

An architectural rendering of a modern residential development. The scene is set during a golden hour sunset, with a sky filled with soft, pinkish-orange clouds. In the background, a multi-story apartment building with a mix of white and tan facades and balconies stands behind a lush green lawn. The lawn is populated with various people: a couple sits on a large, dark grey rock in the foreground; a group of children plays nearby; and others are scattered across the grass, some walking dogs. The trees are diverse, with some showing autumnal colors. The overall atmosphere is one of a vibrant, community-oriented living space.

Riverwood North Residential Renewal Project

Section 75W to Amend Concept Plan Approval

July 2014

urbis

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Executive Summary

This Environmental Assessment (EA) accompanies a Section 75W application to modify Major Project No 10_0167 pursuant to the Transitional Part 3A provisions of the Environmental Planning and Assessment Act 1979 (the Act). The application is lodged on behalf of Payce Communities Pty Ltd.

The Concept Plan under Major Project No 10_0167 was approved on the 15 July 2011 for the staged redevelopment of the site for 650 dwellings comprising 150 social housing dwellings and 500 privately owned dwellings with a maximum gross floor area (GFA) of 63,500m². The original approval was subsequently amended on 28 June 2013 to increase the total number of dwellings from 650 to 723 and the total GFA from 63,500m² to 65,681m².

This application proposes to further modify the Concept Plan approval by way of an additional increase to the maximum number of dwellings to 757 apartments and the total GFA to 69,470m². Unlike the previous amendment, it also seeks to vary the approved building envelopes, proposing two additional storeys on two of the three buildings in Phase 2 Stages 2 and 3 (which are yet to be constructed).

The proposed increase in the building envelope will also result in an increase in the number of dwellings within Phase 2 Stages 2 and 3 from the current approved 181 units to 218 units. Further, the proposed increase in the number of storeys will change the maximum RLs imposed on the two buildings within Phase 2 Stages 2 and 3 by way of the current Concept Plan approval from a maximum of RL19.5 to RL25.5 and from a maximum of RL32.8 to RL39.9.

The modified Concept Plan proposal has been assessed with regard to the Director General's Environmental Assessment requirements issued for the original Concept Plan, including the compliance of the modified proposal with the environmental planning instruments, policies and guidelines which currently apply to the proposal. The key issues have been assessed as summarised below:

- **Built form and urban design** – the proposed modifications to the buildings will result in a development that is entirely consistent with the local context. The revised height and scale of the modified buildings will be compatible with the height and scale of both the existing and approved buildings within the immediately surrounding area.
- **Environmental and residential amenity** – a comprehensive assessment of the potential shadow impacts of the additional two storeys has concluded that the proposal is acceptable from a solar access perspective. Further, the visual and acoustic impacts will comply with relevant controls and are considered appropriate.
- **Transport and accessibility** – the traffic impact assessment, including a review of the local road network and analysis of the road network capacity, concluded that the transport and accessibility impacts are insignificant and no further management/mitigation measures are required.
- **Social impacts** – the modified proposal will increase the number of dwellings and provide apartment typologies that meet the needs of the existing and likely future residential population. Accordingly, it is considered that the modified proposal would have a positive social impact.
- **Ecologically sustainable development** – the proposed modifications will not result in any changes to the approved ESD measures. The future development application for the modified Phase 2 Stages 2 and 3 development proposal would be accompanied by an updated BASIX certificate.
- **Contributions** – development contributions for the additional dwellings will be provided under the executed voluntary planning agreement (VPA) associated with the Concept Plan approval and/or the Canterbury Development Contributions Plan 2013. The breakdown of contributions is to be determined through further discussions with Council regarding remaining credits available within the VPA.
- **Drainage and flooding** – the proposed modifications will not result in any additional surface area and as such, will not have any impacts with regard to drainage and flooding.

- **Utilities** – it is not expected that the 34 additional apartments would result in any significant impacts or demands with regard to the utilities infrastructure.
- **Waste** – the future development, comprising the amended Phase 2 Stages 2 and 3 buildings, would comply with the provisions of the Concept Plan approval and Council's DCP.
- **Consultation** – Housing NSW has been consulted as the current owner of the property and the adjoining and nearby social housing units. Further consultation is also proposed to be undertaken with the Riverwood Community Centre as the liaison body for local residents.

Overall, it is considered that the proposed modification will not result in any significant adverse environmental, social or economic impacts and it will result in a number of benefits to the local community. As such, it is concluded that the modification is worthy of approval.

1 Introduction

This Section 75W application is lodged on behalf of Payce Communities Pty Ltd under the Transitional Part 3A provisions of the Environmental Planning and Assessment Act 1979 to amend the Concept Plan for the Riverwood North Residential Renewal Project (Determination No MP 10_0167, dated 15 July 2011).

This report includes the following information:

- Detailed description of the site, its context and approvals history, having particular regard to the key influences on the proposed modifications.
- A comprehensive description of the proposed modifications, including the proposed amendments to the current conditions of the Concept Plan approval.
- Planning compliance assessment taking into account the environmental planning instruments, policies and guidelines relevant to the site and the proposed modification.
- Assessment of the relevant key issues listed in the Director General's Requirements dated 4 November 2010 for the preparation of the Environmental Assessment for the original Concept Plan application.

This planning report has been prepared based on the following updated plans and specialist reports which have been lodged with the Section 75W application:

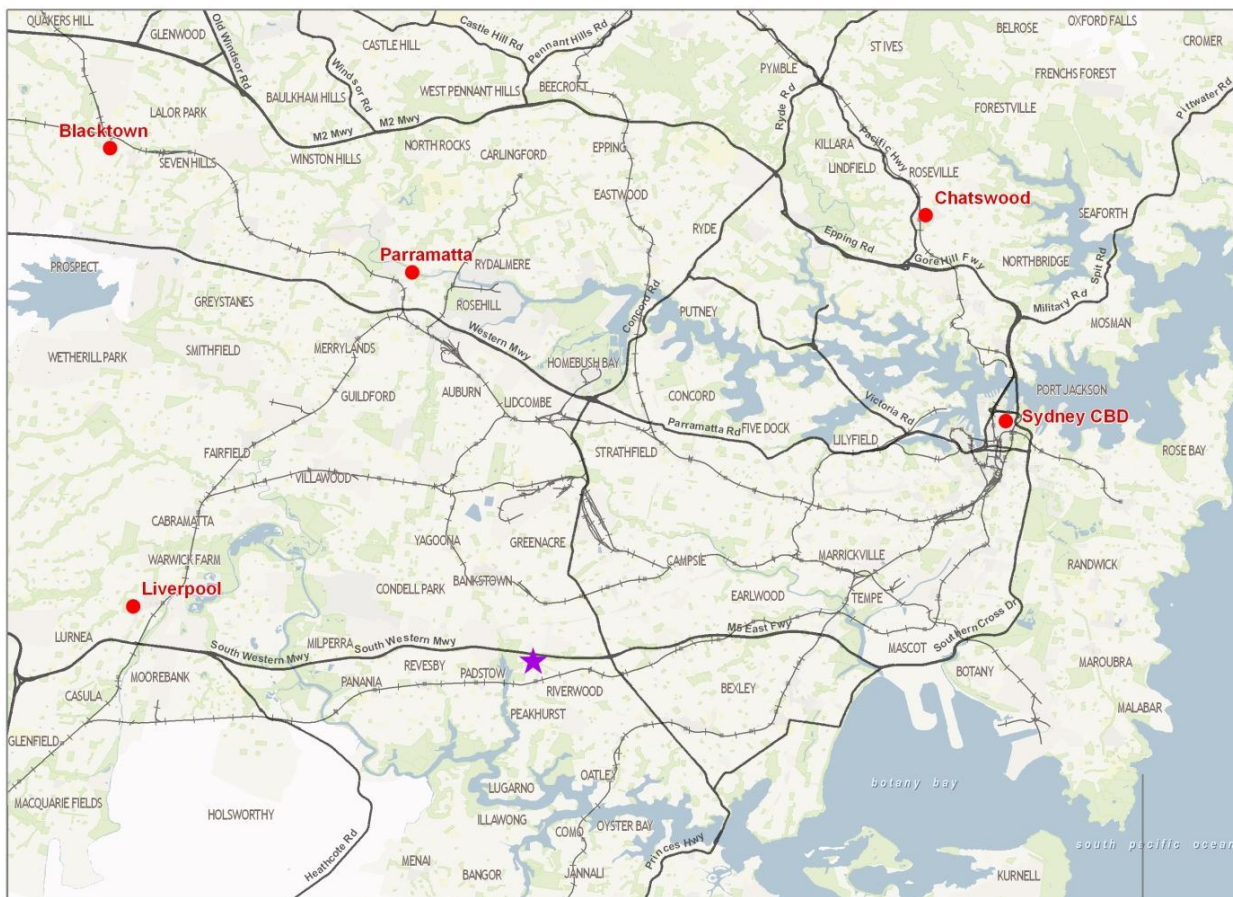
- Updated Concept Plan drawings prepared by Turner Studio (refer to **Appendix A**).
- Updated drawings – Modified Building C, prepared by Turner Studio (refer to **Appendix B**).
- Amended Concept Plan Application Traffic and Parking Assessment Report prepared by Varga Traffic Planning Pty Ltd (refer to **Appendix C**).
- Updated Design Statement prepared by Turner Studio (refer to **Appendix D**).
- Social Impact Statement prepared by Urbis (refer to **Appendix E**).

2 Site Context

2.1 REGIONAL CONTEXT

Riverwood is located approximately 14 kilometres southwest of the Sydney Central Business District, approximately four kilometres southeast of Bankstown and six kilometres northwest of Hurstville, shown below in **Figure 1**.

FIGURE 1 – REGIONAL CONTEXT PLAN (URBIS)



The key features of the regional context are described below:

- The M5 Motorway is 200 metres to the north. The existing on and off ramps are to the west, with provision for future on and off ramps to the east. Belmore Road runs in a north-south direction and provides access to the M5 and the sub-arterial road network, including Canterbury Road to the north and Henry Lawson Drive to the south.
- Riverwood railway station is located approximately 600 metres south and provides access to the Sydney Central Business District, Sydney Airport and stations along the Airport and East Hills line.
- The Major Centres in closest proximity of the site are Bankstown and Hurstville, each of which is easily accessible by local bus services and within 30 minutes travelling by public transport. The development site is also located in close proximity of the Specialised Centres of Sydney Airport, which is accessible by rail, and Bankstown Airport-Milperra, which is accessible by private vehicle.

2.2 LOCAL CONTEXT

The land to the southeast, south and west of the renewal area is also owned by Housing NSW. Two residential flat buildings with eight residential storeys and undercroft car parking are located to the south on the opposite side of Washington Avenue, with three storey walk-up flat buildings to the southeast and west. The land immediately to the east comprises Salt Pan Creek Reserve and the Riverwood Community Centre. The residential area further east of Belmore Road includes predominantly one and two storey detached dwellings.

FIGURE 2 – LOCALITY PLAN



Riverwood shops are located approximately 300 metres to the south. This traditional retail strip provides access to a range of local convenience based retail, personal and commercial services. Riverwood Plaza is located further south and includes Woolworths and Coles, Go-Lo, Australia Post and specialty shops.

The site benefits from excellent access to public transport, with Riverwood railway station located 600 metres to the south and local bus services providing links to other centres seven days per week:

- Route 940 – Hurstville to Bankstown via Penshurst, Narwee, Riverwood and Punchbowl.
- Route 944 – Hurstville to Bankstown via Penshurst, Mortdale, Peakhurst Heights, Riverwood, Narwee, Roselands and Punchbowl.
- Route 945 – Hurstville to Bankstown via Penshurst, Mortdale, Riverwood and South Bankstown.

Routes 940 and 945 travel along Belmore Road, which is less than 200 metres from the renewal area. Route 944 travels through the development site, with bus stops located along Kentucky Road.

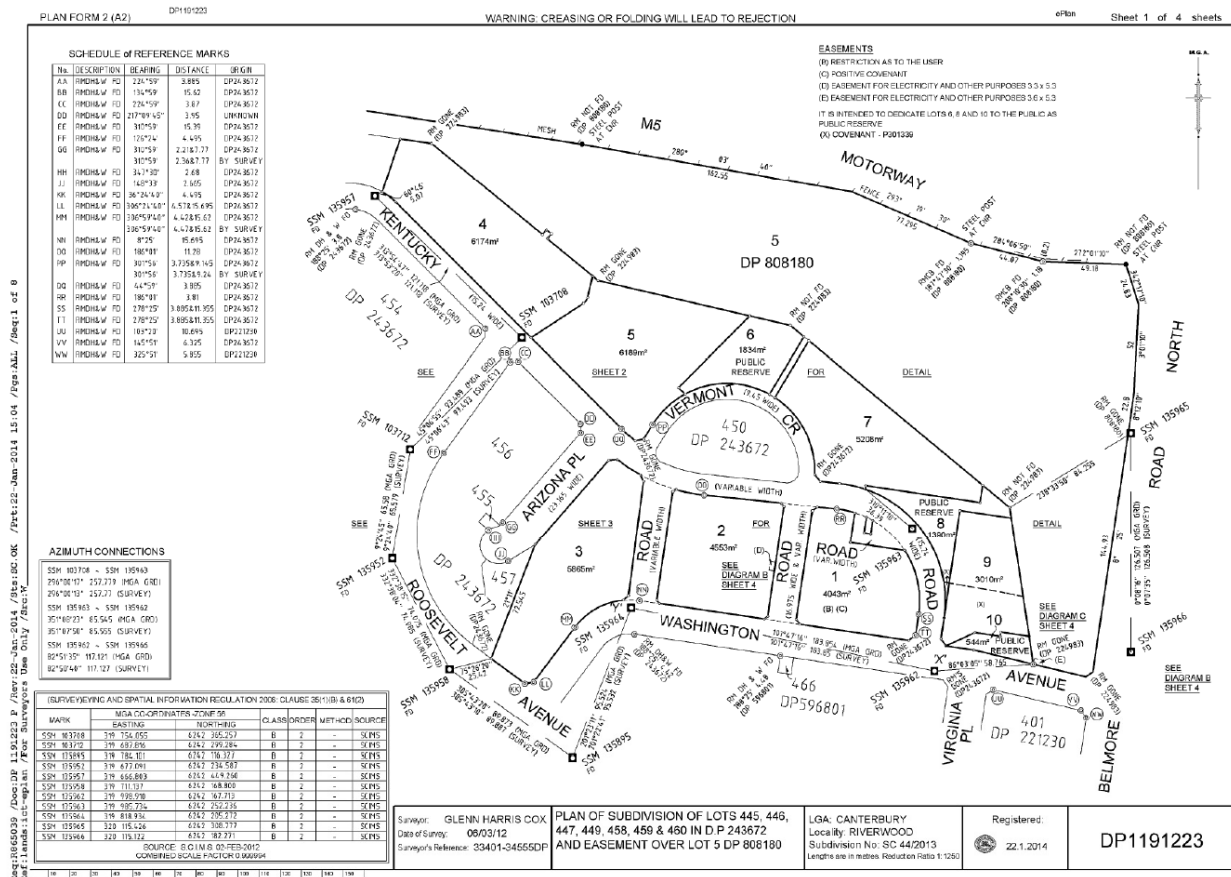
Riverwood has a distinctive demographic profile when compared with the rest of the Canterbury LGA. According to the 2011 Census, 31% of households were lone person households, compared to 21% of dwellings across the Canterbury LGA. Similarly, 35% of Riverwood residents are aged 55 or over, compared to 24% of all Canterbury residents.

2.3 SITE DESCRIPTION

The Riverwood North Residential Renewal Project comprises an area of 3.55 hectares generally bound by Salt Pan Creek Reserve to the north and east, Washington Avenue to the south and residential development to the west.

The portion of the renewal area subject to the proposed modification is identified in the Concept Plan approval as Phase 2, Stages 2 and 3. It has a total area of 5,208m² and is identified as Lot 7 in Deposited Plan 1191223, as approved as part of the Phase 1 Project Application and registered in January 2014 (refer below). The land is generally bound by Salt Pan Creek Reserve to the north and east and the balance of the renewal area to the south and west. The existing and future development includes the garden square immediately to the south (Lot 8), with the library and senior citizens centre and upper level apartments (social and private) adjoining the garden square (Lot 9). Public open spaces are located to the west and south-west (Lots 6 and 450) with existing residential apartment buildings to the south on the opposite side of Kentucky Road (Lot 1).

FIGURE 3 – REGISTERED SUBDIVISION PLAN



2.4 APPROVALS HISTORY

The Concept Plan for the Riverwood North Residential Renewal Project (Major Project No 10_0167) was approved by the Planning and Assessment Committee (the PAC), as a delegate of the Minister for Planning and Infrastructure (the Minister), on the 15 July 2011. The approval granted consent for the following:

- staged redevelopment of the site for residential purposes;
- 650 dwellings comprised of a minimum of 150 social housing dwellings and 500 privately owned dwellings;
- 63,500m² of GFA and 'building envelopes' (including height and floor space ratio);

- *car parking, landscaping, open space, and other necessary infrastructure; and*
- *public domain improvements.*

Since the determination of the Concept Plan, the following Section 75W modifications, Project Applications and development applications (DAs) have also been approved:

- A Section 75W modification was approved by the PAC on 29 September 2011 for modified building heights.
- A Project Application for Phase 1 relating to the social housing component; a super lot subdivision to create development lots for the future development phases; and public domain improvements was approved by the PAC on 22 November 2011.
- A DA for Phase 2 Stage 1 was approved on 13 March 2013, following the execution of the Voluntary Planning Agreement (VPA). This DA included the construction of 200 private apartments within two residential flat buildings. The proposed development also includes basement car parking and on-site landscaping.
- The DA for Phase 2 Stage 4 was also approved on 13 March 2013, following the execution of the VPA. The DA included 192 private apartments within two residential flat buildings, basement car parking and on-site landscaping.
- A DA for the demolition and construction of a mixed use building including an educational establishment, and residential flat building comprising 27 social housing units and 68 privately owned units, car parking, associated site works and subdivision was approved by the Joint Regional Planning Panel (JRPP) in April 2013. The DA was lodged under Part 4 as it is located partly outside of the Concept Plan approval boundary.
- A second Section 75W modification was approved by the Minister under delegation 28 June 2013. It increased the total number of dwellings from 650 to 723 and the total gross floor area from 63,500m² to 65,681m².
- The two DAs for Phase 2 Stages 1 and 4 were modified on 17 September 2013. The modification of Phase 2 Stage 1 DA resulted in a reduction of three units by the conversion of some studios to one and three bedroom units and a minor increase in GFA of 231m². The modification of Phase 2 Stage 4 DA 2013 approved a number of minor design changes, including:
 - Increase in gross floor area of 633m².
 - Reduction in overall height of the building by 105mm due to the adjusted floor levels from improvements to the structural system and stormwater design.
 - Deletion of the partial Basement 3 level, changes to the vehicle circulation paths, a larger garbage room, and relocation of the OSD storage tanks, plant rooms and fire booster valves.
 - Minor changes to the façade designs and finishes and landscaping treatment.
- A DA for Phase 2 Stages 2 and 3 was lodged with Council on 14 November 2013. The DA included the construction of three residential flat buildings varying in height between two and eight storeys containing 177 apartments in accordance with the current Concept Plan, as well as three neighbourhood shops, basement car parking and landscaping.

This Section 75W application seeks to add two additional storeys to two of the three buildings in Phase 2 Stages 2 and 3, as outlined in the point immediately above. The third building would be constructed in accordance with the original DA and as per the current Concept Plan approval (if approved by the JRPP). A modified or amending DA would be required for the construction of the additional storeys on the other two buildings if this Section 75W application was approved by the PAC.

3 Section 75W Modification

3.1 PROPOSED MODIFICATIONS

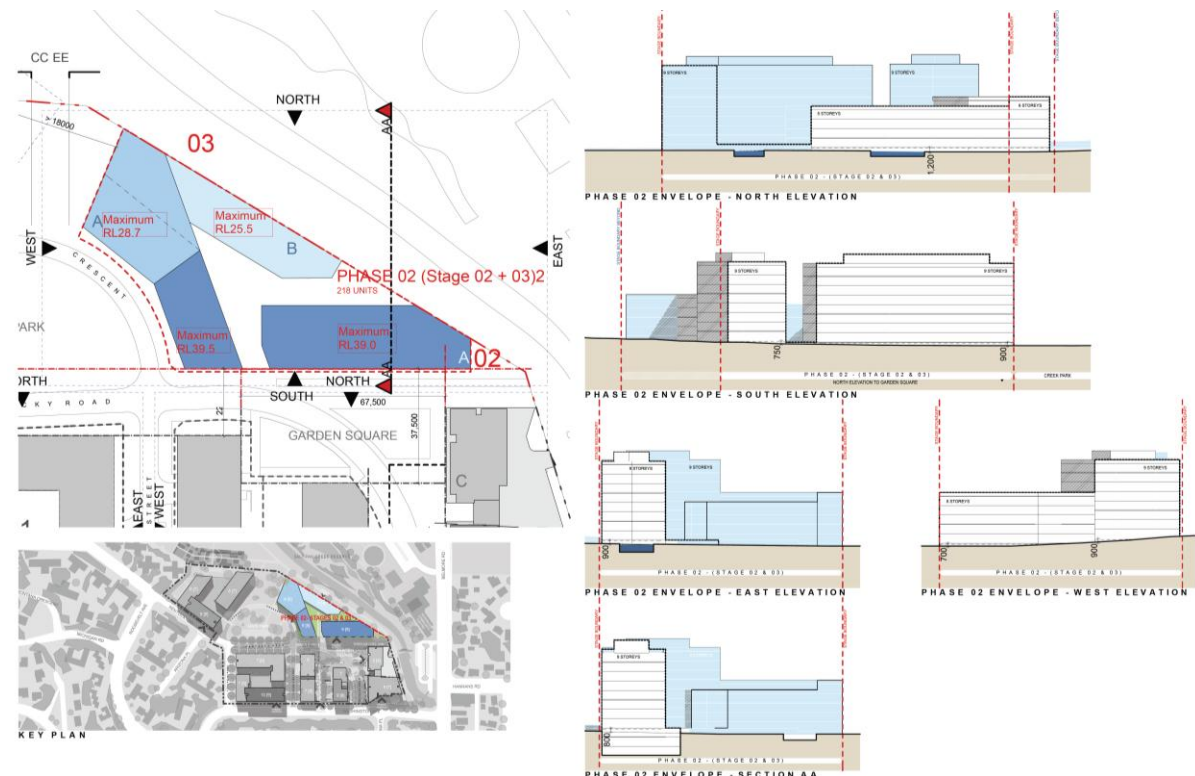
The proposed modifications to the current Concept Plan approval (as previously modified) include:

- Increasing the total number of apartments from 723 to 757 dwellings (34 additional dwellings) and the number of apartments in Phase 2 Stages 2 and 3 from 181 to 218 dwellings.
- Increasing the total gross floor area of the development within the Concept Plan approval from 65,681m² to 69,470m² and the gross floor area of Phase 2 Stages 2 and 3 from 15,901m² to 19,690m². This will also increase the floor space ratio of the approved development within Phase 2 Stages 2 and 3 from 3.0:1 to 3.8:1.
- Amendments to the approved building envelopes by adding two storeys to two of the three approved buildings in Phase 2 Stages 2 and 3. This will increase the maximum RLs imposed on the two buildings from RL19.5 to RL25.5 and from RL32.8 to RL39.9. It is noted that the proposal does not include any changes to the general siting and layout of the approved development.
- Amending Condition 11 of the Concept Plan approval to enable the payment of Section 94 Contributions for the additional dwellings, should the executed VPA not contain sufficient credits for them, in lieu of renegotiating the VPA.

The proposed modifications will require the Concept Plan approval to be updated as outlined in **Section 3.2** below. The compliance of the proposed modifications is assessed in **Section 4**. A comprehensive assessment of the key potential impacts having regard to the original Director-General’s Environmental Assessment Requirements is provided in **Section 5**.

The updated Concept Plan drawings proposed to replace the existing approved drawings (as listed in **Section 3.2** below) are attached as **Appendix A**. Additional drawings are also included to facilitate the assessment of the potential impacts of the proposed modification, including SEP65 Building Separation Diagram and Illustrative Shadow Diagrams. A reduced sized copy of the Building Envelope Diagrams for Phase 2 Stages 2 and 3 is provided below.

FIGURE 4 – BUILDING ENVELOPE DIAGRAMS_PH02_ST02&03 (TURNER STUDIO, 2013)



A second set of drawings has been prepared to enable assessment of the proposed changes within the future development context, including the modified Building C (which was approved under Part 4, as outlined in **Section 2.4**). The second set of drawings is attached as **Appendix B** and also includes a SEPP 65 Building Separation Diagram and Illustrative Shadow Diagrams. These drawings are discussed in detail within **Section 4.6** and **Section 5.2**).

3.2 JUSTIFICATION FOR THE PROPOSED MODIFICATION

Through the detailed planning and design phase of Phase 2 Stages 2 and 3, it was found that this precinct provides an opportunity to accommodate additional dwellings without adversely impacting on the amenity of adjacent precincts within the Riverwood North Residential Project site; or adjacent properties.

The proposed increase supply in dwellings will facilitate the delivery of additional dwellings within an appropriate location. Riverwood North is located in close proximity of existing retail, community and recreation services and within close proximity of high frequency public transport.

The additional dwellings will contribute towards NSW strategies for:

- Delivering a variety of housing types at an affordable price point and within a location that is close to shops, schools, transport and other services.
- Increasing the proportion of journey to work by public transport modes, due to the presence of existing public transport infrastructure, as well cycling and walking facilities within close proximity of the site.

The proposed additional apartments will increase the availability of housing stock that suits both the age, income and tenure requirements of the existing and likely future residential population.

The indicative price points for the additional one and two bedroom units is less than the current median price for Riverwood, providing additional housing at an affordable price point.

The additional dwellings are proposed within an additional two storeys over two of the three buildings within Phase 2 Stages 2 and 3. This proposed height will be consistent with the maximum height approved for the Riverwood North Residential Project site and will be at a height and scale compatible with the existing and approved buildings within the immediate surrounding area.

3.3 AMENDED CONDITIONS

To facilitate the proposed modification, several administrative wording changes to the Concept Plan approval instrument are required, including:

- Update to the description of the development in Schedule 1 and 2.
- Reference to updated architectural plans and additional specialist reports in Schedule 2.

The administrative wording changes are provided below:

Schedule 1

Change to the project description to reference updated dwelling numbers and GFA as follows (change is in bold font):

- *staged redevelopment of the site for residential purposes;*
- ***757** dwellings comprised of a minimum of 150 social housing dwellings and **627** privately owned dwellings;*
- ***69,470m²** of GFA and 'building envelopes' (including height and floor space ratio);*
- *car parking, landscaping, open space, and other necessary infrastructure; and*

- *public domain improvements.*

Schedule 2

Condition 1 to incorporate references to updated dwelling numbers and the amended GFA as follows (change in bold font):

Approval of the Riverwood North Estate Residential Renewal Project, except as modified by this approval, including but not limited to:

- (a) *staged development of the site for residential purposes;*
- (b) *a maximum **757** dwellings comprised of a minimum 150 social housing dwellings and **627** privately owned dwellings;*
- (c) *a maximum gross floor area of **69,470m²**;*
- (d) *building envelopes, including maximum heights as marked on the approved plans referred to in **Modification 3** and maximum gross floor area as follows:*

	ENVELOPE GROSS FLOOR AREA	SITE AREA	ENVELOPE FLOOR SPACE RATIO
Phase 01 (Stage 1)	11,045m ²	4,046m ²	2.7:1
Phase 01 (Stage 2)	2,243m ²	1,060m ²	2.1:1
Phase 02 (Stage 1)	18,335m ²	4,548m ²	4.0:1
Phase 02 (Stage 2 & 3)	19,690m²	5,228m ²	3.8:1
Phase 02 (Stage 4)	18,157m ²	6,151m ²	3.0:1

- (e) *car parking, landscaping, open space, and other necessary infrastructure; and*
- (f) *public domain improvements.*

Condition 2 will also need to be updated to reflect the amended documentation that has been lodged with this Section 75W application (changes/additions in bold font):

The development shall be generally in accordance with the following plans and documentation:

- (a) *Environmental Assessment titled Riverwood North Estate Residential renewal Project Environmental Assessment and Appendices prepared by Urbis, dated November 2010;*
- (b) *Preferred Project Report titled Riverwood North Estate Residential Renewal Project Preferred Project Report and Appendices prepared by Urbis, dated February 2011;*
- (c) *Section 75W to Concept Plan Approval Environmental Assessment Report prepared by Urbis, dated April 2013 and associated Appendices;*
- (d) **Section 75W to Concept Plan Approval Environmental Assessment Report prepared by Urbis, dated February 2014 and associated Appendices;**
- (e) *The following plans:*

ARCHITECTURAL (OR DESIGN) DRAWINGS PREPARED BY TURNER + ASSOCIATES

Drawing No.	Revision	Name of Plan	Date
CP104	K	PROPOSED SITE CONCEPT PLAN	15.11.2013
CP105	A	STREET LAYOUT AND PUBLIC DOMAIN PLAN	10.11.2010
CP106	J	PHASING DIAGRAM	9.04.2013
CP209	A	ILLUSTRATIVE SECTION AA & GG	10.11.2010
CP210	A	ILLUSTRATIVE SECTION BB	10.11.2010
CP211	A	ILLUSTRATIVE SECTION CC & EE	10.11.2010
CP212	L	MASSING VIEW FROM THE EAST	21.01.2014
CP213	L	MASSING VIEW FROM THE SOUTH	21.01.2014
CP214	L	MASSING VIEW FROM THE WEST	21.01.2014
CP215	L	MASSING VIEW FROM THE NORTH	21.01.2014
CP301	J	BUILDING ENVELOPE DIAGRAMS_PH 01	9.04.2013
CP302	J	BUILDING ENVELOPE DIAGRAMS_PH 02_ST01	9.04.2013
CP303	M	BUILDING ENVELOPE DIAGRAMS_PH 02_ST02&03	05.03.2014
CP304	J	BUILDING ENVELOPE DIAGRAMS_PH 02_ST04	9.04.2013
Architectural (or Design) Drawings prepared by turf			
Drawing No.	Revision	Name of Plan	Date
LA4	E	LANDSCAPE MASTER PLAN	03.02.11
LA5	E	Garden Square Detail Plan	03.02.11
LA6	B	Section A & B	03.02.11
LA7	A	Section A Detail	05.03.10
LA8	B	Section B Detail	02.11.10
LA9	B	PLANTING	18.02.10
WP1	B	WSUD OPPORTUNITIES	03.02.11
WD1	A	WSUD DETAILS	03.02.11
WD2	A	WSUD DETAILS	03.02.11

WD3	A	WSUD DETAILS	03.02.11
WD4	A	WSUD DETAILS	03.02.11

(f) *Statement of Commitments (Schedule 5); and*

(g) *The modifications contained within this approval.*

Condition 11 is to be amended to enable the payment of Section 94 contributions should the VPA , It is proposed to amend the current condition to read as follows (additions in bold font):

*The Proponent shall demonstrate that prior to lodgement of any future application for Phase 02 and beyond that a Planning Agreement between the Proponent and Council has been agreed to and that the requirements for that stage have been incorporated into the proposed works and the delivery or payment of funds would be contemplated with the relevant stage. Alternatively, if a Planning Agreement has not been entered into **or if additional dwellings are proposed that exceed the development as described in the executed Planning Agreement**, Council's Section 94 Contributions Plan will apply.*

4 Planning Compliance

4.1 NSW 2021: A PLAN TO MAKE NSW NUMBER ONE

NSW 2021 replaces the NSW State Plan which was relevant at the time of the issue of the Director-General's Requirements for the original Concept Plan application.

The proposed modifications are considered consistent with the strategy of NSW 2021 to '*place downward pressure on the cost of living*'. In particular, the proposal will facilitate the delivery of additional dwellings within an appropriate location. Riverwood North is located in close proximity of existing retail, community and recreation services and within close proximity of high frequency public transport.

It is anticipated that the proposal will also contribute to the aims '*increase the proportion of total journeys to work by public transport in the Sydney metropolitan region to 28% by 2016*' and '*increase walking and cycling*'. Again, it is considered that the existing infrastructure within close proximity of the site makes it an appropriate location for additional dwelling delivery.

4.2 DRAFT SYDNEY METROPOLITAN STRATEGY FOR SYDNEY TO 2031

Draft Sydney Metropolitan Strategy for Sydney to 2031 (Draft Metro Strategy) replaces the Sydney Metropolitan Strategy 'City of Cities' which was relevant at the time of the issue of the Director-General's Requirements for the original Concept Plan application.

The proposal is consistent with the provisions of the Draft Metro Strategy as it will contribute to the delivery a variety of housing types at an affordable price point and within a location that is close to shops, schools, transport and other services.

4.3 ENVIRONMENTAL PLANNING AND ASSESSMENT ACT 1979

Approval of the proposed modification is sought in accordance with the Transitional Part 3A provisions. Section 75W of the Environmental Planning and Assessment Act 1979 allows the proponent to request the Minister to modify the approval for a project. The Section 75W also provides for the Director-General to notify the proponent of specific environmental assessment requirements with which the application must comply.

The relevant issues raised in the Director General's Environmental Assessment Requirements (DGRs) dated 4 November 2010 have been considered in the assessment of the Section 75W application.

4.4 STATE ENVIRONMENTAL PLANNING POLICY (INFRASTRUCTURE) 2007

The proposed modifications do not have any impact with regard to the ongoing compliance of the proposal with the provisions of the Infrastructure SEPP.

The potential impacts of the 34 additional apartments has been assessed in detail by Varga Traffic Planning Pty Ltd (refer to **Appendix C**) and it is considered that the proposed additional apartments will not result in any unacceptable impacts and will not require any additional infrastructure or upgrades.

4.5 STATE ENVIRONMENTAL PLANNING POLICY NO 55 – REMEDIATION OF LAND

The proposed modifications do not have any impact on the ongoing compliance of the proposal with the provisions of the Remediation SEPP.

The original Environmental Assessment lodged within the Concept Plan application included a Stage 1 Environmental Site Assessment for the entire renewal area. Further, the Statement of Commitments requires the submission of a Phase 2 Environmental Assessment on a staged-by-stage basis.

4.6 STATE ENVIRONMENTAL PLANNING POLICY NO 65 – DESIGN QUALITY OF RESIDENTIAL FLAT BUILDINGS

A design statement has been prepared by Turner Studio to assess the modified development with regard to the ten design quality principles listed in SEPP 65 (refer to **Appendix D**). Overall, it is considered that the proposed modification will not have any significant impact with regard to the ongoing compliance of the development with SEPP 65, noting:

- The revised building height is similar to the scale of the existing and approved buildings within the immediately surrounding area.
- The approved location of the buildings is not proposed to change, nor is the original design intent that sought to provide buildings stepped in height away from the parkland.
- The revised density for Stages 2 and 3 is generally consistent with the immediately surrounding area, including Phase 1 which has a slightly higher approved floor space ratio (FSR) of 4:1.
- There will be no changes to the approved stormwater management system or landscaped treatment, noting there are no changes to the approved layout.

A detailed compliance assessment in accordance with the detailed provisions of the Residential Flat Design Code will be undertaken in association with the amending DA for Stages 2 and 3. It is anticipated that there will be no significant changes to the level of compliance with the existing DA.

4.7 GREATER METROPOLITAN REGIONAL ENVIRONMENTAL PLAN NO 2 – GEORGES RIVER CATCHMENT

The proposed modifications will not result in any change to the existing hardstand area and accordingly, will not result in any changes to the ongoing compliance of the development with the provisions of Greater Metropolitan Regional Environmental Plan No 2 – Georges River Catchment.

The approved stormwater infrastructure provisions will be adequate to accommodate the proposed development, noting that the additional two storeys will not impact upon the catchment area, the quantity of rainwater collection from the roof or the landscaped area.

4.8 CANTERBURY LOCAL ENVIRONMENTAL PLAN 2012

Canterbury Local Environmental Plan (LEP) 2012 is the current statutory local environmental plan applying to the site. The modified Concept Plan scheme addresses the relevant provisions of the LEP as follows:

- The modification does not alter the approved use which is permissible with development consent in Zone R4 High Density Residential.
- The maximum building height for the site is 11.5 metres under the provisions of the LEP which is inconsistent with the maximum building heights in the current Concept Plan approval, as well as the proposed modifications. The Section 75W application does not seek to exceed the existing approved maximum building height of nine/ten storeys (Phase 2 Stage 1).
- The land is identified a maximum floor space ratio of 0.9:1. The approved Concept Plan currently permits an FSR above the LEP for each stage as follows:
 - Phase 01 (Stage 1) 2.7:1
 - Phase 01 (Stage 2) 2.1:1
 - Phase 02 (Stage 1) 4.0:1
 - Phase 02 (Stage 2 & 3) 3.0:1

- Phase 02 (Stage 4) 3.0:1

The proposed modification will increase the FSR of Phase 2 Stages 2 and 3 to 3.8:1. Similar to the previous matter, the Section 75W application does not seek to exceed the existing approved maximum FSR control (Phase 2 Stage 1).

- The proposed modification will not change previous assessments relative to acid sulphate soils, existing drainage patterns and soil stability, the future use or redevelopment of the land, the amenity of adjoining properties and waterways. Other considerations such as the quality of the fill or the soil to be excavated; disturbance to relics and any measures proposed to mitigate impacts have already been considered in previous Concept Plan and do not change as a result of the proposed modification.

Overall, it is considered that the proposed modifications do not significantly alter the existing level of compliance (or non-compliance) of the Concept Plan approval with the LEP. While the modifications will increase the approved height and FSR of the development in Stages 2 and 3, the resultant development will remain broadly consistent with the current Concept Plan approval in terms of its built form and density and less than that already approved in Phase 2 Stage 1.

4.9 CANTERBURY DEVELOPMENT CONTROL PLAN 2012

Canterbury Development Control Plan (DCP) 2012 commenced concurrently with the LEP. The Concept Plan assessed the DCP in its previous form as individual DCPs and concluded it achieve a high degree of compliance with the objectives of the controls. Key controls for consideration are discussed below.

Part 2 Residential Neighbourhoods

The proposed amendment to the Concept Plan will not alter the existing level of compliance with the DCP controls. The proposal does not seek to make any changes to the general siting and layout of the Concept Plan development, including the approved setbacks, landscaping or site design. Further, the overall maximum height will not change as nine/ten storey buildings are already permitted elsewhere on the site. Detailed design has been undertaken in association with the preparation of the modified development application for Phase 2 Stages 2 and 3 and it is concluded that the proposed development will provide an adequate level of residential amenity for both existing and future residents.

Part 6.8 Traffic

The potential traffic impacts of the 34 additional apartments has been assessed in detail by Varga Traffic Planning Pty Ltd (refer to **Appendix B**). It is concluded that the proposed additional apartments will not result in any unacceptable impacts and will not require any additional infrastructure or upgrades.

Other DCPs and Policies

The detailed design work undertaken in association with the preparation of the development application for the last remaining stages (Phase 2 Stages 2 and 3) has given detailed consideration to addressing relevant parts of the DCP, including:

- Part 6.1 Access.
- Part 6.2 Climate and Energy.
- Part 6.3 Crime Prevention.
- Part 6.4 Flood Engineering.
- Part 6.6 Landscape.
- Part 6.9 Waste Management.

Detailed consideration has also been given to relevant Council policies, including the Stormwater Management Manual and the Contaminated Lands Policy.

Overall, the assessment of the approved Concept Plan against Council's DCP was concluded to be satisfactory and the proposed additional dwellings (and GFA) are considered appropriate for the site.

5 Assessment of Key Impacts

5.1 OVERVIEW

The Director-General's Environmental Assessment Requirements issued in association with the original Concept Plan application were reviewed to identify the key issues likely to be of relevance in the assessment of the modified proposal. These include:

- Built form and urban design
- Environmental and residential amenity
- Transport and accessibility impacts
- Social impacts
- Ecologically sustainable development
- Contributions
- Drainage and flooding
- Utilities
- Waste
- Consultation

Each of the potential impacts arising from the proposed modification is assessed in detail within the following sections of the report.

5.2 BUILT FORM AND URBAN DESIGN

A comprehensive package of architectural documentation has been prepared to compare the current proposal to the original approval and to demonstrate the appropriateness of the modified built form and design. This includes a set of replacement drawings to update the Concept Plan approval (refer to **Appendix A**), as well as a second set of drawings to assess the amended proposal within its future context, including the modified Building C (refer to **Appendix B**). A SEPP 65 Building Separation Diagram and Illustrative Shadow Diagrams have also been submitted for both the updated Concept Plan Approval drawings and the additional drawings including the modified Building C. The updated drawings clearly demonstrate that:

- The modified building heights are consistent with the height of the surrounding buildings, which include nine storey buildings in Phase 1 and Phase 2 Stage 4 and a ten storey building in Phase 2 Stage 1 (refer to Proposed Site Concept Plan Context and Analysis – CP104).
- The modified proposal sits comfortably within the locality, including the bulk, height and scale of the existing and approved buildings surrounding the development site (refer to Massing Views East South, West and North - CP 212-215).
- There will be no changes to the siting of the three buildings within the modified Stages 2 and 3 development, including the amount of hardstand and landscaped areas and as such, there will be no additional stormwater run-off or changes required to the capacity of the approved stormwater management system (refer to Building Envelope Diagrams – CP303).

Overall, it is considered that the proposed built form is entirely appropriate for the site, taking into account the site context, consistency with strategic planning policy, access to public transport and services and the positive benefits arising from the renewal, including provision of modern architecturally designed

social housing dwellings and dwellings to be available to the private market, including those at an affordable price.

5.3 ENVIRONMENTAL AND RESIDENTIAL AMENITY

5.3.1 SOLAR ACCESS AND OVERSHADOWING

Comprehensive analysis of the solar access and overshadowing has been undertaken with regard to the potential; impacts of the two additional storeys proposed within Phase 2 Stages 2 and 3. The updated illustrative shadow diagrams for the worst case scenario (21 June) indicate that there would be no significant additional impacts as outlined further below:

- The approved siting and layout of the buildings which will accommodate the additional floor space are well oriented to the north, achieving high levels of solar access.
- The proposed impacts of the additional storeys on the northern-most building in Phase 2 Stages 2 and 3 are generally contained within the development site. The additional shadows cast will not have a significant impact on the amenity of the communal open space as large area of space benefitting from direct solar access are available throughout the majority of the day.
- The proposed impacts of the additional storeys on the eastern building in Phase 2 Stages 2 and 3 are limited to a minor additional impact to the communal open space of the Phase 1 development. However, these impacts are limited to the early morning and are considered acceptable, with a large area of the space still benefitting from solar access at 9.00am and excellent solar access available to all or the majority of the space during the middle of the day. The proposed additional storeys would result in additional shadow impact on the garden square at 12.00noon, however, large areas of sunlight are still available to the north and east of the library and on the western side of Kentucky Road. The potential impact at 3.00pm is not considered to be significant, primarily affecting part of the car park for the community centre.
- The development site is located well away from adjoining properties, with all additional shadow impacts from the modified buildings being contained within the Concept Plan approval boundaries.

Overall, it is considered that the potential impacts of the additional storeys on solar access and overshadowing are considered acceptable and will comply with relevant State and local planning controls.

5.3.2 VISUAL AND ACOUSTIC PRIVACY

The modification seeks to add two storeys to two of the three buildings in Phase 2 Stages 2 and 3. The northern building allows for two habitable storeys under the current Concept Plan approval, while the eastern building may provide up to six habitable storeys.

The two additional storeys would not require any changes to the approved siting and layout of the buildings in the current Concept Plan approval. The Residential Flat Design Code (RFDC) provide for increased separation distances in proportion to building height, including recommended dimensions for buildings with 1-4 storeys, 5-8 storeys and 9+ storeys.

The separation distance requirements for both the current approval and the proposed modification are under the same scale in the RFDC, i.e. 0-4 storeys for the northern building (currently two habitable storeys, proposed to be four storeys) and 5-8 storeys for the eastern building (currently six habitable storeys, proposed to be eight storeys). Accordingly, it is considered that there is no need to increase the separation distances or modify the approved siting and layout of the buildings in Phase 2 Stages 2 and 3 to accommodate the additional storeys.

It is considered that the general compliance with the building separation distances, as demonstrated within the DA for the 'complying' Phase 2 Stages 2 and 3 development, will facilitate satisfactory levels of visual privacy for existing and future residents.

The siting and layout of the development is not proposed to change as a result of the proposed modification. Adequate separation will be retained between the buildings to achieve satisfactory levels of

acoustic privacy. Further, the 34 additional apartments are not considered likely to result in any significant additional acoustic impacts. All apartments, will be designed to address the established acoustic criteria for the site, including both the construction and operational phases of the development.

5.4 TRANSPORT AND ACCESSIBILITY IMPACTS

An Amended Concept Plan Application Traffic and Parking Assessment Report was prepared by Varga Traffic Planning Pty Ltd to identify and assess the potential transport and accessibility impacts arising from the proposed 34 additional apartments.

The traffic impact assessment was prepared in accordance with relevant legislation and transport policy, including a review of the local road network and analysis of the traffic implications in terms of the road network capacity. The report concluded:

- *the site is ideally located in close proximity to a range of walking, cycling and public transport options*
- *the site is also located in easy walking/cycling distance of a range of shops and services, including banks, post office and primary schools*
- *two new road links proposed within the site will improve permeability for pedestrians and cyclists*
- *the site is also located immediately adjacent to a shared pedestrian and bicycle path with links to Bankstown, Padstow and Kingsgrove*
- *the proposed 34 additional apartments will not have any unacceptable traffic implications in terms of road network capacity, and does not generate a need for any upgrades or road improvements, and*
- *the parking facilities incorporated in the development proposal will satisfactorily accommodate the needs of the proposed development*
- *the proposed development is consistent with the aims and objectives of the Metropolitan Transport Plan - Connecting the City of Cities, the NSW State Plan, the NSW Planning Guidelines for Walking and Cycling, the Integrated Land Use and Transport Policy Package and the NSW Bike Plan.*

Based on the above, it is considered that the transport and accessibility impacts of the modifications will be insignificant and no further management and/or mitigation measures are required as a result of the proposed additional apartments.

5.5 SOCIAL IMPACTS

The proposed modifications to the Concept Plan were assessed with regard to the potential social impacts, having regard to the existing and likely future residential population and a property demand analysis. The findings of this analysis are provided in the Social Impact Assessment attached as **Appendix E** and as summarised below:

- The proposed additional apartments will increase the availability of housing stock that suits both the age, income and tenure requirements of the existing and likely future residential population.
- The indicative price points for the additional one and two bedroom units is less than the current median price for Riverwood, providing additional housing at an affordable price point.

Overall, it is considered that the proposal will meet anticipated demand in the current and likely future population for the immediate area and the suburb of Riverwood.

5.6 ECOLOGICALLY SUSTAINABLE DEVELOPMENT

The proposed additional storeys will not have any impact with regard to the siting and layout of the development, including landscaping treatments, deep soil landscape areas and the like. Further, the two buildings which are proposed to accommodate the additional two storeys are well oriented to the north, providing for good levels of solar access.

The future development application for the modified Phase 2 Stages 2 and 3 would be accompanied by a BASIX certificate to demonstrate the ongoing compliance of the development with environmental requirements, including solar access, natural ventilation and the like.

5.7 DEVELOPMENT CONTRIBUTIONS

A VPA has been entered into for the development under Condition 11 of the Concept Plan approval. Rather than amending the executed VPA to reflect the proposed modification to the Concept Plan, it is proposed to amend Condition 11 to facilitate the payment of Section 94 infrastructure contributions for any additional dwellings beyond those covered by credits in the executed VPA:

*The Proponent shall demonstrate that prior to lodgement of any future application for Phase 02 and beyond that a Planning Agreement between the Proponent and Council has been agreed to and that the requirements for that stage have been incorporated into the proposed works and the delivery or payment of funds would be contemplated with the relevant stage. Alternatively, if a Planning Agreement has not been entered into **or if additional dwellings are proposed that exceed the development as described in the executed Planning Agreement**, Council's Section 94 Contributions Plan will apply.*

The applicant and Council have been involved in ongoing discussions to determine the quantum of development which is covered by the terms of the executed VPA. Given this, the balance of development contribution credits under the VPA is still to be determined.

As such, contributions for the additional dwellings as part of the proposed Concept Plan modification would, in the first instance, be made through any unused credits under the executed VPA. Any further contribution requirements would be made under the Canterbury Development Contributions Plan 2013, rather than amending the terms of the executed VPA.

The current contributions are listed in Section 1.3 of the Canterbury Development Contributions Plan 2013 as shown in Table 1.

TABLE 1 – SECTION 94 CONTRIBUTION RATES

DEVELOPMENT	COMMUNITY FACILITIES	OPEN SPACE AND RECREATION	PLAN ADMINISTRATION	TOTAL
1 bed units	\$762	\$7,449	\$214	\$8,426
2 bed units	\$1,190	\$11,631	\$335	\$13,156
3+ bed units	\$1,639	\$16,020	\$461	\$18,120

It is anticipated that the payment of further contributions (either under the VPA or the Development Contributions Plan 2013) would be based on the changes to the dwelling mix in the original development application lodged for Phase 2 Stages 2 and 3 compared to the dwelling mix proposed in the amended development application to be lodged in accordance with this modified approval.

5.8 DRAINAGE AND FLOODING

The proposed additional storeys would not result in any changes to the amount of hardstand and accordingly, there would not be any additional impacts on stormwater drainage or flooding or a need for additional on-site stormwater detention, water sensitive urban design measures or the like.

5.9 UTILITIES

It is not expected that the 34 additional apartments would result in any significant impacts or demands with regards to utilities infrastructure (i.e. water, sewer, electricity, gas or telecommunications).

5.10 WASTE

All future development (i.e. amended Phase 2 Stages 2 and 3) would be required to comply with Condition 12 of the Concept Plan approval, which was added following the most recent modification and reads:

All future applications shall address the waste management controls and guidelines in council's DCP.

5.11 CONSULTATION

Housing NSW has been consulted as the current owner of the property and the adjoining and nearby social housing units. Further consultation has been undertaken with the Riverwood Community Centre as the liaison body for local residents.

6 Conclusion

The proposed modification seeks to provide two additional storeys to two of the buildings in the last remaining stage of the Concept Plan approval (Phase 2 Stages 2 and 3), increasing the dwelling yield to a total of 757 apartments and increasing the total gross floor area of the overall renewal scheme to 69,470m².

This application has been prepared in accordance with the transitional Part 3A provisions and has demonstrated that the proposed modifications will not substantially change the approved development. The proposed modifications will not alter the previous level of compliance with the relevant environmental planning instruments, policies and guidelines. Further the potential impacts of the proposed modifications are considered to be minor and unlikely to affect the existing amenity of the locality.

Overall, the proposal is considered to be satisfactory and acceptable for the following reasons:

- The proposed additional GFA will not result in any unacceptable transport and traffic impacts and will not require any additional infrastructure or upgrades.
- The additional apartments will result in increased housing opportunities including a mixture of dwelling typologies that will meet the needs of the current and likely future population.
- The additional building heights will not result in unacceptable overshadowing impacts, with adequate solar access provided to both the private and public domain during the 'worst case scenario' at the winter solstice on 21 June.
- The proposed modifications will not result in any changes to the approved siting and layout of the approved buildings, minimising the impact on the existing planned stormwater infrastructure and landscape improvements.
- Development contributions for the additional dwellings under the modified Concept Plan approval would be made under the executed VPA or, should there be no further development credits available under the VPA, under the Canterbury Development Contributions Plan 2013. The status of contributions credits are currently being resolved by the applicant and Council, and would the appropriate contribution method would need to be resolved prior to occupation.

Based on the above, it is considered that the modifications are appropriate and are worthy of approval.

Disclaimer

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Appendix A

Updated Concept Plan Drawings

Appendix B

Updated Drawings – Modified Building C

Appendix C

Amended Traffic and Parking Assessment Report

Appendix D

Updated Design Verification
Statement

Appendix E

Social Impact Statement

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