

***MAJOR PROJECT ASSESSMENT:***

***Concept Plan Mixed Use Development***

***Columbia Precinct, 2-20 Parramatta Road &  
11-13 Columbia Lane, Homebush  
MP 10\_0143***



Director-General's  
Environmental Assessment Report  
Section 75I of the  
*Environmental Planning and Assessment Act 1979*

March 2013

## ABBREVIATIONS

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CIV	Capital Investment Value
Department	Department of Planning and Infrastructure
DGRs	Director-General's Requirements
Director-General	Director-General of the Department of Planning and Infrastructure
EA	Environmental Assessment
EP&A Act	Environmental Planning and Assessment Act 1979
EP&A Regulation	Environmental Planning and Assessment Regulation 2000
EPI	Environmental Planning Instrument
MD SEPP	State Environmental Planning Policy (Major Development) 2005
Minister	Minister for Planning and Infrastructure
PAC	Planning Assessment Commission
Part 3A	Part 3A of the Environmental Planning and Assessment Act 1979
PEA	Preliminary Environmental Assessment
PPR	Preferred Project Report
Proponent	David Lhuede Pty Ltd, Kennards Self-Storage Pty Ltd and Hai Phong Properties Pty
RtS	Response to Submissions

Cover Photograph: Artist's impression of proposed Columbia Concept Plan from George Street/Parramatta Road Intersection

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Published March 2013  
NSW Department of Planning  
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## EXECUTIVE SUMMARY

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David Lhuede Pty Ltd, Kennards Self-Storage Pty Ltd and Hai Phong Properties Pty is seeking Concept Plan approval for a mixed use development at 2-20 Parramatta Road and 11-13 Columbia Lane, Homebush (commonly known as the Columbia Precinct). The site is within the Strathfield Local Government Area and is zoned Mixed Use 10, Proposed Open Space 6(d) and Proposed Local Road 9(a) under the Strathfield Planning Scheme Ordinance 1969. The proposed uses are permissible with consent, except for the proposed George Street extension.

The proposal, as exhibited, sought approval for a mixed use retail, residential and commercial development, consisting of 18 buildings, between 2 and 21 storeys containing:

- 650 residential and serviced apartments;
- 17,420m<sup>2</sup> of retail/commercial floor space;
- 920m<sup>2</sup> of community floor space;
- Upgrade of existing laneways;
- Extension of George Street;
- New pedestrian bridges;
- A neighbourhood square;
- 3,673m<sup>2</sup> of parkland; and
- Basement parking for 806 car spaces.

The capital investment value of the project is \$320 million and it will create 1,500 construction jobs and 400-500 on-going jobs. The proposal is a major project under Part 3A of the Environmental Planning and Assessment Act 1979 in accordance with Clause 13 of Schedule 1 of State Environmental Planning Policy (Major Development) 2005.

The Environmental Assessment was publicly exhibited for a period of 42 days and the Department received 14 submissions, including 7 submissions from public authorities and 7 submissions from the public. Following the exhibition, the Proponent submitted a Preferred Project Report which is generally consistent with the exhibited building envelopes, gross floor area, floor space ratio and building heights with only minor amendments. The Preferred Project Report also excluded works to Council owned laneways. Strathfield Council has made submissions during the exhibition of the Environmental Assessment and Preferred Project Report objecting to the proposal.

The Department has identified the key issues for assessment as:

- Strategic context;
- Built form;
- Residential amenity;
- Traffic, access and parking; and
- Open space.

The key issues have been adequately addressed in the Preferred Project Report, by way of modifications to the Concept Plan, the revised Statement of Commitments and through future environmental assessment requirements for future Development Applications. The Department has assessed the merits of the application taking into consideration the issues raised by the public, Council and government agencies. The Department is satisfied that the site is suitable for the proposed development and the project will provide environmental, social and economic benefits for the region and is therefore recommended for approval.

The Concept Plan is referred to the Planning Assessment Commission for determination in accordance with the delegation dated 14 September 2011 as Strathfield Council objects to the Concept Plan.

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# 1. BACKGROUND

The purpose of this report is to assess a Concept Plan Application for a mixed use residential, retail and commercial development, at 2-20 Parramatta Road and 11-13 Columbia Lane, Homebush.

## 1.1. Site Description

The site is located between the Main Western Railway Line and Parramatta Road and is within the Strathfield Local Government Area. The site is known as 2-20 Parramatta Road and 11-13 Columbia Lane, Homebush and is 13km west of the Sydney CBD and 13km east of Parramatta CBD (Figures 1 and 2).

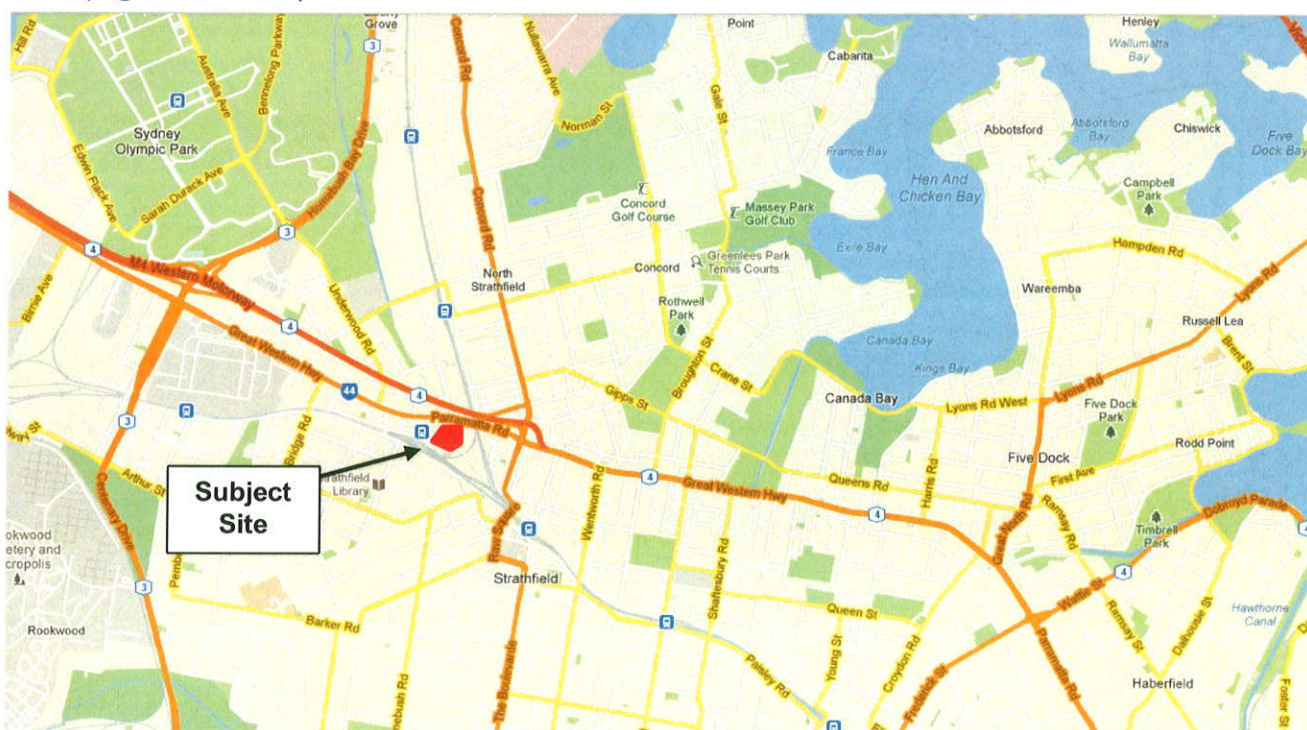


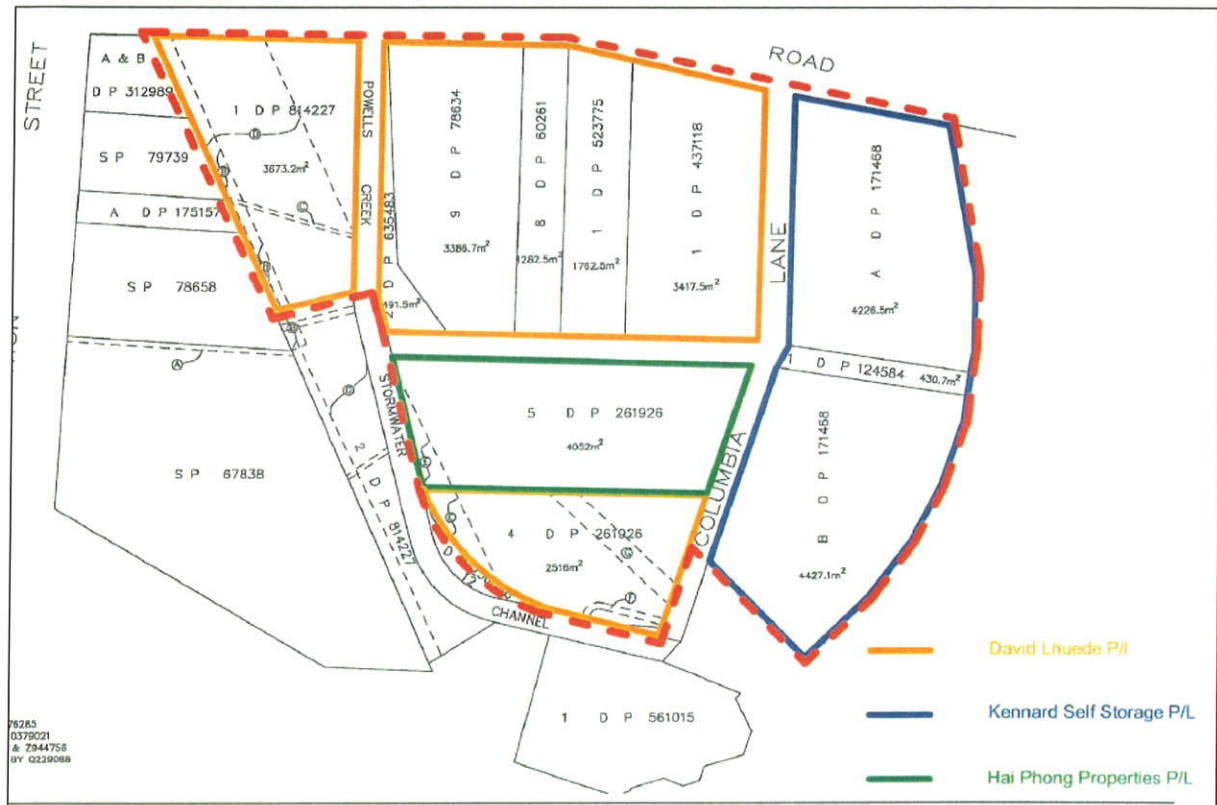
Figure 1 – Site Location (Source: Google Maps)



Figure 2 – Site Boundary (shown in red) (Source: Google Maps)



The Proponent is the Columbia Precinct Consortium being a joint venture between David Lhuede Pty Ltd, Kennards Self-Storage Pty Ltd and Hai Phong Properties Pty Ltd. The site ownership is shown in **Figure 3**.



**Figure 3 – Private land holdings (Source: Environmental Assessment)**

The site has an area of 29,666m<sup>2</sup> and is irregular in shape. The site has a northern frontage to Parramatta Road (approximately 300m), an irregular frontage to RailCorp land to the east and south-east (approximately 230m), and an irregular frontage to the AusGrid electricity substation and Sydney Water stormwater channel to the south and south-west boundary. The site abuts the boundary with the Canada Bay Local Government Area.

## 1.2. Existing Site Features

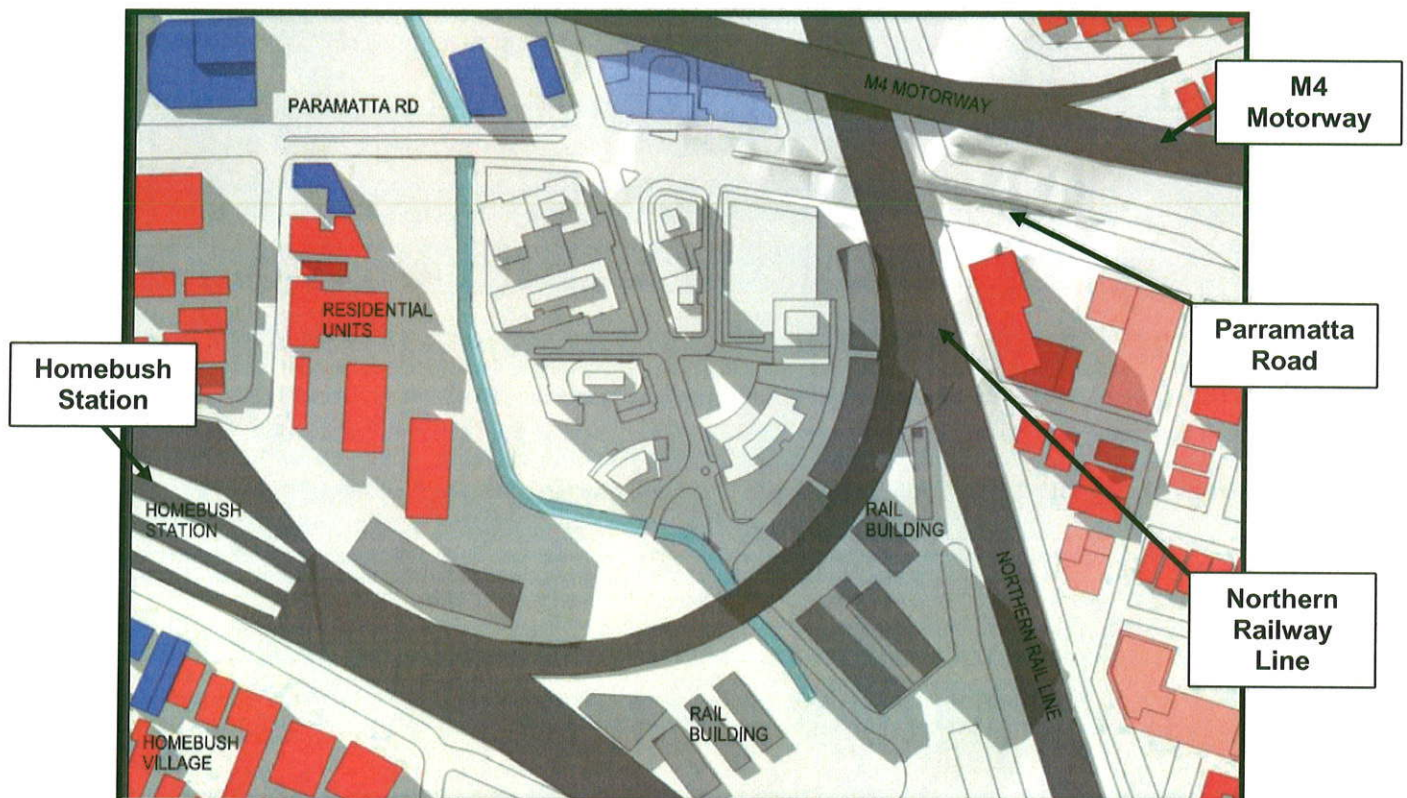
The site is largely level with a fall of approximately 2 metres from north to south and 2-3 metres from east to west. The site currently accommodates warehouse style buildings with heights of approximately 2-3 storeys. These buildings are used for self-storage, archive storage, automotive mechanical and smash repairs, car storage, warehousing and car sales. Some of these buildings are also vacant. The existing floor space is approximately 32,600m<sup>2</sup>.

The site is accessed off Parramatta Road via Columbia Lane. Railway Lane, aligned generally east-west, intersects with Columbia Lane and terminates at the stormwater channel. Powell's Creek forms a boundary to the south eastern corner of the site but does not form part of the site.

## 1.3. Surrounding Development

The site adjoins a low-rise commercial building at the corner of Parramatta Road and Station Street to the west. To the south west there are residential buildings up to 12 storeys in height (8-12 Station Street). This property has a pedestrian public right of way to the south, which is zoned for open space acquisition. Further west is an area of mixed uses and varied building scales. The Main Western Railway Line corridor is located further to the south west (**Figure 4**).





**Figure 4 – Site layout in relation to Surrounding Transport Infrastructure (Source: Preferred Project Report)**

Homebush Village Centre and train station is located approximately 200 metres to the south west of the site and is currently accessible from the site via Parramatta Road and Station Street. Immediately to the south is an Ausgrid substation.

The site is bounded to the north by Parramatta Road, a classified road and beyond is the M4 motorway which is elevated approximately 10 metres above ground level. George Street intersects with Parramatta Road opposite the site and extends in a northern direction 2km to Concord West, generally remaining parallel to the Main Northern Rail Line. The Bakehouse Quarter is a local village centre to the north of M4 Motorway with a mix of retail and commercial uses. The Powells Creek open space corridor is located to the north-west and is a regional corridor of parkland which extends to Homebush Bay, approximately 4km to the north.

A rail depot is located to the south east of the site and is owned and operated by RailCorp. The depot contains single storey buildings which generally follow the alignment of the North Strathfield Good Loop rail line, which links the Main Western Rail Line and the Main Northern Rail Line and is used for freight trains and empty passenger trains. The Main Northern Railway Line is located further to the east.

## 2. PROPOSED PROJECT

### 2.1. Project Description (as exhibited)

The proposal, as exhibited in the Environmental Assessment, sought Concept Approval for:

- Demotion of the majority of existing buildings and structures;
- Retention of 12,700m<sup>2</sup> of Kennards storage facility;
- Mixed use development providing:
  - 18 buildings in 6 blocks ranging in height from 2 storeys to 21 storeys;

- retail and commercial uses at ground floor and part first floor level comprising 4,800m<sup>2</sup> including 1,300m<sup>2</sup> for neighbourhood shops and 4,530m<sup>2</sup> GFA of commercial floor space including 1540m<sup>2</sup> for Kennards administration offices;
- approximately 650 residential apartments and serviced apartments
- community uses with 920m<sup>2</sup>;
- Floor space ratio of approximately 2.8:1 (83,000m<sup>2</sup> GFA);
- 5 stages to the redevelopment;
- Public domain works including works to Council owned laneways; and
- Landscaping.

## 2.2. Preferred Project Report

Following the conclusion of the public exhibition of the Environmental Assessment, the Department requested that the Proponent address the submissions and a number of issues required further consideration in a Preferred Project Report.

On 22 October 2012 the Proponent submitted a Preferred Project Report which responded to the submissions and the Department's issues. The proposal as amended by the Preferred Project Report is detailed in **Table 1** below and is shown at **Figures 5 and 6**. Of note, the Preferred Project Report removed public domain works to Council owned laneways, which is discussed further at **Section 5.1**.

**Table 1: Key Project Components**

Aspect	Description
<b>Project summary</b>	<ul style="list-style-type: none"> <li>• Mixed use development consisting of residential, retail, commercial and community uses;</li> <li>• Public open space;</li> <li>• Public square;</li> <li>• Basement car parking for 806 cars; and</li> <li>• Retention of existing Kennards storage building and use.</li> </ul>
<b>Proposed mix of uses</b>	<ul style="list-style-type: none"> <li>• Residential approx. 650 residential apartments - 60,827m<sup>2</sup> GFA;</li> <li>• Serviced apartments (included in the 650 apartments);</li> <li>• Commercial - 4,540m<sup>2</sup> (including 1,540m<sup>2</sup> Kennard's admin);</li> <li>• Retail and showrooms - 4,800m<sup>2</sup> GFA;</li> <li>• Storage facility - 12,850m<sup>2</sup>;</li> <li>• Community uses - 920m<sup>2</sup>;</li> <li>• Floor space ratio of 2.82:1 and a total GFA of 83,606m<sup>2</sup>; and</li> <li>• Public Open Space - 9,588m<sup>2</sup> (dedicated to Council under S94).</li> </ul>
<b>Built envelopes Building heights</b>	<ul style="list-style-type: none"> <li>• 5 built structures across the site consisting of podiums ranging in heights of 1-3 storeys with 7 residential towers and 1 commercial tower with the following heights: <ul style="list-style-type: none"> <li>– 6 and 7 storeys (Building B);</li> <li>– 8 storeys (Building D);</li> <li>– 8 storeys (Building G);</li> <li>– 15 storeys (Building J);</li> <li>– 7 and 8 storeys (Building K Commercial building);</li> <li>– 21 storeys (Building O);</li> <li>– 21 storeys (Building R); and</li> <li>– 16 storeys (Building G).</li> </ul> </li> </ul>
<b>Existing Development</b>	<ul style="list-style-type: none"> <li>• New level to the existing 3 storey, Kennards Storage building.</li> </ul>
<b>Public Domain</b>	<ul style="list-style-type: none"> <li>• Removal of works to Council owned laneways;</li> <li>• Construction of southern extension to George Street;</li> <li>• Reconfiguration of traffic lanes to George Street (north of Parramatta Road) incorporating 3 southbound lanes and one northbound lane;</li> <li>• Widen Parramatta Road to provide for 3 westbound lanes;</li> </ul>



Aspect	Description
	<ul style="list-style-type: none"> <li>• New right turn waiting lane to Parramatta Road eastbound;</li> <li>• Reconstruction of existing east-west internal lane;</li> <li>• Public square at intersection of Columbia Lane and George Street;</li> <li>• Pedestrian bridge over existing water channel; and</li> <li>• Pedestrian bridge over Parramatta Road.</li> </ul>
Landscaping	<ul style="list-style-type: none"> <li>• Park to western part of site, fronting Parramatta Road;</li> <li>• Park to south-west corner of site with café and play equipment;</li> <li>• Planting along edge of Powell's Creek stormwater channel; and</li> <li>• Landscaping and planting along roads.</li> </ul>
Parking	<ul style="list-style-type: none"> <li>• Basement parking of 4 levels; 2 levels above ground (806 cars)</li> </ul>
ESD	<ul style="list-style-type: none"> <li>• Tri-generation for heating, cooling and power supply;</li> <li>• Photovoltaic cells; and</li> <li>• Rainwater tanks</li> </ul>

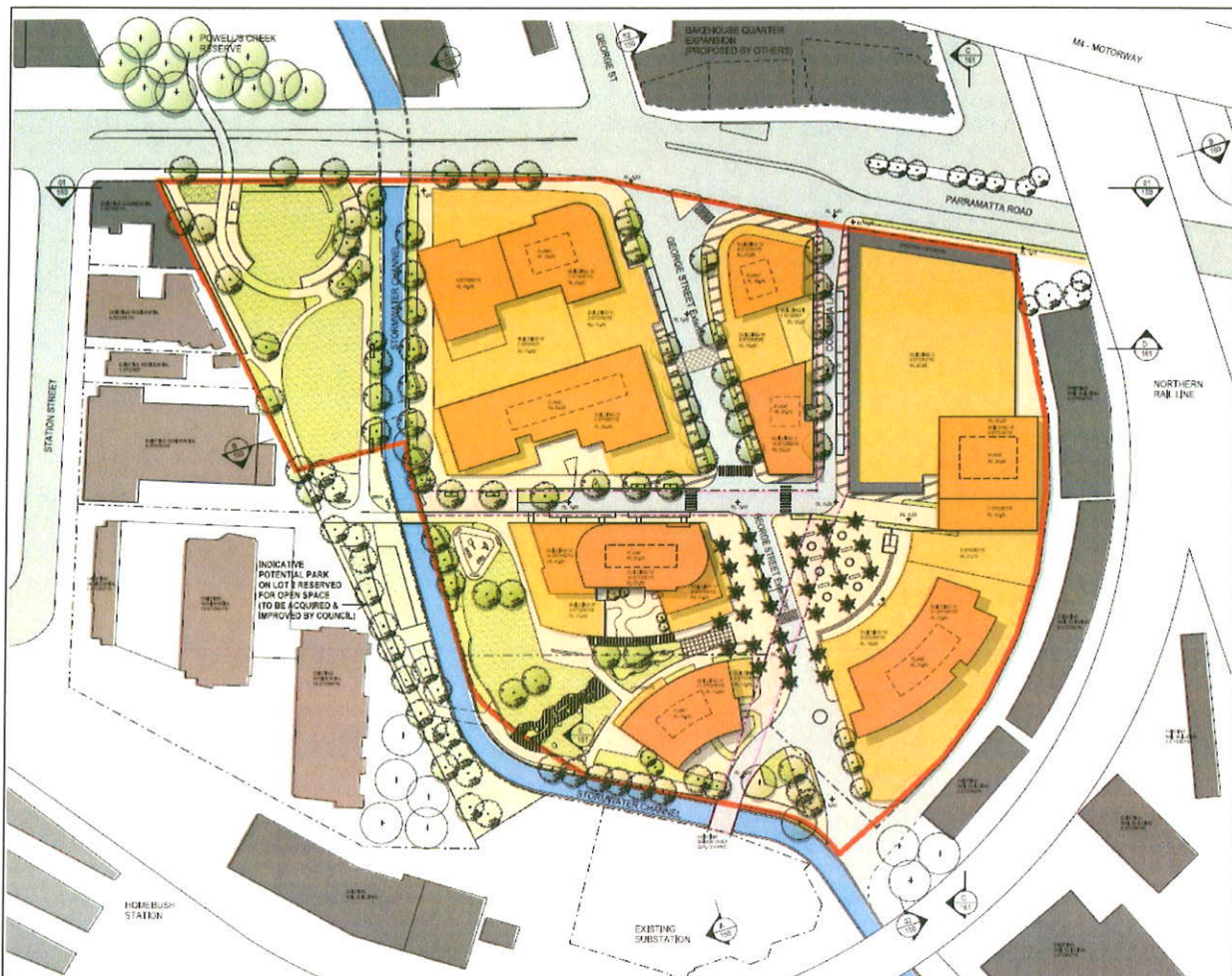
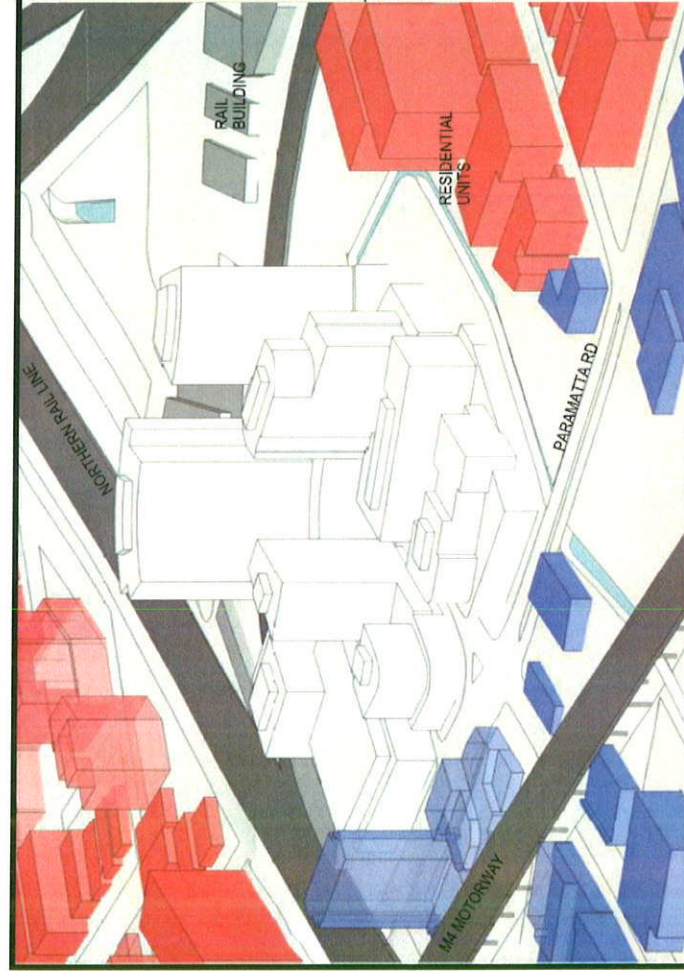
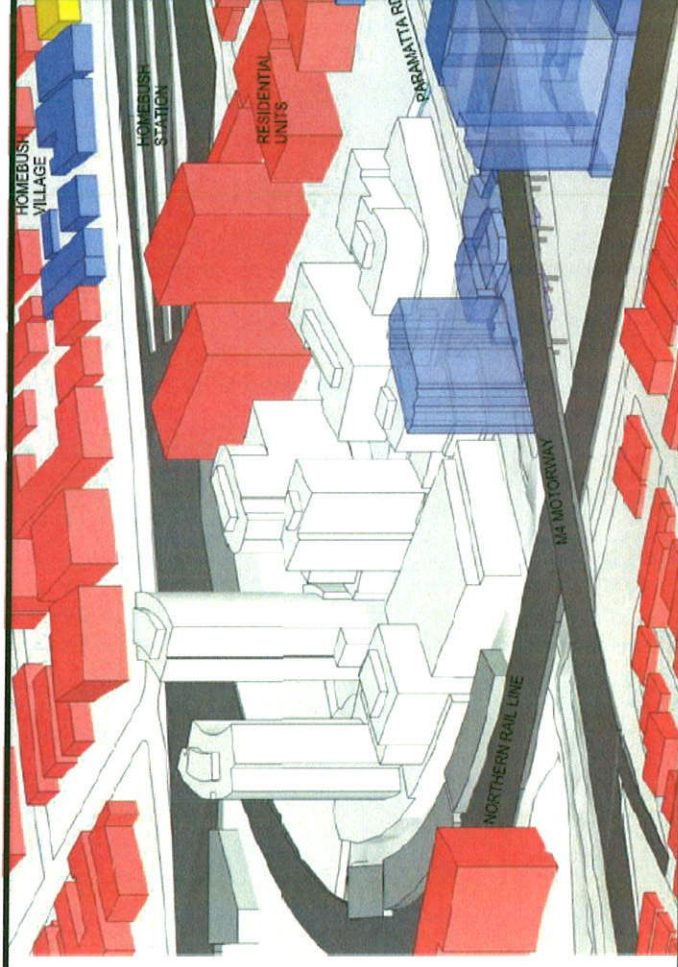


Figure 5 – Project layout (Source: Preferred Project Report)





Ariel View Looking north-west

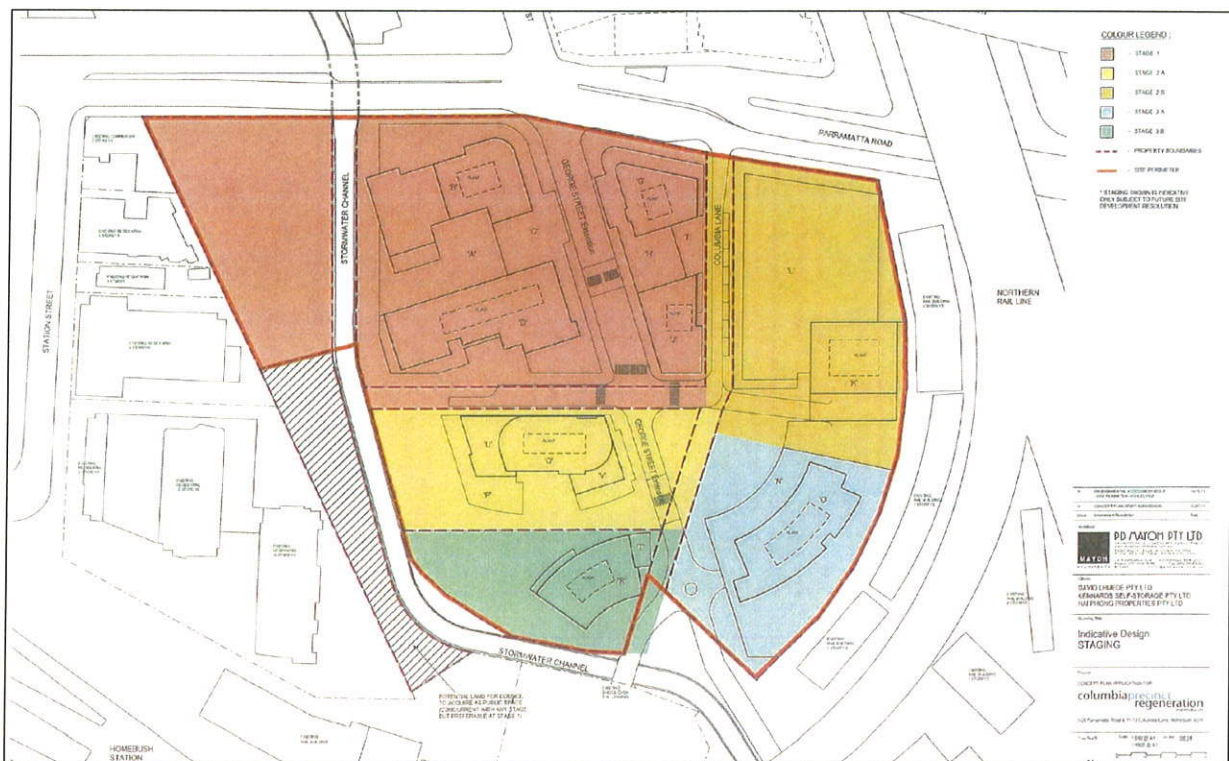


Aerial View Looking south-west

Figure 6 – Project layout (Existing buildings shown in red and blue) (Source: Preferred Project Report)

The proposal will be constructed in the following stages (**Figure 7**):

<b>Stage 1</b>	<ul style="list-style-type: none"> <li>• Construction of Buildings A-J;</li> <li>• Intersection to new section of George Street and Parramatta Road;</li> <li>• Construction of northern section of new George Street extension;</li> <li>• Reconstruction of existing east-west internal lane; and</li> <li>• Embellishment of park lands west of Powell's Creek</li> </ul>
<b>Stage 2</b>	<ul style="list-style-type: none"> <li>• Construction of north-east part of the development and area immediately south of east-west internal road, including Buildings K, L, P, Q, U &amp; V.</li> </ul>
<b>Stage 3</b>	<ul style="list-style-type: none"> <li>• Construction of Buildings N, O, R &amp; T; and</li> <li>• Completion of George Street extension.</li> </ul>



**Figure 7 – Staging Plan; Stage 1 – pink, Stage 2A - light yellow, Stage 2B – dark yellow, Stage 3A – Blue and Stage 3B - green (Source: Environmental Assessment)**

## 2.3. Project Need and Justification

Project need and justification is addressed below in terms of consistency with relevant strategy planning policies.

### 2.3.1 NSW 2021

NSW 2021 is a 10 year plan to rebuild the economy, provide quality services, renovate infrastructure, restore government accountability, and strengthen the local environment. The proposed development is consistent with goals 1 and 20 of the plan.



Goal 1 (improve the Performance of the Economy) aims to grow the NSW economy, including growing employment. In accordance with this goal, the project will create approximately 400-500 full time equivalent operational jobs.

Goal 20 (Building Liveable Cities) aims to locate people closer to employment opportunities. The project is consistent with this goal as it will provide housing in the Parramatta Road Corridor, with local employment opportunities available on site, within the nearby Bakehouse Quarter and surrounding existing centres.

### **2.3.2 Draft Metropolitan Strategy for Sydney to 2031**

The Draft Metropolitan Strategy for Sydney to 2031 was published in March 2013. The Draft Strategy sets housing and employment targets for the Sydney region at 545,000 new dwellings and 625,000 new jobs by 2031.

The Draft Strategy also identifies the Parramatta Road corridor as providing an important function, connecting Parramatta and 'Global Sydney'. The corridor is identified as being a focus for new housing and employment opportunities, providing access to improved shops, services and public spaces. The Parramatta corridor is to be supported by new transport connections.

The Department considers the proposal to be consistent with the Draft Metropolitan Strategy as the density and scale of the proposed development will support a compact city structure, contained within the urban footprint and will renew an existing urban area. The proposal will contribute approximately 650 residential dwellings and approximately 1,500 construction jobs and 400-500 on going jobs, making a contribution towards the overall housing and job capacity target for Sydney.

In addition, the proposal will support the renewal of the Parramatta Road corridor, providing access to housing, jobs and services within an existing urban area.

### **2.3.3 Draft Inner West Subregional Strategy**

The site is located within the Parramatta Road corridor, between the Main Western Rail Line and Parramatta Road. Parramatta Road is both an enterprise corridor and a renewal corridor and will be a focus for diverse and liveable communities and local employment and services. Investment in rail infrastructure will support further capacity to support renewal in centres on the rail network connecting the regional cities, particularly Parramatta.

The Main Western Rail Line and Parramatta Road corridor is identified as one of the 46 key multimodal transport corridors in Sydney, that have factored in expected growth patterns including the renewal of existing areas. The site is supported by key public transport infrastructure including rail and bus services, providing good access between nearby centres of employment and retail shopping activity. Within the Main Western Rail Line and Parramatta Road corridor, centres and their walking catchments will be the focus of urban renewal opportunities.

The site is located within a 400m walking catchment of Homebush town centre and Homebush train station. The proposal facilitates improved pedestrian access to Homebush train station and town centre, through a new park and pathway to Station Street.

The proposal supports the key strategies and actions for the Strathfield Local Government Area and for the Parramatta Road corridor identified in the draft Inner West Subregional Strategy, particularly with regard to:

- Improving housing choice and creating a liveable and sustainable community through the provision of smaller dwellings and maximising the use of existing services;
- Managing traffic growth and local travel demand;
- Protecting and promoting recreation and environmental assets with the provision of public open space accessible for use by future occupants and the wider community;

- Revitalising Parramatta Road as an Enterprise Corridor, which can support a diverse range of economic activities, including neighbourhood shops, showrooms, local services including storage, and commercial premises, with residential in this appropriate location;
- Providing up to 650 new dwellings towards the subregional target of 30,000 by 2031;
- Providing serviced apartments in an accessible location; and
- Providing 400-500 additional jobs towards the Inner West subregional target of 12,500 additional jobs by 2031.

#### **2.3.4 Strathfield Planning Scheme Ordinance 1969**

The Strathfield Planning Scheme Ordinance 1969 provides the comprehensive planning framework for land uses and development standards for the Strathfield Local Government Area, including the acquisition of local roads and open space. The permissibility of the proposed uses is addressed in **Section 3.2** of this report.

#### **2.3.5 Strathfield Council Parramatta Road Corridor Study**

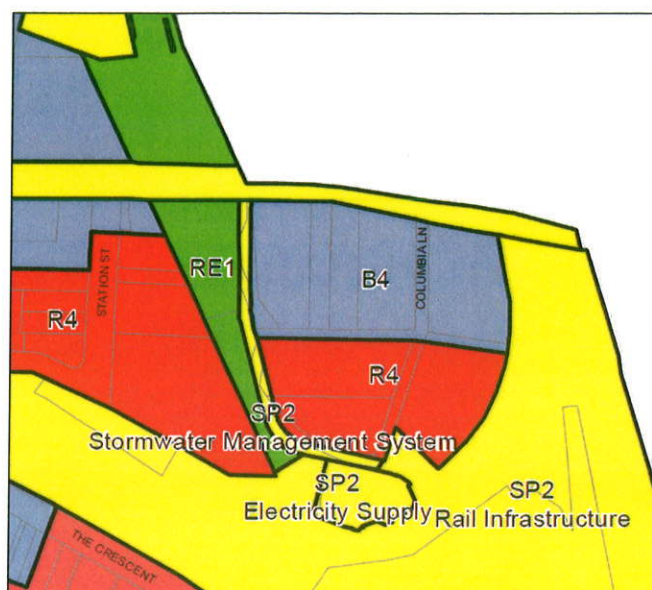
A review of the controls applying to the Parramatta Road corridor was undertaken by Strathfield Council to inform the new comprehensive Local Environmental Plan. The review considered the recommendations of the economic and residential land use studies. The key recommendations for land use planning and urban design, as they relate to the subject site are:

- B4 Mixed Use between Parramatta Road and Railway Lane;
- R4 High Density Residential south of Railway Lane;
- Floor space ratios for the different blocks ranging from 2.7:1 to 2.95:1;
- 4-6 storeys in height;
- George Street extension, south of Parramatta Road;
- Powells Creek open space corridor south of Parramatta Road; and
- Central public square.

#### **2.3.6 Draft Strathfield Local Environmental Plan 2011**

The Draft Strathfield Local Environmental Plan 2011 is the draft comprehensive Local Environmental Plan prepared for the Strathfield Local Government Area and is based on the outcomes of the Strathfield Residential Land Use Study (November 2011) and Strathfield Economic Land Use and Employment Strategy (dated June 2010). The Draft Local Environmental Plan 2011 was exhibited from 31 January to 23 March 2012.

The Draft Local Environmental Plan 2011 proposes changes to the current planning controls for the Parramatta Road corridor, based on the recommendations of the Parramatta Road Corridor Urban Design Study. The zoning of the site is proposed to be B4 Mixed Use, R4 High Density Residential, and RE1 Public Recreation (**Figure 8**).



**Figure 8 – Draft Strathfield Local Environmental Plan Zoning Map**

New floor space ratio and height of building standards are proposed to be introduced for Key Sites including the subject site, as follows:

- Maximum floor space ratios ranging from 2.7:1 to 2.95:1; and
- Maximum building heights of 29 metres.

The proposed floor space ratio and maximum height of the proposal is 2.82:1 and 68.2 metres.

### **3. STATUTORY CONTEXT**

#### **3.1. Major Project Declaration**

The proposal is a major project under Part 3A of the Environmental Planning and Assessment Act, 1979 (EP&A Act) because it is development for the purpose of residential, commercial or retail development under clause 13 of Schedule 1 of State Environmental Planning Policy (Major Development) 2005. The project has a capital Investment Value exceeding \$100 million.

#### **3.2. Continuing Operation of Part 3A**

Part 3A of the EP&A Act, as in force immediately before its repeal on 1 October 2011 and as modified by Schedule 6A of the EP&A Act, continues to apply to transitional Part 3A projects. Director-General's Environmental Assessment Requirements (DGRs) were issued for this project prior to 8 April 2011, and the project is therefore a transitional Part 3A project.

Consequently, this report has been prepared in accordance with the requirements of Part 3A and associated regulations, and the Minister (or his delegate) may approve or disapprove of the carrying out of the project under Section 75O of the EP&A Act.

#### **3.3. Determination under delegation**

The Minister has delegated his functions to determine Part 3A applications to the Planning Assessment Commission where:

- The relevant local council objects to the proposal; or
- There are more than 25 submissions in the nature of objections; or
- A reportable political donation has been received.

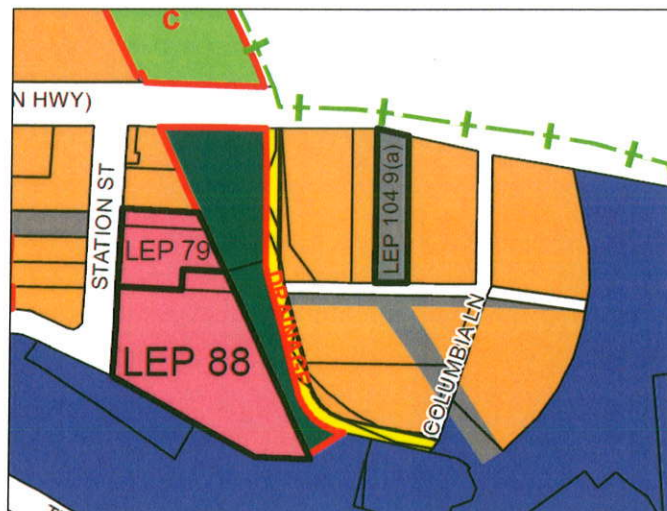


Strathfield Council objected to the proposal and therefore, the application is to be determined by the Planning Assessment Commission under delegation from the Minister.

### 3.4. Permissibility

The principle Environmental Planning Instrument applying to the subject site is the Strathfield Planning Scheme Ordinance, 1969. The site has the following land use zonings (Refer **Figure 9**):

- Mixed Use 10;
- Proposed Open Space 6(d); and
- Proposed Local Road 9(a).



**Figure 9 – Strathfield Planning Scheme Ordinance 1969- Zoning Map- 10 Mixed Use (taupe), Proposed Open Space 6(d) (green) and Proposed Local Road 9(a) (grey) (Source: Strathfield Council)**

The proposed development is generally permissible under the Planning Scheme Ordinance. The alignment of the Proposed Local Road 9(a) zone and widening of existing lanes differs in the Concept Plan proposal, which means some road realignment works are prohibited.

The authorisation of a Concept Plan allows the Minister or his delegate to give approval for prohibited land uses where the land is not in a defined sensitive coastal location or a defined environmentally sensitive area of State Significance. The site is not located within either of these locations. In this regard, the merits of the proposed Concept Plan including the proposed alignment of the George Street extension are discussed in **Section 5** of this report.

### 3.5. Environmental Planning Instruments

Under Sections 75I(2)(d) and 75I(2)(e) of the EP&A Act, the Director-General's report for a project is required to include a copy of, or reference to, the provisions of any State Environmental Planning Policy that substantially governs the carrying out of the project, and the provisions of any Environmental Planning Instruments (EPI) that would (except for the application of Part 3A) substantially govern the carrying out of the project and that have been taken into consideration in the assessment of the project.

A number of key EPIs have been addressed in section 5 of this report including State Environmental Planning Policy No. 65 – Design Quality of Residential Flat Buildings, State Environmental Planning Policy (Infrastructure) 2007 and State Environmental Planning Policy 55-Remediation of Land. The Department has considered the proposal against the objectives and requirements of the relevant EPIs and is satisfied that the proposal is consistent with the relevant requirements.

A summary of the Department's consideration of any relevant Environmental Planning Instruments is provided in **Appendix D**.

### 3.6. Objects the EP&A Act

Decisions made under the EP&A Act must have regard to the objects of the Act, as set out in Section 5 of the EP&A Act. The relevant objects are:

- (a) *to encourage:*
  - (i) *the proper management, development and conservation of natural and artificial resources, including agricultural land, natural areas, forests, minerals, water, cities, towns and villages for the purpose of promoting the social and economic welfare of the community and a better environment,*
  - (ii) *the promotion and co-ordination of the orderly and economic use and development of land,*
  - (iii) *the protection, provision and co-ordination of communication and utility services,*
  - (iv) *the provision of land for public purposes,*
  - (v) *the provision and co-ordination of community services and facilities, and*
  - (vi) *the protection of the environment, including the protection and conservation of native animals and plants, including threatened species, populations and ecological communities, and their habitats, and*
  - (vii) *ecologically sustainable development, and*
  - (viii) *the provision and maintenance of affordable housing, and*
- (b) *to promote the sharing of the responsibility for environmental planning between the different levels of government in the State, and*
- (c) *to provide increased opportunity for public involvement and participation in environmental planning and assessment.*

The proposal is consistent with the objects of the EP&A Act, in that:

- Urban stormwater management strategies are proposed to mitigate downstream impacts;
- Proposed shops and services support future residents and provide employment opportunities;
- The proposal includes a 3,673m<sup>2</sup> park as an extension to the Powells Creek corridor;
- The proposal includes a public square and space for a community facility;
- The pedestrian bridge to the Powells Creek open space complements Council's Master Plan;
- The proposal includes a range of measures that support Ecologically Sustainable Development; and
- The proposal contributes significantly to the supply of housing in the locality.

### 3.7. Ecologically Sustainable Development

The EP&A Act adopts the definition of Ecologically Sustainable Development found in the Protection of the Environment Administration Act 1991. Section 6(2) of the Act states that Ecologically Sustainable Development requires the effective integration of economic and environmental considerations in decision-making processes and that this can be achieved through the implementation of:

- a) the precautionary principle;
- b) inter-generational equity;
- c) conservation of biological diversity and ecological integrity; and
- d) improved valuation, pricing and incentive mechanisms.

The Department has considered the proposed development in relation to the above principles and has made the following conclusions:

- a) **The Precautionary Principle** – the application is supported by technical and environmental reports which conclude that the proposal's environmental impacts can be successfully

mitigated. No irreversible or serious environmental impacts have been identified. No significant climate change risks are identified as a result of this proposal.

- b) **Inter-Generational Equity** – the proposal represents a sustainable use of the site as the development includes residential uses supported by local retail and community facilities, which would enable people to live in an area close to local support services and facilities to reduce travel demands. The site is also located within a 400m walking distance of Homebush train station and a number of bus services are available allowing residents and employees to make sustainable travel choices.
- c) **Conservation of Biological Diversity and Ecological Integrity** – the proposal is located within an existing urban area, currently used for industrial purposes. Vegetation that remains on site is not remnant vegetation, and is considered to be of low significance by the Proponent's arboricultural consultant.
- d) **Improved Valuation, Pricing and Incentive Mechanisms** – the proposal will maximise the site's location and will provide an improved environment to that which currently exists.

The Proponent is committed to designing future Development Applications in accordance with Ecologically Sustainable Development principles and has reinforced this through the revised Statement of Commitments and the Environmental Assessment which explores key opportunities, including but not limited to:

- Collection of rainwater for landscape watering;
- Benchmarking buildings against BASIX and Green Star rating tools;
- Solar shading devices;
- Consideration of tri-generation plants;
- Maximising cross ventilation through flow through apartments;
- Shallow building footprints; and
- Demonstrating good solar access.

In addition, the Proponent has provided spaces for 3 community rooms in separate buildings, addressing public open space for dedication to Strathfield Council for flexible community use, if Council is willing to accept those spaces for such purposes.

It is recommended that a future Environmental Assessment Requirements be imposed to require future Development Applications have a minimum 5 star Green Star rating and incorporate best practice Ecologically Sustainable Development measures that optimise energy and water efficiency. On this basis, the Department is satisfied that the Concept Plan proposal is consistent with the principles of Ecologically Sustainable Development.

### 3.8. Statement of Compliance

In accordance with Section 75I of the EP&A Act, the Department is satisfied that the Director-General's Environmental Assessment Requirements have been complied with. (Refer **Appendix E**).

## 4. CONSULTATION AND SUBMISSIONS

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### 4.1. Exhibition

Under Section 75H(3) of the EP&A Act, the Director-General is required to make the Environmental Assessment publicly available for at least 30 days. The Environmental Assessment was publicly exhibited from 18 January 2012 until 29 February 2012 (42 days) on the Department's

website, and made available at the Department's Information Centre and Strathfield Council's offices, Strathfield. The Department also advertised the public exhibition in the Sydney Morning Herald and the Daily Telegraph on 18 January 2012 and in the Inner West Courier on 17 January 2012, and notified landholders, and relevant State and local government authorities in writing.

The Department received 14 submissions during the exhibition of the Environmental Assessment including 7 submissions from public authorities and 7 submissions from the public. Copies of submissions were made available on the Department's website referenced at **Appendix B**. A summary of the issues raised in submissions is provided below.

## 4.2. Public Authority Submissions

Seven submissions were received from public authorities in response to the Environmental Assessment. The Department forwarded the Preferred Project Report to public agencies for comment and a further four submissions were received. Strathfield Council objected to both the Environmental Assessment and the Preferred Project Report. Key issues provided in the submissions are summarised in **Table 2**.

**Table 2: Public authority submissions**

**Strathfield Council objects to the proposal**

<i>Environmental Assessment</i>	<p><i>General comments</i></p> <ul style="list-style-type: none"> <li>The height and floor space ratio should be consistent with the Draft Strathfield Local Environmental Plan 2011.</li> <li>EA fails to address how the proposal supports and differentiates the role of strategic centres, protect employment lands and promotes Parramatta Road as an Enterprise Corridor, as outlined in the <i>Metropolitan Strategy for Sydney 2036</i> and the <i>Draft Inner West Subregional Strategy</i>.</li> </ul> <p><i>Urban design and built form</i></p> <ul style="list-style-type: none"> <li>Provided an alternative development framework for the site, which varies from Development Control Plan No. 20 building envelopes.</li> <li>Council's urban design and built form approach shows perimeter block housing built to street alignments with central landscaped open spaces. Buildings have additional 'pop-up' elements of 1-2 storeys with small footprints to provide 'visual interest and height articulation'.</li> <li>The proposed alignment of George Street differs from Council's Planning Scheme Ordinance and Development Control Plan No. 20 controls.</li> </ul> <p><i>Building height</i></p> <ul style="list-style-type: none"> <li>Concerned with the proposed height of 2-21 storeys. Building height at 21 storeys is excessive. The heights are unsuitable in an out of centre location and are more appropriate in the Strathfield Town Centre.</li> <li>Would support buildings up to 12 storeys in height.</li> <li>Council seeks a redesign of the Concept Plan which reduces the bulk and height to a scale that is consistent with the surrounding area.</li> <li>Excessive height proposed exposes greater number of apartments to noise from freight rail and the elevated M4 motorway.</li> </ul> <p><i>Residential amenity</i></p> <ul style="list-style-type: none"> <li>Council's urban design and built form approach has been informed by concerns with noise impacts on existing and future residents, particularly from Parramatta Road and the North Strathfield Goods Loop. Using the buildings as noise barriers, Council's approach seeks to buffer public and private spaces from noise impacts.</li> <li>Concerned with noise sampling in the SLR Noise and Vibration Assessment Report. Requested the two different approaches be assessed with a 3D acoustic model in the SoundPLAN software.</li> <li>Facade design alone cannot address acoustic impacts from the adjoining rail line and Parramatta Road and M4 Motorway.</li> </ul>
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*Road works*

- Opposed to the proposed roadway design for Columbia Lane and Railway Lane and requested further discussions with the Proponent.

*Open space*

- Concerned with the design, construction and management of the proposed extension to Powells Creek open space corridor. Requested more detail of the landscape design and sought to determine who should be responsible for its construction.
- Concerned that the Powells Creek regional open space to be dedicated to Council has been used to achieve compliance with open space and deep soil landscaping controls for the development site.
- Sought to review the alignment of the central square open space.
- Support roof top common open space along the Parramatta Road frontage however are concerned about the amount and configuration of private open space proposed at the podium of buildings and at the ground level.

*Photomontages*

- Questioned accuracy of the photomontages in the visual assessment and requests an independent chartered surveyor to assess.

*Zoning permissibility and land use*

- Accepts the proposal is generally consistent with the Mixed Use 10 Zone under the Planning Scheme Ordinance 1969 and the Draft Local Environmental Plan 2011 in terms of permissibility and consistency with the zone objectives.
- Supports the retention of Kennards Self Storage premises, and the proposed alterations, which sees a reduction in area.

*Transport, traffic and access*

- Seeks to upgrade pedestrian and bicycle access to the Strathfield Town Centre, via crossing the Northern Railway Line or linking the site to the proposed Powells Creek open space corridor.
- Requests 2 bicycle spaces and locker per apartment.
- Energy Australia does not have capacity for established load and a further study was required to determine infrastructure requirements for the site. Requests an investigation of alternative energy provision as well as energy efficiency design options.

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*Preferred  
Project Report*

In addition to the comments raised by Council in its submission to the Environmental Assessment, comments on the Preferred Project Report, are summarised as follows:

*Landowner's consent*

- Landowner's consent required from Strathfield Council, Sydney Water and RailCorp not provided.
- Council will withhold landowner's consent until the proposal is amended to satisfactorily address their comments.

*Open space*

- Inadequate provision of usable open space for future residents.
- Lot 1 DP 814227 (the Powells Creek open space extension) should be excluded from common open space and deep soil landscape calculations, as it is identified as regional open space.
- Maintenance costs of regional open space (Lot 1 DP 814227) should be attributed to the proposed Concept Plan development as it will result in more intensive use of the space by future occupants of the site, compared to Council's preferred urban design approach.

*Density and Floor Space Ratio*

- Question the floor space ratio calculation provided by the Proponent.
- Exclusion of regional open space and land owned by Council and Sydney Water, results in a floor space ratio of 3.2:1, which is not supported.

#### *Urban Design and built form*

- Provided further explanation for the benefits of Council's preferred urban design approach against the proposed Concept Plan, as follows:
  - Greater commercial frontage to public domain;
  - George Street extension terminates in a building along Parramatta Road;
  - Internal view corridor to public square is preferred; and
  - Lower cost

#### *Residential amenity*

- Noise sampling locations are inadequate and should include more locations that have exposure to the M4 and the freight rail line.

#### *Transport, traffic and access*

- Insufficient car parking provided for the development.
- Prefer the pedestrian bridge crossing Parramatta Road is designed to a brief supplied by Council.
- Pedestrian link between 8-12 Station Street and 14-16 Station Street relies on crossing land not currently owned by Council resulting in a distance of 400m to Homebush Station.

#### *Ecologically Sustainable Development*

- Seek a greater commitment to sustainability initiatives be incorporated into the redevelopment by the Proponent.

#### *Section 94 contributions*

- Following gazettal of the Draft Local Environmental Plan 2012, Council will commence the process of updating the Social Plan and Section 94 Plan with community facilities to satisfy the demands created by additional population densities in the Parramatta Road corridor.
- Council is not in a position to provide final comments with regard to community facilities and needs for the proposal until the proposal is updated. Demand for community space to support culturally and linguistically diverse groups and a youth drop in centre was identified.
- Welcomes community space to be dedicated in addition to Section 94 contributions. Prefer 1 larger space rather than smaller spaces.

04/02/13 meeting

#### *Section 94 Contributions*

- Council reiterated its concerns with the Environmental Assessment and Preferred Project Report.
- Council prefers a community facility in a central location within the Parramatta Road corridor, however acknowledged the development would generate demand for additional community facilities.
- Council to confirm its preferred size of the community facility.

#### **RailCorp does not object to the proposal**

*Environmental Assessment*

- Owner's consent not granted for potential future link from the subject site to Strathfield Town centre via the RailCorp owned land to the south east of the site and objected to the inclusion of its land as part of the Concept Plan.
- Identified the need for the Proponent to obtain consent from RailCorp if the Concept Plan included any land owned by RailCorp.
- Identified the need to ensure streets can accommodate large RailCorp vehicles. The existing Columbia Lane and Railway Lane are the only means of accessing the RailCorp Depot Lands and railway tracks to carry out maintenance and emergency works and for the construction of the Northern Sydney Freight Corridor.

*Preferred Project Report*

- Recommended future environmental assessment requirements for future Development Applications, in relation to the provision of property and title

- search and survey information, corridor protection, drainage, noise and vibration, balconies and windows, reflective material, fencing and landscaping and RailCorp access. These have been included within the recommendation.
- Requested a copy of the final Concept Plan approval for its records.
- Owner's consent has been obtained.

**Roads and Maritime Authority – does not object to the proposal**

*Environmental  
Assessment*

- Recommended the proposed fourth leg of the signalised T-intersection on Parramatta Road at George Street be given further consideration to ensure the geometric layout is appropriate and the sufficient land dedication and building setbacks are incorporated into the Concept Plan and requested additional information from the Proponent.
- Requested consideration be given to improve bus amenity along Parramatta Road via upgrades to the existing bus stop.
- Does not support proposed northern raised threshold for pedestrians on the proposed George Street extension to the site as it is too close to Parramatta Road.
- Raised concerns with the adequacy of loading provision for servicing and deliveries to the proposed developments.

*Preferred Project  
Report*

- Provided 'in-principle' approval to the proposed traffic signals at the existing signalised intersection on Parramatta Road at George Street.
- Advised that the proposed Parramatta Road intersection requires approval under Section 87 of the Roads Act 1993.
- Recommended future environmental assessment requirements which have been included in the recommendation.

**Transport for NSW does not object to the proposal**

- Provided comments in relation to the potential impacts of the proposal on the possible future Metro rail corridor (The Sydney Metro has now been deferred).

**City of Canada Bay Council objects to the proposal**

*Environmental  
Assessment*

- Generally sportive of the proposal to bring about improvements to the environment and amenity of the locality, however, raises concerns with the scale of the proposal and its compatibility with the existing and proposed statutory planning context.
- Requests the proposal more closely align with established and envisaged built form, building height and the distribution of floor space and open space of the precinct.

*Preferred Project  
Report*

- No additional comments were provided.

**Office of Environment and Heritage – Heritage Branch**

- Recommends future Construction Management Plans include reference to Section 146 of the NSW Heritage Act 1977 and the need to notify the Heritage Council of NSW if any archaeological 'relics' are uncovered during the construction process.

**Office of Environment and Heritage does not object to the proposal**

- No objections and no further interest in being involved.

**Ausgrid does not object to the proposal**

- No objections, subject to inclusion of future Environmental Assessment Requirements for future Development Applications.

### 4.3. Public Submissions

The Department received seven submissions from the public to the Environmental Assessment. All public submissions received were from individual members of the public within the close proximity of the subject site. On 25 February 2013, an additional late submission was received from a nearby resident. The key issues raised in public submissions are listed in **Table 3**.

**Table 3: Summary of Issues Raised in Public Submissions**

Issue	Times mentioned	Proportion of submissions (%)
Increased traffic levels on surrounding roads	5	(71%)
Incompatibility of building height with locality	5	(71%)
Will result in overshadowing of surrounding development	4	(57%)
Insufficient infrastructure to support the development	4	(57%)
Lack of on-site car parking	2	(29%)
Noise impacts from roads and rail on future residents	1	(14%)
Increase in pollution/ rubbish	1	(14%)
Overdevelopment of Parramatta Road corridor	1	(14%)
Negative impacts on adjoining Heritage Listed bridge	1	(14%)
Lack of public open space provision	1	(14%)
Viability concerns regarding the proposed retail units	1	(14%)

These matters are addressed in the Department's assessment in **Section 5** of this report. Future Assessment Requirements are included within the recommendation and relate to the provision of a high quality building design, provision of common open space and public domain spaces, street activation and the achievement of high levels of residential amenity.

### 4.4. Proponent's Response to Submissions

The Proponent provided a response to the key issues raised by the Department and in submissions received (Refer to **Appendix C**).

## 5. ASSESSMENT

This section of the report provides an assessment of the key issues considered in relation to the Concept Plan. The Department considers the key assessment issues to be:

- Strategic Context;
- Built form and urban design;
- Residential amenity;
- Traffic, access and parking; and
- Open space.

### 5.1. Strategic Context

In considering the strategic context of the proposed development, the assessment took into account the following factors:

- Consistency with the Metropolitan Plan for Sydney 2036 and the Draft Metropolitan Strategy for Sydney to 2031;
- Access to public transport; and
- Impacts upon surrounding centres.

### **5.1.1 Consistency with the Metropolitan Plan for Sydney 2036 and the Draft Metropolitan Strategy for Sydney to 2031**

Strathfield Council raised concerns with the potential impacts of the proposed development on the role of Parramatta Road, as an identified corridor, as well as the provision of land for employment uses, as identified in the Metropolitan Plan for Sydney 2036 and the Inner West Subregional Strategy. Council also raised concern with the potential loss of employment lands as a result of the mixed use development.

The Draft Metropolitan Strategy for Sydney to 2031 was published in March 2013. This Strategy supersedes the Metropolitan Plan for Sydney 2036. This assessment has therefore considered the merits of the proposal against the objectives and aims of the Draft Metropolitan Strategy for Sydney to 2031.

As mentioned in **Section 2.3.2**, the proposal is consistent with the Draft Metropolitan Strategy for Sydney to 2031 as it will contribute towards the provision of new housing and jobs in a well located site in terms of public transport, services and facilities, within an existing urban area.

The site is located along the Parramatta Road corridor, as identified within the Metropolitan Strategy for Sydney. The mix of uses proposed is consistent with the strategic planning context for the Parramatta Road corridor. Council's Economic Land Use and Employment Strategy (June 2010), identified strategies for the Homebush Village to develop into a business and services hub and to encourage retail and mixed use activity focused on the Homebush Station and Parramatta Road north of the railway line. The proposed uses are consistent with and will support this aim. Moreover, the proposed mix of uses is consistent with zoning provisions of the Council's Draft Local Environmental Plan 2011 for the site.

The Department notes that the site is not identified as a location for strategic employment lands under the Draft Metropolitan Strategy or the Draft Inner West Subregional Strategy. In addition, the site does not currently have a significant estimated employment generation rate. The Proponent's Economic Assessment estimates that the site currently provides for approximately 150 jobs. The proposal however, is expected to generate approximately 400-500 on going jobs, making a contribution towards the overall job capacity target for the Inner West subregion. The Draft Metropolitan Strategy maps potential urban renewal and growth opportunities for centres and corridors supported by the existing rail network. The density of the development and scale proposed supports a compact city structure which can contain the urban footprint and renew an existing urban area.

#### **5.1.2 Access to Public Transport**

One of the principle objectives of the Metropolitan Strategy for Sydney to 2031 is to locate greater population densities in areas well served by public transport to optimise the use of the transport system. In this regard, the site is located within close proximity to a range of key public transport infrastructure including regular rail and bus services, providing good access between the site and nearby centres of employment and retail shopping activity.

The site is well served by a number of rail and bus services. Specifically, the site is located within 400m walking distance from Homebush Train Station, approximately 800 metres from the North Strathfield Train Station on the Main Northern Line and within 1,200m to Strathfield Station on the Western Line. Also, regular bus services are available along Parramatta Road.

Furthermore, the Concept Plan will facilitate enhanced pedestrian links between Homebush station and the site by utilising the pedestrian right of way through 8-12 Station Street and the Powells Creek open space corridor.

### 5.1.3 Impacts upon Surrounding Centres

Strathfield Council raised concerns with the potential impact of the proposed development on surrounding centres, particularly the amount of proposed retail/commercial space and the viability of existing urban centres in the region. The Preferred Project Report seeks approval for 4760m<sup>2</sup> of retail floor space comprising 1300m<sup>2</sup> of neighbourhood retail uses and 3460m<sup>2</sup> of showrooms.

Showrooms are proposed along the Parramatta Road frontage over two levels in blocks A, B, C, D and G, H, I, J. Neighbourhood retail tenancies are proposed along the frontage to the new George Street extension, Railway Lane and Columbia Lane, the public square, located towards the centre of the site and along the frontage to the Powells Creek open space corridor.

The Proponent suggests that the proposal is consistent with the site's Mixed Use zoning, for which a wide range of uses are permissible including retail and commercial uses. Council has also sought to zone the site Mixed Use and High Density Residential in the Draft Local Environmental Plan 2011, within which traditional employment uses including freight transport facilities, general industries, vehicle body repair workshops, warehouses and distribution centres are prohibited. Leyshon Consulting, the Proponent's retail economists states that:

*"From an economic perspective the proposed development is entirely consistent with general objectives to boost economic activity through redevelopment in the Parramatta Road corridor. Critical to the revitalisation of Parramatta Road as an Enterprise Corridor will be increasing the number and quality of mixed –use developments like that proposed for the Columbia Precinct at Homebush".*

The Proponent argues that a mix of local convenience retail and bulky goods retail is appropriate for the site in the longer term. Additional bulky goods retailing which is already established along Parramatta Road is generally absent in major commercial centres such as Burwood and Strathfield and the overall quantum of retail/commercial floor space is comparatively small.

The Department considers the proposed neighbourhood shops are unlikely to impact on nearby centres. The small size of neighbourhood retail shops shown on the indicative ground floor plan submitted with the Concept Plan is suggestive of the small catchment of customers for those retail tenancies. The neighbourhood shops are proposed to serve future residents and workers on the site and the local Homebush community, which can support local retail uses in the Bakehouse Quarter to the north. Showrooms fronting Parramatta Road will draw their trade from passers-by due to the exposure to Parramatta Road.

## 5.2. Built Form and Urban Design

### 5.2.1 Density

The proposal seeks to provide a mixed use development providing 83,606m<sup>2</sup> of gross floor area and a total floor space ratio of 2.82:1. **Table 4** provides a breakdown of the proposed gross floor area for the different uses and stages of redevelopment.

**Table 4: Proposed GFA breakdown by stage and use**

Use	Stage 1A (m <sup>2</sup> )	Stage 1B (m <sup>2</sup> )	Stage 2A (m <sup>2</sup> )	Stage 2B (m <sup>2</sup> )	Stage 3 (m <sup>2</sup> )	Total (m <sup>2</sup> )
Kennards commercial	0	0	1550	0	0	1,550
Neighbourhood commercial	1,678	787	0	234	0	2,699
Neighbourhood retail	1,300	0	0	0	0	1,300
Showroom	3,460	0	0	0	0	3,460
Storage facility	0	0	12,850	0	0	12,850

Use	Stage 1A (m <sup>2</sup> )	Stage 1B (m <sup>2</sup> )	Stage 2A (m <sup>2</sup> )	Stage 2B (m <sup>2</sup> )	Stage 3 (m <sup>2</sup> )	Total (m <sup>2</sup> )
Community Use	0	240	0	300	380	920
Residential	23,730	11,961	0	14,303	10,833	60,827
<b>Total (m<sup>2</sup>)</b>	<b>30,168</b>	<b>12,988</b>	<b>14,400</b>	<b>14,837</b>	<b>11,213</b>	<b>83,606</b>

Strathfield Council did not object to the density proposed in the Environmental Assessment, which is generally consistent with the Draft Strathfield Local Environmental Plan 2011, however raised concern with the inclusion of Lot 1 in DP 814227 for the purposes of calculating the site area and floor space ratio. Excluding Lot 1 in DP 814227 (regional open space zoned land) from the site, results in a floor space ratio of 3.2:1. This exceeds the range for the site of 2.7:1 to 2.95:1 under Council's Draft Local Environmental Plan 2011. Council does not support the proposal with a floor space ratio of 3.2:1.

The Department considers the inclusion of Lot 1 in DP 814227 to be acceptable. The open space forms part of the land to which the Minister's declaration applies and the Concept Plan appropriately integrates the open space area with the overall site redevelopment. The floor space ratio of 2.82:1 results in a proposed yield of approximately 650 apartments. This represents a density of approximately 220 dwellings per hectare. This is an appropriate site density for the redevelopment of a large site within an urban area that has convenient access to public transport.

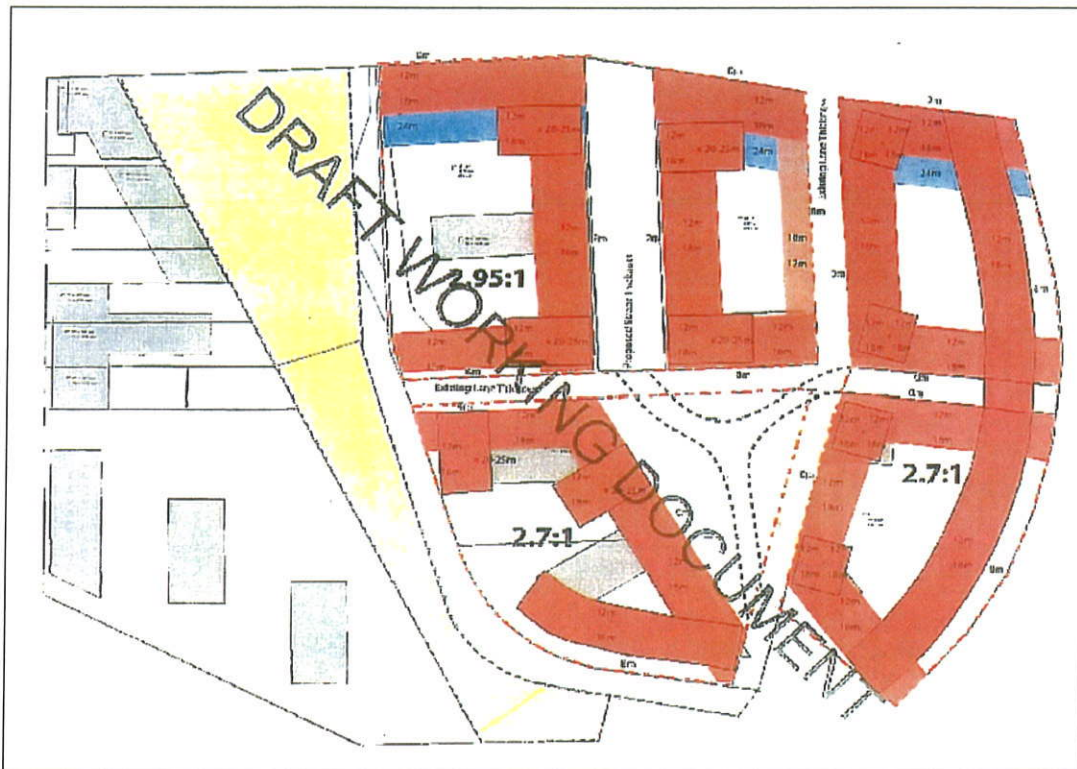
### 5.2.2 Height and Visual impact

Strathfield Council, City of Canada Bay Council and four of the public submissions received raised concerns with the height of the proposed buildings. Strathfield Council specifically raised the following concerns with the proposal:

- The proposal breaches the height in Development Control Plan No. 20 and the Draft Local Environmental Plan 2011;
- The proposal is taller than the tallest buildings in the Strathfield Town Centre;
- The proposal does not follow the strategic hierarchy of height and floor space ratios in urban centres in Sydney being located within Homebush a village centre; and
- The proposal is inconsistent with the scale of buildings in the surrounding locality.

In response to the proposed development, Strathfield Council prepared a preferred built form layout, based on the urban design study for the Parramatta Road Corridor and strategic planning, which has informed the preparation of a the Draft Local Environmental Plan 2012. This layout envisages heights of between 5-7 storeys (12-18 metres) (Refer **Figure 10**).





**Figure 10 – Strathfield Council draft Development Control Plan building envelope controls (Source: Council submission to Environmental Assessment)**

The Department has considered the following in the assessment of the proposed building heights:

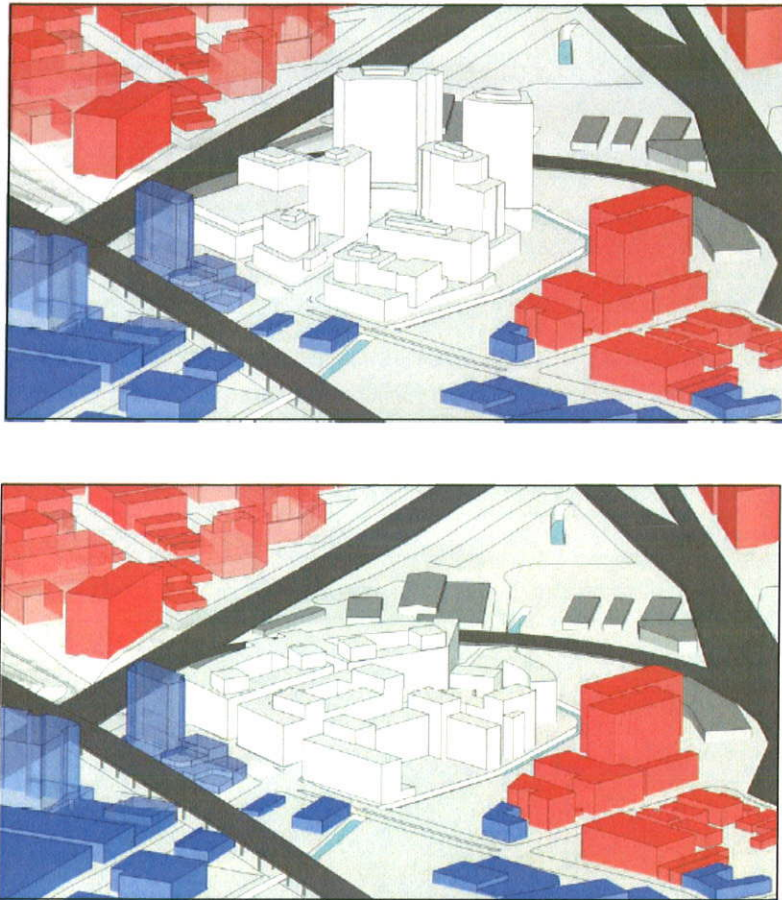
- Height Context - Existing building heights in the locality and future character of the Parramatta Road corridor;
- Built Form - The layout of the buildings, building separation and bulk in terms of floor plates and depth;
- Design Excellence - Whether design excellence can be achieved with future Development Applications; and
- Amenity Impacts - The impacts on proposed public domain areas including overshadowing, wind etc.

#### Height Context

The proposed buildings have been designed to rise in height from Parramatta Road towards the rear of the site up to a maximum of 21 storeys (including podium). The proposed building envelopes range from 2-8 storeys along Parramatta Road and 3–21 storeys to the south of Railway Lane. Buildings immediately to the west of the site range between 6-12 storeys in height. To the east, there is an approval for buildings between 9-14 storeys.

The Proponent has prepared plans illustrating the proposed building heights in relation to surrounding development, compared with Council's alternate building layout, detailed within its submissions (**Figure 11**). The plans provide a context for the site which is surrounded by a number of building tower forms with a range of heights. Buildings immediately to the west of the site range between 6-12 storeys in height. To the east, there is approval for buildings between 9-14 storeys.





**Figure 11 – Proposed building heights (Top) and Council's alternate scheme (Bottom) in relation to surrounding development (Source: PPR)**

The visual impact assessment submitted by the Proponent concludes that although there would be a moderate to high impact experienced due to the height of the two towers; the overall impact would be positive given that the proposal responds to the existing and potential future development along Parramatta Road and George Street. Given that Parramatta Road is an identified corridor and the sites proximity to public transport options; the Department considers that higher density and taller development is justified.

#### Built Form

In terms of built form, the proposed lower level podium buildings fronting Parramatta Road will provide an appropriate pedestrian scale, with taller towers above setback to reduce the appearance of visual bulk from the street and surrounding areas. The proposed location of the taller buildings towards the centre and rear of the site will be visible from the surrounding areas, however their visual impacts will be mitigated by the proposed generous building separation from each other and surrounding development. The stepped height of the buildings away from Parramatta Road and the setbacks will further reduce the visual impact at street level and provide for an appropriate height transition along the transport corridor. The Department considers that the proposed building envelopes are generally well modulated stepping up from Parramatta Road towards Homebush Village centre.

The proposal also provides for generous separation between the buildings and makes use of interesting and varied building forms to break up the perceived bulk of the buildings. The tower buildings are slender in form and the area, depth and diagonal dimension of the tower floor plates will mitigate appearance of bulk when viewed from outside and within the site. It is considered that the size and depth of the site provides a unique opportunity to deliver a development of greater height than the existing and surrounding development.

### Design Excellence

The Department recognises that the achievement of a high level of design quality through appropriate building articulation and modulation of building facades will be paramount given the height of the proposed building.

As the two 21 storey towers will be the tallest within the vicinity, it is recommended that the buildings be required to be designed to a high standard of design excellence. It is therefore recommended that a Future Assessment Requirement be included as part of the approval, requiring buildings in excess of 55 metres in height to be the subject of a design excellence competition held in accordance with the Design Excellence Guidelines published by the Department of Planning and Infrastructure. Further environmental assessment of the detailed building design and façade treatments will be undertaken by Council at future Development Application stages.

### Amenity Impacts

The Department has also reviewed the Proponent's shadow analysis and notes that the extent of overshadowing generated by the proposed development, at midwinter (21 June) mainly impacts upon the Northern Sydney Rail Loop corridor, the railway depot and substation and the internal portions of the site. Some additional overshadowing will occur to residential apartments to the south west in the morning at midwinter. By 11am, the extent of shadow cast by the proposed development will occur only on the rail corridor and rail depot lands at midwinter.

In addition, the wind impact assessment by SLR Consulting as part of the Environmental Assessment concludes that due to existing shielding of the site by existing buildings, the proposed built form and the location of pedestrian areas and spaces mean that the development will not result in unacceptable amenity in terms of wind impacts. A Future Assessment Requirement is recommended to ensure that future Development Applications consider the recommendations of the Proponent's wind impact assessment.

### Conclusion

The Department acknowledges that an increase in building height above 12 storeys at this location would alter the character of the area. However, the site has been identified as an appropriate location for higher density residential development given its location in relation to public transport, employment, education and shopping facilities and the provision of additional ground floor open space to be accessible to the public.

The Department has considered Council's desired strategic direction and concludes that the Concept Plan offers an acceptable outcome for the site, given that:

- The site is within the Parramatta Road Corridor;
- The site is an identified location for increased housing and employment opportunities;
- The separation between buildings and public open space at ground level is appropriate;
- The transition in height from Parramatta Road provides an appropriate relationship to surrounding development;
- The heights are an appropriate scale in comparison to the adjacent sites;
- The site's size and depth from Parramatta Road make it suitable for the proposal;
- Overshadowing mainly impacts on the railway land and the existing substation site;
- Open space will receive good solar access during most of the year; and
- Wind impacts are generally mitigated by podium structures and landscaping.

Furthermore, the proposal will provide the following public benefits to future residents and the wider community:

- Dedication of public open space to Council in excess of the public open space required by Council's Development Control Plan No. 20 and Draft Local Environmental Plan 2011;
- Improvements to pedestrian permeability through the site including public open space and access to regional open space, as an extension of the Powells Creek open space corridor;

- Retail and commercial land uses to provide daily convenience retail facilities as well as activation, surveillance and safety in this area;
- Improved amenity for future residents in terms of views, privacy and solar access; and
- Inclusion of recommendations for future environmental assessment requirements to ensure design quality for tower buildings including a requirement for a design competition for all building over 55 metres in height, and a requirement for the Proponent to demonstrate appropriate articulation of building facades and high quality materials and finishes.

### 5.3. Residential Amenity

The proposal has been considered against State Environmental Planning Policy No. 65 – Design Quality of Residential Flat Buildings and the accompanying Residential Flat Design Code.

The Concept Plan only provides indicative building apartment layouts and compliance with the Residential Flat Design Code criteria will need to be more fully demonstrated by the Proponent in future Development Applications. Notwithstanding, it is the Department's practice to assess the level of residential amenity in terms of building separation, visual and acoustic privacy, building depth, natural cross ventilation, solar access, open space and deep soil landscaping to determine whether or not the criteria can generally be achieved so that future Development Applications can achieve good standards of residential amenity. During the assessment of the Concept Plan, concerns were raised by the Department and Strathfield Council with regard to the following residential amenity considerations:

- Building Separation and Privacy;
- Solar access; and
- Noise.

#### 5.3.1 Building Separation and Privacy

The Department requested consistency with the recommended building separation distances stipulated in the Residential Flat Design Code. The Code recommends building separation distances, dependent on building height, in order to maximise visual and acoustic privacy between residential flat buildings and to minimise the bulk and scale impacts of buildings. The proposed building separation distances are shown in **Table 5**.

**Table 5: Proposed Concept Plan building separation**

Building Height (in storeys)	Proposed Separation	Required Separation	RFDC Compliance
B (7) to D (8)	18m	12m	Yes
D (8) to J (15)	24m	18m	Yes
G (8) to J (15)	18.3m	18m	Yes
K (7) to O (21)	14m	13m	Yes
			Refer to comment below
P (3) to R (21)	24m	18m	Yes
V (8) to R (21)	18m	18m	Yes
Q (16) to R (21)	24m	18m	Yes

Whilst the detailed design layout of the proposal will be confirmed as part of future Development Applications, the Department is satisfied that the proposal will provide adequate separation, consistent with the Residential Flat Design Code for the buildings proposed on the site. Further assessment of visual privacy between opposing buildings in the development will be undertaken as part of the assessment of future Development Applications, in accordance with State Environmental Planning Policy No. 65 and local planning controls.

#### 5.3.2 Solar Access

Concerns were raised by Strathfield Council in relation to the solar access performance having regard to the Residential Flat Design Code rules of thumb. The Department requested the

Proponent demonstrate the potential ability of the development to comply with the recommended standards for solar access taking into consideration cumulative impacts of other buildings within the proposed development.

The Code recommends that the living rooms and areas of private open space in 70% of the apartments to receive a minimum of 3 hours of direct sunlight between 9am and 3pm at midwinter, reducing to 2 hours in dense urban areas. The Department considers that the proposed density of the residential component enables the residential component to be considered as a dense urban area and therefore the achievement of 2 hours has been considered as part of this assessment.

Based on the indicative residential layout, the Preferred Project Report states that apartments in Buildings H, T, R and P will achieve the minimum 70% requirement, as summarised in **Table 6**.

**Table 6: Solar Access Performance**

Building	Building block	Proposed number of apartments	Number of solar access apartments	Proportion (receiving 2 hrs)
H	GHIJ	76	72	95%
P	PQUV	130	98	75%
R	RT	120	89	74.2%
T	RT	120	89	74.2%

The Department is satisfied that all buildings will be capable of providing units which satisfy solar access requirements and that the proposed building envelopes will allow future Development Applications to satisfy RFDC rules of thumb standards for solar access.

The proposed building envelopes have been sited and oriented to maximise solar access to proposed public spaces. The Proponent submitted shadow diagrams which demonstrate the shadow impacts of the proposal during midwinter, as well as Autumn and Spring equinox and Summer solstice. This demonstrates that greater than 50% of the proposed open space areas will receive solar access during midwinter and that all of the proposed public open space will receive at least 2 hours of solar access during midwinter, which is considered acceptable.

Future environmental assessment requirements have been included in the recommended Instrument of Approval to ensure future Development Applications take proper consideration of solar access provision to apartments and open space.

### 5.3.3 Noise

The Department, Strathfield Council and a number of government agencies, raised concerns with likely noise levels emitted from surrounding roads and rail infrastructure. The site fronts Parramatta Road and the Western Rail Line and North Strathfield Goods Loop are located to the east and south and the Northern Rail Line runs approximately 40 to 90 metres to the east. Of particular concern was the high level of noise from rail squeal currently caused by the tight radius curved section of the tracks that link the Western and Northern Rail Lines.

The Proponent's Environmental Assessment included an Acoustic Impact Assessment which documented 3D acoustic modelling of known noise sources in the vicinity of the site, including:

- Parramatta Road and M4 Motorway;
- Northern Rail Line and Western Rail Line;
- North Strathfield Goods Loop;
- Substation south of the site; and
- Columbia Lane and proposed George Street extension.

The Acoustic Impact Assessment found that with the recommended acoustic treatments, the proposed development would ensure acceptable amenity for residents. This will be the subject of detailed assessment in future Development Applications to confirm façade construction will



adequately mitigate experienced noise levels. Measures recommended include improved acoustic treatment of glazing for windows and doors, the use of winter gardens for apartments exposed to elevated noise levels and mechanical ventilation to achieve Building Code of Australia fresh air ventilation requirements.

Council's submission to the Environmental Assessment, presented a preferred built form layout, based on opportunities and constraints of the site, including the key consideration of noise impacts on residential amenity. Council's approach proposes to use the built form of buildings as noise barriers to protect public and private open space and residents from noise impacts (Refer to Council's preferred built form layout at **Figures 10 and 11**). Council requested that the Proponent and Council's alternative built form layout be assessed by the 3D acoustic model of the site using SoundPlan software.

As part of the Preferred Project Report, the Proponent provided a statement from SLR Consulting addressing Council's proposed alternative built form approach and the proposal. SLR Consulting made the following observations of the two built form approaches:

- The residential buildings fronting Parramatta Road are setback above retail/commercial podiums a greater distance than Council's built form approach;
- The residential buildings fronting the North Strathfield Goods Loop will be setback above retail and commercial tenancies and above ground car park podiums, which will provide some noise attenuation to residential apartments above;
- Council's built form approach exposes a greater length of building facades to the ground level noise source;
- Barrier blocks, as proposed by Council, can be beneficial, however, this is only where sites are impacted by a single noise source, not by multiple sources as with the subject site;
- Council's alternate approach will not eliminate the need for upgraded facade requirements;
- Noise is reduced by increasing the distance from the noise source and the height of the proposed buildings will not therefore expose a greater number of residents to excessive noise;
- The Proponent's indicative plans provide a greater number of apartments oriented away from the major noise sources compared to Council's preferred built form layout; and
- The rail curve squeal impacts will be similar for both the Proponent's and Council's preferred built form layouts and mechanical ventilation will be required for affected apartments.

In addition, the Proponent's Acoustic Impact Assessment has confirmed that, subject to mitigation measures recommended within that report, future Development Applications will be able to demonstrate compliance with acoustic requirements within the *State Environmental Planning Policy (Infrastructure) 2007* (Infrastructure SEPP), as referenced in the *Development Near Rail Corridors and Busy Roads – Interim Guidelines*, published by the NSW Department of Planning (December 2008). These levels required are not more than 35dB(A) in bedrooms, any time between 10pm-7am, and not more than 40dB(A), anywhere else in the building (other than a garage, kitchen, bathroom or hallway), at any time.

The Department considers that the Proponent has adequately addressed the potential noise impacts on future residential development on the site. The Department considers that the Proponent's design approach will effectively balance a range of urban design and residential amenity considerations including acoustic and visual privacy, solar access and natural cross ventilation.

Given the proximity of the site to local transport, services and employment opportunities the site is considered suitable for mixed use and high density development. The Proponent has adequately demonstrated that the Concept Plan envelopes do not propose any greater exposure to noise, including maximum noise events from freight rail, compared to alternative built form layouts, including Council's built form approach.

To ensure satisfactory amenity for future residents, it is recommended that a Future Assessment Requirement be imposed, requiring the Proponent to demonstrate that future Development

Applications for residential development demonstrate compliance with internal noise targets within the Infrastructure SEPP (detailed above), or provide satisfactory justification for any likely variances

## 5.4. Transport, Access & Parking

### 5.4.1 Car Parking

The Preferred Project Report proposes on-site car parking for a total of 809 cars. However, the Proponent has requested that the final parking provision be determined as part of future Development Applications, as the total will be dependent on the final dwelling mix.

Strathfield Council and several public submissions raised concerns that insufficient on-site car parking will be provided. Council requested the parking rates from Development Control Plan No. 20 should be applied to the Concept Plan. **Table 7** below provides a comparison of the proposal against the car parking rates in Council's Development Control Plan No. 20 and the Roads and Maritime Services *Guide for Traffic Generating Development*.

Council's Development Control Plan No. 20 does not have a specific rate for storage facilities, community uses or showrooms; however the *Guide for Traffic Generating Development* contains a rate for motor showrooms of 0.7 spaces per 100m<sup>2</sup>. For the purpose of this assessment, this rate has been applied for the proposed showroom, storage and community uses.

**Table 7: Residential/non-residential car parking rates**

Land Use	RMS Guide for Traffic Generating Development (High Density)	Strathfield Council DCP 20 Rate	Proposed Parking Rates	Required Parking Spaces as per Council's Controls	Proposed Parking Provision (as per the PPR)
<b>Residential*</b>					
1 bed/ Studio	0.6/apartment	1/apartment	0.5/apartment	691	521 spaces
2 bed	0.9/apartment	1/apartment	1/apartment		
3 bed	1.4/apartment	1.5/apartment	1/apartment		
Visitor	1/5-7 apartments	1/5 apartments	1/7 apartments	130	93 spaces
<b>Retail</b>	4.5/100m <sup>2</sup>	1/50m <sup>2</sup>	1/50m <sup>2</sup>	26	26 spaces
<b>Showroom</b>	0.7/100m <sup>2</sup>	1/50m <sup>2</sup>	1/100m <sup>2</sup>	50**	35 spaces
<b>Commercial</b>	1/40m <sup>2</sup>	1/100m <sup>2</sup>	1/100m <sup>2</sup>	43	43 spaces
<b>Storage facility</b>	Not provided	Not provided	1/150m <sup>2</sup>	15***	86 spaces
<b>Community use</b>	Not provided	Not provided	1/200m <sup>2</sup>	13**	5 spaces
<b>TOTAL</b>				<b>968 Spaces</b>	<b>809 Spaces</b>

\* Based on the indicative dwelling mix provided by the Proponent's PPR

\*\* Based on the 'RMS Guide for Traffic Generating Developments'

\*\*\* Based on the Traffic and Parking Study, Aurecon, July 2009

The table illustrates that if the Strathfield Development Control Plan No. 20 car parking rates were applied to the development, it would require the provision of 968 off-street car parking spaces. This is higher than the proposed provision of 809 spaces (a difference of 159 spaces). The Proponent has justified the car parking numbers by concluding that the provision will satisfy the anticipated on-site parking demand for the development. The Proponent has advised that the provision of a reduced parking rate for residential uses will assist in reducing traffic generation in and around the site and will encourage use of public transport.

The Department is satisfied that the site has good access to public transport offering a range of viable alternatives to private vehicle use. Homebush train station is located within 400m of the site,



which is within the maximum 800 metres walking distance typically accepted as a limit for pedestrian access for journey to work commuting. The site is approximately 800 metres walking distance of North Strathfield Station and is within 1,200 metres walking distance of Strathfield Station. The site is also readily accessible for pedestrians, and the development facilitates improved pedestrian connections to local shopping at the Bakehouse Quarter and Homebush Village, as well as surrounding recreational pursuits.

Reduced provision of residential parking spaces is consistent with the wider State objectives of the Metropolitan Plan for Sydney 2036, as well as the Draft Inner West Subregional Strategy. A reduced parking rate would specifically assist in achieving the environmental targets for reducing car dependency, particularly along the Parramatta Road corridor, where traffic congestion is known to be an issue. Furthermore a reduced residential parking provision will assist in alleviating the traffic impact of the development on key intersections in the local road network.

Despite the proposed shortfall of 207 spaces, compared to Council's parking requirements for residential development, the Department considers that compliant parking provision is excessive given the site's location in relation to existing public transport, services and facilities and employment opportunities. The Proponent's proposed parking provision for the residential aspect of the development is therefore supported.

This reduced parking approach is consistent with recent approvals by the Department for high density residential development near rail networks, including the former Allied Mills site, Summer Hill (MP10\_0155) and Lewisham Estates (MP08\_0195).

In order to provide flexibility for future applications and enable a final dwelling yield and mix, but consistent with this application, it is recommended that a Future Assessment Requirement be imposed to specify the car parking rates, as opposed to the total number of car parking spaces for the development.

The proposal will provide for 1 space per 150m<sup>2</sup> of storage facility, equating to 86 car spaces for the Kennard's self-storage facility, which is considered excessive. The Proponent has not provided a survey of existing or other storage facilities to justify the high car parking provision.

Neither Council's Development Control Plan nor the *Guide for Traffic Generating Development* has a specific parking rate for self-storage facilities. However, a Traffic and Parking Study was commissioned by the Self Storage Association of Australia Pty Ltd of storage facilities around the Country (prepared by Aurecon, July 2009), which recommended parking rates, related to the maximum leasable area (MLA) as set out in **Table 8** below.

**Table 8: Recommended number of parking spaces for self storage facilities (Source: Self Storage Association Pty Ltd)**

MLA (m <sup>2</sup> )	Office parking	Storage area parking	Staff parking	Trailer Ute parking	Total
0 - 3000	1	2	2	1	6
3,000	2	5	2	1	10
6,000 – 9,500	3	5	2	1	11

The proposal includes the retention of 12,850m<sup>2</sup> gross floor area of the Kennards storage facility. The recommended rate for facilities up to 9500m<sup>2</sup>, equates to a rate of 1 space per 863m<sup>2</sup> gross floor area. This would result in a recommended provision of 15 spaces for the development. The provision of 15 spaces (including 1 trailer ute parking space), as recommended by the Self Storage Association of Australia's Traffic and Parking Study, is considered acceptable. This will reduce the total car parking provision to 738 spaces.

Council's Development Control Plan does not incorporate a specific parking rate for showrooms, however, the *Guide for Traffic Generating Development* has a specific rate of 0.75 spaces per

100m<sup>2</sup> for motor showrooms. The proposed car parking rate of 1 space per 100m<sup>2</sup> for showrooms is generally consistent with the Guide's parking rate and is therefore considered acceptable.

The Proponent has suggested the community uses will have a low demand for car parking and nominated a rate of 1 space per 200m<sup>2</sup>, which is supported by the Department as the community facility provision is designed for the local community and a reduced parking rate will encourage non-travel modes.

Therefore, the indicative proposal would have an on-site parking provision for 738 cars, which represents a shortfall of 230 spaces, compared to Council's controls, and a reduction of 71 spaces from the Proponent's Preferred Project Report. A Future Assessment Requirement is recommended to reflect the conclusions made in regards to appropriate parking provision and will apply to future Development Applications. In addition, it is recommended that future Development Applications be required to include transport access guides/green travel plans and for the Proponent to investigate the provision of a car share scheme for the development.

#### **5.4.2 Vehicle Access**

Vehicle access to the site is proposed via a new street off Parramatta Road. The extension will follow the same alignment of George Street to the north of Parramatta Road.

The Department requested that the Preferred Project Report address comments from the Roads and Maritime Services as a result of the Environmental Assessment exhibition, in relation to proposed upgrades to the Parramatta Road/George Street intersection. The Proponent has consulted with Roads and Maritime Services on the intersection design and the geometric layout of the proposed intersection. Roads and Maritime Services has confirmed that the proposal is acceptable in terms of access, subject to further refinement and modification, to be addressed as part of a future Works Authorisation Deed. A Future Assessment Requirement has been recommended accordingly.

The Department also requested confirmation that access to the electricity substation and RailCorp land could be maintained during construction and after completion. The Proponent consulted with Ausgrid and RailCorp to confirm their requirements and outlined how access could be maintained. Both RailCorp and Ausgrid have now confirmed that acceptable access can be maintained in accordance with their requirements, subject to detailed requirements for future Development Applications.

#### **5.3.3 Traffic Generation and Local Road Network**

Concerns were raised by a number of public submissions in regards to the potential impacts on the local road network as a result of the development. The Traffic Impact Assessment submitted with the Environmental Assessment reveals that the surrounding road network is currently subject to high volumes of traffic during peak hours. The Proponent's analysis concluded that the proposal would have the greatest impact on traffic during midweek peak periods with additional traffic flows on Parramatta Road likely to increase by 100 to 230 vehicles per hour two-way during the morning peak hour period and by 130 to 250 vehicles per hour two-way during the afternoon peak hour period. In addition, on Saturday traffic flows are predicted to increase by 150 to 280 vehicles per hour.

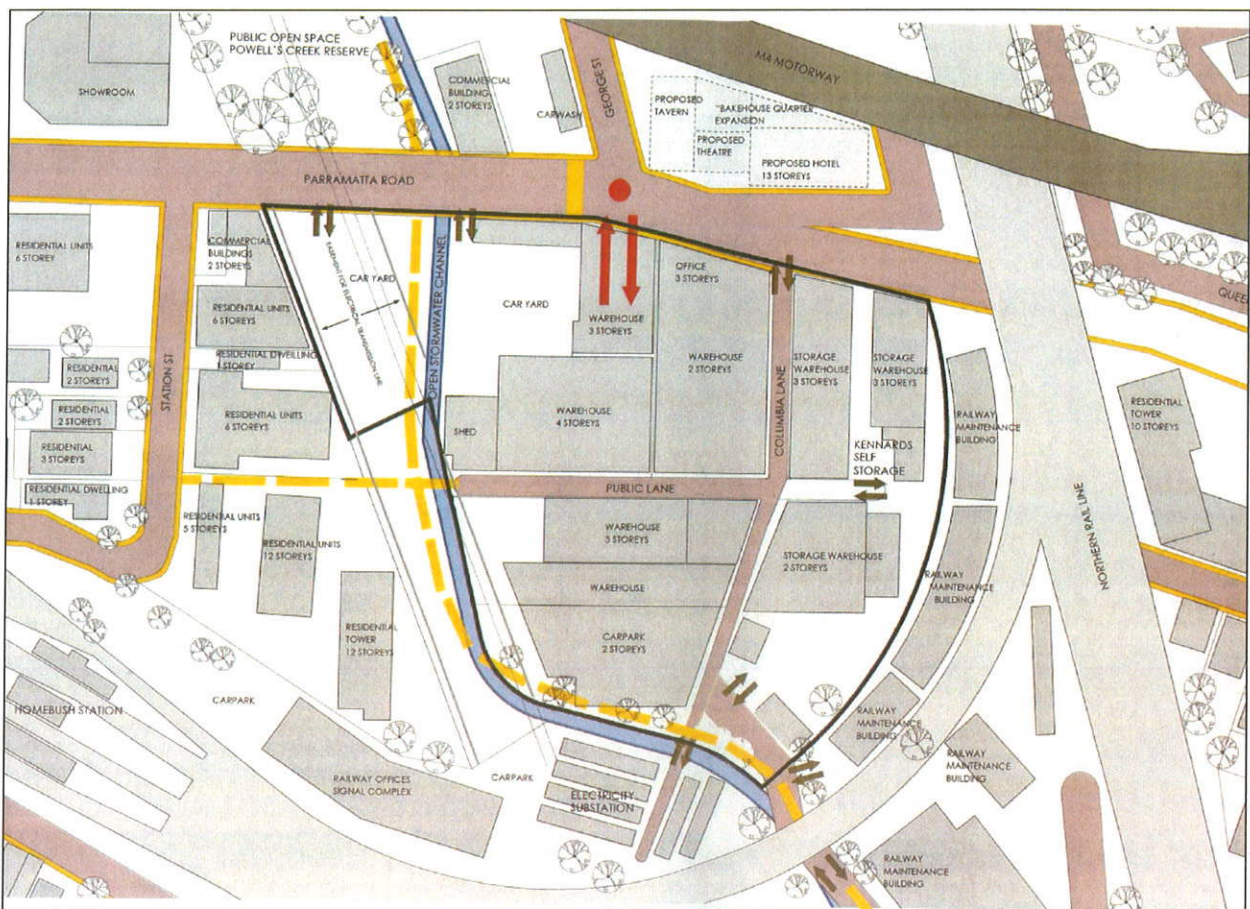
The predicted additional traffic generated by the development was modelled on the existing road network, including the proposed four way Parramatta Road/George Street signalised intersection and the widening of Parramatta Road. The assessment concluded that the local road network will be able to cater for the additional traffic resulting from the proposed development. To appropriately manage the additional traffic the Roads and Maritime Services has requested that Future Assessment Requirements be included as part of any approval, requiring detailed road layouts and

traffic management. Subject to the Roads and Maritime Services recommendations, the Department is satisfied that traffic impacts resulting from the proposal would be acceptable.

### 5.3.4 Pedestrian and Cycling Access

The Department requested that the Preferred Project Report give further consideration to establishing a clear and permanent pedestrian and cycle link from the site to Homebush train station and Homebush village centre.

The Preferred Project Report advised that the dedication of Powells Creek open space land and the provision of a crossing over the existing stormwater channel, will facilitate the future acquisition of the final part of the Powells Creek open space corridor (currently in private ownership). This will in turn secure access to an existing right of way easement through a passage adjacent to the residential flat building at No. 8-12 Station Street. This link will reduce the walking distance from the centre of the development to the Station by approximately 200m, providing future residents with easier access to rail services on the Western Rail Line (see **Figure 12**).



**Figure 12 - Pedestrian and cyclist access between the site and Station Street and Parramatta Road crossing (shown in yellow)**

In addition, the embellishment and dedication of the Powells Creek open space facilitates the opportunity to provide a pedestrian bridge over Parramatta Road, linking with the regional open space corridor to the north. The Proponent has committed to construct a bridge as part of the proposed Section 94 contributions strategy as a work-in-kind off-set. A further discussion on the proposed open space and Proponent's Section 94 contributions offer is provided in this report below.

The Department considers that the proposal provides for a number of opportunities for good pedestrian access to transport options and local services and facilities. In addition, the



development will assist in improving existing pedestrian access to local and surrounding residents and employees of the area. The proposal is therefore supported in this aspect.

### 5.3.5 Bicycle parking

Strathfield Council requested that the proposed development include alternative transport options such as bicycles. Council's Development Control Plan No. 20 requires bicycle spaces for residential flat development, however no rate is provided. Council recommends two bicycle spaces per apartment in lockers separate to the residential apartment for storage.

Based on a review of similar locations, close to public transport options and existing and future cycleway networks, the Department recommends that a reasonable level of bicycle parking for this development is 1 space per 2 dwellings for residents and 1 space per 10 dwellings for visitors, to be provided in separate lockers from residential storage. Additionally secure bicycle parking is also proposed to be provided for employees and visitors to the site in appropriate public domain areas close to building entrances.

Subject to Future Assessment Requirements requiring future Development Applications to demonstrate consistency with the above bicycle parking rates, the on-site bicycle parking provision is considered satisfactory.

## 5.5. Open space

Council raised concerns regarding what is considered to be a lack of public open space and common open space provision. The Preferred Project Report proposes 13,815m<sup>2</sup> of open space, public domain and through site links across the site which represents 46.4% of the total site area (including regional open space on Lot 1 DP814227). The area of public open space including parks, squares, plaza and playgrounds and excluding roads and footpaths was clarified in correspondence from the Proponent dated 31 January 2013 to be 9523m<sup>2</sup> being 32% of the site (Refer to **Figure 13**). The proposal will provide 6,628m<sup>2</sup> of deep soil landscaping, which equates to 69% of the public open space area and 53% of the combined areas of public and common open space.

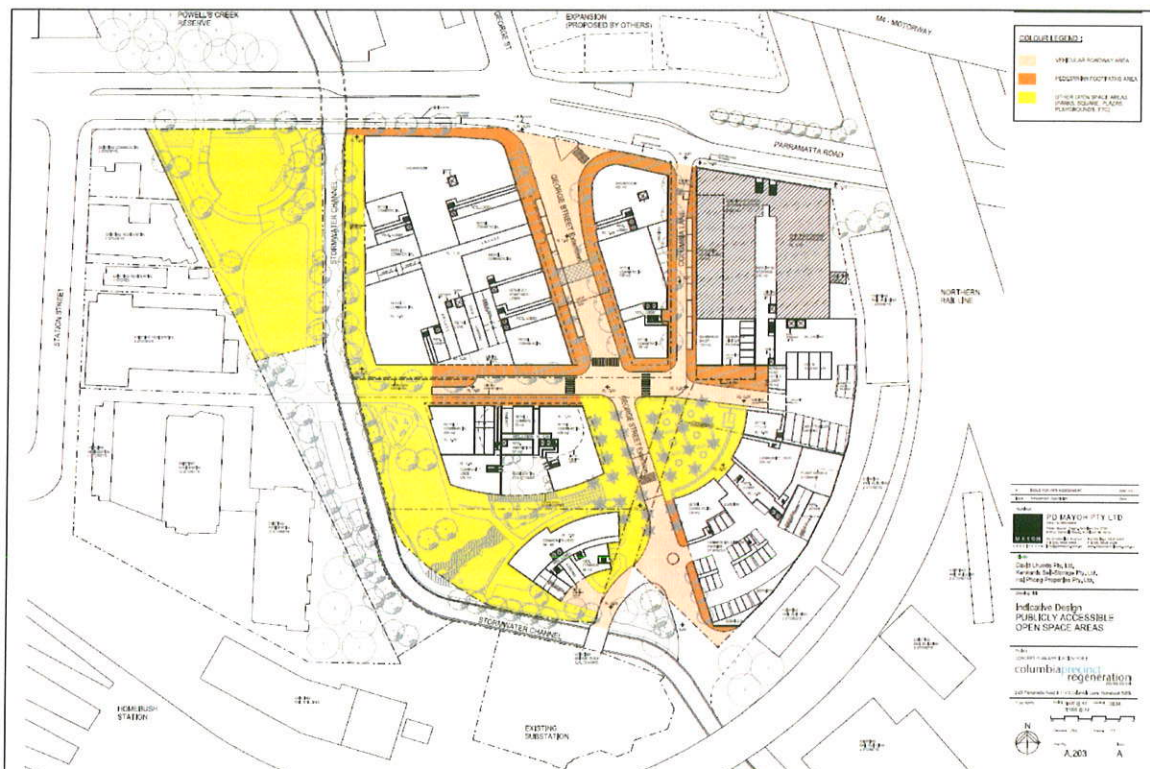


Figure 13 – Public open space (shown in yellow) (Source: Proponent letter 30.01.13)

The proposed parks, squares, plaza and playgrounds are proposed to be dedicated to Council for public use. In addition, areas of common open space will be provided at ground level and on the building podium roofs for use by future residents. The Preferred Project Report proposes the following public open spaces:

- Powells Creek Extension - located west of the stormwater channel with an area of 3,698m<sup>2</sup> would act as a southern extension of the Powells Creek Regional Open Space Corridor, linked by a pedestrian bridge crossing Parramatta Road, the subject of Section 94 works-in-kind offer by the Proponent. The indicative design of the area provides for open lawn areas that can be a flexible space, utilised for a diverse range of activities;
- Public Square (Columbia Plaza) - located in the centre of the site, bounded by the existing Railway Lane and the George Street southern extension. The space is designed as an urban square with tree planting, street furniture and lighting for use by residents of the site and for the visitors to the retail and community uses provided; and
- Children's Play Space 'Water Terrace/Columbia Park and Columbia Link'- this is located in the south-western portion of the site between Building PQUV and the stormwater channel. The area would extend the Powells Creek open space corridor further into the site and link with the proposed George Street southern extension and public square.

The Proponent provides the following calculations for proposed public open space, common open space and private open space areas in **Table 9**.

**Table 9: Open space provision**

Open space		Area (m <sup>2</sup> )
Public open space		9,588m <sup>2</sup>
Common open space	Ground level/podium/roof level	3,000m <sup>2</sup>
Private open space	Podium level terraces	3,630m <sup>2</sup>
	Upper level balconies	approx. 9,300m <sup>2</sup>
<b>Total</b>		<b>25,518m<sup>2</sup></b>

*Public open space excludes laneways, streets and footpaths.*

The Residential Flat Design Code recommends that 25-30% of the site be communal open space, with 25% of this space being a deep soil zone. The Concept Plan proposes 12,588m<sup>2</sup> (42.4%) of the site area as public and common private open space and publicly accessible open space. Excluding the 3,698m<sup>2</sup> of regional open space from the open space calculations would equate to a total of 8,890m<sup>2</sup> of public and common open space for the development, which equates to 30% of the site area.

The proposal complies with the minimum Residential Flat Design Code rules of thumb standards for common and private open space and there is a good balance of deep soil landscaping, and hard landscaped areas given the site's location within an urban context and the mixed use nature of the site. In this regard the Department is satisfied that the amount of public and common open space provided in the Concept Plan would achieve a good level of residential amenity for future residents and the local community. A Future Assessment Requirement is recommended to ensure that future Development Applications provide public domain treatments and landscaping in accordance with the submitted landscape concept plans.

Strathfield Council has objected to the inclusion of the Powells Creek open space in the open space and deep soil calculations on the basis that the Council has identified this land as regional open space. With this portion of the site excluded, the ground level space provided would be 9,986m<sup>2</sup>, which Council suggests should be further reduced by the exclusion of existing and future streets and access lanes and footpaths. The proposal will provide open space for public use through the dedication of part of the Powell's Creek open space, as part of the long planned Powell's Creek regional open space corridor extension. The inclusion of this land in open space



area calculations is reasonable given the land is part of the development site and will inevitably be used by future residents and visitors to the site, as well as the wider community. The Concept Plan will deliver the embellished open space provision in Stage 1 of the redevelopment, which is a desirable outcome for the local community and the wider regional population. The Department therefore considers it acceptable to include the Powell's Creek open space in the open space and deep soil landscaping calculations.

## 5.6. Other Issues

### 5.6.1 Street Activation

The Department raised concerns with the Environmental Assessment in terms of the viability of retail tenancies along the western edge of the development. In response, the Proponent provided a statement from Leyshon Consulting regarding the viability of the proposed retail tenancies on the western side of the site. This statement made the following conclusions:

- The uses along the western edge can be used for retail and commercial uses that do not require exposure to Parramatta Road or George Street; and
- It is expected that the western pedestrian link to Parramatta Road will be well patronised.

The site is identified for mixed use development, retail and commercial uses which could include restaurants, cafes, shops, commercial or entertainment uses consistent with the mixed use zoning of the site.

The Department considers that the proposed land use mix, and indicative ground floor plan for the Concept Plan has the potential to promote high quality urban design and architecture and provide buildings and public spaces which respond appropriately to the future use for the area. However, careful attention is required in the detailed design of the retail frontages to maximise the openness and transparency of the retail facades to activate streets and public spaces within the site.

The Department has therefore recommended a Future Assessment Requirement stipulating that the detailed design resolution of shop frontages should be addressed as part of future Development Applications. Future Development Applications should ensure direct access into retail shops from the pedestrian footpaths, generally locate services and fire exits on secondary street frontages, limit the extent of commercial and retail entry lobbies frontages, and minimise the number and width of driveway crossings.

### 5.6.2 Landowner's consent

The Proponent has provided landowner's consent for all of the development proposed within the privately-owned land of the development consortium. **Appendix F** contains landowner's consent letters from the Columbia Precinct landowner's consortium. However, the Environmental Assessment included proposed works within Council owned laneways, for which owner's consent has not been granted.

To address this, the Preferred Project Report resulted in the deletion of proposed works within the Council owned laneways from the proposal, illustrated in **Figure 14**. Despite the deletion of this land from the proposal, the Council owned land will still need to be augmented to provide public access throughout the development. It is the Proponent's desire to still carry out the works on Council owned land to facilitate the proposed George Street extension and dedicate the new open spaces to Council, should Council agree to take ownership.



- The Concept Plan application could be amended (by way of the Proponent's Preferred Project Report under section 75H(6)), to exclude works on the roads owned by Council;
- Any subsequent Development Applications would then be lodged pursuant to Part 4 of the EP&A Act including any road works on Council owned land; and
- If owner's consent for the future applications made under Part 4 of the EP&A Act is not forthcoming, the Proponent would then appeal to the Land & Environment Court, where the Court has the discretion to grant owner's consent on behalf of Council.

The Department sought advice from its legal branch confirming there is no legal impediment to the Proponent's proposed pathway. The Department is satisfied that the Preferred Project Report does not relate to any Council land on which the project is to be carried out and therefore owner's consent is not required from Strathfield Council.

The Proponent has acknowledged and has accepted the risks associated with the deletion of proposed works on Council owned land and the proposed Part 4 application pathway. Were consent not to be granted by Council or the Land and Environment Court for works on Council owned land, access to the development would be maintained via existing Columbia Lane and Railway Lane, albeit the standard of existing road frontage would not be consistent with the high quality of public domain finish sought on private land to be dedicated to Council.

The Department is satisfied the Preferred Project Report does not relate to any land which has not obtained the necessary landowner's consent. Land owner's consent from Council will be required prior to the determination of future Development Applications for works within the Council-owned laneways.

### 5.6.3 Section 94 Contributions

The proposed development is to be the subject of Development Contributions under Section 94 of the EP&A Act, to be levied on future Development Applications. The Proponent has committed to provide Section 94 Contributions in accordance with the Strathfield Direct Development Contributions Plan 2010 – 2030. The revised Statement of Commitments sets out a method for making monetary contributions and undertaking works-in-kind to satisfy the obligations under Council's Section 94 Plan. The Section 94 Plan provides a framework for the following categories of developer contributions:

- Open space and recreational facilities;
- Roads and traffic management works;
- Community facilities; and
- Plan Administration.

Precinct 3 of the Section 94 Plan provides the contributions framework for the Parramatta Road corridor including the subject site (within the sub-precinct 3C), as outlined in **Table 10**.

**Table 10: Strathfield Direct Development Contributions Plan 2010 – 2030 Columbia Lane Precinct works**

Category of work	Works
Open space and recreational facilities	Acquisition of Powells Creek Open Space land (20 & 20A Parramatta Road) and additional land to allow walkway access including legal costs), and its embellishment.
Roads and traffic management works	Columbia Lane extension and associated works.
Community facilities	Parramatta Road Precinct multi-purpose centre.

Future Development Applications will be levied development contributions in accordance with the relevant plan current at that time. It is noted that Council will be the approval authority and will administer its Section 94 Plan for future Part 4 Development Applications. The Proponent has provided calculations for Section 94 contributions, which amount indicatively to \$6.634 million. The Proponent has also provided correspondence to Strathfield Council on these matters.

The Department requested that the Preferred Project Report provide additional information including any further discussions with Council in relation to Section 94 Contributions and/or any proposed contributions-in-lieu. The Preferred Project Report details that the Proponent met with Council on 24 August 2012, to discuss the proposal, however, no agreement was able to be reached by the two parties in relation to Section 94 contributions.

The Preferred Project Report has proposed an approach to Section 94 contributions and works-in-kind off-sets for the open space land dedication and embellishment, roads and traffic management works and for community facilities, as follows:

- Section 94 contributions payable on the basis of the current Strathfield Section 94 Plan 2010 and staged according to future Development Applications to be off-set by the following in-kind contributions:

- The landscaping and embellishment of Powells Creek Open Space (Lot 1 DP 814227), including pedestrian/cycle bridges across the stormwater channel and Parramatta Road, and its dedication to Council with Stage 1 of the redevelopment;
- The provision of and dedication of three ground floor level spaces for community uses (either to be strata premises deeded to Council or fitted out at subsidised or nil rent); and
- The construction of the George Street extension from the upgraded Parramatta Road intersection and dedication to Council.

The Environmental Assessment also proposed works to Council's laneways (Columbia Lane and Railway Lane), to be constructed at no cost to Council (cost of works to be off-set from Section 94 contribution. However, as discussed above, these works were deleted from the proposal in the Preferred Project Report.

Council advised in its submission (24 December 2012) that the Proponent's S94 calculations were not disputed. However, Council advised that the dedication of the Powell's Creek open space to Council, in lieu of Section 94 Developer Contributions, did not represent value to the Strathfield Community, compared to the normal Section 94 monetary contribution. Council suggested that the land should be dedicated to Council in addition to full Section 94 monetary contribution. Council also made the following comments:

- The long term maintenance costs of the Powell's Creek open space should be included as a cost to the Proponent;
- The pedestrian/cycle bridge over Parramatta Road should be designed in accordance with a brief provided by Council, with a designer approved by Council, and the design and construction process overseen by Council; and
- Council welcomes additional community space that the Proponent may wish to provide, however, this should be in addition to prescribed Section 94 contributions.

The following principles are offered to guide any future discussion between Council and the Proponent, with regard to Section 94 Developer Contributions:

1. The Department considers it is appropriate to levy Section 94 contributions in accordance with Council's Section 94 Plan current at the time of future Development Applications;
2. The value of Powell's Creek Open Space land and the cost of works to landscaping and embellishment of the land should be offset from Council's Section 94 developer contributions. The offset amount available to the Proponent should be reduced by 40% (i.e. 60% of the value of land and cost of works would be off-set) as occupants of the site are likely to have a high usage of this space for their recreational purposes;
3. The long term maintenance costs associated with embellishment of open space cannot be levied under Council's Section 94 Contributions Plan. It is recommended a maintenance agreement be made to ensure the works are maintained to a satisfactory level during a defects and liability period, prior to dedication to Council;
4. Space for community facilities should be provided by the Proponent (as per the PPR) free of cost to Council, in a location shown on the Ground Floor Level Plan (Drawing 0834 A.103 D), and a size which is acceptable to Council;
5. All works to public roads within the site, required for access to development should not be the subject of off-sets; and
6. A Voluntary Planning Agreement would be an appropriate mechanism to facilitate off/sets and/or provide works and services for public benefits in addition to Section 94 Contributions.

The above issues have been addressed as part of recommended Future Assessment Requirements.



#### **5.6.4 Ecologically Sustainable Development**

The Proponent considered a number of Ecologically Sustainable Development initiatives which could be incorporated within the development including water sensitive urban design measures, grey water storage and reuse, Photovoltaic solar cells, a tri-generation energy system and a commitment to Green Travel Plan/Transport Access Guide.

The Department sought clarification from the Proponent through the Preferred Project Report as to the potential location of the proposed tri-generation plant, grey water storage systems and on-site stormwater detention systems. The Department also requested consideration of the achievement of Green Star ratings, using the Green Star Rating Pilot Communities Tool for the entire development and for individual buildings as part of future Development Applications.

The Proponent has confirmed that it is not proposed to seek accreditation under the Green Star Rating system, as it is not a mandatory requirement. Instead, the Proponent proposes to utilise BASIX for multi-unit housing and the BCA Section J for commercial/retail uses as Ecologically Sustainable Development performance tools.

The BASIX and BCA requirements relate to minimum best practice standards only. The Department is concerned that without a requirement to achieve a specific Green Star rating (or similarly accredited rating systems), the range of potential initiatives investigated by the Proponent for the Concept Plan, may not be fully realised for this development. The project represents a significant scale of holistic development and is considered to be of regional significance. The Department therefore considers that the proposal should achieve a high standard of performance.

The Department considers it appropriate, in line with other Part 3A Concept Plan approvals, to impose a Future Assessment Requirement for future Development Applications involving multi-unit residential development to achieve a minimum 5 Star Green Star for both the 'design' and 'as-built' stages of each block within the development under the relevant Multi-Unit Residential Green Star rating tool. The 5 Star Green Star accreditation, represents Australian Excellence and is considered an appropriate target for the residential aspect of the development given its size and scale.

#### **5.6.5 Flooding and Stormwater Management**

The Proponent provided details of a schematic stormwater management system incorporating on-site detention and water quality control measures with the Environmental Assessment. Localised flooding issues were also addressed by the Proponent.

The primary flood risk to the site has been assessed to be from Powells Creek, with the 100 year Average Recurrence Interval (ARI) flood level of 5.36 AHD deemed appropriate for the Concept Plan. Future Development Applications will be required to demonstrate consistency with the flood planning and stormwater management considerations that have informed the Concept Plan design and this is recommended as a Future Assessment Requirement.

#### **5.6.6 Heritage**

The subject site does not contain any item of local or State heritage significance. Adjoining the site is the Railway bridge known as the Arnotts Biscuit Bridge, an item of local heritage significance. Other nearby heritage items include:

- Homebush Railway Station Group of State heritage significance is located approximately 200m to the south west of the site;
- Federation House at 11 Station Street of local heritage significance located approximately 100m to the west of the site;
- Railway Viaduct over Powells Creek of local heritage significance located to the south east of the site; and



- Electricity Substation No. 265 opposite the site and on the northern side of Parramatta Road within the Canada Bay Local Government Area.

The Proponent's Statement of Heritage Impact Assessment concluded that:

- The proposed development retains the Kennards Self Storage building. New development is setback beyond the retained building and does not intrude into the significant views to the landmark railway bridge adjoining the site;
- As long as significant views to the landmark railway bridge adjoining the site are kept open, there are no aspects which could detrimentally impact on the adjoining item of heritage significance;
- The proposed development will have no heritage impact on the Homebush Railway Station Group's cultural heritage significance;
- The proposal has no heritage impact on the house at 11 Station Street as there is very minor visual relationship between it and the subject site; and
- The electricity substation has no historical and little visual connection with the subject site, being located on the northern side of Parramatta Road.

The Heritage Branch provided comments during the Environmental Assessment exhibition, recommending that Construction Management Plans submitted with future Development Applications, include reference to Section 146 of the NSW Heritage Act 1977 and the need to notify the Heritage Council of NSW if any archaeological 'relics' are uncovered during the construction process.

Having regard to the Proponent's Heritage Impact Statement and the Statements of Significance, the Department is satisfied that the development of the site is unlikely to have any adverse impacts on the items of heritage significance in the locality. The landscape plan demonstrates that the proposed development will not have a significant adverse impact on the heritage significance of the railway bridge, as views of the bridge will be retained from street level.

Future Development Applications will be subject to the requirements of the NSW Heritage Act 1977 for referring any archaeological relics to the NSW Heritage Council found during demolition and excavation works.

#### **5.6.7 Contamination**

State Environmental Planning Policy No. 55: Remediation of Land requires the Proponent to demonstrate the site is suitable for the future land uses proposed. A Preliminary Contamination and Geotechnical Investigation report for the proposed development was submitted with the Environmental Assessment. The report included an assessment of potential on-site and off-site sources of contamination including the potential for acid sulphate soils.

The assessment concluded that the contamination and geotechnical conditions of the site represent a low risk to the proposed residential and commercial redevelopment of the site. It was considered that the site is suitable for the proposed mixed use development subject to the results of further investigations and implementation of the recommendations contained in the report.

The Department has considered the Preliminary Contamination and Geotechnical Assessment and considers the site can be made suitable for redevelopment, subject to recommendations in the report including that:

- A Remedial Action Plan be prepared documenting proposed excavation methodologies, handling and off-site disposal of fill material;
- Excavated material undergo waste classification sampling to determine the most appropriate method of disposal;
- A hazardous building materials assessment be undertaken prior to demolition;
- Consultation be undertaken with Energy Australia prior to removal/replacement of the substation on site; and

- Additional ground water sampling be undertaken to assess the extend of groundwater contamination and the installation of groundwater monitoring wells, where feasible.

The recommendations have been incorporated into the future environmental assessment requirements for future Development Applications.

### 5.6.8 Adaptable Housing

The Strathfield Development Control Plan requires the provision of 10% of apartments as adaptable dwellings (i.e. are capable of being converted to meet specific needs of an occupant with a disability in accordance with Australia Standard AS4299-1995).

An appropriate Future Assessment Requirement has been recommended requiring that a minimum 10% of apartments are adaptable dwellings consistent with Council's requirements.

## 6. CONCLUSION

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The Department has assessed the merits of the Concept Plan, taking into consideration the issues raised in submissions and is satisfied that the impacts have been addressed in the Environmental Assessment and the Preferred Project Report, the revised Statement of Commitments and the recommended future environmental assessment requirements. The key issues raised in submissions and addressed by the Department relate to:

- Strategic context;
- Built form and urban design;
- Residential amenity;
- Traffic, access and parking; and
- Open space.

The Department is satisfied that the site is suitable for the proposed development and the project will provide environmental, social and economic benefits to the region. The opportunity to provide an integrated Concept Plan for a consolidated and relatively unconstrained site by multiple landowners, facilitates the staged redevelopment of underutilised land close to public transport services, retail shopping and regional and local open space.

The proposal is consistent with the Draft Metropolitan Strategy for Sydney to 2031 by consolidating new housing and retail uses within an existing urban area with good access to public transport services. A range of public facilities will be provided as part of the development in a staged manner as redevelopment proceeds to meet the expected needs of the residential population, as well as the local community. In summary the benefits of the proposal include:

- An opportunity to provide higher density residential to meet strategic dwelling targets;
- Development in close proximity to public transport, employment and retail facilities;
- Locating mixed use and high density development along the Parramatta Road corridor;
- Overshadowing will be largely contained on site, on railway land and the substation;
- Stepping buildings away from Parramatta Road, provides enhanced residential amenity;
- The traffic implications of the site are considered to be acceptable;
- Encourage the use of public transport with reduced car parking rates;
- The implementation of a green travel plan and the provision of a car share scheme;
- The provision of bicycles parking for residents, employees and visitors;
- The creation of public domain areas, including open space in a suitable configuration;
- Provision of pedestrian footpaths and linkages;
- Construction and dedication of the proposed George Street extension to Council;
- Developer contributions and dedication of community facilities on the site;
- The commitment to upgrade the George Street and Parramatta Road intersection; and

- Significant employment opportunities through the provision of 1,500 construction jobs and 400-500 operational jobs.

It is therefore recommended that the Planning Assessment Commission, as delegate for the Minister for Planning and Infrastructure approve the Concept Plan, subject Future Assessment Requirements for future Development Applications and the revised Statement of Commitments.

## 7. RECOMMENDATION

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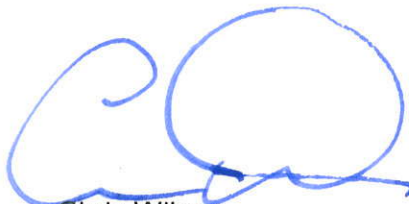
It is recommended that the Planning Assessment Commission, as delegate for the Minister for Planning and Infrastructure:

- (a) **consider** the recommendations of this Project;
- (b) **approve** the Concept Plan application under the repealed Section 75O of part 3A of the *Environmental Planning and Assessment Act, 1979*;
- (c) **sign** the attached Instrument of Approval (**Appendix G**).

Endorsed by:

  
Karen Jones 22/3/13  
**Director**

**Metropolitan and Regional Projects South**

  
Chris Wilson 22.3.13

**Executive Director**  
**Development Assessment Systems & Approvals**

## **APPENDIX A. ENVIRONMENTAL ASSESSMENT**

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See the Department's website at

[http://majorprojects.planning.nsw.gov.au/index.pl?action=view\\_job&job\\_id=4195](http://majorprojects.planning.nsw.gov.au/index.pl?action=view_job&job_id=4195)

## **APPENDIX B. SUBMISSIONS**

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See the Department's website at

[http://majorprojects.planning.nsw.gov.au/index.pl?action=view\\_job&job\\_id=4195](http://majorprojects.planning.nsw.gov.au/index.pl?action=view_job&job_id=4195)



## **APPENDIX C. PROPONENT'S RESPONSE TO SUBMISSIONS**

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See the Department's website at

[http://majorprojects.planning.nsw.gov.au/index.pl?action=view\\_job&job\\_id=4195](http://majorprojects.planning.nsw.gov.au/index.pl?action=view_job&job_id=4195)

The Director General

Department of Planning and Infrastructure  
23-33 Bridge Street  
SYDNEY NSW 2000

PO BOX 7005  
MACMAHONS PT  
N.S.W. 2060

Attention: Ms Caroline Owen

Dear Caroline,

LHUEDE group

David Lhuede Pty Ltd  
Southern Cross Mowers Pty Ltd  
Libley Enterprises Pty Ltd  
Erinvale Wines Pty Ltd  
Mirobel Pty Ltd

**RE: MP10\_0143 - COLUMBIA PRECINCT PART 3A CONCEPT  
APPLICATION  
OWNER'S CONSENT FOR APPLICATION TO BE MADE**

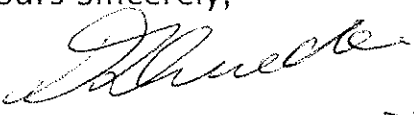
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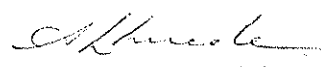
David Lhuede Pty Ltd is the registered proprietor of the following land forming part of the site covered by the Columbia Precinct Part 3A Concept Application:

Lot 9 in DP68910  
Lot 8 in DP60261  
Lot 1 in DP523775  
Lot 1 in DP437118  
Lot 2 in DP635483  
Lot 1 in DP814227  
Lot 4 in DP261926

The undersigned Directors of David Lhuede P/L hereby provide their consent for the lodgement and determination of MP10\_0143, known as the Columbia Precinct Regeneration project, Homebush.

Yours Sincerely,

  
**DAVID LHUEDE**  
MAN. DIRECTOR

  
Suzanne Lhuede  
Director

PO Box 9  
Milsons Point  
NSW 1565  
T 61 2 9955 2885  
F 61 2 9955 5571



## KENNARDS SELF STORAGE PTY LTD

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Concord West

NSW 2138 Australia

ABN: 57 001 805 036

TEL 02 9764 4555

FAX 02 9764 3444

WEB [www.kss.com.au](http://www.kss.com.au)

EMAIL [admin@kss.com.au](mailto:admin@kss.com.au)

Team Headquarters 1 Columbia Lane Homebush NSW 2140 Australia

The Director General  
Department of Planning and Infrastructure  
23-33 Bridge Street  
SYDNEY NSW 2000

Attention: Ms Caroline Owen

Dear Caroline,

**RE: MP10\_0143 – COLUMBIA PRECINCT PART 3A CONCEPT APPLICATION  
OWNER'S CONSENT FOR APPLICATION TO BE MADE**

---

Kennards Self Storage Pty Ltd is the registered proprietor of the following land forming part of the site covered by the Columbia Precinct Part 3A Concept Application:

Lots A&B in DP171468

Lot 1 in DP124584

The undersigned Directors of Kennards Self Storage Pty Ltd hereby provide their consent for the lodgement and determination of MP10\_0143, known as the Columbia Precinct Regeneration project, Homebush.

Yours Sincerely,

A handwritten signature in blue ink, appearing to read "Sam Kennard", with a long horizontal flourish extending to the right.

**Sam Kennard**

Managing Director

10 September 2012

Mr Lindsay Hunt  
Colston Budd Hunt & Kafes Pty Ltd  
Suite 1801  
Tower A, Zenith Centre  
821 Pacific Highway  
CHATSWOOD NSW 2067

Dear Mr Hunt,

RE: OWNERS CONSENT FOR THE LODGMENT OF A PART 3A CONCEPT PLAN –  
COLUMBIA PRECINCT, HOMEBUSH.

---

I refer to your request for RailCorp's consent to lodge a Part 3A Concept Plan application with the Department of Planning and Infrastructure. The Concept Plan proposes some minor road access works at the entry to RailCorp's Strathfield Triangle depot off Columbia Lane.

RailCorp has reviewed the proposed works identified in your Concept Plan and RailCorp is prepared to consent to the lodgment of an application for these works only, subject to the conditions listed in Attachment A.

Please note that the submittal of this letter with an application to the Consent Authority will be considered as your acceptance of the conditions listed in Attachment A and your agreement to provide the required documentation at the intervals specified.

RailCorp advises that it reserves the right to review and comment on the application if and when it is placed on public exhibition and may request the attachment of certain conditions of consent on any approval.

In addition, this consent does not give you the right to commence work on RailCorp land without obtaining further approval from RailCorp.

Should you have any enquiries relating to RailCorp issues please do not hesitate to contact Jim Tsirimiagos on 8922 1987.

Yours sincerely,



Kevin Sykes  
General Manager Property



**Attachment A**

**General:**

1. *Land owner's consent is provided for proposed access works to RailCorp's depot off Columbia Lane as indicated in the following plan:*
  - *Indicative Design Site Plan – Drawing No. A.002 Issue B dated 18/10/11.*
2. *No amendments will be made to the proposed works without RailCorp's prior written consent which RailCorp may, in its absolute discretion, withhold or in respect of which RailCorp may impose conditions.*
3. *That a copy of this letter be included with your application to the Consent Authority.*
4. *The ability to undertake maintenance and emergency activities by RailCorp, Transport for NSW (TfNSW), or any entity authorised by RailCorp or TfNSW, shall not be hindered.*
5. *That RailCorp's land owner's consent be obtained for the lodgement of subsequent Project or Development Applications.*

--o0o--

HAI PHONG PROPERTIES PTY LIMITED  
ACN 080 118 225

The Director General  
Department of Planning and Infrastructure  
23-33 Bridge Street  
SYDNEY NSW 2000

Attention: Ms Caroline Owen

Dear Caroline,

**RE: MP10\_0143 – COLUMBIA PRECINCT PART 3A CONCEPT APPLICATION  
OWNER'S CONSENT FOR APPLICATION TO BE MADE**

---

Hai-Phong Properties Pty Ltd is the registered proprietor of the following land forming part of the site covered by the Columbia Precinct Part 3A Concept Application:

Lot 5 in DP261926

The undersigned Director of Hai-Phong Properties P/L hereby provide their consent for the lodgement and determination of MP10\_0143, known as the Columbia Precinct Regeneration project, Homebush.

Yours Sincerely,

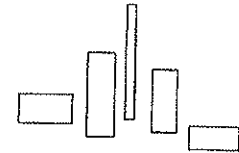


George Gialouris

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DX 521 Sydney

E info@pvlaw.com.au  
W www.pvlaw.com.au  
ABN 77 357 538 421



PIKES & VEREKERS  
LAWYERS

28 September 2012

The Director General  
Department of Planning and Infrastructure  
GPO Box 39  
SYDNEY NSW 2001

caroline.owen@planning.nsw.gov.au

Dear Sirs

**LAND OWNERS CONSENT OF STRATHFIELD COUNCIL TO MAKING OF PART 3A APPLICATION**  
**2-20 PARRAMATTA ROAD & 11-13 COLUMBIA LANE, HOMEBUSH**  
Our ref JRP:SS:121145  
Your ref MP10\_0143/Caroline Owen

We are instructed by the proponents of Part 3A Concept Application MP10\_0143, for mixed use development at 2-20 Parramatta Road and 11-13 Columbia Lane, Homebush, referred to as 'Columbia Precinct'.

The proposal as currently formulated proposes works on or over certain roads or laneways owned by Strathfield Municipal Council. Railway Lane runs east-west through much of the middle of the development site and Columbia Lane north-south. The proposal would see minor public improvement works to Railway Lane and so much of Columbia Lane as lies to the north of Railway Lane. The proposal seeks to close so much of Columbia Lane as lies south of Railway Lane to vehicular traffic and to instead provide a through-site link in the form of an extension to George Street to maintain and improve access to Rail Corp and Ausgrid land to the south of Columbia Precinct. The southern portion of Columbia Lane, proposed to be closed to vehicular traffic, lies across the location of a proposed public plaza.

We are instructed that the Department has written to our client asking that all Council owned land be removed from the development proposal unless Council's consent to the making of the Part 3A Application, required pursuant to saved clause 8F of the Environmental Planning and Assessment Regulation 2000, is forthcoming.

Our client remains in discussion with Council about this and other issues related to the proposal, including applicable section 94 contributions and is hopeful of obtaining Council's landowner's consent to the application being made.

We are nevertheless instructed to write to the Department and outline the legal framework for moving the proposal forward should Council's consent not be forthcoming within the Department's recent time limits, as anticipated, and the works to the laneways be required to be deleted from the Part 3A proposal.

We have advised our clients to prepare some amended drawings removing Council owned land from the Part 3A concept proposal. These drawings will be provided to the Department in due course, to show how the Part 3A proposal can move forward

if the Council's consent is not forthcoming within the time limits, without any implication for the Part 3A works on private lands. Should Council's consent not be obtained the proposal will be formally amended for PPR.

It is appreciated that neither the Department nor our clients have any power to compel the Council to give its consent to the making of the application in so far as it relates to Council owned land, in the circumstances of a Part 3A application, nor is there any such power in the Land and Environment Court. If our clients are forced to remove the Council-owned land from the Development Application it will seek to obtain a consent for those works directly from Council by way of Development Application made under Part 4 of the Environmental Planning and Assessment Act 1979.

We foresee the process, broadly speaking, as follows:

- 1 If no owner's consent is forthcoming from Council our clients will, in preparing their preferred project report under section 75H(6) of the Act amend the proposal to remove any works on Council land from the part 3A Application.
- 2 Assuming that the Minister is otherwise satisfied with the merits of the proposal and grants a Concept Approval, the carrying out of the development to which the approval applies will no longer require approval under the saved Part 3A but rather works will require assessment and development consent under Part 4 of the Act (see clauses 3A and 3B of Schedule 6A to the Act).
- 3 Development Applications will be lodged with Strathfield Council pursuant to Part 4 of the Act for the carrying out of the Concept Approval Development, and those Development Applications will be assessed in accordance with clause 3B of Schedule 6A to the Act (whereby the provisions of the Concept Approval take precedence over the provisions of any environmental planning instruments).
- 4 Concurrent with or as a part of these applications our client will lodge a Part 4 Development Application or Applications for road works and other works on Council owned land. The scope of this further application will be determined in due course, however at this stage we envisage that it would at least include the upgrade of public amenity works for existing roads (planting, street furniture and the like), new kerb and road surfaces, the reinstatement of the public plaza where the southern portion of Columbia Lane currently lies and potentially the opening of the George Street extension south of Railway Lane.
- 5 If Council is not prepared to consent, either as owner or consent authority, to this Development Application our client will have an appeal right to the Land Environment Court and the Court will, where Council is both consent authority and owner, have power to grant owner's consent on behalf of Council.

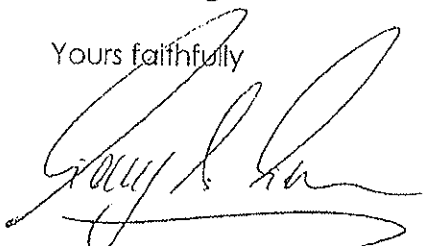


- 6 It is appreciated that it will be incumbent upon our client to ensure that the concept application, as amended, warrants approval in its own right. Our client would also be content to accept any conditions on the concept approval which gave the Minister and the Department some comfort in that regard.

We note that the purpose of this letter is not at this stage to amend the proposal but rather to inform the Department that there is ultimately, a way through which will enable the Minister to approve the Concept Application and to allow for the development to go ahead as presently conceptualised.

If there are any queries regarding any of the above please do not hesitate to contact the undersigned.

Yours faithfully

A handwritten signature in black ink, appearing to read 'Gary Green', with a long horizontal flourish extending to the right.

Gary Green  
Partner

## Lindsay Hunt

---

**From:** Joshua Palmer [JPalmer@pvlaw.com.au]  
**Sent:** Friday, 28 September 2012 4:35 PM  
**To:** Lindsay Hunt  
**Cc:** Stan Kafes; Joshua Hollis  
**Subject:** RE: Columbia - letter to department

Lindsay,

I presume that the widening of Parra Rd is something you are offering to do because you think it will be required, rather than because it is something you want to do.

You could remove that from your application (in which case it's not work you are applying for, so not land to which your application relates so no owner's consent is required) but the Department, if it is something they will want, can impose it by way of condition - there is no owner's consent requirement for land to which a condition relates.

At this stage it's probably a matter of nutting things out with the department.

Joshua Palmer

Solicitor

Pikes Lawyers

Level 3, 50 King Street, Sydney NSW 2000

DX 521, Sydney

Tel: 9262 6188

Fax: 9262 6175

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-----Original Message-----

**From:** Lindsay Hunt [mailto:lhunt@cbhk.com.au]  
**Sent:** Friday, 28 September 2012 11:31 AM  
**To:** Joshua Palmer  
**Cc:** Stan Kafes; Joshua Hollis  
**Subject:** RE: Columbia - letter to department

Thanks Josh, for both - just remember though that the George Street extension involves widening of Parramatta Rd, the real estate of which is owned by Council - does that change your comments below?

Regards,

Lindsay Hunt

---

Colston Budd Hunt & Kafes Pty Ltd  
Suite 1801 - Tower A, Zenith Centre  
821 Pacific Highway  
Chatswood NSW 2067  
PO Box 5186  
West Chatswood NSW 1515  
Phone: (02) 9411 2411  
Fax: (02) 9411 2422  
Mobile: 0413 444 227  
Email: lhunt@cbhk.com.au

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Thank you.

-----Original Message-----

From: Joshua Palmer [mailto:JPalmer@pvlaw.com.au]  
Sent: Friday, 28 September 2012 11:25 AM  
To: Lindsay Hunt  
Subject: RE: Columbia - letter to department

Hi Lindsay,

Haven't seen it, but will get on to it now.

Spoke to Gary about the Roads Act question. The view is that there is nothing that stops them from approving the George Street extension (at least the northern part) as it lies within Columbia's land - for now think of it as an internal driveway with connection to Parra Rd and Columbia Lane. The development (George St extension) you are seeking Pt3 A approval for is not on Council owned land, so you don't need owner's consent. To the extent that connection would be required to Parra Road and Columbia Lane, that is a matter that could be conditioned with reference to obtaining necessary Roads Act approval, probably as a pre-CC matter (matter for discussion with the Dept when discussing conditions). You are not in strict terms seeking to do work to Parra Rd or Columbia Lane, so your application doesn't "relate" to that land in the necessary sense. Rather the Dept may choose to require, by way of condition, certain works and connections to the Council owned land and if those works are not approved by Roads Act approval, you can't go ahead.

Joshua Palmer

Solicitor

Pikes Lawyers

Level 3, 50 King Street, Sydney NSW 2000

DX 521, Sydney

Tel: 9262 6188

Fax: 9262 6175

## **APPENDIX E. CONSIDERATION OF ENVIRONMENTAL PLANNING INSTRUMENTS**

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The provisions, including development standards of local environmental plans, and Development Control Plans are not required to be strictly applied in the assessment and determination of major projects under Section 75R(1) in Part 3A of the EP&A Act. Notwithstanding, these standards and provisions are relevant considerations for this application as the DGRs and Section 75I(2)(c) of the EP&A Act require the Proponent to address such standards and provisions and the Department to duly consider them. Accordingly the objectives of a number of EPIs and the development standards therein and other plans and policies that govern the carrying out of the project are appropriate for consideration in this assessment as follows:

### **SECTION 75I(2) OF THE ACT/CLAUSE 8B OF THE REGULATIONS**

Section 75I(2) of the EP&A Act and Clause 8B of the Environmental Planning and Assessment Regulation 2000 provides that the Director General's Report is to address a number of requirements. Refer to **Appendix E**.

### **ENVIRONMENTAL PLANNING INSTRUMENTS**

To satisfy the requirements of Section 75I(2)(d) and (e) of the EP&A Act, this report includes references to the provisions of the environmental planning instruments that govern the carrying out of the project, but for the Part 3A transitional provisions of the EP&A Act and have been taken into consideration in the environmental assessment of the project.

The primary controls guiding the assessment of the proposal are:

- State Environmental Planning Policy (Major Development) 2005
- State Environmental Planning Policy No. 55: Remediation of Land
- State Environmental Planning Policy No. 65 – Design Quality of Residential Flat Development
- State Environmental Planning Policy (Infrastructure) 2007
- State Environmental Planning Policy (BASIX) 2004
- Strathfield Planning Scheme Ordinance

### **STATE ENVIRONMENTAL PLANNING POLICY (MAJOR DEVELOPMENT 2005)**

Under Schedule 1, Clause 13, Group 5 of the Major Development SEPP, "*residential, commercial or retail projects*" with a capital investment value (CIV) of more than \$100 million that the Minister determines are important in achieving State and regional planning objectives may be declared a Major Project under Part 3A of the EP&A Act. The project proposes a residential development with a Concept Plan CIV of \$320,000,000.

### **STATE ENVIRONMENTAL PLANNING POLICY 55 – REMEDIATION OF LAND (SEPP 55)**

Clause 7(1)A of SEPP 55 requires that a consent authority must ascertain whether the site is contaminated and requires remediation prior to issuing consent.

The Proponent submitted a Preliminary Contamination and Geotechnical Assessment, prepared by WSP Environment & Energy (dated March 2011) with the Environmental Assessment which identifies that the site is suitable for the proposed mixed use development subject to the results of further investigations and implementation of the recommendations outlined in the report. The recommendations have been incorporated as requirements for future Development Applications in **Schedule 3** of the recommended approval instrument at **Appendix G**.



## STATE ENVIRONMENTAL PLANNING POLICY 65 – DESIGN QUALITY OF RESIDENTIAL FLAT BUILDINGS (SEPP 65)

SEPP 65 seeks to improve the design quality of residential flat development through the application of a series of 10 design principles. An assessment against these principles is provided below. The PPR confirms the development has been designed having regard to the design principles of SEPP 65.

Key Principles of SEPP 65	Department's Response
<p><b>Principle 1: Context</b></p> <p><i>Good design responds and contributes to its context. Context can be defined as the key natural and built features of an area.</i></p> <p><i>Responding to context involves identifying the desirable elements of a location's current character or, in the case of precincts undergoing a transition, the desired future character as stated in planning and design policies. New buildings will thereby contribute to the quality and identity of the area.</i></p>	<p>The site is located in a mixed use area with predominantly residential development and is located in close proximity to public transport, education, employment and shopping facilities. It is suitable for higher density development.</p>
<p><b>Principle 2: Scale</b></p> <p><i>Good design provides an appropriate scale in terms of the bulk and height that suits the scale of the street and the surrounding buildings.</i></p> <p><i>Establishing an appropriate scale requires a considered response to the scale of existing development. In precincts undergoing a transition, proposed bulk and height needs to achieve the scale identified for the desired future character of the area.</i></p>	<p>The proposed density is suitably located within the locality of the Parramatta Road corridor. The site is separated from low density residential areas, and will provide an appropriate transition in scale from the Parramatta Road to the Northern Railway Loop. Overshading impacts are generally contained to within the railway corridor.</p> <p>The scale of the proposed buildings will result in a change to the character of the local context. The Parramatta Road Corridor precinct is identified in the metropolitan and local planning framework for high density housing. Buildings in the immediate vicinity are up to 12 storeys in height.</p> <p>The scale of buildings is appropriately mitigated by siting taller buildings to the rear of the site away from Parramatta Road, the varied orientation and alignment of towers and the slender form and size of tower floor plates. There are no significant adverse environmental impacts resulting from the scale of the proposed building envelopes.</p>
<p><b>Principle 3: Built Form</b></p> <p><i>Good design achieves an appropriate built form for a site and the building's purpose, in terms of building alignments, proportions, building type and the manipulation of building elements.</i></p> <p><i>Appropriate built form defines the public domain, contributes to the character of streetscapes and parks, including their views and vistas, and provides internal amenity and outlook.</i></p>	<p>The proposed built form is for a series of building podiums and tower elements. The tower forms are slender in form and scale with varying heights and orientations to provide visual interest and solar access and protection from noise sources.</p> <p>Building podiums are appropriately aligned to the streets, laneways and open spaces.</p>
<p><b>Principle 4: Density</b></p> <p><i>Good design has a density appropriate for a</i></p>	<p>The subject site is considered to be appropriate for increased density given its good location in relation to transport, employment and shopping. The density</p>

Key Principles of SEPP 65	Department's Response
<p><i>site and its context, in terms of floor space yields (or number of units or residents).</i></p> <p><i>Appropriate densities are sustainable and consistent with the existing density in an area or, in precincts undergoing a transition, are consistent with the stated desired future density. Sustainable densities respond to the regional context, availability of infrastructure, public transport, community facilities and environmental quality.</i></p>	<p>proposed is consistent with draft planning controls for the Parramatta Road corridor including the subject site.</p>
<p><b>Principle 5: Resource, energy and water efficiency</b></p> <p><i>Good design makes efficient use of natural resources, energy and water throughout its full life cycle, including construction. Sustainability is integral to the design process. Aspects include demolition of existing structures, recycling of materials, selection of appropriate and sustainable materials, adaptability and reuse of buildings, layouts and built form, passive solar design principles, efficient appliances and mechanical services, soil zones for vegetation and reuse of water.</i></p>	<p>The Proponent has demonstrated that the proposed development will achieve good passive design in terms of solar access and natural ventilation to reduce reliance on artificial heating and cooling through an assessment of indicative floor plans. Future Development Applications will be required to demonstrate compliance with the SEPP 65 and the RFDC rules of thumb guideline as required by the recommended future environmental assessment requirements.</p> <p>The Proponent commits to undertake an indicative Green Star rating study using the Multi-Unit VI Residential Green Star rating tool for future Development Applications. The Department recommends that future Development Applications for multi-unit housing be required to achieve a 5 star Green Star rating using the Multi-Unit VI Residential Green Star rating tool. Refer to Schedule 3 of the recommended Instrument of Approval at <b>Appendix G</b>.</p> <p>A Future Assessment Requirement has also been recommended to require ESD measures to be introduced into the future design, construction and operation of the development.</p>
<p><b>Principle 6: Landscape</b></p> <p><i>Good design recognises that together landscape and buildings operate as an integrated and sustainable system, resulting in greater aesthetic quality and amenity for both occupants and the adjoining public domain. Landscape design builds on the existing site's natural and cultural features in responsible and creative ways. It enhances the development's natural environmental performance by co-ordinating water and soil management, solar access, micro-climate, tree canopy and habitat values. It contributes to the positive image and contextual fit of development through respect for streetscape and neighbourhood character, or desired future character. Landscape design should optimise useability, privacy and social opportunity, equitable access and respect for neighbours' amenity, and provide for practical establishment and</i></p>	<p>The proposal includes deep soil zones within public open space areas, proposed to be dedicated to Council. The proposal also includes landscaping within the street setback areas which will allow for planting of tall trees.</p> <p>The detailed landscape plans provided are considered to be appropriate to this mixed use and high density development.</p> <p>Further detail will be provided at the Development Application stage.</p>

Key Principles of SEPP 65	Department's Response
<i>long term management.</i>	
<p><b>Principle 7: Amenity</b></p> <p><i>Good design provides amenity through the physical, spatial and environmental quality of a development.</i></p> <p><i>Optimising amenity requires appropriate room dimensions and shapes, access to sunlight, natural ventilation, visual and acoustic privacy, storage, indoor and outdoor space, efficient layouts and service areas, outlook and ease of access for all age groups and degrees of mobility.</i></p>	<p>The proposal has been assessed with regards to residential amenity. It is considered that the amenity of future residents sites have been adequately addressed and is acceptable.</p>
<p><b>Principle 8: Safety and security</b></p> <p><i>Good design optimises safety and security, both internal to the development and for the public domain.</i></p> <p><i>This is achieved by maximising overlooking of public and communal spaces while maintaining internal privacy, avoiding dark and non-visible areas, maximising activity on streets, providing clear, safe access points, providing quality public spaces that cater for desired recreational uses, providing lighting appropriate to the location and desired activities, and clear definition between public and private spaces.</i></p>	<p>In general, the concept design allows for good passive surveillance of the road network, and public and private open space areas on the site. The provision of publicly accessible open space, new streets creating placement streetscapes and landscaping improves the safety and security of the site.</p> <p>The potential new pedestrian connections through the site to Station Street and Homebush Station and the bridge crossing of Parramatta Road, facilitates safe pedestrian access to the site.</p> <p>A future environmental assessment requirement is recommended for the location of street furniture and suitable lighting to be provided for public open space on the site to ensure the public domain is safe for residents and visitors. Refer to <b>Schedule 3</b> of the recommended Instrument of Approval at <b>Appendix F</b>.</p>
<p><b>Principle 9: Social dimensions and housing affordability</b></p> <p><i>Good design responds to the social context and needs of the local community in terms of lifestyles, affordability, and access to social facilities.</i></p> <p><i>New developments should optimise the provision of housing to suit the social mix and needs in the neighbourhood or, in the case of precincts undergoing transition, provide for the desired future community.</i></p> <p><i>New developments should address housing affordability by optimising the provision of economic housing choices and providing a mix of housing types to cater for different budgets and housing needs.</i></p>	<p>The indicative floor layouts show a mix of apartment types which would encourage a diverse social mix within the area and to sustain a vibrant community.</p> <p>Tenancies have been incorporated into the ground floor level of some of the buildings and offered to be dedicated to Council for a variety of potential community uses.</p> <p>These spaces are desirable in a development of the scale proposed and facilitate social interaction within the local community.</p>
<p><b>Principle 10: Aesthetics</b></p> <p><i>Quality aesthetics require the appropriate composition of building elements, textures, materials and colours and reflect the use, internal design and structure of the development. Aesthetics should respond to</i></p>	<p>The building design and materials used will be considered in the assessment of future Development Applications. A future environmental assessment requirement is recommended to require future Development Applications demonstrate a high standard of architectural design incorporating a high level of modulation / articulation of the buildings and</p>

Key Principles of SEPP 65	Department's Response
<i>the environment and context, particularly to desirable elements of the existing streetscape or, in precincts undergoing transition, contribute to the desired future character of the area.</i>	a range of high quality materials and finishes. Refer to <b>Schedule 3</b> of the recommended Instrument of Approval at <b>Appendix G</b> .

## RESIDENTIAL FLAT DESIGN CODE 2002 (RFDC)

The RFDC sets out a number of guidelines for residential flat development to ensure apartments are provided with an appropriate level of residential amenity.

The RFDC (the Code) is closely linked to the principles of SEPP 65. The Code sets out a number of "rules of thumb" which detail numeric provisions for residential flat development where compliance would ensure the development complies with the intent of the Code.

The Concept Plan seeks approval for building envelopes, with detailed floor plan layouts of buildings and façade design the subject of future Part 4 Development Applications. Indicative floor plans have been provided to demonstrate how the building envelopes may achieve RFDC rules of thumb guidelines.

The proposal has been assessed against the primary rules of thumb standards contained within the RFDC. Discussion on key non-compliances with the RFDC is discussed in detail in **Section 5.3** of this report. The Department considers that the proposal is generally consistent with the aims and provisions of the Code that the development is capable of achieving other detailed criteria to be assessed at future Development Application stages.

## STATE ENVIRONMENTAL PLANNING POLICY (INFRASTRUCTURE) 2007 (ISEPP)

The proposal comprises more than 300 residential apartments and is therefore a traffic generating development in accordance with the Infrastructure SEPP. Clause 104 of the ISEPP requires the Department refer the subject application to the RTA (now the RMS) as part of the consultation process. The SRDAC of RMS raised concerns regarding the intersection of the new George Street extension with Parramatta Road, a State road. The SRDAC recommended that the proposed fourth leg of the signalised T intersection on Parramatta Road at George Street be given further consideration to ensure the geometric layout was appropriate and the sufficient land dedication and building setbacks were incorporated into the Concept Plan. The RMS requested additional information from the Proponent to enable the RMS to provide concurrence.

The RMS's comments have been assessed and recommend future environmental assessment requirements incorporated into **Schedule 3** of the recommended Instrument of Approval at **Appendix G**. The Department will notify the RMS of its determination of the subject proposal.

The proposal is located adjacent to Parramatta Road, a classified road and the North Strathfield Good Loop, a rail corridor. The published interim guidelines "*Development adjacent Rail Corridors and Busy Roads*" have been considered in this assessment. The Concept Application was referred to RailCorp and the RMS as part of the consultation process. RailCorp and RMS comments have been considered in the Department's assessment and recommended future environmental assessment requirements have been included in **Schedule 3** of the recommended Instrument of Approval at **Appendix G**.

## STATE ENVIRONMENTAL PLANNING POLICY (BUILDING SUSTAINABILITY INDEX) 2004 (SEPP BASIX)

SEPP BASIX establishes a scheme for achieving sustainable residential development across NSW. The current target of BASIX for Residential Flat Buildings commenced on 1 July 2006 and



require all new residential dwellings of the scale proposed to meet targets the State-wide targets of a 30% reduction in energy use and 40% reduction in water use. Future Development Applications will require BASIX certificates demonstrating compliance with minimum targets.

The Proponent has satisfactorily demonstrated how ESD principles have been incorporated into the mixed use development through the identification of a range of options to achieve the minimum mandatory targets that currently apply.

The Proponent has made a commitment to undertake indicative Green Star rating study using the Multi-Unit VI Residential Green Star rating tool to measure the building sustainability performance of future Development Applications and this has been incorporated as a future environmental assessment requirement.

#### **DRAFT STATE ENVIRONMENTAL PLANNING POLICY (COMPETITION) 2010 (DRAFT COMPETITION SEPP)**

In July 2010, the draft Competition SEPP was publicly exhibited. The draft SEPP aims to promote economic growth and competition and remove anti-competitive barriers in environmental planning and assessment. The draft Competition SEPP proposes:

- The commercial viability of a proposed development may not be taken into consideration by a consent authority when determining Development Applications;
- The likely impact of a proposed development on the commercial viability of other individual businesses is not a matter for consideration, except if the proposed development is likely to have an overall adverse impact on the extent and adequacy of local community services and facilities; and
- Any restrictions in local planning instruments on the number of a particular type of retail store in an area, or the distance between stores of the same type, will have no effect.

An assessment of the proposal against the draft Competition SEPP is detailed in **Section 5.6**, having regard to the draft Centres Policy, the Metropolitan Strategy for Sydney 2036 and the Draft Inner West Subregional Strategy.

## LOCAL ENVIRONMENTAL PLANNING INSTRUMENTS AND POLICIES

The site is located in the Strathfield LGA. The principle EPI applying to the subject site is the SPSO. Planning Scheme Ordinances (PSO) are not required to be strictly applied in the assessment and determination of major projects under Section 75R of the EP&A Act. Notwithstanding, the department has considered the relevant PSO in the assessment of the proposal.

The Department has also considered the proposal against the Draft Strathfield LEP 2011 which was exhibited from 31 January until 23 March 2012.

Control	Strathfield Planning Scheme Ordinance 1969	Draft Strathfield LEP 2012 (on exhibition 31 Jan until 23 March 2012)	Proposal	Complies
<b>Zone/ Land Use</b>	Mixed Use 10, Special Uses 9(a) Proposed Local Road & 6(d) Proposed Open Space	B4 Mixed Use (north) & R4 High Density Residential (south) & RE1 Public Recreation  Road widening of Council owned laneways and George Street extension	Mixed use residential, commercial, retail, community use & open space	<ul style="list-style-type: none"> <li>Commercial buildings not permissible within R4 zones. Uses permissible within existing Mixed Use &amp; Open Space zones.</li> <li>The George Street south extension follows a different alignment than the 9(a) Proposed Local Road Zone shown on the SPSO zoning map.</li> <li>Uses permissible within draft zones with the exception of roads.</li> </ul>
<b>Maximum Building Height</b>	No specific development standards DCP No. 20 = 6 & 4 storeys	29m except for area for road & public space (0m) & Parramatta Road frontage (22m)	2-21 storeys or max RL76.50 (plus plant)	<ul style="list-style-type: none"> <li>No. Buildings J, K, O, Q and R exceed the proposed maximum 29m height limit under the Draft LEP.</li> </ul>
<b>FSR</b>	No specific development standards	2.95:1 ( north-west part of site) 2.7:1 (rest of site)	2.82:1 (GFA of 83,606m <sup>2</sup> )	<ul style="list-style-type: none"> <li>Generally. Overall development falls within the range of FSRs under the Draft LEP.</li> <li>Excluding the land zoned for regional open space acquisition the proposed FSR is 3.2:1.</li> </ul>
<b>Deep Soil Landscaping</b>	No specific development standards DCP No. 20 = Minimum requirement of 35% of site	-	6628m <sup>2</sup> of 22.34% of site.	<ul style="list-style-type: none"> <li>Does not comply with DCP 20 control.</li> <li>Complies with RFDC requirement for 25% of the open space areas of the site proposed.</li> <li>Deep soil landscaping proposed is 6628m<sup>2</sup> (69% of the public open space area and 53% of the combined areas of public and common open space).</li> </ul>

Control	Strathfield Planning Scheme Ordinance 1969	Draft Strathfield LEP 2012 (on exhibition 31 Jan until 23 March 2012)	Proposal	Complies
Heritage	N/A	Adjoining items- Railway Bridge with Arnotts sign & bridge south of site- local items		<ul style="list-style-type: none"> <li>• Yes. No significant adverse impacts on items of heritage significance.</li> </ul>
Special Designation	N/A	Key site		<ul style="list-style-type: none"> <li>• No impacts</li> </ul>

## INTERIM GUIDELINES FOR DEVELOPMENT NEAR RAILWAY CORRIDORS AND BUSY ROADS – INTERIM GUIDELINES 2008

The Interim Guidelines are required to be taken into account by the Concept Plan proposal.

Part C of the Interim Guidelines relates to development impacted by rail corridors and busy roads.

Part D of the Interim Guidelines addresses potential impacts of adjacent development on roads and railway.

The Proponent has provided an assessment of the noise and vibration impacts of the adjacent rail corridor, Parramatta Road and the M4 Motorway. The Department is satisfied that adequate mitigation measures can be accommodated in future development to ensure adequate internal amenity for residents and tenants.

Recommendations from RailCorp and the RMS relating to access, corridor protection, fencing and landscaping, reflective materials, drainage and balconies and window design are incorporated as future environmental assessment requirements.

## STRATHFIELD DIRECT DEVELOPMENT CONTRIBUTIONS PLAN 2010-2030

Section 94 of the EP&A Act enables councils to levy contributions to fund additional or upgraded public facilities and infrastructure (e.g. local and major parks, traffic and community facilities) required as a consequence of development and the increased demand this creates. The 'Strathfield LGA – Direct Contributions Plan 2010-2030' provides the administrative framework for this process.

Within the Direct Plan, the Strathfield LGA is divided into precincts and different levies apply to each land use within each precinct. **Section 5** of this report provided an assessment of developer contributions approach offer by the Proponent and Council's response.

## APPENDIX F. STATEMENT OF COMPLIANCE

Section 75I(2) of the EP&A Act & Clause 89B of the Environmental Planning and Assessment Regulation 2000.

The Director-General's report to the Minister for the proposed project satisfies the relevant criteria under Section 75I of the EP&A Act as follows:

Section 75I(2) criteria	Department's Response
Copy of the Proponent's environmental assessment and any PPR.	The Proponent's EA is located at <b>Appendix A</b> and PPR is located in this <b>Appendix C</b> of this report.
Any advice proposed by public authorities on the project.	All advice provided by public authorities on the project for the Minister's consideration is set out in <b>Section 4</b> of this report.
Copy of any report of a panel constituted under Section 75G in respect of the project.	No statutory independent hearing and assessment panel has been undertaken in respect of this project.
Copy of or reference to the provisions of any State Environmental Planning Policy that substantially govern the carrying out of the project.	An assessment of the impact of the SEPPs on the development proposal is provided at <b>Appendix D</b> of this report.
Except in the case of a critical infrastructure project – a copy of or reference to the provisions of any environmental planning instrument that would (but for this Part) substantially govern the carrying out of the project and that has been taken into consideration in the environmental assessment of the project under this Division.	An assessment of the development relevant to the prevailing environmental planning instruments is provided in <b>Appendix D</b> of this report.
Any environmental assessment undertaken by the Director General or other matter the Director General considered appropriate.	The environmental assessment of the Concept Plan application is this report in its entirety.
A statement relating to compliance with the environmental assessment requirements under this Division with respect to the project.	The environmental assessment of the Concept Plan application is this report in its entirety. The proposal adequately addresses the DGRs.

The Director-General's report to the Minister for the proposed project satisfies the relevant criteria under Clause 8B of the EP&A Regulation 2000 as follows:

Clause 8B criteria	Response
An assessment of the environmental impact of the project.	An assessment of the environmental impact of the proposal is discussed in <b>Section 5</b> .
Any aspect of the public interest that the Director-General considers relevant to the project.	The public interest is discussed in <b>Section 5</b> of this report.
The suitability of the site for the project.	The project represents a redevelopment of an underutilised site within an established urban area for mixed uses suitable for the locality.
Copies of submissions received by the Director-General in connection with public consultation under section 75H or a summary of the issues raised in those submissions.	A summary of the issues raised in the submissions is provided in <b>Section 4</b> of this report.



## **APPENDIX G. RECOMMENDED INSTRUMENT OF APPROVAL**

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