

4 April 2019

Our Ref: P-17171

Department of Planning and Environment

Level 15, 320 Pitt Street

SYDNEY NSW 2000

Michelle.Niles@planning.nsw.gov.au

Attention: Michelle Niles

Dear Michelle,

**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 21 February 2019.

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

The previous use of the spaces associated with the car parking for the proposed gym and hospital. I understand from your application that 7 spaces were surplus parking spaces from the required spaces for the apartment building DA, however there are an additional 14 spaces which have been accommodated within the basement envelope. Please provide a copy of the latest approved stamped plans for the residential building.

The approved building is required to provide no less than 413 car parking spaces to satisfy the parking condition under condition 54 of the consent for DA513/2013 (as modified). The building, as constructed, contains 418 car parking spaces within the development, which exceeds the parking requirements of the consent by five (5) spaces. This has been confirmed by Stanbury Traffic Planning Pty upon further investigation of the existing building as outlined in the Traffic Statement at **Annexure 1**. The original s75W application incorrectly indicated that there were 420 existing car parking spaces within the building. Of relevance, the northern portion of the basement (hatched with red at **Annexure 1**) on the Lower Ground floor where the gymnasium is to be located is currently vacant of car parking spaces, and the parking spaces in this location are not included in the 418 spaces referred to in the Traffic Statement. **Figure 1** also gives an indication of the existing parking arrangements in this location.

As such, the proposed gymnasium will need to reduce in size so that the existing building can accommodate the required parking spaces for the future DA. On this basis the proposed gymnasium is sought to be reduced to 330m² (from 373m² originally proposed). This proposal will attract an overall parking rate of 19 car parking spaces (15 spaces for the gymnasium and 4 spaces for the medical centre). Thus, an additional fourteen (14) car parking spaces are required within the building to accommodate the proposed gymnasium

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M:\Projects\CP2017\17-171 Majors Bay Stage 1\6. Post Lodgement\6. RFI DoPE No 2\Response_190404.docx

and medical centre uses. These additional car parking spaces can be accommodated in the general location of the proposed gymnasium on the lower ground level, as demonstrated below in **Figure 1** which shows a total of fifteen (15) additional spaces surrounding the gymnasium.

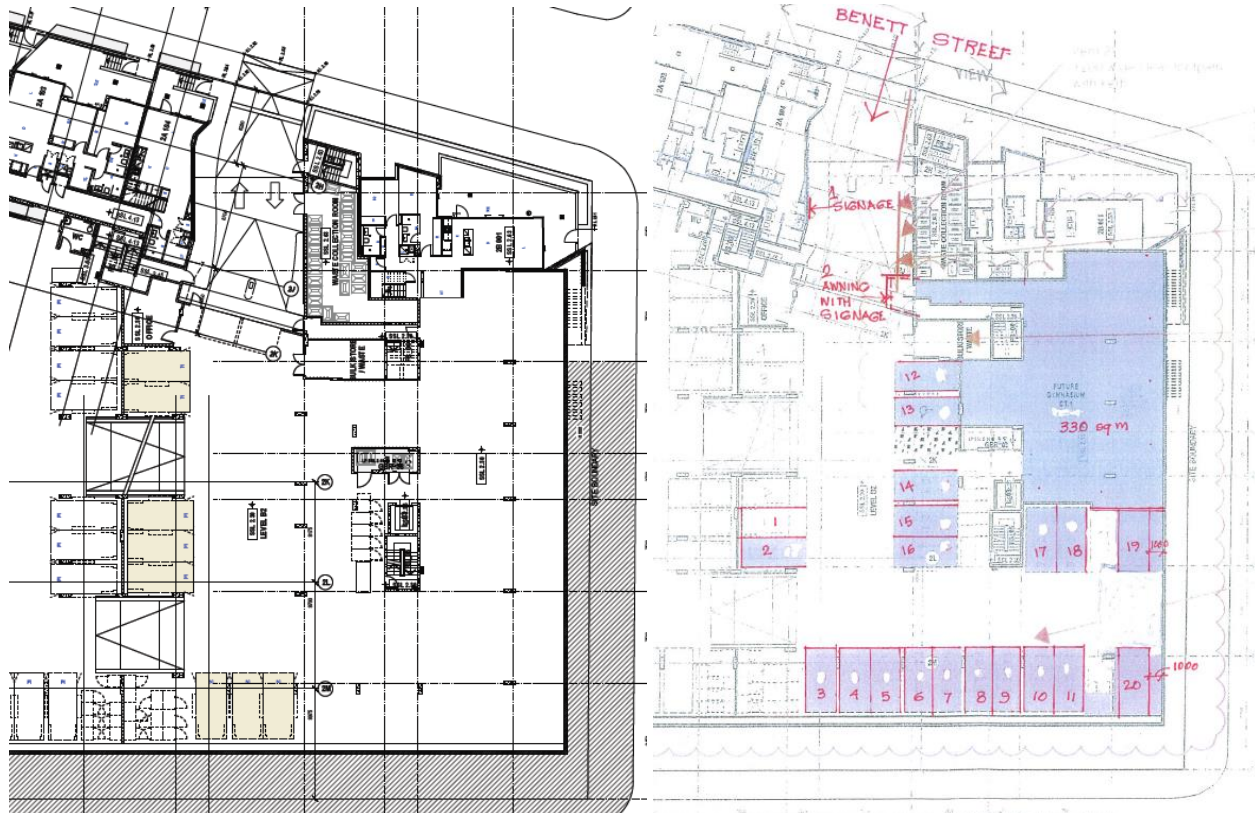


Figure 1: Existing Parking Arrangement in the location of the proposed Gymnasium on Lower Ground Level (left) and the indicative location of the proposed parking (right) (Source: Turner/Holdmark)

The original s75W application proposed modification to Condition 6A (Schedule 3) to include car parking rates within the Concept Approval Conditions. If these conditions were incorporated into the Consent, it would ensure the required parking spaces for the proposed uses were incorporated into the building. The condition could also state that "the parking for any gymnasium and medical centre are to be incorporated on the Lower Ground Level" to ensure they are located where they are indicated on the architectural plans by Turner Architects.

With the abovementioned changes to the proposal's total GFA being reduced to 467m² (reduced from 510m²), conditions A1 and A6 of the Concept Approval will also need to be modified as follows:

Condition A1 (Part A)

- A1 Concept approval is granted to the development as described below:
- use of the site for the purpose of residential apartments, **non-residential uses (Precinct 2 only)**, and associated open space;
 - indicative building envelopes for 16 buildings ranging from three to seven storeys;
 - basement level car parking zones and car parking rates;
 - publicly accessible open space and through site links;
 - a maximum GFA of ~~44,939m²~~ **45,406m²** across the site;
 - pedestrian and cycle networks through the site;
 - street upgrades to public roads and upgrade to stormwater and drainage systems.

Condition A6

Site	Site Area	Precinct (GFA m ²)	GFA (m ²)	FSR
Site 1	10,803	Precinct 2 (15,542) 16,009 Precinct 6 (5,230)	20,772 21,239	1.92:1 1.97:1
Site 2	2,911	Precinct 5 (2,167)	2,167	0.74:1
Site 3	16,352	Precinct 1 (2,793) Precinct 3 (4,806) Precinct 4 (14,401)	22,000	1.35:1
Total	30,066	44,939 45,406	44,939 45,406	1.49:1 1.51:1

In addition to the above, the Concept Architectural Drawings that accompanied the original s75W application have been updated to reflect the revised total GFA for the development (see **Annexure 4**).

A statement from an acoustic consultant verifying that residential properties will not be adversely affected by the modification and which outlines the possible design or building methods which may need to be considered to ensure amenity is maintained to the residential component of the development.

An Acoustic Statement has been prepared by Acouras Consultancy and is provided at **Annexure 2**. The Acoustic Statement notes the following:

"From our experience and provided the above noise control measures are implemented, any noise associated with the gymnasium would be well controlled within the basement carpark. Once details of the use and operation have been finalised with the operator, a further detailed acoustic assessment can be done to ensure any noise impacts is minimised to surrounding apartments within the development."

Accordingly, the Acoustic Statement confirms that the gymnasium can be accommodated within the basement, and suitable noise mitigation measures can be incorporated as part of any future DA.

The possible location of signage required for the uses.

Please refer to **Annexure 3**, which indicates possible locations of signage for the proposed uses. As per our letter dated 18 December 2018, 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. 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. Please refer to **Annexure 3** which has indicatively shown the location of signage. Any future DA will seek consent for signage, and the appropriateness of the signage in terms of its details/location/scale/materials will be assessed at this stage.

Consideration and assessment of any privacy impacts to the residential uses associated with the modification, particularly when pedestrians access the uses.Medical Centre

The predominant access to the medical centre will be via common stairs between the building connecting to Bennett Street and Hilly Street. These stairs are currently accessible by the general public and the residents of the building. The proposed addition of the medical centre will not have any adverse amenity impacts to the existing residential units within the development, particularly given the size of the medical centre. The most sensitive residential unit from the medical centre is the unit that is adjacent the medical centre entry on Level 0. To minimise additional privacy impacts, the proposed entry to the medical centre could be located further away from the adjacent window, as well as the introduction of privacy screens to the units windows as indicatively shown on the sketch plans prepared at **Annexure 3**

Visitors who utilise the disabled car parking space can access the medical centre via the lift from the parking area located on the Lower Ground Level, and through the lobby on Level 0. The lift access will be limited to disabled visitors only, and therefore, will have minimal impact to the amenity of the residents on this level.

Gymnasium

The pedestrian access to the gymnasium will be via the public footpath located on Bennett Street and adjacent to the driveway. Residential privacy will not be impacted as a result of the proposed pedestrian access to the gymnasium.

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
TRAFFIC STATEMENT AND CONSTRUCTED PLANS



21 March, 2019

Holdmark
Suite 2, 2-4 Giffnock Avenue
Macquarie Park
NSW 2113

Attention: Kamal Uppal, Senior Design Coordinator

Dear Sir,

ASSESSMENT OF PARKING PROVISION
ASSOCIATED WITH SECTION 75W MODIFICATION TO
APPROVED MAJORS BAY – STAGE 1 DEVELOPMENT

Reference is made to our recent discussions and your request for this Practice to undertake an assessment of the parking considerations associated with a Section 75W application to modify Stage 1 of the approved Majors Bay Development at Mortlake.

APPROVED / CONSTRUCTED PARKING PROVISION

Stage 1 of the Majors Bay Development, bound by Hilly Street, Northcote Street, Bennett Street and Edwin Street, was approved to provide a minimum of 413 vehicle parking spaces.

An audit of the construction plans prepared by Turner (Drawing No. A1-110-001 – A1-110-005, Revision 4) however indicates that 418 parking spaces are provided, thereby resulting in five (5) spaces over and above that required in accordance with the relevant consent.

Further, a large portion of the northern end of the lower ground parking level, capable of accommodating notable additional parking, remains vacant.

PROPOSED MODIFICATION

It is now proposed the Stage 1 development be modified to provide a gymnasium and medical centre providing floor areas of 330m² and 137m², respectively, over and above that previously approved.

The additional tenancies are proposed to be serviced, in part, by the reallocation and reconfiguration of the five (5) unallocated parking spaces already provided within the development. Further, additional parking is to be provided within the current vacant northern portion of the lower ground level of the development, immediately adjacent to the new gymnasium tenancy, whereby an additional 15 spaces are proposed.

The total vehicular parking provision to be allocated to the new tenancies, over and above that approved to service the Stage 1 development is therefore proposed to be 20 spaces.

SCOPE OF ASSESSMENT

This aim of this assessment is to investigate and report upon the suitability or otherwise of the parking provision and layout servicing the new gymnasium and medical centre tenancies.

ASSESSMENT OF PARKING PROVISION

Assessment of the parking provision proposed to be allocated to the new uses is required to be undertaken with respect to Canada Bay Council's City Wide Development Control Plan (City Wide DCP). Part C of the City Wide DCP provides the following parking requirements relevant to the subject application:

Gymnasiums

7.5 spaces per 100m² gross floor area (desirable)

4.5 spaces per 100m² gross floor area (minimum)

Medical Centres

1 space for each medical practitioner, plus

1 space for each 2 non-medical practitioner employees, plus

1 patient space for every 2 specialists

The small scale of the proposed gymnasium in conjunction with its location within a peninsula (without any significant passing / through traffic) is such that it is envisaged to primarily service the immediately surrounding residential development. A significant portion of visitors to the gymnasium are accordingly expected to walk to the and from the site, thereby not generating demand for car parking. It is accordingly considered reasonable that the abovementioned minimum City Wide DCP parking requirement for gymnasiums of 4.5 spaces per 100m² gross floor area be applied to the subject application. In consideration of this and the previously presented capacity of the medical centre to accommodate two consulting rooms and space for two support staff, the following calculations are provided with respect to the subject application:

Gymnasium

$$4.5(330\text{m}^2 / 100\text{m}^2) = 14.9 \text{ (adopt 15) spaces}$$

Medical Centre

$$(2 \times 1) + (2 / 2) + (1 / 1) = 4 \text{ spaces}$$

The new uses are therefore required to be serviced by a total of 19 vehicular spaces over and above that previously approved, comprising 15 spaces for the gymnasium component and four (4) spaces for the medical centre.

The vehicular parking provision proposed to be allocated to the new gymnasium and medical centre tenancies of 20 spaces therefore exceeds the minimum requirements of the City Wide DCP and accordingly, is considered to be satisfactory.

CONCLUSION

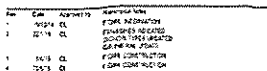
This correspondence assesses the adequacy or otherwise of the proposed parking provision servicing new gymnasium and medical centre tenancies to be provided within Stage 1 of the Majors Bay development. Based on the findings of this assessment, it is concluded that the proposed vehicular parking to be allocated to the new tenancies, over and above that previously approved, complies with the minimum requirements specified within the City Wide DCP and is accordingly considered to be satisfactory.

Submitted for your consideration.

Yours sincerely,



Morgan Stanbury
Director
Traffic Engineer

[illegible]



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Project Title
MAJORS BAY DEVELOPMENT SITE 1
Mortlake NSW 2137

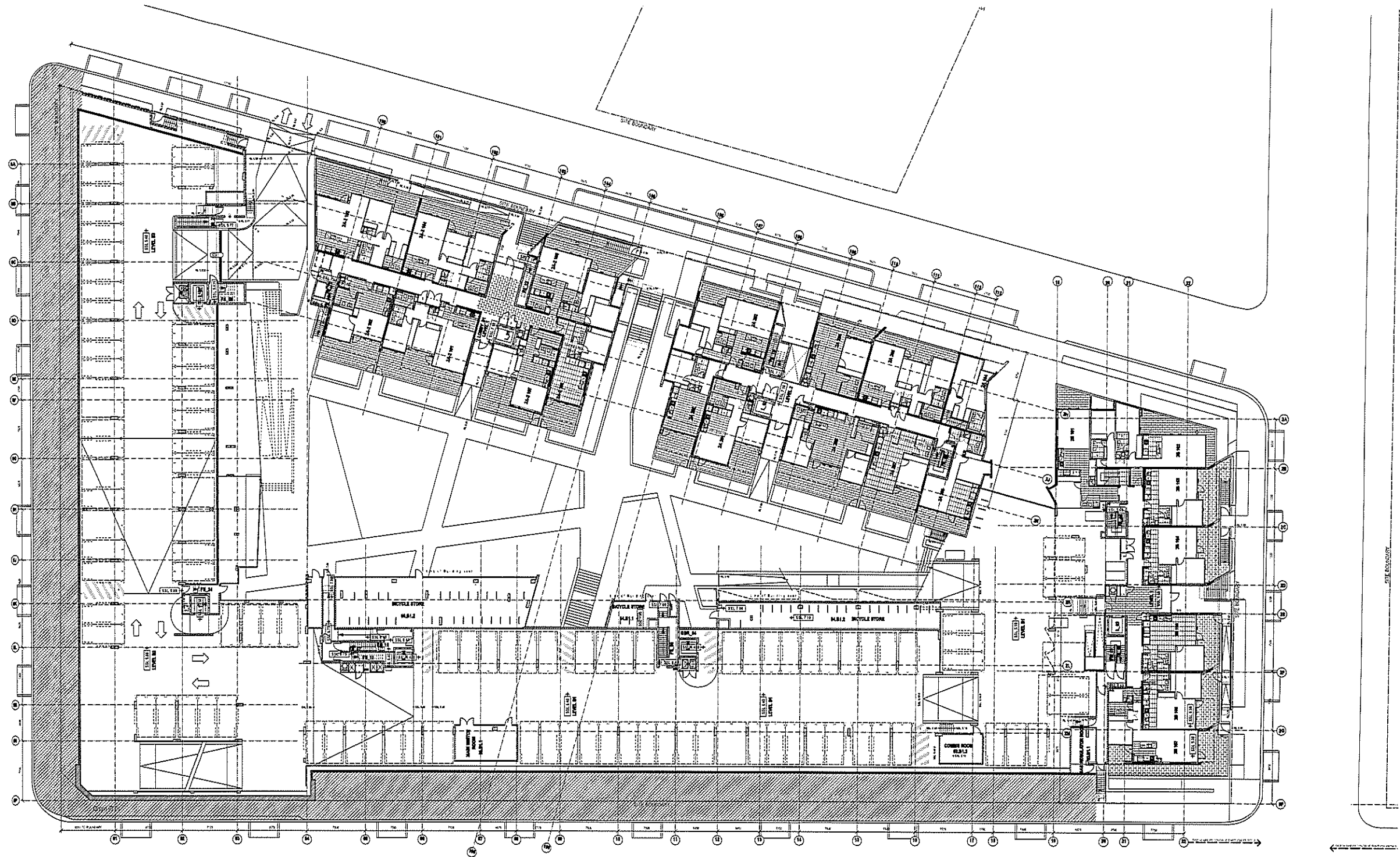
Drawing Title
GA Overall Plan_RL 03.80

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Status: FOR CONSTRUCTION

Project No. 13042
Drawing No. A1-110-002

Drawn by DS, CD
Rev 4

North



REV	DATE	DESCRIPTION	BY	CHK
1	10/10/10	ISSUED FOR PERMIT	XXX	YYY
2	10/10/10	REVISED TO SHOW	XXX	YYY
3	10/10/10	REVISED TO SHOW	XXX	YYY
4	10/10/10	REVISED TO SHOW	XXX	YYY

PROJECT INFORMATION		PROJECT INFORMATION	
1. PROJECT NAME	MAJORS BAY DEVELOPMENT SITE 1	1. PROJECT NAME	MAJORS BAY DEVELOPMENT SITE 1
2. PROJECT ADDRESS	1000 MAJORS BAY DRIVE, SUITE 100, DALLAS, TEXAS 75201	2. PROJECT ADDRESS	1000 MAJORS BAY DRIVE, SUITE 100, DALLAS, TEXAS 75201
3. PROJECT OWNER	MAJORS BAY DEVELOPMENT, LLC	3. PROJECT OWNER	MAJORS BAY DEVELOPMENT, LLC
4. PROJECT MANAGER	JOHN DOE	4. PROJECT MANAGER	JOHN DOE
5. PROJECT ARCHITECT	ABC ARCHITECTS, P.C.	5. PROJECT ARCHITECT	ABC ARCHITECTS, P.C.
6. PROJECT ENGINEER	DEF ENGINEERING, P.C.	6. PROJECT ENGINEER	DEF ENGINEERING, P.C.
7. PROJECT LANDSCAPE ARCHITECT	GHI LANDSCAPE ARCHITECTS, P.C.	7. PROJECT LANDSCAPE ARCHITECT	GHI LANDSCAPE ARCHITECTS, P.C.
8. PROJECT CIVIL ENGINEER	JKL CIVIL ENGINEERS, P.C.	8. PROJECT CIVIL ENGINEER	JKL CIVIL ENGINEERS, P.C.
9. PROJECT MECHANICAL ENGINEER	MNO MECHANICAL ENGINEERS, P.C.	9. PROJECT MECHANICAL ENGINEER	MNO MECHANICAL ENGINEERS, P.C.
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11. PROJECT PLUMBING ENGINEER	RST PLUMBING ENGINEERS, P.C.	11. PROJECT PLUMBING ENGINEER	RST PLUMBING ENGINEERS, P.C.
12. PROJECT STRUCTURAL ENGINEER	UVW STRUCTURAL ENGINEERS, P.C.	12. PROJECT STRUCTURAL ENGINEER	UVW STRUCTURAL ENGINEERS, P.C.
13. PROJECT GEOTECHNICAL ENGINEER	XYZ GEOTECHNICAL ENGINEERS, P.C.	13. PROJECT GEOTECHNICAL ENGINEER	XYZ GEOTECHNICAL ENGINEERS, P.C.
14. PROJECT ENVIRONMENTAL ENGINEER	ABC ENVIRONMENTAL ENGINEERS, P.C.	14. PROJECT ENVIRONMENTAL ENGINEER	ABC ENVIRONMENTAL ENGINEERS, P.C.
15. PROJECT HISTORIC PRESERVATION	DEF HISTORIC PRESERVATION, P.C.	15. PROJECT HISTORIC PRESERVATION	DEF HISTORIC PRESERVATION, P.C.
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17. PROJECT UTILITIES ENGINEER	JKL UTILITIES ENGINEERS, P.C.	17. PROJECT UTILITIES ENGINEER	JKL UTILITIES ENGINEERS, P.C.
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19. PROJECT OTHER	PQR OTHER, P.C.	19. PROJECT OTHER	PQR OTHER, P.C.
20. PROJECT OTHER	RST OTHER, P.C.	20. PROJECT OTHER	RST OTHER, P.C.

CONSTRUCTION: GROUND

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1	10/12/11	CL	FOR INFORMATION
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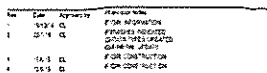
MAJORS BAY DEVELOPMENT SITE 1
GA Overall Plan, RL 00.00

Scale	1:200	Sheet	13042
Drawn By	GA-SP-042	Checked By	GA-SP-042
For Construction	13042	Drawn By	GA-SP-042

MAJORS BAY DEVELOPMENT SITE 1
GA Overall Plan, RL 00.00

MAJORS BAY DEVELOPMENT SITE 1
GA Overall Plan, RL 00.00

CONSTRUCTION: UPPER GROUND

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



ANNEXURE 2
ACOUSTIC STATEMENT

Attention: Kamal Uppal

Company: Holdmark

From: Fu Siong Hie

Date: 21/03/2019

Subject: Stage 1 Majors Bay Development, Mortlake - Acoustic Review of Gymnasium

Document Reference: SYD2013-1010-R008A

Kamal,

On behalf of Holdmark, Acouras Consultancy Pty Ltd has been requested to provide an acoustic statement as part of the 75W application on the potential for noise impact associated with the proposed gymnasium located on the basement level of Stage 1 Majors Bay Development, Mortlake.

As part of the submission, the Department of Planning has raised the following the requirement:

"a statement from an acoustic consultant verifying that residential properties will not be adversely affected by the modification and which outlines the possible design or building methods which may need to be considered to ensure amenity is maintained to the residential component of the development"

At this stage, details of the operation and use of the gymnasium have not been finalised until a suitable operator is engaged. The gym could accommodate up to 20 people and is not expected to be open 24hrs. The following are standard operating hours, however this could change subject to operator:

- Monday to Friday – 7.00am to 10.00pm.
- Saturday to Sunday – 8.00am to 8.00pm.

Typically, this type of gymnasium will have treadmills, weight lifting stations and other fixed equipment but does not have exercise or aerobics classes. Any audio from music or TV will be accessed individually by headphones supplied by the operator.

Holdmark

Stage 1 Majors Bay Development, Mortlake - Acoustic Review of Gymnasium
SYD2013-1010-R008A

21/03/2019

To prevent any noise impact to the surround residents with the development the following noise control measures (or a combination) should be considered as part of the design:

- Provided impact isolation mats/pads underneath all exercises and weight lifting equipment. We do not recommend free weights.
- The concrete slab above is at least 250mm thick. Below the concrete slab, provide a suspended plasterboard ceiling and acoustic insulation.
- Provide acoustic absorption panels to the walls and ceiling.

From our experience and provide the above noise control measures are implemented, any noise associated with the gymnasium would be well controlled within the basement carpark. Once details of the use and operation have been finalised with the operator, a further detail acoustic assessment can be done to ensure any noise impact is minimised to surround apartments within the development.

Regards,



Fu Siong Hie, B.Eng, MAAS

Principal Consultant

Email: f.hie@acouras.com.au

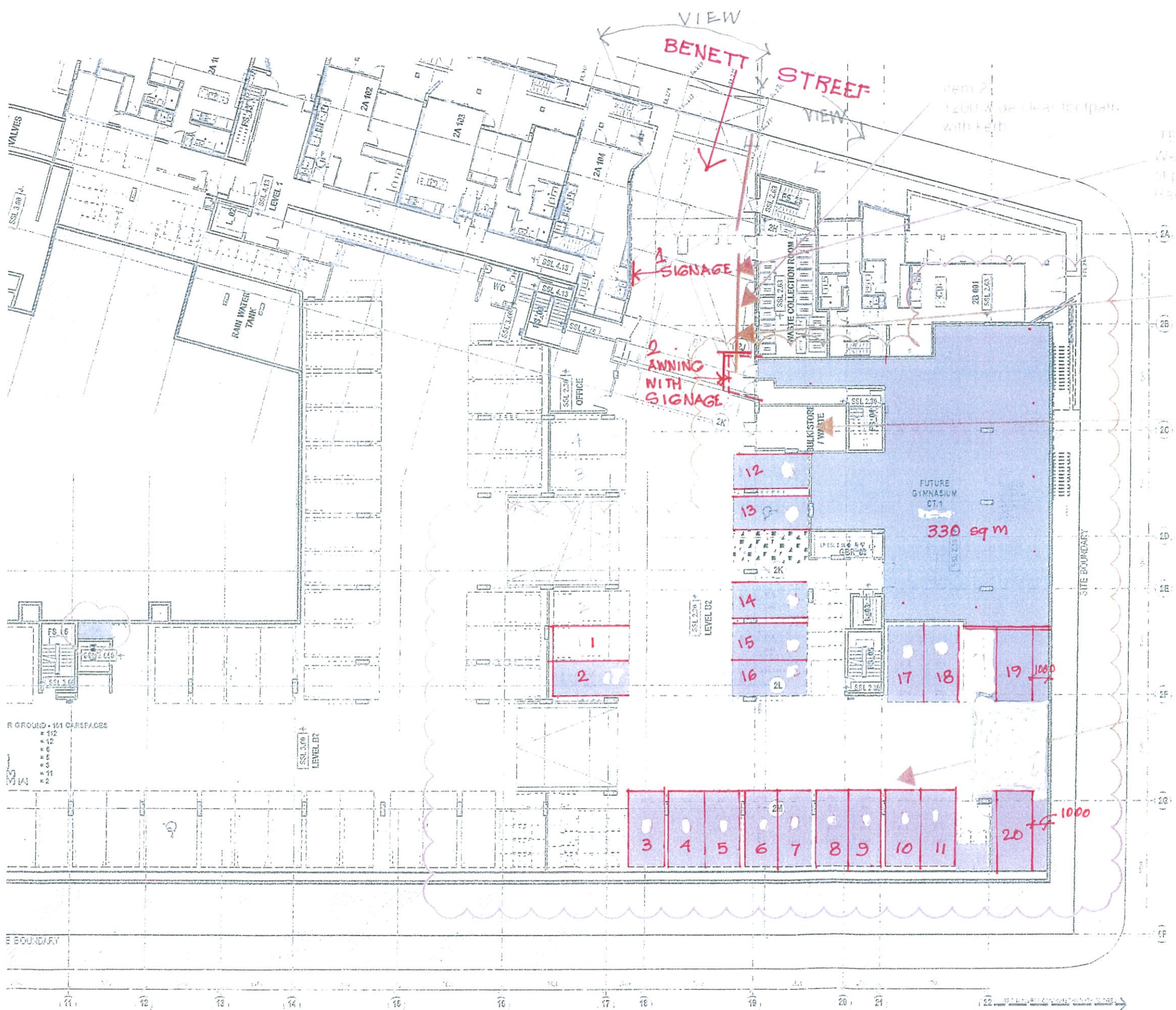
Mobile: 0410 520 972



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



**ANNEXURE 3
SKETCH PLANS**



- 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]
- [BS] PROPOSED COMMERCIAL TENANCY BICYCLE STORAGE CAGES
- [C][V][R] PROPOSED COMMERCIAL VISITOR BICYCLE RACKS
- [CT.X][BS] PROPOSED COMMERCIAL STAFF BI STORAGE CAGES

CAR SPACES FOR GYM → 17 Car space

FUTURE CONCEP DEVELOPMENT F

HOLDMARK

PART G.F
PLAN OF GYM.

SK-190320-1A

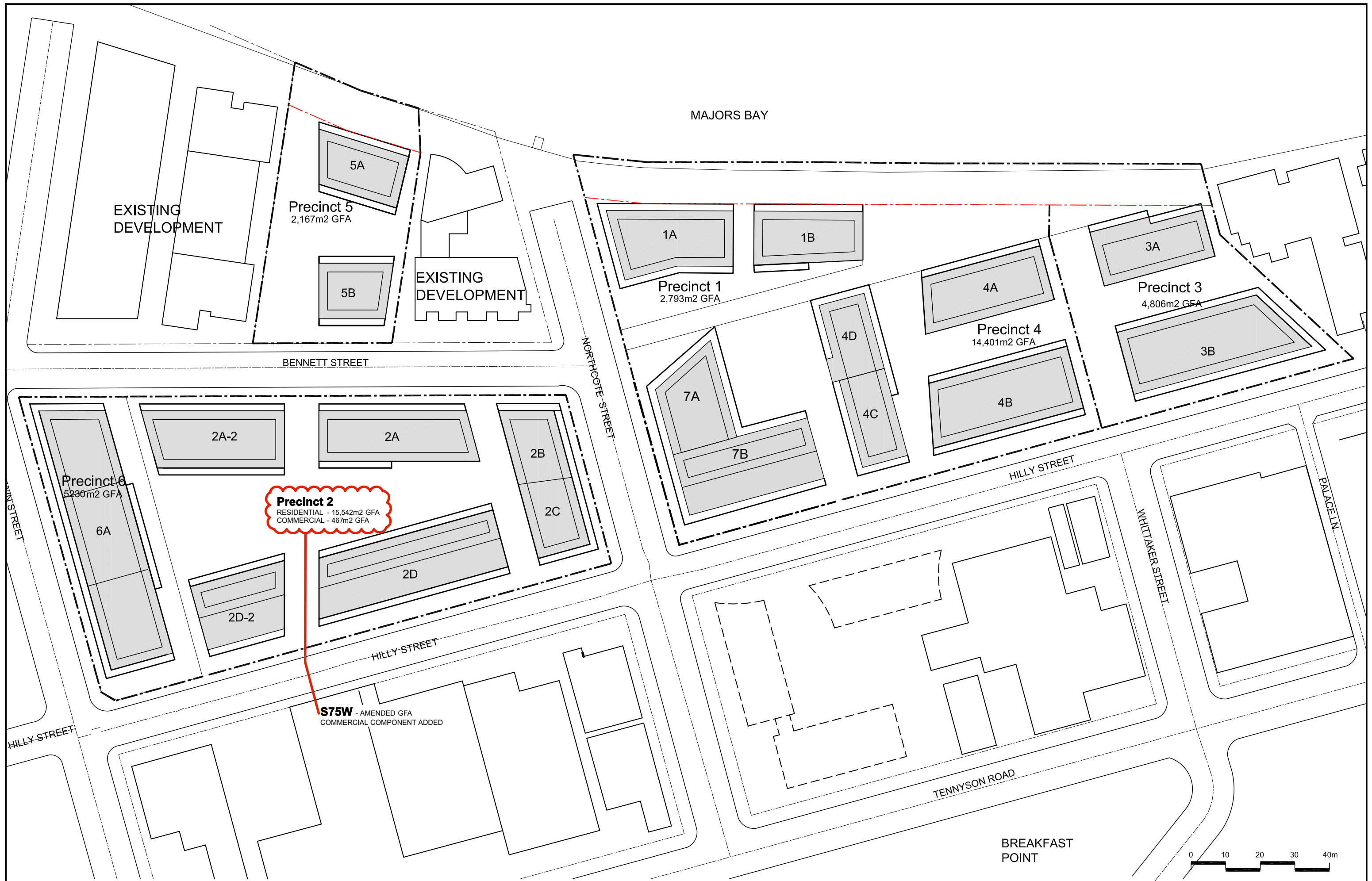
MATUR'S BAY DEVELOPMENT

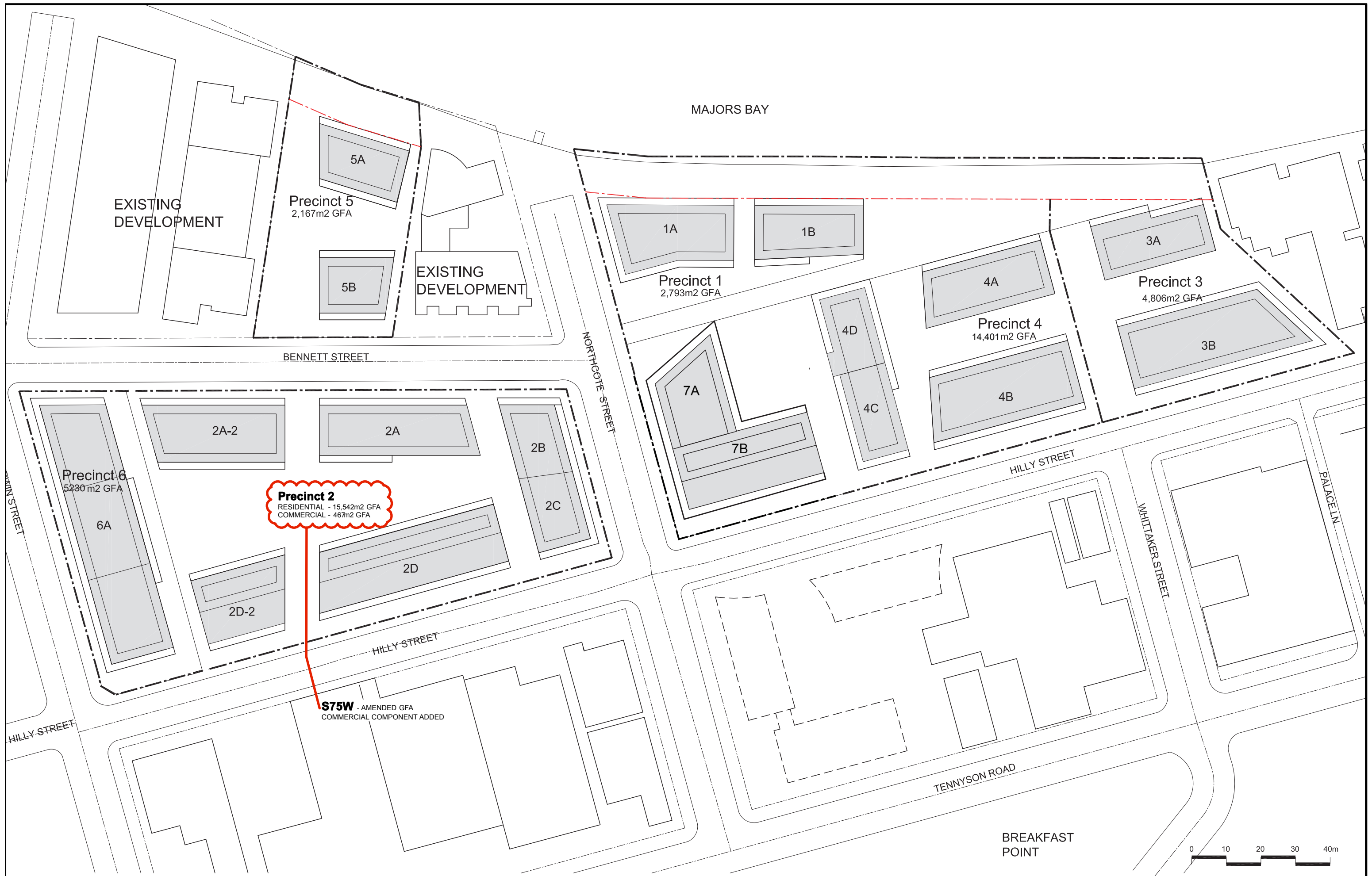


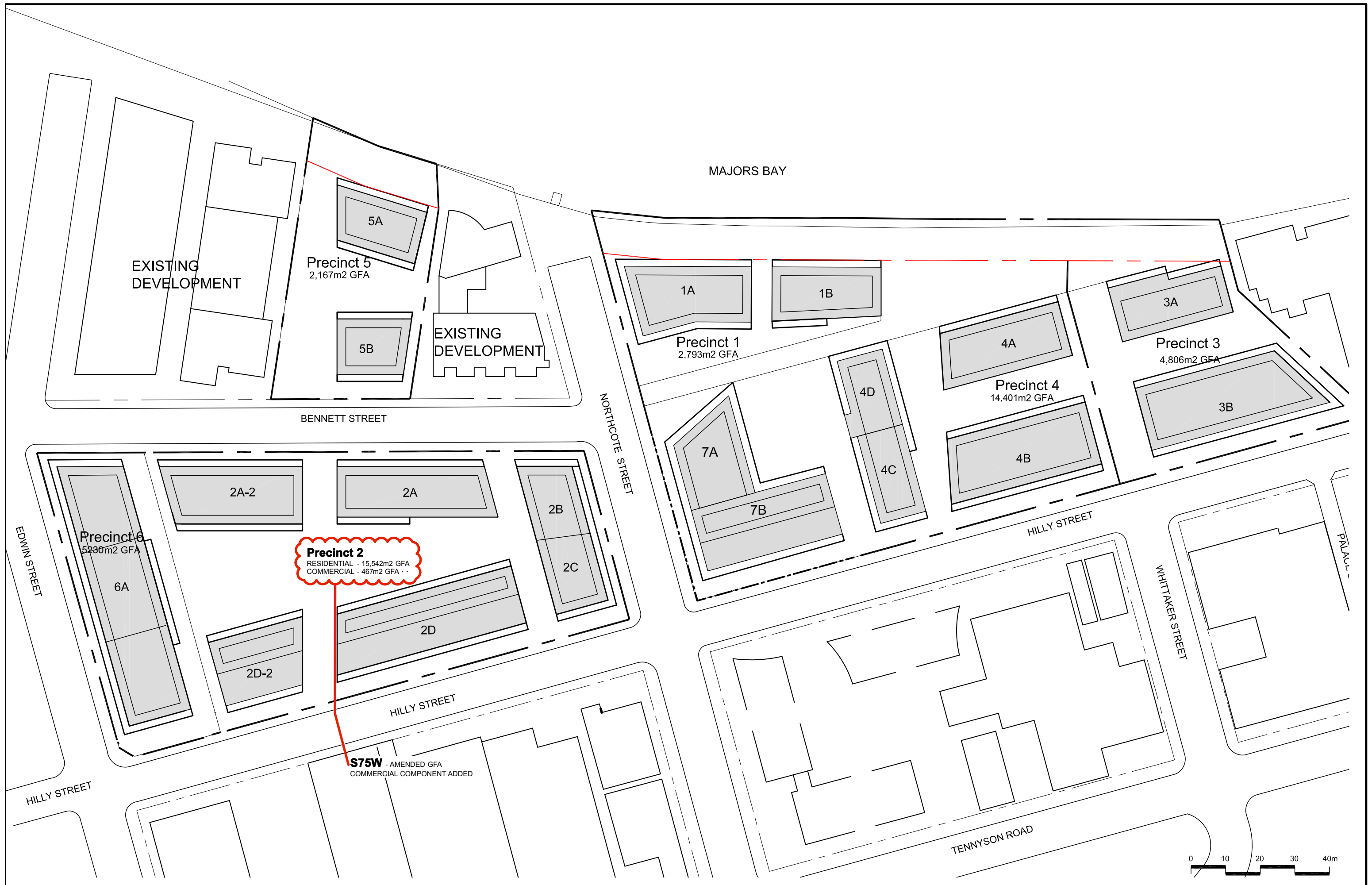
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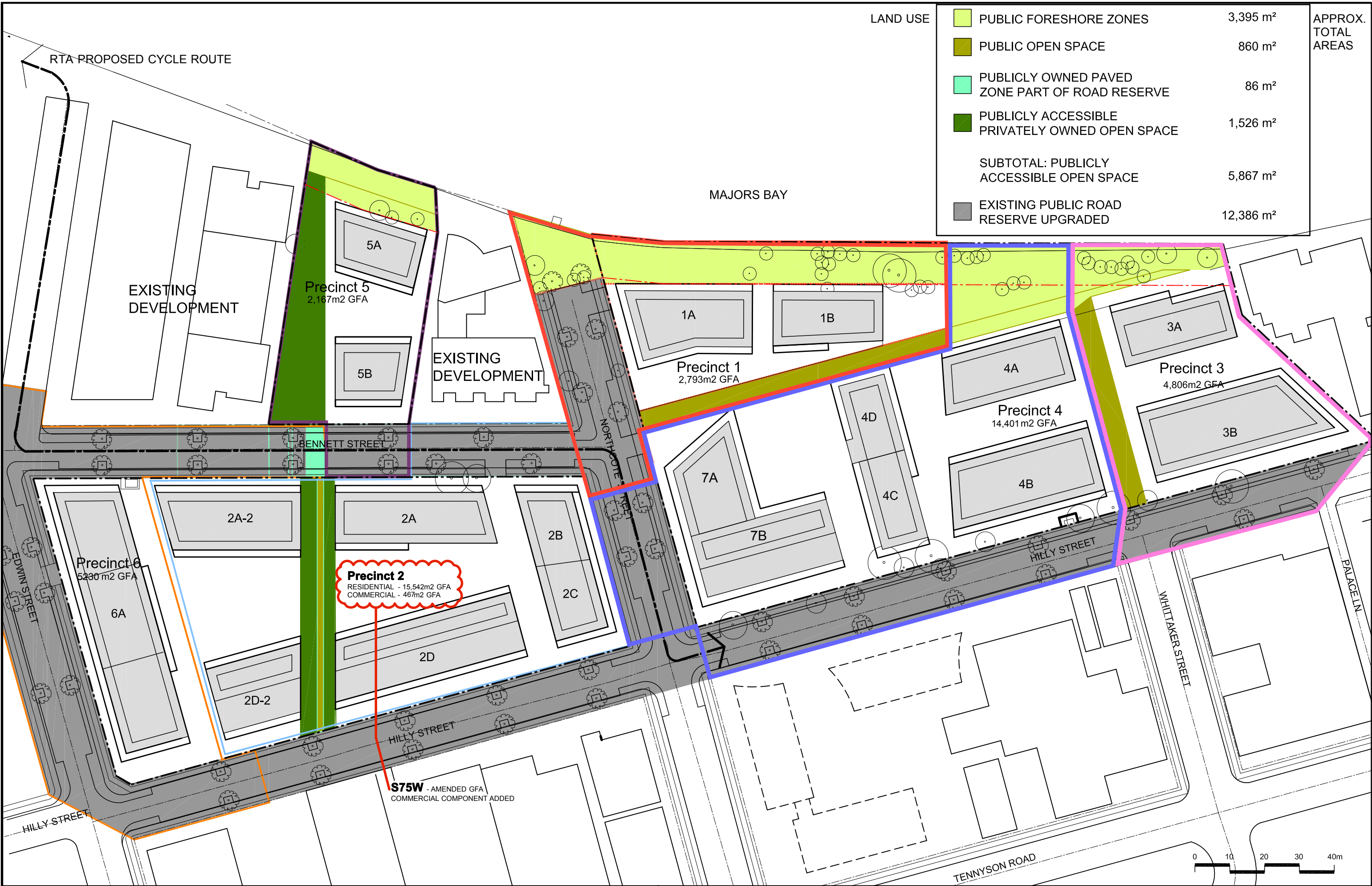


ANNEXURE 4
AMENDED CONCEPT PLANS









LAND USE	PUBLIC FORESHORE ZONES	3,395 m ²	APPROX. TOTAL AREAS
	PUBLIC OPEN SPACE	860 m ²	
	PUBLICLY OWNED PAVED ZONE PART OF ROAD RESERVE	86 m ²	
	PUBLICLY ACCESSIBLE PRIVATELY OWNED OPEN SPACE	1,526 m ²	
	SUBTOTAL: PUBLICLY ACCESSIBLE OPEN SPACE	5,867 m ²	
	EXISTING PUBLIC ROAD RESERVE UPGRADED	12,386 m ²	

