

Discovery Point, 1 Princes Highway Wolli Creek

Concept Plan – Response to Submissions

Issues Raised		Proponent Response
SRDAC – Sydney Regional Development Advisory Committee		
1	Raised concerns regarding the cumulative traffic impact of the proposed development and other existing and proposed developments within the precinct.	The proposed Concept Plan will result in less projected traffic generation than the approved Master Plan and therefore the implications of the Concept Plan on the surrounding road network are significantly improved. This is demonstrated in Section 6.17 (Traffic and Transport) in the EAR.
2	The Department of Planning should seek clarification from Council regarding the timing of the road network upgrades (as identified in Council's Section 94 Contributions Plan). Council should give consideration to forward funding some road network upgrades to mitigate traffic impacts of the proposed and future developments in the precinct.	Noted. The timing of road network upgrades are subject to Council's forward funding program and outside the scope of this Concept Plan application.
3	The provision of off-street car parking, loading area and bicycle storage should be provided to the satisfaction of the Department of Planning.	<p>Noted. The provision of loading areas and bicycle storage will be determined in the detailed Project/Development Application stages. The Concept Plan proposes car parking rates to reflect the transit oriented nature of the site. The locations of off-street parking and loading docks are shown on the indicate floor plans in the <i>Bates Smart Design Report</i>.</p> <p>Parking rates and controls relating to loading areas and bicycle storage have been included in the Concept Plan Development Design Guidelines.</p>
4	The layout of off-street car parking, areas, and driveway associated with the subject development (including grades, turn paths, sight distance requirements, aisle widths, aisle lengths and parking bay dimensions) should be in accordance with AS2890.1 – 2004.	Noted. The Concept Plan complies with the AS2890.1-2004.
5	Clear sight lines shall be provided at the property boundary line to ensure adequate visibility between vehicles leaving the car park and pedestrians along the frontage road footpath in accordance with Figure 3.3 of AS2890.1 – 2004 for	Noted. The Concept Plan complies with the AS2890.1-2004 and AS2890.2-2002.

	light vehicles and AS 2890.2 – 2002 for heavy vehicles.	
6	The parking areas and entry/exit points need to be clearly delineated through line marking and signage to ensure smooth, safe traffic flow.	Noted. The detailed design of the parking areas, entry/exit points and line markings will be identified in the future Project/Development Applications.
7	The swept path of the longest vehicle entering and exiting the subject site, as well as manoeuvrability through the site, shall be in accordance with AUSTROADS. In this regard, a plan shall be submitted to Council for approval, which shows that the longest vehicle can access the site via the existing road network.	Noted. A swept path diagram for a 12.5m bus has been prepared and attached at Appendix J . Swept path diagrams will also be provided in more detail with future Project/Development Applications.
8	All loading and unloading shall occur on site.	Noted. All loading and unloading shall occur on the Concept Plan site. A loading dock for the supermarket will be provided within the site at ground level of proposed Building 4 and is included in the Stage 1 Project Application. On-street loading zones will be provided along Brodie Spark Drive and Magdalene Terrace for the smaller retail tenancies.
9	Appropriate street lighting shall be provided at the driveway entry and exit in order to provide adequate visibility at night.	Noted. The detailed design of proposed street lighting will be provided in the future Project/Development Applications. The type of street lighting for Discovery Point is identified in the Discovery Point Landscape Design Guidelines/Public Domain Plan (provided under separate cover) and will meet Australian Standard s.
10	All vehicles are required to enter and leave the subject site in a forward direction.	Noted. This requirement is not inconsistent with the Concept Plan.
11	All vehicles should be wholly contained on site before being required to stop	Noted. This requirement is not inconsistent with the Concept Plan.
12	A Construction Traffic Management Plan detailed construction vehicle routes, number of trucks, hours of operation, access arrangements and traffic control should be submitted to Council, for approval, prior to the issue of a construction certificate.	A Statement of Commitment has been included which requires the preparation and approval of a Construction Traffic Management Plan prior to works commencing for each development stage.
13	All works/regulatory signposting associated with the proposed development are to be at no cost to the RTA.	Noted. This requirement is not inconsistent with the Concept Plan.
Railcorp		
1	Clarify the ownership of the land to which the Concept Plan applies, particularly whether works are proposed on or over land owned by Railcorp. If the Concept Plan applies to land owned by Railcorp, the Department to instruct the proponent to seek land owner's consent from Railcorp.	Please refer to attached plan by LLTS (Appendix I of the Preferred Project Report (PPR)) that clearly identifies Railcorp owned and managed land. This identifies the rail corridor (i.e. land owned by Railcorp) within the Discovery Point site.
2	The Statement of Commitments should specify that the Development Agreement between the proponent and Railcorp (based on the existing Masterplan) will apply to the Concept Plan in lieu of DA500/01 and that the	The conditions of the existing Development Agreement will be transferred to apply to the Concept Plan and this has been incorporated into the Statement of

	proponent will adhere to the provisions of that Development Agreement.	<p>Commitments.</p> <p>The proponent would be willing to accept a condition of approval that the Master Plan consent will be relinquished for that part of the site subject to the Concept Plan upon approval of the Concept Plan.</p>
3	The Statement of Commitments should contain a commitment that the proponent will enter into a new Development Agreement should Railcorp advise of this need in order to reflect the works of the Concept Plan.	<p>Refer above. The conditions of the existing Rail Development Agreement will be transferred to apply to the Concept Plan.</p> <p>Minor changes to this agreement are proposed in relation to development consent number and DP number only (refer to attached legal advice at Appendix H of the PPR). Discovery Point Pty Ltd does not support a statement of commitment which would require a new development agreement if desired by Railcorp that extends beyond the extent outlined in the attached letter from Minter Ellison.</p>
4	Any changes to the existing easements on the subject site that will be required as a result of this Concept Plan need to be documented.	No changes to existing easements on the Concept Plan site are foreseen at this stage however if such changes are required in the future any proposed changes would be detailed in subsequent project/development applications. A new statement of commitment is proposed for Discovery Point P/L to provide appropriate easement documentation as required in future applications.
5	<p>Confirm the status of the existing Masterplan, should the Concept Plan be approved, whether it will be replaced by the Concept Plan or if the two will co-exist.</p> <p>Should the Concept Plan be approved, Railcorp requests that the existing Masterplan no longer applies to this portion of the site.</p>	Noted. The proponent would be willing to accept a condition of approval that the Master Plan consent shall no longer apply to that part of the site subject to the Concept Plan upon the approval of the Concept Plan. The Masterplan Consent DA 500/01 will continue to apply to the developed portion of the site.
6	The EA does not provide any details as to how the future development of the site will protect the substation and cables currently on the site, or whether the relocation of these items is required.	There will be no relocation of the substation or cables. Appropriate protection of these elements will be provided during construction periods. A new statement of commitment is proposed which requires specific technical details to be provided in relevant project/development applications prior to any construction commencing.
7	Clarify whether the Concept Plan will include construction over the rail corridor, if so, whether approval is required.	<p>Some future works including buildings, roads, plazas and open space will occur within land defined as the "rail corridor" under SEPP Infrastructure 2007 (ISEPP).</p> <p>Refer to attached drawing from LLTS (Appendix I of the PPR) that identifies the rail corridor within the Discovery Point site.</p> <p>The Concept Plan does not include any construction works. All future works will be subject to detailed design and subject to subsequent project/development applications. Accordingly Railcorp approval for construction works is not required as part of the Concept Plan application but will need to be obtained for future applications that include works within the "rail corridor".</p>
8	The EA identifies a new pedestrian thoroughfare to provide access on the	The location of the entrances into the Wolli Creek Railway Station was always

	northern and eastern sides of Wolli Creek Railway Station. The proponent has not obtained endorsement from Railcorp that this connection is acceptable to Railcorp in relation to the current easement and access rights to the station, DDA compliance, emergency access and evacuation requirements and safety and security.	conceptual under the approved Master Plan and to be subject to detailed Project/Development Applications. This process will remain under the Concept Plan. The plans included in the EA showing station design concepts are indicative only. Endorsement from Railcorp will be sought in the relevant subsequent project/development applications.
9	The EA fails to identify the rail assets within the description of the existing utilities and services currently within the site and the strategy to protect and/or relocate if required or upgrade.	Any impacts to existing utilities and services identified at the detailed design stages will be addressed in subsequent project/development applications. A new statement of commitment is proposed.
10	The EA should be reviewed to ensure the description of the rail corridor is consistent with State Environmental Planning Policy (Infrastructure) 2007 (ISEPP) and includes the easements and services as well as the actual physical rail line.	<p>Noted. Australand has always used the term "rail corridor" as a descriptor for the railway line and station. The use of this term pre-dates the ISEPP. Hence the use of the term in the EA relates to the railway line and station rather than "rail corridor" as defined by the ISEPP.</p> <p>The Preferred Project Report (PPR) updates the Concept Plan application to refer to "rail corridor" in accordance with the ISEPP definition. Accordingly, the PPR acts as an update to the EA in respect of this issue.</p>
11	The EA should be updated to provide detail on the protection of electricity transmission and distribution networks (as provided for under the ISEPP) given the presence of rail related electricity services.	Noted. This matter has been incorporated into the Statement of Commitments.
12	New Acoustic and Vibration, Electrolysis, Structural and Geotechnical Reports will need to be submitted for each Project Application to ensure that the existing reports, as prepared for the Concept Plan, are updated to take into account any changes to the conditions on the site in the future.	Compliance with the relevant acoustic, vibration, electrolysis, structural and geotechnical standards set for the Concept Plan assessment will be demonstrated in the subsequent Development Application/Project Application stages. This requirement is included in the Statement of Commitments.
13	Buildings 6, 13, and 14 should contain mechanisms on balconies and windows to limit the throwing of items on the rail corridor.	<p>Building 14 will be a commercial building and will therefore not have balconies.</p> <p>A new statement of commitment is proposed restricting window openings for Buildings 6 and 13 to maximum 120mm consistent with the BCA.</p> <p>This matter will be addressed further at detailed design stage as part of the project/development applications for buildings 6 and 13.</p>
14	Revised Geotechnical and Structural reports will need to be prepared during the detailed Project Application stage to address the impact of the final designs on the rail corridor. These reports will need to meet Railcorp requirements and the proponent should contact Railcorp to obtain a copy of Railcorp's "Standard Brief". Railcorp also advises that, unless the current Development Agreement permits, rock anchors will not be permitted within Railcorp's land or easements.	Noted. This matter has been incorporated into the Statement of Commitments.
15	Railcorp advises that they suggested the proponent seek legal advice regarding the implications of the Concept Plan on the Rail Development Agreement.	Please refer to response to Condition 3.

16	The future Project Applications that will seek works for the buildings with basement car parking adjacent to the rail corridor will need to be accompanied with the appropriate geotechnical and structural reports (with no rock anchors being proposed), details as to how the station can be accessed during excavation and construction, and for these to be endorsed by Railcorp.	Details regarding geotechnical and structural requirements and access during construction have been incorporated into the Statement of Commitments. The ability to use approved rock anchors is permitted by the existing Deed of Agreement. The extent of future rock anchors will be in accordance with the existing deed of agreement dated 10 September 2009.
17	Any plantings near the rail services need to be approved by Railcorp to ensure that the roots of the species selected do not impact on these critical infrastructure items.	Noted. The details of planting and landscaping near the rail services will be identified in the detailed future Project/Development Applications.
18	DA2-100 Revision A and DA6-202 Revision A contain details of the station access through Building 14. Details need to be provided to Railcorp regarding the redefinition of the southern entrance to the Wolli Creek Station as it may be inconsistent with the current easement/right-of-way for the station access. Railcorp agree to this station entrance in the future, to legalise this access an easement or right-of-way may need to be created in order for Railcorp and its customers to have legal right to use this access way.	DA2-100 Revision A and DA6-002 Revision A are indicative only and the final design of the southern access to the station will be determined in the detailed Project/Development Application for Building 14. The specific design details will be provided in subsequent relevant Project/Development Applications. Any required easements or rights-of-way will be determined in consultation with Railcorp during the Project/Development Application stage. This requirement has been included in the Statement of Commitments.
19	The Concept Plan Design Report indicates an underbore below the rail corridor. Railcorp has not endorsed this component nor has the proponent obtained Railcorp's land owner's consent to have this included in the EA Concept Plan.	No underbore is proposed. It appears RailCorp may have interpreted the brown line shown on the lower section of page 40 of the Concept Plan EAR as a proposed underbore. This pipe will in fact be installed in the Brodie Spark Drive bridge.
20	DA3-001 Revision A and DA2-B01 Revision B indicate that Building 14 and part of the basement is located within Railcorp's land. In this regard, it is Railcorp's understanding that Railcorp's land owners consent is requirement prior to the Concept Plan being approved. The proponent will need to formally request this from Railcorp. It would also be useful if the proponent could supply these drawings with the land ownership superimposed.	Land owner's consent for the Concept Plan has been requested from. Appendix I of the PPR identifies the extent of the 'rail corridor' within the Discovery Point site It is anticipated that land owner's consent for the future project/development application for Building 14 will need to be obtained in the future and submitted with that specific application.
21	DA2-B00 Revision A and DA7-002 Revision A contain details of the new station facilities to be provided between Building 14 and the station. Railcorp has no information as to what facilities will be located there given that no Railcorp approval has been obtained to this Concept Plan. Further, DA7-002 Revision A contains a comment that the existing station roof is to be replaced. Railcorp has no details on this matter nor has it approved this item.	DA2-B00 Revision A and DA7-002 Revision A are indicative plans only and the final design of the station facilities will be prepared and determined in the detailed Project/Development Application for Building 14. The details of any new station facilities will be established in consultation with Railcorp during the Project/Development Application stage. The existing station roof is not proposed to be replaced. Indicative plan DA7-002 Revision A has been revised to correct this anomaly.

State Transit

1	Sufficient information has not been provided to undertake and assessment of the proposed final bus terminus/layover. The STA will require a design drawing showing the proposed terminus/layover at Wolli Creek Station. The drawing is to be at scale and should outline the length of the bus zone, surrounding road uses (taxi zone, parking etc.) and map out the proposed bus infrastructure and facilities. The current drawings do not provide enough detail, to adequately assess the proposed terminus/layover.	The Concept Plan does not seek approval for the design or construction of the bus terminus/layover. The final design of the bus terminus/layover will be determined in the relevant Project/Development Application stage. An bus swept path and bus stop design criteria was provided to STA on 30 November 2010 and is included at Appendix J .
2	No objections to the arrangements as proposed in the staging arrangements for bus terminus diagrams. These arrangements will be addressed once in operations and any problems will be directed to the proponent. The STA require the dates of the various stages as soon as possible.	Noted. On-going liaison with State Transit will occur in the relevant Project/Development Applications design development. The dates of staging will be provided to STA prior to lodgement of each Project/Development Application.
3	Request information regarding the walking distance between the set down bus stop and Wolli Creek Station entrance.	Access will be provided via stairs and lift/escalators from the ground floor plaza of Building 14. The detailed design of the access will be determined (including the exact distance between the set down bus stop and station entrance) in the Project/Development Application for Building 14.
4	Suitable vegetation should be used in street planting so not to encroach into the carriageway and cause physical damage to the bus or be a safety risk to drivers and passengers.	Noted. The species of vegetation to be used in street planting is identified in the Concept Plan Urban Design Guidelines.
5	Further information requested regarding the carriageway width of Magdalene Terrace.	Magdalene Terrace is not within the Concept Plan area and is Council owned.
6	Clarification required regarding the street characteristics of Discovery Point Place and whether parts of the street will be one way. This needs to be clarified prior to approval as this will impact on traffic and bus operations to the area.	The characteristics of proposed Discovery Point Place are shown on Bates Smart plan DA03-101 Rev A. This road will accommodate two way traffic plus a bus and taxi bay at the western end.
7	The STA will require a copy of the traffic management plan for all stages of construction and ensure they can undertake an assessment prior to the approval by the RTA. This TMP should outline in greater the various staging and bus drop off locations as proposed in the Concept Plan.	Noted. The preparation and approval of a Construction Transport Management Plan prior to works commencing for each stage is listed as a Statement of Commitment.
Sydney Water		
1	Water: the drinking water system has sufficient capacity for the proposed development.	Noted.
2	Wastewater: the wastewater system has sufficient capacity for the proposed development.	Noted.
3	Sydney Water Servicing: Sydney Water requests the Department of Planning to continue to instruct proponents to obtain a Section 73 Certificate from Sydney	Noted. Planning Circular PS08-017 requires the immediate cessation of water infrastructure charges imposed by Sydney Water except for charges relating to water

	Water.	recycling (i.e. the immediate cessation of Section 73 charges).
Transport NSW		
1	Car parking: the provision of one space per unit is noted and should apply to two and three bedroom units and/or some studio units could be approved without parking. Consideration should be to car sharing opportunities and the unbundling of parking from specific units.	<p>The Concept Plan EAR provides sufficient justification for the proposed car parking rates. The parking rates are similar to that required under Rockdale Draft Development Control Plan 2011. The indicative design scheme indicates an anticipated reduction in car parking spaces than that currently approved under the existing Master Plan. The revised Statement of Commitments includes a cap of the total number of car spaces to be provided on the Discovery Point site (including those spaces already developed on sites 1, 2 and 4). The existing cap of 2,240 will be maintained.</p> <p>The Concept Plan includes a maximum car parking rate of 1 space for studios and 1 bedroom units which provides an opportunity for some studios/1 bed units to be developed without parking in future project/development applications if demand for such a product arises.</p> <p>Car sharing has been considered in the Concept Plan through the incorporation of a minimum of four car spaces to be allocated to a potential car share program. The unbundling of (strata-titled) car spaces will be considered within the future Project/Development Applications.</p>
2	Transport NSW would support the incorporation of further specific measures aimed at actively promoting public transport use, walking and cycling.	<p>Sufficient measures have been proposed in the Concept Plan to actively promote public transport, walking and cycling including significant pedestrian and cycle infrastructure; through pathways, crossings, surveillance, cycle lanes, bicycle stands; and public transport infrastructure; through the bus interchange and access through the site, segregated parking for buses, taxi rank and links between the bus and rail services. Given the optimum location of the site in proximity to transport infrastructure it is considered that these measures provide ample demonstration of a commitment to provide an environment friendly to a range of modes other than the car. These provisions are a significant improvement on the existing approved Master Plan.</p> <p>The detailed design of measures to be implemented will be identified in detail in the future Project/Development Applications.</p>
Heritage Council		
1	<p>If approval is granted, the Heritage Council requests the following Statements of Commitment and any conditions address the following key matters:</p> <ul style="list-style-type: none"> The recommendations of the Statement of European Heritage Impacts, Non-Indigenous Archaeological Investigation and Aboriginal Heritage Impact Statement (Appendices U, V and W, respectively, of the 	<p>It is assumed that the reference to City of Sydney, SHFA and the Gledswood Homestead are erroneous references in the Heritage Council submission. Heritage recommendations are addressed in the revised Statement of Commitments and require:</p> <p><i>Future applications will address the recommendations of the Statement of European</i></p>

<p>Environmental Assessment);</p> <ul style="list-style-type: none"> ▪ All construction contractors, subcontractors and personnel are to be inducted and informed by the nominated heritage consultant prior to commencing work on site as to their obligations and requirements in relation to historical archaeological sites and 'relics' in accordance with guidelines issued by the Heritage Council of NSW; ▪ All affected historical archaeological 'relics' and/or deposits of Local and State significance are to be subject to professional archaeological excavation and/or recording before construction works commence which will impact those 'relics'. A Research Design including an Archaeological Excavation Methodology must be prepared in accordance with Heritage Council guidelines. Those documents should be prepared for the approval of the Director-General, Department of Planning and should first be reviewed by the Heritage Branch, Department of Planning; ▪ After any archaeological works have been undertaken, a copy of the final excavation report(s) shall be prepared and lodged with the Heritage Council of NSW, the <u>City of Sydney</u> and the <u>Sydney Harbour Foreshore Authority</u>. The proponent shall also be required to nominate a repository for the relics salvaged from any historical archaeological excavations. The information within the final excavation report shall be required to include the following: <ul style="list-style-type: none"> a. An executive summary of the archaeological programme; b. Due credit to the client paying for the excavation, on the title page; c. An accurate site location and site plan (with scale and north arrow); Historical research, references, and bibliography; d. Detailed information on the excavation including the aim, the context for the excavation, procedures, treatment of artefacts (cleaning, conserving, sorting, cataloguing, labelling, scale photographs and/or drawings, location of repository) and analysis of the information retrieved; e. Nominated repository for the items; g/. Detailed response to research questions (at minimum those stated in the Department of Planning approved Research Design); f. Conclusions from the archaeological programme. This information must include a reassessment of the site's heritage significance, statement(s) on how archaeological investigations at this site have contributed to the community's understanding of the Site and other Comparative Site Types and recommendations for the future management of the site; 	<p><i>Heritage Impacts prepared by Tanner Architects and dated June 2010.</i></p> <p><i>Future applications will address the recommendations of the Non Indigenous Archaeological Investigation Statement of Heritage Impacts prepared by Casey and Lowe and dated June 2010.</i></p> <p><i>Future applications will address the recommendations of the Aboriginal Heritage Statement of Impacts prepared by Jo McDonald Cultural Heritage Management and dated June 2010.</i></p>
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	<p>g. Details of how this information about the excavations have been publicly disseminated (for example, include copies of press releases, public brochures and information signs produced to explain the archaeological significance of the sites).</p> <ul style="list-style-type: none"> ▪ If, during development processes, any evidence of any Aboriginal archaeological site or relic is found other than those already identified, all work on the site is to cease and the National Parks and Wildlife Service (NSW) and the Heritage Branch contacted immediately. ▪ If, during construction processes, any evidence of any previously unidentified European heritage items and/or archaeological relics is found (particularly at the <u>Greenvale Homestead complex and its historic graveyard</u>), all work on the site is to cease and the Heritage Branch contacted immediately. 	
Marrickville Council		
1	Excessive building height proposed for Buildings 8 and 10. Buildings 8 and 10 should be a maximum of 6 storeys with any additional height further setback from Cooks River.	<p>The proposed building heights of Building 8 and 10 are suitably justified in Section 6.9.1 of the EAR.</p> <p>The existing approved masterplan already permits double the height suggested by Marrickville Council on this part of the site.</p>
2	The introduction of a high podium adjoining Cooks River is inappropriate.	<p>The built form interface between the northern precinct and the Cooks River is improved from the existing Master Plan. The Concept Plan has been amended to reduce the podium design of Building 9 along the Cooks River from 3 to 2 storeys. The podium will provide a consistent edge between the public and private domains while the proposed two storey townhouse typologies will break up the scale of development along the Cooks River and provide opportunities for private open space within roof top courtyards.</p>
Public / Resident Submissions		
1	Uncovering the railway station will create an unfinished aspect to the site.	<p>The railway station will not be covered for technical reasons associated with smoke exhaust during a fire event. Furthermore, many railway stations across Sydney are uncovered and there is no evidence to suggest that the station design will appear unattractive. As shown on the indicative station plaza landscape concept plan the railway station will be adjoined by a new landscaped open space to the north. To the south of the railway line lies the commercial building 14. The railway station sits below ground level and therefore will not be readily visible from the street. Access will be provided via a public plaza on the ground level of future building 14 and from building 13 to the north.</p>
2	No evidence given in the EA to the impact of the proposed development on	<p>The Concept Plan EAR Section 6.17 provides sufficient assessment and justification of the impact of the proposed development on the surrounding road network. The</p>

	traffic movement through and within Wolli Creek.	Assessment of Traffic, Transport and Accessibility indicates that the Concept Plan will have significantly less traffic generation than that of the previous Master Plan and therefore the implications on the surrounding network will be significantly better. A detailed assessment of traffic and parking implications is attached at Appendix G of the EAR.
3	There was insufficient public consultation with the Wolli Creek community. Invitations to the Community Information sessions were only extended to owners and tenants of the two buildings in Discovery Point.	The community consultation undertaken for the Concept Plan included the public exhibition requirements under Part 3A of the EP&A Act and additional community information sessions held for local residents, including but not limited to owners and tenants of the two existing (and third currently under construction) Discovery Point buildings. Two consultation evenings were held in May and June 2010, as outlined in the EAR (August 2010). The consultation exceeded what is required for Part 3A Concept Plans and therefore is deemed sufficient.
4	The public consultation and EA do not identify how the proposed development will benefit the suburb of Wolli Creek, or its community.	Section 6.14 of the EAR sufficiently addresses the social issues of the proposed Concept Plan. The proposed Concept Plan will benefit the wider community by providing a village style retail and dining precinct including supermarket, significant local and district open space, as well as improving pedestrian/bicycle connections through the site to allow residents to access and enjoy both the station precinct and the Cooks River foreshore.
5	The community is being denied local representation via its Local Government.	The Concept Plan, with a CIV of approximately \$418million exceeds the Part 3A threshold for development for the purposes of residential, commercial or retail development (i.e. \$100million). Therefore it is requirement that the Concept Plan is being assessed by the Department of Planning under Part 3A.
6	Request that all future changes to the Concept Plan be subject to further public notification before any amendments are assessed and approved by the Department of Planning.	Any future modifications to the Concept Plan will be subject to section 75W of the EP&A Act. Minor modifications are generally not required to be advertised or notified. The discretion to advertise and notify any subsequent modifications will depend on the scale of the modification and the discretion of the Department of Planning and will be in accordance with the requirements of Section 75W.
7	Lack of commercial development will contribute to a loss of the employment opportunities in the site and across Sydney into the future and reduce the day time market for retail development.	The EAR sufficiently justifies the quantum of commercial floor space proposed within the Concept Plan (refer to Section 6.13). The proposed quantum of commercial floor space reflects Wolli Creek's role as a residential origin and the competition for commercial development in more established centres with an existing commercial role (i.e. Bondi Junction, Hurstville, Chatswood) and emerging business parks with low cost commercial floorspace (i.e. Macquarie Park, Rhodes, Norwest and Homebush).
8	Less parking than the existing Masterplan and parking is proposed for above ground rather than underground.	The proposed parking rates are sufficiently justified in the EAR (refer to Section 6.17). The existing maximum cap on the total number of car spaces for the site is to be maintained (refer to revised Statement of Commitments).

		The proposed above ground car parking is a suitable outcome for the site and the total floor space has been significantly reduced from that proposed within the EAR (with a maximum of 8,000m ²). The parking will be appropriately screened by retail space, residential units or building entry lobbies and will not negatively impact on active pedestrian street frontages. Further discussion regarding the acceptability of above ground parking at Discovery Point is provided within the Preferred Project Report.
9	Opportunity to replace the rail station lost with the removal of the commercial building over the railway line.	The proposed Building 14 will provide new access, entry and facilities to the rail station.
10	The transfer of ownership and/or management of Tempe House by Rockdale City Council will lead to the loss of community facilities available to the local residents.	During the Discovery Point Pty Ltd community consultation session held in May 2010 the residents of the existing Discovery Point buildings expressed an overall preference that the ownership/management of Tempe House is not transferred to Rockdale Council. As such, residents were advised at the community consultation meeting held in June 2010 that the heritage buildings would not form part of the Concept Plan application. The current Concept Plan application excludes the heritage buildings and does not seek to transfer ownership.
11	Loss of city views from 35B Arncliffe Street due to proposed heights of Buildings 2, 5 and 13.	This issue is addressed in detail at Section 2.7 of the PPR report.
12	The reduced retail component will have negative social impacts on the area.	<p>The quantum of retail floor space within the Concept Plan is adequately justified in the EAR (Section 6.14). The retail floor space reflects recent applications for the expansion or creation of new retail precincts within the same consumer catchment (i.e. Marrickville Metro, NAHAS and ALDI within the Proximity development), and therefore a reduced market demand for large scale retail services within Discovery Point.</p> <p>Furthermore, the new village centre is generally in the same location of the former Site 3 and proposes retail development on the ground floor of Buildings 1B, 1C, 2, 3, 5 and 13.</p> <p>The proposed retail floor space also reflects the role of Wolli Creek as a village centre under the Draft south Subregional Strategy and recognises the traffic constraints of accommodating significant retail development on the site, particularly given the lack of major road frontage, restrictions on the internal road access and approved major supermarket and proposed large shopping centre nearby.</p> <p>There is no evidence that the reduced retail component within the Concept Plan will lead to negative social impacts within Discovery Point. Indeed the mix of retail, cafes, commercial and parkland will improve the social outcome of the Discovery Point site.</p>
13	Changes were made to the Concept Plan following the community	Two community information sessions were held at Discovery Point, in May and June 2010. No additional buildings were added to the Concept Plan following these

	presentations, including the addition of two more residential buildings.	information sessions. The number and location of buildings shown in the Concept Plan is consistent with the details documented in the design competition drawings submitted to the Department of Planning in February 2010.
14	The Neighbourhood Park will not be an attractive environment as it will be in shade during most of the day in winter and is negatively impacted by wind.	<p>To reduce the overshadowing impacts on Neighbourhood Park, the proponent has amended the Concept Plan by reducing the envelope of Building 4 from to RL55.25 to RL 40 (i.e. reduction of 5 storeys).</p> <p>As a result of the amended Concept Plan design, Neighbourhood Park will receive additional sun access, with 40% of the park receiving 2 hours sun access during the winter solstice. Significant sun access will continue to be provided during the spring equinox.</p> <p>The landscape design of the Neighbourhood Park will also create an attractive environment, with significant deep soil zones to enable the planting of large trees, a large central lawn with surrounding pedestrian walks, cafe terrace along Building 3, seating on the western edge framed by planting and seating and feature trees set within a wider pedestrian zone adjacent to the supermarket.</p>
15	Increase in number of dwellings across the site will lead to a loss of amenity and a lack of infrastructure for the community.	<p>The Economic and Social Assessment prepared for the Concept Plan (refer to Appendix R of the EAR) concludes that the increase in residential population on the site will not have an adverse impact on the community services proposed within the site and that the proposed residential population will assist to support the proposed retail and non-residential services such as restaurants and entertainment facilities.</p> <p>Significant works are proposed within the Concept Plan to improve residential amenity, particularly the provision of new open spaces including Neighbourhood Park, Waterfront Park, Station Park and Station North Walk. In addition, private recreational spaces are provided in the Concept Plan including the podium courtyards, pool, gym facilities, green roofs and public cycle paths.</p>
16	The proposed retail portion would be better enclosed in a mall rather than open around the Neighbourhood Park.	<p>The design of the Neighbourhood Park and surrounding retail services is sufficiently justified in the Concept Plan. The retail services around the Neighbourhood Park provide an active retail and service centre adjoining a passive recreational space to create a meeting point and 'village square' role in Discovery Point. The amenity of the proposed village retail concept represents an improvement to the previously approved enclosed centre.</p> <p>A mall development is generally associated with a larger, major shopping centre and not a village centre such as to be created at Discovery Point. An enclosed mall within Discovery Point would reduce the public accessibility within the site and change the role and function of the space.</p>
17	No parking facilities will be made available to commuters using the rail station.	As per the existing masterplan, the public car parking in the Concept Plan will have restrictions imposed to discourage commuter car parking in Discovery Point. This is to encourage walking, cycling and use of buses to access the railway station and will

		reduce the impact of commuter car parking on the existing and future local roads and residents of Discovery Point. This approach is supported by Council and State Rail.
18	The proposed bus route through the shared pedestrian thoroughfare along Discovery Point Place will impact on pedestrian safety.	The proposed bus route allows for ease of bus access and circulation through the site and provides access directly to Wolli Creek Railway Station along Discovery Point Place. The shared roadway will assist in protecting pedestrians by identifying the area as highly trafficked by pedestrians, particularly those crossing Discovery Point Place outside the railway station access point. Appropriate design measures such as lighting and bollards will be put in place and detailed in future Project/Development Applications.
19	Insufficient provision for pick up and drop off facilities at the station.	The Concept Plan proposes Kiss and Ride facilities along Discovery Point Place.
20	A detailed cost of works to be undertaken on the site was not provided, only the total cost associated with the implementation of the Concept Plan to achieve Part 3A status.	A detailed cost of works for each building is not required to be submitted with a Concept Plan application under Part 3A of the Act. The Quantity Surveyor Certificate (Appendix B of the EAR) indicates a total capital investment value of over \$400million, well over the \$100million threshold for Part 3A applications of this nature.
21	Building heights are greater than those in the existing Masterplan. Concern that the heights will further be increased at later stages.	<p>The proposed building heights are adequately justified in the EAR (Section 6.9.1). The proposed building heights will contribute to the functionality and aesthetics of the site and are acceptable for the following reasons:</p> <ul style="list-style-type: none"> ▪ the proposed heights are compatible with the heights of existing buildings in and around the site; ▪ the proposed heights reflect high density development which is suitable on the site given its proximity to public transport; ▪ the proposed heights reflect similar height ranges to the approved Master Plan (an increase from 19 storeys to 21 storeys); ▪ the proposed built form provides a positive urban design outcome with a clearly defined Gateway building (Building 2) and the second landmark building (Building 13) acting as an urban marker at the railway station; and ▪ the building heights of the perimeter buildings along Spark Lane and Brodie Spark Drive will provide building height variation and maximise solar access and views from future apartments.
22	Discovery Point Park is not readily or openly available to the public.	Discovery Point Park is currently accessible via Princes Highway and Brodie Spark Drive and the Concept Plan will improve access via Station Park, Waterfront Park and Brodie Spark Drive. The park is also accessible between each of the buildings adjoining the park along the heritage arc. A new landscaped access link is currently being constructed between "Vine" and "Verge" buildings as part of the existing Site

		4 consent.
Rockdale City Council		
1	The proposed supermarket frontages should be activated to at least two frontages.	<p>Amendments have been made to the Concept Plan to improve retail activation around the supermarket by providing the following additional active retail elevations:</p> <ul style="list-style-type: none"> ▪ Building 1B: supermarket building – activation will be provided to two elevations by means of a supermarket entry and a new speciality retail strip. ▪ Building 14: southern elevation – Discovery Point Place additional retail shown on the Ground Floor.
2	The ground flood of Building 14 should be retail rather than commercial uses.	The Concept Plan has been amended to identify retail uses on the ground floor of Building 14.
3	The area between Buildings 13 and 14 above the railway line should be covered to form a plaza or park.	There are technical reasons for not covering the railway line between buildings 13 and 14 such as smoke extraction during a fire event. A new landscaped plaza space is proposed between Building 13 and the railway line as well as Station Park are proposed new plaza or open space areas around the railway station.
4	The construction of the public domain should be undertaken in accordance with the draft Wolli Creek and Bonar Street Precinct Public Domain Plan and Technical Manual.	The proposed public domain works have been designed in accordance with the vision for Discovery Point and to ensure a consistent approach across the site. Detailed controls relating to the public domain have been included in the Concept Plan Development Design Guidelines and Discovery Point Public Domain Guidelines.
5	Setbacks of buildings to Discovery Point Place and Chisholm Street should be increased.	The building setbacks and separation distances have been adequately justified in the EAR (refer to Section 6.9.2). The proposed setbacks allow for a consistent street frontage along Discovery Point Place and Chisholm Street. It is intended that the use of two storey podiums or townhouse typologies will break up the scale of development along the street reducing perceived bulk at the 'human scale'.
6	The minimum road width should be increased to 20 metres.	<p>The proposed road widths within the Concept Plan have been informed according to the specific traffic management requirements of each road, i.e. the parking lane width, travel lane width, bike lane width (if required) and bus lane width (if required). The road widths also reflect contemporary road design, having regard to streetscape design and maximising the provision for pedestrians.</p> <p>The use of a 20m road width does not reflect the modern traffic management requirements of an individual road, but is a historical measure of road widths and is not referenced in modern road design standards and criteria.</p> <p>Furthermore, the increase of the road widths to 20m will unnecessarily increase the road widths and is not consistent with the draft Wolli Creek and Bonar Street Public Domain Plan which specifically requires the 'minimisation' of road space for vehicles.</p>

7	Car parking should be located underground in accordance with the approved Masterplan.	<p>The extent of above ground car parking is required due to the Railcorp restrictions on the use of rock anchors and is a suitable outcome for the site, given the parking will be appropriately screened by residential units and building entry lobbies and will not negatively impact on active pedestrian street frontages. Furthermore, the above ground parking reduces the requirement for diaphragm walls to the basement levels which would be required given the high groundwater levels on the site.</p> <p>This issue is further addressed in the response to public submissions above (Issue No. 8) and in detail in the PPR report (refer Section 2.4).</p>
8	Apartment mix should comply with the range contained in the draft DCP 2011.	The proposed apartment mix is adequately justified in the EAR (refer to Section 6.14.1). Further justification is provided in the Preferred Project Report.
9	Dwelling sizes should comply with Part 3 of the Residential Flat Design Code, and be assessed at the time of assessing applications for subsequent stages.	<p>The Concept Plan proposes to set minimum apartment sizes as a development parameter for all future Project/Development applications.</p> <p>The proposed apartment sizes have been devised to ensure a range of apartments are available to cater for local demand and to promote housing affordability.</p> <p>Further justification of the proposed dwelling sizes is provided in the Preferred Project Report and the Concept Plan EAR.</p>
10	<p>The quantum of potential commercial space be increased by:</p> <ul style="list-style-type: none"> Converting the lower levels of Buildings 4 and 5 to commercial uses, including the parking areas on Level 1. These buildings are adjacent to the railway line, so are not well suited to residential uses. Alternatively, either of these buildings could be dedicated to commercial uses only. Providing floor to ceiling heights on the first floors of Buildings 1, 2, 3, 4 and 5 that are a minimum height of 3.3m to allow conversion of residential units to commercial uses at some stage in the future. 	<p>The quantum of potential commercial development within the Concept Plan is adequately justified in the EAR (refer to Section 6.13.2).</p> <p>The proposed minimum non-residential GFA provides opportunity for additional commercial space to be provided on the site in the future should demand arise.</p> <p>The Concept Plan has been amended to include retail development on the ground floor of Building 5, which is a more suited non-residential use than commercial development given the small floor plates and marketability for commercial development in Discovery Point.</p>
11	The parking provision for the entire Discovery point site, including completed and under construction stages, to be capped at 2,240 spaces, to achieve the modal split targets for the site.	Agreed. The Statement of Commitments have been revised to cap car parking numbers at 2,240 across the site.
12	The existing road works identified in the Rockdale Section 94 Contributions plan are satisfactory subject to the number of parking spaces for the development being capped as outlined above.	Noted.
13	An audit of the existing road infrastructure be undertaken in conjunction with Sydney Buses to determine the extent of work required to provide for effective bus operation. This includes audit of the road widths (existing and proposed), footpath furniture, setbacks from kerbs (existing and proposed),	<p>An audit of the road infrastructure is not required as the following proposed condition of consent adequately addresses the STA requirements for information regarding proposed road infrastructure:</p> <p>Liaison with the State Transit Authority has occurred in relation to:</p>

	and landscaping.	<ul style="list-style-type: none"> ▪ The design of the road system which is to be used by buses. ▪ The design of the bus interchange facility. ▪ The temporary arrangements for bus access and interchange during staged constructions processes. <p>In a meeting on 30 November 2010, STA confirmed they were satisfied with the carriageway widths and information available regarding bus stops.</p>
14	The internal road networks within the Discovery Point precinct remain in private ownership, subject to positive covenants regarding public access and road maintenance requirements.	The roads will remain in private ownership and positive covenants regarding public access and maintenance will be put in place.
15	The draft Statement of Commitment regarding Section 94 contributions is deficient and should be amended in the following respects:	Following discussion with Council Discovery Point P/L has agreed not to proceed with seeking a complete offset framework for Section 94 contributions. . An alternative contributions framework has been offered to Council via correspondence dated 6 December 2010 with the offer to enter into a VPA. This issue is addressed in the PPR report at Section 2.1 .
	<ul style="list-style-type: none"> ▪ Urban design and provision of amenities and services for future occupants – This Statement does not include any Commitments in relation to these key aspects of the development. It is Council's view that many of the facilities the proponent is attempting to claim as development contribution offsets relate instead to their normal obligations as developers to deliver a high quality urban design outcome and to provide appropriate amenities and recreation facilities for future occupants, and these aspects of the development need to be spelt out in the Statement of Commitments. 	As above.
	<ul style="list-style-type: none"> ▪ Road Access and Traffic – The Statement should specify that the development will retain the existing levels of public access to the Wolli Creek Station, including access by pedestrians, buses and private vehicles. 	As above.
	<ul style="list-style-type: none"> ▪ Flooding and Sea Level Rise – The Statement should specify that the development will retain the current flood protection measures for the Wolli Creek station. 	As above.
	<ul style="list-style-type: none"> ▪ Open Space – The Commitments outlined here are primarily the normal obligations of a developer to deliver appropriate urban design outcomes and to provide future occupants with appropriate amenities and these should be included instead in separate sections of the Statement relating to these matters. ▪ The Commitments towards development contributions for open space 	As above.

	<p>should be amended to read:</p> <p><i>The proponent will make monetary contributions towards the provision of public open space, in accordance with the requirements of the development contributions plan current at the time of approval of each detailed development stage.</i></p>	
<ul style="list-style-type: none"> ▪ Roads – The Commitments to provide the roadworks specified here relate primarily to the proponent’s obligation as a developer to provide appropriate vehicle access to their development and these should be included instead in the section of the Statement relating to Road Access and Traffic. ▪ The Commitment towards development contributions for roads should be amended to read: <p><i>The proponent will make monetary contributions towards the provision of roads, traffic management and public parking facilities in the Wolli Creek area, in accordance with the requirements of the development contributions plan current at the time of approval of each detailed development stage.</i></p>	As above.	
<ul style="list-style-type: none"> ▪ Streetscape Works – The Commitments to streetscape the new access roads within the site are a normal urban design obligation of a developer and should be included instead in a separate section of the Statement relating to Urban Design. ▪ The Commitments towards development contributions for street scaping should be amended to read: <p><i>The proponent will make monetary contributions towards the provision of street scaping and town centre improvements, in accordance with the requirements of the development contributions plan current at the time of approval of each detailed development stage.</i></p> <p>Note: Council is prepared to accept an offset against the proponent’s development contributions for the provision, as works in kind, of the street scaping of the northern side of Magdalene terrace adjacent to the Discovery Point site.</p>	As above.	
<ul style="list-style-type: none"> ▪ Pedestrian and Cycle Facilities – The Commitments to provide the pedestrian and cyclist facilities specified here relate primarily to the proponent’s obligation as a developer to provide appropriate access to their development and these should be included instead in the section of the Statement relating to Road Access and Traffic. Nevertheless, Council’s section 94 plan does provide for a number of off-road 	As above.	

<p>pedestrian and cyclist linkages through the site and the proponent would be entitled to section 94 offsets for the provision of these.</p> <ul style="list-style-type: none"> ▪ In addition, the section 94 plan provides for additional pedestrian and cyclist linkages between the site and adjoining areas and, if the applicant offered to provide these, they would be entitled to claim additional offsets. ▪ The Commitments towards development contributions for pedestrian and cycle facilities should be amended to read: <i>The proponent will make monetary contributions towards the provision of pedestrian and cyclist facilities in the Wollie Creek area, in accordance with the requirements of the development contributions plan current at the time of approval of each detailed development stage.</i> <p>Note: Council is prepared to accept an offset against the proponent's development contributions for the provision, as works in kind, of a pedestrian and cycle path along the Cooks Rier foreshore of the Discovery Point site with a link path to Arncliffe Street.</p> <p>In addition, Council will consider an offer by the proponent to provide, as works in kind, the following additional pedestrian and cyclist facilities adjacent to the Discovery Point site as offsets against the proponent's development contributions:</p> <ul style="list-style-type: none"> ▪ A pedestrian / cycle underpass beneath the Illawarra Railway Line at Cooks River and bridge across Wollie Creek to Waterworth Park; ▪ A pedestrian / cycle underpass beneath the Princes Highway at Cooks River. 	
<ul style="list-style-type: none"> ▪ Flood Mitigation and Stormwater Facilities – the Commitments to provide flood mitigation and stormwater facilities within the site are a normal obligation of any development and are in addition to the objectives of Council's section 94 plan to provide flood protection to the entire Wollie Creek area and the necessary trunk stormwater drainage upgrades. However, Council's section 94 plan does provide for certain flood protection measures and trunk drainage upgrades involving the Discovery point site and the proponent would be entitled to section 94 offsets for the provision of these (less the offset previously given to the former owners of the site under the Cooperation Deed with them). ▪ The Commitments towards development contributions for flood mitigation and stormwater facilities should be amended to read: <i>The proponent will make monetary contributions towards the provision of</i> 	As above.

	<p><i>flood mitigation and stormwater facilities in the Wolli Creek area, in accordance with the requirements of the development contributions plan current at the time of approval of each detailed development stage.</i></p> <p>Note: Council is prepared to accept an offset against the proponent's development contributions for the provision of the following flood mitigation and stormwater facilities as works in kind:</p> <ul style="list-style-type: none"> ▪ Trunk drainage of Magdalene Terrace to Cooks River (less an offset previously given for this work); ▪ Flood protection levee across the site to protect the Wolli Creek area from flooding Cooks River. 	
	<ul style="list-style-type: none"> ▪ Administration and Management – The proponent is claiming an offset for the administration costs involved in the provision of the various other facilities for which they are claiming section 94 offsets. In Council's view, such facilities are not legitimate section 94 offsets, hence Council will continue to require a contribution towards plan administration. ▪ The Commitments towards development contributions for plan administration and management should be amended to read: <i>The proponent will make monetary contributions for plan administration and management of its development contributions plan, in accordance with the requirements of the development contributions plan current at the time of approval of each detailed development stage.</i> 	As above.
	<ul style="list-style-type: none"> ▪ Community Facilities – The Commitment should be amended to include the following: Note: Council will consider an offer by the proponent to provide, as works in kind, a multi-purpose community facility within the Discovery Point site (floor space plus fit-out) as an offset against the proponent's development contributions. 	At this stage no multi-purpose community facility is proposed to be provided within the Discovery Point site and Section 94 contributions will therefore be payable in relation to community facilities. The developer however recognises that if such a facility was to be provided in the future that Council is prepared to offset such a facility against the contribution.
16	<p>Staging – The proposed staging plan whereby the southern precinct including the neighbourhood park and retail precinct is completed first is supported. However the staging plan is "indicative" only, and is not reflected in the Table of Commitments.</p> <p>Further, the proposed staging plan does not adequately demonstrate which elements of the public domain will be provided at each stage.</p> <p>It is of great concern to Council that Wolli Creek currently has inadequate facilities and services for its residents. The Table of Commitments should be amended so that there is a commitment to constructing the retail precincts as</p>	The indicative staging plans show the public domain is intended to be developed with each stage of the development. All future project/development applications will include detailed designs for public domain areas to be developed with each stage. The staging plan is indicative because the order in which various parts of the site will be developed will be market driven. Consequently stage 6 incorporating building 6 and station park has come forward in the program to satisfy a current demand for parkside apartments within the site. Stage 6 is intended to closely follow the submission of the Stage 1 project application.

	the first stage in the implementation of the Concept Plan.	
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