



NSW GOVERNMENT  
**Department of Planning**

Contact: Josephine Wing  
Phone: (02) 9228 6528  
Fax: (02) 9228 6540  
Email: [josephine.wing@planning.nsw.gov.au](mailto:josephine.wing@planning.nsw.gov.au)

Our ref: MP 05\_ 043  
Your ref:  
File: S07/00416-1

Meriton Apartments Pty Ltd  
Level 11, 528 Kent Avenue  
SYDNEY NSW 2000  
Att: Tom Hutchison

Dear Mr Hutchison,

**Request for amendments and additional information – Lot 104, Precinct C, 42 Walker Avenue, Rhodes MP05\_0043**

Further to the summary of submissions provided on 24 May 2007 and following a meeting on 6 June 2007, the Department has undertaken an initial assessment of the above proposal. There are a number of key issues with the proposal, as follows:

- Height - the proposal appears to breach the height control of the Concept Plan. A portion of Building 2 appears to be 6 stories in height and located within the 5 storey maximum height zone. A Section through this part of the building is required to be provided to accurately demonstrate the height of the building. All non-compliances with the Concept Plan are required to be addressed.
- Gross Floor Area - this project represents a progression of development of Precinct C and the Department requests that you provide the anticipated allocation of the GFA across the remaining parts of the Precinct.
- Solar Access - The number of units which are south facing and single aspect exceed the 10% maximum of SEPP 65.
- Number of Units Accessed From A Single Lift Core - the number of units accessed from a single lift core exceed the requirements of SEPP 65.
- Deep Soil - the proposal does not achieve a minimum of 20% of the site as deep soil landscaping with a minimum dimension of 2m.
- Carparking – all units have not been provided with a car parking space. The 6 stacked car parking spaces (Nos. 53-58) result in 3 units *not* being provided with a car parking space.
- Ground floor units - There are no ground floor units with direct access to the street. The Renewing Rhodes DCP requires 50% of units to have direct access to the street.

In addition, the following documentation/information has not been provided or is inadequate for the purposes of assessing the proposal, and is required to be submitted:

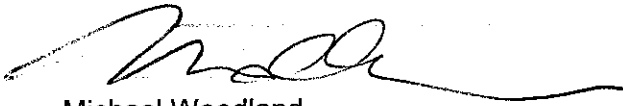
- The elevations and sections do not illustrate RLs for the ground levels or levels for the building;
- The size of the floorplate above 6 stories is required to be specified;
- A Materials and Finishes board;
- A BASIX Certificate and the corresponding BASIX Commitments illustrated on the plans; and
- Photomontages of all elevations (the submitted photomontage of the building as viewed from the water is insufficient to allow a comprehensive assessment).

The Department has attached a copy of meeting notes in Attachment 1.

A Preferred Project Report will be required outlining any proposed changes to the project and any revised statement of commitments, in response the issues outlined and also the public and agency submissions previously provided.

If you have any queries regarding this letter, please contact Josephine Wing on 9228 6528 or via email to [josephine.wing@planning.nsw.gov.au](mailto:josephine.wing@planning.nsw.gov.au)

Yours sincerely



13/6/07

Michael Woodland  
**Director**  
**Urban Assessments**

## ATTACHMENT 1 – Meeting Notes

### 1. SREP No. 29

- Clause 14 *Floor Space Restrictions for Precincts* allows a GFA of up to 70,850m<sup>2</sup> for Precinct C (subject to certain public domain requirements). This project represents a progression of development of Precinct C and the Department requests you to provide conceptual information as to the anticipated allocation of the GFA across the remaining parts of the site.
- Clause 16 *Height of Buildings* allows a breach within the 4 storey zone of up to 5 and 6 storeys of not more than 4% of the total gross floor area allowed within Precinct C. The percentage of floor area in breach of the 4 storey height limit of up to 5 and 6 storeys for Lot 100, and the proposed Lot 103 and Lot 104 is as follows:

<b>4 Storey Height Limit – Building of 5 or 6 storeys</b>	
No more than 4% of GFA for Precinct C may be located above the 4 <sup>th</sup> storey height limit in buildings with a height of 5 or 6 storeys	Lot 100 – 1.9%
	Lot 103 – Proposed 0.42%
	Lot 104 – Proposed 1.78%
<b>ACCUMULATED TOTAL</b>	<b>4.1%</b>

The accumulated proposed total exceeds 4% and the proposed development is required to be amended to achieve compliance with this requirement. It is also noted that based on the above the remaining development parcels, Lots 101 and 102 will not be able to breach this height requirement.

### 2. SEPP No. 65

- 16% of the units (i.e. 11 units) are single aspect units which face south. SEPP 65 allows for a maximum of 10% of units be south facing single aspect. The number of units which are south facing and single aspect is unacceptable and the design is required to be amended to limit south facing single aspect units to 10% or less.
- Up to 13 apartments are accessed from a single core within Building 1 which exceeds the SEPP 65 guidelines (6-8 apartments per core).
- The proposed building separation between Buildings 1 and 2 do not meet the requirements of SEPP 65. Specific details regarding the treatment of windows in the southern elevation of Building 2 and the northern elevation of Building 1 is required to ensure that direct views are not available from one unit to another.
- Storage areas are not provided for all 75 units in accordance with the requirements of SEPP No. 65. Storage areas for every unit are to be clearly illustrated on the plans.
- A solar access assessment against the requirements of SEPP No. 65 is required to be submitted (i.e the solar access period between the hours of 9am to 3pm which demonstrate that 70% of units receive 3 hours sunlight during this period). The solar access assessment provided with the application is between 8am and 4pm and is not in accordance with SEPP 65.

### 3. Renewing Rhodes DCP (RR DCP)

- Section 5.4 of the RR DCP requires a minimum of 20% of the site with a minimum dimension of 2m, as deep soil landscape space. The proposal includes areas within the deep soil calculation which do not have a minimum dimension of 2m, and therefore does not comply. Compliance with this control is required to be achieved.
- Section 5.4.2 of the RR DCP requires a maximum front fence height of 1.2m along Shoreline Avenue to allow visibility to entrances and allow for outlook and passive surveillance of Shoreline Avenue. The proposed fence height of 1.8m does not

achieve the objectives of this requirement and the proposal is required to be amended to comply.

- There are no ground floor units with direct access to Shoreline Avenue. The RR DCP requires 50% of units to have direct access to the street and the proposal is required to be amended to achieve compliance with this requirement in order to improve the activation of Shoreline Avenue.
- The RR DCP requires a minimum of 1 car parking space per unit, and only allows stacked spaces to be allocated to the one unit. The 6 stacked car parking spaces (Nos. 53-58) result in 3 units *not* being provided with a car parking space. The proposal must be amended to achieve compliance with this requirement.

#### **4. Concept Plan – Stage 1 Masterplan for Precinct C of Rhodes Peninsula (DA 125-5 2005)**

- The proposal appears to breach the height control of the Concept Plan. A portion of the Building 2 appears to be 6 stories in height and located within the 5 storey maximum height zone. A Section through this part of the building is required to be provided to accurately demonstrate the height of the building. All non-compliances with the Concept Plan are required to be addressed.
- Due to the need to clarify the heights of the building in relation to both the SREP No. 29 and Concept Plan requirements, the 4 and 6 storey zones in the Height Map accompanying SREP No. 29 and the height limits under the Concept Plan are required to be transposed onto the plans.

#### **5. General Design**

- Should Building 1 require redesign to address the issues raised above, the resolution of the taller building element at the corner of Shoreline and Darling Avenues may be improved by decreasing the Shoreline Avenue setback to create a defined 'accent' on the corner.
- The solar protection to the east and west elevations has not been demonstrated to be sufficient. Details regarding the proposed design elements, materials and proposed solar protection measures to address this issue are to be provided.