



Planning

Mr Oliver Klein
Principal Planner
JBA Urban Planning Consultants
Level 7, 77 Berry Street,
NORTH SYDNEY NSW 2060

Our ref: MP 09_0214
File: 09/04168-1

Dear Mr Klein,

CONCEPT PLAN FOR A COMMERCIAL TOWER AT 177-199 PACIFIC HIGHWAY, NORTH SYDNEY (MP09_0214)

Thank you for your request for Director-General's Environmental Assessment Requirements (DGRs) for the above project. The DGRs were prepared from the information provided within your application and in consultation with relevant Government agencies.

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 find enclosed with this letter, copies of submissions from other agencies providing their key issues for the proposal. Please note that these responses have been provided to you for information only and do not form part of the DGRs for the Environmental Assessment.

Should you have any questions regarding any of the above, please contact Andrew Smith on (02) 9228 6369 or email andrew.smith@planning.nsw.gov.au.

Yours sincerely

 24/3/2010

Michael Woodland
Director
Metropolitan Projects
As delegate for the Director-General

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

Application number	MP09_0214
Project	Concept Plan application for the development of a mixed use commercial/retail building.
Location	177-199 Pacific Highway, North Sydney
Proponent	JBA Urban Planning consultants on behalf of Winten Property Group
Date issued	24 MARCH 2010
Expiry date	If the Environmental Assessment (EA) is not exhibited within 2 years after the date of issue, 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 are contained in Appendix A. 2. Built Form and Urban Design Impacts <ul style="list-style-type: none"> The EA shall address the visual impact of the project in the context of adjoining development, and the impact on the surrounding heritage items, and should provide an assessment of the appropriateness of the height, bulk and scale of the podium and tower. The EA shall address the design quality with specific consideration of massing, setbacks, building articulation, landscape setting, and public domain, including an assessment against the CPTED Principles. The EA shall demonstrate how the proposed development makes a positive contribution to the northern gateway to the North Sydney CBD, and shall provide an analysis of tower/podium options demonstrating design excellence. 3. Public Domain The EA shall consider: <ul style="list-style-type: none"> the interface of the proposed development and public domain (where applicable); the relationship to and impact upon existing public domain; and provision of linkages with and between other public domain spaces including access rights, openness to the sky and legibility. 4. Transport & Accessibility Impacts (Construction and Operational) The EA shall address the following matters; <ul style="list-style-type: none"> the provision of appropriate on-site car parking for the proposal having regard to local planning controls, RTA guidelines and the high public transport accessibility of the site. (Note: the Department supports reduced car parking rates in areas well-served by public transport). a minimalist approach to provision of carparking has been adopted based on the accessibility of the site to public transport. an estimate of the trips generated by the proposed development and consider how the demand for travel to and from the development is to be managed.

	<ul style="list-style-type: none"> provide a Transport & Accessibility Impact Study prepared in accordance with the RTA's Guide to Traffic Generating Developments, considering traffic generation, service vehicle generation and movements, any required road / intersection upgrades, access, loading dock(s), car parking arrangements, and measures to promote public transport usage and pedestrian and bicycle linkages, particularly between the site and North Sydney train station and adjacent bus routes. The key intersections that the Study should consider are: <ul style="list-style-type: none"> Pacific Highway / Walker Street Pacific Highway / Miller Street Pacific Highway / Berry Street Berry Street / Miller Street Berry Street / Walker Street; provide an assessment of the implications of the proposed development for non-car travel modes (including public transport, walking and cycling). <p>5. Environmental and Residential Amenity</p> <ul style="list-style-type: none"> The EA must address solar access, acoustic privacy, visual privacy, view loss and wind impacts, and achieve a high level of environmental and residential amenity. <p>6. Ecologically Sustainable Development (ESD)</p> <ul style="list-style-type: none"> The EA shall detail how the development will incorporate ESD principles in the design, construction and ongoing operation phases of the development. The EA must demonstrate that the development has been assessed against a suitably accredited rating scheme to meet industry best practice. <p>7. Contributions</p> <ul style="list-style-type: none"> The EA shall address the provision of public benefit, services and infrastructure having regard to Council's Section 94 Contribution Plan, and provide details of any Planning Agreement or other legally binding instrument proposed to facilitate this development. The EA shall address the requirement for a Developer Commitment Deed in accordance with the Railway Commitment Deed as required by North Sydney Council (and Railcorp) to ensure the increased demand upon the North Sydney Railway Station generated by the development is addressed satisfactorily. <p>8. Consultation</p> <ul style="list-style-type: none"> Undertake an appropriate and justified level of consultation in accordance with the Department's <i>Major Project Community Consultation Guidelines October 2007</i>. <p>9. Statement of Commitments</p> <ul style="list-style-type: none"> The EA must include a draft Statement of Commitments detailing measures for environmental management, mitigation measures and monitoring for the project.
Deemed refusal period	60 days

Appendix A

Relevant EPI's and Policies to be addressed:

- NSW State Plan;
- Draft Inner North Subregional Strategy;
- North Sydney LEP 2001, Draft North Sydney LEP 2009, North Sydney DCP 2002 and other relevant Development Control Plans;
- Metropolitan Transport Plan;
- SEPP (Building Sustainability Index: BASIX) 2004;
- SEPP 55 - Remediation of Land;
- SEPP (Infrastructure) 2007; and,
- Nature and extent of any non-compliance with relevant environmental planning instruments, plans and guidelines and justification for any non-compliance.

Appendix B

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, aerial 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 Projects 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; • location of existing trees; • location and height of adjacent buildings and private open space; and • 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;

	<ul style="list-style-type: none"> • 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; and • any changes that will be made to the level of the land by excavation, filling or otherwise. <p>5. 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 9.00am, 12.00 midday and 3.00pm.</p> <p>6. Visual and 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.</p> <p>7. Landscape concept plan - illustrating location, area and treatment of private and public open space areas on the site, screen planting along common boundaries and tree protection measures both on and off the site.</p> <p>8. A massing model of the proposed development for the entire site (i.e. Concept Plan).</p> <p>9. Stormwater Concept Plan - illustrating the concept for stormwater management.</p> <p>10. Heritage Impact Statement prepared in accordance with the NSW Manual and illustrating the impact of the proposed development on adjoining Heritage Items.</p> <p>11. Other plans/reports (to be required where relevant):</p> <ul style="list-style-type: none"> • 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. • Groundwater Assessment – identifying groundwater issues and potential degradation to the groundwater source that may be encountered during excavation. The assessment should identify contingency measures to manage any potential impacts.
Documents to be submitted	<ul style="list-style-type: none"> • 1 copy of the EA, plans and documentation for the Test of Adequacy (TOA); • Once the EA has been determined adequate and all outstanding issues adequately addressed, 8 copies of the EA for exhibition; • 8 sets of architectural and landscape plans to scale, including one (1) set at A3 size (to scale); and • 12 copies of the Environmental Assessment and plans on CD-ROM (PDF format), each file not exceeding 5Mb in size. <p>NOTE: All files must be titled and saved in such a way that it is clearly recognisable without the file being opened. If multiple PDF's make up one document/report each must be titled in sequential order.</p>