



“The Hudson Centre”

**Mixed Use Four Storey Development
157-163 Cleveland Street, Chippendale**

**Environmental Assessment for Project Application
Part 3A Environmental Planning & Assessment Act 1979**

APRIL 2010

EXECUTIVE SUMMARY

INTRODUCTION

This Environmental Assessment (“EA”) has been prepared under Section 75E of the Environmental Planning and Assessment Act (“*the Act*”) to accompany an application to the Planning Assessment Commission (as the delegate of the Minister for Planning) for the Project Application described below.

THE PROJECT SITE & CONTEXT

Chippendale is located south of the Sydney CBD. It is bordered to the east by the suburbs of Surry Hills, to the south by Redfern and to the west by Camperdown. The site is located at 157-163 Cleveland and 136-144 Abercrombie Streets, Chippendale, at the intersection of Cleveland and Abercrombie Streets, and has an area of 3,348m² (the “*Subject Site*”) The Subject Site is identified as a Redfern Waterloo Strategic Site within the Redfern Waterloo Built Environmental Plan and is currently partly occupied by a two storey light industrial and commercial building and a four storey mixed commercial and residential building. A detailed analysis of the Subject Site and its context is contained in **Section 2** of this report.

PROJECT DESCRIPTION

The application is for Project Approval under Part 3A of the Act for a mixed use four (4) storey building with basement car parking at 157-163 Cleveland Street (ref: MP_07_0180). The application also seeks the consolidation of the three (3) allotments (Lot 50 DP 826153, Lot 11 DP 531788 and Lot 1 DP 449699), which currently comprise the site, into a single allotment. The single consolidated allotment is to be known as “Lot 100” as indicated on the draft consolidation plan attached at **Appendix 24**.

In detail, the proposal comprises three (3) levels of commercial floorspace, one (1) level of student accommodation and 34 parking spaces at basement level. The proposal also includes the facilitation of signage on the northern elevation of the proposed building and fronting Cleveland Street. A detailed description of the proposal is contained in **Section 3** of this report. Reduced copies of the plans for the proposal are appended to this report at **Appendix 3**.

The Capital Investment Value of the project is estimated at \$18,405,525.71 including GST as confirmed by the Quantity Surveyor Cost Report prepared by Del Consultants Pty Ltd and attached at **Appendix 7**.

ASSESSMENT CRITERIA

The Director-General of Planning has confirmed that the Project (MP_07_0180) is one to which Part 3A of the Act applies, has authorised the submission of the Project Application and has issued his requirements for the assessment. The Director General's Requirements are detailed in **Section 4** of this report.

STATUTORY CONTEXT

The relevant statutory regime and assessment criteria applicable to the proposed development comprises the following:

- Part 3A of the Environmental Planning & Assessment Act;
- State Environmental Planning Policy (Major Development) 2005;
- State Environmental Planning Policy No. 55 - Remediation of Land;
- State Environmental Planning Policy (Infrastructure) 2007;
- Redfern Waterloo Built Environment Plan (State One) 2006;
- Redfern Waterloo Contributions Plan 2006 and Redfern Waterloo Affordable Housing Contributions Plan 2006; and
- City of Sydney Development Control Plans.

A comprehensive assessment of the proposal against these planning controls is contained in **Section 5** of this report. The assessment concludes that the proposal is almost entirely consistent with the controls and guidelines.

KEY ISSUES

A detailed assessment of the key issues identified in the Director General's Requirements and our own identified issues is contained in **Section 6** of this report.

A summary of those issues are as follows.

Built Form and Urban Design

The EA addresses the height, bulk and scale of the proposed development within the context of the locality. It provides a photomontage and building perspectives to demonstrate how the proposed height, bulk and form relates to that of the existing/approved developments surrounding the Subject Site.

The density of development on the Subject Site complies with the SEPP (Major Projects) 2005.

The built form responds to the issues of safety by design and incorporates appropriate building design and security features. Refer **Appendix 11** for a copy of the Security Design Report.

The EA determines that the development has been designed consistent with the development principles in SEPP (Major Development) 2005. Refer **Appendix 3** for a complete set of architectural plans, photomontage and architectural design statement.

Public Domain

The EA outlines how the Project Application will seek to revitalise the immediate area by providing an attractive development on a prominent strategic development site.

Environmental and Residential Amenity

The shape and orientation of the Subject Site creates a challenge in providing adequate levels of natural light to the southern aspects of the development especially at the upper levels of the building. However, the submitted architectural plans demonstrate that the southern facing student accommodation is capable of obtaining an acceptable level of sunlight and will enjoy acceptable levels of solar access throughout the year.

Heritage Impacts

A Heritage Assessment has been undertaken by Rappoport Pty Ltd which demonstrates that there will be no adverse impacts on the heritage conservation area. In addition to the Heritage Assessment, separate Aboriginal and European Archaeological Assessments have been undertaken by Cultural Resources Management that also demonstrate that, with the implementation of appropriate mitigation measures, there will be no adverse impacts on the Aboriginal and European archaeology of the site. Refer **Appendix 12** and **Appendix 13** for a copy of these reports.

Traffic and Parking Impacts

A parking assessment has been undertaken by Varga Traffic Planning which demonstrates that there will be sufficient on-site car parking for the proposal having regard to the SEPP (Infrastructure) 2007 and RTA guidelines. A vehicular movement study has been prepared by MLS Rosecliffe to accompany the parking assessment. Refer **Appendix 10** for a copy of the traffic and parking assessment and **Appendix 27** for a copy of the vehicular movement study.

Social Impacts

The proposal comprises a four (4) storey commercial and residential building with one level of basement parking. The residential component of the building will provide accommodation rooms for up to 73 students including four (4) accessible accommodation rooms.

The area provides good accessibility and is located within close proximity to local public transport, retail, sporting and community facilities, open space and the Sydney CBD. A mixed use building in this location will enable workers and students to take advantage of these services.

The provision of student accommodation in this location and close to Sydney University will also ease the high demand for student accommodation in the Sydney CBD and inner city areas.

Ecologically Sustainable Development (ESD)

The principles of environmentally sustainable development have been incorporated into the development. The project will facilitate cross-ventilation, good natural daylight and solar access into the residential accommodation contained at level three, and the use of energy efficient appliances and water efficient devices. Refer **Appendix 5** for a copy of the ESD Report and Energy Statement and **Appendix 26** for a copy of the BASIX Certificate.

Drainage and Flooding

Appropriate drainage and water management principles are to be incorporated within the proposed development.

The stormwater concept plans (refer **Appendix 23**) and Flooding and Drainage Report (refer **Appendix 25**) accompanying the application demonstrate the ability of the proposal to adequately deal with water quantity and quality issues.

Utilities

An assessment of utility provision and capacity has been undertaken and this confirms that there is capacity to meet the demands of the proposed development.

Contamination

A preliminary contamination assessment has been undertaken by Douglas and Partners (refer **Appendix 9** for a copy of this report).

The preliminary environmental assessment of the site has indicated that whilst there may be potential hazardous materials associated with its historical age of the buildings, these can be classified and appropriately disposed of off-site.

CONCLUSION

The EA concludes that the Subject Site is appropriately zoned and highly suitable for the development, subject to certain technical and design considerations. These include the need to limit the extent of floor space ratio, improvements in the public domain and the provision of safety by design features in the building design.

This assessment also concludes that the development conforms with the relevant planning controls, most particularly SEPP (Major Development) 2005.

Subject to compliance with the Statement of Commitments outlined in **Section 7**, on the basis of this environmental assessment, the report concludes in **Section 8** that the Project Application, warrants approval.

CERTIFICATION

I hereby certify that the information contained in this Environmental Assessment is neither false nor misleading:



Chris Outtersides

Manager - Development


City Plan Strategy and Development Pty Limited

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LIST OF APPENDICES

No.	Item	Prepared by
1	Director General's Requirements	Director-General of Planning
2	Survey Plan	Lawrence Group
3	Architectural Drawings & Statement	Fortey & Grant Architecture
4	Locality Context Plan	MLS Rosecliffe
5	ESD Report	Jones Nicholson
6	Construction Management Plan	MLS Rosecliffe
7	Development Cost Estimate	MLS Rosecliffe
8	Geotechnical Report	Jeffery + Kataskus
9	Contamination Report	Douglass Partners
10	Traffic and Parking Assessment	Varga Traffic Planning
11	Security Design Report	Harris Crime Prevention
12	European and Aboriginal Archaeological Assessments	Cultural Resources Management
13	Heritage Impact Assessment	Rappoport
14	Road Traffic Noise Intrusion Assessment	Acoustic Dynamics
15	BCA Compliance	BCA Logic
16	Student Accommodation Plan of Management	MLS Rosecliffe
17	Community Consultation Report	MLS Rosecliffe
18	Accessibility Report	Equal Access
19	Waste Management Plan	Fortey & Grant Architecture
20	Existing Plans for 136-144 Abercrombie Street	Unknown
21	Drainage and Flooding Details	Jones Nicholson
22	Power Supply Details	Jones Nicholson
23	Concept Drainage Plans	Jones Nicholson
24	Draft Plan of Consolidation	Lawrence Group
25	Flooding & Drainage Report	Jones Nicholson
26	BASIX Certificate	Greenview Consulting
27	Vehicular Movement Study	MLS Rosecliffe

Job No/ Document No	Description of Issue	Prepared By/ Date	Reviewed by	Approved by Project Manager/Director
29073/EA	Final Draft	RW/11.03.10	CO/16.03.10	 Name: Chris Outtersides Manager - Development
29073/EA	Final	MF/17.03.10	CO/17.03.10	
Note: This document is preliminary unless it is approved by a Project Manager or Director of City Plan Strategy & Development				

1 INTRODUCTION

1.1 Overview

This Environmental Assessment (“EA”) has been prepared for Hudson Square by City Plan Strategy and Development Pty Ltd in respect of a Project Application (ref: MP_07_0180), to construct a mixed use commercial and residential building and associated basement car parking on land at Chippendale.

The application relates to Lot 50 DP 826153, Lot 11 DP 531788 and Lot 1 DP 449699, also known as 157-163 Cleveland Street, Chippendale (*‘the Subject Site’*).

The proposal is for a building of five (5) (four (4) above ground level) storeys accommodating three levels of commercial facilities and one level of student accommodation, lift and stair access and basement car parking comprising 30 parking spaces, 1 courier parking space, 3 accessible parking spaces and 22 bicycle spaces. The proposal also seeks the consolidation of the existing three (3) allotments into a single allotment (refer **Appendix 24**). A more detailed description of the proposal is provided under **Section 3**.

Advice has been received from the Director General of the NSW Department of Planning that:

- He has formed the opinion that the proposal is development of a kind described in Part 5, Schedule 3 (State Significant Sites) of *State Environmental Planning Policy (Major Development) 2005* (Major Projects SEPP) and therefore, is a ‘major project’ to be determined under Part 3A of the *Environmental Planning & Assessment Act 1979* (the EP&A Act);
- He has authorised the submission of a Project Application for the proposal under Section 75E of the Act;
- Director General’s Environmental Assessment Requirements for the project have been issued (refer **Appendix 1**).

In accordance with this advice, this report contains the Environmental Assessment addressing the Director General’s Requirements, as set out in **Appendix 1**.

1.2 Project Application

The application is made under the provisions of Section 75E of the Act, which relates to the Project Application.

The level of assessment will be sufficient for the Planning Assessment Commission (*‘PAC’*) to be confident that approval may reasonably be granted to the overall development and the project use mix.

1.3 Project Team

The Environmental Assessment has been prepared with input from a number of specialist consultants as set out below:

Discipline	Consultant
Survey Plan	Lawrence Group
Architectural Drawings & Statement	Fortey & Grant Architecture
Landscape Statement & Drawings	Fortey & Grant Architecture
Draft Plan of Consolidation	Lawrence Group
ESD Energy, Hydraulic, Electrical and Civil	Jones Nicholson
Concept plans	
Construction Management Plan	MLS Rosecliffe
Development Cost Estimate	MLS Rosecliffe
Geotechnical Report	Jeffery + Kataskus
Contamination Report	Douglass Partners
Traffic and Parking Assessment	Varga Traffic Planning
Security Design Report	Harris Crime Prevention
European and Aboriginal Archaeological Assessments	Cultural Resources Management
Heritage Assessment	Rappoport
Acoustic Report	Acoustic Dynamics
BCA Compliance	BCA Logic
Student Accommodation Plan of Management	MLS Rosecliffe
Accessibility Report	Equal Access
Community Consultation Report	MLS Rosecliffe
Flooding & Drainage Report	Jones Nicholson
BASIX	Greenview Consulting
Vehicular Movement Study	MLS Rosecliffe

1.4 Consultation

Consultation has been undertaken with the following stakeholders, who in turn have informed the proposal and the preparation of this EA:

- Redfern Local Area Command – Angela Cooke (Crime Prevention Officer);
- Redfern Waterloo Authority & Department of Planning – Cameron Sargeant, Megan Fu/Joanne McGuinness;
- Redwatch Community Group – Geoff Turnbull;

- Aboriginal Housing Company – Michael Mundine;
- Redfern Waterloo Chamber of Commerce – Mary-Lynne Pidcock;
- CRIG & ECCG – Jeanette Brokman;
- Councillor Doutney;
- Councillor McNerny;
- The City of Sydney Council – Pamela Urqhart/Andrew Tam (Public Domain Division);
- The City of Sydney Council – Val Debono (Waste Management Division);
- Heritage Office – Siobahn Lavelle; and
- Various local residents.

A Community Consultation Report has been prepared by MLS Rosecliffe (refer **Appendix 17**). This sets out those matters that were raised in consultation with the stakeholders and the subsequent Proponent responses and amendments to the Project Application.

2 SITE ANALYSIS

2.1 The Locality

Chippendale is located south of the Sydney CBD. It is bordered to the east by the suburbs of Surry Hills, to the south by Redfern and Darlington and to the west by Camperdown (refer to **Figure 1** and **Figure 2**). Chippendale forms a transitional suburb and contains a mixture of residential and commercial development of varying densities.

A Locality Context Plan has been prepared by MLS Rosecliffe (refer **Appendix 4**). As this plan illustrated, the area surrounding the Subject Site is characterised by a mixture of uses including residential, commercial, retail and industrial premises. The mixed usage is reflected in the variation of building form, type and age in the area. Terrace houses, unit buildings, warehouses, shop fronts and offices are all in evidence in this locality. The neighbourhood building forms are typically two to four stories high. Masonry is the most common wall building material and this is usually rendered and painted. Opposite the Subject Site and to the north, are a number of medium density residential developments, serviced apartments and terrace houses, with two hotel and café buildings fronting onto Balfour Street, which runs perpendicular to Cleveland Street. A three storey residential flat building is located to the west of the Subject Site and fronting Abercrombie Street. To the south of the site and fronting Hudson Street are a number of industrial buildings. Refer **Figure 3**.

The site is ideally located close to significant residential areas (Darlington), mixed employment (Chippendale and Eveleigh) and higher educational institutions (Sydney University and UTS)

The Subject Site is well serviced by public transport options with Redfern (200m) and Central (800m) stations within walking distance. In addition, Cleveland Street forms a principal bus route linking the eastern suburbs with Sydney University and the Sydney CBD with bus stops located within close proximity to the site.

In addition, the Subject Site is within walking distance of both Sydney University (600m) and the UTS Main Campus & Notre Dame University (450m).

The area is intensively developed regardless of the development type and this is reflected in buildings that occupy their sites to the boundaries with little or no setbacks.

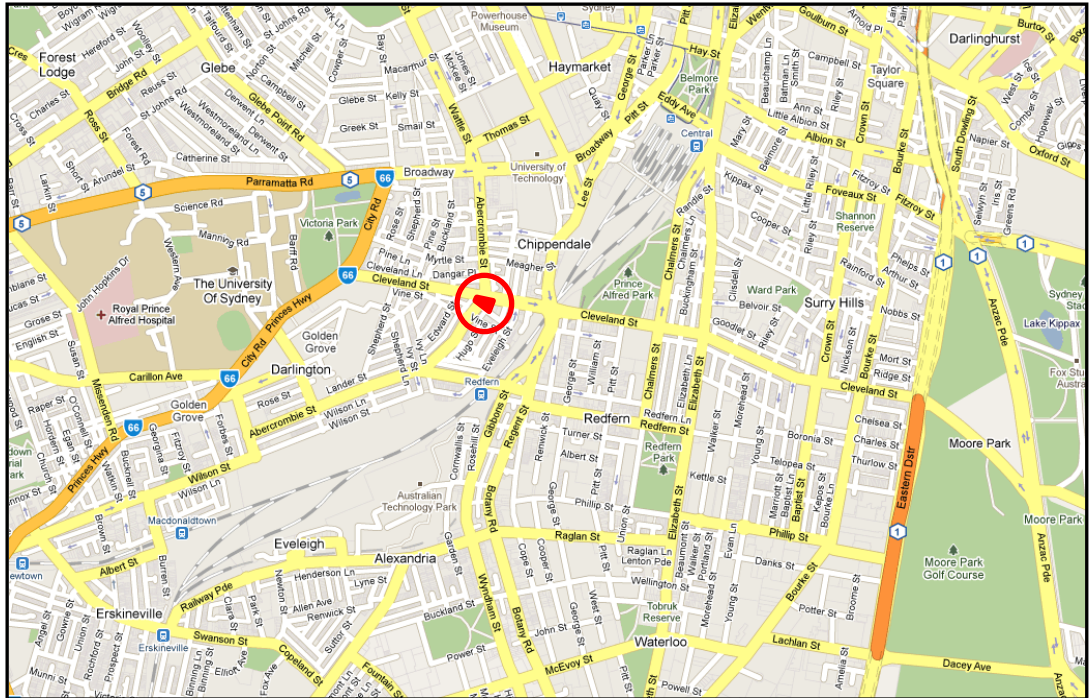
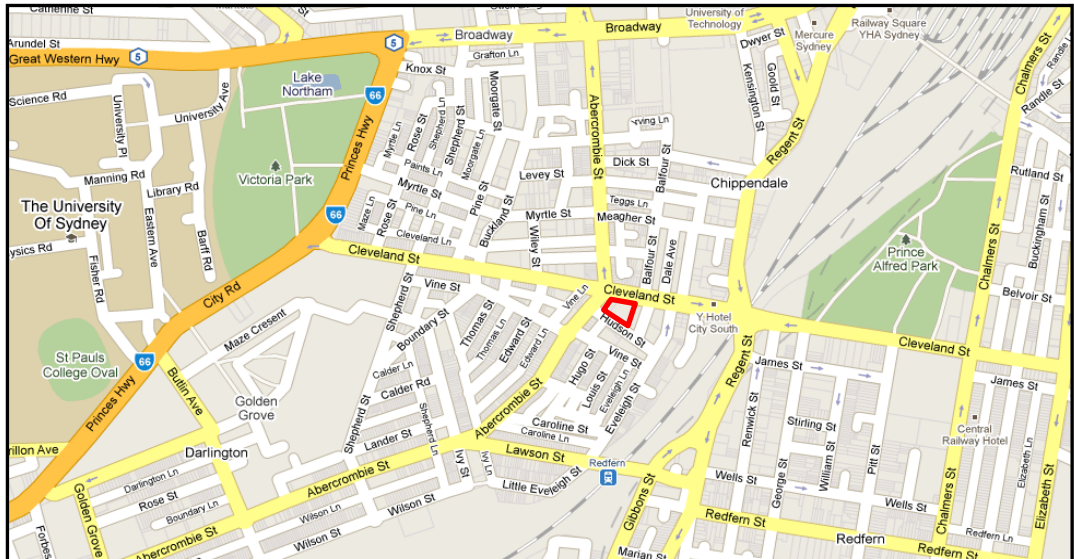


Figure 1: Local and regional context. The Subject Site outlined red.

Figure 2: Chippendale and site location (in red)



Locality Images



View of southern Abercrombie Street west of the Subject Site



The junction of Abercrombie and Cleveland Streets



The north side of Cleveland Street opposite the Subject Site



The occupied and in use warehouse and residential flat building east of the Subject Site



A single storey warehouse building and three storey building located to the south of the site

Figure 3: Locality images

2.2 Existing road and transport conditions

Existing traffic and transport conditions have been assessed by Varga Traffic Planning (**Appendix 10**) who have concluded that;

- “two-way traffic flows in Cleveland Street are typically in the order of 3700 vehicles per hour (vph) during commuter peak periods
- traffic flows in Hart Street are minimal, typically less than 10 vph during peak periods
- traffic flows in Hudson Street are also relatively low, typically less than 50 vph during commuter peak periods
- two-way traffic activity in Abercrombie Street (south) is typically in the order of 120 vph.”

2.3 The site

The Subject Site comprises 157-163 Cleveland and 136-144 Abercrombie Street, Chippendale and covers three (3) allotments (Lot 50 DP 826153, Lot 11 DP 5317988 and Lot 1 DP 449699).

This Subject Site is a “trapezium” shaped block located on the southern side of Cleveland Street, Chippendale (refer **Site Images**). The Subject Site has a total area of 3,348m² with frontages of approximately 73 metres to Cleveland Street to the north, approximately 89 metres to Hudson Street (south), 20 metres to Abercrombie Street (west) and approximately 59 metre to Hart Street (east). There is an existing splayed setback at the corner of Cleveland and Hart Streets. An underground sewer main runs roughly from the

south-east corner of the Subject Site to the north-west corner and across the adjoining site at 136-144 Abercrombie Street. The Subject Site benefits from vehicular access from Hudson Street. An existing site survey is appended to this report at **Appendix 2**.

The Subject Site is currently partially occupied by a two (2) storey light industrial and commercial building at 157-163 Cleveland Street and a four (4) storey building comprising retail and residential development at 136-144 Abercrombie Street. The ground level of 136-144 Abercrombie Street is currently occupied by a sports equipment store with the first floor level comprising car parking for 20 vehicles and the second and third floor level providing residential units. Vehicular access to the above ground parking is from an access ramp in the existing building at 157-163 Cleveland Street. The ramp will be retained and rebuilt as part of the proposal.

The Subject Site is located in the Strategic Sites area '*D- Eveleigh Street*' pursuant to the Redfern Waterloo Authority Built Environmental Plan Map 1.1 and Schedule 3 of SEPP (Major Projects) 2005. The site is also located in the Conservation Area CA17-Darlington pursuant to the South Sydney LEP 1998 Heritage map and is situated in proximity to a number of heritage items. A Heritage Assessment has been prepared by Rappoport Pty Ltd and this is provided at **Appendix 13**.

Site images



North-eastern view of the Subject Site



Cleveland Street frontage



Rear (southern) boundary of the Subject Site



Side and east boundary of the Subject Site



Site (western) boundary of the Subject Site



Western elevation and view down Abercrombie Street to the Subject Site

Figure 4: Existing Site Photos

2.4 Analysis of locality and site

Chippendale is considered a transition area between the Sydney Central Business District and adjoining residential and light industrial suburbs of Redfern, Darlingtown and Botany. Chippendale is characterised by a mix residential, commercial, retail and industrial premises. However, there is a predominance of low and medium density residential development between Cleveland Street and Broadway Road to the north of Cleveland Street, as seen in **Figure 2**, which will also be the location for the CUB site redevelopment.

Several sites within the Chippendale and Redfern precinct are identified as Strategic Sites within the Redfern Waterloo Built Environmental Plan (refer **Figure 5**). The development of this site therefore represents a strategically important site in the development of the Redfern and Waterloo precincts, which includes areas of Chippendale. The revitalisation of this site is important in this regard because it contributes to the gateway character of the immediate locality.

A detailed site analysis has been undertaken by Fortey & Grant Architects and accompanies this application at **Appendix 3**.

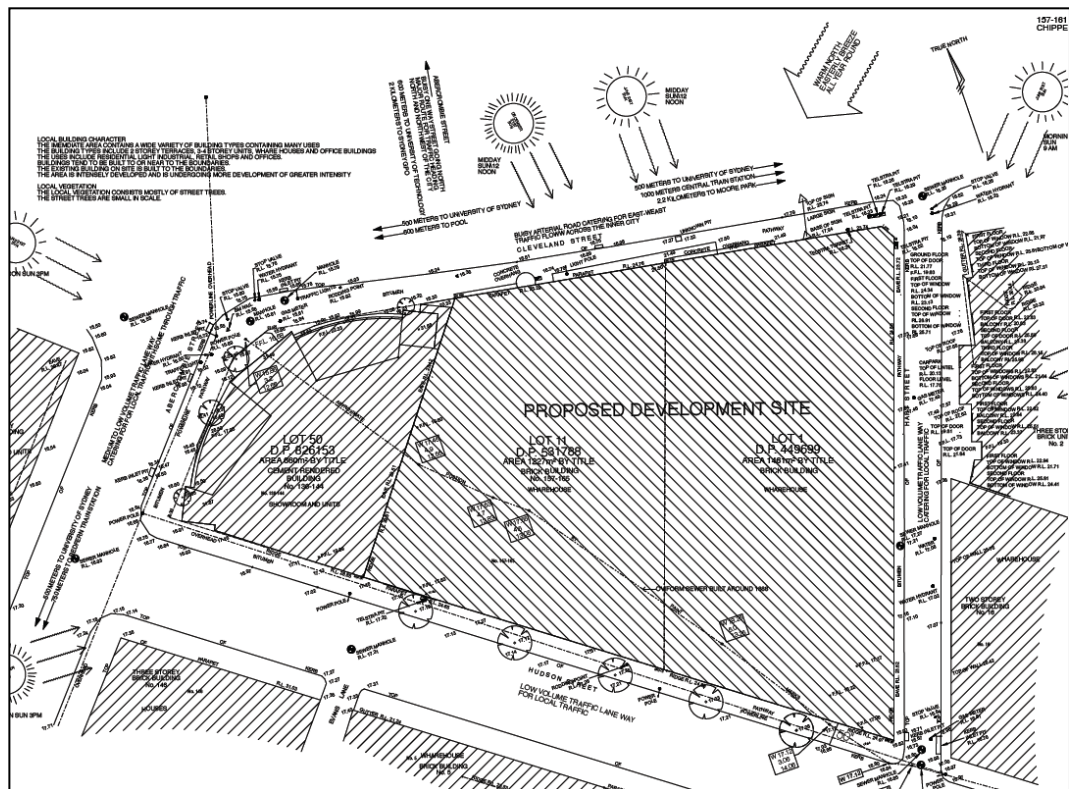


Figure 5: Extract from Site Analysis (Source: Fortey & Grant Architects)

3 DESCRIPTION OF THE DEVELOPMENT

3.1 Overview

Project approval is sought for:

- A four (4) storey building plus one (1) level of basement car parking;
- Three (3) levels of commercial uses and one (1) level of student accommodation;
- A reconfiguration of the existing access way and ramp servicing the adjoining building to the west;
- Consolidation of the three (3) allotments (Lot 50 DP 826153, Lot 11 DP 531788 and Lot 1 DP 449699), which currently comprise the site, into a single allotment. The single consolidated allotment is to be known as “Lot 100” as indicated on the draft Plan of Consolidation attached at **Appendix 24**.

A reduced size copy of the architectural plans is appended at **Appendix 3**.

3.2 Development statistics

Project approval is sought for the following development parameters:

Development Parameter	Proposed (approximates)
Site Area	
136-144 Abercrombie Street	660m ²
157-163 Cleveland Street	2688m ²
Total Site Area	3348m ²
Gross Floor Area ('GFA')	
136-144 Existing and Proposed to be retained GFA	1099m ² (679m ² Residential GFA & 420m ² Non-Residential GFA)
157-163 Proposed GFA	8836m ²
Total GFA	9935m ²
Floor Space Ratio	
Residential [total] (permissible maximum 1:1)	0.79:1 (0.58:1 Student Accommodation)
Non-Residential [total]	2.18:1
Total FSR (permissible maximum 3:1)	2.97:1
Building Split by Floor levels	
Basement	1,468 m ²
Ground Level	2,040 m ²
Level 1	2,387 m ²
Level 2	2,443 m ²
Level 3	1,966 m ²
Traffic and Parking	
Car parking spaces	30
Accessible spaces	3
Bicycle spaces	22
Courier bay spaces	1

Source: Fortey + Grant Architecture

3.3 Development plans

The development, as described above, will be generally in accordance with the following architectural plans submitted with this application, reduced copies of which are attached to this report as **Appendix 3**.

Architectural plans by Fortey + Grant Architecture		
Drawing DA-01	12/03/10	Site Plan
Drawing DA-02	12/03/10	Basement Plan 1
Drawing DA-03	12/03/10	Ground Floor Plan
Drawing DA-04	12/03/10	First Floor Plan
Drawing DA-05	12/03/10	Second Floor Plan
Drawing DA-06	12/03/10	Third Floor Plan
Drawing DA-07	12/03/10	Roof Plan
Drawing DA-08	12/03/10	Elevations
Drawing DA-09	12/03/10	Sections
Drawing DA-10	12/03/10	Shadow Diagrams
Drawing DA-11	12/03/10	Colour Schedule
Drawing DA-12	12/03/10	Photomontage
Drawing DA-13	12/03/10	Construction Management Plan

3.4 Capital Investment Value

The Capital Investment Value of the project is estimated at \$18,405,525.71 including GST. This figure is confirmed by the Quantity Surveyor Cost Report attached at **Appendix 7**.

4 DIRECTOR - GENERAL'S ASSESSMENT REQUIREMENTS

The Director-General's Assessment Requirements (DGRs) for the proposal were issued on 26 October 2009. A copy of the DGR's is appended at **Appendix 1**. The key issues to be addressed in the EA are set out the following table along with an indication of where they have been addressed in this report.

KEY ISSUES	WHERE ADDRESSED IN EA
<p>1. Relevant EPI's policies and guidelines to be addressed</p> <p>Planning provisions applying to the site, including permissibility and the provision of all plans and policies including:</p> <ul style="list-style-type: none"> • SEPP (Major Projects) 2005 Schedule 3- The Redfern-Waterloo Authority Sites; • SEPP (Infrastructure) 2007; • SEPP Building Sustainable Development Index (BASIX); • SEPP 55- Remediation of Land; • Draft SEPP 66- Integration of Land Use and Transport; • Standard Instrument (Local Environmental Plans) Order 2006; • Redfern-Waterloo Built Environmental Plan (Stage One) August 2006; and • Redfern-Waterloo Authority Contributions Plan 2006 and the Redfern-Waterloo Authority Affordable Housing Contributions Plan 2006. 	<p>Section 5</p> <p>Note that Planning Circular PS-08-013 and dated 13 November 2008 directs that Draft Environmental Planning Instruments ('EPIs') that have not been made 3 years from the exhibition period should no longer be considered under Section 79(1)(a)(ii). Draft SEPP 66 has not been made 3 years from the exhibition period. In applying this direction Draft SEPP 66 is not considered relevant in the consideration of the proposal.</p>
<p>2. Built form and Urban Design</p> <ul style="list-style-type: none"> • The proposal must be capable of exhibiting design excellence in accordance with the provisions contained in Schedule 3, Part 5, Clause 22 of the MP SEPP; • The massing and articulation of the building should reduce the bulk and scale and ensure activation to the Cleveland, Abercrombie and Hudson Street frontages; • The building should ensure an appropriate urban design reference between the site and the existing traditional architecture of Abercrombie and Hudson Streets; • Locate plant equipment to minimise visual and acoustic impacts; and • Demonstrate how the proposed building and public domain will be consistent with 'Safety by Design' principles. Specific regard should be given to the Department of Planning's Guideline: <i>Crime Prevention and Assessment of Development Applications 2001</i>. 	<p>Sections 6.2</p>
<p>3. Environmental and Residential Amenity</p> <p>The EA will address solar access, acoustic privacy, visual privacy, view loss and wind impacts and achieve a high level of environmental and residential amenity. The EA will also demonstrate that road traffic noise from Cleveland Street will be mitigated by durable materials and maintained. A detailed explanation of the proposal building use including a description, hours of operation, number of staff and a number of visitors to each component of the facility, will be provided.</p>	<p>Sections 6.4 & Appendix 5 & 14</p>

4. Traffic and Parking Impacts (Construction and Operation) The EA must address the RTA's guide to Traffic Generating Developments, which assesses the traffic and transport impacts of the project.	Section 6.5 Appendix 10
5. Heritage The EA shall provide an Archaeological Assessment prepared in accordance with the NSW Heritage Office Archaeological Assessment Guidelines and a Heritage Impact Statement prepared in accordance with the NSW Heritage Office publication 'Statements of Heritage Impacts'	Section 6.7 Appendix 12 & 13
6. Landscaping The EA will provide a Landscape Plan	Section 6.2
7. Public Domain The EA shall address public domain improvements, pedestrian linkages and street activation	Section 6.3
8. Social and Economic Impact Assessment The EA shall address the social and economic impact of the proposal, including details of the potential local employment generation, cultural, social and residential opportunities that will be provided to support the development of a sustainable community and details of the impact of the proposed commercial and retail component on the existing surrounding commercial and retail centres, having regard to the hierarchy of centres in the relevant regional strategy and any sub-regional strategy.	Section 6.6
9. Ecologically Sustainable Development (ESD) The EA shall detail how the development will incorporate ESD principles /initiatives in the design, construction and ongoing operation phases of the development.	Section 6.8 Appendix 5 & 26
10. Drainage and Flooding The EA shall address drainage/flooding issues associated with the development and the site, including, stormwater, drainage infrastructure and incorporation of Water Sensitive Urban Design measures	Section 6.9 Appendix 23 & 25
11. Utilities In consultation with relevant agencies, the EA shall address the existing capacity and requirements of the development for the provision of utilities including staging of infrastructure works.	Appendix 21 & 22 Section 6.10
12. Staging The EA shall include details regarding the staging of the proposed development (if proposed).	Approval is not being sought for the staging of the proposed development.
13. Contamination The EA shall demonstrate that the site is suitable for the proposed use in accordance with SEPP 55.	Section 6.11 Appendix 9

14. Land Ownership and Tenure The application shall provide written evidence of all landowners	Evidence of land ownership has been submitted with the application.
15. Consultation Undertake an appropriate and justified level of consultation in accordance with the Department's <i>Major Project Community Consultation Guidelines October 2007</i> .	Section 1.4 Appendix 17

Attachment 1 of the DGR's sets out the plans and documents required to accompany the application. The following table sets out where this information has been provided and addressed in the EA:

	REQUIREMENTS	WHERE ADDRESSED IN EA
General	<ol style="list-style-type: none"> 1. An executive summary 2. A site analysis, including site plans, aerial photos and a description of the existing and surrounding environment 3. A thorough description of the proposed development; 4. An assessment of the key issues specified above and a table outlining how these key issues have been addressed; 5. An assessment of the potential impacts of the project and a draft Statement of Commitments, outlining environmental management, mitigation and monitoring measures to be implemented to minimise any potential impacts of the project; 6. The plans and documents outlined below; 7. A signed statement from the author of the Environmental Assessment certifying that the information contained in the report is neither false nor misleading; 8. A Design Statement prepared by a registered Architect; 9. A Quantity Surveyor's Certificate of Cost to verify the capital investment value of the project (in accordance with the definition contained in the MP SEPP; and 10. A conclusion justifying the project, taking into consideration the environmental impacts of the proposal, the suitability of the site, and whether or not the project is in the public interest. 	Preliminary section of EA Section 2.1 – 2.3 Section 3.1 Section 4 and Section 6 Section 7 Preliminary section of EA Appendix 3 Appendix 7 Section 8

Plans and Documents	1. An existing site survey plan	Appendix 2
	2. A Site Analysis Plan 3. A locality/context plan 4. Architectural drawings 5. An external materials/finishes board 6. Consolidation Plan 7. BASIX Certificate	Appendix 3 Appendix 4 & Section 2.1-2.4 Appendix 3 Appendix 3 Appendix 24 Appendix 26
	8. Other plans <ul style="list-style-type: none"> - Stormwater Concept Plan - View Analysis - Shadow Diagrams - Landscape Plan 	Section 3 Section 3 Section 3 Not provided- the proposal does not include any landscaping on the site – refer Section 6.2

It is noted that following a meeting with the Department of Planning and the Redfern Waterloo Authority on 19 January 2010, the proposal had been amended substantially from that which was submitted as part of the Preliminary Environmental Assessment. The scheme variation related to only part of the site being redeveloped instead of the whole site. Further changes sought to address the concerns that the RWA had in relation to the bulk and scale of the proposal. Following a detailed consideration of the changes proposed, the Department of Planning confirmed in correspondence of 29 January 2010, that no further amendments to the DGR's were necessary.

5 STATUTORY PLANNING CONSIDERATIONS

5.1 Overview

The relevant statutory regime and assessment criteria applicable to development on the subject site comprise the following:

- Part 3A of the Environmental Planning & Assessment Act;
- State Environmental Planning Policy (Major Development) 2005;
- State Environmental Planning Policy No. 55 - Remediation of Land;
- State Environmental Planning Policy (Infrastructure) 2007;
- Redfern Waterloo Built Environment Plan (Stage One) 2006;
- Redfern Waterloo Contributions Plan 2006 and Redfern Waterloo Affordable Housing Contributions Plan 2006; and
- City of Sydney Council Development Control Plans.

These controls and guidelines are addressed in the following sections.

5.2 Part 3A of the Environmental Planning & Assessment Act 1979

This application is made under Part 3A of the Act and seeks the Minister's authorisation to apply for approval of a Project Approval for the proposal under Section 75E of the Act.

5.3 SEPP (Major Development) 2005

The Subject Site is identified on land within the Redfern-Waterloo Authority Sites in accordance with the SEPP (Major Development) 2005- Redfern Waterloo Authority Sites Land Zoning Map. Schedule 3, Part 5, Clause 5 of the SEPP (Major Development) which specifies that:-

'5 Part 3A Projects

Development (with a capital investment value of more than \$5million) on land within the Redfern-Waterloo Authority Sites, but not including development for the purposes of public utility undertakings to which clause 19(1) applies.

The project has a capital investment value of more than \$5 million. This application is therefore made in accordance with the provisions of Part 3A of the Act.

Schedule 3, Part 5, Clause 3 of the SEPP (Major Development) specifies that:-

'3 Relationship with other environmental Planning instruments

All other environmental planning instruments do not apply to the Redfern-Waterloo Authority Sites, except for other State Environmental Planning Policies'

The Subject Site is identified on land within the South Sydney Local Environmental Plan 1998 and is zoned 'Zone 10- Mixed Uses'. In line with the requirements of Clause 3 of the SEPP, the provisions and controls of the LEP do not apply to the Subject Site.

Pursuant to the Redfern Waterloo Authority Sites Land Zoning Map, the land is zoned D-Business Zone Mixed Use. The proposal for a mixed building comprising commercial and residential uses is permissible in the zone.

In addition to zoning, provisions for Height and FSR are also specified within Clause 21 of Schedule 3, Part 5 of the SEPP (Major Developments) 2005. In particular, clause 21 of the SEPP states that the maximum height for the Subject Site is 5 storeys and the maximum FSR is 3:1 with a maximum FSR for residential development of 1:1.

As set out in **Section 3.2** of this report, the proposal has been designed with an FSR of 2.97:1 including a residential FSR of 0.79:1.

In addition, the Design Excellence provisions as set out in Clause 22 of Schedule 3, Part 5 of the SEPP (Major Developments), are also required to be considered in this EA, as follows;

- “(1) Consent must not be granted to a new building or to external alterations to an existing building unless the consent authority has considered whether the proposed development exhibits design excellence.*
- (2) In considering whether proposed development exhibits design excellence, the consent authority must have regard to the following matters:*
 - (a) whether a high standard of architectural design, materials and detailing appropriate to the building type and location will be achieved,*
 - (b) whether the form and external appearance of the building will improve the quality and amenity of the public domain,*
 - (c) whether the building meets sustainable design principles in terms of sunlight, natural ventilation, wind, reflectivity, visual and acoustic privacy, safety and security and resource, energy and water efficiency,*
 - (d) if a competition is held as referred to in subclause (3) in relation to the development, the results of the competition.*
- (3) The consent authority may require a design competition for any development over 12 storeys consistent with guidelines issued by the Redfern–Waterloo Authority and approved by the Minister.*
- (4) The Redfern–Waterloo Authority may draft a guideline to be approved by the Minister detailing what matters are to be addressed for design excellence and for the conduct of design competitions”.*

To this end, the architects, Fortey & Grant Architecture, have prepared an Architects Design Statement addressing these provisions as appended at **Appendix 3**.

5.4 State Environmental Planning Policy No. 55 – Remediation

SEPP 55 prescribes State-wide planning controls for the remediation of contaminated land.

A preliminary assessment of ground conditions has been carried out by Douglas Partners and accompanies this application at **Appendix 9**.

The preliminary assessment carried out by Douglas Partners concludes that;

“At the time of the investigation the site was occupied by three buildings all of which were occupied by Bursill Sportswear with the exception of the upper levels of the apartment building in the western portion, which was occupied by residential units. The site was completely occupied by buildings and concrete paved. No visual evidence of activities likely to have resulted in contamination of the site were noted, however there is a potential for asbestos to be present in the buildings.

In overall terms, given the commercial nature of the site structures, the potential for contamination associated with the site is considered to be low to moderately low, although the previous commercial uses, particularly the Parker Pan factory may result in moderate contamination potential.

In view of the age of the two large commercial buildings, it is likely that hazardous building materials, such as asbestos cement sheeting and lead based paints, may have been used in their construction and/or renovation/extension over the years. It is therefore prudent that the demolition of all the existing structures should be undertaken properly such that there will be no cross contamination of the subsoils.

Whilst filling materials could have been used in the site formation processes, it is envisaged that these will mainly be used to level the site. It is also possible that debris from the demolition of the former buildings could have been retained in the filling placed over the site. The likely extent of filling is expected to be minimal, and mostly restricted to surficial horizon.

It should be noted that as no intrusive sampling was undertaken as part of the current assessment, no detailed comments can be made with regard to the actual levels of subsoil contamination.

Based on the available information, the proposed development is considered to be generally compatible with the landuse of the area. Intrusive investigation would be required to verify the actual degree and/or extent of contamination of the site. Having said this, the current information suggests that contamination, if any, would most likely be localised and confined to the near surface, it is therefore considered that the site can be made suitable for the proposed development.

As the proposed development involves the excavation of a basement level, bulk excavation and off-site disposal of soil would be required. Any contaminated filling would, therefore, be removed as part of the proposed basement construction.

Prior to the off-site disposal of any excavated material, an appropriate material classification assessment should be conducted by a qualified environmental

consultant in accordance with NSW DECC's (Department of Environment and Climate Change) Waste Classification Guidelines (2008)".

Refer to the preliminary assessment at **Appendix 9** for further information in this regard.

5.5 State Environmental Planning Policy (Infrastructure) 2007

SEPP (Infrastructure) 2007 prescribes State-wide planning controls for the effective delivery of infrastructure.

Division 2- Roads and traffic, Subdivision 2 Development in or adjacent to road corridors or road reservations, Clause 101 outlines the objectives and standards for development with frontage to classified road as follows;

"101 Development with frontage to classified road

- (1) The objectives of this clause are:
 - (a) to ensure that new development does not compromise the effective and ongoing operation and function of classified roads, and*
 - (b) to prevent or reduce the potential impact of traffic noise and vehicle emission on development adjacent to classified roads.**
- (2) The consent authority must not grant consent to development on land that has a frontage to a classified road unless it is satisfied that:
 - (a) where practicable, vehicular access to the land is provided by a road other than the classified road, and*
 - (b) the safety, efficiency and ongoing operation of the classified road will not be adversely affected by the development as a result of:
 - (i) the design of the vehicular access to the land, or*
 - (ii) the emission of smoke or dust from the development, or*
 - (iii) the nature, volume or frequency of vehicles using the classified road to gain access to the land, and**
 - (c) the development is of a type that is not sensitive to traffic noise or vehicle emissions, or is appropriately located and designed, or includes measures, to ameliorate potential traffic noise or vehicle emissions within the site of the development arising from the adjacent classified road".**

Cleveland Street is identified as a Classified Road No. 330 in Version 2009/5 dated 27 November 2009 and from the junction of Anzac Parade (MR171) west to the Princes Highway (SH1) at Darlington. The Subject Site has frontage to Cleveland Street within these parameters. The objectives and standards of Clause 101 are required to be considered by this EA.

The Subject Site currently contains a two storey building to be replaced with a four storey building providing a mixture of commercial and residential development. The proposed building has been designed to maintain the same general site coverage of the existing building and will be wholly contained within the site boundaries. The proposal will maintain the current site access from Hudson Street at the rear of the Subject Site and which runs parallel to Cleveland Street. The proposal also proposes site access at the south-eastern corner of the building from Hudson Street for basement car and bicycle parking. As set out within the traffic report prepared by Varga, it is considered that the

safety, efficiency and ongoing operation of Cleveland Street will not be adversely affected by the development. The proposal therefore satisfies the objectives of Clause 101.

The proposal also contains a component of residential development. The third level of the building will contain 73 rooms with bathroom and communal kitchen facilities for student accommodation purposes. Clause 102(1) applies to development for any of the purposes specified that is on land in or adjacent to the road corridor with an annual average daily traffic volume of more than 40,000 vehicles. Clause 102(1) (a) specifies that a building for residential use is a specified purpose. Clause 102(3) prescribes that;

“ (3) If the development is for the purposes of a building for residential use, the consent authority must not grant consent to the development unless it is satisfied that appropriate measures will be taken to ensure that the following LAeq levels are not exceeded:

- (a) in any bedroom in the building—35 dB(A) at any time between 10 pm and 7 am,*
- (b) anywhere else in the building (other than a garage, kitchen, bathroom or hallway)—40 dB(A) at any time”.*

A Road and Traffic Noise Intrusion Report has been carried out by Acoustic Dynamics Pty Ltd and accompanies this application at **Appendix 14**. The Report has considered the requirements of Clause 102 and concludes that the proposal can comply with the requirements of these provisions.

Clause 104 of SEPP (Infrastructure) requires that before granting consent to a development for a commercial premises with a site area of 2,500m² or more, Councils must refer the application to the Roads and Traffic Authority for comment and must consider the accessibility of the site, including:

- the efficiency of movement of people to and from the Subject Site and the extent of multi-purpose trips, and
- the potential to minimise the need for travel by car, and
- any potential traffic safety, road congestion or parking implications of the development.

Whilst these requirements do not strictly apply to a Part 3A application, a Traffic and Parking Assessment has been prepared by Varga Traffic Planning Pty Ltd, which addresses the relevant issues is appended to this report at **Appendix 10**. A summary of its findings and conclusions is contained in **Sections 6.13** and **6.14** of this report.

5.6 Redfern Waterloo Built Environment Plan (Stage One) 2006

The Redfern Waterloo Built Environment Plan 2006 (*“The Plan”*) provides the strategic planning framework to facilitate the revitalisation of the Redfern Waterloo area. The Plan provides more detailed provisions relating to assessment of development, supplementing the provisions of SEPP (Major Projects) 2005. As detailed within the Plan, the Subject Site is located within the south western boundary of the precinct as illustrated in **Figure 6** below.

LAND USE & DESIGN CONCEPTS FOR RWA'S STRATEGIC SITES	COMPLIES	COMMENTS
Proposed Land Use Concept – Section 4.4		
Encourage employment growth within the site. Create a vibrant sustainable business and residential community, providing opportunities for Aboriginal enterprise; housing, including culturally appropriate housing; and community and cultural facilities.	YES	The commercial component of the proposal will result in the provision of additional employment on the Subject Site. The construction phase of the development will also create jobs for the local workforce.
Proposed Design Concept		
Enhance employment uses and the mixed use character of the site, given its proximity to Redfern Railway Station by: <ul style="list-style-type: none"> ensuring appropriate business development opportunities are provided within the site encouraging employment activity providing for residential development. 	YES	The proposal is for a mixed use development and will encourage employment growth, appropriate business development opportunities as well as the provision of residential development in the form of student accommodation.
Facilitate the development of quality housing for existing and new residents that: <ul style="list-style-type: none"> provides a range of housing types that responds to the social mix of the area is designed and located to respond to external factors, including the railway corridor and Cleveland Street, to maximise amenity. 	YES	<p>The residential development proposed under the Project Application is considered to be high quality design and will respond to the current demands for student accommodation in the locality given its proximity to Sydney University.</p> <p>The Project Application takes into account the characteristics of the locality, including the close proximity of the Subject Site to Redfern railway station and public transportation along Cleveland Street. The location of the development ensures future residents and workers within the development will be within close proximity to such amenities and necessary services.</p>
Respect the existing residential and industrial character and built form of the site and provide an appropriate interface to surrounding development by: <ul style="list-style-type: none"> ensuring development responds to the scale, form and design of surrounding development 	YES	The proposal is of a scale, form and design to ensure sufficient integration into the predominantly mixed-use locality.
Provide a safe, vibrant and cohesive community by: <ul style="list-style-type: none"> ensuring active uses adjoin and overlook existing and new open 	YES	With regard to the safety considerations of this clause of the DCP, the Safety Design Report prepared by Harris Crime Prevention Services Pty Ltd (refer

<p>space to provide passive surveillance</p> <ul style="list-style-type: none"> • encouraging active non-residential uses at street level and along pedestrian paths to improve pedestrian safety and amenity • ensuring landscaping, tree planting, lighting and good design of civic spaces, streets and pedestrian paths • ensuring development fronts and overlooks public streets to facilitate passive surveillance • maintaining existing street linkages to neighbouring areas to ensure continuous paths for walking, cycling and motorists to maximise activity and opportunities for surveillance • limiting blank facades and extensive car entry/parking and servicing areas along public streets. 		<p>Appendix 11) concludes that the design of the Project Application to be sufficient to address issues related to crime prevention, safety and surveillance.</p>
<p>The provision and configuration of open space is to:</p> <ul style="list-style-type: none"> • be in accordance with the Open Space and Public Domain Strategy in Section 3.3 • provide a high level of residential amenity for new developments by providing adequate private and communal open space within and around new development parcels • be located and designed to achieve a high level of privacy and separation between dwellings • be provided for all new dwellings • be adjacent to active uses to enable surveillance and maximise the safety and security of spaces • have good solar access • be appropriately designed and landscaped with planting, paving, lighting, benches and furniture. 	YES	<p>Communal open space will be provided in the form of a roof terrace. The terrace has been designed to be of a sufficient size to accommodate the needs of future residents. The location of the communal open space will ensure good solar access and surveillance to maximise safety and security of the space. The terrace will be designed to ensure the needs of residents are met with regard to safety, amenity and aesthetics.</p> <p>Residents will also be provided with an indoor communal living area, contained within each 4-bedroom, 5-bedroom or 6-bedroom unit.</p>

5.7 Redfern Waterloo Contributions Plan 2006 and Redfern Waterloo Affordable Housing Contributions Plan 2006

The Contributions Plan 2006 enables the Minister to impose a condition of consent on any proposals requiring the payment of a Development Contributions Levy for the provision of public facilities and amenities within the Redfern Waterloo Authority's

Operational Area. The provision is calculated at 2% of the total proposed cost of carrying out the development.

The Affordable Housing Contributions Plan enables the Department of Planning to impose a condition of consent requiring the payment of an affordable housing contribution for the provision of affordable housing within the Redfern Waterloo Authority's Operational Area.

5.8 City of Sydney Development Control Plans

Whilst the City of Sydney DCP's have not been referred to in the DGR's, the objectives and provisions of the following Development Controls Plans have been considered in the design of the proposal to ensure that it will integrate with the predominant character of the surrounding locality;

- South Sydney Development Control Plan 11- Transport Guidelines for Development 1996;
- City of Sydney Access Development Control Plan 2004; and
- City of Sydney Boarding House DCP 2004.

The South Sydney DCP 11 and City of Sydney Access DCP have been consulted to determine the rate of accessible parking required for the proposal. It has therefore been determined that three (3) accessible parking spaces are required to be provided and the proposal complies with this control.

With further reference to the South Sydney DCP 11 – Transport Guidelines for Development 1996, it is noted that the proposal does not meet the minimum requirements for parking provision with a total of 34 car parking spaces proposed. This is less than required by DCP No. 11, which requires 55 car parking spaces as a minimum.

However, as advised by the Redfern Waterloo Authority during the design phase of the proposal (and at a meeting held on 19 January 2010), despite the parking requirements under DCP No. 11, the advice has been that the proposal should be designed to minimise any proposed parking, use the DCP requirement as a **maximum** guideline with justification to be made for the provision of each car parking space.

In support of the application, it is noted that the City of Sydney Council have approved a number of proposals for student accommodation/boarding houses also within the jurisdiction of the previous South Sydney Council area that have provided car parking rates less than required under DCP 11. Two examples are set out below:

- **DA Ref: D/2008/2135 – 15 Regent Street, Chippendale** – This was for the demolition of the existing building and construction of an 8 storey student accommodation building with 44 'units' comprising 164 student accommodation rooms, manager's residence, subterranean theatre (comprising lobby, foyer, theatre rooms and storage), ancillary administration facilities and cafe and laundromat.

The proposal was approved with 9 car parking spaces and for use by the commercial tenants (café/laundromat) and the administration staff. It is noted that the approval stated that car parking spaces were not to be made available to students, although it was recommended by the Traffic Impact Assessment that 1 space be made available for the resident manager.

In support of this application, it is noted that the LEP establishes maximum car parking requirements for various land uses. The development proposes only nine (9) car parking spaces in an effort to discourage use of the motor vehicle as the principle means of transport, and to acknowledge that public transport is the most important and efficient means of moving people to and within the city. Students are encouraged to utilise alternate means of public transport, and bicycle parking is provided in abundance within the basement parking level.

- **DA Ref: D/2008/1588 – 133 Regent Street, Chippendale** – This was for the demolition of the existing building and construction of an 4 storey, 19 room boarding house to be used as student accommodation.

The proposal was approved with no off street car parking spaces 9 car parking and was considered acceptable to the Council given the location of the site near to multiple modes of public transport. In addition, sufficient numbers of parking spaces for bicycles were provided

The Subject Site is located within 300 metres of Redfern Railway Station and within 50 metres of two bus stops on Cleveland Street. These two transportation nodes provide ample access for building occupants to commute between the Subject Site, the CBD and surrounding suburbs. The proposed 34 on-site car parking spaces have been provided primarily for executive and management staff of the proposed commercial tenancies and for visitors. Car parking spaces have also been allocated within this figure for shift employment (three (3) spaces for the Building Manager, Security and cleaners), accessible parking (three (3) spaces) and courier parking (one (1) space). It is noted that accommodation management staff, cleaners and security will rotate on morning and afternoon shifts, thus the provision of three (3) spaces is considered appropriate.

The residential component of the proposal is not considered to necessitate parking since the occupants are students, to be academically enrolled at university within close proximity and a short walking distance to the Subject Site.

To summarise, whilst the proposed car parking provision does not comply with the parking requirements under DCP No. 11, it is considered that the proposed 34 car parking spaces will sufficiently cater for the parking needs of the development. It is also considered that by *not* providing the minimum requirement of 55 car parking spaces, occupants of the building will be encouraged to utilise the readily available public transportation services located within close proximity to the development.

It is again noted that this approach was agreed by the Department of Planning and the Redfern Waterloo Authority (RWA) at a meeting held on 19 January 2010 where it was confirmed that the RWA would not support the amount of parking as required in DCP 11

and this approach would be supported by the RTA who would also promote lesser parking and a need for use of public transport.

As advised by the City of Sydney Council, the City of Sydney Boarding House DCP has been considered in regard to the design of the residential component of the building. Whilst the proposal does not propose a “*typical*” boarding house, nonetheless, the provisions contained within the DCP have been deemed relevant for designing and setting out the proposed student accommodation. Refer to the table below for an assessment of the Project Application against the requirements of the City of Sydney Boarding House DCP.

Matter for consideration under City of Sydney Boarding House DCP 2004	COMPLIES	COMMENTS
2.4.1 Bedroom Occupancy Requirements a) 10sqm to be provided for the first person and an additional 5.5sqm for each additional person after that; b) Maximum of four people per room; c) Separate manager accommodation for Class 3 boarding houses; d) Plans shall clearly show the size and maximum occupation of each room. Rooms should be positioned so that they are separated from significant noise sources.	YES	As shown on the plans, the floor space of each room is generously provided with rooms ranging from 10.5-12m ² .
Additional Facilities a) Minimum 2.1sqm for ensuite bathrooms, with hand basin and WC only; or 2.9sqm for those with hand basin, WC and shower. b) Where an ensuite and laundry is provided, the minimum area is 4.0sqm with washing machine and wash tub. c) Minimum 2sqm for kitchenette, which must contain adequate cupboards and shelves, as well as a small bar fridge. A microwave oven is the only cooking appliance permitted. d) All white goods shall have a minimum 3.5 star rating.	YES	Adequately sized ensuite bathrooms will be provided at ranging from 2.9-5.8m ² for each bedroom with a communal WC (including hand basin and shower facility) provided for each unit. The laundry provided will measure 22m ² . All kitchenettes contained within the communal living areas will contain adequate cupboards and shelves, a small bar fridge and microwave oven. All whitegoods fitted will have a minimum 3.5 star rating.
Storage Space and Furnishings a) Minimum capacity of 1 cubic metre per person. Where more than one person is accommodated in the rooms, the storage space must be lockable. b) Minimum room furnishings: <ul style="list-style-type: none"> ● Bed (incl. mattress and base, with a dimension of at least 800mm x 1900mm) ● Wardrobe ● Mirror ● Table and chair 	YES	Each bedroom will contain in excess of 1 cubic metre of storage space per person. Each bedroom will be furnished to meet the requirements of this clause of the DCP. Ceiling heights and fire safety comply with provisions of the BCA (refer to Appendix 15 for the BCA Compliance Report).

<ul style="list-style-type: none"> • A nightlight for each bed • Waste container • Approved latching device on the door • Curtains, blinds or similar privacy device on the door <p>c) Access to light is to be provided by way of a window or door with a minimum aggregate floor area of the room of 10%.</p> <p>d) Ceiling heights must conform with Part F of the BCA.</p> <p>e) Fire Safety in Class 3 buildings, each sleeping room must be considered as a sole occupancy unit for the purposes of Parts C, D1, D2 and F5 of the BCA so as to ensure adequate fire safety in the building, and adequate sound insulation to provide reasonable amenity between sleeping rooms</p>		
<p>2.4.2 Kitchen Areas</p> <p>a) Class 3 kitchen facilities must have either a communal kitchen area or kitchenette facilities containing a bar fridge, adequate cupboards and shelves and a microwave (For fire safety reasons no other cooking appliances are permitted).</p>	YES	Kitchen facilities are provided within the communal living areas contained within each third floor unit.
<p>2.4.3 Indoor Communal Living Areas</p> <p>Class 3 Boarding Houses should provide a common living area a minimum 15sqm in area, with a 15sqm provided for each additional 12 persons thereafter.</p>	YES	Each unit contained within the third floor of the development will provide a communal living area of varying floorspace areas. Each communal living area is compliant with the provisions of this clause of the DCP.
<p>2.4.4 Outdoor Recreation Area</p> <p>a) 20sqm of communal and partly covered outdoor space should preferably be provided at ground level in a courtyard or terrace area (min. width of 3m).</p> <p>a) Ideally, 30% of all bedrooms within class 3 Boarding Houses should have some access to private open space in the form of a balcony or ground level terrace area, comprising not less than 4sqm in area.</p>	YES	The proposal provides for an outdoor recreation area on the southern wing of the rooftop. It is accessible via the lift and would be exclusive to the use of residents. The area is approximately 700m ² and would be accessible from 7am until 10pm. The access will be controlled by the on-site manager by locking the access gate or in the event of an electronic system being used, an auto control will prevent any access beyond 10pm. Refer to the Accommodation Management Plan at Appendix 16 .
<p>2.5 Acoustic Impacts</p> <ul style="list-style-type: none"> • Location of windows in respect to the location of windows in neighbouring properties; • Sensitive location of communal outdoor areas away from main living area or bedroom windows of any dwelling; • The use of screen fencing or planting as a noise buffer for external noise sources or in terms of transferral of noise from communal areas to surrounding land uses; 	YES	<p>The Road Traffic Noise Intrusion Report prepared by Acoustic Dynamics Pty Ltd (refer Appendix 14) demonstrates that the proposal complies with the DGR's Requirements for acoustic-related issues.</p> <p>Windows will be located an acceptable distance from adjoining buildings along Hart Street and Hudson Street. It is considered that there will be minimal acoustic impact on neighbouring properties.</p> <p>The proposal includes an outdoor communal area in the form of a 1,592m²</p>

<ul style="list-style-type: none"> The incorporation of double glazing of windows or use of blocks; Locate similar building uses back-to-back internally within the building, to minimise internal noise transmission 		<p>roof terrace. The provision of the communal area at the roof level is considered to be a sensitive location away from any main living areas and bedroom windows.</p> <p>The surrounding land uses do not include outdoor communal areas.</p> <p>Double glazing will be provided to the windows of each room.</p>
<p>2.6 Access for People with Disabilities</p> <p>All new boarding houses should comply with the minimum access requirements contained within the Access DCP, the BCA and Australian Standards.</p>	YES	<p>Refer to the Accessibility Report prepared by Equal Access Pty Ltd (Appendix 18) for assessment of the proposal with regard to the necessary requirements under this clause of the DCP.</p>
<p>2.7 Sustainability, Energy Efficiency and Solar Access</p> <p>a) Boarding houses should be located so that solar access to at least 50% of the private/communal open space areas and principal living area windows is achieved for at least 2 hours between 9am and 3pm during the winter solstice.</p> <p>b) Proposed development shall not create any additional overshadowing of any adjoining property where existing solar access to living areas and landscaped outdoor space is less than two hours between 9am and 3pm during the winter solstice.</p>	YES	<p>The proposed development will not create additional overshadowing of any adjoining properties. For further reference refer to Shadow Diagrams prepared by Forty & Grant Architecture Pty Ltd (refer Appendix 3).</p>
<p>2.8 Car Parking</p> <p>a) Consideration should be given to establishing new boarding houses in close proximity to nearby public transport nodes</p> <p>b) Off-street parking shall be provided in accordance with the requirements of the relevant LEP or DCP.</p> <p>d) Provision shall be made for bicycle parking at the rate of two racks per six bedrooms, provided in a safe and accessible location for future occupants or visitors.</p>	NO	<p>34 off-street parking spaces will be provided on-site. Whilst this figure is not compliant with the DCP No. 11 requirements, it is considered that the proposed number of car parking spaces is sufficient to cater to the anticipated demand by the proposed development. Refer Appendix 10 for a copy of the Traffic and Parking Assessment prepared by Varga Traffic Planning Pty Ltd and Section 5.8 for further explanation.</p> <p>It is noted that 22 bicycle spaces are provided and thus, compliant with this clause of the DCP.</p>
<p>2.9.1 Operational Plan of Management</p> <p>An operational Plan of Management is to be submitted with each development application for a boarding house (including new and existing boarding houses) to ensure that the proposed premises operates in a manner that maintains a high level of amenity.</p>	YES	<p>The Student Accommodation Operational Plan of Management prepared by MLS Rosecliffe (refer Appendix 16) is to be submitted with this Project Application to ensure the proposed premises operates in a manner that is compliant with this clause of the DCP and to maintain a high level of amenity.</p>
<p>2.9.2 Waste</p> <p>a) Boarding houses shall make provision on-site for garbage and recycling storage area, details to be</p>	YES	<p>Each room/tenancy has sufficient space for the short term storage of waste.</p> <p>A commercial garbage room and</p>

<p>shown on drawings.</p> <p>b) Garbage storage rooms shall be located towards the rear of the property, and enclosed to minimise odour or noise disturbance for adjoining properties.</p> <p>c) Class 3 Boarding Houses are required to make private contracting arrangements for garage disposal.</p>		<p>facilities are provided at the basement floor in conjunction with a bin holding area at the ground floor level of the development.</p> <p>Waste will be collected by a private contractor and supervised by the onsite building manager.</p>
<p>2.9.3 Fire Safety</p> <p>A copy of the annual fire safety statement and current fire safety schedule for the premises must be predominately displayed in the reception area.</p>	YES	To be considered at CC stage.

6 ENVIRONMENTAL IMPACT ASSESSMENT

6.1 Overview

In addition to the statutory controls addressed in **Section 5** of this report, the Director-General's Requirements state that the environmental impacts of the proposal must be assessed and specify key issues to be considered. These relate to the built form, public domain, environmental and residential amenity, traffic and parking, social impacts, ESD, drainage and flooding, utilities and contamination. This section contains the assessment of those and other relevant considerations.

6.2 Built form and Urban Design

The proposed development has been generally designed in deference to the intended mixed use, building mass and streetscape form as envisaged for the Subject Site as part of the "Eveleigh Street Strategic Site D" in the Redfern Waterloo Built Environment Plan (State One) 2006 (see **Section 5.6** above) and SEPP (Major Projects) 2005. Quantitatively, the proposal also fully complies with the controls relating to the number of storeys (five) and floor space ratio (3:1 of which residential uses should be no more than 1:1) and as set out in **Section 3.2** of this report.

The proposed form of the building has been designed in rectilinear form and is considered to be consistent with the intended massing and scale envisaged by the planning controls as well as the existing development characterising much of the recent building design along Cleveland Street.

The proposal involves the replacement of a building that was built to the boundaries with one that also contains minimal setbacks to boundaries. These setbacks have been designed to allow architectural articulation of the building facades whilst preventing the proposed design from looking like a "stand alone" building which in turn would be out of character for that area. The forms that articulate the façade are straightforward and industrial. This is in keeping with the rough utilitarian nature of this locality.

The north elevation of the proposed building has been designed to present an articulated facade to Cleveland Street, being the principal road adjoining the Subject Site and as such will present an articulated facade to the pedestrian and vehicular traffic along Cleveland Street.

In terms of design, it is noted that an Architectural Design Statement has been prepared by Fortey & Grant Architecture in support of the application (Refer **Appendix 3**). This provides additional justification for the proposed building, and in particular refers to the following:

"The design maximizes the outlook to all three street frontages by maximizing the glazing areas on these elevations. On the top-level further outlook opportunities have been created for the residential component through the use of courtyards. The design is built boundary to boundary and so it provides open space on the rooftop for the building's occupants. Open space at ground level would attract

security issues. At the proposed rooftop height there will be good 360° views including a view of the city skyline.”

The rear and southern elevation of the building will front onto Hudson Street. Vehicular access and a secondary building entrance will be provided from Hudson Street. This elevation also incorporates the existing vehicular access ramp which services the adjoining residential flat building at 136-144 Abercrombie Street to the west of the Subject Site.

The side and east elevation will front onto Hart Street. Access to the building services and emergency exits will be from Hart Street. The side and western elevation will form the party wall to the adjoining residential flat building.

The north, south and east elevations of the building have been designed with generous amounts of fenestration. This fenestration will provide the opportunity for passive surveillance to and from the building from Cleveland and Hudson Streets.

The building has been designed such that pedestrian access is encouraged by the location of multiple entry points along the various elevations and the small amount of (non public) parking provided in the basement. In addition to providing private parking areas, the basement level will also take necessary building functions from the street frontage such as courier deliveries as well as providing accessible car spaces in a secure location.

At ground level, the proposed design enables a clear differentiation of the public and the private domain and provides clear and obvious addresses to the street.

It is also noted that the proposal has been designed so as to ensure that the development will satisfy the relevant access requirements (refer **Appendix 18** for a copy of the Accessibility Report prepared by Equal Access Pty Ltd).

In terms of landscaping, there are currently no areas of planting on the Subject Site with a number of small trees on the Hudson Street footpath. As the plans submitted with the application demonstrate, the design does not propose to add any more planting than that which already exists. This is so as to maintain the vegetative character of the area.

In addition it is noted that there are a number of existing parks to the east and west of the site and within 250 metres or easy walking distance.

It is also noted that secure outdoor space has been supplied on sit on the roof.

6.3 Public domain

The development incorporates design features and measures that will appropriately respond and contribute to the public domain. In particular, the built form responds to the issues of safety by design and incorporates appropriate building design and security features by clearly assessing and providing passive surveillance of public spaces and the like from the building and thus provides the basis of a safe and secure development.

Camera surveillance and outdoor lighting is also proposed on each adjoining street (Hart Street, Cleveland Street, Abercrombie Street and Hudson Street) and at each entry point to the proposed development. It is considered that the proposed outdoor lighting scheme will result in a positive impact on the existing dark conditions during evenings to the frontages of the site.

6.4 Environmental and Residential Amenity

The building has been designed to accommodate commercial and residential uses.

It is envisaged that commercial uses will occupy ground, first and second floor levels. Given the speculative nature of the proposal, the commercial areas of the building may be occupied by one or more tenancies. It is anticipated that these tenancies will normally operate from 9am to 6pm Monday to Friday with only incidental operations normally associated with late working outside these hours.

The residential use will occupy the third floor level. This level will provide student accommodation for students attending nearby tertiary and private educational institutions. The level will comprise 73 rooms including four (4) accessible rooms, each fitted with bathroom facilities. These rooms have been divided into 'units' containing four to six rooms. These units will contain kitchen facilities which in turn can be assessed by the occupants of the rooms for that unit.

In terms of residential amenity for the occupants of the proposed building, and in particular the residential uses, the architectural design and layout of the upper floor is such that it attempts to maximize the solar access and access to daylight through the large amounts of glazing on the elevations, the courtyard planning on the third floor and the provision of a large roof terrace.

Northern sunlight will be controlled by louvers that have been provided on the Cleveland Street elevation with the building to the west naturally blocking the western sun as well as the blank, windowless façade presented to this direction.

The courtyards on the third floor have been designed to provide sheltered and secure outdoor spaces that can be accessed by the buildings tenants as required. The depth of the proposed floor plates acts to stabilize the building's internal environment with the high floor-to-floor dimensions allowing daylight to penetrate to the deeper parts of this plan which, in addition to the sun shading, will encourage penetration due to its reflective finish.

Turning to residential privacy for the surrounding buildings and uses, the residential component of the proposal has been placed at a level that provides residents with an outlook over the surrounding buildings to the distant views available. This view will enable the preservation of the privacy of the surrounding neighbours as the design will restricts views downwards due to the lack of balcony areas on the outside of the building. In addition, the courtyards between units on the third floor have been provided with privacy screens to prevent the proposed units overlooking each other. The unit layout and window placement in the courtyards reinforces the privacy between units.

In terms of the adjoining buildings, the western part of the Subject Site currently provides residential units on its top two floors. These will remain as part of the proposed works, and are oriented north and west and will not be adversely affected by the proposal.

The buildings to the south of the Subject Site, and across Hudson Street comprise warehouses with no significant outlook north. There is a residential flat building across Cleveland Street. However, this building is more than 12 metres away and the nature of Cleveland Street discourages any opening up of this building to the south.

The unit building to the east and across Hart Street is mostly oriented towards the north although there are some windows and small balconies which present to Hart Street and that may afford overlooking of the proposal to its north eastern corner.

In terms of overshadowing, a full shadow analysis has been submitted with the application. As the diagrams illustrate, there will be no additional shadowing of the units to the west. There is, however, minor overshadowing of the eastern neighbour's west elevation during the afternoon during winter. However, this building will still maintain more than 3 hours of sunlight at this time. Furthermore, the eastern neighbour contains units that achieve access to sunlight from sources other than their western elevation.

As discussed in **Section 5.5**, the building will front onto Cleveland Street being a road with more than 40,000 vehicle movements per day. Residential development in or adjacent to a road is identified as being a use sensitive to traffic noise. A Road and Traffic Noise Intrusion Assessment has been undertaken by Acoustic Dynamics Pty Ltd and has considered the potential impacts of traffic noise from Cleveland Street on the residential development in the building. The report proposed appropriate mitigation measures as discussed in **Section 5.5**.

6.5 Traffic and Parking

The proposed site development is considered consistent with the street configuration, parking and access requirements as outlined in SEPP (Infrastructure) 2007, the South Sydney DCP 11 and the City of Sydney Access DCP.

It completes the through-street pattern established on the existing adjoining sites.

A traffic and parking assessment for the proposed development has been undertaken by Varga Traffic Planning Pty Limited and is appended to this report as **Appendix 10**. A summary of its findings and conclusions follows;

“The results of the capacity analysis of the Cleveland Street/Hart Street intersection are summarised in Table 3.1, revealing that:

- *the intersection currently operates at Level of Service “A” with total average vehicle delays in the order of 6 seconds per vehicle;*

- under the projected additional traffic flows the intersection will continue to operate at existing Levels of Service “A” with total average vehicle delays in the order of 6 seconds per vehicle.

The results of the capacity analysis of the Abercrombie Street/Hudson Street intersection are summarised in Table 3.2, revealing that:

- *the intersection currently operates at Level of Service “A” with total average vehicle delays in the order of 4 seconds per vehicle;*
- *under the projected additional traffic flows the intersection will continue to operate at existing Levels of Service “A” with total average vehicle delays in the order of 4 seconds per vehicle.*

In summary, the foregoing analysis has found that the projected increase in traffic activity is statistically insignificant and will clearly not have any unacceptable traffic implications in terms of either road network capacity or traffic-related environmental effects. In particular, it is confirmed that:

- *there will be no change to existing Levels of Service on the adjacent road network when assessed in accordance with the criteria as specified in the RTA Guidelines;*
- *there will be no change to the performance of the intersections located around the perimeter of the site, and*
- *remedial roadworks will not be required as a consequence of the development proposal.*

The existing kerbside parking restrictions which apply to the road network in the vicinity of the site are illustrated on Figure 5. Key features of those parking restrictions are:

- *CLEARWAY restrictions on both sides of Cleveland Street during both peak periods;*
- *full-time NO STOPPING or NO PARKING restrictions which apply to both sides of Cleveland Street;*
- *BUS ZONES on both sides of Cleveland Street at regular intervals;*
- *UNRESTRICTED KERBSIDE PARKING on both sides of Hart Street*
- *UNRESTRICTED KERBSIDE PARKING on both sides of Hudson Street.*

The off-street parking requirements applicable to the development proposal are specified in Council’s Development Control Plan No. 11 - Transport Guidelines for Development (1996) in the following terms:

Office & Commercial: 1 space/125m²

Application of the above parking rates to the development proposal yields a maximum permissible parking provision of 55 parking spaces.

*It is pertinent to note however, that the parking rates nominated in DCP should be interpreted as **maximum** levels of carparking allowable, and the proposed provision... therefore satisfies Council's parking code requirements.*

Proposed off-street parking provision is considered to be acceptable in this instance because:

- *the site is located within easy walking distance of both Redfern and Central Railway Stations*
- *the site is also located within easy walking distance of an extensive range of bus services available in nearby Broadway*
- *the site is also located within easy walking distance of the Broadway Shopping Centre, as well as restaurants and other services such as banks, post office etc.*

As noted in the foregoing, car ownership at student accommodations tends to be very low, with typically less than 2.5% of students owning a car. In this instance, it is not proposed to provide any off-street carparking for students, given the close proximity of a number of major tertiary education institutions, as well as public transport services, shops etc.

In the circumstances, the proposed provision of 34 off-street carparking spaces is considered to be acceptable in this instance, and is recommended for approval."

To summarise, based on a capacity analysis of existing intersections, the traffic and parking assessment has determined that the projected increase in traffic activity, taking into account RTA traffic guidelines, will be insignificant, will not have any adverse impact on existing conditions and will not require any upgrade of existing services. The proposed off-street parking provision is considered to be acceptable.

It is noted that whilst the car parking provision is not compliance with the South Sydney DCP No. 11, as discussed in **Section 5.8**, it is considered that the proposed 34 car parking spaces will sufficiently cater to the parking demand generated by the proposed development.

The traffic and parking report prepared by Varga Traffic Planning also provides detail on the prevalence of existing public transport services and concludes that:

"In summary, it is considered that the site is very well serviced by public transport, with an extensive range of bus and train services being available within easy walking distance of the site. This broad range of public transport services which is available in the vicinity of the site will more than adequately accommodate the needs of the proposed development."

Furthermore, a Vehicle Movement Study has been prepared by MLS Rosecliffe (**Appendix 27**) to accompany the Traffic and Parking Report. The Study depicts the various likely travel routes that vehicles may utilise to enter the subject site. The purpose of this Study is to further demonstrate that the projected increase in traffic activity as a

result of the development will not have unacceptable traffic implications in terms of the road network and intersection capacity.

Refer to **Section 5.8** and the Traffic and Parking Report prepared by Varga Traffic Planning (**Appendix 10**) for further detail.

6.6 Social and Economic Impact Assessment

The proposal comprises a four (4) storey commercial and residential building with one level of basement parking. The residential component of the building will comprise up to 73 student accommodation rooms including 4 accessible accommodation beds.

The area is a desirable location given its accessibility to public transport, retail, sporting and community facilities, open space and the Harbour. Higher density housing in such a location optimises the number of people able to take advantage of such a location and reduces the demand for housing in far less accessible fringe areas of the Metropolitan Area.

The proposal should have an overwhelmingly positive social impact in the locality.

Another social issue of consideration is related to the prevention of anti-social and criminal behaviour to secure the proposed development as a 'welcoming and safe space'. A Security Design Report has been prepared by Harris Crime Prevention Services to assess the proposal with regard to crime risk impact and security issues. The Security Design Report concluded that;

"The developer has taken into account CPTED principles and drawings to be submitted in conjunction with the DA reflect the potential for design development in line with State Government, Local Government and Police Area Command guidelines, policy requirements, or other expert input. With regard to Security Objective 1 [(Compliance with Planning Instruments)], DA documentation provides the developer with an appropriate foundation upon which to build security design and security management strategies, details of which be specified in design-and-construct documentation.

We therefore conclude that, in terms of the Director General's legislative requirements pursuant to Section 75F of the EPA Act, in terms of the Department of Planning's guidelines pursuant to Section 79C of that Act, in terms of the City of Sydney's requirements and in term of the Police requirements, there is intended compliance.

From our review of the drawings prepared for DA submission, there is no indication that the development's overall design is likely to cause, condone or promote anti-social or criminal behaviour. In our view, the development of itself does not constitute an increased crime risk to the immediate or surrounding locations within the wider Redfern-Chippendale community.

There is every indication that design documentation will reflect the desire of the

developers to positively contribute to providing an extended secure environment beyond each of the three street frontages, resulting from innovative architectural form, and from lighting, set-back, signage and surveillance technology applied state wide, but particularly applied to the Cleveland Street and Hudson Street vehicle and pedestrian entrances.

We note that, from a security perspective, the DA drawings reflect opportunities for appropriate 'security design' based on CPTED principles, to be incorporated into relevant aspects of the development's detailed design."

Refer to **Appendix 11** for a copy of the Crime Prevention Report.

In terms of the economic impact of the proposal, it is noted that the original proposal involved a significant element of retail floorspace with the DGR's requesting that an assessment of the impact of the proposed retail component on the existing retail centres be carried out. The amended proposal does not now propose any retail uses within the building and as such that assessment is not considered relevant.

However, and notwithstanding this, the proposal does involve commercial development within an important gateway site currently not developed consistent with the longer term planning vision for the Eveleigh Street Strategic Site. The proposed development on this prominent site will improve the image of the precinct as an attractive commercial destination which will also improve its economic viability. The economic development of this site is considered to be important to the strategic development of the surrounding area.

The introduction of commercial and student related uses will also present the existing commercial premises within the precinct with a significant number of additional student customers which should assist their commercial viability and longevity.

In addition, it is considered that the proposal will result in a positive economic impact for the locality due to the employment that will be generated during the construction phase and post-construction, during occupancy. It is envisaged that approximately 40 full-time jobs will be provided during the construction phase and approximately 600 full-time jobs post-construction, at maximum occupancy of the development.

Sydney Metropolitan Strategy

As part of the DGR's, an assessment of the proposal against the relevant regional and sub-regional strategies has been requested.

In December 2005 the NSW Government Department of Planning (DoP) released the Sydney Metropolitan Plan (the "Metropolitan Strategy"). The Metropolitan Strategy sets the framework for creating more than 600,000 new dwellings and 500,000 new jobs in the Sydney Metropolitan area by 2031.

The Metropolitan Strategy aims to enhance Sydney's liveability through: providing a more diverse range of housing choices; strengthening Sydney's long term economic prosperity;

providing equitable access to employment, services and lifestyle opportunities; creating a more environmentally sustainable city; and, facilitating and managing growth of Sydney over the next 25 years.

To implement the Metropolitan Strategy ten 'sub regions' have been established. North Sydney LGA is part of the "Sydney City" Subregion. The Metropolitan Strategy targeted 55,000 new houses and 58,000 new jobs within the Sydney City Subregion by 2031.

Sydney City Draft Subregional Strategy

The Sydney City Draft Sub-regional Strategy (the draft Sub-regional Strategy), released in 2008, was prepared by the DoP to implement the actions and objectives of the Metropolitan Strategy at a Sub-regional level, whilst also providing for the geographic allocation of the additional jobs and housing targets.

The 'vision' is that, by 2031, the Sydney City Sub-region will demonstrate

- *"Improved global competitiveness by building on the city's current international status and initiatives which boost globally competitive industries, including advanced business services, tourism, creative industries and high value-adding manufacturing;*
- *Stronger economic links to other parts of the Greater Metropolitan Region (GMR)—including the economic gateways (Sydney Airport and Port Botany); North Sydney as part of Global Sydney; and Parramatta, Penrith, Liverpool, Wollongong, Gosford and Newcastle as the Regional Cities of the GMR.*
- *Further capacity for office and hotel development to accommodate an increasing workforce and visitors to the subregion;*
- *Well recognised specialised activity precincts: financial services and associated industries located in the Northern CBD, the education hub around UTS and University of Sydney, health and medical research hubs around RPA Hospital and St Vincent's /Garvan Institute, as well as creative industry clusters located on the edge of the CBD, including multimedia and broadcasting organisations at Pyrmont–Ultimo and Australian Technology Park, and design industry focus in the east around Surry Hills;*
- *A stronger network of liveable communities around transport nodes and services;*
- *Redeveloped major sites at Barangaroo, the former Carlton and United Breweries (CUB) site in Chippendale, Redfern–Waterloo and Green Square which demonstrate principles of sustainability;*
- *A diverse housing stock, which encompasses affordable and adaptable dwellings, and meets the needs of the community enabling residents to age in place;*
- *An improved and increasingly integrated transport system that better meets the city's multiple transport needs;*

- *An improved quality of the built environment which aims to reduce the environmental footprint per capita;*
- *A recognisable profile as a diverse global cultural centre which host major events, accommodates significant institutions and meets the needs of residents and visitors; and*
- *Improved coordination of agencies to facilitate unified planning future of the subregion."*

The draft Sub-regional Strategy identifies the Sydney City sub-region as accommodating **55,000 new dwellings** and **60,000 new jobs** by 2031.

The Subject Site is located within the "Sydney Education & Health Precinct" as defined within the draft Strategy and is located between the campuses of Sydney University and UTS.

The Subject Site is located some 250m from the "Small Village" of Abercrombie Street – Darlington. Small Villages are defined as Typically a small strip of shops and adjacent residential area within a 5 to 10 minute walk. Contain between 800 and 2,700 dwellings.

Redfern Street is located some 500m to the south east of the subject site is designated as a "Village" pursuant to the Draft Sydney City Sub-regional Strategy. A Village is defined as: *"A strip of shops and surrounding residential area within a 5 to 10 minute walk contains a mall supermarket, hairdresser, take-away food shops. Contain between 2,100 and 5,500 dwellings"*.

In addition, Broadway, located 700m to the north west of the subject site is designated as a "Town Centre" pursuant Draft Inner North Sub-regional Strategy. A "Town Centre" is defined as benefiting from *"retail facilities, community facilities, medical centre, schools, etc. Contain between 4,500 and 9,500 dwellings. Usually more a residential origin than employment destination"*

Consistency with Draft Sydney City Sub-Regional Strategy

The Metropolitan and draft Sub-regional Strategies establish six land use strategies: economy and employment; centres and corridors; housing; transport; environment and resources; and, parks and public places. The proposal is consistent with the land use policies of the draft Sub-regional Strategy, as demonstrated in the section below.

The proposed development allows for student accommodation within the "Education & Health Precinct" allowing for a much needed housing choice within the university precinct. The proposal recognises that the character of this part of Cleveland Street is likely to experience a transition as part of any Draft LEP process. In this respect, it is generally accepted that Councils are to concentrate development or yield within or close to existing centres. The benefit of concentrating activities in close proximity to centres or villages (such as Abercrombie Street and Redfern Street) includes improved access to retail, office, health, entertainment as well as cultural and community facilities and personal services whilst making better use of existing infrastructure.

The student accommodation will assist in providing a mix of housing types in the Sydney City subregion, especially in a location with good accessibility which can support higher density forms of residential development to consider the needs of a student population, changing demographics and housing affordability.

The Sydney City sub-region is envisaged to accommodate 58,000 additional jobs. The proposal will positively contribute to the Village Centre of Redfern Street and the Small Village of Abercrombie Street - Darlington by providing for 600 jobs should the building be developed at maximum capacity.

The “Transport Strategy” primarily relates to increasing opportunities for walking or cycling and enhancing public transport infrastructure, for instance through the establishment of Strategic Bus Corridors. Whilst the proposal has no direct impact on public transport infrastructure, it will increase the amount of people working and living within close proximity of the existing public transport network, therefore increasing its efficiency.

6.7 Heritage and Archaeological Significance

A heritage assessment has been undertaken by Rappoport which demonstrates that there will be no adverse impacts on the heritage conservation area. Refer **Appendix 13** for a copy of this report.

A heritage assessment has been undertaken by Rappoport which concludes that;

“In accordance with the above observations, we are of the opinion that the proposed modifications to the subject site at 157-163 Cleveland Street, Chippendale would not generate a negative impact upon the significance of the Strickland Building, other heritage listed items (refer to Section 1) or the Darlington Conservation Area. However, in order to encapsulate the moderate level of significance embodied in the site, we recommend that a Photographic Archival Recording of the brick factory building on the site is prepared in accordance with the latest guidelines set by the Heritage Branch of the NSW Department of Planning. Refer to the separate archaeological assessments by Cultural Resources Management (dated February 2010) for recommendations regarding the European and Aboriginal archaeological potential of the subject site and follow accordingly. On the strength of the foregoing, we urge the consent authority to consider the proposed scheme (refer to Section 3 of this report) in light of the observations that we have made”.

In addition to the heritage assessment, separate Aboriginal and European Archaeological Assessments have been undertaken by Cultural Resources Management that demonstrate that with the implementation of appropriate mitigation measures there will be no adverse impacts on the Aboriginal and European archaeology of the Subject Site. Refer **Appendix 12** for the complete reports.

The Aboriginal Archaeology Assessment prepared by Cultural Resources Management Pty Ltd concludes that;

“On the basis of research, identification of Chippendale’s pre-European environmental context, an AHIMS search and consideration of the impact of historic land use, the following has been concluded;

- The study area is located in a landscape that is likely to have been occupied and exploited by Aboriginal people. The area presents a moderate to high potential for extant Aboriginal heritage remains. This assessment will be re-evaluated on the basis of site investigation.*
- Evidence of this occupation could be preserved within the site in the form of archaeological deposits and objects. These are likely to be associated with any intact top soil or A horizons within the site.*
- The most likely types of sites to be associated with the study area are open-camp sites, middens, artefact scatters and isolated objects.*
- European settlement almost certainly has impacted on any Aboriginal archaeological profile but the extent of this impact is impossible to determine on the basis of present evidence.*
- The integrity of any archaeological profile is impossible to determine on the basis of the available evidence.*
- The proposed development will remove any intact archaeological profile.*
- This impact on any Aboriginal archaeological resource may be mitigated by investigation, documentation and liaison with the Aboriginal community.*
- Identifying the presence or absence of an intact soil profile could be made as part of a test programme of investigation either in conjunction with test excavation for European archaeology, if the results of that work reach an appropriate depth within site, or at the conclusion of salvage excavation for European purposes if that work reveals an intact soil profile.*
- The purpose of any test excavation will be to determine whether an Aboriginal heritage resource remains within the site and to provide strategies for its management.*
- The results of any test programme should be used to inform any future management of the site.*
- If more comprehensive investigation and documentation is required of Aboriginal heritage the work should be carried out within the parameters of the research design described in this report.*
- Investigation of Aboriginal heritage should be undertaken in partnership with the relevant Aboriginal community.*
- Documentation of any aspect of work relevant to the Aboriginal heritage of the area should be made available to the relevant Aboriginal community groups.”*

The European Archaeology Assessment Report prepared by Cultural Resources Management Pty Ltd concludes that;

“This analysis has demonstrated that the development site at 157-163 Cleveland Street Chippendale has a long history of European association and occupation.

There is the potential for a significant, complex archaeological profile of European history to be preserved within the site but there is insufficient evidence to make a clear determination of its integrity.

A small program of test-excavation should be initiated to determine the presence or absence of this profile.

The results of the test programme will determine the necessity and nature of any future archaeological work on this site.

Options for future work include observation and documentation as necessary during the course of redevelopment or salvage excavation and documentation preceding development.

In either case the results of any work on site will need to be documented at the conclusion of the work and the information made available to the statutory authorities and local community.

It is highly unlikely that any single element within the site would warrant in-situ conservation and the requirement for bulk excavation does not make this feasible.

Interpretation of the history of this place and the evidence found of that history might be warranted as part of the finished development.

The proposed development will adversely impact on any potential archaeological evidence preserved within the site but this impact can be mitigated by the strategies described on this report. With respect to archaeological values I would recommend that approval of this project.”

6.8 Ecologically Sustainable Development

Ecologically sustainable development initiatives are incorporated into the development and general ESD principles upon which the concept is based are outlined in the ESD Report prepared by Jones Nicholson Pty Ltd at **Appendix 5**. The following provides examples of ESD principles that have been incorporated into the proposed design:

- Passive solar design;
- Integration of a variable refrigerant volume (VRV) air conditioning system;
- Energy efficient ventilation and lighting systems;
- Incorporation of a central solar-electric boosted hot water heating system;
- Installation of water conservation fixtures;
- Installation of a storm water detention/rainwater reuse tank for rainwater harvesting and reuse for landscaping, toilet flushing and highly efficient fixtures and appliances;
- Waste management procedures for construction works and the provision of a Waste and Recycling Management Plan for the commercial and residential premises; and

- The provision of bicycle racks on-site to aid in the reduction of car dependence for the occupants of the development.

For the complete ESD Report, refer to **Appendix 5**.

In addition, a BASIX Assessment and Certificate has been prepared in support of the application. This demonstrates how the proposed development complies with BASIX commitments and ultimately, principles of ESD (with regard to water, energy and thermal comfort). Refer to **Appendix 26** for a copy of the BASIX Assessment and Certificate.

6.9 Drainage and Flooding

Appropriate drainage and water management principles are to be incorporated in the proposed development. The stormwater concept plans accompanying the application demonstrate the ability to adequately deal with water quantity and quality issues. These plans were prepared by Jones Nicholson, appended to this report at **Appendix 23**.

The site is not considered flood prone. Notwithstanding this, a Flooding and Drainage Report has been prepared by Jones Nicholson (refer **Appendix 25**) and concludes;

“Three catchments adjoin the subject site being 157-161 Cleveland Street, Chippendale. Cleveland Street, Hudson Street and Abercombe Street serve as overland flow paths.

All storm water from the three identified catchments eventually finds its way to the Cleveland Street/Abercombe Street intersection from where it continues to the northbound drainage system of Buckland Street.

A portion of the eastern catchment (50%) will drain into Hart Street where the storm water will be trapped at a low point at the intersection of Hudson Street. The overflow from this low point is at RL 17.37. A freeboard of 300mm is suggested above this level.

Due to the Hart Street/Hudson Street trapped low, a FFL of RL 17.67 is recommended for the building.

The total OSD requirement does not meet the re-use need of the building and it is therefore suggested that the OSD be designed as a combined re-use tank and OSD.

In accordance with Director-General’s Requirements Item 10, Jones Nicholson has addressed the drainage/flood issues associated with the development and designed the required stormwater infrastructure and Water Sensitive Urban measures. Please refer to the stormwater drawings for details.”

6.10 Utilities

Investigations undertaken by Jones Nicholson, appended to this report at **Appendix 21**, find that utility services are available to the Subject Site and will be adequate to meet the demand requirements of the proposed development. The proposed site is suitable and indeed highly appropriate for the proposed development. It is also noted that the existing sewer line will not be relocated as a result of the proposal.

6.11 Contamination

Preliminary investigations into the physical suitability of the Subject Site for the proposed development have identified no encumbrances to that development.

The preliminary environmental assessment of the site undertaken by Douglas Partners, appended at **Appendix 9**, and concludes that;

“At the time of the investigation the site was occupied by three buildings all of which were occupied by Bursill Sportswear with the exception of the upper levels of the apartment building in the western portion, which was occupied by residential units. The site was completely occupied by buildings and concrete paved. No visual evidence of activities likely to have resulted in contamination of the site were noted, however there is a potential for asbestos to be present in the buildings.

In overall terms, given the commercial nature of the site structures, the potential for contamination associated with the site is considered to be low to moderately low, although the previous commercial uses, particularly the Parker Pan factory may result in moderate contamination potential.

In view of the age of the two large commercial buildings, it is likely that hazardous building materials, such as asbestos cement sheeting and lead based paints, may have been used in their construction and/or renovation/extension over the years. It is therefore prudent that the demolition of all the existing structures should be undertaken properly such that there will be no cross contamination of the subsoils.

Whilst filling materials could have been used in the site formation processes, it is envisaged that these will mainly be used to level the site. It is also possible that debris from the demolition if the former buildings could have been retained in the filling placed over the site. The likely extent of filling is expected to be minimal, and mostly restricted to surficial horizon.

It should be noted that as no intrusive sampling was undertaken as part of the current assessment, no detailed comments can be made with regard to the actual levels of subsoil contamination.

Based on the available information, the proposed development is considered to be generally compatible with the landuse of the area. Intrusive investigation

would be required to verify the actual degree and/or extent of contamination of the site. Having said this, the current information suggests that contamination, if any, would most likely be localised and confined to the near surface, it is therefore considered that the site can be made suitable for the proposed development.

As the proposed development involves the excavation of a basement level, bulk excavation and off-site disposal of soil would be required. Any contaminated filling would, therefore, be removed as part of the proposed basement construction.

Prior to the off-site disposal of any excavated material, an appropriate material classification assessment should be conducted by a qualified environmental consultant in accordance with NSW DECC's (Department of Environment and Climate Change) Waste Classification Guidelines (2008)".

7 DRAFT STATEMENT OF COMMITMENTS

The proponent commits to the following matters should approval be granted to this application:

	ISSUES	ACTION
1	ESD	The proposal will incorporate the ESD principles and features as described in Section 6.8 of the EA.
3	Safety by design	The proposal is designed to incorporate 'safety by design' principles as described in Section 6.6 of the EA.
4	Basement design	The geometric design features of the car parking bay dimensions, aisle widths, ramp grades, etc, will comply with the dimensions specified by the Australian Standards publication Parking Facilities Part 1: Off-Street Car Parking (AS2890.1).
5	Stormwater management	Stormwater management for the site is based on the stormwater concept design prepared by Jones Nicholson Pty Ltd dated 10 March 2010.
6	Remediation of any contamination	Prior to the off-site disposal of any excavated material, an appropriate material classification assessment will be conducted by a qualified environmental consultant in accordance with NSW DECC's (Department of Environment and Climate Change) Waste Classification Guidelines (2008)". Refer to Section 6.11 of the EA for further detail.
7	Developer contributions	Applicable developer contributions commensurate with the demands generated by the development will be levied on subsequent applications.
8	Waste Management Plan	MLS Rosecliffe undertakes to construct and operate the new building in accordance with the Waste Management plan prepared at Appendix 19 .
9	Construction Management Plan	MLS Rosecliffe undertakes to construct the new building in accordance with the Construction Management Plan prepared at Appendix 6
10	Geotechnical	A geotechnical investigation of the site has been undertaken. (refer to Appendix 8 . The construction of the new building will be undertaken in accordance with the recommendations of this report.

8 CONCLUSION

The proposed four (4) storey building over one (1) level of basement car parking will introduce three (3) levels of commercial uses and one (1) level of student accommodation and a reconfiguration of the existing access way and ramp servicing the adjoining building to the west. The proposal also seeks the consolidation of the existing three (3) allotments (Lot 50 DP 826153, Lot 11 DP 531788 and Lot 1 DP 4497699), which currently comprise the site, into a single allotment to be known as “Lot 100”.

The assessment in this report concludes that the Subject Site is appropriately zoned and highly suitable for the proposed development, subject to certain technical and design considerations. These include the need to limit the extent of excavation and to remediate the Subject Site, which have been either incorporated in the design or will be undertaken prior to the site’s development in accordance with the recommendations outlined in this report.

The current application is for a Project Application under Section 75E of the Act. As such, it seeks approval only for the broad development envelopes, dwelling/commercial tenancy numbers and mix and car parking and other associated items. As a consequence, the level of assessment in this report has been sufficient to demonstrate the capability of the Subject Site and the suitability of the proposal in its context. The detailed design of the development will be contained in subsequent applications which will necessarily address the more detailed assessment considerations not able to be dealt with in this report.

The proposed development has been designed in conformity with the planning controls, most particularly the building footprints and envelopes and design excellence provisions as specified in the Major Project SEPP 2005.

The assessment of the overall impacts of the proposal contained in this report concludes that those impacts are acceptable and reasonable subject to the measures outlined in the draft Statement of Commitments.

In conclusion, the Project Application is a significant improvement to the current use of the Subject Site and an appropriate response to the physical characteristics of the site, its locality and the changing character of the immediately surrounding area. The approval will be in the public interest. The granting of projects Approval under Section 75E of the Act is recommended.