

Title	Supplementary Memo
JRPP No.	2012 - STH027
Date	23.12.2013

Background

This supplementary memo has been prepared in response to matters raised by the JRPP chair to the supplementary report and is to be read in conjunction with this report.

Amended conditions

The required amendments to the conditions are not detailed in the resolution; the relevant resolution being no. 2 and provided below. The amendments made to the conditions, as shown in the following table, rely on notes taken of the JRPP meeting held 16.05.2013. The text highlighted in red relates to either new or revised text.

Resolution no. 2 being -

2. *That the Panel notes the merit of the application and finds it is acceptable subject to the proposed amendments to conditions of consent at 3C, condition 4, condition 5A and the imposition of an additional condition regarding the use of the community hall.*

Condition no. & title	Amended /new condition	Condition as per JRPP report 16.05.2013
3c Modifications to the Approved Plans	Wattle Road front building line for the 4 th and 5 th levels of buildings R1, R3, R5, R7 and R9 must be increased by at least 2 metres with any encroachments limited to non-roofed terraces and subject to appropriate articulation and break up of building mass , unless otherwise demonstrated that the development satisfies <i>State Environmental Planning Policy No 65 – Design Quality of Residential Flat Development</i> and the accompanying <i>Residential Flat Design Code 2002</i> (or subsequent amendment).	Wattle Road front building line for the 4 th and 5 th levels of buildings R1, R3, R5, R7 and R9 must be increased by at least 2 metres with any encroachments limited to non-roofed terraces, unless otherwise demonstrated that the development satisfies <i>State Environmental Planning Policy No 65 – Design Quality of Residential Flat Development</i> and the accompanying <i>Residential Flat Design Code 2002</i> (or subsequent amendment).
4 Limits on the Consent	This consent does not authorise construction of any buildings or works of the Concept Approval to be carried out without further approvals or consents being obtained.	This consent does not authorise any components of the Concept Approval to be carried out without further approvals or consents being obtained.
5a Future Development Requirements	Where future development is to be staged, an indicative staging plan identifying the likely timing and sequence for each stage must be submitted with the first building stage and approved by Council . Each stage must provide the required on-site facilities to enable proper functioning of the development for that stage. The relocation and construction of	Where future development is to be staged, an indicative staging plan identifying the likely timing and sequence for each stage should be submitted with the first building stage. Each stage must provide the required on-site facilities to enable proper functioning of the development for that stage.

	the right of carriageway must be included with any Stage 1 application. The right of carriageway referred to is the easement firstly referred to in DP 1043053.	
New condition No. 5 I Future Development Requirements		The community hall cannot be used simultaneously with the use of the church component of the building unless it can be demonstrated to Council's satisfaction that adequate parking can be provided on-site.

Requirements of letter of consent

As noted in the supplementary report the beneficiary of the right of carriageway (ROCW), the subject site is burdened with, provided consent to the proposed modifications to the ROCW; the beneficiary of the ROCW being the Land & Housing Corporation (LAHC).

The LAHC provided its consent subject to various matters; refer extract of letter below.

LAHC accepts that the proposal is a Stage 1 Development Application and that its design has not progressed to the level that LAHC can satisfy itself that all of these issues have been fully addressed by the applicant. Notwithstanding this fact and without prejudice to any further rights for comment or consent, LAHC offers UnitingCare Ageing its 'support in principle' for the master plan and its consent for the proposed relocation of the 'right of way' subject to the following matters being addressed to the satisfaction of LAHC in future detailed Development Applications:

- 1. Full details for the new pedestrian and vehicle access and egress arrangements*
- 2. Full details of the proposed staging of the development, most particularly proposed access arrangements provided to LAHC's resident's during construction*
- 3. Confirmation of street and bollard pathway lighting and its directional attributes, and how that might affect Tenants in LAHC properties*
- 4. Confirmation that UnitingCare Ageing's development will not adversely affect electricity, gas and water services to LAHC's properties.*

With regard to the above matters raised by LAHC the following response is provided:

1. These details will form part of a future Stage 1 development application and associated construction certificate application/s. The Stage 1 development application will similarly need the consent of LAHC and thus the LAHC will have the opportunity to review the new access arrangements at such time an application is being prepared.
2. This has been addressed in the amended condition 5a. Vehicular access to/from the LAHC site during the construction of each stage of the seniors housing development will be a consideration in these future development applications, pursuant to s79C of the *Environmental Planning & Assessment Act 1979*.
3. This will be addressed as part of future applications. It is noted that the development will be subject to the pathway lighting requirements of *State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004*. As the stage 1 development application (which will include the ROCW relocation/redesign) will require the consent of the ROCW beneficiary, the LAHC will have the opportunity to review the proposal with regard to these matters. Notwithstanding this, this matter will be a consideration in any future development application pursuant to s79C of the *Environmental Planning & Assessment Act 1979*.

4. Utility service provision will be the subject of future development applications and to the requirements of the relevant utility service providers. It is noted that Lot 2 (the subject site) is not burdened with easements/restrictions for these utility services to benefit Lot 1 (the LAHC site).

In conclusion, it is not considered necessary for additional conditions to be imposed to address the matters raised by the LAHC.