

<b>JRPP Ref. No.</b>	<b>2013SYE113</b>
<b>D/A No.</b>	<b>DA-489/2013</b>
<b>Property</b>	<b>Lot 7, D.P. 1191223, No. 5 Vermont Crescent, Riverwood</b>
<b>Proposal</b>	<b>Construction of three residential flat buildings containing 177 units with basement car parking and three retail shops</b>
<b>Zoning</b>	<b>R4 High Density Residential under Canterbury Local Environmental Plan 2012</b>
<b>Applicant/Owner</b>	<b>Applicant – Payce Communities No. 3 Pty Limited Owner – NSW Land &amp; Housing Corporation</b>
<b>Report By</b>	<b>Zena Ayache, Senior Planner</b>

---

### **EXECUTIVE SUMMARY**

- We have received a Development Application (DA) for the construction of three Residential Flat Buildings (RFB) containing 177 units with basement car parking and three retail shops.
- This DA has a Capital Investment Value in excess of \$20 million and is referred to the Joint Regional Planning Panel (JRPP) for determination on our behalf.
- The subject site is zoned R4 High Density Residential under Canterbury Local Environmental Plan 2012. The proposed development is defined as 'residential flat buildings' and 'neighbourhood shops' and is permissible within the zone subject to approval.
- The development application has been assessed against the relevant statutory provisions and is found to generally comply with the aims, objectives and requirements of our Canterbury Local Environmental Plan 2012 and Canterbury Development Control Plan 2012.
- The development application was publicly exhibited and adjoining and surrounding land owners and occupiers notified in accordance with the provisions of Part 7 – Notification in Canterbury Development Control Plan 2012. No submissions were received.
- This development will be subject to a Voluntary Planning Agreement, which has been agreed by Council, in which Council will forgo collecting Development Contributions for the provision of community facilities near this site being provided by the applicant.
- The development application is recommended for approval subject to conditions.

### **BACKGROUND**

The NSW Planning Assessment Commission (PAC) issued a Concept Approval on 15 July 2011 for the redevelopment of Housing NSW properties in Riverwood North. This consent was issued under the now repealed Part 3A of the *Environmental Planning and Assessment Act 1979* and allows for a much greater building envelope and density than our controls permit. Due to the PAC consent, many of Council's controls have been significantly varied. The PAC approved the following:

---

**Table 1: Key Project Components**

Aspect	Description					
Stages	Height (storeys)	Max. RL	Number of dwellings	GFA	Site Area	FSR
Phase 01 (Stage 1) (Block A)	6 – 9	41.7	123 (social)	11,045m <sup>2</sup>	4,046m <sup>2</sup>	2.7:1
Phase 01 (Stage 2) (Block B)	4	26.7	27 (social)	2,243m <sup>2</sup>	1,060m <sup>2</sup>	2.1:1
Phase 02 (Stage 1) (Block C)	7 – 10	49.5	188 (private)	18,250m <sup>2</sup>	4,548m <sup>2</sup>	4.0:1
Phase 02 (Stage 2+3) (Block D)	3 – 9	42.2	161 (private)	15,050m <sup>2</sup>	5,228m <sup>2</sup>	2.9:1
Phase 02 (Stage 4) (Block E)	8 – 9	44.25	176 (private)	16,912m <sup>2</sup>	6,151m <sup>2</sup>	2.7:1
<b>Total GFA</b>	63,500 m <sup>2</sup>					
<b>Developable Site Area</b>	2.1 hectares					
<b>FSR (developable site area)</b>	3:1					
<b>CIV</b>	\$221 million					
<b>Construction Jobs</b>	1,000					

As can be seen from Table 1 above (which was extracted from the Major Project Consent), the consent approved the construction of 161 private units on site which is the subject of this DA regarding Phase 02 (stage 2 and 3), with a maximum building height of 9 storeys and FSR of 2.9:1.

On 28 June 2013, a Modification Application (MP10\_0167) to increase the number of apartments from 650 to 723 and increase the GFA from 63500m<sup>2</sup> to 65,376m<sup>2</sup> was approved by the PAC. As a result, Phase 02 (stage 2 and 3 for Block D) now has approval for the construction of a maximum of 181 dwellings. The proposal seeks the construction of 177 units and complies with the maximum number of dwellings permitted by the PAC approval.

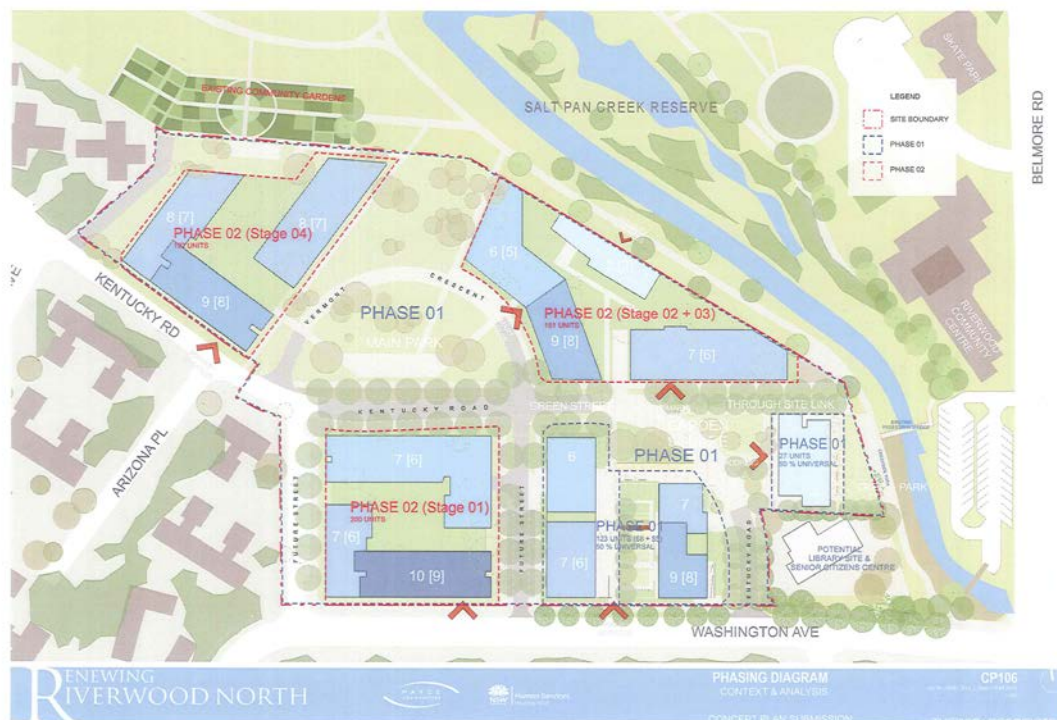


Figure 1: Super Lot Subdivision Plan



Figure 2: Aerial View of Subject Site

## PROPOSAL

The subject application seeks approval for the construction of three residential flat buildings identified on the plans as Buildings A, B and C containing 177 units with associated basement car parking, three retail shops in Building B and landscaping works. It is to comprise of the following:

- Building A – is to be located in the western part of the site and have a frontage to Vermont Crescent to the south-west. It is to accommodate a total of 102 apartments and have an overall building height of five storeys to the north and eight storeys to the south. Ground floor apartments are to be accessed either via internal lobbies or directly from external courtyard areas.
- Building B – is a six storey building to be aligned to the sites southern boundary and adjacent to Kentucky Road. This building is to accommodate a total of 65 apartments, with most apartments on each floor being orientated towards the north. Building B is also to contain three retail tenancies on the southern frontage at ground floor with a total gross floor area of 148.5m<sup>2</sup>.
- Building C – is a two storey building accommodating a total of 10 apartments and is to be sited on the northeast-facing boundary of the site, primarily orientated towards Salt Pan Creek. All apartments are to be accessed via a single lift and access core on the building's southern frontage.
- Two levels of basement car parking accommodating a total of 252 spaces plus one car wash bay are to be provided for residents, visitors and tenants of the retail tenancies. Storage, plant and mechanical rooms are also to be provided within the basement levels of the development. Access to the basement levels is to be available via a driveway to Vermont Crescent at ground level of Building A.

The buildings achieve the dwelling mix demonstrated in the below table:

Building	1-Bedroom	2-Bedroom	3-Bedroom	TOTAL
Building A	26	65	11	102
Building B	20	45	0	65
Building C	0	10	0	10



<b>Total</b>	<b>46 (26%)</b>	<b>120 (68%)</b>	<b>11 (6%)</b>	<b>177</b>
--------------	-----------------	------------------	----------------	------------

The proposed development is pursuant to Phase 02 (stage 2 and 3) of the Concept Plan approved for the Riverwood North Renewal Project.

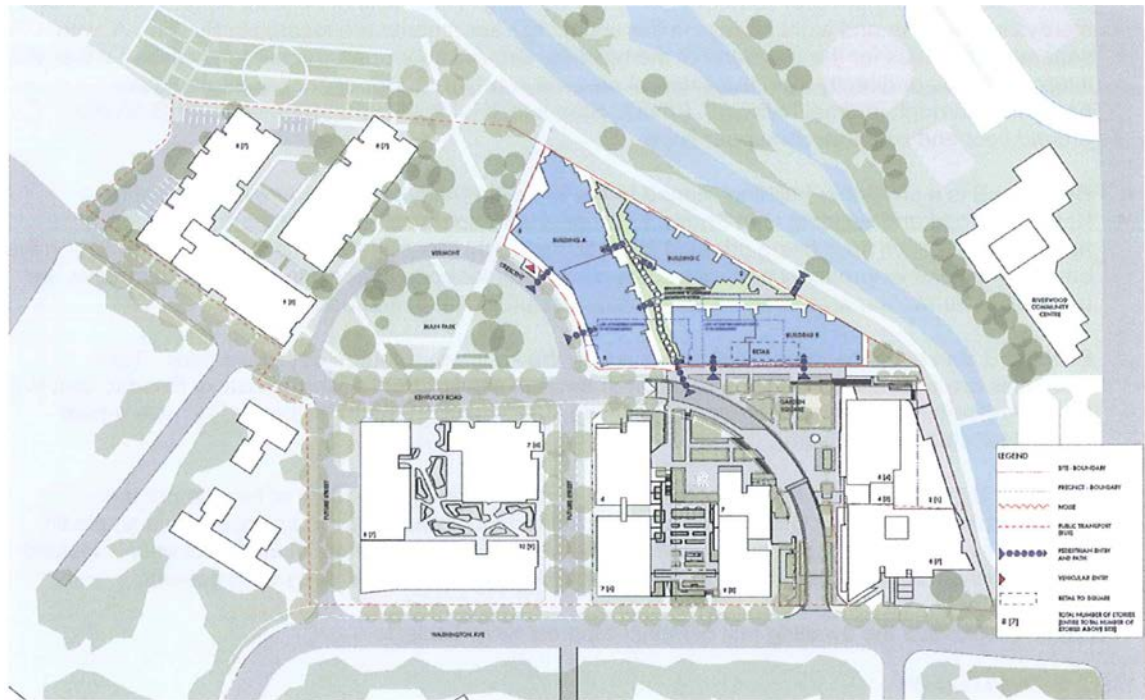


Figure 3: Site Plan



Figure 4: Proposed Southern Elevation



Figure 5: Proposed Western Elevation



Figure 6: Proposed North-East Elevation

## STATUTORY CONSIDERATIONS

When determining this application, the relevant matters listed in Section 79C of the Environmental Planning and Assessment Act 1979 must be considered. In this regard, the following environmental planning instruments, development control plans (DCPs), codes and policies are relevant:

- State Environmental Planning Policy 55 – Remediation of Land
- State Environmental Planning Policy 65 – Residential Flat Design Code
- State Environmental Planning Policy 2007 – Infrastructure
- State Environmental Planning Policy 2004 – BASIX
- Canterbury Local Environmental Plan 2012
- Canterbury Development Control Plan 2012

## ASSESSMENT

The development application has been assessed under Sections 5A and 79C of the Environmental Planning and Assessment Act, 1979 and the following key issues emerge:

- **State Environmental Planning Policy No. 55 – Remediation of Land**  
State Environmental Planning Policy No. 55 – Remediation of Land aims to promote the remediation of contaminated land for the purposes of reducing risk to human health or any other aspect of the environment.

Clause 7 of SEPP 55 states that a consent authority must not consent to the

carrying out of development unless it has considered whether the land is contaminated. If the land is contaminated, it must ascertain whether it is suitable in its contaminated state for the proposed use or whether remediation of the land is required.

The subject site was previously occupied by seven buildings, containing social housing units and ranging in height from one to three storeys. These structures have since been demolished and there is now an apartment sales suite and associated car parking area located on the site at the Kentucky Road frontage with the remainder of the site landscaped. There is no known history of previous use of the land for industrial activities.

The Renewal project site has been subject to extensive environmental testing and assessment as part of the planning process. As part of the Concept Plan, Phase 1 Project Application and subsequent Development Applications, investigations have included Phase 1 and Phase 2 Environmental Site Assessment as well as a Remediation Action Plan (RAP). This process identified specific contaminants present on the site and recommended management methods to reduce risk associated with their presence. The site was remediated and validated in accordance with the RAP between December 2011 and May 2012.

To conclude this process, an Environmental Management Plan (EMP) was prepared by JBS Environmental which was endorsed by an accredited Site Audit Statement in August 2012. The Site Audit Statement concludes that:

*“Based on the remediation of asbestos and associated validation works has been conducted, the Auditor considers that whilst residual asbestos containing materials exist on-site, providing the Environmental Management Plan is followed there is acceptable risks to human health, structures and the environment arising from actual or potential contamination of the land”.*

The EMP applies to the development and operation of the site, prescribes responsibilities for the construction process, and identifies specific management methods for intrusive works, soil and dust management, and emergency preparedness.

Having regard to the above, the land is suitable for the proposed end use. Suitable conditions will be recommended on any development consent issued to address any contamination finds during construction works at the subject site.

- **State Environmental Planning Policy No. 65 – Residential Flat Design Code**  
The proposed development falls within the definition of a residential flat building under this SEPP. The policy aims to improve the design quality of residential flat buildings in NSW by way of addressing the following design principles:

#### Context

The site is set amongst a predominantly residential context and the height and scale of the proposal is consistent with other buildings in the Concept Plan and adjacent to the subject site. The form and finishes of the proposed development are designed to integrate with other parts of the Concept Plan to form a coherent overall approach to Riverwood North. The three (3) retail shops proposed will contribute to the activation of the site's Kentucky Street frontage.

### Scale

The height of the buildings range from two storeys at Building C to eight storeys in Building A. The height of the buildings are consistent with the Conception Plan approval, part of which was to undertake a considered design analysis of the appropriate built form scale in the transition of the area.

The heights of the buildings scale down towards Salt Pan Creek to the north, so that the buildings do not overwhelm the public domain and views across the vista are maximised.

With regard to elevational treatment, the ground floor areas are treated differently to the upper floor levels, reducing the apparent scale of the building when viewed from ground level.

### Built Form

The proposed development has been proportioned to ensure an appropriate physical relationship between the public and private domains. The buildings are aligned to ensure proportionality to surrounding approved envelopes but also appropriately aligned to provide both good outlooks and privacy to apartments.

The envelopes have been well articulated with balconies, windows and recesses to provide for modulated and visually interesting elevations. The landscaping proposed will also act as a means of softening the developments built form.

### Density

The site is strategically located within close proximity to public transport, recreational areas, shops and services. The Concept Plan approval recognised the site as ideal for redevelopment for a higher density residential scheme.

The floor space ratio of the proposal is consistent with the maximum set by the Conception Plan approval. The design includes 177 apartments in a mix of sizes to provide for dwelling choice and diversity.

The density of the development is similar to those of the other parts of the Riverwood North Renewal Project area, and the design of the precinct provides a good landscaped amenity for residents while achieving higher densities than what previously existing on-site.

### Resource, Energy and Water Efficiency

The incorporation of ecologically sustainable development (ESD) principles has been incorporate into the design of the current proposal. These principles include:

- Cross ventilated apartments
- Optimal daylight and solar access into living spaces, external living areas and courtyards
- Energy efficient appliances and water efficient fittings and fixtures
- Stormwater re-use.

### Landscape

The Landscape Plan prepared for the proposed development incorporates a design strategy which integrates the private domain with the extensive surrounding public domain.



The plan includes a direct walking path to Salt Pan Creek to the north to provide access to the regional open space. The central courtyard between the three buildings is the primary landscaped and recreation space as part of the development, including deep soil planter beds for large trees and opportunities for casual use, such as the barbeque area near the eastern end of Building C.

The proposed planting selection is considered to be suitable as it will soften and screen the boundaries between the public and private domain, provide adequate amenity, privacy and safety for future residents of the subject site.

#### Amenity

Future amenity of apartments is optimised by:

- A high degree of cross ventilation, with some featuring tri-aspect orientation.
- Well-proportioned rooms.
- High degree of privacy through orientation and internal layouts
- Provision of adaptable apartments and accessible car parking.
- Appropriate storage areas.

#### Safety and Security

Safety and Security is optimised by:

- Clearly legible pedestrian access points to the various components of the building.
- Balconies, windows and public ground floor uses will provide passive surveillance.
- Security access to basement levels.

#### Social Dimensions and Housing Affordability

The aim of the development is to provide new facilities and well-priced residential apartments. The integration of private and social housing across the precinct will result in a more sustainable social outcome which better reflects the changing nature of the local area.

The common outdoor spaces to be provided will allow for casual interaction between residents with a good level of amenity than what previously existed on the site. Residents will also have access to the Council and community facilities to be located in the recently approved Building C, located to the south of the site. 11% of the units are adaptable with enhances accessibility. Future residents will also be within close proximity to public transport and the three neighbourhood shops, which are included as part of this proposal.

#### Aesthetics

The proposed development utilises a basic design strategy with variations to each component of the building to allow for the different heights, forms, entry points and public and private spaces.

The current proposal is designed to interact with the other developments approved as part of the Riverwood North redevelopment. This is achieved by the use of a similar palette of colours and materials.

- **State Environmental Planning Policy 2007 – Infrastructure**

The proposal was referred to the RMS under Clause 104 and Schedule 3 of SEPP 2007 as the development is identified as being a traffic generating development. The RMS have raised no objection to the proposed development subject to conditions being imposed as part of any consent should the

application be approved.

- **State Environmental Planning Policy 2004 – BASIX**

BASIX Certificate No. 155160M, dated 12 November 2013 accompanies this application. The commitments include providing water saving devices such as low water using taps, showerhead and dishwashers, as well as suitable energy uses such as 1-phase air conditioning to all living areas, individual ducted fans for each dwelling's laundry and bathroom, gas cooktop and electric oven. A condition of consent will apply that the development be fitted out to meet these nominated BASIX commitments.

- **Canterbury Local Environmental Plan**

The subject site is zoned R4 High Density Residential under Canterbury Local Environmental Plan 2012 (CLEP 2012). The proposed development is defined as 'residential flat building' and 'neighbourhood shops' under the provisions of the CLEP 2012. The proposal is permissible in the zone with consent.

The controls applicable to this development application are as follows:

Standard	Requirement	Proposal	Comments
Zoning	R4 – High Density Residential	The proposed development and uses within the development are defined as 'residential flat building' and 'neighbourhood shops' under CLEP 2012	The proposed development is permissible within the zone, in accordance with CLEP 2012.
FSR	0.9:1	2.9:1	No – refer to comments below
Building Height	The subject site is identified as being within an area where a height limit of 11.5 metres applies	Maximum building height of 27.36 metres (8 storeys)	No – refer to comments below

As demonstrated in the above table, the proposed development is permissible within the zone subject to approval but fails to comply with the FSR and building height provisions of CLEP 2012. These non-compliance issues are discussed in greater detail as follows:

Floor Space Ratio

CLEP 2012 requires the proposed development have a maximum FSR of 0.9:1. The proposed development fails to comply with this requirement as it provides a total FSR of 2.9:1. As previously outlined above, given that this DA is the subject of a PAC Concept approval, the PAC approval controls override our local controls. The PAC approval requires the subject development have a maximum FSR of 2.9:1. As the proposal satisfies this requirement, the proposed FSR is considered to be suitable.

Building Height

CLEP 2012 requires the proposed development provide a maximum building height of 11.5 metres. The proposed development fails to comply with this requirement as it provides a maximum building height of 27.36 metres (8

storeys). The PAC approval requires the subject development provide a maximum building height of no more than 9 storeys and a maximum RL of 42.2. The proposed development satisfies these requirements as it provides a maximum building height of 8 storeys and a maximum RL of 40.16. The proposal is considered to be suitable and in accordance with the height controls permitted by the PAC approval.

A departure for our LEP's Development Standards concerning FSR and height under Clause 4.9 is not necessary given the building envelope controls established by PAC.

#### Clause 5.4 of CLEP 2012

Clause 5.4(7) of CLEP 2012 requires the retail floor area of the proposed neighbourhood shops not exceed more than 100m<sup>2</sup>. The proposed development fulfils this requirement as it provides three separate neighbourhood shops with a total retail floor area of less than 100m<sup>2</sup>.

- **Canterbury Development Control Plan 2012**

#### **Part 2: Residential Neighbourhoods**

As previously outlined this DA is the subject of a PAC concept approval issued under Part 3A of the EPAA. As such, the local planning controls, unless specifically stated as being applicable in the PAC approval are effectively overridden. However, it is worth considering how the proposal would meet the local planning controls, as outlined the following table.

Standard	Requirement	Proposal	Complies
Isolation of Sites	No isolation of neighbouring properties so that it is incapable of being reasonably developed	Proposal does not result in the isolation of the adjoining properties	Yes
Minimum Frontage	RFB 4 or more storeys = Minimum 30 metres, measured across street boundary.	124.235 metres	Yes
Height	Basement projection – max 1m above GL (otherwise included as storey)	<1 metre	Yes
	Maximum 3 storey and 10 metre external wall height, where height of buildings is 11.5 metres on LEP Map.	Maximum 8 storeys	No – See comments
Depth/ Footprint	25m maximum	39.1 metres maximum	No – See comments
Setbacks	Front and rear: Minimum 6 metres	Front: Minimum 6 metres Rear: Minimum Nil setback	No – See comments
	Side: Minimum 4 metres	Minimum 6 metres	Yes

Standard	Requirement	Proposal	Complies
	Step back upper storey elements (4 or more storey residential flat building) 3 metres from the outermost walls of the base element of the building	No additional 3 metre setback proposed	No – See comments
	Deep soil: minimum 2m wide along the side boundaries, and minimum 5m along front and rear boundaries	Adequate deep soil areas within front, side and rear boundaries not provided in accordance with requirements of CDCP 2012.	No – See comments
Building separation	Minimum 6metres between buildings on one lot	Minimum 8.745 metres	Yes
	12m between windows and/or balconies (<5 storeys)	Minimum 10.2m	No – See comments
	18m between windows and/or balconies (5+ storeys)	Min 13.9m	No – See comments
Design Controls			
Street Address	Clearly identifiable entries	Clear entries	Yes
	Provide main common entry and separate private ground floor apartment entries where appropriate	Main common and alternate entries to ground floor where appropriate	Yes
	At least one habitable room window to face street	Windows facing street	Yes
	No obstruction to views from street to development and vice versa	No obstruction to views to the street	Yes
Façade Design and Articulation	Avoid long flat walls	No long flat walls	Yes
	Use non reflective materials, treat publicly accessible areas with anti-graffiti coating	Schedule of finishes provides non-reflective materials	Yes
Roof Design	No steep pitched roofs – use 10% pitch or less Emphasise building articulation with shape and alignment of roof	Roof design acceptable	Yes
	Relate roof design to building and respond to orientation of site	Roof design relates to building	Yes



Standard	Requirement	Proposal	Complies
Service and Utility Areas	Integrated into the design of development and are not visually obtrusive Unscreened appliances not to be visible from the street, communal area or driveway on the site (air con. units behind balustrades, screened recesses for water heaters, meters in service cabinets)	Service and utility areas integrated into the design of the development (i.e. air con, hot water units adequately screened), garbage bins screened	Yes
	Screen clothes drying areas from public view, storage space screened and integrated into design	Clothes drying and storage facilities screened	Yes
	Discretely located mailbox in front of property	This can be imposed as a condition of consent should the application be approved.	Yes
<b>Performance Controls</b>			
Visual Privacy	Locate and orientate new developments to maximise visual privacy between buildings – if preferred orientations are not achievable use high sill windows or <600mm wide	Adequate separation provided. Privacy mitigation measures have been incorporated into the design.	Yes
Open Space	1 bedroom = 9m <sup>2</sup> 2 bedrooms = 12m <sup>2</sup> 3+ bedrooms = 16m <sup>2</sup>	1 bedroom = Min. 6.11m <sup>2</sup> 2 bedrooms = Min. 7.24m <sup>2</sup> 3+ bedrooms = Min. 12.94m <sup>2</sup>	No – See comments
	Min 2.5m x 2.5m suitable for outdoor dining	A min. 2.5m x 2.5m outdoor dining area has not been provided for all units. A minimum POS dimension of 2 metres is provided.	No – See comments
Internal Dwelling Space and Design	Dimensions and design of interiors to accommodate furniture typical for purpose of room	Typical furniture layout on plans demonstrates compliance by way of minimal use of furniture	Yes
	Living room and main bedroom minimum 3.5m dimension Secondary bedrooms to have minimum 3m width	All living rooms and bedrooms have a minimum dimension of 3 metres	No – See comments
	Storage: Minimum 6m <sup>3</sup> /1bedroom, 8m <sup>3</sup> /two bedroom, 10 m <sup>3</sup> /three or more bedrooms	Adequate storage provided	Yes

Standard	Requirement	Proposal	Complies
	Communal stairwells to receive natural daylight and ventilation	Natural day light available	Yes
Housing Choice	10% of dwellings to be provided as accessible or adaptable units to suit residents with special needs	Eighteen units (10%) to be provided as adaptable.	Yes

As shown in the above table, the proposed development represents a substantial departure for the controls in Part 2 – Residential Neighbourhoods of CDCP 2012. However, as this DA is the direct result of a PAC concept approval which effectively overrides the local planning controls, no objection can be raised to the proposed due to these non-compliances. The PAC concept approval has effectively provided the planning for, and approval of, a new neighbourhood. Despite technically being applicable, the current DCP controls are not designed to control and guide this scale and significance of development. As the overall scheme has been approved in principle, the areas of non-compliance such as height, setbacks, private open space and building depth are deemed to be acceptable as the overall size and scale of the current proposal has been agreed in principle.

- **Part 6.1: Access and Mobility**

The application was referred to our Disability Access Committee who found the application to be satisfactory. Conditions have been recommended should the application be supported.

- **Part 6.2 Climate, and energy and resource efficiency**

Standard	Requirement	Proposal	Complies
Daylight and Sun access (proposed developmen)	At least 70% of the proposed apartments living area windows and private open space (balconies) receive at least two hours sunlight between 9am and 3pm in mid-winter	72% (126) of units will receive at least two hours sunlight between 9am and 3pm in mid-winter	Yes
	At least 50% of communal open space receives two hours sunlight between 9am and 3pm in mid-winter	At least 50% of the communal open space receives 2 hours sunlight between 9am and 3pm in mid-winter	Yes
Daylight and Sun access (Existing dwellings)	Living room and principle area of private open space receive at least two hours sunlight daily between 9.00am and 3.00pm in mid-winter	All property adjoining the subject site receives an excess of two hours sunlight daily between 9.00am and 3.00pm in mid-winter	Yes
Ventilation	Provide natural cross ventilation to at least 60% of dwellings	60% (107) of the units naturally cross ventilated	Yes
	Use the entranceway as a ventilation pathway to individual units	Entranceway used as ventilation pathway to individual units	Yes

Accordingly, the proposed development is consistent with the requirements of Part 6.2 in our DCP.

### **Part 6.3 Crime Prevention**

The application was referred to the Team Leader Youth and Safety who found the application to be satisfactory subject to conditions being imposed and made part of any consent issued.

### **Part 6.4 Development Engineering Flood and Stormwater**

The stormwater plan submitted with the application has been assessed by our Development Engineer and no objection was raised subject to conditions being attached to any consent granted.

### **Part 6.6 Landscaping**

The application has been reviewed by our Landscape Architect and was found to satisfy the requirements of Part 6.6 of the CDCP 2012. Conditions relating to landscaping have been recommended.

### **Part 6.8 Vehicle access and parking**

In accordance with the car parking provisions of Part 6.8 – Vehicle Access and Parking, the proposed development is required to provide 1 car space per 1 bedroom unit, 1.2 car spaces per 2 bedroom unit and 2 car spaces per 3 bedroom unit. Also, 1 visitor car space per 5 dwellings and at least 1 car wash bay must be provided on-site. For the 'Neighbourhood shop' component of the development, 1 car space per 25m<sup>2</sup> is required to be provided. In this regard, to comply with the requirements of Part 6.8 of CDCP 2012, a total of 253 car parking spaces must be provided on-site comprising of 212 residential car parking spaces, 35 visitor spaces, 1 car wash bay and 5 car parking spaces for the neighbourhood shops. As the proposal seeks to provide a total of 252 car parking spaces, including 1 car wash bay, the proposal is short 1 retail car parking space.

The shortfall of 1 retail car parking space equates to 0.4% of the overall required car parking provision. Given the scale of the development, the shortfall of 1 retail car parking space is considered to be minor and is unlikely to affect the car parking demand of the overall development. In this regard, the proposal is considered to be suitable and worthy of support.

Our Local Traffic Committee has reviewed the proposal, together with the Traffic and Parking Assessment Report (prepared by Varga Traffic Planning Pty Ltd, Reference No. 13462 and Dated: 14 November 2013), and raises no objections to the car parking provisions, vehicular access ways and basement car park layout included as part of the proposal. Conditions of consent will be imposed requiring compliance with relevant Australian Standards.

### **Part 6.9 Waste Management**

The application has been reviewed by our Waste Services Coordinator. In order to satisfy the requirements of Part 6.9 of the CDCP 2012, amendments must be made to the waste arrangements which can be imposed as conditions of consent. Conditions relating to the developments waste storage area have been provided and are to be attached to any consent issued.

- **Canterbury Section 94 Contributions Plan 2005**

The PAC Concept Approval allowed the applicant to either enter into a Voluntary Planning Agreement (VPA) with Council or levy Development Contributions

under Canterbury Section 94 Contributions Plan. The applicant has formalised a VPA which provides a community facility on this site for the benefit of the renewed Riverwood North neighbourhood. As the VPA has been accepted by Council the levying of Section 94 Contributions is not required.

### **INTERNAL REFERRALS**

The development application was referred to a number of internal sections of Council for comment and the advice received is summarised below:

- **Fire Safety and Building Related Comments**  
The development application has been accompanied by a National Construction Code (NCC) Compliance Report prepared by Vic Lilli & Partners Consulting. The report concludes that the proposed development is capable of achieving compliance with the requirements of the National Construction Code and relevant adopted standards without undue modification of the design or appearance of the building. The development application and accompanying NCC report were referred to our certification unit for comment who have raised no objections to the proposal subject to certain conditions being included as part of any development consent issued.
- **City Works Comments**  
The development application was referred to our City Works Division who reviewed the application and raised no objections to the proposal subject to the imposition of conditions should the application be approved.

### **EXTERNAL REFERRALS**

- **Roads and Maritime Services**  
The development application was referred to the Roads and Maritime Services (RMS) who reviewed the application and raised no objections to the proposal subject to conditions being imposed as part of the consent should the application be approved.

### **LIKELY IMPACTS ON THE ENVIRONMENT**

The scale and built form of the proposed development is considered to be satisfactory. The proposal is not expected to have any detrimental impacts in terms of the natural or built environments, and the social and economic aspects, as discussed under the following headings below.

- **Suitability of the Site**  
These matters have been considered in the assessment of the development application. The proposed redevelopment of the site is permissible and not expected to have any detrimental impacts on the amenity of the locality. The proposal has been assessed under Sections 5A and 79C of the Environmental Planning and Assessment Act, 1979 and, as demonstrated throughout the body of this report, the proposal satisfies all requirements of the PAC concept approval and relevant state environmental planning policies. The proposal also generally complies with all applicable development control plans, codes and policies with the exception of the matters raised in this report. The proposed development is considered to be a suitable development in the context of the locality.
- **Public Interest**  
The proposed development satisfies the relevant requirements contained within the PAC concept approval for the Riverwood North renewal project. The DA also



complies with our local controls that are not subject to the PAC approval such as off-street parking. The proposed development promotes the coordinated, orderly and economic use of the land and is not expected to have any unreasonable impacts on adjoining development. Approval of the application is therefore considered to be in the public interest.

- **Sediment and Erosion Control**

The submitted development plans show details of sediment and erosion control measures to be installed as part of the construction of the development. Standard conditions will be included regarding the installation and maintenance of the sediment and erosion control measures as part of the pre and during construction phase of the development.

- **Health, Safety and Amenity during Construction Phase**

During the construction of the development, the health and amenity of workers, the public and adjoining properties alike need consideration under Section 79C of the EPAA. Accordingly, all works associated with the development will be restricted to daytime hours to ensure the works will not be a nuisance to adjoining occupiers and property owners (by way of standard condition).

- **Notification**

The development application was placed on notification in accordance with the requirements of Part 7 of CDCP 2012. No submissions were received during this period.

## **CONCLUSION**

The development application has been assessed pursuant to the provisions of Section 79C of the Environmental Planning and Assessment Act, 1979 and all relevant development control plans, codes and policies.

The proposed development is permissible within the zone subject to consent under the provisions of the Canterbury Local Environmental Plan 2012. As demonstrated, the proposed development complies with all requirements of the PAC concept approval for the Riverwood North renewal project and is consistent with the remaining relevant provisions of the relevant State Environmental Planning Policies and Council's Development Control Plan.

The site is capable of accommodating the construction of the three proposed residential flat buildings, three retail shops and associated basement car parking. The development is not expected to have any detrimental impacts on the amenity of the locality. In this regard, the proposal is considered to be a suitable development of the site. It is recommended that the development application be approved, subject to conditions.

## **RECOMMENDATION:**

THAT the Joint Regional Planning Panel approve DA-489/2013 for the construction of three residential flat buildings containing 177 units with basement car parking and three retail neighbourhood shops, subject to the following conditions:

### ***Conditions that Identify Approved Plans***

#### **General**

1. The development being carried out in accordance with the plans, specifications and details as outlined in the table below:

<b>Prepared By</b>	<b>Drawing Number</b>	<b>Revision</b>	<b>Date Prepared</b>	<b>Date received by Council</b>
Turner Studio	A-DA-001-001	01	11/11/2013	14/11/2013
Turner Studio	A-DA-100-001	01	11/11/2013	14/11/2013
Turner Studio	A-DA-100-002	01	11/11/2013	14/11/2013
Turner Studio	A-DA-100-003	01	11/11/2013	14/11/2013
Turner Studio	A-DA-100-010	03	19/03/2014	25/03/2014
Turner Studio	A-DA-110-020	01	11/11/2013	14/11/2013
Turner Studio	A-DA-110-030	01	11/11/2013	14/11/2013
Turner Studio	A-DA-110-040	01	11/11/2013	14/11/2013
Turner Studio	A-DA-110-050	01	11/11/2013	14/11/2013
Turner Studio	A-DA-100-060	01	11/11/2013	14/11/2013
Turner Studio	A-DA-110-070	01	11/11/2013	14/11/2013
Turner Studio	A-DA-110-080	01	11/11/2013	14/11/2013
Turner Studio	A-DA-110-090	01	11/11/2013	14/11/2013
Turner Studio	A-DA-110-110	01	11/11/2013	14/11/2013
Turner Studio	A-DA-110-B01	02	19/03/2014	25/03/2014
Turner Studio	A-DA-110-B02	02	19/03/2014	25/03/2014
Turner Studio	A-DA-210-001	01	11/11/2013	14/11/2013
Turner Studio	A-DA-210-002	01	11/11/2013	14/11/2013
Turner Studio	A-DA-210-003	01	11/11/2013	14/11/2013
Turner Studio	A-DA-210-004	01	11/11/2013	14/11/2013
Turner Studio	A-DA-310-001	01	11/11/2013	14/11/2013
Turner Studio	A-DA-710-001	01	11/11/2013	14/11/2013
Turner Studio	A-DA-710-002	01	11/11/2013	14/11/2013
Turner Studio	A-DA-720-001	01	11/11/2013	14/11/2013
Turner Studio	A-DA-720-002	01	11/11/2013	14/11/2013
Turner Studio	A-DA-730-001	01	11/11/2013	14/11/2013
Turner Studio	A-DA-730-002	01	11/11/2013	14/11/2013
Turner Studio	A-DA-740-001	01	11/11/2013	14/11/2013
Turner Studio	A-DA-750-001	01	11/11/2013	14/11/2013
Turner Studio	A-DA-800-001	01	11/11/2013	14/11/2013
Turner Studio	A-DA-820-001	01	11/11/2013	14/11/2013
Turner Studio	A-DA-820-002	01	11/11/2013	14/11/2013
Turner Studio	A-DA-820-003	01	11/11/2013	14/11/2013
Warren Smith & Partners Pty Ltd	ACP-C-10	E	October 2010	14/11/2013
Warren Smith & Partners Pty Ltd	CPA-C-11	E	October 2010	14/11/2013
Warren Smith & Partners Pty Ltd	ACP-C-12	E	October 2010	14/11/2013
Warren Smith & Partners Pty Ltd	ACP-C-13	E	October 2010	14/11/2013
Warren Smith & Partners Pty Ltd	ACP-C-14	E	October 2010	14/11/2013
Warren Smith & Partners Pty Ltd	ACP-C-15	E	October 2010	14/11/2013
Warren Smith & Partners Pty Ltd	ACP-C-16	E	October 2010	14/11/2013
Warren Smith & Partners	ACP-C-17	E	October 2010	14/11/2013

Pty Ltd				
Warren Smith & Partners Pty Ltd	ACP-C-18	E	October 2010	14/11/2013
Warren Smith & Partners Pty Ltd	PA-C-19	E	October 2010	14/11/2013
Warren Smith & Partners Pty Ltd	PA-C-20	E	October 2010	14/11/2013
Warren Smith & Partners Pty Ltd	ACP-C-21	E	October 2010	14/11/2013
Warren Smith & Partners Pty Ltd	ACP-C-22	E	October 2010	14/11/2013
Survey Plan prepared by Lockley Land Title Solutions	34555DT	Sheet 1 of 1	28 June 2013	14/11/2013

2. The stormwater system shall be constructed in accordance with the plans, specifications and details prepared by Wood and Grieve Engineers, received by Council on 14 November 2013 and referenced as follows:

Project Number	Drawing Number	Revision Number	Date
25753-SYD	H-001	A	4/11/2013
25753-SYD	H-002	A	4/11/2013
25753-SYD	H-003	A	4/11/2013
25753-SYD	H-100	A	4/11/2013
25753-SYD	H-101	A	4/11/2013
25753-SYD	H-200	A	4/11/2013
25753-SYD	H-201	A	4/11/2013
25753-SYD	H-300	-	4/11/2013
25753-SYD	H-301	-	4/11/2013
25753-SYD	H-400	A	4/11/2013
25753-SYD	H-401	A	4/11/2013
25753-SYD	H-500	A	4/11/2013
25753-SYD	H-501	A	4/11/2013

Reason: To ensure the built form reflects this consent and to satisfy Clause 100(3) of the Environmental Planning and Assessment Regulation 2000.

### ***Matters to be Completed Prior to the Issue of a Construction Certificate*** **General**

3. The following must be submitted to either Council or an Accredited Certifier prior to the issuing of a Construction Certificate:

3.1 Details of:

- Building Specifications
- Fire Safety Schedule
- Landscape Plan
- Hydraulic Plan
- Firewall Separation
- Soil and Waste Management Plan
- BASIX Certification
- Ventilation of basement in accordance with AS1668.2

Reason: It requires design changes or further information to be provided

with the Construction Certificate plans and specifications to address specific issues identified during our assessment of the application under Section 79C of the Environmental Planning and Assessment Act 1979.

3.2 Payment of the Long Service Leave Levy to the Long Service Leave Corporation or to Council.

Reason: To comply with Part 5 of the Building and Construction Industry Long Service Payments Act 1986.

3.3 Payment to Council of:

Kerb and Gutter Damage Deposit	\$3,165.50
Certificate Registration Fee	\$36.00
Long Service Levy	\$164,791.55

Reason: To cover and protect any costs imposed on Council as part of this consent, including Section 80A of the Environmental Planning and Assessment Act 1979 and Clause 263 of the Environmental Planning and Assessment Regulation 2000.

3.4 If you appoint Council as your Principal Certifying Authority, the following fees are payable:

Construction Certificate Application Fee	\$95,436.00
Inspection Fee	\$25,248.00
Occupation Certificate Fee	\$9,389.00

Reason: To cover and costs imposed by Part 8 of the Environmental Planning and Assessment Act 1979.

Note 1: Long Service Leave is payable where the value is \$25,000 or more under Part 5 Section 36 of the Building and Construction Industry Long Service Payments Act 1986.

Note 2: If you appoint a Principal Certifying Authority other than Council, the fees shown in the fee quote attachment do not apply, however other fees will apply.

Note 3: When the items in this condition are provided and have been assessed as satisfactory, your Construction Certificate will be posted to you.

Note 4: All fees referred to above are subject to change. You need to refer to our website or contact our Customer Service Centre for a current schedule of fees prior to payment.

4. The building and surrounding structures shall be treated with anti-graffiti paint to deter graffiti offenders targeting the building and its perimeter. This will preserve the building and increase a sense of maintenance and ownership of the site. Details shall be provided with the application for the Construction Certificate.

Reason: To provide a "cared for" appearance to discourage graffiti.

5. All recommendations contained within the Crime Prevention Through Environmental Design Report prepared by Urbis Pty Limited (Job No. SPP20013 and Dated: October 2013) and submitted with the subject application shall be implemented as part of the construction and on-going operations of the development. Where required, details shall be provided with the application for the Construction Certificate.

Reason: To provide for a safe built environment.

6. All measures identified in the Access for People with Disabilities Report prepared by Morris Goding Accessibility Consulting, dated: 30 October 2013, and submitted as part of the application shall be implemented and where



required, details shall be provided with the application for the Construction Certificate.

Reason: To provide access for all impaired persons.

7. A geotechnical engineering report, prepared by a suitably qualified geotechnical engineer, must be submitted to the Private Certifying Authority prior to the issuing of a Construction Certificate. The report must assess the impact and safety of the proposed works and must include the results of subsurface investigations, involving either test pits to rock, or preferably the drilling of cored boreholes (to one metre below the proposed final excavation level). The report must describe:
- a) An indication and nature and depth of any uncontrolled fill at the site.
  - b) An indication of the nature and condition of the material to be excavated.
  - c) Indications of groundwater or seepages.
  - d) Required temporary measures for support of excavations deeper than one metre adjacent to property boundaries.
  - e) Statement of required excavation methods in rock and measures required to restrict ground vibrations.
  - f) Other geo-technical information or issues considered relevant to design and construction monitoring.

All findings and recommendations of the report are to be followed and adhered to throughout the construction process.

Reason: To ensure the site is sound and capable of accommodating the development proposed.

8. The design and location of letterboxes must be in accordance with Australia Post's "Requirements for Delivery of Mail to Residential Premises", published in February 1997. A letterbox must also be provided for the Owners' Corporation. Details of the letterboxes must be shown on the Landscape Plan submitted to the Private Certifying Authority prior to the issuing of a Construction Certificate.

Reason: To allow for the functional and reasonable delivery of post to the site and allow for the Owners Corporation to receive post separately to other units/owners.

9. Under clause 97A(3) of the Environmental Planning and Assessment Regulation 2000, it is a condition of this development consent that all the commitments listed in each relevant BASIX Certificate for the development are fulfilled.

In this condition:

- a) relevant BASIX Certificate means:
  - i) a BASIX Certificate that was applicable to the development when this development consent was granted (or, if the development consent is modified under section 96 of the Act, a BASIX Certificate that is applicable to the development when this development consent is modified);
- or
- ii) if a replacement BASIX Certificate accompanies any subsequent application for a construction certificate, the replacement BASIX Certificate; and

b) BASIX Certificate has the meaning given to that term in the Environmental Planning and Assessment Regulation 2000."

The Certifying Authority must ensure that the building plans and specifications submitted, referenced on and accompanying the issued Construction Certificate fully satisfy the requirements of this condition.

Reason: To satisfy State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004.

10. Where on-site stormwater detention is required; three (3) copies of plans and calculations must be submitted prior to the issue of Construction Certificate to the Principal Certifying Authority. The plans must be prepared by a practicing Civil Engineer and include levels reduced to Australian Height Datum (AHD) and full details of the hydraulic evaluation of the entire stormwater drainage system. The details shall be prepared in accordance with Part 6.4 of Canterbury Development Control Plan 2012.  
Reason: To ensure adequate stormwater disposal for the site.

11. The details and specification of the proposed bridge at the northern access point adjacent to the communal open space must be submitted to the Private Certifying Authority for approval prior to the issue of a Construction Certificate. The bridge shall be similar in appearance to the existing bridge that links the existing pedestrian path from Vermont Crescent to the path adjacent to the Riverwood Wetland. The bridge shall be installed to Council approved levels.  
Reason: To allow for the installation of public facilities.

12. A detailed landscape plan prepared by a qualified Landscape Architect or Consultant must be submitted to the Private Certifying Authority for approval prior to the issue of a Construction Certificate. The detailed plan is to be prepared in accordance with the requirements of Part 6.6 – Landscaping of Canterbury Development Control Plan 2012. The plan is to include the following details:

a) Site Analysis Information including:

- 1) property boundaries and dimensions
- 2) north point and scale
- 3) differences in ground levels between the site and adjoining land
- 4) street frontage features, light poles, street trees, kerbs, footpaths, crossing, street furniture, bus shelters and shops

b) Elements of the Natural Environment including:

- 1) all existing trees to be retained or removed, species name and common name, height and canopy spread

c) Site Layout including:

- 1) details of special treatments,
- 2) location of utility areas and screening details
- 3) location and details of lighting and other outdoor fixtures
- 4) location, material and height of all fencing, including details of front boundary fencing,
- 5) location of stormwater pipes and pits, including on-site detention

d) Built Structures including:

- 1) proposed buildings and other structures,

- 2) roadways, driveways, carparks, podiums, footpaths crossings and loading bays (including materials and finished levels),
- e) Plant Selection including:
  - 1) Planting plan/layout showing location of species and size at maturity, including street trees, trees on site, shrubs, ground covers, grasses, turf, etc
  - 2) Planting schedule with botanical and common names, container size, quantities, mature height and staking requirements
- f) Construction Details including:
  - 1) Standard constructions and details drawings (eg. Sections through mass planting beds, tree planting and mulching details, paths, steps and retaining walls)
  - 2) Detailing and location of edge treatments (e.g. Concrete, brick, timber).
- g) Maintenance Schedule including:
  - 1) replacement strategy for failures in plant materials and built works,
  - 2) maintenance schedule for watering, weeding and fertilizing during the establishment period
- h) Urban Elements
  - 1) Detailed information on the urban elements to be provided as part of this development, such as street furniture, lighting, signage and paving, are to be provided on the detailed landscape plan.

Reason: To allow for the reasonable development of the site and ensure long term landscaping is provided on-site.

### **Access Requirements**

- 13. In order to provide a choice for residents who have a disability, and their carers, an equal number of adaptable units must provide for left-to-right or right-to-left transfer from a wheelchair to the WC pan.
- 14. For the benefit of people with a vision impairment, all glazed doors and panels within adaptable units must have a transom or luminance strip at a height between 900mm and 1100mm above the floor level. The strip is to provide a luminance contrast of at least 30% to its surroundings, when viewed from either the inside or outside the door.
- 15. Entry doorways to the units are to provide a minimum clear width of 850mm, when the door is fully opened. Internal and external latch-side clearances for all doors are to comply with AS1428.1 (2009).
- 16. The floor levels of balconies are to be the same as the internal floor levels of the units in the post adaptation stage, with the tracks of the sliding doors to be recessed level with the unit floor, to avoid a trip hazard. Alternatively, a ramp may be provided, with a maximum gradient of 1:8, a maximum height of 35mm and a maximum length of 280mm.
- 17. Wet areas in the bathroom, kitchen and balcony are to have surfaces that are non-slip, in wet and dry conditions.
- 18. The business plan for the buildings must detail measures to be undertaken for the evacuation of residents from the adaptable units in the event that the lifts are out of service.
- 19. A continuous accessible path of travel is to be provided from the street alignment to the building entries, and from the underground car park, to each of the accessible / adaptable units, and to and within all common areas of the

- buildings, including landscaped areas. It shall not contain a step or other impediment, and shall have an unobstructed width of at least 1000mm, and vertical clearance of 2000mm.
20. Vegetation in landscaped areas must not overhang an accessible path of travel.
  21. Steps are to have equal height risers.
  22. The Disability (Access to Premises – Buildings) Standards requires a fully accessible lift (AS1735.12). If the lift travels more than 12 metres it is to have minimum floor dimensions of 1400mm X 1600mm.
  23. All glazed doors and side panels on a continuous accessible path of travel are to have a transom or luminance strip at a height between 900mm and 1100mm above the floor level. The strip is to be at least 75 mm wide for the full width of the door or side panel and provide a luminance contrast of at least 30% to its surroundings, when viewed from either the inside or the outside of the door.
  24. Entry doorways are to provide a minimum clear width of 850 mm, when the door, or a single leaf, is fully open.
  25. Common areas and their facilities are to be fully accessible.
  26. Paving is to be non-slip in wet and dry conditions.
- Reason: To provide access for people with a disability in and around the site.

### **Waste Requirements**

27. A full-time caretaker, employed 7 days a week, shall be available and responsible for managing all waste on-site (rubbish, recycling and bulky waste), and to rotate/compact bins as required to ensure public health is maintained at all times and avoid complications where 177 units may be forced to share 8 bins over a weekend (from when a caretaker would traditionally finish work on Friday afternoon and then return on Monday morning).
  28. All bins shall be stored in an area that meets the requirements of Part 6.9 – Waste Management of Canterbury Development Control Plan 2012. Bins are not permitted to be double-stacked and access paths must be provided to enable residents to access the bins.
  29. The 10 x 240L garden vegetation bins to be provided on-site must be stored in the sites secured waste management storage area, and must be presented on the nature strip for collection. These bins will then be returned to the property by our contractor after collection.
  30. The commercial waste storage area must provide sufficient room for the storage of 3 x 240L rubbish bins and 3 x 240L recycling bins. The storage area must also meet the requirements outlined in Sections 6.9.4.1, 6.9.4.2 and 6.9.3.5 of Canterbury Development Control Plan 2012.
  31. The tenants of the commercial component of the development must employ a private waste contractor for any waste generated that exceeds the capacity of the Council service.
  32. Unobstructed and unrestricted access must be provided to the waste bin storage areas on collection days from 5.00am.
- Reason: To allow for easy waste disposal and collection.

### **Engineering Requirements**

33. Certification from an accredited engineer must be provided to certify that all works has been carried out in accordance with the approved plan(s), relevant codes and standards.
- Reason: To ensure that building is carried out in accordance with this consent.
34. All downpipes, pits and drainage pipes shall be installed to ensure that stormwater is conveyed from the site and into Council's stormwater system in

accordance with AUS-SPEC Specification D5 "Stormwater Drainage Design", AS/NZS3500.3 and Council's DCP 2012, Part 6.4.

Reason: To ensure adequate stormwater disposal is provided for the site.

35. Full width grated drains being provided across the vehicular entrance/exit to the site where internal areas drain towards the street, and be connected to the drainage system upstream of the silt arrestor pit and in accordance with Clause 4 of Council's DCP 2012, Part 6.4.

Reason: To ensure adequate stormwater disposal is provided for the site.

36. A Works-as-Executed plan must be submitted to Canterbury City Council at the completion of the works, the plan must clearly illustrated dimensions and details of the site drainage and the On-site Stormwater Detention system. The plan shall be prepared by a registered surveyor or an engineer. A construction compliance certification must be provided prior to the issuing of the Occupation Certificate to verify, that the constructed stormwater system and associate works has been carried out in accordance with the approved plan(s), relevant codes and standards. The required certification must be issued by an accredited professional in accordance with the accreditation scheme of the Building Professional Board issued 1<sup>st</sup> March 2010. An appropriate instrument must be registered on the title of the property, concerning the presence and ongoing operation of the OSD system as specified in Councils DCP 2012, Part 6.4.

Reason: To ensure adequate stormwater disposal is provided for the site.

37. A full width heavy duty vehicular crossing shall be provided at the vehicular entrance to the site, with a maximum width of 5 metres at the boundary line. This work to be carried out by Council or an approved contractor, at the applicant's cost. The work is to be carried out in accordance with Council's "Specification for the Construction by Private Contractors of: a) Vehicle Crossings, b) Concrete Footpath, c) Concrete Kerb & Gutter".

Reason: To ensure adequate vehicular access to and from the site.

38. The applicant to arrange with the relevant public utility authority the alteration or removal of any affected services in connection with the development. Any such work being carried out at the applicant's cost.

Reason: To ensure occupants have access to suitable utilities.

39. The levels of the street alignment are to be obtained by payment of the appropriate fee to Council. These levels are to be incorporated into the designs of the internal pavements, carparks, landscaping and stormwater drainage. Evidence must be provided that these levels have been adopted in the design. As a site inspection and survey by Council is required to obtain the necessary information, payment is required at least 14 days prior to the levels being required.

Reason: To ensure adequate vehicular access and stormwater disposal from the site.

40. Driveways, parking and service areas are to be constructed or repaired in accordance with the appropriate AUS-SPEC #1 Specifications: C242-Flexible Pavements; C245-Asphaltic Concrete; C247-Mass Concrete Sub-base; C248-Plain or Reinforced Concrete Base; C254-Segmental Paving; C255-Bituminous Micro-surfacing.

Reason: To ensure adequate vehicular access is provided to and from the site.

41. The driveway grades shall be in accordance with Australian Standard AS 2890.1 "Off-street Parking Part 1 - Carparking Facilities".  
Reason: To ensure adequate vehicular access is provided to and from the site.

### **Roads and Maritime Services (RMS) Requirements**

42. The developers should be aware of the potential for the existing and future road traffic noise impact from South Western Motorway on residential development on the subject site. The developer should provide and maintain noise attenuation measures in accordance with EPA's Environmental Criteria for Road Traffic Noise. RMS will not provide noise mitigation for future residences on the subject land. RMS's Environmental Noise Management Manual provides practical advice in selecting noise mitigation treatments.  
Reason: To provide reasonable residential amenity.
43. The layout of the car parking area associated with the subject development (including driveways, grades, turn paths, sight distance requirements, aisle widths, aisle lengths and parking bay dimensions, loading dock, etc) should be in accordance with AS2890.1-2004 and AS2890.2-2002.  
Reason: To allow for adequate vehicular access to and from the site.
44. All activities including loading and unloading associated with this development shall take place within the subject site.  
Reason: To provide reasonable amenity and prevent any vehicular obstructions for the locality.
45. All vehicles must be wholly contained on-site before being required to stop.  
Reason: To provide reasonable amenity on-site and the immediate surrounding locality.
46. All work associated with the proposed development shall be at no cost to the RMS.  
Reason: to allow for facilities to be provided without public cost.

### **Acoustic Requirements**

47. The development shall be carried out in accordance with the recommended treatments and complaint handling techniques contained within the Noise Impact Assessment Report prepared by Acoustic Logic (Project No. 2.1, Revision 0, Dated: 4 October 2013, submitted with DA489/2013).  
Reason: To provide reasonable residential amenity.

### **Landscaping Requirements**

48. The landscape plan must be easily translated into the overall landscaping plans/treatment for the street trees and public land landscaping for the renewal of Riverwood North generally.  
Reason: To provide reasonable residential amenity.
49. A maintenance period of 12 months is to be specified for this application. During this maintenance period, the landscaping must be maintained in accordance with the details specified on the detailed landscape plan approved as part of the Construction Certificate. The 12 month period begins from the date of issue of the Subdivision Certificate for the strata subdivision of this development.  
Reason: To ensure long term landscaping on-site.

## **Sydney Water Requirements**

50. A Section 73 Compliance Certificate under the Sydney Water Act 1994 must be obtained. Application must be made through an authorised Water Servicing Co-ordinator. For help either visit Sydney Water's web site at [www.sydneywater.com.au/BuildingDeveloping/DevelopingYourLand](http://www.sydneywater.com.au/BuildingDeveloping/DevelopingYourLand), Water Servicing Coordinators, or telephone 13 20 92. Following application, a "Notice of Requirements" will be forwarded detailing water and sewage extensions to be built and charges to be paid. Please make early contact with the Co-ordinator, since building of water/sewer extensions can be time consuming and may impact on other services and building, driveway or landscape design. The Section 73 Certificate must be submitted to the Principal Certifying Authority prior to occupation of the development/release of the final plan of subdivision.  
Reason: To ensure adequate stormwater disposal for the site.

## ***Prior to the Commencement of any Works***

### **General**

51. Before the erection of any building in accordance with this Development Consent;
- 51.1 Detailed plans and specifications of the building must be endorsed with a Construction Certificate by the Council or an Accredited Certifier, and
  - 51.2 You must appoint a Principal Certifying Authority (either Canterbury City Council, or a Private Certifying Authority) and notify the Council of the appointment (see Attachment – Notice of Commencement copy), and
  - 51.3 You must give the Council at least 2 days notice of your intention to commence erection of the building (see Attachment – Notice of Commencement copy).
- Reason: To comply with Part 8 of the Environmental Planning and Assessment Regulations 2000.
52. A sign shall be erected at all times on your building site in a prominent position stating the following:
- 52.1 The name, address and telephone number(s) of the principal certifying authority for the work, and
  - 52.2 The name of the person in charge of the work site and a telephone number at which that person may be contacted during and outside working hours, and
  - 52.3 That unauthorised entry to the work site is prohibited.
- Reason: To comply with Clause 98A of the Environmental Planning and Assessment Regulations 2000.

## ***During Construction***

### **General**

53. All activity being conducted so that it causes no interference to the existing and future amenity of the adjoining occupations and the neighbourhood in general by the emission of noise, smoke, dust, fumes, grit, vibration, smell, vapour, steam, soot, ash, waste water, waste products, oil, electrical interference or otherwise.  
Reason: To maintain reasonable amenity for residents and occupants of the immediate and surrounding locality.
54. A separate application must be lodged with Council and consent must be obtained prior to occupation and use of each individual neighbourhood shop approved as part of this development.



Reason: To allow for the proper consent to be issued for land use and lots within the development.

55. All materials must be stored wholly within the property boundaries and must not be placed on the footway or roadway.  
Reason: To provide free and clear access in, around and past the site for the community, including pedestrians and motorists.
56. All building operations for the erection or alteration of new buildings must be restricted to the hours of 7.00 a.m. - 5.00 p.m. Monday to Saturday, except that on Saturday no mechanical building equipment can be used after 12.00 noon. No work is allowed on Sundays or Public Holidays.  
Reason: To provide a reasonable level of amenity for neighbours.
57. All building construction work must comply with the National Construction Code.  
Reason: To comply with Clause 98 of the Environmental Planning and Assessment Regulation 2000.
58. All development, including walls must be located within the property boundaries of the subject site.  
Reason: To provide a reasonable level of amenity for neighbours and to not question the integrity of the property boundary.
59. Provide a Surveyor's Certificate to the Principal Certifying Authority prior to walls being erected more than 300mm above adjacent ground surfaces to indicate the exact location of all external walls in relation to allotment boundaries.  
Reason: To ensure a proper built environment that does not unreasonably impact on the local environment.
60. Provide a Surveyor's Certificate to the Principal Certifying Authority indicating the finished floor level to a referenced benchmark. These levels must relate to the levels indicated on the approved architectural plans and/or the hydraulic details.  
Reason: To ensure a proper built environment that does not unreasonably impact upon the local environment.
61. Council's warning sign for Soil and Water Management must be displayed on the most prominent point on the building site, visible to both the street and site workers. The sign must be displayed throughout construction.  
Reason: To provide a reasonable level of amenity for neighbours.
62. The capacity and effectiveness of erosion and sediment control devices must be maintained at all times.  
Reason: To maintain a clean site and local environment.
63. A copy of the Soil and Water Management Plan must be kept on site at all times and made available to Council officers on request.  
Reason: To maintain a clean site and local environment.
64. Concrete pumping contractors must not allow the discharge of waste concrete to the stormwater system. Waste concrete must be collected and disposed of on-site.  
Reason: To maintain a clean site and local environment.

65. Materials must not be deposited on Council's roadways as a result of vehicles leaving the building site.  
Reason: To maintain a clean site and local environment.
66. Drains, gutters, roadways and accessways must be maintained free of soil, clay and sediment. Where required, gutters and roadways must be swept regularly to maintain them free from sediment. Do not hose down.  
The site must be provided with a vehicle washdown area at the exit point of the site. The area must drain to an approved silt trap prior to disposal to the stormwater drainage system in accordance with the requirements of Specification S2 of Council's Stormwater Management Manual. Vehicle tyres must be clean before leaving the site.  
Reason: To maintain a clean site and local environment.
67. A single entry/exit point must be provided to the site which will be constructed of a minimum of 40mm aggregate of blue metal or recycled concrete. The depth of the entry/exit point must be 150mm. The length will be no less than 15m and the width no less than 3m. Water from the area above the entry/exit point shall be diverted to an approved sediment filter or trap by a bund or drain located above.  
Reason: To maintain a clean site and local environment.

***Prior to the Issue of an Occupation Certificate***  
**Crime Prevention Measures**

68. All access points to the building, including lifts and stairwells, be restricted only through a security system. Visitors to the residential complex should be provided with access via an intercom.
69. The storage units located in the vicinity of the car parking spaces must be fully enclosed and non-visible to deter potential offenders from breaking in as they are unable to see what contents are stored within each storage unit.
70. Residential car parking must be provided so that it is separate from commercial and visitor parking. These areas must be separated by either a bollard gate or roller door to increase security and limit unauthorised persons from accessing restricted areas of the building.
71. The basement car park must be painted the colour 'white' to increase lux levels and light reflection.
72. Directional signage shall be provided throughout the development. The signage must be clear, legible and useful, to aid people in finding their way throughout the subject property.  
Reason: To provide for a safe built environment.

**Car Parking Requirements**

73. A total of two hundred and fifty-two (252) off-street parking spaces being provided, comprising of:
- Two hundred and twelve (212) residential spaces;
  - Thirty-five (35) residential visitor spaces;
  - One (1) car wash bay; and
  - Four (4) commercial car parking spaces.
- The car spaces must be allocated and marked according to this requirement. If the development is strata subdivided, the car park layout must respect the above allocation.  
Reason: To provide adequate off-street parking for site users and protect on-street parking.

74. Of the two hundred and fifty-two (252) off-street car parking spaces provided, twenty-two (22) spaces are to be accessible parking spaces suitable for use by people with disabilities in accordance with the approved plans. The accessible parking spaces must comply with the dimensions of AS 2890.1 and have a firm, level surface with minimal crossfall. These spaces must be marked with the international symbol of disability.  
Reason: To provide suitable parking for those with mobility impairment.
75. All car parking spaces must be sealed, line marked and made freely available at all times.  
Reason: To provide safe off-street parking for site users.
76. Signage shall be erected for the visitor and resident common property car spaces to notify and allow people to use the designated spaces.  
Reason: To provide safe off-street parking for site users.

### **Public Improvements**

77. All redundant vehicular crossings shall be replaced with kerb and the footpath reserve made good by Council or an approved contractor, at the applicant's cost. The work is to be carried out in accordance with Council's "Specification for the Construction by Private Contractors of: a) Vehicle Crossings, b) Concrete Footpath, c) Concrete Kerb & Gutter".  
Reason: To maintain an attractive and functional streetscape.
78. The granting of service easements within the properties to the satisfaction of Council or private certifier. Costs associated with preparation and registration of easements to be borne by the developer.  
Reason: To ensure occupants have access to suitable utilities without public cost.

### **Traffic & City Works**

79. Ground anchors are not permitted along the northern boundary due to the adjacent Riverwood wetland.
80. The applicant to arrange with the relevant public utility authority the alteration or removal of any affected services in connection with the development. Any such work being carried out at the applicant's cost.
81. All car parking space dimensions and clear areas, aisle widths, turnings areas, ramp grades and widths must conform to the requirements of AS2890.1.  
Reason: To provide suitable car parking spaces and vehicle manoeuvring areas so that all vehicles are able to adequately enter and exit the site in a forward direction.
82. All disabled parking spaces and adjacent shared areas must conform to the requirements of AS2890.6.  
Reason: To provide suitable car parking for those with mobility impairment.
83. All bicycle parking space dimensions must conform to the requirements of AS2890.3.  
Reason: To provide for, and encourage, bicycle use and cater for those without access to a vehicle.
84. A clear area of 2.0 metres by 2.5 metres must be provided at the exit ramp where it intersects with the pedestrian path to ensure adequate sight distance is provided for pedestrians.

Reason: To provide safe car parking and vehicle manoeuvring areas for the site.

85. The driveway grades shall be in accordance with Australian Standard AS 2890.1 "Off-street Parking Part 1 - Carparking Facilities".

Reason: To provide suitable car parking spaces and vehicle manoeuvring areas so that all vehicles are able to adequately enter and exit the site in a forward direction.

### **Critical Inspections**

86. Class 2, 3 or 4 Buildings

- 86.1 prior to covering of waterproofing in any wet areas, for a minimum of 10% of rooms with wet areas within the building, and
- 86.2 prior to covering any stormwater drainage connections, and
- 86.3 after the building work has been completed and prior to any occupation certificate being issued in relation to the building.

Class 5, 6, 7, 8 or 9 Buildings

- 86.4 prior to covering any stormwater drainage connections, and
- 86.5 after the building work has been completed and prior to any occupation certificate being issued in relation to the building.

Reason: To ensure structural adequacy of the development.

87. Section 81(A) of the EP&A Act 1979 requires that a person having the benefit of a development consent, if not carrying out the work as an owner-builder, **must notify the principal contractor for the building work of any critical stage inspections and other inspections that are to be carried out in respect of the building work**, as nominated in this development consent.

To arrange an inspection by Council please phone 9789-9300 during normal office hours.

Reason: To ensure structural adequacy of the development.

### **Completion of Development**

#### **General**

88. Obtain an Occupation Certificate/Interim Occupation Certificate from the Principal Certifying Authority before partial/entire occupation of the development.

Reason: To ensure consistency between this development consent and the "as built" development.

#### **We also advise:**

89. This application has been assessed in accordance with the National Construction Code.

Reason: To ensure structural adequacy of the development.

90. You should contact Sydney Water prior to carrying out any work to ascertain if infrastructure works need to be carried out as part of your development.

Reason: To ensure adequate stormwater disposal for the site.

91. Where Council is appointed as the Principal Certifying Authority, you will be required to submit Compliance Certificates in respect of the following:

- Structural Engineering Work
- Air Handling Systems
- Final Fire Safety Certificate

- Glazing
- BASIX completion
- Waterproofing

Reason: To ensure structural adequacy of the development.

92. Any works to be carried out by Council at the applicant's cost need to be applied for in advance.

Reason: To allow adequate capacity from Council to carry out the work.

93. Before you dig, call "Dial before you Dig" on 1100 (listen to the prompts) or facsimile 1300 652 077 (with your street no./name, side of street and distance from the nearest cross street) for underground utility services information for any excavation areas.

Reason: To ensure occupants have access to suitable utilities.

94. No variation to the approved design and external appearance of the building (including colour of materials) will be permitted without our approval.

Reason: To ensure consistency with the endorsed plans.

95. Compliance with the National Construction Code does not guarantee protection from prosecution under "The Disability Discrimination Act". Further information is available from the Human Rights and Equal Opportunity Commission on 1800 021 199.

Reason: To require both structural adequacy as well as suitable access in and around the building.

96. If you are not satisfied with this determination, you may appeal to the Land and Environment Court within 6 months after the date on which you receive this Notice of Determination, under Section 97 or Section 97AA of the Environmental Planning and Assessment Act 1979.

Reason: To allow for an appeal to be carried out.