

DEPARTMENT OF PLANNING

Development Assessment

SUBJECT: Section 75W modification request for internal and external alterations to Lot 63, 18 Nordica Street and Lot 60, 14 Seamist Avenue, Ermington, Parramatta (MP05 0084 MOD 3, MP05 0084 MOD 4)

PURPOSE

To determine the modification requests for internal and external alterations to Lot 63, 18 Nordica Street (Mod 3) and Lot 60, 14 Seamist Avenue (Mod 4), Ermington.

BACKGROUND

The Ermington Master Plan was approved on 9 April 2002. This was prepared in accordance with the requirements of the State Environmental Planning Policy, No. 56 – Sydney Harbour Foreshores and Tributaries which was repealed on 16 December 2005. The Master Plan is now a deemed DCP under the Act. The site, known as the Ermington Navel Stores, has since been listed in Schedule 2 of the Major Development SEPP 2005 and the Minister for Planning is now the consent authority for development on this site with a capital investment value of more than \$5m. All projects are being considered under the parameters of the master plan approval/deemed DCP.

On 21 November 2006, the Minister for Planning approved a 78 lot subdivision and construction of residential dwellings for the majority of the eastern-most portion of the site formally known as precincts A & B of the Ermington Master Plan (MP05_0084). The approval provided for a mixture of self-contained studio dwellings, detached dwellings, courtyard homes, townhouses/terraces, a residential flat building and subdivision in a combination of Torrens and Strata Title allotments.

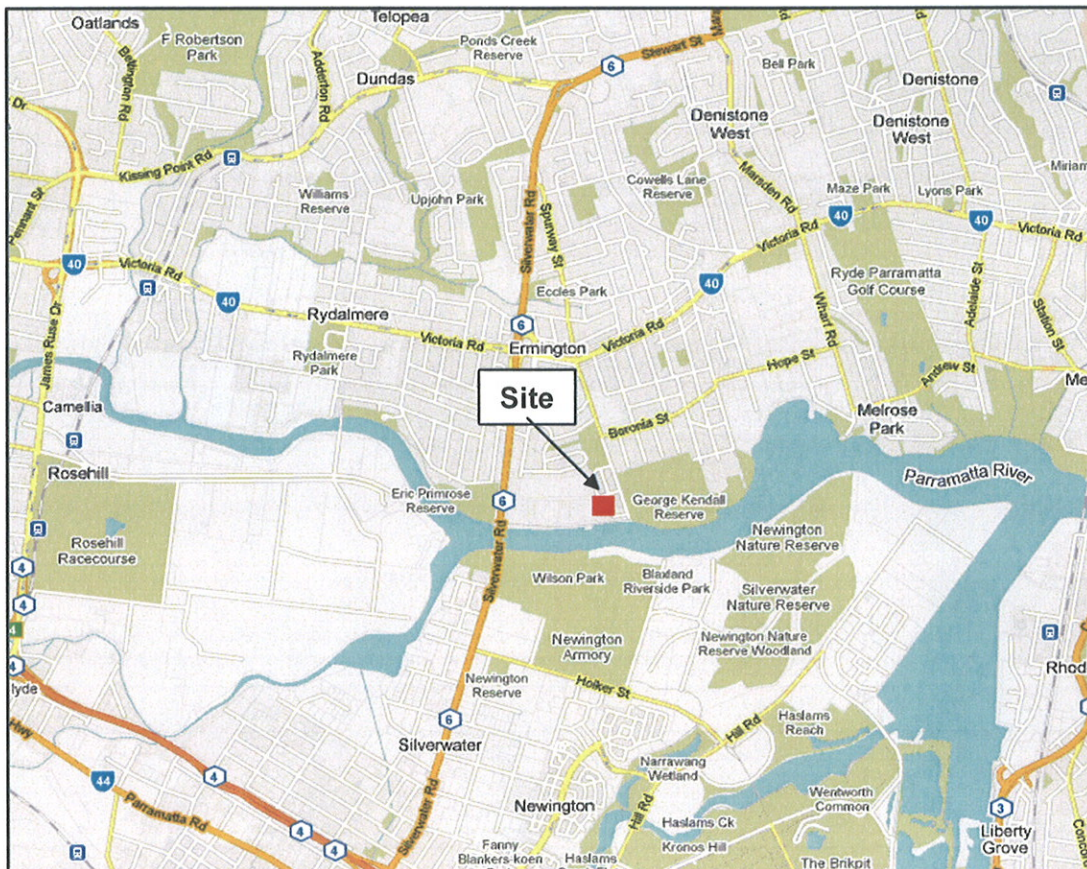


Figure 1: Site location

This report deals with two separate modification proposals. These two sites, which are located within Precinct B of the original Master Plan, are in the Parramatta Local Government Area on the Parramatta River in Ermington (see above figure 1). The first relates to Lot 63, 18 Nordica Street and the second relates to Lot 60, 14 Seamist Avenue, Ermington (see figure 2, 3 and 4).

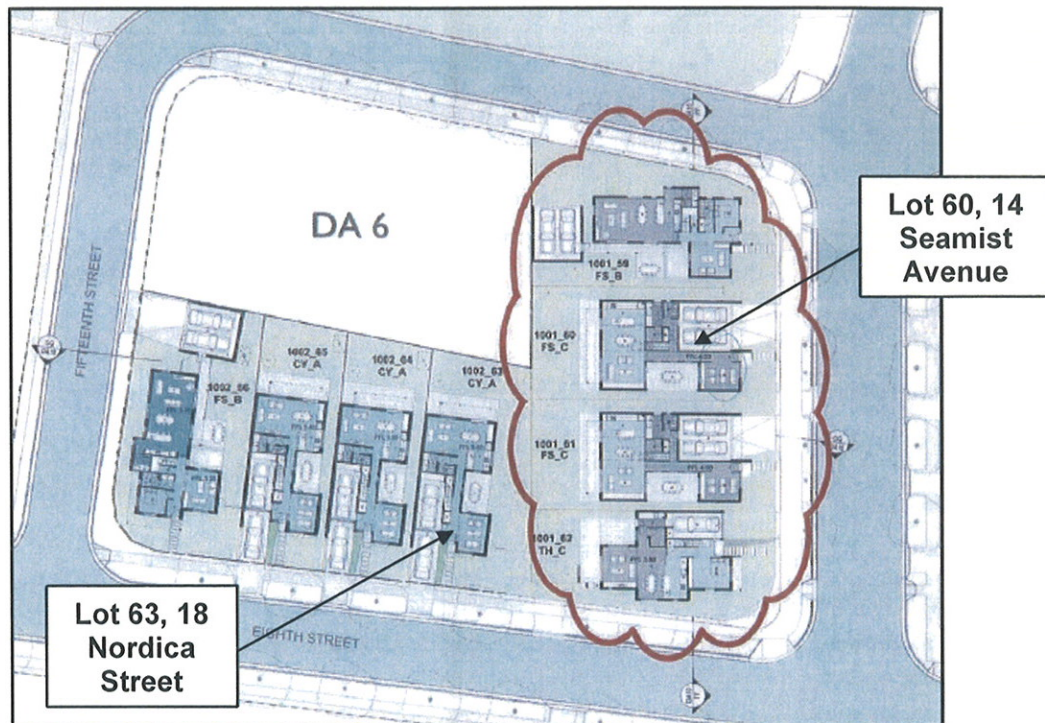


Figure 2: Current approved plans after Modification 2



Figure 3: Lot 63, 18 Nordica Street (Mod 3)



Figure 4: Lot 60, 14 Seamist Avenue (Mod4)

PROPOSED MODIFICATION

MP05_0084 MOD 3 (Lot 63, 18 Nordica Street)

The proposal seeks to amend the building layout by moving the approved building toward the northern boundary providing a 1200mm setback to the southern boundary in lieu of a zero lot boundary. This in turn reduces the setback on the northern boundary by 1200mm. The building will now have a minimum setback of 2.2m meters from the northern boundary. The proposal also seeks approval for 5 new windows within the southern elevation, 3 on the ground floor and 2 on the first floor. Additionally five new windows are proposed to be added to the northern elevation. This includes three new windows on the first floor. One window faces an approved garage with a first floor study which has no window on its southern elevation. The other two are bedroom and study windows which face the backyard of Lot 61 Seamist Avenue. These windows will have a cill height of 1.5m to ensure privacy. Plans are provided in Tag A.

MP05_0084 MOD 4 (Lot 60, 14 Seamist Avenue)

The proposal seeks to increase the floor area by 29.3m² resulting in a gross floor area of 204.7m². This increase will accommodate an addition bedroom and ensuite above the living room on the ground floor. The proposal will enlarge the dwelling from three to four bedrooms. Plans are provided in Tag B.

CONSULTATION

In accordance with section 75J of the EP&A Act and clause 8G of the EP&A Regulation; the modification request was made available on the Department's website and referred to Parramatta City Council for comment. Due to the minor nature of the proposed modification, the modification request was not exhibited by any other means. No submissions were received on the modification request.

DELEGATED AUTHORITY

On 25 January 2010, the Minister delegated his powers and functions under section 75W of the EP&A Act to Directors in the Major Projects Assessment Division in cases where there are less than 10 public submissions (not including submissions from public authorities) in the nature of objections in respect of the modification request. As no public submissions were received, the Director may determine the modification request under delegated authority.

*NSW Government
Department of Planning*

KEY ISSUES

MP05_0084 MOD 3 (Lot 63, 18 Nordica Street)

- *Setbacks*

The increased setbacks from the southern boundary will improve the amenity between the two dwellings. The increased setback (1200mm) will allow greater levels of natural light to enter the dwelling and improve cross ventilation. The increased setback will not impact upon the primary open space area to the rear of the property. Furthermore, privacy impacts are considered to be acceptable as the proposed first floor windows consist of a small bathroom and ensuite window which will be fitted with obscure glazing. The windows on the ground floor are off set by the windows on the adjoining property.

The reduced setback along the northern boundary is also considered to be acceptable. Whilst the setback will be reduced (to a minimum of 2.2 metres) given the orientation of the site, no additional overshadowing will occur to neighbouring properties. Furthermore privacy impacts are considered to be acceptable as the proposed north facing first floor windows are from bedrooms and a study, rather than living areas therefore reducing the opportunity for overlooking. To further reduce the possibility of overlooking windows in bedroom 3 and the IT nook will have a sill height of no less than 1.5m.

- *Sustainability*

An amended BASIX Certificate has been submitted for the site which demonstrates the modified layout meets the NSW Government's target for sustainable building practices.

MP05_0084 MOD 4 (Lot 60, 14 Seamist Avenue)

- *Privacy*

The Department has considered the potential privacy impact resulting from the proposed second storey windows. The proposed bedroom window has a sill height of 1.5m and looks east onto a blank wall on the adjoining property. The second window is an ensuite window which is small, will be fitted with obscure glazing and does not directly face another window. It is therefore considered that adequate privacy will be maintained between properties.

- *Overshadowing*

The proposed additional bedroom will increase overshadowing to the neighbouring property to the east just before 3pm and onwards at mid winter. However, given that 2 storey developments is permissible, the orientation of the lot and the previously approved minimal set backs, the minor increase in afternoon overshadowing as a result of the modification is considered to be reasonable.

- *Floor Space Ratio*

The proposed FSR is 0.59:1 which complies with the maximum FSR of 0.6:1 for freestanding townhouses as required by the Master Plan.

- *Sustainability*

An amended BASIX Certificate has been submitted for the site which demonstrates the modified layout meets the NSW Government's target for sustainable building practices.

CONCLUSION

The proposed modifications are minor and do not result in a change to the overall design theme of the precinct. The proposal maintains adequate amenity between properties achieves the same objectives as assessed in the originally approved development under MP05_0084 and does not alter the overall nature, need or justification of the approved project. It is therefore recommended that the modification be approved subject to amended conditions.

RECOMMENDATION

It is RECOMMENDED that the Director:

- note the information provided in this briefing;
- approve the modification request, subject to conditions;
- sign the attached modifying instrument for Mod 3 (Tag C); and
- sign the attached letters to notify the proponent and council (Tag D)
- sign the attached modifying instrument for Mod 4 (Tag E); and
- sign the attached letters to notify the proponent and council (Tag F)

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OK A 20/9

Approved by:



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20/9/2010