

Summary of residents' concerns and Council response

1 Location of submitters

Stage 2 building owner within same development site

2 Consideration of issues raised

Issue	Planning comment/response
How will the amended application on 11-17 Second Avenue affect our existing property?	The applicant has provided solar access analysis and shadow diagrams to demonstrate that the DA will not detrimentally impact solar access to the apartments and open spaces at ground floor and on the roof top of the Stage 2 building. Attention has been given to the design detail and orientation of windows and private open space areas to improve privacy between the apartments and commercial spaces in Stage 1 and Stage 2. Details have been provided with regard to the vehicle access, basement design, ramp grades, swept path and finished floor levels as well as movement links to access the loading bay for deliveries and waste servicing. These details demonstrate the new Stage 1 works will continue to be compatible with Stage 2 in the same manner as approved with JRPP-16-03305.
How will the amended application on 11-17 Second Avenue affect our approved development application?	It has been satisfactorily demonstrated that the new Stage 1 will continue to be compatible with Stage 2. However, a condition of consent is recommended that the applicant lodge an application to modify JRPP-16-03305 to ensure that both consents can be simultaneously operational. Modification of JRPP-16-03305 will require consent from the owner of Stage 2. Also, conditions are also recommended that the allotments be consolidated; a right of carriageway for vehicle access and egress and other appropriate restrictions on the use of land be created over the land. These will have to be registered on the title of the property prior to the issue of an Occupation Certificate for Stage 1 to ensure legal access and shared use arrangements between Stage 1 and Stage 2. This is appropriate to ensure and facilitate demolition, construction and ongoing operation of both stages of the development.
What are our obligations and rights concerning this matter?	The recommended conditions of consent and considerations are the extent of statutory planning provisions related to the development application. The owner of Stage 2 is advised to seek separate advice on other matters.
It is our understanding that our development application is linked with this Stage 1 development. How will this new development application affect the original development application which includes both Stage 1 and Stage 2?	See comments above to ensure Stages 1 and 2 remain compatible and functional throughout the life of the consents.
Is our original DA application DA JRPP-16-03305 still valid, and for how long?	JRPP-16-03305 was issued on 24 May 2018 and remains valid to 24 May 2025 (including the additional 2 years added as a result of the temporary Covid-19 legislation introduced in 2020).