

# Modification of Minister's Approval

## Section 75W of the *Environmental Planning & Assessment Act 1979*

As delegate of the Minister for Planning and Infrastructure under delegation executed on 27 February 2013, I approve the modification of the concept plan referred to in schedule 1, subject to the conditions in schedule 2.

A/Director-General

Sydney

8 March

2013

### SCHEDULE 1

#### Concept Approval:

**MP05\_0001** granted by the Minister for Planning on 23 March 2006

#### For the following:

Development of the Royal Rehabilitation Centre Site, including:

- A new, purpose built specialised rehabilitation and disability facility.
- No more than 50 residential dwellings per hectare on land excluding the new, purpose built specialised rehabilitation and disability facility.
- Landscaped public and private open space.
- Associated services and infrastructure.
- Land use distribution, building heights, densities, dwelling mixes and type

#### Modification:

**MP05\_0001 MOD 1:**

- amendments to the layout of Stage 1 including:
  - new building envelopes and building layout;
  - changes to the internal road layouts;
  - changes to basement car parking; and
  - changes to the public domain and open space areas;
- replacement of existing density controls across the entire site with new floor space ratio (FSR) controls,
- staging plan for Stage 1;
- subdivision of Stage 1, Phase 2.

## **SCHEDULE 2 CONDITIONS**

The above approval is modified by the insertion of **bold and underlined** words / numbers and deletion of the ~~struck-out~~ words / numbers as follows:

**a) Administrative Condition A1 is amended as follows**

**A1.      *Development Description***

Concept approval is granted only to the carrying out the development described in Volume 1: Urban Design Principles Site Analysis and Development Plan and Volume 2: The Preferred Project Revised Concept Plan, prepared by BSA Architects (December 2005), **as amended by the Concept Plan Drawings by Cox Richardson Architects (February 2013)** including:

- (1) A new, purpose built specialised rehabilitation and disability facility.
- (2) No more than 50 residential dwellings per hectare on land excluding the new, purpose built specialised rehabilitation and disability facility.
- (3) Landscaped public and private open space.
- (4) Associated services and infrastructure.
- (5) Land use distribution, building heights, densities, dwelling mixes and types.

**b) Administrative Condition A2 is amended as follows**

**A2.      *Development in Accordance with Plans and Documentation***

The development shall also be generally consistent with the following plans and documentation:

- (1) Concept Plan and Environmental Assessment for the Redevelopment of Royal Rehabilitation Centre Sydney Site, prepared by BSA Architects (August 2005).
- (2) The Redevelopment of Royal Rehabilitation Centre Sydney Site – Secondary Consultant reports for Concept Plan Submission to DIPNR, prepared by BSA Architects (August 2005).
- (3) Preferred Project Report and Statement of Commitments and Proponent's Responses to Exhibition of the RRCS Concept Plan, prepared by BSA Architects (December 2005).

**As amended by the following plans and documentation:**

- (a) **Concept Plan Drawings by Cox Richardson Architects (February 2012); and**
- (b) **S75W Modification to Concept Plan MP05 0001 Report by JBA Urban Planning Consultants dated May 2012 as amended by correspondence from JBA Urban Planning Consultants dated 7 September 2012 ; 9 November 2012 and 14 February 2013; and**
- (c) **Subdivision Plans prepared by Tasy Moriatis dated 22 February 2013**

Except for otherwise provided by the plans and documentation described in Condition A1, Part A, Schedule 2 and the Department's conditions of approval as set out in Schedule 2,

Part B and the proponent's statement of commitments as set out in Schedule 2, Part C.

**c) Condition of approval B15 is added as follows**

**B15. Victoria Road Setback**

The eastern building on Victoria Road (Building 4A) is to be setback at least 5 metres from the realigned boundary with Victoria Road, to be established for the creation of a new deceleration lane and public footpath. Small encroachments (not more than 1 metre) for balcony structures in accordance with plans provided with correspondence from JBA dated 14 February 2013 are permitted where the consent authority is satisfied that the encroachments will provide for appropriate landscaping including the proposed transplanting of palm trees within the boundary setback.

**d) Condition of approval B16 is added as follows**

**B16. Basement Carpark structures**

Basement parking and below ground structures are to be setback at least 5 metres from the boundary with Victoria Road following its realignment for the creation of a new deceleration lane and public footpath.

Other basement parking shown on the Concept Plan Drawings by Cox Richardson Architects outside approved building envelopes are permitted where the proponent can demonstrate compliance with Council's stormwater management requirements, appropriate drainage and soil depths to support a variety of landscaping including trees to a mature height of at least 10 metres. Alternative methods of achieving soil depths (such as mounding) may be incorporated where the proponent can demonstrate quality urban design and landscape outcomes are achieved.

**e) Statement of Commitment C3 is amended as follows:**

***C3 Urban Design***

The proponent will accord with the maximum heights, maximum number of dwellings, maximum floor space and minimum setbacks in the development parcels in the plans and documentation described in Condition A2, Part A, Schedule 2.

The proponent will submit subsequent applications in accordance with the maximum development parameters in the plans and documentation described in Condition A2, Part A, Schedule 2 and in accordance with the urban design principles set down in State Environmental Planning Policy 65 – Design Quality of Residential Flat Development, Residential Flat Design Code (DIPNR) and the Residential Flat Design Pattern Book (DIPNR).

The proponent will adopt the following urban design principles which:

- Maximise the northern aspect for solar access to dwellings.
- Respond to the microclimate of each location and to the varying topography.
- Set back buildings from the street frontages to create landscaped settings.
- Introduce view corridors through the subject site to maximise visual permeability.
- Share views by stepping buildings down the slope.
- Diversify building forms to create variety and visual interest.

- Limit overshadowing to 50% for 2 hours per day for private open space.
- Minimise overshadowing of public open space.
- Maintain privacy by ensuring adequate distances between dwellings - windows of habitable rooms be a minimum of 12m apart or if these distances are not achievable other design measures, such as appropriate window and balcony locations and screening, being incorporated.

The proponent will adopt a design philosophy to create a traditional Australian residential living setting in a contemporary urban environment, through:

- Articulated buildings with an interplay of planes, with balconies and pergolas.
- An interplay of self-finishing building materials, brick, stone and tiles.
- Variations in colour and texture.
- Human scale in the design of facades and spaces between buildings
- ~~Accessible, planted rooftops~~
- Ceiling height of the parking areas beneath residential flat buildings not to exceed 2.1m above natural ground level at any point

The proponent will create a leading-edge architectural design for the new RRCS centre and associated health facilities. This will establish an urban design benchmark for development over the remainder of the subject site.

The proponent will encourage the broader community to use the open space and community facilities on the subject site, by ensuring that the design of the pedestrian network encourages access to these facilities.

The proponent will include a condition of sale for the residential stages of the subject site, which states that gates are not permitted on the access roads to Charles Street, Morrison Road, Princes Street and Victoria Road.

**f) Statement of Commitment C4 is amended as follows:**

***C4 Landscaping***

The proponent will adopt landscaping designs being in accordance with the following principles:

- To create a variety of landscaped public open spaces which respond to the existing topography and landscaped features, and are appropriate for the intended purpose of each area of open space.
- ~~To create accessible, landscapes roof-tops for use as private open space.~~
- To create a unique sense of place in different precincts of the development, and landscaping on the collector roads which harmonises with Council's public domain landscape strategies.
- To preserve mature trees and landscaping features.
- To provide shade along pedestrian pathways and streets through the planting of street and park trees. When selecting species, consideration to be given to drought tolerance, winter solar access, summer shade and provision of habitats.
- To provide a high quality, low maintenance suite of street furniture that is located to provide amenity for walkers and park users.
- To provide shade for parking areas so that cars can be parked in the shade -

ideally reducing the need for intensive air conditioning.

- To reduce crime in public places by creating safe open spaces that are overlooked by dwellings and that have at least two access points.
- To minimise water usage and maintenance by selecting hardy, drought tolerant native and exotic plants, including those listed on the Sydney Water Plant Selector.
- To reduce environmental weeds by selecting plants that are non-invasive or indigenous.
- To treat stormwater on subject site through landscape techniques such as wetlands and planted swales.
- To provide a range of habitats for indigenous fauna including birds and arboreal mammals, insects, reptiles and amphibians through selection of plant species and planting composition.
- To increase water penetration by the use of permeable car parking bays.
- To provide accessible paths of travel wherever possible as an integrated part of the open space network;
- To provide a landscape that can be maintained without excessive labour, water or nutrient inputs.
- In the event that approval is given for a wet detention basin, the design to avoid the need for fencing, by maintaining a depth of less than 300mm for the first two metres from the edge of the permanent water line. Plant species along the edges of the detention basin to be selected for the ability to withstand periodic inundation and periods of prolonged drought. Species in areas that will be permanently wet to be selected with consideration given to provision of habitat for birds, frogs and insects.

The proponent will adopt a design philosophy for elements in the public domain, including landscaping and street furniture, which will reflect the character of Putney, to be developed in consultation with Council to the satisfaction of the Department.

The proponent will design the proposed Central Parkland area to function as both usable public open space and a stormwater detention basin.

**g) Statement of Commitment C10 is amended as follows:**

**C10. State Environmental Planning Policy Building Sustainability Index (BASIX)**

The proponent will comply with the NSW Government Building Sustainability Index targeting 40% reduction for potable water consumption, 25% reduction for greenhouse gas emissions and improvement in the thermal performance of all new residential buildings.

The proponent will commit to sustainability initiatives, including:

- Subject to approval by Council, creation of a detention basin for stormwater management and the retention of part of the water in this basin for the irrigation of the Central Parkland.
- Landscaping in accordance with the Oculus recommendations **as amended by the Environmental Partnership Landscape Report dated April 2012** with nominated water resistant plant species suited to the Wianamatta Shale soils, and soft landscaping to be minimised.

- Building envelopes oriented to maximise solar access and cross ventilation, in order to minimise heating and cooling costs.
- Use of WSUD initiatives – permeable car parking spaces, grassed swales in place of kerb and guttering.
- Rainwater harvesting, collected on the subject site with rainwater tanks in houses and townhouses and detention tanks in apartments.
- ~~Solar access photovoltaic electricity generation and solar panels for water heating.~~
- Fittings and whitegoods to reduce energy and water usage.
- Use of recyclable materials.

---

End of modifications