

Thursday, 28 June 2012

The Director General
Department of Planning & Infrastructure
23-33 Bridge Street
Sydney NSW 2000

Architecture
Urban Design
Planning
Interior Architecture

Attention: Heather Warton
Metropolitan and Regional Projects North

**RE: Major Project MP 08_0116 - Potts Hill Residential Estate – Civil Works Stage 2
Section 75W Modification No. 2**

Dear Heather,

We write on behalf of the Proponent for the Potts Hill Residential Estate, Landcom to submit an Environmental Assessment for a Section 75W Modification to the abovementioned Major Project Approval.

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This report describes an application made under Section 75W of the *Environmental Planning and Assessment Act 1979 (EP&A Act)* to modify Condition A2 of the Project Application Consent MP08_0116 (as modified) to:

Auckland
Brisbane
Melbourne
Shanghai
Sydney

1. Amend the number lots by introducing a 5.1m wide lot that can accommodate a three (3) bedroom terrace house;
2. Consolidate a number of lots to create opportunities for a community housing provider to provide 32 dwellings across the development; and
3. Amend the boundary between Stages 1 and 2 and Stages 2 and 3.

The proposal to modify the subdivision layout will result in an increase from 217 residential lots to 227 residential lots. No change is proposed to the number of approved medium density residential lots. The change to the number of residential lots results from amalgamating some of the residential lots for a community housing provider to develop affordable housing and also introducing 5.1m wide lots for attached terraces.

The modifications are proposed in accordance with the requirement of Section 75W of the EP&A Act. The modification provides an additional environmental assessment to the Project Approval and are accompanied by modifications to the approved subdivision plans.

The report should be read in conjunction with the attached documentation including:

- **Attachment A:** Project Approval MP 10_0816.
- **Attachment B:** Modified Draft Plans of Subdivision and schedule of lots prepared by Cardno; and
- **Attachment C:** Indicative architectural drawings of terrace houses for proposed 5.1m wide lots.

1. Site and locality

The subject site is situated at Potts Hill, a Sydney Water reservoir site within the City of Bankstown LGHA. The site is generally bounded by Rookwood Road and Graf Avenue (east), a water supply pipeline (north), Cooper Road (west) and Brunner Road (south).

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The approved project application as modified relates to surplus lands, divided into two precincts, being the Eastern Business Park Precinct (the 'Eastern Precinct') and the Western Residential Lands Precinct (the 'Western Precinct').

The land to which this modification relates is legally described as Part Lot 1 in DP 610303, Lot 2 in DP 456502 and Lot 2 in DP 225818.

The Western precinct comprises 19.8 hectares of residential zoned land as well as 4.9 hectares zoned for open space. Entrances to this precinct will be located off Bruncker Road (south) and Cooper Road (west). The eastern Precinct is zoned for Business Park uses and has an area of approximately 15.3 hectares. Construction has commenced on the Eastern Precinct.

Sydney Water Corporation has continuously occupied the site since 1880. As a result, a number of buildings and important infrastructure exist on the site.

Several large embankments are situated on the site, created in the construction of the water reservoirs. A large embankment runs generally north-south close to the western boundary of the site.

Demolition and site remediation works have been completed and civic works have commenced on the Stage 1 development area (southern portion of the site).

2. Development consent history

On 13 June 2007, a State Significance Suite Study was lodged by Landcom and Sydney Water Corporation requesting that the Potts Hill site be listed as a State Significant Site under State Environmental Planning Policy (Major Development) 2005. On 14 July 2007, the Minister for Planning declared that the site could be considered a State Significant Site.

A Concept Plan application for development of the Western Precinct (MP 07_0099) was approved by the Minister for Planning on 27 April 2009.

A Preliminary Environmental Assessment and request for GDR was lodged by Landcom in March 2009 for Major Project MP 08_0116 for Stage 2 civil and infrastructure works at Potts Hill Reservoir site (proposed residential precinct), to include subdivision, bulk earthworks (including excavation and compaction), vegetation removal, site infrastructure (including roads, drainage works and utilities) and the dedication of public roads and open spaces. DGRs were issued on 4 July 2009. Major Project Approval was granted by Richard Pearson, Deputy Director General of the Department of Planning the subdivision of the Western Precinct on 4 September 2010. It is this consent, which is sought to be modified.

A Section 75W Modification of MP 08_0116 was submitted to the Minister for Planning on 10 March 2011. The modification application sought consent to amend an approved civil drawing and to amend the location of the 132 KV electricity main. The modification application was approved by Heather Warton, Director Metropolitan and Regional Projects North, of the Department of Planning & Infrastructure as a delegate of the Minister for Planning on 29 August 2011.

3. Statutory considerations

3.1 Introduction

In accordance with Clause 3 of Schedule 6A of the EP&A Act, section 75W of the Act as in force immediately before its repeal on 1 October 2011 as modified by Schedule 6A, continues to apply to transitional Part 3A projects.

This report has been prepared in accordance with the requirements of Part 3A and associated regulations, and the Minister (or his delegate) may approve or disapprove the modification of the project under Section 75W of the Act.

3.2 Environmental Assessment Requirements

Section 75W(3) of the EP&A Act provides that the Director-General may notify the proponent of environmental assessment requirements (EARs) with respect of the proposed modification that the proponent must comply with before the matter will be considered by the Minister.

This Environmental Assessment report has been prepared having regard to the Environmental Assessment requirements for the original Project Application MP 08_0128. The Proponent has not been notified of any environmental assessment requirements at the time of preparing this report. Should the Director-General consider additional environmental assessment requirements are necessary to be addressed by the Proponent, the proposal will provide an additional response to that request.

4. The proposed modifications

It is proposed to modify the description of the approved Civil Works consent as follows:

"Project Approval is granted for the following:

- *Three stage subdivision of the subject site into 236 lots:*
 - *227 low density;*
 - *Two (2) medium density residential lots;*
 - *Seven (7) lots for open space.*
- *Dedication of roads, stormwater and public domain areas to Bankstown City Council at registration of the subdivision plans;*
- *Site embellishment works, vegetation removal, bulk earth works and stripping and stockpiling works;*
- *Construction of roads and associated infrastructure;*
- *Embellishment and construction of all public domain areas and structures;*
- *Establishment of all stormwater quality management and on-site detention facilities, to be dedicated to Bankstown City Council, including the provision of servicing infrastructure to residential lots;*
- *Landscaping and bush regeneration works;*
- *Security and residential fencing to the retained lands and surrounding residential properties; and*
- *Site disestablishment works, including removal of site offices, sheds, amenities, compounds and rehabilitation of those areas".*

The proposal to modify the subdivision layout will result in an increase from 217 residential lots to 227 residential lots. No change is proposed to the number of approved medium density lots. The change to the number of residential lots are the result from amalgamating some of the residential lots for a community housing provider to develop affordable housing and also introducing 5.1m wide lots for attached terraces. A schedule of proposed lots with areas is provided with the modified subdivision plans at **Attachment C**.

The proposed modifications to the subdivision layout is described below in terms of the three (3) stages of subdivision.

1. **Stage 1 subdivision** – Drawing No. 600246 SW Stage 1 Issue D at **Attachment A)**

The following lots which were originally approved in the Stage 2 subdivision plans are proposed to be added to Stage 1:

Lot	MP 08_0116 (area – m ²)	MP 08_0116 Mod 2 (area – m ²)
Lot 166 (approved lots 256, 257 and 258)	Lot 256 – 502.7	1429
	Lot 257 - 420	
	Lot 258 – 507.7	
Lot 167 (approved lot 217)	502.6	506.8
Lot 168 (approved lot 216)	420	420
Lot 169 (approved Lot 216)	502.7	502.7

2. **Stage 2 subdivision** - (Refer to Drawing No. 600246 SW Stage 2 Issue G at **Attachment B)**

It is proposed to convert 32 lots to 47 lots in the Stage 2 subdivision, an addition of 15 lots. The lots were approved as Lot numbers 276 to 306 inclusive and 314. The main reason for the modification is the introduction of a 5.1 metre wide terrace house lot, which typically has an area of 153m². **Attachment C** includes indicative designs for two (2) options of the 5.1m wide terrace house for the new lot type.

The new 5.1m width lot and dwelling type is considered to better meet the affordability needs of prospective buyers. The indicative designs demonstrate that these lots can accommodate a three bedroom terrace house in a variety of configurations with good amenity and liveability through generous rooms and private open space.

The proposed lots and the respective areas to be modified in the Stage 2 subdivision are provided in the following table:

3. **Stage 3 subdivision** - (Refer to Drawing No. 600246 SW Stage 3 Issue E at **Attachment B)**

It is proposed to modify condition A2: Development in Accordance with Plans and Documentation, as follows:

Lot	MP 08_0116 (area - m ²)	MP 08_0116 MOD 2 (area - m ²)
430 (approved as lots 430, 431, 432, 437 and 438)	Lot 430 – 425.5	1484.3
	Lot 431 – 378	
	Lot 432 - 414	
	Lot 437 – 472.3	
	Lot 438 -418.6	

These modifications will create duplex lots with configurations to allow forms of housing that can be provided by Link Housing, a community housing provider.

5. Relevant Environmental Planning Instruments

The following EPIs and policies are of relevance to the proposed modification application:

- Bankstown Local Environmental Plan

The relevant provisions of these EPIs and policies are addressed below:

5.1 Bankstown Local Environmental Plan 2001 (BLEP 2001)

The relevant objectives of this plan are:

- (a) *to regulate development in accordance with the following principles:*
 - (i) *new buildings should be designed to achieve:*
 - (A) *good urban design, and*
 - (B) *public and private safety, and*
 - (C) *energy and resource efficiency, and*
 - (iv) *new development should not diminish the role of the Bankstown central business district (CBD) as a sub-regional centre, and*
 - (v) *new development in or affecting residential areas should be compatible with the prevailing suburban character and amenity of the locality of the development site, and*

The proposed development is consistent with the relevant objectives of the BLEP 2011, in that the introduction of smaller lots will provide a more affordable 3 bedroom dwelling type to the local area. The location of the smaller dwellings is in the location where similar terrace type dwellings were approved in the previous Major Project Application.

The indicative floor plans provided demonstrates that good amenity can be achieved and generous living spaces provided at **Attachment C** in a more compact and affordable size lot. The modifications to the terrace house lots is good urban design. The terrace houses surround public open space, which will assist to define the street edge and enable more people to live opposite and adjacent the large park to benefit from this amenity. More dwellings fronting onto the park will enhance passive surveillance of the space that will enhance the safe use of the space for the public. Increasing the dwelling density close to the park will allow more residents within walking distance of open space minimising dependence on the automobiles to drive to open space.

Changes proposed to the duplex lots are equally consistent with BLEP 2011 objectives, which are aimed to providing community housing provider to accommodate some affordable housing on the site, which encourages a mix families living at Potts Hill.

The proposed development will not diminish the role of the Bankstown CBD as a sub-regional centre. The CBD is appropriate for higher density forms of residential dwellings than at Potts Hill, and therefore the proposal will not impact the demand for residential housing in the CBD.

The proposed changes to attached dwelling types are entirely consistent with the original Concept Plan in terms of encouraging a variety of dwelling types and will not shave an adverse impact on the suburban character and amenity of the local area.

The areas effected with modifications to the attached and detached dwellings lots are zoned R2 Low Density Residential under the BLEP 2001. The objectives of Zone R2 Low Density Residential are as follows:

- (b) *to provide for the housing needs of the community within a low density residential environment, and*
- (c) *to enable other land uses that provide facilities or services to meet the day to day needs of residents.*

No changes are proposed to the approved low density residential use of the land where attached dwellings and dwelling houses are permissible with consent. The proposed modifications are consistent with the objectives of the R2 Zone.

6. Conclusion

The proposed modification under Section 75W of the EP&A Act 1979 will allow for the additional affordability top be provided for in the Potts Hill Residential Estate.

Accordingly, it is recommended that this Section 75W application be approved by the Minister for Planning.

If you have any queries or would like to discuss this matter further, please do not hesitate to contact the undersigned on 8252 8400 or Nick Chandler, Senior Development Manager at Landcom on 9841 8600.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'Murray Donaldson', with a stylized flourish at the end.

Murray Donaldson
Associate Director
Architectus Group Pty Ltd

cc. Nick Chandler, Senior Development Manager, Landcom - nchandler@landcom.nsw.gov.au

Attachment A

Project Approval MP 10_0816

Attachment B

Modified Draft Plans of Subdivision and schedule of lots

Prepared by Cardno

Attachment C

Indicative architectural drawings of terrace houses for proposed 5.1m wide lots.