

ASSESSMENT REPORT – SECTION 96 MODIFICATION
Environmental Planning & Assessment Act 1979

SUMMARY

Application details

DA No:	DA/770/2013/B
Assessment officer:	Kate Lafferty
Property:	64-74A River Road, 24-32 Koorine Street and 48-56 Bundarra Street, ERMINGTON NSW 2115 Lots 301-306 in DP 1175644 and Lots 313 & 314 in DP 1187812
Proposal:	Section 96(2) modification to an approved residential flat building complex on the former Naval Stores site. The modification includes the reconfiguration of buildings 306B and 306D (located on River Road) to create 20 additional apartments and associated changes to the basement levels for additional car parking and bicycle spaces. The development is identified as Nominated Integrated development under the provisions of the Water Management Act 2000.
Date of receipt:	31 March 2015
Applicant:	Payce AE2 - III Pty Ltd & Payce AE2 – III Unit Trust
Owner:	Payce AE2 - III Pty Ltd
Submissions received:	1 submission received
Is the property owned by a Council employee or Councillor:	No
Political donations/gifts disclosed	No
Council application:	No
Issues:	None

Recommendation: Approval

Legislative requirements

Zoning: R4 – High Density Residential

Permissible under: Parramatta LEP 2011

Relevant legislation/policies: SREP (Sydney Harbour Catchment) 2005, SEPP No. 55, SEPP (Infrastructure) 2007, SEPP No. 65, BASIX SEPP, and Parramatta LEP 2011.

Variations: Unit mix – DCP2011 (although the original approved unit mix was also non-compliant)

Integrated development: Yes – The original application was Integrated Development as approval was required under the Water Management Act 2000. The terms of that approval required any amendments to be referred to the NSW Office of Water for review and comment.

Crown development: No

The site

Easements/rights of way: There are no easements of relevance to this application.

Area 20,383m²

Heritage item: No

In the vicinity of a heritage item: Yes – Silverwater Bridge

Heritage conservation area: No

DA history

31 March 2015 Section 96 lodged

16 April 2015 and 18 May 2015 DA notified

10 June 2015 JRPP Briefing Meeting

24 June 2015 Amended plans submitted

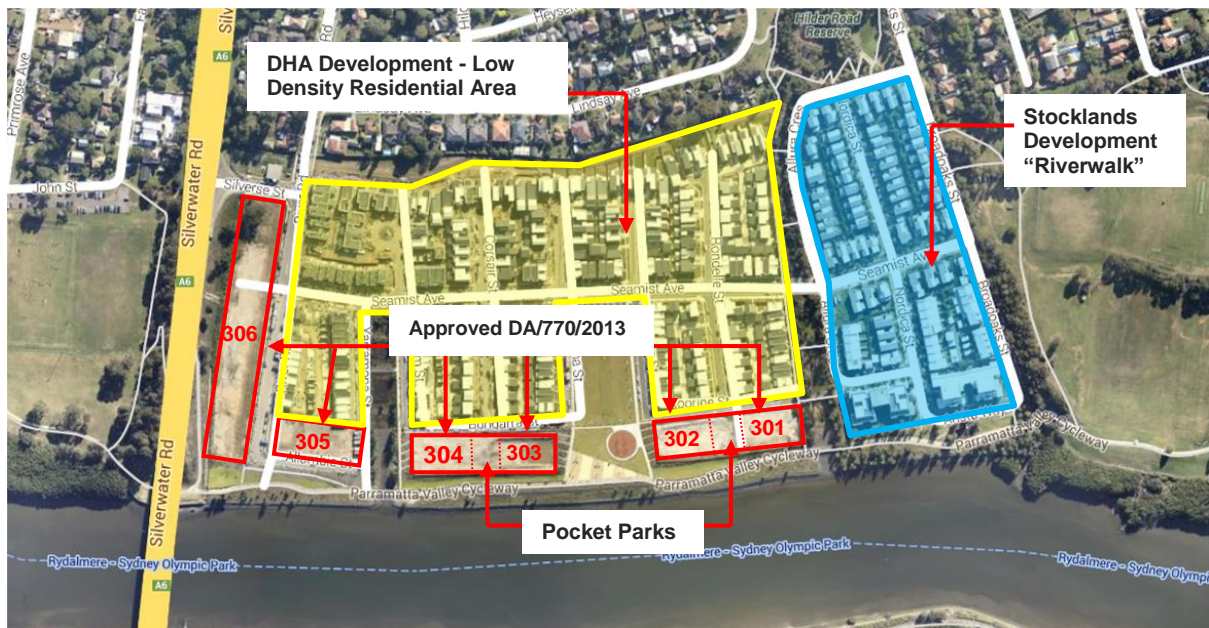
SECTION 96 ASSESSMENT

SITE & SURROUNDS

The subject site is located on the northern side of the Parramatta River and to the east of the Silverwater Bridge, within the suburb of Ermington. The site comprises a series of 8 individual lots within the former Ermington Naval Stores site, being lots 301-306 in DP1175644 (which are known collectively as the “AE2 Ermington Superlots”) and Lot 1013 and 1017 in DP 1080642 (which are known as the pocket parks).

The subject site is located at the southern and western extent of the former Naval Stores, with each lot containing a frontage to the Parramatta River. The lots are the last properties to be developed for residential purposes within the former naval stores site and are located to the west of the existing Stockland residential development site (Riverwalk) and to the south and west of the partially completed low density residential development that was delivered by Defence Housing Australia as indicated in the figure below.

It is noted that the subject Section 96 application only applies to Lot 306, which is located on the western edge of the site, adjoining Silverwater Road.



Site Location Plan

Lot 306 is on the western fringe of the site adjoining Silverwater Road

BACKGROUND

- **DEVELOPMENT APPLICATION - DA/770/2013**

DA/770/2013 for the construction of nine (9) residential flat buildings containing 612 dwellings over basement car parking comprising buildings between four (4) and eight (8) storeys in height on the former Naval Stores Site was considered and approved by the Sydney West Joint Regional Planning Panel on 31 July 2014.

The original cost of works was **\$194,676,468**.

The subject Section 96 application only applies to the buildings approved on Lot 306, which adjoins Silverwater Road, on the western end of the former Naval Stores site.

Lot 306 – Silverwater Road Approved Development

Lot 306 contains four separate residential flat buildings ranging in height from four (4) to eight (8) storeys. The buildings are located over two separate basements, each containing two levels. Access to each basement is provided via River Road. The smaller residential flat building is located at the southern portion of the site, adjacent to the Parramatta River and contains a single rectangular building mass which ranges in height between four (4) and five (5) storeys. The remaining three (3) buildings contain central courtyards (described as a “green heart”) that provide landscaping, suspended bridges for access and enable light and ventilation to each dwelling. The plan configuration of these buildings on the site and the height of the buildings across the site are indicated in the figure below.



Plan configuration of the buildings at Lot 306 indicating number of storeys



East elevation of the 4 separate buildings on Lot 306

- **SECTION 96 APPLICATION - DA/770/2013/A**

DA/770/2013/A was lodged with Council on 3 March 2015. This Section 96(1) modification sought approval to modify Condition No. 51 with regard to Section 94A contributions. This application was determined on 20 July 2015.

- **SECTION 96 APPLICATION - DA/770/2013/B**

DA/770/2013/B was lodged with Council on 31 March 2015. This is the subject application which is discussed within this report.

- **SECTION 96 APPLICATION - DA/770/2013/C**

DA/770/2013/C was lodged with Council on 22 April 2015. This Section 96(1A) modification sought approval for amendments to Condition Numbers 22, 25 and 27 in respect to drainage. This application was determined on 2 June 2015.

PROPOSED MODIFICATIONS

Apartment Reconfiguration

The modification seeks approval for the reconfiguration of buildings 306B and 306D (located on River Road) to create 20 additional apartments and associated changes to the basement levels for additional car parking and bicycle spaces.

The detailed schedule of amendments as outlined within the submitted Statement of Environmental Effects is as follows:

Basement levels for 306A-306C

Reconfiguration to provide a more efficient arrangement and increase from 335 residential car parking spaces to 363 residential car spaces and 94 bicycle spaces to 124 bicycle spaces.

Basement levels for 306

Reconfiguration to provide a more efficient arrangement and decrease from 133 residential car parking spaces to 131 residential car spaces and increase from 33 bicycle spaces to 40 bicycle spaces.

306B

Conversion of each of the following approved 2 bedroom units into a studio apartment and a 1 bedroom apartment: 102, 105, 202, 205, 302, 305, 402, 405, 502 and 505. Each new studio exceeds 44m² and each new 1 bedroom apartment exceeds 50m². Additional balconies are proposed for the newly created units.

306D

Conversion of each of the following approved 2 bedroom units into a studio apartment and a 1 bedroom apartment: 102, 105, 202, 205, 302, 305, 402, 405, 502 and 505. Each new studio exceeds 44m² and each new 1 bedroom apartment exceeds 50m². Additional balconies are proposed for the newly created units.



Example of proposed conversion of approved 2 bedroom unit into a studio unit and 1 bedroom unit

Amendments to Floor Levels

The plans submitted with the Section 96 application propose changes to floor levels and minor increases in the building heights. Approval is also sought for these modifications in design.

The RLs shown within the original approved drawings outside the boundary were reflective of the RLs at the time of the original development application (i.e. prior to civil works construction along River Road by Defence Housing Australia). With roads and pathways having now been constructed by DHA, the relative levels at the boundaries have increased. Accordingly, the increased RLs for levels within the Section 96 plans remain similar to the intent of the original approval. The floor levels visually appear similar to that approved for the River Road frontage, however the floor levels appear higher on the western facades, adjoining Silverwater Road.

The Level 1 floor levels and overall height of the buildings on Lot 306 have therefore been increased as follows:

Building	1 st Floor Level Increase	Overall Height Increase
A	450mm	330mm
B	450mm	164mm
C	450mm	186mm
D	890mm	450mm

PERMISSIBILITY

The site is zoned R4 High Density Residential under the provisions of Local Environmental Plan 2011. The proposed development is defined as “residential flat buildings” and is permissible with consent under Parramatta LEP 2011.

SYDNEY WEST JOINT REGIONAL PLANNING PANEL

The development is to be determined by the Sydney West Joint Regional Planning Panel as the cost of development for the original application exceeded \$20 million and this is a Section 96(2) application.

The application was considered at a JRPP Briefing Meeting on 10 June 2015. At this meeting no issues were raised by the JRPP panel members with respect to the application.

EXTERNAL REFERRALS

NSW Office of Water

The application was referred to the NSW Office of Water as the original application required an approval under the Water Management Act 2000.

Correspondence dated 11 May 2015 from the NSW Office of Water reads as follows:

Based on a review of the information provided:

The Office of Water confirms the existing General Terms of Approval (for 'works' requiring a Controlled Activity Approval under the Water Management Act 2000), issued on 5/5/2014 remain valid for the amended proposal and no amendments to the General Terms of Approval are necessary.

Planning Comment: Noted.

Roads & Maritime Services (RMS)

The application was referred to the Roads and Maritime Services (RMS) in accordance with the traffic generating development provisions of State Environmental Planning Policy (Infrastructure) 2007. Correspondence dated 28 April 2015 received from the RMS reads as follows:

Roads and Maritime has reviewed the modification application and raise no objection to the Application.

Planning Comment: Noted.

Sydney Water

The application was referred to Sydney Water who provided comment on 15 April 2015. Sydney Water raise no objection to the proposal however note that due to the scale and type of development the proponent will be required to gain a "Quick check" application and a Section 73 Certificate, according to the Sydney Water Act 1994. These conditions were imposed on the original application as Condition 18 (Quick Check) and Condition 120 (Section 73 Certificate). No further modifications to the consent conditions are therefore required in this regard.

INTERNAL REFERRALS

Traffic & Transport Investigations Engineer

The application was referred to Council's Traffic & Transport Investigations Engineer who reports as follows:

Traffic Comments (dated 21 May 2015)

Traffic Comments were provided for the initial submitted plans, which supported the application on traffic and parking grounds, provided that:

- *83 visitor parking spaces are to be provided and marked on the plan to comply with PDGP 2011. Note that 4 parking spaces are to be taken from the surplus of 22 spaces to be converted, marked and allocated for visitor parking spaces.*
- *165 bicycle parking spaces are to be provided to comply with PDGP 2011.*
- *A minimum space width of 0.6m between 2 bicycle spaces (unobstructed) must be provided to comply with AS 2890.3-1993*
- *Bollards must be provided in the shared spaces adjacent to the disabled parking spaces at 800 ± 50mm from the aisle to comply with AS 2890.6-2009.*
- *Driveway gradients from the road frontage to basement 1 in building 306A-C shall be modified accordingly.*
- *Adequate sight lines are to be provided at the property line to ensure visibility between vehicles leaving the premises and pedestrians on the frontage road footpath in accordance with Figure 3.3 of AS 2890.1-2004.*

Amended Plans (dated 24 June 2015)

In response to the above comments, the applicant submitted amended Architectural Plans, which provided the following changes:

- *83 visitor parking spaces are provided and marked on-site. 79 spaces in car park for 306A-C and 4 for 306D.*
- *166 bicycle parking spaces are marked throughout both the basement car parks.*
- *Bollards have not been indicated in any of the shared spaces.*
- *Driveway gradients have not been modified to avoid vehicles scraping against the pavement.*
- *No sight lines have been indicated on the plans.*

Comments

- *Although, the number of bicycle spaces provided meets the requirements of PDGP 2011, the dimensions are not provided in accordance with AS2890.3-1993.*
- *The location of bollards must be indicated on plans in accordance with Figure 2.2 of AS2890.6-2009 to ensure vehicles do not park in the shared spaces.*
- *In accordance with Clause 2.5.3(e) of AS2890.1-2004, a transition grade of 2m in length is usually sufficient to correct scraping at grade changes up to 18%. The proposed change of grade is 25%. After using the templates in Figure C1 of AS2890.1-2004, vehicles are still found to scrape at the lower*

end of the ramp. Thus, gradients for building 306A-C are yet to be modified to ensure vehicles do not scrape against the pavement.

- No ground floor plan, where the driveway meets River Road, has been provided. A 2.5m x 2m triangular splay must be provided for clear view of pedestrians on River Road.

Conclusion

Based on analysis of the information submitted by the applicant, the proposal **can be supported** on traffic and parking grounds provided that:

- A minimum space width of 0.6m for bicycles (unobstructed) must be provided to comply with Section 2 of AS 2890.3-1993.
- Bollards must be provided in the shared spaces adjacent to the disabled parking spaces at 800 ± 50mm from the aisle to comply with AS 2890.6-2009.
- Driveway gradients from the road frontage to basement 1 in building 306A-C shall be modified to comply with Clause 2.5.3 of AS2890.1-2004.
- Adequate sight lines are to be provided at the property line to ensure visibility between vehicles leaving the premises and pedestrians on the frontage road footpath in accordance with Figure 3.3 of AS 2890.1-2004.

Planning Comment: The modified conditions provided by Council's Traffic and Transport Investigations Engineer are incorporated within the Recommendation section of this report.

Urban Design Officer

The application was referred to Council's Urban Design Officer who reports as follows:

General Comment

- The Urban Design Unit are supportive of the proposed modifications to convert a specified amount of 2 bedroom apartments into separate 1 x bedroom and studio apartments.
- The modification does not significantly alter the external appearance of the building, nor does it increase the perceived bulk and scale of the western elevations.
- The Urban Design Unit requests that any future S96 applications for the Ermington Superlots (DA_770_2013) are referred for our review and comment. If at any time, the Urban Design Unit are of the professional opinion that a design modification significantly departs from the approved DA, a formal request for a design review from Councils Design Excellence Advisory Panel (DEAP) will be requested.

Apartment Mix

- Current Census data shows that Parramatta is experiencing strong growth in young singles and couples aged 25-39 years. Over the last 10 years, one person households have grown the most, by up to 40%. This trend is projected to continue.

- *From a strategic point of view, it makes sense that Council supports a higher distribution of 1 bedroom + studio apartments.*

Planning Comment: The comments of Council's Urban Design Team are noted.

PUBLIC CONSULTATION

In accordance with legislative requirements and Council's notification procedures that are contained in Appendix 5 of DCP 2011, the application was advertised and owners and occupiers of surrounding properties were given notice of the application for 30 days between 16 April 2015 and 18 May 2015. A sign was also placed on site. In response, one (1) submission was received and the objector is identified on the map below.



Submissions Map

Issues raised include the following:

- The development does not provide for a child care centre. The objector claims that the community were promised a child care centre as part of the redevelopment of the Naval Stores. As the application involves 4 additional storeys of units, consideration should be given to the provision of additional amenities.
- The developer was to provide a café/shop within the redevelopment.
- If the developer does not provide a wharf to offset the Section 94A contributions, this money should be recouped for alternative amenities.

Planning Comment: The original application was approved for a residential flat complex and a shop. No child care facility was proposed or approved as part of the original application. The proposed modification does not propose any additional building height as suggested within the objection letter.

A shop was approved in the original application. It is located adjoining the foreshore on Lot 303. There are no modifications to this part of the approval.

The provision of public amenities has been negotiated with Council through the VPA process. This process does not form part of the assessment of this current application.

Amended Plans Yes

Summary of amendments

Minor changes were made to the basement design to indicate vehicle numbering, bicycle marking and storage cages.

Amended Plans re-advertised or re notified No

Reason amendments not renotified

In accordance with clause 5.5.9 of DCP2011 entitled "*Notification of Amended Development Applications Where The Development Is Substantially Unchanged*" the application did not require re-notification as the amended application is considered to be substantially the same development and does not result in a greater environmental impact.

It is noted that the Section 96 application as lodged did not specifically seek approval in writing for the floor level or height changes throughout Buildings A to D. The applicant has confirmed that approval for these modifications are sought. Given that the plans that were notified indicated the proposed changes, and the amendments do not result in any additional impacts to the neighbouring properties, the application did not require re-notification.

SECTION 96 MATTERS OF CONSIDERATION

Has the consent lapsed? No (the consent lapses on 20 August 2019)

Section 96(2) Modification

Substantially the same development

The proposed development to be modified is considered to be substantially the same development as to that which the original development consent relates as the minor amendments do not change the nature of the original approval, being the construction of a residential flat building development. The modification impacts the

buildings on Lot 306 only and does not substantially change the building envelope or design appearance of the proposal.

Consultation with Minister, public authority or approval body

Yes. Consultation was carried out with the NSW Office of Water as the original application was integrated development. Correspondence was received from the NSW Office of Water dated 11 May 2015 which raised no objection to the proposed modifications and no amendments to the previously issued General Terms of Approval are required.

Notification & Submissions

The application has been notified in accordance with the provisions of the Environmental Planning and Assessment Regulation 2000 and Council's notification procedures. One (1) submission was received and the issues raised within this submission has been addressed within this report. The proposal is not contrary to the public interest.

Threatened Species

The modification does not relate to development consent referred to in section 79B (3), or in respect of which a biobanking statement has been issued under Part 7A of the Threatened Species Conservation Act 1995.

Section 79C Assessment

The proposed modifications have been assessed in accordance with the relevant matters for consideration under Section 79C of the EP&A Act, 1979. This assessment includes the following matters.

STATE ENVIRONMENTAL PLANNING POLICY 55 – REMEDIATION OF LAND

The provisions of SEPP No. 55 were considered in the assessment of the original development application. The provisions of SEPP No. 55 have previously been satisfied.

STATE ENVIRONMENTAL PLANNING POLICY (INFRASTRUCTURE) 2007

SEPP (Infrastructure) 2007 applies to the subject site and the relevant clauses are considered as follows:

Clause 102 – Residential development adjacent to road which exceeds >40,000 daily vehicles

Clause 102 applies to the proposed residential development as it is located adjacent to Silverwater Road which has a daily traffic volume of more than 40,000 vehicles (based on the traffic volume data published on the website of the RTA). Clause 102(3) requires that particular internal noise levels are achieved for future residential development.

The original application was accompanied by an Acoustic Report prepared by *Acoustic Logic* which concludes that the development will comply with Clause 102(3) of the SEPP (Infrastructure) 2007 subject to the implementation of various construction standards. These standards relate to glazing, wall construction, ceiling

construction and ventilation and have been included as conditions of the original consent. The additional apartments proposed will be subject to the same acoustic treatment.

Clause 104 – Traffic Generating Development

Clause 104 applies to the proposal in that it involves the construction of a residential flat building development that includes more than 300 dwellings with a frontage to a non-classified road. In accordance with Clause 104(3)(a) written notice was provided to the RMS and a response was received noting that there was no objection to the application. Other traffic related considerations under Clause 104 including accessibility and traffic safety have been considered and found to be acceptable.

STATE ENVIRONMENTAL PLANNING POLICY – BASIX

The modification application for the residential flat building development has been accompanied with a BASIX certificate that lists commitments by the applicant as to the manner in which the development will be carried out. The requirements outlined in the BASIX certificate have been satisfied in the design of the proposal.

STATE ENVIRONMENTAL PLANNING POLICY NO.65 – DESIGN QUALITY OF RESIDENTIAL FLAT DEVELOPMENT (SEPP 65)

SEPP 65 applies to the proposal. This Policy aims to improve the design quality of residential flat buildings in New South Wales.

Clause 50 of the Environmental Planning and Assessment Regulation 2000 requires that an application which relates to a residential flat building be accompanied by a Design Verification Statement from a qualified designer. A Design Verification Statement prepared by Christian Glyde, Registered Architect (Registration No. 8727) was submitted with the application. This statement verifies that the amended plans remain in accordance with the design principles of SEPP 65 and retain the architectural integrity and design excellence of the approved development.

In accordance with Part 2 of SEPP 65, the design quality principles provide a guide to achieving good design and the means of evaluating the merits of proposed solutions. The design quality principles contained in SEPP 65 are addressed below:

Context	There are no changes to the proposed buildings on Lot 306 which would modify the approved design response or contribution to the context of the development.
Scale	The proposed modifications do not significantly increase the scale of the approved buildings on Lot 306. The minor increases in building heights will not be apparent from the public domain or neighbouring properties.
Built form	The proposed modifications do not significantly change the built form of the approved buildings on Lot 306. There are no changes to the number of storeys, the approved footprint of the buildings or to the configuration of private and public spaces.

Density	The additional 20 apartments will increase the density of the development across the site. The proposed density is not inconsistent with the environmental capacity envisaged within the Ermington Master Plan. The minor increase in density across the entire site is marginal and will not impact upon the road capacity or amenity of the approved dwellings.
Resource, energy & water efficiency	The development provides opportunities in this regard, as reflected within the submitted Basix Certificate. Energy efficiency is also aided by the use of water/energy efficient fittings, appliances and lighting, in accordance with the details contained within the original application.
Landscape	There are no proposed changes to the approved landscaping on the site as a result of this application.
Amenity	The proposal is considered to be satisfactory in this regard, as the additional units will maintain acceptable solar access, natural ventilation and visual/acoustic privacy. The additional units will face Silverwater Road and will not overlook any adjoining residential properties.
Safety and security	The additional units will provide appropriate passive surveillance to both public and private spaces. The proposal will not increase the opportunity for crime as the additional units are located within the approved building floorplates.
Social dimensions	The proposed additional units responds to the social context and needs of the local community in terms of lifestyles, affordability and access to social facilities and optimising the provision of housing to suit the social mix and provide for the desired future community. The proposal increases the provision of studio and 1 bedroom units within the precinct which is now more compliant with the unit mix requirements of DCP2011.
Aesthetics	The proposed modifications do not substantially alter the aesthetics of the building. The proposal incorporates an additional balcony per floor on the western elevation of Buildings B and D, which has no adverse impact upon the façade composition or design of the buildings.

Residential Flat Design Code

The modification has been assessed against the provisions of the Residential Flat Code. The following table highlights the controls relevant to this proposal:

CONTROL	REQUIREMENT	PROPOSAL	COMPLIANCE
Building Depth	Depth should be between 10-18m	No change	N/A

Separation	12m between habitable rooms (up to 4 storeys) 18m between habitable rooms (5-8 storeys)	No change	N/A
Storage	1 bedroom 6m ³ 2 bedroom 8m ³ 3 bedroom 10m ³	Storage within the basement has been provided accordingly.	Yes
Balconies	Provide primary balconies for all apartments with a minimum depth of 2m.	All dwellings have balconies with a minimum depth of 2m	Yes
Residential Ceiling heights	Minimum 2.7m	2.7m	Yes
Min. Apartment size	Studio 35m ² 1 bedroom 50m ² 2 bedroom 70m ² 3 bedroom 95m ²	Studio = 45m ² 1 bedroom = 50m ² The remaining units do not change from that previously approved.	Yes
Open Space	The area of communal open space should be between 25-30% of the site area (25% = 2365.5m ²).	No change	N/A
Deep Soil	A minimum of 25% of the open space area should be a deep soil zone	No change	N/A
Internal circulation	A maximum of 8 units should be provided off a double loaded corridor	Complies The configuration of the internal corridors is open	Yes
Daylight Access	Living rooms and private open spaces for at least 70% of apartments should receive 2 hours direct solar access on winter solstice	97%	Yes
Daylight Access	Limit the number of single aspect apartments with a SW-SE aspect to a maximum of 10% of total units	No change	N/A
Natural ventilation	60% of units should be naturally cross ventilated	78%	Yes
Kitchen ventilation	At least 25% of kitchens should have access to natural ventilation The back of a kitchen should be no more than 8m from a window	Kitchens have been designed with some access to natural ventilation. Kitchens are generally located within 8m of a window.	Yes

SYDNEY REGIONAL ENVIRONMENTAL PLAN (SYDNEY HARBOUR CATCHMENT) 2005

SREP (Sydney Harbour Catchment) 2005 applies to the subject site.

The amended proposal does not result in any significant change to the approved development with respect to its relationship with the Parramatta River and does alter the previous conclusions made in relation to the approved development when considered against the relevant provisions of the SREP.

The subject site is identified as a Strategic Foreshore Site under Part 4 of the SREP. Pursuant to Clause 41(1), development consent cannot be granted unless a master plan has been prepared and the consent authority has considered that master plan. The site is the subject of the Ermington Masterplan prepared in 2002 under the now repealed SEPP 56 – Sydney Harbour Foreshores and Tributaries. Pursuant to the transitional provisions contained at Clause 11 of the SREP, the existing Masterplan is taken to be a master plan for the purposes of the SREP. The Ermington Masterplan is considered in this Report.

PARRAMATTA LOCAL ENVIRONMENTAL PLAN 2011

Parramatta Local Environmental Plan 2011 was gazetted on 7 October 2011. Provided below is a consideration of the relevant LEP provisions that apply to the proposal.

COMPLIANCE TABLE		
Development standard	Proposal	Compliance
Land Use Table – R4 High Density Residential Zone	Residential Flat Buildings are permissible in the R4 zone	Yes
4.3 Height of Buildings Height Map shows that the maximum height of new developments for the subject site is 28m	Building A = 19.3m Building B = 27.9m Building C = 27.2m Building D = 28m	Yes
4.4 Floor Space Ratio Floor Ratio Map shows that the maximum FSR of new developments for the subject site is 3:1	No change to the approved floor space Lot 306 GFA- 24,835m ² FSR- 2.63:1	Yes
4.6 Exceptions to development standards	The application does not seeks to vary any development standards.	N/A
5.10 Heritage Conservation	According to the heritage item and heritage conservation maps the subject site is not a heritage item. The site is located adjacent to Heritage Item I73 - Silverwater	Yes

COMPLIANCE TABLE		
Development standard	Proposal	Compliance
	Bridge. The minor changes to the western façade of the buildings on Lot 306 will not affect the adjacent heritage item or the setting of the heritage item.	
5.10.8 Aboriginal Places of Heritage significance What is the identified Aboriginal significance of the site?	The site is identified as being of low significance by Council's Aboriginal Heritage Sensitivity Database. Accordingly the proposal is not considered to impact an Aboriginal place of heritage significance.	Yes
6.1 Acid sulfate soils	This matter was addressed as part of the original application. The modification has no additional impacts on acid sulfate soils.	N/A
6.2 Earthworks	This matter was addressed as part of the original application. It is noted that the basement for Buildings A-C will be approximately 300mm lower than approved. The modification has no significant additional impacts on the extent of earthworks required for the proposed development.	N/A
6.3 Flood planning	The subject site is flood affected, however, all habitable levels and entrances to basements have been designed to be above the 1:100 year AEP level plus 500mm freeboard. The modified levels comply with Council's freeboard requirements.	Yes
6.7 Affected by a Foreshore Building Line	The site is not located in the foreshore area.	N/A

PARRAMATTA DEVELOPMENT CONTROL PLAN 2011

The relevant sections of Parramatta DCP 2011 as they relate to the proposed development are addressed below. It is noted that compliance with the majority of controls contained within the DCP is unchanged from the original design.

Control	Requirement	Proposal	Complies with controls
Frontage	18m (2 street frontages)	236.23m (Silverwater Rd) 37.47m (Silverse St) 227.51m (River Road)	Yes

Building Heights (& setbacks)	5 storeys (River Rd for 10m) 8 storeys (west) Building A 4 storeys (south) for 9.5m 5 storeys (behind)	No change	N/A
Street setback	5-9m	No change	N/A
Secondary street setback	3-5m (Silverse Street) (River Road)	No change	N/A
Rear setback	15%	Not applicable – no rear	N/A
Side setback	4.5m (min) (southern boundary)	No change	N/A
Deep Soil Zone	6.25 %	No change to the approved deep soil	N/A
Landscaping	No specific amount required – must be incorporated in communal open space	No change	N/A
Communal Open Space	25% of site area = 2365.5m ² min	No change	N/A
Private Open Space	 6m ² /studio dwelling 10m ² /1 bed dwelling (single aspect) with minimum dimensions of 2m x 2m	No change to approved remaining dwellings <u>New Dwellings:</u> Minimum 6m ² Minimum 13.8m ²	Yes
Solar Access	Dwellings proposed are to receive a minimum of 3 hours sunlight to habitable rooms and to 50% of the private open space areas between 9am and 3pm on 21 June?	97% of apartments within Lot 306 will receive at least 2 hours of solar access. It is noted that the original application was assessed against the 2 hour solar access provisions of the RFDC rather than the DCP given the higher density	In part

	Adjoining properties are to receive a minimum of 3 hours sunlight to habitable rooms and 50% of their private open space areas between 9am and 3pm on 21 June	environment of the proposal. There is no additional overshadowing on the adjoining residential properties to the east as a result of the minor increase in building heights.	Yes
Unit mix	Studio/1 bed = 10% - 20% 2 bed = 60% - 75% 3 bed = 10% - 20%	Studio/1 bed = 12.8% 2 bed = 83.4% 3 bed = 3.8%	No The proposal increases the mix of 1 bedroom apartments within development from 6.7% to 12.8% and reduces the mix of 2 bedroom apartments from 89.4% to 83.4%. This is considered a minor change to the approved unit mix. The changes improve the unit mix of studio/1 bed units versus 2 bedroom units to be more compliant with the DCP controls.
Adaptable Units	>10 dwellings = 10%	An additional 2 adaptable dwellings have been provided. 63 adaptable apartments are provided across the entire development which complies.	Yes
Car parking (Lot 306)	0.6/studio 1/1 bedroom 1.25/2 bedroom 1.5/3 bedroom = 389 spaces (residents) and	494 spaces It is also noted that the proposal complies with the overall site car parking requirements	Yes

	83 spaces (visitors)	and provides for a total of 952 spaces.	
Bicycle Parking	1/2 dwellings = 165 required	165 provided	Yes
Part 4 – Special Precinct – Ermington Naval Stores Precinct			
Desired Future Character	<p>The proposed modifications are consistent with the desired future character of the precinct as Buildings on Lot 306 respond to both the Silverwater Road context to the west and the lower scale context to the east, with 8 storeys presenting to Silverwater Road to provide a suitable buffer from visual and acoustic impacts of Silverwater Road, and a 5 storey height facing to the lower scale housing to the east.</p> <p>The design of buildings will ensure that solar access is achieved within the development to enable a suitable level of amenity to be achieved for future occupants. The design will incorporate opportunities for natural ventilation to contribute to the environmental efficiency of the development.</p>		
Objectives	<p>The proposed amended development does not result in any significant external changes to the approved buildings and therefore the amended development remains consistent with the objectives of the Ermington Naval Stores Precinct. In particular, the modification:</p> <ul style="list-style-type: none"> • provides appropriate noise amelioration for residential uses to protect against existing noise generating industrial uses to the west and the adjacent Silverwater Road • provides well-articulated/modulated buildings and an attractive composition of building elements that results in high quality design outcomes • is capable of providing the necessary quantum of visitor parking for Lots 301 to 306 within the collective basement levels of the development 		
Building Heights	The modifications do not change the compliance with the building height controls for Lot 306.		
Building Setbacks	The modifications do not change the compliance with the building setback controls for Lot 306.		
Landscaped Area and Deep Soil	There are no proposed changes to the approved landscaping and deep soil areas.		
Car Parking	Additional car parking has been provided to accommodate the additional units. This has been discussed elsewhere within the report.		

ERMINGTON MASTERPLAN

Ermington Master Plan was prepared for the subject site in 2002 in accordance with the now superseded SEPP No. 56 – Sydney Harbour Foreshores and Tributaries.

The Masterplan contains a number of controls for design and dwelling types, number and mix of dwellings as well as density, height, setbacks, vehicular access and parking amongst other things.

The original application was assessed against the controls contained within the Masterplan and it was noted that the development substantially departed from the specific built form controls of the Masterplan. This was primarily due to the proposed development being designed based upon the FSR and height controls gazetted under Amendment 9 to PLEP 2011. The Planning Proposal which became Amendment 9 was prepared in conjunction with a Special Precinct insert of the DCP.

Despite departing from the specific built form provisions of the Masterplan, the proposed development is substantially the same as that originally approved and is considered to be consistent with the Aims, Objectives and Guiding Principles of the Masterplan. Specifically, the proposal will provide a mixed density residential urban environment that will be a safe and stimulating place to live. The proposed development will provide additional accommodation that will provide a sense of place that responds to the riverfront setting and makes a positive contribution to the natural and built character of the Parramatta River.

Conclusion

After consideration of the development against the relevant statutory and policy provisions, the proposed modification to the approved residential flat building development is acceptable and is not contrary to the public interest. Therefore, it is recommended that the application be approved.

Recommendation

Approval

That the Sydney West Joint Regional Planning Panel as the consent authority, modify the development consent to Development Application No. DA/770/2013 (including all amendments) for an approved residential flat building complex on the former Naval Stores site including the reconfiguration of buildings 306B and 306D (located on River Road) to create 20 additional apartments and associated changes to the basement levels for additional car parking and bicycle spaces on land at 64-74A River Road, 24-32 Koorine Street and 48-56 Bundarra Street, Ermington as shown on the plans submitted with the modification of determination, for a period of five (5) years from the date on the **original** Notice of Determination for physical commencement to occur subject to the following modifications:

A. THE DESCRIPTION OF THE DEVELOPMENT being modified to read as follows:

Construction of nine (9) residential flat buildings containing 632 dwellings over basement car parking comprising buildings between four (4) and eight (8) storeys in height on the former Naval Stores site.

B. CONDITION 1 being modified to read as follows:

- 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:

APPROVED PLANS AND DOCUMENTS				
Date	Drawing No	Company	Drawing Title	Rev No.
Architectural - Lots 301-302				
27.05.14	Z1-DA-0001	Rice Daubney	Drawing System Information GFA- Lots 301, 302	05
21.11.13	Z1-DA-1001	Rice Daubney	Basement Plans. Lot 301 - 302 Basement B2	10
27.05.14	Z1-DA-1002	Rice Daubney	Basement Plans. Lot 301 - 302 Basement B1	13
27.05.14	Z1-DA-1200	Rice Daubney	Podium Plans. Podium Level 01	14
10.04.14	Z1-DA-1202	Rice Daubney	Podium Plans. Lot 301 - Level 01	13
27.05.14	Z1-DA-1203	Rice Daubney	Podium Plans. Lot 302 - Level 01	14
10.04.14	Z1-DA-1300	Rice Daubney	Typical Lot 301 - Level 02	12
27.05.14	Z1-DA-1301	Rice Daubney	Typical Lot 302 - Level 02	13
10.04.14	Z1-DA-1302	Rice Daubney	Typical Lot 301 - Level 03	12
10.04.14	Z1-DA-1303	Rice Daubney	Typical Lot 302 - Level 03	12
10.04.14	Z1-DA-1304	Rice Daubney	Typical Lot 301 - Level 04	12
10.04.14	Z1-DA-1305	Rice Daubney	Typical Lot 302 - Level 04	12
10.04.14	Z1-DA-1306	Rice Daubney	Typical Lot 301 - Level 05	12
10.04.14	Z1-DA-1307	Rice Daubney	Typical Lot 302 - Level 05	12
21.11.13	Z1-DA-1400	Rice Daubney	Roof Plans. Lot 301 - Level 06	10
21.11.13	Z1-DA-1401	Rice Daubney	Roof Plans. Lot 302 - Level 06	10
10.04.14	Z1-DA-1500	Rice Daubney	Elevations. Lot 301 - North & South	09
10.04.14	Z1-DA-1501	Rice Daubney	Elevations. Lot 301 - East & West	09
27.05.14	Z1-DA-1502	Rice Daubney	Elevations. Lot 302 - North & South	10
10.04.14	Z1-DA-1503	Rice Daubney	Elevations. Lot 302 - East & West	09
10.04.14	Z1-DA-1600	Rice Daubney	Sections. Lot 301	10
10.04.14	Z1-DA-1601	Rice Daubney	Sections. Lot 302	10
Architectural - Lots 303-304				
28.05.14	Z2-DA-0001	Rice Daubney	Drawing System Information GFA- Lots 303, 304	05
21.11.13	Z2-DA-1001	Rice Daubney	Basement Plans. Lot 303 - 304 Basement B2	07
27.05.14	Z2-DA-1002	Rice Daubney	Basement Plans. Lot 303 - 304 Basement B1	10
27.05.14	Z2-DA-1200	Rice Daubney	Podium Plans. Podium Level 01	11
10.04.14	Z2-DA-1202	Rice Daubney	Podium Plans. Lot 303 - Level 01	10
27.05.14	Z2-DA-1203	Rice Daubney	Podium Plans. Lot 304 - Level 01	11
10.04.14	Z2-DA-1300	Rice Daubney	Upper Floor Plans. Lot 303 - Level 02	09
10.04.14	Z2-DA-1301	Rice Daubney	Upper Floor Plans. Lot 304 - Level 02	09
10.04.14	Z2-DA-1302	Rice Daubney	Upper Floor Plans. Lot 303 - Level 03	09

APPROVED PLANS AND DOCUMENTS				
Date	Drawing No	Company	Drawing Title	Rev No.
10.04.14	Z2-DA-1303	Rice Daubney	Upper Floor Plans. Lot 304 - Level 03	09
10.04.14	Z2-DA-1304	Rice Daubney	Upper Floor Plans. Lot 303 - Level 04	09
10.04.14	Z2-DA-1305	Rice Daubney	Upper Floor Plans. Lot 304 - Level 04	09
10.04.14	Z2-DA-1306	Rice Daubney	Upper Floor Plans. Lot 303 - Level 05	09
10.04.14	Z2-DA-1307	Rice Daubney	Upper Floor Plans. Lot 304 - Level 05	09
21.11.13	Z2-DA-1400	Rice Daubney	Roof Plans. Lot 303 - Level 05	07
21.11.13	Z2-DA-1401	Rice Daubney	Roof Plans. Lot 304 - Level 05	07
10.04.14	Z2-DA-1500	Rice Daubney	Elevations. Lot 303 - North & South	06
10.04.14	Z2-DA-1501	Rice Daubney	Elevations. Lot 303 - East & West	06
27.05.14	Z2-DA-1502	Rice Daubney	Elevations. Lot 304 - North & South	07
10.04.14	Z2-DA-1503	Rice Daubney	Elevations. Lot 304 - East & West	06
10.04.14	Z2-DA-1600	Rice Daubney	Sections. Lot 303	07
10.04.14	Z2-DA-1601	Rice Daubney	Sections. Lot 304	07
Architectural - Lot 305				
27.05.14	Z3-DA-0001	Rice Daubney	Drawing System Information GFA- Lot 305	05
21.11.13	Z3-DA-1001	Rice Daubney	Basement Plans. Lot 305 Basement B2	08
10.04.14	Z3-DA-1002	Rice Daubney	Basement Plans. Lot 305 Basement B1	09
10.04.14	Z3-DA-1200	Rice Daubney	Ground/ Podium Plans. Podium Level 01	10
12.12.13	Z3-DA-1202	Rice Daubney	Ground/ Podium Plans. Lot 305 - Level 01	09
12.12.13	Z3-DA-1203	Rice Daubney	Ground/ Podium Plans. Lot 305 - Level 01	09
21.11.13	Z3-DA-1300	Rice Daubney	Upper Floor Plans. Lot 305 - Level 02	08
21.11.13	Z3-DA-1301	Rice Daubney	Upper Floor Plans. Lot 305 - Level 02	08
21.11.13	Z3-DA-1302	Rice Daubney	Upper Floor Plans. Lot 305 - Level 03	08
21.11.13	Z3-DA-1303	Rice Daubney	Upper Floor Plans. Lot 305 - Level 03	08
21.11.13	Z3-DA-1304	Rice Daubney	Upper Floor Plans. Lot 305 - Level 04	08
21.11.13	Z3-DA-1305	Rice Daubney	Upper Floor Plans. Lot 305 - Level 04	08
21.11.13	Z3-DA-1306	Rice Daubney	Upper Floor Plans. Lot 305 - Level 05	08
21.11.13	Z3-DA-1307	Rice Daubney	Upper Floor Plans. Lot 305 - Level 05	08
21.11.13	Z3-DA-1400	Rice Daubney	Roof Plans. Lot 305 - Roof	08
10.04.14	Z3-DA-1500	Rice Daubney	Elevations. Lot 305 - Elevations	06
21.11.13	Z3-DA-1600	Rice Daubney	Sections. Lot 305	05
21.11.13	Z3-DA-1601	Rice Daubney	Sections. Lot 305	05
Architectural - Lot 306A-D				
27.05.14	Z4-DA-0001	Rice Daubney	Drawing System Information GFA- Lot 306	05
27.05.14	Z4-DA-0002	Rice Daubney	Drawing System Information GFA- Lot 306	05
18.06.15	Z4-DA-1001	Rice Daubney	Basement Plans. Lot 306A-C Basement Level B2	18
18.06.15	Z4-DA-1002	Rice Daubney	Basement Plans. Lot 306A-C Basement Level B1	18
18.06.15	Z4-DA-1003	Rice Daubney	Basement Plans. Lot 306D Basement Level B2	18
18.06.15	Z4-DA-1004	Rice Daubney	Basement Plans. Lot 306D Basement Level B1	18
12.12.13	Z4-DA-1200	Rice Daubney	Ground/ Podium Plans. Lot 306 Podium Overall	15
31.03.15	Z4-DA-1201	Rice Daubney	Ground/ Podium Plans. Lot 306 A - Podium/ Level 01	17
31.03.15	Z4-DA-1202	Rice Daubney	Ground/ Podium Plans. Lot 306 B - Podium/ Level 01	17
31.03.15	Z4-DA-1203	Rice Daubney	Ground/ Podium Plans. Lot 306 C - Podium/ Level 01	17
31.03.15	Z4-DA-1204	Rice Daubney	Ground/ Podium Plans. Lot 306 D - Podium/ Level 01	17
31.03.15	Z4-DA-1300	Rice Daubney	Upper Floor Plans. Lot 306 A - Level 02	17

APPROVED PLANS AND DOCUMENTS				
Date	Drawing No	Company	Drawing Title	Rev No.
31.03.15	Z4-DA-1301	Rice Daubney	Upper Floor Plans. Lot 306 B - Level 02	17
31.03.15	Z4-DA-1302	Rice Daubney	Upper Floor Plans. Lot 306 C - Level 02	17
31.03.15	Z4-DA-1303	Rice Daubney	Upper Floor Plans. Lot 306 D - Level 02	17
31.03.15	Z4-DA-1304	Rice Daubney	Upper Floor Plans. Lot 306 A - Level 03	17
31.03.15	Z4-DA-1305	Rice Daubney	Upper Floor Plans. Lot 306 B - Level 03	17
31.03.15	Z4-DA-1306	Rice Daubney	Upper Floor Plans. Lot 306 C - Level 03	17
31.03.15	Z4-DA-1307	Rice Daubney	Upper Floor Plans. Lot 306 D - Level 03	17
31.03.15	Z4-DA-1308	Rice Daubney	Upper Floor Plans. Lot 306 A - Level 04	17
31.03.15	Z4-DA-1309	Rice Daubney	Upper Floor Plans. Lot 306 B - Level 04	17
31.03.15	Z4-DA-1310	Rice Daubney	Upper Floor Plans. Lot 306 C - Level 04	17
31.03.15	Z4-DA-1311	Rice Daubney	Upper Floor Plans. Lot 306 D - Level 04	17
31.03.15	Z4-DA-1312	Rice Daubney	Upper Floor Plans. Lot 306 A - Level 05	17
31.03.15	Z4-DA-1313	Rice Daubney	Upper Floor Plans. Lot 306 B - Level 05	17
31.03.15	Z4-DA-1314	Rice Daubney	Upper Floor Plans. Lot 306 C - Level 05	17
31.03.15	Z4-DA-1315	Rice Daubney	Upper Floor Plans. Lot 306 D - Level 05	17
31.03.15	Z4-DA-1316	Rice Daubney	Upper Floor Plans. Lot 306 B - Level 06	17
31.03.15	Z4-DA-1317	Rice Daubney	Upper Floor Plans. Lot 306 C - Level 06	17
31.03.15	Z4-DA-1318	Rice Daubney	Upper Floor Plans. Lot 306 D - Level 06	17
31.03.15	Z4-DA-1319	Rice Daubney	Upper Floor Plans. Lot 306 B - Level 07	17
31.03.15	Z4-DA-1320	Rice Daubney	Upper Floor Plans. Lot 306 C - Level 07	17
31.03.15	Z4-DA-1321	Rice Daubney	Upper Floor Plans. Lot 306 D - Level 07	17
31.03.15	Z4-DA-1322	Rice Daubney	Upper Floor Plans. Lot 306 B - Level 08	17
31.03.15	Z4-DA-1323	Rice Daubney	Upper Floor Plans. Lot 306 C - Level 08	17
31.03.15	Z4-DA-1324	Rice Daubney	Upper Floor Plans. Lot 306 D - Level 08	17
31.03.15	Z4-DA-1325	Rice Daubney	Upper Floor Plans. Lot 306 D - Level 09	N/A
31.03.15	Z4-DA-1400	Rice Daubney	Roof Plans. Lot 306 A - Level 6/Roof	17
31.03.15	Z4-DA-1401	Rice Daubney	Roof Plans. Lot 306 B - Level 9/Roof	17
31.03.15	Z4-DA-1402	Rice Daubney	Roof Plans. Lot 306 C - Level 9/Roof	17
31.03.15	Z4-DA-1403	Rice Daubney	Roof Plans. Lot 306 D - Level 10/Roof	17
31.03.15	Z4-DA-1500	Rice Daubney	Elevations. Lot 306 A - North & South	17
31.03.15	Z4-DA-1501	Rice Daubney	Elevations. Lot 306 A - East & West	17
31.03.15	Z4-DA-1502	Rice Daubney	Elevations. Lot 306 B - North	17
31.03.15	Z4-DA-1503	Rice Daubney	Elevations. Lot 306 B - South	17
31.03.15	Z4-DA-1504	Rice Daubney	Elevations. Lot 306 B - East	17
31.03.15	Z4-DA-1505	Rice Daubney	Elevations. Lot 306 B - West	17
31.03.15	Z4-DA-1506	Rice Daubney	Elevations. Lot 306 C - North	17
31.03.15	Z4-DA-1507	Rice Daubney	Elevations. Lot 306 C - South	17
31.03.15	Z4-DA-1508	Rice Daubney	Elevations. Lot 306 C - East	17
31.03.15	Z4-DA-1509	Rice Daubney	Elevations. Lot 306 C - West	17
31.03.15	Z4-DA-1510	Rice Daubney	Elevations. Lot 306 D - North	17
31.03.15	Z4-DA-1511	Rice Daubney	Elevations. Lot 306 D - South	17
31.03.15	Z4-DA-1512	Rice Daubney	Elevations. Lot 306 D - East	17
31.03.15	Z4-DA-1513	Rice Daubney	Elevations. Lot 306 D - West	17
31.03.15	Z4-DA-1600	Rice Daubney	Sections. Lot 306 A	17
31.03.15	Z4-DA-1601	Rice Daubney	Sections. Lot 306 B - South	17
31.03.15	Z4-DA-1602	Rice Daubney	Sections. Lot 306 B - West	17
31.03.15	Z4-DA-1603	Rice Daubney	Sections. Lot 306 C - South	17
31.03.15	Z4-DA-1604	Rice Daubney	Sections. Lot 306 C - West	17
31.03.15	Z4-DA-1605	Rice Daubney	Sections. Lot 306 D - South	17
31.03.15	Z4-DA-1606	Rice Daubney	Sections. Lot 306 D - West	17
Landscape Plan and Statement				
14.04.14	13-010-CP01	James Pfeiffer	Landscape Site Plan	G
14.04.14	13-010-CP02	James Pfeiffer	Landscape Concept Plan Lots 301, 302 &	F

APPROVED PLANS AND DOCUMENTS				
Date	Drawing No	Company	Drawing Title	Rev No.
			Pocket Plan	
25.09.13	13-010-CP03	James Pfeiffer	Landscape Concept Plan Lots 303, 304 & Pocket Plan	E
25.09.13	13-010-CP04	James Pfeiffer	Landscape Concept Plan Lot 305	E
25.09.13	13-010-CP05	James Pfeiffer	Landscape Concept Plan Lot 306	E
25.09.13	13-010-CP06	James Pfeiffer	Landscape Concept Plan, Lot 306 - Common Area	E
25.09.13	13-010-CP07	James Pfeiffer	Landscape Concept Plan, Lot 306 - Landscape Building B	E
25.09.13	13-010-CP08	James Pfeiffer	Landscape Concept Plan, Lot 306 - Landscape Building C	E
25.09.13	13-010-CP09	James Pfeiffer	Landscape Concept Plan, Lot 306 - Landscape Building D	E
25.09.13	13-010-CP10	James Pfeiffer	Landcape Sections	D
Hydraulic Services Lots 301-306				
Sep-13	HDA01	Floth	Legend and Drawing Schedule	P4
Sep-13	HDA02	Floth	Site Keyplan	P2
Sep-13	HDA03	Floth	Catchment Plan	P2
Sep-13	HDA04	Floth	Lot 301 - 302 Basement 2 Plan	P2
Sep-13	HDA05	Floth	Lot 301 - 302 Basement 1 Plan	P3
Sep-13	HDA06	Floth	Lot 301 - 302 Podium Plan	P3
Sep-13	HDA07	Floth	Lot 301 - 302 OSD Tank Detail Sheet	P4
Sep-13	HDA08	Floth	Lot 303 - 304 Basement 2 Plan	P2
Sep-13	HDA09	Floth	Lot 303 - 304 Basement 1 Plan	P3
Sep-13	HDA10	Floth	Lot 303 - 304 Podium Plan	P3
Sep-13	HDA11	Floth	Lot 303 - 304 OSD Tank Detail Sheet	P4
Sep-13	HDA12	Floth	Lot 305 Basement 2 Plan	P2
Sep-13	HDA13	Floth	Lot 305 Basement 1 Plan	P4
Sep-13	HDA14	Floth	Lot 305 Podium Plan	P3
Sep-13	HDA15	Floth	Lot 305 OSD Tank Detail Sheet	P4
Sep-13	HDA16	Floth	Lot 306 Basement 2 Plan Zones 1 & 2	P3
Sep-13	HDA17	Floth	Lot 306 Basement 1 Plan Zones 1 & 2	P3
Sep-13	HDA18	Floth	Lot 306 Basement 1 Plan Part 2 Zone 3	P3
Sep-13	HDA19	Floth	Lot 306 Podium Plan Zones 1 & 2	P3
Sep-13	HDA20	Floth	Lot 306 Podium Plan Zone 3	P3
Sep-13	HDA21	Floth	Lot 306 OSD Tank Detail Sheet Zones 1 & 2	P3
Sep-13	HDA22	Floth	Lot 306 OSD Tank Detail Sheet Zone 3	P4
Sep-13	HDA23	Floth	Detail Sheet 1 of 2	P3
Sep-13	HDA24	Floth	Detail Sheet 2 of 2	P3

Note: In the event of any inconsistency between the architectural plan(s) and the landscape plan(s) and/or stormwater disposal plan(s) (if applicable), the architectural plan(s) shall prevail to the extent of the inconsistency.

Reason: To ensure the work is carried out in accordance with the approved plans.

Condition 45 to be amended as follows:

45. Prior to the issue of an Occupation Certificate, documentation is to be provided to the Certifying Authority demonstrating that 63 dwellings, that is 10% of the total 632 approved dwellings, are designed to be adaptable dwellings in accordance with AS4299-1995.

Reason: To ensure that adaptable dwellings are provided in accordance with Council's requirements.

Condition 55 to be amended as follows:

55. The bicycle storage area must be capable of accommodating a minimum of 1 space per 2 dwellings (306 spaces) in relation to each residential flat building. Of this total, a minimum of 165 spaces is to be provided for the buildings located on Lot 306. The bicycle storage areas and bicycle rails must be designed to meet the requirements of AS 2890.3-1993 – Off-street Car Parking Facilities (2004). ***A minimum space width of 0.6m for each of the bicycle spaces (unobstructed) shall be provided to comply with AS 2890.3-1993.*** Details of compliance with this standard are to accompany a Construction Certificate application to the satisfaction of the Certifying Authority.

Reason: To promote and provide facilities for alternative forms of transport.

Condition 57 to be amended as follows:

57. Prior to the issue of the construction certificate, the PCA shall ascertain that any new element in the basement car park not illustrated on the approved plans such as columns, garage doors, fire safety measures and the like do not compromise appropriate manoeuvring and that compliance is maintained with AS 2890.1, AS2890.2 and AS 2890.6. Details are to be illustrated on plans submitted with the construction certificate. ***Note that the driveway gradients from the road frontage to basement 1 in building 306A-C shall be modified accordingly.***

Reason: To ensure appropriate vehicular manoeuvring is provided.

Condition 109 to be amended as follows:

109. Under Clause 97A of the Environmental Planning & Assessment Regulation 2000, it is a condition of this development consent that all design measures identified in the following BASIX Certificates that relate to each lot, will be complied with prior to occupation of each building on the respective Lot.

Lot Number	BASIX Certificate Number
Lot 301	Certificate No. 503837M
Lot 302	Certificate No. 503869M
Lot 303	Certificate No. 503874M
Lot 304	Certificate No. 503946M
Lot 305	Certificate No. 503947M
Lot 306	Certificate No. 503960M_03

Reason: To comply with legislative requirements of Clause 97A of the Environmental Planning & Assessment Regulation 2000.

Condition 101B to be added to read as follows:

101B. Prior to the issue of the occupation certificate, convex mirrors are to be installed on all basement level parking areas (one near the entry driveway & one at the bottom of the ramp access) with its height and location adjusted to allow an exiting driver a full view of the driveway in order to see if another vehicle is coming through.

Reason: To ensure safety of drivers.

Condition 121 to be amended as follows:

121. The Occupation Certificate shall not be issued for each development lot until documentary evidence of compliance with the relevant conditions of Development Consent No. DA/770/2013, as amended by all approved modifications has been submitted to the Certifying Authority.

Note: Development lots are considered to be Lots 301-302, Lots 303-304, Lot 305 and Lot 306.

Reason: To ensure compliance with the Environmental Planning and Assessment Act 1979 and conditions of consent.

Condition 128 to be added to read as follows:

128. If a roller shutter door is to be provided at the driveway entry and exit from River Road, any intercom or security card swipe is to be located in the centre of the driveway.

Reason: To comply with Australian Standards.