

TS/GK
15031
19 August 2016



Carolyn McNally
Secretary
Department of Planning and Environment
22-23 Bridge Street
SYDNEY NSW 2000

Dear Madam

**SECTION 75W MODIFICATION APPLICATION TO MAJOR PROJECT APPROVAL MP10_0219
1, 1A & 5 AVON ROAD, 4 & 8 BEECHWORTH ROAD, PYMBLE**

We write to you on behalf of Ausbao NSW Management Pty Ltd requesting that the Department of Planning and Environment (Department) initiate amendments to Major Project MP10_0219 pursuant to Section 75W and Clause 12 of Schedule 6A of the *Environmental Planning and Assessment Act, 1979* (EP&A Act). Specifically, a series of minor modifications to the Project Application have been proposed following detailed design work at the site.

This application identifies the consent proposed to be modified, describes the proposed modifications and provides a planning assessment of the relevant matters for consideration contained under Section 75W of Schedule 6 of the EP&A Act. It should be read in conjunction with the Second Further Revised Preferred Project Report dated September 2015. This application is accompanied by:

- The Concept Plan and Project Application consents proposed to be modified (**Attachment A**);
- Modified Architectural Plans, prepared by Marchese Partners (**Attachment B**);
- Updated Traffic Report, prepared by Traffix (**Attachment C**);
- SEPP 65 Design Statement, prepared by Marchese Partners (**Attachment D**);
- Heritage Impact Statement, prepared by NBRS Architecture (Heritage) (**Attachment E**);
- Accessibility Statement, prepared by ABE Consulting (**Attachment F**); and
- BASIX Certification of amended proposal (**Attachment G**).

1.0 BACKGROUND

A Pre-Application Meeting was held with Ku-ring-gai Council on 8 August 2016. In this meeting, Council raised a number of issues to be addressed, which pertained generally to:

- Amenities of the revised unit mix, specifically in regards to solar access and cross ventilation;
- heritage impact;
- unit mix; and
- accessibility.

An assessment has been provided at **Section 5.0** which addresses each of the above issues.

2.0 CONSENT PROPOSED TO BE MODIFIED

The applicable Concept Plan for the site was approved by the Planning Assessment Commission (PAC) in the manner determined by the Land and Environment Court (Court) on 19 December 2014. The Concept Plan outlined the following elements of development at the site:

- Building envelopes
- Building heights
- Maximum Floor Space Ratio (FSR)

- Maximum Gross Floor Area (GFA)
- Maximum number of residential units and car spaces
- Unit mix

Following this, a Project Application was approved by the Court, which sought approval for the following:

- construction of three residential flat buildings ranging in height from between three and nine/ten storeys up to a maximum RL of 165.5m accommodating 174 apartments and 257 parking spaces across four basement levels;
- retention and restoration of No. 1 Avon Road for the common use of future residents;
- construction of four single residential dwelling houses and associated vehicular access;
- demolition of existing buildings at No. 5 Avon Road, as well as No. 8 Beechworth Road;
- associated landscaping;
- subdivision;
- construction of a new footpath along the northern and southern sides of Avon Road, and associated pedestrian crossing;
- stormwater management infrastructure; and
- implementation of a Vegetation Management Plan to manage and protect the proposed conservation area.

3.0 PROPOSED MODIFICATIONS TO THE DEVELOPMENT

The modifications proposed to the development are as follows:

- **Conversion of Units** – A change in the mix of apartments in Building 4 has been proposed in order to better meet the needs of the market at the site. Apartment conversions have been scheduled at **Table 1** below, and an excerpt demonstrating the typical layout of unit conversion has been provided at **Figure 1**. As a result of the proposed unit conversion, the total number of units provided will be reduced from 174 units to 168 units. The new units have been designed to comply with the requirements of the Apartment Design Guide.

Table 1 – Schedule of changes to apartment configuration by Level (confined to Building 4)

Level	Existing Apartments (Configuration)	Proposed Apartments (Configuration)
Lower L G1 +144.50	4.4.05 (1 Bedroom) 4.4.06 (1 Bedroom) 4.4.07 (1 Bedroom) 4.4.08 (1 Bedroom)	4.4.05 (3 Bedroom) 4.4.06 (3 Bedroom)
Ground Floor +147.60	4.5.05 (1 Bedroom) 4.5.06 (1 Bedroom) 4.5.07 (1 Bedroom) 4.5.08 (1 Bedroom)	4.5.05 (3 Bedroom) 4.5.06 (3 Bedroom)
First Floor +150.70	4.6.04 (1 Bedroom) 4.6.05 (1 Bedroom)	4.6.04 (3 Bedroom)
Second Floor +153.80	4.7.04 (1 Bedroom) 4.7.05 (1 Bedroom)	4.7.04 (3 Bedroom)

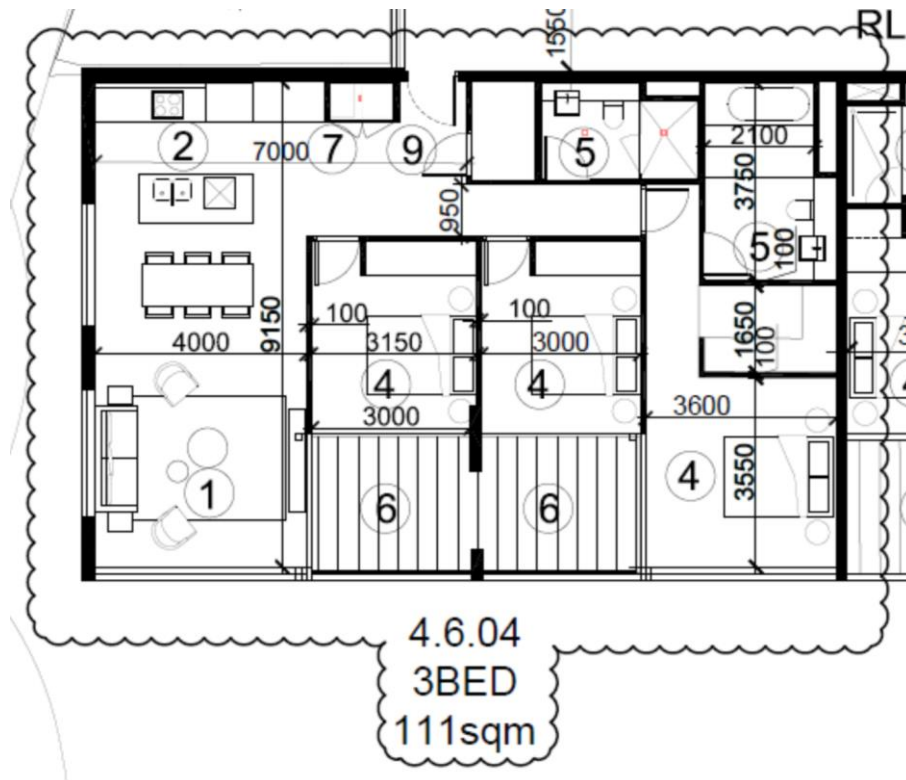


Figure 1 – Excerpt of plans, demonstrating typical apartment conversion
Source: Marchese Partners

- **Reduction in Basement Footprint** – At Level RL+126, the approved basement footprint is proposed to be reduced in accordance with the reduction in unit numbers proposed. This reduction effectively results in a reduced level of excavation beneath Building 1, and results in 244 car spaces being provided across the site.
- **Layout Changes to Apartment 1.7.03** – Approved apartment 1.7.03 is proposed to be reconfigured as a result of detailed structural work at the site. The reconfiguration will result in a different configuration of the unit being proposed, but will not affect the number of bedrooms of the unit. This modification will also result in a slight change to the envelope of Building 1, which has been discussed further at **Section 5.4**.
- **Reduction of one adaptable unit** – Due to the lower number of units proposed across the development as a whole, one less adaptable apartment is required. Accordingly, the amended proposal includes one less adaptable apartment, and a corresponding reduction of 1 adaptable car parking space.
- **Rationalisation of Lifts around 1 Avon Road** – The approved development currently includes the provision of two lifts adjacent to 1 Avon Road, comprising one lift within the building and one adjacent to the building. The second approved lift is excess to requirements, accordingly has been reconfigured in such a manner that the outdoor lift can perform both roles.
- **Removal of Skylight** – Minor further design refinements have resulted in one less skylight being required in Building 3, specifically at Unit 3.6.07. As a result of this, corresponding changes have also occurred in regards to the balcony of Unit 3.7.05 above.
- **Minor hallway reconfiguration** – Minor changes have been proposed in regards to the alignment of hallways and storage / plant area throughout the development.
- **Bicycle Parking Reduction** – Bicycle parking spaces have been reconfigured to provide 33 residential bicycle lockers and 18 bicycle visitor spaces, in line with the number required.
- **Changes to various conditions** – Minor changes have been proposed to Conditions C1B, C24 and E2, as outlined at **Section 4.0** below.

4.0 PROPOSED MODIFICATIONS TO CONDITIONS

The proposed modifications described above necessitate amendments to the consent conditions which are identified below. Words proposed to be deleted are shown in **~~bold strike through~~** and words to be inserted are shown in ***bold italics***.

Schedule 1

Residential development comprising:

- *construction of three residential flat buildings of 3-10 storeys to provide **~~174~~ 168 dwellings and up to 257 parking spaces across four basement levels;***
- *interim subdivision into two super lots;*
- *four lot subdivision on north-western side of the site;*
- *construction of four single residential dwelling houses and associated vehicular access on the four lots;*
- *retention and restoration of the building on 1 Avon Rd (Heritage Item) for common use of future residents;*
- *demolition of structures on the site, including the pool and shed at 1 Avon Rd in accordance with the approved demolition plan;*
- *landscaping, stormwater infrastructure, construction of a footpath on Avon Rd; and*
- *implementation of a Vegetation Management Plan to manage and protect the proposed conservation area.*

Schedule 2

A1. Development Description

Approval is granted only to carrying out the development described in detail below:

- *construction of three residential flat buildings of 3-10 storeys to provide **~~174~~ 168 dwellings and up to 257 spaces across four basement levels;***
- *interim subdivision into two super lots;*
- *four lot subdivision on north-western side of the site;*
- *construction of four single residential dwelling houses and associated vehicular access on the four lots;*
- *retention and restoration of the building on 1 Avon Rd (Heritage Item) for common use of future residents;*
- *demolition of structures on the site, including the pool and shed at 1 Avon Rd in accordance with the approved demolition plan;*
- *landscaping, stormwater infrastructure, construction of a footpath on Avon Rd; and*
- *implementation of a Vegetation Management Plan to manage and protect the proposed conservation area.*

A2. Development in Accordance with Plans and Documentation

The development is to be undertaken in accordance with the following plans and documents:

Architectural Plans

Plan Ref.	Revision	Architect	Date
MP 20.00	Rev U	Marchese Partners	11 December 2015
MP 21.01- 21.10 21.07	Rev U	Marchese Partners	11 December 2015
<i>MP 21.08</i>	<i>Rev V</i>	<i>Marchese Partners</i>	<i>22 June 2016</i>
<i>MP 21.09-21.10*</i>	<i>Rev U</i>	<i>Marchese Partners</i>	<i>11 December 2015</i>
MP 22.00	Rev U	Marchese Partners	11 December 2015

Plan Ref.	Revision	Architect	Date
MP 22.03-22.06	Rev X	Marchese Partners	15 August 2016
MP 22.07-22.08	Rev V	Marchese Partners	15 August 2016
MP 22.09-22.12	Rev X	Marchese Partners	15 August 2016
MP 22.13-22.14	Rev W	Marchese Partners	1 August 2016
MP 22.03 -22.15	Rev U	Marchese Partners	11 December 2015
MP 23.01*	Rev U	Marchese Partners	11 December 2015
MP 23.02	Rev V	Marchese Partners	22 June 2016
MP 23.04 23.03 -23.04	Rev U	Marchese Partners	11 December 2015
MP 26.01-26.07	Rev U	Marchese Partners	11 December 2015
MP 27.01-27.13	Rev U	Marchese Partners	11 December 2015
MP 28.02-28.03	Rev U	Marchese Partners	11 December 2015
MP 30.01-30.02	Rev U	Marchese Partners	11 December 2015
MP 31.02-31.03	Rev V	Marchese Partners	22 June 2016
MP 31.04-31.06*	Rev U	Marchese Partners	11 December 2015
MP 31.07-31.12	Rev V	Marchese Partners	22 June 2016
MP 31.13-31.14	Rev W	Marchese Partners	1 August 2016
MP31.15-31.17	Rev V	Marchese Partners	1 August 2016
MP 31.21	Rev X	Marchese Partners	15 August 2016
MP 31.22-31.24	Rev W	Marchese Partners	15 August 2016
MP 33.01- 33.10 -33.12	Rev U	Marchese Partners	11 December 2015
MP 33.11	Rev V	Marchese Partners	15 August 2016
MP 33.12*	Rev U	Marchese Partners	11 December 2015
MP 34.01-34.03	Rev U	Marchese Partners	11 December 2015
MP 40.00	Rev U	Marchese Partners	11 December 2015
MP 41.00-41.10	Rev U	Marchese Partners	11 December 2015
MP 42.00-42.11	Rev U	Marchese Partners	11 December 2015
MP 43.00-43.11	Rev U	Marchese Partners	11 December 2015
MP 44.00-44.10	Rev U	Marchese Partners	11 December 2015
MP 45.01- 45.26 -45.13	Rev U Rev V	Marchese Partners	11 December 2015 22 June 2016
MP 45.14-45.17	Rev W	Marchese Partners	1 August 2016
MP 45.18-45.20	Rev V	Marchese Partners	22 June 2015
MP 45.21-45.24	Rev W	Marchese Partners	15 August 2016
MP 45.25-45.26	Rev V	Marchese Partners	22 June 2016
MP 52.01- 52.12	Rev U	Marchese Partners	11 December 2015
MP 52.02	Rev W	Marchese Partners	15 August 2016
MP 52.03*	Rev U	Marchese Partners	11 December 2015
MP 52.04	Rev W	Marchese Partners	15 August 2016
MP 52.05*	Rev U	Marchese Partners	11 December 2015
MP 52.06	Rev W	Marchese Partners	15 August 2016
MP 52.07*	Rev U	Marchese Partners	11 December 2015
MP 52.08	Rev W	Marchese Partners	15 August 2016
MP 52.09-52.11*	Rev U	Marchese Partners	11 December 2015
MP 52.12	Rev W	Marchese Partners	15 August 2016
MP 54.01-54.04	Rev U	Marchese Partners	11 December 2015
MP 01 Car Parking Space Calculations	Rev Y	Marchese Partners	16 August 2016
MP 02 Development Data Units	Rev W	Marchese Partners	16 August 2016
GFA Data Sheets (3-of)	Rev U	Marchese Partners	14 December 2015
MP 03 GFA	Rev V		22 June 2016

Plan Ref.	Revision	Architect	Date
Condenser Location Schedule	Rev U	Marchese Partners	14 December 2015
Balcony Mounted Condenser Sketch		A+ Design Group	Undated

Reports and Other Documents

	Date	Author	Description
1.	4 September 2014	Marchese Partners	SEPP 65 Design Verification Statement Compliance Table

Reason: Conditions A1 and A2 are proposed to be changed to reflect the updated design, as outlined at **Section 3.0**. Note: No changes are proposed to plans which are marked with an asterisk, due to the update of individual plans, additional references have been required to be created to capture all proposed modifications.

C1B. Development Contributions – Apartment Development

This development is subject to a development contribution calculated in accordance with the Ku-ring-gai Contributions Plan 2010, being a s94 Contributions Plan in effect under the Environmental Planning and Assessment Act, as follows.

Where a contribution is based on a demand for 64 x 1 bedroom units, 87 x 2 bedroom units and 23 x 3 bedroom units with a credit for 2 x 3+ bedroom dwelling houses based on the September 2015 Quarter.

Contribution

Recreation / Cultural / Social Facilities	\$308,328.15
Parks / Sporting Facilities	\$2,651,379.19
New roads / Road modifications	\$451,106.87
Townscape / Transport / Pedestrian Facilities	\$1,207,364.50
Total Contribution	\$4,618,178.71

The contribution shall be paid to Council prior to the issue of any Construction Certificate for any form of construction including basements, car parks and subfloor areas but excluding any Construction for demolition and site works only, and / or prior to any Linen Plan, Certificate for Subdivision (except for the linen plan / subdivision certificate for the interim two lot subdivision) or Occupation Certificate whichever comes first in accordance with the Ku-ring-gai Contributions Plan 2010.

The contributions specified above are subject to indexation and will continue to be indexed to reflect changes in the consumer price index and housing price index until they are paid in accordance with Ku-ring-gai Contributions Plan 2010 to reflect changes in the consumer price index and housing price index. Prior to payment, please contact Council directly to verify the current payable contributions.

Note: The issue of a construction certificate for any of the physically separate unit buildings comprised in this condition will require payment of the total amount listed above plus any indexation. No further staging of this condition at time of payment will be permitted. Partial payments of contributions are not accepted. Copies of Council's Contribution Plans can be viewed at Council Chambers, 818 Pacific Hwy Gordon or on Council's website at www.kmc.nsw.gov.au.

Reason: The proposed modification has been amended in order to reflect the changed unit mix at the site, and the change in the development contributions required as a result of this. It has been proposed that in lieu of writing out the exact contributions calculation as per the existing consent, that the condition require the Proponent to provide contributions in accordance with Council's contributions plan. This will result in the development still providing an appropriate level of contributions, in a more simply expressed

way. This will also give flexibility to the contributions provided in the case of future modifications, or changes in the time period to the issue of the Construction Certificate.

C24. Design of works in the public road (Road Act Approval)

Prior to the issue of ~~Construction Certificate~~ **Occupation Certificate** for the first residential flat building, the Certifying Authority shall be satisfied that engineering plans and specifications prepared by a qualified consulting engineer have been approved by Council's Director of Operations. The plans to be assessed must be to a detail suitable for construction issue purposes and must detail the following infrastructure works required in Avon Road:

(Note: Remainder of condition unchanged)

Reason: Due to delays in the detailed design work surrounding the driveway crossovers, it is requested that the driveway crossover certification be moved back to the issue of Occupation Certificate for the first residential flat building, rather than the issue of Construction Certificate. This is consistent with the timing of Condition B2, which is part of the approval process relating to Condition C24.

E2. Hours of Work

All demolition and construction work must be restricted to between the hours of 7.00am and 6.00pm Mondays to Fridays (inclusive) and 8.00am to 1.00pm on Saturdays. No work is to be carried out on Sundays or public holidays.

Between 7.30am and 8.30am and 2.30pm and 4.00pm on weekdays (the peak drop off and pick up hours for attendees at Pymble Ladies' College (School)) during **Pymble Ladies' College** School terms:

- a) construction traffic shall be minimised; and
- b) there will be no vehicles larger than a 6.4m (Medium Rigid Vehicles) entering or leaving the Site or queueing on Avon Road.

Reason: Condition E2 is proposed to be modified to reflect the school holiday terms of Pymble Ladies' College, as opposed to the official public school holiday period, which was the basis of determining the noted hours.

5.0 PLANNING ASSESSMENT

5.1 Consistency with Concept Plan

In order to ensure consistency, the proposed modified development has been compared against the Concept Plan approval for the site, which has been included at **Attachment A** for reference. **Table 2** below provides a detailed assessment against the relevant conditions of the concept plan.

Table 2 – Assessment of consistency of the proposal against the Concept Plan

Condition	Comment	Consistency
A1 Development Description	The proposal remains within the scope of development envisaged under the development description, subject to discussion regarding Condition A8.	✓
A2 Development in Accordance with the Plans and Documentation	None of the approved plans under the Concept Plan are proposed to be amended, as the proposed modified development remains generally in accordance with the Concept Plan.	✓
A4 Building Envelopes	The proposed development includes some minor changes to the building envelopes approved under the Concept Plan, which is a result of detailed design work undertaken since. The proposal continues to meet the requirements of the condition, which states that "Building footprints and setback are to be generally consistent with the Building Plan Drawing MP21.06, Revision P, dated 27 November 2014" (our emphasis). The proposal remains generally consistent with the approved building envelopes, which has been further discussed at Section 5.4 below.	✓
A5 Building Height	The proposed changes do not result in any change to the overall height of the development, and the proposal remains consistent.	✓
A6 Maximum FSR	The proposed development does not vary from the FSR approved under the project application, with only an additional 1m ² being proposed as part of this modification.	✓

Condition	Comment	Consistency
A7 Maximum GFA (residential flat building use)	The proposed GFA used for residential purposes continues to not exceed 15,136m ² (excluding the GFA of the heritage building at 1 Avon Road), in accordance with the requirements of this condition. The proposed GFA of 15,135m ² is detailed in the unit schedule provided by Marchese at Attachment B , and results in a reduction of 1m ² GFA.	✓
A8 Maximum Number of Residential Units and Car Spaces (residential flat building use)	The number of dwellings mentioned in the concept plan is 187, with a plus or minus 10% variation subject to the satisfaction of conditions regarding residential GFA, car parking numbers and basement footprint. The proposal is consistent with the variation contemplated by this condition, noting that: - the proposal is within the 10% threshold contemplated by the Concept Approval, providing a total of 168 dwellings; - the residential GFA of the development continues to fall under 15,136m²; - the proposed number of car spaces does not exceed 257 spaces; and - the basement footprint as a result of this application is reduced. The proposed car parking under the concept plan is a maximum figure, and the proposal continues to fall under the maximum of 257 spaces.	✓
A11 Unit Mix	The proposed unit mix improves the number of 3 bedroom units provided, which has been discussed further at Section 5.5 below.	✓
B7 Bicycle Parking	The proposal continues to meet the minimum required bicycle parking.	✓
B8 Car Parking	The proposed car parking falls below the 257 space maximum stated by the Concept Plan	✓
6. Residential Amenity	The proposal has been designed to comply with SEPP 65, with the compliance of the proposal against cross ventilation and solar access requirements detailed at Section 5.3 below.	✓

5.2 Heritage Impact

The proposed development includes changes to the lift access arrangements to the communal heritage building at 1 Avon Road. Namely, the proposal intends to remove the existing duplicated lift within the heritage building, and use minor design changes to connect the lower and upper floors of the communal building with the external lift to the east of 1 Avon Road. The revised layout has been depicted below at **Figure 2**.

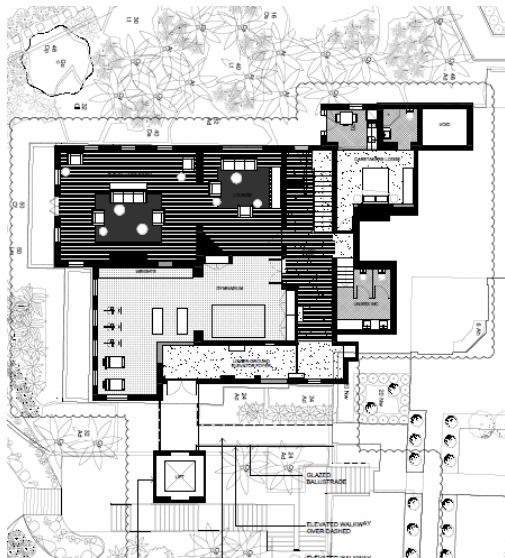


Figure 2 – Proposed revised layout at Level 1 of 1 Avon Road
Source: Marchese Partners

This revised layout has been the subject of a heritage assessment, which has been provided at **Attachment E**. Specifically, it is noted in the statement that the separation of the lift structure from the heritage building will avoid confusion between the original built form and the later extensions of the development, particularly at the lower floor. Overall, the heritage statement determines that the proposed modifications are reasonable and acceptable on heritage grounds.

5.3 Residential Amenity

As a result of the proposed amendments to Building 4, changes to the amenity levels of the development are proposed in accordance with **Table 3**.

Table 3 – Analysis of Building 4 Solar Access and Cross Ventilation

Aspect	Existing Percentage	Proposed Percentage	Change
Solar Access	75%	77%	+2%
Cross Ventilation	62%	62%	Nil

Generally, the proposed amendments will improve the amenity of units at the site, by way of the development comprising a smaller number of larger units. This design change inherently increases the proportional number of corner units, which in turn results in a more compliant overall design. Additionally, the compliance of the proposal against the requirements of SEPP 65 has been certified by the Architect, Marchese Partners at **Attachment D**.

The required storage to all units continues to be provided, as detailed in the unit schedule submitted as part of this application at **Attachment C**.

5.4 Building Envelope Amendments

The proposed development comprises two minor variations to the building envelope at the site, at the 1 Avon Road lift core, as well as at Apartment 1.7.03. Each of these has been discussed below, and it is determined that the proposed variations meet the threshold of Condition A4 of the Concept Plan, which requires that building envelopes be *generally* consistent with those outlined in the Concept Plan approval.

Unit 1.7.03

The proposed apartment at Unit 1.7.03 has been rearranged and extended by approximately 1.7m to the north from that approved. This amended footprint matches the footprint of apartments below the subject unit, and only represents a very minor variation from the approved building footprints at the corners. This change has been proposed as a result of structural difficulties with the detailed design work around this unit. Additionally, the proposed revised layout fronts the access handle within the site, and accordingly will not impact on neighbouring residences, or the operation of the North Shore Railway Line. As the proposed change is only at one level of the building, it will be barely perceptible from the public domain.

1 Avon Road External Lift

As described earlier in this statement, the approved lift shaft within the 1 Avon Road property and the approved lift shaft within the communal area are proposed to be consolidated into one single external lift shaft. As part of this work, a small footbridge has been proposed at Level 1 of the heritage item, between the lift and the upper level of the heritage item at 1 Avon Road. Given the proposed use of lightweight materials (including a glass balustrade to the walkway), this minor change will not impact on the visual presentation of the site in an adverse manner. Additionally, as discussed at **Section 5.2** above, the proposed modified arrangement will not have any adverse impact on heritage grounds, and will enable a better delineation between heritage elements of the site and later additions.

5.5 Unit Mix

The proposal includes changes to the mix of units at the site, with an emphasis on the reduction in the number of 1 Bedroom units, in exchange for an increase in the number of 3 Bedroom units. It is as a result of this change that the total number of units in the development will decrease, with 1 x 3 Bedroom unit replacing every 2 x 1 Bedroom units at the site.

Overall, in line with **Table 4** below, the proposed changes will result in a more evenly spread mix of units throughout the development. In accordance with the Ku-ring-gai Local Centres DCP 2013, the mix of units at the ground floor will be unaffected under the proposed modifications.

Table 4 – Comparison of approved and proposed unit mix's

Unit	Approved Unit Mix	Approved Percentages	Proposed Unit Mix	Proposed Percentages
1 Bedroom	64	36.8%	52	31.0%
2 Bedroom	87	50.0%	87	50.0%
3 Bedroom	23	13.2%	29	17.2%
Total	174	100%	168	100%

5.6 Traffic Impact

In order to reflect a lower number of units proposed at the site, the proposed modifications will result in 244 car parking spaces being provided across the site, which can be broken down into the following:

- 202 spaces for residents (including 17 accessible spaces);
- 42 spaces for visitors (including 1 accessible space);
- 33 bicycle spaces for residents;
- 17 bicycle spaces for visitors; and
- 1 loading bay at Basement 1 for future removal trucks and Council's waste collection truck.

The proposed amended car parking configuration reflects a reduction in the basement footprint, which itself has been proposed in conjunction with the lower number of units proposed under the amended development. A Traffic Impact Assessment has been prepared for this modification application by Traffix, and has been provided at **Attachment C** for reference.

Car Parking

The proposed development continues to fall under the maximum parking requirements of 257 spaces, set out within the approved Concept Plan. Additionally, the proposed parking arrangement has been designed around the car parking rates set out in Council's DCP. Specifically, **Table 5** below demonstrates how the proposal achieves the minimum parking rates specified.

Table 5 – Detail of proposed amended car parking for the residential flat buildings

Type	Number of Dwellings	Council Parking Rates	Minimum Spaces Required	Spaces Provided
1 Bedroom	52	1 space per unit	52.0	202
2 Bedroom	87	1 space per unit	87.0	
3 Bedroom	29	1.5 spaces per unit	43.5	
Visitor	-	1 space per 4 units	42.0	42
Total			226	244

In addition to complying with the relevant Concept Plan parking threshold, and the minimum car parking rates under the DCP, the proposal continues to provide 1 adaptable space for each adaptable unit of the development. Additionally, 34 bicycle parking spaces have been provided in accordance with the relevant controls.

Traffic Generation

As discussed by Traffix at **Attachment C**, the proposed modified development continues to deliver less traffic generation from the site than that envisaged under the approved Concept Plan for the site.

Driveway Crossover Works

The proposal also includes a change to the condition surrounding the timing of delivery for the driveway crossover at the site. This has been due to delays in detailed design work, and will result in no change in the final development provided. Rather, the only change is a matter of when the driveway crossing will be delivered throughout the construction process.

5.7 Accessibility / BCA Compliance

An accessibility statement has been prepared by ABE Consulting (**Attachment F**) which determines that none of the proposed modifications will affect the potential for the design to comply against the relevant Australian Standards. The statement confirms that the proposed changes to the approved development, as well as the reduction of the number of adaptable apartments by one are acceptable in that they meet the relevant requirements.

5.8 Social / Economic Impacts

The proposed modifications will result in the communal facilities offered at No. 1 Avon Road better meeting the needs of residents. The proposed modifications will additionally result in a unit mix which better meets the needs of the housing market in the area.

5.9 Site Suitability / Public Interest

The site is suitable for the proposed modifications in that the proposal remains consistent with the concept plan to the site.

The proposed amendments have been proposed subject to detailed design work and market analysis, and will enable the completion and delivery of the approved project, which is in the public interest.

6.0 CONCLUSION

The proposed modifications comprise a number of minor changes to the approved development, following the project approval. Accordingly, we have no hesitation in recommending the modification application for approval under Section 75W and Clause 12 of Schedule 6A of the *Environmental Planning and Assessment Act, 1979*.

Should you have any queries about this matter, please do not hesitate to contact me on 9956 6962 or gkirkby@jbaurban.com.au.

Yours faithfully



Gordon Kirkby
Director