



NSW GOVERNMENT
Department of Planning

Mr Jim Neale
35 Fox Valley Road
WAHROONGA NSW 2076

Y09/283

Dear Mr Neale,

Director General's Requirements for construction of multi unit housing at Nos 1, 1A and 5 Avon Road, Nos 4 and 8 Beechworth Road and 1 Arilla Road, Pymble – MP 08_0207.

Thankyou 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, 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 DGR's. If the Director-General considers that the Environmental Assessment does not adequately address the DGR's, 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 attached with this letter, copies of submissions from other agencies addressing 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.

While the provision of key issues and assessment requirements means you are now able to commence preparation of your Environmental Assessment, I would like to take this opportunity to remind you of the Departments concerns regarding the height and form of the proposal in the vicinity of the rail corridor, and the need for the proper integration of any new road network with the existing neighbourhood.

Accordingly, it is recommended that these matters should receive particular attention in the Environmental Assessment, and different alternatives be investigated to aid the justification of any final scheme.

If you have any enquiries about these requirements, please contact Mr Tim Hogan on 02 9228 6236 or via e-mail at timothy.hogan@planning.nsw.gov.au.

Yours sincerely

A handwritten signature in black ink, appearing to be 'JP' with a long horizontal stroke extending to the right.

Jason Perica
Executive Director
(as delegate for the Director General)

11/2/09



Director-General's Requirements

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

Application number	MP 08-0207 – Avon Beechworth and Arilla Roads, Pymble
Project	Project Application to construct multi-unit housing on the site
Location	Nos. 1, 1A and 5 Avon Road, Nos. 4 and 8 Beechworth Road, and 1 Arilla Road, Pymble. Lots 1 and 2 DP 583803, Lot 2 DP 205504; Lot 7 DP 15541, and Lots 1 and 3 DP 403072.
Proponent	Mr James Neale
Date issued	11/2/09
Expiry date	2 years from date of issue
Key issues (Core)	<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 53, SEPP55 • Draft SEPP 66 and the Integrating Land Use and Transport Policy • Ku-ring-gai Planning Scheme Ordinance (KPSO) • Ku-ring-gai Council's Town Centres LEP's and relevant Development Control Plans • Ku-ring-gai Planning Panel • North Subregional Metropolitan Strategy (Draft); • NSW State Plan, Urban Transport Statement • Planning for Bushfire Protection (2006) • Development near Rail Corridors and Busy Roads – Interim Guidelines • Nature and extent of any non-compliance with relevant environmental planning instruments, plans and guidelines and justification for any non-compliance. 2. Built Form <ol style="list-style-type: none"> 1. The proposal shall address the height, bulk and scale of the proposed development within the context of the locality, and provide detailed justification for heights in excess of the SEPP 53 standards. 2. Demonstrate that proposal does not have unacceptable levels of impacts on views and overshadowing of adjoining sites and public domain. 3. Demonstrate the provision of housing choice and affordability by; providing for a mix of unit sizes and types; and appropriate levels of accessibility and adaptability. 3 Urban Design The EA shall address design quality with specific consideration of the presentation of the building to the street, use of colours, materials/finishes and landscaping which are consistent with the heritage value of the building, safety by design and public domain. In particular, consideration should be given to the proper integration of any road network with the existing neighbourhood. 4 Isolated sites The proposal shall address the impact on the development potential of the sites within Site 2 of SEPP

53 that are not included within this proposal, 2 and 6 Beechworth Road, 9 Mayfield Avenue and 7 Avon Road. The proposal must demonstrate that these sites can be developed independently to achieve a reasonable density whilst stratifying the objectives of SEPP 53.

5 Aboriginal Heritage/Archaeology

The EA shall address Aboriginal Heritage in accordance with DECC "*Draft Guidelines For Aboriginal Cultural Heritage Impact Assessment and Community Consultation 2005*", involving surveys and consultation with the Aboriginal Community.

6 Environmental and Residential Amenity

The EA must address acoustic and visual privacy and contribute to a high level of environmental and residential amenity.

7 Transport and Accessibility (Construction and Operational)

The EA shall address the following matters:

- Provide a Transport & Accessibility Impact Study prepared in accordance with the RTA's *Guide to Traffic Generating Developments*, considering traffic generation, any required road / intersection upgrades, access, loading dock(s), car parking arrangements, measures to promote public transport usage and pedestrian and bicycle linkages. The Key intersections to be examined / modelled include:
 - Pacific Highway / Beechworth Road / Bobbin Head Road
 - Pacific Highway / Livingstone Avenue
- Provide details of the proposed access and
- Provide an assessment of the implications of the development for non-car travel modes (including public transport, walking and cycling); the potential for implementing a location specific travel plan; and the provision of facilities to increase the non-car mode share for travel to and from the site.
- Identify measures to mitigate potential impacts for pedestrians and cyclists during the construction stage of the project.

8 Rail Impacts

The EA shall address the following matters:

- The applicant shall request service searches from RailCorp to establish the existence and location of any RailCorp services and structures.
- Submit an acoustic assessment demonstrating how the proposed development will comply with the Department of Planning's interim Guidelines for *Development near Rail Corridors and Busy Roads*.
- To ensure the safety of passenger rail services and the rail corridor, balconies and windows within 20m of the rail corridor must be designed to prevent objects being thrown onto RailCorp's facilities.
- Ensure that drainage from the development must be adequately disposed of/managed and not allowed to be discharged into the corridor unless prior approval has been obtained from RailCorp.

9 Bushfire

The EA shall detail the extent to which the proposed development conforms with or deviates from the specifications set out in *Planning for Bush Fire Protection 2006*. The EA shall address all the requirements set out in clause 44 of the *Rural fires Regulation 2008* and section A4.2 of Appendix 4 of *Planning for Bush Fire Protection 2006*.

Details of how Asset Protection Zones (APZ's) and other bush fire protection measures required as part of the development can be met without conflicting with the ecological values of the site.

10 Flora & Fauna

A filed survey of the site should be undertaken in accordance with DECC "*Draft Guidelines for Threatened Species Assessment July 2005*".

	<p>The Blue Gum High Forest is listed as a critically endangered threatened ecological community under the Commonwealth Environment Protection and Biodiversity Conservation Act 1999 (EPBC Act). The Commonwealth Department of Environment, Water, Heritage and the Arts should be consulted to ascertain whether the proposed development triggers the need for an assessment and approval under the EPBC Act.</p> <p>11 Geotechnical and Hydrological A geotechnical assessment is required to:</p> <ul style="list-style-type: none"> • Ensure that the land is capable of supporting the proposed development; • Assess the potential slip hazard on steep slopes; • Assess the potential impact on ground water flows, and downstream ecosystems (including the creeks) and any measures proposed to mitigate them; • Assess the potential of any development to intersect groundwater flows and the measures proposed to mitigate the impact of the development. <p>12 Construction Impacts Address measures to ameliorate potential impacts arising from the construction of the proposed development.</p> <p>13 Ecologically Sustainable Development (ESD) The EA shall detail how the development will incorporate ESD principles in the design, construction and ongoing operation phases of the development, including water and energy usage, waste minimisation and recycling strategies.</p> <p>14 Drainage/Flooding The EA shall address drainage/flooding issues associated with the development/site, including: stormwater, the potential effects of climate change, sea level rise and an increase in rainfall intensity, drainage infrastructure and incorporation of Water Sensitive Urban Design measures.</p> <p>15 Contributions The EA shall address provision of public benefit, services and infrastructure having regard to the Council's Section 94 Contribution Plan and/or details of any Voluntary Planning Agreement.</p> <p>16 Contamination The EA is to demonstrate compliance that the site is suitable for the proposed use in accordance with SEPP 55.</p> <p>17 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>
Key Issues (Optional) – to be applied where relevant.	<p>Heritage The EA shall provide assessment of potential archaeology of the site.</p> <p>Drainage The EA shall address stormwater, drainage infrastructure and incorporation of Water Sensitive Urban Design measures.</p> <p>Utilities In consultation with relevant agencies, address the existing capacity and requirements of the development for the provision of utilities including staging of infrastructure works.</p> <p>Staging</p>

	The EA must include details regarding the staging of the proposed development (if proposed).
Deemed refusal period	60 days

Plans and Documents to accompany the Application

<u>General</u>	<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, including an assessment against the objectives of the EP&A Act; 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) 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. 10. Details demonstrating that any fill brought onto the site is contamination free, and from where obtained. 11. Details of where all excavated material leaving the site is to be placed.
<u>Plans and Documents</u>	<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

	<p>boundaries of the land and any development on adjoining land;</p> <ul style="list-style-type: none"> • detailed floor plans, sections and elevations of the proposed building; • elevations 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 area to be developed adjacent to or around the building 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 development 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. • Arborist Report - detailing protective measures for the trees to be retained on or in the vicinity of the site. • Heritage impact statement – prepared in accordance with the NSW Heritage Manual and illustrating the impact of the proposed re-use of the building on its heritage value. • Access Report – to be prepared demonstrating compliance with the various Discrimination and Disability regulations for the building and open space areas, as well as access to the surrounding public spaces. • Rail Infrastructure Plan - Provide an accurate survey (undertaken by a registered surveyor) locating the development with respect to the rail boundary and rail infrastructure.
<u>Documents to be submitted</u>	<ul style="list-style-type: none"> • 1 copy of the EA, plans and documentation for the Test of Adequacy (TOA); • 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.