

6 November 2012

**14-18 Boondah Road Warriewood – Modification
(MP 09_0162 MOD2 & MP 10_0177 MOD 11)**

PROPOSAL

This application seeks approval to modify the Concept Plan and Stage 1 Project approval for the redevelopment of 14-18 Boondah Road Warriewood.

Modifications to the Concept Plan Approval include:

- a reduced parking rate for 2 bedroom units from 2 to 1.2 spaces per unit
- inserting a new condition to require the developer to be responsible for the reconstruction of half of Boondah Road
- amending the timing for the payment of developer contributions for Stage 2 of the development from prior to issue of the 'First Occupation Certificate' to prior to issue of the 'Final Occupation Certificate'.

Modifications to the Stage 1 Project Approval include:

- require the preparation of engineering plans and specifications for 'half the width' of the frontage to Boondah Road;
- require the developer to construct street lighting and services to 'half the width' of the frontage to Boondah Road;
- require the developer to construct 'half the width' of the frontage to Boondah Road prior to issue of the Final Occupation Certificate; and
- revise and clarify the correct number and date of four (4) architectural drawings identified in Condition A1 of the approved instrument.

The Proponent for this application is Meriton Property Services Pty Ltd.

DELEGATION TO THE COMMISSION

The project was referred to the Commission for determination under the terms of the Ministerial delegation dated 14 September 2011.

Mr Garry Payne AM and Ms Donna Campbell were nominated as the Commission members for the project. Mr Garry Payne AM chaired the Commission.

DEPARTMENT'S ASSESSMENT REPORT

On 17 October 2012, the Commission received the Director-General's Environmental Assessment Report. The report provided a detailed assessment of key issues including:

- Car parking rate applied for two bedroom apartments; and
- Extent of reconstruction works to Boondah Road.

The Department received a total of two submissions on the project from Pittwater Council and the Roads and Maritime Services (RMS). Pittwater Council objected to the proposed reduction in car parking and the upgrade of only half of Boondah Road. The RMS did not object to the proposal but suggested that the reduction in car parking spaces should be offset by appropriate public transport infrastructure financed by the proponent.

The Department's assessment report concluded that, the proposal should be approved with a reduced car parking rate of 1.5 space per two bedroom apartment, rather than the 1.2 spaces sought by the proponent and the proponent only being responsible for the upgrade of half of Boondah Road.

Meetings with Key Stakeholders

As a part of the Commission's consideration of the proposal the Commission met with the Proponent and Pittwater Council. The Commission is familiar with the site.

Pittwater Council

On 1 November 2012, the Commission held a teleconference with Council officers to discuss the application. The key issues raised by Council included:

- the approved car park rate was established by locational criteria from RTA Guidelines ;
- the existing provision of public transport is limited in frequency particularly outside peak hours and destinations particularly to the west;
- Pittwater residents rely heavily on private car usage which is reflected in high rates of car ownership; and
- there is no on street car parking on internal roads within the development;
- the PAC previously required the full width of Boondah Road to be reconstructed;
- the example used by the Department to illustrate Council only requiring half road reconstruction was incorrect;
- the road is subject to flooding and as such, requires the entire width of Boondah Road to be raised and constructed at the same time; and
- Council's Section 94 Contributions for Boondah Road is for the southern half only.

Proponent

On 1 November 2012, the Commission met with the Proponent to discuss the proposal. The key points raised by the proponent included;

- the reduced car parking rate is in-line with broader strategic objectives of reducing car dependency;
- the proposed car parking rate is in-line with RMS guidelines for medium density development;
- there is little demand for 2 car parking spaces for two bedroom units;
- requiring 2 car parking spaces increases construction costs and unnecessarily reduces housing affordability;
- Council's 2 car parking space requirement is based on 3-4 bed townhouse development rather than residential flat buildings;
- a bus route running past the site provides public transport to the City and other areas;
- other Council's in similar areas do not require such high car parking rates;
- the proponent is prepared to construct half the road width fronting their site,
- Council has in the past only required half width reconstruction of similar roads; and
- Council's Section 94 Contributions should be used to fund the reconstruction of Boondah Road.

The proponent also stated they were prepared to increase the proposed car parking rate from 1.2 space to 1.5 spaces for each 2 bed unit in-line with the Department's recommendation.

COMMISSION'S COMMENTS

Car Parking

The Commission notes earlier modification applications to the Stage 1 project application and Concept Plan to change the parking rate for 2 bedroom units were refused as *"the Commission was not convinced that there is sufficient justification to alter its original approval of 2 parking spaces for a 2 bedroom unit."*

The Commission remains unpersuaded that there is sufficient reason to vary the parking rate for 2 bedroom units. The Commission notes the Department has not changed its position and it was not persuaded by proponent's argument that they had new information to support the decreased car parking rate.

The Commission therefore considers that the arguments to change the car parking rate are not compelling enough to change a requirement that has been previously considered by the Commission and applied on the site. The Commission prefers Council's reasons for retaining the approved car parking rate at this particular location.

Boondah Road Upgrade

The Commission has carefully considered the issues raised by Council regarding the reconstruction of Boondah Road. On balance, the Commission accepts the Department's assessment that the Proponent should only be responsible for constructing half of the Road. The Commission considers that reconstructing half of the road width together with the existing payment of Section 94 contributions towards the overall upgrade of Boondah Road is a reasonable apportionment of costs.

COMMISSION'S DETERMINATION

The Commission has carefully considered the views expressed by the proponent and Council. On balance, the Commission considers that the application should be approved with the exception of reducing the car parking rate.



Commission Member



Commission Member