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Coordinator Major Assessments
Rockdale City Council
2 Byrant Street
ROCKDALE NSW 2216

Attn: Pascal van de Walle

Dear Pascal

**AMENDED DRAWINGS
STAGE 13 DISCOVERY POINT, 1 PRINCES HIGHWAY (DA-2016/99)**

On behalf of Frasers Property Australia (Frasers), we write to you regarding the Stage 13 (DA-2016/99) in Discovery Point. As you are aware, Frasers has been consulting with Sydney Trains for the past year in relation to the granting of an easement for light and air along the western boundary of the proposed Building 13. On 4 April 2016, Sydney Trains provided concurrence to the application with a number of conditions, one being for deferred commencement consent. This deferred commencement condition relates to the approval/certification of an easement for light and air over the existing Sydney Trains substation.

More recently, Sydney Trains confirmed that they will not provide their 'approval/certification' until a transfer of land has been completed under the agreement between Sydney Trains and Frasers. The 'Transfer' refers to more than just an agreement on the easement for light and air as mentioned in the deferred commencement condition, or even the registration of this easement. In short, the transfer involves the provision of air rights from above the Wolli Creek railway station being transferred in ownership from Frasers to Sydney Trains.

In order for this to be completed, commercial negotiations will need to be finalised and then the standard subdivision and registration process with LPI will be required to extract the relevant land from other lots and for ownership to be formally transferred. This is likely to be a 7 – 10+ month process.

The terms put forward by Sydney Trains requires the transaction be completed prior to the Deferred Commencement condition being satisfied. Significant costs are associated with this delay, as well as impacts to buildability as the construction of Stages 11-12 is progressing. Whilst Frasers and Sydney Trains are in agreement on the transfer of the land, the timing of this and its impact on the commencement of works results in the deferred commencement condition being prohibitive, therefore an amendment design is required to be progressed – which in short no longer relies upon Sydney Trains to grant an easement for light and air.

Pursuant to Clause 55 of the *Environmental Planning and Assessment Regulation*, additional Architectural Drawings prepared by Group GSA are provided at **Attachment A**. These Architectural Drawings illustrate the amended design for Building 13. A brief description of the proposed changes and an assessment against the relevant planning instruments and legislation, including the approved Discovery Point Concept Plan, is provided below.

1.0 PROPOSED CHANGES

The western façade line of Building 13 has been amended to provide a greater setback and altered interface with the airspace above the existing railway substation. As a result of this façade line change, the internal arrangement and distribution of apartments within Building 13 has been amended, resulting in a reduction of nine (9) apartments.

The changes to the apartment layouts are illustrated in the Architectural Drawings prepared by Group GSA (**Attachment A**). **Figure 1** below provides a comparison of a typical floor level in Building 13, illustrating the amended design compared to the original design. The amended drawings also provide four x one bedroom & one x two bedroom adaptable apartments to address condition 47 of the draft development consent.

The application as amended seeks approval for the following development:

- Construction and use of a 22 storey building adjoining the shared four (4) storey podium of Stages 11-12 (approved under DA-2015/373);
- Construction and use of 234 apartments comprising 105 x one bedroom, 98 x two bedroom, and 31 x three bedroom;
- Construction of a standalone wall adjacent to the existing Sydney Trains substation;
- Use of 237 car parking spaces, 16 motorcycle spaces and 16 bicycle spaces;
- Landscaping works to the roof of the shared podium (part); and
- Extension/augmentation of services and utilities to the development.

A numerical overview of the amended development is provided in **Table 1**.

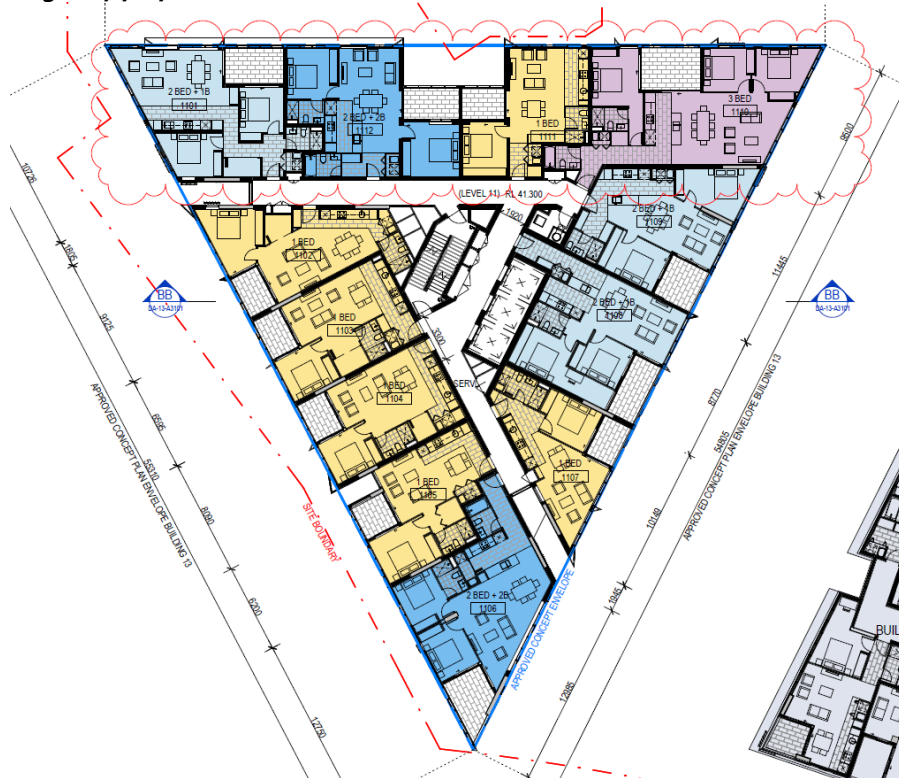
Table 1 – Updated numerical summary of Stage 13

Component	Amended Proposal	Difference to submitted Proposal
Site area	6,658m ²	No change
GFA (Standard Instrument Definition)		
■ Residential GFA (Standard Instrument Definition)	19,633m ²	- 284m ²
■ Above Ground Parking GFA (Standard Instrument Definition)	210m ²	No change
■ Total GFA (Standard Instrument Definition)	19,843m ²	- 284m ²
Height (maximum)		
■ RL	RL79.45	No change
■ Storeys	22 Storeys and part plant level on roof	No change
No. of apartments	234	- 9 apartments
Parking	Cars: 237 Motorcycle: 16 Bicycle: 16	Cars: - 3 cars Motorcycle: No change Bicycle: No change

An overview of the key elements of the proposed development as amended is provided below.



Originally proposed



Proposed as amended

Figure 1 – Comparison of amended Building 13 floor plate (Level 11-15)

1.1 Apartment Mix and Size

The proposed mix and size of apartments as amended is detailed below in **Table 2**.

Table 2 – Updated dwelling mix and size

Type of Dwelling	Dwelling Size	No. of Dwellings	Dwelling Mix
Building 13			
1 Bedroom	50m ² – 65m ²	105	45%
2 Bedroom, one bathroom	77m ² – 79m ²	45	19%
2 Bedroom, two bathroom	80m ² – 90m ²	53	23%
3 Bedroom	100m ² – 119m ²	31	13%
Stage 13	Total	234	100%
<i>Adaptable Units</i>	<i>Total</i>	<i>5</i>	<i>2%</i>

Table 3 provides an updated schedule of the dwelling mix over the Discovery Point Concept Plan site, including Stage 13 and previously approved stages.

Table 3 – Updated dwelling mix tally, approved stages and Stage 13 proposal

Type of Dwelling	No. of Dwellings	% of Dwellings
1 Bedroom/studio		
Stage 1	52	37%
Stage 6	30	
Stage 2	60	
Stage 7	34	
Stage 4	29	
Stages 8-10	97	
Stages 3+5	102	
Stage 11-12	78	
Stage 13	105	
Total	587	
2 Bedroom		
Stage 1	64	53%
Stage 6	52	
Stage 2	120	
Stage 7	30	
Stage 4	41	
Stages 8-10	188	
Stages 3+5	137	
Stage 11-12	127	
Stage 13	98	
Total	857	
3+ Bedroom		
Stage 1	10	10%
Stage 6	6	
Stage 2	20	
Stage 7	10	
Stage 4	0	

Type of Dwelling	No. of Dwellings	% of Dwellings
Stages 8-10	38	
Stages 3+5	22	
Stage 11-12	28	
Stage 13	31	
Total	165	
Total Dwellings	1,609	100%

1.2 Schedule of Gross Floor Area

Table 4 below identifies the current schedule of GFA in accordance with the approved Concept Plan.

Table 4 – Dwelling mix (all approved/proposed stages and Stage 13)

Site	Standard Instrument GFA
Greenbank	N/A
Verge	(excluded from Concept Plan max floor space)
Vine	
Building 1B	994m ² residential 1,840m ² non-residential 0m ² above ground parking
Building 1C	9,991m ² residential 691m ² non-residential 0m ² above ground parking
Building 6	7,448m ² residential 0m ² non-residential 0m ² above ground parking
Stage 2	15,797m ² residential 727m ² non-residential 0m ² above ground parking
Stage 7	5,900m ² residential 0m ² non-residential 0m ² above ground parking
Stage 4	5,395m ² residential 0m ² non-residential 1,200m ² above ground parking
Stages 8-10	27,524m ² residential 0m ² non-residential 1,222m ² above ground parking
Stages 3+5	21,015m ² residential 1,406m ² non-residential 0m ² above ground parking
Stages 11-12	19,680m ² residential 0m ² non-residential 7,220m ² above ground parking
Stage 13	19,633m² residential 0m² non-residential 210m² above ground parking
GFA Remaining	315m ² residential 4,336m ² non-residential 3,774m ² above ground parking

1.3 Car Parking

The car parking proposed in association with Building 13 is set out in **Table 5** below.

Table 5 – Stage 13 car parking requirements

Dwelling Type	No of Dwellings	Concept Plan Parking Requirements		Proposed/allocated parking
		Minimum	Maximum	
Stage 13 (Proposed)				
One-bedroom/studio	105	0	105	237
Two-bedroom	98	98	196	
Three-bedroom	31	62	62	
Total	234	160	363	

2.0 ASSESSMENT

The amended design for Building 13 largely relates to the internal layout of apartments and minor changes to the western façade. The Statement of Environmental Effects (SEE) submitted with the DA addressed a range of environmental impacts. The planning assessment of the proposed amended development remains generally unchanged. An assessment of the amended proposal against the key planning instruments and legislation is provided below to confirm that the proposal remains acceptable.

2.1 Consistency with Concept Plan

The proposal (as amended) remains generally consistent with the approved Concept Plan. Specifically, the proposed amendment to the submitted Building 13 design does not result in any envelope breaches beyond those considered in the original submission. Furthermore, as demonstrated in the tables above, the proposal as amended remains consistent with the broad numerical parameters of the approved Concept Plan.

2.2 Built Form/Urban Design

As a consequence of dealing with the relationship to the Sydney Trains substation land internally within the subject site, the proposal now incorporates a more defined and larger slot up the western elevation. This outcome is considered to be to the benefit of the design aesthetic and quality and the proposal (refer to **Figure 2**).



Figure 2 – Comparison of originally submitted (left) and amended proposal (right) western elevation

2.3 Residential Amenity

The amended design does not result in any significant change to the assessment conducted with the original submission for residential amenity. The proposal continues to achieve all of the objectives of the Apartment Design Guide within the parameters set by the approved Concept Plan.

One matter of note is a slight reduction in the overall percentage of apartments receiving two hours of solar access to both the living room and balcony on 21 June between 9:00am and 3:00pm. The overall percentage of apartments has reduced from 61% to 58% (reduction of 3%). This minor reduction is not considered significant in the overall scale of the development and it is still considered that the apartments achieve a high level of holistic amenity as demonstrated in the original assessment. Group GSA has confirmed that the proposal still achieves the nine principles of *State Environmental Planning Policy No 65—Design Quality of Residential Apartment Development* (refer to the Design Verification Statement at **Attachment A**).

2.4 Building Code of Australia

Steve Watson and Partners has reviewed the amended design and confirmed that it complies or is capable of complying with the Building Code of Australia (refer to **Attachment B**).

2.5 Fire Safety

A Fire Safety Statement addressing the amended scheme is provided at **Attachment C**.

2.6 BASIX

Updated BASIX Certificates and Stamped Drawings are being prepared to accompany the amended drawings (under separate cover).

3.0 CONCLUSION

The proposed amended design is a result of constraints regarding land ownership at the Discovery Point site. Despite ongoing efforts to secure a workable agreement for an easement for light and air on the western frontage of Building 13, timing implications have resulted in the need for an amended scheme. As such, an amended design is proposed which will allow for the timely and efficient delivery of Building 13 along with the approved Stages 11-12 development.

An assessment of the amended design has demonstrated that the original assessment carried out for Stage 13 remains valid and the proposal will continue to deliver a high quality outcome with a high level of holistic amenity for future residents.

We trust that this is all the information you require to complete your assessment of the proposed amended DA, and with the resolution of the Sydney East Joint Regional Planning Panel (the Panel) dated 12 July 2016, the application can be finalised and determined electronically by the Panel. If you have any queries about this matter or require further information, please do not hesitate to contact me or Alexis Cella on 9956 6962.

Yours faithfully



Brendan Hoskins
Senior Planner