

# Director-General's Requirements

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

Application number	07_0060
Project	Construction of a mixed use development consisting of; <ul style="list-style-type: none"> <li>• an 8 storey mixed-use building comprising residential units; commercial and retail space;</li> <li>• a 5/6 storey tourist accommodation building;</li> <li>• associated basement level car parking; and</li> <li>• as generally described by letter dated 2 May 2007.</li> </ul>
Location	Lot 1, DP 513519, Lots 1 & 2 DP 507207 and Lots 1 & 2 DP 536168 at 2 & 4-6 Ocean Parade and 14-16 The Entrance Road, The Entrance.
Proponent	Jewel Tower Pty Ltd
Date issued	26 September 2007
Expiry date	2 years from date of issue
General requirements	<p>The Environmental Assessment (EA) must include:</p> <ol style="list-style-type: none"> <li>1. An executive summary;</li> <li>2. An outline of the scope of the project including: <ul style="list-style-type: none"> <li>• any development options;</li> <li>• justification for the project taking into consideration any environmental impacts of the project, the suitability of the site and whether the project is in the public interest; and</li> <li>• outline of the staged implementation of the project if applicable;</li> </ul> </li> <li>3. A thorough site analysis including constraints mapping and description of the existing environment;</li> <li>4. Consideration of any relevant statutory and non-statutory provisions and identification of any non-compliances with such provisions, in particular relevant provisions arising from environmental planning instruments, Regional Strategies (including draft Regional Strategies) and Development Control Plans;</li> <li>5. Consideration of impacts, if any, on matters of national environmental significance under the Commonwealth <i>Environment Protection and Biodiversity Conservation Act 1999</i>;</li> <li>6. An assessment of the potential impacts of the project and a draft Statement of Commitments, outlining environmental management, mitigation and monitoring measures to be implemented to minimise any potential impacts of the project;</li> <li>7. The plans and documents outlined in <b>Attachment 2</b>;</li> <li>8. A signed statement from the author of the Environmental Assessment certifying that the information contained in the report is neither false nor misleading;</li> <li>9. A Quantity Surveyor's Certificate of Cost to verify the capital investment value of the project; and</li> <li>10. An assessment of the key issues specified below and a table outlining how these key issues have been addressed.</li> </ol>
Key issues	<p><b>PART A - Key Issues</b></p> <p>The EA must address the following key issues:</p> <p><b>Relevant EPI's and Guidelines to be Addressed</b></p> <ul style="list-style-type: none"> <li>• Planning provisions applying to the site, including permissibility and the provisions of all plans and policies including: <ul style="list-style-type: none"> <li>◦ SEPP No. 71 – Coastal Protection;</li> <li>◦ SEPP No. 65 – Design Quality of Residential Flat Development &amp; Residential Flat Design Code;</li> </ul> </li> </ul>

- SEPP (Building Sustainability Index: BASIX) 2004;
- SEPP No. 11 – Traffic Generating Developments;
- SEPP No. 55 – Remediation of Land;
- NSW Coastal Policy 1997;
- Coastal Design Guidelines of NSW (2003);
- Wyong Local Environmental Plan 1991;
- Wyong Development Control Plan 2005 and any other relevant local planning policies; and
- Community Consultation.
- Nature and extent of any non-compliance with relevant environmental planning instruments, plans and guidelines and justification for any non-compliance.

#### **Design, Visual Impacts and Design Quality Principles**

- Address the height, bulk and scale of the proposed development within the context of the locality.
- Address the design quality with specific consideration of the façade, massing, setbacks, and proportions to openings, building articulation, and amenity (including amenity impacts for adjoining and surrounding development).
- Address the visual impact of the proposed development when viewed from the street, the water and adjacent foreshore areas.
- Amelioration of visual impacts through design, use of appropriate colours and building materials and landscaping must be addressed.
- Demonstrate that the residential component will satisfy the requirements of SEPP 65 – Design Quality of Residential Flat Development.

#### **Environmental and Residential Amenity**

The project must achieve a high level of environmental and residential amenity. In particular the EA is to address the following issues:

- *Solar access*: Shadow diagrams are to be submitted demonstrating impacts of the proposal on both public and private open space areas and internal living areas within the development and on adjoining properties.
- *Noise*: An acoustic assessment, including mitigation measures, is required to demonstrate that the proposed apartments are designed to achieve an appropriate level of acoustic privacy. The acoustic assessment should demonstrate that the proposal and associated uses would not have an unacceptable noise impacts on the amenity of the locality.
- *Visual Privacy*: Ensure the design reduces opportunity for overlooking between units with the development and into adjoining properties.
- *View Loss*: Ensure the design maintains an equitable share of existing private and public scenic views.
- *Land use*: Ensure that potential conflicts from the mixed use proposal are minimised within the development and on existing surrounding development.

#### **Traffic Impacts (Construction and Operational)**

Prepare a traffic impact study in accordance with the RTA's Guide to Traffic Generating Developments which addresses the following matters:

- any changes to traffic generation resulting from the project and any required road / intersection upgrades;
- existing traffic conditions, road network and road capacity;
- access to and within the site including emergency access;
- proposed loading dock(s) and car parking arrangements;
- service vehicle movement, clearance, separation and delivery times;
- measures to promote public transport usage; and
- pedestrian and bicycle linkages

#### **Landscaping**

Provide a Landscape Plan illustrating:

	<ul style="list-style-type: none"> <li>• Treatment of the communal/public open space areas on the site;</li> <li>• Screen planting along the common boundaries with adjoining properties; and</li> <li>• Tree protection measures both on and off the site.</li> </ul> <p><b>Safety/Public Domain/Pedestrians</b> The environmental assessment is to demonstrate how the proposed building envelope, building design and treatment of the public domain and open spaces will:</p> <ul style="list-style-type: none"> <li>• Be consistent with 'Safer by Design' principles;</li> <li>• Maximise surveillance, safety and security within the public domain and the basement car park;</li> <li>• Ensure access for people with disabilities; and</li> <li>• Minimise potential for vehicle and pedestrian conflicts.</li> </ul> <p><b>Social and Economic Impacts</b></p> <ul style="list-style-type: none"> <li>• The environmental assessment is to address the social and economic context of the development in terms of, infrastructure requirements, community services and facilities; and staging and monitoring of infrastructure works.</li> <li>• An economic impact assessment is to be prepared in accordance with Council's policy to address the appropriateness of the proposed retail floor space, and the impact on existing retail centres.</li> </ul> <p><b>Ecologically Sustainable Development (ESD)</b> The environmental assessment shall detail how the development will incorporate ESD principles in the design, construction and ongoing operation phases.</p> <p><b>Drainage and Flooding (if required)</b> The environmental assessment is to address drainage/flooding issues associated with the development/site, including: on-site detention of stormwater, drainage infrastructure and incorporation of Water Sensitive Urban Design measures.</p> <p><b>Provision of Public Services and Infrastructure</b> Address provision of public services and infrastructure having regard to the Council's <i>Section 94 Contribution Plan</i> and details of any Voluntary Planning Agreement proposed.</p> <p><b>Utilities</b> In consultation with relevant agencies, address the existing capacity and requirements of the development for water, electricity, waste disposal, telecommunications and gas. Identify staging, if any, of infrastructure works.</p>
Deemed refusal period	60 days

## Attachment 1: Plans and Documents to accompany the Application

<p><b>Plans and Documents of the development</b></p>	<p>The following plans, architectural drawings and diagrams of your proposal as well as the relevant documents will be required to be submitted for your application:</p> <ol style="list-style-type: none"> <li>1. The <b>existing site survey plan</b> is to be drawn to 1:500 scale (or other appropriate scale) and show: <ul style="list-style-type: none"> <li>• the location of the land, the measurements of the boundaries of the land, the size of the land and north point;</li> <li>• the existing levels of the land in relation to buildings and roads;</li> <li>• location and height of existing structures on the site; and</li> <li>• location and height of adjacent buildings and private open space.</li> <li>• all levels to be to Australian Height Datum.</li> </ul> </li> <li>2. A <b>Site Analysis Plan</b> must be provided which identifies existing natural elements of the site (including all hazards and constraints), existing vegetation, property dimensions, footpath crossing levels and alignments, existing pedestrian and vehicular access points and other facilities, slope and topography, utility services, boundaries, orientation, view corridors and all structures on neighbouring properties where relevant to the application (including windows, driveways, private open space etc).</li> <li>3. A <b>locality/context plan</b> drawn to 1:500 scale (or other appropriate scale) should be submitted indicating: <ul style="list-style-type: none"> <li>• significant local features such as parks, community facilities and open space and heritage items;</li> <li>• the location and uses of existing buildings, shopping and employment areas;</li> <li>• traffic and road patterns, pedestrian routes and public transport nodes</li> <li>• The existing site plan and locality plan should be supported by a written explanation of the local and site constraints and opportunities revealed through the above documentation.</li> </ul> </li> <li>4. The <b>Environmental Assessment</b> in accordance with the Director-General's Environmental Assessment Requirements as outlined in The Key Issues.</li> <li>5. The <b>Architectural drawings</b> (where relevant) are to be drawn to scale and illustrate the following: <ul style="list-style-type: none"> <li>• the location of any existing building envelopes or structures on the land in relation to the boundaries of the land and any development on adjoining land;</li> <li>• detailed floor plans of the proposed buildings;</li> <li>• sections and elevations including detailed sections of the proposed building;</li> <li>• the location and size of vertical and horizontal circulation of lifts, stairs and corridors;</li> <li>• fenestrations, balconies and other features;</li> <li>• communal facilities and servicing points;</li> <li>• accessibility requirements of the Building Code of Australia and the Disability Discrimination Act;</li> <li>• the height of the proposed development in relation to the land;</li> <li>• any changes that will be made to the level of the land by excavation, filling or otherwise;</li> <li>• the level of the lowest floor, the level of any unbuilt area and the level of the ground;</li> <li>• parking arrangements, where vehicles will enter and leave the site, and how vehicles will move about the site;</li> <li>• pedestrian access to, through the retail arcade and within the site.</li> </ul> </li> <li>6. The <b>shadow diagrams</b> showing solar access to the site and adjacent properties at summer solstice (Dec 21), winter solstice (June 21) and the equinox (March 21 and September 21) at 9.00 am, 12.00 midday and 3.00 pm.</li> </ol>
--	--

	<p>7. An external <b>materials and finishes board</b> is to be provided providing details of the external building materials and colours proposed.</p> <p>8. The <b>Other plans</b> including (where relevant):</p> <ul style="list-style-type: none"> <li>• <b>Stormwater Concept Plan</b> - illustrating the concept for stormwater management from the site to the Council drainage system and include a detailed site survey. Where an on-site detention system is required or being provided, the type and location must be shown and must be integrated with the proposed landscape design. Site discharge calculations should be provided and the must include details of all major overland flow paths;</li> <li>• <b>Erosion and Sediment Control Plan</b> – plan or drawing that shows the nature and location of all erosion and sedimentation control measures to be utilised on the site;</li> <li>• <b>Geotechnical Report</b> – prepared by a recognised professional which assesses the risk of Geotechnical failure on the site and identifies design solutions and works to be carried out to ensure the stability of the land and structures and safety of persons;</li> <li>• <b>View Analysis</b> - Visual aids such as a photomontage must be used to demonstrate visual impacts of the proposed building envelopes in particular having regard to the siting, bulk and scale relationships from the beach and surrounding streets/key areas;</li> <li>• <b>Coloured elevations</b> - of the proposed buildings drawn to the same scale as the architectural drawings. The elevations are to indicate height and key datum lines, building length and articulation, materials and finishes, the composition of the façade and roof design, existing buildings on the site, building entries (pedestrian, vehicular and service), and profile of buildings on adjacent properties;</li> <li>• <b>Landscape/Public Domain Concept Plan</b> – plan or drawing that shows the basic detail of public domain works including seating, lighting, paving and any planting design and plant species to be used, listing botanical and common names, mature height and spread, number of plants to be utilised and surface treatments (i.e. pavers, lawn etc).</li> <li>• <b>Waste Management Plan</b> – a plan which addresses demolition and construction wastes that may be generated including likely quantities, proposed disposal destinations and best practices for safe handling and disposal in accordance with WorkCover's Occupational Health and Safety requirements must be provided;</li> <li>• <b>Construction Management Plan</b> – a plan which outlines traffic and pedestrian management during construction</li> </ul>
Documents to be submitted	<ul style="list-style-type: none"> <li>• 12 hard copies of the Environmental Assessment;</li> <li>• 12 sets of architectural and landscape plans to scale, including one (1) set at A3 size (to scale); and</li> <li>• 1 copy of the Environmental Assessment and plans on CD-ROM (PDF format), not exceeding 5Mb in size (see below).</li> <li>• If the Environmental Assessment is bulky and lengthy in volume, you will be required to package up each Environmental Assessment ready for distribution by the Department to key agencies.</li> </ul>
Electronic Documents	<p>Electronic documents presented to the NSW Department of Planning for publication via the Internet must satisfy the following criteria:</p> <ul style="list-style-type: none"> <li>• Adobe Acrobat PDF files and Microsoft Word documents must be no bigger that 1.5 Mb. Large files of more than 1.5 Mb will need to be broken down and supplied as different files;</li> <li>• File names will need to be logical so that the Department can publish them in the correct order. Avoid sending documents that are broken down in more than 10 files;</li> <li>• Image files should not be bigger than 2Mb. The file names will need to be clear and</li> </ul>

	<p>logical so the Department can publish them in the correct order;</p> <ul style="list-style-type: none"><li>• Graphic images will need to be provided as [.gif] files;</li><li>• Photographic images should be provided as [.jpg] files;</li><li>• Large maps will need to be presented as individual files and will need to be calibrated to be no more than 2Mb each;</li><li>• Images inserted into the document will need to be calibrated to produce files smaller than 1.5Mb. Large images will need to be presented as individual files and will need to be calibrated to be no more than 2Mb each. The file names will need to be clear and logical so the Department can publish them in the correct order.</li></ul> <p>Alternatively, these electronic documents may be placed on your own web site with a link to the Department of Planning's website.</p>
--	---