

MEMO

Folder Number: DA/968/2016

To SWCPP – Planning Panels
Secretariat
From Denise Fernandez
Senior Development Assessment
Officer

Date 1 August 2017

Subject 2016SYW219 – DA/968/2016 - 158 - 164 Hawkesbury Road WESTMEAD NSW
2145 (Lot 5) – Deferred Commencement and Condition 34

Development Application 968/2016 proposes the tree removal and construction of two Residential Flat Buildings containing 556 apartments over 4 levels of basement car parking. The application is to be determined by the Sydney West Central Planning Panel on 2 August 2017.

The draft conditions of consent were sent to the applicant for their review and comment. In response, the applicant has raised concerns with the Deferred Commencement condition requiring approval from CASA/DIRD to be obtained to redirect the flightpath/s prior to the consent being operative and Condition 34 requiring the reduction in the number of on-site parking spaces.

In response to these concerns, Council provides the following:

1. Deferred Commencement

Subsequent to the finalisation of Council's assessment report, Council is in receipt of additional information (see attachment 1) regarding the flight path affecting the subject site.

An Aeronautical Impact Assessment confirms that an alternate flight path is possible and that a flight path obstacle assessment demonstrates the feasibility of that alternate flight path. Based on those documents, the applicant is confident that approval for an alternate flight path for the helicopters servicing Westmead medical precinct can obtain CASA/DIRD approval.

As Council does not have expertise in the area of civil aviation, we have relied upon the conclusions and recommendations of the applicant's civil aviation expert. On the basis of the information now provided to Council, were the Panel of a mind to approve the development application subject to conditions, Council would not object to the currently recommended deferred commencement condition being moved to the general conditions of consent to be satisfied prior to issue of any Construction Certificate. The condition is to read as follows:



Prior to the Issue of the Construction Certificate

14 a) Prior to the issue of the Construction Certificate, all necessary approvals from the relevant authorities are to be obtained to confirm the development will not impact on any flight paths.

Reason: To ensure that the development does not obstruct flight paths.

Further, Condition 1 is to be amended to include the following documentation:

Document(s)	Prepared By	Dated
Aeronautical Impact Assessment – Flight Path Obstacle Assessment	L&B	August 2017

2. Condition 34

Condition 34 reads:

A maximum of 533 residential parking spaces and 107 visitor parking spaces (total of 654) are to be provided on site. Parking spaces are to be provided in accordance with the approved plans referenced in condition 1 and with AS 2890.1, AS2890.2 and AS 2890.6. Details are to be illustrated on plans submitted with the construction certificate.

Reason: *To comply with Council's parking requirements and Australian Standards.*

The application however proposed 547 spaces. It is noted that this is a difference of 14 spaces. Council at the time of writing the report had considered a submission made with regards to parking and that the site is subject the maximum car space provisions under the DCP. As such, a condition was imposed to reduce the number of parking spaces to 533 spaces. This was supported by Council's Traffic Engineer. However, if Panel was of a mind to consider this approach to be unreasonable given the minor departure to the controls, Council will not object to modifying the condition to require 547 parking spaces.