

Director General's Requirements

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

Application number	MP 09_0197 & MP09_0220
Project	Concept Plan (MP09_0197) and Stage 1 Project Application (MP09_0220) for a mixed use development inclusive of commercial, retail and residential uses.
Location	Parker Street and Barber Avenue, Kingswood
Proponent	Cityscape Planning + Projects on behalf of Aesthete No.3 Pty Ltd
Date issued	1 March 2010
Expiry date	If the environmental assessment is not exhibited within 2 years after this date, the applicant must consult further with the Director-General in relation to the preparation of the environmental assessment.
Key issues	<p>The Environmental Assessment (EA) must address the following key issues:</p> <ol style="list-style-type: none"> 1. Relevant EPI's policies and Guidelines to be Addressed Planning provisions applying to the site, including permissibility and the provisions of all plans and policies including: <ul style="list-style-type: none"> • Objects of the EP&A Act; • State Environmental Planning Policy (Major Development) 2005; • State Environmental Planning Policy No.55 – Remediation of Land; • State Environmental Planning Policy (Infrastructure) 2007; • State Environmental Planning Policy No 65—Design Quality of Residential Flat Development; • Sydney Metropolitan Strategy 'City of Cities'; • Draft North West Subregional Strategy; • NSW State Plan; • Penrith Local Environmental Plan 1998 (Urban Land); • Penrith Development Control Plan 2006 and other relevant DCP's; and • Nature and extent of any non-compliance with relevant environmental planning instruments, plans and guidelines and justification for any non-compliance. 2. Land Use and Staging <ul style="list-style-type: none"> • Identify proposed staging and timing for the delivery of the development and land uses and activities to be contained in each stage; • Table listing different land uses, the floor space area, the floor space ratio, the total gross floor area and site coverage as relevant to each stage and with reference to the overall concept plan; and • Detailed justification of the suitability of the site for the proposed building heights and associated impacts. 3. Built Form <ul style="list-style-type: none"> • Demonstrate how the proposed development will achieve design excellence including: <ul style="list-style-type: none"> ➢ Achieving a high standard of architectural design, materials and detailing appropriate to each building and its location; ➢ Justification of non-compliance with built form controls and detailed analysis of the suitability of the site to accommodate the development; ➢ The sustainable design principles incorporated into the development in terms of sunlight, natural ventilation, wind, reflectivity, visual and acoustic privacy, safety and

- security and resources, water and energy efficiency;
- The design process leading to the proposal;
- Detailed plans, elevations and sections;
- Photomontages and perspectives of key elements and views of the development from close-up and distant vantage points including, but not limited to, from the intersection of Great Western Highway and Parker Street, Parker Street and Barber Avenue;
- A materials/finishes sample board and detailed elevations confirming the application of materials and finishes for the Stage 1 development;
- Shadow diagrams; and
- Demonstration of how the Stage 1 development, including the land uses, height, bulk, scale and design is consistent with the development controls proposed for the Concept Plan.

4. Social and Economic

The EA shall address the social and economic impacts of the proposal and include an assessment of the appropriateness of the amount of retail and commercial GFA proposed for the site, including an assessment of the relationship to, and impacts on, the hierarchy of centres in the Draft North West Subregional Strategy.

5. Public Domain

The EA shall provide details on the interface between the proposed uses and public domain, and the relationship to, and impact upon, the existing public domain, and address the provision of linkages with and between other public domain spaces.

6. Transport and Accessibility (Construction and Operational)

- The EA shall provide a Traffic Management and Accessibility Plan (TMAP), considering traffic generation (including cumulative impact of future planned development in Penrith), any required road / intersection upgrades, vehicular access options (including for adjoining sites), loading dock(s), accessibility to public transport, measures to promote public transport usage and pedestrian and bicycle linkages, and address any public transport needs (and potential impacts for pedestrians and cyclists during the construction phase of the project);
- Daily and peak traffic movements likely to be generated by the proposed development, including the impact on nearby intersections and the need for funding of or upgrading road improvement works;
- The EA must justify proposed on-site car parking having regard to local planning controls and RTA guidelines whilst also demonstrating a minimalist approach to car parking based on the site's close proximity to public transport; and
- The EA must demonstrate the provision of adequate bicycle storage on-site.

7. Flora and Fauna

- Impacts on the proposal on any ecological communities and threatened species and proposed measures to mitigate impacts.

8. Noise and Vibration

- Assessment of noise impacts, in particular during the construction and operation of the development and appropriate mitigation measures.
- An acoustic assessment of rail related noise and vibration and how the development will comply with '*Development near Rail Corridors and Busy Roads-Interim Guidelines*'

9. Heritage

Impacts on the proposal on any Aboriginal or European heritage or archaeological items and measures to conserve these items and mitigate potential impacts.

	<p>10. Contamination Demonstrate compliance with the requirements of SEPP 55, including as a minimum providing a Phase 1 Environmental Site Assessment.</p> <p>11. Utilities and Infrastructure Utility and infrastructure servicing, demonstrating the development can be adequately serviced for water supply, wastewater, stormwater, electricity, gas and communications.</p> <p>12. Contributions The EA shall address Council's Section 94 Contribution Plan and/or details of any Voluntary Planning Agreement.</p> <p>13. Ecologically Sustainable Development (ESD) The EA shall detail how the development will incorporate ESD principles in the design, construction and ongoing operation phases of the development.</p> <p>14. Drainage The EA shall address drainage/flooding issues associated with the development/site, including: stormwater, drainage infrastructure and incorporation of Water Sensitive Urban Design measures.</p> <p>15. Consultation Undertake an appropriate and justified level of consultation in accordance with the Department's <i>Major Project Community Consultation Guidelines October 2007</i>.</p>
Deemed refusal period	60

Plans and Documents to accompany the Application

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

	<p>5. Other plans:</p> <ul style="list-style-type: none"> • Stormwater Concept Plan - illustrating the concept for stormwater management; • Erosion and Sediment Control Plan – plan or drawing that shows the nature and location of all erosion and sedimentation control measures to be utilised on the site; • Geotechnical Report – prepared by a recognised professional which assesses the risk of Geotechnical failure on the site and identifies design solutions and works to be carried out to ensure the stability of the land and structures and safety of persons; • BCA and Access Report – Demonstrating compliance with the BCA and the Disability Discrimination Act 1992 and Australian Standard AS 1428. • View Analysis - Visual aids such as a photomontage must be used to demonstrate visual impacts of the proposed building envelopes in particular having regard to the siting, bulk and scale relationships from key areas; • Landscape plan - illustrating treatment of open space areas on the site, screen planting along common boundaries and tree protection measures both on and off the site; and • Shadow diagrams showing solar access to the site and adjacent properties at summer solstice (Dec 21), winter solstice (June 21) and the equinox (March 21 and September 21) at 9.00 am, 12.00 midday and 3.00 pm.
Documents to be submitted	<ul style="list-style-type: none"> • 1 copy of the EA, plans and documentation for the Test of Adequacy; • 12 hard copies of the EA (once the EA has been determined adequate); • 12 sets of architectural and landscape plans to scale, including one (1) set at A3 size (to scale); and • 1 copy of the Environmental Assessment and plans on CD-ROM (PDF format), not exceeding 5Mb in size.