

## Detailed information about proposal and DA submission material

### 1 Overview

- 1.1 The applicant is seeking approval for:
- 1.2 A Detailed Development Application for the "paper" subdivision of the site into 2 Torrens Title allotments, to facilitate the currently proposed 2 staged development of the site
- 1.3 A Concept Development Application limited to concept building envelopes for the development of the site.
- 1.4 The applications are supported by a variation pursuant to Clause 4.6 of the Environmental Planning and Assessment Act 1979 - Refer Attachment11

### 2 Subdivision component Detailed Development Application

- 2.1 The application is seeking a detailed approval for the "paper" subdivision of the subject site into two Torrens Title allotments prior to the lodgement of any further Development Applications.
- 2.2 The proposed boundary between the two Torrens Title allotments is located within the proposed east/west through-site pedestrian link. In addition, it will similarly, the proposed boundary will run in a same pattern through the basement parking levels located immediately below the east/west through-site pedestrian link.
- 2.3 The subdivision would allow for the more immediate redevelopment of southern part of the site whilst at the same time facilitating the retention of the existing Vegas Hotel on the northern part of the site. A Plan of Management has been prepared to guide the operation of the existing hotel through this stage of the project.

### 3 Concept Proposal for Building Envelopes and associated Mixed Use Development

- 3.1 The application submitted under clause 4.22 of the *Environmental Planning and Assessment Act 1979* is for:
- 3.2 Building envelopes to guide the future development of the site
- 3.3 a mixed-use development comprising basement parking; ground floor level commercial, retail and club land uses and adjacent to through-site pedestrian links
- 3.4 5 residential towers, each currently proposed at 20 storeys in height with rooftop communal open space for residents.

### 4 Concept Proposal - Basement level car parking and Loading facilities Commercial/retail component

- 4.1 The development incorporates consolidated shared basement car parking for all proposed buildings and associated land uses.
- 4.2 The basement foot print and setbacks are in line with the ground level building footprint that provides for the dedication of land to Council for road widening. The basement levels do not extend beyond that newly established building line.

- 4.3 The car parking is to be allocated for the various commercial, retail, club and residential uses located across the site and will include a provision for visitor car parking in respect of the residential uses.
- 4.4 The site is located within 800m of a railway station. The application does not propose a final yield and/or number and mix of apartments (only the building envelope plans are to be approved). Therefore, a condition is proposed in respect of the concept approval, that any future Detailed Development Application is to provide car parking in accordance with the minimum car parking requirement of the RMS Guide to Traffic Generating Developments. A condition will also require a car parking study for the future Detailed Development Applications to address the commuter parking behaviour.

## **5 Concept Proposal - Ground level commercial, retail and club component**

- 5.1 The ground floor of Buildings A, B and C are proposed to include commercial tenancies with activated street-frontages. The ground floor of Buildings D and E are proposed to be used as a club. This is the approximate location of the existing Las Vegas Tavern.
- 5.2 The footprint of the ground floor for each building indicates:
- a 3 m setback to the western and eastern boundaries of the site
  - a 4.2 m setback to the northern boundary of the site
- 5.3 The proposal provides a zero-boundary setback to the southern boundary of the site along North Parade.

## **6 Staging of the development**

- 6.1 The development is currently proposed to be constructed in two stages.
- 6.2 The first stage would involve the construction of Buildings B and C to the south of the East-West through-site link. The proposed Stage 1 development relates to the existing ground level car parking area of the Vegas Hotel.
- 6.3 Stage 2 will involve construction Buildings A, D and E, located on the northern portion of the sites. This is the current Location of the Las Vegas Tavern. It is proposed that existing Tavern will remain in operation the during the stage 1 development of the southern portion of the site.

## **7 Access**

- 7.1 In time, it is proposed that access and egress will be provided by way of three(3) vehicle crossovers that will provide access to all on-site basement parking and loading areas. This includes:
- one two-way ramp on North Parade along the southern boundary with 4.5m height clearance
  - two separate residential and commercial two -way ramps on Jirrang Close.

## **8 Open space, landscaping and communal open space**

- 8.1 The proposal includes two pedestrian connections at the ground level in the form of east/west and north/south through-site links as publicly accessible private open space.
- 8.2 Potential detailed design elements such as deep soil planting zones, a water feature and landscaped pockets are indicated within the ground level though-site pedestrian links. Communal private open space is proposed on the rooftop of each of the 5 residential towers.

## 9 Contamination

- 9.1 A Detailed Site Investigation (DSI) prepared by Alliance Geotechnical was submitted with the application.
- 9.2 The assessment included a desktop study and collection of soil samples according to a sampling plan within the accessible areas the development site.
- 9.3 The results of the initial chemical analyses identified elevated concentrations of nickel exceeding adopted ecological criteria, on the site. The report went on to state that ecological risks associated with nickel will require resolution once development plans are finalised and the configuration of the site is known.
- 9.4 More recently, the applicant has submitted documentation from Alliance Geotechnical confirming that:
- 9.4.1 provides detailed recommendations to make the site suitable for the proposed use, as per the requirements of Clause 7 of State Environmental Planning Policy 55the land can be made suitable for the proposed development by implementation of the following:
  - 9.4.2 Completion of a supplementary investigation in areas of the site not accessible area, which will include, at a minimum, intrusive investigation at an additional nine (9) sampling points to satisfy the sampling density requirements of NSW EPA (1995) Sampling Design Guidelines for a 1.3 ha site. The investigation should also include:
    - Installation of at least one (1) groundwater monitoring well at the western site boundary, and opposite the UPSS located on Cleeve Close, to investigate groundwater quality at the site boundary and evaluate any potential risk to future users of the site, particularly via the vapour inhalation exposure pathway.
    - Assessment of potential ecological exposure to elevated nickel contamination in retained deep soil or landscape areas of the proposed development once development plans are finalised and results of supplementary investigation in accessible site areas have been completed.
    - Preparation of a Remediation Action Plan (RAP) to outline requirements to manage any potential contamination at the site that poses a risk to human health and/or ecological receptors identified upon the completion of the supplementary investigation, to make the site suitable for the proposed end land use.
    - Completion of remediation and validation activities, as specified under the RAP, where such activities are required.

## 10 Acoustic matters

- 10.1 The application was accompanied by an Acoustic Assessment prepared by Renzo Tonin and Associates. The document assesses the impacts of external noise intrusion onto the development site from rail movements and road traffic noise, predominantly on North Parade and beyond. The report recommends indicative façade constructions for compliance with mandatory and recommended internal noise goals. Indicative advice is provided for the treatment of public, communal and private outdoor space due to rail and traffic noise impacts.
- 10.2 This assessment presents proposed criteria for external noise emissions from the operation of the site, for the amenity of surrounding receivers and future residents within the precinct itself. Further detailed assessment/s will be required in respect of future Detailed Development Applications. This will include further assessment of noise emission

from a licenced premise and an analysis of the types of retail/commercial use at the ground floor.

## **11 Acoustic impact generated in the interim stage**

- 11.1 The development is proposed to be constructed in two stages i.e. Buildings B and C in Stage 1 and Buildings A, D and E as Stage 2. On that basis there could be a period when Buildings B and C have been completed and occupied, but the Vegas Hotel (the existing licensed premise on the North-Western corner of the site) is continuing to operate. The submitted report recommends that the assessment noise impacts from the Vegas Hotel on the future Block B and C should be undertaken at the future Detailed Development Application Stage.
- 11.2 A condition is therefore proposed requiring any future Detailed Development Applications to be accompanied by a detailed acoustic assessment which demonstrates that the acoustic amenity of the apartments is appropriately protected during both construction and the operation of the Vegas Hotel in the interim.

## **12 Social Impact Assessment**

- 12.1 The subject application was accompanied by a Social Impact Assessment prepared by Judith Stubbs & Associates and dated March 2021. This assessment considers social impact in terms of:
- demographic profile of the development
  - impact on demand for Community facilities
  - provision of open space and potential environmental impact
  - proximity to licensed premises and electronic gaming machine venues
- 12.2 Council's Social Planning team has reviewed the submitted Social Impact Assessment report and provided recommendations to manage and improve potential impacts arising from the proposal, including:
- 12.2.1 Demographic profile of the development
- Maximises the positive social impact identified in the Social Impact Assessment report, and engage with a community housing provider to incorporate affordable housing into the development.
  - Provide internal common areas to serve as break out spaces for residents experiencing mental health or psychological stress.
- 12.2.2 Impact on demand for Community facilities
- Adopt the recommendation in its the Social Impact Assessment report and include a space equivalent to a local level community centre within the development.
- 12.2.3 Provision of open space and potential environmental impact
- To enable assessment under s.4.15(1)(a) and (b) of the EPAA, the applicant liaises with Council's Recreational Planning and Design section and address how residents of the development can benefit from embellishments to Dawson Mall open space.
- 12.2.4 Proximity to licensed premises and electronic gaming machine venues
- Apply CPTED at the concept stage.

## **13 Tree Removal**

- 13.1 The site currently comprises a substantial amount of hardstand car parking area with minimal landscaping. The existing vegetation on the site includes 20 trees scattered within car parking area on the southern portion of the site.
- 13.2 An Arborist Assessment has been prepared by Arboreport and was submitted with the application. The report assessed the impacts of the proposed development on 61 trees (including the onsite trees and the trees surrounding the development site) in accordance with AS4970 – 2009 for Protection of trees on development sites.
- This arboricultural assessment should be reviewed in the course of preparing stormwater, landscape, revised architectural plans.
  - Layouts of all proposed mains water, gas, electricity and sewer have not been prepared. Plans of all such proposed services must be reviewed, assessed and should be approved by a project arborist prior to approval or implementation.