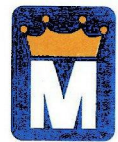


PJD000321

22 March 2010

Mr Andrew Smith  
Department of Planning  
23-33 Bridge Street  
SYDNEY NSW 2001



**MERITON**  
MAKING LUXURY APARTMENTS  
AFFORDABLE

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Dear Mr Smith,

**Statement of Environmental Effects**  
**Section 75W application to reduce car parking provision on-site**  
**Major Project MP09\_0148**  
**12-40 Bonar Street and 5 Loftus Street, Arncliffe**

Pursuant to Section 75W of the *Environmental Planning and Assessment Act 1979*, consent is sought from the Department of Planning to reduce the amount of car parking provided on site and amend the necessary components of Determination Notice MP09\_0148.

**INTRODUCTION**

The subject site is located at 12-40 40 Bonar Street and 5 Loftus Street, Arncliffe. It is bound by Hurst Street, to the south, Loftus Street, to the west, and Bonar Street, to the east. The legal details for the site are as follows:

Address	Legal Details	Title Area
12-38 Bonar Street, Arncliffe	Lot 100, DP 706950	9,152 sqm
40 Bonar Street, Arncliffe	Lot E, DP 399131	1,334 sqm
5 Loftus Street, Arncliffe	Lot 101, DP 706950	5,833 sqm

The site has a surveyed land area of 16,326 sqm.

The area surrounding the site is in transition due to the rezoning of the Bonar Street Precinct. Land to the south, on the other side of Hirst Street, is occupied by existing residential development comprising dwelling houses. Land to the north is occupied by the Arncliffe West Public School and associated grounds. Land to the east and west is currently occupied by industrial buildings.

Arncliffe railway station is location south east of the site and within approximately 400m walking distance.

**BACKGROUND**

On 3 March 2010, the Planning Assessment Commission granted development consent (MP09\_0148) subject to conditions, to the following development on the subject site:

- *Excavation of and dewatering of site*
- *Construction of basement level car parking for 450 vehicles*

- Erect 4 residential flat buildings comprising 305 apartments
- Undertake landscaping works

## PROPOSED AMENDMENTS & JUSTIFICATION

This S.75W application proposes to reduce car parking provision within the approved development so that it more accurately reflects consumer demand. Further, a reduction in car parking will significantly reduce building costs and help to ensure that the apartments remain affordable to wide cross section of the community.

The development consent includes provision for 450 car parking spaces and the proposed amendment will reduce total car parking on site by 49 spaces to a total of 401 spaces.

Car parking provided in the approved development exceeds the requirements of Rockdale Council's DCP No. 80 for the *Bonar Street Precinct*, which sets an exact number as the generation rate (i.e. not a maximum or minimum). DCP No.80 requires a total of 433 car parking spaces on site, whereas the approved development provided 450 car parking spaces on-site.

The car parking requirements of DCP No.80 for all apartment types exceeds the car ownership patterns for people located in the Rockdale LGA (2006 census data) and far exceeds the generation rates for high density residential apartments found in the *RTA Guidelines for Traffic Generating Developments*.

It is proposed to amend the car parking provided in the development so that it is less than that required by DCP No.80 yet greater than the minimum requirements of the *RTA Guidelines for Traffic Generating Developments*.

Provided below is a comparison of the car parking as approved, as required under the *RTA Guidelines for Traffic Generating Developments* and as now proposed. The generation rate is shown in brackets.

Apartment Type	Number	DCP No.80	Approval	RTA Guidelines	Currently proposed
Studio	5	5 (1)	5 (1)	0 (0)	0 (0)
1 bed	37	37 (1)	37 (1)	23 (0.6)	37 (1)
2 bed	239	287 (1.2)	304 (1.2)	216 (0.9)	283 (1)
3 bed	24	48 (2)	48 (2)	34 (1.4)	48 (2)
Visitor	-	51 (1/6)	51 (1/6)	30 (1/10)	30 (1/10)
Wash Bays	-	5 (1/60)	5 (1/60)	-	2 (within visitor)
Service Space	-	-	-	-	1
<b>Total</b>	<b>305</b>	<b>433</b>	<b>450</b>	<b>303</b>	<b>401</b>

With the exception of the 5 studio apartments, each apartment will be provided with at least 1 car parking space and this exceeds the minimum requirements from the RTA Guidelines.

The site is well serviced by local buses and it is within approximately 400m walking distance to Arncliffe Railway Station. The site, therefore, has excellent access to public transport and this reduces dependence on private car travel. It is also noted that the NSW State Government via the NSW Metropolitan Strategy seeks to reduce private car travel and increase the use of public transport. The proposed amendment is consistent with this aim.

Given the matters raised above, reduced car parking within the development is considered to be reasonable as it will not create any adverse impacts upon the locality.

Provided with the application is an assessment of the proposed reduction in car parking completed by independent traffic consultants, *Transport and Traffic Planning Associates*.

## AMENDMENTS TO THE CONSENT

In order to achieve a reduction in car parking provision on the site, the following amendments are required to the development consent.

### SCHEDULE 1

#### PART A - TABLE

Application made by:	Meriton Apartments Pty Ltd
Application made to:	Minister for Planning
Major Project Application:	MP 09_0148
On land comprising	12-40 Bonar Street and 5 Loftus Street, Arncliffe
For the carrying out of:	<ul style="list-style-type: none"> <li>Excavation of and dewatering of the site</li> <li>Construction of basement level car parking for 450 <del>401</del> vehicles</li> <li>Erect 4 residential flat buildings comprising 305 apartments</li> <li>Undertake landscaping works</li> </ul>
Estimated Cost of Works	\$109,324,820
Determination made on:	
Date approval is liable to lapse	5 years from the date of determination unless the development has been physically commenced

### SCHEDULE 2

#### PART A – ADMINISTRATIVE CONDITIONS

##### A1 Development Description

(1) Development approval is granted only to carrying out the development described in detail below:

- Excavation of and dewatering of the site
- Construction of basement level car parking for 433 ~~401~~ vehicles
- Erect 4 residential flat buildings comprising 305 apartments
- Undertake landscaping works

##### A2 Development in Accordance with Plans and Documentation

The development will be undertaken in accordance with MP No. 09\_0148 and the Environmental Assessment dated 11 September 2009, prepared by Meriton Apartments, except where amended by the Preferred Project Report, dated December 2009, additional information to the Preferred Project Report, and the following drawings:

12-40 Bonar Street and 5 Loftus Street, Arncliffe, MP 09_0148		
Revision	Name of Plan	Date
B C	Cover Sheet, Sheet No.800	Nov-08, Amendment dated 18.12.09 15.03.2010
C A	<del>Parking Level 1 overall, Sheet No.1001</del> Level 01 – Arch 200, Drawing No. A-110-L01	Nov-08, Amendment dated 18.12.09 19.03.2010
F A	<del>Ground overall sheet No. 1002</del> Level 02 – Arch 200, Drawing No. A-111-L02	Nov-08, Amendment dated 18.12.09 19.03.2010

## SCHEDULE 2

### PART E – PRIOR TO OCCUPATION CERTIFICATE OR COMMENCEMENT OF USE

#### E3 Car parking

No more than 450 ~~401~~ car spaces shall be provided in accordance with the submitted plan. These spaces shall be sealed and line marked. The pavement of all car parking spaces, manoeuvring areas and internal driveways shall comply with Australian Standard AS3727 – Guide to Residential Pavements.

Provided that the development consent conditions are modified in the manner requested above, car parking can be reduced on site by 49 spaces.

### APPLICABILITY OF SECTION 96(1A)

The application of Section 96(1A) is considered to be warranted in this case for the following reasons:

- The nature of the approved development, being erection of a residential development, is unchanged, and
- The appearance of the building, functionality and relationship to adjoining properties will remain unchanged.

For the above reasons, the development as modified is considered to be substantially the same development as originally granted development consent.

### CONSIDERATION

The proposed amendment has been assessed having regard to the relevant matters for consideration under Section 79(C) of the Environmental Planning and Assessment Act 1979. The matters are assessed under the following sections.

#### Environmental Planning Instruments

The proposed reduction in car parking does not affect compliance of the development with the relevant planning instruments. The amendment seeks to remove excessive car parking based on market demand and the site's close proximity to public transport (buses and trains).

#### Development Control Plans

Car parking provided in the approved development exceeds the requirements of Rockdale Council's DCP No. 80 for the *Bonar Street Precinct*, which sets an exact number as the generation rate (i.e. not a maximum or minimum). DCP No.80 requires a total of 433 car parking spaces on site, whereas the approved development provides 450 car parking spaces on-site.

The proposed car parking reduction will create the following non-compliances with DCP No.80:

Apartment Type	Number	DCP No. 80	Proposed	Difference
Studio	5	5 (1)	0 (0)	-5
1 bed	37	37 (1)	37 (1)	0
2 bed	239	287 (1.2)	283 (1)	-4
3 bed	24	48 (2)	48 (2)	0
Visitor	-	51 (1/6)	32 (1/10)	-19
Wash Bays	-	5 (1/60)	2 (within visitor)	-3
Service Space	-	-	1	+1
<b>Total</b>	<b>305</b>	<b>433</b>	<b>401</b>	<b>-30</b>

The proposed car parking non-compliance is 30 car parking spaces, which represents a variation of 6.9% of the development control. The proposed variation is considered reasonable in the circumstances for the following reasons:

- According to 2006 census data, private car ownership in the Rockdale LGA is less than the Council's car parking requirement of greater than 1 car space per apartment (refer to the attached letter from TTPA traffic consultants)
- The DCP No.80 generation rates significantly exceed the generations rates found within the *RTA Guidelines for Traffic Generating Developments* (refer to the table on page 2 of this Statement; and
- The site is well serviced by local buses and within 400m walking distance to Arncliffe train Station. Further, it is an objective of the NSW Metropolitan Strategy to reduce dependence on private car transport.

For the reasons discussed, the Department is urged to consent to reduced car parking on-site.

## Impact of the Development

### Suitability of the site

It is considered that the proposed modification does not change the original assessment as to the site's suitability for this development.

### Public Interest

The site is to be developed in an orderly and economic manner; this application seeks to achieve this. Public exhibition of the proposed modification is considered unnecessary as it has no visible impact on the appearance of the building.

## CONCLUSION

The proposal is considered to satisfy the relevant heads of consideration under Section 79C of the *Environmental Planning and Assessment Act, 1979*.

Reduced car parking on site will more accurately reflect market demand and thus, allow the development to be affordable to a wider cross section of the community.

It is therefore requested that the application be supported as proposed.

Yours sincerely

**MERITON APARTMENTS PTY LIMITED**



BENJAMIUN BLACK

**SENIOR TOWN PLANNER**