

Preferred Project Report and Response to Submissions

Discovery Point, 1 Princes Highway Wollongong
Residential and Mixed Use Development (MP10_0003)

Submitted to
Department of Planning
On Behalf of Discovery Point Pty Ltd

December 2010 ■ 09642

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Date 17/12/10

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1.0 Introduction

An Environmental Assessment Report (EAR) for a Concept Plan for a residential and mixed use development at Discovery Point, 1 Princes Highway, Wolli Creek was publicly exhibited for a period of 31 days from 25 August 2010 to 24 September 2010.

In total eight Agency/Council submissions were received. This included submissions from:

- Rockdale City Council;
- Marrickville Council;
- Railcorp;
- Sydney Regional Development Advisory Committee (SRDAC);
- State Transit;
- Transport NSW;
- Heritage Council; and
- Sydney Water.

Eight public submissions were also received in response to the public exhibition of the Concept Plan. This report focuses on the key issues raised by the Department of Planning (DoP) in their correspondence dated 12 November 2010, which include:

- Section 94 contributions;
- Residential amenity;
- Street activation;
- Above ground parking;
- Car parking;
- Draft Rockdale LEP and Draft Rockdale DCP;
- Sydney Airport;
- View analysis;
- Overshadowing; and
- Apartment mix.

Detailed consideration and response to all submissions is included at **Appendix A**. Responses to the Rockdale Council suggested conditions of approval are included at **Appendix B**.

The proponent, Discovery Point Pty Ltd, and its specialist consultant team have reviewed and considered the Department's comments, agency submissions and the public submissions and in accordance with clause 75H(6) of the *Environmental Planning and Assessment Act 1979* (EP&A Act) has responded to the issues raised (refer Section 2). It should be noted that since the close of the exhibition period, Discovery Point Pty Ltd has also worked closely with DoP and Rockdale Council via meetings on 18 November 2010 (DoP) and 30 November 2010 (Council and DoP), to discuss and resolve key issues.

This Preferred Project Report (PPR) sets out the proponent's response to the key issues raised, and includes a number of revisions to the Concept Plan and a revised Statement of Commitments for which approval is now sought.

This report forms part of the Concept Plan and should be read in conjunction with the EAR dated August 2010.

2.0 Key Issues and Proponent's Response

The following section provides a detailed response to the key issues raised by DoP and others following a detailed review of the submissions. **Appendix A** provides a specific detailed response to all the issues raised during the public exhibition period.

2.1 Section 94 Contributions

Issue

The proponent shall provide further justification for the proposed Section 94 contributions for the development, having regard to the comments received from Council.

Proponent's Response

The initial JBA EAR (August 2010) proposed various Section 94 contribution offsets for the provision of material public benefits on the site. Council's response submission agreed in part with some of the offsets proposed, but raised resistance to the full range of offsets sought.

Following productive discussions between Rockdale City Council and Discovery Point Pty Ltd, the proponent has agreed not to proceed with seeking an offset framework for payment of Section 94 contributions. An alternative contributions framework has been offered to Council via correspondence dated 6 December 2010 (**Appendix C**). This offer seeks that:

- Discovery Point Pty Ltd offers to enter into a Voluntary Planning Agreement (VPA) for Discovery Point Concept Plan site works.
- The VPA is to be entered into prior to the determination of the third Project Application or Development Application.
- The basis of the VPA is to cap developer contributions for the Discovery Point site to be in accordance with the current Rockdale Council Section 94 Contributions Plan 2004, indexed in accordance with the Consumer Price Index ("CPI") or maximum 3.0% p.a.
- The VPA will exclude the application of Sections 94 and 94A to development contemplated in the Concept Plan (except for the first two project applications which will be subject to the applicable Section 94 Plan).
- Discovery Point Pty Ltd will provide an undertaking to enter into a VPA as part of the revised Statement of Commitments (refer **Section 4**).

The terms of the VPA offer are also included at **Appendix C**.

2.2 Residential Amenity

Issue

Concern is raised regarding non-compliances with the requirements of SEPP 65 and the Residential Flat Design Code. Further details regarding compliance with the RFDC is to be provided, having particular regard to the solar access of buildings 4, 5 and 6; building widths; separation from adjoining buildings; apartment size; and podium heights.

The proponent shall further demonstrate the proposed building envelopes along the western boundary will be capable of achieving satisfactory levels of thermal comfort, given the due west orientation of the envelopes.

2.2.1 Solar Access of Buildings 4, 5 and 6

Proponent's Response

Buildings 4 and 5 (adjoining Spark's Lane)

Building 4 and 5 will achieve the 'Rules of Thumb' with respect to solar access, which require 2 hours of sunlight in dense urban area to 70% of apartments in mid winter. As identified within **Figure 1**, the revised indicative design scheme for Buildings 4 and 5 provides an example of how these buildings will achieve the minimum solar access requirements under the RFDC. In this example, 88% (7 out of 8 dwellings per floor) will receive 2 hours sun access during the winter solstice.



Figure 1 – Solar Access to Buildings 4 and 5

(units marked in yellow receive 2 hours sunlight in mid winter)

Source: Bates Smart

Building 6 (adjoining Discovery Point Park)

Although Building 6 will not achieve more than 2 hours solar access in mid-winter to 70% of the dwellings (i.e. the indicative design scheme demonstrates 62% is achieved), this is due principally to the orientation of this building which responds to the existing development pattern around Discovery Point Park and continues the heritage arc defining the heritage precinct and providing a consistent urban edge to the park.

In the case of Building 6, the orientation of the building provides expansive park and water views towards the south east, which provides significant amenity benefits (**Figure 2**). The orientation to prevailing winds will also assist ventilation. This provides significant amenity to future occupants by orientating dwellings to maximise these views rather than orientating them away in order to simply achieve the numerical solar access target.

Therefore, notwithstanding the numerical non-compliance for this building with the RFDC "Rule of Thumb" for solar access, it is considered that the building meets the intent of Principle 7 'Amenity' of SEPP 65 and will provide significant amenity to its occupants.



Figure 2 – Indicative Diagrams Demonstrating Building 6 Views

Consideration of rationale of SEPP 65 Principle 7 ‘Amenity’ and the RFDC ‘Rules of Thumb’

The location of an apartment building along the heritage arc has previously been approved in the Master Plan consent with the same orientation. The Concept Plan retains a building envelope in this location whilst providing an improved built form outcome. The Concept Plan breaks up the Master Plan building into two buildings (Building 6 and 7), with Building 7 achieving compliance with the ‘Rule of Thumb’. This provides an improved outcome by minimising the bulk and scale of the development which better relates to the scale of existing development along the arc.

Under SEPP 65 both the ‘Rule of Thumb’ to provide 2 hours solar access (in denser urban environments) and the design objective to maximise orientation to views are considerations under Principle 7 ‘Amenity’. However, a ‘Rule of Thumb’ does not exist for amenity associated with orientation towards a view, as this is far more difficult to provide a quantitative measure.

The absence of a numerical target does not mean that orientation towards a view is a lesser amenity consideration than achieving a numerical solar target. Given that the RFDC provides ‘Rules of Thumb’ rather than set development standards, each proposal should be assessed on merit.

2.2.2 Building Depth

Proponent’s Response

As identified within the Concept Plan EAR, the proposed indicative floor layouts incorporate minor variations to the maximum building depth requirement as compared to the RFDC. The extent of building depth variation is minor (in the order of a few metres) and is acceptable given the indicative floor layout meets the other RFDC criteria such as daylight, natural ventilation, kitchen depth etc.

The widths in the PPR remain as per the Concept Plan as follows:

- Building 1c: between 20m – 23m
- Building 2: between 20m – 23m
- Building 4: between 17m – 20m
- Building 5: between 17m – 20m
- Building 6: between 20m – 23m
- Building 7: between 20m – 23m
- Building 8: between 20m – 23m
- Building 10: between 17m – 20m
- Building 11: between 20m – 23m
- Building 12: between 17m – 20m

As described in the Concept Plan EAR, although there are buildings that exceed the building depth 'Rule of Thumb' within the RFDC, these can meet the objectives behind the RFDC in that they are functionally well organised and provide for access to natural light and ventilation.

The RFDC envisages that building depths greater than 18 metres are able to be provided assuming that satisfactory daylight access and natural ventilation are achieved. Suitable levels of cross ventilation were demonstrated in Section 6.10.2 of the EAR. Sunlight access for all buildings in accordance with the RFDC "Rules of Thumb" has been demonstrated.

It is considered the proposed building depths are able to meet the key objectives of the requirements, as:

- the building depths do not affect the ability of the indicative floor layouts to comply with the daylight access and ventilation 'Rules of Thumb' under the RFDC;
- The proposed building envelopes within the Concept Plan will ensure a high standard of residential amenity can be achieved; and

Furthermore, Bates Smart has prepared draft detailed floor plans for Building 1C (as part of the Stage 1 Project Application), which demonstrate that an optimum floor layout can be provided notwithstanding the numerical non-compliance with the RFDC "Rules of Thumb" (**Figure 3 –4 below**). These floor plans demonstrate:

- The substantive parts of living areas within the building are at the 'Rule of Thumb' (18m), with private open space (balconies) accounting for the remaining building depth. The buildings will therefore be articulated on their facades;
- Open plan living arrangements and suitable balcony depths (minimum 2 metres) are provided for all apartments;
- Living areas and bedrooms are located to maximise solar access and natural ventilation;
- Most bedrooms are adjacent to balconies;
- The depth of other bedroom space away from the primary orientation of the balcony is no greater than 6 metres, meaning access to natural light is achieved;
- Kitchens are no more than 6 metres from a window, well below the RFDC maximum requirement of 8 metres.



Figure 3 – Indicative Building Floor Plate Building 1C (Level 5)



Figure 4 – Indicative Building Floor Plate Building 1C (Level 11)

Source: Bates Smart

2.2.3 Building Separation

Proponent's Response

The design team have reviewed the design and identified key areas where building separation can be increased, as follows:

- Between Building 3 and 5: Increased from 9 metres to 13 metres to comply with the RFDC habitable/non habitable requirement for buildings up to 25 metres.
- Between Building 1c and 1b: Increased from 9 metres to 12 metres to comply with the RFDC habitable/habitable requirement for buildings up to 12 metres.
- Between Building 11 and 13: Increased from 9 metres to 13 metres to comply with the RFDC habitable/non habitable requirement for buildings up to 25 metres.
- Between Buildings 8, 9 and 10: 10.5 metres to 13 metres to comply with the RFDC habitable/non habitable requirement for buildings up to 25 metres.

Figure 5 and Figure 6 compare the exhibited Concept Plan to the PPR proposal.

Between Building 1C and 2, Building 8 and 11 and Building 10 and 12, the proponent has committed to orientate dwellings to ensure the habitable/non habitable building separation distance is achieved. As such, each of these building separations comply with the minimum 18 metre separation distance habitable/non habitable for buildings over 25 metres.

Between Buildings 6 and 11, and Buildings 7 and 8, separation distances are defined by the continuation of the heritage arc and Brodie Spark Drive. The width of Brodie Spark Drive is determined by road width standards, whilst the placement of Building 6 and 7 is limited by Discovery Point Park and the established heritage arc. It is considered that the separation afforded by Brodie Spark Drive, the offsetting of balconies, use of privacy screens on balconies (which will also act as protection from western sun for Building 6 and Building 7) will all ensure that suitable privacy is achieved. The broader urban design benefit of the continuation of the heritage arc needs to be considered in the context of these issues.

For Buildings 1c and Verge, due to the offset arrangement of the buildings, variation only occurs at the northern end of Verge, potentially affecting two apartments per floor within the Verge building and three apartments per floor in Building 1c, according to the indicative design scheme. Balconies are offset and separation is afforded by Brodie Spark Drive. Apartments with a variation also have oblique outlook towards the Discovery Point Park (for Building 1c) or towards the neighbourhood park (for Verge) thereby ensuring these apartments do not simply face onto adjoining buildings wall/balconies/living spaces.

Between Building 6 and 7, the separation distance remains at 9 metres. As the rooms will be non habitable/non habitable no privacy issues arise. As discussed elsewhere in this PPR, there is considered sufficient urban design merit in breaking up the bulk of building 6 and 7, which were approved as a single building mass in the approved Master Plan. The breaking up of the building provides clear site lines and pedestrian linkages from Chisholm Drive through to Discovery Point Park. For these reasons, the separation distance of non habitable/non habitable is considered justified in this instance.

It is noted that Rockdale Council in their submission has stated with respect to building separation ***"The Environmental Assessment (EA) provides a detailed analysis of each non-compliance (with the RFDC) and proposes a variety of measures to ensure privacy can be achieved. These explanations are considered satisfactory."***

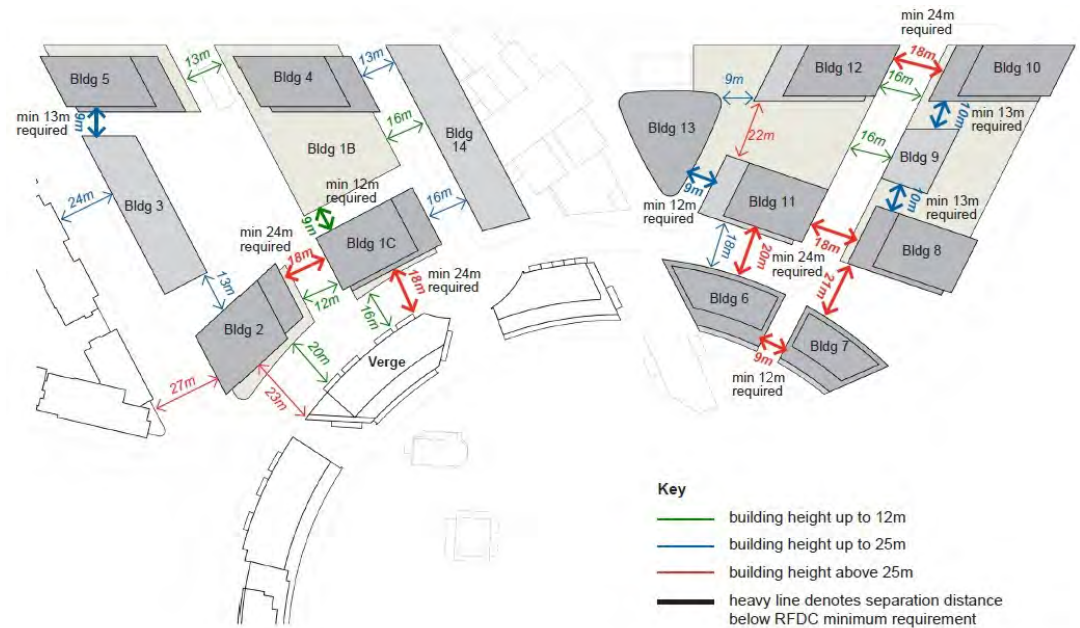


Figure 5 – Building separation of indicative floor layout (EAR)



Figure 6 – Building separation of indicative floor layout (PPR)

Comparison with other Entries in Design Competition

As outlined in the EAR (August 2010) the chosen Bates Smart Scheme was the result of a Voluntary Design Competition for the Discovery Point Concept Plan site. The Bates Smart Scheme was chosen for a number of reasons, as the building form was considered a superior outcome notwithstanding the proposed minor non compliance with building separation 'Rules of Thumb'. In particular the scheme provided:

- the best urban planning and public domain outcome, specifically with the large innovative new neighbourhood park proposed and village retail precinct on the southern part of the site and the foreshore park;
- discrete buildings which assists in flexibility for staging and future designs and reduces the perception of bulk present in the approved master plan and the other competition entries;

- more and better pedestrian and road linkages across the site;
- buildings that are located and orientated to enhance amenity, views, ventilation and good solar access;
- a strategic design placement of the two towers that have an upper limit of 21 storeys (entry and station), which creates a logical signature gateway and tower presence around the station rather than the apparent 'wall of buildings' present in the approved Master Plan and alternative competition entries;
- stepping/setback of the upper levels in the majority of buildings which reduces the perceived bulk and is consistent with existing buildings that have been built on the site.

By contrast an alternative scheme was more compliant on RFDC building separation 'Rules of Thumb' (**Figure 7**). The maximum required separation was generally provided at all levels, including the upper levels at 24m (required habitable/to habitable over 25m). However,

- Eight buildings were proposed at 21 storeys – the resultant scale of development appeared significantly greater than the approved Master Plan and the Bates Smart Scheme. There was a higher density perception of the scheme or a 'wall of buildings'.
- There was a repetitive orientation of building footprints with the length and height of buildings added to this perception of additional density. The scheme appeared to dominate the site and surrounding development/locality.
- Despite the generally compliant separation, there were privacy issues in terms of single aspect apartments in long buildings creating a sense of enclosure and overlooking each other.
- There was very little staggering of buildings to provide diversity in built form and views.
- The open space outcomes were inferior to the Bates Smart Scheme. Shared podiums and the presentation of a wall of buildings minimised the effectiveness of open space areas.



Figure 7 – Alternative Design Competition Scheme

Source: Discovery Point Pty Ltd

Proposal satisfies the objectives of the RFDC

The modified Concept Plan presented in this PPR improves the building separation. Overall, the development demonstrates that the key objectives of the building separation standards within Part 1 of the RFDC are met in that:

- The massing of the built form represents a significant improvement over the existing Master Plan and is further enhanced by the proposed amendments to building separation. In particular, the amended Concept Plan:
 - reduces bulk throughout the site, through the increase in separation distances for some key 'pinch points' and demonstrates a significant improvement over the apparent bulk in the approved Master Plan, which was dominated by shared podiums.
 - Continues to step/setback the upper levels in the majority of buildings.
 - Provides individual building podiums at a lower level to the approved Master Plan, which gives the feeling of reduced bulk at street level. This has been further improved by the lowering of the podium fronting Cooks River (refer **Section 2.2.5**).
 - buildings provide sufficient space to ensure a legible scale is 'read' between buildings without the built form appearing monolithic or affecting residential amenity at the street scale.
- The Concept Plan improves the provision of open space and landscaping within the site and between buildings removing the shared podiums that were a key feature of the Master Plan. This allows the Concept Plan to frame buildings around areas of common open space, creating new pocket parks and including specific identified areas for deep soil zones such as the Neighbourhood Park and Foreshore Park. The amended Concept Plan provides sufficient separation to specifically ensure additional areas of open space beyond that of the approved Master Plan and the other design competition entries for the site.
- Overshadowing to adjoining properties and shared open spaces arising from the Concept Plan envelopes was demonstrated as suitable in the EAR (August 2010). This situation has been improved through a reduction in height of Building 4 to improve solar access to the Neighbourhood Park (discussed at **Section 2.8** of this report).
- Daylight access to buildings and open spaces has been demonstrated and improved, as described at **Section 2.2.1** and **Section 2.8** of this report.
- Visual and acoustic privacy will be satisfied through a variety of means including:
 - Living areas can be orientated away from adjacent buildings to eliminate instances of dwellings directly overlooking each other.
 - Highlight windows and/or privacy screens can be used for any bedrooms facing each other.
 - Offset balconies and/or privacy screens on balconies.

2.2.4 Apartment Size

Proponent's Response

The following minimum apartment sizes are proposed:

- Minimum 40m² for studio dwellings.
- Minimum 50m² for one bedroom dwellings.
- Minimum 70m² for two bedroom/one bathroom dwellings.
- Minimum 80m² for two bedroom/two bathroom dwellings
- Minimum 100m² for three bedroom (plus) dwellings.

The proposed minimum apartment sizes have been revised since the Concept Plan was submitted to incorporate separate minimum size requirements for two bedroom dwellings dependant on the number of bathrooms. The proposed minimum dwelling sizes provide flexibility for a range of dwelling types and sizes to be developed across the Discovery Point Concept Plan site. The Concept Plan does not limit the opportunity to provide larger dwellings within the site as the apartment sizes proposed are minimums. However, the minimum sizes will ensure that smaller dwelling sizes are available to provide affordable dwelling options for future residents.

The Better Design Practice Guidelines for the Apartment Layout Section of the RFDC require appropriate apartment sizes to be determined in relation to geographic location, market demands and housing affordability. The proposed apartment sizes are an appropriate response given:

- The significant amenity provided on the site with respect to views, outlook, proximity to significant areas of communal open space and the accessibility of the site to transport and services;
- The significant presence of lone person households, couples without children, one parent families and first home buyers within the demographic catchment means apartments sizes are critical to assist in affordability;
- The proposed sizes provide a realistic assessment of known market conditions. New apartment development must consider the price of semi detached cottages, dwelling houses and townhouses in the local area relative to the cost of new apartments. It would be uneconomic to develop new apartments of a size that would result in a cost more than, or similar to, existing attached and detached dwellings in the surrounding area. It will therefore be important to offer a range of apartment styles, types, finishes and sizes to cater for the local demand.

The RFDC provides some examples of apartment layouts to demonstrate well organised, functional and high quality apartment layouts. These examples are not exhaustive and deal with a limited range of dwelling types and do not preclude the flexibility of providing alternate layouts and sizes. The examples mainly address apartment layouts rather than affordability issues and do not account for geographic location of market demand issues, which is also an express aim of this section of the RFDC. The 'Rules of Thumb' supplement the 'apartment type' table on Page 67 and suggest apartment sizes which can contribute to housing affordability, which the proposed Concept Plan meets.

Bates Smart Architects has demonstrated through the Indicative Design Scheme accompanying the Concept Plan that functional, well designed layouts can be achieved with good access to light and ventilation within the minimum apartment sizes proposed.

The minimum apartment sizes encouraged by Council in the draft Rockdale DCP 2010 do not adequately respond to the geographic location of Discovery Point with good transport access or the known market demands for this site. Furthermore, the minimum apartment sizes in the draft DCP (of 75m² for a 1 bedroom dwelling, 100m² of a two bedroom dwelling, and 115m² for a three bedroom dwelling) are significantly larger than apartment sizes in similar developments such as Victoria Park or in other areas of Sydney with good transport accessibility. The draft DCP sizes are also significantly greater than the 'Rules of Thumb' within the RFDC, and would exclude housing affordability.

The proposed minimum dwelling sizes are consistent with minimum apartment sizes for similar transport accessible areas in the inner ring and recent developments across Sydney, as identified within **Table 1**.

Of note is that Rockdale Council Officers in the meeting of 30 November 2010 indicated that it considers Discovery Point to be most analogous to areas such as Victoria Park within Green Square.

Table 1 – Comparative dwelling sizes (minimums)

| Site/Control | Studio | One bedroom | Two bedroom | Three bedroom |
|--|-------------------------------|---------------------------------|--|--------------------------------|
| Discovery Point (revised proposal) | 40m ² | Minimum 50m ² | 80m ² for 2 bedroom/2 bathroom units 70m ² for 2 bedroom/1 bathroom units | 100m ² |
| RFDC “Rule of Thumb” affordability criteria | 38.5m ² | 50m ² | 70m ² | 95m ² |
| <i>Comparable Examples</i> | | | | |
| 1) South Sydney DCP 1997: Part H Green Square | 30m ² | 50m ² | 65m ² | 95m ² |
| 2) Central Sydney DCP 1996 | 40m ² | 55m ² | 80m ² | 100m ² |
| 3) Draft North Sydney DCP 2010 | 40m ² | 55m ² | 80m ² | 100m ² |
| 4) Frasers Block 2 CUB (MP09_0078) (Approved 18 June 2010) | 35m ² | 45m ² | 62.9m ² | 108m ² |
| 5) Sydney Gate (830 Bourke St Waterloo) Block 2 (Approved) (Victoria Park) | 40m ² | 50m ² | 70m ² | 95m ² |
| 6) East Quarter, Forest Road Hurstville | - | 48m ² | 70m ² | 110m ² |
| <i>Average of examples 1-6 (above)</i> | <i>37m²</i> | <i>50.5m²</i> | <i>71m²</i> | <i>101m²</i> |

Discovery Point requires certainty in relation to the issue of apartment size for the future development of the site and considers that the proposed Concept Plan minimum apartment sizes provide sufficient flexibility to achieve housing choice which addresses both housing affordability without any compromise in terms of apartment layouts or residential amenity.

2.2.5 Podium Heights

Proponent's Response

Further to the proponent's meeting with the Department of Planning on 18 November 2010, it was clarified that the principal concern relates to the adjacent above ground parking affecting podium height to Cooks River.

The podium heights adjoining the Cooks River have been revised in the indicative design scheme to address this concern, showing a scheme which has gone from RL14.65 to RL11.6, a reduction of 3.05 metres.

More notably, the proposed podium height represents an improvement to that allowed under the current Rockdale DCP 45 for the site and the approved Master Plan. A comparison of podium heights and a demonstration of their built form appearance is shown in **Table 2** below and in **Figures 8 to 10**.

Table 2 – Comparison of Podium Heights Fronting the Cooks River

| Development Control/Scheme | RL |
|--|----------|
| Rockdale DCP 45 – Railway Precinct (Figure 8) | RL 16.5 |
| Concept Plan envelope | RL 20.8 |
| Concept Plan Indicative Design (exhibited August 2010) (Figure 9) | RL 14.65 |
| Revised Concept Plan Indicative Design (December 2010) (Figure 10). | RL 11.6 |

(Note: The Concept Plan envelope space represents the maximum volume whereby all required building elements are incorporated including plant, communal open space features and other building projections. As such the maximum building envelope does not represent the likely extent of residential floors within the podium. This is best represented by the Indicative Design Scheme RLs).

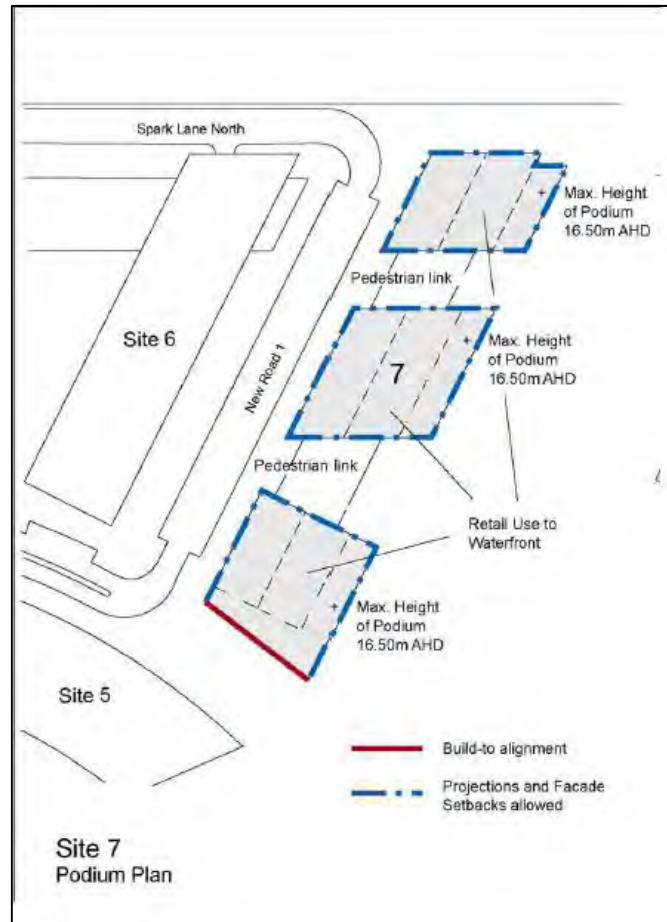


Figure 8 – Rockdale DCP 45 permitted podium height (RL 16.5)

Source: Rockdale DCP 45 – Railway Precinct

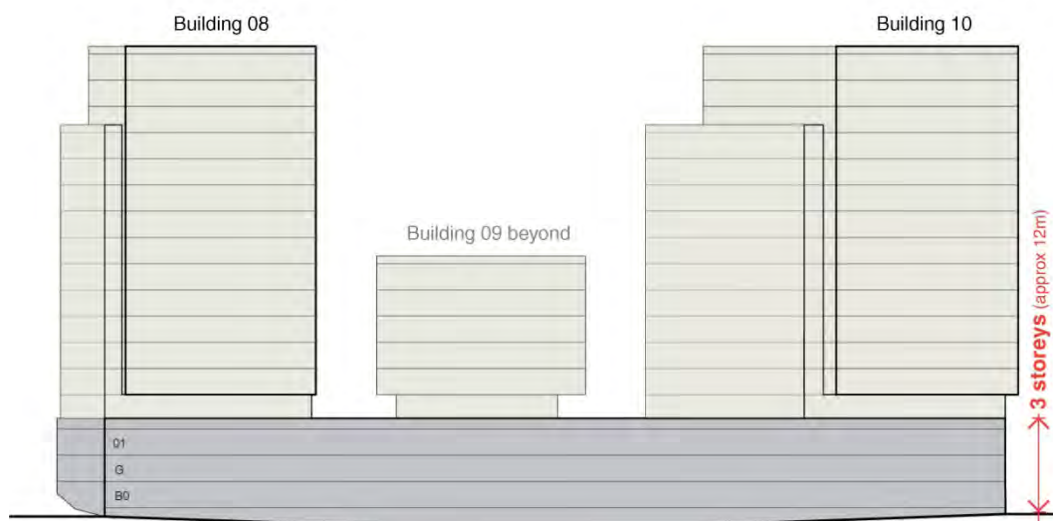


Figure 9 – Cooks River frontage podiums (exhibited August 2010)

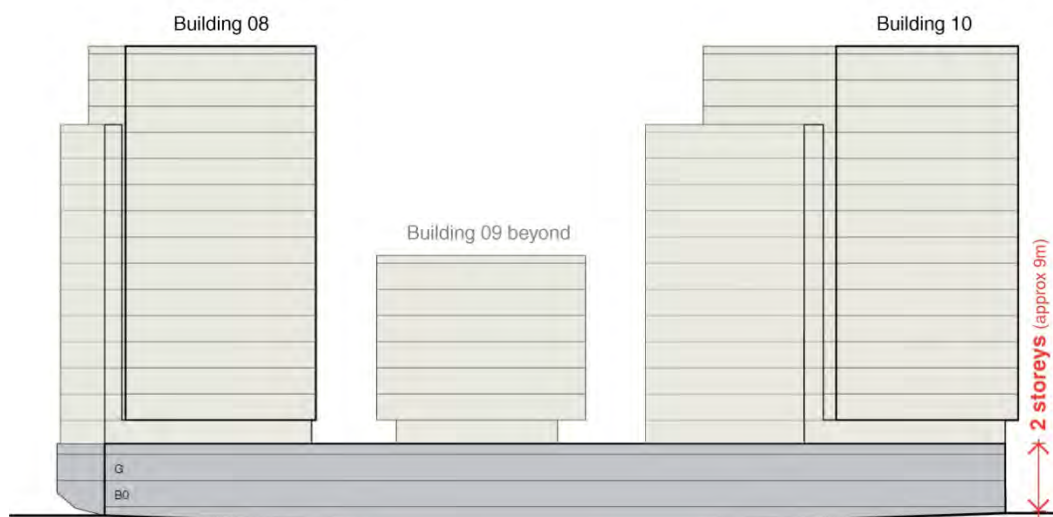


Figure 10 – Cooks River frontage podiums (proposed December 2010)

Source: Bates Smart

As demonstrated in the above diagrams, the current design reduces the podium levels fronting the Cooks River from the three residential levels (exhibited August 2010) to two residential levels. This represents a significant improvement to the existing DCP 45 (and Master Plan), which allows approximately another 1.5 floors to be placed in the podium. The proponent's response will reduce the apparent bulk of the podiums when viewed from the foreshore. The podium itself will contain residential apartments which will all satisfy the RFDC 2 hour solar access 'Rule of Thumb' (being north facing), will be two storeys to ensure cross ventilation requirements are met and will continue to provide pedestrian connections from the dwellings to the foreshore park.

2.2.6 Western Boundary Thermal Comfort

Proponent's Response

No buildings along the western boundary of the Concept Plan are oriented due west but, as indicated on **Figure 11**, the site is oriented north-west. Thermal comfort will be achieved by means of balcony overhangs, louvers/screens, fixed or operable screening, performance glazing, blinds and insulation. The development will comply with the requirements of BASIX and the BCA.

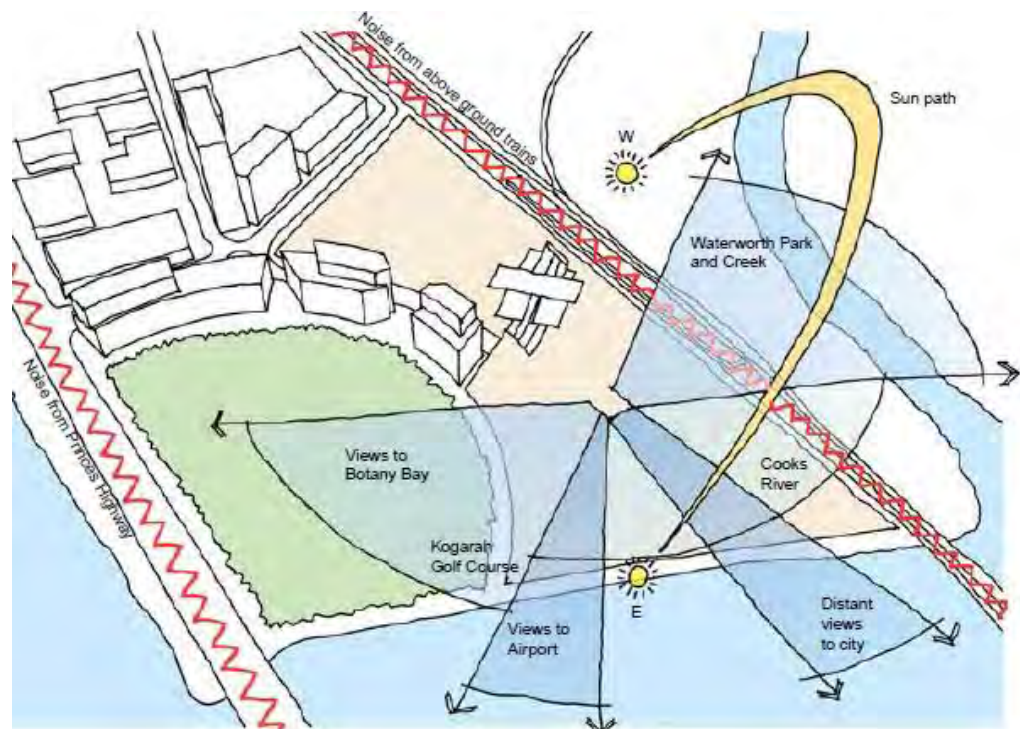


Figure 11 – Site Orientation

Source: Bates Smart

2.3 Street Activation

Issue

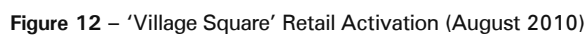
The Proponent shall provide additional retail floor space around the supermarket to activate the street frontages.

Proponent's Response

Amendments have been made to the Concept Plan to improve retail activation around the supermarket by providing the following additional active retail elevations:

- 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.

A comparison between the exhibited Concept Plan and the revised proposal is shown in **Figure 12** and **Figure 13** below.



As a result, the revised Concept Plan provides additional speciality retail floor space around the supermarket to improve activation as well as along Magdalene Terrace and adjoining the station. There is no change to the overall figure of non-residential floor space for which consent is sought, being a maximum of 9,000m².

2.4 Above Ground Parking

2.4.1 Issue

The EAR does not provide adequate justification for the above ground parking. Council's previous approvals on the site and the detailed Master Plan required parking to be provided within basements. The additional floor area (14,000m²) to cater for the above ground parking is considered to impact upon the proposed building envelopes. Further consideration of below ground parking shall be submitted to the Department.

2.4.2 Proponent's Response

Proposed Amendments

In response to DoP and Rockdale Council concerns regarding the extent of above ground parking, the project team have explored areas where above ground parking can be reduced on the site, with amendments shown in **Table 3** (and shown in **Figure 14 and 15**).

Table 3 – Modifications to Concept Plan above ground parking

| | Ground Floor | Level 1 |
|-----------------------|---|--|
| Building 1B | No change. Exhibited Concept Plan showed a supermarket use. | Removed and replaced with internal storage and plant facilities (not visible from street). |
| Building 4 | Removed and replaced with loading and back of house facilities for supermarket. Will be appropriately screened and remain appropriate for Spark Lane which functions as the service lane to the site. | Above ground parking replaced with residential uses. |
| Building 5 | Removed and replaced with community facility and retail uses. Driveway ramp to basement remains. | Above ground parking replaced with residential uses. |
| Building 12 | A portion of above ground parking on the corner of Spark Lane and Chisholm Street converted to residential uses. | A portion of above ground parking on the corner of Spark Lane and Chisholm Street converted to residential uses. |
| Building 9, 10 and 11 | A portion of above ground parking converted to residential uses and waste storage areas (appropriately screened) | Above ground parking converted to residential uses and communal roof top open space podium. |

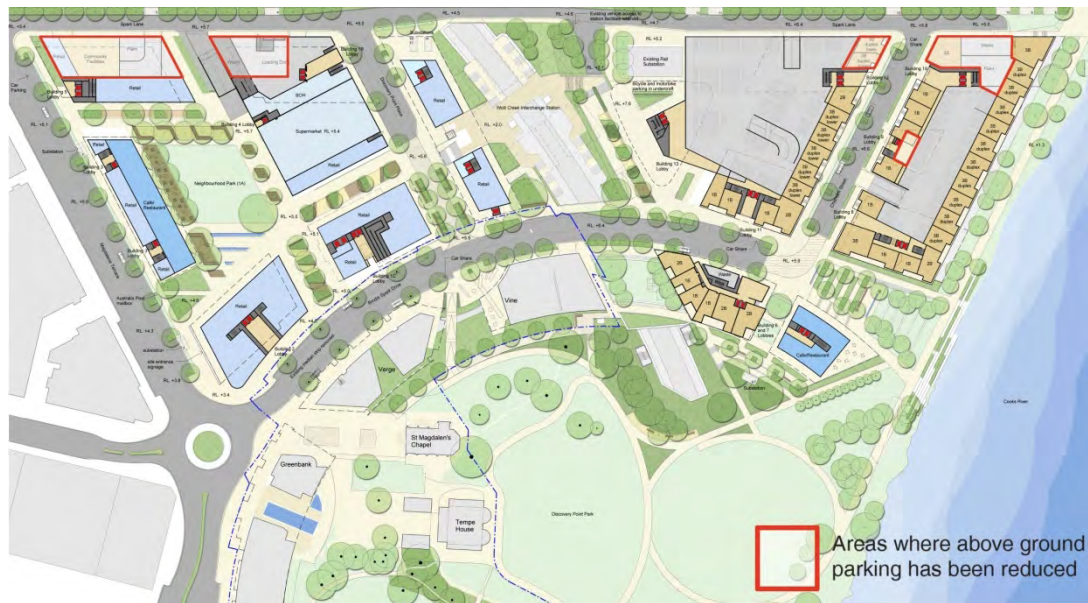


Figure 14 – Reductions in above ground parking, ground floor level

(overlaid on indicative design scheme)



Figure 15 - Reductions in above ground parking (in red), first floor level

(overlaid on indicative design scheme)

Source: Bates Smart

As a result of the above changes, the extent of above ground parking area will be reduced from 14,000m² (as exhibited in the Concept Plan) to 8,000m². In the locations where above ground parking will be provided, appropriate facade treatment or activation via residential or retail development will be provided.

On Site Constraints require a degree of above ground parking

The remaining extent of above ground car parking is required given the railway site constraints. The critical issue affecting the need for a degree of above ground parking is the Railcorp restriction preventing anchors crossing the boundary into the Rail Corridor (land owned, managed or leased by Railcorp). This prevents the undergrounding of parking in proximity to these Railcorp assets. This restriction affects 90% of the northern precinct and the entirety of the remaining southern precinct that does not already have deep basement car parks.

The Railcorp submission to the Concept Plan exhibition specifically states that future Project Applications that 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***).

Key Planning Guidelines envisage above ground parking where it is appropriately treated

Both the RFDC (Figure 16) and other DoP Guidelines such as the 6 Cities DCP for Penrith City Centre (Figure 17) contemplates such instances of above ground parking and how they are to be treated where site constraints require above ground parking, including:

- Hiding car parking behind the building facade;
- 'Wrapping' the car parking with other uses;
- Placing the extent of above ground parking adjacent to a service lane.

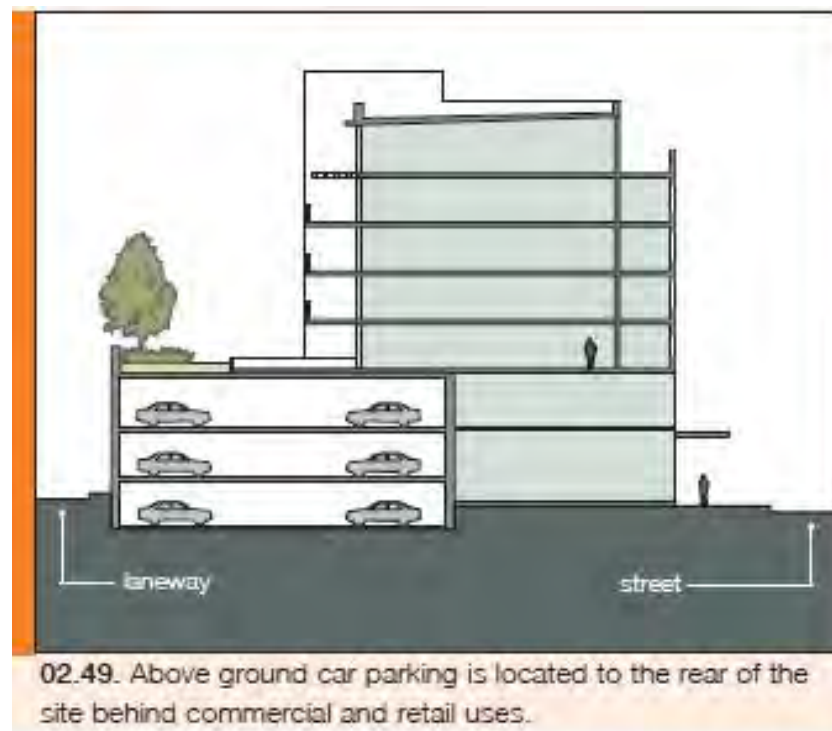


Figure 16 – RFDC above ground parking

Source: Department of Planning

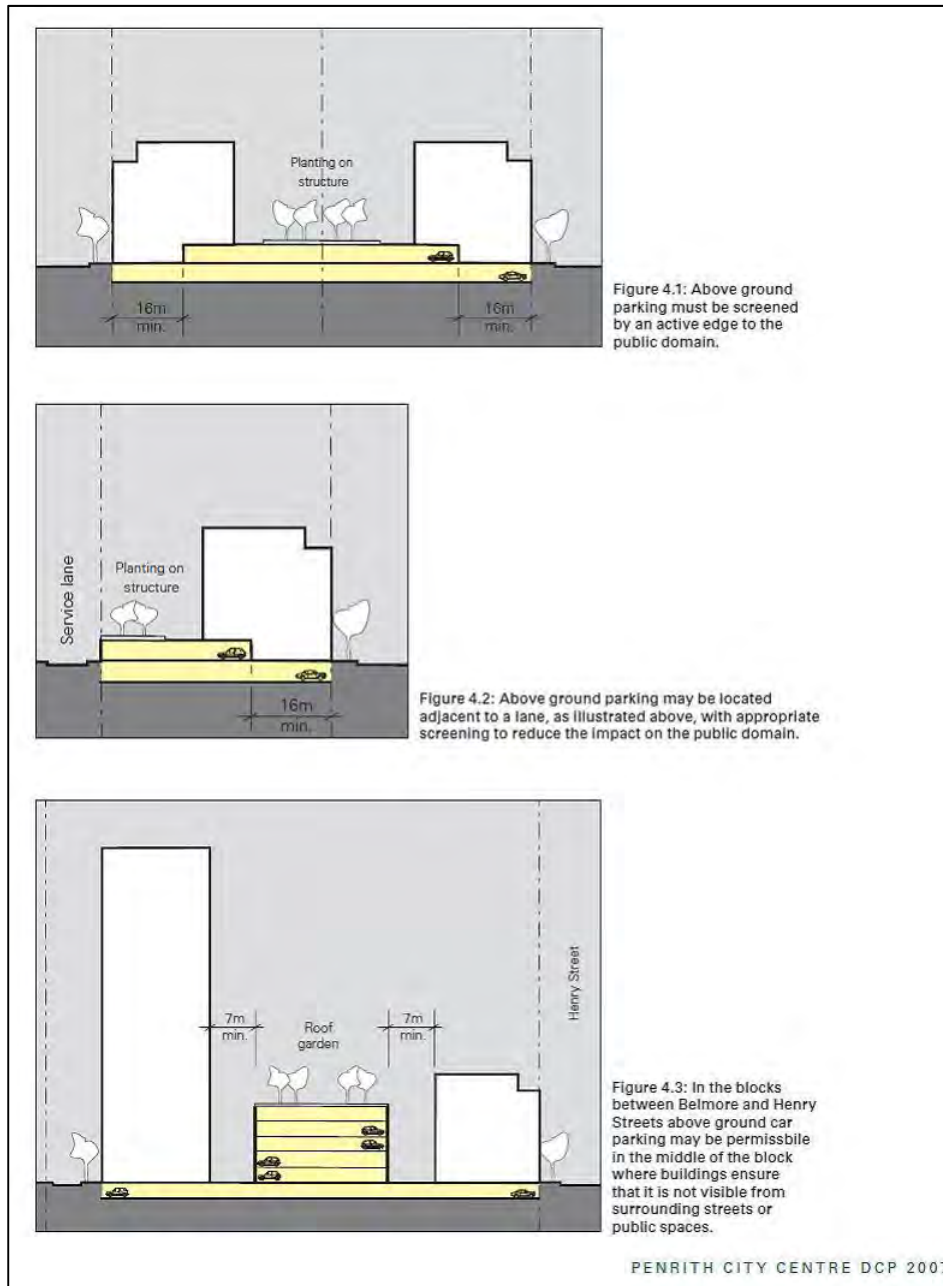


Figure 17 – Penrith City Centre DCP above ground parking treatments

Source: Department of Planning

Discovery Point Treatment of Retained Areas of Above Ground Parking

The primary areas of retained above ground parking are consistent with the above design approaches in the relevant design guidelines, as follows:

Spark Lane North Frontage

The extent of above ground parking on Spark Lane North is consistent with the 6 Cities approach to provide the extent of above ground parking on laneway access. This approach presents an appropriate design solution as:

- It focuses non-active frontages along Spark Lane, which has the least visual and acoustic amenity for residents or pedestrians due to the proximity to the railway line.

- It remains appropriate to lift residential development above the ground and first floor levels along Spark Lane on the northern side, improving the visual outlook of dwellings which would otherwise look directly onto the railway line (see cross section below).
- Effective screens and landscaping treatments are capable of being incorporated into the detailed design.

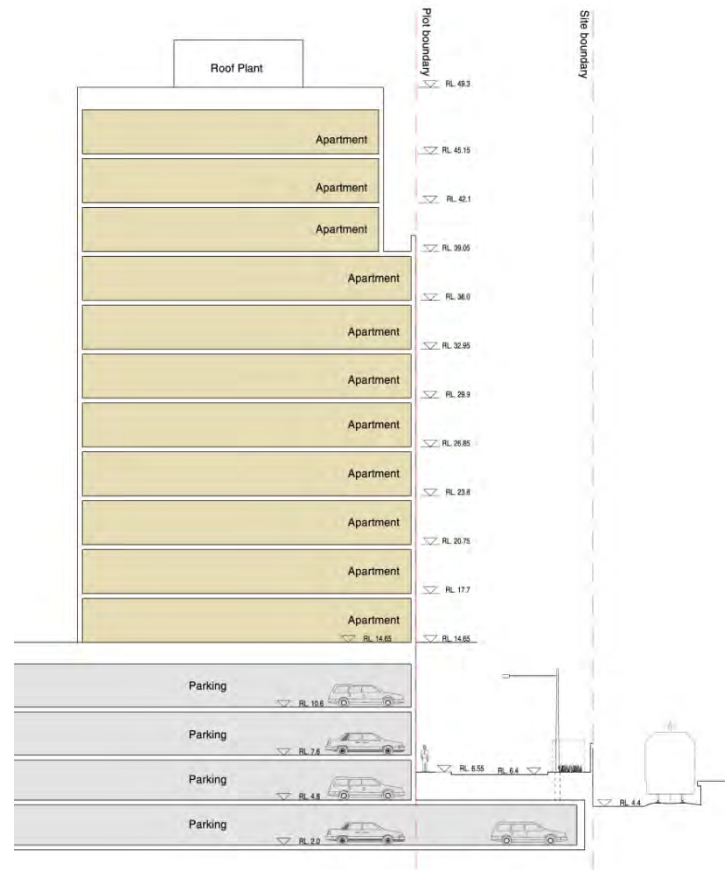


Figure 18 – Spark Lane North Cross Section

Source: Bates Smart

Ground Level Above Ground Parking for Building 8, 9, 10 (Fronting the Cooks River)

This area of the site clearly demonstrates the effective treatment of above ground parking in accordance with the philosophy of the RFDC by (Figure 19):

- wrapping the above ground parking with residential uses, to ensure active frontages and visual amenity for pedestrians; and
- using the roof of the above ground parking to provide communal outdoor space with outlook towards the Cooks River.

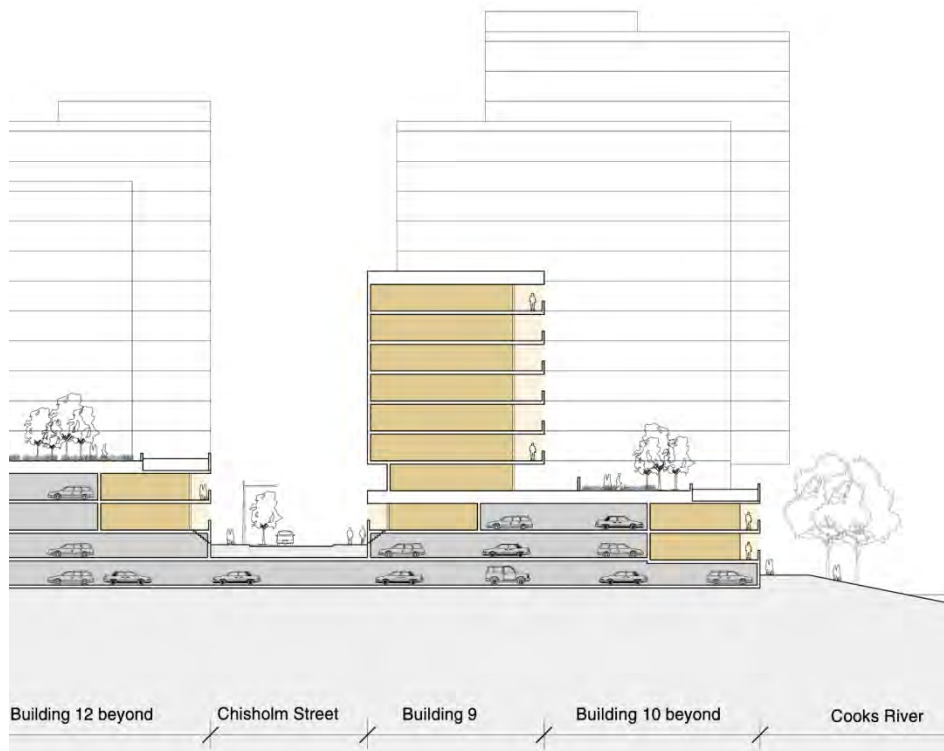


Figure 19 – Northern section showing above ground parking is flanked by residential uses

Source: Bates Smart

Other examples of effective treatment of above ground parking

It is noted that there are many examples within Sydney of above ground parking which has been appropriately treated and provides an optimum urban design outcome. A selection of examples, including recent Part 3A approvals, is provided in **Figures 20-25** below.

Bennelong Parkway (Wentworth Point)

Recent Major Project Approval MP 09-0160 (approved 22 June 2010) provided above ground parking due to water table issues. Above ground parking is flanked by residential uses or appropriately treated/screened where fronting a street.



Figure 20 – Wentworth Point section showing above ground parking



Figure 21 – Wentworth Point above ground parking treatment

Source: Turner and Associates

Moore Park Gardens

This development provides a notable and award winning example of a development with above ground parking. The above ground parking is screened with mounded landscaping, walls with landscaping in front or active uses as skin. The development has received the following awards.

- 1999 Australian Institute of Architects President's Award
- 1999 Property Council of Australia Leading Urban Design Award
- 1998 Urban Design Institute of Australia Urban Redevelopment Award.



Figure 22 – Moore Park above ground parking

Source: AJ + C Architects

Cosmopolitan Centre / Sir Stamford, Double Bay

In this instance, Woollahra Council accepted above ground car parking given acid sulphate soils and groundwater site constraints within the Double Bay Town Centre.

The development retained active uses on the ground floor surrounding the above ground parking and used screening to improve visual amenity of parking on Levels 1 and 2. The development was recently nominated at the UDIA Awards for Excellence 2010.



Figure 23 – Knox Street Double Bay, above ground parking screens at first floor level

Source: Kann Finch Architects

East Quarter Hurstville

Developments currently being marketed such as the East Quarter, Hurstville include areas of car parking at ground and first floor level behind retail and louvres and provide landscape podiums /pools above car park structures.



Figure 24 – Marigold Building, East Quarter Hurstville

Source: www.eastquarter.com.au

Altair, Kings Cross

The Australand developed Altair includes podium parking to the street with treated elevations. This development won the World Architecture award 2002 for 'Best Building in the Australasia/Oceania region' and 'Best Housing Scheme in the World'



Figure 25 – Australand 'Altair' with above ground podium parking

Source: Australand

The revised Concept Plan reduces the extent of above ground parking from 14,000m² (exhibited) to 8,000m² (proposed). The remaining extent of above ground parking:

- Responds to site constraints such as the Railcorp restriction preventing anchors crossing the boundary into the Rail Corridor (land owned, managed or leased by Railcorp), which restricts the undergrounding of parking. The proponent accepting a cap on parking spaces (2,240 parking spaces across the site, discussed below), has also allowed the reduction in above ground parking.
- Retains any above ground parking in appropriate locations either along the Spark Lane service frontage (which will provide appropriate screening or landscaping) or flanked by residential active uses in accordance with RFDC requirements.
- There will be no increase in the overall GFA for the site for which consent is sought, being 132,000m² plus 8,000m² of above ground parking.

The amended proposal is therefore considered to address Council and DoP concerns.

2.4.3 Car Parking

Issue

Concern is raised regarding the upper range of car parking proposed for this highly accessible site. Further consideration of the proposed car parking provisions shall be submitted to the Department.

Proponent's Response

The Concept Plan will continue to provide the following car parking rates, but as per Rockdale Council's request the proponent is willing to accept a condition limiting the overall site to a maximum of 2,240 car spaces including existing stages (as per the current Master Plan approval):

- Maximum 1 space per studio and one bedroom unit;
- Minimum 1 space and maximum of 2 spaces per two bedroom unit;
- 2 spaces per three + bedroom units;
- Minimum 1 visitor space per 20 residential units;
- Minimum 1 space per 50m² of non-residential GFA (commercial); and
- Minimum 1 space per 35m² of non-residential GFA (retail).

The traffic, transport and access assessment prepared by TTPA for the Concept Plan (**Appendix G** of the EAR) assessed the traffic impact of the indicative design scheme which included a maximum of 2,511 car spaces across the Concept Plan site (in addition to the existing 381 spaces already constructed / under construction). TTPA found that the Concept Plan will have significantly less traffic impacts than the quantum of parking approved under the approved Master Plan, and this will be reduced further with the maximum number of car spaces capped at 2,240.

In addition, the revised Concept Plan proposes the following parking rates for non-car modes:

- Minimum 1 bicycle space per 15 residential units;
- Minimum 1 motorcycle space per 15 residential units;
- Minimum 1 bicycle space/200m² non-residential GFA, with 15% accessible by visitors;
- Minimum 1 motorcycle space/20 non-residential car spaces.

These rates generally accord with the draft Rockdale DCP 2010. The residential bike parking rate varies from the DCP rate (1 per 10 units), however, it is considered with the storage space that will be provided for residential units (in the unit and the basement) in accordance with RFDC requirements, that sufficient bicycle parking will be available for residents.

2.5 Draft Rockdale LEP 2011 and Draft Rockdale DCP 2011

2.5.1 Draft Rockdale LEP 2011

Issue

Rockdale City Council's Draft LEP 2011 is currently on exhibition. An assessment of the proposal against the relevant requirements of the Draft LEP is to be provided.

Proponent's Response

The key inconsistencies between the draft LEP and the Concept Plan are as follows.

- Building Height.
- GFA.
- Heritage item boundary.
- Neighbourhood shops limited to 150m².
- Active frontages required to the existing Vine Building and Magdalene Terrace.

Building Height

The draft LEP includes a height limit of 46 metres across the Discovery Point site shown on the draft height of building map. The existing maximum LEP height control applicable to the site is RL 67 AHD while the new Concept Plan has a maximum RL of 79.65 AHD. Both the existing approved Masterplan maximum building height and the new Concept Plan maximum building heights are higher than the proposed draft LEP height control of 46m. Council in the meeting of 30 November 2010 acknowledged that the draft LEP height limit was set against the Sydney Airport obstacle limitation surface (OLS) and has not reflected that the approved Master Plan includes heights in excess of this OLS. Council officers acknowledged that the draft LEP height limit would be amended to reflect the approved Concept Plan.

GFA

The draft LEP includes a provision that the maximum gross floor area of all buildings within the overall Discovery Point site must not exceed 132,000m² (including existing developed stages) and the heritage buildings.

The gross floor area of the existing buildings on Sites 1,2 and 4 and the two heritage building have a standard instrument converted gross floor area of close to 30,000m². The total gross floor area of residential and non-residential uses under the Concept Plan is 132,000m² plus an additional 8,000m² is proposed in the Concept Plan for above ground parking.

The proposed GFA and maximum building height has been adequately justified in the Concept Plan EAR and the draft LEP should be amended by Rockdale City Council to reflect the maximum building height and GFA of the Concept Plan. Rockdale City Council indicated at the meeting of 30 November 2010 that the draft LEP was being prepared prior to and concurrently with the Discovery Point Concept Plan, and as such the draft LEP will be updated to reflect the Concept Plan approval.

To ensure the new LEP will be consistent with the Concept Plan when approved, the LEP provisions for the overall Discovery Point site should include:

- The maximum gross floor area of all buildings within the precinct being 170,000m² (including above ground car parking).
- The non-residential gross floor area of all buildings within the precinct to be at least 9,000m²,
- The above ground car parking gross floor area of a maximum of 8,000m²,
- It is appropriate that the heritage items are excluded from a development standard relating to the available developable GFA for the site.

Heritage Item Boundary

The Heritage Map – Sheet HER_003 of the draft LEP incorrectly maps the boundary of the heritage item located on the Discovery Point site. The heritage item does not extend beyond Discovery Point Park to land along the Cooks River foreshore frontage or the northern corner of the site as shown on the draft map. The boundary of the heritage item within Discovery Point is shown on Diagram 1 – Tempe House Precinct contained in Schedule 1 of Rockdale Local Environmental Plan 2000.

It is requested that Council amends draft Heritage Map – Sheet HER_003 to correctly identify the location of the heritage item on the site in accordance with the boundaries of the current heritage listing as per the existing Rockdale LEP 2000.

The Discovery Point site is subject to an approved Conservation Management Plan pertaining to the existing heritage item and there are no any additional studies that would support an additional heritage listing of the land along the north-eastern frontage of the site adjoining Cooks River or the northern corner of the site.

Neighbourhood Shops

Clause 5.4 of the draft LEP contains controls relating to miscellaneous permissible uses. Subclause (7) relates specifically to neighbourhood shops which are defined as *“retail premises used for the purposes of selling small daily convenience goods such as foodstuffs, personal care products, newspapers and the like to provide for the day to day needs of people who live or work in the local area, and may include ancillary services such as a post office, bank or dry cleaning, but does not include restricted premises.”*

Clause 5.4(7) restricts the retail floor area of neighbourhood shops to 150m². The Discovery Point Concept Plan (and existing approved Masterplan) proposes to provide a retail centre which will service the daily needs of residents, workers and visitors. Such a centre will include neighbourhood shops with a retail floor area greater than 150m². In order for the proposed village retail centre to be developed within the Discovery Point site it is suggested that Council either lists neighbourhood shops with a retail floor area greater than 150m² as permissible within the Discovery Point site or within clause 6.13 of the LEP, which is a specific clause relating to development at Discovery Point.

2.5.2 Draft Rockdale DCP 2011

Issue

Rockdale City Council's Draft DCP 2011 is currently on exhibition. An assessment of the proposal against the relevant requirements of the Draft DCP is to be provided.

Proponent's Response

A Concept Plan by its very structure is analogous to a DCP, providing the guiding principles by which to assess future applications on the site. To provide further certainty for the future development of the individual stages within Discovery Point, the design assumptions that form part of the Concept Plan have been documented in a set of Development Design Guidelines (refer to **Appendix D**). A Discovery Point-Wolli Creek Landscape Design Guidelines/Public Domain Plan has also been prepared by Turf Design and has been provided under separate cover with this PPR.

Discovery Point Pty Ltd and JBA Planning met with Department of Planning Officers and Council staff on 30 November 2010. At this meeting, Council officers advised that the draft DCP 2011 had been drafted to comply with the approved Master Plan, prior to the exhibition of the Concept Plan. Council officers indicated that it was not their intention to create a DCP that is inconsistent with the Concept Plan and that Council would therefore be willing to amend the DCP accordingly.

2.6 Sydney Airport

Issue

Final approval for the proposed building heights/envelopes from the relevant authority must be submitted to the Department.

Proponent's Response

Approval has been granted under the *Airports (Protection of Airspace) Regulation 1996* for the Concept Plan envelopes (**Appendix E**). The reduction in height of the envelope of Building 4 in this PPR will not affect this approval, which approved a maximum height of RL 55.3 for Building 4.

2.7 View Analysis

Issue

Further view analysis from buildings located to the south of the site are to be provided (in particular from the building of the objectors), to assist in understanding the impact of the proposed building heights on all views. Additional plans (elevation plans) should also be provided that compare the previously approved building heights to that proposed under the Concept Plan from these views.

Proponent's Response

In response to the submission author's concerns regarding loss of views, particularly to the city skyline, further view analysis was undertaken to understand the implications of the proposed building envelopes on views through the site.

Figures 26 and Figure 27 (also located at **Appendix F**) provide a comparison of the views available from the submission author's balcony between the approved Master Plan and the proposed Concept. The key conclusion from this analysis is that the Concept Plan has no greater impact on views from the submitter's property than would have resulted from the approved Master Plan.

Table 4 below provides an assessment of the view impacts against the four steps provided in the Planning Principle set down in the case of *Tenacity Consulting v Waringah [2004] NSWLEC 140*, assessed in relation to Unit 1404/35B Arncliffe Street.

Table 4 – View Analysis

| Step | Matter to be considered | Comment |
|------|---|---|
| 1 | Assessment of views to be affected | <p>The view affected by the Concept Plan proposal is to the North and comprises views over the Discovery Point site with a distant view to the CBD skyline on the horizon.</p> <p>Views are also available from the subject property to the northwest over Waterworth Park and Wolli Creek.</p> |
| 2 | How reasonable it is to expect to retain the views | <p>Views are obtained from the living room, dining room and balcony. The floor level in these rooms is RL44.3m.</p> <p>The impact of the Concept Plan proposal on the available view from the submitter's property has no greater impact on views from the submitter's property than would have resulted from the approved Master Plan, and is therefore considered reasonable.</p> |
| 3 | Assessment of the extent of the impact | Views to the northwest over Waterworth Park and Wolli Creek are unaffected by the Concept Plan development. The distant view to the CBD will be lost but the impact is no worse than compared to the approved Master Plan. |
| 4 | Assessment of the reasonableness of the proposal that is causing the impact | The impact of the proposal on the view available from the subject property is considered reasonable given the existing planning controls for the site and the approved Master Plan resulting in loss of the affected view from the subject property. |

It is therefore considered that extent of view loss is no worse in relation to views approved under the Master Plan and no amendments to the Concept Plan envelopes are proposed (other than reducing the height of Building 4).



Figure 26 – View from 1404/35B Arncliffe Street (approved Master Plan)

Source: BASE

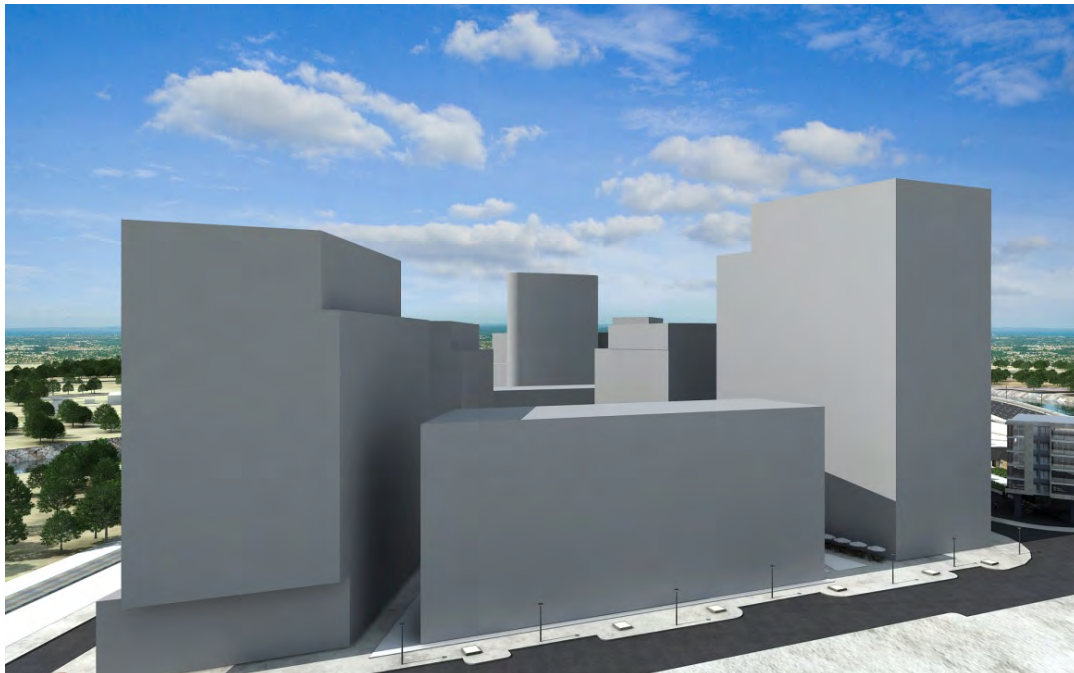


Figure 27 – View from 1404/35B Arncliffe Street (Concept Plan)

Source: BASE

2.8 Overshadowing

Issue

Further details shall be submitted demonstrating the proposed Neighbourhood Park will receive appropriate levels of solar access.

Proponent's Response

The original Concept Plan resulted in overshadowing of the Neighbourhood Park during the winter solstice. 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 40.0 (i.e. reduction of 5 storeys).

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 solar access will continue to be provided at the equinox, with 50% of the Neighbourhood Park receiving over 6 hours sun access at this time.

The reduced height of Building 4 will improve solar access along the northern face of Building 3 and particularly to the cafe/restaurant outdoor eating area on the ground floor, within the southern portion of Neighbourhood Park. The increased sun access will result in an improved environment, particularly at lunch time, and encourage greater use of the park and restaurant/cafe area by residents and workers all year round.

The comparison shadow diagrams prepared by Bates Smart (**Appendix G**) show the improved solar access performance of the Neighbourhood Park throughout the year.

In order to maintain the same quantum of residential GFA sought in the Concept Plan application, the reduction in floors in Building 4 will be accommodated elsewhere within the site. An additional residential level (or part thereof) will be adopted within the future designs for Buildings 1C, 5, 8, 10, 11 and 12. These additional levels are within the existing maximum RL of the envelopes sought for approval (i.e. no increase in height limits sought in the EAR (August 2010)).

2.9 Apartment Mix

Issue

Further justification is to be submitted for the proposed apartment mix, in particular the high percentage of one bedroom units for this locality.

Proponent's Response

The exhibited Concept Plan proposed the following apartment mix across the Discovery Point Concept Plan site:

- Maximum 50% studios and one bedroom apartments;
- Minimum 40% two bedroom apartments; and
- Minimum 10% three + bedroom apartments.

The proposed mix reflected the minimum and maximum parameters of apartment types to be provided across the Concept Plan site, and aimed to provide the greatest level of flexibility for each building to ensure the ability to meet market demands as they changed over time.

The proposed apartment mix has been revised following the exhibition of the Concept Plan, and the apartment mix amended according to the following:

- Maximum 45% studios and one bedroom apartments;
- Minimum 45% two bedroom apartments; and
- Minimum 10% three + bedroom apartments.

SEPP 65 indicates that apartment mix should be defined for a location by:

- Considering population trends in the future as well as present market demands; and
- Noting the apartment's location in relation to public transport, public facilities, employment areas, schools and universities, and retail centres.

The proposed housing mix is suitable given the demographic trends and the realities of the housing market in Wolli Creek. Providing a flexible housing mix enables the provision of sufficient housing options to suit the market as it changes throughout the lifetime of the Concept Plan.

The revised maximum percentage of studio and one bedroom units (i.e. 45%) is consistent with the maximum in other high density residential areas, including North Sydney and Sydney CBD (both have a maximum of 45% studio or one bedroom apartments).

It is not considered that the range of one bedroom apartments in Rockdale Council's DCP (10-30%) is suitable for the site, given:

- a predominance of two bedroom apartments in the locality and the wider Rockdale LGA, which limits housing choice. The proposed mix will add to the diversity of the overall mix in the locality given the existing predominance of two bedroom apartments, such as:
 - Wolli Creek, with the majority (64%) of currently constructed apartments being two bedroom apartments;
 - the Rockdale LGA, with the majority (75%) of 2006 Census stock of apartments being two bedroom apartments;
 - similar housing mixes incorporated within other large scale redevelopment sites such as Bonar Street (70% of two bedroom apartments) and Proximity (73% of two bedroom apartments).

The proposed dwelling mix in the Concept Plan will have the effect of diversifying the supply of residential dwellings in the Wolli Creek area away from the prevalence of two-bedroom units.

- The significant presence of lone person households, couples without children, one parent families and first home buyers within the demographic catchment meaning smaller apartments types are in demand. The rationale and detailed demographic characteristics are outlined in the Leyshon Economic and Social Assessment at **Appendix R** of the EAR (August 2010).

2.10 Railcorp

Detailed responses to each issue raised in the Railcorp submission are included at **Appendix A**. The section below outlines some key points raised in the submission and the proponent's response.

2.10.1 Railcorp Development Agreement

Advice prepared by Minter Ellison lawyers (**Appendix H**) indicates that the conditions of the existing Rail Development Agreement (RDA) do not need to be amended and that it could appropriately deal with the development contemplated in the Concept Plan by replacing any reference to a development consent number with the Concept Plan number MP10_0003 and by updating the lot and deposited plan references. The RDA contemplates that the detailed design and specifications for the Rail Modification Works have to be approved by SRA and Railcorp prior to commencement. This obligation will remain.

It is noted that the Railcorp submission makes reference to Discovery Point Pty Ltd being required to prepare a new RDA, if they so require. It is requested that requirement not be included as a condition of consent as the proponent's legal advice confirms that this is not required and would be overly onerous and time consuming to prepare.

The proponent has consulted with Railcorp on this issue providing the Minter Ellison advice on 6 December 2010.

2.10.2 Owner's Consent

On-going consultation with Railcorp has occurred during the preparation of the PPR. Railcorp owner's consent is anticipated to be received soon.

2.10.3 Definition of Rail Corridor

Railcorp have requested that the EAR 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.

Discovery Point Pty Ltd 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 EAR relates to the railway line and station rather than "rail corridor" as defined by the ISEPP.

Discovery Point Pty Ltd has provided a plan to Railcorp showing all land owned, leased, managed or controlled by Railcorp in accordance with the ISEPP definition (**Appendix I**).

The Preferred Project Report (PPR) should therefore be taken to update the Concept Plan in accordance with the ISEPP definition.

2.11 Street Road Widths and Swept Paths

The Concept Plan street road widths are included in this PPR for approval with the Concept Plan and are deemed appropriate.

Rockdale Council have requested that the minimum road widths be increased to 20 metres. The proponent's traffic consultant has commented on this requirement and advises:

The adoption of 20m as a road width reflects an outdated measure (i.e. 20m = 1 chain 'a cricket pitch' = 4 perches = 22 yards) and has little relevance to contemporary road design or traffic management. The majority of roads which have existed since the early development of Sydney adopted this English tradition. However, modern design standards and criteria do not mention this former measure but apply design elements in relation to parking lane width, travel lane width, bicycle lane width and bus stop lane width etc.

Contemporary road design, particularly for intense urban environments also has regard for streetscape design and maximised provision for pedestrians.

In the case of Wolli Creek, Council's Public Domain objectives specifically identify the 'minimisation' of road space for vehicles. Thus, the specified requirement for 20m road widths is in serious conflict with the objectives.

The various road widths adopted for the Concept Plan reflect the contemporary design requirements and Public Domain objectives which apply.

The 'Concept Plans' for approval provided road width diagrams for approval. In addition, the proponent has been in consultation with STA regarding swept turning paths. This diagram has been prepared to satisfy agency requirements. The STA bus turning swept path has been included at **Appendix J** as a specific response to the STA submission.

2.12 Provision of Water Recycling Facility

This PPR seeks to allow consideration of a water recycling facility, to be included in the Stage 1 Project Application basement. Sewerage infrastructure required to service the Discovery Point Concept Plan is provided by the existing Sydney Water Corporation (SWC) service. However, there is significant resident and public interest in ensuring that projected water usage by the proposed residential development is sustainable. The proponents of the development and the Water Factory Company Pty Ltd (WFC) have developed an alternative strategy to treat wastewater from sewage locally, and to produce high quality recycled water for non-potable uses.

The strategy for treatment of wastewater from sewage from Discovery Point Concept Plan residential buildings is to install a water recycling facility (WRF) within the development. The basement of Building 1C has been identified as most suitable for this purpose for location and construction sequencing reasons and will be included in the Stage 1 Project Application for this building.

Waste water will be taken from the SWC sewerage system mains located at the intersection of Magdalene Terrace and Brodie Sparks Drive, and diverted to a Flow Balance Tank (FBT) located within the development. Future buildings of the Discovery Point Development can be plumbed directly to the FBT, which will also be set up to be able to feed back into the SWC main for disposal of Waste Activated Sludge (WAS) or emergency purging of the FBT tank if required, as agreed with SWC.

Waste material extracted from the FBT is treated within the water recycling facility. This purpose designed treatment plant is able to produce high quality water suitable for a range of uses including irrigation, clothes washing, car washing and toilet flushing purposes. Similar facilities have been successfully installed at Darling Harbour, Mascot and the Pennant Hills Golf Course. The recycled water produced by WRF will ultimately be utilised within Discovery Point, with apartments plumbed with Recycled Water pipes to toilets and washing machines. In the initial stages, recycled water will also be piped under a separate agreement with Marrickville City Council (MCC) for use in MCC's public reserves along the foreshore of the Cooks River. This allows Marrickville City Council to maintain its open space system with recycled water and thereby meet its Sustainable Irrigation Strategy goals, rather than using potable water from SWC mains supply.

Pipe work required to serve Marrickville LGA public reserves will go under Discovery Point Park towards and across the Princes Highway road bridge, and then into Kendrick Park.

The operation of the facility will be undertaken by WFC on the following basis:

- The plant will operate 24 hours a day, 7 days per week.
- The product is recycled water, which is transported by pipe system back to customers.
- Any waste water screenings will be collected and disposed by way of a trade waste agreement with SWC;
- Water supply to Marrickville Council will be supplied via a connection point adjacent to the Cooks River Bridge.
- Storage of any recycled water within the Discovery Point Concept Plan site will be within individual buildings. Storage of any recycled water within Marrickville LGA will be with tanks installed by Council at the various reserves where irrigation is provided by recycled water.

Justification of the Proposed Activity

The purpose of the water recycling infrastructure is to provide a secure and sustainable source of non-potable water to development within the Discovery Point Concept Plan site, and potentially adjacent areas depending on supply and demand profiles. The Water Recycling proposal is a positive addition to the development because:

- It directly contributes to ecologically sustainable development through a better use of an existing resource;
- The facility is designed to service a new mixed used development comprising a considerable residential component approved by the Minister for Planning;
- The cost of the project is fully borne by the private sector;
- The development can be undertaken without an adverse impact on the environment;
- The infrastructure provision is in accordance with existing Government Policy; and
- No public noise or smells will result from the facility.

Evaluation of Alternatives

The alternative is for SWC to move untreated sewage to its existing treatment plants and ultimately discharged via ocean outfall. Discovery Point and Marrickville Council would also continue to rely on Sydney Water's reticulated potable water supply to maintain their open space systems.

In terms of a site location for the Water Recycling Factory, the proposed location in Building 1C is suitable because of its proximity to the SWC mains, deep basement for the tanks and equipment and is early in the construction sequence of Discovery Point development.

3.0 Preferred Project

In accordance with its commitment to address the key issues raised by the DoP, Discovery Point Pty Ltd have modified the Concept Plan as per the description and justification in Section 2.

The architectural drawings of the revised development have been prepared by Bates Smart and have been provided under separate cover, provided with lodgement of this PPR.

3.1 Description of Development Proposal

3.1.1 Concept Plan Approval

- A maximum of 132,000m² total GFA for the mixed use development (excluding car parking GFA, existing approved buildings and heritage buildings);
- A minimum of 9,000m² non-residential GFA;
- A maximum of 123,000m² residential GFA;
- A maximum of 8,000m² above ground car parking GFA (in addition to maximum GFA above);
- A residential unit mix across the site of:
 - Maximum 45% studios and one bedroom apartments;
 - Minimum 45% two bedroom apartments;
 - Minimum 10% three + bedroom apartments.
- Total parking numbers across Discovery Point (including existing developed stages) to be capped at 2,240 parking spaces.
- Parking rates to be utilised across the Concept Plan site in future applications for development of:
 - Maximum 1 space per studio and one bedroom unit;
 - Minimum 1 space and maximum of 2 spaces per two bedroom unit;
 - 2 spaces per three + bedroom units;
 - Minimum 1 visitor space per 20 residential units;
 - Minimum 1 space per 50m² of non-residential GFA (commercial); and
 - Minimum 1 space per 35m² of non-residential GFA (retail).
 - Minimum 1 bicycle space per 15 residential units;
 - Minimum 1 motorcycle space per 15 residential units;
 - Minimum 1 bicycle space/200m² non-residential GFA, with 15% accessible by visitors; and
 - Minimum 1 motorcycle space/20 non-residential car spaces.
- New plazas, common open space, Station Park, Waterfront Park and new Neighbourhood Park;
- Minimum residential apartment size of:
 - Minimum 40m² for studio dwellings
 - Minimum 50m² for one bedroom dwellings
 - Minimum 70m² for two bedroom/one bathroom dwellings
 - Minimum 80m² for two bedroom/two bathroom dwellings
 - Minimum 100m² for three bedroom (plus) dwellings

- A network of streets, open space areas and through-site links generally as shown on the Indicative Design Scheme Site Plan, to facilitate reintegration of the site into the wider urban context including upgrade of the access to the Wollli Creek station.
- Provision of an alternative sewer water treatment facility in the form of a water recycling facility.

3.1.2 Development Design Guidelines and Discovery Point-Wollli Creek Landscape Design Guidelines/Public Domain Plan

The Development Design Guidelines prepared by JBA Planning (December 2010) and Discovery Point-Wollli Creek Landscape Design Guidelines/Public Domain Plan prepared by Turf Design (December 2010) are submitted for approval.

The Statement of Commitments reference that future development applications on the site are to demonstrate consistency with the Development Design Guidelines and Discovery Point-Wollli Creek Landscape Design Guidelines/Public Domain Plan as adopted by the Minister for Planning with the Concept Plan approval. It is assumed that the DoP will also include a specific condition of consent in the Instrument of Approval requiring this.

3.1.3 Plans for Approval

The plans for approval are included in the Bates Smart volume of plans lodged with this PPR, provided under separate cover and include plans to approve:

- Building envelopes and building separation.
- Street design and widths.
- Car parking envelopes including the extent of above ground parking and basement parking.

Table 5 – Plan for Approval

| Drawing Number | Revision | Architect | Date |
|----------------|----------|-------------|------------|
| DA1-001 | A | Bates Smart | 16/06/2010 |
| DA1-002 | D | Bates Smart | 16/12/2010 |
| DA3-001 | C | Bates Smart | 14/12/2010 |
| DA3-B01 | D | Bates Smart | 14/12/2010 |
| DA3-002 | B | Bates Smart | 10/12/2010 |
| DA3-003 | B | Bates Smart | 10/12/2010 |
| DA3-004 | B | Bates Smart | 10/12/2010 |
| DA3-005 | B | Bates Smart | 10/12/2010 |
| DA3-006 | B | Bates Smart | 10/12/2010 |
| DA3-007 | B | Bates Smart | 10/12/2010 |
| DA3-008 | B | Bates Smart | 10/12/2010 |
| DA3-009 | A | Bates Smart | 16/06/2010 |
| DA3-010 | B | Bates Smart | 10/12/2010 |

| Drawing Number | Revision | Architect | Date |
|----------------|----------|-------------|------------|
| DA3-011 | B | Bates Smart | 10/12/2010 |
| DA3-012 | B | Bates Smart | 10/12/2010 |
| DA3-013 | B | Bates Smart | 10/12/2010 |
| DA3-014 | B | Bates Smart | 10/12/2010 |
| DA3-015 | A | Bates Smart | 16/06/2010 |
| DA3-016 | A | Bates Smart | 16/06/2010 |
| DA3-101 | C | Bates Smart | 14/12/2010 |
| DA3-200 | C | Bates Smart | 14/12/2010 |
| DA3-201 | B | Bates Smart | 10/12/2010 |

4.0 Final Statement of Commitments

In accordance with Part 3A of the EP&A Act, the following are the commitments made by Discovery Point Pty Ltd to manage and minimise potential impacts arising from the proposal. These commitments replace the draft commitments within the EAR.

Key changes from the initial draft Statement of Commitments are provided in **bold underline** below. The Statement of Commitments has been simplified to refer to compliance with relevant specialist reports submitted with the Concept Plan.

Table 6 – Final Statement of Commitments

| Subject | Commitments | Approved by Whom | Timing |
|--|---|---|---|
| Approved Project | Development on the site will be implemented generally in accordance with the Discovery <u>Point Concept Plan Design Report and Concept Plan Drawings for approval prepared by Bates Smart Architects dated August 2010, as updated by the Discovery Point Concept Plan drawings prepared by Bates Smart Architects and dated December 2010.</u> | Department of Planning | No timing. General Statement of Commitment |
| <u>Voluntary Planning Agreement</u> | <p>The proponent offers to enter into a <u>Voluntary Planning Agreement with Rockdale City Council or the Minister for Planning that contemplates:</u></p> <ul style="list-style-type: none"> ▪ <u>Developer contributions for Discovery Point to be in accordance with the following rates sourced from the Rockdale Council Section 94 Contributions Plan 2004.</u> <ul style="list-style-type: none"> – <u>Studios/1 bedroom dwellings - \$7,563.50</u> – <u>2 bedroom dwellings - \$12,032.80</u> – <u>3+ bedroom dwellings - \$14,782.90</u> – <u>Supermarkets - \$344.98/m² gross floor area</u> – <u>Bulky goods retail - \$172.49/m² gross floor area</u> – <u>Other retail - \$246.41/m² gross floor area</u> – <u>Offices and other commercial - \$259.18/m² gross floor</u> ▪ <u>The above rates specified in the VPA being indexed in accordance with the Consumer Price Index ("CPI") or to a maximum 3.0% p.a.</u> ▪ <u>The exclusion of Sections 94 and 94A to development contemplated in the Concept Plan (except for the first two project applications which will be subject to the applicable Section 94 Plan).</u> | <u>Rockdale Council or Minister for Planning</u> | <u>Prior to the determination of the third Project Application or Development Application for the Concept Plan site.</u> |

| Subject | Commitments | Approved by Whom | Timing |
|---|--|-----------------------------------|---|
| <u>Development Design Guidelines and Discovery Point-Wolli Creek Landscape Design Guidelines/Public Domain Plan</u> | <u>Future development applications on the site are to demonstrate consistency with the Development Design Guidelines prepared by JBA Planning dated December 2010 and Discovery Point-Wolli Creek Landscape Design Guidelines/Public Domain Plan prepared by Turf Design and dated December 2010, as adopted by the Minister for Planning with the Concept Plan approval.</u> | <u>Department of Planning</u> | <u>Approved prior to determination of the Concept Plan</u> |
| Approved Floor Space | <p>The total floor area of the development shall generally be in accordance with the approved Concept Plan and shall not exceed 132,000m². The development shall contain a minimum 9,000m² non-residential land uses and a maximum 123,000m² residential GFA.</p> <p>In addition to the 132,00m² GFA above, an area of above ground car parking will be provided equivalent to a maximum of <u>8,000m² GFA.</u></p> | Department of Planning | No timing. General Statement of Commitment |
| Development Staging Plan | <p>An updated Development Staging Plan will be submitted with each subsequent Project Application. The Staging Plan will address:</p> <ul style="list-style-type: none"> – Total GFA approved and outstanding balance. – Any minor revisions from the Concept Plan approval or previous staging plan. | The relevant consent authority | Addressed as part of the relevant Project Application or Development Application. |
| Apartment Mix | <p>The proponent will ensure that an overall apartment mix across the Discovery Point Concept Plan site consists of:</p> <ul style="list-style-type: none"> – <u>Maximum 45% studios and one bedroom apartments;</u> – <u>Minimum 45% two bedroom apartments;</u> – <u>Minimum 10% three + bedroom apartments.</u> <p>This mix applies to the overall Discovery Point Concept Plan site and therefore individual Project Applications are not required to comply with this requirement and should respond to individual building location and market conditions.</p> | Minister for Planning or delegate | No timing. General Statement Of Commitment |
| | <p>Should market conditions change, an updated demand analysis may be submitted with relevant applications for development outlining the take up of apartments to date and setting out the rationale for a revised unit mix on the site.</p> | The relevant consent authority. | Addressed as part of the relevant Project Application or Development Application. |

| Subject | Commitments | Approved by Whom | Timing |
|--|---|--------------------------------|---|
| | An updated schedule of apartment mix provided to date will be provided with each subsequent Project Application/Development Applications | The relevant consent authority | Addressed as part of the relevant Project Application or Development Application. |
| Apartment Sizes | <p>The proponent will comply with the following minimum apartment sizes:</p> <ul style="list-style-type: none"> – <u>Minimum 40m² for studio dwellings</u> – <u>Minimum 50m² for one bedroom dwellings</u> – <u>Minimum 70m² for two bedroom/one bathroom dwellings</u> – <u>Minimum 80m² for two bedroom/two bathroom dwellings</u> – <u>Minimum 100m² for three bedroom (plus) dwellings</u> <p>Minor variations to the set of apartment sizes will be considered where a better outcome can be demonstrated in relation to apartment efficiency, functionality, amenity and outlook.</p> | Department of Planning | No timing. General Statement Of Commitment |
| Public/Retail/Commercial Parking Charges | <p>The maximum charges for parking within the public/retail/ commercial car park between 6am and 6pm are to be as follows:</p> <ul style="list-style-type: none"> – Less than 3 hours Free – More than 3 hours Market rates. | Department of Planning | No timing. General Statement Of Commitment |
| Parking Rates | <p>Parking rates to be utilised across the development in subsequent Project Applications/Development Applications are:</p> <ul style="list-style-type: none"> – Maximum 1 space per studio and one bedroom units; – Minimum 1 space and maximum of 2 spaces per two bedroom units; – 2 spaces per three + bedroom units; – Minimum 1 visitor space per 20 residential units; – Minimum 1 space per 50m² of non-residential GFA (commercial); – Minimum 1 space per 35m² of non-residential GFA (retail). – <u>Minimum 1 bicycle space per 15 residential units;</u> – <u>Minimum 1 motorcycle space per 15 residential units;</u> – <u>Minimum 1 bicycle space/200m² non-residential GFA, with 15% accessible by visitors;</u> – <u>Minimum 1 motorcycle space/20 non-residential car spaces.</u> | Department of Planning | No timing. General Statement Of Commitment |

| Subject | Commitments | Approved by Whom | Timing |
|------------------------------|--|---|---|
| | <p><u>The total number of car parking spaces to be provided on the Discovery Point site is to be capped at 2,240 car spaces (including existing developed spaces).</u></p> | Department of Planning | No timing. |
| | <p><u>An updated schedule of parking spaces provided is to be submitted with each subsequent Project/Development application.</u></p> | <u>The relevant consent authority at the relevant stage</u> | <u>With the relevant Project Application or Development Application</u> |
| Road Access and Traffic | <p>The following road access and traffic recommendations will be implemented:</p> <ul style="list-style-type: none"> – The cost of all street works within the Discovery Point site, including the provision of roads, footpaths, services, traffic management, traffic and parking signage, landscaping, lighting and street furniture within the development and where it connects to adjacent roads shall be provided by the developer at no cost to Council or the Roads and Traffic Authority. – Emergency vehicle access will be designed in accordance with the New South Wales Fire Brigades Code of Practice. – The detailed design of access points will comply with the design criteria of AS2890.1 and 2890.2. | Department of Planning | No timing. General Statement Of Commitment |
| <u>Railcorp Requirements</u> | <p><u>The conditions of the existing Rail Development Agreement will be amended to apply to the Concept Plan in accordance with the advice letter prepare by Minter Ellison dated 6 December 2010.</u></p> <p><u>Any reasonable changes to the existing Railcorp easements that are required will be detailed and approved in subsequent project/development applications.</u></p> <p><u>Technical details regarding the protection of the substation and cables on the site will be provided in relevant project/development applications prior to any construction commencing.</u></p> <p><u>Any impacts to existing utilities and services identified at the detailed design stages will be addressed in subsequent project/development applications.</u></p> <p><u>Any necessary measures to protect electricity transmission and distribution networks will be detailed in subsequent project/development applications.</u></p> | <u>Railcorp</u> | <u>With the relevant Project Application or Development Application</u> |

| Subject | Commitments | Approved by Whom | Timing |
|-----------------------------|--|--|--|
| | <p><u>Window openings for Buildings 6 and 13 will be restricted to a maximum of 120mm consistent with the BCA.</u></p> <p><u>Revised Geotechnical and Structural reports will be prepared during the detailed Project Application stage to address the impact of the final designs on the rail corridor.</u></p> <p><u>Any required easements or rights-of-way for the Station Access will be determined in consultation with Railcorp during the Project/Development Application stage.</u></p> | | |
| Flooding and Sea Level Rise | <p>In accordance with the Flooding Assessment Report (June 2010), the following will be implemented:</p> <ul style="list-style-type: none"> – a 2.5 metre freeboard will be incorporated into the design of each building to ensure floor levels are above PMF levels and climate change flood levels. | Department of Planning | No timing. General Statement of Commitment |
| European Heritage | <u>Future applications will address the recommendations of the Statement of European Heritage Impacts prepared by Tanner Architects and dated June 2010.</u> | <u>The consent authority at the relevant stage</u> | <u>Addressed with the relevant Project Application or Development Application.</u> |
| Non-Indigenous Archaeology | <u>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.</u> | <u>The consent authority at the relevant stage</u> | <u>Addressed with the relevant Project Application or Development Application.</u> |
| Indigenous Heritage | <u>Future applications will address the recommendations of the Aboriginal Heritage Statement of Impacts prepared by Jo McDonald Cultural Heritage Management and dated June 2010.</u> | <u>The consent authority at the relevant stage</u> | <u>Addressed with the relevant Project Application or Development Application.</u> |
| Soil and Water Management | <u>Future applications will address the recommendations of the Soil and Water Management Plan prepared by Smart Civil and dated July 2010.</u> | <u>The consent authority at the relevant stage</u> | <u>Addressed as part of the relevant Project Application or Development Application.</u> |
| Contamination | <u>Future applications will address the recommendations of the Contamination Report prepared by Coffey Environments and dated June 2010.</u> | <u>The consent authority at the relevant stage</u> | <u>Addressed as part of the relevant Project Application or Development Application.</u> |

| Subject | Commitments | Approved by Whom | Timing |
|---|--|---|---|
| Landscaping | <p><u>A Landscape Plan will be prepared and submitted with proposals containing landscape and public domain works.</u></p> <p><u>Future DA/PAs on the site are to comply with the Discovery Point-Wollie Creek Landscape Design Guidelines/Public Domain Plan prepared by Turf Design, dated December 2010.</u></p> <p><u>The landscaping is to be designed so that the view corridor between Tempe House and Cooks River is maintained.</u></p> | <u>The consent authority at the relevant stage</u> | <u>Addressed as part of the relevant Project Application or Development Application.</u> |
| Acoustic, Noise and Vibration | <u>Future applications will address the recommendations of the Acoustic and Vibration Assessment prepared by Heggies and dated June 2010.</u> | <u>The consent authority at the relevant stage</u> | <u>Addressed as part of the relevant Project Application or Development Application.</u> |
| Wind | <u>Future applications will address the recommendations of the Wind Tunnel Study prepared by Heggies and dated July 2010.</u> | <u>The consent authority at the relevant stage</u> | <u>Addressed as part of the relevant Project Application or Development Application.</u> |
| Environmentally Sustainable Development | <u>Future applications will address the recommendations of the Environmentally Sustainable Development Report prepared by Cundell Design Consultants and dated June 2010.</u> | <u>The relevant consent authority at the relevant stage</u> | <u>Addressed as part of the relevant Project Application or Development Application.</u> |
| Infrastructure and Services | Future development on the site will include upgrades to energy, water, sewer and telecommunications infrastructure in accordance with service provider authority requirements. | The relevant consent authority at the relevant stage | Addressed as part of the relevant Project Application or Development Application. |
| Crime Prevention through Environmental Design (CPTED) | A Safety Management Strategy will be prepared and provide guidelines for the application of CPTED principles and Safer by Design best practice models. | The relevant consent authority at the relevant stage | Addressed as part of the relevant Project Application or Development Application. |
| Public Art | A public art strategy for the whole site will be prepared. | <u>Department of Planning</u> | The strategy will be submitted <u>prior to the determination of the first Project Application</u> |

| Subject | Commitments | Approved by Whom | Timing |
|---------------|---|--|---|
| Accessibility | <p><u>The detailed project application stage for each building will address:</u></p> <ul style="list-style-type: none"> – <u>1 adaptable unit car bay for each adaptable unit;</u> – <u>an accessible toilet with every bank of male and female toilets in retail and commercial area. The accessible toilet to have internal dimensions in accordance with AS1428.1:2008; and</u> – <u>retail accessible car bays will be 2% of total retail car bays and commercial accessible car bays will be 1% of total commercial car bays.</u> <p><u>2% adaptable units will be provided across the Discovery Point Concept Plan site upon completion of development.</u></p> | The relevant consent authority at the relevant stage | Addressed as part of the relevant Project Application or Development Application. |
| Waste | Allowance will be made for the future collection of waste by waste contractors in accordance with all relevant regulatory requirements. | Council | During construction of each stage. |
| Structural | <p>Temporary and permanent retention systems for basement excavations will be required at locations indicated within diagrams within the PRD Structural Report (June 2010). These retention systems will be designed in accordance with <i>'Development Near Rail Corridors and Busy Roads – Interim Guidelines'</i>.</p> <p>Details of derailment protection measures, track monitoring requirements and a Rail Safety Plan will be submitted to Railcorp prior to the issue of a construction certificate.</p> | The relevant consent authority at the relevant stage | Addressed as part of the relevant Project Application or Development Application. |
| Electrolysis | Compliance with the measures recommended within the Electrolysis Analysis prepared by Cathodic Protection Services dated May 2010. | The relevant consent authority at the relevant stage | Addressed as part of the relevant Project Application or Development Application. |
| Groundwater | The impacts of the groundwater rise as a result of the one in one hundred year flood event are to be taken into account in the detailed design of the basement slabs and walls. | The relevant consent authority at the relevant stage | Addressed as part of each Project Applications |
| | The monitoring of groundwater levels during construction are also recommended to check design parameters. | The relevant consent authority at the relevant stage | During construction |

| Subject | Commitments | Approved by Whom | Timing |
|---|--|--|---|
| Excavation near rail corridors | A geotechnical professional will be commissioned to review basement and service trench shoring or excavation design and observe excavations within 25 metres of the rail corridor. | The relevant consent authority at the relevant stage | Addressed as part of the relevant Project Application or Development Application. |
| Construction, Waste and Traffic Impacts | <p>The following Management Plans will be prepared and approved prior to works commencing for each stage:</p> <ul style="list-style-type: none"> – Construction Management Plan – Construction Traffic Management Plan – Erosion and Sediment Control Plan – Waste Management Plan – Dust Control Plan. | Relevant Certifier Authority | Prior to issue of relevant CC's for each stage |

5.0 Conclusion

Discovery Point Pty Ltd has considered the key issues raised by the DoP, Council, State agencies and the public during the public exhibition process and have revised the exhibited Concept Plan to address these concerns. The result of this process is this Preferred Project Report (PPR), which presents the most appropriate and best planning outcome in terms of environmental impacts, public benefits, and achieving strategic planning objectives for the site.

This Report in conjunction with the EAR has demonstrated that the Concept Plan will have minimal adverse environmental effects. As acknowledged in the Rockdale Council submission *the proposed general layout of the buildings, streets and public spaces in the Discovery Point Concept Plan will deliver a far superior urban design and public domain outcome than the approved Masterplan* (p1, Rockdale City Council, 6 October 2010).

This Preferred Project Report provides further refinement and improvement to the exhibited Concept Plan, including:

- Reduction of some 6,000m² of above ground parking;
- Reduced overall parking in the form of a cap on parking spaces across the Discovery Point site (2,240 spaces including existing built spaces);
- Increased retail activation along pedestrian routes adjoining the supermarket building and through the provision of ground floor retail in Building 14 closest to Wolli Creek Station;
- Reduction in height of the Building 4 envelope to ensure improved solar access to the new Neighbourhood Park.
- Increased building separation for a number of buildings within the site.
- Reduction in the podium heights of buildings fronting and visible from the Cooks River.
- Provision of developer contributions towards the provision of local infrastructure and services, to be developed in the office of a Voluntary Planning Agreement (VPA) with Rockdale City Council.

The Concept Plan is consistent with Metropolitan and Sub-Regional planning objectives for Wolli Creek, particularly to provide a 'village' location with locally supporting retail and commercial activities.

The proposal will result in positive economic, environmental and public benefit in the form of:

- a greater quantum and quality of open space when compared to the existing Master Plan. The quality and amenity of the public domain will be enhanced by the new Neighbourhood Park, new Waterfront Park, new Station Park. Pedestrian and through-site links are greater in size and are more functional than the approved Master Plan, due to the variety of spaces proposed.
- a public domain that will be accessible to the surrounding Wolli Creek community and the Concept Plan will indeed enhance the current public access provided to the station and Discovery Point Park.
- a high quality urban environment with improved building form. Apartments will provide significant amenity, outlook, views and have access to significant open spaces, transport, local services and the Cook River.
- Continuation of an appropriate heritage response to the site including a built form response that provides the heritage arc around Discovery Point Park and respects Tempe House and St Magdalen's Chapel.
- Provision of significant accessible transport opportunities including improved public access to the Cooks River foreshore for both pedestrians and cyclists.

Given the environmental planning merits described above, and significant public benefits proposed, it is requested that the Minister approve the Concept Plan under section 75O of the EP&A Act.