



Planning

Contact: Mark Brown
Phone: 02 9228 6385
Fax: 02 9228 6488
E-mail: mark.brown@planning.nsw.gov.au

Ms Natasha Devlin
Development Manager
Anglican Retirement Villages
PO Box 284
CASTLE HILL NSW 1765

Our ref: MP 07_0132
File: S07/01485-1

Dear Ms Devlin,

Subject: Extension of Director-General's Requirements request for MP 07_0132
Proposal: Construction of Stage 1, Seniors Living Development, Sandon Point, Bulli

I refer to your correspondence requesting an extension to the Director-General's Requirements (DGRs) for the Project Application for Stage 1 of the Seniors Living Development at Sandon Point, Bulli.

Due to the time that has elapsed since the DGRs were issued in November 2007, the Department has reviewed and updated them to reflect current policies and guidelines, pursuant to section 75F(3) of the *Environmental Planning and Assessment Act, 1979* (the Act).

The DGRs were prepared from the information provided within your application and in consultation with relevant Government agencies, including Council (attached).

Under section 75F(3) of the Act, the Director-General may alter or supplement these requirements if necessary and in light of any additional information that may be provided prior to the proponent seeking approval for the project.

Prior to exhibiting the Environmental Assessment, the Department will review the document to determine if it adequately addresses the DGRs. If the Director-General considers that the Environmental Assessment does not adequately address the DGRs, the Director-General may require the proponent to revise the Environmental Assessment to address the matters notified to the proponent.

Following this review period the Environmental Assessment will be made publicly available for a minimum period of 30 days. Please contact the Department at least two weeks before you propose to submit the Environmental Assessment to determine the fees applicable to the application.

Please also consider the previous submissions sent to you from other agencies during the preparation of the Environmental Assessment. A revised submission was received from the Department of Environment, Climate Change and Water that is included for your consideration.

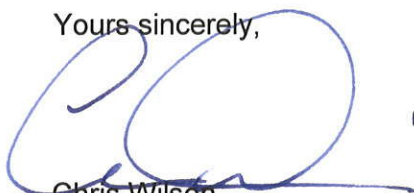
The Department's previous letter of 9 November 2007 highlighted the following additional requirement to be considered:

"If your proposal contains any actions that is likely to significantly impact matters of National Environmental Significance, it will require an additional approval under the Commonwealth Environment Protection Biodiversity Conservation Act 1999 (EPBC Act). This approval is in addition to any approvals required under NSW legislation. It is your responsibility to contact the Department of Environment and Water Resources in Canberra (6274 1111 or

<http://www.environment.gov.au>) to determine if the proposal is likely to significant impact on matters of National Environmental Significance, and would require an approval under the EPBC Act. The Commonwealth Government has accredited the NSW environmental assessment process for assessing any impacts on matters of National Environmental Significance. As a result, if it is determined that an approval is required under the EPBC Act, please contact me immediately as supplementary Director-General's requirements will need to be issued".

If you have any enquiries about these requirements, please contact Mark Brown on 02 9228 6385 or via e-mail at mark.brown@planning.nsw.gov.au.

Yours sincerely,



17.11.09

Chris Wilson
Executive Director
Major DA Assessments

Director-General's Requirements

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

Application number	MP 07_0132
Project	<p>Project Application for the construction of Stage 1 of a Seniors Living Development including:</p> <ul style="list-style-type: none"> • Construction of apartment buildings that contain independent living units and car parking; • Construction of the east-west road from Sturdee Avenue to the Ocean View Precinct; • Construction of visitor and staff car parking; • Rehabilitation and revegetation of the Turpentine Forest and part of the Cookson's creek riparian corridor; • Landscaping; and • Utilities and services to support the proposed development.
Location	Lot 1 & 2 DP 224431, Sandon Point, Bulli
Proponent	Anglican Retirement Villages
Date issued	17 / 11 / 2009
Expiry date	If the environmental assessment is not exhibited within 2 years after this date, the applicant must consult further with the Director-General in relation to the preparation of the environmental assessment.
Key issues	<p>The Environmental Assessment (EA) must address the following key issues:</p> <ol style="list-style-type: none"> 1. Relevant EPI's policies and Guidelines to be Addressed Planning provisions applying to the site, including permissibility and the provisions of all plans and policies including: <ul style="list-style-type: none"> • Objects of the EP&A Act • SEPP (Housing for Seniors or People with a Disability) 2004 • SEPP 71 – Coastal Protection • SEPP 65 – Design Quality of Residential Flat Development; • SEPP (Building Sustainability Index: BASIX) 2004; • Coastal Design Guidelines of NSW, 2003 • NSW Coastal Policy, 1997 • Draft NSW Coastal Planning Guideline: Adapting to Sea Level Rise • Wollongong Local Environmental Plan 1990 • Nature and extent of any non-compliance with relevant environmental planning instruments, plans and guidelines and justification for any non-compliance • Detailed staging plan to demonstrate construction sequence and associated infrastructure (including the North-South link road) and landscaping works relating to the site 2. Concept Plan Demonstrate consistency with Concept Plan approval MP 06_0094, dated 21 December 2006 for Sandon Point (including relevant modifications) and justification for any areas of inconsistency. 3. Design, Visual Impacts and Design Quality Principles <ul style="list-style-type: none"> • Address the built form controls contained within the concept plan approval including design excellence. • Address the height, bulk and scale of the proposal 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); and • Address the visual impact of the building when viewed from the street, the water and adjacent foreshore areas and any other key areas identified.

4. 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 ensure the units achieve an acceptable level of acoustic privacy. The acoustic assessment shall particularly consider rail related noise and vibration from the nearby rail corridor and the Cookson Pilbrico development.
- *Visual Privacy*: Ensure the design reduces opportunity for overlooking between units with the development.
- *View Loss*: Ensure the design maintains an equitable share of existing private and public scenic views.

5. Traffic and Accessibility (Construction and Operational)

The EA shall provide a Transport and Accessibility Impact Study prepared in accordance with the RTA's Guide to Traffic Generating Developments, which addresses the following matters:

- access to and within the site, including road / intersection upgrades (north-south link road and the east-west road), kerbs and guttering, pavement treatments, light, power and other utilities, planting and street furniture;
- access and parking for residents and visitors;
- links to and from the site providing access for public transport services, emergency vehicles and to local facilities;
- service vehicle movement, clearance, separation and delivery times;
- safe pedestrian and bicycle linkages;
- access for aged and disabled; and
- access to and from the site during flood evacuation.

6. Landscaping

The EA shall provide a Landscape Plan illustrating treatment of the communal / public open space areas on the site.

7. Proposed Conservation Areas/Riparian Zones/Connections

- Address and detail the necessary works to restore the existing creek systems in accordance with the Concept Plan Modifications (where relevant); and
- Address the impacts of any proposed vehicle and pedestrian connections within the riparian corridors.

8. Bushfire

The EA shall demonstrate compliance with the relevant provisions of *Planning for Bushfire Protection (PBP) 2006* with all APZ's to be located within the development site.

9. Flora and Fauna

- Address impacts on flora and fauna, including threatened species, populations and endangered ecological communities and their habitats;
- Address impacts of clearing of native vegetation and provide mapping of tree removal and retention;
- Address the impacts associated with the proposal on the Turpentine Forest; and
- Actions to avoid mitigate impacts or compensate to prevent unavoidable impacts identified above.

	<p>10. Heritage</p> <ul style="list-style-type: none"> • An investigation into the potential Aboriginal cultural heritage values of the site is to be undertaken and a report prepared by a appropriately qualified anthropologist in accordance with the Concept Plan approval; • European heritage issues have been identified during the assessment of the Concept Plan. To incorporate the heritage significance into the estate a draft Heritage Interpretation Plan will be submitted with the EA; and • Places listed on the National heritage list and protected under the EPBC Act (where relevant). <p>11. Ecologically Sustainable Development (ESD) The EA shall detail how the development will maximise energy efficiency and incorporate ESD principles in the design, construction and ongoing operation phases of the development.</p> <p>12. Drainage and Flooding The EA shall address drainage / flooding issues associated with the development / site, including: the potential effects of climate change including sea level rise and an increase in rainfall intensity, creek design, on-site detention of stormwater, drainage infrastructure, and incorporation of Water Sensitive Urban Design (WSUD) measures. The WSUD measures must demonstrate compatibility with the ecological function of existing riparian areas, consistent with the Concept Plan (as amended).</p> <p>13. Provision of Public Services and Infrastructure Address provision of public services and infrastructure having regard to the Council's <i>Section 94 Contribution Plan</i> and details of any proposed Voluntary Planning Agreement.</p> <p>14. Utilities In consultation with relevant agencies, the EA shall address the existing capacity and requirements of the development for the provision of utilities (sewerage, water, electricity, waste disposal, telecommunications and gas), including staging of infrastructure works.</p> <p>15. Contamination / Acid Sulphate Soils The EA shall:</p> <ul style="list-style-type: none"> • Demonstrate compliance that the site is suitable for the proposed use in accordance with SEPP 55 – Remediation of Land; • Identify the presence and extent of Acid Sulphate Soils on the site. The EA shall address the need for an Acid Sulphate Soils Management Plan. <p>16. Consultation Undertake an appropriate and justified level of consultation in accordance with the Department's <i>Major Project Community Consultation Guidelines October 2007</i>.</p>
Deemed refusal period	60 days

Plans and Documents to accompany the Application

General	<p>The Environmental Assessment (EA) must include:</p> <ol style="list-style-type: none"> 1. An executive summary; 2. A thorough site analysis including site plans, areal photographs and a description of the existing and surrounding environment; 3. A thorough description of the proposed development; 4. An assessment of the key issues specified above and a table outlining how these key issues have been addressed; 5. An assessment of the potential impacts of the project and a draft Statement of Commitments, outlining environmental management, mitigation and monitoring measures to be implemented to minimise any potential impacts of the project; 6. The plans and documents outlined below; 7. A signed statement from the author of the Environmental Assessment certifying that the information contained in the report is neither false nor misleading; 8. A Quantity Surveyor's Certificate of Cost to verify the capital investment value of the project (in accordance with the definition contained in the Major Development SEPP; and 9. A conclusion justifying the project, taking into consideration the environmental impacts of the proposal, the suitability of the site, and whether or not the project is in the public interest.
Plans and Documents	<p>The following plans, architectural drawings, diagrams and relevant documentation shall be submitted:</p> <ol style="list-style-type: none"> 1. An existing site survey plan drawn at an appropriate scale illustrating: <ul style="list-style-type: none"> • the location of the land, boundary measurements, area (sq.m) and north point; • the existing levels of the land in relation to buildings and roads; • location and height of existing structures on the site; and • location and height of adjacent buildings and private open space. • all levels to be to Australian Height Datum. 2. A Site Analysis Plan must be provided which identifies existing natural elements of the site (including all hazards and constraints), existing vegetation, footpath crossing levels and alignments, 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). 3. A locality/context plan drawn at an appropriate scale should be submitted indicating: <ul style="list-style-type: none"> • significant local features such as parks, community facilities and open space and heritage items; • the location and uses of existing buildings, shopping and employment areas; • traffic and road patterns, pedestrian routes and public transport nodes. 4. Architectural drawings at an appropriate scale illustrating: <ul style="list-style-type: none"> • 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; • detailed floor plans, sections and elevations of the proposed buildings; • elevation plans providing details of external building materials and colours proposed; • fenestrations, balconies and other features; • accessibility requirements of the Building Code of Australia and the Disability Discrimination Act; • the height (AHD) of the proposed development in relation to the land; • the level of the lowest floor, the level of any unbuilt area and the level of the ground; • any changes that will be made to the level of the land by excavation, filling or otherwise.

	<p>5. Other plans (to be required where relevant):</p> <ul style="list-style-type: none"> • Stormwater Concept Plan - illustrating the concept for stormwater management; • Erosion and Sediment Control Plan – plan or drawing that shows the nature and location of all erosion and sedimentation control measures to be utilised on the site; • Geotechnical Report – prepared by a recognised professional which assesses the risk of Geotechnical failure on the site and identifies design solutions and works to be carried out to ensure the stability of the land and structures and safety of persons; • View Analysis - Visual aids such as 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 key areas; • Landscape plan - illustrating treatment of open space areas on the site, screen planting along common boundaries and tree protection measures both on and off the site; • Shadow diagrams showing solar access to the site and adjacent properties at summer solstice (Dec 21), winter solstice (June 21) and the equinox (March 21 and September 21) at 9.00 am, 12.00 midday and 3.00 pm.
Documents to be submitted	<ul style="list-style-type: none"> • 1 copy of the EA, plans and documentation for the Test of Adequacy; • 12 hard copies of the EA (once the EA has been determined adequate); • 12 sets of architectural and landscape plans to scale, including one (1) set at A3 size (to scale); and • 1 copy of the Environmental Assessment and plans on CD-ROM (PDF format), not exceeding 5Mb in size.