

# RESPONSE TO AGENCY SUBMISSIONS

Table 1

Response to City of Sydney Council

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UPLIFT OF GROSS FLOOR AREA FOR THE PROVISION OF 'AFFORDABLE HOUSING'	
The applicant seeks to justify the proposed non-compliance with the FSR development standard through the provision of 4,790m <sup>2</sup> of GFA as 'affordable housing'. This equates to 31% of the overall floor space proposed.	<p>The increase in total gross floor area from 13,531.51m2 to 15,592.1m2 represents an increase in FSR from 1.95:1 to 2.25:1.</p> <p>The justification for the proposed increase in FSR is premised on the provision of affordable rental housing within the proposed development, with the increase in building height being 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 (Central to Eveleigh Urban Transformation Strategy), and the site's capacity to accommodate affordable housing in an accessible location, in close proximity to transport, social infrastructure and employment. The provision of affordable rental housing within the proposed development will comprise 25% of the building's GFA (3,993m<sup>2</sup>).</p>
The application acknowledges that bonus GFA for the provision of affordable housing available under State Environmental Planning Policy (Affordable Rental Housing) 2009 (SEPP ARH) is not available due to the presence of a heritage item on the site, as specified in Clause 10 SEPP ARH. Nevertheless, the uplift is sought, and is calculated in accordance with Clause 13 of SEPP ARH which would permit an additional 0.31:1 if a heritage item was not on the site.	<p>Noted.</p>
While the provision of affordable housing on the site is supported, this should be provided within a compliant scheme. The SEPP ARH is explicit, and sites with heritage items are ineligible for the uplift. The purpose of this exclusion is to prevent the overdevelopment of heritage sites in order to maintain and preserve the heritage significance of those sites. The heritage impacts of this proposal are in large part arising from the additional GFA now proposed. This is discussed in further detail in the discussion of heritage impacts below.	<p>There is no incentive without application of 'bonus' FSR provisions to encourage private developers to provide affordable rental housing. The merits of the provision of affordable rental housing and impacts of the proposed additional density are mutually exclusive, and thus must be considered on their individual merit. 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. The response dated 23 June 2017 by Weir Phillips Heritage suggests:</p> <p><i>Building C will still lie below the height of Building A and read as a building of lesser massing. While the angle of the view along the northern elevation of Building A may be narrowed on approach along Pitt Street from the north from the approved scheme, it will still be possible to stand on Pitt Street and view the length of the elevation of Building A in its entirety. Building A will continue to be the most prominent building on the site. Additional height to Buildings B and C will not block view corridors towards the colonnade or the junction that is formed by the northern elevation of Building A and the eastern elevation of Building C. This junction, together with the eastern elevation of Building A, which is retained, form the iconic view.</i></p>
The City also notes that an affordable housing provider is not yet secured. The City is concerned that if the applicant is unable to secure a provider by the time of completion, that an application will be made to delete conditions of consent relating to affordable housing. This would set a very undesirable precedent. Accordingly, the potential future use of some units as "affordable housing" is speculative only, and does not warrant the proposed uplift.	<p>SEPP ARH has been in operation since 2009 without any widespread claims to this effect.</p> <p>Securing an affordable housing provider is a commercial arrangement that is complicated by the timing for issue of an amended project approval, and by the subsequent unknown nature of commencement and completion dates for construction. A number of social housing providers as previously stated are willing to enter into a commercial arrangement. The mechanism in use by SEPP ARH does not however require this arrangement to be formalised until prior to occupation.</p> <p>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 3,993m<sup>2</sup> of GFA, to be used for the purpose of affordable rental housing for 10 years, prior to the issue of an occupation certificate. An additional condition will require 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.</p>
ADDITIONAL HEIGHT	
The proposal seeks to consent for an additional two storeys on Blocks B and C. The proposed additional height is not supported for the following contextual reasons, both within and external to the site:	<p>The additional building height is consistent with the maximum prescribed building height for the site.</p> <p>The response dated 23 June 2017 by Weir Phillips Heritage suggests:</p> <p><i>Building C will still lie below the height of Building A and read as a building of lesser massing. While the angle of the view along the northern elevation of Building A may be narrowed on approach along Pitt Street from the north from the approved scheme, it will still be possible to stand on Pitt Street and view the length of the elevation of Building A in its entirety. Building A will continue to be the most prominent building on the site. Additional height to Buildings B and C will not block view corridors towards the</i></p>
<ul style="list-style-type: none"><li>- The additional storeys result in the buildings competing visually with the retained hospital building which is a local landmark and a heritage item. The additional height is therefore considered to have a negative impact upon the heritage significance of the building.</li><li>- The additional height will result in three medium-rise buildings on the site, rather than one as is currently approved. This is inconsistent with the surrounding context, which is predominantly two (2) storeys on Pitt and Albert Streets.</li></ul>	

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<ul style="list-style-type: none"><li>– The additional height will be visible from the public domain.</li><li>– The proposed increased height is not ameliorated by a commensurate increase in building separation as is required by the ADG. This is resulting in diminished residential amenity, which is discussed in detail under the heading 'residential amenity'.</li></ul> <p>It is recommended that approval should not be granted for any additional height beyond that which is already approved.</p>	<p><i>colonnade or the junction that is formed by the northern elevation of Building A and the eastern elevation of Building C. This junction, together with the eastern elevation of Building A, which is retained, form the iconic view.</i></p>
RETAIL USES	
<u>Permissibility of food and drink premises</u>	
<p>The site is located within the Residential Zone – 'Medium Density Residential' under SEPP SSP. Food and drink premises are not permissible in this zone. Nevertheless, they are proposed, and the applicant is relying upon the repealed provisions of Section 75O and 75R of the EP&amp;A Act, which permit prohibited uses where other parts of the proposal are permitted.</p> <p>The City considers that this site is not suitable for the proposed food and drink premises. As illustrated in Figure 1 below, the Rachel Forster Hospital site is an island site in terms of the (State Significant Precincts) 2005 (SEPP SSP), and is surrounded on all sides by sites subject to the provisions of the Sydney Local Environmental Plan 2012 (SLEP).</p> <p>As illustrated [in Figure 1], the surrounding sites are within the R1 'General Residential' zone. While food and drink premises are permissible in this zone, Clause 7.22 'Use of existing non-residential buildings in Zone R1 General Residential' of SLEP specifies that development consent must not be granted for food and drink premises in the R1 zone unless the development relates to a building that was designed for the purposes of a shop or pub, and was erected prior to commencement of the SLEP. Accordingly, food and drink premises are prohibited on the surrounding sites, except where the existing buildings were built for the purposes of a shop or a pub.</p> <p>In addition to being prohibited by both the SEPP SSP and SLEP, the proposed food and drink premises will result in a number of potential undesirable impacts. This includes but is not limited to acoustic, smoke and odour impacts. Furthermore, it is unclear how these tenancies will be serviced, and there is no provision for grease traps and mechanical ventilation. Finally, the location of the outdoor dining, adjacent to an area identified as common open space, further diminishes the utility of this space for the quiet enjoyment of residents.</p>	<p>See comments in the RTS at Section 3.1(1). The application is to be modified to delete 'retail premises' from the scheme, in favour of retaining small scale 'neighbourhood shops', which are permissible with development consent.</p>
<u>Suitability of the proposed retail spaces generally</u>	
<p>The City has concerns with the proposed retail spaces, as follows:</p> <ul style="list-style-type: none"><li>– The retail space in Building A is a two storey space with a door on the Lower Ground Floor and Ground Levels connecting into the residential lobbies. This arrangement impacts on the safety and security of the residents and is not supported.</li><li>– Building D has a retail space that is 4m deep. This is insufficient for retail as there is no place for back of house. The City is concerned that this tenancy will remain vacant as it is not fit for purpose.</li></ul>	
BUILDING SEPARATION	
<u>Setbacks within the development site</u>	
<p>The arrangement of the building footprints remains as approved in both the Concept Plan and Project Application. The City notes that if the approved Concept Plan and Project Application were to be lodged today, they would not satisfy the separation requirements in the ADG. The proposed modifications further increase these non-compliances.</p> <p>The proposed increases in height to Buildings B and C, without increasing the separation between buildings, create inconsistencies with the objectives of the ADG with regards to visual and acoustic privacy. Figures 2 and 3 below are diagrams comparing the proposed separation distances with the minimum separation distances required by the ADG.</p> <p>The ADG requires building separation to increase as the number of storeys increases, which has a dual function of optimising visual and acoustic privacy in order to achieve compliance with the objectives contained within sections 3F-1 Visual privacy and 4H-1 Acoustic privacy of the ADG. The proposed separation distances in this application hinder the proposal in its achievement of these objectives. While measures are proposed to mitigate the impacts of insufficient separation, these are largely unsuccessful. For example:</p> <ul style="list-style-type: none"><li>– There are highlight windows to habitable rooms for the north and south elevations of Buildings B and C. While this may overcome visual privacy issues, this approach does nothing to mitigate the acoustic privacy issues.</li><li>– Corner apartments rely on highlight windows to contribute to the natural cross ventilation. With insufficient separation, there will be conflicts between noise and natural cross ventilation. Therefore, it will not be possible for the future occupants to benefit from both natural cross ventilation and acoustic privacy.</li></ul>	<p>See comments in RTS Section 3.1(2).</p>

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<p>The ADG requires building separation to increase as the number of storeys increases, which has a dual function of optimising visual and acoustic privacy in order to achieve compliance with the objectives contained within sections 3F-1 Visual privacy and 4H-1 Acoustic privacy of the ADG. The proposed separation distances in this application hinder the proposal in its achievement of these objectives. While measures are proposed to mitigate the impacts of insufficient separation, these are largely unsuccessful. For example:</p> <ul style="list-style-type: none"><li>– There are highlight windows to habitable rooms for the north and south elevations of Buildings B and C. While this may overcome visual privacy issues, this approach does nothing to mitigate the acoustic privacy issues.</li><li>– Corner apartments rely on highlight windows to contribute to the natural cross ventilation. With insufficient separation, there will be conflicts between noise and natural cross ventilation. Therefore, it will not be possible for the future occupants to benefit from both natural cross ventilation and acoustic privacy.</li></ul> <p>In light of the above, it is evident that the existing building footprints are not able to accommodate the additional storeys and comply with the natural cross ventilation and visual and acoustic privacy requirements of the ADG. Accordingly, Blocks B and C are not considered suitable for the proposed additional storeys and they should be deleted. If any additional storeys are to be contemplated, which we do not support, they must comply with the minimum separation distances required by the ADG.</p> <p><u>Setbacks to rear and side boundaries</u></p> <p>The ADG provides design guidance for separation between buildings and side and rear boundaries. The retained hospital building that is being adaptively re-used (Building A), is subject to approved additions that will widen the building, providing a primary building setback of approximately 6m to the southern boundary. For a seven (7) storey building with habitable rooms to the boundary, this setback should be 9m.</p> <p>As a result of the approved building widening, the Project Approval already results in overlooking to the site to the south 146-152 Pitt Street, being residential units. The proposed modification increases the intensity of the development, resulting in eight (8) rather than six (6) apartments per floor (Levels 1-5) facing the southern boundary. Consequentially, the overlooking impacts are also intensified.</p> <p>Figure 4 below shows the existing setback between Building A and its southern neighbour. The existing setback is compliant with the ADG. Figure 5 illustrates the setbacks of the Project Approval, which is unchanged by the proposed modification.</p> <p>The images demonstrate that:</p> <ul style="list-style-type: none"><li>– The existing project approval, and the proposed modification, extend the retained building to the southern boundary by approximately 4 to 4.5m.</li><li>– The existing relationship of the retained Building A to the southern boundary satisfies the ADG setbacks/separations from boundaries for a building of this height with regards to habitable rooms and balconies. If the approved scheme was submitted today, the proposed setbacks to the southern side boundary would not be supported due to the abovementioned non-compliance.</li></ul> <p>As outlined above, this application seeks to modify Building A to increase the intensity of residential development, resulting in additional apartments facing the southern boundary.</p> <p>Given the existing non-compliance, the proposed intensification of Building A can only be considered if the building is reconfigured to comply with the setback requirements of the ADG and therefore ameliorate the impacts arising from the existing non-compliance. Intensification of the use, and therefore its associated impacts, without the provision of a compliant setback results in worse outcome than the Project Approval, and is therefore not supportable.</p>	
<p><b>RESIDENTIAL AMENITY</b></p> <p><u>Natural Cross Ventilation</u></p> <p>As outlined above, the proposed siting and building layouts provide insufficient building separations. This has a critical impact on the ability of the development to deliver natural cross ventilation due to the conflict between noise and the desire for natural cross ventilation. There is also the additional effect of the buildings shielding each other from prevailing breeze and or neutralising potential pressure differentials between the buildings.</p> <p>In our view, due to insufficient building separation, there are only seven (7) genuinely cross ventilated apartments in the entire development that do not have a conflict between noise and ventilation. These are corner apartments in Building A fronting the forecourt, and cross through apartments in Building D located at the corner of Pitt and Albert Streets.</p> <p>Notwithstanding this, if the conflicts arising from insufficient building separation are ignored (which we do not support) an analysis of corner and cross through apartments is provided in Table 1 below.</p> <p>Note: The City's calculation is based on the definitions of 'natural cross ventilation', 'corner apartment', cross-</p>	<p>This improved movement of fresh air through the buildings has been achieved by providing slots through Buildings A and D, allowing the prevailing breeze to pass through the buildings and to thereby naturally ventilate apartments in its path. A total of 136 apartments (63.8%) are naturally cross ventilated – see Drawing Nos. A522 and A533 (see Architectural Drawings at <b>Attachment II</b>).</p>

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over apartment', and 'cross through' apartments provided in the ADG. Apartments that fail to meet this definition are rightfully excluded.

Table 1: Calculation of naturally cross ventilated apartments

Naturally Cross Ventilated (NVC) Apartments per Building				
Building	Corner Apartments	Potential Corner Apartment*	Through Apartments	Potential NCV Apartments per Building
Building A (90 apartments)	20	4	13	37 (41%)
Building B (40 apartments)	15	7	0	22 (55%)
Building C (36 apartments)	10	8	0	18 (50%)
Building D (52 apartments)	0	0	22	22 (42%)
Total (218 apartments)	45 (21%)	19 (9%)	35 (16%)	99 (45%)

Counting the corner and cross through apartments there are 37% naturally cross ventilated in accordance with the ADG (setting aside building separations). This is well below the minimum of 60% required by the ADG.

If the apartments in column 'potential corner apartment\*' are included this increases to 45%, which is still well below the required minimum.

As discussed earlier, the City is concerned that if the potential apartments identified above were provided with additional windows, this is likely to result in additional visual and acoustic privacy impacts. For example:

- The northern elevation of Buildings B and C at times have no windows to provide privacy to the habitable rooms of Building D or the common open space located on the roof of Building D. It is impossible for these apartments to simultaneously deliver cross ventilation and privacy within the proposed building envelopes.
- In some cases where windows are provided to the northern elevation of Buildings B and C, screening is proposed to mitigate any visual privacy issues. Screening may reduce the effective openable area of the window and thus the efficacy of the cross ventilation.

In addition to the above, the following additional anomalies have been noted:

Building A

- The corner apartments on every level on the west elevation have been counted; however, the openable area of the highlight window is not shown.
- Unit 2 on each level relies on the bathroom to achieve cross ventilation. This approach is inconsistent with the ADG, which states: For an apartment to be considered cross ventilated, the majority of the primary living space and n-1 bedrooms (where n is the number of bedrooms) should be on a ventilation path.

Considering that this is a two bedroom apartment the airflow path needs to be through a bedroom.

- All levels in drawings A522 and A523 seek to include apartments relying on a recess. These are not naturally cross ventilated as these are single sided apartments and are in the same pressure region.
- Level 4 shows existing windows in the elevation but not in plan.
- In Unit 13 on Level 3, the existing elevation has 2 porthole windows. The openable area of this window is required to determine if it is sufficient for natural cross ventilation.
- In Unit 13 on Levels Ground to 2, all are shown as being cross ventilated in drawings A522 and A523, despite no windows in elevation or plan and indeed no future possibility of windows as this would require modification to the heritage façade. These apartments are single aspect apartments and are incapable of natural cross ventilation.
- In Unit 1 from Lower Ground level to Level 5 and Unit 12 Levels 1-5, the location of the kitchen and storage needs to be replanned to ensure a clear flow path between the south and western facades; and the south and eastern facades respectively. At present the kitchen and storage obstructs air flow.
- Unit LG08 relies on ventilation to a driveway which is exposed to noise and exhaust from the cars. It is very unlikely that an occupant would chose to leave this window open, as to do so would reduce internal amenity rather than enhance it.

Building D

- The lower ground level has five (5) cross through apartments. These are relying on individual light wells for ventilation as they are located one storey below ground. These have been included in the City's calculation, providing the following design amendments are undertaken:
  - Appropriate separations between buildings and boundaries are provided.
  - Higher floor to ceiling heights are provided (at present, there is 3.9m floor to floors are proposed but deep bulkheads are shown in East Elevation A. B. D delivering 2.7m ceilings).

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<ul style="list-style-type: none"><li>○ Fanlight windows to the northern and southern façade are provided (this is because the retaining wall and garden walls and fences create an obstruction to airflow).</li></ul> <p>In summary, the City considers the proposal fails to achieve the provision of natural cross ventilation as required by the ADG. Approximately 50 additional corner or cross through apartments are required, far more than can be provided through simple design amendments. Moreover, where natural cross ventilation can be provided, occupants will be forced to choose between natural cross ventilation and acoustic privacy.</p> <p>The above assessment demonstrates that the site is incapable of accommodating the proposed additional GFA, and therefore refusal of the application is warranted.</p> <p>Note: Overall, the façade drawings are vague with regards to window openings and this will need to be addressed to determine if there is sufficient natural ventilation to habitable rooms. If the drawings are updated, the accompanying BCA report will need to be updated to clarify that the buildings comply with fire separation requirements.</p> <p><u>Solar access</u></p> <p>The solar access diagrams are difficult to assess due to the number of hours being illustrated over the facades of the sun's eye view diagrams. This hampers the ability of the Consent Authority to determine whether or not the sun can see the living room and the balcony, as required by Objective 4A-1 of the ADG.</p> <p>Furthermore, the elevations in the solar diagrams A550-A551 are different from the north elevation for Buildings B and C in drawing A204. For example Unit 424 is shown with blank walls to the northern elevation and in plan; however, the solar diagrams appears to show windows.</p> <p>This is one example, but it demonstrates that the submitted documentation cannot be relied upon to undertake an assessment.</p> <p>In order to assess the solar access of the proposal, larger diagrams are required, and the numbers overlaid on the elevations should be removed. In addition, the drawing packages should be co-ordinated so that there are no discrepancies between the different packages of information, to facilitate an accurate assessment.</p> <p><u>South facing single aspect apartments</u></p> <p>17% of the apartments are single aspect south facing apartments. This exceeds the maximum of 15% in the ADG and is not supported.</p> <p><u>Floor to ceiling heights</u></p> <p>Objective 4C-1, of the ADG requires a minimum floor to ceiling height of 2.7m for all habitable rooms. To achieve a minimum of 2.7m, typically a floor to floor height of 3.1m is required. The proposed modification retains the approved 3m floor to floor heights for Buildings B, C and D. This is not supported as it puts the delivery of 2.7m floor to ceiling heights at risk.</p> <p><u>Poor amenity within the retained Building A</u></p> <p>The plans for the retained Building A do not distinguish between the retained structure (columns, walls, floors etc.) and the new, nor do they show the extent of demolition.</p> <p>The City has strong concerns that the proposed apartment layout and planning does not respond to the existing structure. In particular, many of the apartments have columns located in areas that reduce liveability and will make the rooms difficult to furnish and move within. For example:</p> <ul style="list-style-type: none"><li>– Units 3, 4 and 7 on Lower Ground Level to Level 5 and Unit 11, on Levels 1- 5 have a column in the bedroom which results in a narrow gap occupants will have to squeeze past to get to the side of the bed furthest from the door.</li><li>– Unit 6 has a column located in front of an opening which reduces the width of the doorway and reduces the width of the kitchen bench.</li><li>– Unit 9 has a column located in the bench of the kitchen, reducing the useability of the bench. It also has a column that reduces the width of the living room and openings between the living and bedroom. The fact that this apartment is nominated as being adaptable is of considerable concern.</li><li>– Units 3 and 11 from Lower Ground Level to Level 5 have a column located in the balcony which reduces its usability, and results in non-compliance with the minimum dimensions for useable space under the ADG.</li><li>– The living rooms of Unit 5, Lower Ground Level to Level 5 have columns which reduce the effective width of the apartment from 4m to 3m.</li></ul> <p>More broadly, amenity within the retained building is diminished by numerous examples of poor apartment planning, such as:</p> <ul style="list-style-type: none"><li>– Access to the second bedroom and bathroom in Unit 2 is via the kitchen. This layout is inconsistent with Objective 4D-1 of the ADG, which states that kitchens should not be located as part of the main circulation space in larger apartments (such as hallway or entry space).</li><li>– The corridors vary in width but can narrow to 1m. This is problematic where the garbage and chutes</li></ul>	<p>Revised solar access diagrams have been provided. A total of 154 apartments (72.3%) are provided with a minimum of 2 hours of solar access at midwinter to their living room windows and private open space – see Drawing Nos. A550 – A552 (Architectural Drawings at <b>Attachment II</b>).</p> <p>Only 29 apartments (13.6%) receive no direct sunlight at mid winter – see Drawing Nos. A560 and A561 (Architectural Drawings at <b>Attachment II</b>).</p> <p>Floor to floor levels have been adjusted in Buildings B, C and D to accommodate 2700mm floor to ceiling heights.</p> <p>The apartment floorplans in Building A have been reconfigured to better respect the existing structure.</p>

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<p>are located and will make moving furniture in the common corridors extremely difficult.</p> <ul style="list-style-type: none"><li>– Both cores are served by a single lift. There are 90 apartments in Building A and on average 45 apartments per core. If the lift breaks down or is occupied by furniture moving then residents may have to climb up to 7 flights of stairs. This is clearly unacceptable.</li><li>– Unit LG08 has poor amenity due to the bedrooms having windows that open directly onto the driveway, which is subject to noise, car exhaust and light spill from head lights. The amenity provided by these windows is so poor it is unlikely that the occupants will ever have the windows or blinds open. Moreover, the elevation (A203) shows sliding doors with no sill to the two bedrooms and no balustrade to the balcony. A balcony is not appropriate in this location.</li></ul>		
<p><u>Building D - two storey apartments</u></p> <p>The two storey apartments in Building D, place the living rooms at ground level and bedrooms on lower ground level. This results in the private open space being located adjacent to the bedrooms rather than the living space. This does not comply with Objective 4E-2 of the ADG.</p>		<p>The apartment floorplans in Building D have been reconfigured to address this concern.</p>
<p><u>Common open space</u></p> <p>The forecourt on Pitt Street is ambiguous open space with regards to its ownership. It is both publicly accessible and common open space. Without a clear program, ambiguous spaces such as this are in jeopardy of not being used at all. The elements that make this space ambiguous are as follows:</p> <ul style="list-style-type: none"><li>– It is disconnected from the rest of the 'common open space' both vertically (change in level) and horizontally, there are gates to the stairs connecting the lower ground level to the forecourt.</li><li>– The forecourt is interfaced with retail uses.</li><li>– It is located on Pitt Street which offers no privacy for passive activities, nor safety for active play for children.</li></ul> <p>Aside from the forecourt located on Pitt Street, the common open spaces that can be truly defined as common are:</p> <ul style="list-style-type: none"><li>– The roof top garden on Building D.</li><li>– Smaller roof terraces for Buildings B and C.</li><li>– The pathways between buildings.</li></ul> <p>We note that Building A is not provided with its own common open space. This represents an inequitable distribution of common open space for residents, as the roof terraces of Buildings B, C and D are unlikely to be used by the residents of Building A.</p> <p>It is recommended that the application be amended to provide Building A with usable common open space.</p>		<p>As the retail uses have been removed and ground floor apartments privatised, there is no change to the forecourt on Pitt Street proposed as part of this application. The Director General's Environmental Assessment Report has previously noted in response to Council's concerns that:</p> <p><i>... the design of the space still allows for a visually appealing passive recreational space that will assist in improving the residential amenity for the development.</i></p> <p>The communal open space areas have been reconfigured. All communal open space areas are 'communal' and are not for the exclusive use of a particular building. The inequity of distance travelled by residents to access communal open space is not a relevant matter of consideration.</p>
HERITAGE IMPACTS		
<p>The proposal is considered to have an adverse impact on the retained Building A and the colonnade of the former Administration Building. It is not in keeping with the theme of the project which is defined as an adaptive reuse of a heritage building. In addition to retaining listed buildings, adaptive re-uses should respect the building's historic relationships, setting and context. This proposal fails to achieve this for the reasons outlined below.</p> <p><u>Colonnade</u></p> <p>The concrete colonnade in front of Building C is significant and is listed in the SEPP (2005) as part of the heritage fabric. The retention of the colonnade is required in accordance with Condition B1 of MP09-0068 of the existing consent. Despite this, the colonnade has recently been fully demolished. Google Streetview shows the colonnade as being fully intact in May 2014, partially demolished in July 2014, and fully demolished in September 2016. We note that it was the applicant's intention to fully demolish the colonnade as part of this application, as shown on demolition plan (A087), and to reconstruct it in part. The decision to demolish this heritage item without approval is of serious concern, and demonstrates a disregard for the heritage significance of this site. The City requires an explanation as to why this has occurred. We recommend the Department's compliance team investigate this matter fully, and if necessary pursue prosecution. Notwithstanding the above, any development approved for this site should fully reconstruct the heritage colonnade. The scale of the colonnade was two storeys high and this relates well with front circular drive and landscaping. Under the approved scheme, the colonnade remains visually prominent at Building C, as only one storey is added above the colonnade height. With the proposed additional storeys, the reconstructed colonnade will be subdued by the new building behind, and will be relegated to a secondary element of the Building C facade. This will have a significant adverse impact on the setting and spatial presentation of the colonnade. The proposed materials are also considered to have a negative impact upon the colonnade, in particular the proposed materials palette makes the colonnade blend in to the building behind, and the proposed louvres are considered to be detracting. This is discussed in further detail under the heading 'building expression'.</p> <p><u>Building A</u></p> <p>There appears to be very little structure remaining of Building A, the only retained building on the site. The</p>		<p>See attached response by Weir Phillips Architects (Heritage Impact Statement &amp; Interpretation Strategy Supplement at <b>Attachment IV</b>).</p>

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<p>City is very concerned that what does remain may be at risk of irreversible structural damage due to the proposed basement, which relies on partial excavation below the existing building. In particular, when the existing columns are projected onto the Upper Basement Level plan, there is a line of structure where the driveway is located (along the southern wall) and into parking bays (refer to Figure 6 below). There is no additional structure shown supporting this line of columns. In light of this, a structural report is required to demonstrate that the partial excavation under the building can be achieved without damaging the building.</p> <p>The documentation is unclear as to what is retained and what will be demolished. An important element to be retained is the eastern façade, which in reality is finely detailed, but is shown as a two dimensional element on the plans. It is doubtful that the façade could be recreated with the same degree of craftsmanship, as shown in Figure 7 below:</p> <p>The additions to the north and south of the retained Building A overwhelm the original building, resulting in the only visible part being the eastern façade. This is discussed in detail elsewhere in this submission under the heading 'Building Expression'.</p> <p><u>Buildings B and C</u></p> <p>The height of Buildings B and C is proposed to increase by two (2) storeys. This is considered to have a negative heritage impact to the former hospital site and the adjacent conservation area.</p> <p>The statement of significance for the site states:</p> <p><i>"The Rachel Forester hospital has aesthetic significance for its contribution to the streetscape as a well-designed modernist hospital complex. The site has landmark qualities because of its community associations and the site of the buildings relative to the surrounding terraced housing. The most significant view corridors towards the site identified by historic photographs are as approached along Pitt Street from the north. This view corridor takes in the northern and eastern elevations of the southern building (Building A) and the colonnade along the eastern elevation of the middle building (Building C)".</i></p> <p><i>The Heritage Impact Statement submitted with the approved Project Application states the following with regards to the original design intent of the hospital:</i></p> <p><i>"in the manner of its (the hospital) planning, a sense of space surrounds it; a need greatly to be desired in this overcrowded district. The main façade will be on Pitt Street where a circular drive will lead to a dignified entrance. This unit (Building C); however, will only be two storeys high so that it will not block the vision from the main ward wing (Building A) which will be built across the end of the block.</i></p> <p>In light of the above, it is apparent that Building A was designed as a prominent building in the precinct, with other buildings being significantly subordinate to its scale. The asymmetrical massing layout of the buildings is the original design intention and this feature is maintained in the Project Approval (MP09-0068). The proposed height increase of Buildings B and C will diminish the extant scale and configuration of the former hospital, which is considered to have a negative impact on the heritage significance of the site.</p> <p>Overall, the height increase of Building C will have an adverse impact on the iconic view of the former hospital site from Pitt Street. It will also have major impacts on the setting and relationship of the two heritage elements, being the former Ward Wing (Building A) and the colonnade.</p> <p><u>Building D</u></p> <p>The overtly horizontal design of Building D is incongruous with the established Victorian terrace streetscape on Albert Street, diminishing the visual qualities of this streetscape, which is situated in a heritage conservation area.</p>	
WAYFINDING	
<p>The proposal results in significant issues in terms of wayfinding. In particular:</p> <ul style="list-style-type: none"><li>– Buildings A and B do not have a street address.</li><li>– The western lift core of Building A and Building B requires visitors to either enter via the forecourt using the stairs or the single lift to access the lobby. There are gates at the stairs, which means that visitors are required to be authorised into the development.</li><li>– Lifts in the public domain or common open space are not supported, as they tend to breakdown or are subject to anti-social behaviour. In this instance, their upkeep will also be the responsibility of the strata, which could prolong repair times.</li><li>– Reliance on this 'public' lift to provide equitable access is not supported. Access should be a provided by means not susceptible to mechanical failure such as a ramp.</li><li>– The proximity of the public lift in the forecourt to Unit G11 impacts on its outlook and aspect. There is 1.5m between the balcony and the corner of the lift, and as the lift is positioned at an angle, the view from the balcony is to both sides of the lift blocking about 50% of the outlook.</li></ul> <p>While it is acknowledged this arrangement has been approved, this is not ideal and is for a lesser intensity of residential development. The proposed increase in density places pressure on the circulation spaces and infrastructure. If improved access by other means cannot be provided, this is further indication that the site is not suitable for additional GFA beyond the maximum permissible.</p>	<p>The removal of 'retail premises' from the site, limiting neighbourhood shops to the building's interface with Pitt Street only, promotes a much clearer delineation between private and publically accessible areas of the site. Additional wayfinding diagrams have been prepared by Tony Owen Partners (see Architectural Drawings at <b>Attachment II</b>).</p>

AGENCY SUBMISSION	RESPONSE
<p><b>BUILDING EXPRESSION</b></p> <p>The building expression for all four buildings is homogenous, despite the differences in contextual relationships and one of the buildings being a retained heritage item. The use of three materials and two colours (rendered white concrete, copper/timber- like brown aluminium louvres and alucobond) is monotonous.</p> <p>As demonstrated in Figure 8 below, the applied aesthetic to the entire site creates the effect of increased mass, as the eye reads the accumulation of all the surfaces in perspective rather than reading each individual building as separate.</p> <p>Particular concerns with Buildings A, C and D are outlined below.</p> <p><u>Building A</u></p> <p>The Rachel Forster building, which is a Functionalist styled building of heritage significance, has been completely obscured by the additions to the building. The only traces of the original building fabric visible from the public domain will be the existing brick façade on the eastern elevation.</p> <p>The City is of the strong opinion that additions to Building A should not obscure the original building but rather should be secondary and allow the original building to be legible. This has been successfully achieved in other projects such as the former Children’s Hospital site in Camperdown.</p> <p>The former Children’s Hospital scheme demonstrates that it is possible to provide additions to an original building that are lightweight, clearly different, modern in expression and materiality, and secondary to the original building by not visually competing with the form, materials or architectural elements. In this example, the Functionalist style is respected and revealed and new components are clearly read as an addition.</p> <p>It is a superior outcome to the subject proposal, which imposes an aesthetic that does not relate to the original style and architectural elements of the building. We note that if a similar approach was applied to the subject proposal, this may allow for more of the building to be retained. In particular, the southern elevation could be retained, and existing openings could be enlarged to be integrated into the design of the apartments. This would relate to the existing grid, thereby removing the issues of awkwardly located columns in some of the apartments outlined earlier in this submission.</p> <p>In our view, the additions in the approved Project Application was more sympathetic in its use of materials and building expression.</p> <p>Note: Building A has clear glass windows/doors to the garbage room fronting Pitt Street. It is unclear why this is proposed.</p> <p><u>Building C</u></p> <p>Building C has a two storey colonnade heritage element (presently demolished without consent). This is a finely proportion elegant structure; however, the aesthetic applied to this building competes with the colonnade both physically and visually. The new building, and the additional storeys, encroaches within and over it, and the proposed colour and materials result in the colonnade being visually absorbed into the white rendered walls of Building C, obscuring its appearance. The change in materiality to the aluminium louvres visually detracts from the colonnade.</p> <p>It is recommended that the building expression and materials should provide a simple backdrop to the colonnade. A more recessive colour or natural colour such as the face brick of the original building would allow the colonnade to be clearly read. The building should be setback, so as not to encroach into the curtilage of the colonnade.</p> <p>The City regards the eastern elevation of Building A and the colonnade of Building C as elements that create an iconic view on Pitt Street. The proposed additional height to Building C will greatly diminish this view.</p> <p><u>Building D</u></p> <p>Building D does not respond to the existing streetscape of Albert Street. More specifically:</p> <ul style="list-style-type: none"><li>– The horizontal proportions are out of character with the fine grained Victorian terrace houses, which have vertical party walls reinforcing the subdivision pattern.</li><li>– The proposed openings are also more horizontal in proportion and large, whereas the existing character is comprised of vertically proportioned openings that are expressed as punctuations in a solid wall.</li><li>– The proposed building has an extruded relationship to the sky, and bears no relationship to the existing streetscape, which is characterised by an articulated skyline created by roofs, party walls and chimneys.</li><li>– The proposal is located forward of the principal building to the west, resulting in an uncomfortable and imposing interface.</li><li>– The fence height is higher than the existing houses in the street.</li></ul> <p>The contrast between the proposed building expression and the existing context can be seen if Figures 9 and</p>	<p>See attached response by Weir Phillips Architects (<b>Attachment ??</b>).</p>

AGENCY SUBMISSION	RESPONSE
<p>10 below.</p> <p>It is noted that the approved development acknowledges the vertical rhythm that comprises the existing streetscape of Albert Street. It incorporates the use of face brick and provides an articulated skyline. It is also setback behind the adjoining building, as demonstrated in Figure 11 below.</p> <p>It is noted that the recently demolished hospital building also respected the vertical rhythm of Albert Street, as seen below in Figure 12.</p> <p>In conclusion, the proposed building expression is not considered suitable for the site and its context. It is recommended that the design is amended to address the abovementioned concerns.</p>	
<p><b>LANDSCAPING</b></p> <p><u>'Public' nature of 'public/communal' park</u></p> <p>Concerns are raised with the regard to the semicircular area of communal open space as follows:</p> <ul style="list-style-type: none"><li>– Although the lawn could facilitate some passive recreation, it is unlikely to be particularly successful due to overshadowing by the canopy trees.</li><li>– The surrounding outdoor dining areas compromise the function of the space for residents. The space becomes more public than communal in nature, and less useable for communal purposes such as larger family gatherings, children's parties and so on.</li><li>– The overriding public nature of the space is reinforced by the level change between the park and the building entrances, which disconnects it from the rest of the site.</li><li>– The extent of central path significantly reduces the quantity of deep soil. This central path seems unnecessary, or at least much wider than required.</li><li>– The ground level drawings show vehicle crossovers at each end of the 'shared access way' that reflects the original semi-circular driveway.</li></ul> <p>It is recommended that the design is amended to remove this area from the calculation of communal open space. It should also be redesigned to provide additional deep soil zones.</p> <p><u>Quantity of communal open space</u></p> <p>Communal open space should provide for the active and passive recreation needs of all residents. The calculation of communal open space is required to exclude driveways, parking areas and essential access paths (amongst other items). Furthermore, it should have a minimum dimension of 6m.</p> <p>Drawing A400 includes all essential access paths, fire escapes, private entries and leasable outdoor commercial spaces. None of these are considered to be communal open space, nor are the areas of planting either side of the paths (that are less than 6m), or the inaccessible planted buffer to the southern boundary. Whilst many of these spaces are supported in principle as attractive, potentially biodiverse landscape spaces, they are not useable recreation spaces.</p> <p>Two areas with picnic tables are located between buildings A &amp; B, and B &amp; C. These spaces are less than 6m in width (once the essential access paths have been removed) and are positioned directly adjacent to ground level residential units. Locating four picnic tables in such small spaces and in close proximity to habitable rooms poses a risk of excessive noise and disturbance. The spaces aren't generous enough to facilitate this level of potential activity, and it is recommended that the design is amended accordingly.</p> <p><u>Deep soil</u></p> <p>The 'deep soil calculation' drawing, A401 is misleading. The suggested deep soil areas include large expanses of paving and walls. This drawing also conflicts with the 'area diagram' shown on the landscape drawing L_100, which shows a more realistic assessment of the deep soil areas but still includes many areas that are less than the required 3m minimum dimension. Subsequently the quantity of deep soil is significantly less than stated and is not compliant. The application should be amended to ensure 15% of the site is provided as unencumbered deep soil with a minimum dimension of 3m.</p> <p><u>Miscellaneous landscape issues</u></p> <p>Some planting is indicated at the lower ground level against the southern façade of buildings B and C. When coordinated with the architectural drawings, some of the planting is positioned between screens and walls, and is inaccessible for maintenance. The application should be amended to ensure all planting is directly, safely and easily accessible for maintenance, and that any subsequent privacy issues are managed through the configuration of the deep soil.</p> <p>Section BB of drawing L_104 illustrates a particularly cavernous condition for the lower-ground level units facing Albert St. Details are required to prove that these spaces can be of a sufficiently high quality and not vulnerable to litter or objects being thrown from the street.</p> <p>Section EE on drawing L_105 shows the minimum soil depths for tree planting being achieved through mounding the soil. It must be noted that the soil depths listed in the ADG for planting on structure are a minimum, not an average, and that mounding is not supported. Adequate volumes for tree planting must be achieved, as identified in the Sydney Landscape Code.</p>	<p>As the retail uses have been removed and the ground floor apartments privatised, there is no change to the forecourt on Pitt Street proposed as part of this application.</p> <p>The provision of communal open space to residents within the development is improved by the proposed modifications, with generous additional areas provided upon the rooftop and terraced portions of Buildings B, C and D. The ADG requires that an area the equivalent to 25% of the site area be dedicated for communal open space. Approximately 3,255m<sup>2</sup> of communal open space is provided, constituting the equivalent of 47% of the site area (see Architectural Drawings at <b>Attachment II</b>).</p> <p>The picnic tables could be removed if the Department believed it appropriate.</p> <p>There is no change to the deep soil calculation proposed as part of this request to modify the project approval.</p> <p>An amended Landscape Plan is appended at <b>Attachment IX</b>.</p>

AGENCY SUBMISSION		RESPONSE
The privacy of the units at lower ground level is dependent on the success of the planting located between the buildings. Given the scale and limited sunlight of the spaces, this is a risk that must be better managed by the built form.		
TRANSPORT		
<u>Car Parking</u>		
The proposed quantum of car parking is excessive and is not supported. The maximum car parking provisions of the SLEP, as applicable to all surrounding sites, would permit no more than 154 car parking spaces on this site, including visitor parking. It is recommended that the number of car parking spaces be reduced accordingly.		An amended Assessment of Traffic and Parking Implications is appended at <b>Attachment V</b> .
<u>Servicing</u>		
The proposed loading and servicing facilities are inadequate to service the site, especially given the scale of development. It is not appropriate to undertake residential waste collection for 218 units and retail waste collection for 628m <sup>2</sup> of retail from the street and this is not supported. The application must be amended to facilitate servicing within the site. The loading dock must be designed in accordance with Section 3.11.13 of the Sydney Development Control Plan 2012 (SDCP) to facilitate access for Council's waste vehicle. The applicant should be supported with a swept path analysis to demonstrate that the largest vehicle required to access the site is able to do so (this should be a Council waste vehicle, which is 9.25m).		
<u>Sustainable Transport</u>		
The overall commitment of the site to Sustainable Transport and Active transport is questionable especially given the increase in the number of apartments. No modal targets have been provided.		
The development should encourage sustainable transport (and active transport) in a manner which aligns with the targets and objectives set out in Sustainable Sydney 2030. In this regard a Green Travel Plan should be prepared, and bicycle parking should be provided in accordance with the minimum SDCP requirements.		
PERCEPTION OF CONFLICT OF INTEREST		
In addition to the above, the City notes that the EIS contains an e-mail authored by the Team Leader of Key Sites Assessments, included as Attachment A.		This is not a relevant matter for consideration.
This e-mail advises the applicant that they should use the provisions of Environmental Planning Policy (Affordable Rental Housing) 2009 (SEPP ARH) as justification to exceed the FSR control, despite those provisions not being available to the developer due to the presence of a heritage item on the site.		
This is a concern to the City, as the correspondence implies that Department staff will be willing to overlook non-compliance despite the regulatory constraints.		

Table 2

Response to Heritage Council of NSW

AGENCY SUBMISSION	RESPONSE
<p>I refer to your letter dated 17 January 2017 inviting comment on the proposed modifications to the development at the former Rachel Forster Hospital. The modifications involve increases in the maximum floor space ratio, gross floor area, number of units, number of car parking spaces and to the height of two buildings, as well as to the building appearance and façade design. The existing approval is for residential use only and the modified proposal also includes the addition of retail / café spaces to activate the site.</p>	<p>See attached response by Weir Phillips Architects at <b>Attachment IV</b> and a Revised Historical Archaeological Assessment at <b>Attachment VII</b>.</p>
<p>As delegate of the Heritage Council of NSW, I provide the following comments regarding the site's management in terms of historical heritage and historical archaeology.</p>	
<p>The proposed development does not impact any State Heritage Register (SHR) items in the vicinity. 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. I note the two modifications to the approval are supported by a Historical Archaeological Assessment prepared by Archaeological and Heritage Management Solutions, dated 2012. This document was originally submitted in support of Major Project 09_0068 to enable the 'Residential and Public Open Space Development' for this site, which was determined on 1 July 2013.</p>	
<p>However, no additional assessment, of what the proposed modification changes will mean to the historical archaeological potential and resources at this site, has been provided. On this basis it is recommended that the following condition be attached to any approval:</p>	

AGENCY SUBMISSION	RESPONSE
<p>1. The Applicant shall prepare an amended statement of heritage impact (SOHI) to reassess the new impacts of the two modifications under (MP 07_0029 MOD 1 and MP 09_0068 MOD 1) to the historical archaeological resources outlined in the AHMS December 2012 Archaeological Assessment. It is recommended this amended SOHI should be referred to the Heritage Council of NSW or its delegate for review and comment on appropriate conditions prior to determination by the Department of Planning and Environment.</p> <p>It is further noted that the Condition B11, as stated below, requires the protection of areas of potential archaeological resources in parts of the site. The amended SOHI should also address this condition of approval in the amended project design to ensure compliance with these components of the existing approval.</p> <p><b>B11 ARCHAEOLOGY</b> <i>Prior to the issue of a Construction Certificate:</i></p> <ul style="list-style-type: none"><li>a) <i>A demolition plan should be developed that is designed to facilitate removal of the superstructure of the Rachel Forster Hospital buildings and ensure the protection of areas of potential historical archaeological potential identified in Figure 33 and Figure 38 of the AHMS December 2012 Archaeological Assessment. The demolition plan should be developed in consultation with the archaeological consultant and demolition contractor.</i></li><li>b) <i>A Research Design and Excavation Methodology should be prepared regarding historical archaeological investigations at the subject site and provided to the Heritage Council or its Delegate for approval prior to works commencing. The Research Design and Excavation Methodology should be prepared in conjunction with any required Aboriginal archaeological investigations at the subject site.</i></li><li>c) <i>Historical archaeological investigations should be undertaken prior to the commencement of construction works or as part of the construction works schedule. Page 9 of 30 NSW Department of Planning and Infrastructure</i></li><li>d) <i>Historical archaeological investigations should initially take the form of a testing program to determine the nature, integrity and extent of the archaeological resource at the subject site.</i></li><li>e) <i>A review of the results of any testing program at the subject site should be used to determine whether or not further historical archaeological investigations, such as salvage, are required.</i></li><li>f) <i>The results of the archaeological program must be interpreted within the site in a way which allows users to be able to understand and appreciate the sites history and heritage.</i></li><li>g) <i>An archaeological report regarding the results of the historical archaeological investigations should be prepared in accordance with best practise professional guidelines. A copy of the archaeological report should be submitted to the Department of Planning &amp; Infrastructure and the Heritage Council of NSW.</i></li><li>h) <i>A plan should be developed for the long term storage and curation of all recovered historical archaeological material.</i></li></ul>	

Table 3

Response to Transport for NSW (TfNSW)

AGENCY SUBMISSION	RESPONSE
<p><u>Service Vehicle Parking</u></p> <p>The Assessment of Traffic and Parking Implications Report prepared to support the development application states that the proposed development would rely on the use of both off-street loading and on-street loading zones in the vicinity of site.</p> <p>TfNSW advises that:</p> <ul style="list-style-type: none"><li>– The applicant should not rely on the kerb side restrictions to conduct their business activities;</li><li>– All new developments should cater for all loading and servicing to be conducted on-site; and</li><li>– Kerb side restrictions are set to suit the wider community needs and are constantly subject to change based on network requirements.</li></ul> <p><u>Construction Pedestrian and Traffic Management Plan</u></p> <p>Several construction projects, including the Sydney Metro City and South West are likely to occur at the same time as this development. The cumulative increase in construction vehicle movements from these projects could have the potential to impact on general traffic and bus operations within the vicinity of the site, as well as the safety of pedestrians and cyclists particularly during commuter peak periods. TfNSW requests that the applicant be conditioned to the following:</p> <ul style="list-style-type: none"><li>– Prepare a Construction Pedestrian and Traffic Management Plan (CPTMP) in consultation with the</li></ul>	<p>An amended Assessment of Traffic and Parking Implications is appended at <b>Attachment V</b>.</p> <p>Noted. It is proposed to amend the project approval to ensure compliance with these requirements (see Section 2.6 of the RTS)</p>

AGENCY SUBMISSION	RESPONSE
<p>CBD Coordination Office within TfNSW. The CPTMP needs to specify, but not limited to, the following:</p> <ul style="list-style-type: none"><li>o Location of the proposed work zone;</li><li>o Haulage routes;</li><li>o Construction vehicle access arrangements;</li><li>o Proposed construction hours;</li><li>o Estimated number of construction vehicle movements;</li><li>o Construction program;</li><li>o Consultation strategy for liaison with surrounding stakeholders;</li><li>o Any potential impacts to general traffic, cyclists, pedestrians and bus services within the vicinity of the site from construction vehicles during the construction of the proposed works;</li><li>o Cumulative construction impacts of projects including Sydney Metro City and South West project. Existing CPTMPs for developments within or around the development site should be referenced in the CPTMP to ensure that coordination of work activities are managed to minimise impacts on the road network; and</li><li>o Should any impacts be identified, the duration of the impacts and measures proposed to mitigate any associated general traffic, public transport, pedestrian and cyclist impacts should be clearly identified and included in the CPTMP.</li></ul> <p>– Submit a copy of the final plan to the Coordinator General, CBD Coordination Office for endorsement, prior to the commencement of any work.</p> <p>TfNSW requests that the applicant consults with the CBD Coordination Office within TfNSW in relation to the above issues. TfNSW would be pleased to consider any further material forwarded from the applicant.</p>	

Table 4

Response to Roads & Maritime Services

AGENCY SUBMISSION	RESPONSE
<p>Roads and Maritime has reviewed the submitted application and raises no objection to the proposed modifications listed below as the proposal will result in a minimal impact to the classified road network:</p> <ul style="list-style-type: none"><li>– Increase the total maximum floor space ratio 2:1 to 2.31:1</li><li>– Increase the total maximum gross floor area from 13,846m<sup>2</sup> to 15,972.4m<sup>2</sup>, which includes 4,790m<sup>2</sup> to be affordable rental housing</li><li>– Increase the number of units from 158 to 218</li><li>– Introduce non-residential uses to the Pitt Street frontage</li><li>– Increase the height of Buildings B and C from 4 storeys to 6 storeys</li><li>– Modify the building appearance and façade design</li><li>– Increase car parking from 138 to 171 spaces</li></ul>	<p>Noted.</p>

Table 5

Response to Office of Environment and Heritage

AGENCY SUBMISSION	RESPONSE
<p>Please be advised that there are no issues raised in regard to biodiversity or flooding matters. It is noted however that the Heritage Branch has previously provided comment on this matter on aboriginal cultural heritage issues and may have an interest in this proposed modification.</p>	<p>Noted.</p>

Table 6

Response to Sydney Water

AGENCY SUBMISSION	RESPONSE
Sydney Water will further assess the impact of any subsequent development when the developer applies for a Section 73 Certificate. This assessment will enable Sydney Water to specify any works required as a result of future development and to assess if amplification and/or changes to the system are applicable.	Noted.