



Address: Nos. 134 – 144 Pitt Street, Redfern
Proposal: Mixed Use Development
JUNE 2017

RESPONSE TO SUBMISSIONS



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RESPONSE TO SUBMISSIONS
FORMER RACHEL FORSTER HOSPITAL
NOS. 134 – 144 PITT STREET, REDFERN

PREPARED FOR KAYMET CORPORATION PTY LTD

JUNE 2017

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1 INTRODUCTION

The Environmental Assessment (inclusive of supporting documentation) submitted in support of a request to modify the approvals granted to Concept Plan MP07_0029 and Major Project MP09_0068, was publicly exhibited from 19 January 2017 to 6 March 2017. A total of 41 public submissions were received. There were also five (5) submissions received from government agencies and a submission from City of Sydney Council. This Response to Submissions (RTS) has been prepared to address issues raised in those submissions. The issues are broadly summarised as follows:

- Land use and the suitability of the site for retail uses;
- Modification to the built form, including the additional building height for Buildings B and C;
- The impacts of proposed modifications upon the existing heritage fabric, and expression of the modified buildings and whether they complement the retained heritage item;
- The amenity of intended residents within the building, including access to sunlight, natural cross ventilation and preservation of privacy;
- The impacts of the proposed modifications upon adjoining residents, including access to sunlight and preservation of privacy;
- The impacts of additional traffic generated by the increase in unit numbers and retail facilities proposed; and
- The nature of affordable housing proposed within the development.

Major Project MP09_0068 was approved on 1 July 2013 for a residential development comprising 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. The application was determined by the Minister for Planning and Infrastructure as being consistent with the preceding Concept Plan MP07_0029, approved 9 October 2007.

The subject application, as modified by documentation appended to this RTS, seeks approval for modifications to both Concept Plan MP07_0029 and Major Project MP09_0068, and comprises the following amendments to the approved scheme:

- Increase the height of Buildings B and C from 4 storeys to 6 storeys;
- Increase total gross floor area from 13,531.51m² to 15,592.1m² (1.95:1 to 2.25:1);
- Increase the total number of units from 158 to 213;
- Introduce affordable rental housing as an integral component of the proposed development (with 25% of the of the gross floor area of the development is to be used for the purpose of affordable housing for a period of not less than 10 years);
- Make various changes to the façade details and building appearance; and
- Increase the volume of car parking to support the proposed intensity of development (155 spaces).

Table 1

Development particulars – summary of changes from the application as exhibited to the application as modified by documentation appended to the RTS.

DEVELOPMENT PARTICULARS	APPLICATION AS EXHIBITED	MODIFIED PROPOSAL (RTS)
Site Area	6,922.9m ²	No change
Gross Floor Area	15,972.4m ²	15,592.1m ²
FSR	2.31:1	2.25:1
No. of Units	218	213
Retail GFA	521.8m ²	140m ² (neighbour shops only)
Vehicle Parking	171	155

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 contained within the Revised Concept Plan drawings at **Attachment I**. The architectural plans accompanying Project Approval MP09_0068 modifications are contained within the Revised Architectural Drawings at **Attachment II**.



Figures 1 – 4

The application as exhibited (above) and the application as modified by this RTS (below).

2 PROPOSED MODIFICATIONS

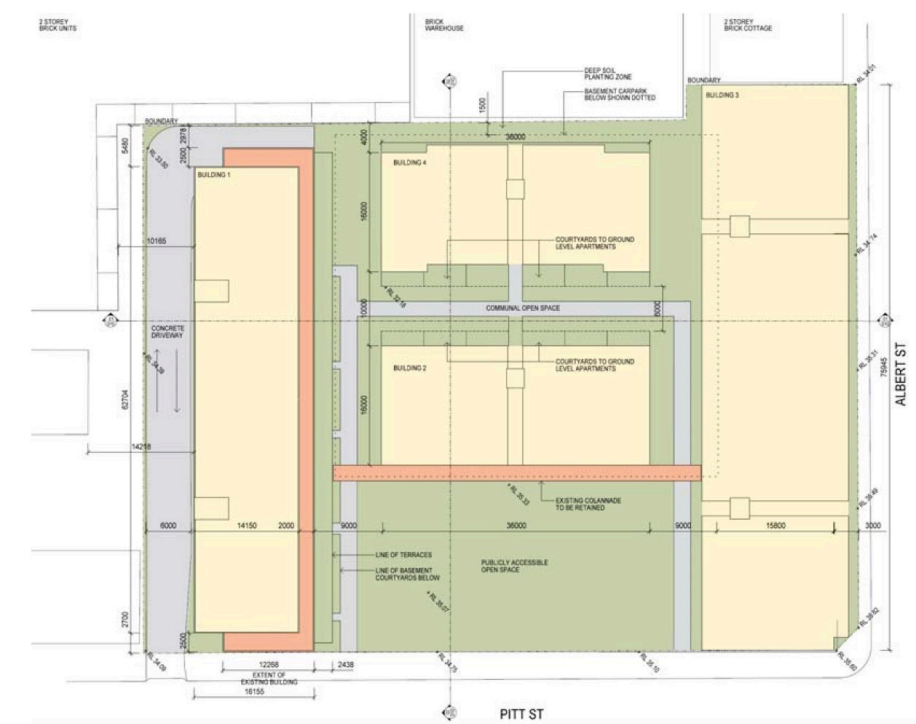
2.1 Approved Concept Plan

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 5 & 6

Indicative perspective and layout extracted from Concept Plan MP07_0029.

2.2 Proposed Modification to 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; and
- Increase maximum floor space ration (FSR) from 2:1 to 2.25:1.

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. This RTS includes further modulation to the upper levels of the built form to ensure its subordination to the Rachel Forster Hospital building (see **Figure 7**).

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. This RTS includes further modulation to the upper levels of the built form to provide an appropriate curtilage for the Rachel Forster Hospital building.

Increase in Gross Floor Area

The GFA of the development will increase from 13,846m² to the RTS proposal for 15,592.1m². The increased GFA will be contained in the additional storeys allocated to Buildings B and C. The Concept Plan prescribed a maximum FSR of 2:1. The increase in GFA results in a FSR of 2.25:1. 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 being consistent with the maximum prescribed building height for the site, the density of development consistent with built form changes to the local area and to Greater Sydney that have occurred since the original approval, and the site's capacity to accommodate affordable housing in an accessible location, in close proximity to transport, social infrastructure and employment.

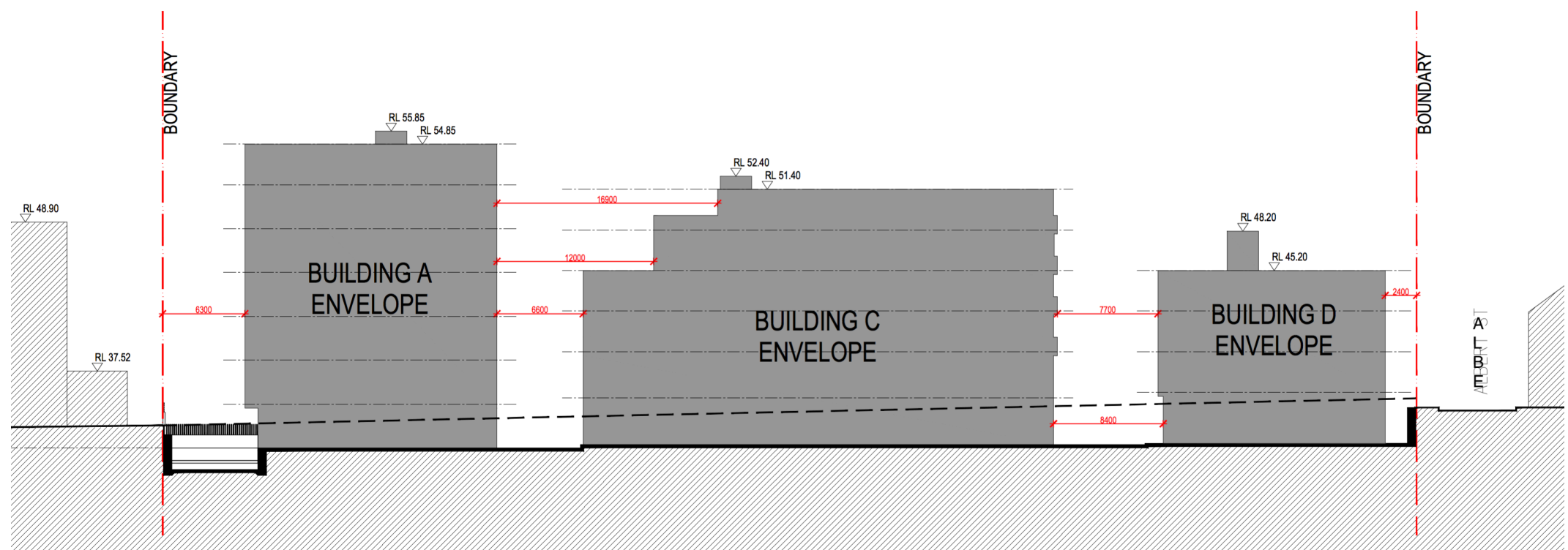


Figure 7

Extract from RTS Concept Plan modification, increasing the height of Building C, and illustrating the additional modulation now proposed in the built form at the building's upper levels.

2.3 Proposed Changes to Approval Instrument

- Modify Condition A1 to reflect appended documents at **Attachment I**;
- Modify Condition A1(1) to reflect a maximum FSR of 2.25:1 and maximum 15,592.1m² gross floor area;
- Modify Condition A2 to reflect Environmental Assessment dated November 2016 and Response to Submissions dated July 2017, prepared by dmps;
- Modify Condition A2 to reflect Draft Statement of Commitments prepared by dmps;
- Modify Condition B1(1) to reflect a maximum FSR of 2.25:1 and maximum 15,592.1m² gross floor area;
- Modify Condition B1(1) to reflect appended documents at **Attachment I**; and
- Delete Condition B11.

2.4 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 the proposal considered to be in the public interest. The Department concluded 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’.

2.5 Proposed Modification to 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. The RTS package proposes 6 x studio apartments (3%), 95 x 1 bedroom units (45%), 94 x 2 bedroom units (44%), and 18 x 3 bedroom units (8%). Consistent with the existing approvals, the modified proposal will retain the publicly accessible landscaped forecourt to its Pitt Street frontage. 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. This RTS includes further modulation to the upper levels of the built form to ensure its subordination to the Rachel Forster Hospital building and to improve building separation and subsequent visual privacy.

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. This RTS includes further modulation to the upper levels of the built form to provide an appropriate curtilage for the Rachel Forster Hospital building and to improve building separation and subsequent visual privacy.

Weir Phillips Heritage have been consulted in preparation of the modified proposal, and their addendum report dated 23 June 2017 (see Heritage Impact Statement & Interpretation Strategy Supplement at **Attachment IV**) notes as follows:

With regard to retaining the proposed height, it is noted that the additional floors are recessed away from Building A and that the changes made to the design of the elevation beneath the colonnade will provide greater emphasis to this part of the building. 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 that provided by 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 because the proposed additional levels are set back. Building A will continue to be the most prominent building on the site.

Adding additional height to Buildings B and C to the approved scheme will not block view corridors towards the colonnade from directly outside of the site on Pitt Street or on approach from the north. Similarly, views of the junction that is formed by the northern elevation of Building A and the eastern elevation of Building C will remain unobstructed. It is this junction, together with the eastern elevation of Building A, which is retained, that form the 'iconic view.'

Increase in Gross Floor Area

The GFA of the development will increase from 13,846m² (approved) to 15,592.1m² (RTS package). 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 2.25:1.

Introduction of Affordable Rental Housing

The proposed modification will dedicate a minimum 3,993m² of residential GFA to affordable rental housing, 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 principle of the 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.

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

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.

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 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.

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. It recognises that 'securing affordable housing where there is a change to planning controls' is an appropriate strategic planning mechanism for securing affordable rental housing from the market housing providers. Sustainable Sydney also recognises that:

Affordable housing in close proximity to jobs is needed for low to middle income households, including workers in ‘essential’ activities such as teaching, nursing, police and emergency services, and hospitality sector workers, as well as the creative sector workers that contribute to our city’s vitality.

A significant supply of social housing in the inner city must be provided for people who are disadvantaged. Availability of secure, affordable housing options enables people to access services and job opportunities.

Changes to the proposed density of development are considered reasonable in this context, and the provision of 3,993m² of affordable rental housing a significant positive outcome of the modified project.

Increase in Apartments Numbers

The overall number of apartments will increase from 158 (approved) to 213 (RTS package) through a combination of increased GFA and improved efficiencies in apartment design and layout, without compromising the design quality principles espoused by State Environmental Planning Policy No 65—Design Quality of Residential Apartment Development and the Apartment Design Guide.

Increased Volume of Car Parking

A total of 155 car parking spaces will be provided on site to accommodate the increased number of residential units and the proposed non-residential uses (neighbourhood shops). See Assessment of Traffic and Parking Implications appended at **Attachment V**.

Removal of Retail Component

The introduction of complementary non-residential uses at ground floor level was sought to 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 application as exhibited proposed 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 RTS package removes the proposed retail uses from the site. The amended proposal subsequently increases the size of the community/interpretation room at the lower ground floor level, and provides two small neighbourhood shops adjacent the Pitt Street frontage at the ground floor level, which are permissible with consent within the Residential Zone – Medium Density Residential.

Various Aesthetic Modifications to Building Façade and Landscape Concept Plans

The RTS proposal updates architectural and landscape plans in response to submissions by the Department, Council and by members of the public. The modifications have been developed in partnership with our heritage consultants. The Heritage Impact Statement & Interpretation Strategy Supplement at **Attachment IV** address reaction to the proposed changes to the building aesthetic.

The proposed modifications to the appearance of the building are described by the project architect, Tony Owen:

Following discussion with Council and the Department of Planning some amendments have been made to improve the external appearance and to provide a contextual relationship to the heritage elements and surrounding streetscape.

The character of facades is influenced by the interwar functionalist 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 interwar functionalist 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 design of the north façade of Building A has been revised so that it reflects many of the characteristics of the previous façade of this building. This building was characterised by strong thin horizontal lines of the balconies. This has been repeated in the adaptive reuse of this building. The south façade is more solid and calm it reflects the change of use and requirement of additional glazing.

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 collonade. Accordingly, the east façade of Building C is more restrained than other facades of Building B and C. The façade of the lower 2 levels reflect the masonry feel of the previous building and reinforce its relationship to the collonade.

Building D has a northern frontage to Albert Street.

The current proposal has amended this façade form the previous submission. The previous façade had a horizontal feel consistent with the rest of the buildings in the scheme. However, Albert Street is characterised by a series of horizontally proportioned terrace houses.

The façade of building D has been revised. The façade reflects the terrace house vertical expression of the buildings in the street. The façade expresses a series of separate vertically proportioned entities, yet in a contemporary expression that is consistent with the rest of the development.

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.

Table 2

Comparison of approved development and proposed modified development in RTS package.

	RFDC & ADG REQUIREMENTS	APPROVED DEVELOPMENT	MODIFIED PROPOSAL
Solar and Daylight Access	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 (RFDC and ADG).	69%* (RFDC non-compliant)	72% (ADG compliant)
Solar and Daylight Access	Max. 10% south aspect single aspect apartments (RFDC) versus a maximum of 15% of apartments in a building receive no direct sunlight between 9 am and 3 pm at mid winter (ADG).	15%* (RFDC non-compliant)	13.6% (ADG compliant)
Natural Ventilation	At least 60% of apartments are naturally cross ventilated in the first nine storeys of the building.	43.6%* (RFDC non-compliant)	64% (ADG compliant)
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.	34 adaptable apartments and 45 'silver level' apartments proposed. See Access Report at Attachment VI .
Affordable Rental Housing	No requirement.	No provision of affordable rental housing.	A minimum 25% of the GFA (3,993m ²) 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 (neighbourhood shops) to activate Pitt Street frontage and engage with community.

* Director-General's Environmental Assessment Report (June 2013)



Figure 8

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



Figure 9

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



Figure 10

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



Figure 11

Photomontage image of the amended Rachel Forster Hospital (Building A) by Tony Owen Partners.

2.6 Proposed Changes to Approval Instrument

- Modify Schedule 1 to reference the approved project;
- Modify Condition A1 to reference the approved project;
- Modify Condition A2 to reference appropriate documentation attached to the RTS;
- Delete Condition B1;
- Modify Condition B2 to reference the Capital Investment Value Cost Plan Report at **Attachment XIV**;
- Modify Condition B3 to reference approved project;
- Modify Condition B4 to reference approved project;
- Modify Condition B23 to reference approved project (15,592.1m² gross floor area);
- Modify Condition No. B26 as follows (according with recommendation of Transport for NSW):

B26 CONSTRUCTION TRAFFIC MANAGEMENT PLAN

Prepare a Construction Pedestrian and Traffic Management Plan (CPTMP) in consultation with the CBD Coordination Office within TfNSW. The CPTMP needs to specify, but not limited to, the following:

- Location of the proposed work zone;*
- Haulage routes;*
- Construction vehicle access arrangements;*
- Proposed construction hours;*
- Estimated number of construction vehicle movements;*
- Construction program;*
- Consultation strategy for liaison with surrounding stakeholders;*
- 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;*
- 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*
- 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.*
- Submit a copy of the final plan to the Coordinator General, CBD Coordination Office for endorsement, prior to the commencement of any work.*

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.

- Modify Part F with the addition of the following condition:

F25 AFFORDABLE RENTAL HOUSING

- A minimum 25% of the gross floor area of the development must be used for the purpose of affordable housing for 10 years from the date of issue of the final Occupation Certificate.*
 - All accommodation that is used for affordable housing will be managed by a registered community housing provider for 10 years from the date of issue of the final Occupation Certificate, suitable detail of which is to be provided to the Certifying Authority prior to issue of any Occupation Certificate.*
 - A restriction on use must be registered, prior to issue of any Occupation Certificate, against the title of the property on which development is to be carried out, in accordance with section 88E of the Conveyancing Act 1919, to ensure these requirements are satisfied.*
- Modify Condition F14 to reflect relevant appended documents at **Attachment II**.

3 RESPONSE TO DEPARTMENT OF PLANNING

3.1 Request for Additional Information

On 21 March 2017, the Department made a request that the proponent address all matters raised in submissions received in response to exhibition of the proposal, and that additional information be provided to address those matters raised in Schedule 1. Those matters are addressed as follows.

1) *The Department notes the proposed introduction of non-residential uses fronting Pitt Street. The type and scale of these uses should be reviewed ad further justified, having regard to:*

- *The demand for neighbourhood shops and food and drink premises in this location, given the proximity of the site Redfern and Regent Streets;*
- *The potential impacts on the character of the area and residential amenity;*
- *Economic impacts on the Redfern Centre;*
- *Consistency with the objectives of the zone.*

Comment: The retail component of the development has been abandoned to respect the objections made by the local community. Two small neighbourhood shops adjacent the Pitt Street frontage at the ground floor level remain, which are permissible with consent in the Residential Zone – Medium Density Residential. The objectives of the Residential Zone include:

- (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,*

The small scale of the neighbourhood shops and location are considered appropriate in the circumstances.

2) *In respect of the proposed additional levels, further consideration should be given to the setbacks of Buildings B and C in order to:*

- *Reduce amenity impacts to neighbouring properties to the west of the site;*
- *Provide improved amenity to future occupants within the site; and*
- *Maintain an appropriate curtilage to Building A.*

Comment: Each issue is addressed in turn.

Reduce amenity impacts to neighbouring properties to the west of the site;

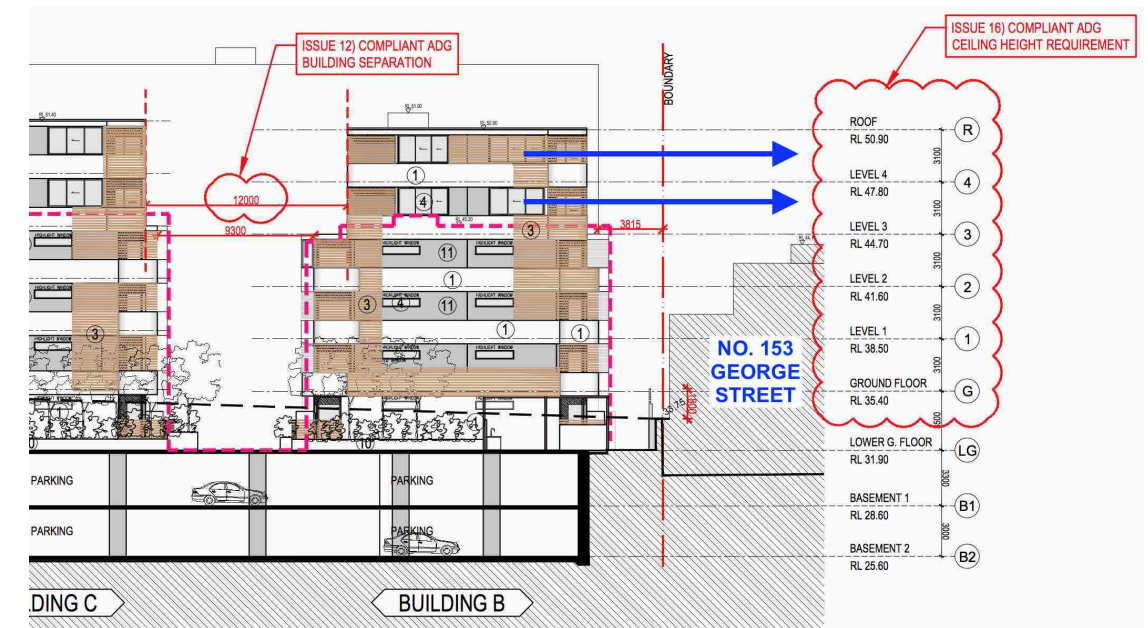
Recommended building separations are not achieved between the introduced upper levels of Building B and the recently completed building at No. 153 George Street. The proposed modifications do not however introduce windows into any elevation in which they were not previously approved. The increase in height of Building B will not therefore significantly contribute to overlooking of this property, which is built to boundary, oriented to the north and south, and has limited openings upon its eastern elevation (see **Figures 12 – 14** over page).

There is no mention by the City of Sydney Council in its assessment and determination of D/2012/454 for No 153 George Street of the Concept Plan MP07_0029 for residential development approved on the Rachel Forster Hospital site (approved 9 October 2007), where a bedroom window, kitchen and living room windows were approved in breach of recommended Residential Flat Design Guide privacy separation requirements. In the Council officer's 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 with the Council officer's assessment that the orientation and fenestration of this recently completed development limits any opportunity for conflict to arise from potential visual or acoustic impacts between the sites, as the kitchen and living room windows of Unit 3.02, which are oriented to the east and adjacent the common boundary, are secondary in nature only. The unit's principle

living area and master bedroom are oriented to the north. The 3 lower levels of this residential building are oriented north and south only. As can be seen in **Figure 13**, the additional Levels 3 and 4 proposed atop Building B are at a level where there will be no direct privacy conflict with No. 153 George Street, given the height and offset nature of the proposed new windows, and the limited number of windows upon the eastern elevation of the established development at No. 153 George Street (see **Figures 12 and 14**).



Figures 12 – 14

The recently constructed development at No. 153 George Street has a single habitable bedroom window facing the common boundary at the uppermost level of the building. This bedroom window does not directly conflict with the proposed habitable windows upon Levels 3 and 4 of Building B.

The existing townhouses at No. 150 Pitt Street are similarly not impacted by the habitable windows at the upper levels of the proposed building, given the proximity of habitable windows on the lower levels of the approved buildings (A and B), and the offset nature and height of the proposed new built form. Acknowledging that SEPP (Major Development) 2005 permits 6 storey buildings upon the subject site, Building B has been modulated further to provide a better transition in built form across the site. This has also had the effect of improving solar access to the adjacent properties at No. 150 Pitt Street. It can be demonstrated that the proposed modifications to the approved development have no impact upon the north facing living room windows of the development at No. 153 George Street, and very little impact upon solar access received to the townhouse properties at No. 150 Pitt street – see Drawing Nos. A650 – 652 at **Attachment II**.

Provide improved amenity to future occupants within the site;

The Level 3 setback between Building A to Buildings B and C has been increased to 12 metres, consistent with the requirements of the ADG for privacy separation from habitable rooms and balconies to non-habitable rooms and blank walls. The Level 4 setback between Building A to Buildings B and C is between 17 – 20.7 metres, consistent with the requirements of the ADG for privacy separation from habitable rooms and balconies to non-habitable rooms and blank walls, with ventilation openings provided upon the elevations of Buildings B and C to promote natural cross flow ventilation of the affected apartments, without impacting visual privacy.

The communal open space areas have been retained at the upper levels of Buildings B & C to maximise opportunities for recreation, its accessibility and equitable distribution across the site. Privacy screens to 1800mm above the finished floor level are proposed, integrated with screen landscaping to ensconce these areas. These areas of passive communal open space are however noted to be beyond the prescribed minimum requirement for provision of communal open space within the development, and could be deleted or converted to inaccessible 'green roofs' if desirable.

The fenestration of windows and orientation of rooms has been modified in the RTS package to ensure the setback between Buildings B and C, over Levels 3 and 4, is maintained at a minimum 12 metres, consistent with the requirements of the ADG for privacy separation from habitable rooms and balconies to blank walls (min. 9 metres). No privacy conflict arises between these buildings as a result of the proposed additional floor levels.

Through orientation of the living rooms, fenestration, changes in building level and incorporation of landscape screening to the communal open space atop the roof of Building D, the setbacks between Buildings B and C to Building D raise no issue in relation to privacy separation (see **Figure 15** below).

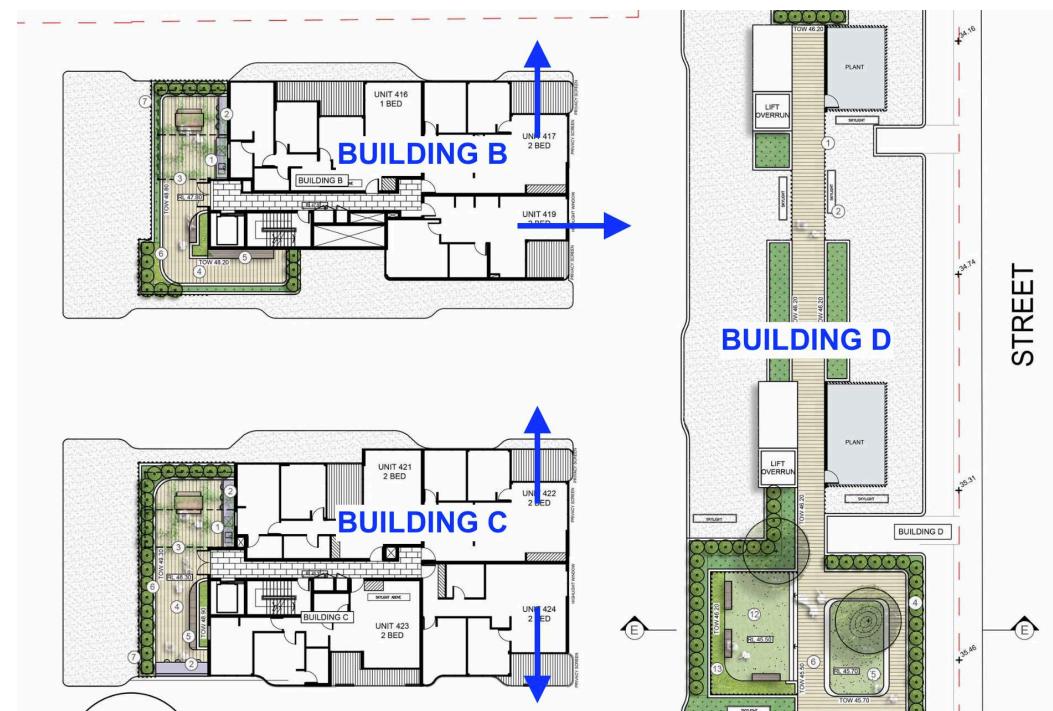


Figure 15

Separation of Building's B and C to Building D at the upper levels.

Maintain an appropriate curtilage to Building A.

An increased 12 metre building separation has been provided from the upper levels of Buildings B and C to Building A, allowing a better transition in built form, consistent with the objectives, design criteria and design guidance espoused by the ADG, and to maintain a more appropriate curtilage to the heritage item, acknowledging SEPP (State Significant Precincts) permits a maximum 6 storey building height across the site. The impacts of the proposed additional building form and building height is addressed in detail in the Heritage Impact Statement & Interpretation Strategy Supplement at **Attachment IV**.

- 3) *Further consideration should be given to Building D's relationship with the existing character of Albert Street. Please review the proposed façade to provide a more coherent visual relationship with the fine-grain character of Albert Street.*

Comment: The design of Building D has been amended to reflect the distinct vertical proportions of the Victorian terrace, particularly where it comprises part of a row. The large openings are a function of the contemporary design. Glazing bars and elements, such as the screens running across two levels, provide a stronger vertical emphasis. This building's expression is addressed in greater detail in the Heritage Impact Statement & Interpretation Strategy Supplement at **Attachment IV**.

- 4) *Further justification and information should be provided on the need, size and potential use of the roof terraces on Buildings B, C and D. In addition, please provide further details on how potential noise and privacy impacts to nearby residents will be mitigated.*

Comment: The communal open space areas have been retained at the upper levels of Buildings B & C to maximise opportunities for recreation, and to promote the accessibility and equitable distribution of communal open space across the site. Privacy screens to 1800mm above the finished floor level are proposed, integrated with screen landscaping to ensconce these areas. These communal open space areas are however noted to be beyond the prescribed minimum requirement for the provision of communal open space within the development, and could be deleted or converted to inaccessible 'green roofs' if desired.

It was agreed in principle that the roof terrace atop Building D was acceptable as it afforded greater amenity for the residents, but that its size was excessive, and potentially created privacy issues. The size of the roof terrace has therefore been reduced and is now limited to the eastern extremity of the roof only, and is ensconced by landscaping and privacy screens – see Sections E and F of the Landscape Plans at **Attachment IX**.

- 5) *Further clarification should be provided for wayfinding across the site, in order to clearly delineate the residential component of the site from the publicly accessible open space, and to clearly identify entries to the residential component.*

Comment: The removal of 'retail premises' from the site, limiting neighbourhood shops to the 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 Revised Architectural Drawings at **Attachment II**).

- 6) *The Department requests you consider a different/more varied façade design for Building A, in order to more clearly reflect the architectural character of the of this heritage building and to differentiate it from new buildings on the site.*

Comment: See Revised Architectural Drawings at **Attachment II** and Heritage Impact Statement & Interpretation Strategy Supplement at **Attachment IV**.

- 7) *The Department notes the two storey colonnade marked for retention on the currently approved plans appears to have been demolished. The Department is separately investigating this matter, and requires you to note the outcome of this investigation and outline any implications for the proposed development in the Response to Submissions.*

Comment: See Revised Architectural Drawings at **Attachment II** and Heritage Impact Statement & Interpretation Strategy Supplement at **Attachment IV**.

- 8) *Please clarify the proposed extent of demolition of Building A, as the proposed demolition plan is ambiguous in respect of the proposed demolition.*

Comment: See Drawing Nos. A350 – 358 at **Attachment II** and Structural Report at **Attachment VIII**.

- 9) *Please provide a structural engineer's report that assesses the condition of Building A and the impact of proposed construction and excavation works within its zone of influence, in order to ensure the integrity of the building will not be jeopardised by the proposed works.*

Comment: See Structural Report at **Attachment VIII**.

10) Please prepare an updated HAA which reassesses new impacts of the proposed modification on the historical archaeological resources outline in the 2012 assessment, prepared for MP 09_0068.

Comment: See Revised Historical Archaeological Assessment at **Attachment VII**. The historical archaeological impact assessment concludes that:

1. There is potential for historical archaeological resources to survive at the subject site;
2. The historical archaeological resources are likely to date from the c.1850s to the late 1930s;
3. Historical archaeological remains are likely to be restricted to the eastern and southern margins the subject site;
4. The potential historical archaeological resources are likely to be associated with the domestic occupation of the site;
5. Deposits and features along the eastern margin of the site are likely to have been compromised to a considerable extent during the hospital construction phase and subsequent landscaping reducing their research potential;
6. The potential historical archaeological resources have been assessed, in accordance with the NSW Heritage Significance Criteria as having local heritage significance, and as such are considered to be 'relics' in accordance with the Heritage Act; and
7. Direct and indirect impacts of the proposed development would disturb and/or remove potential relics at the subject site.

Recommendations are made by the assessment that outline an archaeological management plan designed to investigate and manage potential relics at the subject site and mitigate adverse impacts of the proposed development on the heritage significance of those potential relics.

11) The Department notes the typical floor plate of Building A includes structural columns in the middle of apartments. Further consideration should be given to the internal configuration of Building A to better incorporate these columns into apartment layouts, in order to provide better internal amenity for occupants.

Comment: Plan layouts to Building A have been revised to ensure suitable incorporation of the existing columns into the building design (see Revised Architectural Drawings at **Attachment II**).

12) Further assessment of the proposal's consistency with qualitative and non-numerical Apartment Design Guide (ADG) recommendations should be provided. Examples of this include (but are not limited to):

- Visual privacy (3F);
- Pedestrian access and entries (3G);
- Acoustic privacy (4H); and
- Facades (4M).

Comment: Each issue is addressed separately in turn.

- Visual privacy (3F);

Visual privacy allows residents within an apartment development and on adjacent properties to use their private open spaces without being overlooked. It balances the need for views and outlook with the need for privacy. Various modifications as described above have been made to the setbacks and modulation of the building, including changes to rationalise the fenestration, to ensure that visual privacy for residents within the property and on adjacent properties are not compromised by the additional built form.

- Pedestrian access and entries (3G);

Removal of the retail premises from the scheme ensures that the modified development is consistent with the project approval. The proposed neighbourhood shops are limited in area and provided at the interface of the development with Pitt Street only, which 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 Revised Architectural Drawings at **Attachment II**).

- *Acoustic privacy (4H); and*

Adequate building separations and fenestration is provided within the development and from neighbouring properties to ensure noise transfer is minimised. The separation of buildings and modifications to the building's fenestration has been discussed in detail in response to Issue 2.

- *Facades (4M).*

High quality facades are understood to incorporate a balanced composition of building elements, textures, materials and colour selections. Well designed facades also reflect the use, internal layout and structure of an apartment building, and in this case, respond appropriately to the retained building elements. The facades of each building have been reconsidered following discussion with various agencies, with the design led by input from the heritage consultant. The rationalised facades and modified building bulk is considered to provide an appropriate composition of building elements to respect the existing heritage item and its curtilage. See Revised Architectural Drawings at **Attachment II** and Heritage Impact Statement & Interpretation Strategy Supplement at **Attachment IV**.

- 13) *Further consideration should be given to the design method provided to achieve cross-ventilation for apartments. Particular attention should be given to the use of building slots, sizes of opposing windows, and increasing the number of cross-over and cross-through apartments in order to improve the internal amenity for future occupants.*

Comment: Natural ventilation is the movement of sufficient volumes of fresh air through an apartment to create a comfortable indoor environment. This movement of fresh air through the buildings has been achieved, promoting the natural cross ventilation of apartments, by providing slots through Buildings A and D which allow the prevailing breeze to pass through these buildings and to naturally ventilate apartments in its path. A total of 136 apartments (63.8%) are naturally cross ventilated (see Drawing Nos. A522 and A533 (Revised Architectural Drawings at **Attachment II**).

- 14) *Solar access:*

- a) *Please consider the apartment configuration across the site to reduce the number of apartments with single southerly aspects. The Department notes the proposal exceeds the ADG's recommended maximum proportion of units receiving no direct sunlight between 9am and 3pm in mid-winter; and*
- b) *Please review the solar access diagrams to ensure that the location of buildings to the west of the site is correctly assessed, and provide an updated assessment if necessary.*

Comment: 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 in the Revised Architectural Drawings appended at **Attachment II**.

Only 29 apartments (13.6%) receive no direct sunlight at mid winter – see Drawing Nos. A560 and A561 in the Revised Architectural Drawings at **Attachment II**.

- 15) *Further consideration should be given to floor levels and apartment configuration across the site in order to mitigate visual privacy impacts between buildings. Please also provide further details of screening measures to mitigate residual impacts.*

Comment: This issue has been addressed by improving building modulation (Buildings B and C) and through rationalisation of the building's fenestration. Screening details upon the communal open space areas is provided in the Landscape Plans appended at **Attachment IX**.

- 16) *Please provide further information about how the proposal will achieve a minimum 2700mm floor to ceiling height for habitable rooms.*

Comment: The floor to floor levels of Buildings B, C and D have been increased to 3100mm metres to ensure achievement of minimum floor to ceiling heights demanded by the design criteria at Objective 4C-1 of the ADG.

- 17) *Please revise the assessment to model levels of service at key intersections comparing the proposal to the traffic generated by the existing approval rather than the normal traffic generated by the former hospital on the site.*

Comment: See response in Assessment of Traffic and Parking Implications (Revision E) appended at **Attachment V**.

Other Matters

- 18) *Please clearly articulate the requested modification to each approval instrument.*

Comment: See Sections 2.3 and 2.6 of this RTS.

- 19) *Affordable housing:*

- a) *Specify which units are designated as affordable rental housing, and whether these are intended to be concentrated as a block or ‘salt and peppered’ through the complex; and*
- b) *Provide details of the affordable housing unit mix and justify this mix based on demonstrated demand for the size of affordable housing units.*

Comment: The community housing providers engaged thus far include:

Women’s Housing Company: 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’.

Further discussions with the Women’s Housing Company Chairperson, Alice Spizzo, following receipt of submissions from the Department, have confirmed their ongoing interest, but suggested that commercial arrangements would have to be negotiated to secure their support. They have indicated that they may act in concert with a larger social housing provider to lease a proportion of the units available.

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. We have confirmed the ongoing interest of Bridge Housing, met with key members of their team, and been presented with a Management Agreement as the basis of negotiating commercial terms to lease all of the available affordable housing within the development.

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 would be prepared to enter into an agreement at that stage.

We have confirmed the ongoing interest of Metro Community Housing following the return of submissions from the Department, and they have provided written correspondence confirming they are able to head lease a proportion of the units.

It is confirmed that each of the providers wish for the units to be ‘salt and peppered’ throughout the complex and not concentrated in a particular building or block. The affordable housing unit mix would be determined by the demands of the social housing provider at the time a commercial agreement is reached prior to occupation of the building, with the Women’s Housing Company preferring a greater percentage of smaller units and the other providers a more diverse mix, depending upon their current (at time of building completion) and long term demands.

It is noted the SEPP ARH does not require that an agreement with a community housing provider be entered into prior to determination 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 4 of the RTS), and via an additional condition of development consent, requiring the proponent to ‘enter into an agreement with a community housing provider for the management of a minimum 3,993m² of residential GFA to be used for the purpose of affordable rental housing for a minimum of 10 years’:

F25 – AFFORDABLE RENTAL HOUSING

- a) *A minimum 25% of the gross floor area of the development must be used for the purpose of affordable housing for 10 years from the date of issue of the final Occupation Certificate.*
- b) *All accommodation that is used for affordable housing will be managed by a registered community housing provider for 10 years from the date of issue of the final Occupation Certificate, suitable detail of which is to be provided to the Certifying Authority prior to issue of any Occupation Certificate.*
- c) *A restriction on use must be registered, prior to issue of any Occupation Certificate, against the title of the property on which development is to be carried out, in accordance with section 88E of the Conveyancing Act 1919, to ensure these requirements are satisfied.*

20) *Please provide elevational shadow diagrams for each of the dwellings to the west of the site at half hourly intervals at mid-winter.*

Comment: See Drawing Nos. A650 – A652 (see Revised Architectural Drawings at **Attachment II.**).

21) *Please provide a quantity surveyors report confirming the capital investment value, in order to accurately determine development contributions.*

Comment: See Capital Investment Value Cost Plan Report at **Attachment XIV.**

3.2 Response to Agency Submissions

A response to the various agency submissions has been prepared in tabular form and is appended at **Attachment XI.**

3.3 Response to Public Submissions

A response to public submissions has been prepared in tabular form and is appended at **Attachment XII.**

4 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 3

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	The proponent commits to provide detailed plans and visual aids to demonstrate design excellence of the Project. 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.
3	Traffic and Parking	<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. <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.
4	Public Open Space	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: <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	Any application will have regard to the Heritage Impact Statement prepared by Weir and Phillips dated June 2007, and updated August 2016. The following are to accommodate any Project Application(s) – <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	The following is to be addressed with the Project Application: <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		COMMITTMENT
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	The proponent will enter into an agreement with a community housing provider for the operation of a minimum 3,993m ² of GFA, to be used for the purpose of affordable rental housing for 10 years, prior to the issue of an Occupation Certificate. 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.

5 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 and supplementary documentation contained in this RTS 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.

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 support for application of 'bonus' floorspace otherwise available under SEPP ARH 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 3,993m² of residential GFA (approximately 45 – 60 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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