

28 July 2011

Megan Fu
Planner - Government Land and Social Projects Assessment
Department of Planning & Infrastructure
GPO Box 39
SYDNEY NSW 2001

Dear Megan,

**Section 75W Modification to Amend MP 10_0167, dated 15 July 2011
Riverwood North Residential Renewal Project**

1 Overview

This application is lodged on behalf of Housing NSW under the provisions of Section 75W 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).

In support of the application, please find attached:

- A completed 'Request to modify a major project' form.
- A completed political disclosures form.
- A cheque for \$750 being the requisite fee for a Section 75W Application.
- A schedule of the proposed changes.
- 3 x copies of the Building Envelope Diagrams that are proposed to be amended.
- 3 x copies of the updated Illustrative Shadow Diagrams prepared for 21 June, 21 December and 21 March that are submitted to assist in the assessment of the proposed modification.

The application is lodged under the provisions of Section 75W of the Environmental Planning and Assessment Act 1979. It is understood that amended Environmental Assessment Requirements are not required to be obtained from the Director-General as the modification is minor and does not propose any fundamental change to the approved Concept Plan.

2 Proposed Amendment

The Concept Plan for the Riverwood Residential Renewal Project was approved by the Planning Assessment Commission on 15 July 2011. The Concept Plan approval granted consent for the following:

- *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.

While building height was not raised as a specific concern by Canterbury City Council or other local stakeholders during the assessment of the Concept Plan application, the Department of Planning & Infrastructure (DOPI) sought to provide greater certainty within the final approval. Clarification was sought by DOPI during the final stage of the assessment regarding the removal of the Relative Levels (RLs) from the final drawings lodged with the Preferred Project Report for the Concept Plan application. The following advice was provided by the proponent in response to DOPI's query -

- **Relative Levels** – *the proposed building heights have not changed from the original submission. It is recognised that the relative levels shown on the original plans are subject to further detailed design in the applications for the future phases/stages, taking into account detailed survey work and flood modelling. As such, it is requested that any condition relating to the relative levels be worded in a manner that allows for an appropriate degree of flexibility.*

Subsequent to the above advice, further detailed design was undertaken in association with the preparation of detailed architectural drawings to be lodged with a Part 4 development application for Phase 2, Stage 1. As a result of the detailed design, it was confirmed that the RLs of the refined building envelope would be two metres higher than the RLs of the indicative building envelope shown in the Concept Plan to allow for the minimum flood level requirements.

The establishment of the required flood levels as part of Phase 2, Stage 1 detailed design work will have implications for the future detailed design of the buildings proposed in Phase 2, Stages 2, 3 and 4. The RLs of the future building envelopes for these stages will also need to be adjusted as follows:

- Phase 2, Stage 2 – Building A will increase by 0.6 metres.
- Phase 2, Stage 3 – Building A will increase by 0.5 metres towards Salt Pan Creek Reserve in the north and 0.8 metres towards Kentucky Road in the south. Building B will increase by 0.3 metres.
- Phase 2, Stage 4 – Building A will increase by 0.75 metres towards Salt Pan Creek reserve in the north and 0.85 metres along Kentucky Road to the south. Building B will increase by 0.75 metres.

Accordingly, a Section 75W modification is required so that the detailed architectural drawings for Phase 2 will be consistent with the Building Envelope Diagram that forms part of the Concept Plan approval. The Section 75W approval will be required to enable Canterbury City Council to finalise their assessment and the Joint Regional Planning Panel to determine the future Part 4 development applications for Phase 2.

The final architectural drawings for Phase 1, Stages 1 and 2 will be “*generally consistent*” with the Concept Plan approval and as such, no change is required to be made to the Building Envelope Diagrams to enable approval of the Project Application.

3 Section 75W Modification

The proposed modifications require the Building Envelope Diagrams for Phase 2 to be updated with the revised RLs. It is proposed to amend Schedule 2, Condition 2 of the Concept Plan approval by deleting the following approved plan references:

DRAWING NO	REVISION	NAME OF PLAN	DATE
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

and replacing them with the following updated plan references:

DRAWING NO	REVISION	NAME OF PLAN	DATE
CP302	H	BUILDING ENVELOPE DIAGRAMS_PH02_ST01	26.07.2011
CP303	H	BUILDING ENVELOPE DIAGRAMS_PH02_ST02&03	26.07.2011
CP304	H	BUILDING ENVELOPE DIAGRAMS_PH02_ST04	26.07.2011

Three copies of the replacement Building Envelope Diagrams are attached to this correspondence. Three copies of the updated sets of the Illustrative Shadow Diagrams (21 June, 21 December and 21 March) are also attached for review. These diagrams clearly demonstrate that the proposed change to the Building Envelope Diagrams will result in only a very minor increase in shadow which is unlikely to have a discernible impact on the adjoining/nearby residential properties.

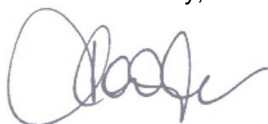
4 Summary and Conclusion

We trust that our application is satisfactory and we look forward to a timely determination that enables the project to proceed at the earliest opportunity.

It would be appreciated if all correspondence regarding this matter could be forwarded to Housing NSW, care of Urbis at our nominated address.

If you have any queries regarding our application or should you require any additional information, please do not hesitate to contact me on (02) 8233 9931 should you wish to discuss.

Yours sincerely,



Jennifer Cooper
Associate Director