

Figure 10: Proposed location of bridge link (Note: this plan is the original plan submitted for MOD 4 and does not show the October 2013 amendments to Building 2 and 4- however, the location of the bridge link remains consistent)

5.2 SEPP 65 Consideration

The department has undertaken an assessment of the modification application against the Rules of Thumb contained in SEPP 65 (refer **Appendix C**). The department is satisfied that the modified proposal achieves a satisfactory level of compliance, noting that a detailed assessment against the provisions of SEPP 65 and the Residential Flat Design Code (RFDC) will be required with the future development application.

The department notes that the modification application achieves a high level of compliance with the solar access, cross ventilation and building separation requirements of the RFDC, as detailed below:

- **Solar Access** - The RFDC recommends that 70% of apartments receive 2 hours sun light in mid winter. The indicative design prepared by Group GSA demonstrates that 71% of apartments achieve direct solar access between 9am – 3pm in mid winter. Therefore, the proposed envelopes are capable of achieving compliance.
- **Cross Ventilation** - The RFDC recommends that 60% of apartments be cross ventilated. The indicative design prepared by Group GSA demonstrates that 62% of the apartments are cross ventilated. Therefore, the proposed envelopes are capable of achieving compliance.
- **Building Separation** - the RFDC recommends minimum building separation distances depending on building height, in order to maximise visual and acoustic privacy between buildings and to minimise the bulk, scale and visual impact of buildings. Despite the inclusion of the additional building envelop proposed in the amended concept plan, the indicative design prepared by Group GSA illustrates compliance with the building separation requirements and in many instances, significantly exceeds these requirements. The inclusion of the landscaped podium roofs, the generously sized plaza and ground floor circulation areas will ensure that the amenity of the residents on site and in adjoining developments are unlikely to be compromised.

As detailed in Section 5.1 of this report, the department has concerns in relation to the (2) two ground floor units addressing the corner of Mackinder and Harp Streets, and the overall amenity of the residential development generated by the use of the loading docks and car park entries/exits, amenities, building plant and service/garbage area. For these reasons, Future Assessment Requirements have

been recommended to specifically ensure that the future design and amenity of these units is not compromised by their location. Subject to compliance with these Future Assessment Requirements the department is satisfied that future development on the site is capable of achieving compliance with SEPP 65 and the RFDC and will deliver an acceptable urban design outcome and level of amenity.

5.3 Traffic Impact Assessment

The traffic impacts associated with the Concept Proposal were fully considered in the determination of the original concept plan, this included consideration of traffic modelling of key intersections surrounding the site. Based on the traffic management and capacity improvement works proposed in the Concept Plan, it was determined that traffic conditions and intersection performances would only be moderately affected by the proposal i.e. generally minor increases in delays at all intersections with no change in the level of service.

The modification application proposes a number of changes to the site access and car parking. The department engaged Aurecon to peer review the proposal. The key changes to the proposal and relevant discussion in relation to site access, traffic generation and car parking are provided below. The comments provided by Aurecon are also considered where relevant.

Site access

The access arrangements to the car park (basement levels) are proposed as follows:

- Residential access from Mackinder Street;
- Northern loading dock from Sunbeam Street for the proposed mini-major;
- Southern loading dock from Harp Street for the proposed supermarket;
- Retail entry/exit access from Harp Street; and
- Retail exit only access from Sunbeam Street.

These access arrangements are illustrated in **Figure 11** below.

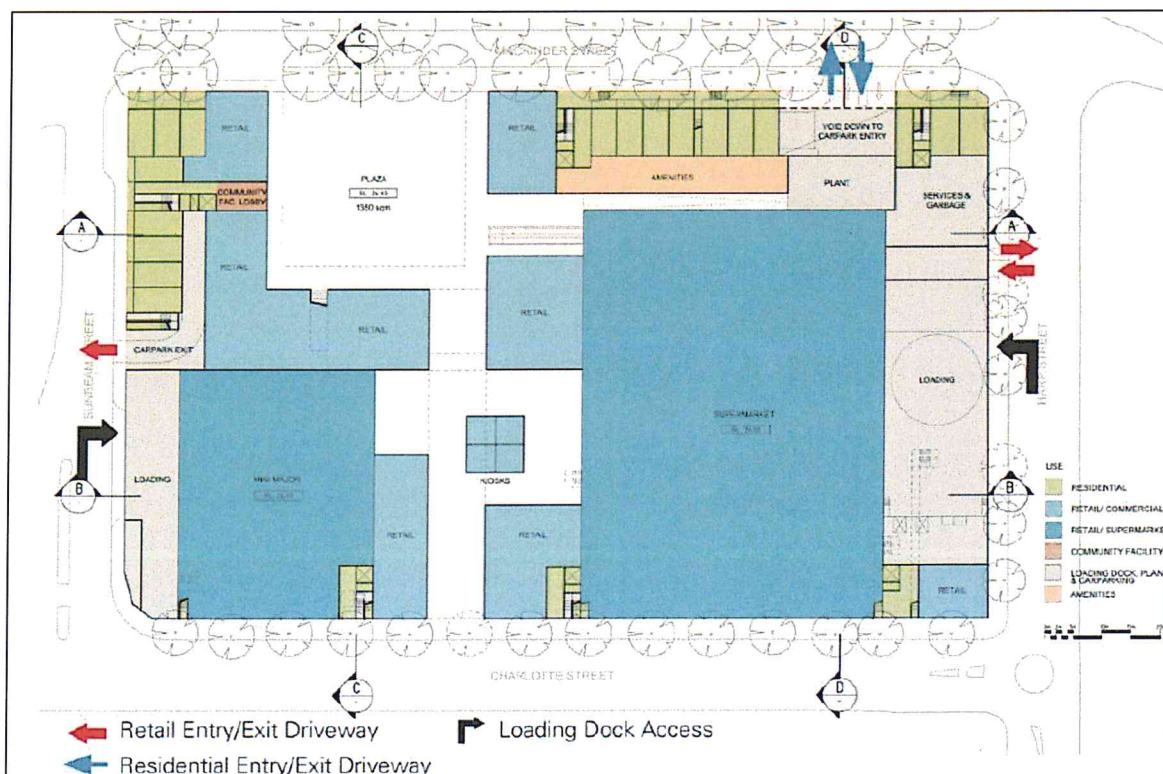


Figure 11: Site access arrangements (indicative scheme Group GSA Indicative Scheme)

The department notes that the Aurecon review raised no major concerns with the location of the loading docks and that the detailed design will be assessed with the future development application. Subject to the final design satisfying the Future Assessment Requirements, the department raises no objection with the proposed access locations.

Whilst the department acknowledges that the loading docks are required to service the development, concerns are raised regarding the potential for their design and use to compromise the amenity of the residential uses on site and the surrounding residential areas (refer to discussion in **Section 5.2**). The department considers it to be preferable for the loading docks to be internalised to minimise the noise and visual impact to the surrounding residential areas. Accordingly, the department has included a Future Assessment Requirements to address this matter including the requirement for the proponent to analysis various design options prior to detailing the design for the loading docks in a future development application.

As detailed in Section 5.2, an additional Future Assessment Requirements is recommended to require an acoustic report to be submitted with the future development application to demonstrate that appropriate acoustic attenuation measures have been incorporated into the building design in order to minimise noise impacts generated by the use of the loading dock (in addition to the car parks, amenities, building plant and servicing areas in the development).

Traffic Generation and Distribution

A key finding of the Aurecon review is that the proposed removal of the commercial uses from Lot 42 will result in a reduction in the am/pm peak traffic volumes. Overall with the redistribution of uses, it is projected that there will be a 40% reduction in AM peak periods and 34% reduction in PM peak periods. This is mainly attributed to the fact that retail and community uses GFA generate lower traffic volumes.

Despite these reductions, concerns have been raised in public submissions in relation to the distribution of traffic on the local road network including to Wade Street, Troy Street and Charlotte Street resulting in increase congestion.

The traffic impacts associated with the proposal were fully considered in the original Concept Plan. With respect to the modification application, the department is satisfied that the traffic impacts on the local road network will be relatively consistent with the approved scheme and that overall there will be reduced traffic impacts on the local road network during peak traffic periods as a result of the removal of the commercial GFA from the proposal.

The proponent has advised that scope of the local area traffic improvements required to support the development have been approved by Council and that these improvements remain valid and relevant to the modified proposal.

Parking modifications

The current approved number of retail parking spaces is 280 on the basis of:

- Speciality retail/commercial requires $2.94 \text{ spaces} / 100\text{m}^2 = 188 \text{ car spaces}$; and
- Supermarket requires $3.57 \text{ spaces} / 100\text{m}^2 = 92 \text{ car spaces}$.

The application proposes changes to the GFA distribution within Lot 42. It also proposes to modify Condition A5 to apply a consistent car parking rate of 1 space per 25sqm of GFA to all retail uses (ie. there would not be a different rate specified for the supermarket component of the development). Based on this modification, a maximum of 306 parking spaces could be provided on the site.

The changes to the car parking as relevant the approved and proposed GFA allocation is provided in **Table 4** below:

Table 4: Approved and Proposed Car Parking Rates

Lot	Use	Approved GFA	Approved Car parking Rate	Proposed GFA	Proposed Car Parking Rate
42	Retail*	4,400m ²	1/34m ² = 129 spaces	7,655m ²	1/25m ²
	Commercial**	2,000m ²	1/40m ² = 50 spaces	0	
	Supermarket*	2,585m ²	1/28m ² = 92 spaces	0	
	Total		271 spaces		306 spaces

The application is accompanied by a traffic report prepared by Traffix. In support of the revised parking rate, the Traffix Report advises that the rate now proposed for supermarkets is an appropriate rate in recognition that supermarkets are a car dependent use and furthermore, that it is expected to generate a demand that more closely aligns with the RMS parking rates. In this regard, Traffix conclude that:

- The rate proposed for supermarkets is slightly less (i.e. 5%) than the RMS Guidelines of 4.2 spaces/100sqm (or 1 space per 23.8m²). It is considered that this appropriately reflects the fact that some shoppers will be from Clemton Park and therefore, the reliance of private cars can reasonably be reduced;

The department also notes that the rate is slightly less than that specified in Canterbury's DCP which requires car parking to be provided at a rate 1 space per 22m² for retail uses where the total floor area of all shops exceeds 1,000m²;

- The rate proposed for speciality retail is slightly less (i.e. 11%) than the RMS Guidelines of 4.5 spaces/100sqm (or 1 space per 22.2m²). This is also an acknowledgement that speciality retail uses are a relatively high parking generator and that some shoppers will be drawn from within the Clemton Park; and
- The increased parking rate does not contribute to an increased traffic generation as the retail parking and associated trips are compensated by the deletion of commercial floor space in Stage 3.

The department concurs with the above conclusions. The department notes that the indicative design prepared by Group GSA only accommodates 287 space (and not the 306 spaces required by application of the revised maximum parking rate) and furthermore, that a number of stacked spaces are included in the design. Notwithstanding this, the department is satisfied that the final design resolution of the parking areas in conjunction with the numbers of spaces proposed is a matter for the future development application/s. The department is satisfied that there is significant flexibility in the building envelopes to accommodate the requisite parking requirements. Accordingly, the department has recommended Future Assessment Requirements to address these matters including to ensure that the adequate retail parking is provided on-site to remove reliance on on-street parking.

5.4 Retail Impact Assessment

As detailed in **section 2.1**, the modification application proposes changes to the quantum of GFA allocated for retail purposes. It is proposed that 'supermarket' not be a separately defined use and instead, it is proposed to consolidate the supermarket GFA into the 'general' retail category. A minor increase in retail GFA, as a result of GFA redistribution (refer **Table 5**) is proposed from 6,985m² to 7,655m² (+ 670m²). This includes 3,800m² and 1,500m² of GFA being allocated to a major supermarket and a mini-major, respectively. The remainder of the retail GFA (i.e. 2,000m²) will be allocated to speciality retail tenancies.

The changes to the retail GFA distribution are illustrated in **Table 5** below:

Table 5: Approved and Proposed Retail GFA

Use	Currently approved	Proposed	Change
Supermarket	2,585m ²	3,800m ²	>1,215m ²
Other retail	4,400m ²	2,355m ²	< 2,045m ²
Mini Major		1,500m ²	
Total	6,985m²	7,655m²	670m²

Overall there will be an increase of 670m² to the retail GFA, with the supermarket component of the retail GFA increasing by 1,215m².

Council has raised concerns regarding the proposed increase in the quantum of supermarket GFA. Council considers because of its size, the proposed supermarket will impact on the viability of existing supermarkets in the nearby local centres. Council has suggested that the supermarket is more appropriate for the *B2 – Local Centre* zone rather than *B1 – Neighbourhood Centre* zone given the important role that supermarkets play in supporting the economic viability of town centres including the Campsie Town Centre.

Given the concerns raised by Council, the department engaged Hill PDA to undertake a peer review of the Economic Impact Assessment report submitted with the modification application. The key findings of the Hill PDA review can be summarised as follows:

- The change to increase the supermarket size is appropriate in this location given there is an undersupply of supermarket floor space in the trade area i.e. the area is not well serviced by a full-line supermarket;
- The Woolworths Supermarket in Campsie has anecdotal strong trading levels, which itself points to an undersupply of supermarket floor space in the area. Planned civic precinct improvements in the area are likely to improve the trading performance of Campsie and therefore, the centres ability to absorb any impacts from loss of trade; and
- The loss of commercial GFA from Lot 42 is supported on the basis that the site is not ideally located for commercial development and that such uses are more appropriately located in larger centres such as the neighbouring Campsie Town Centre.

Having regard to the advice provided by Hill PDA including that the existing supermarket in Campsie is trading strongly, and given the significant level of convenience that will be afforded to the residents of the development and the surrounding areas, the department supports the modification to the retail GFA. The department also notes that the retail layout illustrated in the Concept Plan demonstrates sufficient activation of the urban edges of Lot 42 and furthermore, that the permeability and circulation through Lot 42 and the pedestrian linkages (including to the public park in lot 41) remain relevant and are well resolved.

5.5 Future Assessment Requirements

The modification includes a number of amendments to the Future Assessment Requirements, as detailed in **Table 6** below.

Table 6: Modifications to Future Assessment Requirements

Relevant Future Assessment Requirement	Proposal	Comment
10. ESD - Future applications for all retail development shall demonstrate that a minimum 5 Star Green Star rating (pilot or otherwise), has been achieved.	Delete	The proponent has advised that the Green Star Retail Rating Tool can only be used to assess retail as a 'space use' if the retail component is 80% of the building GFA and furthermore, that there is no alternative rating tools that is appropriate for mixed use development. On this basis, the department agrees that the Future Assessment Requirement should be deleted.

<p>11. Water Sensitive Urban Design - Future stages of development shall demonstrate that Water Sensitive Urban Design practices have been maximised by:</p> <p>(a) Treating stormwater runoff to NSW EPA draft best practice treatment objectives:</p> <ul style="list-style-type: none"> • 85% reduction in Total Suspended Solids • 65% reduction in Total Phosphorus • 45% reduction in Total Nitrogen 	<p>Modify</p>	<p>The proponent has advised that the EPA's 'Draft Best Practice Treatment Objectives' no longer exists and that it is appropriate for the Future Assessment Requirement to reference the relevant government stormwater reduction targets. The department concurs and recommends that the Future Assessment Requirement be updated to reference the "Botany Bay & Catchment Water Quality Improvement Plan, 2011" and the updated standard of 60% for a reduction of Total Phosphorous in the stormwater runoff.</p>
<p>20. Access - Future applications for development on proposed Lot 41 and proposed Lot 42 are to demonstrate that accesses to basement parking and loading and unloading areas have been designed in consultation with the Roads and Traffic Authority.</p>	<p>Modify</p>	<p>The proponent has requested that the requirement to consult with the Roads and Maritime Services (RMS) in relation to the design of the basement car park and loading areas be deleted and instead reference the applicable requirements of AS2890.1 and AS2890.2. The department concurs that the design of the basement car park is a matter for Council and not the RMS. The department raises no objection to the amendment subject to the design complying with the relevant Australian Standards and the requirements of Council.</p>

The department has considered the modifications to the Future Assessment Requirements proposed and considers these to be appropriate for the reasons outlined above. The modifications are included in the Instrument of Modification.

5.6 Statement of Commitments

The Statement of Commitments has been modified to add a new Statement of Commitment No. 14 Proposed Lot 42. The revised Statement of Commitment reinforce the proponent's undertaking to create a high quality urban environment and to commit to the delivery of key built form components on Lot 42 including the provision of the 1350m² central publicly accessible plaza, the activation of the street frontages and the provision of retail development.

The department supports the modification of the Statement of Commitments.

6. CONCLUSION

The department is satisfied that the modification request to the approved Concept Plan will ensure a satisfactory level of amenity for residents of the development and surrounding residences.

The modified proposal achieves the same objectives as the original Concept Approval and will not alter the overall nature, need or justification of the project. The modified Concept Plan will allow existing and future Development Applications to be determined in accordance with the approved Concept Plan.

It is therefore recommended that the modification request be approved, subject to the amended Modifications and Future Assessment Requirements.

7. RECOMMENDATION

It is recommended that the Planning Assessment Commission, as delegate for the Minister for Planning and Infrastructure:

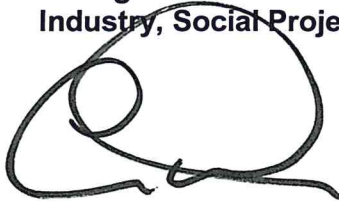
- (a) **Consider** the recommendations of this Report;
- (b) **Approve** the modification application under the repealed Section 75W of part 3A of the *Environmental Planning and Assessment Act 1979*;
- (c) **Sign** the attached Modified Instrument of Approval (**Appendix C**).

Endorsed by:



21/11/13.

Chris Ritchie
Acting Director
Industry, Social Projects and Key Sites



21.11.13

Chris Wilson
Executive Director
Development Assessments, Systems & Approvals

APPENDIX A MODIFICATION REQUEST

See the Department's website at www.majorprojects.planning.nsw.gov.au

APPENDIX B AMENDED PRPOSAL- OCTOBER 2013

See the Department's website at www.majorprojects.planning.nsw.gov.au

APPENDIX C ASSESSMENT OF DESIGN QUALITY OF RESIDENTIAL FLAT BUILDINGS

State Environmental Planning Policy No. 65 (SEPP 65 – Design Quality of Residential Flat Buildings)

SEPP 65 seeks to improve the design quality of residential flat development through the application of a series of 10 design principles. An assessment against these principles is given in the table below.

Key Principles of SEPP 65	Department Response
Principle 1: Context	<p>Concept approval has been given for a new centre with retail and residential uses. The proposed building envelopes are compatible with the future context which will be created as the concept plan is implemented. The first stages of the Concept plan have been developed or are under construction.</p> <p>The Concept approval includes future requirements to ensure the future detailed design of buildings respond to the existing and future context of the site and surrounding area, maintaining adequate levels of amenity for existing and future adjoining developments.</p>
Principle 2: Scale	The buildings are consistent with the desired height and scale of development for the area (subject to modifications) as discussed in Section 5.1 .
Principle 3: Built Form	<p>The proposed building envelopes are built above a retail podium and arranged around the perimeter of Lot 42. However, Building 3 is positioned perpendicular to Charlotte St and addresses the pedestrian thoroughfare, reducing the massing on the street frontage. This also provides more apartments with a northerly aspect. The location of the buildings around the perimeter defines the street edge. The open space area is divided into 2. This separates the buildings providing future apartments with the opportunity to receive sunlight, ventilation, privacy and a green outlook. The open space area will be publicly accessible and is accessible from Mackinder St, with a pedestrian link to Charlotte St.</p> <p>Future assessment requirements were imposed on the Concept Approval to ensure the future detailed design of buildings respond to the existing and future context of the site and surrounding area.</p>
Principle 4: Density	Concept approval was given for Lot 42. The minor changes proposed to the GFA distribution will not significantly alter the approved density of development on the site and remains acceptable.
Principle 5: Resource, Energy and Water Efficiency	<p>The proponent has committed (in their amended Statement of Commitments) to complying with BASIX and the requirements of the BCA.</p> <p>Future Assessment requirement No.11 (Water Sensitive Urban Design) requires future applications to achieve compliance with water quality standards and to prepare a water management plan for the site.</p>
Principle 6: Landscape	The Concept approval requires the proponent to provide a public plaza and central pedestrian link on Lot 42 connecting Charlotte St through to Lot 41. Whilst the modification proposal relocated the plaza to Mackinder Street, the central pedestrian link and permeability of the site is maintained. The proposal also provides podium rooftop landscaping be accessible for residents. The detailed design of the park will be assessed under future development applications.
Principle 7: Amenity	The proposal generally complies with the requirements of SEPP 65 and the recommended standards of the RDFC in terms of achieving satisfactory residential amenity. Recommendation are made in Section

	5.2 of the report to address Future Assessment Requirements to ensure that the amenity of the residential units is not compromised.
Principle 8: Safety and Security	The proposed building envelopes will allow for surveillance of the surrounding streets and open space area.
Principle 9: Social Dimensions and Housing Affordability	The development has the ability to provide a mix of apartment types.
Principle 10: Aesthetics	The future detailed design of the buildings will allow for appropriate articulation of facades through a use of appropriate materials and finishes to complement the existing and desired character for the site and surrounding area. Future Assessment Requirements have been recommended to facilitate this.

Residential Flat Design Code

The Residential Flat Design Code (the Code) is closely linked to the principles of SEPP 65. The Code sets out a number of “rules of thumb” which detail prescriptive standards for residential flat development that would ensure the development complies with the intent of the Code.

	RFDC requirement	Proposed	Complies?
Part 1 Local Context			
Building Separation (habitable rooms & balconies)	Up to 4 storeys: 12 metres between habitable rooms/balconies Above 5 storeys: 18 metres between habitable rooms/balconies;	Buildings 1 – 2 : 13m	Yes
		Buildings 2 – 3: 13m	Yes
		Buildings 3 – 4: 15m	Yes
		Buildings 4 – 5: 17m (where 4 storeys)	Yes
		Buildings 3-5: 24 m	Yes
		Buildings 5 – 1: 44m	Yes
Street Setbacks	Compatible with desired streetscape character	Setbacks generally compatible with character of area, and with street edge buildings.	Yes Term of Approval is recommended to address articulation of Building 2 above podium level.
Part 2 Site Design			
Fences	Provide privacy and security Contribute to public domain	Subject to future detailed design	Can comply
Communal Open Space	Larger and brownfield sites potential for >30%	An open plaza and pedestrian link will serve as communal open space. The landscape podium is also accessible to the residents.	Yes
Private Open Space (ground floor)	25m ² with minimum width of 4m	Subject to future detailed design	Can comply- subject to detailed assessment with DA.
Part 3 Building Design			
Building Depth	Max 18m	Depth ranges up to 20 m.	No Generally complies. Impact on amenity subject to detailed assessment with DA.

Acoustic Privacy	Separate noisier spaces from quieter spaces	There are 8 ground floor/ first floor units addressing Sunbeam Street, Mackinder Street and Charlotte Street.	Can comply. Term of Approval is recommended to address acoustic attenuation. Impact on amenity subject to detailed assessment with DA.
Solar Access	70% of living rooms & private open space to achieve 2hrs (for dense urban areas) sunlight between 9am-3pm on 21 June (Winter solstice)	71% achieve minimum 2 hrs of sunlight on 21 June 7% will not receive direct sunlight and are not cross ventilated	Yes- subject to detailed assessment with DA.
Single aspect units	Limit those with southerly aspect to no more than 10%	9% are south facing, single aspect.	Yes- subject to detailed assessment with DA.
Naturally cross ventilated	Min 60% of apartments cross ventilated	62% are naturally cross ventilated.	Yes- subject to detailed assessment with DA.
Kitchens with natural ventilation	Min 25%	Subject to future detailed design	Can comply- subject to detailed assessment with DA.
Max No. of apartments off a circulation core	Max 8 apartments per lift core and a double-loaded corridor	Subject to future detailed design	Can comply- subject to detailed assessment with DA.
Apartment Size (min)	1 bed cross through= 50m ² 2 bed= 89m ² 1 bed single aspect= 63 ² 2 bed corner= 80m ² 2 bed cross over= 90m ²	Subject to future detailed design	Can comply- subject to detailed assessment with DA.
Balcony Depth	Min 2m	Min widths provided	Can comply- subject to detailed assessment with DA.
Floor to ceiling heights	≥2.7m	Subject to future detailed design	Can comply- subject to detailed assessment with DA.

APPENDIX D RECOMMENDED MODIFYING INSTRUMENT
