

Concept Approval

Section 75O of the *Environmental Planning & Assessment Act 1979*

The Planning Assessment Commission of New South Wales (the Commission), having considered all relevant matters prescribed under Section 75O(2) of the *Environmental Planning and Assessment Act 1979*, including those relevant matters prescribed by Section 75I(2) as contained in the Director General's Environmental Assessment report determine:

- (a) pursuant to Section 75O(1) of the *Environmental Planning and Assessment Act 1979* to **grant approval** to the concept plan referred to in Schedule 1, subject to the terms of approval in Schedule 2 and the modifications in Schedule 3; and
- (b) pursuant to section 75P(1)(b) of the *Environmental Planning and Assessment Act 1979*, that approval to carry out the project or any stage of the project, except Stage 1, is to be subject to Part 4 of the EP&A Act; and
- (c) pursuant to section 75P(2)(c) of the *Environmental Planning and Assessment Act 1979*, the further environmental assessment requirements for approval or consent to carry out the project or any stage of the project, except Stage 1, are as set out in Schedule 4.


Member of the Commission


Member of the Commission


Member of the Commission

Sydney

15 July

2011

SCHEDULE 1

Application No.:

MP 10_0167

Proponent:

Housing NSW

Approval Authority:

Minister for Planning and Infrastructure

Land:

Kentucky Road, Washington Avenue and Vermont Crescent,
Riverwood (Lots 445-446, 450, 459-460 and 464 and Part Lots
449 and 458 in DP 243672)

Project:

Riverwood North Estate Residential Renewal Project, including:

- staged redevelopment of the site for residential purposes;
- 650 dwellings comprised of a minimum 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.

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DEFINITIONS

Advisory Notes	Advisory information relating to the approved project but do not form a part of this approval
BCA	Building Code of Australia
Construction	Any works, including earth and building works
Council	Canterbury City Council
Department	Department of Planning & Infrastructure or its successors
Director-General	Director-General of the Department of Planning & Infrastructure, or nominee
EA	Environmental Assessment titled Riverwood North Estate Residential Renewal Project Environmental Assessment and Appendices prepared by Urbis, dated November 2010
EP&A Act	Environmental Planning and Assessment Act 1979
EP&A Regulation	Environmental Planning and Assessment Regulation 2000
FSR	Floor space ratio means the ratio of the floor space of a building to the site area of the land on which the building is proposed to be erected
GFA	Gross floor area means floor space which includes all wall thicknesses, ducts, vents, staircases and lift wells, but does not include: (a) any car parking space in a building, being a space provided to meet the standards required by the responsible authority (but not car parking space provided in excess of those standards), or any internal access to that car parking space; (b) space used for the loading or unloading of goods; or (c) lift towers, cooling towers, machinery and plant rooms and any storage space related thereto.
Height	Building envelope height means the vertical distance between ground level (existing) and the highest point of the building envelope, excluding plant and lift overruns, communication devices, antennae, satellite dishes, masts, flagpoles, chimneys, flues and the like.
Incident	A set of circumstances that causes or threatens to cause material harm to the environment, and/or breaches or exceeds the limits or performance measures/criteria in this approval
Major Development SEPP	State Environmental Planning Policy (Major Development) 2005
Minister	Minister for Planning & Infrastructure, or nominee
PPR	Preferred Project Report titled Riverwood North Estate Residential Renewal Project Preferred Project Report and Appendices prepared by Urbis, dated February 2011
Project	The project and the accompanying plans and documentation described in Schedule 2, Terms of Approval, Modification 1
Proponent	Housing NSW, or anyone else entitled to act on this Approval
Reasonable and Feasible	Reasonable relates to the application of judgement in arriving at a decision, taking into account: mitigation benefits, cost of mitigation versus benefits provided, community views and the nature and extent of potential improvements. Feasible relates to engineering considerations and what is practical to build
Site Area	Means an allotment of land the subject of an application excluding any land upon which the development to which the application relates is not permitted by or under this Concept Plan.
Subject Site	Kentucky Road, Washington Avenue and Vermont Crescent, Riverwood (Lots 445-446, 450, 459-460, 464 and Part Lots 449 and 458 in DP 243672)
Stage 1	Refer to Major Project MP 10_0181, redevelopment of Phase 01 for 150 social housing dwellings
Storey	Storey in relation to a building does not include a floor or level of the building used exclusively for the purposes of car parking, storage or laundry facilities, or any combination of these purposes, where the ceiling is not greater than 500 millimetres above ground level
Statement of Commitments	The Proponent's Statement of Commitments in Schedule 5

SCHEDULE 2 MODIFICATIONS TO CONCEPT PLAN

TERMS OF APPROVAL

1. Approval of the Riverwood North Estate Residential Renewal Project, except as modified by this approval, including but not limited to:
 - (a) staged redevelopment of the site for residential purposes;
 - (b) a maximum 650 dwellings comprised of a minimum 150 social housing dwellings and 500 privately owned dwellings;
 - (c) a maximum gross floor area of 63,500m²;
 - (d) building envelopes, including maximum heights as marked on the approved plans referred to in Modification 2 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)	18,250m ²	4,548m ²	4.0:1
Phase 02 (Stage 2 & 3)	15,050m ²	5,228m ²	2.9:1
Phase 02 (Stage 4)	16,912m ²	6,151m ²	2.7:1

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

2. 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) The following plans:

Architectural (or Design) Drawings prepared by TURNER + ASSOCIATES			
Drawing No.	Revision	Name of Plan	Date
CP104	E	PROPOSED SITE CONCEPT PLAN (as marked in red text)	10.05.2011
CP105	A	STREET LAYOUT AND PUBLIC DOMAIN PLAN	10.11.2010
CP106	A	PHASING DIAGRAM	10.11.2010
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	A	MASSING VIEW FROM THE EAST	10.11.2010
CP213	A	MASSING VIEW FROM THE SOUTH	10.11.2010
CP214	A	MASSING VIEW FROM THE WEST	10.11.2010
CP215	A	MASSING VIEW FROM THE NORTH	10.11.2010
CP301	E	BUILDING ENVELOPE DIAGRAMS PH01 (as marked)	10.05.2011
CP302	E	BUILDING ENVELOPE DIAGRAMS PH02 ST01 (as marked)	10.05.2011
CP303	E	BUILDING ENVELOPE DIAGRAMS PH02 ST02&03 (as marked)	10.05.2011
CP304	E	BUILDING ENVELOPE DIAGRAMS PH02 ST04 (as marked)	10.05.2011
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

- (d) Statement of Commitments (Schedule 5); and
 - (e) The modifications contained within this approval.

3. If there is any inconsistency between the plans, documentation and Statement of commitments referred to above, the most recent document shall prevail to the extent of the inconsistency. However the modifications of this Concept Plan approval prevail to the extent of any inconsistency.
4. Limits on Approval
 - (a) This approval does not allow any components of the Concept Plan to be carried out without further approval or consent being obtained.
 - (b) This approval will lapse five years from the date of this approval unless works the subject of any related application are physically commenced, on or before that lapse date.

SCHEDULE 3

MODIFICATIONS TO THE CONCEPT PLAN

Car Parking

5. The social housing dwellings will provide one car space per five dwellings and private dwellings will provide car parking in accordance with Council's relevant multi-unit housing DCP. (Note: this modification prevails over any inconsistency with Statement of Commitment number 12).

Public Domain Plan

6. A detailed public domain plan will be submitted with the first stage of redevelopment.

SCHEDULE 4

FURTHER ENVIRONMENTAL ASSESSMENT REQUIREMENTS FOR PHASE 02

General Requirements

1. The Proponent shall ensure that any future applications shall include:
 - (a) a detailed description of the layout and design of the proposed development; and
 - (b) a demonstration that the project is consistent with the requirements of this approval.

Key Assessment Requirements

2. Dwelling Mix – Private Dwellings

For each development application for each future stage the Proponent shall demonstrate that an adequate mix of dwelling types and sizes has been incorporated into the design of future buildings to promote a diverse community.

3. Building Form/Urban Design

For each development application for each future stage plans, elevations and sections shall be provided to sufficiently detail the design of all buildings, including height, setbacks, gross floor area, modulation and articulation. Consideration must be given to bulk and scale in relation to the surrounding development context, topography and streetscape. Any future applications must also include a view analysis, including artist's perspective and photomontages.

4. Environmental and Residential Amenity

a) For each development application for each future stage consideration of the amenity impacts shall be demonstrated, including adequate separation between buildings, setbacks, solar access, visual privacy, acoustic privacy, wind impacts and view corridors, and achieve an adequate level of environmental amenity (including in relation to adjoining residences). The Proponent shall demonstrate that the requirements of the State Environmental Planning Policy No 65 - Design Quality of Residential Flat Development and Residential Flat Design Code guidelines can be satisfied.

b) In particular, careful consideration to the design of Phase 2 Stage 4 buildings should be undertaken to minimise overshadowing of existing residential properties to the west and south-west and future Phase 2 Stage 1 residential development should demonstrate adequate solar access has been provided to these properties. The design of future buildings shall also take into consideration overshadowing of Garden Square and demonstrates that appropriate solar access is provided to this open space area.

5. Transport and Traffic Impacts (Construction and Operational)

a) For each development application for each future stage, an assessment of the transport and traffic impacts shall be provided, including traffic generation, car parking demand and supply, minimise changes to on-street parking conditions, and promote public transport and bicycle usage.

- b) Appropriate traffic management measures are to be included in the proposal to restrict right-hand entries to the site from Belmore Road to Washington Avenue in any future application.
6. Landscaping
- Landscape plans are to be provided for each development application for each future stage clearly identifying vegetation to be removed or relocated and the location of any additional landscaping.
7. Construction and Operational Impacts
- (a) Any future applications shall provide a Stage 2 environmental site assessment and address any potential contamination on the site including addressing SEPP 55 – Remediation of Land requirements, air impacts and waste material.
- (b) An acoustic assessment shall be undertaken for all future applications and identify what mitigation measures are necessary to mitigate noise impacts from the M5 Motorway to the north to ensure an appropriate level of internal residential amenity can be achieved.
- (c) The hours of construction of future applications shall demonstrate that they are consistent with Council's standard hours. (Note: this requirement prevails over any inconsistency with Statement of Commitment number 23).
8. Ecologically Sustainable Development
- (a) Any future applications are to detail how the development will incorporate ESD principles in the design, construction and ongoing operation phases of the development;
- (b) A description is to be included of the measures that would be implemented to minimise consumption of resources, water and energy, including an Integrated Water Management Plan which details any proposed alternative water supplies, proposed end uses of potable and non-potable water, and water sensitive urban design; and
- (c) The development is to obtain a BASIX certificate and implement the requirements of the BASIX SEPP.
9. Drainage, Stormwater and Groundwater Management
- (a) All future applications shall identify drainage, stormwater and groundwater management issues, on site stormwater detention, and drainage infrastructure, in accordance with Council's design specifications.
- (b) Detailed plans of the proposed erosion and sediment control measures during demolition, construction and operation shall also be provided.
10. Utilities
- In consultation with relevant agencies, future applications are to address the existing capacity and requirements of the development for the provision of utilities, including any necessary augmentation and staging of any infrastructure works.
11. Contributions
- 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 completed with the relevant stage. Alternatively, if a Planning Agreement has not been entered into, Council's Section 94 Contributions Plan will apply.

SCHEDULE 5

PROPONENTS STATEMENT OF COMMITMENTS

Built Form and Urban Design

1. The architectural drawings required to be lodged with the future Project/Development Applications are to be generally consistent with the Concept Plan Submission prepared by Turner + Associates and with various revisions dates.
2. The landscape drawings required to be lodged with the future Project/Development Applications are to incorporate Water Sensitive Urban Design measures, taking into account the opportunities identified in the Landscape Proposal prepared by Turf Design and dated 3 February 2011.

Environmental and Residential Amenity

3. Shadow diagrams demonstrating the potential overshadowing impacts of the proposed buildings on 21 June, 21 December and 21 March/September at 9.00am, 12.00noon and 3.00pm are to be prepared and lodged with the future Project/Development Applications.
4. The detailed design of the development proposed in the future Project/Development Applications is to incorporate the following recommendations to avoid adverse wind impacts:
 - The species of trees selected for the footpaths along Kentucky Road, Green Street, the Through Site Link, and along Washington Avenue, should be of an evergreen and moderately well-foliating variety. The requirement for an evergreen species of tree is important for these areas since they could otherwise be exposed to the westerly winds, which tend to occur most frequently during the winter season for the Sydney region.
 - The inclusion of the remaining proposed trees within and around the site will also assist in mitigating adverse winds.
 - Private balconies should not be designed to be protruding from the corner of a building, where winds tend to be accelerated. If balconies are located near the corner of a building, it may be necessary to include a full-height screen along the side of the balcony (which will effectively transform the balcony into a single-aspect balcony). Impermeable balustrades may also be necessary for some of the private balconies.
 - Care should be taken in the location of rooftop terrace areas, if these are to be part of the design. These types of areas are exposed to the prevailing winds and possibly even up-washed winds from the building façade below. A combination of impermeable balustrades, scattered vegetation and awnings/canopies may be necessary to mitigate adverse winds for these types of areas.
 - As with any situation involving high-rise outdoor areas, the use of loose glass-tops and other light-weight sheets or covers (including loose BBQ lids) is not appropriate. Lightweight furniture is not recommended, unless it is securely attached to the balcony floor slab.

Crime Prevention

5. A Crime Prevention Through Environmental Design Assessment report is to be prepared at the Project/Development Application stage for each of the future stages.
6. Access points to the building (including lifts and stairwells) shall be restricted to residents only through a security system. Visitors should be provided with access via the intercom.

7. Any proposed front fences for dwellings should be visually permeable and provide residents with confidence regarding the separation of the public sphere.

Disability Access

8. An access review is to be undertaken at the detailed design stage for each of the future stages and submitted with the relevant Project/Development Application. The access review shall address compliance of:
- Social housing dwellings, including apartment layouts, communal areas and access, with relevant provisions for older persons, people with disabilities and/or mobility issues.
 - Private dwellings, including number of adaptable apartments, communal areas and access, with relevant provisions, including SEPP 65, AS1735.12 and AS 4299.
 - Roads, footpaths and kerb ramps with AS 1428.1 and any new bus stop/bus stop incorporating a bus shelter with the Disability Standards for Accessible Public Transport (2002).
 - Accessibility of additional public open space areas to older persons and people with disabilities.

Staging

9. The first Project Application will include the three residential flat buildings comprising the 150 social housing dwellings suitable for seniors adjacent to the corner of Washington Avenue and Kentucky Road, construction of new streets and public domain improvements, including garden square and landscaping of public open space.

Transport and Accessibility Impacts

10. A traffic report is to be provided with the Project Application for Stage 1 that includes an electronic copy of SIDRA intersection analysis files. The RTA is to determine whether the following works are warranted:
- Installation of traffic signals at the intersection of Belmore Road and Roosevelt Avenue.
 - Denial of right-turn movements from the intersection of Belmore Road and Washington Avenue with the installation of an appropriate traffic management device.
- Analysis of the proposal for traffic signals should be provided if it is found that traffic signals are warranted. Approval shall be sought from the Canterbury Local Traffic Committee and the Roads and Traffic Authority.
11. The proposed 10 km/h Shared Traffic Zone in Kentucky Road shall be approved by the Roads and Traffic Authority.
12. Car parking is to be provided in accordance with the following rates:
- Social housing - 1 space per 10 dwellings
 - Private dwellings: 1 bed dwelling – 1 space, 2 bed dwelling – 1.5 spaces and 3 bed dwellings – 2 spaces
 - Visitors – 1 space per 6 apartments
13. Sustainable transport measures are to be implemented in Stage 1 of the renewal process, including:
- Establish high quality and efficient pedestrian and cycle links to existing routes.
 - Incorporate fibre/internet connections to each dwelling

- Community education to support public transport initiatives, including information packs for residents that identify walking, cycling and public transport options.

Infrastructure Funding

14. A voluntary planning agreement (VPA) is to be entered into between the proponent and Canterbury City Council to facilitate the staged delivery of physical infrastructure works, including the public open spaces, garden square and any additional works, and community capacity building initiatives. The VPA is to be executed prior to the release of the first Construction Certificate for dwelling construction.

Social Impacts

15. The proponent will undertake community capacity-building activities, which may include hosting community events, establishing a social committee, undertaking a social research project, developing a social inclusion framework, development an on-line community portal and/or promoting other community based activities. Details are to be provided in the Voluntary Planning Agreement.

Ecologically Sustainable Development (ESD)

16. The ESD memorandum prepared by Windtech Consultants Pty Ltd is to be incorporated into the detailed design for the future Project/Development Applications to enable compliance with State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004 and State Environmental Planning Policy No 65 – Design Quality of Residential Flat Development.

Aboriginal Heritage

17. Should Aboriginal objects and/or historic relics be encountered during works, all works are to cease in the vicinity of the find and an Aboriginal and/or historic archaeologist be contacted to assess the find.
18. Housing NSW is not to disturb the native gum trees located within the public open space in the centre of Vermont Crescent. Details of any required tree protection measures are to be provided with the construction certificate(s) for works within or in close proximity to these trees or for any works that could potentially impact on these trees (eg installation of mobile cranes, use of heavy vehicles or the like).

Drainage and Flooding

19. The Stormwater Management Plan prepared by Warren Smith and Partners and dated 4 February 2011 is to be implemented in the detailed stormwater design for individual stages and documented within the future Project/Development Applications.

Utilities

20. Utility services are to be upgraded during the appropriate phase of the project, taking into account the requirements of Sydney Water, Energy Australia, Jemena and other service providers.

Noise and Vibration

21. Upgraded single glazing with acoustic seals is to be provided as outlined in the following table:

Room Type	Glazing Thickness	Acoustic Seals
Bedrooms	6mm Float	Yes
Living Rooms	6mm Float	Yes
Wet Areas	4mm Float	No

22. The STC rating of the glazing fitted into openable frames and fixed into the building opening should not be lower than the values listed in the following table. Where nominated, this will require the use of acoustic seals around the full perimeter of openable frames and the frame will need to be sealed into the building opening using a flexible sealant. Mohair seals in windows and doors are not acceptable where acoustic seals are required.

Glazing Assembly	Acoustic Seals	Minimum STC of Installed Window
6mm Float	Yes	28
4mm Float	No	22

23. Work will be undertaken during normal construction hours:
- Between 7:00am and 6:00pm, Mondays to Fridays inclusive;
 - Between 7:00am and 4:00pm, Mondays to Fridays inclusive for vehicles over 8 tonne;
 - Between 7:00am and 4:00pm, Saturdays, if inaudible on residential premises and between 8:00am and 1:00pm, Saturdays, if audible on residential premises;
 - No work on Sundays and public holidays.
24. A noise management plan will be prepared including appropriate noise control measures to facilitate compliance with AS2436-1981, which could include:
- Selection of alternate appliance or process for piling - CFA/Bored piling will be utilised where practical to minimise impact driven piling and reduce noise levels at the receivers by up to 15dB(A).
 - Selection of alternate appliance or process for excavation - where practical, alternative quieter process will be utilised in order to limit noise emissions to receivers.
 - Provision of acoustic barrier - noise barriers or screens can be located either at the source or receiver. Barriers are to be constructed from materials which have a noise reduction performance which is approximately 10dB(A) greater than the maximum reduction provided by the barrier. Where the barrier obscures the line of sight, noise reduction of approximately 5 to 10 dB(A) will be achieved at the locator site.
 - Silencer devices - all main appliances will be fitted with silencing devices with either engine shrouding or special industrial silencers fitted to exhausts to enable noise reductions of 10–20 dB(A).
 - Material handling - material handling areas will be located away from residential receiver areas.
 - Treatment of specific equipment - it may be possible to specially modify a piece of equipment to dramatically reduce sound levels.
 - Establishment of site practices – eg fortnightly noise checks, regular scheduled meetings for a finite period, complaints handling procedures.

Waste

25. The waste management plan prepared by Dasco Australia Pty Ltd is to be implemented in the construction and operational phases of the future buildings.

Site Contamination and Geotechnical

26. A Phase 2 Environmental Assessment is to be undertaken prior to approval of the Project/Development Applications for individual stages.

27. The recommendations listed in the Geotechnical Assessment prepared by Jeffrey & Katauskas Pty Ltd are to be implemented in the construction phase of the future buildings.

Consultation

28. Ongoing community consultation will be held with residents and the local community during the detailed design phase, demolition and construction phases to provide additional information regarding the future dwelling types/designs, likely timing and duration of the project phases and the opportunities to provide additional social infrastructure by way of the VPA.