

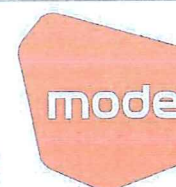
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A	26/9/14	Development Approval	KS
B	25/11/14	Development Approval	KS
C	7/12/14	Development Approval	KS
D	15/12/14	Development Approval	KS
E	16/1/15	Development Approval	KS
F	1/5/15	Development Approval	KS

LEGEND
PS PRIVACY SCREEN

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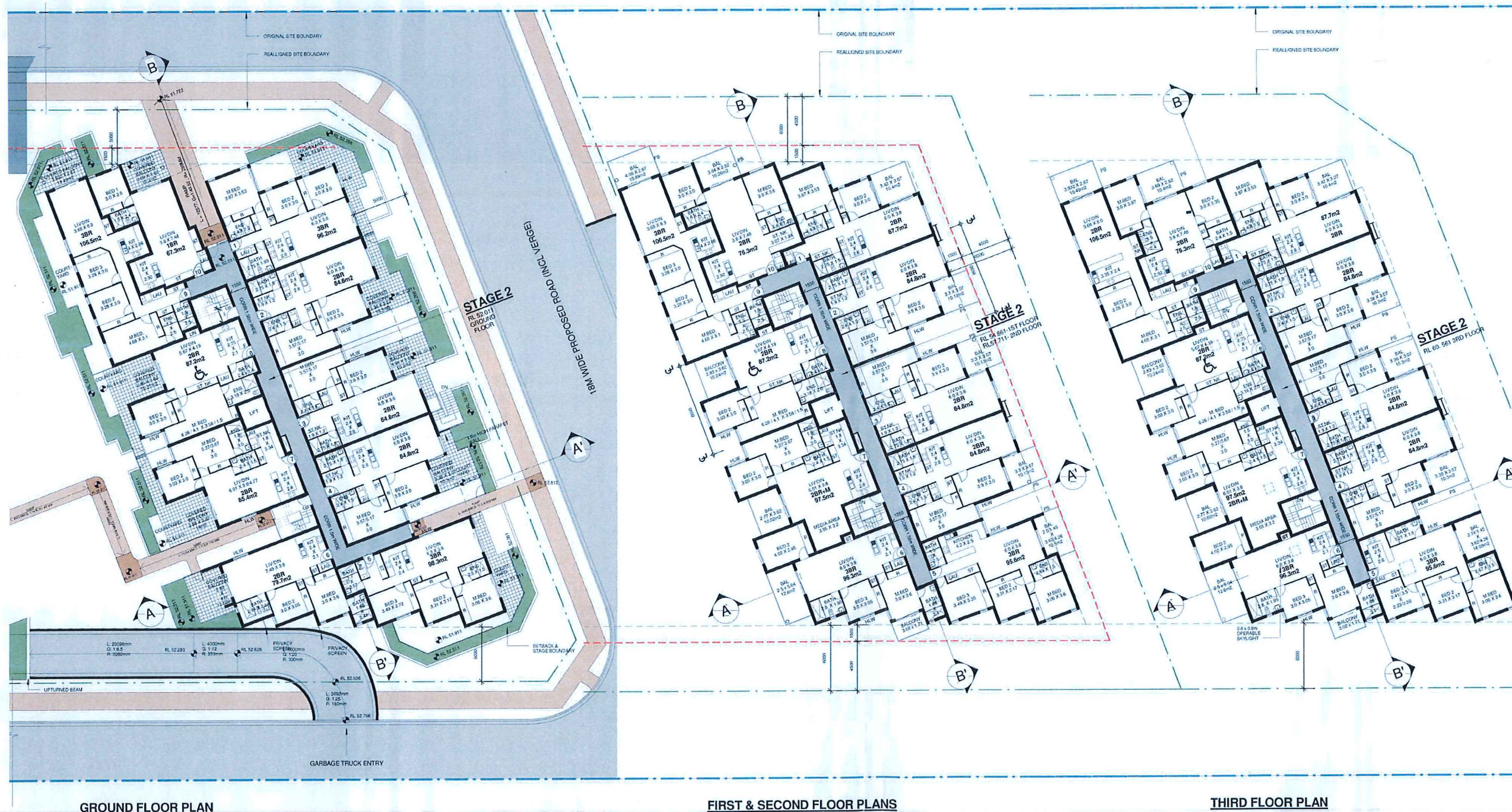
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DRAWING TITLE			
STAGE 2 FLOOR PLANS			
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KS	PO	1/5/15	1:200 @ A1
job no.	draw no.	issue	
DA	DA - 15	F	

NO CHANGES



GROUND FLOOR PLAN

FIRST & SECOND FLOOR PLANS

THIRD FLOOR PLAN

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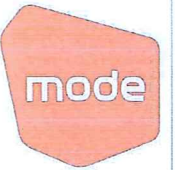
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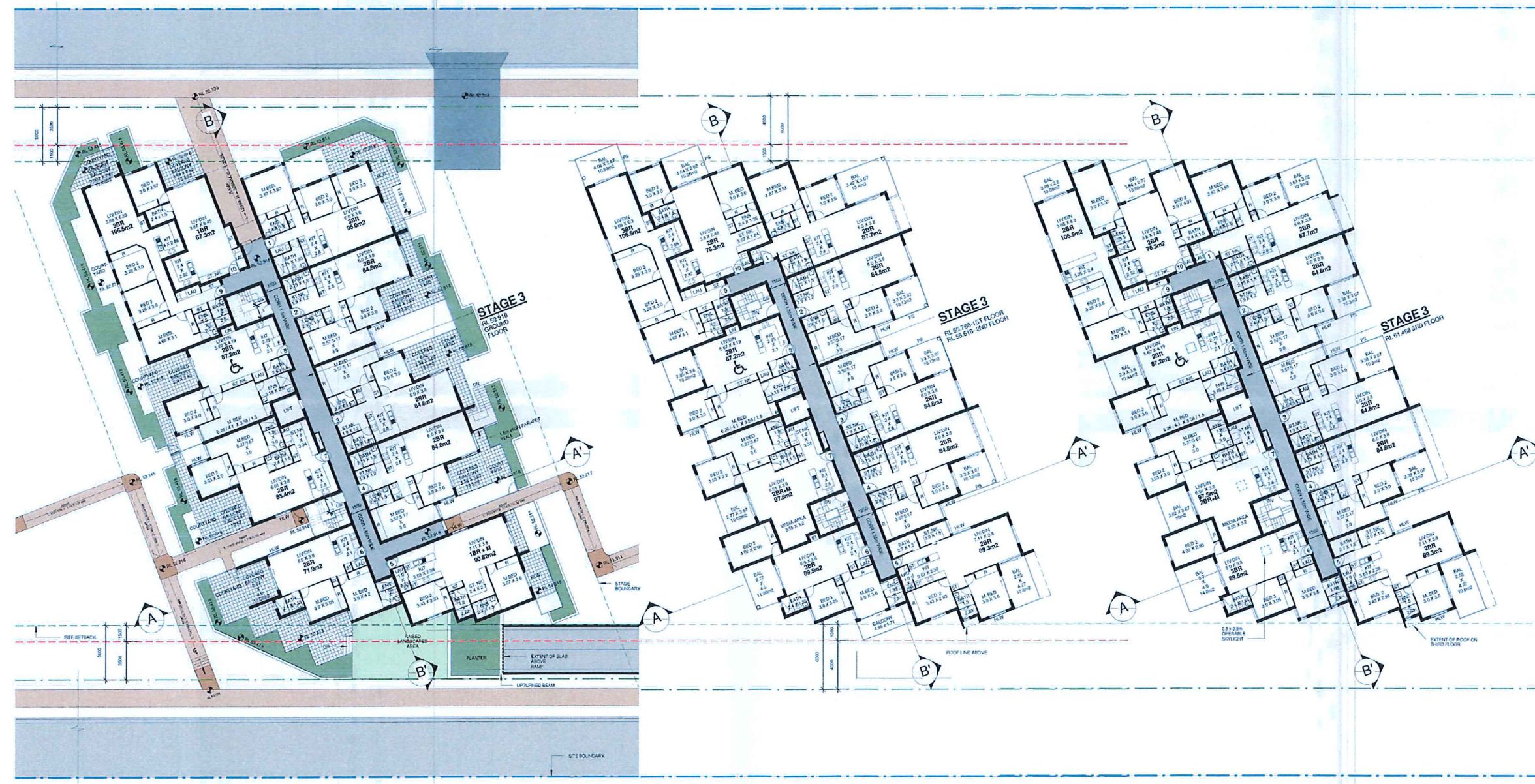
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DRAWING TITLE
STAGE 3 FLOOR PLANS

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General Manager
per:

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GROUND FLOOR PLAN

FIRST & SECOND FLOOR PLANS

THIRD FLOOR PLAN

NO CHANGES

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PROPERTY DEVELOPERS PTY LTD

AMENDMENTS

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F	1/5/15	Development Approval	KS

LEGEND

PS PRIVACY SCREEN

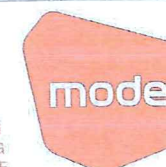
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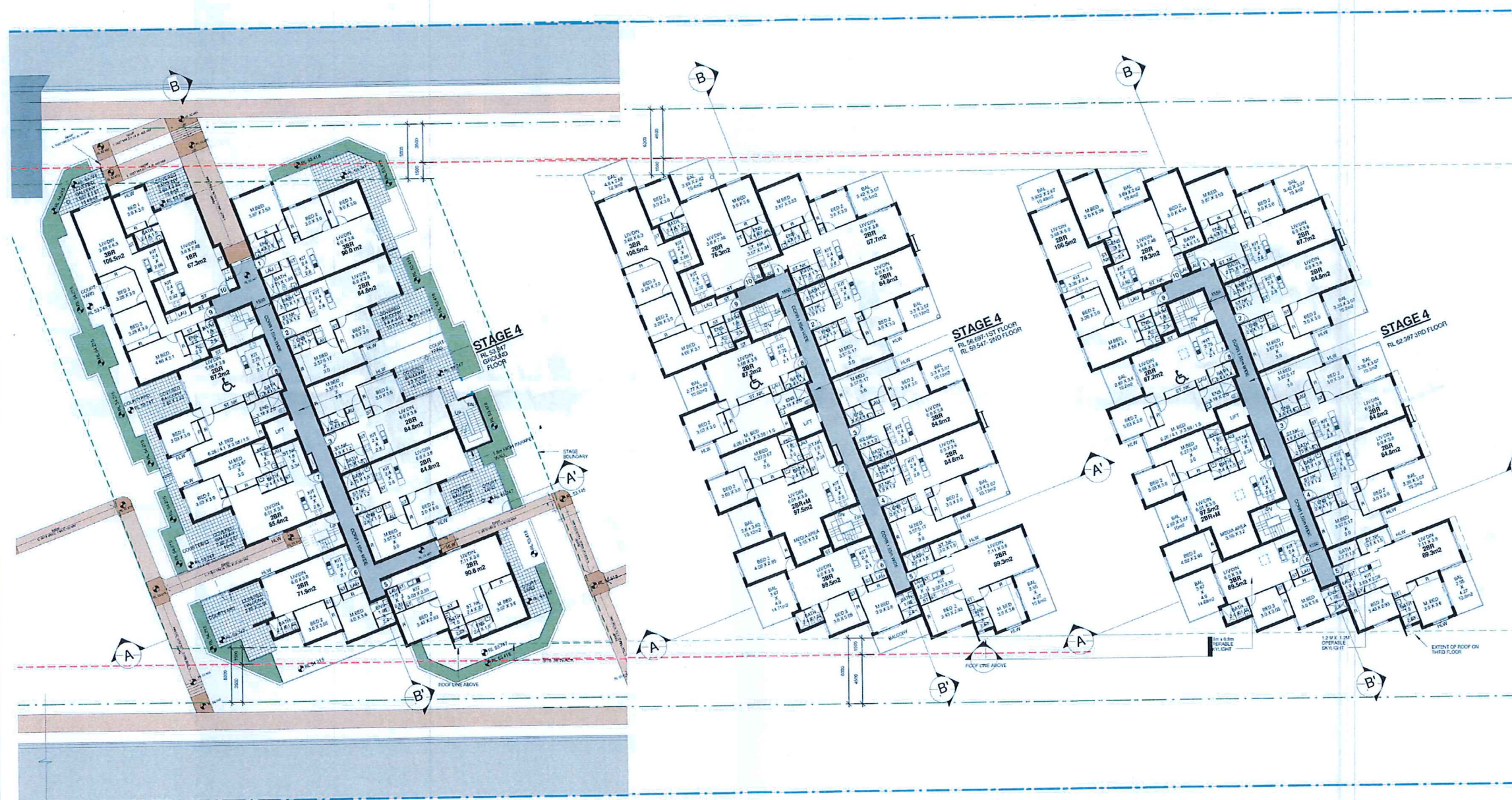
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Development Co
No. 14-1915

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Kerry Scolliston
Client Manager

DRAWING TITLE
STAGE 4 FLOOR PLANS

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KS	PO	1/5/15	1:200 @ A1
job no.	drag no.	issue	
DA	DA - 17	F	



GROUND FLOOR PLAN

FIRST & SECOND FLOOR PLANS

THIRD FLOOR PLAN

NO CHANGES

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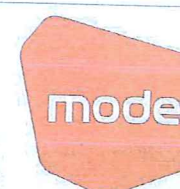
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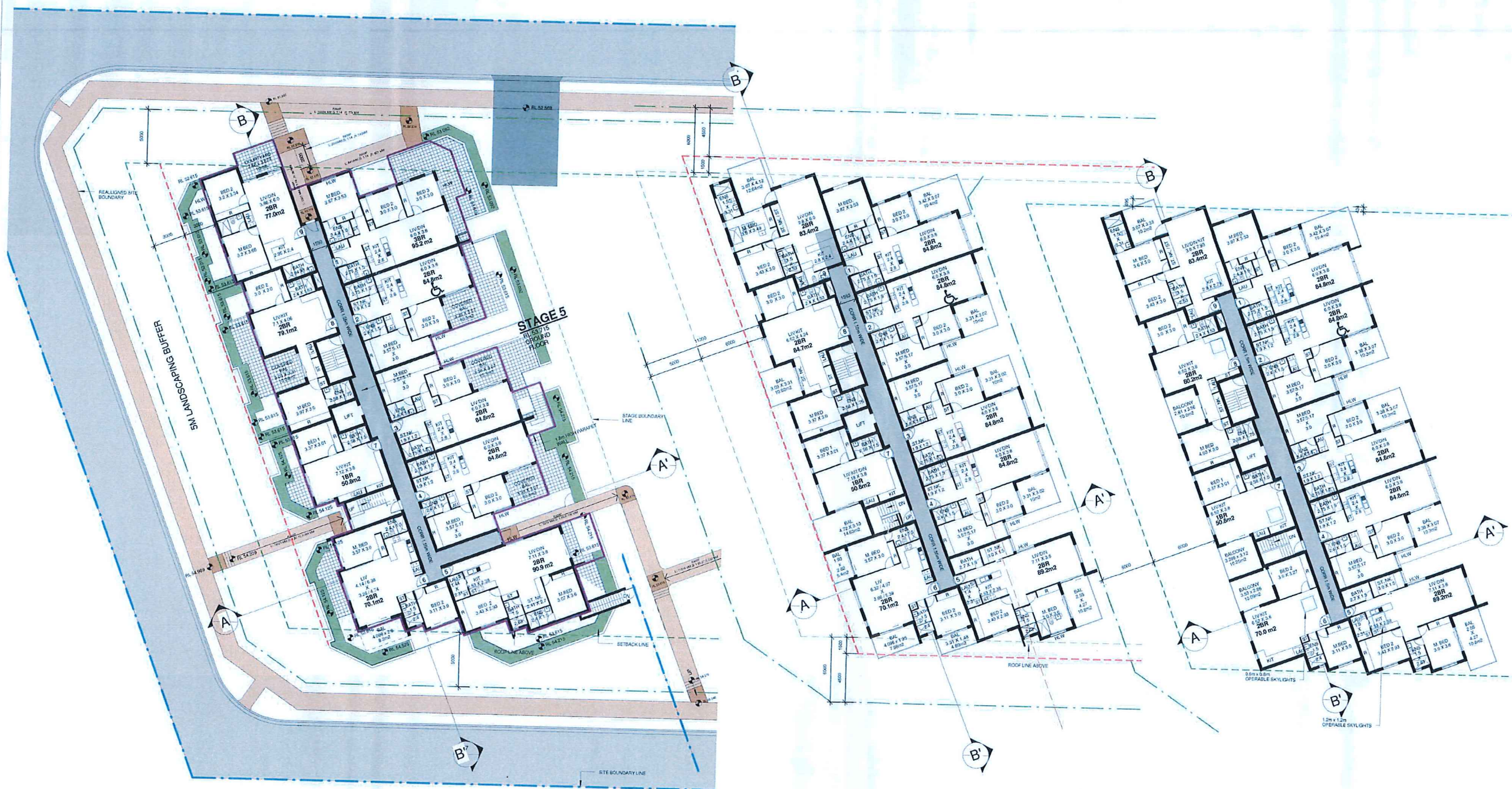
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BLACKTOWN CITY Development Consent No. 14-115	DRAWING TITLE STAGE 5 FLOOR PLANS
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Drawn by KS	check on date PO 1/5/15
job no. DA	scale 1:200 @ A1
per Kerry Robinson General Manager	drawn by DA - 18
	issue F

NO CHANGES



GROUND FLOOR PLAN

FIRST & SECOND FLOOR PLANS

THIRD FLOOR PLAN

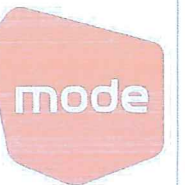
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AMENDMENTS				
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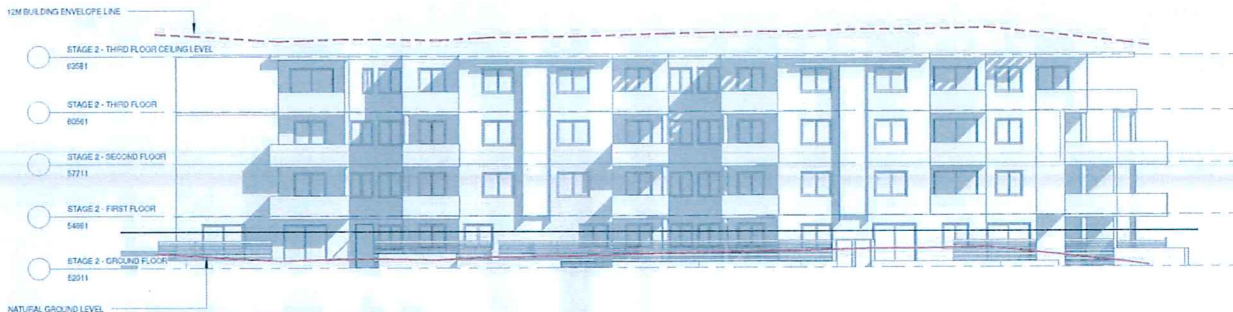
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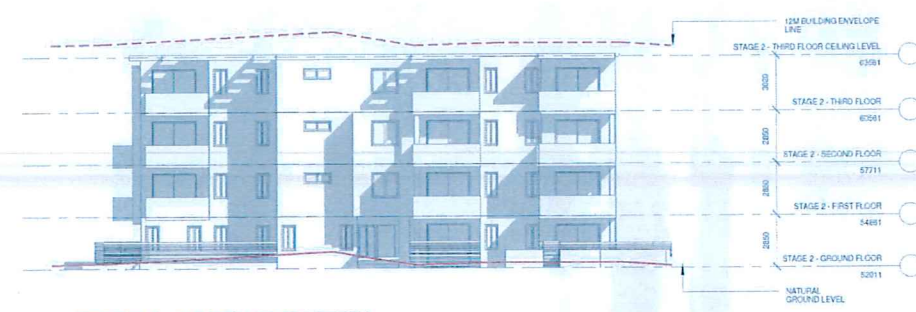
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BLACKTOWN CITY COUNCIL Development Consent No. 14/1915 STAGES 2 & 3 ELEVATIONS This document is issued under the provisions of the Environmental Planning and Assessment Act 1979. This document must not be used or relied upon for construction.				
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General Manager	PO			
per: DA	job no.			issue



STAGE 2 - EAST ELEVATION



STAGE 2 - NORTH ELEVATION



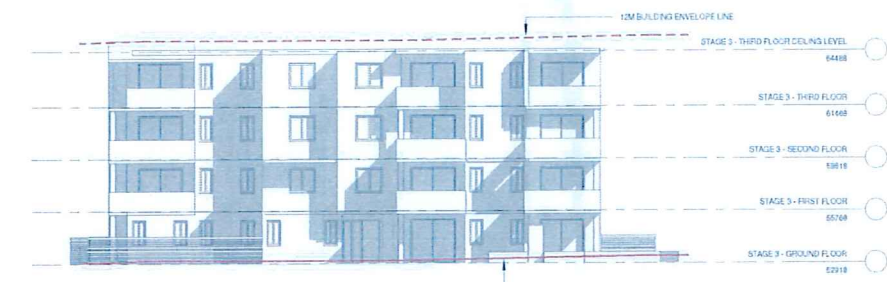
STAGE 2 - WEST ELEVATION



STAGE 2 - SOUTH ELEVATION



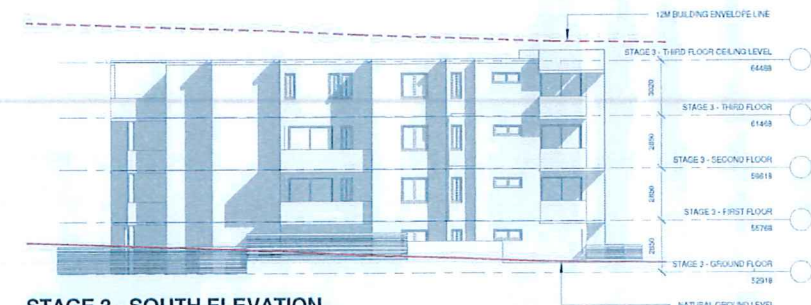
STAGE 3 - EAST ELEVATION



STAGE 3 - NORTH ELEVATION

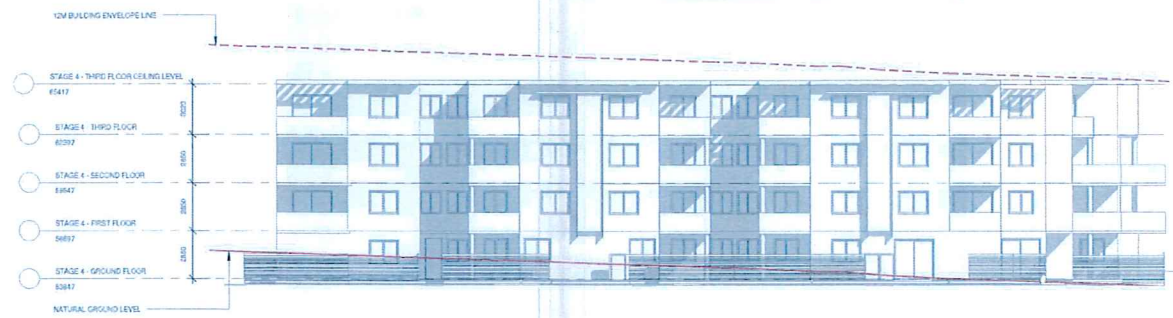


STAGE 3 - WEST ELEVATION

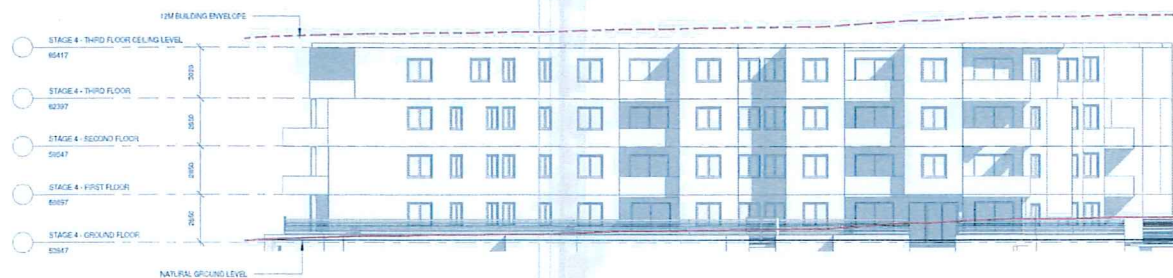


STAGE 3 - SOUTH ELEVATION

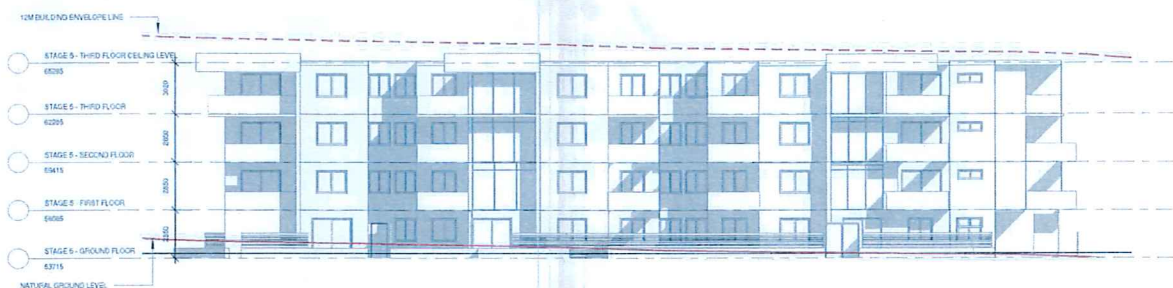
NO CHANGES



STAGE 4 - EAST ELEVATION



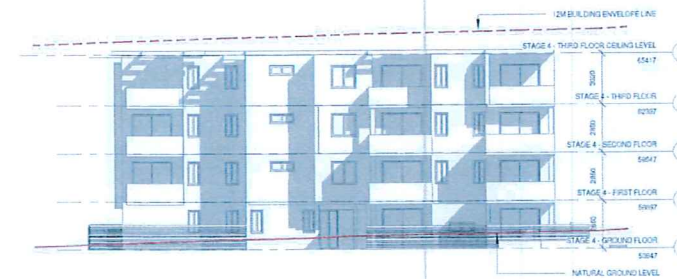
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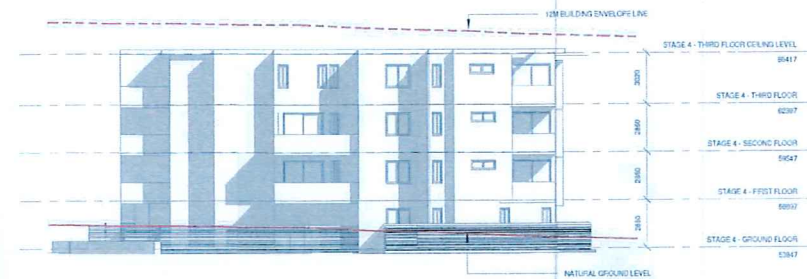
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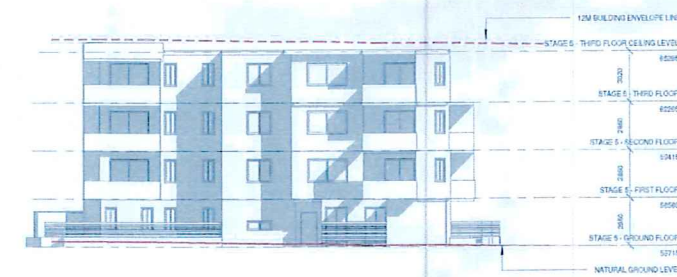
STAGE 5 - WEST ELEVATION



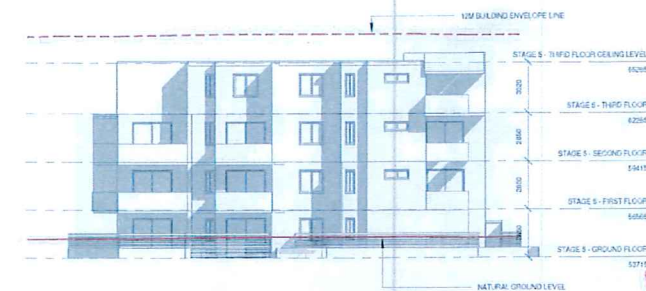
STAGE 4 - NORTH ELEVATION



STAGE 4 - SOUTH ELEVATION



STAGE 5 - NORTH ELEVATION



STAGE 5 - SOUTH ELEVATION

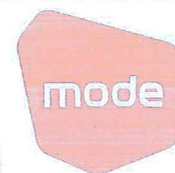
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AMENDMENTS

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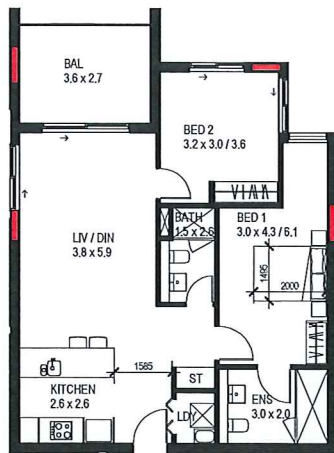
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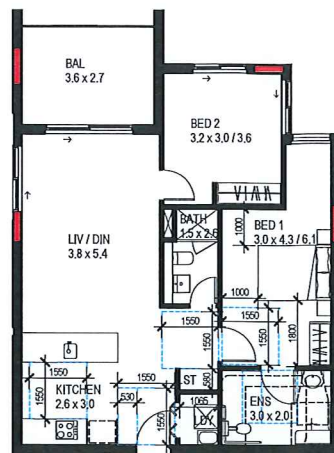
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BLACKTOWN CITY COUNCIL Development Control				DRAWING TITLE No. 14 STAGE 4 & 5 ELEVATIONS	
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job no.	KS	PO	11/6/15	drawn by	DA - 20
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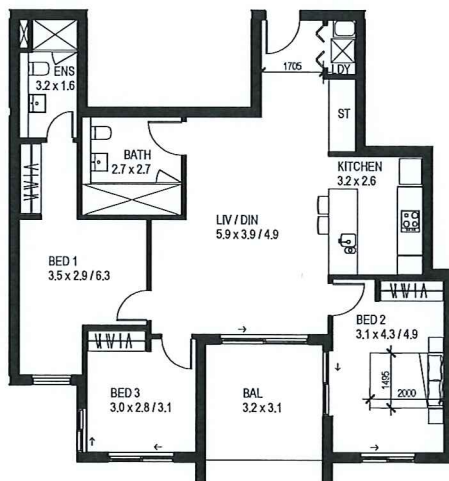
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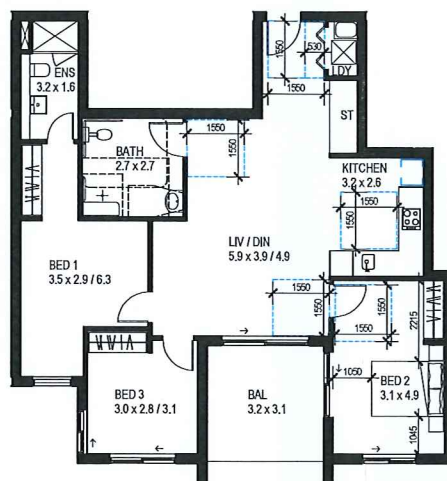
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1:100
Units GG09, GG12, G109, G112, G209,
G212, G308, G311



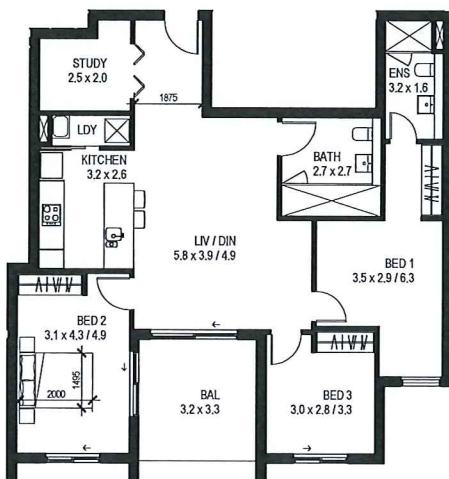
② Post Adaptation Unit - Stage 1
1:100



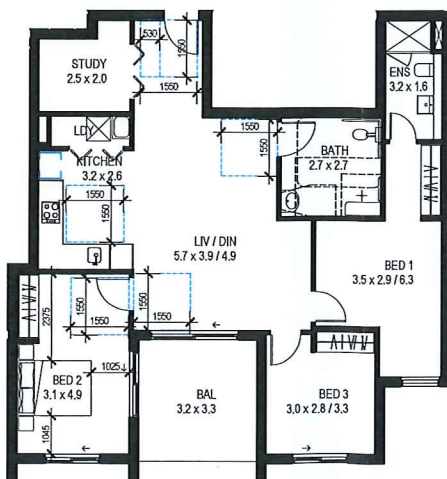
③ Pre Adaptation Unit - Stage 6 East
1:100
Units F115, F215, F315



④ Post Adaptation Unit - Stage 6 East
1:100



⑤ Pre Adaptation Unit - Stage 6 West
1:100
Units F102, F202, F302



⑥ Post Adaptation Unit - Stage 6 West
1:100

ADAPTABLE UNITS COMPLIANCE

STAGE 1	
Total no of units	71
No of adaptable units (2 per floor x 4 floors)	8
% of adaptable units required	10%
% of adaptable units provided	11.2%
STAGE 6	
Total no of units	64
No of adaptable units (2 per floor x 3 floors)	6
% of adaptable units required	10%
% of adaptable units provided	9.4%
STAGE 1 AND STAGE 6 COMBINED	
Total no of units	135
No of adaptable units	14
% of adaptable units required	10%
% of adaptable units provided	10.4%

FOR SECTION 96 APPLICATION

Project Management

MCNALLY MANAGEMENT
Level 12, 49 York Street, Sydney
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Services

WOOD & GRIEVE ENGINEERS
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Structure

TAYLOR THOMSON WHITTING
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Client

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GROUP GSA

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Level 7, 80 William St East Sydney NSW
Australia 2011
www.groupgsa.com

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architecture interior design urban design landscape
nom architect M. Sheldon 3990

Project Title

822 Windsor Road
Rouse Hill

Drawing Title

STAGES 1 & 6
ADAPTABLE UNITS DET

Scale As indicated

Drawing Created (date) 02/12/16

Drawing Created (by) YD

Plotted and checked by YD

Verified PI

Approved AH

Project No Drawing No Issue

15 742 DA-26 A

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8/03/2016 8:13:33 PM

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AMENDMENTS

Issue	Date	Description	Author
A	16/12/14	Development Approval	KS

LEGEND

- STAGING LINE - GROUND FLOOR
A ABOVE FOR STAGING IN THE
BASEMENT REFER TO BASEMENT
FLOOR PLAN WHICH DENOTES
THE STAGING IN DIFFERENT
COLOURS
- STAGE 1
 - STAGE 2
 - STAGE 3
 - STAGE 4
 - STAGE 5
 - STAGE 6

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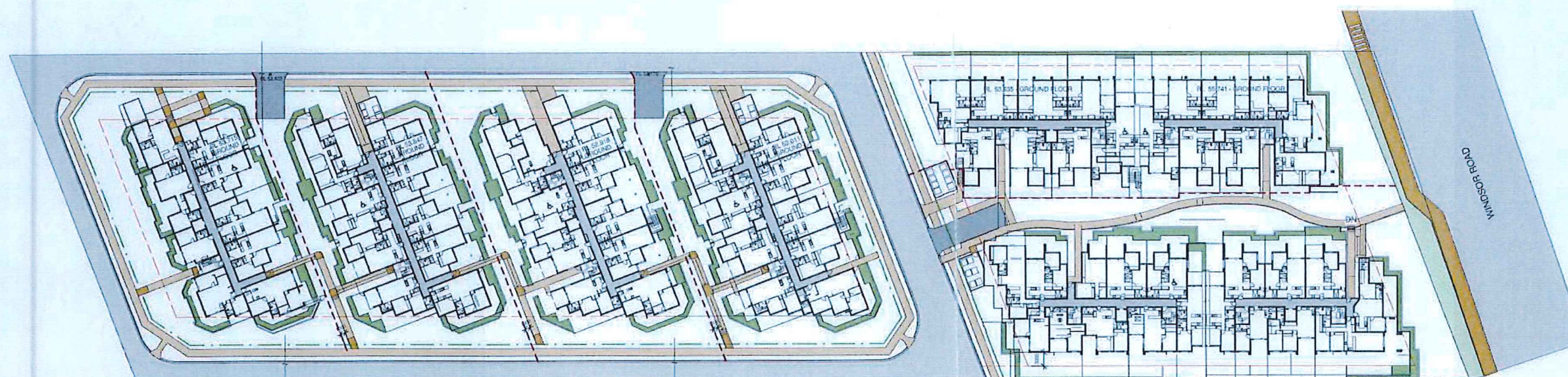
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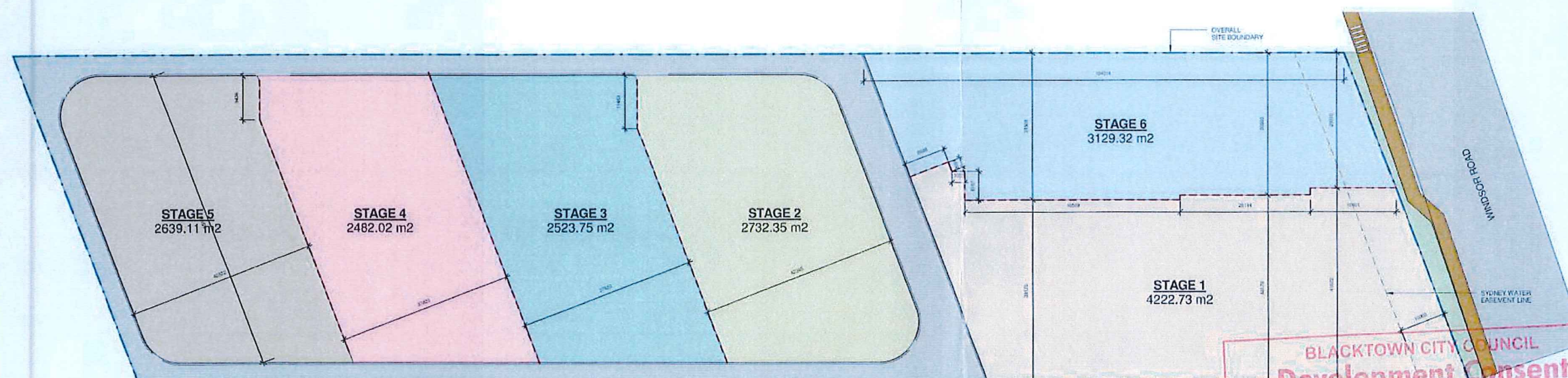
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STAGING PLAN DETAILS

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KS	PO	16/12/14	1:500 @ A1
job no.	dwg no.	issue	
DA	DA - 27	B	



STAGING DETAILS



STAGING AREAS

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No. 14-1915

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Kerry Robinson
General Manager

per:

NO CHANGES

3 Proposed Modifications

In summary, the proposed modifications are detailed in Table 1 below with modified elevations shown in Figure 2, which in general terms are architecturally more appealing than originally approved.

Item No	Stage	Modification			
1. Staging	1 & 6	All modifications relate specifically to Stages 1 and 6 that front Windsor Rd.			
2. Apartment numbers	1 & 6	<p>As approved, Stages 1 and 6 proposed a total of 133 units. This is to be increased to 135 apartments (increase of 2) as a result of:</p> <ul style="list-style-type: none"> ➤ massaging the individual floor plates and size of units; ➤ splitting 1 x 3 bedroom unit into 2 x 1 bedroom units; ➤ changes to the fire stairs as recommended by the applicant's fire engineers. <p>The new total now stands at 291 apartments – still well below the maximum 1.75:1 FSR permissible for the site.</p>			
3. Apartment mix	1 & 6	Stage 1	Approved	Proposed	Difference
		1 bed	7	15	
		2 bed	60	51	
		3 bed	2	5	
		Sub Total	69	71	+2
		Stage 6	Approved	Proposed	Difference
		1 bed	4	4	
		2 bed	46	46	
		3 bed	14	14	
		Sub Total	64	64	0
		TOTAL	133	135	+2
4. FSR/GFA	1 & 6	<p>Maximum FSR: 1.75:1 Site area: 15,554 m². Approved GFA: 25,374m² (FSR 1.63:1) – [as reported in Council's assessment report to the July 2015 JRPP meeting]. Revised GFA: 25,110m² (FSR 1.61:1) Numerically 2 additional units have been added and the FSR</p>			

		<p>slightly reduced – main reasons for this are:</p> <ul style="list-style-type: none"> ➤ a remix of unit types and internal reconfiguration changes; ➤ new calculations measuring the revised fire stair configuration; ➤ additions to garbage rooms and service risers; <p>All changes confined to the approved building footprint and <u>no</u> additional building area added.</p> <p>It is my opinion the modified proposal is 'substantially' the same development as approved and this is discussed further in Section 4.</p>
5. Building height	1 & 6	<p>Principally, the overall building height of both Stage 1 and 6 buildings complies with the 12m height limit. However, in order to increase ceiling heights to 2.7m, it has been necessary to increase the floor to floor heights from 2.85m to 3.0m, resulting in a number of 'minor' breaches to the 12m control.</p> <p>A 2.7m floor to ceiling height is consistent with current day architectural practices and design guidelines for medium/high density residential developments;</p> <p>Refer to Section 4.1.1 for a Clause 4.6 variation request with justification.</p> <p>It should be noted at this point that similar height breaches were recently approved to the adjoining property (No. 828 Windsor Road) - both of which were supported by Council and endorsed by the JRPP.</p>
6. Lobby entries, cores & fire egress	1 & 6	<p>Four (4) cores still remain. Fire egress through corridors has been removed. Single stair riser to each core provided.</p> <p>Alternative Solution from Fire Engineer obtained for egress distances.</p>
7. Garbage rooms	1 & 6	<p>New accessible garbage rooms and chutes added to each floor with the main waste collection provided in the upper basement bin holding rooms. Collection and management of waste will be vastly improved to what was approved. Revised waste management plan has been prepared by <i>Elephants Foot</i> addressing the modified changes as deemed to be complaint.</p>
8. Façade/Internal layout	1	<p>Balcony added to southern elevation on levels 1 & 2 as result of converting 1 x 3 bedroom unit into 2 x 1 bedroom units - apartment (G103, G104, G203 & G204)</p>

9. Façade elements	1 & 6	New façade treatment to be introduced including fenestration (windows/doors); balconies; louvre panels; material and external finishes and colours; balcony surround framing and balustrades; skillion roof element above balconies deleted ; materials and finishes boards to be submitted.
10.Loading dock	1 & 6	Upper basement level modified with 3.5m height clearance to accommodate waste collection vehicle.
11.Lift shaft overruns	1 & 6	Lift overruns now shown on drawings (previously not shown on approved drawings).
12. Adaptable units	1 & 6	Number of adaptable units reviewed and revised to comply with the Australian Standards.
13. Carpark	1 & 6	Parking numbers revised to comply with proposed unit mix and increased to 189 spaces comprising 162 residential spaces and 27 visitors (including adaptable spaces constructed over 2 levels. Refer to supplementary traffic and parking report for specific details.
14. Bicycle storage	1 & 6	Bicycle storage numbers revised to comply with modified mix – 79 spaces.
15. Natural ventilation	1 & 6	As discussed in section 4.2.4, 79% (231 out of 291) of the apartments are expected to demonstrate sufficient wind-driven natural ventilation thereby exceeding the required 60%.
16.Solar access	1 & 6	As detailed in Section 4.2.5, the modified design complies with the minimum SEPP65 requirement that at least 70% of the residential apartment will achieve at least 3 hours of access between 9am and 3pm on June 21 (winter solstice) to the living areas and associated private open spaces.
17. Landscaping	1 & 6	Landscape design to comply with DA conditions incorporating BBQ area; child's play areas; planting and deep soil areas. Note: landscaping, communal space and deep soil areas exceed minimum DA conditions.
18. Gas Flue	1	Gas flue added to roof on west façade for gas fired boilers in basement.
19. Carpark Design	1 & 6	Construction now simplified, perimeter walls straightened, plant rooms added as required, addition of garbage rooms to each core.
20. Car Park Ramp	1 & 6	Investigations revealed the DA approved ramp design was not adequate, hence now modified to comply with Australian Standards and waste collection company requirements. Modified design has improved car park's efficiency by

		increasing the distance to the Stage 6 building and providing increased privacy to ground floor units.
21. Facade	1	Ground floor unit GG05 living area and balcony modified to match upper levels unit design and simplify construction.
22. Building Entries	1 & 6	Relocated due to redesign of the buildings core areas.
23. Façade/ Internal Layout	1	2 bedroom units of units GG16, G116, G216 & G315 changed to 3 bedrooms.
24. Courtyards	1	Ground floor south courtyard tile areas modified and selected windows replaced by sliding doors to improve access to private open space and increase deep soil area.
25. Sun Control Systems	1 & 6	Active and passive sun control systems added to north facades to aid in improving amenity to units.
26. Privacy Screens	1 & 6	Privacy screens added to Stage 1 north balconies to provide additional privacy and comfort.
27. Façade – East & West Balconies	1 & 6	Balconies footprint modified to units F104, F113, F114, G115, G116, F204, F213, F214, G215, G216, F304, F313, F314, G314, G315 as a means of simplifying construction and assist in creating variation in design with an increase in private open space.
28. Courtyard Ramps	1 & 6	Pathways redesigned to resolve differences in levels.
29. Façade/Internal Layout	1	Unit G303 changed from a 2 bedroom unit to a 3 bedroom.
30. Internal Layout	1 & 6	Internal apartment layouts modified in response to the core redesign, internal apartment layouts had to be adjusted.

4.1 Section 79c Heads of Considerations

Section 96(3) of the Act stipulates that the “*consent authority must take into consideration such of the matters referred to in Section 79C (1) as are of relevance to the development the subject of the development*”. As discussed below, it is highly unlikely the modifications will result in any adverse impact to adjoining properties.

Statutory & Non Statutory Planning Controls

Zoning

The site still remains zoned R3 – *Medium Density Residential* and SP2 – *Infrastructure – Classified Road* pursuant to SEPP (Sydney Regional Growth Centres) 2006 as originally approved. Uses permitted under a R3 zone include residential flat buildings; stop top housing and multi dwelling housing.

Floor Space Ratio

The maximum Floor Space Ratio for the site is 1.75:1.

Based on Council's assessment report to the JRPP the approved DA had a gross floor area of 25,374m² and a FSR 1.63:1 calculated on a site area of 15,554 m².

The proposed gross floor area of the Section 96 modifications is 25,110m², which equates to a FSR 1.61:1 (based on the same site area) and is thereby fully compliance with the relevant standard.

Height

The maximum height for the site is 12m. As discussed in Section 3, the modified design incorporates minor encroachments to the 12m standard as a result of increasing the ceiling heights to 2.7m to improve the amenity of the internal living space. Consequently, it is necessary to prepare a Clause 4.6 submission as detailed below.

4.1.1 Exception to Development Standards - HEIGHT

This submission contends that strict compliance with the maximum building height limit of 12m is unreasonable and unnecessary on the grounds that the variations being sought can be adequately justified under the provisions of Clause 4.6. Architectural drawings prepared by Group GSA Architects have been used to explain and support this variation submission.

JUSTIFICATION

The following submission addresses Clause 4.6 of Appendix 6, Area 20 Precinct Plan of *State Environmental Planning Policy (Sydney Region Growth Centres) 2006*, in support of the applicant's request to vary the maximum building height where it is considered the 12m height control is unreasonable and unnecessary.

The objectives of Clause 4.3 Height of Buildings are:

- (a) *to establish the maximum height of buildings on land within the Area 20 Precinct,*
- (b) *to minimise visual impact and protect the amenity of adjoining development and land in terms of solar access to buildings and open space,*
- (c) *to facilitate higher density development in and around commercial centres and major transport routes.*

The Growth Centres SEPP defines building height as follows:

‘building height (or height of building) means the vertical distance between ground level (existing) at any point to the highest point of the building, including plant and lift overruns, but excluding communication devices, antennae, satellite dishes, masts, flagpoles, chimneys, flues and the like’.

Proposed Height Exceedance

Control	Departure
Permissible maximum building height (Clause 4.3)	12m
Maximum building height now proposed	12.9m
Maximum variation in metres	909mm
Max variation percentage	7.6%

As discussed in Section 3, the modified design has increased the floor to floor height of each floor of both buildings from 2.85m to 3.0m to accommodate a floor to ceiling height of 2.7m, resulting in some areas of the roof structure breaching the statutory 12m maximum building height control. Refer to Drawings DA-11 Issue A and DA-12 Issue A prepared by Group GSA Architects.

Clause 4.6 (1)

The objectives of this clause are:

- a) *to provide an appropriate degree of flexibility in applying certain development standards to particular development,*
- b) *to achieve better outcomes for and from development by allowing flexibility in particular circumstances.*

Response:

Clause 4.6 is a mechanism used to relax numerical development standards set by environmental planning instruments.

In exceptional circumstances, Clause 4.6 recognises that statutory planning controls such as building height may be unnecessary or unreasonable and thereby provides a means by which a variation to the standard can be achieved by adopting an appropriate degree of flexibility. As discussed below, the modified roof heights are considered a suitable design response that significantly improves the internal layout and planning of the buildings without creating any noticeable changes to the external elevations when viewed from the public domain.

Clause 4.6 (2)

Development consent may be granted even though the proposed development may contravene a development standard.

Response:

It is submitted that the building height standard is not excluded from the clause.

Clause 4.6 (3)

A written request is required in support of the contravention to the development standard that demonstrates:

- a) *compliance with the development standard is unreasonable or unnecessary in the circumstances of the case, and*
- b) *there are sufficient environmental planning grounds to justify contravention.*

Response:

The proposed variations are considered justifiable for the following reasons: -

- The individual breaches are the result of having to increase the floor to floor height from 2.85m to 3.0m (i.e. 150mm x 4) in order to provide a 2.7m ceiling height across all floors which is