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|---|--|
| <ul style="list-style-type: none"> <li>• <b>heritage and conservation -</b></li> </ul>                | <p><b>comment:</b> <i>not relevant here, for reasons discussed above and as supported in the NBRSP+P heritage study.</i></p>   |
| <ul style="list-style-type: none"> <li>• <b>visual and acoustic privacy -</b></li> </ul>              | <p><b>comment:</b> <i>these two considerations have been given significant and detailed attention during design development and documentation, having close regard for the DG's Requirements and for SEPP65 principles and rules-of-thumb. Project performance is of a high standard. See relevant reports prepared by SLR Consulting and Richard Lamb &amp; Associates.</i></p> |
| <ul style="list-style-type: none"> <li>• <b>private open space -</b></li> </ul>                       | <p><b>comment:</b> <i>residential private open space is proposed by way of rooftop gardens and generous terraces and balconies, comfortably satisfying SEPP65 requirements, and supplemented by generous provision of public open space across the site as well, both soft and hard landscaped.</i></p>  |
| <ul style="list-style-type: none"> <li>• <b>energy efficiency and water conservation -</b></li> </ul> | <p><b>comment:</b> <i>high standards will be achieved as documented in the ESD report accompanying this EA (Annexure 14), standards of solar access and natural ventilation will be high, and roof waters will be retained for a variety of on-site re-use.</i></p>  |
| <ul style="list-style-type: none"> <li>• <b>stormwater, sewerage and drainage -</b></li> </ul>        | <p><b>comment:</b> <i>all these aspects have been taken into account, both existing and future, as documented in the EA documentation prepared by SLR Consulting (Annexures 12 and 18).</i></p>  |
| <ul style="list-style-type: none"> <li>• <b>accessibility -</b></li> </ul>                            | <p><b>comment:</b> <i>being a largely new, wholly integrated development on an essentially level site, the design satisfies current accessibility requirements to residences and other facilities – detail will be provided at the time of implementable DA.</i></p>   |
| <ul style="list-style-type: none"> <li>• <b>access and car parking -</b></li> </ul>                   | <p><b>comment:</b> <i>site access has been carefully considered with the new intersection design (discussed with the RTA); carparking provision has been set at levels to be adequate but not generous, having regard for</i></p>  |
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*maximising use of the good public transport available – see CBHK Traffic report at Annexure 6.*

- **site facilities and services -** **comment:** *all such inclusions have been properly and carefully integrated into the design.*
- **Section 94 Contributions -** **comment:** *deferring to Council's Section 94 Plans, discussed below at section #4.3.*
- **Excavation of Sites -** **comment:** *geotechnical studies have already been undertaken at the broad level, while more precise definition of necessary specific site works will be defined by geotechnical and structural engineers at the time that DA's are lodged for physically implementable Consents. The Metro tunnel however has already been taken into account in the siting of buildings and depths of excavation as part of this Concept Plan in order to avoid issues in that regard, even though the NSW Government has announced that project's shelving.*

The controls contained in the DCP20 Built Form Masterplan (see Attachment G) provide for development on the subject land of between 4 and 6 storeys in height with associated building footprint and built form guidelines, but sited in the DCP Masterplan without regard for existing cadastre or ownership patterns. The Mayoh Architects' 3-D illustrations at the preceding Figures show the uninspiring built form effect and sub-optimal results of those DCP height controls in their context.

### 4.3 Development Contributions Plans

Council's 'Direct Development Contributions Plan 2010-2030' is the relevant document for discussion under Issue #15 of the DGR's (found at Attachment B), and is assumed for current planning purposes to have been validly made. Columbia Precinct is understood to fall within Precinct 3C of that Plan, attracting the following potentially relevant contribution rates for additional development, (based on June Quarter 2010 money values and adjustable for subsequent CPI movement):-



□	<u>Units: Studios + 1 BR</u>	\$10647/unit
□	2 BR	\$14216/unit
□	3 BR	\$17655/unit
□	<u>Industrial</u>	\$262/m <sup>2</sup>
□	<u>Retail</u>	\$90/m <sup>2</sup>
□	<u>Commercial</u>	\$165/m <sup>2</sup>
□	<u>Tourism accommodation</u>	\$936/room

Based on the indicative development composition shown at section 3.14 of this report and categorising self-storage as commercial use and showrooms as retail, the proposed Columbia Precinct development would attract total S.94 Contributions of \$11.9m<sup>(3)</sup>. Subtracting the credit due the 32,664m<sup>2</sup> existing commercial space (floorspace from architect), the balance payable would be some \$6.5 million, (which includes the value of contributions-in-lieu to be subtracted from that \$6.5m, such as dedication of 6(d) open space reserve and its embellishment.) Those further credits will require closer calculation and agreement in due course. *[Note that we have adopted the conservative assumption that none of the existing floorspace constitutes industrial space for the purposes of s.94 calculation. Given the higher s.94 rating of industrial space, this study assumption results in higher contribution payable, as does the use of the residential units' rate for any serviced apartments that might be included in the project instead.]*

**Staging** of development will introduce the need to stage the payments of contribution accordingly. The current expectation as to staging was discussed in Chapter Three of this report, showing the likely unit numbers and other floorspace increase over time. If as anticipated, the staging were to proceed as indicated in Section 3.14 and having regard to off-sets provided, then the progressive Section 94's payments (subject to further credits for land or works in-kind noted above) would be along the following lines (see Table over for detailed calculations):-

Stage One	-	\$1.34m	
Stage Two	-	\$1.43m	
Stage Three	-	<u>\$3.72m</u>	<u>Total \$6.49m</u>

These dollars are at current values and will need to be adjusted for subsequent CPI movement and for the value and timing of land and works contributions-in-lieu.

<sup>(3)</sup> comprised of residential \$8.6m, commercial \$2.9m and retail \$0.43m, with none attributable to the community space proposed

Table: Section 94 Contributions by Project Stage <sup>(1)</sup>									
Type of space	s.94 rate	Stage One		Stage Two		Stage Three		Total Site	
		no. units	\$	no. units	\$	no. units	\$	no. units	\$
Studio/I Br	\$10647	99	1,054,053	50	532,350	100	1,064,700	249	2,651,103
2/Br	\$14216	104	1,478,464	64	909,824	134	1,904,944	302	4,293,232
3/Br	\$17655	38	670,890	16	282,480	40	706,200	94	1,659,570
Commercial <sup>(2)</sup>	\$165/m <sup>2</sup>	-13692m <sup>2</sup>	-2,259,180	-1982m <sup>2</sup>	-327,030	250m <sup>2</sup>	41,250	-15424m <sup>2</sup>	-2,544,960
Retail/Showroom	\$90/m <sup>2</sup>	4400m <sup>2</sup>	396,000	400m <sup>2</sup>	36,000	-	-	4800m <sup>2</sup>	432,000
<b>Total</b>		<b>\$1.34m</b>		<b>\$1.43m</b>		<b>\$3.72m</b>		<b>\$6.49m</b>	

Notes: <sup>(1)</sup> See discussion of anticipated staging at section #3.14 of this Report

<sup>(2)</sup> 'Commercial' includes non-retail offices and self-storage space

#### 4.4 Other Relevant Plans and Controls

Relevant provisions are found in other Plans as follows:-

- **State Environmental Planning Policy (Major Development) 2005**, whereby the proposed redevelopment is considered to be a purpose listed in Group 5 of Schedule 1 of that Instrument (hence this Environmental Assessment Report addressing the Director-General's Environmental Assessment Requirements as a Major Project under Part 3A of the Act and the Major Projects SEPP). See CIV in Annexure 3 to this Report, confirming a construction value well in excess of \$100 million; (*Note: Part 3A has now been repealed by the new State government, but existing declared projects such as Columbia Precinct are preserved*).
- **State Environmental Planning Policy (Infrastructure) 2007** requiring consultation with the RTA through the SRDAC, and RTA approval to the works and signals within Parramatta Road. In addition, Clause 88 of Division 15 of this SEPP deals with the Sydney Metro rail project whose tunnel alignment passes beneath part of the Columbia Precinct site. Although the previous State Government has abandoned this project, the statutory procedures for dealing with development in the vicinity of the Corridor remain in place, and the Sydney Metro Development Guidelines were still being applied at the time of writing. These have been taken into account in the siting and depth of the basement carparking in the affected area, and will be the subject of more detailed engineering design before commencement.



- **State Environmental Planning Policy No.65 (Residential Flat Buildings)** requires design certification of the residential buildings and close consideration of the SEPP65 Design Code (which has been a central component of the design development process to date); See Mayoh Architects' SEPP65 Report (Annexure 5), demonstrating very good performance of the design.
- **State Environmental Planning Policy No.55 (Remediation of Land)** requires the Consent authority to be satisfied that any site contamination can be appropriately remediated for the land's intended purpose. WSP Report at Annexure 11.
- **State Environmental Planning Policy No.64 (Advertising and Signage)**, which would ordinarily be addressed later when the nature of proposed signage (whether advertising or identification signage) is better known; For example, Kennards Self-Storage will no doubt need new signage to alert eastbound clients of the new George Street access to the storage facility.
- **Section 91** of the State Environmental Planning and Assessment Act would make the development 'Integrated' if it involves works near a 'watercourse' (assuming that the concrete stormwater canal constitutes a watercourse), and therefore it would require an Activity Approval from the Office of Water. It is thought however that the Part 3A provisions may obviate the need for such an approval here, and in any event the Office of Water has indicated to the Department in writing that it has no interest in any riparian works along the stormwater canal. Nevertheless such plantings are provided by the proposal;
- **Section 117 Direction 3.1** applies to any zone in which significant residential development is permitted or proposed. This Direction requires that the following principles are to be followed:-
  - a) that the choice of building types and locations available in the housing market are broadened;
  - b) that more efficient use is made of existing infrastructure and services;

- c) that the consumption of land for housing on the urban fringe is reduced;
- d) that the housing is of good design;
- e) that residential development does not precede satisfactory servicing;
- f) that permissible residential density is not reduced;

It is considered that the Columbia Precinct proposal is consistent with all these criteria.

- **State Environmental Planning Policy (BASIX) 2004** and the accompanying Regulatory amendment implements the Building Sustainability Index across the State by overriding competing local provisions or policies in relation to a range of environmental and energy efficiency commitments for residential development to do with water usage and energy consumption.

#### 4.5 Draft Strathfield LEP 2003 (2008)

Originally prepared and exhibited some years ago and more recently renamed to 'LEP 2008', this draft LEP is still considered to have statutory effect as an exhibited Plan pursuant to S.79C(1)(a)(ii) of the Environmental Planning and Assessment Act. The land continues to be shown as Mixed Use (10) zone under that draft Instrument, though still without any development standards, and would not preclude the proposed development. It is understood that Strathfield Council is in the process of preparing a draft LEP in accordance with the Standard Instrument Order that will supersede the draft LEP 2008. Although this later document is still at pre-exhibition stage and therefore not yet publicly available, it is understood to maintain the Mixed-Use zoning and adopt a Floor Space Ratio of the order of 3 to one, similar to what is now proposed.

#### 4.6 Strategic Metropolitan Planning Considerations

The two relevant documents here are the Metropolitan Strategy (2005) and the Inner-West Sub-Regional Strategy (2008). These provide a range of relevant policies and directions, as discussed below:-



- The primary direction of both those State Government documents is that Parramatta Road is to be actively promoted as an Enterprise Corridor, with component elements of Renewal Corridors which are presently run down and/or have significant underutilised infrastructure, and Economic Corridors, clearly recognising the significant opportunities presented by such corridors.
- Specifically, Parramatta Road is to be revitalised “...as an Enterprise Corridor which can support a diverse range of economic activities from boutique shops, local industrial services, commercial premises, transport and manufacturing facilities, as well as some residential in appropriately situated locations.” (B6.1).
- Related planning objectives include:-
  - to increase densities “in centres” whilst improving liveability; (**satisfied** – see #5.2);
  - to concentrate activities near public transport; (**satisfied**);
  - to focus redevelopment in renewal corridors to maximise infrastructure utilisation; (**satisfied**);
  - to establish stronger corridors planning and development initiatives; (**satisfied**);
  - to investigate/implement new public transport initiatives (notably the Parramatta-Burwood Strategic Bus Corridor) and private travel demand management; (**satisfied**);
  - to provide an integrated network of open space, cycleways and pedestrian routes; (**satisfied**);
  - to maintain corridors as employment locations at the same time utilising their potential for additional housing; (**satisfied**);
  - to promote businesses along main roads and to encourage a mix of compatible uses; (**satisfied**);
  - to enable a mix of employment (including business, offices, retail and light industrial uses); (**satisfied**); and
  - to maintain the economic strength of centres by limiting retailing of food and clothing outside centres. (**satisfied**);

- It is also relevant to note that the Metro Strategy references the Metropolitan Development Program (MDP) favouring new housing development under the Residential Development Strategy either within 800 metres of a rail station or 400 metres of high frequency bus services, both criteria satisfied by the subject land.

#### 4.7 Other EPI's, Policies and Guidelines

Appendix A to the Director-General's Requirements found at Attachment B to this report lists a number of other Environmental Planning Instruments, policies and guidelines to be considered and addressed in this Part 3A documentation. Discussion of each follows, in the order listed in the DGR's:-

##### 4.7.1 The Objects of the Act found in Section 5 of the Act and brief comments follow:-

*"(i) To encourage the proper management, development and conservation of natural and artificial resources, including agricultural land, natural areas, forests, minerals, water, cities, towns and villages for the purpose of promoting the social and economic welfare of the community and a better environment"* [This Object is considered met];

*"(ii) To encourage the promotion and co-ordination of the orderly and economic use and development of land"* [central to the proposal];

*"(iii) To encourage the protection, provision and co-ordination of communication and utility services"* [addressed in the EA studies];

*"(iv) To encourage the provision of land for public purposes"* [an important consideration of the design];

*"(v) To encourage the provision and co-ordination of community services and facilities,"* [incorporated by the proposal];



*“(vi) To encourage the protection of the environment, including the protection and conservation of native animals and plants, including threatened species, populations and ecological communities, and their habitats,” [not an issue here];*

*“(vii) To encourage ecologically sustainable development,”[addressed in the EA studies];*

*“(viii) To encourage the provision and maintenance of affordable housing,”[a by-product of the proposed development];*

*“(b) To promote the sharing of the responsibility for environmental planning between the different levels of government in the State,” [as a Part 3A major project];*

*“(c) To provide increased opportunity for public involvement and participation in environmental planning and assessment” [addressed by Columbia Precinct web-site, with further opportunity during exhibition period];*

**4.7.2 SEPP65 Code** – see discussion at #4.4

**4.7.3 SEPP BASIX** – see discussion at #4.4

**4.7.4 SEPP55 Remediation** – see discussion at #4.4

**4.7.5 SEPP Infrastructure** – see discussion at #4.4

**4.7.6 Draft SEPP (Competition) 2010** – The purpose of this draft Policy is to facilitate free market competition by the removal of unnecessary planning restrictions on retail and commercial establishments, and thereby promote economic growth. The SEPP does this primarily by limiting the extent to which the possible impact on the commercial viability of existing enterprises may be taken into account as a valid planning consideration in the assessment of a new enterprise. However these provisions would have little part to play with the Columbia Precinct development, as there will be no enterprise that will draw trade from a wide catchment in any event.

**4.7.7 Sydney Metro Strategy** (discussed at #4.6 above)**4.7.8 Draft Inner West Sub-Metro Strategy** (discussed at #4.6 above)

**4.7.9 Interim Guidelines for Development near Railway and Roads** – These provisions relate to possible noise and air quality issues that may arise on sites in the vicinity of rail and busy roads. Recommended design inclusions cover enclosable balconies, using building podiums as acoustic shields, locating sensitive receptor rooms away from noise sources, using high performance windows and doors, and locating air conditioning intakes away from the road side of the building. [Commentary – All these measures and more have been taken into account in the design, and will be further developed at the DA stage following the Concept Plan Approval presently sought. The annexure I6 Report also addresses.]

**4.8 Commentary on Employment Land Issue**

The Department has requested in its Test of Adequacy response (letter of 4 October 2011) that additional information be provided regarding the issue of the land's employment potential. This issue is now addressed in the revised Leyshon report and in the covering CBHK letter dated 24 October.

To summarise, the Columbia Precinct lands are already a Mixed Use zone and have been for some time, despite which the site is currently utilised for what best can be described as low-grade industrial purposes. The subject proposal for the land is in fact a mixed residential/employment development broadly consistent with the zoning, and in a floorspace mix designed to be compatible with market expectations and consistent with metro planning strategy and Centres Policy. The subject proposal will provide for some 400 jobs, notably more than provided on-site today given the presently strong warehousing representation. (Leyshon estimate of 150 persons currently, based on observation of the land uses in residence today).

Much of the proposed employment will be local-serving, rather than more 'footloose' types of employment which should more sensibly locate in nominated centres better served with public transport and other support services. To replace the residential buildings with office



towers would make little sense at this location, and generate negative knock-on effects. Other employment uses such as warehousing or manufacturing would not be commercially or economically viable.

In summary, it is not agreed that any negative impacts might result from a hypothetical loss of ‘existing employment land’ as stated.

To place these issues into proper context, the Columbia Precinct site is largely insignificant in terms of its importance as employment land. The Employment Lands Development Program, 2007 (prepared by the Department of Planning) estimated the combined LGA’s of Auburn, Canada Bay and Strathfield contained the following stock of employment land:

- industrial land - 1,696.3 hectares
- mixed use - 38.6 hectares
- enterprise - 14.1 hectares

Furthermore, these estimates exclude a very substantial area of land associated with Sydney Olympic Park which is used as “employment land”.

The three types of employment land combined amounted to 1,749.3 hectares in 2007. As the subject development site comprises only some 3.0 hectares it accounted for less than 0.2% of the total supply of employment land in the three relevant LGA’s in 2007.

In summary, the subject site at Columbia Precinct is not being rezoned to another form of land use and the proposed development is likely to produce a significant net increase in jobs on-site. In any event, the site is insignificant in terms of the total supply of employment land in the immediate surrounding region.

#### 4.9 Summary of Planning Controls and Strategies

The subject land is seen to fall within a mixed use zone environment, which encourages the sort of mixed use development now proposed. Depending upon the legal interpretation of Clause 41E of the statutory Instrument (i.e. in terms of whether it would enable the proposed re-alignment of internal laneway, a public road, without statutory amendment), it can be argued that the proposed development is permissible under that current Instrument.

That would require the relaxation of the building height controls found in the Strathfield DCP No. 20, however those controls are based on the earlier Parramatta Road Corridor Study 1997 and the subsequent Masterplan 1999, well prior to the 2005 Metro Strategy and the 2008 Sub-Regional Strategy discussed above. Those two latter documents make it clear that the subject area and the Parramatta Road Corridor generally, are to be closely evaluated for their redevelopment potential, having regard for public transport accessibility, and for the suitability of particular lands for the type and form of development proposed. The proposed development is considered to be closely concordant with those policies and directions.