

Address: Nos. 134 – 144 Pitt Street, Redfern
Proposal: Mixed Use Development
NOVEMBER 2016

ENVIRONMENTAL ASSESSMENT



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**REQUEST TO MODIFY CONCEPT PLAN MP07_0029
AND MAJOR PROJECT APPROVAL MP09_0068**


FORMER RACHEL FORSTER HOSPITAL

NOS. 134 – 144 PITT STREET, REDFERN

PREPARED FOR KAYMET CORPORATION PTY LTD

NOVEMBER 2016

OVERVIEW

In Brief:	<p>This request to modify a concept plan and major project approval is made pursuant to Section 75W of the Environmental Planning and Assessment Act 1979, consistent with the transitional arrangements at Schedule 6A of the Act. The application seeks to modify Concept Plan Approval MP07_0029 and Project Approval MP09_0068 relating to redevelopment of the former Rachel Forster Hospital at Nos. 134 – 144 Pitt Street, Redfern. The proposed modifications seek the following:</p> <ul style="list-style-type: none">• Increase the height of Buildings B and C from 4 storeys to 6 storeys;• Increase total gross floor area from 13,531.51m² to 15,972.4m²;• Increase the total number of units from 158 to 218;• Introduce affordable rental housing;• Modify the façade detail and building appearance;• Introduce non-residential uses to activate the Pitt Street frontage; and• Increase the volume of car parking.
Site:	<p>Lot 7 DP 664804 Nos. 134 – 144 Pitt Street REDFERN NSW 2016</p>
Architect:	<p> Level 2, 12 Queen Street CHIPPENDALE NSW 2008</p>
Client:	<p>KAYMET PO BOX 574 HURSTVILLE BC NSW 1481</p>

CONTENTS

1.	INTRODUCTION	1
2.	THE SITE AND ITS CONTEXT	2
3.	PROPOSED MODIFICATIONS	4
	3.1 Approved Concept Plan.....	4
	3.2 Approved Part 3A Project.....	5
	3.3 Proposed Modifications	6
	3.3.1 Description of Modified Concept Plan.....	6
	3.3.2 Description of Modified Part 3A Project.....	8
	3.4 Rationale for Proposed Modifications.....	11
	3.4.1 Legislative, Policy and Demographic Changes	11
	3.4.2 Improvements in Building Design and Efficiency	11
	3.4.3 Affordable Rental Housing	12
4.	ENVIRONMENTAL ASSESSMENT.....	14
	4.1 Director General’s Requirements for the Proposed Modification.....	14
	4.2 Statutory Planning Framework.....	15
	4.2.1 Environmental Planning and Assessment Act 1979.....	15
	4.2.2 State Environmental Planning Policy (State and Regional Development) 2011	15
	4.2.3 State Environmental Planning Policy (State Significant Precincts) 2005.....	16
	4.2.4 State Environmental Planning Policy No. 65 – Design Quality of Residential Apartment Development.....	18
	4.2.5 State Environmental Planning Policy (Building Sustainability Index) BASIX.....	28
	4.2.6 State Environmental Planning Policy No. 55 – Remediation of Land	28
	4.2.7 State Environmental Planning Policy (Affordable Rental Housing) 2009	29
	4.2.8 Redfern-Waterloo Built Environment Plan (Stage One).....	29
	4.3 Environmental Impacts.....	29
	4.3.1 Heritage Impacts	29
	4.3.2 Traffic and Parking.....	30
	4.3.3 Solar Access and Overshadowing.....	30
	4.3.4 Privacy & Views	32
	4.3.5 Crime Prevention Through Environmental Design	33
	4.3.6 Waste Management.....	33
	4.3.7 Ecologically Sustainable Development	33
	4.3.8 Developer Contributions and Affordable Rental Housing	36
	4.3.9 Utilities.....	36
	4.3.10 Deep Soil and Communal Open Space	36
	4.3.11 Acoustic Impacts	36
	4.4 Consultation.....	36
5.	REVISED STATEMENT OF COMMITMENTS.....	39
6.	CONCLUSION.....	42

ATTACHMENTS

- | | |
|-------|---|
| I. | SURVEY PLAN |
| II. | MODIFIED CONCEPT PLAN DRAWINGS |
| III. | ARCHITECTURAL DRAWINGS |
| IV. | HERITAGE IMPACT STATEMENT & INTERPRETATION STRATEGY |
| V. | CONSULTATION AND ENGAGEMENT REPORT |
| VI. | ASSESSMENT OF TRAFFIC AND PARKING IMPLICATIONS |
| VII. | ACCESS REPORT: STATEMENT OF COMPLIANCE |
| VIII. | DIRECTOR GENERAL'S REQUIREMENTS |
| IX. | DESIGN VERIFICATION & DESIGN EXCELLENCE STATEMENT |
| X. | BASIX CERTIFICATES |
| XI. | ARCHAEOLOGICAL ASSESSMENT |
| XII. | STORMWATER CONCEPT PLAN |
| XIII. | LANDSCAPE PLANS |
| XIV. | ACOUSTIC ASSESSMENT & CONSTRUCTION NOISE VIBRATION MANAGEMENT
PLAN |
| XV. | WASTE MANAGEMENT PLAN |
| XVI. | GEOTECHNICAL REPORT |
| XVII. | BCA CAPABILITY REPORT |

1. INTRODUCTION

This Environmental Assessment (inclusive of supporting documentation) constitutes a formal request to modify the approvals granted to Concept Plan MP07_0029 and Major Project MP09_0068, relating to redevelopment of the former Rachel Forster Hospital at Nos. 134 – 144 Pitt Street, Redfern.

Major Project MP09_0068 was approved on 1 July 2013 for a residential development with the following particulars:

- Demolition of existing buildings and tree removal;
- Adaptive reuse of the former (Rachel Forster) hospital building for residential housing and construction of 3 residential flat buildings, comprising a total of 158 residential apartments;
- 2 level basement parking for 138 car spaces;
- Provision of a publicly accessible communal open space; and
- Strata subdivision.

MP09_0068 was determined by the Minister for Planning and Infrastructure as being consistent with approval of the preceding Concept Plan MP07_0029, approved 9 October 2007.

The subject application seeks approval for modifications to both Concept Plan MP07_0029 and Major Project MP09_0068, and comprises the following elements:

- Increase the height of Buildings B and C from 4 storeys to 6 storeys;
- Increase total gross floor area from 13,531.51m² to 15,972.4m² (1.95:1 to 2.31:1);
- As a consequence of the increased gross floor area, and efficiencies being made to the approved floor plan layout, increase the total number of units from 158 to 218;
- Introduce affordable rental housing as an integral component of the proposed development;
- Make various changes to the façade detail and building appearance;
- Introduce additional non-residential uses on the ground level, including food and drink premises and neighbourhood shops; and
- Increase the volume of car parking (171 spaces) to support the proposed intensity of development.

This application for amendments to Concept Plan MP07_0029 and Major Project MP09_0068 is consistent with the provisions of Schedule 6A of the Environmental Planning and Assessment Act 1979 (EPAA), which establishes the process for modification of transitional projects via continuation of Part 3A of the EPAA as in force immediately before its repeal. Pursuant to Section 75M of the EPAA, a single application can be made for a concept plan and project approval. It is therefore considered appropriate to modify both Concept Plan MP07_0029 and Project Approval MP09_0068 as part of a single application.

Concept Plan MP07_0029 modifications are appended at **Attachment II**. The architectural plans accompanying Project Approval MP09_0068 modifications are appended at **Attachment III**.

2. THE SITE AND ITS CONTEXT

The subject site is identified as Lot 7 DP 664804, Nos. 134 – 144 Pitt Street, Redfern. The site has an area of 6,922.9m² and has frontages of 76 metres to Albert Street and 96 metres to Pitt Street. The site is derelict, with demolition of non-heritage former hospital buildings, remediation of land and removal of trees pursuant to Project Approval MP09_0068 having already taken place (see **Figure 1** below). The site has a cross fall of approximately 2.5 metres to the south and southwest, with land form modification associated with the former hospital meaning that much of the ‘existing ground level’ is approximately 1 storey below the level of Pitt and Albert Streets. The site retains part of the former Rachel Forster Hospital building which is to be adaptively reused for the purposes of residential accommodation. Key features of the site are identified in the Survey Plan appended at **Attachment I** and Site Analysis drawings at **Attachment III**.

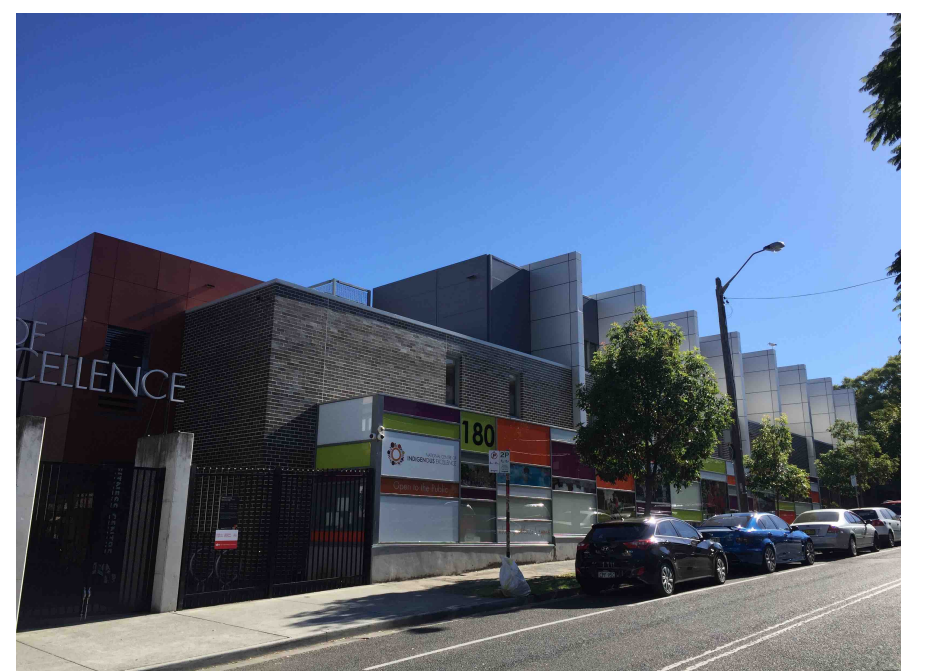
Neighbouring properties comprise either terrace houses or residential flat buildings. The adjoining site to the west is a recently completed residential apartment development with retained art deco façades, and is known as The George (see Development Application No. D/2012/454, approved on 4 December 2012 by City of Sydney Council). The area is undergoing a period of gentrification, which is supported by the recent announcement of significant proposed changes to transport, housing density, employment and social infrastructure as part of the Central to Eveleigh Urban Transformation Strategy (2016). To the south of the site beyond Phillip Street is the planned Waterloo Estate Precinct, part of this transformative program, which is seeking to significantly increase residential density and opportunities for employment. It will be serviced by the expanded Sydney Metro rail network. The NSW Government and its partners intend to deliver 5,000 new homes in this precinct alone (including the replacement of 2,000 existing social housing dwellings). Metamorphosis of the area over the coming 15 – 20 years will see the complete renewal and replacement of all current social housing, integrated with planning for new public parks, community facilities and jobs.



Figure 1: The derelict former Rachel Forster Hospital building.



Figures 2 – 7: The former Rachel Forster Hospital building (top left) and its immediate context.



3. PROPOSED MODIFICATIONS

3.1 Approved Concept Plan

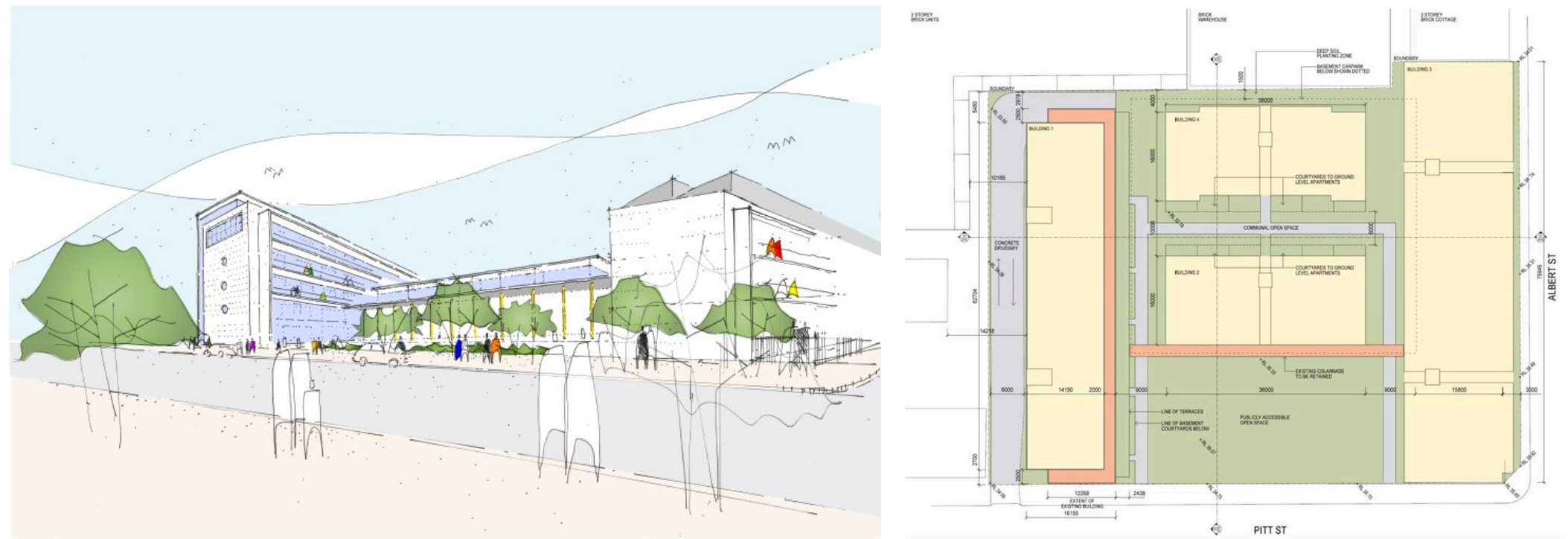
Concept Plan MP07_0029 was approved 9 October 2007 for:

- Removal of existing vegetation;
- Retention and adaptive reuse of heritage building;
- Medium density residential land use comprising approximately 150 residential apartments;
- A maximum floor space ratio of 2:1;
- Variable building height limit of 3-6 storeys above street level;
- Basement car parking for approximately 160 vehicles; and
- Dedication of land for public open space purposes.

Key features of the Concept Plan included retention and adaptive reuse of the existing heritage building and colonnade structure, and provision of a dedicated public open space upon the site frontage. The public benefit of the redevelopment was considered highly desirable, with proceeds from the sale of the site directed toward the provision of a new community health centre in Redfern.

The Concept Plan application demonstrated a compatibility with height and density controls applied in relevant environmental planning instruments and gave adequate consideration to the site's capability to accommodate this type of development. It was accepted that the proposal met the objectives identified for the site in the Redfern-Waterloo Built Environment Plan (Stage 1), and the relevant provisions of State Environmental Planning Policy (Major Projects) 2005 that related to the site at the time.

The NSW Department of Planning determined the site was suitable for the proposed development and was in the public interest.



Figures 8 and 9: Indicative perspective and layout extracted from Concept Plan MP07_0029.

3.2 Approved Part 3A Project

Subsequent to approval of Concept Plan MP07_0029, a Major Project Application was submitted, using envelopes and commitments established by the Concept Plan. Major Project MP09_0068 was approved on 1 July 2013 for a residential development comprising the following particulars:

- Demolition of existing buildings and removal of 13 trees;
- Adaptive reuse of the former Rachel Forster Hospital building for residential housing and construction of 3 residential flat buildings comprising a total of 158 residential apartments;
- 2 basement levels to accommodate 138 car parking spaces;
- Provision of a publicly accessible communal open space; and
- Strata subdivision.

The NSW Department of Infrastructure and Planning determined following consideration of the merits of the proposal, and taking into consideration the issues raised in all submissions, that it was satisfied the proposed development was consistent with the approved Concept Plan, that all impacts had been satisfactorily addressed by the proponent, and that the proposal was considered to be in the public interest. The Department concluded that the proposed development ‘demonstrated appropriate urban design in consideration of existing heritage items whilst providing satisfactory levels of amenity for future occupants and existing surrounding residents’.



Figure 10: Photomontage image of the approved Major Project MP09_0068, Pitt Street elevation.



Figure 11: Photomontage image of the approved Major Project MP09_0068, Albert Street elevation.

3.3 Proposed Modifications

3.3.1 Description of Modified Concept Plan

The following modifications to Concept Plan MP07_0029 are proposed:

- Increase the height of Building B from 4 storeys to 6 storeys;
- Increase the height of Building C from 4 storeys to 6 storeys;
- Increase maximum FSR from 2:1 to 2.31:1; and
- Introduce additional non-residential uses upon the ground level, including food and drink premises and neighbourhood shops.

Increased Height of Building B

The overall height of Building B will increase from 4 storeys to 6 storeys. Building B will remain obscured from view from both Pitt and Albert Streets by Buildings C and D.

Increased Height of Building C

The overall height of Building C will increase from 4 storeys to 6 storeys. Building C occupies the same footprint as the approved development. Its colonnade is setback approximately 22 metres from Pitt Street. The setback from Pitt Street and the step-down from 7 to 6 storeys will make Building C subordinate to Building A and will provide an appropriate transition in scale from the former Rachel Forster Hospital building to the approved residential accommodation adjacent Albert Street. Building C will not be visible from Albert Street.

Increase in Gross Floor Area

The GFA of the development will increase from 13,846m² to 15,972.4m². The increased GFA will be contained in the additional storeys allocated to Buildings B and C. The Concept Plan prescribed a maximum Floor Space Ratio (FSR) of 2:1. The increase in GFA results in a FSR of 2.31:1. The justification for this increase in FSR is premised on the provision of affordable rental housing within the proposed development, with the increase in building height consistent with the maximum prescribed building height for the site, the density consistent with built form changes to the local area and to Greater Sydney that have occurred since the original approval, and the site's ability to accommodate affordable housing in an accessible location, in close proximity to transport and social infrastructure and employment (see Section 3.4 of the Environmental Assessment).

Introduction of Non-Residential Uses

The introduction of complementary non-residential uses at ground floor level will improve activation of the site and its engagement with the community, and improve the range of amenities afforded to future residents and neighbours. The proposed modification intends to permit neighbourhood shops and food and drink premises within the proposed development. The permissibility of the non-residential uses and their impacts are addressed at Sections 4.1 and 4.2.3 of the Environmental Assessment.

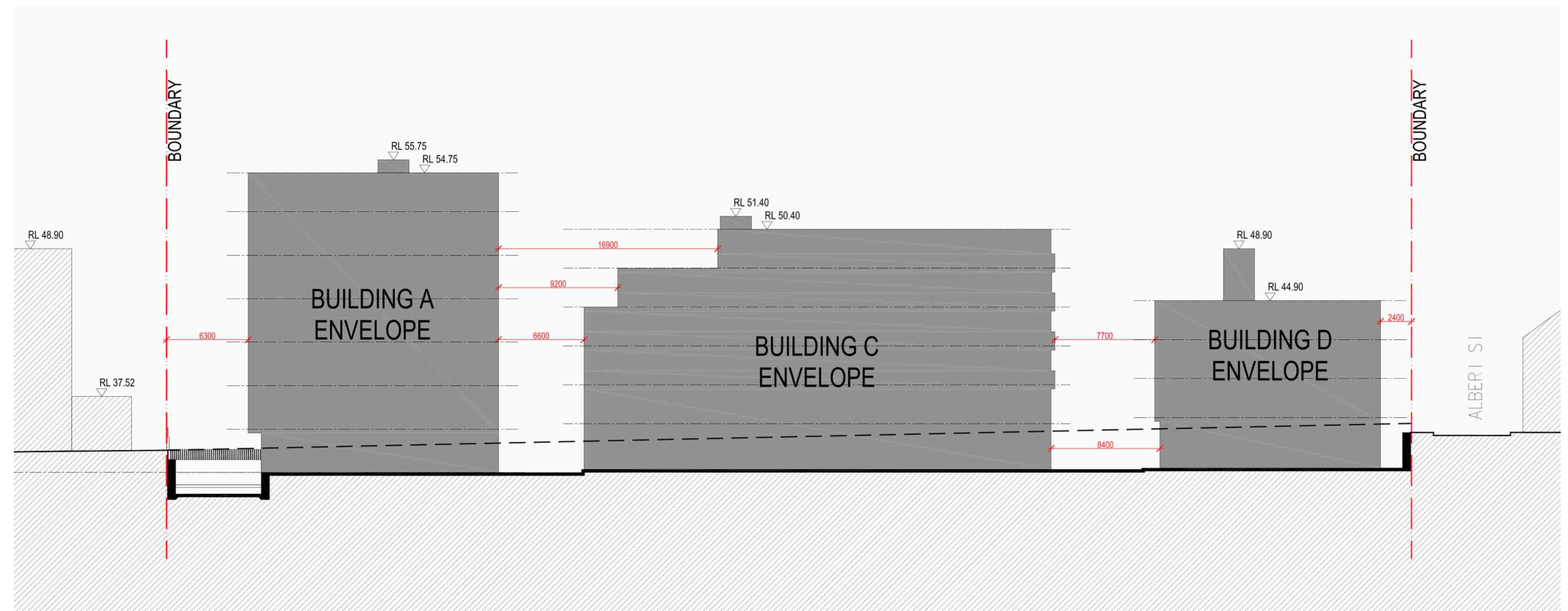


Figure 12: Extract from proposed Concept Plan modification, increasing the height of Buildings B and C.

3.3.2 Description of Modified Part 3A Project

The modified proposal will comprise a mixed use development, comprising four (4) separate buildings of 7, 6, 6 and 4 storeys in height. The proposal retains and adaptively re-uses the former Rachel Forster Hospital building, and introduces 3 new buildings, consistent with the concept plan and project approvals. The residential component of the development will comprise an appropriate mix of dwelling types for the locality including 4 x studio apartments (2%), 102 x 1 bedroom units (47%), 92 x 3 bedroom units (42%), and 20 x 3 bedroom units (9%). Consistent with the existing approvals, the modified proposal will retain a publicly accessible, landscaped forecourt to its Pitt Street frontage. This area is proposed to be activated with the introduction of neighbourhood shops and food and drink premises to supplement established local land uses.

The footprint of the approved development is relatively unchanged.

Increased Height of Building B

The overall height of Building B will increase from 4 storeys to 6 storeys. Building B will remain obscured from view from both Pitt and Albert Streets by Buildings C and D.

Increased Height of Building C

The overall height of Building C will increase from 4 storeys to 6 storeys. Building C occupies the same footprint as the approved development. Its colonnade is setback approximately 22 metres from Pitt Street. The setback from Pitt Street and the step-down from 7 to 6 storeys will make Building C subordinate to Building A and will provide an appropriate transition in scale from the former Rachel Forster Hospital building to the approved residential accommodation adjacent Albert Street. Building C will not be visible from Albert Street.

Increase in Gross Floor Area

The GFA of the development will increase from 13,500m² to 15,972.4m². The increased GFA will be contained in the additional storeys allocated to Buildings B and C. The approved major project had a FSR of 1.95:1, within the prescribed maximum of 2:1 determined by the Concept Plan approval. The increase in GFA to 15,972.4m² results in a FSR of 2.31:1. The justification for this increase in FSR is premised on the provision of affordable rental housing within the proposed development, with the increase in building height consistent with the maximum prescribed building height for the site, the density consistent with built form changes to the local area and to Greater Sydney that have occurred since the original approval, and the site's ability to accommodate affordable housing in an accessible location, in close proximity to transport and social infrastructure and employment (see Section 3.4 of the Environmental Assessment).

Introduction of Non-Residential Uses

The introduction of complementary non-residential uses at ground floor level will improve activation of the site and its engagement with the community, and improve the amenity afforded to future residents and neighbours in the locality. The proposed modification suggests the introduction of 2 neighbourhood shops adjacent the Pitt Street frontage, for the purpose of street activation and provision of local services to residents, and 2 food and drink premises internal to the site, to provide improved amenity to local residents. The permissibility of the non-residential uses and their impacts are addressed at Sections 4.1 and 4.2.3 of the Environmental Assessment.

Introduction of Affordable Rental Housing

The proposed modification will dedicate approximately 4,790m² of residential GFA to affordable rental housing (31% of 15,540.6m²), to be managed by a social housing provider. The quantum of GFA dedicated to affordable rental housing is determined by the volume of GFA that exceeds the prescribed maximum FSR control, consistent with the approach adopted by State Environmental Planning Policy (Affordable Rental Housing) 2009. Whilst not strictly applicable to the site, as the site contains a heritage item, the proposal adopts the principles of SEPP, which permits an increase in permissible FSR for infill development proposals in which a proportion of the development is dedicated to affordable rental housing. The addition of affordable rental housing to the development addresses an identified local need for the inner city rental market.

Increase in Apartments Numbers

The overall number of apartments will increase from 158 to 218 through a combination of increased GFA and improved efficiencies in apartment design and layout, without compromising the design objectives espoused by the Apartment Design Guide (see Section 4.2.4.1 of the Environmental Assessment).

Increased Volume of Car Parking

A total of 171 car parking spaces will be provided on site to accommodate the increased number of residential units and the proposed non-residential uses. See Traffic and Parking Implications at **Attachment VI**.



Figure 13: Proposed project modification, Pitt Street elevation by Tony Owen Partners.

Various Aesthetic Modifications to Building Façade and Landscape Concept Plans

The proposal updates both architectural and landscape plans to reflect a more contemporary aesthetic. The proposed modifications have been developed in partnership with heritage consultants and deemed appropriate, and have been put forward in public consultation. The Heritage Impact Statement at **Attachment IV** and Communication and Engagement Report at **Attachment V** address reaction to the proposed changes to the building aesthetic.

The proposed modifications to the appearance of the building are described by Tony Owen Partners thus:

The facades consist of horizontal white bands of painted masonry to reflect the art deco heritage. These bands are often curved in plan to reinforce this character. These bands are interspersed with areas of timber grain metal panel. This creates a patterning which introduces a diagonal movement which adds interest and articulation. Areas of horizontal timber louvres are also introduced. These areas provide privacy particularly between buildings and on the ends of buildings and balconies. The timber further softens the facades and adds earthiness.

Each building has a different composition of these elements. Building A is more restrained and upright. The northern façade has a high proportion of open balconies to maximise solar access. The southern façade is more solid and calm with no diagonal elements. Building D has a northern frontage to Albert Street. The horizontal expressing minuses the apparent height in relation to the existing 2 storey built fabric. The playful façade activates the length of the street providing a rich streetscape. Building B and C face inwards into the site and they are the least restraint. The diagonal geometry adds interest and character to the built form creating a unique and uplifting environment. As with the approved design, the lower 2 floors of building C incorporate the existing colonnade. Accordingly, the east façade of building C is more restrained than other facades of building B and C and the lower levels are harmonious with the colonnade. The colonnade denotes a retail verandah which articulates the public streetscape.

The overall effect is a sculptural composition which will create a unique contemporary inner city precinct with its own distinct identity. The result is a progressive design of a high quality which will enrich the area and provide a bench mark for the community.

The proposed modification includes approximately 4,790m² of gross floor area to be dedicated to affordable rental housing (see Section 3.4.3), and proposes 33 adaptable apartments and 45 ‘silver level’ apartments for further diversification of housing stock.



Figure 14: Proposed project modification, Albert Street elevation by Tony Owen Partners.

3.4 Rationale for Proposed Modifications

3.4.1 Legislative, Policy and Demographic Changes

Following commencement of demolition and construction activity on site and peer review of the building design and configuration, an opportunity was identified for an internal redesign of apartments to create a more efficient layout. The capacity of the site to cater for increased housing density in close proximity to infrastructure, and to include provision for affordable rental housing in an accessible location, was then discussed with officers of the Department of Planning and City of Sydney Council.

A number of legislative, policy and demographic changes have occurred since the Concept Plan approval. These changes support the introduction of non-residential uses to the site, and the provision of affordable rental housing at a higher density within the proposed development.

The site is contained within the ‘area of influence’ of the Central to Eveleigh Urban Transformation Strategy (November 2016), which has the potential to make a significant contribution to meeting the future needs of Sydney residents and businesses. Importantly, the density of proposed future development within this identified area will reinforce local links across the rail corridor, provide more open space, and create new community facilities and places for residents, visitors and workers to enjoy. Key elements of the program include the renewal of Redfern Station and the development of adjacent government land, the development of residential communities in North and South Eveleigh, the renewal of social housing in Waterloo alongside new private housing, and expansion of the Sydney metro rail system. Up to 56,000 new residents and 25,000 new jobs are anticipated to be delivered over a 30 year period within the 500 hectare study area. The objectives of the strategy include the delivery of a new metro station at Waterloo, integration of new high density mixed use buildings with the surrounds, to deliver a diversity of housing choice and tenure, and to promote opportunities for employment:

Our understanding of the 500ha study area - reached through extensive consultation and expert advice - makes it clear that housing choice and affordability in the area is at a critical point for very low, low and moderate income households. Many residents work in the CBD, yet the number of creative and knowledge economy jobs within Central to Eveleigh is increasing. Many people working in these industries also want to live close to where they work.

Urban Grown NSW has recently announced the development of a metro rail station to be built at Waterloo, approximately 400 metres from the subject site. The new metro rail stop will underpin redevelopment of the Waterloo Estate, an area in which approximately 5,000 new dwellings will be provided, including the replacement of 2,000 existing social housing dwellings. This transformation of this locality area was not envisaged at the time development controls were devised for the Rachel Forster site, nor when the concept plan or major project applications were considered and approved.

State Environmental Planning Policy No. 65 – Design Quality of Residential Apartment Development has recently been amended (including introduction of the companion Apartment Design Guide), and as a consequence, the statutory assessment regime applied to residential apartment development throughout the state. This includes, inter alia, controls relating to solar access, natural ventilation, the provision of car parking and minimum apartment sizes.

It is further noted that the building height and density controls for the Redfern-Waterloo area (including the subject site) were derived from the 2006 Redfern-Waterloo Built Environment Plan (Stage One), and were therefore made under 2006 national population growth assumptions. In the years between 2006 and 2015, the national population growth estimate for the year 2055 was revised upwards from 28.5 million to 39.7 million (in the 2015 Intergenerational Report). The much quicker than expected national population growth has required the revision of population and dwelling targets in the Greater Sydney area, and are a likely contributor to the proposed redevelopment of the Waterloo Estate and the expansion of the State’s metro rail facilities.

Changes to the proposed density of development are considered in this context.

3.4.2 Improvements in Building Design and Efficiency

Through improvements in design efficiency, the proposed modification contains several improved development outcomes, particularly in relation to Apartment Design Guide metrics.

Table 1: Comparison of approved development and proposed modified development (analysis of solar analysis and natural ventilation by Tony Owen Partners).

	APARTMENT DESIGN GUIDE REQUIREMENT	APPROVED DEVELOPMENT	MODIFIED PROPOSAL
<i>Solar and Daylight Access</i>	Living rooms and private open spaces of at least 70% of apartments in a building receive a minimum of 2 hours direct sunlight between 9am and 3pm at mid-winter.	61%	70%
<i>Natural Ventilation</i>	At least 60% of apartments are naturally cross ventilated in the first nine storeys of the building.	43.6%	64%

	APARTMENT DESIGN GUIDE REQUIREMENT	APPROVED DEVELOPMENT	MODIFIED PROPOSAL
Waste Management	Waste storage facilities are designed to minimise impacts on the streetscape, building entry and amenity of residents.	No dedicated waste storage or management on-site.	Dedicated waste / recycling servicing in building basement.
Adaptable Housing	A variety of apartments with adaptable designs are provided.	No provision for adaptable housing.	33 adaptable apartments and 45 'silver level' apartments proposed. See Statement of Compliance: Access for People with a Disability at Attachment VII .
Affordable Rental Housing	No ADG requirement.	No provision of affordable rental housing.	Approximately 31% of residential GFA to be dedicated to affordable rental housing.
Street Activation	Mixed use developments are provided in appropriate locations and provide active street frontages that encourage pedestrian movement.	No activation of Pitt Street.	Provision of non-residential uses to activate Pitt Street frontage and engage with community.

3.4.3 Affordable Rental Housing

The maximum prescribed FSR for the site is 2:1, as per State Environmental Planning Policy (State Significant Precincts) 2005. This equates to a maximum permissible GFA of 13,985.8m².

The approved development has a FSR of 1.95:1, or the equivalent GFA of 13,500m². The GFA of the development as modified will increase to 15,972.4m², and results in a FSR of 2.31:1.

A total 2,126.6m² of GFA is proposed in excess of the prescribed maximum limit. The proponent however intends to dedicate 4,790m² of residential GFA as affordable rental housing, the equivalent of 31% of total residential GFA yielded from the site, to be managed by a social housing provider as defined by State Environmental Planning Policy (Affordable Rental Housing) 2009 for a period of 10 years. The aims of this SEPP include:

- (a) to provide a consistent planning regime for the provision of affordable rental housing,
- (b) to facilitate the effective delivery of new affordable rental housing by providing incentives by way of expanded zoning permissibility, floor space ratio bonuses and non-discretionary development standards,

Whilst the existence of an item of environmental heritage on site precludes application of the incentives otherwise afforded to private developers for the provision of infill affordable housing via application of the SEPP (Cl. 10(1)(b)), it is proposed that affordable housing be provided on site under the same mechanism, whereby the maximum FSR available to a development is increased pursuant to the formula determined by the percentage of GFA dedicated to affordable rental housing (see above).

The City of Sydney recognises that affordable rental housing is a basic requirement and essential component of an inclusive, dynamic and sustainable city. The City is committed to working with other governments to address the chronic shortage of affordable housing in the local area. It recognises that short and long-term homelessness, combined with affordable housing shortages, are serious issues for central Sydney and its surrounding areas and that local government must advocate to state and federal governments to act on affordable housing shortages and help facilitate planning permissions to make way for different types of housing. The affordable housing levy program in Green Square has seen more than 100 affordable rental housing units built. The program target is 330 affordable rental housing units in this area. A similar program in Ultimo and Pyrmont has seen more than 450 affordable rental housing units built. The City of Sydney website notes that by June 2015 there were 753 affordable rental housing dwellings in the city, with 500 further dwellings in the development pipeline.

Sustainable Sydney 2030 establishes an ambitious target that by 2030, 7.5% of all housing in the local area will be social housing provided by government and community providers and 7.5% will be affordable housing delivered by not-for-profit or other providers.

The primary objective of the Council’s adopted Affordable Rental Housing Strategy is to increase the amount of affordable housing available in the City of Sydney to households with very low, low and moderate incomes. One of its key actions of the Strategy is to:

Negotiate incentives to facilitate affordable housing through provisions in the Affordable Rental Housing SEPP.

The proponent wishes to engage with City of Sydney Council and the Department of Planning and Environment in this regard, seeking its support, following consideration of the application's proposed amendments on its merits, to apply the mechanism otherwise available to sites not containing an item of environmental heritage. Consistent with the mechanism provided by the SEPP, a new condition of consent would be imposed to the effect that the proponent enters into an agreement with a community housing provider for the management of a minimum 4,790m² of residential GFA, to be used for the purpose of affordable rental housing for 10 years, prior to the issue of an occupation certificate. It is suggested that before issue of an Occupation Certificate, a restriction will be registered against the title of the property under Section 88E of the Conveyancing Act 1919, consistent again with the provisions of the SEPP.

The proponent has made enquires with a number of community housing providers that operate in this locality, seeking confirmation of their interest and capacity (approximately 60 – 80 units, depending upon size) to manage the affordable rental housing component of the proposed modified development.

The community housing providers engaged thus far include:

Women's Housing: We have been in contact with Women's Housing Acting CEO, Erna Cameron. She confirmed their interest and capacity. As their clients are mainly single women, they have expressed that their principal interest would be for 1 bedroom apartments rather than 2 & 3 bedrooms. Women's Housing would be a good fit in terms of synergies for the 'former women's hospital continuing to care for disadvantaged women in the local community'.

Metro Community Housing: We have been in contact with Metro Community Housing's Manager, Julie Harrison. She confirmed their interest and capacity. She stated that closer to the construction completion date (anticipated 2019/2020), they would have to view the requirements of the development application regarding affordable housing tenant income limits, rent setting arrangements, terms of lease and enter into an agreement at that stage.

Bridge Housing: We have been in contact with Bridge Housing's Development Director, Christopher Dib. He expressed their interest and capacity, subject to appropriate negotiations on commercial terms.

Each of the social housing providers indicated that the timeline and processes for the application preparation, development assessment and approval, and the commencement and anticipated completion dates for construction, would determine their ability to commit to an agreement of any kind. This was explained to be a factor of the significant number of units being offered, their supply and demand for housing at that time of anticipated project delivery, their ability to commit to a 'mooted' development, and any funding that may be required to facilitate the agreement.

It is noted the SEPP does not require that an agreement with a community housing provider be entered into prior to lodgement of an application, but rather a condition imposed upon the development consent. The proponent has suggested this be provided as an addendum to the proposed Statement of Commitments (see Section 5), requiring the proponent to 'enter into an agreement with a community housing provider for the management of a minimum 4,790m² of residential GFA to be used for the purpose of affordable rental housing for a minimum of 10 years'.

4. ENVIRONMENTAL ASSESSMENT

4.1 Director General’s Requirements for the Proposed Modification

On 26 April 2016, the Department of Planning and Environment confirmed the Director General’s Requirements (DGRs) previously issued for Concept Plan application 07_0029 and Project Application MP09_0068 as relevant. Copies of these DGRs are appended at **Attachment VIII**.

Table 2: Director General’s Requirements

REQUIREMENT	ADDRESSED IN DETAIL	SUMMARY
CONCEPT PLAN MODIFICATION		
Building Design, including design excellence, visual impact, bulk and scale relationships with the site and to neighbouring properties, and compliance with State Environmental Planning Policy No. 65 / The Apartment Design Guide	Attachments III & IX , and at Section 3.3.1 of this Environmental Assessment.	<p>The proposed modification retains the majority of the proportions and internal/external scale relationships of the approved project. The key variations, including the increase in height of Buildings 'B' and 'C', do not detract from the streetscape or local environment.</p> <p>The proposed modification is largely compliant with the Apartment Design Guide (ADG). Departures from the ADG requirements are highlighted and justified in Table 4 over page.</p> <p>The principles underlying the design philosophy of the proposed modification are addressed in the Design Statement by the architect appended at Attachment IX.</p>
Overshadowing, privacy and view impacts	Sections 4.3.3 and 4.3.4 of this Environmental Assessment.	<p>The solar impact analysis prepared by Tony Owen Partners demonstrates that the reconfiguration of apartments will improve the quantum of apartments receiving sunlight per the ADG and that dwellings upon adjoining sites will continue to receive a minimum of 2 hours of sunlight to living rooms and open space at mid-winter.</p> <p>The proposed modification does not introduce windows into an elevation in which they were not previously approved. The increase in height of Building 'B' will not significantly alter the ability of residents to overlook adjoining properties to the west. An additional privacy screen has however been added to the development adjacent the western boundary and is detailed upon the architectural plans.</p>
Ecologically Sustainable Development	Section 5 of this Environmental Assessment and Attachment X .	The modified proposal is supported by a BASIX Assessment (Attachment X) and retains the approved Statement of Commitments. Key environmental requirements from the ADG in relation to solar access and natural cross ventilation are also met, and the modified proposal is well-located for public transport use and to encourage alternative modes of transport.
Heritage	Section 4.3.1 of this Environmental Assessment, and Attachments IV & XI .	All proposed amendments to the scheme are assessed by the Heritage Impact Statement (Attachment IV) as having 'no further impact on the ability to understand the historic and social significance of the site'. The Historical Archaeological Assessment approved with MP09_0068 remains current and is appended at Attachment XI .
Traffic Impacts	Section 4.3.2 of this Environmental Assessment and Attachment VI .	<p>The modified proposal will include a total of 176 vehicular spaces, 157 bicycle spaces and 14 motorcycle spaces. The provision of on-site parking is considered to be appropriate per the Assessment of Traffic and Parking Implications appended at Attachment VI.</p> <p>The high level of access the site enjoys to the Sydney rail network (both existing and proposed), and its proximity to the Sydney CBD, increase the likelihood of future residents using alternative modes of transport.</p>
Stormwater	Attachment XII .	The modification proposes negligible changes to building footprints or hard stand areas.
Services / Infrastructure and Utilities	Sections 4.3.9 and 4.4 of this Environmental Assessment.	<p>The City of Sydney was consulted as part of the design process.</p> <p>The proposal is for modification of an approved project within an established urban environment in which the provision of utilities, services and infrastructure is considered appropriate.</p>
PROJECT APPLICATION MODIFICATION		
Concept Plan	Section 1 of this Environmental Assessment	This Section 75W modification request covers amendments to both the approved Concept Plan and the approved Project. Modified architectural concept plans are appended at Attachment II , demonstrating the increased building heights and floor space ratio. The introduction of non-residential uses is addressed elsewhere in this Environmental Assessment.
Transport and Accessibility Impacts	Section 4.3.2 of this Environmental Assessment and Attachment VI .	The modified proposal will include a total of 176 vehicular spaces, 157 bicycle spaces and 14 motorcycle spaces. The provision of on-site parking is considered to be appropriate per the Assessment of Traffic and Parking Implications appended at Attachment VI .

REQUIREMENT	ADDRESSED IN DETAIL	SUMMARY
		The high level of access the site enjoys to the Sydney rail network (both existing and proposed), and its proximity to the Sydney CBD, increase the likelihood of future residents using alternative modes of transport.
European and Aboriginal Heritage	Section 4.3.1 of this Environmental Assessment, and Attachments IV and XI .	All proposed amendments to the scheme are considered and are addressed in the Heritage Impact Statement (Attachment IV) as having 'no further impact on the ability to understand the historic and social significance of the site'. The Historical Archaeological Assessment approved with MP09_0068 remains current and is appended at Attachment XI .
Ecologically Sustainable Development	Section 5 of this Environmental Assessment and Attachment X .	The modified proposal is supported by a BASIX Assessment and retains the previous Statement of Commitments. Key environmental requirements from the Apartment Design Guide in solar access and natural cross ventilation are also met, and the modified proposal is well-located for public transport use and active transit.
Contributions, including any commitments to provide affordable rental housing for the proposed uplift in density	Sections 3.4.3, 4.2.7 and 5 of this Environmental Assessment.	It is proposed to dedicate 31% of residential GFA to affordable rental housing, to be operated by a social housing provider, utilising the same mechanisms as those established at Part 2 of State Environmental Planning Policy (Affordable Rental Housing) 2009.
Utilities	Sections 4.3.9 and 4.4 of this Environmental Assessment.	<p>The City of Sydney was consulted as part of the design process.</p> <p>The application is for modification of an approved project, in which the provision of utilities, services and infrastructure was considered appropriate. The proposed modifications are not considered to be of a nature that would significantly impact upon the provision of necessary infrastructure.</p>
Consultation, including consultation with the City of Sydney Council, Urban Growth NSW, and surrounding property owners / occupiers.	Section 4.4 of this Environmental Assessment.	<p>Consultation was undertaken with the following stakeholders:</p> <ul style="list-style-type: none">• City of Sydney Council;• Urban Growth NSW Development Corporation;• Aboriginal Housing Company;• NSW Police – Redfern Local Area Command;• Transport for NSW – CBD Coordination Office;• Roads and Maritime Services;• Sydney Trains;• Department of Family and Community Services (Housing);• RedWatch;• South Sydney Business Chamber; and• Various social housing providers. <p>Community consultation was directed by KJA, and minor amendments made to proposal as a result of community feedback (see Attachment V).</p>
Consideration should also be given to the proposed land use mix, noting the potential introduction of retail, food and drink premises and medical centres into the development. New land uses should carefully consider consistency with the zone objectives and compatibility with the locality.	Sections 3.3, 3.4 and 4.4 of this Environmental Assessment.	<p>The introduction of neighbourhood shops and food and drinks premises will improve site activation and increase casual surveillance of the street.</p> <p>Preliminary community consultation demonstrates mixed views on the inclusion of non-residential premises within the proposed development. Further consultation will be undertaken during public exhibition of the proposal and further consideration given to the inclusion of these elements in the proposal.</p> <p>Matters of permissibility and compliance with zone objectives are addressed at Section 4.2.3.</p>

4.2 Statutory Planning Framework

4.2.1 Environmental Planning and Assessment Act 1979

This application is made pursuant to Schedule 6A of the Environmental Planning and Assessment Act 1979, which establishes the process for modification of transitional Part 3A projects, via continuation of (the now repealed) Part 3A of the EPAA, as in force immediately before its repeal. The application is made pursuant to Section 75W of the EPAA. Pursuant to Section 75M of the EPAA (now repealed), a single application can be made for a concept plan and a project approval. It is therefore considered appropriate to modify both the Concept Plan (MP07_0029) and the Project Approval (MP09_0068) in a single application.

4.2.2 State Environmental Planning Policy (State and Regional Development) 2011

SEPP (SRD) is an enabling instrument that establishes various sites and proposals as being State Significant Development, as per Section 89C of the EPAA. Schedule 2 of the SEPP identifies that development with a capital investment value of more than \$10 million taking place at Redfern-Waterloo Authority Sites identified on the State Significant Development Sites Map is state significant development.

SEPP (SRD) is not a required ‘trigger’ for this application, as the assessment and determination process is established by Schedule 6A of the EPAA, as addressed previously.

4.2.3 State Environmental Planning Policy (State Significant Precincts) 2005

Part 5 of Schedule 3 SEPP (SSP) establishes land use permissibility for certain zones on Redfern-Waterloo Authority Sites, and prescribes development standards. The site is identified by the relevant map as being within the Residential Zone – Medium Density Residential. Shop top housing, neighbourhood shops (see definition below), and residential flat buildings are each permissible land uses with development consent. The objectives of the zone area as follows:

- a) To provide for a range and variety of housing types in the Zone,
- b) To allow for other types of development to provide facilities or services to meet the day to day needs of residents in the local area,
- c) To enable other development that is compatible with housing,
- d) To ensure the vitality and safety of the community and public domain,
- e) To ensure that buildings achieve design excellence,
- f) To promote landscaped areas with strong visual and aesthetic values to enhance the amenity of the area.

The proposal is wholly consistent with the objectives of the Zone. The introduction of complimentary non-residential uses into the ground floor levels of the building will meet the day-to-day needs of residents and neighbours, as well as improving the vitality and safety of the public domain through improved activation, promoting vibrancy at the streetscape level of the proposed development. The proposed neighbourhood shops and small scale food and drink premises are considered to be consistent with the objectives of the zone, as they are compatible with housing and contribute to the vitality and safety of the community and promote activation of the public domain.

Whilst neighbourhood shops are nominated as permissible in the zone, café and restaurant uses (food and drink premises as defined by the Standard Instrument (Local Environmental Plans) Order 2006) and reproduced below) are not identified as being permissible with consent, and are therefore prohibited. Sections 75O and 75R of the EPAA (repealed but enabled by Schedule 6A of the EPAA) however establish that a concept plan may permit projects, or parts of projects, that would otherwise not be permissible owing to the provisions of an environmental planning instrument. It is submitted the proposed café and restaurant uses are consistent with the zone objectives and are not an outright prohibition, owing to these enabling provisions of the EPAA.

***neighbourhood shop** means premises used for the purposes of selling general merchandise such as foodstuffs, personal care products, newspapers and the like to provide for the day-to-day needs of people who live or work in the local area, and may include ancillary services such as a post office, bank or dry cleaning, but does not include restricted premises.*

***food and drink premises** means premises that are used for the preparation and retail sale of food or drink (or both) for immediate consumption on or off the premises, and includes any of the following:*

- (a) a restaurant or cafe,
- (b) take away food and drink premises,
- (c) a pub,
- (d) a small bar.

It is not intended by the proponent that a pub be a permissible land use, as this would not be consistent with the scale of the proposed development, and would adversely conflict with the amenity of future residents.

The SEPP prescribes a maximum building height of 6 storeys. The amended development complies with the prescribed maximum building height standard.

The SEPP prescribes a maximum FSR of 2:1. The modified proposal exceeds the prescribed maximum FSR and is justified via provision of an appropriate proportion of residential GFA being dedicated as affordable rental housing (see Section 3.4.3 of the Environmental Assessment).

Schedule 3, Part 5, Clause 22 of the SEPP demands that Consent must not be granted to a new building or to external alterations to an existing building unless the consent authority has considered whether the proposed development exhibits design excellence:

- (2) In considering whether proposed development exhibits design excellence, the consent authority must have regard to the following matters:

- (a) whether a high standard of architectural design, materials and detailing appropriate to the building type and location will be achieved,
- (b) whether the form and external appearance of the building will improve the quality and amenity of the public domain,
- (c) whether the building meets sustainable design principles in terms of sunlight, natural ventilation, wind, reflectivity, visual and acoustic privacy, safety and security and resource, energy and water efficiency,

Tony Owen Partners has responded to these requirements thus:

a) Architectural Design

whether a high standard of architectural design, materials and detailing appropriate to the building type and location will be achieved,

Proposal: The development incorporates the site of the former Rachel Foster Hospital. This includes the main building and ancillary buildings including a colonnade. The street façade and structure of the main building is to be retained as well as the colonnade elements from the low building. These elements display the characteristics of mid-century deco style. Whilst the approved DA did not reference this context, the proposal adopts some of the characteristics of this style. This includes the use of strong horizontal lines and curved edges.

As the project is progresses, these elements will be developed and the detail will reflect the high standard of design suitable to this site.

b) External Appearance

whether the form and external appearance of the building will improve the quality and amenity of the public domain,

Proposal: The overall massing of the buildings is generally the same as the approved design. The character of the approved scheme could be characterised as typical of Sydney generic apartment designs of the early 2000’s. There is no attempt to fit with the context of the Hospital or surroundings neighbourhood. We see the new application as a chance to improve the quality of the design including the facades. As such we have reconsidered the facades and attempted to provide a façade of higher quality.

The character of facades is influenced by the art deco character of the former hospital buildings. At the same time, we have emphasised the horizontal lines in order to minimise the apparent bulk and height of the scheme. And finally we sought a design which is progressive and contemporary with a mixture of warm and earthy materials.

The facades consist of horizontal white bands of painted masonry to reflect the art deco heritage. These bands are often curved in plan to reinforce this character. These bands are interspersed with areas of timber grain metal panel. This creates a patterning which introduces a diagonal movement which adds interest and articulation. Areas of horizontal timber louvres are also introduced. These areas provide privacy particularly between buildings and on the ends of buildings and balconies. The timber further softens the facades and adds earthiness.

Each building has a different composition of these elements. Building A is more restrained and upright. The northern façade has a high proportion of open balconies to maximise solar access. The southern façade is more solid and calm with no diagonal elements. Building D has a northern frontage to Albert Street. The horizontal expressing minimises the apparent height in relation to the existing 2 storey built fabric. The playful façade activates the length of the street providing a rich streetscape. Building B and C face inwards into the site and they are the least restraint. The diagonal geometry adds interest and character to the built form creating a unique and uplifting environment. As with the approved design, the lower 2 floors of building C incorporate the existing colonnade. Accordingly, the east façade of building C is more restrained than other facades of building B and C and the lower levels are harmonious with the colonnade. The colonnade denotes a retail verandah which articulates the public streetscape.

The ground level surrounding the plaza will contain retail and café spaces with large expanses of glazing shopfronts. This will provide streetscape activation which will add to the quality of the public spaces.

The overall effect is a sculptural composition which will create a unique contemporary inner city precinct with its own distinct identity. The result is a progressive design of a high quality which will enrich the area and provide a bench mark for the community.

c) Sustainable Principles

whether the building meets sustainable design principles in terms of sunlight, natural ventilation, wind, reflectivity, visual and acoustic privacy, safety and security and resource, energy and water efficiency,

Proposal: The design of the apartments has been influenced by the principles of passive solar design to maximise natural ventilation. The core design ensures a high proportion of corner units and through units resulting in a high proportion of north facing units and natural ventilation to minimise energy use. The design incorporates deep balcony overhangs and vertical timber louvres to maximise solar protection and minimise energy use. The common lobbies are all naturally ventilated.

The proposal contains water collection and recycling initiatives for the garden areas.

4.2.4 State Environmental Planning Policy No. 65 – Design Quality of Residential Apartment Development

State Environmental Planning Policy No. 65 – Design Quality of Residential Apartment Development (SEPP 65) applies to residential flat buildings that comprise 3 or more storeys, and 4 or more self-contained dwellings. Its primary objective is to improve the design quality of residential flat development in New South Wales. The SEPP contains 9 design quality principles that are to be addressed in the design of residential apartment developments.

Clause 50 of the Environmental Planning and Assessment Regulation 2000 requires an application that relates to a residential apartment development to be accompanied by a statement prepared by a qualified designer. In the statement, the qualified designer is required to:

- (a) *Verify that he or she designed, or directed the design, of the development, and*
- (b) *Provide an explanation that verifies how the development:*
 - i. *Addresses how the design quality principles are achieved, and*
 - ii. *Demonstrates, in terms of the Apartment Design Guide, how the objectives in Parts 3 and 4 of the guide have been achieved.*

Tony Owen of Tony Owen Partners, a registered architect in accordance with the Architects Act 1921, has directed the design. An address to the design quality principles is appended at **Attachment IX**.

Table 3: SEPP 65 Design Quality Principles

DESIGN QUALITY PRINCIPLE	RESPONSE
Principle 1: Context and neighbourhood character Good design responds and contributes to its context. Context is the key natural and built features of an area, their relationship and the character they create when combined. It also includes social, economic, health and environmental conditions. Responding to context involves identifying the desirable elements of an area's existing or future character. Well designed buildings respond to and enhance the qualities and identity of the area including the adjacent sites, streetscape and neighbourhood. Consideration of local context is important for all sites, including sites in established areas, those undergoing change or identified for change.	 The proposed modifications respond to the context of the site and the heritage qualities of the retained building. The scale of the proposal is informed by the principles and concepts of the built environment controls prescribed for the area which enable a maximum height of 6 storeys.
Principle 2: Built form and scale Good design achieves a scale, bulk and height appropriate to the existing or desired future character of the street and surrounding buildings. Good design also achieves an appropriate built form for a site and the building's purpose in terms of building alignments, proportions, building type, articulation and the manipulation of building elements. Appropriate built form defines the public domain, contributes to the character of streetscapes and parks, including their views and vistas, and provides internal amenity and outlook.	 The proposed modification is an appropriate response to the changing character of the area and the design concepts contained in the built environment controls.
Principle 3: Density Good design achieves a high level of amenity for residents and each apartment, resulting in a density appropriate to the site and its context. Appropriate densities are consistent with the area's existing or projected population. Appropriate densities can be sustained by existing or proposed infrastructure, public transport, access to jobs, community facilities and the environment.	 The proposed modifications are designed with reference to the Apartment Design Guide. Further assessment of the proposal against the objectives of the Apartment Design Guide is found hereunder.
Principle 4: Sustainability Good design combines positive environmental, social and economic outcomes. Good sustainable design includes use of natural cross ventilation and sunlight for the amenity and liveability of residents and passive thermal design for ventilation, heating and cooling reducing reliance on technology and	 Sunlight access and cross-ventilation requirements satisfy or exceed the minimum requirements of the Apartment Design Guide. Sustainable design is further demonstrated through BASIX certification at Attachment IX and the updated Statement of Commitments.

DESIGN QUALITY PRINCIPLE	RESPONSE
operation costs. Other elements include recycling and reuse of materials and waste, use of sustainable materials and deep soil zones for groundwater recharge and vegetation.	
Principle 5: Landscape	
Good design recognises that together landscape and buildings operate as an integrated and sustainable system, resulting in attractive developments with good amenity. A positive image and contextual fit of well designed developments is achieved by contributing to the landscape character of the streetscape and neighbourhood.	Site landscaping and building materials are selected to provide an inviting interface with the public domain, as well as respecting the former use of the site as a public hospital.
Good landscape design enhances the development's environmental performance by retaining positive natural features which contribute to the local context, co-ordinating water and soil management, solar access, micro-climate, tree canopy, habitat values and preserving green networks.	
Good landscape design optimises useability, privacy and opportunities for social interaction, equitable access, respect for neighbours' amenity and provides for practical establishment and long term management.	
Principle 6: Amenity	
Good design positively influences internal and external amenity for residents and neighbours. Achieving good amenity contributes to positive living environments and resident well being.	The proposal improves daylight access and ventilation requirements of the ADG, as well as achieving ceiling height and dwelling size requirements.
Good amenity combines appropriate room dimensions and shapes, access to sunlight, natural ventilation, outlook, visual and acoustic privacy, storage, indoor and outdoor space, efficient layouts and service areas and ease of access for all age groups and degrees of mobility.	
Principle 7: Safety	
Good design optimises safety and security within the development and the public domain. It provides for quality public and private spaces that are clearly defined and fit for the intended purpose. Opportunities to maximise passive surveillance of public and communal areas promote safety.	The proposal clearly delineates between publicly accessible and private spaces, as well as adhering to the principles of crime prevention through environmental design by securing site access points and increasing casual and formal surveillance of the public domain.
A positive relationship between public and private spaces is achieved through clearly defined secure access points and well lit and visible areas that are easily maintained and appropriate to the location and purpose.	
Principle 8: Housing diversity and social interaction	
Good design achieves a mix of apartment sizes, providing housing choice for different demographics, living needs and household budgets.	The proposed modification provides a mixture of apartment types and introduces an element of affordable rental housing to further diversify the housing stock.
Well designed apartment developments respond to social context by providing housing and facilities to suit the existing and future social mix.	
Good design involves practical and flexible features, including different types of communal spaces for a broad range of people and providing opportunities for social interaction among residents.	
Principle 9: Aesthetics	
Good design achieves a built form that has good proportions and a balanced composition of elements, reflecting the internal layout and structure. Good design uses a variety of materials, colours and textures.	The proposed modification utilises a blend of contemporary style and retained heritage fabric to provide a superior aesthetic outcome.
The visual appearance of a well designed apartment development responds to the existing or future local context, particularly desirable elements and repetitions of the streetscape.	

4.2.4.1 – Apartment Design Guide

Clause 30(2)(b) of SEPP 65 requires that in determining a development application for consent to carry out a residential apartment development, a consent authority is to take into consideration the objectives specified in the Apartment Design Guide (ADG), a publication of the Department of Planning and Environment, dated June 2015.

Whilst the ADG does not contain development standards, it does contain objectives that describe desired design outcomes for residential apartment developments, and design criteria that provide measurable requirements for how objectives can be met. The manner in which the proposal meets the objectives of the ADG, and its compliance with the design criteria is detailed in the ADG Compliance Table over page.

Table 4: Apartment Design Guide

OBJECTIVES		COMMENTS												
PART 3: SITING THE DEVELOPMENT														
3A – SITE ANALYSIS														
Objective 3A-1	Site analysis illustrates that design decisions have been based on opportunities and constraints of the site conditions and their relationship to the surrounding context	Comprehensive Site Analysis is appended at Attachment III .												
3B – ORIENTATION														
Objective 3B-1	Building types and layouts respond to the streetscape and site while optimising solar access within the development	Complies. The proposal adaptively reuses existing infrastructure whilst responding to the residential environment with an appropriate infill design.												
Objective 3B-2	Overshadowing of neighbouring properties is minimised during mid-winter	Complies. See Architectural Plans at Attachment III .												
3C – PUBLIC DOMAIN INTERFACE														
Objective 3C-1	Transition between private and public domain is achieved without compromising safety and security	Complies. Introduction of ground floor non-residential uses improves transition.												
Objective 3C-2	Amenity of the public domain is retained and enhanced	Complies.												
3D – COMMUNAL AND PUBLIC OPEN SPACE														
Objective 3D-1	An adequate area of communal open space is provided to enhance residential amenity and to provide opportunities for landscaping	Complies.												
	<u>Design criteria</u> 1. Communal open space has a minimum area equal to 25% of the site (see figure 3D.3) 2. Developments achieve a minimum of 50% direct sunlight to the principal usable part of the communal open space for a minimum of 2 hours between 9 am and 3 pm on 21 June (mid-winter)	4,024.8m ² of communal open space of varying dimensions and functionality is provided at ground level and upon roof terraces, the equivalent of 58.14% of site area. See Landscape Plans at Attachment XIII . Complies. Large areas upon the Pitt Street frontage and roof terraces will receive adequate sunlight at mid-winter.												
Objective 3D-2	Communal open space is designed to allow for a range of activities, respond to site conditions and be attractive and inviting	Complies. See Landscape Plans at Attachment XIII .												
Objective 3D-3	Communal open space is designed to maximise safety	Complies.												
Objective 3D-4	Public open space, where provided, is responsive to the existing pattern and uses of the neighbourhood	Public access is proposed to forecourt area. No change is proposed from existing, approved scheme.												
3E – DEEP SOIL ZONES														
Objective 3E-1	Deep soil zones provide areas on the site that allow for and support healthy plant and tree growth. They improve residential amenity and promote management of water and air quality	Complies.												
	<u>Design Criteria</u> 1. Deep Soil zones are to meet the following minimum requirements: <table><tr><th>Site Area</th><th>Minimum Dimensions</th><th>Deep Soil zone (% of site area)</th></tr><tr><td>less than 650m²</td><td>-</td><td></td></tr><tr><td>650m²-1500m²</td><td>3m</td><td>7%</td></tr><tr><td>greater than 1,500m²</td><td>6m</td><td></td></tr></table>	Site Area	Minimum Dimensions	Deep Soil zone (% of site area)	less than 650m ²	-		650m ² -1500m ²	3m	7%	greater than 1,500m ²	6m		The proposal is an adaptive reuse of a previously wholly developed and excavated site. There is negligible change to the approved building footprint.
Site Area	Minimum Dimensions	Deep Soil zone (% of site area)												
less than 650m ²	-													
650m ² -1500m ²	3m	7%												
greater than 1,500m ²	6m													

OBJECTIVES		COMMENTS												
	greater than 1500m ² with significant existing tree cover													
3F – VISUAL PRIVACY														
Objective 3F-1	Adequate building separation distances are shared equitably between neighbouring sites, to achieve reasonable levels of external and internal visual privacy	Complies.												
	<div><div>Design Criteria</div><div>1. Separation between windows and balconies is provided to ensure visual privacy is achieved. Minimum required separation distances from buildings to the side and rear boundaries are as follows:</div><table><tr><th>Building height</th><th>habitable rooms and balconies</th><th>Non-habitable rooms</th></tr><tr><td>up to 12m (4 storeys)</td><td>6m</td><td>3m</td></tr><tr><td>up to 25m (5-8 storeys)</td><td>9m</td><td>4.5m</td></tr><tr><td>over 25m (9+ storeys)</td><td>12m</td><td>6m</td></tr></table><div>Note: Separation distances between buildings on the same site should combine required building separations depending on the type of room (see figure 3F.2)</div><div>Gallery access circulation should be treated as habitable space when measuring privacy separation distances between neighbouring properties</div></div>	Building height	habitable rooms and balconies	Non-habitable rooms	up to 12m (4 storeys)	6m	3m	up to 25m (5-8 storeys)	9m	4.5m	over 25m (9+ storeys)	12m	6m	See Notes below.
Building height	habitable rooms and balconies	Non-habitable rooms												
up to 12m (4 storeys)	6m	3m												
up to 25m (5-8 storeys)	9m	4.5m												
over 25m (9+ storeys)	12m	6m												
Objective 3F-2	Site and building design elements increase privacy without compromising access to light and air and balance outlook and views from habitable rooms and private open space	Complies.												
3G – PEDESTIRAN ACCESS AND ENTRIES														
Objective 3G-1	Building entries and pedestrian access connects to and addresses the public domain	Complies.												
Objective 3G-2	Access, entries and pathways are accessible and easy to identify	Complies.												
Objective 3G-3	Large sites provide pedestrian links for access to streets and connection to destinations	N/A.												
3H – VEHICLE ACCESS														
Objective 3H-1	Vehicle access points are designed and located to achieve safety, minimise conflicts between pedestrians and vehicles and create high quality streetscapes	No change from approved vehicular access arrangement. The Assessment of Traffic and Parking Implications at Attachment VI concludes that the proposed modification is satisfactory from a traffic and parking perspective.												
3J – BICYCLE AND CAR PARKING														
Objective 3J-1	Car parking is provided based on proximity to public transport in metropolitan Sydney and centres in regional areas	Complies.												
	<div><div>Design Criteria</div><div>1. For development in the following locations:<ul style="list-style-type: none">on sites that are within 800 metres of a railway station or light rail stop in the Sydney Metropolitan Area; oron land zoned, and sites within 400 metres of land zoned, B3 Commercial Core, B4 Mixed Use or equivalent in a nominated regional centre</div></div>	The site is within 800m of a railway station. No relevant council provisions apply. The RMS Guide to traffic generating developments provides the minimum parking requirement.												

OBJECTIVES		COMMENTS									
	<p>the minimum car parking requirement for residents and visitors is set out in the Guide to Traffic Generating Developments, or the car parking requirement prescribed by the relevant council, whichever is less</p> <p>The car parking needs for a development must be provided off street</p>										
Objective 3J-2	Parking and facilities are provided for other modes of transport	Complies.									
Objective 3J-3	Car park design and access is safe and secure	Complies.									
Objective 3J-4	Visual and environmental impacts of underground car parking are minimised	Complies.									
Objective 3J-5	Visual and environmental impacts of on-grade car parking are minimised	N/A.									
Objective 3J-6	Visual and environmental impacts of above ground enclosed car parking are minimised	N/A.									
PART 4 (A-J): DESIGNING THE DEVELOPMENT – AMENITY											
4A – SOLAR AND DAYLIGHT ACCESS											
Objective 4A-1	<p>To optimise the number of apartments receiving sunlight to habitable rooms, primary windows and private open space</p> <p><u>Design Criteria</u></p> <table><tr><td>1.</td><td>Living rooms and private open spaces of at least 70% of apartments in a building receive a minimum of 2 hours direct sunlight between 9 am and 3 pm at mid-winter in the Sydney Metropolitan Area and in the Newcastle and Wollongong local government areas</td><td>70.2%</td></tr><tr><td>2.</td><td>In all other areas, living rooms and private open spaces of at least 70% of apartments in a building receive a minimum of 3 hours direct sunlight between 9 am and 3 pm at mid-winter</td><td>N/A</td></tr><tr><td>3.</td><td>A maximum of 15% of apartments in a building receive no direct sunlight between 9 am and 3 pm at mid-winter</td><td>Complies.</td></tr></table>	1.	Living rooms and private open spaces of at least 70% of apartments in a building receive a minimum of 2 hours direct sunlight between 9 am and 3 pm at mid-winter in the Sydney Metropolitan Area and in the Newcastle and Wollongong local government areas	70.2%	2.	In all other areas, living rooms and private open spaces of at least 70% of apartments in a building receive a minimum of 3 hours direct sunlight between 9 am and 3 pm at mid-winter	N/A	3.	A maximum of 15% of apartments in a building receive no direct sunlight between 9 am and 3 pm at mid-winter	Complies.	
1.	Living rooms and private open spaces of at least 70% of apartments in a building receive a minimum of 2 hours direct sunlight between 9 am and 3 pm at mid-winter in the Sydney Metropolitan Area and in the Newcastle and Wollongong local government areas	70.2%									
2.	In all other areas, living rooms and private open spaces of at least 70% of apartments in a building receive a minimum of 3 hours direct sunlight between 9 am and 3 pm at mid-winter	N/A									
3.	A maximum of 15% of apartments in a building receive no direct sunlight between 9 am and 3 pm at mid-winter	Complies.									
Objective 4A-2	Daylight access is maximised where sunlight is limited	Complies.									
Objective 4A-3	Design incorporates shading and glare control, particularly for warmer months	Able to comply.									
4B – NATURAL VENTILATION											
Objective 4B-1	All habitable rooms are naturally ventilated	Complies.									
Objective 4B-2	The layout and design of single aspect apartments maximises natural ventilation	Complies.									
Objective 4B-3	<p>The number of apartments with natural cross ventilation is maximised to create a comfortable indoor environment for residents</p> <p><u>Design Criteria</u></p> <table><tr><td>1.</td><td>At least 60% of apartments are naturally cross ventilated in the first nine storeys of the building. Apartments at ten storeys or greater are deemed to be cross ventilated only if any enclosure of the balconies at these levels allows adequate natural ventilation and cannot be fully enclosed</td><td>64.2%</td></tr><tr><td>2.</td><td>Overall depth of a cross-over or cross-through apartment does not exceed 18m, measured glass line to glass line</td><td></td></tr></table>	1.	At least 60% of apartments are naturally cross ventilated in the first nine storeys of the building. Apartments at ten storeys or greater are deemed to be cross ventilated only if any enclosure of the balconies at these levels allows adequate natural ventilation and cannot be fully enclosed	64.2%	2.	Overall depth of a cross-over or cross-through apartment does not exceed 18m, measured glass line to glass line					
1.	At least 60% of apartments are naturally cross ventilated in the first nine storeys of the building. Apartments at ten storeys or greater are deemed to be cross ventilated only if any enclosure of the balconies at these levels allows adequate natural ventilation and cannot be fully enclosed	64.2%									
2.	Overall depth of a cross-over or cross-through apartment does not exceed 18m, measured glass line to glass line										

OBJECTIVES		COMMENTS											
4C – CEILING HEIGHTS													
Objective 4C-1	<p>Ceiling height achieves sufficient natural ventilation and daylight access</p> <p><u>Design Criteria</u></p> <div><div>1. Measured from finished floor level to finished ceiling level, minimum ceiling heights are:</div><div><div>Minimum ceiling height for apartment and mixed use buildings</div><table><tr><td>Habitable rooms</td><td>2.7m</td></tr><tr><td>Non-habitable</td><td>2.4m</td></tr><tr><td>For 2 storey apartments</td><td>2.7m for the main living area floor 2.4m for second floor, where its area does not exceed 50% of the apartment area</td></tr><tr><td>Attic spaces</td><td>1.8m at edge of room with a 30 degree minimum ceiling slope</td></tr><tr><td>If located in mixed use areas</td><td>3.3m for ground and first floor to promote future flexibility of use.</td></tr><tr><td colspan="2">These minimums do not preclude higher ceilings if desired</td></tr></table></div></div> <div>Complies.</div>	Habitable rooms	2.7m	Non-habitable	2.4m	For 2 storey apartments	2.7m for the main living area floor 2.4m for second floor, where its area does not exceed 50% of the apartment area	Attic spaces	1.8m at edge of room with a 30 degree minimum ceiling slope	If located in mixed use areas	3.3m for ground and first floor to promote future flexibility of use.	These minimums do not preclude higher ceilings if desired	
Habitable rooms	2.7m												
Non-habitable	2.4m												
For 2 storey apartments	2.7m for the main living area floor 2.4m for second floor, where its area does not exceed 50% of the apartment area												
Attic spaces	1.8m at edge of room with a 30 degree minimum ceiling slope												
If located in mixed use areas	3.3m for ground and first floor to promote future flexibility of use.												
These minimums do not preclude higher ceilings if desired													
Objective 4C-2	<p>Ceiling height increases the sense of space in apartments and provides for well-proportioned rooms</p> <div>Complies.</div>												
Objective 4C-3	<p>Ceiling heights contribute to the flexibility of building use over the life of the building</p> <div>Complies.</div>												
4D – APARTMENT SIZE AND LAYOUT													
Objective 4D-1	<p>The layout of rooms within an apartment is functional, well organised and provides a high standard of amenity</p> <p><u>Design Criteria</u></p> <div><div>1. Apartments are required to have the following minimum internal areas:</div><div><table><tr><th>Apartment type</th><th>Minimum internal area</th></tr><tr><td>Studio</td><td>35m²</td></tr><tr><td>1 bedroom</td><td>50m²</td></tr><tr><td>2 bedroom</td><td>70m²</td></tr><tr><td>3 bedroom</td><td>90m²</td></tr></table><div>The minimum internal areas include only one bathroom. Additional bathrooms increase the minimum internal area by 5m² each A fourth bedroom and further additional bedrooms increase the minimum internal area by 12m² each</div></div></div> <div><div>Complies. Additional internal floor space is provided where second bathrooms are proposed.</div><div>2. Every habitable room must have a window in an external wall with a total minimum glass area of not less than 10% of the floor area of the room. Daylight and air may not be borrowed from other rooms</div><div>Able to comply.</div></div>	Apartment type	Minimum internal area	Studio	35m ²	1 bedroom	50m ²	2 bedroom	70m ²	3 bedroom	90m ²		
Apartment type	Minimum internal area												
Studio	35m ²												
1 bedroom	50m ²												
2 bedroom	70m ²												
3 bedroom	90m ²												

OBJECTIVES		COMMENTS														
Objective 4D-2	Environmental performance of the apartment is maximized															
	<u>Design Criteria</u>															
	<div><div>1.</div><div>Habitable room depths are limited to a maximum of 2.5 x the ceiling height</div><div>Complies.</div></div> <div><div>2.</div><div>In open plan layouts (where the living, dining and kitchen are combined) the maximum habitable room depth is 8m from a window</div><div>Complies.</div></div>															
Objective 4D-3	Apartment layouts are designed to accommodate a variety of household activities and needs															
	<u>Design Criteria</u>															
	<div><div>1.</div><div>Master bedrooms have a minimum area of 10m² and other bedrooms 9m² (excluding wardrobe space)</div><div>Complies.</div></div> <div><div>2.</div><div>Bedrooms have a minimum dimension of 3m (excluding wardrobe space)</div><div>Complies.</div></div> <div><div>3.</div><div>Living rooms or combined living/dining rooms have a minimum width of:<div><div>•</div><div>3.6m for studio and 1 bedroom apartments</div><div>•</div><div>4m for 2 and 3 bedroom apartments</div></div></div><div>Complies.</div></div> <div><div>4.</div><div>The width of cross-over or cross-through apartments are at least 4m internally to avoid deep narrow apartment layouts</div><div>Complies.</div></div>															
4E – PRIVATE OPEN SPACE AND BALCONIES																
Objective 4E-1	Apartments provide appropriately sized private open space and balconies to enhance residential amenity															
	<u>Design Criteria</u>															
	<div><div>1.</div><div>All apartments are required to have primary balconies as follows:<table><tr><th>Dwelling type</th><th>Minimum area</th><th>Minimum depth</th></tr><tr><td>Studio apartments</td><td>4m²</td><td>-</td></tr><tr><td>1 bedroom apartments</td><td>8m²</td><td>2m</td></tr><tr><td>2 bedroom apartments</td><td>10m²</td><td>2m</td></tr><tr><td>3+ bedroom apartments</td><td>12m²</td><td>2.4m</td></tr></table><div>The minimum balcony depth to be counted as contributing to the balcony area is 1m</div></div></div> <div><div>2.</div><div>For apartments at ground level or on a podium or similar structure, a private open space is provided instead of a balcony. It must have a minimum area of 15m² and a minimum depth of 3m</div><div>N/A</div></div>	Dwelling type	Minimum area	Minimum depth	Studio apartments	4m ²	-	1 bedroom apartments	8m ²	2m	2 bedroom apartments	10m ²	2m	3+ bedroom apartments	12m ²	2.4m
Dwelling type	Minimum area	Minimum depth														
Studio apartments	4m ²	-														
1 bedroom apartments	8m ²	2m														
2 bedroom apartments	10m ²	2m														
3+ bedroom apartments	12m ²	2.4m														
Objective 4E-2	Primary private open space and balconies are appropriately located to enhance liveability for residents	Complies.														
Objective 4E-3	Private open space and balcony design is integrated into and contributes to the overall architectural form and detail of the building	Complies.														
Objective 4E-4	Private open space and balcony design maximises safety	Complies.														

OBJECTIVES		COMMENTS												
4F – COMMON CIRCULATION AND SPACES														
Objective 4F-1	Common circulation spaces achieve good amenity and properly service the number of apartments													
	<div><div>Design Criteria</div><div><div>1. The maximum number of apartments off a circulation core on a single level is eight</div><div>2. For buildings of 10 storeys and over, the maximum number of apartments sharing a single lift is 40</div></div></div>	<div>Complies.</div> <div>N/A</div>												
Objective 4F-2	Common circulation spaces promote safety and provide for social interaction between residents	Complies.												
4G – STORAGE														
Objective 4G-1	Adequate, well designed storage is provided in each apartment													
	<div><div>Design Criteria</div><div><div>1. In addition to storage in kitchens, bathrooms and bedrooms, the following storage is provided:</div><table><tr><th>Dwelling type</th><th>Storage size volume</th></tr><tr><td>Studio apartments</td><td>4m³</td></tr><tr><td>1 bedroom apartments</td><td>6m³</td></tr><tr><td>2 bedroom apartments</td><td>8m³</td></tr><tr><td>3+ bedroom apartments</td><td>10m³</td></tr><tr><td colspan="2">At least 50% of the required storage is to be located within the apartment</td></tr></table></div></div>	Dwelling type	Storage size volume	Studio apartments	4m ³	1 bedroom apartments	6m ³	2 bedroom apartments	8m ³	3+ bedroom apartments	10m ³	At least 50% of the required storage is to be located within the apartment		<div>Complies. Storage areas are shown on internal apartment plans and in basement plan.</div>
Dwelling type	Storage size volume													
Studio apartments	4m ³													
1 bedroom apartments	6m ³													
2 bedroom apartments	8m ³													
3+ bedroom apartments	10m ³													
At least 50% of the required storage is to be located within the apartment														
Objective 4G-2	Additional storage is conveniently located, accessible and nominated for individual apartments	Complies.												
4H – ACOUSTIC PRIVACY														
Objective 4H-1	Noise transfer is minimised through the siting of buildings and building layout	Complies.												
Objective 4H-2	Noise impacts are mitigated within apartments through layout and acoustic treatments	Complies.												
4J – NOISE AND POLLUTION														
Objective 4J-1	In noisy or hostile environments the impacts of external noise and pollution are minimised through the careful siting and layout of buildings	See Acoustic Assessment at Attachment XIV .												
Objective 4J-2	Appropriate noise shielding or attenuation techniques for the building design, construction and choice of materials are used to mitigate noise transmission	See Acoustic Assessment at Attachment XIV .												
PART 4 K-T: DESIGNING THE DEVELOPMENT – CONFIGURATION														
4K – APARTMENT MIX														
Objective 4K-1	A range of apartment types and sizes is provided to cater for different household types now and into the future	Complies.												
Objective 4K-2	The apartment mix is distributed to suitable locations within the building	Complies.												

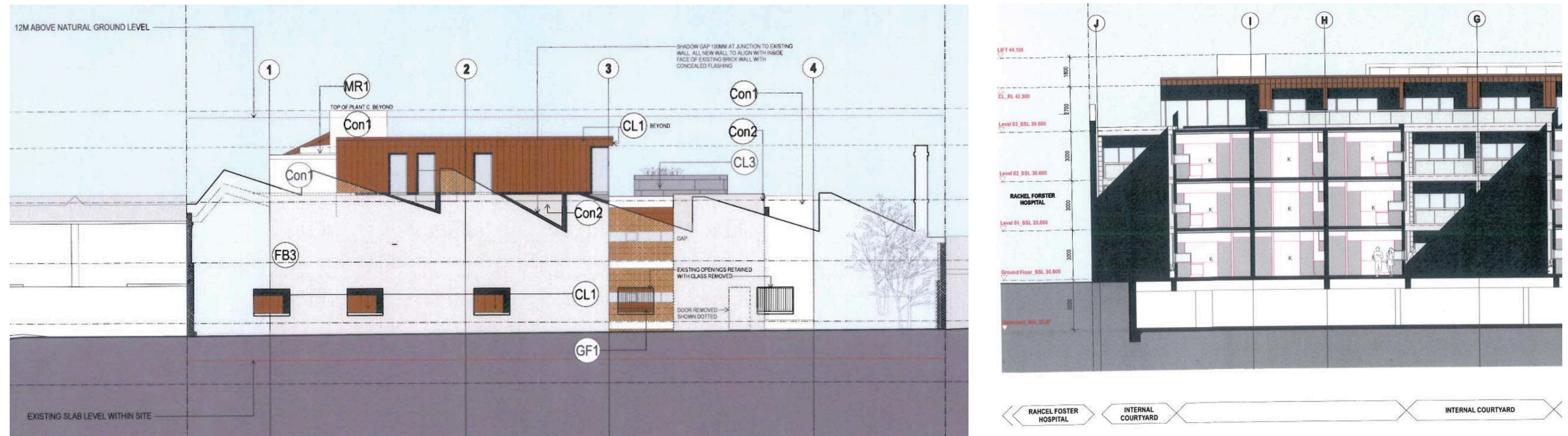
OBJECTIVES		COMMENTS
4L – GROUND FLOOR APARTMENTS		
Objective 4L-1	Street frontage activity is maximised where ground floor apartments are located	Complies.
Objective 4L-2	Design of ground floor apartments delivers amenity and safety for residents	Complies.
4M – FACADES		
Objective 4M-1	Building facades provide visual interest along the street while respecting the character of the local area	Complies.
Objective 4M-2	Building functions are expressed by the façade	Complies.
4N – ROOF DESIGN		
Objective 4N-1	Roof treatments are integrated into the building design and positively respond to the street	Complies.
Objective 4N-2	Opportunities to use roof space for residential accommodation and open space are maximised	Complies.
Objective 4N-3	Roof design incorporates sustainability features	Able to comply.
4O – LANDSCAPE DESIGN		
Objective 4O-1	Landscape design is viable and sustainable	Complies.
Objective 4O-2	Landscape design contributes to the streetscape and amenity	Complies.
4P – PLANTING ON STRUCTURES		
Objective 4P-1	Appropriate soil profiles are provided	Complies.
Objective 4P-2	Plant growth is optimised with appropriate selection and maintenance	Complies.
Objective 4P-3	Planting on structures contributes to the quality and amenity of communal and public open spaces	Complies.
4Q – UNIVERSAL DESIGN		
Objective 4Q-1	Universal design features are included in apartment design to promote flexible housing for all community members	Complies.
Objective 4Q-2	A variety of apartments with adaptable designs are provided	Complies
Objective 4Q-3	Apartment layouts are flexible and accommodate a range of lifestyle needs	Complies
4R – ADAPTIVE REUSE		
Objective 4R-1	New additions to existing buildings are contemporary and complementary and enhance an area's identity and sense of place	Complies. Refer to Heritage Impact Statement at Attachment IV for further details.
Objective 4R-2	Adapted buildings provide residential amenity while not precluding future adaptive reuse	Complies.
4S – MIXED USE		
Objective 4S-1	Mixed use developments are provided in appropriate locations and provide active street frontages that encourage pedestrian movement	Complies.
Objective 4S-2	Residential levels of the building are integrated within the development, and safety and amenity is maximised for residents	Complies.
4T – AWNINGS AND SIGNAGE		
Objective 4T-1	Awnings are well located and complement and integrate with the building design	N/A
Objective 4T-2	Signage responds to the context and desired streetscape character	Able to comply.

OBJECTIVES		COMMENTS
PART 4 (U-X): DESIGNING THE DEVELOPMENT – PERFORMANCE		
4U – ENERGY EFFICIENCY		
Objective 4U-1	Development incorporates passive environmental design	Complies.
Objective 4U-2	Development incorporates passive solar design to optimise heat storage in winter and reduce heat transfer in summer	Complies.
Objective 4U-3	Adequate natural ventilation minimises the need for mechanical ventilation	Complies.
4V – WATER MANAGEMENT AND CONSERVATION		
Objective 4V-1	Potable water use is minimized	Complies.
Objective 4V-2	Urban stormwater is treated on site before being discharged to receiving waters	Complies.
Objective 4V-3	Flood management systems are integrated into site design	N/A.
4W – WASTE MANAGEMENT		
Objective 4W-1	Waste storage facilities are designed to minimise impacts on the streetscape, building entry and amenity of residents	Complies.
Objective 4W-2	Domestic waste is minimised by providing safe and convenient source separation and recycling	Complies
4X – BUILDING MAINTENANCE		
Objective 4X-1	Building design detail provides protection from weathering	Complies.
Objective 4X-2	Systems and access enable ease of maintenance	Complies.
Objective 4X-3	Material selection reduces ongoing maintenance costs	Complies..

Note 1: Building Separation

Recommended building separations are not achieved for the upper levels of Buildings B and C (Levels 3 and 4). Separations of 8 – 10 metres are available between habitable rooms of these buildings upon the site, whereby a separation of up to 18 metres is recommended to be applied between habitable rooms on the top 2 floors of these buildings. The proposed separation between Buildings A, B and C is however unchanged from the project approval, with only the height of Buildings B and C increasing. It is considered the internal privacy impacts will be no greater than those approved with the current scheme, and are therefore considered acceptable.

The separation of Building B to the western boundary is consistent with the setback of habitable rooms of approved Building A. The recently completed building at No. 153 George Street is built to the common boundary and oriented to the north and south. It has limited openings in its eastern elevation, and as a consequence, there will be limited impacts on privacy as a result of the increase to building height. Additional privacy screens could be provided if deemed necessary.



Figures 15 & 16: Extracts of the approved plans of the eastern (left) and northern elevation (right) of the recently constructed development at No. 153 George Street, its interface with the subject site.

4.2.5 State Environmental Planning Policy (Building Sustainability Index) BASIX

State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004 was gazetted on 1 July 2004 and created the requirement for a state wide building sustainability index, which seeks to encourage sustainable residential development. This policy aims to ensure consistency in the implementation of the BASIX scheme throughout the State.

In accordance with the requirements of the SEPP, each application for residential development must be accompanied by a list of commitments made by the applicant as to the manner in which the development will be carried out, to become conditional upon the development consent. A BASIX Assessment has been prepared for new and altered apartments in accordance with the legislation and accompanies this application at **Attachment X**.

4.2.6 State Environmental Planning Policy No. 55 – Remediation of Land

Clause 7(1)(a) of State Environmental Planning Policy 55 – Remediation of Land (SEPP 55) states that a consent authority must not consent to the carrying out of any development on land unless it has considered whether the land is contaminated. The Department of Planning publication “*Managing Land Contamination – Planning Guidelines SEPP 55 – Remediation of Land*” provides advice on the process of determination as to whether a site is contaminated. In this regard, Section 2.2 of the Guidelines states:

When carrying out planning functions under the EP & A Act, a planning authority must consider the possibility that a previous land use has caused contamination of the site as well as the potential risk to health or the environment from that contamination.

When an authority carries out a planning function, the history of the land use needs to be considered as an indicator of potential contamination. Where there is no reason to suspect contamination after acting substantially in accordance with these Guidelines, the proposal may be processed in the usual way.

The Guidelines continue at Section 3.2.1 by stating that:

The potential for contamination is often linked to past uses of land and a good early indicator of possible uses is land zoning. Contamination is more likely to have occurred if the land is currently, or was previously, zoned for industrial, agricultural or defence purposes.

Consideration was given to the issues of contamination and site suitability in the original assessment(s). No further investigative work was deemed to be required as this application is for modification of an existing approved project.

4.2.7 State Environmental Planning Policy (Affordable Rental Housing) 2009

SEPP (ARH) 2009 provides a planning regime for the provision of affordable rental housing, and incentivises the delivery of affordable rental housing through expanded zoning permissibility and FSR bonuses. FSR bonuses allocated under the SEPP are not applicable to the development of the site as it contains an item of environmental heritage (Clause 10 (1)(b)). However, the principles behind SEPP (ARH) remain valid, and the provision of a component of affordable rental housing within the development is used in part to justify an increase in permissible GFA.

4.2.8 Redfern-Waterloo Built Environment Plan (Stage One)

The Redfern-Waterloo Built Environment Plan (BEP) is a framework for the revitalisation of the Redfern-Waterloo area, prepared under the Redfern-Waterloo Act 2004 (now repealed). The BEP identifies the former Rachel Forster Hospital as a ‘Strategic Site’, and provides conceptual direction for its redevelopment. The conceptual land use is as follows:

Predominantly residential development consistent with the surrounding land uses. Provide the opportunity for community uses in keeping with the residential use.

The proposed design concept consists of the following points:

- *providing a three storey height limit to Albert Street in response to the scale of terrace housing that dominates the street;*
- *ensure that new buildings along Albert Street have the same rhythm and proportions as terrace housing;*
- *allowing buildings of up to six storeys on the central and southern sections of the site;*
- *locating on-site car parking below ground level;*
- *ensuring new development responds to the predominant terrace house typology along Pitt Street with a contemporary interpretation;*
- *discouraging blank facades and extensive car parking entry and servicing areas along public streets;*
- *identifying heritage items on the site in accordance with the Heritage Strategy;*
- *ensuring new development responds sensitively to significant heritage items;*
- *retaining and adaptively reusing the heritage buildings and landscape associated with the site;*
- *encouraging an interpretation plan to commemorate the history of the site and conservation of significant features such as the memorial panels.*

The primary concepts above are translated into development controls contained in SEPP (SSP). The proposed modifications continue to meet with the design concept. The additional proposed land uses (neighbourhood shops and food and drink premises) are consistent with the land use concept.

4.3 Environmental Impacts

4.3.1 Heritage Impacts

From 1937 until its closure in 2000, the Former Rachel Forster Hospital Site was a place where a wide range of medical and social services were provided to woman and children and, from 1967, to men. The Hospital had its origins in a small clinic established by six female doctors in a terrace in Surry Hills in 1922. By 1937, this clinic had grown to the extent that it warranted government resumption of a large block of land, being the subject site, to provide for a purpose-built hospital complex. In addition to providing medical services, the Hospital played an important role in medical training and education, particularly of female medical practitioners. It was also a place where innovative treatments were provided.

A summary of the site history, site assessment and heritage assessment contained in the approved Conservation Management Plan 2007 prepared by Weir Phillips is provided in Sections 2.0, 3.0 and 4.0 of the appended Heritage Impact Statement 2016 (HIS), also prepared by Weir Phillips (see **Attachment IV**). Section 5.0 of the HIS sets out of the proposed works, and Section 6.0 assesses the potential impact of the proposed modifications on the significance of the site; on the Redfern Heritage Conservation Area defined by Schedule 5 Part 2 of Sydney Local Environmental Plan 2012; and on a number of local heritage items in the vicinity of the site identified by Schedule 5 Part 1 of Sydney Local Environmental Plan 2012.

The HIS appended at **Attachment IV** considers the proposed modifications to the built form and land use and concludes:

The proposed amendments to the approved scheme for the former Rachel Forster Hospital Site will have no further impact on the ability to understand the historic and social significance of the site. The scheme maintains the Community Room approved under past schemes, the name Rachel Foster and the elements that define the 'iconic view' from the public domain.

The scheme retains the community heritage interpretation room of the approved project, and will continue to pay due respect to the historic significance of the site within the local community and the broader area.

4.3.2 Traffic and Parking

An Assessment of Traffic and Parking Implications has been prepared by Transport and Traffic Planning Associates and is appended at **Attachment VI**. It describes the site and the proposed development; the road network serving the site and the prevailing traffic conditions; assesses the adequacy of the proposed parking provision and potential traffic implications; and also considers the suitability of the proposed vehicle access, internal circulation and servicing arrangements.

An indication of the prevailing traffic conditions on the road network in the vicinity of the site is provided by traffic volume data published by the Roads and Maritime Services and traffic surveys undertaken as part of the study. Traffic surveys were also undertaken at the intersections of Pitt Street/Redfern Street and Pitt Street/Phillip Street during the AM and PM peak periods. An assessment of the operational performance of the Pitt Street and Redfern Street intersection was modelled using the computer software model SIDRA.

Due to the site's high level of accessibility to public transport, it was further observed that residents and visitors were expected to make good use of the services provided particularly for journey to work purposes.

It is noted the level of activity associated with the modified development is not likely to result in any adverse capacity or environmental impacts on the surrounding road network. It is further observed by the Assessment that the proposed mixed use development will generate vehicle movements which are significantly less than that of the former hospital use during the evening commuter peak and peak arrival/ departure period, but will be similar to the morning peak generation.

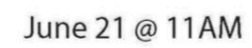
The traffic and parking assessment undertaken for the proposed mixed use development on the site concludes that:

- *the traffic generation of the proposed development will be less than that associated with the former use and will not present any adverse traffic implications*
- *the proposed parking provision will comply with Council's criteria*
- *the proposed access, internal circulation and parking arrangements will be suitable and appropriate*

4.3.3 Solar Access and Overshadowing

The proposal meets with ADG objective of 70% of the apartments in the development achieving 2 hours or more of sunlight to living areas and private open spaces between the hours of 9am and 3pm at mid-winter. A comparative analysis of external shadows (see Architectural Plans at **Attachment III**), demonstrates further that there are negligible additional impacts associated with the increased building height, and that by 11am at mid-winter, there is no additional impact upon adjoining properties (see **Figure 17** over page).

The existing townhouses at Nos. 146 – 152 Pitt Street have combined living and dining spaces at the ground floor which open to the east and west (see **Figure 18** over page). Whilst there will be some additional overshadowing created by the modified proposal, the units will each continue to receive a minimum of 2 hours of sunlight at mid-winter between 9am and 3pm to their internal living areas and private outdoor spaces, with the attached architectural plans illustrating solar access is received to their living rooms and private open space from 10.45am – 1pm at mid-winter.



EAST

LIVING 9.6 x 4.5m

DINING 9.6 x 4.5m

BALCONY 2.1 x 4.6m

KITCHEN 3.6 x 2.8m

COURTYARD 2.5 x 4.2m

L'DRY

STAIRS

STORAGE

WC

UNITS

GROUND FLOOR

0 1 2 3 4 5

4.3.4 Privacy & Views

Recommended building separations are not achieved between the newly introduced upper levels of Buildings B and the recently completed building at No. 153 George Street (see **Figure 19** below). The proposed modifications do not however introduce windows into any elevation in which they were not previously approved. The increase in height of Building B will not significantly alter the ability of residents to overlook adjoining property to the west, which is built to boundary, oriented to the north and south, and has limited openings within the western elevation (see **Figures 15 & 16**).

The separation of Building B to the western boundary is consistent with the setback of habitable rooms of approved Building A. The recently completed building at No. 153 George Street is built to the common boundary and oriented to the north and south. It has limited openings in its eastern elevation, and as a consequence, there will be limited impacts on privacy as a result of the increase to building height. Additional privacy screens could be provided if deemed necessary. There is no mention of the Concept Plan MP07_0029 for residential development approved on the Rachel Forster Hospital site, approved 9 October 2007, by the City of Sydney Council in its assessment and determination of D/2012/454 for No 153 George Street. In the report to the Major Development Assessment Sub-committee Meeting on 4 December 2012, the assessing officer concludes simply that:

Acoustic and visual privacy is achieved through a layout which creates satisfactory separation.

It is agreed that the orientation and fenestration of this recently completed development limits any opportunity for conflict to arise from potential visual or acoustic impacts.

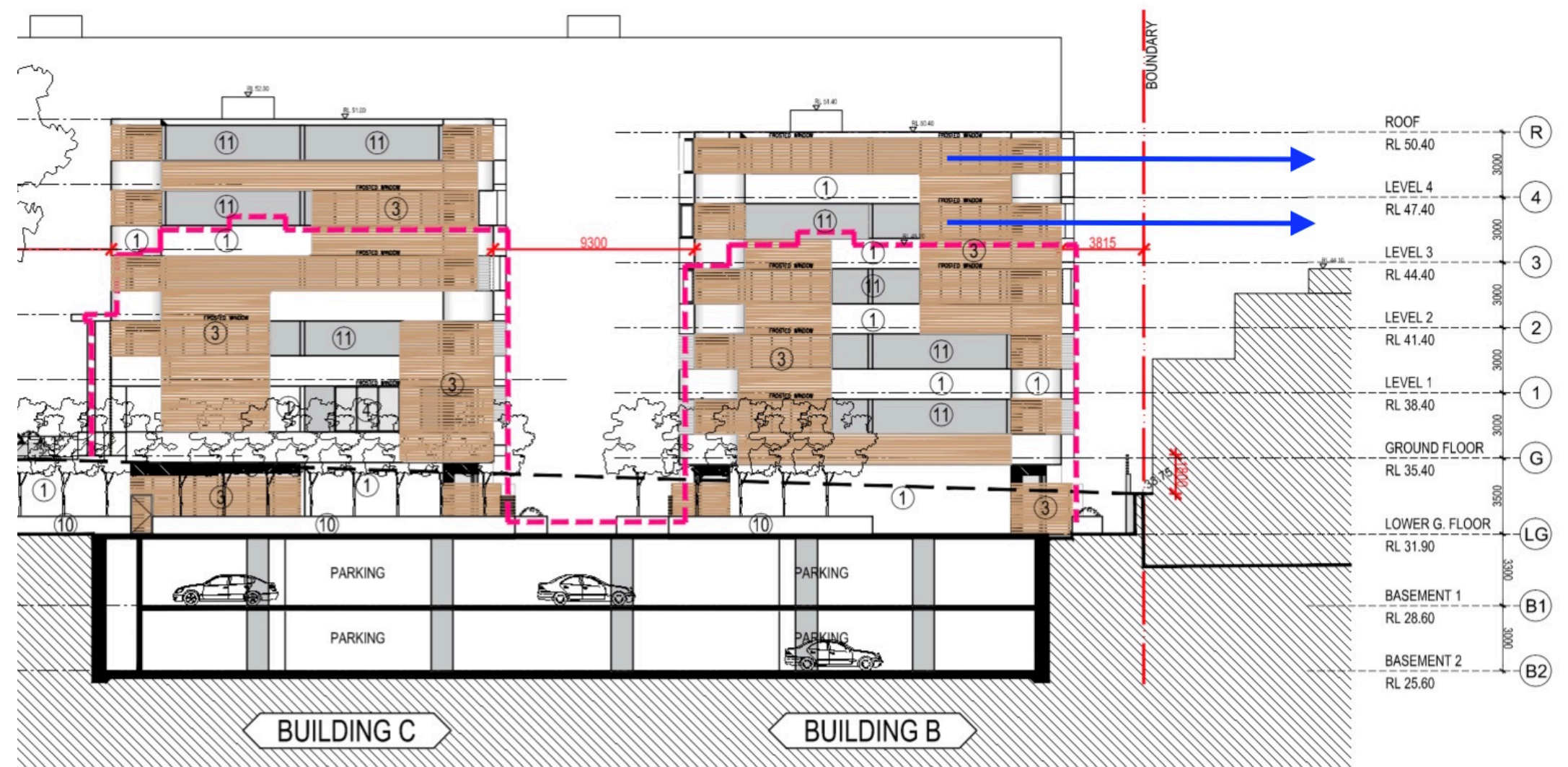


Figure 19: North elevation of Buildings B & C, illustrating the building separation and interface with the recently completed development at No. 153 George Street.

4.3.5 Crime Prevention Through Environmental Design

The introduction of neighbourhood shops and food and drink premises upon the site improves casual surveillance of the streetscape. Private components of the development will be clearly delineated from publically accessible components via landscaping delineation and appropriate access control. Tony Owen Partners has provided the following information as part of the design excellence statement appended at **Attachment IX**:

Territorial Re-enforcement

Community ownership of public space sends positive signals to the community.

Proposal: The proposal exhibits design excellence as it makes a positive contribution with regard to public space. The previous approved DA provided for public space at the heritage port-cocher in the form of landscaped area surrounded by residential units. The current proposal activates this space by providing retail and café uses around the space. This will activate the space and provide community amenity and facilities which will benefit the neighborhood. In addition; the landscape design of the communal open spaces have been improved with more developed privacy for private open space. There is also an additional roof terrace communal space above building D. The pathway network has been revised to maximize legibility and simplicity. This has been achieved by making the pathways simpler and more direct.

Surveillance

People feel safe in public areas when they can see and interact with others, particularly people connected with that space, such as shopkeepers or adjoining residents. Criminals are often deterred from committing crime in places that are well supervised.

Proposal: The proposal achieves a high level of surveillance. All of the public spaces are overlooked by windows and all of the pathways are directly accessed from individual units on the ground. Further surveillance is provided with CCTV coverage throughout the design.

Access Control

Access control treatments restrict, channel and encourage people and vehicles into, out of and around the development.

Proposal: The proposal would allow public access to the retail/ café plaza. Security gates would be provided beyond this point with swipe card access. This would limit access to the circulation paths and communal open space to residents. This maximizes security and resident amenity. The pathways and communal spaces have been revised to provide optimal way- finding, desire-lines. Planted zones, paved pathways, deep soil trees and timber fencing is used to define spaces and control access – see landscape design.

4.3.6 Waste Management

No provision for Waste Management, collection and holding is made in the existing project application, and is subject to conditions of the project approval. The proposed modification introduces waste handling and management measures following consultation with City of Sydney waste officers, including:

- Accessible garbage chutes on all levels in residential cores;
- Associated waste rooms at Basement Level 1;
- Recycling bins in stores on all levels adjacent residential cores (to be transferred to Basement Level 1 by building caretaker); and
- A waste holding room is dedicated adjacent Pitt Street, where bins are transported to and collected by Council’s authorised contractors on nominated collection days.

See Waste Management Plan at **Attachment XV**.

4.3.7 Ecologically Sustainable Development

The modified proposal is supported by a BASIX Assessment and retains the previous Statement of Commitments. Key environmental requirements from the Apartment Design Guide in solar access and natural cross ventilation are also met, and the modified proposal is well-located for public transport use and active transit.

The proposed Landscape Concept Plan (**Attachment XIII**) has been modified shows the proposal is well-vegetated with predominantly native species, appropriate to the climate and environment.

The modified landscaping proposal seeks to retain elements of the previous approval and to make improvements in amenity and useability for residents and visitors in two main ways:

- Increase amounts of accessible open space for public use within the Pitt Street public domain; and
- Provide additional communal recreation spaces for residents across the site and on roof terraces.

A major element of the modified proposal is the extensive public space being created along the main site frontage, and its proposed activation by neighbourhood shops and restaurants and cafes. The landscape opens the Pitt Street setback to the public with a sweeping link path referencing the existing driveway to the old hospital buildings. This arc forms a spine to the new park space connecting communal lawns, plaza spaces, hospitality / retail forecourt and the residential entries of the development.

Centrally, a courtyard space of decomposed granite will be able to cater for a through site passage, passive recreation and a mix of ephemeral and temporary uses. Adjacent open lawns and low mass planting displays beneath new and existing canopy trees will allow for surveillance through the space and strong visual connection to the Pitt Street public domain. The 'open' nature of the design invites the visitor into the space and creates points of focus and rest within.

The new public space will lend itself to dedication and interpretative detailing based on the former site usage and history of the Rachel Forster Hospital. This will be coordinated with City of Sydney and community groups at future stages of the development in order to bolster a sense of identity, community ownership and connection to the new publicly accessible asset.

As part of the proposed development, the site frontages will be provided with upgrades and additions to the public domain with significant improvements to the urban interface. These are outlined as follows (as extracted from the Landscape Design Statement):

- Creation of a new public space within the Pitt Street frontage providing a public asset for a variety of community uses (market stalls/small events/community programmes)
- Retention/integration of existing canopy trees with a mix of open lawn spaces and mass planting displays
- New canopy and flowering tree specimens in deep soil to soften the built form, provide summer shade and offer seasonal interest and identity
- Referencing of the historical site usage through interpretive installations, retention and incorporation of remnant built elements (both on neighbouring and on site), and a materials palette connecting the architecture to the streetscape
- Unobtrusive lighting schemes for safe access and extended use of the site
- Remediation of the existing public footways with new surfacing (Pitt & Albert) and new street trees (Albert Street)
- New dining/retail plaza spaces between the proposed development, new public spaces, and the streetscape
- Connection of the site into the pedestrian footway and to the existing local surrounds

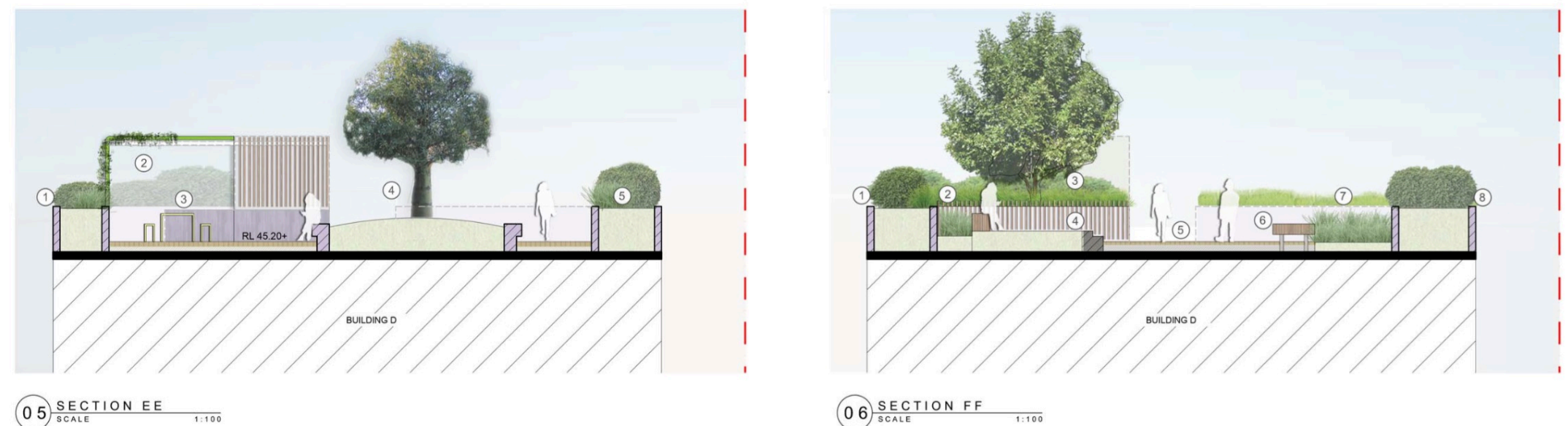


Figure 20: Extract landscape sections illustrating arrangements for new communal open space upon the rooftop of building D.

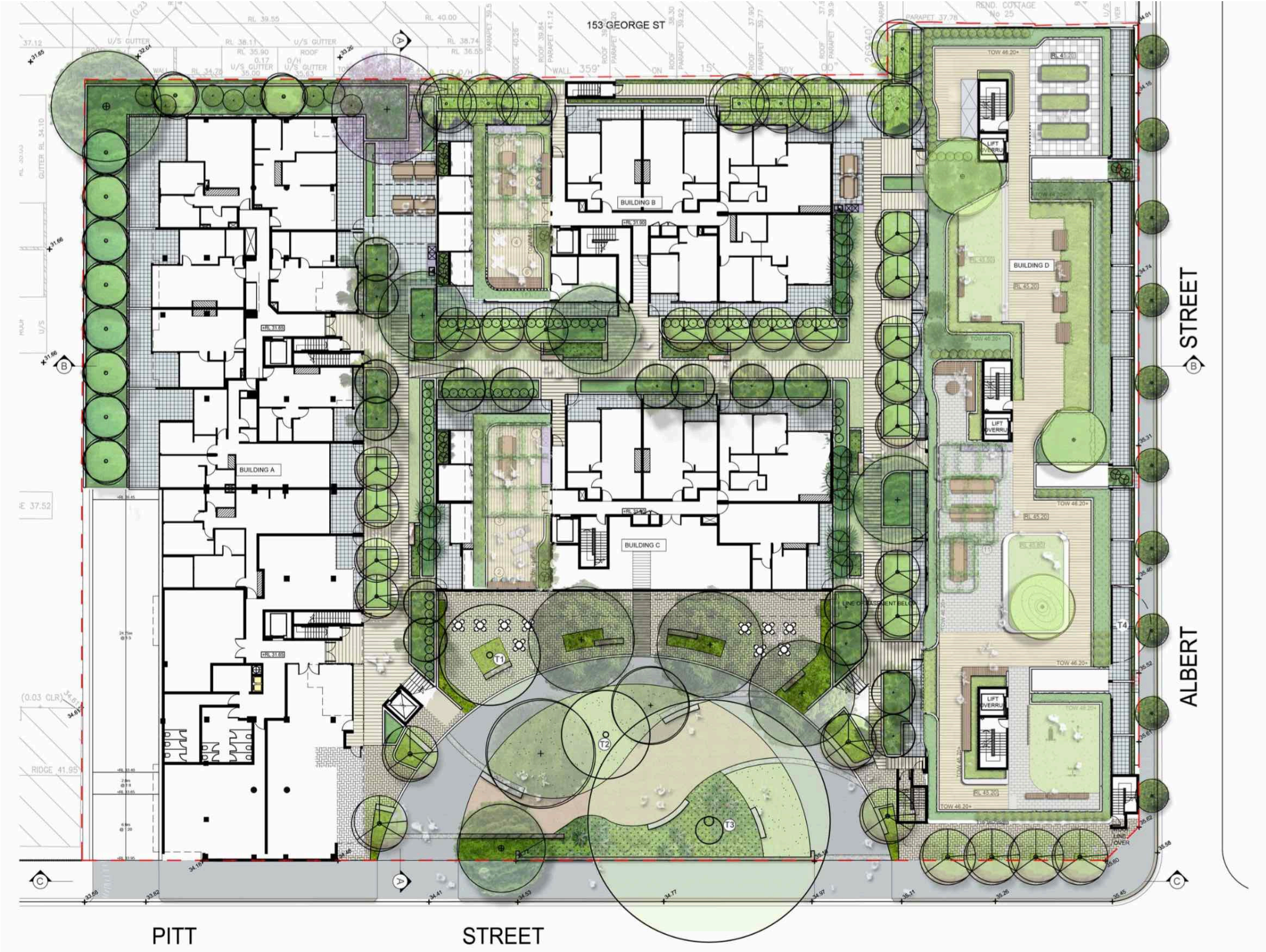


Figure 21: Extract from landscape plan illustrating improved arrangements for landscaping of the publicly accessible forecourt and communal open space provision upon available rooftops.

4.3.8 Developer Contributions and Affordable Rental Housing

The proposed modification dedicates approximately 4,790m² of residential GFA to affordable rental housing, to be operated by an approved social housing provider. The quantum of GFA dedicated to affordable rental housing equates to the volume of residential GFA that exceeds the floor space ratio control. The addition of affordable rental housing to the development addresses an identified need within the inner city rental market. Whilst not applicable to the site, the proposal follows the principles of State Environmental Planning Policy (Affordable Rental Housing) 2009, which permits an increase in permissible floor space ratio for infill development proposals in which a proportion of the development is dedicated to affordable rental housing.

Developer contributions payable by the proponent pursuant to the Redfern-Waterloo Authority Affordable Housing Contributions Plan 2006 (Condition B3) will also be adjusted proportionately to the increased quantum of GFA proposed.

4.3.9 Utilities

The proposal seeks modification of an approved project, in which the provision of utilities, services and infrastructure was considered appropriate for the density of development intended. The proposed modifications are not considered to be of a nature that would have a significant impost on the provision of additional necessary service infrastructure.

4.3.10 Deep Soil and Communal Open Space

The ADG design criteria requires a minimum 7% of the site area be provided as a deep soil zone to support healthy tree growth. No change is proposed to the approved quantum of deep soil provided on site (13.1%).

4.3.11 Acoustic Impacts

An Acoustic Assessment appended at **Attachment XIV** recommends treatments required for windows and openings in order for the development to meet environmental noise criteria. It is considered that the proposal can be constructed in accordance with design requirements and that future residents will enjoy an appropriate acoustic environment.

Further noise attenuation will be achieved by limiting the hours of operation of proposed neighbourhood shops and food and drink premises from 7am – 10pm daily.

4.4 Consultation

The proponent’s communication and stakeholder engagement activities were conducted during August and September 2016, and were designed to assist the project team to understand key areas of stakeholder and community interest before the proposed modification was finalised and lodged with the Department of Planning and Environment. The key aims of Kaymet’s activities were to inform local residents, community groups, businesses and other stakeholders about future plans for the site, to understand the key areas of interest and to gather feedback. KJA Pty Ltd were engaged to manage the consultation process on behalf of the proponent.

Consultation with the local community was assisted by two organised ‘drop-in sessions’, conducted on 3 and 6 September 2016 at the Redfern Town Hall. The sessions were and attended by 105 people. The objectives of the drop-in sessions were to:

- *Raise awareness about the proposed modification;*
- *Ensure stakeholders were provided with accurate, consistent and timely information;*
- *Demonstrate a commitment by Kaymet to open and transparent communication and engagement;*
- *Provide an outline of the assessment process and expected timeframe for development; and*
- *Establish a two-way engagement process and provide an opportunity to identify the key areas of community interest, and consider how potential issues could be addressed.*

Responses from the public drop-in sessions were received by both formal feedback and (more commonly) informal verbal feedback, and covered themes of façade design and aesthetics, height and density, traffic and parking, proposed ground floor retail, affordable housing, heritage and time frame for future development. The proponent made available representative experts at these sessions for architecture and urban design, town planning and heritage conservation.

A number of attendees indicated a preference to provide comments during formal exhibition, so the matters identified in the following table cannot be considered a comprehensive list of community feedback.

Table 5: Summary of issues raised at drop-in sessions held on 3 and 6 September 2016.

ISSUE	DESCRIPTION	RESPONSE
Design, façade and aesthetics	Many people who commented on the proposed changes to the facade design appeared supportive, with the majority expressing a positive sentiment towards the revised design, and an improvement on the design in the current approval. However, this support was not universal. Some people preferred the current design, expressing a view that the proposed modification was not as aesthetically pleasing, looked like it would be made of cheaper materials and/or may become dated.	Matters of aesthetics are subjective. The majority of supportive sentiment suggests the local community are generally supportive of changes to the façade detailing.
Height and Density	Of the people who commented about the proposed increase to the number of apartments on the site, the majority appeared critical, with several people suggesting the proposed height increase (to two buildings) would make the development too dense and would amount to a 'high rise' development. A number of these people were also sceptical as to the rationale for providing affordable housing on the site.	<p>The proposal will remain within the prescribed maximum height limits identified by State Environmental Planning Policy (State Significant Precincts) 2005, will appear as 5 storeys in height above the Pitt Street frontage, and will retain a gradation of building heights towards the site's Albert Street frontage.</p> <p>The increase in site density is supported by the inclusion of affordable rental housing and changes in the local environment, including the introduction of a new metro rail station and imminent redevelopment of the Waterloo Estate (addressed at Section 3.4 of this Environmental Assessment).</p>
Traffic and Parking	<p>From the comments received, traffic and parking was the key issue to emerge amongst those who expressed a view about the proposed modification. The different points of view about the number of spaces proposed for the site appeared to be divided between those who suggest that not enough parking was being provided; and those who suggested that there should be less parking spaces on site, with people encouraged to use other forms of transport (public transport or cycles).</p> <p>Some people who identified themselves as neighbours expressed a view that the proposed modification, combined with other current development in the area, would lead to excessive traffic, especially along Pitt Street. The main sentiment expressed was that they 'already have trouble getting out of Redfern Street' due to heavy traffic flow and they feared the development would worsen this.</p> <p>A number of attendees expressed concerns that any future retail spaces would bring additional vehicles to the area and that people would need to park on already-cluttered streets. Some nearby locals appeared particularly concerned about 'where people would park when they came to visit residents of the building' if little visitor parking was provided.</p>	<p>The proposal enjoys good access to public transport in existing and future rail connections, and is well-sited for active transport to the Sydney CBD and other nearby commercial precincts.</p> <p>The volume of car parking provided is addressed in the Assessment of Traffic and Parking Implications at Attachment VI, and is consistent with the maxima prescribed by the City of Sydney for the proposed land use mix.</p>
Ground Floor Retail	<p>Comments about the proposed ground floor retail were mixed. The majority of attendees who expressed a view about proposed retail, suggested that retail facilities were unnecessary and not the best outcome because they would not generate enough interest and therefore, were not the best means of activating the space for the community. Others commented that retail uses were inappropriate in a residential street and would take away from existing retail nearby. Some were concerned it might be leased by a chain store, not a local business.</p> <p>While smaller in number, there were also supportive views, with some people suggesting that a restaurant or café could play an important role in serving the needs of the new on-site residents and contribute positively to the night-time economy. Others expressed a preference for the proposed retail space, as opposed to using the space for additional residential apartments.</p>	It is noted that responses were both positive and negative for the ground floor retail activation. It is maintained that inclusion of ground floor neighbourhood shops and food and drink premises uses will improve activation of the site, the proposed publically accessible open space, and will improve passive street surveillance of the street.
Affordable Housing	<p>A small number of attendees suggested that affordable housing had only been included in the proposed modification to secure approval for an increase in the number of apartments and that the addition of affordable housing was excessive and/or would not be delivered as promised in the final development.</p> <p>A number of other attendees were supportive of the affordable housing proposed and suggested that it would be a positive addition to the development.</p>	It is noted that many attendees were supportive of the inclusion of affordable rental housing. The inclusion of affordable rental housing is in part a response to an identified social issue in the area.
Heritage	Several comments focused on the site's heritage, particularly the façade of the main Rachel Foster Hospital building and the proposed colonnade. One attendee suggested that the proposed increase in height would dwarf the existing heritage structures.	The heritage consultant engaged for the original Concept and Project Plan phases of this application is retained for the proposed modification. The Heritage Impact Statement (Attachment IV) concludes that the modification is acceptable on heritage grounds.
Project Materials	Several attendees suggested that the project boards were confusing or deceptive because old photos were used. They also suggested some images appeared to be skewed. This included a comment that 'the street view of Pitt Street is old – it does not show the current angle parking'. An accurate picture would look much more crowded.	Every attempt is made to make photomontage images as accurate as possible. The older photographs were used as a base for the new photomontage imagery to make the exercise in comparison of the modified built form as straightforward as possible.
Shadowing	Despite shadow diagrams on the project boards showing hourly shadow comparisons between 9am - 3pm (at 21 June), one person who attended a drop-in session suggested additional hours, particularly between 7am and 8am, should have been included.	At mid-winter in Sydney, the sun rises at approximately 7am, and so the shadow cast would be extremely oblique. The hours represented in shadow diagrams reflect the hours required for impact assessment per the Apartment Design Guide.

ISSUE	DESCRIPTION	RESPONSE
Public Access	Some attendees expressed support that parts of the site be made accessible to the public. They suggested it would be beneficial for the neighbourhood to have the now abandoned site developed.	Public access will be maintained to forecourt areas when the site is developed. It is not possible to provide public access to the site until the development is completed and an occupation certificate issued.
Trees	Several people expressed concerns about the loss of trees, particularly a large Jacaranda that was removed during earlier demolitions works, and questioned whether approval had been granted for this.	No further trees are to be removed by the proposed modification.
Engagement	Several people expressed their appreciation towards the project team for the letterbox drop notification and the opportunity to speak with the project team at the drop-in sessions.	Noted.
Agency Representation	A representative from the Department of Planning and Environment (compliance team) attended, following complaints received from Council and others about the site (i.e. smashed windows, graffiti etc.).	Noted.
Construction	Some nearby neighbours asked about the anticipated vibration impacts that would result from construction.	Vibration during construction will be within statutory thresholds and will be monitored per conditions of approval.
Development Timeline	Numerous attendees asked why it had taken so long for development to commence on the site. These same people expressed an interest in seeing development of the site as soon as possible and sought information as to when construction is expected to commence.	Not relevant to this modification request.

In addition to the community drop-in sessions, correspondence, including an invitation to face-to-face briefings was sent to the following key stakeholder groups:

- City of Sydney Council;
- Urban Growth NSW Development Corporation;
- Aboriginal Housing Company;
- NSW Police – Redfern Local Area Command;
- Transport for NSW – CBD Coordination Office;
- Roads and Maritime Services;
- Sydney Trains;
- Department of Family and Community Services (Housing);
- RedWatch;
- South Sydney Business Chamber.

5. REVISED STATEMENT OF COMMITMENTS

Pursuant to the Director-General’s Requirements, the Project application to which this modification relates contains an approved Statement of Commitments in respect to environmental management and mitigation measures relating to the development. These commitments are recounted below.

Table 6: Statement of Commitments

	SUBJECT	COMMITMENT
1	Built Form and Urban Design	The detailed design of the buildings will adhere to the Concept Plan parameters formulated for the Project to ensure that the intended development outcomes will be achieved.
2	Design Excellence	<p>The proponent commits to provide detailed plans and visual aids to demonstrate design excellence of the Project.</p> <p>The design of any rooftop plant shall be integrated with the design of the building and roof to minimise visual bulk and avoid additional overshadowing. Rooftop plant will be adequately attenuated to avoid acoustic impacts on the development and surrounding properties.</p>
3	Traffic and Parking	<p><i>Traffic</i> A traffic assessment will be undertaken for the detailed design of the Project to confirm findings of the traffic analysis included in the report.</p> <p><i>Parking and access</i> An assessment of the final car park layout and vehicle access will be undertaken to demonstrate compliance with the relevant Australian Standards.</p>
4	Public Open Space	<p>The proponent commits to providing a public park, subject to the City of Sydney accepting the dedication. The park will have an area of approximately 1060sqm and will be located fronting Pitt Street as indicated on the Site Plan Drawing No.A001 prepared by Lippmann Architects and Landscape Concept Diagram prepared by Oculus. The following are to accompany the Project Application:</p> <ul style="list-style-type: none">• Summary of preliminary discussions with the City of Sydney regarding dedication;• A landscape plan demonstrating proposed landscape scheme consistent with the Landscape Concept Diagram and Principles prepared by Oculus;• A landscape protection and maintenance strategy consistent with the Arboricultural Assessment and Development Impact Report prepared by Landscape Matrix; and• Plans illustrating proposed subdivision of the land to enable dedication as public open space.• Commitments by the proponent advising the proposed timing of the proposed landscape works, subdivision and dedication of the proposed open space. <p>The public open space will be remediated in accordance with the recommendations of the “<i>Review of Previous Contamination Report</i>” undertaken by Douglas Partners and dated 29 May 2007. The timing of the proposed remediation will be advised at Project application stage.</p>
5	Public Domain	The proponent will provide a public domain works plan illustrating proposed public domain works within the proposed open space and along Albert and Pitt Street. This plan shall be consistent with the general landscape concept diagram and principles prepared by Oculus, dated May 2007 and the City of Sydney Council during preparation of this plan.
6	Heritage	<p>Any application will have regard to the Heritage Impact Statement prepared by Weir and Phillips dated June 2007, and updated August 2016.</p> <p>The following are to accommodate any Project Application(s) –</p> <ul style="list-style-type: none">- A Statement of Heritage Impact (SOHI) prepared in accordance with findings and conclusions for the Heritage Impact Statement prepared by Weir+Phillips- A heritage Interpretation Plan for the whole site. <p>Prior to demolition the existing buildings will be recorded in accordance with NSW Heritage Council Guidelines.</p>
7	Archaeology	<p>The following is to be addressed with the Project Application:</p> <ul style="list-style-type: none">- Preparation of an Aboriginal Heritage Impact Assessment (AHIA), in accordance with draft Department of Conservation Guidelines 1997- Integration of the statement of significance and the results of the AHIA within an Archaeological Management Plan for the site that consider:<ul style="list-style-type: none">(i) heritage interpretation of the archaeological site within the proposed development; and/or(ii) archaeological excavation and documentation of the site prior to construction. <p>If aboriginal objects are exposed during the work, works must cease until the Department of Environmental and Conservation and the local Aboriginal Land Council have been consulted.</p>
8	Structural Integrity	Further engineering investigation to Building 1 will be undertaken to determine the extent of the works required to accommodate the proposed alterations and additions including methods of reinforcing the building’s lateral structure to satisfy wind and earthquake codes, and the general upgrading of exposed elements such as concrete balconies, masonry ties, and balustrades.
9	Geotechnical Investigations	Additional geotechnical investigations shall be provided in accordance with the Supplementary Geotechnical Investigation prepared by Douglas Partners Pty Ltd, dated May 2007.

	SUBJECT	COMMITMENT
10	Site Contamination and Remediation	A remediation Action Plan (RAP) will accompany any Project Application(s) in accordance with the recommendations included in the Review of Previous Reports prepared by Douglas Partners, dated 29 May 2007. The RAP will detail how the site is to be cleaned up including the excavation and disposal offsite of any contaminated fill.
11	Site Infrastructure and Services	Infrastructure and services reports will be required to accompany any subsequent Project Application(s) to demonstrate how the development can be adequately and properly serviced. The report will include an outline of any necessary augmentation of existing services.
12	Management of Stormwater	All infrastructure planning and design will be undertaken in consultation with relevant authorities. The proponent will prepare detailed plans and specifications that demonstrate the proposed stormwater system for the Project. The design of the system will be prepared in accordance with the design criteria set out in the Hydraulic and Fire Services Scheme Development Report prepared by Armstrong Consulting Engineers, dated May 2007.
13	Building Code of Australia Capability	Further assessment will be undertaken at Project Application stage to ensure the Project is capable of meeting the performance requirements of the Building Code of Australia.
14	Accessibility	The proponent commits to providing access for people with a disability in accordance with: <ul style="list-style-type: none">- Disability Discrimination Act 1992 (DDA); and- Building Code of Australia. The project will also include equitable access to the latest internet, television and telephone technology.
15	Ecologically Sustainable Development	The proponent will prepare detailed work plans and specifications that demonstrate compliance with State Environment Planning Policy (Building Sustainability Index) BASIX. In addition, the proponent commits to further investigate the opportunity for including the following Ecologically Sustainable Development principles: <ul style="list-style-type: none">- Design internal apartment layouts to maximise natural ventilation and to capture prevailing winds;- Orientate apartments layouts to ensure solar access is received within living rooms;- Promote natural light and ventilation to kitchen areas of apartments;- Utilise roof forms to capture natural light and ventilation;- Re-use and recycle stormwater;- Use of high thermal mass materials within apartments;- Promote the use of solar or wind generation for common areas;- Ensure natural light and ventilation is provided to common areas to minimise energy consumption;- Use of solar shading devices;- Use of native vegetation;- Divide the layout of the apartments into zones to reduce heat and cooling energy consumption;- Reuse of roof water and rainwater run off;- Utilise low water flow fixes and tap ware;- Reuse rainwater for spray irrigation with rain and moisture detector controls; and- Recycling grey waste water
16	Construction Management	A Construction Management Plan will be prepared by the proponent and will be submitted to the satisfaction of the Principle Certifying Authority. This Plan will include the following: <ul style="list-style-type: none">(i) Environmental responsibility A commitment by the builder that environmental mitigation measures will be implemented prior to and during construction works. Management and training methods to inform construction workers of their environmental responsibilities.(ii) Pedestrian management Management methods to ensure safe pedestrian paths are provided adjacent to the site.(iii) Traffic Management A Traffic Management Construction Plan will be prepared which addresses construction access and egress to the site, including vehicle routes and other relevant issues.(iv) Construction staging Management of construction sequence on site and on public land.(v) Noise and vibration control plan Management methods to reduce construction noise at nearby receivers by appropriate selection and operation of equipment.(vi) Soil and water sediment control management plan Management methods to control and reduce soil and water sediment impacts on the environment this will also include a Dust Management Strategy. The proponent/site manager will implement the approved Construction Environmental Management Plan during excavation and construction of the development.
17	Developer Contributions	Developer contributions will be made in accordance with the Redfern-Waterloo Contributions Plan 2006 and the Redfern-Waterloo Authority Affordable Housing Contribution Plan 2006.

The majority of the above commitments have been addressed and determined as satisfactory in the determination of MP09_0068, or have otherwise been discarded in that assessment. The modification the subject of this Environmental Assessment proposes further commitments as a result of the modified nature of the application as follows:

	SUBJECT	COMMITTMENT
18	Affordable Rental Housing	<p>The proponent will enter into an agreement with a community housing provider for the operation of a minimum 4,790m² of GFA, to be used for the purpose of affordable rental housing for 10 years, prior to the issue of an Occupation Certificate.</p> <p>A restriction will be registered against the title of the property under Section 88E of the Conveyancing Act 1919 to this effect, prior to issue of an Occupation Certificate.</p>
19	Hours of Operation	<p>Proposed neighbourhood shops and food and drink premises are to be limited to trading between the hours of operation 7am-10pm.</p>

6. CONCLUSION

This application is made pursuant to Section 75W of the Environmental Planning and Assessment Act 1979, consistent with the transitional arrangements at Schedule 6A of the Act, and seeks consent to modify Concept Plan Approval MP07_0029 and Project Approval MP09_0068. The Environmental Assessment has been prepared in accordance with the requirements of the relevant legislative framework and is deemed also to be consistent with the guidance provided by the Director General’s Requirements. The development is supported by a broad range of supporting studies that confirm the proposal is consistent with the assessment framework identified.

The proposal has been designed with careful consideration of the design quality principles contained in State Environmental Planning Policy No. 65 – Design Quality of Residential Apartment Development, and the supporting objectives, guidelines and design criteria contained within the Apartment Design Guide. The resultant dwellings are considered to be efficient and well designed.

The proposal will further enhance activation of Pitt Street with the provision of neighbourhood shops and food and drink premises integrated with the publically accessible communal open space. This contribution is from both a physical consideration, and ongoing land use perspective, highly desirable. The proposed development is also consistent with the intended development outcomes for the area under the Redfern Waterloo Built Environment Plan, State Environmental Planning Policy (State Significant Precincts) 2005, and the stated objectives of the Central to Eveleigh Urban Transformation Strategy.

Presence of the former Rachel Forster Hospital precludes application of incentives otherwise afforded to private developers for the provision of infill affordable housing pursuant to State Environmental Planning Policy (Affordable Rental Housing) 2009 in this highly accessible location. The City of Sydney however recognises that affordable rental housing is a basic requirement and essential component of an inclusive, dynamic and sustainable city. The City is committed to working with other governments to address the chronic shortage of affordable housing in the local area, and recognises affordable housing shortages as a serious issue for central Sydney and its surrounding areas. Its adopted policy is that local government must advocate to state and federal governments to help facilitate planning permissions to make way for different types of housing.

The proponent therefore wishes to engage with Council and the Department of Planning, following consideration of the proposed amendments on their merit, seeking their support to apply the ‘bonus’ floorspace mechanism otherwise available under the SEPP to sites not containing a heritage item. Consistent with this mechanism, a new condition of approval would be imposed to the effect that the proponent enters into an agreement with a community housing provider for the management of a minimum 4,790m² of residential GFA (approximately 60 – 80 units), to be used for the purpose of affordable rental housing for 10 years following issue of an Occupation Certificate.

The proposal is consistent with the intent of the original concept plan approval, and is appropriate in its context. The development will contribute to the State’s long term dwelling targets identified in A Plan for Growing Sydney, and will more immediately sate the shortage of affordable housing accommodation desirous in this locality, which is in close proximity to public transport, employment, retail, health and community services.

The modified project will have no adverse effect upon preservation of the historic and cultural significance of the former Rachel Forster Hospital.



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