



14188
26 August 2014

The Chief Executive Officer
Parramatta City Council
PO Box 32
Parramatta NSW 2124

Dear Sir,

**SECTION 96(2) MODIFICATION APPLICATION
2 MORTON STREET, PARRAMATTA (D/2012/391/A)**

This Statement of Environmental Effects (SEE) is submitted to Parramatta City Council in support of a section 96(2) application to modify Development Consent D/2012/391/A relating to 2 Morton Street, Parramatta.

The application has been prepared on behalf of the applicant Probuild (Buildings on the abovementioned project). This report describes the site and its environs, the proposed modifications and includes an assessment of the proposal in terms of the matters for consideration as listed under section 79C(1) and section 96 of the *Environmental Planning and Assessment Act 1979* (EP&A Act).

The application relates to various internal and external modifications required as a result of ongoing design development.

This application is accompanied by the following information:

- Section 96(2) application form and fee;
- Architectural Drawings, GFA Schedule and SEPP 65 Statement prepared by Smart Design Studio (**Attachment A**);
- Quantity Surveyors Statement prepared by Rider Levett Bucknall (**Attachment B**);
- Landscape Plan and Landscape Statement prepared by Aspect Studios (**Attachment C**);
- Road Design Report prepared by Brown Consulting (**Attachment D**);
- Waste Management Plan prepared by Elephants Foot (**Attachment E**); and
- Engineering Drawings prepared by Northrop (**Attachment F**).

1.0 CONSENT PROPOSED TO BE MODIFIED

Deferred commencement consent D/2012/391 was granted by the Sydney Region West JRPP on 13 December 2012 for a staged development application for the construction of a mixed use development including 774 dwellings, retail and commercial uses. The information required to satisfy the deferred commencement conditions has now been approved, and the consent became operational on 19 August 2014.

A modification application (D/2012/391/A) was submitted to Council in March 2014 seeking to enable the contamination/validation report to be provided prior to the issue of the Occupation Certificate. It also

sought to correctly identify the number of carparking spaces required for Stage 1 of the development. This application was approved in July 2014.

2.0 DESCRIPTION OF PROPOSED DEVELOPMENT MODIFICATIONS

The proposed modifications to D/2012/391/A are illustrated in the Architectural Drawings prepared by Smart Design Studio (refer to **Attachment A**). The modifications relate to Site A of the approved Staged development and include:

- Modifications to the interface between the development and the foreshore park, including reconfiguration of the external steps which link the podium to the foreshore park;
- Modifications to the podium and landscape design;
- Changes to the timing of delivery of the approved north-south road, including temporary works to incorporate a turning head;
- Modifications to the roof clerestories on Buildings A1 and A3;
- Relocation of the approved car share parking space;
- Changes to the waste management arrangements;
- Changes to the design of the approved substation;
- Various minor internal modifications; and
- Various minor external modifications.

These key modifications are described in detail below. A schedule of all proposed changes (including a number of minor changes and modifications required to satisfy BCA and fire safety requirements) is provided at **Table 1**. Rider Levett Bucknall has prepared a Quantity Surveyors Statement which confirms that the modifications will not result in any exceedance of the original cost of works (refer to **Attachment B**).

2.1 Permanent Works

Modifications to the Interface between the Development and the Foreshore Park

Following review of the approved design and the interface between the development and the foreshore park, it was determined that a more considered design outcome could be achieved.

The modified design proposes to remove the approved external staircase between Building A1 and Building A4 and replace it with a set of narrower, more refined steps at ground level which lead to an internal stair connection to the podium. The internal staircase will be glazed to ensure continued connectivity with the foreshore park. The modification also seeks to rationalise the steps between Building A3 and Building A4. The retention of this stair will ensure that there continues to be two access points between the podium and the foreshore.

Podium and Landscape Design

Several modifications have been made to the landscape design in response to the changes to the podium access, as well as through general design development changes. Aspect Studios have prepared revised Landscape Plans and a Landscape Statement (refer to **Attachment C**). The changes are shown at **Figure 1** and include:

Podium Level

- Replacement of the steps on the rooftops of the terraces at Building A4 with mass planting. Planters on these rooftops will contain low maintenance ground covers and native grasses with low water requirements.
- Amendments to the shape and dimensions of a raised planter on the eastern edge of the landscaped podium to accommodate a revised fire stair.

- Setting back the balustrade from the southern edge of the podium, and providing a gravel strip between the balustrade and the podium edge.
- Modifications to the general layout of the central podium to provide a greater variety of spaces with multiple seating opportunities. The revised design aligns the landscape and building geometries to provide a more cohesive scheme.

Ground Floor

- Reconfiguration of the western access steps from the foreshore open space to the ground floor, and inclusion of mass planting to soften this entry.
- Reconfiguration of the eastern access steps from the parkland to the ground floor.

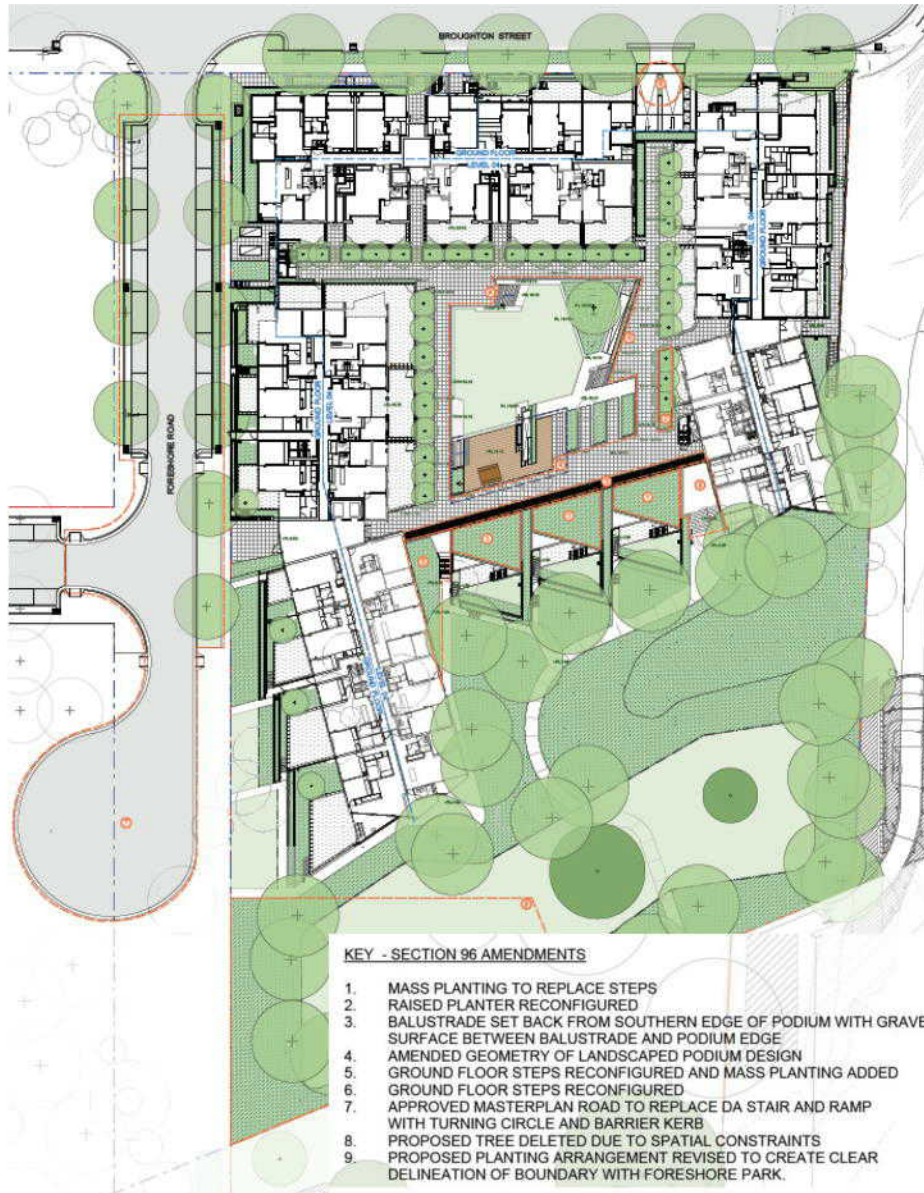


Figure 1 – Modified landscape concept

Source: Aspect Studios

Delivery of Approved North-South Road

Under the approved development, the new north-south road was to be constructed as part of the works for Site B (Stage 2). It is now proposed to include this as part of the Site A (Stage 1) works to ensure

access to the substation in accordance with the requirements of electricity supply authority, as well as vehicular access to the site's permit as required by the NSW fire brigade.

As discussed at Section 2.2, a temporary turning head is proposed at the southern end of the road to ensure vehicles can exit the site without engaging reverse. The dedicated pedestrian path on the eastern side of the road will be retained, and will be provided as part of the Stage 1 works.

Brown Consulting has prepared a Design Report to assess the design of the road against the relevant Australian Standards. A copy of the report is provided at **Attachment D** and is discussed at Section 4.2.

Modifications to Roof Clerestories on Building A1 and Building A3

Minor modifications have been made to the design of the roof clerestories on Buildings A1 and A3 to improve the appearance and scale of these architectural features.

The proposed change will result in a maximum height of 42.45m at the southern end of Building A3. This is 0.75m over the approved height of 41.7m, and 2.45m over the 40m height limit applying to the site. The additional height is considered appropriate as the clerestory is an architectural roof feature in accordance with clause 5.6 of LEP 2011, as discussed at Section 4.1. Building A1 remains within the LEP height limit for the site.

Relocation of Car Share Parking Space

Following consideration of potential safety issues associated with the approved location of the car share space, it is proposed to relocate the car share space to the north-south road. It is also proposed to move the roller shutter slightly to the north (towards Broughton Street) to enclose the loading area.

It is noted that Council has raised concerns about the relocation of the car share space onto a road which will be dedicated to Council. Whilst consideration has been given to other positions on the site, locating the space on the north-south road is considered the most feasible location. As discussed in Section 4.2, the revised location also results in improved CPTED outcomes.

It is noted that no other significant changes are proposed to the approved car parking or bicycle parking arrangements. Site A will now provide 405 car spaces (one more than originally approved) and 139 bicycle spaces which is consistent with the approval. The revised parking provision remains consistent with Parramatta DCP 2011 (refer to Section 4.2).

Revised Waste Management Arrangements

Following review of the approved waste management arrangements, it is proposed to replace the garbage rooms on each level with a more efficient system comprising eDiverter chutes with capacity for both garbage and recyclable waste. The changes have resulted in minor amendments to the configuration of the apartments which adjoined the approved waste rooms, and subsequent increases in the areas of these apartments.

An assessment of the revised waste management system has been undertaken by Elephants Foot and is discussed at Section 4.2 and **Attachment E**. The Areas Schedule has also been updated to reflect the slightly modified apartment layouts (refer to Section 4.1 and **Attachment A**).

Substation

The approved DA documentation indicatively showed one substation on the eastern side of the internal north-south road, between Building A1 and Building A2. Detailed design undertaken in conjunction with the electrical supply authority of the substation has resulted in changes to the proposed design. Instead of the single substation that was approved, it is now proposed to provide two substations on a raised pad, based on advice from the supply authority. The revised substations are proposed to be located in the same position (i.e. on the site, and not within Council's road reserve) and so are considered consistent with Condition 57 of the consent. Similarly, there is ample street frontage to accommodate the additional size without dominating the streetscape.

Minor Internal Modifications

A number of minor internal modifications are proposed, as outlined in **Table 1** below. Many of these changes relate to BCA and fire safety upgrades, however others relate to general design development and include modifications as a result of:

- Services coordination – including size and position of service risers;
- Structure coordination – position and size of structural walls and columns;
- Waste management – replacing bin rooms on all floors with garbage chutes and the subsequent replanning of adjacent apartments;
- Fire stairs – adjusting the size and position of stairs in response to BCA and fire engineering advice; and
- Apartment planning changes made as part of the design development stage and in response to marketing advice. Planning changes include the repositioning of kitchens and laundries, door positions and relationships of bedrooms to bathrooms.

As a result, the areas of several apartments, as well as some balconies / terraces have changed slightly. These changes are reflected in the revised GFA figures for the site (refer to Section 4.1 and **Attachment B**). As discussed at Section 4.1 the amendments generally do not alter the level of compliance with SEPP 65 and have been made to improve the amenity of apartments.

Minor External Modifications

A series of external modifications have been made as a result of detailed design development, as well as to improve the appearance and continuity of the design. Additional changes have been made to satisfy BCA and fire safety requirements. A full schedule of all external changes is provided at **Table 1**. Notable changes include:

- Changes to the construction of Building A2 (accommodating required structure within external brick walls) resulting in minor changes to building separation distances;
- Reducing the height of the concrete upturn balustrades on Buildings A1 and A3 from 1m to 0.8m with rails above to improve views;
- Changes to the materiality on the western elevation of Building A2 from a combination of glass and solid elements to all face brick; and
- Changes to the materiality of the lower two levels (Ground and Level 1) of the eastern and western elevations of Building A3 from a combination of glass and solid elements to all glass.

2.2 Temporary Works

As outlined above, the changes to the delivery of the internal road require the construction of a temporary turning head to enable vehicles to turn around without engaging reverse. To avoid conflict with the Stage 1 works, the turning head will be located within the Stage 3 site. The turning head will be in place until such time as the southern end of the road north-south road is constructed. The design of the temporary turning head is shown on the revised Architectural Drawings at **Attachment A** and the revised Engineering Drawings at **Attachment F**. The additional Engineering Drawing supplements those which are currently under assessment as part of Deferred Commencement Condition 1(b).

2.3 Proposed Modifications

Table 1 below provides a detailed schedule of the proposed modifications for each element of the approved development. The item numbers are consistent with the numbering on the Architectural Drawings for referencing purposes.

Table 1 – Schedule of changes

Component	No.	Description of Proposed Modification	Drawing No.
Car Park L00-L01	1.	Delete fire stair in northwest carpark	S96:100, S96:101
Car Park L00 – Podium	2.	Delete fire stair in south carpark that discharges on to Podium	S96:100, S96:101, S96:102, S96:103, S96:104
	3.	Relocate fire stair in southeast carpark (Building A1)	S96:100, S96:101, S96:102, S96:103, S96:104
Building A1 L00 – L3	4.	Extend out bedroom of South East apartment to align glazing on upper floors Level 4-Level 6	S96:100, S96:101, S96:102, S96:103,
Building A1	5.	Delete external stair and adjust external steps ground to L00	S96:001, S96:100, S96:101,

Component	No.	Description of Proposed Modification	Drawing No.
L00 – Podium			S96:102, S96:103, S96:104, S96:301
South Terrace Podium	6.	Remove steps and replace with roof top planter	S96:001, S96:103, S96:104, S96:301, S96:401
	7.	Set back balustrade from northern edge of podium	S96:001, S96:104, S96:301, S96:401
North-South road	8.	Approved masterplan road to replace DA stair and ramp	S96:001 S96:100, S96:101, S96:301
West Elevation	9.	Building A3, south end - simplified two storey set back glazed wall to Ground and Level 1	S96:301, S96:302
	10.	Building A2 – change to all face brick	S96:301, S96:302
Section BB	11.	Building A3, East Elevation, - Simplified two storey set back glazed wall to Level 00 – Level 01 (above flood flaps with continuous vertical timber slat screening)	S96:400
Buildings A1 and A3 Roof Clerestories	12.	Building A1 - realign north clerestory	S96:108
	13.	Building A1 and A3 - extra clerestory roof height and adjust overhang	S96:001, S96:108, S96:300, S96:301, S96:302, S96:400, S96:401
	14.	Building A3 - southern clerestory repositioned	S96:001, S96:110
Buildings A1, A2 and A3	15.	Replace garbage rooms on apartment floors with garbage chutes, adjust adjacent fire stairs and apartment	S96:104, S96:105, S96:106, S96:107, S96:108, S96:109, S96:110
East Elevation	16.	Continuous sliding doors to L00 courtyard apartments	S96:300
	17.	Building A1 entry, conc. boundary wall – height raised 0.6m to 2.1m to accommodate letterboxes	S96:300
Car Park Entry L01	18.	Relocate car share space from carpark entry and move garage door	S96:101
Building A1 and A3	19.	Concrete upturn balustrades reduced in height from 1m to 0.8m with rails above for better visibility out from apartments.	S96:300, S96:301, S96:302, S96:400, S96:401
Building A1 Balconies East and West Facades	20.	Glass balustrades replaced with fire rated spandrel panels to comply with BCA	S96:102, S96:103, S96:104, S96:105, S96:106, S96:300
	21.	Building A1 – Delete opening to comply BCA fire separation	S96:102, S96:103, S96:104, S96:105, S96:106, S96:300, S96:401
	22.	Building A3 – Replace opening with screen to balcony	S96:400
A1 East Elevation and Section CC	23.	Extend façade wall at edge balcony to comply with BCA fire separation	S96:102, S96:103, S96:104, S96:105, S96:106, S96:300
Substation L00 and West Elevation	24.	Substation platform development	S96:001
Dimensions	25.	Revised dimensions between building blocks	S96:001, S96:105
Building A3, L11 – Plant / Lobby	26.	Reduced plant and extended lobby	S96:110
Building A1, L00 – Entry	27.	Amended A1 Entry to align with levels above	S96:100
Building A1 and A3 – Skylights	28.	Deleted skylights	S96:001, S96:108, S96:110
Building A3, L11 – Planter	29.	Delete planter box	S96:110
Building A3, L00 – Stairs	30.	Adjust external steps ground to L00	S96:001, S96:100, S96:301
Master Plan Approved Road	31.	Stage 1 temporary turning circle added	S96:001, S96:100, S96:101, S96:102

2.4 Modifications to Conditions

The proposed modifications described above necessitate amendments to the consent conditions which are identified below. Words proposed to be deleted are shown in **~~bold strike-through~~** and words to be inserted are shown in ***bold italics***.

Part A, Condition 2

The development is to be carried out in accordance with the following plans endorsed with Council's Stamp as well as the documentation listed below, except where amended by other conditions of this consent.

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Drawing No.	Dated
Morton Street Stage 1 – DA:000 Legend & Drawings Schedule by Smart Design Studio	04/07/2012
Morton Street Stage 1 – DA:001 Site/Roof Plan by Smart Design Studio	04/07/2012 06/05/2014
Morton Street Stage 1 – DA:100 Ground Level Plan by Smart Design Studio	04/07/2012 06/05/2014
Morton Street Stage 1 – DA:101 Level 1 Plan by Smart Design Studio	04/07/2012 06/05/2014
Morton Street Stage 1 – DA:102 Level 2 Plan by Smart Design Studio	04/07/2012 06/05/2014
Morton Street Stage 1 – DA:103 Level 3 Plan by Smart Design Studio	04/07/2012 06/05/2014
Morton Street Stage 1 – DA:104 Level 4 Plan by Smart Design Studio	04/07/2012 06/05/2014
Morton Street Stage 1 – DA:105 Level 5 Plan by Smart Design Studio	04/07/2012 06/05/2014
Morton Street Stage 1 – DA:106 Level 6 Plan by Smart Design Studio	04/07/2012 06/05/2014
Morton Street Stage 1 – DA:107 Level 7&8 (A3) Plan by Smart Design Studio	04/07/2012 06/05/2014
Morton Street Stage 1 – DA:108 Level 9 Plan by Smart Design Studio	04/07/2012 06/05/2014
Morton Street Stage 1 – DA:109 Level 10 Plan by Smart Design Studio	04/07/2012 06/05/2014
Morton Street Stage 1 – DA:110 Level 11 Plan and A3 Roof Plan by Smart Design Studio	04/07/2012 06/05/2014
Morton Street Stage 1 – DA:300 Elevations 1 by Smart Design Studio	04/07/2012 06/05/2014
Morton Street Stage 1 – DA:301 Elevations 2 by Smart Design Studio	04/07/2012 06/05/2014
Morton Street Stage 1 – DA:302 Elevations 3 by Smart Design Studio	04/07/2012 06/05/2014
Morton Street Stage 1 – DA:400 Sections AA & BB by Smart Design Studio	04/07/2012 06/05/2014
Morton Street Stage 1 – DA:401 Sections CC by Smart Design Studio	04/07/2012 06/05/2014
Morton Street Stage 1 – DA:500 GFA Area Diagrams by Smart Design Studio	Undated May 2014
Morton Street Stage 1 – DA:501 GFA Area Diagrams by Smart Design Studio	Undated May 2014
2 Morton Street – Typical Balcony Shading Section 1- Page 1.38 by Smart Design Studio	November 2012
2 Morton Street – Building Separation, Section 1- Page 1.40 by Smart Design Studio	November 2012

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3.0 SUBSTANTIALLY THE SAME DEVELOPMENT

Pursuant to Section 96(2) of the EP&A Act, Council may modify development consent if *“it is satisfied that the development to which the consent as modified relates is substantially the same development as the development for which consent was originally granted and before that consent as originally granted was modified (if at all)”*.

The proposed modifications will not substantially alter the nature of the approved development. The proposed development remains substantially the same, as:

- The proposed development retains the same residential uses as the approved development;
- No changes are proposed to the approved number or mix of apartments;
- The proposed modifications result in only a minor increase in GFA (67m²) and no changes to the approved FSR;
- It involves internal and external amendments which are proposed out of a desire to improve the efficiency of the internal planning and enhance the way the buildings are read from the public domain, and do not substantially alter the built form or appearance of the overall development; and
- The modifications will not result in any adverse environmental impacts, and will improve the design quality and functionality of the development.

The incorporation of the proposed modifications will result in a development which is substantially the same as the approved development. The modification of the DA can therefore lawfully be approved under section 96(2) of the EP&A Act.

4.0 PLANNING CONSIDERATIONS

Section 96(3) of the EP&A Act requires a consent authority to take into consideration such of the matters referred to in section 79C(1) as are of relevance to the development the subject of the application.

The planning assessment of the proposed modified development remains generally unchanged with respect to the above matters. The following matters however warrant further assessment.

4.1 Compliance with Statutory Plans

The development, as proposed to be modified, remains generally consistent with the following statutory plans and policies:

- State Environmental Planning Policy 65 – Design Quality of Residential Flat Development (SEPP 65);
- Parramatta Local Environmental Plan 2011 (LEP 2011); and
- Parramatta Development Control Plan 2011 (DCP 2011).

It is noted that the original development application was considered Integrated Development under section 91 of the *Environmental Planning and Assessment Act 1979*, and concurrence was given by the Office of Water (Department of Primary Industries). The proposed modifications described above are not considered to alter the considerations made by the Office of Water in their original assessment, and so re-referral is not considered necessary.

The following matters required further consideration.

SEPP 65 and Internal Residential Amenity

The proposed changes seek to enhance the internal planning and amenity of apartments. The modified development generally remains consistent with the SEPP65 assessment made in the original development application, notably, no changes have been made which affect the number of apartments achieving the solar access and cross ventilation 'Rules of Thumb'. A revised SEPP65 Statement has been prepared by Smart Design Studio and is included at **Attachment A**. The proposed modifications require the following areas to be reconsidered.

Balconies

The internal planning changes described at Section 2.1 have resulted in changes to the sizes of some balconies. As outlined at **Attachment A**:

- 100% of 1 bedroom apartments will have a balcony size ranging between 8-10m²;
- 80% of single aspect 2 bedroom apartments will have a balcony size ranging between 8-10m², with 100% of balconies being over 7m²;
- 85% of corner aspect 2 bedroom apartments will have a balcony between 10-11m², with 100% of balconies being over 7m²; and
- 72% of 3 bedroom apartments have a balcony / terrace greater than 24m². It is noted that all balcony / terrace sizes are either the same or larger than originally proposed.

The minor variations are considered acceptable given the quantity of open space provided on the site, both as part of the podium and the foreshore open space, and the overall amenity improvements resulting from the proposed changes.

Building Separation

The change to the width of wall construction for Building A2 has resulted in changes to the separation distances between Building A2 and Building A3, and Building A2 and Building A1.

The separation distance between Buildings A2 and A3 will be reduced by 85mm from 12,700mm to 12,615mm. The separation distance between Buildings A2 and A1 has been reduced by 290mm from 9,000mm to 8,710mm. The proposed reductions are minor, and will not significantly alter the development's compliance with the 'Rule of Thumb'. The separation distance between Buildings A2 and A3 will remain consistent with the 'Rule of Thumb'. The distance between Buildings A2 and A1 were already partially less than those required by SEPP65, and the approved measures will continue to be employed to ensure the privacy and amenity of all apartments. These measures include:

- Primary windows/balconies oriented away from other buildings;
- Secondary windows/openings for cross ventilation located in facades facing other buildings;
- Considered location of habitable and non-habitable space in adjacent buildings;
- Windows offset for additional privacy; and
- Screen planting provided to give privacy and improved outlook.

Parramatta LEP 2011

Floor Space Ratio

The modifications proposed will result in a minor change to the approved GFA as outlined in the revised GFA Plans and Area Schedule at **Attachment A**. The revised GFA is 64,351m², an increase of 67m² compared to the approved GFA. This small addition does not result in any changes to the approved FSR. The proposed FSR remains at 1.75:1 for the Staged DA, consistent with clause 4.4 of Parramatta LEP 2011.

Building Height

All buildings remain within the 40m height limit set by Parramatta LEP 2011, however as discussed at Section 2.0, the height of the clerestory roof to Building A3 has been increased by 0.75m, taking the maximum height of this building to 42.25m. Compliance with the clause 5.6 of LEP 2011 is discussed below.

Architectural Roof Features

Whilst the building envelopes continue to comply with the 40m height limit across the site, an architectural roof feature is proposed on Building A3, which will take the overall height of this building to a maximum of 42.45m, 0.75m above the approved height of 41.7m.

Under clause 5.6 of LEP 2011, architectural roof features are permitted to project above the nominated height limit. The roof feature takes the form of a vaulted skylight, which will enhance the geometry of the roofline (deviating from a standard, flat roof structure), whilst providing improved solar access into the apartments below. The modified design seeks to enhance the scale of the feature to improve the proportions of the building, the elegance of the building and the animation of the skyline. The roof as proposed to be modified is consistent with the requirements of clause 5.6 (Architectural Roof Features) of Parramatta LEP 2011, and is considered appropriate for the following reasons:

- The modified roof feature continues to integrate with the building composition and form, with the angled roof acting as a key feature of the building and integrating with other geometric roof forms across the site;
- The angled roofs provide a point of interest when compared to other residential developments, and enhance the architectural quality of the development;
- It does not comprise an advertising structure;
- It does not include floor space area, or area capable of being modified to include floor space area; and
- The modified roof feature will not result in any negative overshadowing impact, rather, the skylight roof feature will provide solar access into the apartments below.

Parramatta DCP 2011

Public Domain

The majority of the proposed changes do not affect compliance with Parramatta DCP 2011. The primary modification which could affect compliance with DCP 2011 are the changes proposed to foreshore connectivity, as the DCP requires consideration to be given to providing greater visual and physical connections to the foreshore, as well as connections between the northern and southern banks of the River.

Whilst the proposal will not alter future connections between the northern and southern banks of the River, changes are proposed to the connections between the podium and foreshore.

As shown in **Figure 2**, the original stair which was proposed to link the podium to the foreshore was not well resolved, and resulted in a sub-optimal design outcome. The revised design seeks to remove the external stair and instead provides access via new external steps at ground level, which lead to an internal lobby area where a glass fronted staircase provides access up the podium level. The modification also seeks to remove the steps on top of the terraces at Building A4 and replace them with landscaped planters.

The revised development will continue to provide physical and visual connectivity to the foreshore as the:

- The terrace buildings (Building A4) between the podium and the foreshore open space, will continue to be of a scale which provides for connectivity and a sense of 'stepping' down to the waterfront.
- Revised stair continues to provide generous access between the foreshore open space and the podium. The revised stair is of an appropriate scale, and continues to create a sense of grandeur, with the glazed lobby continuing to provide for connectivity between the foreshore and the building.
- Replacement of the terrace stairs above Building A4 with landscaped planters will provide a more seamless connection between the development and the foreshore, and will visually 'green' the development when viewed from the park, creating greater connect between the two landscapes. The revised podium landscape design will also enable the whole of the podium to act as a viewing platform over the foreshore.
- Reconfiguration of the steps between Building A3 and Building A4 will continue to provide a second connection between the podium and foreshore.

Further, the deletion of the external staircase will provide for greater modulation between the building elements, enabling Buildings A1 and A4 to be more clearly read as two distinct buildings, while providing a unified southern façade.

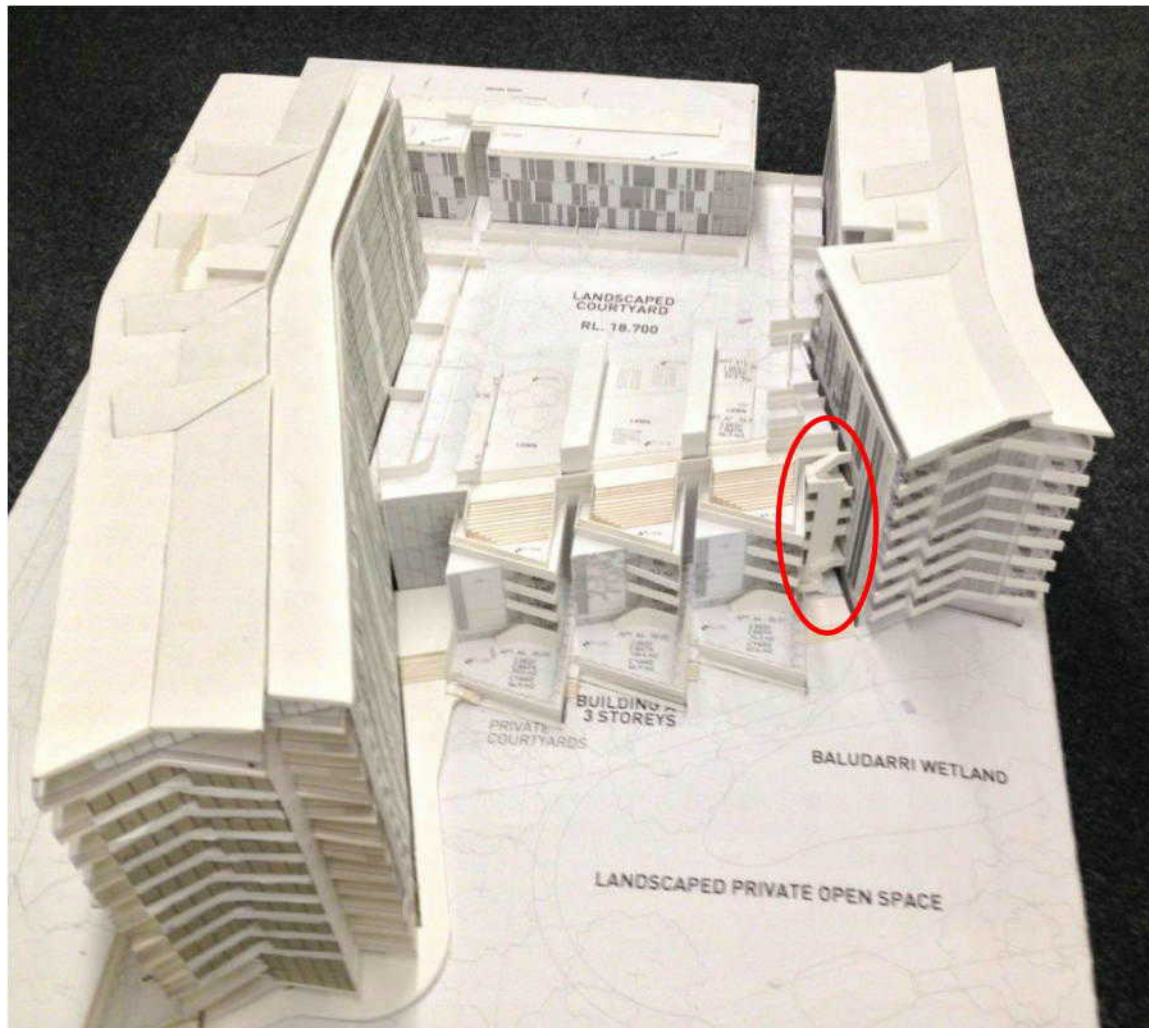


Figure 2 – Approved stair between Building A1 and Building A4 (circled in red)

4.2 Section 79C(1)(b) Impact on the Environment

The SEE submitted with the original DA and the subsequent section 96 applications assessed the potential impacts of the overall development with regard to the following key planning issues:

- Compliance with Relevant Strategic and Statutory Plans and Policies;
- Urban Design and Built Form;
- Flooding;
- Transport and Accessibility;
- Internal Residential Amenity;
- Solar Access and Overshadowing;
- Housing Supply and Choice;
- Tree Removal and Ecological Impacts;
- Soil and Water Management;
- European Heritage Section;
- Indigenous Heritage;
- Environmentally Sustainable Development;
- Geotechnical, Contamination, Acid Sulphate Soils and Groundwater;

- Acoustic Impacts;
- BCA and Accessibility;
- Community Consultation;
- Construction and Waste Management; and
- Social and Cultural Impacts.

The proposed modifications do not give rise to any alteration to the assessment of the potential impacts considered as part of the original DA and subsequent section 96 application other than in relation to the following matters

Urban Design and Built Form

The proposed changes will result in an improved urban design and built form outcome on the site. As noted above, whilst some of the changes have been driven by BCA and fire safety requirements, the majority of the changes to the buildings are proposed to improve the urban design and built form outcomes, as well as the amenity of apartments.

The proposed façade and materiality changes will unify the expression of the building and provide for an improved façade language.

As detailed above, the other key urban design and built form outcome which is proposed to be modified are the changes to the podium connections. As described at Section 4.1, the modified steps will continue to facilitate connectivity between the podium and the foreshore, and will improve the built form outcome by creating relief between the buildings and the appearance of discreet building forms. The amendments will also enhance the modulation of the buildings when viewed from the foreshore.

Waste Management

A Waste Management Statement has been prepared by Elephants Foot to assess the revised waste management arrangements (refer to **Attachment E**).

Buildings A1, A2 and A3 will contain eDiverter chutes. Residents from Level 2 and above will be supplied with a chute outlet that provides the opportunity to dispose of garbage and recyclable items. Residents on Levels 00 and 01 will be provided with a bin room containing garbage and recycling bins to deposit their bagged garbage and recyclables. The waste collection for Building A4 will continue to be distributed into Buildings A1 and A3, consistent with the approved arrangements.

The WMP outlines the waste generation rates for the development, and concludes that the following bins will be required:

- 6 x 1,100L moveable garbage bins (MGB) for garbage; and
- 7 x 660L MGB for recycling.

These figures are based on the following waste generation assumptions:

- Garbage will be compacted at a ratio of 2:1 at the base of each chute;
- Recycling will remain uncompacted at the base of each chute;
- Garbage and recycling bin numbers are based on three collections weekly;
- A private waste service provider will be appointed by building management; and
- Collections will be made on alternate days e.g. Mon/Wed/Fri to ensure sufficient storage is available in the main bin room.

The following waste management arrangements will be implemented:

- Residents will be supplied with a collection area in each unit and will be responsible for transporting their waste to the appropriate location.
- For Buildings A1 and A2 (except Levels 00 and 01) the Elephants Foot eDiverter will divert waste through the chute system into an impact hopper, before discharging it into the garbage collection

1,100L MGB in each refuse room. The Elephants Foot eDiverter will divert waste through the chute system into an impact hopper and discharge into the garbage collection 1,100L MGB.

- Sorted recycling will also travel through the chute system to the impact hopper and discharge into 660L MGB beneath the bottom chute. The 660L MGB will be replaced with clean, empty bins as required.
- Building A3 will discharge waste and recycling as per Buildings A1 and A2, however garbage 1,100L MGB will be placed on a carousel track with a compactor. Full bins will be compacted 2:1 before being moved forward and replaced by an empty bin until all bins on the track area full. Full 1,100L MGB will be moved to the collection area and empty, clean bins replaced on the track under the discharge chutes as required.
- The building manager will be responsible for transporting full bins from Buildings A1, A2 and A3 to the main bin room for collection on the scheduled collection days.

The WMP concludes that the areas provided on the Architectural Drawings are suitable for the bins generated by the development.

Transport and Accessibility

As noted above, no significant changes are proposed to the approved parking provision, with only one additional parking space proposed as a result of design development of the basement levels. The additional space takes the total parking provision on Site A to 405 spaces. Parramatta DCP 2011 specifies a minimum parking requirement of 403 parking spaces for Site A, and so the modified development remains consistent with the DCP.

Brown Consulting has prepared a Design Report to assess the revised access road arrangements (refer to **Attachment D**). As outlined above, to accommodate traffic movements and to ensure that vehicles do not have to engage reverse to exit the site, the design of the road has been revised to accommodate a temporary turning head. The Report confirms that the proposed temporary road complies with Austroads standards. The desired width of lane lines is generally 3.5m, however this value generally applies to arterial roads. The current width of carriageway is 6.10m between kerb lips which equates to 3.05m per lane. Considering the road hierarchy as a local road, a kerbside lane width of 3.0m is acceptable for low speed local roads. Therefore, two-way traffic and parking lanes can be accommodated.

Car Share Relocation and Crime Prevention Through Environmental Design

As outlined at Section 2.1, it is proposed to relocate the car share space from the Level 1 Basement to the new north-south road. In response to concerns raised by Council, alternative locations were considered for the car share space, including putting it within the site to the east of the north-south road. However other locations have proved unfeasible due to site levels and the fact that the new road is suspended. Further, it is noted that all parking (including all visitor parking) is accommodated within the development. The provision of one parking space, to accommodate a communally accessible Go-Get vehicle, on Council's roadway is considered preferable as it also overcomes many access issues and opens up the use of the car share vehicle to people living outside of the development and in Stages 2 and 3 of the development.

The relocation is considered a positive outcome from a CPTED perspective, providing visual surveillance over the car share space, which is not available in its current location. This will ensure the safety of users, and will deter would-be perpetrators.

5.0 CONCLUSION

In accordance with Section 96(2) of the EP&A Act, the modified development will be substantially the same as the originally approved development. The proposed modification will not result in any adverse environmental impacts or raise any additional environmental issues.

In light of the above, we recommend that Council approve the proposed modification as described above. We trust that this information is sufficient to enable a prompt assessment of the proposed modification request.

Should you have any queries about this matter, please do not hesitate to contact me on 9956 6962 or ktudehope@jbaurban.com.au.

Yours faithfully

A handwritten signature in blue ink, reading "K. Tudehope". The signature is written in a cursive style with a large initial 'K'.

Kate Tudehope
Senior Planner