

09634
16 May 2012

Sam Haddad
Director-General
Department of Planning and Infrastructure
GPO Box 39
SYDNEY NSW 2000

Attention: Alan Bright (Director Metropolitan and Regional Projects South)

Dear Alan

**MODIFICATION TO MAJOR PROJECT (MP10_0189)
STAGE 1 PHASE 1 FRASERS PUTNEY, SYDNEY**

We refer to the above mentioned Project Application for the construction of 47 apartments, 55 semi-detached/terraced and 14 detached buildings and associated car parking, public domain works, vehicular access and landscaping, approved by the Planning Assessment Commission (PAC) on 1 May 2012.

On behalf of Frasers Putney Pty Ltd, we write to request the Minister (or his delegate) 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 removal of Condition D3 (Assessment by Sydney Water Geologist) and changes to the approved apartment building including:

- reconfiguration of the floor plates including balconies and terraces across all levels;
- minor amendment to the siting of the building;
- adjustment to upper level setbacks;
- minor increases in the maximum height and floorspace of the apartment building;
- creation of seven new apartments;
- addition of one car parking space and four secure bicycle parking spaces; and
- minor amendments to the landscaping scheme.

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

- Amended Architectural Drawings prepared by Cox Richardson Architects dated 30 March 2012 (**Attachment A**);
- Amended Landscape Plans prepared by Environmental Partnership dated March 2012 (**Attachment B**);
- SEPP 65 Design Verification Statement prepared by Cox Richardson Architects (**Attachment C**);

- Revised Access Review prepared by Morris Goding Accessibility Consultants (**Attachment D**); and
- Updated BASIX Certificates and Stamped Plans prepared by Ecospecifier (**Attachment E**).

1.0 BACKGROUND

The Stage 1 Phase 1 Project Application (MP10_0189) is the first stage of residential development on the RRCS site. The Environmental Assessment for Stage 1 Phase 1 was placed on public exhibition for a period of six weeks between 29 June 2011 and 12 August 2011. Two apartment buildings (Block 1 and Block 2) were initially proposed but were amended to a single apartment building in the Response to Submissions report prepared by JBA Planning in December 2011. This change involved the reconfiguration of the apartment buildings into a single building to achieve a built form which better responded to the site's topography, whilst providing suitable separation distances to internal roads and site boundaries. On 1 May 2012 a Project Approval for Stage 1 Phase 1 was issued under Section 75J of the EP&A Act.

During the detailed design phase of the development a review of construction costs versus apartment yield was undertaken which revealed that a greater number of apartments are required in order for construction and sales to be commercially viable. Cox Richardson Architects have sought to amend the building design to include more two bedroom apartments whilst not reducing the amenity of the approved building.

2.0 PROPOSAL

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

- reconfiguration of the floor plates including balconies and terraces across all levels;
- minor amendment to the siting of the building;
- adjustment to upper level setbacks;
- minor increases in the maximum height and floorspace of the apartment building;
- creation of seven new apartments;
- addition of one car parking space and four secure bicycle parking spaces; and
- minor amendments to the landscaping scheme.

Built Form

The proposed modifications involve a minor amendment to the siting of the building due to the repositioning of balconies across all levels. An adjustment to the upper level setbacks currently approved for levels 3 and 4 are proposed to accommodate the additional apartments.

It is proposed to reconfigure the approved floor plates within the apartment building. With these reconfigured floor plates there has been an addition of seven apartments. The proposed dwelling mix has been revised as a result of these design amendments and additional apartments. **Table 1** provides a numerical overview of the proposed changes.

Table 1 – Numerical overview of apartment changes

Apartments	No. of Dwellings		GFA (m ²)		Private Open Space (m ²)	
	Approved	Proposed	Approved	Proposed	Approved	Proposed
One Bed Apartment	10	5	56 – 80.5	57.5 – 68.5	9 – 25	14.5 – 30
Two Bed Apartment	32	45	78.5 – 102	68.5 – 90.5	9 – 60	8.5 – 70
Three Bed Apartment	5	4	111 – 119	116 – 149	40 – 50	8.5 – 60

The maximum height of the building has been increased from RL64.0 to RL64.25 as a result of the building being slightly lifted. There has also been an increase in the parapet height of 0.35 metres RL61.85. An overall increase of approximately 585.5m² in the GFA of the apartment building is proposed.

Landscaping

It is proposed to amend the landscaping scheme to reflect the modified siting and design of ground level terraces of the apartment building. The landscaping to the north of the building has been amended with a more concise path design providing access to the building. The overall detail of the landscaping scheme has been increased as part of this application. There has not been any amendment to the type of planting or amount of open space. Amended Landscape Plans prepared by Environmental Partnership have been provided at **Attachment B**.

Condition D3

It is also proposed as part of this modification to delete Condition D3 of the consent. This condition relates to the assessment of the zone of influence for the Sydney Water NOOS main by a Sydney Water Geologist prior to any excavations. Correspondence has been sent to Sydney Water to confirm that this condition is not required. It is also acknowledged that this application may be referred to Sydney Water for comment.

3.0 ENVIRONMENTAL ASSESSMENT

The proposed modifications to the apartment building are a result of the detailed design phase, the objective of achieving a good built form across the site which optimises the use of space and providing an apartment yield that results in an economically viable project. An assessment of the environmental impacts of the proposed modifications is detailed below:

3.1 Amenity

The reconfiguration of the floor plates and amended balcony design will not result in any significant impacts to the amenity of the apartments. The internal and external size of each apartment is generally consistent with the approved development, and the views experienced by the apartments will be improved, with more apartments overlooking the landscaped open space at ground level. It is noted that eight of the 45 two bedroom apartments are marginally below the SEPP 65 'Rule of Thumb' of 70m². These units are 1 to 1.5m² less than the 'Rule of Thumb'. Notwithstanding this, the apartments on balance are acceptable and provide a good amenity outcome as:

- these apartments have superior amenity in the form of open plan layouts, and ample access to private open space and communal open space; and
- a 1 to 1.5m² variation is minor and would barely be discernable to a buyer across a floor plan of 68 to 69m² and is the equivalent of a small storage cupboard.

It should also be noted that the one and three bedroom apartments within the building have generally increased in size and are larger than the recommended minimum 'Rules of Thumb' in the Residential Flat Design Code. The cross ventilation 'Rule of Thumb' will also be achieved with 63% of units cross ventilated.

There will be a slight decrease in apartments achieving the SEPP 65 solar access 'Rule of Thumb' reducing from 70% to 69%. Due to the increase in apartments and orientation of the building to capture all possible views and provide for an efficient use of space, it is considered that this minor decrease will not detrimentally affect the amenity provided to future residents of the apartment building. The decrease in percentage represents a reduction of one apartment receiving two hours of sunlight out of the 54 proposed apartments.

3.2 Density and Apartment Mix

The proposed increase in apartments will not result in non-compliance with condition A1 of the Concept Plan approval which limits the number of residential dwellings across the overall Concept Plan site to 50 dwellings per hectare. The provision of seven additional apartments ensures that development is better distributed across the site with more apartments consolidated in the approved apartment building. The proposed dwelling mix will continue to provide a high level of housing choice to cater to current market demands.

Although it is proposed to increase the number of two bedroom apartments in this modification, the mix of dwellings across the whole Concept Plan site will ensure that a healthy choice of housing types is provided. The proposed increase in two bedroom apartments in the apartment building is in response to market demand. The proposed modifications have allowed for an increase in development yield with a minor increase in floor space and no adverse environmental impacts.

3.3 Built Form

The proposed modifications to the apartment building will result in a better development outcome for the building. The consistency of the proposed modifications with the design philosophy of the apartment building is provided in the SEPP 65 Design Verification Statement (see **Attachment C**).

The adjustment of the upper level setbacks has enabled a better corner articulation at the street intersection of Road 5 and Road 16. The reconfigured floor plates have led to the repositioning of balconies on the northern and southern façades. The design of these balconies will be similar to the approved building in that they will create an interesting and articulated built form. **Figure 1** and **Figure 2** illustrate the proposed modifications to the apartment building.



Figure 1 –Photomontage of the approved apartment building (viewed from internal Road 5)



Figure 2 – Photomontage of the modified apartment building (viewed from internal Road 5)

Siting and Upper Level Setbacks

It is proposed to modify the siting of the building. This is due to the reconfiguration of the floor plans and repositioning of balconies. The amended siting of the building will not result in any adverse visual impacts. The adjustment of the upper level setbacks will allow for the creation of additional apartments and will produce a better outcome for the building. There will not be any overshadowing or privacy issues arising from the adjusted upper level setbacks, as the southern façade fronts an internal road. The proposed adjustment to these setbacks will increase the casual surveillance of the landscaped area located at the base of the apartment building.

Height and FSR

The proposed modifications to the height and FSR will not have a significant impact on the built form of the apartment building. The minor increase in height of the building is a result of lifting the building. The proposed height and FSR will remain within the approved Concept Plan and Ryde LEP 2010 development controls for this part of the site of 18.5 metres and 2.9:1 respectively.

Finish

A tasteful and high quality finish will be applied to the modified building as demonstrated by the schedule of colours and finishes (**Drawing A-PA-GR-10**). The photomontage (**Drawing A-PA-GR-00**) provided at **Attachment A** is an indicative illustration of the apartment building.

3.4 Landscape

Minor amendments to the landscape scheme surrounding the apartment building are proposed as part of this modification. These landscape amendments will not result in the loss of any landscaped open space surrounding the building and will ultimately produce a more efficient use of the space. The provision of a more detailed landscape scheme is due to the detailed design of the space having progressed during the assessment period of the application. This space has been designed to provide the opportunity of a recreational space to be used by the community. Sociability and passive surveillance will be encouraged through the design of this space.

3.5 Accessibility

An Access Review has been prepared by Morris Goding Accessibility Consultants and is provided at **Attachment D**. This review confirms that the amended design is consistent with the relevant Building Code of Australia and *Disability Discrimination Act 1992* provisions and Australian Standards. A number of recommendations are made in this review which will be incorporated into the detailed design of the building prior to the issue of the relevant Construction Certificate (CC).

A total of six adaptable apartments have been provided in a range of one, two and three bedroom apartments. This is in excess of Condition C2(a) of the Project Approval which requires five adaptable apartments to be provided.

3.6 Traffic

An additional seven apartments and a modification to the apartment mix of the building have been proposed as part of this modification. The approved apartment building contains 79 car parking spaces which is in excess of the car parking rates established by the Ryde Development Control Plan 2010 (Ryde DCP). The proposal seeks to include one additional car parking space and four secure bicycle spaces. The total car parking spaces provided for the apartment building will be consistent with current parking rates within the Ryde DCP as illustrated in **Table 2**.

Table 2 – Proposed and required parking rates

Apartment Type	Number	Ryde DCP Parking Rate	Required Spaces	Proposed
One Bed	5	0.6 - 1	3 - 5	-
Two Bed	45	0.9 - 1.2	41 - 54	-
Three Bed	4	1.4 - 1.6	6 - 7	-
Visitor	-	1 per 5 dwellings	11	-
Total	54	-	61 - 77	80

3.7 Environmentally Sustainable Development

The approved apartment building achieved BASIX requirements. The proposed modifications have been reassessed and it has been determined that the amended apartment building also achieves the

BASIX requirements. There will therefore be no impact by the proposed modifications on the energy efficiency of the building. Ecospecifier has issued a BASIX Certificate and stamped plans are provided at **Attachment E**.

3.8 Removal of Condition D3

It is proposed as part of this modification to remove Condition D3. Correspondence has been sent to Sydney Water to confirm that assessment of the zone of influence for the Sydney Water NOOS main is not required prior to any excavations occurring.

4.0 AMENDMENT TO CONSENT

It is proposed to amend the drawing references in Condition A2 and delete Condition D3 of Schedule 2 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, ***the modification 1 report prepared by JBA Planning dated 15 May 2012***, and the following drawings.

Drawing No.	Revision	Name of Plan	Date
Architectural Drawings Prepared by Cox Richardson			
A-PA-SP-01	01	Indicative Site Staging Plan	12.12.2011
	02	<i>Site Plan</i>	30.03.2012
A-PA-FP-13	01	Stage 1 Phase 1 Unit Schedule	12.12.2011
	02		30.03.2012
A-PA-EL-01	01	Street Elevations	12.12.2011
	02		30.03.2012
A-PA-FP-A0	01	Apartment Plans	12.12.2011
	02		10.05.2012
A-PA-FP-A1	01	Apartment Plans	12.12.2011
	02		10.05.2012
A-PA-FP-A2	01	Apartment Plans	12.12.2011
	02		10.05.2012
A-PA-FP-A3	01	Apartment Plans	12.12.2011
	02		10.05.2012
A-PA-FP-A4	01	Apartment Plans	12.12.2011
	02		10.05.2012
A-PA-FP-A5	01	Apartment Plans – Typical	12.12.2011
	02		10.05.2012
A-PA-FP-AE1	01	Apartment Type 1 – Elevations	12.12.2011
	02		10.05.2012
A-PA-FP-AE2	01	Apartment Type 1 - Elevations	12.12.2011
	02		10.05.2012
A-PA-FP-AS	01	Apartment – Sections	12.12.2011
	02		30.03.2012

A-PA-GR-11	01	Schedule of Colours and Finishes	12.12.2011
A-PA-GR-10	02		30.03.2012
Landscape Plans prepared by Environmental Partnership			
3025.PD01	08 10	Public Domain Plan	Dec 2011 Mar 2012
3025.PA01	08 10	Pedestrian Access Plan	Dec 2011 Mar 2012
3025.LP00	08 10	Landscape Masterplan	Dec 2011 Mar 2012
3025.RL06	08 10	Residential Landscape – apartment building	Dec 2011 Mar 2012

~~D3. Assessment by Sydney Water's Geologist~~

~~Prior to any excavation being undertaken in proximity of the Sydney Water NOOS main, the zone of influence for this main shall be assessed by Sydney Water's Geologist. Any recommendations recommended by Sydney Water are to be implemented throughout the excavation and construction process.~~

5.0 CONCLUSION

The proposed modifications to the approved apartment building 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 a higher development yield in the apartment building, which provides the necessary impetus to allow the construction and sale of the apartment building to be economically viable. The proposed modifications have resulted in a higher development yield, as well as an improved use of space and more articulated built form. Confirmation from Sydney Water in regards to the deletion of Condition D3 is currently being sought.

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.

Should you have any queries about this matter, please do not hesitate to contact Brendan Hoskins (bhoskins@jbaplanning.com.au) or Clare Swan (cswan@jbaplanning.com.au) at 9956 6962.

Yours faithfully



Clare Swan
Associate



Brendan Hoskins
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