

**SUPPLEMENTARY REPORT TO THE JOINT REGIONAL PLANNING PANEL
(Sydney East Region)**

JRPP No.	2015SYE020
DA No.	DA-605/2014
Local Government Area	City of Canterbury-Bankstown
Proposed Development	Demolition of existing structures and construction of 2 x six storey mixed use buildings, with 5,973m ² of retail/commercial space, 297 residential units over 5 levels and 3 levels of basement car parking accommodating 684 car parking spaces
Street Address	1586-1598, 1600-1602, 1604 and 1606 Canterbury Road, Punchbowl (commonly known as 1600 Canterbury Road, Punchbowl)
Applicant	Urbanlink Pty Ltd
Number of Submissions	Nil
Recommendation	Approval with Conditions
Report by	Venetin Aghostin – Planner

1.0 Background

This development application was reported to the JRPP on 12 May 2016 with a recommendation to issue an approval as a Deferred Commencement Consent. The panel deferred the application to allow the applicant to submit amended plans to address five key issues including lift tower heights and locations, revised clause 4.6 justification accounting for lift tower heights, open space areas, deep soil zone areas and external materials and finishes.

Amended plans addressing these matters were lodged with Council on 25 May 2016, 1 June 2016 and 19 July 2016.

The Panel requested Council to submit a supplementary report assessing the extent to which the amended plans comply with the Panels requirements, to enable the Panel to determine the application. Accordingly, this report assesses the amended plans and provides supplementary information for the Panel to consider. Assessment of the submitted information finds that the information satisfactorily addresses the Panel's requirements. Accordingly, Council's previous recommendation for approval is reaffirmed.

2.0 Panel Decision

The panel made the following decision at its meeting on 12 May 2016:

- 1) The Panel resolves unanimously to defer the determination of the application in order to allow the applicant to submit, by 25 May 2016, amended drawings that achieve the following:
 - a) Plans showing the location and height of all lift towers,
 - b) A revised s 4.6 justification if the existing one does not correspond to the height of the lift towers;
 - c) Open space which is at least 25% of the site area;
 - d) Soft landscaping which is at least 30% of the open space and which has at least 1m of soil to grow in;
 - e) Increased quality of materials and finishes..
- 2) The Panel requests the council to provide it with a supplementary report that assesses the extent to which the amended drawings comply with the above requirements.
- 3) Following receipt of the supplementary report, the Panel will determine the application by communicating by electronic means, unless one of the members considers that another public meeting is required.

The applicant submitted amended plans on 25 May 2016, 1 June 2016 and 19 July 2016 all of which are the subject of this supplementary report and assessment.

3.0 Assessment of Applicant's Response to Panel Decision

The amended plans submitted by the applicant respond to the Panel's decision and the five key issues arising from that decision as follows:

a) Plans showing the location and height of all lift towers - satisfied

The roof plan submitted on 25 May 2016 now shows the location and height of all lift towers, confirming there will be a total of eight lifts.

The lifts are designed in such a way that the overrun is higher than the proposed rooftop level. Specifically:

- Seven of the lifts have a top height of RL24.600 with their respective rooftop levels set at RL24.300, resulting in the lift overrun being 300mm higher than the rooftop, and
- One of the lifts at the north section of Block A has a top height of RL25.500 with its respective rooftop level set at RL25.200, also resulting in the overrun being 300mm higher than the rooftop.

The amended plans have satisfactorily addressed the panel's requirement. An assessment of the consequent height increase is discussed below.

b) A revised clause 4.6 justification if the existing one does not correspond to the height of the lift towers – satisfied, not required

A revised Clause 4.6 justification is not warranted and has not been submitted by the applicant.

Despite lift overruns resulting in additional 300mm height increases, overall building height at its maximum point remains the same as originally proposed and as justified in the applicants' original Clause 4.6 variation. Specifically, height remains the same as originally measured, that is, to a maximum overall height of 20.14m. The table below confirms there is no material change when accounting for lift overruns that would warrant a revised Clause 4.6 justification to be submitted by the applicant.

In this regard, the applicant's original Clause 4.6 justification is sufficient; and the assessment presented in the planning report to the Panel on 12 May 2016 remains relevant.

CLEP 2012 building height allowed: 18m maximum				
Building	Maximum Height without lift overruns	Maximum Height with 300mm lift overruns	Variation (m)	Variation (%)
Block A	20.14m	No change	2.14m	11.9%
Block B	19.45m	19.62m	1.62m	9%
Block C	19.41m	No change	1.41m	7.8%

c) Open space which is at least 25% of the site area - satisfied

The landscape plans submitted on 1 June 2016 have increased the area of communal open space across this site from 3,061m² (equivalent to 23.3% of the site) to 3,285m² (equivalent to 25% of the site).

Under the original plan, certain units with an outlook onto the communal space were provided with an additional (fenced) strip of turf abutting the outer edge of their balcony balustrade. This strip created a transition between the balconies and the communal space. The transitional space was calculated as part of the private open space area of these units but was a bonus as the balconies were already of sufficient size and dimensions.

The amended plans have achieved an increase in communal open space, by returning these transitional open space areas to form the common area, instead of being assigned bonus spaces for the units. Accordingly, the increase to communal open space has been achieved without any need to alter the building envelope or reduce balconies.

The amended plans have satisfactorily addressed the panel's requirement.

d) Soft landscaping which is at least 30% of the open space and which has at least 1m of soil to grow in - satisfied

The landscape plans submitted on 1 June 2016 have increased the area of deep soil zones (i.e. zones with a depth of at least 1m) from almost nil across the site to 1,143m² equivalent to 35% of the area of the open space.

This was achieved by increasing the depths of the majority of planter boxes across the site, whereas the original scheme limited deep soil zones only to the planter boxes containing medium and large trees.

The amended plans have satisfactorily addressed and in fact exceeded the panel's requirement.

e) Increased quality of materials and finishes - satisfied

The Schedule of Finishes submitted on 19 July 2016 has increased the quality of construction materials and finishes. This was achieved by introducing new materials and reintroducing certain elements from the first version of plans originally lodged (i.e. elements that had dropped-off in subsequent versions of amendments).

Specifically, the following improvements have been made:

- i. Face brick (dark colour) has been extended across more elevations (including walls of ground floor shops) and replaces areas previously intended to be rendered and painted white/grey.
- ii. Sandstone wall tiles previously proposed to be used over walls of the ground floor shops has now been deleted, with these walls now to be face brick. The deletion of this material from the palette of finishes is acceptable and allows the palette to be limited to five complimentary finishes, instead of six.
- iii. Alucabond cladding (copper colour) has been introduced to replace areas (such as features framing balconies) previously intended to be rendered and painted with a Taubmaus red heart colour.
- iv. Alucabond cladding (copper colour) will also replace the parapets of ground floor shops which were previously intended to be rendered and painted white.
- v. Alucabond wall cladding (dark gray colour) has been introduced to replace walls of Levels 1, 2 and 3 previously intended to be rendered and painted dark gray.
- vi. Alucabond cladding (green colour) has been reintroduced to replace selected balcony balustrades previously intended to be rendered and painted white.
- vii. Extent of rendered and painted walls has been reduced since the above improvements. Applicant has explained that where render/paint will be used, the walls will be Hebel Panels with an acrylic finish (not a cement render) and painted off-white.

The amended plans have satisfactorily addressed the Panel's requirement.

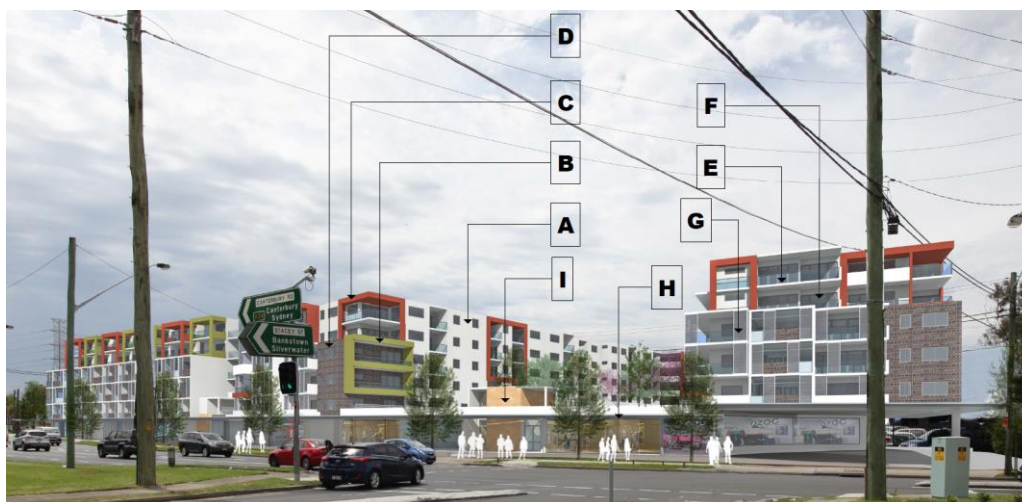
To clearly illustrate the sequence of changes and improvements leading to the most recent revision to the Schedule of Finishes, extracts from the current to original architectural plans are shown below.



Latest version being endorsed by Council (received 19 July 2016)



Version reviewed by the Panel on 12 May 2016.



Version originally lodged with Council on 19 December 2014.

4.0 Other Matters

a) Changes required to draft Conditions No's 5, 6 and 44

As a result of amended plans submitted to address the Panel's concerns, it is necessary to update certain conditions presented in the previous planning report, as follow:

Condition 5

The table in Condition 5 of the original planning report since the table lists plans that must be complied with. This report recommends that the references to now outdated plans be deleted and that new plans be added as follows, with changes indicated by bold font:

GENERAL

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

<i>Prepared By</i>	<i>Drawing Reference</i>	<i>Issue</i>	<i>Prepared</i>	<i>Received by Council</i>
Urban Link	14-065-02 - Calculation Page	C	19/06/2015	25/06/2015
Urban Link	14-065-03 - Basement 3	C	19/06/2015	25/06/2015
Urban Link	14-065-04 - Basement 2	C	19/06/2015	25/06/2015
Urban Link	14-065-05 - Basement 1	C	19/06/2015	25/06/2015

Urban Link	14-065-06 - Ground Floor Plan	C	19/06/2015	25/06/2015
Urban Link	14-065-07 - First Floor Plan	C	19/06/2015	25/06/2015
Urban Link	14-065-07 - First Floor Plan	D	17/05/2016	01/06/16
Urban Link	14-065-08 - Second Floor Plan	C	19/06/2015	25/06/2015
Urban Link	14-065-09 - Third Floor Plan	C	19/06/2015	25/06/2015
Urban Link	14-065-10 - Fourth Floor Plan	C	19/06/2015	25/06/2015
Urban Link	14-065-11 - Fifth Floor Plan	C	19/06/2015	25/06/2015
Urban Link	14-065-12 - Roof Plan	C	19/06/2015	25/06/2015
Urban Link	14-065-12 - Roof Plan	D	17/05/2016	25/05/2016
Urban Link	14-065-13 - Elevations	C	19/06/2015	25/06/2015
Urban Link	14-065-14 - Elevations and Sections	C	19/06/2015	25/06/2015
eco-design	Sheet L01 and L02 - Landscape Plan	D	19/12/14	25/06/2015
Ecodesign	Sheet L-01 and L-02 - Landscape Plan	G	31/05/16	01/06/16
Ecodesign	Sheet L-03 - Common Open Space Areas	G	31/05/16	01/06/16
Urban Link	14-065-19 - Schedule of Materials & Finishes	E	19/07/2016	19/07/2016

Condition 6

Since the Schedule of Materials and Finishes submitted to Council presents a satisfactory scheme which addresses the panel's issues, Condition 6 should be partly deleted where it imposes a requirement that the finishes of the development revert to a previous and outdated scheme, as follows:

- ~~6. Finishes and materials include the treatment of external walls, roofing, balcony balustrades, fences, windows and doors being in accordance with the photomontage and Schedule of Finishes prepared by Urban Link marked as Drawing No.14-065-19 and dated 17/12/2014. The approved design (including an element or detail of that design) or materials, finish or colours of the building must not be changed so as to affect the external appearance of the building without the approval of Council.~~

Condition 44

Given that landscaping across the site has been increased to 3,285m² under the amended plans, this report recommends that draft Condition 44 which prescribed that landscaping be increased to at least 3,280m² is now irrelevant and can be deleted, as follows, and condition numbering adjusted and updated throughout any development consent that may be issued:

LANDSCAPING

~~44. The Construction Certificate plans must show an area of at least 3,280m² of landscaped area on the site. This is necessary to comply with the minimum landscaped area required by State Environmental Planning Policy 65 and the Residential Flat Design Code.~~

b) Swimming pool conditions of consent

The original planning report presented to the Panel on 12 May 2016 inadvertently excluded certain pertinent conditions relating to the two swimming pools (3m wide x 18m long x 1.5m deep) proposed within the common open space areas of this development. As such, this report recommends that the following conditions be incorporated into any consent that may be issued. The conditions can be incorporated into the section before the 'Sydney Water Requirements' and numbering adjusted throughout the final document.

SWIMMING POOLS

1. The general pool area being completely enclosed with safety fencing at least 1.2 metres in height above existing ground levels and in accordance with the requirements of the Swimming Pools Act 1992, Swimming Pools Amendment Act 2012 and AS 1926.1, 2007.
2. The general pool area bounded by the required safety fencing must contain no structures apart from the swimming pool and other structures wholly ancillary to the swimming pool, such as diving boards and pool filtration plant.
3. Pool safety fencing and gates must be constructed of suitable materials and so as to provide no footholds for young children. The lowest point of the safety fencing must not be more than 100mm above ground level.
4. Gates must be fitted with an automatic closing device that will shut the gate and operate a self-latching mechanism (from any positions, even when the striker is resting on the latching mechanism) and prevent the gate from being re-opened without manually releasing the mechanism. The latching mechanism must be located/shielded in accordance with AS 1926.
5. Gates must be mounted to swing only outward from the pool area.
6. The safety barrier enclosing the general swimming pool area must be maintained in good repair and condition at all times.
7. The pool filter must be drained to the sewer mains in accordance with the requirements of Sydney Water.
8. The pump/filtration equipment must be operated so as not to create a noise nuisance.
9. A warning notice must be displayed and maintained at all times in a prominent position near the pool in accordance with Section 17(1) of the Swimming Pools Act 1992. The sign must contain the words "Young children should be supervised when using this swimming pool" together with details of resuscitation techniques. A sign complying with this requirement may be purchased from Council's Cashier or the Royal Life Saving Society.
10. The pool must not be filled with water or allowed to accumulate rain or other water until a satisfactory fence barrier inspection is carried out by the Principal Certifying Authority. Failure to meet this requirement may result in institution of legal proceedings against the builder or owner.

5.0 Conclusion

The amended plans submitted in response to the Panel's concerns have been assessed and are considered to satisfy all of the issues raised by the Panel at the meeting on 12 May 2016. Accordingly, Council's previous recommendation for approval of the development application is reaffirmed.

6.0 Recommendation

It is recommended that the subject Development Application DA-605/2014 be approved by the JRPP as a Deferred Commencement Consent and subject to the draft conditions outlined in the planning report to the panel on 12 May 2016, except where those conditions are recommended to be amended by this report.