

Appendix A – Response to Submissions Table

1.1 The Departments of Planning, Housing and Infrastructure

Issue	Response/Action
Affordable Housing Floor Space	
The original State Significant Development (SSD -78665709) approved 15% of the total gross floor area (GFA) to be provided as affordable housing (a minimum of 76 dwellings), equating to 7,321 m², in order for the development to gain the height bonus under the State Environmental Planning Policy (Housing) 2021. The current modification seeks an additional 516 m² of GFA across the basement, ground floor and Level 1. However, neither the plans nor the Modification Report provide an updated calculation demonstrating how the affordable housing percentage has been adjusted in response to this increase. Based on the revised total GFA, the affordable housing component has decreased to 14.88%. To maintain compliance with the required 15%, the affordable housing GFA must be increased to 7,381.2 m². This represents an additional 60.2 m² that must be allocated to the affordable housing component. The modification must clearly demonstrate how this requirement is met. Amend the plans to achieve the full 15% affordable housing GFA and provide a detailed breakdown of the proposed GFA distribution across market housing, affordable housing, retail and commercial uses.	The plans have been amended to rectify an error in the previously approved GFA calculation relating to the Level 2 wintergardens (Appendix B). The stamped SSDA architectural package inadvertently excluded the Level 2 wintergardens from the GFA calculation. These wintergardens have outer walls greater than 1.4 metres in height and therefore meet the definition of GFA. They should have been included in the approved GFA calculation. This correction increases the affordable housing GFA without requiring any change to the approved affordable housing dwelling mix or allocation. The approved SSDA provided a total GFA of 48,692m², including 7,341m² of affordable housing GFA, equating to 15.08%. The amended proposal provides a total GFA of 49,317m², including 7,479m² of affordable housing GFA, equating to 15.17%. For completeness, the modification also includes minor corridor extensions across Levels 1, 3, 4, 5 and 6 to provide sufficient corridor space for the movement of prefabricated bathroom pods from the core to the southern units. Accordingly, the amended proposal achieves the required 15% affordable housing GFA. A detailed GFA breakdown by use is provided in the amended architectural plans at Appendix B.
Penrith Council Requirements	
Address Council's comments regarding: - Car parking allocations - Access, manoeuvring and parking - Waste management comments on the chute rooms, loading bay, pillars within Loading Bay and pedestrian access to the Loading Bay.	Responses to Penrith City Council's comments are provided below at Section 1.2.

1.2 Penrith City Council

Issue	Response/Action
Design Review Panel Consideration	
a) The project Design Review Panel should review the proposed design amendments to confirm the proposed (modified) development retains the potential to achieve design excellence.	It is not considered that a review by the DRP is necessary in the circumstances of this modification. The proposed amendments are minor design refinements arising from detailed design coordination. They do not alter the approved building envelope, overall height, massing, tower arrangement, architectural expression or the proposal's presentation to the public domain. The submitted S4.55(1A) Modification Report addresses design excellence and confirms that the amendments do not materially affect the design outcomes previously assessed and endorsed. In particular: • SJB Architects remain engaged as project architect, ensuring continuity of design intent and design quality; • The key façade composition, materiality and architectural language remain consistent with the approved scheme; • The rooftop amendments retain the quantum of communal open space and continue to provide usable resident amenity; • The minor façade, balcony and planter adjustments are refinement matters and do not change the approved built form outcome; and • The application includes comparative approved/proposed elevation and rooftop drawings demonstrating that the design amendments are limited in scope. On this basis, requiring a further DRP review would duplicate matters already addressed and would not be consistent with the nature of the proposed changes. The amendments are appropriately characterised as minor design, coordination and operational refinements that preserve the approved design excellence outcome.
Car Parking Allocation	
a) The proposed arrangement of car parking provides for staff and visitor car parking which is co-located on basement levels 1 and 2. Consideration should be given to separate and consolidated parking areas for these different parking types to assist with wayfinding and to improve the efficacy of directional and wayfinding signage.	The current layout is required to maintain compliant aisle widths and manoeuvring clearances for visitor parking spaces within the basement levels. As such, the proposed staff and visitor car parking arrangement has been retained as shown on the amended plans (Appendix B). Directional and wayfinding signage will be resolved as part of the detailed design to clearly identify staff and visitor parking areas.

Issue	Response/Action
Access, Manoeuvring and Parking	
a) An additional ground floor planter box is proposed adjacent to the site access driveway. The height of the planter box must not obstruct driver sightlines as per AS 2890.1 and AS 2890.2.	As demonstrated on Amended Architectural Plan SSDA-1003 (Rev 27) (Appendix B), the planter box has been lowered to a maximum height of 900mm as to not obstruct driver sightlines.
b) Storage cages are proposed in basement level 2 at the bottom of the ramp to basement level 1. This is an unsafe location due to the potential safety risks to residents using the storage cages, the risk of vehicles hitting the storage cages and the potential for storage cages to obstruct driver sightlines.	As demonstrated on Amended Architectural Plan SSDA-1001 (Rev 24) (Appendix B), these storage cages have been relocated.
c) A swept path analysis shall be undertaken to demonstrate that vehicles will be capable of entering and exiting car spaces located adjacent to security control points via no more than three point turns when security access gates are closed.	Swept Paths have been prepared by Varga Traffic Planning (Appendix C) to confirm vehicles are capable of entering and existing car spaces.
d) Accessible parking spaces shall be located closer to lift access points.	Where possible, accessible spaces have been relocated closer to the lift access points. Refer to the Amended Architectural Plans at Appendix B .
e) Several basement level storage cages appear to include designated bicycle parking. The suitability of remaining storage cage areas and dimensions should be reviewed.	Adequate storage is provided for each unit in accordance with the Apartment Design Guide. The SSDA approved scheme included 220 bicycle parking spaces. The plans have been amended to provide an additional 2 bicycle parking spaces, resulting in a total provision of 222 bicycle parking spaces.
Waste Management	
Chute Rooms (Basement 1 and 2) The chute room configuration located within all chute rooms is unsatisfactory and does not provide clearances required in accordance with Council's Residential Flat Building Guideline document. 900mm clearances around the perimeter of the chute tracks are not provided and will impede servicing of the chute motor and cleaning of the tracks. Additionally, the chute room configuration located within Basement 1 adjacent to Lift Core R4 will inhibit the movement of bins onto the chute track nearest the wall to the north.	The project's Waste Consultant, Elephant's Foot, has provided the following response to this matter: <i>The nominal clearance is specific to this council. In the early days, Penrith Council cited this being a recommendation to allow clean up overspill around the track systems and to force architects to design larger waste rooms, to provide more practicable bin equipment solutions.</i> <i>Over time, this has been enforced in a number of ways, most notably by including this into the DA conditions of recent projects. It has been confirmed by the Design Consultant that this requirement is not needed for the current configuration (i.e., 900mm clearance around the perimeter of the track systems), and will remain unchanged with the previous scheme.</i>
Loading Bay (Ground Level) Additional service vehicle spaces have been added within the ground level loading dock. These spaces inhibit the previously available routes from the goods lift to the	The loading bay is not expected to be in continuous use by service vehicles. Service vehicle movements will be managed by the building manager to avoid conflict with staff access between the goods lift and collection rooms.

Issue	Response/Action
collection rooms. The route available involves a number of turns that will require staff to redirect heavy bins repeatedly between the goods lift and the collection rooms. The State should consider whether the arrangement proposed aligns with safe manual handling practices.	The building manager will coordinate collection schedules and loading dock access to ensure that bins can be moved safely and efficiently when required. On this basis, the proposed arrangement is considered acceptable and capable of being managed operationally in accordance with safe manual handling practices.
Pillars within Loading Bay The locations of pillars adjacent to the turn paths required for the waste collection vehicle within the Loading Bay reduce the available space for manoeuvring and margin for error. This increases the likelihood of impact between a collection vehicle and a pillar resulting in implications for the structural integrity of these features.	The swept paths included at Appendix C , demonstrate that the waste collection vehicle can manoeuvre within the loading bay with the necessary clearances to adjacent structural columns. Notwithstanding, protective measures such as rubber corner guards can be implemented in these locations, if required, to further minimise the risk of vehicle impact during loading bay operations.
Pedestrian Access to the Loading Bay Noting there are several access points to the loading dock directly from commercial premises, the State should consider how access to the loading dock will be managed to ensure that there is no conflict between staff from commercial premises and service vehicles / collection vehicles operating within the loading dock.	Access to the loading dock will be managed operationally by the building manager. The building manager will coordinate loading dock access and service vehicle movements to minimise potential conflicts between commercial staff, service vehicles and waste collection vehicles. This may include management procedures such as scheduling of service activities, communication with commercial tenancies, and access controls during vehicle movements where required.

1.3 Agency Feedback

Issue	Response/Action
<u>Transport for NSW</u>	
TfNSW have reviewed the proposal and advises that in order to protect rail land, assets, operations, and to ensure a safe and reliable rail service, TfNSW (as Rail Authority) requests the Department retain all conditions and comments applied to the previous application (SSD-78665709). All conditions and comments applied to the previous application are still applicable. It is requested that these conditions remain as worded and are not amended without consultation with TfNSW (as Rail Authority).	Noted.

1.4 Community Feedback

Issue	Response/Action
<u>Daniel Mendes</u>	
"I support the project"	Noted.