



14220
18 July 2014

Ms Carolyn McNally
Acting Secretary
Department of Planning and Environment
GPO Box 39
SYDNEY NSW 2000

Attention: Natasha Harras

Dear Natasha

**SECTION 75W MODIFICATION APPLICATION TO MP10_0189 (MOD 4)
600 VICTORIA ROAD, RYDE**

On behalf of Frasers Putney Pty Ltd, we write to request the Minister (or his delegate) to modify the Project Approval 10_0189 under Section 75W and Clauses 2(1)(a) and 3(1) of Schedule 6A of the *Environmental Planning and Assessment Act 1979* (EP&A Act) as described below. The proposed modification relates to the amendment of Building Type 2E and 2J in The Row, and the temporary fit out and use of the dwelling house on Lot 23 as a sales and marketing suite.

This application identifies the Project Approval, describes the proposed modifications and is accompanied by:

- Amended Architectural Drawings prepared by Cox Richardson Architects dated 6 May 2014 (**Attachment A**);
- Temporary Fit out Plan prepared by Strongbuild (**Appendix B**); and
- Updated BASIX Certificates and Stamped Plans prepared by Ecospecifier (**Attachment C**).

1.0 BACKGROUND

1.1 Stage 1 Phase 1 Approval (MP10_0189)

On 1 May 2012, a Project Application (MP10_0189) was approved by the Planning Assessment Commission (PAC) for the Stage 1 Phase 1 residential development relating to the central portion of the site.

This Project Approval involves the demolition of the existing RRCS buildings required to be removed to facilitate Stage 1 Phase 1 works, staged construction and occupation of a residential development including 47 apartments, 55 semi-detached/terraced and 14 detached dwellings, basement car parking to the residential flat building, public domain works including roads and utilities, tree removal and landscaping, staged construction of vehicular access to the site from Charles Street and Victoria Road, and extension / augmentation of the physical infrastructure / utilities required.

Three modifications to this Project Approval have been granted by the Department of Planning and Environment (DP&E).

Modification to the Stage 1 Phase 1 (MP10_0189)

A Section 75W Modification was approved by the DP&E on 19 September 2012 to increase the number of apartments in the approved apartment building by seven. This modification involved the minor reconfiguration of the floor plate of each level and the adjustment of the upper level setbacks.

Modification 2 to Stage 1 Phase 1 (MP10_0189)

A second modification to the Stage 1 Phase 1 Approval was approved on 7 May 2013 by the DP&E. This modification involved the amendment of Lot CL2 to provide an additional townhouse and a reconfigured detached dwelling, a revised plan of subdivision, revised landscaping scheme and external changes to the dwellings fronting the Dress Circle. Other minor amendments including the variation of finished floor levels in dwellings on the Row, the inclusion of pools to some lots, and the minor shifting of a culvert on Road 12 were also included in this application.

As a result of these modifications, the Stage 1 Phase 1 development will consist of 124 dwellings.

Modification 3 to Stage 1 Phase 1 (MP10_0189)

A third modification for minor design alterations to Apartment Building 1A was approved by DP&E on 5 March 2014. These design refinements relate specifically to the redesign of the two main entry lobbies of the building, the removal of the entry portico and the amendment of part of the balustrade from solid masonry to a powder coated aluminium palisade style balustrade.

1.2 Existing Marketing and Sales Suite

Development consent 2011/0477 was granted by the Ryde City Council (Council) on 11 October 2011 for the fit out of the existing Hydrotherapy Pool Building on the site as a Temporary Marketing Suite. This approval utilised clause 2.8 (Temporary Use of Land) in the *Ryde Local Environmental Plan 2010* (Ryde LEP) which enables Council to grant temporary consent to a proposal for a set time period.

Although Clause 2.8 of the Ryde LEP references a maximum time limit of 182 days for a temporary use, a period of 18 months was considered appropriate for the marketing suite due to its crucial function in facilitating the sale of dwellings in Putney Hill. On 11 April 2013, a modification (MOD2013/0038) to development consent 2011/0477 was granted to extend the temporary operation of the marketing suite for an additional 18 months.

1.3 Requirement for new Sales and Marketing Suite

Approvals for the entire Stage 1 site are in place and construction has commenced over the majority of the site. The Stage 1 development will require the removal of the existing sales and marketing suite. As such, there is a need to relocate the existing sales and marketing suite on the site. The selected location is within an approved dwelling within Stage 1, ensuring that the use will not be impeded by the future construction of Stage 2.

2.0 PROPOSAL

The proposed modifications to the two housing types are illustrated in the Architectural Drawings prepared by Cox Richardson Architects and provided at **Attachment A**. These modifications include:

Housing Type 2E

- amendment of roof line and increase of maximum building height to RL34.9;
- internal reconfiguration of room sizes and layouts;
- amendment of window locations and sizes; and
- amendment of external building aesthetic and materials.

Housing Type 2J

- amendment of roof line and reduction of maximum building height to RL37.9;
- slight amendment to building siting within Lot CL 2;
- internal reconfiguration of room sizes and layouts;
- additional awning element included on the north eastern corner fronting the internal road;
- amendment of external building aesthetic and materials.

Temporary Use as Sales/Marketing Suite

The temporary use of the dwelling on Lot CL23 for a sales/marketing suite is sought as part of this modification. The sales/marketing suite will be operated for a temporary period of 18 months to support the sale of dwellings in Stage 2 of the Putney Hill development. A temporary fit out of this dwelling is also proposed to facilitate its use as a sales/marketing suite. The temporary fit out plan has been prepared by Strongbuild and is provided at **Appendix B**.

The suite is intended to be open to the general public from 9am to 6pm, seven days per week consistent with the hours approved for the former marketing/sales suite. The marketing suite may also be used for community information days as required. There will be a maximum of four (4) staff at any one time. Temporary signage will be provided across the Putney Hill site to support the operation of the suite. Car parking associated with the suite will be located within the existing car parking area available within Stage 2 of the Putney Hill site.

An additional condition (Condition A8) is proposed to be included in the Project Approval to regulate the use of the temporary use.

3.0 ENVIRONMENTAL ASSESSMENT

The proposed modifications to the approved development are a result of the detailed design phase and the need to market and sell dwellings within Stage 2 of the overall Putney Hill development. An assessment of the environmental impacts of the proposed modifications is detailed below:

3.1 Amenity

The internal reconfiguration of the two housing types will improve the amenity of the dwellings. The amendments primary relate to the reconfiguration of rooms, improving the functionality and usability of the dwellings.

3.2 Built Form

Building Aesthetic

The proposed modifications will result in changes to the aesthetic of Housing Type 2E and 2J. These changes will not significantly alter the approved aesthetic, but will introduce minor enhancements to the original design. The primary materials used within both designs are not proposed to be modified.

Building Height

The proposed modifications to the maximum building height of both Housing Types will not have a significant impact on the appearance of the dwellings. The maximum height of Housing Type 2J is proposed to be reduced, whilst the maximum height of Housing Type 2E is only proposed to increase by 0.55 metres. The proposed height will remain within the approved Concept Plan and Ryde LEP 2010 development controls for this part of the site (maximum 9.5 metres).

The modifications do not result in any significant change to the approved floor space. The proposed floor space will remain within the maximum established under the Concept Plan.

Environmentally Sustainable Development

The proposed modifications have been reassessed and it has been determined that the amended dwellings continue to achieve BASIX requirements. There will therefore be no impact by the proposed modifications on the energy efficiency of the dwellings. Ecospecifier has issued updated BASIX Certificates and stamped plans provided at **Attachment C**.

3.3 Temporary use of sales/marketing suite

As outlined in **Section 1.2**, the existing sales/marketing suite was approved in accordance with Clause 2.8 of the Ryde LEP. In accordance with the previous approvals on the Putney Hill site, an 18 month temporary operation period is sought. This will ensure that the suite supports the sales/marketing of Stage 2 within Putney Hill. Furthermore, the proposed temporary period has clear merit in that:

- it is commensurate with the scale and number of dwellings to be developed and that require marketing on the site;
- the site is a large and unique landholding in the region, and accordingly requires a response that recognises its special attributes and the long term marketing of a substantive number of dwellings; and
- the success of the project and its positive contribution to Ryde and the surrounding area relies upon the marketing of the residential development.

3.4 Car Parking

The Ryde Development Control Plan 2010 (Ryde DCP) specifies a minimum of one (1) car space for every 30 m² of floor space in office premises. The proposed sales/marketing suite is most closely classified as such a use, and therefore a minimum of six (6) spaces will be provided.

4.0 AMENDMENT TO CONSENT

It is proposed to amend the drawing references in Condition A2 as set out below. Words proposed to be deleted are shown in ~~bold strike-through~~ and words proposed to be inserted are shown in ***bold italics***.

A2. Development in Accordance with Plans and Documentation

The development will be undertaken in accordance with MP No.10_0189 and the Environmental Assessment dated April 2011, prepared by JBA Planning Consultants, except where amended by the Response to Submissions Report dated December 2011, prepared by JBA Planning Consultants, and amended by the Section 75W Modifications prepared by JBA Planning dated 16 May 2012, 11 February 2013, ~~and~~ 16 December 2013 ***and 23 June 2014*** and the following drawings:

Drawing No.	Revision	Name of Plan	Date
Architectural Drawings prepared by Cox Richardson			
A-PA-FP-00	02	Stage 1 Phase 1 Site Plan	11.02.2013
	<i>04</i>	<i>Stage 1 Phase 1 Site Plan</i>	<i>06.05.2014</i>
A-PA-FP-01	03	Site Plan - 01	07.03.2013
	<i>06</i>		<i>06.05.2014</i>
A-PA-FP-02	03	Site Plan - 02	07.03.2013
	<i>06</i>		<i>06.05.2014</i>
A-PA-FP-03	02	Site Plan - 03	11.02.2013
	<i>04</i>		<i>06.05.2014</i>
A-PA-FP-04	02	Site Plan - 04	11.02.2013
	<i>04</i>		<i>06.05.2014</i>
A-PA-EL-01	03	Street Elevations	07.03.2013
	<i>05</i>		<i>06.05.2014</i>

A-PA-EL-03	02 04	Street Elevations	11.02.2013 06.05.2014
A-PA-EL-04	02 04	Street Elevations	11.02.2013 06.05.2014
A-PA-FP-H2E1	02 11	Housing Type 2E - Detached	11.02.2013 06.05.2014
A-PA-FP-H2E2	02 11	Housing Type 2E - Detached	11.02.2013 06.05.2014
A-PA-FP-H2J1	03 11	Housing Type 2J - Detached	07.03.2013 06.05.2014
A-PA-FP-H2J2	03 11	Housing Type 2J - Detached	12.12.2011 06.05.2014
Temporary Fitout Plan prepared by Strongbuild			
00.01.02	D	First Floor – Stage 1	21.03.2014

Reason:

The plan references are proposed to be updated to reflect the most up-to-date Architectural Drawings.

Condition A8

The dwelling on Lot CL23 is capable of being used for the purposes of a sales and marketing suite for a period of 18 months from the day of this modified consent or a new application be made to the consent authority to extend the period of use.

Reason:

This condition is proposed to be included to regulate the temporary use of the proposed sales and marketing suite.

5.0 CONCLUSION

The proposed modifications to the approved development will not result in any adverse environmental impacts and will be consistent with the relevant Ryde LEP and DCP provisions. The proposed modifications are not a significant or radical departure from the approved project. The purpose of this modification is to allow for an improved design outcome for two different housing types, and to allow for the temporary use of a sales/marketing suite on the site.

In light of the merits of the proposal and in the absence of any significant adverse environmental, social or economic impacts, we recommend that the application be approved subject to standard conditions of consent.

We trust that this information is sufficient to enable a prompt assessment of the proposed modification request. Should you have any queries about this matter, please do not hesitate to contact Brendan Hoskins or me on 9956 6962 or bhoskins@jbaplanning.com.au.

Yours faithfully



Brendan Hoskins
Urban Planner