

**MODIFICATION REQUEST:  
Riverwood North Estate Residential  
Renewal Project  
Kentucky Road and Washington Avenue,  
Riverwood  
(MP 10\_0167 MOD 1)**

***Modification to maximum building envelope  
heights***



Director-General's  
Environmental Assessment Report  
Section 75W of the  
*Environmental Planning and Assessment Act 1979*

September 2011

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## **EXECUTIVE SUMMARY**

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This report is an assessment of a modification request by Housing NSW (the proponent) requesting that the approved concept plan building envelopes be amended to reflect minor increases to the heights (between 0.3 metres and 2 metres) required to allow for minimum flood level clearance requirements and meet minimum floor to ceiling heights.

The Environmental Assessment (EA) for the modifications was made publicly available on the department's website, and consultation was undertaken with Canterbury City Council. Council raised no objections to the modifications.

The department has assessed the merits of the proposed modifications and is satisfied that any resultant environmental impacts would be minimal and can be adequately mitigated and managed.

The department considers that the proposed modification application should be approved subject to modifications.

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## 1. BACKGROUND

On 15 July 2011, the Planning Assessment Commission, under delegation from the Minister for Planning & Infrastructure approved the concept plan application for the Riverwood North Estate Residential Renewal Project at Kentucky Road and Washington Avenue, Riverwood.

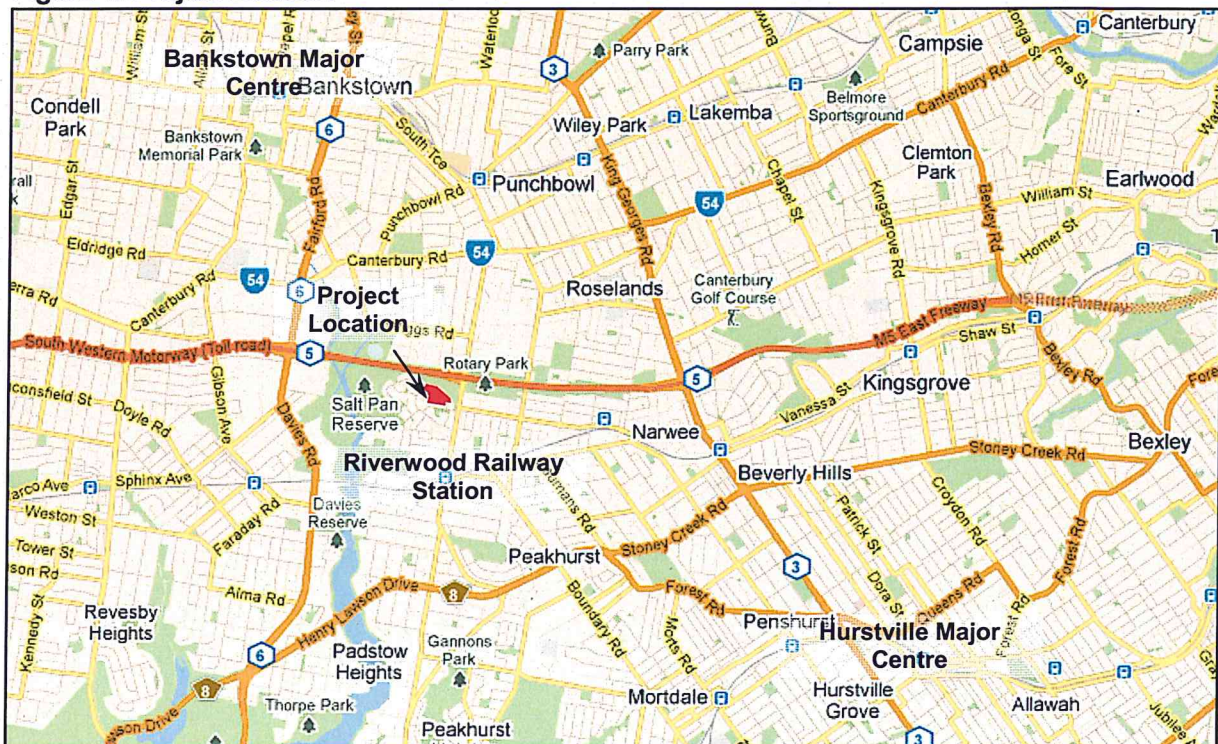
The concept plan establishes the framework for the redevelopment of the north-eastern portion of the Riverwood Estate, predominantly a social housing estate, through a Public Private Partnership between Housing NSW and Payce Communities Pty Limited. The project location is shown in Figure 1 and the Riverwood Estate boundary and project site is shown in Figure 2.

The concept plan approval comprises:

- staged redevelopment of the site for residential purposes;
- 650 dwellings comprised of 150 social housing dwellings (Phase 1) and 500 privately owned dwellings (Phase 2);
- 63,500 sqm of GFA and building envelopes (including height and floor space ratio);
- car parking, landscaping, open space, and other necessary infrastructure; and
- public domain improvements.

Refer to Figure 3 for the approved building envelopes and Figure 4 for the indicative building footprints and building height envelopes.

**Figure 1: Project location**



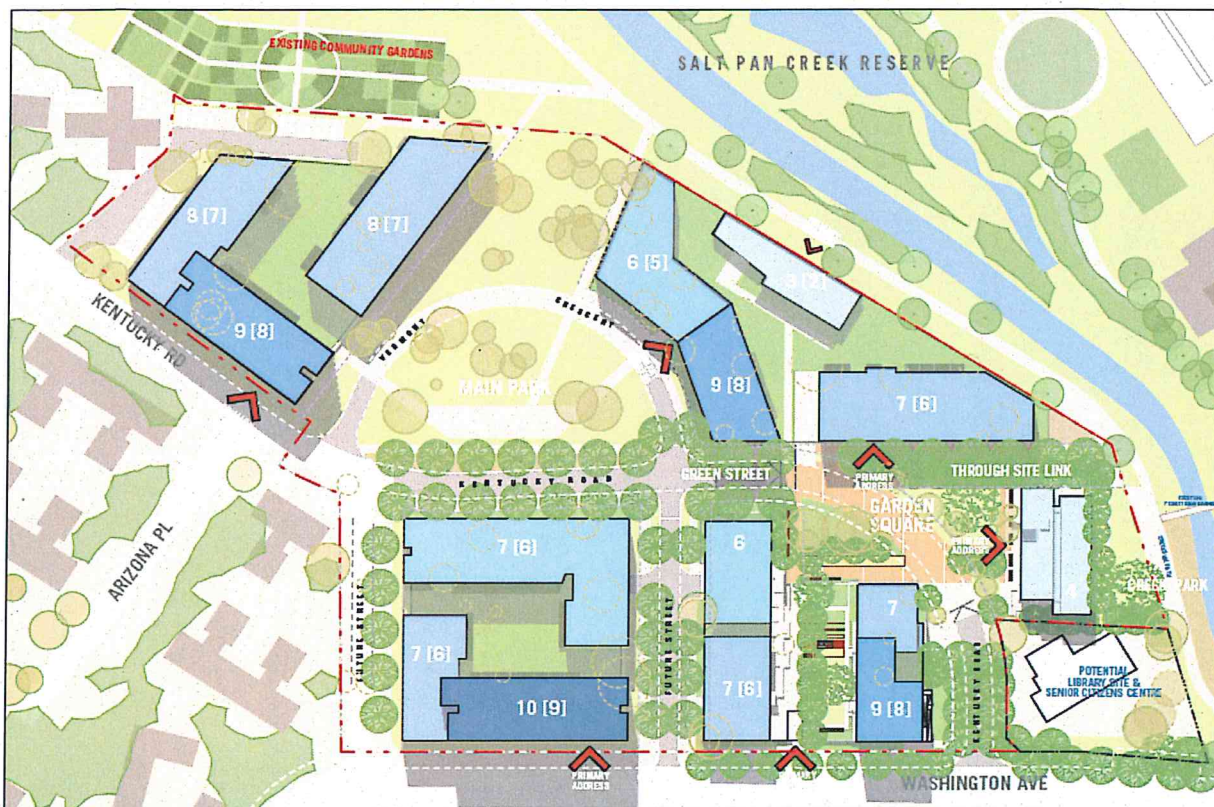


An aerial photograph of a residential area. A red line outlines a large section of the estate, which is labeled 'Riverwood Estate' in a grey box. Within this outlined area, a specific plot of land is shaded in red and labeled 'Project Site' in a black box. The surrounding area includes a golf course to the left, a highway to the top right, and other residential developments to the right and bottom.

[illegible]



**Figure 4: Indicative building footprints and proposed heights**



Note: The total number of storeys for each building envelope is identified on the indicative building footprints and the total number of residential (habitable) storeys is identified in brackets where the total includes basement levels that are partially located above ground due to the sloping nature of the site.

The proponent has undertaken demolition works on site as complying development and is currently seeking major project approval for Phase 1 of the concept plan. Phase 1 of the project seeks approval for the construction of three buildings comprising 150 social housing dwellings, public domain upgrade works and super lot subdivision of the site.

The proponent seeks to modify the concept plan as a result of further design development of the future stages which has revealed that higher building envelopes are required to ensure ground levels are above potential flood levels from overland flow from stormwater and to meet minimum floor to ceiling height requirements.

## 2. PROPOSED MODIFICATION

### 2.1 Modification Description

The key aspect of the proposed modification is increases to the heights of the building envelopes for Phase 2 of the development ranging from 0.3 metres to 2 metres (see Appendix A).

The proposed building envelope layouts with modified heights are shown in Figures 5 to 7.



Figure 5: Proposed modified layout Phase 2 Stage 1

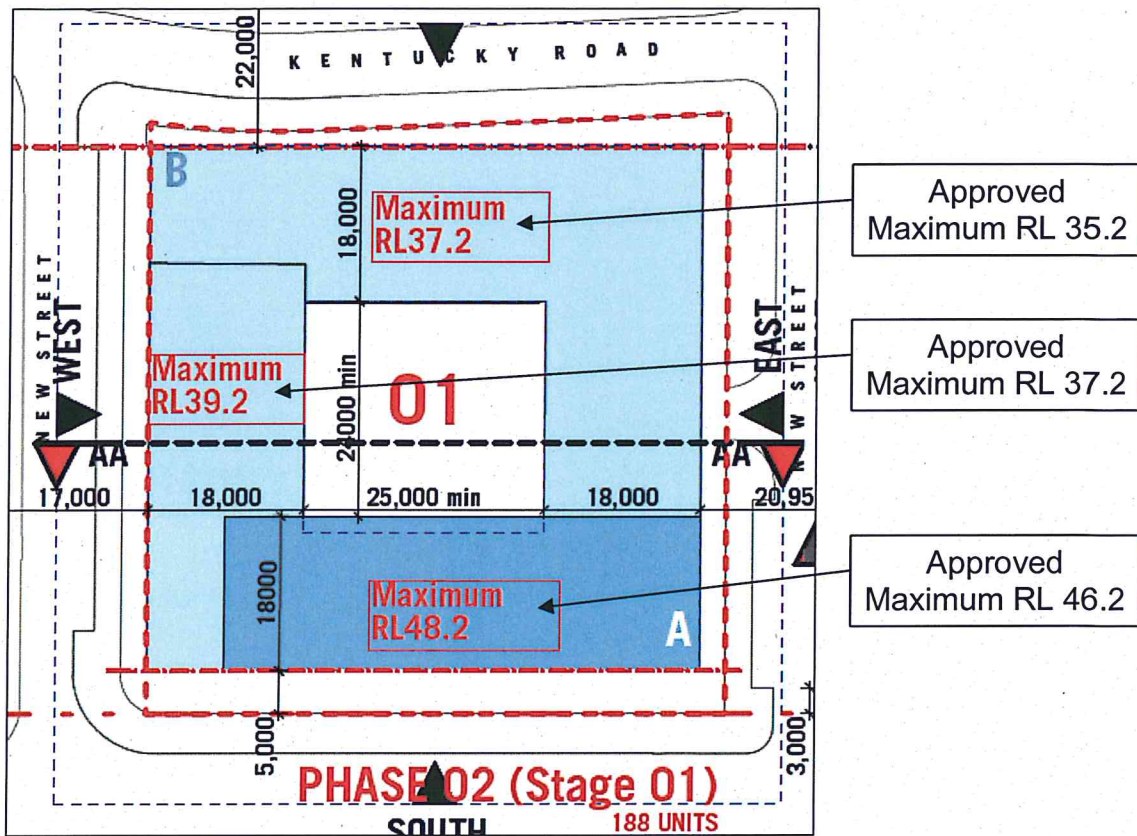


Figure 6: Proposed modified layout Phase 2 Stages 2 & 3

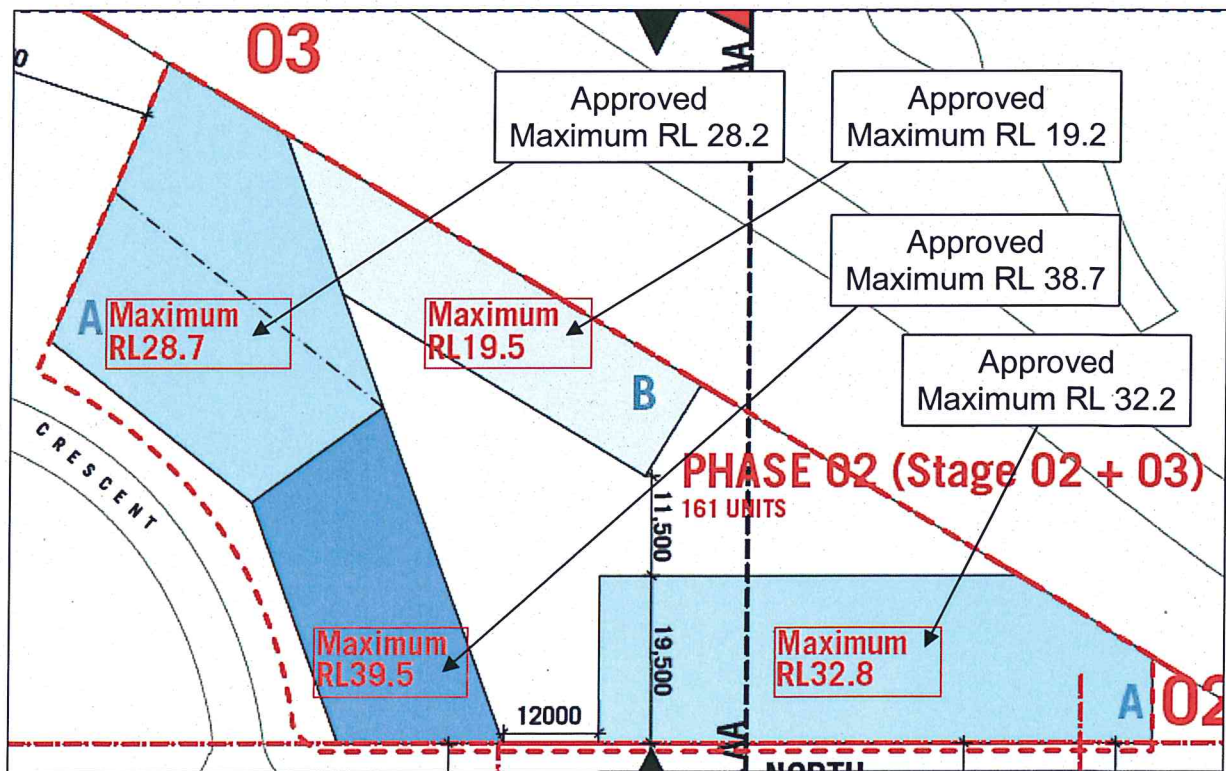
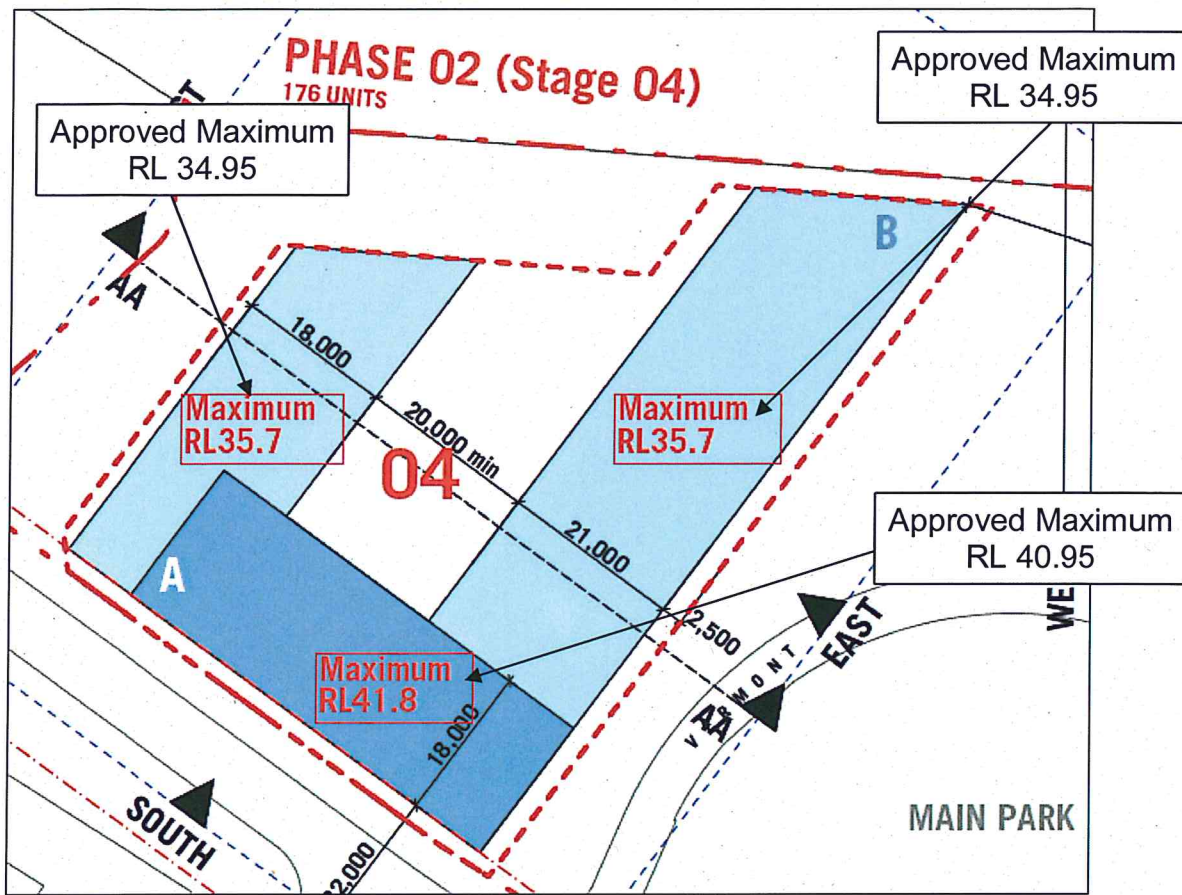




Figure 7: Proposed modified layout Phase 2 Stage 4



### 3. STATUTORY CONTEXT

#### 3.1 Modification of the Minister's Approval

The modification application has been lodged with the Director-General pursuant to section 75W of the *Environmental Planning and Assessment Act 1979* (the EP&A Act). Section 75W provides for the modification of a Minister's approval including "revoking or varying a condition of the approval or imposing an additional condition of the approval". As the proponent is seeking to amend a modification stipulating maximum heights, the proposed modification is not consistent with the approval. However, as the modifications are relatively minor, the project is still consistent with the intent of the approved concept plan which establishes the framework for the redevelopment of the north-eastern portion of the Riverwood Estate.

#### 3.2 Delegated Authority

On 28 May 2011, the Minister delegated his powers and functions under section 75W of the EP&A Act to the Planning Assessment Commission for:

- applications which are not for major infrastructure development and Proponent is not a public authority (other than a local authority), and
- applications where a statement has been made disclosing a reportable political donation in relation to the project, and
- applications where a statement has been made disclosing a reportable political donation in connection with any previous concept or project application.



The proposed modification meets the above criteria because a statement was made with the modification application disclosing a reportable political donation by Payce Communities Pty Limited, the private partner of Housing NSW (see Appendix C). The Planning Assessment Commission can therefore determine the modification request under delegated authority.

#### **4. CONSULTATION AND SUBMISSIONS**

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Under section 75X(2)(f) of the EP&A Act, the Director-General is required to make the modification request publicly available. The department made the modification request publicly available on the department's website and notified Canterbury City Council in writing.

The department received a submission from council raising no issue with the modifications proposed (see Appendix B). No submissions were received from the public.

#### **5. ASSESSMENT**

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The concept plan approval specifies the maximum building height in storeys for each building envelope within the project, varying from 3 storeys to 10 storeys. The concept plan approval also specifies maximum heights as RLs. The proponent is seeking a modification to the concept plan approval to increase the RLs for a number of the building envelopes within Phase 2 of the development with no change to the overall storey limits.

Council previously identified overland flow from stormwater as an issue for the site. Accordingly, the concept plan approval requires future development applications to address drainage, stormwater and groundwater management issues, in accordance with Council's design specifications.

In preparing the development applications, the proponent has undertaken further design development which has revealed that the height of the envelopes in the original environmental assessment for the concept plan would need to be increased to meet minimum stormwater overland flow flooding requirements. Flood modelling undertaken to inform the detailed design of the buildings within Phase 2 has revealed that the ground floor levels need to be positioned above existing kerb levels and have a minimum 300 mm freeboard. This subsequently resulted in the need to raise ground floor levels by up to 1.11 metres (from RL 18.00 to RL 19.11 for Stage 1) to mitigate any potential flooding impacts from stormwater overland flow, which consequently requires the height of the building envelopes to be increased. Due to the sloping nature of the site increases of up to 1.11 metres are required to ensure that the ground floor cleared the highest kerb for the block to maintain alignment of the podium level.

The proponent has also sought to increase the heights by up to an additional one metre for some of the building envelopes to accommodate 3.1 m floor to floor heights to provide additional capacity for servicing and comply with the minimum 2.7 m floor to ceiling height requirement in the Residential Flat Design Code. The approved heights compared with the proposed heights are shown in Table 1.



**Table 1: Approved heights and proposed heights**

Envelope	Approved Height		Proposed Height		Change (m)
	Storeys	RL	Storeys	RL	RL
Stage 1 (A-south)	10	46.2	10	48.2	+2
Stage 1 (A-west)	7	37.2	7	39.2	+2
Stage 1 (B)	7	35.2	7	37.2	+2
Stage 2 (A-south)	9	38.7	9	39.5	+0.8
Stage 2 (A-north)	6	28.2	6	28.7	+0.5
Stage 2 (B)	3	19.2	3	19.5	+0.3
Stage 3 (A)	7	32.2	7	32.8	+0.6
Stage 4 (A-west)	8	34.95	8	35.7	+0.75
Stage 4 (A-south)	9	40.95	9	41.8	+0.85
Stage 4 (B)	8	34.95	8	35.7	+0.75

The proponent has demonstrated in shadow diagrams that the modification to the envelope heights would have no additional amenity impacts as additional overshadowing would be minimal. In this regard, adjoining properties would still retain a minimum 3 hours of solar access to living rooms and private open space areas.

The minor envelope height increases would also have minimal impact on the overall bulk and scale of the project. Furthermore, future development applications are required to demonstrate that the future buildings would achieve appropriate amenity for future residents and amenity impacts on any surrounding residential properties are adequately mitigated or managed.

The department has consulted with council regarding the modification request and no objection has been raised.

The department considers that the modifications sought for minor RL height increases to building envelopes can be supported as they would have negligible amenity impacts and are necessary to provide flexibility for future buildings to address minimum stormwater flood level clearance requirements. Accordingly, the department recommends that the approved plans identified in the Instrument of Approval be modified to identify the increased heights varying from an additional 0.3 metres to 2 metres.

## 6. CONCLUSION

The department has considered the requested modifications to concept plan approval MP10\_0167, which establishes the framework for future development of the Riverwood North Residential Estate, and considered the key issues associated with these modifications. The proposed modifications are considered to be minor and would not result in a significant change to the approved development.

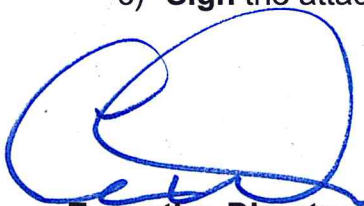
The department has recommended the approval be modified to reflect revised plans that prescribe the increased maximum heights of the building envelopes for Phase 2 of the development to ensure that future buildings can be designed to address minimum stormwater flood level clearance requirements and meet minimum floor to ceiling height standards.

It is therefore recommended that the modification application be approved.

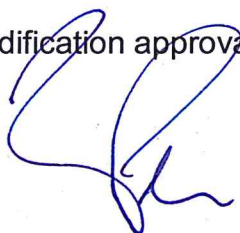
## 7. RECOMMENDATION

It is recommended that the Planning Assessment Commission:

- a) **Consider** the findings and recommendations of this report;
- b) **Approve** the modifications, under section 75W of the *Environmental Planning and Assessment Act, 1979*, and;
- c) **Sign** the attached instrument of modification approval (**Tag A**).



19.9.11  
Executive Director  
Major Project Assessment



21/9/11  
Deputy Director General  
Development Assessment & Systems  
Performance

Shaddad  
Director-General

22/9/2011