

21 December 2018

Our Ref: P-17171

Department of Planning and Environment

Level 15, 320 Pitt Street

SYDNEY NSW 2000

Joel.Herbert@planning.nsw.gov.au

Attention: Joel Herbert

Dear Joel,

RE: RESPONSE TO QUERIES IN RELATION TO S75W MODIFICATION OF CONCEPT APPROVAL FOR MAJORS BAY MP 10_0154 (MOD 3)

We refer to the Section 75W Modification application (MP 10_0154 (MOD 3)) that is currently being assessed by the Department of Planning and Environment (DoPE), and the DoPE's email dated 8 November 2018.

On behalf of the Applicant (Bennett Hilly Development Pty Ltd), the following provides a response to the matters raised in the the email.

Outline why the plant room/services spaces are no longer required for the operation of the building

The proposal does not include the removal of any services in the basement/parking level where the gymnasium is to be located. The proposal will require the re-location of the existing bulk storage room and various other changes as discussed in this letter.

The extent of the services room where the medical centre is to be located is not required as the plant equipment has been made more efficient than originally anticipated. Therefore, the space of the services room that was approved can be reduced. See Figure 1 which demonstrates the amendments to the floor level proposed, compared to the original large approved services room.

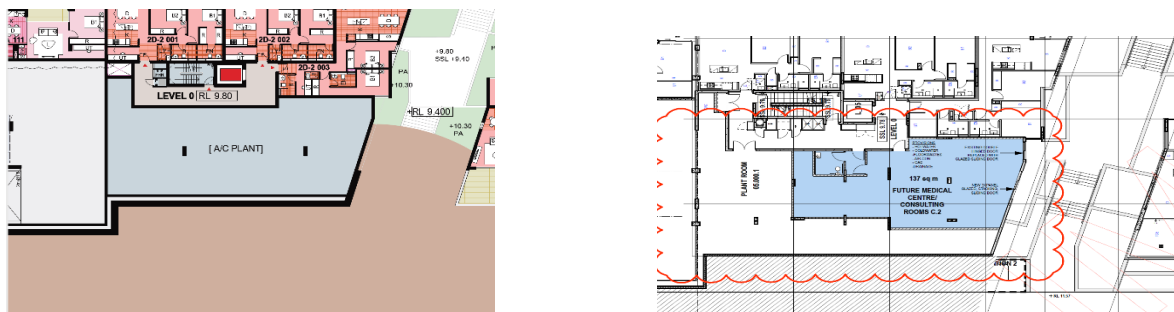


Figure 1: Existing approved services room (left) and proposed plan

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M:\Projects\CP2017\17-171 Majors Bay Stage 1\6. Post Lodgement\5. RFI DoPE No 1\Response_181221.docx

Outline the suitability of the spaces to accommodate the proposed uses, particularly with regards to street access, how customers would locate the premises, if street signage would be required.

The gymnasium will be accessed via Bennett Street, and through a door that will be located adjacent the driveway. A 1.2m wide footpath can be constructed adjacent to the driveway also, making this an accessible access. Cars will also enter the site via Bennett Street, and park within the basement next to the gymnasium. A door is also located within the basement allowing direct access into the gymnasium. Signage for the gymnasium can be placed on the driveway walls and on a small awning that will be located over the doorway, so that it is visible from the public domain.

The Medical Centre will be accessed via Hilly Street and Bennett Street via the stairs located between the buildings. A platform lift can be installed next to the stairs providing disabled access to the medical centre as per the attached sketch at **Annexure 1** (SK-181205-1). A disabled parking space is located within the basement level, and disabled customers can then access the medical centre via the existing lift from the basement carpark. Signage for the medical centre can be located on a small awning above the doorway of the premise and/or on the side of the building and will be visible from the public domain and Hilly Street.

Signage will form part of any future Development Application (DA).

Overall, the site is considered suitable for the uses with regards to street access and customers locating the premises.

Clearly outline how secure pedestrian and vehicle access to the site will be provided.

See comments above regarding pedestrian and vehicle access.

In addition, please find attached marked up plans which demonstrate the location of a 1.2m wide footpath and railing adjacent to the driveway. This will provide secure access to the gymnasium for customers coming by foot, and will ensure that there is no conflict between pedestrians and vehicles entering/exiting the driveway.

The basement access is fitted with a roller door, which will be shut when the gymnasium is not in use. As noted in our correspondence dated 25 June 2018, the residential parking section of the basement level can be fitted with a security fence and roller door to prevent unauthorised access to the remainder of the residential parking levels.

The medical centre will be locked shut when it is outside of operating hours.

Demonstrate how disabled access would be provided.

Design Confidence (Accessibility Consultants) have provided a statement concluding that the building is capable of complying with the required accessibility standards, and have outlined how this will be provided under the future DA. Refer to **Annexure 2** for additional detail.

Outline what changes are proposed within the basement to accommodate the additional carparking spaces.

The changes to the basement parking level are summarised below:

- The development provides 420 car spaces, but the controls only require 413 paces. Accordingly, 7 surplus spaces will be allocated to the new uses. The new uses requires a total of 21 spaces, so an additional 14 new spaces are proposed in the basement (i.e. total of 21 spaces for the new uses) as demonstrated on the attached sketch plans at **Annexure 1**.

- The entry floor in front of the gymnasium will need to be increased in level by including a new ramp from the external footpath into the building to provide disabled access to the gymnasium. Refer to the sketch plans (SK 181204-2) which demonstrates a new footpath for entry/egress that is accessible.
- The bulk storage room will be re-located within the basement, noting it will be increased in size.
- Access to the temporary waste collection room will be provided via the existing doors adjacent to the driveway, and will no longer be accessed within the basement.
- The removal of excess residential storage cages within the basement, noting that this does not affect consistency with SEPP 65 requirements for storage. All required storage cages for the proposal have already been allocated to the respective units.
- Installation of a security fence and gates between the proposed parking for the gymnasium/medical centre and the remaining residential parking spaces.
- Installation of security measures to ensure access to the building is limited to the intended occupants/users.
- A new stair/platform lift will also be provided adjacent the existing stairs to provide accessible entry/egress to the medical centre from Hilly Street.

Any issues with amenity and hours of operation of the proposed 24hr gym and medical centre.

The operating hours of the gymnasium are currently unknown, and will be subject to the future provider. In the event the gymnasium is to operate 24hrs per day, the potential noise and vibration impacts will be reviewed at DA stage. Suitable measures will be undertaken to ensure that the residential units located within the building will not be adversely impacted.

Elaborate on which SEPP 65 requirements the proposal is capable of complying with? (pg. 20)

SEPP 65 applies to residential flat building development. The proposed uses will not affect consistency with the approved building and its consistency with the SEPP 65.

We trust that the above responses are satisfactory for the DoPE to continue their assessment of the application. If there are any queries, please do not hesitate to contact the undersigned on (02) 8270 3500.

Yours Sincerely,



Susan E Francis

EXECUTIVE DIRECTOR



City Plan Strategy & Development P/L
ABN 58 133 501 774



**ANNEXURE 1
SKETCH PLANS**

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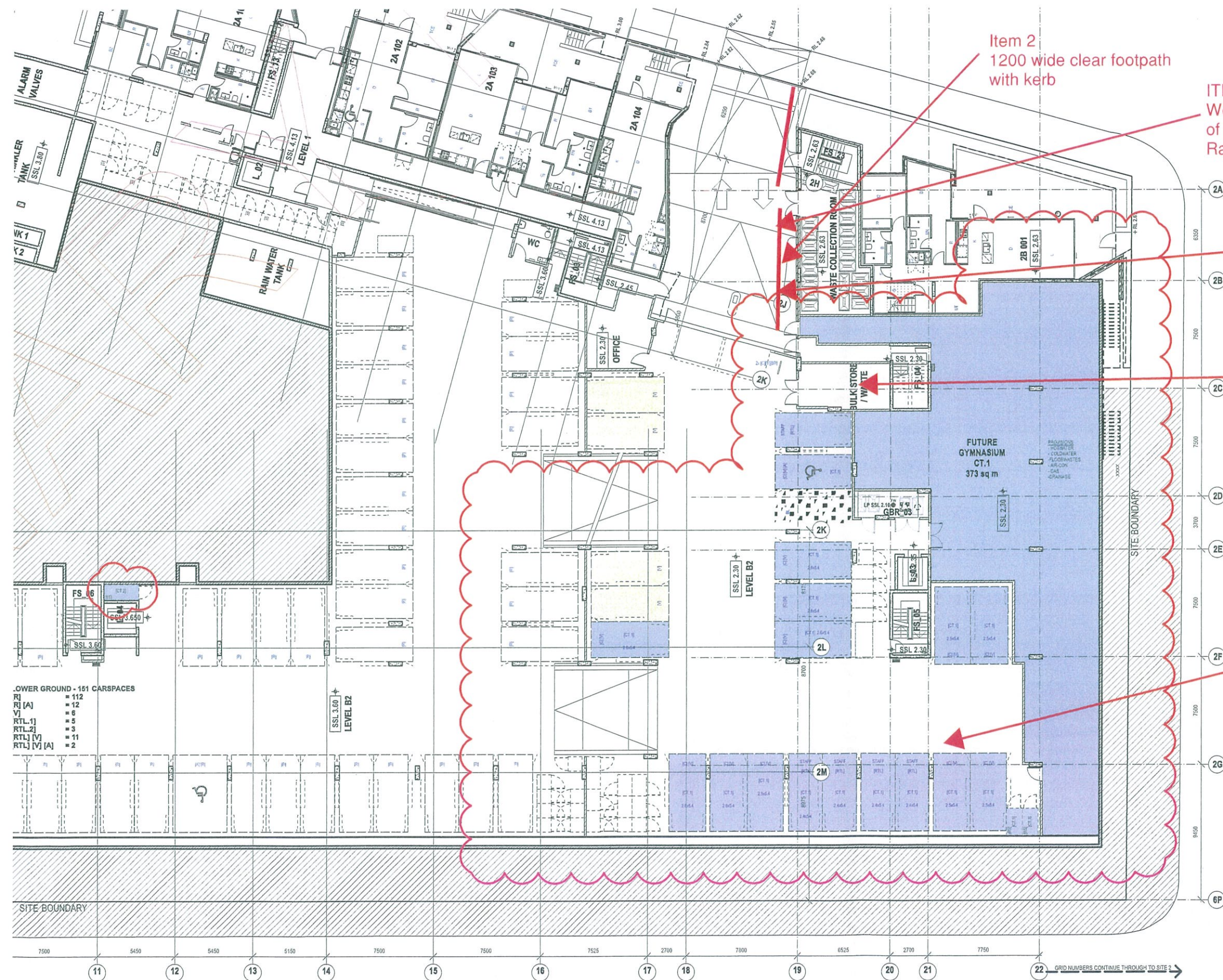
LANDSCAPE ARCHITECT
TURF
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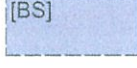


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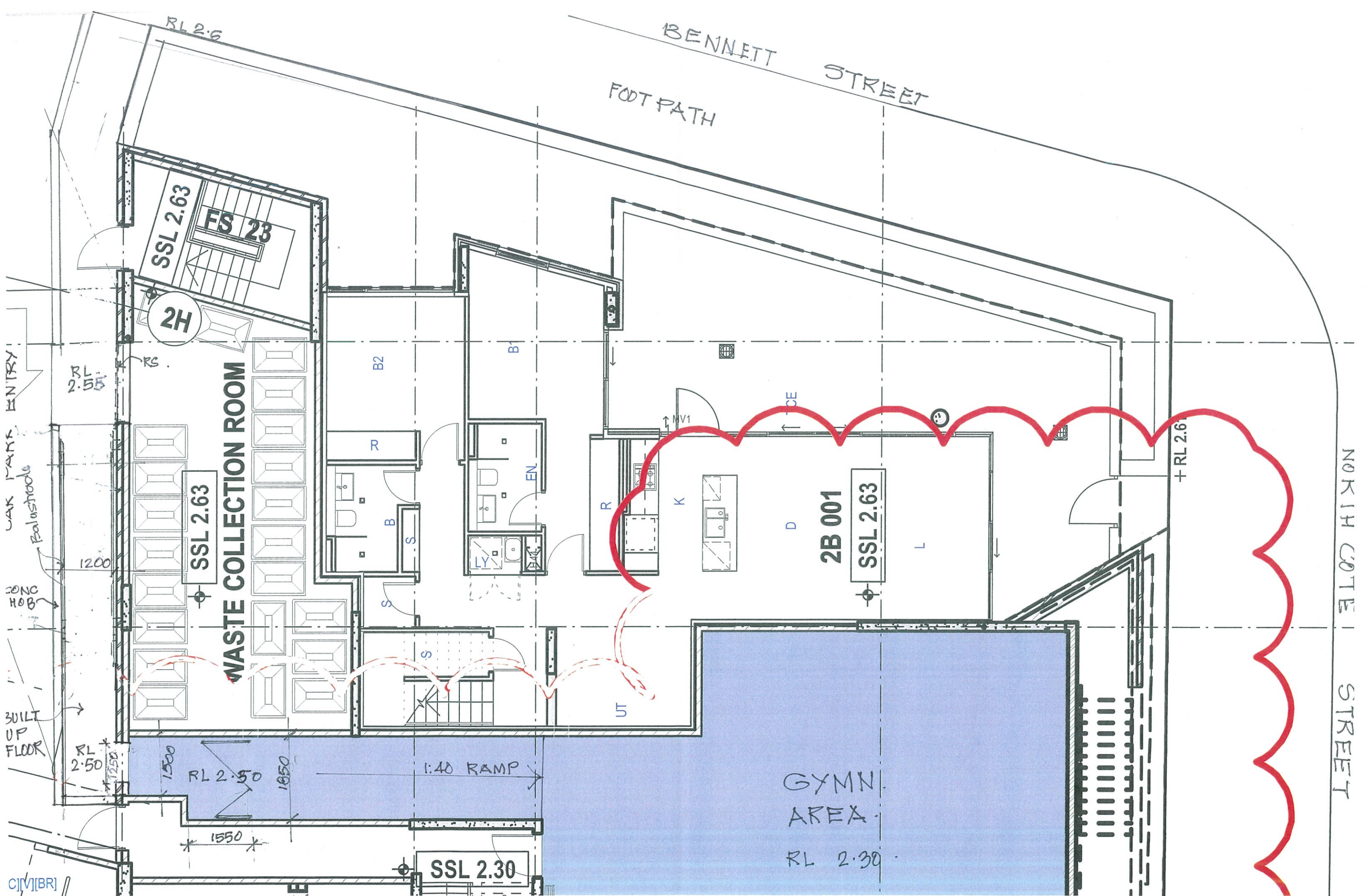


-  RESIDENTIAL [R] CARSPACES
-  RESIDENTIAL VISITOR [R] [V] & RESIDENTIAL VISITOR ACCESSIBLE CARSPACES
-  RESIDENTIAL ACCESSIBLE [R] [A] CARSPACES
-  COMMERCIAL STAFF [C], VISITOR [C] COMMERCIAL VISITOR ACCESSIBLE CARSPACES
-  PROPOSED COMMERCIAL TENANCY [CT.1] & [CT.2]
-  PROPOSED COMMERCIAL TENANCY BICYCLE STORAGE CAGES
-  PROPOSED COMMERCIAL VISITOR BICYCLE RACKS
-  PROPOSED COMMERCIAL STAFF BICYCLE STORAGE CAGES

FUTURE CONCEP
DEVELOPMENT F

HOLDMARK.

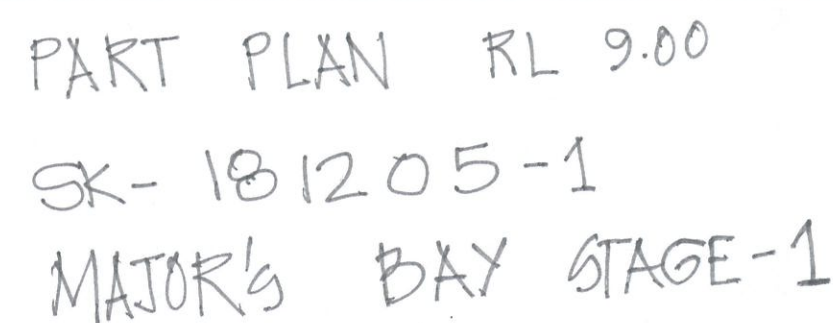
MAJOR'S BAY DEVELOPMENT
SK-18/204-1
Part of GA RL 3.00.

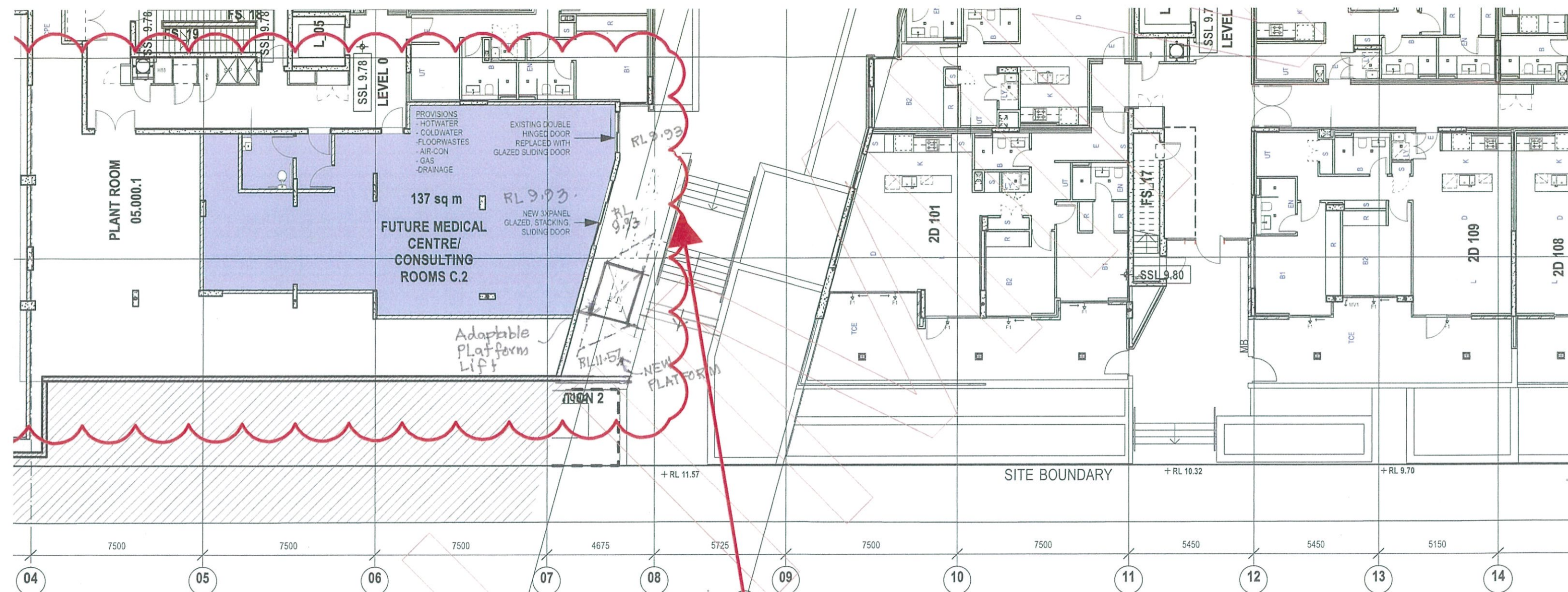


MAJOR'S BAY DEVELOPMENT
HOLDMARK

PART PLAN
1 LEVEL RL 3.00

SK-181204-2.
STAGE 1. MORTLAKE





HILLY STREET

Item 7
Accessible stair Lift for
Access from Hilly street
footpath

OPTION- PLATFORM LIFT
PART PLAN RL 9.00.

SK-181205-1.
MAJOR'S BAY



City Plan Strategy & Development P/L
ABN 58 133 501 774



ANNEXURE 2
ACCESS STATEMENT

20 December 2018

Our Ref: P213_198

Bennett Hilly Development Pty Ltd
c/o – City Plan Services
Suite 6.02 | 120 Sussex Street
SYDNEY NSW 2000

Attention: Michael Watson

Re: Majors Bay Development – Medical Centre and Gymnasium
Access Capability Statement for Section 75W Modification Concept Approval – 10_0154 (MOD 3)

1. Introduction

An assessment of the subject development proposed amendments has been undertaken by Design Confidence on behalf of Bennett Hilly Development Pty Ltd (the 'Applicant'). This assessment has been prepared in support of the Section 75W modification application currently with the Department of Planning for approval, specifically the proposed change of use to areas within the ground floor such that it can be used as a gymnasium and medical centre.

2. Background

Design Confidence has been engaged to act as the access consultant regarding the compliance status of the proposed development when assessed against the relevant prescriptive requirements as contained within the Building Code of Australia (BCA) 2016 – Volume 1, specifically Part D3 *Access for People with a Disability*, Part E3.6 *Passenger Lifts* and Part F2.4 *Accessible Sanitary Facilities*.

This statement has been provided to accompany the Section 75W Application. An assessment has been undertaken of the proposed design amendments (as detailed within the documentation provided to this office via email on the 05 December 2018).

Design Confidence has been involved in the project since the inception of the development and has recently assisted the client with achieving practical completion via the issuance of the relevant occupation certificates, the advice and reports to date have also been provided in the context of the following standards and policy documentation—

- » Building Code of Australia (BCA) 2016;
- » AS1428.1-2009 Design for access and mobility Part 1: General requirements for access – New building work;
- » State Environment Planning Policy (Housing for Seniors or People with a Disability) 2004.
- » AS/NZS 2890.6:2009 Parking facilities Part 6: off-street parking for people with a disability; and
- » AS17.35.12-1999 – Lifts, escalators and moving walks Part 12: facilities for persons with disabilities.

As we understand it the amendments, related to BCA Part D3 are as follows—

- » Conversion of ~137sqm of existing building space for use as a medical centre;
- » Conversion of ~373sqm of existing building space for use as a gymnasium

3. Assessment

The subject development was originally designed as a residential development which consisted of numerous individual external pathways from the boundary allotments to each building / core. The incorporation of the new uses within the building and there public nature change the accessibility approach as the accessible routes used for the residential buildings cannot be relied upon for the proposed public spaces as t secured space and not meant for public access.

Notwithstanding the above, the subject uses are proposed to be located at or near ground floor level and are located around the perimeter edges of the building, hence the provision of an accessible routes is feasible.

Medical Centre

With respect to the Medical Centre the predominant route for persons wanting to access this space would be via Hilly Street. Currently a stairway is provided between the street level and what will be the main entry to the space and whilst the stairway has been provided with accessible features and fittings compliant with AS1428.1-2009 it is not traversable for wheelchair users in its current state, notwithstanding this compliant access can still be provided via further works which would be the additional of platform lift, refer to Figure 1 below.



Figure 1 – Proposed Accessible Route

Gymnasium

With respect to the Gymnasium it is understand that customers will be able to access the space via two independent routes, the first being direct access from Bennett Street via an external pathway which is on-grade, this route currently acts as the egress route from the subject space, however no concern is held with the existing egress route also serving as the gym entry.

The second means of entry will be from the carpark which will be provided with carparking specifically for the use of gym patrons, at least one of these carparking spaces will be accessible.

4. Summary

Our strategy for ensuring compliance will be refined and documented over the coming months in conjunction with the continual development of the architectural documentation.

We are of the opinion that compliance can be achieved, in accordance with the requirements for Class 5 and 9b building/parts as per the BCA.

We trust that the above information is sufficient for the Consent Authority in assessing the merit architectural design from a planning perspective in the context of this Section s75W application. This statement should not be construed as relieving any other parties of their legislative obligations. Design Confidence possess Indemnity Insurance to the satisfaction of the building owner.

Yours Faithfully,

A handwritten signature in black ink, appearing to read "LS", with a stylized flourish at the end.

Luke Sheehy

Principal

For Design Confidence (Sydney) Pty Ltd