ltd continues to act in a project management capacity for the consolidated site.

2.2 Approved Concept Plan

Concept Plan approval was granted to the development as described below:

- Use of the sites for retail and residential purposes and associated car parking;
- Indicative building envelope to a maximum height of 55 metres (to a maximum of 114.6 metres AHD);
- Maximum number of 257 dwellings;
- Public domain improvements to Treacy Street; and
- Landscaping areas throughout the site.

The PAC identified two (2) key issues that required addressing in the conditions of consent for the Concept Plan. Both issues require modification of the Concept Plan.

Firstly, the PAC determined that issues relating to the provision of car parking had not been adequately addressed in the Concept Plan and imposed a condition that *“residential parking provision shall comply with Hurstville City Council Development Control Plan No 2 requirements and a minimum of 79 parking spaces are to be provided for retail uses”*. In relation to the provision of retail car parking spaces the PAC found that it is appropriate to use Burwood Council's development controls because Burwood Town Centre is quite similar to Hurstville City Centre. The total number of car parking spaces required by the PAC approval was increased, by condition of approval, from 275 spaces up to 350 spaces.

In addition, the PAC also imposed a condition requiring *“a parking management plan to be submitted for Council's approval outlining parking*

space allocation and management approaches to residents, visitors and retail parking".

Secondly, the PAC determined that future applications for the site would include a 200sm community space on the ground floor level with street frontage. Council can use this space for community purposes.

3.0 PROPOSED MODIFICATIONS

The following provides an overall summary of the proposed modifications to the Concept Approval for MP 10_0101:

1. Decrease in gross retail floor area;
2. Increase in gross residential floor area;
3. Changes to the dwelling unit mix and types;
4. Increase in the overall number of residential units;
5. Changes to the car parking provision and layout;
6. Provision of a 200sm community room; and,
7. More specific description of the staging of the development in the terms of the approval.

Table 1 details the proposed changes to car parking and gross floor areas compared to the approved Concept Plan.

Table 1: Comparison Table of Land Use and Floor Area

Level	Land Use		GFA (sm)		Car Spaces	
	Approved	Proposed	Approved	Proposed	Approved	Proposed
Basement (Levels 2- 4)	Car Parking	Car Parking	-	-	350	302
	Residential	Residential	17	0	-	-
Basement (Level 1)	Retail	-	1,574	0	0	0
	-	Residential	0	591	0	0
	-	Car Parking	-	-	0	75
Ground	Retail	Retail	1,825	1,307	-	-
	Residential	Residential	341	212	-	-
	-	Community	-	200	-	-
Level 1	Retail	Retail	327	192	-	-
	Residential	Residential	1,514	1,640	-	-
Levels 2 - 15	Residential	Residential	22,876	24,332	-	-
Sub-Totals	Retail	Retail	3,726	1,499	79	30
	Residential	Residential	24,748	26,775	271	342
	-	Community	-	200	-	5
TOTAL			28,474	28,474	350	377

The proposed modifications will require the following changes to the conditions of approval attached to the Concept Plan:

1. Removal of Condition of Approval A1 (c) & A7 in Schedule 2 Part A – Terms of Approval;
2. Include in Condition of Approval A1 in Schedule 2 Part A – Terms of Approval that approval is granted for Staged Development.
3. Replace Concept Plan drawings referenced in Condition of Approval A2 in Schedule 2 Part A – Terms of Approval with the respective architectural drawings in **Appendix 2**; and,
4. Amend Condition of Approval A8 in Schedule 2 Part A – Terms of Approval to require a minimum of 35 parking spaces to be provided for retail and community uses.

The following provides a detailed inventory of the proposed modifications by floor level that are reflected in the architectural drawings in **Appendix 2**:

Basement Level 4:

Total parking numbers increased to comply with PAC conditions of consent.

Improved efficiency of car park layout – split level parking space arrangement.

Parking compartmentalised for each project stage.

Floor rl's amended and floor to ceiling heights reduced.

Storage relocated.

Basement Level 3:

Total parking numbers increased to comply with PAC conditions of consent.

Improved efficiency of car park layout – split level parking space arrangement.

Parking compartmentalised for each stage of the project.

Floor rl's amended and floor to ceiling heights reduced.

Storage relocated.

Basement Level 2

Total parking numbers increased to comply with PAC conditions of consent.

Improved efficiency of car park layout – split level parking space arrangement.

Parking compartmentalised for each project stage.

Main sewer accommodated through site.

Accessible parking spaces shown.

Direct vehicle ramp from ground floor removed.

Floor rl's amended and floor to ceiling heights reduced.

Storage relocated.

Basement Level 1:

Total parking numbers increased to comply with PAC conditions of consent.

Removal of retail floor area.

Improved efficiency of car park layout – split level parking space arrangement.

Parking compartmentalised for each project stage.

Retail loading dock and waste storage relocated to ground floor.

Garbage and retail loading relocated to ground floor.

Stormwater accommodated through the site.

Detention and retention tank relocated to the eastern boundary of stage 1.

Accessible parking spaces shown.

Internal substation proposed along Treacy Street at mezzanine level.

Floor rl's amended and floor to ceiling heights reduced.

Storage relocated.

Retail lift relocated.

Ground Level:

Retail and garbage loading dock ramp to lower ground level removed.

Driveway access to rear of the building proposed for retail loading and waste collection.

Required 200sqm community room located in stage 1.

Residential and retail waste storage proposed along the rear of the building.

Retail terrace removed.

Residential Lobby A reorganized.

Retail floor space reduced.

Retail lift from carpark relocated.

Residential Levels:

Unit mix amended to 1B-17% 2B-76% 3B-7%.

Residential floor area increased (overall GFA maintained).

Unit type redesigned to ensure integrity of staged development.

Building slot increased to 12m.

Level 1 retail floor space (in stage 2) reduced to accommodate floor to ceiling heights.

Lobby A redesigned.

Unit types generally amended.

Elevations+Sections:

South elevation amended to correlate to unit type diagrams

Basement floor rl's amended on sections

4.0 ENVIRONMENTAL ASSESSMENT

The following provides an assessment of the key environmental issues that relate to the proposed modifications to Concept Approval MP 10_0101.

4.1 Decrease in Gross Retail Floor Area

The modified concept proposal has gross retail floor area of 1,699sm as identified in **Table 1** and detailed in the amended architectural plans in **Appendix 2**. This is a reduction of 2,027sm from the approved Concept Plan.

The reduction in gross retail floor area has resulted from:

- Removal of all proposed retail floor area on the lower ground level to be replaced with car parking (refer **Table 1**);
- Changes to retail loading and waste collection; and,
- Provision of 200sqm community room.

The concept approval from the PAC determined that issues relating to the provision of car parking had not been adequately addressed in the Concept Plan and imposed a condition that residential parking provision shall comply with Hurstville City Council Development Control Plan No 2 requirements and it is appropriate to use Burwood Council's development controls for the provision of retail car parking spaces. By condition of approval the total number of car parking spaces required by the PAC approval was significantly increased from 275 spaces up to 350 spaces.

To comply with the increased requirement for car parking imposed by the PAC a significant reworking of the car parking layout is required. This has resulted in a decision to remove retail floor space from the lower ground level, replace this with additional car parking spaces and amend access arrangements for service vehicles.

Most importantly, it is considered that the removal of retail floor space on the lower ground level does not detrimentally impact on the merits of the proposed development because the retention of retail floor space on the ground floor will continue to provide an active street frontage to Treacy Street and will not be impacted by the removal of the retail floor space on the lower ground floor level.

In addition, the PAC saw no reason to attach any conditions of consent to the concept approval that directly require the quantum of gross retail floor space to be maintained. The body of the PAC assessment provides no comment on how much gross retail floor space is appropriate as part of the concept proposal. Instead the PAC restricted the overall quantum of combined retail and residential floor space to be 28,474sm by *Condition of Approval A5*. The modified Concept Plan does not change the maximum Gross Floor Area of the building or require a change to the respective condition of approval.

Indirectly, the PAC approval does refer to the maintenance of retail floor space by requiring:

- Use of the site for retail and residential purposes and associated car parking (*Condition of Consent A1(a)*); and,

- Development to be generally in accordance with plans and documentation (Condition of Consent A2).

Importantly, it is considered that the proposed decrease in retail floor space does not detrimentally impact on the merits of the proposed development and remains consistent with the key conditions of consent contained in the Concept Approval for MP 10_0101 because of the following:

- The use of the site continues to be for retail and residential purposes;
- There is no change to the approved building envelope;
- There is no change to the maximum Gross Floor Area for the site;
- Impacts on the provision of parking spaces and traffic movements in and around the site are adequately addressed as detailed in Section 4.5; and,
- There are no additional environmental impacts that directly result from the proposed decrease in gross retail floor area.

4.2 Increase in Gross Residential Floor Area

By condition of approval the maximum gross floor area for the site is capped at 28,474sm. As a consequence of decreasing the gross retail floor area the modified concept proposal has increased the gross residential floor space to 26,775sm as identified in **Table 1** and detailed in the amended architectural plans in **Appendix 2**. This is an increase in the available gross residential floor space of 2,027sm from the approved Concept Plan.

As with the gross retail floor space, the PAC saw no reason to attach any conditions of consent to the concept approval that directly require the quantum of gross residential floor space to be maintained. The body of the PAC assessment provides no direct reference to the issue of how much gross residential floor space is appropriate as part of the concept proposal except to note *“the site is well located to provide higher density residential development to meet strong housing demand”*. Instead the PAC restricted the overall quantum of floor space to be 28,474sm by *Condition of Approval A5*. The modified Concept Plan does not change the maximum Gross Floor Area of the building or require a change to the respective condition of approval.

Indirectly, the PAC approval does refer to the maintenance of residential floor space by requiring:

- Use of the site for retail and residential purposes and associated car parking (Condition of Consent A1(a)); and,
- Development to be generally in accordance with plans and documentation (Condition of Consent A2).

Importantly, it is considered that the proposed increase in residential floor space does not detrimentally impact on the merits of the proposed development and remains consistent with the key conditions of consent contained in the Concept Approval for MP 10_0101 because of the following:

- The use of the site continues to be for retail and residential purposes;

- There is no change to the approved building envelope;
- There is no change to the maximum Gross Floor Area for the site;
- Impacts on the provision of parking spaces and traffic movements in and around the site are adequately addressed as detailed in Section 4.5; and,
- There are no additional environmental impacts that directly result from the proposed increase in gross residential floor area.

4.3 Change to Maximum Number of Dwelling Units

The increase in gross residential floor area as detailed in Section 4.2 translates in to an increase in the overall number of dwelling units in the proposed development as detailed in **Table 2** without a change in the overall GFA. The maximum number of dwelling units proposed has increased from 257 units identified in the terms of approval for the Concept Plan to 283 units.

By conditions of approval the PAC have restricted the maximum number of residential dwelling units to 257 as identified in the concept plan. However, there is “room to move” (up or down) with unit numbers because there are more appropriate and effective key conditions of consent and environmental assessment requirements that restrict the size, scale and bulk of the proposed development. These key conditions of consent and requirements are not impacted upon by the proposed modifications and relate to:

- Use of the site for retail and residential purposes (Condition of Consent A1(a));
- Indicative building envelope (Condition of Consent A1(b) & A4);
- Maximum GFA(Condition of Consent A5); and,
- Further Environmental Assessment Requirements 2. Built Form.

Table 2: Comparison Table of Dwelling Unit Numbers and Mix

Dwelling Type	Approved		Proposed	
	Number	%	Number	%
1 Bedroom	74	29	47	17
2 Bedroom	171	66	217	76
3 Bedroom	12	5	19	7
TOTAL	257	100	283	100

Because the increase in the quantum of dwelling units has directly resulted from a redistribution of existing floor area as detailed in Sections 4.1 and 4.2 the proposed development remains consistent with the key conditions of

consent and environmental assessment requirements contained in the Concept Approval for MP 10_0101.

In the interests of providing additional flexibility for the preparation of the final development application, it is considered that there is no need to restrict the actual maximum number of residential units by way of a condition of consent. This is particularly so given that, as already mentioned, there are more appropriate conditions in place that effectively control the size, scale and bulk of the proposed development.

The proposed changes to dwelling numbers will result in additional residents, increased traffic movements and car parking requirements.

An increase in proposed residents per se will not detrimentally impact on the merits of the proposed development because:

- The increase in overall numbers is approx. 47 persons which is a very minimal increase (based on 1.8 people/household); and,
- The site is very well located to services and public transport that will adequately serve the increase in residents on the site.

The impacts of increased traffic movements and car parking requirements from the proposed increase in the number of residents is addressed in Section 4.5.

There are no additional environmental impacts that result from the proposed change to the maximum number of dwelling units.

4.4 Changes to Dwelling Units

In addition to the change in dwelling numbers there is a proposed modification to the dwelling mix and the dwelling unit types.

The change to the dwelling mix, as detailed in **Table 2**, sees a reduction in the percentage of 1-Bedroom units and an increase in the percentage of 2-Bedroom units. The percentage of 3-Bedroom units generally remains the same. The proposed change has resulted from a revised perception of the demand for dwellings types given the demographics of the locality and a perceived need for more 2-bedroom dwellings.

Although the change in dwelling mix does not impact on the key conditions of consent and requirements attached to the Concept Plan approval, a more general condition of the concept approval requires that development “*shall be generally in accordance with MP 10_0101 and with the Environmental Assessment*”. We believe the “generality” of this condition reflects the conceptual nature of the approved plans to date.

There is a need to have some flexibility in formulating the final design, layout and mix of the residential units, particularly given the current uncertainty with the economic climate and how this might impact on supply and demand in the near future. Also, as part of the preparation of the final development application, more comprehensive market research will be undertaken into supply and demand parameters for dwelling unit types and sizes in the locality. All this impacts on the number of dwellings the development might yield and lends further support to the need to conceptually not be fixed to a quantum.

Importantly, the proposed change to the dwelling mix remains consistent with the key conditions of consent contained in the Concept Approval for MP 10_0101 because:

- The use of the site continues to be for retail and residential purposes;
- There is no change to the approved building envelope; and,
- There is no change to the maximum Gross Floor Area for the site.

The proposed changes to dwelling mix directly impacts on the provision of parking spaces and traffic movements in and around the site. This is addressed further in Section 4.5.

Continued compliance with the provisions of *State Environmental Planning Policy 65* and the accompanying *Residential Flat Design Code 2002* is addressed in Section 4.6.

There are no additional environmental impacts that result from the proposed change in dwelling mix, layout and design. The proposed development continues to be generally in accordance with the approved Concept Plan and with the Environmental Assessment.

4.5 Changes to Parking Provision and Layout

Proposed modifications to the approved car-parking layout include:

- Total parking numbers increased to comply with PAC conditions of consent.
- Improved efficiency of car park layout – split level parking space arrangement.
- Parking compartmentalised for each project stage.
- Floor rl's amended and floor to ceiling heights reduced.
- Storage relocated.
- Retail loading dock and waste storage relocated.
- Garbage and retail loading relocated.
- Retail and garbage loading dock ramp to lower ground level removed.
- Driveway access to rear of the site proposed for retail loading and waste collection.
- Retail and garbage loading dock ramp to lower ground level removed.

The changes to the car park layout are reflected in the architectural drawings in **Appendix 2**:

The residential parking provision for the modified concept plan has been increased to comply with the Hurstville DCP 2 parking provision as required by the PAC conditions of consent as follows:

1 space per 100sm of Residential GLFA = 230 spaces (23,015sm GFA)

1 visitor space per 4 units = 71 spaces (283 units)

In relation to the provision of retail car parking spaces the PAC found that it is appropriate to use Burwood Council's development controls because Burwood Town Centre is quite similar to Hurstville City Centre. The Burwood Town Centre DCP requires 1 space for the first 400sm or part thereof, then 1 space per 40sm of additional floor area. Using Burwood Council's development controls the required car parking for 1,699sm (including 200sm of community space) of gross retail floor area is 35 car parking spaces.

In total, the modified concept plan requires 336 car-parking spaces in accordance with the requirements of the PAC for residential and retail floor space. The modified Concept Plan provides a total of 377 car parking spaces of which there are 9 accessible parking spaces provided in accordance with AS2890.6:2009

Lyle Marshall & Associates Pty Ltd has undertaken an assessment of the traffic and parking issues arising from the modification of the concept plan. The report can be found at **Appendix 3**. In summary, the assessment found that the traffic and parking issues arising from the construction and operation of the modified Concept Plan can be managed satisfactorily subject to the conditions in the Statement of Commitments.

There are no additional environmental impacts that result from the proposed changes to the car parking provisions and layout.

4.6 Maintenance of Residential Amenity

Given the proposed modifications to the dwelling types, mix, layout etc a revised assessment of how the modified concept plans comply with the provisions of *State Environmental Planning Policy 65 – Design Quality of Residential Flat Development* (SEPP 65) and the accompanying *Residential Flat Design Code 2002* has been undertaken by the architect, Mr Frank Stanisic. A copy of the assessment can be found at **Appendix 4**.

In summary, the assessment found that the modified concept plan is able to meet the aims of SEPP 65. Assessment of the proposal against the NSW Residential Flat Design Code details how well the design of the modified concept plan responds to the topics, objectives or rules of thumb within the design code.

4.7 Provision of Community Space

In accordance with Clause 15 of the future environmental assessment requirements attached to the Concept Plan approval the PAC require that future applications include an appropriate community space within the development, of at least 200sm on the ground floor level with street frontage. This community space has been designed to be part of the first stage of construction as approved by the PAC and is reflected in the revised Statement of Commitments.

The modification has impacted on the land uses on the ground level, particularly in relation to the reduction of retail floor space.

There are no additional environmental impacts that result from the provision of community space on the ground floor level.

4.8 Road/Rail Traffic Noise

Koikas Acoustics Pty Ltd were commissioned to undertake an acoustic assessment of the proposed modifications to the approved Concept Plan. The addendum report is to be read in conjunction with their previous acoustic report conducted for the approved Concept Plan. A copy of their report can be found at **Appendix 5**.

Koikas Acoustics Pty Ltd have concluded that all the recommendations provided in their previous Acoustic Report are to remain, except Appendix E, which is superseded by Annexure A that is attached to the addendum report. This recommendation is reflected in the revised Statement of Commitments.

4.9 Compliance with Staging

The EA for the approved Concept Plan detailed how the proposed development will be constructed in three distinct (3) stages as follows:

Stage 1 – Central portion;

Stage 2 – Adjacent to Council car park at the western end; and

Stage 3 – Eastern end of the site.

The proposed modifications to the car-park layout, dwelling unit mix etc has necessitated a review of the staging plan to ensure that each stage of the approved concept plan is still able to be constructed generally in accordance with the PAC approval.

The architectural plans in **Appendix 2** provide detailed staging plans for construction of each of the three (3) stages pursuant to the proposed modifications. The plans show in conceptual form how the development will appear in elevation following the completion of each stage of the construction process.

Appendix 6 provides a brief statement from Stanisic Associates indicating the proposed individual staging will achieve design excellence and maintain residential amenity and continues to be in accordance with the PAC approved staging plan.

A separate Development Application (DA) will be lodged for construction of each stage of the Concept Plan pursuant to Part 4 of the EP&A Act 1979.

The DA for Stage 1 will provide detail on how future stages can be constructed at a later date to integrate with one another, particularly in relation to:

1. Access to shared car parking; and
2. Provision of shared services.

5.0 REVISED STATEMENT OF COMMITMENTS

In response to the proposed modifications, the following revised Statement of Commitments are made by Earliest Pty Ltd in respect of environmental management, mitigation and monitoring measures that are to be implemented to manage and minimise any potential impacts of the project (revisions are shown in ***bold italics***).

5.1 Environmental and Residential Amenity

5.1.1 Acoustic Privacy

The details of the mechanical plant for the concept plan will be finalised at the Project Application stage. Therefore the proponent will commit to prepare an Acoustic Report to assess the impact and make necessary recommendations to manage these potential impacts as part of the Project Application stage.

5.1.2 Wind Impact

The proponents will undertake a detailed and accurate analysis of the effects of wind on the proposed building and the environment as part of the project application.

5.2 Traffic and Parking

All access, servicing and internal layout will be provided in accordance with AS 2890.1:2004 and AS 2890.2 – 2002.

An assessment of the construction traffic generated by the development will be undertaken at the Project Application stage.

The traffic impacts during construction will be assessed in more detail for the Project Application when the construction staging, construction period, truck movements and truck sizes are considered. A construction traffic management plan will be undertaken at the Project Application stage.

A "Green Travel Plan" will be developed for the project application stage and will include initiatives such as:

- Bicycle storage, showers and changing facilities for employees and bicycle storage for residents. Visitor bicycle parking facilities will be provided at ground level close to entrances, in a visible and weather protected location subject to casual surveillance.
- Provide train and bus timetables to staff and residents.
- Provision of a small commuter vehicle to transport elderly and infirm residents to Hurstville railway station and for local shopping trips etc. to the CBD.
- Co-ordinated car share scheme

5.3 Obstacle Limitation Height

Prior to lodging a project application, a request will be made to Sydney Airports Corporation regarding any further assessments of the proposal.

5.4 Geotechnical and Ground Water

The building will be designed and constructed in accordance with the recommendations prepared by Asset Geotechnical and summarised in **Table 5** of the Environmental Assessment. ***In relation to temporary and permanent shoring Asset Geotechnical have confirmed that either “top-down construction” or “bottom-up construction” could be adopted for the proposed development. This will be further confirmed at the Project Application stage.***

The Concept Plan will be assessed for derailment protection requirements as per *Rail Infrastructure Corporation (RIC) Standard C4004 Design Requirements for Pier or Column Protection* and then designed to the standard as appropriate. An engineering report will be provided at the Project Application stage for review by the RIC.

5.5 Public Domain

The footpath adjacent to the building will be treated with bluestone banding with asphalt infill.

Street trees will be planted on the footpath at 8 metre centres.

5.6 Safety

A detailed Crime Prevention through Environmental Design assessment will be undertaken at the Project Application stage. The assessment will address the commitments expressed in the EA under the four key principles of surveillance, access control, territorial reinforcement and space management.

5.7 Ecologically Sustainable Development (ESD)

The proponents are committed to achieving a 5-Star rating (min. 4-Star rating) as detailed in the Architectural Design Report subject to confirmation from the design and development team at the project application stage.

5.8 Drainage

The proponents are committed to incorporating Water Sensitive Urban Design features such as rainwater harvesting and rain gardens that will be further detailed in the project application.

5.9 Contamination

A field-based investigation comprising of a Stage 2 Environmental Site Assessment will be conducted prior to the commencement of any future site redevelopment and will form part of any project application.

A Hazardous Materials Assessment will be carried out prior to any site demolition.

Remediation Action Plans will be prepared where required.

5.10 Noise and Vibration

The proponents will incorporate the recommendations of the Acoustic Assessment prepared by Koikas Acoustics Pty Ltd and which relate to:

- Selection of building materials in relation to external walls and windows/sliding doors;
- Mechanical ventilation in nominated spaces; and
- Building Code of Australia requirements in relation to walls, entry doors, soil and waste pipes and concrete sub-floor systems.

As recommended in their Addendum Report, Appendix E in the original Acoustic Report will be superseded by Annexure A from the Addendum Report and the recommendations stated in the Addendum Report will be implemented along with the recommendations in the Acoustic Report.

It is noted that an Acoustic Report is to be prepared in relation to acoustic privacy as detailed in Section 5.1.1 of the revised Statement of Commitments subject to the finalisation of the mechanical plant equipment. There may be additional/alternative recommendations in relation to noise and vibration that will be implemented as part of this report.

5.11 Utilities

The proponents commit to up-sizing the existing 150mm water main fronting the site in Treacy Street to a 200mm main that will be laid from the existing main at the corner of Treacy Street and Forrest Road to the building connection point. The extension will be sized and configured according to the Water Supply Code of Australia (Sydney Water Edition WSA 03--2002) and evidence of Code compliance will be attached with the extension design.

5.12 Provision of Community Space

The Concept Plan includes an appropriate community space of 200sm on the ground floor level with street frontage. This space will be dedicated to Council at no cost for community purposes.

6.0 CONCLUSION

This Section 75W application seeks the following modifications to the concept approval for MP 10_0101:

- Removal of Conditions of Approval A1 (c) & A7 in Schedule 2 Part A – Terms of Approval;
- Include in Condition of Approval A1 in Schedule 2 Part A – Terms of Approval that approval is granted for Staged Development.
- Replace Concept Plan drawings referenced in Condition of Approval A2 in Schedule 2 Part A – Terms of Approval with the respective architectural drawings in Appendix 2; and,
- Amend Condition of Approval A8 in Schedule 2 Part A – Terms of Approval to require a minimum of 35 parking spaces to be provided for retail uses.

This Environmental Assessment report has demonstrated how the proposed modifications to the approved Concept Plan will not impact on the key elements of the approved concept plan such as the use of the site, the indicative building envelope, the maximum Gross Floor Area and staging of construction.

It has been demonstrated that there are no additional environmental impacts that result from the proposed modifications.

Given the proposed modified development:

- does not alter the key elements of the approved Concept Plan; and
- there is an absence of any significant environmental impacts resulting from the modifications;

It is considered that the application for modifications to the concept approval for MP 10_0101 should receive favorable consideration and be recommended for approval.