



NSW GOVERNMENT  
**Department of Planning**

***Ermington Former Naval Stores Site  
Phase 4A Riverwalk  
2 Spurway Street, Ermington***

***Proposed by Stockland Development Pty  
Ltd***

**Modification MP 05\_0084 Mod 2**



Modification of Minister's Approval under Section 75W  
of the *Environmental Planning and Assessment Act*  
1979

October, 2008

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NSW Department of Planning  
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# **1. EXECUTIVE SUMMARY**

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This report considers a request from Stockland Development Pty Ltd (the Proponent) to modify an approved Major Project at part of the former Naval Stores site in Ermington. The Proponent is seeking approval to substitute 4 house types (out of a total of 8) within Phase 4A with other existing house designs within the development.

## **1.1 ORIGINAL APPLICATION (MP05\_0084)**

On 21 November 2006, the Minister for Planning approved a 78 lot subdivision for the majority of the eastern-most portion of the site formally known as precincts A&B of the Ermington masterplan. The masterplan was approved by the Minister for Planning under SEPP 56. The masterplan is now a deemed DCP under relevant changes to the Act. The site has since been listed in Schedule 2 of the Major Project SEPP 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 masterplan approval/deemed DCP.

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. The site lies within the Parramatta City Council Local Government Area on the Parramatta River in Ermington. The original estimated project cost for the development was \$34 million.

## **1.2 PROPOSAL**

The modifications relate to the substitution of house designs on four lots (Lots 59-62) out of a total of 8 lots within Phase 4A of the development. Phase 4A is 1 of 8 phases of the approved development. The proposed house designs have been approved elsewhere on the site. There will be a small increase in the floor space ratio (FSR) calculated over the total land area of Phase 4A (from 0.44:1 to 0.48:1) and the total proposed increase in gross floor area (GFA) over the four houses will be 54.1 m<sup>2</sup> (approximately 8.5% increase). No change to the height of the houses is proposed.

## **1.3 PUBLIC BENEFITS**

The modification is consistent with the approved Major Project (MP05\_0084) and its associated Master Plan (the deemed Development Control Plan (DCP) for the site). This Major Project provided the following benefits:

- Provision of a range of housing, including low cost housing and dwelling types adjacent to an established area;
- Renewal of land previously not publicly accessible and encouragement of activity along the waterfront; and
- Minimal environmental impact on the neighbourhood.

The substitution of house designs at this site will:

- Provide for increased housing choice; and
- Address the issue that certain house designs are not well suited to the market.

## **1.4 CONCLUSION**

The proposed changes slightly increase the gross floor area to be developed compared to what had been originally approved for these lots, however, they still do not utilise the full amount of GFA/FSR as approved in the master plan for the site. The proposed substituted house designs have been approved elsewhere in the development, comply with other bulk and scale requirements and will be in keeping with the character of the development.



It is considered that the proposal, as modified, still achieves the same objectives as assessed for the original approval under Major Project 05\_0084 and does not alter the overall nature, need or justification of the approved project.

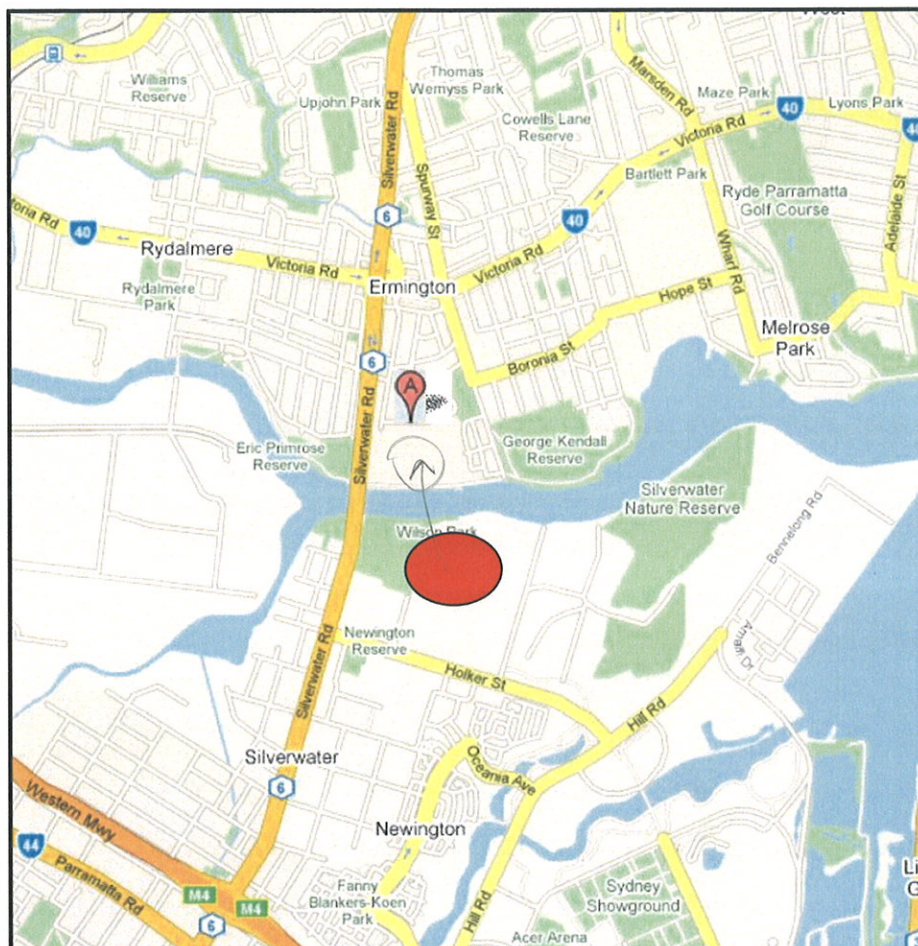
The Department recommends that the modification to MP05\_0084 be approved.

## 2. THE SITE

The site, located at 2 Spurway Street, Ermington, is located within the local government area of Parramatta (part Lot 1001 DP 1040571 and Lot 1009 DP 1066557) and is owned by Stockland Developments Pty Ltd. The site to which this application relates is within the eastern-most portion of a larger site known as the former Naval Stores site and equates to 10% of the total site area (**Figure 1**).

The site is located on the northern shores of the Parramatta River at Ermington approximately 18km west of the Sydney CBD and approximately 5km from the Parramatta City Centre. The site is bound by Spurway Street to the east and a number of internal roads which form part of the previously approved works to the larger Naval Stores site.

The site is adjacent to several areas of public open space, including George Kendall Riverside Park to the east, and Eric Primrose Park to the west (west of Silverwater Road). Further east there is low density residential development (Melrose Park). The site is located midway between Meadowbank Railway Station and Rydalmere Railway Station, while connections are available to both Meadowbank Ferry Wharf and Rydalmere Ferry Wharf



**Figure 1:** Location of the subject site

### 3. MAJOR PROJECT APPROVAL

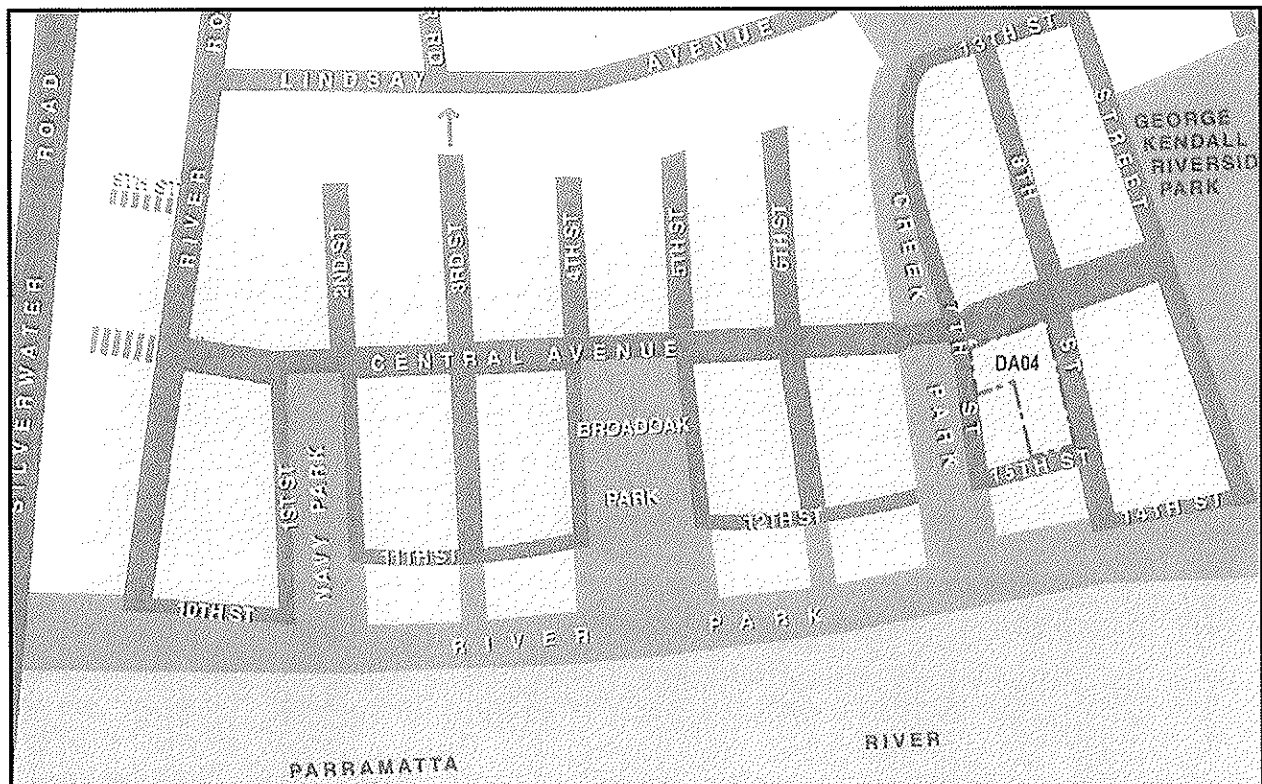
On 21 November 2006, the Minister for Planning approved Major Project 05\_0084 for subdivision and development of 78 lots accommodating 101 dwellings on part of the former Naval Stores site in Ermington. The approval provided for a mixture of self-contained studio dwellings, detached dwellings, courtyard homes, townhouses/terraces, a residential flat building and subdivision in a combination of Torrens and Strata Title allotments. The major project was in line with the guidelines of the Ermington Master Plan for the entire Naval Stores site as approved by the Minister in 2002 and considered the deemed Development Control Plan (DCP) for the site. The site is listed in Schedule 2 of the MP SEPP and the Minister for Planning is the consent authority for development with a capital investment value of more than \$5m. The original estimated project cost for the development was \$34 million.

A copy of the original approval is at **Tag D** and a copy of the original report is at **Tag E**.

### 4. DESCRIPTION OF PROPOSED MODIFICATIONS

On 4 September 2008, Stockland Development Pty Ltd (the Proponent) lodged an application to modify Major Project 05\_0084 (**Tag C**) pursuant to Section 75W of the *Environmental Planning and Assessment Act 1979* ("the Act"). The Proponent is seeking permission to make modifications to the approved plan.

The modification seeks approval to vary the house designs to be constructed on four lots (Lots 59-62) within Phase 4A, shown in green on **Figure 2**. Phase 4A contains a total of 8 house lots and is 1 of 8 phases in the approved development.



**Figure 2:** Site plan with Phase 4A highlighted (DA04)

The designs proposed to be substituted have all been previously approved and constructed elsewhere on the site. While the external boundaries will not be altered, there will be minor adjustments to the lot boundaries between the lots. There will also be a minor increase in the

amount of gross floor area (GFA) and floor space ratio (FSR) that remain within the allowable limits under the Ermington Master Plan (see **Section 7**).

A copy of the proposed modifications in the proponents report is at **Tag F**.

## **5. STATUTORY CONTEXT**

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### **5.1 MODIFICATION OF A MINISTER'S APPROVAL**

The modification application has been lodged with the Director-General pursuant to Section 75W of the Act. Section 75W provides for the modification of a Minister's approval including *revoking or varying a condition of the approval or imposing an additional condition of the approval*.

The Minister's approval for a modification is not required if the project as modified will be consistent with the existing approval under this Part. In this instance, the proposed modification is consistent with the existing approval granted under Part 3A; however, the modification requires changes to plans, particularly an increase in gross floor area, and a condition of the Minister's approval and therefore requires further approval.

### **5.2 ENVIRONMENTAL ASSESSMENT REQUIREMENTS (DGRS)**

It is not considered necessary to notify the Proponent of environmental assessment requirements, pursuant to Section 75W (3) with respect to the proposed modification as sufficient information was provided to the Department to consider the application.

## **6. CONSULTATION AND EXHIBITION**

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Under Section 75W of the Act, a request for a modification of an approval does not require public exhibition. However, under Section 75X (2) (f) of the Act, the Director-General is to make publicly available requests for modifications of approvals given by the Minister. In accordance with Clause 8G of the *Environmental Planning and Assessment Regulation 2000*, the request for the modification was placed on the Department's website.

The modification application was not referred to public agencies due to the minor nature of modifications.

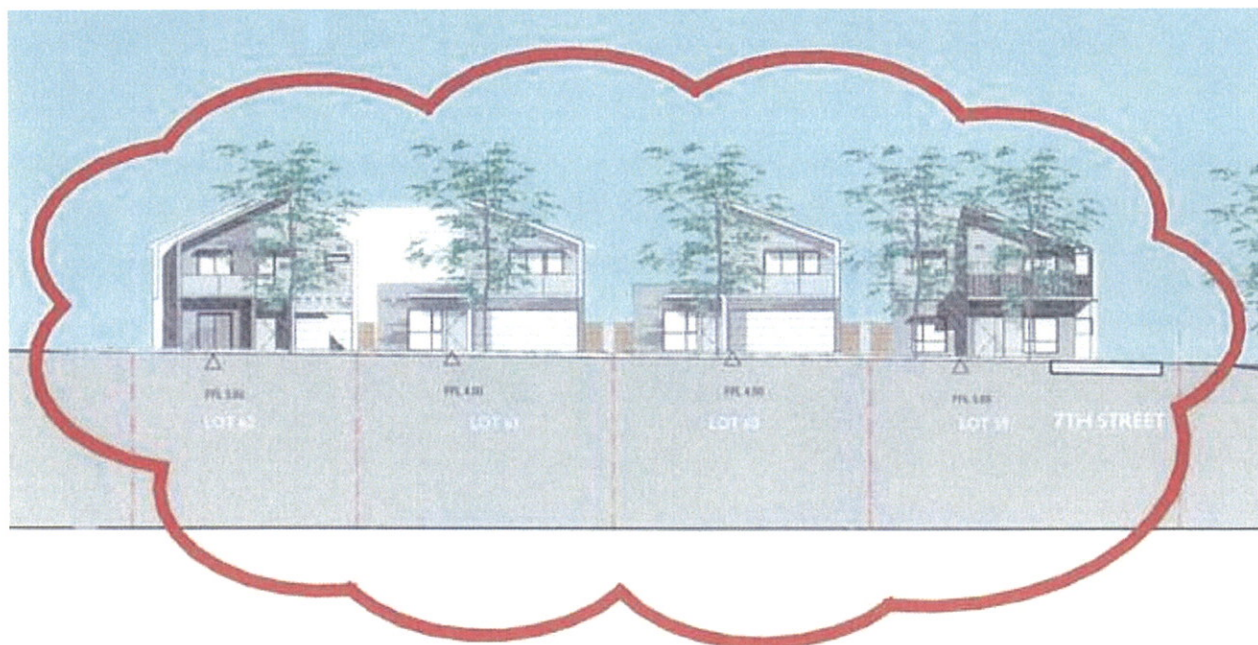
## **7. CONSIDERATION OF PROPOSED MODIFICATIONS.**

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The modifications relate to the substitution of house designs on four lots (Lots 59-62) within Phase 4A of the development. The proposed house designs have been approved elsewhere on the site as follows:

- Lot 59 – originally a freestanding house design to be substituted with house similar to Lot 30 that is also a freestanding design however the revised FSR complies with the Parramatta LEP 2001.
- Lots 60 + 61 – originally were courtyard designs (with one side zero lot line) and are to be substituted with houses similar to Lots 28 + 29 which are freestanding designs.
- Lot 62 – originally a freestanding house design is to be substituted with a house similar to Lot 47, a townhouse design (with side zero lot lines).





**Figure 3:** Indicative elevations of proposed houses on Lots 59-62

The four proposed house designs are two storey forms with pitched roofs to the street. Proposed materials resemble similar textures and colours present in the existing surrounding area with face and rendered bricks at lower levels and brick, lighter weighted panelling and timber boarding at upper levels. Verandas, balconies, pergolas and shading devices provide articulation and relief to the elevations of the dwellings. The townhouse living spaces are arranged on the ground floor of the dwelling with bedrooms located on the first floor.

### 7.1 FLOOR SPACE RATIO (FSR) AND GROSS FLOOR AREA (GFA)

The proposed modification seeks approval for a minor increase in GFA over lots 59-62, inclusive.

- The existing approved GFA for Lots 59, 60, 61 and 62 is 639.1m<sup>2</sup>. The modified GFA proposed is 693.2m<sup>2</sup>. The difference of 54.1m<sup>2</sup> equates to an increase of 8.5%.
- The FSR for Phase 4A is proposed to increase slightly from 0.48:1 approved to 0.5:1.
- The proposed FSR and GFA comply with the Ermington Master Plan approved for the site in 2002 (by the Minister). The approved Master Plan approved allows for up to 0.6:1 FSR on townhouse sites and the modified dwellings all fall within this control.

Furthermore all dwellings comply with the Master Plan controls for height, number of storeys and with landscaped area. On this basis the proposed modification is considered acceptable.

### 7.2 CHARACTER OF DEVELOPMENT

The proposed houses will be in keeping with the character with the wider site and consistent with the originally approved development. The proposal provides the same number of off street car spaces as outlined in the original consent.

### 7.3 PUBLIC BENEFIT

The modification is consistent with the approved Major Project (MP05\_0084) and its associated Master Plan (the deemed DCP). This Major Project provided the following benefits:

- Provision of a range of housing, including low cost housing and dwelling types adjacent to an established area;

- Renewal of land previously not publicly accessible and encouragement of activity along the waterfront; and
- Minimal environmental impact on the neighbourhood.

The substitution of house designs at this site will:

- Provide for increased housing choice; and
- Address the issue that certain house designs are not well suited to the market

## **8. MODIFICATIONS TO CONDITIONS OF APPROVAL**

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The Department recommends that Conditions of Approval apply to the proposed modifications. These are minor changes to the original approval conditions that take into account new plans and BASIX Certificates as well a change in the number of townhouse, freestanding and courtyard houses within the development. These are included at **Appendix A**.



## 9. CONCLUSION

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Under Section 75W (4) of the Act, the Minister may modify the approval (with or without conditions) or disapprove the modification. The preceding report describes the Department's assessment of the requested modifications and supporting documentation as provided by the Proponent, and recommends approving the proposed modifications, subject to the amendments as discussed.

The proposed changes slightly increase the gross floor area to be developed compared to what had been originally approved for these lots, however, they still do not utilise the full amount of GFA/FSR as approved in the master plan for the site. The proposed substituted house designs have been approved elsewhere in the development, comply with other bulk and scale requirements and will be in keeping with the character of the development.

The proposed modifications are minor and do not result in significant changes to the overall development. The proposal achieves the same objectives as assessed for the originally approved development under Major Project 05\_0084 and does not alter the overall nature, need or justification of the approved project.

## 10. RECOMMENDATION

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It is recommended that the Minister for Planning:

- (a) **Consider** the findings and recommendations of this report; and
- (b) **Approve** the modification, subject to conditions, under Section 75W of the *Environmental Planning and Assessment Act, 1979*; and
- (c) **Sign** the attached Instrument of Modification (**Tag B**).

Prepared by:



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Endorsed by:

 7/11/08

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 12/11/08

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Director, Urban Assessments



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12/11/08

## APPENDIX A. Modifications to Conditions of Approval

**(a) Amend Condition A1 as follows:**

**Within (1) amend the second dot point as follows:**

- construction of 99 dwellings in Phases 1, 1A, 2, 3, 4, 4A, 5 and 7 including 13 freestanding, 32 courtyard, 30 townhouse dwellings and a residential flat building containing 24 units;

**(b) Amend Condition A2 as follows:**

**Within (10) amend the following lines with new Certificate Numbers as follows:**

Certificate Number	Project Name	Address
211256S	Riverwalk 59	Lot 59 Seventh Street, Ermington
211298S	Riverwalk 60	Lot 60 Central Avenue, Ermington
211301S	Riverwalk 61	Lot 61 Central Avenue, Ermington
211347S	Riverwalk 62	Lot 62 Eighth Street, Ermington

**(c) Add the following at end of A2:**

(18) Correspondence prepared by Stockland dated 4 September 2008 including attachments to that correspondence.

(19) Correspondence prepared by Stockland dated 2 October 2008 including attachments to that correspondence.

**(d) Amend Condition A3 as follows:**

Within the tables replace the 'Issue' letter and 'Date' and where appropriate amend the heading of the table on the following plans:

Subdivision Plans prepared by <i>Lockley Land Title Solutions</i>			
Name of Plan		Issue	Date
Plan of Subdivision of Proposed Lot 34 DA 4 Phase 4A Proposal		F	25-09-08
Architectural (or Design) Drawings prepared by <i>Turner + Associates</i> at Appendix 1 of Volume 2 of 4 of the Environmental Assessment AND Appendix 1 to Section 75W Submission September 2008			
Drawing No.	Revision	Name of Plan	Date
Development Application Phase 4A			
DA00	B	Cover	September 2008
DA02	B	Site Context / Analysis Plan	03.09.08
DA03	B	Setbacks Plan	03.09.08
DA04	B	Site / Roof Plan	03.09.08
DA05	B	Ground Floor Level Plan	03.09.08
DA06	B	First Floor Level Plan	03.09.08
DA07	B	Central Avenue Elevation	03.09.08
DA08	B	Eighth + Seventh Street Elevations	03.09.08
DA10	B	Section FF+GG	03.09.08
DA16	B	Typical Courtyard Type B [Lots 60, 61]	03.09.08
DA17	B	Townhouse Type C [Lot 62]	03.09.08
DA18	B	Typical Freestanding Type D1 [Lot 59]	03.09.08
DA31	B	Shadow Diagrams – June 22 <sup>nd</sup> – 9.00am	03.09.08
DA32	B	Shadow Diag – June 22 <sup>nd</sup> – 12.00pm	03.09.08
DA33	B	Shadow Diag – June 22 <sup>nd</sup> – 3.00pm	03.09.08

**Landscape Drawings prepared by *Context Landscape Design Pty Ltd* at  
Appendix 2 of Volume 2 of 4 of the Environmental Assessment AND in  
Appendix 3 to Section 75W Submission September 2008**

<b>Drawing No.</b>	<b>Revisio n</b>	<b>Name of Plan</b>	<b>Date</b>
<b><i>Landscape Drawings Phase 4A</i></b>			
LWD 260	C	Lot 59 Planting Plan	03.09.08
LWD 261	C	Lot 60 Planting Plan	03.09.08
LWD 262	C	Lot 61 Planting Plan	03.09.08
LWD 263	C	Lot 62 Planting Plan	03.09.08