

# Supplementary report to Sydney Central City Planning Panel

Panel reference: 2016SYW077

## Development application

<b>DA number</b>	JRPP-16-03306	<b>Date of lodgement</b>	31 March 2016
<b>Applicant</b>	Brooks Projects Architects		
<b>Owner</b>	Li and Qing Unit Trust		
<b>Proposed development</b>	Construction of a part 3 storey and part 4 storey residential flat building, containing 106 apartments, 2 levels of basement car parking and associated landscaping and stormwater drainage works		
<b>Street address</b>	210 Grange Avenue, Marsden Park (proposed Lot 7 approved by DA-15-02309, currently Lot 9 DP 802880)		
<b>Notification period</b>	26 April to 10 May 2016	<b>Number of submissions</b>	1

## Assessment

<b>Panel criteria</b> Section 7, SEPP (State and Regional Development) 2011	Capital investment value (CIV) over \$20 million (DA has CIV of \$23.294 million) - lodged before 1 March 2018		
<b>Relevant section 4.15(1)(a) matters</b>	<ul style="list-style-type: none"> <li>• State Environmental Planning Policy (State and Regional Development) 2011</li> <li>• State Environmental Planning Policy (Infrastructure) 2007</li> <li>• State Environmental Planning Policy No. 55 – Remediation of Land</li> <li>• State Environmental Planning Policy (Sydney Region Growth Centres) 2006</li> <li>• State Environmental Planning Policy No. 65 – Design Quality of Residential Apartment Development</li> <li>• State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004</li> <li>• Sydney Regional Environmental Plan No. 20 - Hawkesbury-Nepean River</li> <li>• Central City District Plan 2018</li> <li>• Blacktown City Council Growth Centre Precincts Development Control Plan 2016</li> </ul>		
<b>Report prepared by</b>	Bertha Gunawan		
<b>Original report date</b>	12 July 2018		
<b>Panel meeting date and deferral</b>	The Panel met on 26 July 2018 and deferred determination so that further details itemised in the Council Assessment Report could be provided, namely the submission of a revised landscape plan consistent with the architectural plans to address concerns about the communal open spaces.		
<b>This report date</b>	15 November 2018		
<b>Recommendation</b>	Approve, subject to the conditions listed in attachment 2.		

## Attachments

- 1 Applicant's updated Level 1 Architectural and Landscape Plans
- 2 Draft conditions of consent (amended)
- 3 Copy of original report

## Checklist

### Summary of section 4.15 matters

Have all recommendations in relation to relevant section 4.15 matters been summarised in the Executive summary of the assessment report? Yes

### Legislative clauses requiring consent authority satisfaction

Have relevant clauses in all applicable environmental planning instruments, where the consent authority must be satisfied about a particular matter, been listed and relevant recommendations summarised in the Executive Summary of the assessment report? Yes

### Clause 4.6 Exceptions to development standards

If a written request for a contravention to a development standard (clause 4.6 of the LEP) has been received, has it been attached to the assessment report? Not applicable

### Special Infrastructure Contributions

Does the DA require Special Infrastructure Contributions conditions (section 7.24)? Yes

### Conditions

Have draft conditions been provided to the applicant for comment? Yes

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## 1 Executive summary

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- 1.1 This Supplementary Report is the second report on this proposal. This report considers additional information submitted by the Applicant in response to the Panel's deferral of the Development Application at its meeting on 26 July 2018. The key issues that need to be considered by the Panel only relate to the matters raised in the deferral, and these are covered in Section 3 of this report.
- 1.2 Assessment of the Applicant's amended plans and documentation against the relevant planning framework has not identified any issues of concern that cannot be dealt with by conditions of consent. The draft conditions presented with the original report have been amended in line with the updated material received.
- 1.3 The application is considered satisfactory when evaluated against section 4.15 of the Environmental Planning and Assessment Act 1979 (the Act).
- 1.4 This report recommends that the Panel approve the application subject to the amended draft conditions at attachment 2, by way of removing the requirement for Deferred Commencement as these items have now been addressed.

## 2 Previous Panel consideration of DA

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- 2.1 At its meeting on 26 July 2018 the Panel decided as follows:

*"The Panel defers determination of the application to enable provision of further details itemised in the Council's assessment report, namely:*

- *Submission of a revised Landscape Plan to Council's satisfaction that is consistent with the architectural plans. The Landscape Plan is to address the following:*
  - *Reconsideration of pathway locations, a reduction in the amount of pathways transecting the two communal open spaces to increase the useable areas, especially along the open space to the western boundary;*
  - *Size of private terraces at Level 1 and their relationship to the communal open space needs to be better resolved to ensure adequate privacy in both spaces;*
  - *Provide sections showing the relationship between the private balconies/terraces and the proposed communal open spaces;*
  - *Provide landscape detail and sections along the street frontages and all planting within the COS areas;*
  - *Provide details of the location of BBQ areas and seating and any other improvements to be delivered within the Communal open space for occupant's use;*
  - *There is no detail provided as to whether shading is to be provided over any of the deck areas;*
  - *The amount of decked area to central COS is to be reduced and details provided as to how this space relates to the private terraces immediately adjoining them;*
  - *Ensure that the architectural plans are consistent with the landscape plans in relation to the size and location of private terraces/balconies as they currently conflict, especially in relation to the western COS;*
  - *Resolution of the western open space is required to make it more inviting, with seating options and useable space for residents; and*



- Provide details of the street tree planting on the revised Landscape Plan to incorporate:
  - *Angophora floribunda* to Grange Avenue
  - *Brachychiton acerifoious* to proposed road no. 4
  - *Melaleuca styphelioides* to proposed road no. 2.”

2.2 A copy of the original report is at attachment 3.

### 3 Assessment of Applicant's revised plans

- 3.1 The Applicant has submitted revised Plans – Architectural Drawing BPA1507skA4m and Revised Landscape Plans A-L01-E, A-L02-D, and A-L03-B (at attachment 1).
- 3.2 The landscape and architectural plans are now consistent. The additional details provided on the landscape plans sufficiently provide the additional requested communal open space features, treatment and quality for future occupants of the development.
- 3.3 In terms of the central communal open space, the revised Landscape Plan Issue D (see Figure 1) has been updated to shift the central pedestrian pathway that previously dissected the central communal open space, additional turfed areas have been provided in lieu of excessive decking, and BBQ utilities and shade structures have been included.

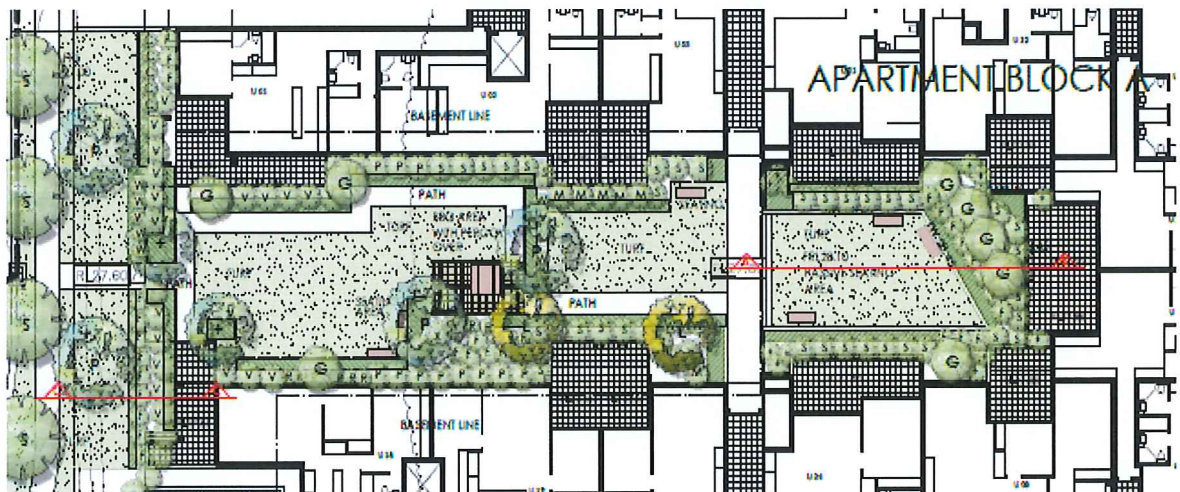


Figure 1 Revised Central Communal Open Space - Landscape Plan L02-D (excerpt)

- 3.4 Within the western located communal open space (see Figure 2) the pedestrian path now meanders along the western boundary with realignment of tree planting to assist softening the pathway within this space. The pathway also extends to Grange Avenue where it previously terminated at the building elevation. Additional BBQ facilities and seating is now provided with shade structures over.

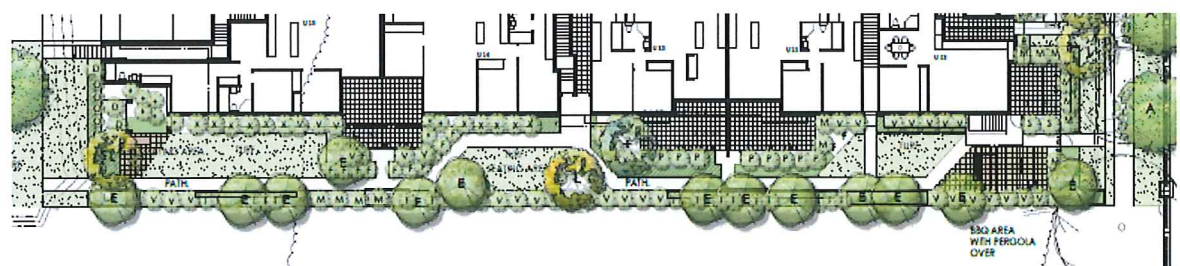


Figure 2 Revised Western Communal Open Space – Landscape Plan L02-D (excerpt)

- 3.5 The provision of communal space now provides better opportunities for passive recreation within the site and the function of these spaces incorporates landscape

character and design, opportunities for group and individual recreation, opportunities for social interaction, and amenity and outlook for residents. As such, the provision of communal open space is now considered to be consistent with the objectives under 3D of the Apartment Design Guide.

- 3.6 The table below itemises the design matters required to be addressed by the Applicant and the way in which the Applicant has dealt with each issue.

Issue raised by Panel	How Applicant has addressed issue	Has issue been addressed satisfactorily?
Reconsideration of pathway locations, a reduction in the amount of pathways transecting the two communal open spaces to increase the useable areas, especially along the open space to the western boundary	<p>The proposed pathways have been reconfigured. Whilst the extent of pathways has not been obviously reduced, consideration has been given to improving the proposed COS to provide more useable areas (ie. seating areas, pergolas and BBQ areas).</p> <p>The open space area along the western boundary has designated useable COS spaces for both private and active recreation. These spaces have been located further away from the adjoining private terraces for privacy.</p>	Yes
Size of private terraces at Level 1 and their relationship to the communal open space needs to be better resolved to ensure adequate privacy in both spaces	Whilst the private terraces' sizes are maintained, the pedestrian walkways around the building perimeter and the walkway leading to the central COS have been reconfigured to delineate active areas away from these terraces, providing better privacy for Level 1 units.	Yes
Provide sections showing the relationship between the private balconies/terraces and the proposed communal open spaces	A section plan has been provided which demonstrates the relationship between the COS and the adjoining private balconies/terraces.	Yes
Provide landscape detail and sections along the street frontages and all planting within the COS areas	Street tree plantings, including the proposed numbers, tree species and locations, have been adequately demonstrated on the revised landscape plans.	Yes
Provide details of the location of BBQ areas and seating and any other improvements to be delivered within the communal open space for occupant use	<p>BBQ areas now shown in the revised landscape plans, in the central COS and the south-western COS with pergolas and seating areas. Additional seating areas are also provided along the western COS.</p> <p>The revised landscape plans also delineate between active and passive use (passive areas are provided on the northern, eastern and southern COS areas), therefore providing opportunities for social interaction or for group and individual recreation.</p>	Yes



Issue raised by Panel	How Applicant has addressed issue	Has issue been addressed satisfactorily?
	<p>Provision of natural shade from the proposed trees in the private COS is considered to encourage future residents to use these areas.</p> <p>The reconfigured COS and walkways provide better amenity to the adjoining private terraces and balconies.</p>	
There is no detail provided as to whether shading is to be provided over any of the deck areas	Shading details/pergolas are now shown in the revised landscape plans, in the central COS and the south-western COS.	Yes
The amount of decked area to central COS is to be reduced and details provided as to how this space relates to the private terraces immediately adjoining them	The decked area is now reduced, and the walkways and active areas have now been reconfigured to provide more privacy to the adjoining private terraces.	Yes
Ensure that the architectural plans are consistent with the landscape plans in relation to the size and location of private terraces/balconies as they currently conflict, especially in relation to the western COS	The applicant has submitted a revised and consistent set of architectural and landscape plans.	Yes
Resolution of the western open space is required to make it more inviting, with seating options and useable space for residents	The western open space areas now include useable and inviting spaces with shade and seating.	Yes
<p>Provide details of the street tree planting on the revised Landscape Plan to incorporate:</p> <ul style="list-style-type: none"> <li>▪ Angophora floribunda to Grange Avenue</li> <li>▪ Brachychiton acerifoious to proposed road no. 4</li> <li>▪ Melaleuca styphelioides to proposed road no. 2</li> </ul>	The amended landscape plan now demonstrates the provision of these 3 nominated tree species along the nominated roads.	Yes

## 4 Conclusion

- 4.1 The proposed development has been assessed against all matters for consideration and is now considered to be satisfactory given the Panel's expressed concerns. It is considered that the likely impacts of the development have been satisfactorily addressed and that the proposal is in the public interest. The site is considered suitable for the proposed development subject to conditions.

## 5 Recommendation

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- 1 Approve Development Application 16-03306 subject to the amended conditions of consent at attachment 2.
- 2 Council officers notify the applicant and submitter of the Panel's decision.



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