



NSW GOVERNMENT
Department of Planning

***MAJOR PROJECT ASSESSMENT:
National Indigenous Development Centre
Lots 1, 2 & 4 DP 817 283 and an unformed
part of Renwick Street
160-202 George Street, Redfern
Proposed by Indigenous Land Corporation***

Director-General's
Environmental Assessment Report
Section 75I of the
Environmental Planning and Assessment Act 1979

September 2007



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1 EXECUTIVE SUMMARY

This is a report on a project application seeking approval for a National Indigenous Development Centre on land at 160 – 202 George Street, Redfern (Lots 1,2 and 3 DP 817283), which formerly accommodated the Redfern Public School (the site).

The Indigenous Land Council (ILC) (the Proponent) is proposing to construct new buildings including:

- A 3 storey multi purpose sport and recreational facility (multi purpose building);
- Heated swimming pool;
- 1 and 2 storey child care centre,;
- Multi code football field;
- Private and public car and bus parking areas; and
- An adaptive reuse the existing school buildings on the site.

These buildings will be used to accommodate a Police Citizens Youth Club, Murawina Indigenous Child Care Centre, Exodus Foundation, Lloyd McDermott Rugby Development Team and the National Aboriginal Sports Corporation Australia (the proposal).

The site is identified within the Redfern Waterloo Authority Built Environment Plan (RWABAP) as a strategic site for the accommodation of community, recreational/sporting and education uses. The RWABAP also lists 2 of the 4 existing school buildings on the site has heritage of local significance as identified in the South Sydney Local Environmental Plan 1998.

The land is owned by the Indigenous Land Corporation (ILC) and also the City of Sydney Council (Council). The Council owns an unformed part of Renwick Street that passes through the site and connects with Phillip Street. The Council has granted owner's consent for works affecting the area of unformed road and has also agreed to the sale of this land to the ILC upon approval of the project.

The site is also listed in *State Environmental Planning Policy (Major Projects) 2005* (MP SEPP), which is significant where development on land within the Redfern Waterloo Authority operation area exceeds a capital investment value (CIV) of \$5 million.

The CIV of the proposal is \$30.6 million therefore, under the provisions of the MP SEPP the Minister is the consent authority.

The proposal will have a maximum height of 3 storeys and a floor space ratio (FSR) of 0.7:1 and therefore complies with the maximum 4 storey height and 2:1 FSR controls in the MP SEPP for the site.

The project application was received by the Department on 4 May 2007 and was placed on exhibition for a period of 30 days between 17 May 2007 and 15 June 2007.

During the exhibition period, the Department received a total of 9 submissions from public authorities and 8 submissions from the public.

Upon completion of the exhibition period the Department issued the public and government agency submissions and outlined the key assessment issues identified to the proponent. The proponent addressed the submissions and issues in a preferred project report submitted with the Department on 3 August 2007.

Key issues considered in the Department's assessment included:

- Building Design & Landscaping;
- Density, Heights and Setbacks;
- Traffic Impacts, Transport, Parking & Access;
- Potential On Site Contamination;
- Heritage and Archaeology;

- The Public Domain, Safety and Security;
- Social and Economic Impacts;
- Ecologically Sustainable Development;
- Construction Impacts;
- Development Contributions Plan;
- Residential Amenity; and
- The Public Interest.

The proponent's preferred project addressed the Department's main issues including the design of the multi purpose and child care centre buildings and their relationship with the site's street frontages. This was achieved by stepping the height of the northern end of the multi purpose building and increasing the extent of glazing in the George Street and western elevations of the buildings to enable greater passive surveillance of the public domain and the proposed playing field. The on and off site car parking arrangements were also resolved with the City of Sydney Council with a final endorsement anticipated from the Sydney Traffic Committee.

The Department has assessed the merits of the project and is satisfied that the impacts of the proposed development have been addressed via the Proponent's Statement of Commitments and the Department's recommended conditions of consent, and can be suitably mitigated and/or managed to ensure a satisfactory level of environmental performance. On these grounds, the Department is satisfied that the site is suitable for the proposed development and that the project will provide environmental, social and economic benefits to the region. All statutory requirements have been met.

The Department recommends that the project be approved, subject to conditions.

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2 BACKGROUND

2.1 THE SITE

2.1.1 *Site context and location*

The site, is located at 160 – 202 George Street, Redfern (Lots 1, 2 and 4 in DP 817 283) within the local government area of the City of Sydney Council (Council) and the Redfern-Waterloo Authority's (RWA) operational area. The site is owned by ILC and Council and comprises a total area of 1.63 hectares.

The site, that was formerly occupied by the Redfern Public School until 2002, is bounded by George Street to the east, Phillip Street to the south and Cope Street to the west. At the northern end of the site, Renwick Street terminates as a cul-de-sac. An unformed section of Renwick Street owned by Council passes through the middle of the site.

The site is approximately 500m from Redfern Railway Station; 200m from the closest main shopping precinct on Redfern Street; and 300m from both Redfern Oval and the Australian Technology Park. The site also benefits from access to frequent bus services available on Redfern and Regent Streets.

There is adequate pedestrian connectivity within the streets surrounding the site. Currently, informal pedestrian access exists through the 'accessway' north of Phillip Street across the site, which generally accommodates 20-30 pedestrian movements per hour.

2.1.2 *Existing site features*

The site currently accommodates 5, 3 storey buildings formerly used by the Redfern Public School. Two of the existing buildings located adjacent to the sites George Street frontage are listed as having local heritage significance on the Register of the NSW National Trust and in the former South Sydney Local Environmental Plan 1991.

The western side of the site adjacent to Cope Street accommodates an area of open space and/or former playground. The site also accommodates 123 trees, of which 23 are determined by the proponent's consulting arborist to have high landscape significance.

2.1.3 *Surrounding development*

The site is surrounded by an eclectic mix of residential and commercial development. To the north of the site, the land use and built form is characterised by 2 storey Victorian terrace housing, a 3 storey residential flat building and its associated recreational facilities that includes an indoor swimming pool.

Opposite the site to the east along George Street, the built form consists of a combination of residential, mixed and commercial developments ranging in height from 2 to four storeys. Similar development exists to the west of the site along Cope Street with the building heights ranging from 2 to 5 storeys.

Immediately adjoining the southern boundary of the site is the existing Salvation Army "drop-in" facility. Immediately opposite the site on Phillip Street are the NSW Department of Housing residential towers ranging in height from 15 to 30 storeys.

2.1.4 *Zoning/Statutory Controls*

The site comprises 2 zonings under the provisions of Schedule 3, Part 5 of State Environmental Planning Policy (Major Projects) 2005 (MP SEPP).

The part of the site consisting of the existing school buildings and adjoining land to the north along George Street is zoned "Special Purpose – Community". A range of community related land uses are permissible with consent in this zone includes child care centres, community facilities, educational establishments, office premises, recreational facilities and ancillary visitor accommodation and therefore, the proposal is permissible.

Of the 4 existing school buildings on the site 2 are heritage listed items of local significance. The RWA has identified these heritage items under the South Sydney LEP 1998 and the RWABEP, and these have been adopted into the MP SEPP. The proponent has submitted a Heritage Impact Statement with respect to the proposed works to the heritage items, with the recommendations being endorsed by the NSW Heritage Council.

The existing open space area on the western side of the site is within an area zoned "Recreation – Private Recreation". The proposed playing field is permissible in this zone as either being ancillary to the National Indigenous Development Centre (NIDC) and/or as a "recreation facility" (outdoor) as defined in the Standard Instrument (Local Government Plans) Order 2006.

The development controls for the site under the MP SEPP, which apply to development within the "Special Purpose – Community" zone only include:

- a maximum building height of 3 storey's at the northern end of the site adjacent to George Street;
- the existing building height of the existing school buildings (3 storey's) for the remainder of the site (excluding the playing field); and
- a maximum floor space ration (FSR) of 2:1.

2.2 SITE HISTORY

The land for the former Redfern Public School was purchased in 1877 with construction of the first school building and opening of the school occurring in 1879. A second school building was constructed on the site in 1890 to accommodate infants with a new three storey wing being added to it in 1902. These 2 buildings are those which are of local heritage significance.

In 1913, the school was reclassified with separate primary and secondary departments. Extensive external and internal alterations to the school buildings on the site also occurred at this time.

Further school blocks were constructed on the site in 1913 and 1925 to accommodate a Girl's and Boy's school respectively. In 1966, the school was reclassified from a central to a public school, with additional adjoining land area being acquired between 1968 and around 1975 to enable for future expansion.

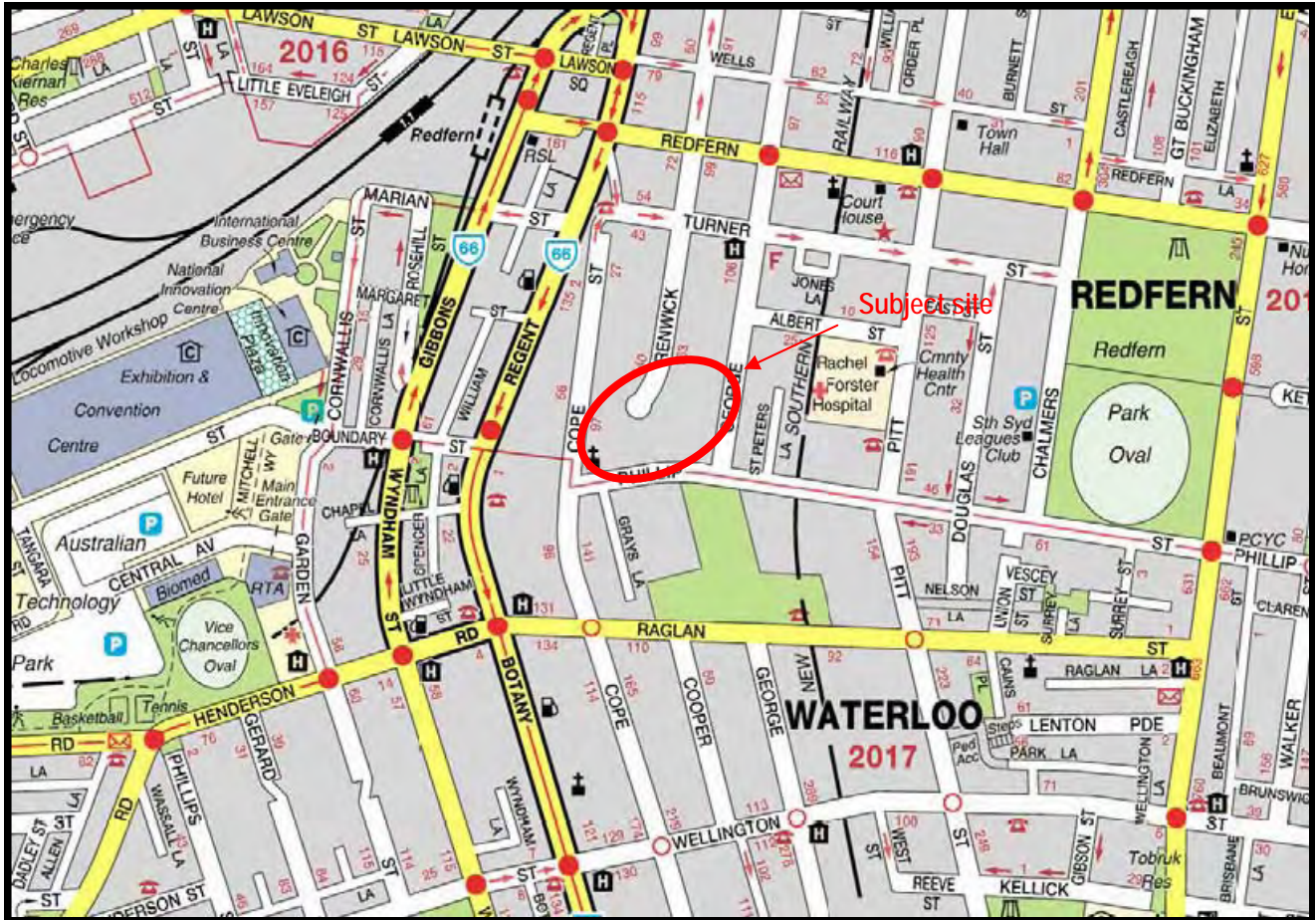
In 2002, the Redfern public school was closed by the NSW Department of Education and the buildings vacated. From 2003 the Murawina child care centre, which accommodates up to 69 children has operated from the site in conjunction with other community groups, which occupied the existing school buildings.

In 2006, the site was acquired by the Indigenous Land Corporation.

2.2.1 *Previous applications*

There have been no significant development applications and/or development on the site in the last 80 years with the last major building work on the site dating back to the construction of one of the non-heritage listed buildings in 1925. Since that time, the only other development was the acquisition of additional sites to the west and north of the original school grounds around 1975 and more recently (2002 – 2006) change of use applications to accommodate various community groups and the Murawina Child Care Centre into the existing school buildings on the site.

Figure 1 – Site location



3 THE PROPOSED DEVELOPMENT

The proposal is for a National Indigenous Development Centre (NIDC), which includes the construction of new buildings including a 3 storey multi purpose sport and recreational facility, heated swimming pool, a new 1 and 2 storey child care centre and multi football code playing field. The existing buildings being retained on the site will be reused to accommodate educational and community uses as well as dormitory facilities.

The proposal in detail consists of:

Demolition Works

Two existing toilet blocks adjacent to the former school buildings C and D are proposed to be demolished. These components of the original school buildings are not heritage listed.

These areas currently occupied by the toilet blocks will be occupied by proposed mini-bus parking adjacent to Phillip Street and part of the central terrace area between all existing and new buildings on the site

Refurbishment of Existing School Buildings (Buildings A, B, C & D)

The 2 existing heritage buildings, described by the proponent as 'Building A' (located on the south east corner of the site) and 'Building B' (located adjacent and to the north of Building A) are proposed to be refurbished and upgraded to accommodate community and educational uses. The other school buildings, described as 'Building C' and 'Building D' (located to the west of 'Buildings A & B' respectively), are also proposed to be refurbished to provide a dormitory and change room facilities.

Building A

- Existing Gross Floor Area 1,199m²;
- Building height unchanged at RL 38.57 (3 Storeys);
- Provision of new access ramps, accessible WC's and an internal lift.
- Level 0 (part basement) – Activity room for hostel use; community multi purpose room; WC's and kitchen;
- Level 1 (ground floor)– The Exodus Foundation class rooms and offices; and offices for future leases; and
- Level 2 (first floor)– Office space for future leases; Office space for National Aboriginal Sports Corporation Australia (NASCA);

Building B

- Existing Gross Floor Area 799.4m²;
- Building height unchanged at RL 44.41 (3 Storeys);
- Provision of new access ramps, accessible WC's and an internal lift;
- Provision of new external stair to comply with egress requirements of the Building Code of Australia;
- Level 1 (part basement) – Refurbishment to provide a sick room, laundry, dry and cool stores and switch room;
- Level 2 (ground floor) – Dining rooms, commercial grade kitchen, administration office and support areas, including an office for a night manager; and
- Level 3 (first floor) – Activity, teaching and meeting rooms.

It is proposed that the hours of operation for the educational and learning programs within buildings A and B will operate on weekdays during school terms from 8.30am – 3.00pm.

Building C

- Existing Gross Floor Area 585m²

- Building height unchanged at RL 35.56 (3 Storeys);
- Construction of a new access bridge connecting levels 2 and 3 in Building D;
- Level 0 – Dormitory rooms and amenities;
- Level 1 – Dormitory rooms, break out lounge and amenities; and
- Level 2 - Dormitory rooms, break out lounge and amenities.

Building D

- Existing Gross Floor Area 533.4m²;
- Building height unchanged at RL40.07 (3 Storeys);
- Level 1 –Change rooms and amenities to be used in associated with new playing field;
- Levels 2 & 3 – Dormitory rooms and amenities.

New Murawina Childcare Centre (Building G)

The existing Murawina childcare centre operating from Building A is proposed to be accommodated in a new building at the northern end of the site for up to 59 children between the ages of 0-5 years old. The new building has a gross floor area of 762m² and a maximum building height of 2 storeys (RL 35.2). Access to this facility is provided from both Renwick and George Streets.

The facility's east wing, fronting George Street and constructed over 1 level accommodates:

- The main entry to the centre;
- The administration office;
- A new pre school and 2-3 year old indoor play areas; and
- An outdoor playground.

The west wing, fronting Renwick Street and constructed over 2 levels accommodates;

- A long day care centre;
- 3-5 year old play rooms;
- 0-2 year old facilities;
- An internal access that connects to the east wing; and
- An outdoor playground.

The proposed hours of operation of this facility is from 7.30am to 5.30pm weekdays.

New Multi-Purpose Sport and Recreational Building (Building F) (multi purpose building)

The proposed multi purpose building is to accommodate a Police Citizens Youth Club. The building is 3 storeys (maximum RL 40.10) comprising a total gross floor area of 3, 075m².

The main features of the building include:

- Level 1 – Change rooms, gym and boxing room, BBQ area, plant room, store, kitchen, amenities and first aid;
- Level 2 – Main entrance foyer, café, multi purpose sports hall, administration office, drop in activity room, computer/learning centre, arts and crafts room;
- Level 3 – Activities room, spectator seating for 250 persons, which overlooks the multi purpose sports hall.

It is also proposed that the building be licensed as a place of public entertainment (PoPE). This facility is proposed to be open 7 days a week between the hours of 7.00am to 10.00pm.

Swimming Pool

A heated 25 metre swimming pool is proposed to adjoin the western side of the multi purpose sport and recreational facility. The pool is elevated above the ground level approximately 3 metres and is accessed via the main foyer of the multi purpose building.

Playing Field

The existing open space area (current playing field) located on the western side of the site is proposed to be remodelled to create a training field for all forms of football and will have the dimensions of 110m x 59m. At present, the area of open space is undulating and has a cross fall of approximately 6.5% over a length of approximately 120m. In order to level the currently undulating area to accommodate the field, an excavation of 5m in the north eastern corner and 4m of fill in the south western corner of the existing open space is proposed.

Two 10m high ball nets are proposed at the northern and southern ends of the field to prevent footballs leaving the playing field onto the road or in adjoining properties.

Access and Car Parking

The application proposes to formally close the currently unformed part of Renwick Street that passes through the site to Phillip Street to the south. The owner of this land is the City of Sydney Council (the "Council") who has granted owner's consent to the application and agreed to its sale to the proponent.

Renwick Street currently terminates as a cul-de-sac adjacent at the northern end of the site. The application proposes to reconfigure the end of this street to provide access to a car park for 17 vehicles as well as provide a manoeuvring area for Council's service vehicles. Ten of these spaces are to be dedicated purely for staff of the NIDC, which are located wholly upon the site and will be segregated from the remainder of the car park by a boom gate. The remaining 7 car spaces will be accessible by the public and are located within the road reserve.

An area accommodating 7 car parking spaces and 4 mini bus spaces is proposed from a combined entry and exit off Phillip Street.

A loading bay for service vehicle entry onto the site is proposed off George Street, with the set down area being located between existing buildings A and B.

Landscaping, Tree Removal & Perimeter Fencing

A landscaped concept plan provides both soft and hard elements and seeks to enhance connectivity and access across the site. The most significant features of the concept plan include the central courtyard to be located between the existing school buildings on the site and the removal and replacement of a number of existing trees on the site.

The central courtyard consists of timber decking, seating with canopy trees and Cabbage Tree Palms to provide shade. The courtyard will provide a meeting point within the site and connects all buildings within the facility.

There are 123 trees on the site, with 80 of these identified for removal. A total of 63 trees have been identified as worthy of retention with 29 of these being removed. The majority of the trees being removed are as a result of the earthworks required to accommodate the new playing field.

The new landscape works proposes a total of 100 new trees with a further 14 street trees also to be provided. The planting scheme will be predominantly native species, the origin of which will reflect some of the regional diversity of the children and youth who will attend and use the facilities on the site. The tree species provided will consist of a combination of both shade and retention of passive surveillance into and out of the site.

The fencing plan has been developed in conjunction with the NSW Police Force. The existing 2.6m high fence securing the perimeter of the site will be removed. The existing fence will be replaced by a 2.4m high powder coated palisade fence along George and part of Phillip Street. A 3m high fence will be provided around the

playing field to assist in stopping foot balls entering onto adjoining roads, in conjunction with 10m high netting at either end of the field within the site.

At the northern end of the playing field, part of the 2.6m high existing wire fencing will be reused along the pedestrian through site link to Renwick Street.

Table 1 – Assessment of NIDC against the numerical standards in MP SEPP

| | Proposed | Control | Compliance |
|-----------------------|---|---|-------------------|
| Lot size | 16,300m ² | N/A | N/A |
| Height | 3 Storey's & Existing Building Height | 4 Storey's & Existing Building Height | Yes |
| GFA | 6,954m ² | 20,030m ² | Yes |
| FSR | 0.7:1 | 2:1 | Yes |
| Heritage Items | Adaptive reuse of 2 existing school buildings of local heritage significance. | Preparation of Conservation Management Plan and Heritage Impact Assessment. | Yes |

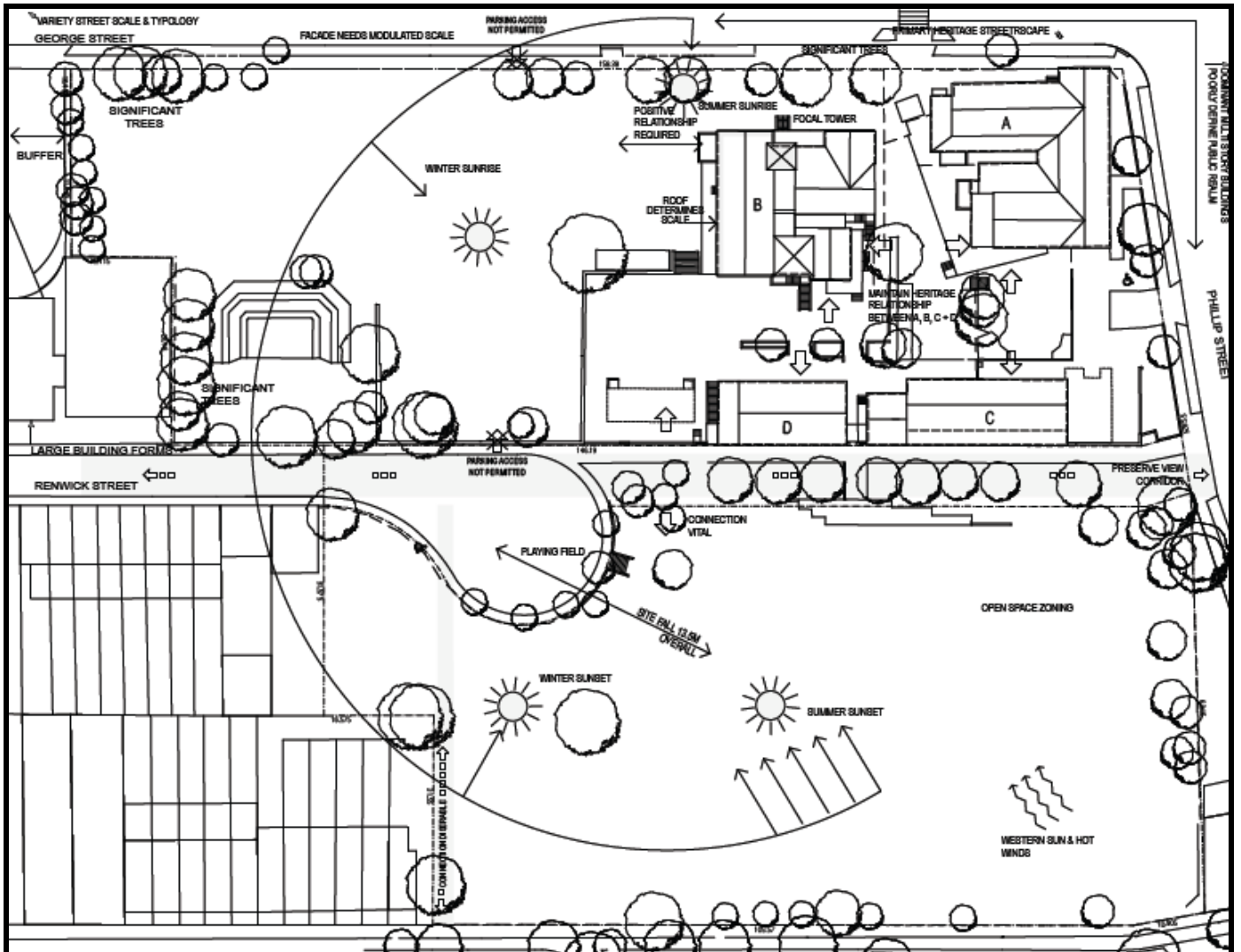


Figure 2 : Existing Site Plan

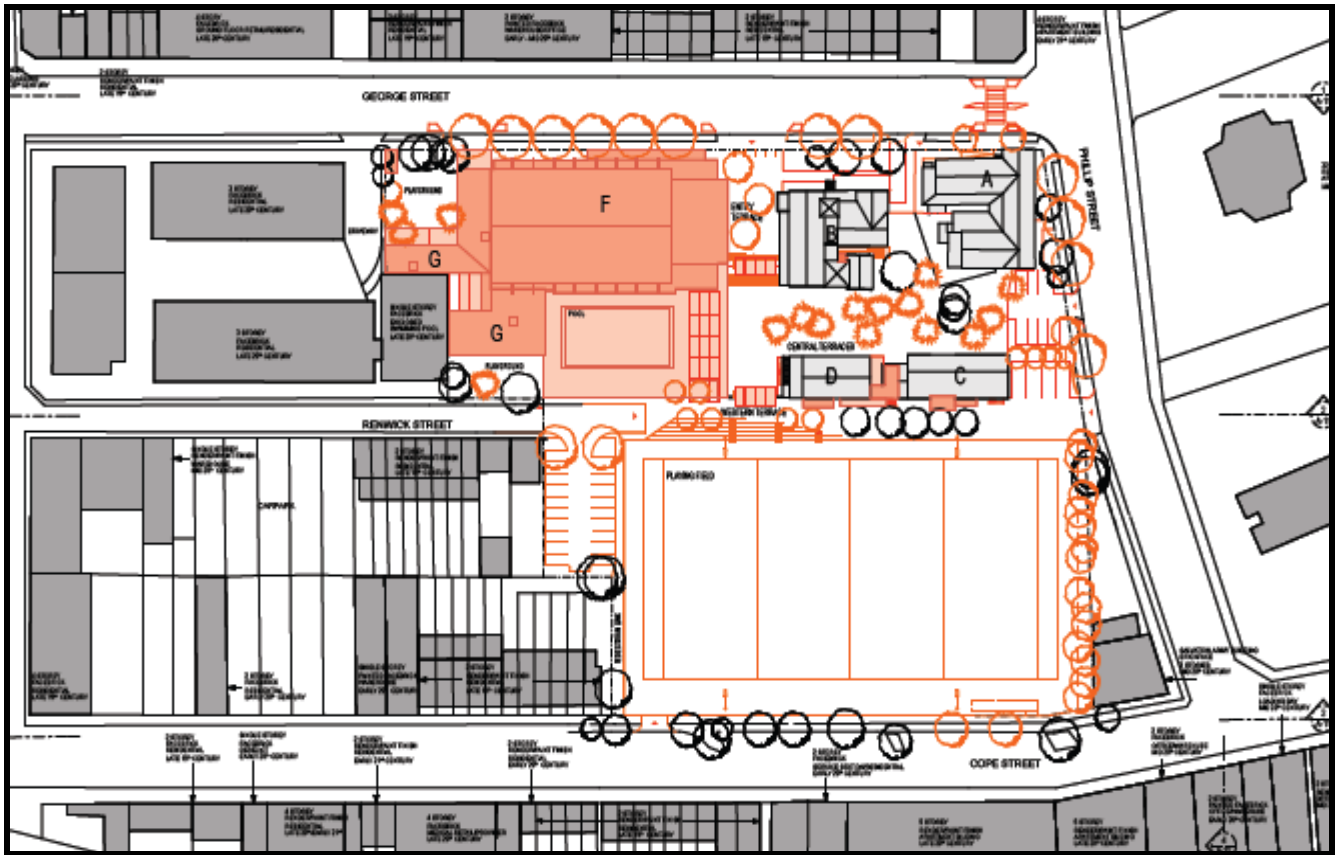


Figure 3: Proposed Site Layout detailing the existing buildings in light grey and the new works highlighted in orange.

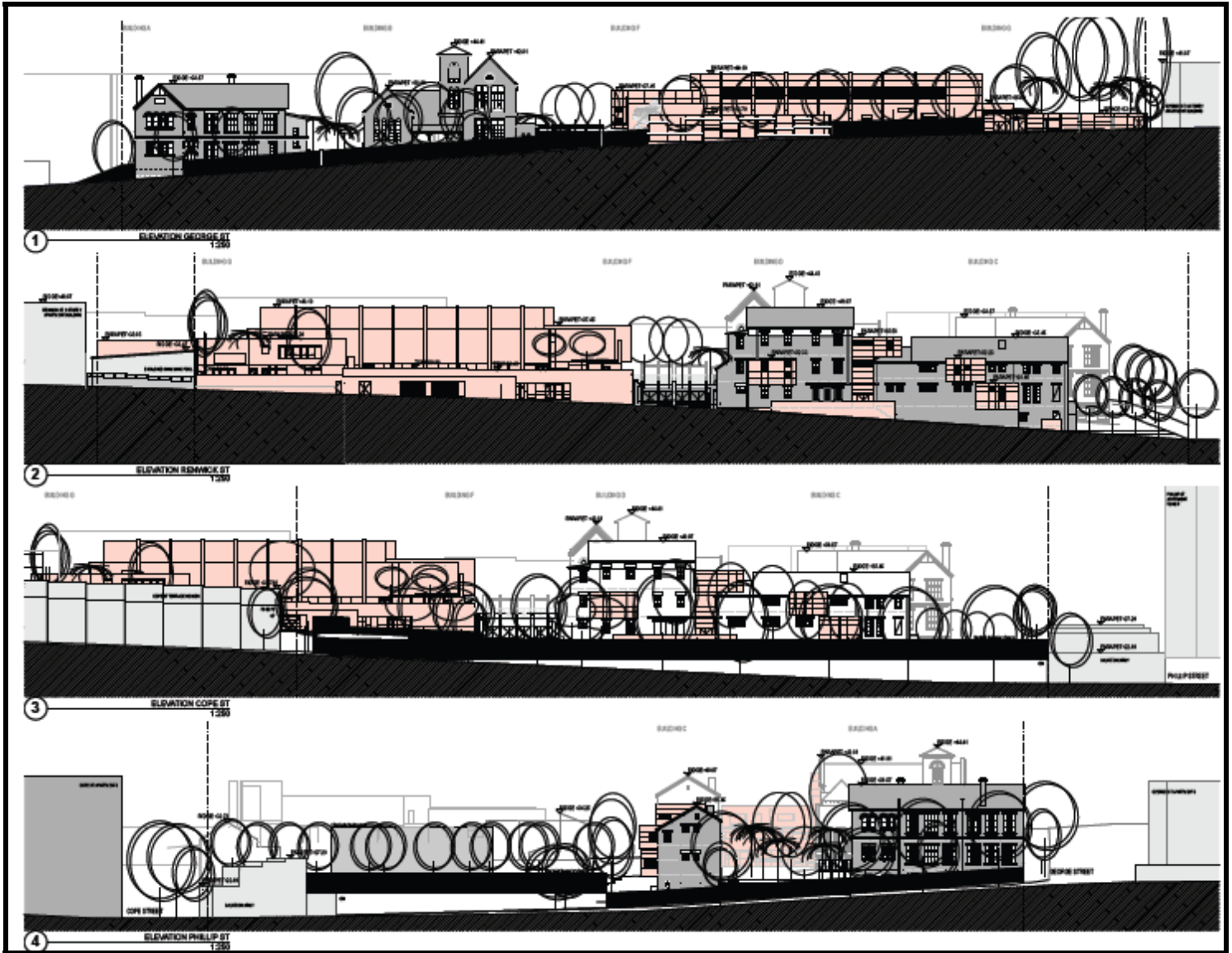


Figure 4: Elevations of existing buildings being retained on the site and the proposed new buildings highlighted in orange.

Figure 5: Eastern and western elevations of the proposed multi purpose building and child care centre.



Figure 6: An elevated perspective of the proposed playing field viewed from the west with the existing school buildings and new multi purpose building beyond.



Figure 8: A perspective of the proposed George Street elevation from the south with the existing school buildings in the fore ground and new multi purpose building beyond.



3.1 PROJECT CHRONOLOGY

- 21 September 2006 – request for clause 6 opinion lodged with the Department
- 17 October 2006 – Director-General, as delegate for the Minister, formed the opinion that the proposal is a Project and that Part 3A of the Act applies
- 14 September 2006 – Preliminary Assessment lodged with the Department
- 16 November 2006 – Director- General's Environmental Assessment Requirements (DGRs) signed by the Director- General's Delegate and provided to the proponent.
- 4 May 2007 - Environmental Assessment (EA) lodged with the Department. EA deemed adequate.
- 17 May 2007 to 15 June 2007 – EA placed on public exhibition
- 25 June 2007 – Summary of submissions provided to proponent and issues from the Department
- 6 July 2007 - Meeting with proponent to resolve issues identified in the assessment and to address government agency and resident submissions.
- 3 August 2007 – preferred project report submitted

3.2 PROJECT AMENDMENTS

A preferred project report was submitted on 3 August 2007 incorporating the following amendments:

- Alterations to the design of the multi purpose building including the introduction of additional glazing in the eastern elevation and internal alterations to allow for improved surveillance and security on George Street; and the provision of increased articulation to the buildings northern elevation by providing a transition in height to the proposed child care centre.
- Provision of additional glazing in the western elevation of the multi purpose building and the western boundary wall adjacent to the child care centre to improve general surveillance and security on Renwick Street.
- A 750mm reduction in height and provision of landscaping to the proposed retaining wall adjacent to Cope Street to reduce its bulk and to provide an anti-graffiti surface.
- Retention of 2 additional trees originally to be removed that were identified in the arboreal report as worthy of retention (33 of the 63 trees worthy of retention are being retained).

4 STATUTORY CONTEXT

4.1 MAJOR PROJECT DECLARATION

The project is a Major Project under MP SEPP as the development has a capital investment value of more than \$5 million and is on land described in Schedule 3, Part 5, (State Significant Site) as a project to which Part 3A of the *Environmental Planning and Assessment Act 1979* (the Act) applies. The opinion was formed by the Director-General as the Minister's delegate on 17 October 2006.

4.2 PERMISSIBILITY

Under the *MP SEPP*, the site consists of 2 zonings. The area of the site accommodating the existing school buildings and land adjoining to the north along George Street is zoned "Special Purpose – Community", which permits a range of uses including child care centres, community facilities, educational establishments, office premises, recreation facilities and any ancillary visitor accommodation. The informal open space area on the western side of the site, which is proposed to accommodate a new playing field is zoned "Recreation – Private Recreation". This zoning also permits a broad range of uses with consent including: indoor and outdoor recreation facilities; car parks; community facilities; and passenger transport facilities.

The proposal is consistent with the objectives of both the "Special Purpose – Community" and "Recreation – Private Recreation" zones and is permissible subject to the Minister's approval.

4.3 MINISTER'S POWER TO APPROVE

The Department has exhibited the Environmental Assessment (EA) in accordance with section 75H (3) of the Environmental Planning and Assessment Act, 1979, as described in section 5, below. The proposal is permissible and meets the requirements of the Major Projects SEPP. Therefore, the Department has met its legal obligations and the Minister has the power to determine this project.

4.4 DIRECTOR-GENERAL'S ENVIRONMENTAL ASSESSMENT REQUIREMENTS (DGRS)

The DGRs issued on 16 November 2006 required the following issues to be addressed:

- Statutory and Other Requirements
- Building design and landscaping
- Traffic impacts, transport, parking and access
- Contamination
- Heritage
- Safety, public domain, pedestrians
- Social and economic impacts
- Sustainability
- Construction Impacts
- Drainage and flooding
- Development contribution plan
- Services/infrastructure and utilities
- Land ownership and tenure

The DGRs are in **Appendix A**

The EA lodged by the proponent on 4 May 2007 was adequate for exhibition.

4.5 Objects of the Environmental Planning and Assessment Act, 1979

The objects of any statute provide an overarching framework that informs the purpose and intent of the legislation and gives guidance to its operation. The Minister's consideration and determination of a project application under Part 3A must be informed by the relevant provisions of the Act, consistent with the backdrops of the objects of the Act.

The objects of the Act in section 5 are as follows:

(a) to encourage:

- (i) the proper management, development and conservation of natural and artificial resources, including agricultural land, natural areas, forests, minerals, water, cities, towns and villages for the purpose of promoting the social and economic welfare of the community and a better environment,*
- (ii) the promotion and co-ordination of the orderly and economic use and development of land,*
- (iii) the protection, provision and co-ordination of communication and utility services,*
- (iv) the provision of land for public purposes,*
- (v) the provision and co-ordination of community services and facilities, and*
- (vi) the protection of the environment, including the protection and conservation of native animals and plants, including threatened species, populations and ecological communities, and their habitats, and*
- (vii) ecologically sustainable development, and*
- (viii) the provision and maintenance of affordable housing, and*

(b) to promote the sharing of the responsibility for environmental planning between the different levels of government in the State, and

(c) to provide increased opportunity for public involvement and participation in environmental planning and assessment.

Of particular relevance to the assessment of the subject application is consideration of the Objects under section 5(a). Relevantly, the Objects stipulated under section 5(a) (i), (ii), (v), (vii) and (viii) are significant factors informing the determination of the application. The project does not raise significant issues with regards to (iii).

With respect to ESD, the Act adopts the definition in the *Protection of the Environment Administration Act 1991* including the precautionary principle, the principle of inter-generational equity, the principle of conservation of biological diversity and ecological integrity, and the principle of improved valuation, pricing and incentive mechanisms.

The Department has considered the Objects of the Act, including the encouragement of ESD in the assessment of the project application. The balancing of the project in relation to the Objects is provided in Section 5.

4.5.1 ESD Principles

There are five accepted ESD principles:

- (a) decision-making processes should effectively integrate both long-term and short-term economic, environmental, social and equitable considerations (the integration principle);*
- (b) if there are threats of serious or irreversible environmental damage, lack of full scientific certainty should not be used as a reason for postponing measures to prevent environmental degradation (the precautionary principle);*
- (c) the principle of inter-generational equity - that the present generation should ensure that the health, diversity and productivity of the environment is maintained or enhanced for the benefit of future generations (the inter-generational principle);*
- (d) the conservation of biological diversity and ecological integrity should be a fundamental consideration in decision-making (the biodiversity principle); and*
- (e) improved valuation, pricing and incentive mechanisms should be promoted (the valuation principle).*

The Department has considered the redevelopment in relation to the ESD principles and has made the following conclusions:

- a) Integration Principle – The social and economic benefits of the proposal are well documented. The environmental impacts of the development are appropriately mitigated as discussed in this report. The Department's assessment has duly considered all issues raised by public authorities. The proposal as recommended for approval will not compromise a particular stakeholder or hinder the opportunities of others.
- b) Precautionary Principle – The proposal presents no threat of serious or irreversible environmental damage to the site or the wider locality.
- c) Inter-Generational Principle – The proposal represents a sustainable reuse of the site. The redevelopment includes an upgrade and reuse of existing buildings on the site, which in conjunction with the new buildings and upgraded open space will provide a high quality community and specific user group educational and recreational facility.
- d) Biodiversity Principle – Following an assessment of the proponent's EA it is considered with certainty that there is no threat of serious or irreversible environmental damage as a result of the proposal. Although the proposal includes the removal of a number of existing trees on the site, those worthy of retention are maintained where possible and a significant number of replacement trees are proposed. Therefore, the proposal will not impact upon the conservation of biological diversity or ecological integrity.
- e) Valuation Principle – The approach taken for this project has been to assess the environmental impacts of the proposal and identify appropriate safeguards to mitigate adverse environmental effects. The mitigation measures include the cost of implementing these safeguards in the total project cost.

The proponent is committed to ESD principles and has reinforced this through the Preferred Project, Statement of Commitments and the Environmental Assessment which explores key ESD opportunities, including, but not limited to, the use of thermal building materials; building designs taking advantage of natural heating and cooling opportunities; maximising rainwater reuse and solar heating to ensure that a high level of environmental performance is delivered.

4.6 Section 75I(2) of the Act

Section 75I(2) provides that the Director-General's report is to address a number of requirements in the Director General Report. These matters and the Department's response are set out as follows:

| <i>Section 75I(2) criteria</i> | <i>Response</i> |
|--|--|
| a) Copy of the proponent's environmental assessment and any preferred project report | The Proponent's EA and the preferred project report is located on the assessment file (attached) . |
| b) Any advice provided by public authorities on the project | All advice provided by public authorities on the project for the Minister's consideration is set out at 6.4 of this report. |
| c) Copy of any report of a panel constituted under Section 75G in respect of the project | No statutory independent hearing and assessment panel was undertaken in respect of this project. |
| d) Copy of or reference to the provisions of any State Environmental Planning Policy that substantially govern the carrying out of the project | Each relevant SEPP that substantially governs the carrying out of the project is identified immediately below. |
| e) Except in the case of a critical infrastructure project – a copy of or reference to the provisions of any environmental planning instrument that will (but for this Part) substantially govern the carrying out of the project and that have been taken into consideration in the environmental assessment of the project under this Division | An assessment of the development relative to the prevailing environmental planning instrument is provided in section 4.7 of this report. |

| | |
|---|--|
| f) Any environmental assessment undertaken by the Director General or other matter the Director General considers appropriate. | The environmental assessment of the project application is this report in its entirety. |
| g) a statement relating to compliance with the environmental assessment requirements under this Division with respect to the project. | A statement of validity has been submitted and signed by the author of the Environment Assessment that it has been prepared in accordance with the requirements under this division. |

Table 1 - Section 75(2) requirements for Director-General's Report

4.7 ENVIRONMENT PLANNING INSTRUMENTS (EPI's)

4.7.1 *Application of EPIs to Part 3A projects*

To satisfy the requirements of section 75(2)(d) and (e) of the Act, this report includes references to the provisions of the environmental planning instruments that govern the carrying out of the project and have been taken into consideration in the environmental assessment of the project. An assessment of compliance with the relevant EPIs is immediately below and at **Appendix B**, which concludes that the proposal complies with these documents.

The primary controls guiding the assessment of the proposal are:

- State Environmental Planning Policy (Major Projects) 2005 – The Redfern-Waterloo Authority Sites;
- State Environmental Planning Policy No. 55 – Remediation of Land;
- Draft State Environmental Planning Policy No. 66 – Integration of Land Use and Transport; and
- Standard Instrument (Local Environmental Plans) Order 2006 (for definitions only).

Other controls to be considered in the assessment of the proposal are:

- The Redfern Waterloo Built Environment Plan (Stage One) August 2006;
- Children's Services Regulation 2004 and City of Sydney Child Care Centres Development Control Plan.

The provisions, including development standards of local environmental plans, and the Built Environment Plan are not required to be strictly applied in the assessment and determination of major projects under Part 3A of the Act. Notwithstanding, these standards and provisions are relevant considerations as the DGRs and Section 75(2)(e) of the *Environmental Planning and Assessment Act, 1979* require the proponent to address such standards and provisions and the Department to duly consider such standards and provisions. Accordingly the objectives of a number of EPIs and the development standards therein and other plans and policies that govern the carrying out of the project are appropriate for consideration in this assessment as follows.

4.7.2 *State Environmental Planning Policy (Major Projects) 2005, The Redfern-Waterloo Authority Sites;*

The MP SEPP applies to the project as discussed in section 4.1 of this report. The site, which is subject to this project application, is state significant. Schedule 3, Part 5 of the MP SEPP sets out the provisions relating to the Redfern-Waterloo development sites including zoning; height and floor space restrictions; design excellence; car parks; heritage; and preservation of trees and vegetation.

Building Height and Floor Space Ratio (FSR)

The built form on the site is controlled by maximum height and floor space ratio controls, which only applies to the part of the site, which is zoned "Special Purpose – Community". The maximum height permitted is the height of the existing heritage buildings within a defined curtilage around these structures and 4 storeys on the vacant land to the north.

The existing school buildings on the site are to be retained with the exception of 2 single storey toilet blocks that will be demolished. Therefore, the proposed child care centre and the multi purpose sport and recreation facility are the only new buildings to be constructed on the site. These new buildings will range in height between 2 and 3 storeys high respectively and therefore comply with the controls.

The southern end of the multi purpose sport and recreation facility protrudes 8m into the existing height zone around the curtilage of the former school buildings. The height of this part of the proposed building is 3 storeys, which is consistent with the height of the school buildings, therefore, complies with the control.

The maximum FSR permissible is 2:1 on the area of the site zoned "Special Purpose – Community". The proposed FSR of the development within the above mentioned zone will be 0.7:1 therefore, complies with the control.

Design Excellence

Clause 22 in Schedule 3, Division 3 requires new development to exhibit design excellence. An assessment of the proposal against the heads of consideration in this clause is provided as follows:

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

New Buildings

The new buildings on the site present a high, quality modern design tailored to meet the needs of the intended users of the NIDC. The multi-purpose building in particular provides a sympathetic contrast to the existing heritage buildings on the site and a building height, bulk and scale within the context of existing development within the surrounding locality. This is achieved in particular, as a result of the following design attributes:

- A high level of articulation provided in both the George Street by setting back of the upper level of the building away from George street and the proposed child care centre; and
- The use of 'fin' walls in the George Street Elevation to break up the length of the building and reflect the vertical design and pattern of the terrace housing opposite the site in George Street.

The proposal materials and finishes reflect the modern design of the building and provide a positive contribution to the streetscape, in particular, the George Street frontage. The design, materials and detailing are therefore satisfactory.

Heritage Items

As previously stated 2 of the 4 existing school buildings on the site are heritage listed and are of local significance. The proposal includes the significant upgrade and refurbishment of all school buildings. The external changes proposed to the heritage items are minimal, except for the proposed paintwork that will consist of heritage colours. A new external stair is also required to be provided to building B, however this will be located at the rear of the building and screened from the predominant views within the public domain. The NSW Heritage Council has raised no objections to the proposed works and are satisfied with the proponent's statement of commitments in respect of the heritage items.

(b) whether the form and external appearance of the building will improve the quality and amenity of the public domain

The public domain will be enhanced by the refurbishment and adaptive reuse of the existing school buildings on the site, 2 of which are locally heritage listed. The new buildings will provide greater surveillance of streets surrounding the site and introduce a modern element that creates positive visual interest when viewed from within 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,

Subject to conditions, the proposal will have no adverse aural or visual privacy impacts on adjoining properties. In addition, the new buildings comply with the relevant development controls for overshadowing of those existing residents affected opposite the site on George Street as discussed in detail in Part 5 of this report.

The development itself has been designed to capture natural sunlight for heating and has provided natural ventilation features in order to provide satisfactory user comfort and discourage the use of mechanical means of heating and cooling. Water saving and reuse adaptations are also proposed as part of the development. The proposal is therefore, satisfactory with respect to sustainable properties.

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

Preliminary site investigations revealed that the land does host contaminated materials. The proponent has determined that remediation of the site is Category 2 under the provisions of SEPP No. 55, therefore, does not require development consent. However, the proponent did undertake a separate notification of these works to City of Sydney Council (Council) in accordance with SEPP 55. The Council advised that it had no objections and were satisfied the works were Category 2.

The investigations have found that the western and north-eastern sections of the site have been subjected to the placement of contaminated fill material. These portions of the site had historically been used for commercial/industrial purposes, which may have further contaminated the site. The impact of contamination is limited to the fill and has not impacted natural soils.

The Remedial Action Plan (RAP) prepared for the site has been independently reviewed by a NSW Environment Protection Authority auditor. The auditor has advised that RAP will enable the site to be "suitable for the proposed redevelopment of the NIDC and the land used therein".

Subject to the completion of remediation in accordance with the RAP, the site is suitable for the proposed use. A condition has been included to ensure that these works are finalised prior to issue of a Construction Certificate for the new works on the site.

4.7.4 Draft State Environmental Planning Policy No. 66 – Integration of Land Use Transport

Draft SEPP 66 aims to ensure that new development achieve the following objectives:

- Improve accessibility to housing, employment and services by walking, cycling and public transport;
- Improving the closure of transport and reducing dependence solely on cars for travel purposes;
- Moderating growth in the demand for travel and distances travelled, especially by car;
- Supporting the efficient and viable operation of public transport services; and
- Providing the efficient movement of freight.

The proposal has been assessed having regard for the above objectives and is determined as being satisfactory for the following reasons:

- The site is highly accessible to existing public transport infrastructure including metropolitan and regional trains and buses;
- The child care centre provides its own local mini bus to pick up and drop off children that attend the facility;
- The majority of the users of the site are delivered to the facility by coaches and hence, private car parking to and from the site is very limited as part of the overall operations; and
- On site car parking has been limited to discourage people driving to the site.

4.7.5 Standard Instrument (Local Environmental Plans) Order 2006

The Standard Instrument (Local Environment Plans) Order 2006 (Standard Instrument) is only relevant to the proposal for the purposes of determining meanings or words or expressions referred to in the MP SEPP. The proponent has used the definitions in the Standard Instrument where relevant within their Environmental Assessment.

The Proposal has been considered against the following:

4.7.6 Redfern-Waterloo Built Environment Plan (Stage One) August 2006:

The Redfern-Waterloo Built Environment Plan (BEP) was developed as a key driver for the Redfern Waterloo Authority (RWA) to assist in the social and economic revitalisation of the Redfern- Waterloo area. The BEP (Stage 1) is designed to provide a planning framework for the redevelopment of the RWA's strategic sites including the former Redfern Public School. The Schedule 3 MP SEPP identifies these strategic sites and the key built form controls and also provides the statutory basis to guide their future development.

The proposal is permissible with the zoning on the site and does not exceed the height and floor space ratio controls. Furthermore, the development exhibits design excellence that responds sympathetically with the surrounding context and the two locally heritage listed buildings on the site. The proposed new buildings exhibit modern designs, which reflect the nature of the site's future users. The facility as a whole will provide a high quality community, social and cultural benefit.

The proposal is also consistent with the aims of the BEP, in particular:

- Provision of modern facility for the establishment of cultural and community groups;
- Improved opportunities for Aboriginal enterprises; and
- The introduction of high quality and urban design to assist in the regeneration of the Redfern-Waterloo area.

4.7.7 Children's Services Regulation 2004 & City of Sydney Child Care Centres DCP

The proposal includes relocating the existing Murawina Child Care Centre currently operating from former school building A to a new building to be constructed at the northern end of the site. In addition to the general built form controls identified in the MP SEPP for the site, there are specific requirements for child care centres in the Children's Services Regulation 2004 (CSR 2004) and the City of Sydney Child Care Centres DCP (CCC DCP).

The design requirements detailed in both the CSR 2004 and CCC DCP cover issues including provisions in areas of need; minimum internal and external play areas; allocation of child care places; visual and acoustic privacy; accessibility; safety and security; emergency evacuation; shade planning and design.

Clause 3.3.9 of the CCC DCP requires where a child care centre is proposed within 300m of mobile phone towers, base stations, transition line easements or other sources of significant electromagnetic radiation a report prepared by a suitably qualified person must be undertaken to assess the risk of potential radiation exposure. The proposal is located 200mm from a Telstra building accommodating antennae, mobile phone base stations and communication dishes.

An electromagnetic field radiation report accompanying the project application determined that the frequency levels measured from all locations within the proposed child care centre are well below the permissible limit for occupational and general public exposure in accordance the national and international exposure guidelines. The report however, did recommend that the electricity power supply and reticulation system required for the site should avoid placement of indoor substation, heavy current switchboards and heavy current cables in areas near the child care centres. This recommendation has been included in the proponent's statement of commitments.

The proposed child care centre building therefore, complies with the requirements of CSR 2004 and CCC DCP. The proposed development has been assessed against these controls in **Appendix C** to this report.

5 ASSESSMENT OF ENVIRONMENTAL IMPACTS

Key issues considered in the Department's assessment of the Environmental Assessment and the Preferred Project Report and consideration of the proponent's draft Statement of Commitments include the following:

- Building Design & Landscaping;
- Building Setbacks;
- Traffic Impacts, Transport, Parking & Access;
- Potential On Site Contamination;
- Heritage and Archaeology;
- The Public Domain, Safety and Security;
- Social and Economic Impacts;
- Ecologically Sustainable Development;
- Construction Impacts;
- Development Contributions Plan; and
- Residential Amenity; and
- The Public Interest.

5.1 BUILDING DESIGN & LANDSCAPING

5.1.1 *Building Design, Height, Bulk & Scale*

The 2 new buildings forming part of the proposal include the multi purpose building and a child care centre at the northern end of the site. The existing buildings on the site of which 2 are local heritage items, are to be retained and upgraded with the exception of the 2 toilet blocks to be demolished.

There are no issues raised in this assessment or by the community in relation to the designs of the Murawina child care centre or the adaptive reuse of the former school buildings. The design of the multi purpose building however was a concern of the Department's, the Heritage Council of NSW (Heritage Council) and community members, but has been amended and addressed by the proponent in their preferred project report.

The design of the proposed multi purpose building, located adjacent to the George Street frontage is a modern building that reflects the nature of the site's future users. The issues relating to its original design however included the building height, bulk and scale and its relationship with the existing character of the locality.

With respect to the issues of building height, bulk and scale, the multi purpose building complies with both the height and density controls for the site under the MP SEPP and will not result in loss of views or solar access to surrounding development. These issues are further addressed in the design by providing:

- A high level of articulation provided in both the George Street by setting back of the upper level of the building away from George street and the proposed child care centre; and
- The use of 'fin' walls in the George Street elevation to break up the length of the building and to reflect the vertical wall elements of existing terrace housing in George Street.

In terms of character, concerns were raised that the multi purpose building design is not in keeping with the "Victorian Terrace" character of the locality. The character however, can be more appropriately described as an eclectic mix of housing styles and commercial development. Apart from the Victorian terrace houses, there are residential flat buildings adjoining the site to the north a warehouse opposite on George Street and two 32 storey public housing buildings to the south on Phillip Street.

The design of the multi purpose building has incorporated 'fin' walls that are modern elements included to interpret the common dividing walls of terrace housing within the locality. The provision of modern interpretational architectural elements like these in conjunction with the coloured external façade panelling will

also provide a positive contribution to the streetscape and an interesting visual focal point. Given these reasons, the design of the proposed multipurpose building will therefore not detract or have adverse visual impacts upon the character of the locality.

5.1.2 *Heritage Impacts*

The Heritage Council also raised concerns that the setback of the multi purpose building to George Street is unsympathetic streetscape character and will adverse impacts upon on views to the existing heritage items on the site.

In relation to views of the two heritage items, these are already significantly obscured by the existing trees on the site in George Street and on the site from the north. The incorporation of the multi purpose building will not alter the existing circumstances with respect to views to or from the heritage items therefore, the recommendation by the Heritage Council of NSW to provide a setback of the building to George Street is not supported.

The site is also located within the Redfern Estate Conservation area under the South Sydney Local Environmental Plan 1998. The Heritage Council of NSW have advised that the 'fin' features, the dominance of concrete materials; proposed external colours and materials of the multi purpose buildings do not enhance the 19th Centaury Victorian Terrace character of the area. The Heritage Council have suggested the use of glazing and glass bricks to lighten and soften the appearance of the building. The preferred project responded to this issue by amending the George Street elevation of the multi purpose building by providing additional areas of transparent glazing both at the street and upper levels to order to improve the structures presentation to the street.

5.1.3 *External Building Materials, Colours and Finishes*

With respect to the external colours, the multi coloured glazing is assessed has providing a positive contribution to regenerating the streetscape and encouraging the young users of the site to participate on the opportunities that the facility will provide.

The preferred project report has included amendments to the George Street façade of the multi purpose building via the provision of a series of vertical windows and glazed windows in the mid to upper levels of the elevation, which provides a satisfactory response to breaking up the mass of this building.

The 'fin' features provide and integral part of the design and a modern interpretation of the existing Victorian Terrace housing pattern within the surrounding locality and are acceptable.

The design of the multi-purpose building has no significant visual impacts on the streetscape, the existing character of the locality or existing buildings on the site and a positive contribution to George Street, which reflects its use and era.

5.1.4 *Landscaping*

The main landscaping issue relating to the proposal is tree removal. The proponent's arborist identified 63 trees worthy or retention on the site however the proposal only involves the retention of 33 of these trees. The majority or trees will be removed as a result of the proposed earth works associated with the construction of the new playing field and remediation to address site contamination.

To compensate for the loss of existing vegetation on the site, the landscape plan proposes to plant 100 new trees. The majority of new trees will be native endemic species and represents a good outcome for the site.

Overall, the landscape strategy for the site has addressed the key issues of tree loss and screening. The landscaping proposal also assists in providing an interactive and comfortable external environment for the site's future users.

5.2 BUILDING SETBACKS

As previously outlined in this report the proposal complies with the building height and density controls in the MP SEPP for the site.

There are no setback controls for the site in the MP SEPP. The front setback of existing development in the surrounding locality is generally between 0m – 2m, particularly on George Street. The front setback of the existing school buildings on the site varies from between 0m and 8.5m.

The front setback proposed for the multi purpose building ranges from between 0m with the upper levels of the building being setback 2m from George Street.

The child care centre proposes a front setback of 4.1m to George Street and 9.8m to Renwick Street. This front setback allows for the retention of existing trees on the site and provides a required outdoor play area.

Given there are no setback controls and the proposal is generally consistent with the front setbacks of existing development within the locality, the front setbacks of the new buildings to George Street are satisfactory and an appropriate response to the built form context.

The child care centre proposes and a nil side setback to the common boundary with the property at 128 - 158 George Street to the north. The side setback is acceptable given there is an existing brick, single storey indoor swimming pool structure on the adjoining property, immediately adjacent to the proposed child care centre, which also has a nil side setback. The proposed side setback will screen the unattractive pool building and not create any visual or amenity impacts on this adjoining property.

5.3 TRAFFIC IMPACTS, TRANSPORT, PARKING & ACCESS

A number of local residents raised concerns about loss of on street car parking as a result of the proposal, which provides a limited number of parking spaces on the site. The project application also includes proposed changes to the parking restrictions on George Street to facilitate access to the site and a relocation of an existing pedestrian crossing. The City of Sydney Council raised some objection in relation to these proposed changes to its road network. The proponent's preferred project report however has satisfactorily addressed the traffic and car parking issues, which is discussed in detail below.

5.3.1 Car Parking & Access

The application proposes a total of 27 car parking spaces with 10 spaces being accessed from Phillip Street and 17 spaces being provided at the southern end of Renwick Street. According the proponent's transport and traffic consultant the NIDC requires only 26 car parking spaces to satisfy the intended uses on the site therefore the number of spaces proposed is satisfactory in this regard.

The car parking proposed however, is not consistent with the Council's car parking Development Control Plan for the site, which is South Sydney DCP No.11 – Transport Guidelines for Development 1996 (DCP 1996). Although the car parking rates in the DCP 1996 are a maximum, the number of car parking spaces required for the associated uses on the site is a maximum of 43. The proposal complies with DCP 1996.

The number of spaces proposed however has been determined as adequate for the following reasons:

- DCP No.11 is 11 years old and has not been updated to reflect the desired approach to utilise existing public transport infrastructure as opposed to private car use;
- The site is within close proximity to a high level of existing public transport infrastructure including 5 public bus services and the Redfern Railway station, which is approximately 600m away;
- The NIDC is proposed to accommodate groups of children attending camps who will be delivered to the site via private coach services. The coaches will then return to their depots and the children will remain on the site for no more than a week, residing in the proposed dormitory facilities. The NIDC's mini buses will then be used if transportation was required to and from the site;

- The Murawina child care facility will continue to operate its own mini bus service, which undertakes a daily run through the local community to collect children and return them at the end of the day therefore reducing the demand for pick up and set down parking; and
- It is also anticipated that the daily use of the PCYC to operate from the multi purpose building will be predominantly school age children who will walk or ride their bikes to the site.

A survey undertaken by the proponent of the available on street car parking available within the vicinity of the site determined that there are in the order of 30 vacant spaces on streets surrounding the sites during standard business hours. This availability of car parking spaces increases to 90 – 100 during evenings and weekends.

It should also be noted that there is a large Council car park approximately 50 metres to the north of the site, between Renwick and Cope Streets that, in conjunction with existing on street parking could accommodate the additional parking needs of the NIDC if required.

The application also proposed changes to the on street parking arrangements to facilitate coach (bus) parking when delivering groups to the facility. The proposed changes involve;

- Relocating the existing pedestrian crossing south on George Street close to the intersection with Phillip Street;
- Providing a service vehicle access to the site in the location of the existing pedestrian crossing on George Street and restricting parking to 'no-parking' in front of the driveway;
- Changing the current 'no stopping' restrictions on George Street adjacent to the site to 'no parking buses excepted'; and
- Altering the 'bus zone' on the eastern side of George Street near the intersection with Phillip street to '2 hour parking, 8am-8pm, Mon-Fri'.

The City of Sydney Council advised in its submission that it did not support the proposed changes to the kerbside parking as above mentioned and that the proposed bus parking zone was not in accordance with the road rules or would they allow permanent bus parking on public roads.

The proponent however has negotiated with Council all of the above issues with an amendment to the proposed bus zone to 'No Parking Buses Excepted 30minute limit'. The Council advised in writing on 16 July 2007 that in principal the amendments were supported however would need to be endorsed by the Sydney Traffic Committee. The Department has confirmed with Council's Traffic Operations Manager endorses the proponent's amendments however they will need to be approved by the Sydney Traffic Committee. A condition requiring this approval prior to the commencement of work is provided in the recommendation.

All of the proposed parking changes have been provided within the draft Statement of Commitments. These commitments have been reinforced by a condition in the approval requiring all on street traffic and parking arrangements to be endorsed by the Sydney Traffic Committee

5.3.2 *Transport*

As mentioned the site is located approximately 600m from Redfern Street Railways station. High frequency bus services also run on Redfern and Regent Streets, which are in close proximity to the site. The proponent has indicated that given the availability of public transport, that staff and visitors will be encouraged to use these services by providing public transport information packages.

The accessibility of public transport to the site, if utilised in particular by staff, will also ease demand for on street car parking and congestion on the local road network.

5.3.3 *Traffic Impacts*

The proponent's transport and traffic consultant have determined that the proposal will generate an additional 40-50 additional vehicle trips in the AM and PM commuter peak periods. This additional AM and PM peak traffic generation would correspond to a relatively modest increase in the site's daily vehicle generation of some

450 movements. It should also be noted that by comparison the site's former use as a primary school, it is likely that there will be a decrease in traffic movements within the peak AM and PM periods.

Accordingly, the proponent submits that the proposal will not result in any adverse operational or environment impacts on the existing road network.

The RTA, NSW Ministry of Transport and the City of Sydney have raised no concerns in relation to the traffic impacts as a result of the proposal and therefore, the project application is satisfactory with respect to this issue.

5.4 SITE CONTAMINATION

As discussed in section 4.7.3 of this report, in accordance with SEPP 55, as the site accommodates some contamination and a remedial action plan has been prepared. The works are Category 1 under SEPP 55, therefore the Minister's consent is not required for the remediation of works on the site. The Council was notified by the proponent of their intention to remediate the site and no objections were raised.

5.5 HERITAGE & ARCHAEOLOGY

5.5.1 *European Heritage*

The south eastern corner of the site, which accommodates the former Redfern Public School buildings, is identified as the historical precinct on the site. There are four main existing school buildings within the historical precinct that were constructed between the years of 1878 to 1925. Two of the school building constructed in 1878 (Building B) and 1889 (Building A) are locally listed heritage items and were designed by George Allan Mansfield (Council of Education's Architect) and William Kemp (Department of Public Instruction Architect) respectively. The site is also within a the Redfern Estate conservation area in accordance with the South Sydney Local Environmental Plan 1998.

Apart from the construction of the multi purpose sport and recreational and child care centre buildings, the proposal seeks to adaptively reuse the existing school buildings. With respect to the heritage items the works involve internal alterations and repainting their external facades. The only main external work involves the provision of a new external fire stair. Similarly, the same alterations are proposed for school buildings C and D.

Minor demolition works are also proposed including removing existing external stairs and a verandah at the ground floor level of Building A and the removal of 2 toilet blocks adjacent to Building C and D.

The heritage impact statement accompanying the project application confirms that the proposed minor works to the heritage items on the site will result in no adverse impacts on their significance, the conservation area or heritage items within the vicinity of the site. The new contemporary buildings on the site will provide a clear distinction from the heritage precinct and be representative of the site's future users and will not detract from the significance of other buildings on the site.

The NSW Heritage Office supports the proponent's reuse of the former school buildings and the associated works involved. As previously mentioned, the Heritage Office did have concerns regarding the impact of the multi purpose building on view of the heritage items and the character of the conservation area. This has been discussed in detail in section 5.1 of this report.

The Department accepts assessment of heritage by the proponent's expert and the associated statement of commitments with respect to this issue.

5.5.2 *European Archaeology*

An archeological assessment of the site has indicated evidence of potential remains of over 150 years of development and occupation of the site. These remains have the ability to portray the historic, economic and social development of the site and surrounding area. The site has therefore been determined as having high local research significance.

Given the potential archaeological significance of the site, the proponent proposes to undertake test trenching in those parts of the site determined to have the highest probability of significance. These undertakings are incorporated into the proponent's Statement of Commitments and conditions and have been endorsed by the NSW Heritage Office.

5.5.3 *Aboriginal Heritage*

An Aboriginal heritage study was also commissioned by the proponent and was undertaken in consultation with the local Aboriginal community. There are no known Aboriginal archaeological resources on the site however the topography and distribution of natural resources within the study area indicates a potential for open artifact scatter sites, midden deposits and isolated finds across the landscape.

The assessment undertaken concluded that the Aeolian sand deposits below the fill on the site have the potential to contain Aboriginal archaeological deposits. The proposal has been determined to have potential to impact on 2 areas of the site, which may contain these deposits.

In order to address the issue of Aboriginal archeology on the site, in accordance with the Director General's requirements, a research design to undertake archeological test excavations has been prepared and will occur prior to the commencement of work on the site. The archeological test excavation and the procedures to be undertaken in the event of any significant findings have been provided in the Statement of Commitments and reinforced by related conditions of approval. On this basis the proposal is acceptable.

5.6 THE PUBLIC DOMAIN, SAFETY & SECURITY

The design process has involved rigorous reviews by the NSW Police in order to ensure both the users of the site and the proposed facilities themselves are safe and secure. The layout of the design has been specifically refined to ensure a high degree of passive surveillance. Fencing, CCTV cameras and lighting are also been integral to the overall security features of the design.

Concerns were raised with regards to the lack of surveillance the proposed multi purpose building afforded George Street. The proponent in their preferred project submission satisfactorily addressed this issue by re-orientating the internal layout of the multi purpose building and providing additional glazing in the western elevation to enable greater surveillance opportunities.

Given the proponent has incorporated all recommendations of the NSW Police and those raised in the Department's assessment, the proposal is adequate with regards to the public domain, safety and security.

The Department and local residents also raised concerns in relation to the potential for the multi purpose building, the retaining wall on Cope and Phillip Streets and the fence enclosing the child care centre to be the target of graffiti.

The multi coloured panel walls adjacent to George Street associated with the above mentioned buildings consists of a material that allows for the reasonable removal of graffiti. The face brick fence on the common boundary with 128-158 is also a material not popular with graffiti artists and cleaning is possible. Both these areas of the fence strategy will also have a high level of public surveillance, which may discourage defacing these areas of the proposal.

The retaining walls on Cope and Phillip Street are to be planted out with Ivy in order to cover the concrete surface and provide a deterrent to graffiti.

A number of local residents have also raised concerns about the safety of the pedestrian through site link between Cope and Renwick Streets. The through site link however will be easily surveyed by users of the site, particularly those on the proposed playing field and its likely the extent of pedestrian traffic will be minimal. This feature of the proposal is therefore satisfactory with respect to safety and impacts upon the public domain.

5.7 SOCIAL & ECONOMIC IMPACTS

The proposal is the Indigenous Land Council's (ILC'S) largest strategic land investment to date and represents their commitment to positive social change for urban indigenous communities. Following the 'Redfern Riots' in 2004 the ILC's directors planned a strategic project to assist in addressing the social issues impacting on indigenous youth. The NIDC provides an opportunity for a holistic approach to the social disadvantages experienced by the indigenous community through early childhood intervention and development in youth education.

The ILC have identified the following user groups to operate programs from the NIDC each delivering a variety of social benefits, including:

Murawina Child Care Centre – Provision of affordable, cultural and educational long term day care and pre-school programs for indigenous children.

Exodus Tutorial Program – Provision of intensive literacy and numeracy training for indigenous students struggling in the mainstream school system.

National Aboriginal Sports Corporation Australia (NASCA) – NASCA is a non profit organisation that assists in the development of Aboriginal and Torres Strait Islander sport and encourages the development of healthy lifestyles.

The Lloyd McDermott Rugby Development Team (LMRDT) – The LMRDT fosters and supports talented indigenous boys and girls involved in rugby, golf and netball. LMRDT promotes sport as a means of achieving success in life including in education and training.

Police & Community Youth Club – The PCYC will provide a sports hall, community activity room, dance studio, weights and gym rooms, computer learning centre, arts and crafts and photography rooms. This facility is open to all young people in the Redfern-Waterloo area.

In terms of negative social impacts, the sale of the land and the subsequent proposal provides finality to the NSW Department of Education and Training's decision in 2002 to close the Redfern Public School and hence, a loss of a community public education facility for the local area. However, the closure of the school is outside the scope of the current application and assessment.

The proposal will provide economic benefits in particular to the aboriginal community. The ILC is working closely with the Redfern-Waterloo Authority to ensure a comprehensive Aboriginal participation plan. It has been estimated that 14 positions in a range of areas within the NIDC operations will be created.

Given the above reasons, the proposal will provide positive social and economic impacts for the community.

5.8 ECOLOGICAL SUSTAINABLE DEVELOPMENT (ESD)

As detailed in section 4.5.1 of this report, the proponent has designed the proposal to achieve ESD objectives. The key features of the proposal in this regard include but are not limited to:

- Provision of high thermal performance materials for the new buildings and in those areas of refurbishment in the existing buildings;
- Use of building materials with low to medium energy manufacturing costs, minimal site wastage, low toxicity and low maintenance requirements;
- Design of new buildings to encourage natural heating and cooling and limited reliance upon mechanical services;

- Maximising the collection and reuse of rainwater on the site and providing hardy landscaping that requires minimal watering; and
- Provision of energy efficient lighting, solar heating of pool and gas-boosted solar panel hot water heating.

However, a resident submission raised concerns for the need of the swimming pool and subsequent waste of water resources given there were similar facilities already in proximity of the site. The heated pool is integral to the proposed sporting facility and those nearest public pool facilities are only operational during summer. In addition, the pool provides cross training and rehabilitation opportunities that will be ancillary to the sporting organisation programs as well as cater for proposed water safety and learn to swim lessons.

The proponent's pool will be used on a regular basis all year round and is integral to various activities that will occur on the site.

Overall, the proponent has demonstrated in the design both an awareness and responsibility to ensure that the development is ecologically sustainable. As part of the statement of commitments, the proponent has detailed that all works are to comply with the energy efficiency requirements of the Building Code of Australia and that the development will incorporate the specific energy efficiency initiatives identified in the report on proposed Mechanical, Electrical, Fire and Hydraulic Services, which accompanied the application. The project application is therefore considered satisfactory with respect to this issue.

5.9 CONSTRUCTION IMPACTS

Prior to the commencement of works in the site, the proponent has committed to providing a Construction Management Plan (CMP) at the Construction Certificate phase. The proponent has outlined that the CMP will cover all aspects of the development including site access and egress, how construction will be staged and the timeframes for each, traffic management, location of delivery and storage areas on the site, erosion and sediment control; and dust suppression.

The provision of CMP covering all of the key issues above mentioned is provided in the proponent's statement of commitments, which satisfactorily addresses this issue.

The owner's corporation of the residential flat building, adjoining the site to the north at 128 - 158 George Street, Redfern has raised issues in relation to covering potential damage to their property during construction. The owner's corporation legal representatives have drawn up a positive covenant that they have requested be registered on the certificate of title of the site to indemnify them (amongst a number of things) of damage that may be cause to their property during construction.

The issue of construction damage however, is dealt with by applying appropriate conditions requiring dilapidation reports to be prepared, which are provided in the recommendation for approval. A civil arrangement may be agreed to between the two parties in relation applying a positive covenant over the site, however it is not a matter for the Department to be a party to require and is onerous.

5.10 DEVELOPMENT CONTRIBUTION PLAN

In May 2007, the Minister for Redfern-Waterloo adopted the RWA Contributions Plan for the levying of development contributions for the provision of public facilities and infrastructure within the RWA's Operational Area, and therefore includes the subject site.

Under Clause 8 of the Contributions Plan, the Minister may impose, as a condition of consent to the carrying out of development to which the Plan applies, a requirement that the proponent pay a development levy of 2% of the proposed cost of carrying out the development.

The proponent's quantity surveyor has determined that the Capital Investment Value of the proposal is \$30,677,631. The proposed cost of the development for the purposes of a s94A levy, calculated in accordance with s25J of the EP&A Regulation 2000, is \$29,937,476 and therefore the development levy payable is \$598,749.52.

Clause 6 of the Contributions Plan details the circumstance in which the development levy may not be imposed, including:

- *development of the following kinds if exempted by notice in writing given by the Minister (or delegate):*
 - *development the subject of a application made, for or on behalf of the Crown for the sole purpose of a fire station, community health facility, public hospital, police station/police shop front, ambulance station, public school, or other public infrastructure as determined by the Minister;*

Development of the site is also subject to the Redfern Waterloo Authority Affordable Housing Contributions Plan 2006. The contribution rate is \$59 per/m² of the GFA of the development. In this instance, the rate only applies to the additional GFA generated by the new buildings proposed on the site, which is 3,837m². The proponent is therefore required to contribute \$226, 383 towards affordable housing.

The proponent has submitted that the proposal should be exempted from paying a contribution as the NIDC is community facility specifically intended to meet the sporting, education and social/cultural needs of Indigenous children and youth.

In addition, the proponent argues that unlike residential or commercial development, the NIDC will not generate the demand for improved public services and amenities such as the provision of upgraded roads, the embellishment of open space or the provision of community facilities.

The ILC however is not a Crown authority and therefore, is not exempt from the payment of the contributions. In addition, part of the facility is commercial in nature and not wholly a "community" facility.

Furthermore, the contributions plan was exhibited by the RWA on two occasions with no submissions received by the ILC objecting to the application of this plan to the site. The contributions are therefore required to be paid by the proponent, which has been incorporated as a condition of approval.

5.11 RESIDENTIAL AMENITY

5.11.1 *Aural Privacy and Place of Public Entertainment*

The proponent intends to obtain a licence to use the multi purpose building as a PCYC and as a place of public entertainment (PoPE). The PCYC is proposed to operate between the hours of 7am and 10pm, seven days a week. There has been no indication in the EA as to a proposed variation of these hours of operation when the building is used as a PoPE. Other users of the site will effectively operate over a 24 hour period as a result of the dormitory accommodation that will be used to facilitate mainly sporting camps, which may run over a 5 day period.

Concerns were raised in some public submissions regarding the adverse impact of the opening times, particularly in relation to the use of the multi purpose sport and recreation building as a PoPE.

An acoustic assessment report accompanied the project application. There are three conclusions drawn that warrant further discussion with respect the issue of noise. These included:

- that the use the multi purpose building as a PoPE will exceed the maximum noise criteria at the boundary of residential properties opposite the site on George Street;
- No assessment at the project application stage could be made on the potential impacts of mechanical and plant equipment; and
- The noise of construction activity without mitigation will exceed the NSW Department of Environment and Conservation's criteria.

To address each of the above areas, the acoustic report provides suitable recommendations, which have been incorporated into the proponent's Statement of Commitments. With respect to the PoPE operations, the

recommendations include the incorporation of various acoustic insulating materials in the building design; and restricting the hours of operation to midnight.

As details of the PoPE arrangements have not been provided as part of the EA, it has been determined that an application for PoPE licensed should be made to the RWA at a later date when the appropriate management details have been finalised.

With respect to mechanical plant, their individual noise specifications and locations can be reviewed prior to installation to ensure the noise criteria set out in the Noise Guide for Local Government (NGLG) is achieved.

The recommendations in the acoustic report to reduce construction noise impacts to acceptable levels have been adopted in the proponent's statement of commitments and reinforced by conditions of approval, which satisfactorily address those public concerns.

5.11.2 *Visual Privacy*

The proposal will not result in any overlooking of external or indoor living areas on adjoining properties. The site adjoins a residential flat building (RFB) at 128 - 158 George Street to the north, which does have some balconies orientated towards the proposal. The proposed built form adjacent to the common boundary accommodating the RFB is the child care centre, which is generally single storey and had no windows in the northern elevation that could result in loss of privacy.

Similarly, there are no windows in the northern elevation of the proposed multi purpose building that also will be setback from the northern boundary 23.3m, hence, there are no privacy implications to the RFB to the north.

With respect to existing residential development opposite the site on George and Renwick Streets, the proposal will have no visual privacy impacts given the extensive physical separation between the built forms and the fact that the private open space areas of these dwellings are located at the rear of these respective properties.

5.11.3 *Solar Access*

The proposed multi purpose building will cast a shadow over the front yards of the terrace houses opposite the site on George Street from 2.30pm during the winter solstice (21 June). There are no standards in relation to this issue in the MP SEPP, therefore, the controls in the South Sydney DCP 1997 (DCP 1997) have been used as a guide to provide an assessment.

The performance criteria in DCP 1997 for solar access provision includes, that new development is to *"maintain a reasonable level of solar access to the principal living areas of adjacent buildings"*. The solar access control for new development is:

"Solar access reaching principal living area windows and to a minimum of 50% of the private open space is maintained for at least 2 hours, between 9am and 3pm at the winter solstice (21 June)".

Those terrace houses opposite the site on George Street have their principal external living areas in the form of back yards. The proposal does not overshadow these areas.

The terrace houses also have small front entry yards opposite the site. The proposal will overshadow the front yards of eight properties at 3pm however, 2 hours of direct sunlight will still be maintained from 12pm to approximately 2.30pm. A similar level of solar access will be provided to the windows serving principal internal living areas of those terrace houses opposite the site.

The proposal has therefore been determined to not adversely impact upon the level of existing solar access enjoyed by adjacent residential or commercial development.

5.12 PUBLIC INTEREST

The provision of the NIDC will provide a community development that can have significant community, social and cultural benefits, including:

- Provision of affordable, culturally appropriate and educational long-term day care and pre-school programs as a key component in giving Indigenous children the right start in life;
- Innovative educational programs providing intensive literacy and numeracy training to students who are struggling in the mainstream school system;
- Provision of the necessary infrastructure for NASCA to run sports training and life development camps (rugby league, netball and basketball), sports health clinics and promote educational scholarships for Indigenous youth;
- Foster and support talented Indigenous boys and girls in the sporting arenas of rugby union, golf and netball through the Lloyd McDermott Rugby Development Team program;
- Provision of a new PCYC facility that will offer essential recreational services to the young people of the Redfern-Waterloo as well as after school and school holiday care;
- Provision of employment opportunities for Indigenous people both during construction and once the project is operational.

In addition the development incorporates the adaptive reuse of existing buildings on the site ensuring that these heritage buildings are upgraded and retained. The development is appropriate in the locality and will provide an excellent facility to serve the local and broader Indigenous communities.

The proposal has also incorporated a rigorous review of security, hours of operation and building design to ensure that the facility will not have any adverse impacts upon the amenity currently enjoyed by local residents.

Given the above reasons, the proposal is in the public interest.

6 CONSULTATION AND ISSUES RAISED

6.1 PUBLIC EXHIBITION DETAILS

The major project application was exhibited from 17 May 2007 to 15 June 2007 for 30 days and was published in the local newspaper. The EA was made available to the public in the Department's Information Centre and at the offices of the Council.

A Preferred Project Report was lodged on 3 August 2007 and as the changes to the nature of the project were not significant, it was not re-exhibited but was placed on the Department's website for a period of 14 days from 24 August 2007.

6.2 SUBMISSIONS RECEIVED ON ENVIRONMENTAL ASSESSMENT AND PREFERRED PROJECT REPORT

The Department received a total of 18 submissions comprising 8 submissions from in response to the public and 9 submissions from public authorities being:

- NSW Heritage Office;
- City of Sydney Council;
- NSW Roads and Traffic Authority;
- NSW Police;
- Department of Environment and Climate Change NSW;
- Redfern Waterloo Authority;
- Department of Planning, Sydney East Region;
- NSW Ministry of Transport; and
- Sydney Water.

The 8 submissions from the public included 6 letters of objection from residents and 2 letters of support. There were no objections raised in any of the public authority submissions.

6.3 PUBLIC SUBMISSION

6.3.1 *Summary of issues raised in public submissions*

Discussion on the key issues which include those raised in submissions is in **Section 5** of this report. A summary of all public submissions received can be found in **Appendix D**. The proponent responded to these submissions on 3 August 2007 and the proponent's response to submission is in **Appendix E**.

6.4 SUBMISSIONS FROM PUBLIC AUTHORITIES

The following submissions were received from public authorities:

6.4.1 *NSW Heritage Office*

As detailed in the discussion on building design in section 5 of this report the NSW Heritage Office raised concerns with respect to the impact of the proposed multi-purpose hall on the character of the streetscape and the interruption of views to the heritage buildings on the site.

It concluded however, that the design of the new buildings will contribute positively to the streetscape and reflect the age of the sites intended users. With respect to views to the heritage items on George Street, the assessment has found that the heritage buildings cannot be viewed as a result of the existing vegetation along

the site's George street frontage. Therefore, the provision of the multi purpose building will not alter this status quo.

The NSW Heritage Office has advised that it supports the proponent's statement of commitments with respect to European and Indigenous heritage and archaeology and these are adopted in Schedule 3 of the recommended instrument of approval.

6.4.2 City of Sydney Council

The Council commented on design, proposed uses, traffic, heritage, public health and public domain, tree removal, PoPE and the draft Statement of Commitments.

One key issues raised in Council's submission were that it could not accept the dedication by the proponent of the proposed car park at the end of Renwick Street as the spaces were intended for the exclusive use of the NIDC, which is not permitted under the Roads Act. The proponent addressed this issue by reallocating those spaces within the Renwick Street Road Reserve as public and those wholly upon the site as exclusive to the staff of the NIDC.

The proponent's proposal to request changes to the parking restrictions on George Street to facilitate a coach set down area was not accepted by Council. The proponent however has liaised with Council to resolve these issues and a satisfactory arrangement has been agreed between the parties however this is subject to final approval by the Sydney Traffic Committee. These arrangements have been condition in the approval to be finalised prior to commencement of work on the site.

The Council also raised some issues in relation to the design of the multi purpose hall in lined with those of the Department's regarding surveillance of George Street. As discussed in section 5 of this report, these issues were addressed by the proponent as part of the preferred project submission.

A suggested list of conditions of approval was also part of Council's submission, some of which have been included as part of the recommendations in this report.

6.4.3 NSW Roads and Traffic Authority

The NSW RTA raised no further comments in relation to the proposal and requested that conditions of approval be provided to ensure car parking spaces and their access meet the relevant Australian Standard design requirements.

6.4.4 NSW Police

The NSW Police advised that it had no further comments to make in relation to the proposal as they had worked closely with the proponents consultant team to ensure the best outcome for security and public safety.

6.4.5 Department of Environment and Climate Change NSW (DECC)

The DECC raised no objections to the proposal subject to any conditions that may bind the authority being reviewed by them prior to granting any approval.

6.4.6 Redfern Waterloo Authority (RWA)

The RWA advised in their submission that the proponent's argument that they be exempt from developer contributions could not be accepted as the ILC was not a Crown authority. This issue was discussed in detail in section 5 of this report.

6.4.7 *NSW Ministry of Transport*

The Ministry of Transport supported the proposed minimal amount of on site car parking; a dedicated mini bus service for the child care centre; provision of bicycle parking and the new pedestrian connection between Cope and George Streets.

An addendum to the proponent's traffic report demonstrating consistency with Draft SEPP 66 and the government's Integrated Land Use and Transport policy was provided by the proponent's as part of their preferred project package that satisfied the Ministries requirements.

6.4.8 *Sydney Water*

Sydney Water had no objection to the proposal however advised that the proponent will require a Section 73 Compliance Certificate and will need to ensure that the fire fighting capacity of the existing services has been appropriately addressed. The submission also outlined that the proposal represented an opportunity for the ESD system of integrating the passage and treatment of stormwater.

7 CONCLUSION

The Department has assessed the EA and considered the submissions in response to the proposal. The key issues raised in submissions related to building design, heritage, developer contributions, traffic and car parking, safety and security, tree loss, aural privacy and management and mitigation of construction impacts. The Department has determined that the proponent's response to the key issues in their Preferred Project report and Statement of Commitments will ensure there are minimal environmental impacts as a result of the proposal.

The NIDC will provide a facility that assists in fostering positive learning, sporting excellence and cultural awareness for young Indigenous people and other youth within the local community. This will be achieved by providing a new child care centre for the Muriwana child care centre operating on the site, tutorial programs, a PCYC, swimming pool, high quality multi football code playing field and dormitory facilities to accommodate sporting camps at the site.

Some of the key features of the proposal includes an adaptive reuse and upgrade of existing heritage buildings on the site and the provision of new modern multi purpose building that will be sympathetic with the heritage qualities within the locality and also complementary of the site's future users.

The project application has demonstrated compliance with the built form controls in the relevant environmental planning instruments and meets the objectives identified for the site in the Redfern Waterloo Built Environment Plan (RWAEP).

The Department has therefore determined that the site is suitable for the proposed development and is in the public interest. Consequently, the Department recommends that the project be approved, subject to the conditions of approval.

8 RECOMMENDATION

For project application:

It is recommended that the Minister:

- (A) consider the findings and recommendations of this Report; and
- (B) approve the carrying out of the project, under Section 75J *Environmental Planning and Assessment Act, 1979*; subject to modifications of the project and conditions and sign the Determination of the Major Project (**tag A**).

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APPENDIX A. DIRECTOR-GENERAL'S ENVIRONMENTAL ASSESSMENT REQUIREMENTS

Director General's Environmental Assessment Requirements

Section 75F of the *Environmental Planning and Assessment Act 1979*

| | |
|-----------------------------|--|
| Application number | MP 06_0267 |
| Project | National Indigenous Youth Centre |
| Location | 160-162 George Street, Redfern |
| Proponent | Indigenous Land Corporation |
| Date issued | 16 November 2006 |
| Expiry date | 2 years from date of issue |
| General requirements | <p>The Environmental Assessment (EA) must include:</p> <ul style="list-style-type: none"> • an executive summary; • a description of the proposal; • demonstration as to how the development, when completed, will achieve the objectives of the land use zonings applicable to the development site under the State Environmental Planning Policy (SEPP) (Major Projects) 2005, namely the "Special Purpose Zone – Community" and "Recreation Zone – Public Recreation" of the Redfern–Waterloo Authority Sites. • description of the site, including cadastre, title details and existing easements (including sewer mains, and/or encumbrances); • details of the proposed layout, land uses, size and scale of the main components of the development including FSR and height (AHD); • an assessment of the environmental impacts of the project with particular focus on the key assessment requirements specified below; • a description of the measures that would be implemented to avoid, minimise, mitigate, offset, manage, and/or monitor the impacts of the project; • a draft Statement of Commitments, outlining environmental management, mitigation and monitoring measures; • a conclusion justifying the project, taking into consideration the environmental impacts of the proposal, the suitability of the site, the need for the facility and whether or not the project is in the public interest; • a signed statement from the author of the Environmental Assessment certifying that the information contained in the report is not false or misleading; and • a quantity surveyors cost estimate report to verify the capital investment value of the project. |
| Key requirements | <p>The Environmental Assessment must address the following key issues:</p> <p>1. Relevant EPIs and Guidelines to be addressed</p> <ul style="list-style-type: none"> • Planning provisions applying to the site, including permissibility and the provisions of all plans and policies including: <ul style="list-style-type: none"> ○ SEPP (Major Projects) 2005, The Redfern–Waterloo Authority Sites; ○ SEPP 55 – Remediation of Land; ○ Draft SEPP 66 – Integration of Land Use and Transport; ○ Standard Instrument (Local Environmental Plans) Order 2006; and ○ the Redfern-Waterloo Built Environment Plan (Stage One) August |

2006.

- Nature and extent of any non-compliance with relevant environmental planning instruments, plans and guidelines and justification for any non-compliance.

2. Building design and landscaping

- The proposal must exhibit design excellence in accordance with the design excellence provisions contained in the Redfern-Waterloo Authority sites of the SEPP Major Projects (2005), with particular regard to the principles outlined below. Visual aids such as a photomontage must be used to demonstrate visual impacts.
- The child care centre must be designed to comply with the Children's Services Regulation 2004, and the City of Sydney Child Care Centres Development Control Plan.
- Assessment of the impacts of the proposals in particular having regard to the siting and design, bulk and scale relationships, and the resultant architectural composition relative to the existing and surrounding built form. A design statement prepared by a registered architect is to be submitted.
- Details of how the proposal will respond to the scale, form and design of the surrounding development, in particular the terrace house development on George Street, the heritage items to be retained on site and nearby heritage items and conservation areas.
- Demonstration as to how the development will minimise impacts on nearby residential development, particularly in regard to noise and privacy.
- Clearly defined building entries must be provided from the street and the proposal must provide separate pedestrian and vehicle entry.
- Proposals to ensure the maximum retention of existing trees on site. Where trees require removal, opportunities for relocation must be explored, in conjunction with the provision of suitable replacement trees. The assessment is to include a report prepared by a qualified arborist.

3. Traffic Impacts, Transport, Parking and Access

A traffic and transport impact study shall be submitted with the environmental assessment. The study must:

- detail daily and peak traffic movements likely to be generated by the proposed development, including the impact on nearby intersections;
- identify any required upgrading of roads and improvement works associated with the development and the source of funding for any such works;
- provide details of the proposed vehicle access to the site, including any proposed access from Renwick Street and Phillip Street;
- details of the proposed drop off and pick up arrangements for cars and buses, particularly for the child care centre;
- identify and assess the safety impacts associated with access to the development and the potential for vehicle and pedestrian conflicts within and around the site. Include measures to be implemented to mitigate any impacts identified;
- detail parking (car and bus) arrangements and measures to ensure that parking does not dominate the appearance of the development along the main street frontages;
- detail strategies for encouraging public transport patronage;
- provide details of bicycle facilities to be incorporated into the development;
- detail adequate emergency vehicle access; and

- details and an assessment of the proposed closure of Renwick Street and any proposed alterations to the existing roadway configuration.

4. Potential Contamination Onsite

The environmental assessment must include a comprehensive assessment of potential on-site contamination and include a remediation action plan if contamination is identified, in accordance with the requirements of SEPP 55.

5. Heritage

A detailed heritage assessment of the existing buildings is required having regard to the Heritage Office guideline, *Assessing Heritage Significance, 2001*. The matters to be include, but not limited to:

- heritage significance of the existing buildings and site;
- clear identification of the structures to be demolished and assessment of the impacts of the demolition on site structures;
- impacts of the construction of the new buildings on the significance of the heritage buildings to be retained;
- the impacts of the adaptive reuse of the heritage buildings fronting George Street;
- recommendations for conserving, protecting and reinforcing the heritage buildings and heritage elements;
- the statement is to recommend actions to mitigate any impacts; and
- if any impact is anticipated, a research design for the proposed excavation must either be included in the Heritage Impact Statement or submitted as a separate document as part of the Environmental Assessment.

6. Safety/ Public Domain/ Pedestrians

The environmental assessment is to demonstrate how the proposed building envelope, building design and treatment of the public domain will:

- Maximise safety and security within and around the site for staff, student and visitors to the site through site and building design, lighting and management. Specific regard should be given to the Department of Planning's Guideline; *Crime prevention and assessment of development applications 2001*.
- Maximise surveillance and activity within the public domain.
- Maximise safety and security for occupants of the buildings.
- Ensure access for people with disabilities.
- Minimise potential for vehicle and pedestrian conflicts.
- Demonstrate good urban design and quality landscaping of the public domain.
- Minimise the potential for antisocial behaviour within the open spaces areas on site and in the surrounding areas. Include details of how the access to the playing field will be controlled and managed, in particular outside the operating hours of the centre, to discourage anti-social and criminal activity in this area.

7. Social and Economic Impacts

The Environmental Assessment is to identify employment, cultural and social opportunities that will be provided to support the development of a sustainable community within Redfern, particularly for Aboriginal people.

8. Ecologically Sustainable Development (ESD)

The environmental assessment shall detail how the development will incorporate ESD principles in the design, construction and ongoing operation phases.

9. Construction Impacts

Address measures to ameliorate potential impacts arising from the construction of the proposed development.

10. Drainage and Flooding

The environmental assessment is to address drainage/flooding issues associated with the development.

11. Development Contribution Plan

Address provision of public infrastructure having regard to any Redfern Waterloo Authority Section 31 Contribution Plans.

12. Services/infrastructure and utilities

In consultation with relevant agencies, address the existing capacity and requirements of the development for water, electricity, waste disposal, telecommunications and gas.

Details of any augmentation to services and utilities required to meet the demand generated by the proposed project.

13. Land Ownership and Tenure

Written evidence that notice has been given to all landowners within the Project Application must be provided.

Consultation

(a) Agencies or other authorities:

You should undertake an appropriate and justified level of consultation with the following parties, as relevant, during the preparation of the environmental assessment:

- Redfern Waterloo Authority
- NSW Roads and Traffic Authority
- NSW Heritage Council
- City of Sydney Council
- Department of Environment and Conservation
- NSW Police Force
- Local Aboriginal and community groups

(b) Public:

Document all community consultation undertaken to date or discuss the proposed strategy for undertaking community consultation. This should include any contingencies for addressing any issues arising from the community consultation and an effective communications strategy. The consultation process and the issues raised are to be described in the Environmental Assessment.

Deemed refusal period

Under clause 8E(2) of the *Environmental Planning and Assessment Regulation 2000*, the applicable deemed refusal period is 60 days from the end of the proponent's Environment Assessment period for the project.

APPENDIX B. COMPLIANCE WITH EPIS INCLUDING STATE ENVIRONMENTAL PLANNING POLICIES THAT SUBSTANTIALLY GOVERN THE CARRYING OUT OF A PROJECT

Environmental Planning Instruments considered in the assessment of the proposal:

| Environmental Planning Instrument | Consideration |
|---|---|
| <p><i>State Environmental Planning Policy (Major Projects) 2005</i></p> | <p>The project is a Major Project under MP SEPP as the development has a capital investment value of more than \$5 million and is on land described in Schedule 3, Part 5, (State Significant Site) as a project to which Part 3A of the <i>Environmental Planning and Assessment Act 1979</i> (the Act) applies. The opinion was formed by the Director-General as the Minister's delegate on 17 October 2006.</p> |
| <p><i>State Environmental Planning Policy (Major Projects) 2005 (Amendment 7)</i></p> <p>2 Aims of the Policy</p> <p>(a) to provide for the redevelopment of the Redfern–Waterloo area in a manner consistent with the objects of the <i>Redfern–Waterloo Authority Act 2004</i>, and</p> <p>(b) to increase building density around the Redfern town centre, and</p> <p>(c) to provide for a diversity of land uses and to achieve a sustainable, vibrant and safe community, and</p> <p>(d) to encourage the revitalisation of the Redfern–Waterloo area by enhancing employment opportunities in the area, and</p> <p>(e) to provide for development controls in relation to the land to which this Policy applies, whether the development is carried out under an approval under Part 3A of the <i>Environmental Planning and Assessment Act 1979</i> or a development consent under Part 4 of that Act, and</p> <p>(f) to implement the Redfern–Waterloo Plan prepared under the <i>Redfern–Waterloo Authority Act 2004</i>.</p> | <p>The proposal significantly contributes to the revitalisation of the Redfern Waterloo area and enhances the opportunities for both indigenous people and other local community groups.</p> <p>The scheme generally complies with the controls for the development of the site as expressed within the SEPP and also the Redfern-Waterloo Plan as discussed further in this table.</p> |
| <p>Schedule 3 Part 5, Clause 13 Recreation Zone—Private Recreation</p> <p>(1) The objectives of the Recreation Zone—Private Recreation are as follows:</p> <p>(a) to enable land to be used for private open space or recreational purposes,</p> <p>(b) to enable a range of recreational and community activities and compatible land uses,</p> <p>(c) to ensure the vitality and safety of the community and public domain,</p> <p>(d) to enhance and protect the natural environment for recreational purposes,</p> <p>(e) to promote landscaped areas with strong visual and aesthetic values to enhance the amenity of the area.</p> <p>(2) Development for any of the following purposes may be carried out on land within the Recreation Zone—Private Recreation only with consent:</p> <p>car parks; community facilities; environmental facilities; environmental protection works; kiosks; passenger transport</p> | <p>The proposed new playing field is located within the private recreational zone and is a permitted use.</p> <p>The proposal is consistent with the objectives of the clause via the provision of an area for recreational purposes, an enhanced formalised landscaped space with a high degree of public safety and surveillance.</p> |

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| <p>facilities; recreation areas; recreation facilities (indoor); recreation facilities (outdoor).</p> <p>(3) Except as otherwise provided by this Policy, development is prohibited on land within the Recreation Zone—Private Recreation unless it may be carried out under subclause (2).</p> | |
| <p>Schedule 3, Part 5 Clause 16, Special Purpose Zone—Community</p> <p>(1) The objectives of the Special Purpose Zone—Community are as follows:</p> <p>(a) to enable land to be used for community purposes,</p> <p>(b) to enable development to be carried out for the social, educational and recreational needs of the community,</p> <p>(c) to support development that is related or ancillary to community, recreational or educational use of the land in the Zone,</p> <p>(d) to ensure the vitality and safety of the community and public domain,</p> <p>(e) to ensure that buildings achieve design excellence,</p> <p>(f) to promote landscaped areas with strong visual and aesthetic values to enhance the amenity of the area.</p> <p>(2) Development for any of the following purposes may be carried out on land within the Special Purpose Zone—Community only with development consent:</p> <p>advertisements; advertising structures; boarding houses; car parks; child care centres; community facilities; educational establishments; entertainment facilities; function centres; hostels; information and educational facilities; kiosks; medical centres; office premises; passenger transport facilities; recreation areas; recreation facilities (indoor); recreation facilities (outdoor); registered clubs; restaurants; telecommunications facilities; temporary structures; tourist and visitor accommodation related or ancillary to community facilities, educational establishments, recreation facilities (indoor) or recreation facilities (outdoor).</p> <p>(3) Except as otherwise provided by this Policy, development is prohibited on land within the Special Purpose Zone—Community unless it may be carried out under subclause (2)</p> | <p>The existing and proposed new buildings on the site are located with the special uses zoning and their intended uses are permissible on the site under Clause (2).</p> |
| <p>Schedule 3, Part 5, 21 -Height and floor space ratio restrictions</p> <p>(1) The height of a building on any land that is the subject of the map marked "Redfern–Waterloo Authority Sites Height Map" is not to exceed the maximum height shown for the land on that map.</p> <p>(2) The floor space ratio of a building on any land that is the subject of the map marked "Redfern–Waterloo Authority Sites Floor Space Ratio Map" is not to exceed the floor space ratio shown for the land on that map.</p> <p>(3) This clause applies only in relation to development where the Minister has not, in an approval for a concept plan for the development (whether given before or after the commencement of this clause), provided for the construction of a building that</p> | <p>The height controls for the site are 4 storeys on at the northern end along George Street and the existing building height (3 Storeys) around the curtilage of the existing buildings on the site. The proposal complies with these height controls.</p> <p>The floor space ratio control for the site, which excludes the land zoned "Private Recreation" is 2:1. The proposal has an FSR of 0.7:1 and therefore complies.</p> |

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| <p>exceeds the height or floor space ratio restrictions, or both, set out in subclauses (1) and (2).</p> | |
| <p>Part 3 Division 3 Clause 22 Design Excellence</p> <p>(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.</p> <p>(2) In considering whether proposed development exhibits design excellence, the consent authority must have regard to the following matters:</p> <p>(a) whether a high standard of architectural design, materials and detailing appropriate to the building type and location will be achieved,</p> <p>(b) whether the form and external appearance of the building will improve the quality and amenity of the public domain,</p> <p>(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,</p> | <p>The overall design of the scheme is a positive response to the heritage buildings on the site and the characteristics of the conservation area. The height of the building is within context of the surrounding development and will provide an excellent facility for the site's future users.</p> <p>The materials and finishes submitted with the application are satisfactory in that they will ensure an appropriately high standard of external finish to the building.</p> <p>The proposed public domain works will result in a significant contribution to the site and will provide a high level of amenity to the future users of these spaces.</p> <p>The building is designed and constructed in a manner which adequately achieves the principles of ecologically sustainable development.</p> |
| <p>Part 3 Division 4 Clause 26 Notification of advertised development</p> | <p>The Department has exhibited the Project Application in accordance with Section 75N of the Act (which refers to Section 75H (3) of the Act) as described in Section 5 above.</p> |
| <p><i>State Environmental Planning Policy No. 55 (Remediation of Land)</i></p> | |
| <p>7 Contamination and remediation to be considered in determining development application</p> | <p>An investigation has revealed the site accommodates some contamination. A remedial action plan to remove these contaminants has been prepared by an appropriately qualified person.</p> <p>The proponent has determined that the remediation works are Category 1 under SEPP 55 and therefore, do not require the Minister's consent. This determination is supported by the Department.</p> |

APPENDIX C. COMPLIANCE WITH DCPS AND OTHER PLANS AND POLICIES

| Provisions of Environmental Planning Instrument | Consideration |
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| <i>Redfern-Waterloo Built Environment Plan (Stage one) August 2006</i> | |
| <p>Chapter 4.8 – Land Use and Design Concepts for RWA's Strategic Sites – Former Redfern Public School</p> <p>Chapter 4.8 discusses existing characteristics within the Park, existing land use zones, proposed land use concept, proposed design concept and proposed land use zoning.</p> | <p>The proposed development is consistent with the future desired character for the former Public School. The National Indigenous Development centre will assist in achieving a community, recreational/sporting and educational uses envisaged for the site and provide excellent support and opportunities for young indigenous persons as well as other young persons.</p> |
| <p>Floor Space Ratio and Height Controls</p> | <p>The proposal complies with the height and floor space ratio restrictions for the site.</p> |
| <i>City of Sydney Child Care Centre DCP 2005</i> | |
| <p>1.3 Objectives</p> <p>The objectives of this DCP are:</p> <ul style="list-style-type: none"> • To encourage the provision of high quality child care which meets the needs of the community, including users of the facility and owners and users of surrounding land uses; • To encourage best practice in the planning and design of Child Care Centres. • To enable flexibility in the planning and design approach to provide creative and unique development outcomes and solutions to best practice. • To ensure that Child Care Centres are appropriately located on sites within the City of Sydney area, which will ensure high levels of safety, security, environmental health, amenity for children. • To minimise the adverse impacts associated with Child Care Centres on adjoining properties and the surrounding area, as well as the natural and built environment. • To encourage the provision of child care centres in commercial and residential developments. • To encourage the sustainable development of Child Care Centres. | <ul style="list-style-type: none"> • The Murawina childcare centre currently operating from an existing building on the site will be provided with a modern new building on the site consistent with the objectives of the DCP and in strict accordance with the licensing requirements of the Children's Services Regulation 2004. |
| <p>3.1 Allocation of Child Care Places</p> <p>3.1.1 Child Care Centres shall provide a minimum of 33 % of their child care places to children aged under 2 years.</p> <p>3.1.2 The maximum number of places for children is 90, of whom:</p> <ul style="list-style-type: none"> (i) no more than 30 may be under the age of 2 years; and (ii) no more than 60 may be of or above the age of 2 years. | <ul style="list-style-type: none"> • A minimum of 33% of the childcare places shall be provided to children aged under 2 years. • The number of licensed children will be 59, and the regulation thus requires 20 places (33%) for children under 2 years. The design provides for all required spaces for this age group on the lower level (level 2), which is level with the playground to Renwick Street. • The main areas include: Playroom 4 69.4m² = 3.47m² / child Sleeping Room 52.2m² = 2.61m² / child |

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| | <p>Transition 3 46.0m² Playground 2 200.0 m² Total Outdoor area 246.0m² = 12.3m² / child</p> |
| <p>3.2 Provision of Child Care Centres in Commercial & Residential Development</p> <p>3.2.1 An analysis of the needs of residents and workers in relation to child care centres is recommended to be undertaken to establish the demand for child care services. Where there is a viable demand, a child care centre should be provided.</p> <p>3.2.2 Child care places in residential development should be provided on the basis of 6 child care places per 100 households. It is recognised that a minimum viable size for a Child Care Centre is 30 places.</p> <p>3.2.3 Child care places in commercial development should be provided on the basis of 1 child care place per 1450m². It is recognised that a minimum viable size for a Child Care Centre is 30 places.</p> <p>3.2.4 The planning and design considerations of this DCP shall be applied when incorporating Child Care Centres into Master Plans, Development Plans and Stage 1 Development Applications.</p> | <ul style="list-style-type: none"> • The existing Murawina Child Care Centre, which is currently located in Building A will be relocated to the new Child Care Centre Building. The currently hold a license for 39 children; increased spaces would help meet the area's needs. • N/A • N/A • N/A |
| <p>Location</p> <p>3.3.1 Child Care Centres are to be located in proximity to:</p> <p style="margin-left: 40px;">(i) public transport, such as trains, buses and light rail; and</p> <p style="margin-left: 40px;">(ii) complementary community land uses, such as schools, libraries, parks and the like.</p> <p>3.3.2 Where possible, consideration should be given to locating Child Care Centres within workplaces.</p> <p>3.3.3 Child Care Centres are not to be located adjacent to injecting rooms, drugs clinics, brothels and other such uses.</p> <p>3.3.4 Child Care Centres are not to have a direct street frontage or vehicle access point to a classified road, or any other road which in the opinion of the City is unsuitable for a Child Care Centre, having regard to:</p> <p style="margin-left: 40px;">(i) prevailing traffic conditions;</p> <p style="margin-left: 40px;">(ii) pedestrian and vehicle safety; and</p> <p style="margin-left: 40px;">(iii) the likely impact of the development on traffic flows.</p> <p>3.3.5 Child Care Centres shall not be located within cul-de-sacs with minimal circulation area, however the City may consider a proposal for a centre in a cul-de-sac where, in the opinion of the City, the centre has adequate parking and turning space.</p> | <p>The proposal meets the location requirements, in particular:</p> <ul style="list-style-type: none"> • The Centre will be located just 120m north of its current location on the site of the new National Indigenous Development Centre. • The site is serviced by existing public transport facilities and its own private bus service, which collects and drops off children within the area each day. • The existing childcare centre will not be located adjacent to any authorised injecting rooms, brothels or drug clinics. • The facilities will not have a direct vehicle access point to a classified Road. • This section of George Street does not have significant levels of traffic and therefore does not pose a significant safety risk to users of the facility. • The facility also has frontage to Renwick Street, which is also a cul-de-sac. The proposal includes altering the end of Renwick Street to provide parking and turning areas |

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| <p>3.3.6 The location of a Child Care Centre is to take into consideration any environmental health hazard or risk relevant to the site and/or existing buildings within the site or in the surrounding area, having regard to the following:</p> <ul style="list-style-type: none"> (i) wind tunnels and downdraft created by high rise buildings; (ii) pollution created by car and other vehicle fumes; (iii) proximity to LPG tanks; (iv) existing and potential on and off-site electromagnetic fields (50Hz and radio frequency fields 3KHz – 300GHz); (v) contaminated land; (vi) lead in painted surfaces, carpets, furnishings and roof void in existing buildings; (vii) asbestos in existing buildings; (viii) mould and mildew in existing buildings; (ix) proximity to water cooling and water warming systems; (x) proximity to noise sources; (xi) proximity to odour (and other air pollutants) generating uses and sources; and (xii) any other identified environmental health hazard or risk relevant to the site and/or existing buildings within the site. <p>3.3.7 A Preliminary Investigation and further action may be required by State Environmental Planning Policy No. 55 – Remediation of Land and City of Sydney Contaminated Land DCP where the land concerned is:</p> <ul style="list-style-type: none"> (i) land that is within an investigation area, (ii) land on which development for a purpose referred to in Table 1(4), (iii) land which is for the purposes of child care. <p>Refer to State Environmental Planning Policy No. 55 – Remediation of Land and the City of Sydney Contaminated Land DCP for further information.</p> <p>3.3.8 Remediation of contaminated land shall be in accordance with State Environmental Planning Policy No. 55 – Remediation of Land and the City of Sydney Contaminated Land DCP.</p> <p>3.3.9 Child Care Centres are not to be located within close proximity to mobile phone towers and base stations, transmission line easements or other sources of significant electromagnetic radiation. Where a Centre is to be located within 300m of these electromagnetic sources, a report by a suitably qualified person is to be prepared to assess the potential exposure impacts on the Child Care Centre.</p> <p>3.3.10 The design and siting of a Child Care Centre shall consider the following attributes:</p> <ul style="list-style-type: none"> (i) Existing vegetation; | <ul style="list-style-type: none"> • The surrounding buildings and the proposal is not high rise and therefore this issue is not relevant • The site is not located on a road that accommodates high levels of traffic. • The facility is not in close proximity to LPG tanks/ • Land contamination will be remediated in accordance with the endorsed RAP for the site. • Materials and finishes will be provided to mitigate contamination and exposure to toxins. • The use of the centre would not be impacted on by external noise sources on and within the vicinity of the site. <ul style="list-style-type: none"> • The site will be remediation in accordance with the RAP, which meets the proponent's obligations with SEPP 55. <ul style="list-style-type: none"> • The proposed Childcare Centre is located less than 200m from the Telstra building on George Street. A report commissioned found that in all locations within the proposed Child Care Centre where the RF and ELF (extremely low frequency) measurements were taken the measured values were well below the permissible limit for occupational and general public exposure. Based on the results of the RF and ELF measurements and comparing them with the safe exposure limits as set out in the National and international standards, |
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| <ul style="list-style-type: none"> (ii) Land slope and changes in level; (iii) Site orientation and solar access; (iv) Prevailing winds; (v) Natural drainage; (vi) Retention of any special qualities or features of the site; (vii) Significant noise sources; (viii) Views to & from the site; (ix) Pedestrian and vehicle access; (x) Existing buildings on the site. (xi) Location of surrounding buildings, uses, open space areas adjoining or adjacent the site; (xii) Overshadowing from existing buildings; (xiii) The predominant built form and character; (xiv) Vehicle and pedestrian access; and (xv) Major trees or landmarks on surrounding sites. | <p>the report does not recommend application of any RF or ELF mitigation measures for the proposed Child Care Centre.</p> <ul style="list-style-type: none"> • The design of the child care centre will have no impact on existing residential amenity or have adverse environmental impacts. • The facility will result in the removal of some trees from the site and on George Street. The landscape plan however involves replacement planting including species suitable for the childcare centre. |
| <p>Built Form</p> <p>3.4.1 The Child Care Centre shall comply with the relevant height, floor space ratio, setback and building envelope controls as stipulated by the relevant Local Environmental Plan and/or Development Control Plan.</p> | <ul style="list-style-type: none"> • The built form complies with all relevant controls applicable to the site in SEPP Major Projects. |
| <p>Indoor space requirements</p> <p>3.5.1 A minimum of 3.25sqm of unencumbered indoor space(5) per child that is exclusively for the use of children;</p> <p>3.5.2 The design of indoor spaces within the Child Care Centre is to take into account the following factors:</p> <ul style="list-style-type: none"> (i) safety and security within the Child Care Centre in relation to occupational health and safety for children, staff and visitors, and external security to ensure that access into the centre is monitored, which may require the installation of camera surveillance, and installation of a security system with access only permitted to authorised persons; (ii) clear and unobstructed lines of sight to all areas within the Child Care Centre for views of staff and children at all times, especially in toilets, nappy change areas and sleeping areas. The installation of convex mirrors and non recording camera surveillance may be required; (iii) easy accessibility between different areas within the Child Care Centre; (iv) convenient access from indoor to outdoor spaces; | <p>The proposal meets the indoor space requirements, in particular:</p> <ul style="list-style-type: none"> • All required rooms provided, including 3.25sqm of unencumbered indoor play space per child. • Four playrooms allowed, with a total of 264.7sqm unencumbered indoor play space for 59 licensed places, which results in an average of 4.48sqm/child. • The facility will be provided with closed circuit television camera's. • The internal layout and internal glazed areas between rooms allows for unobstructed sight lines. • The facility incorporates a lift to assist in transition between different levels in the building • All outdoor and indoor facilities are located in |

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| <p>(v) the convenient location of children's toilets, nappy change areas and storage cupboards and ensuring clear and unobstructed lines of sight of staff and children. The installation of convex mirrors and non recording camera surveillance may be required;</p> <p>(vi) the provision of kitchen areas which enable safe food preparation;</p> <p>(vii) the provision of windows to allow for access to natural light and views to the outdoors;</p> <p>(viii) windows of indoor play areas are to be located with a northern orientation and shall receive at least three hours of sunlight between the hours of 9am and 3pm on June 21;</p> <p>(ix) appropriate external shading of windows;</p> <p>(x) access to natural cross ventilation through the appropriate placement of openings;</p> <p>(xi) use of safety glass and safety markers at child and adult height is required;</p> <p>(xii) the use of energy efficient appliances;</p> <p>(xiii) adequate storage and construction of garbage and recycling areas; and</p> <p>(xiv) mechanical ventilation of nappy change areas and toilets.</p> <p>3.5.3 Children's Services Regulation 2004 requires indoor space to include the following facilities within the Child Care Centre, in addition to indoor and outdoor space requirements:</p> <p>(i) a room or an area that is used only for administration of the Child Care service and for private consultation between staff and parents;</p> <p>(ii) a room or an area, located away from the areas used by children, that is used for respite of staff;</p> <p>(iii) a room or an area that is used only for sleeping for children under 2 years of age;</p> <p>(iv) where children under the age of three years are cared for, the Child Care Centre must have laundry facilities, that include at least a laundry tub connected to both hot and cold water;</p> <p>(v) separate craft preparation facilities, including sink, bench top and lockable cupboard. This area can be located in a play room but is not to be included in the calculation of useable indoor or outdoor floor space, or located next to a food preparation area or nappy change area;</p> <p>(vi) designated area that is safe and hygienic for food preparation and storage, that is designed, located and maintained to prevent children gaining access to harmful substances or equipment, and includes a stove or microwave, sink, refrigerator, suitable disposal facilities and hot water supply;</p> <p>(vii) where a separate kitchen is provided, the kitchen must have a door, half gate or other barrier to prevent unsupervised entry by children into the kitchen;</p> | <p>positions that provide for easy transition between areas and generally within clear lines of sight.</p> <ul style="list-style-type: none"> • Conditions ensuring the proposal complies with the BCA will ensure safe food preparation areas are provided. • The design of the building allows for excellent natural cross ventilation; • One of the 4 internal play areas is orientated to the north. All external areas are provided with ample solar access during the winter solstice. • There is no adverse overshadowing of existing development to the north of the facility is minimal during the winter solstice. • Conditions requiring mechanical ventilation, use of safety glass and energy efficient appliances are provided in the recommendation. <ul style="list-style-type: none"> • A Director's office is provided for private consultation. • A segregated staff room is provided. • A separate 0-2 year old sleeping room is provided on the lower level. • A laundry is provided on the lower level. • A craft preparation area with associated facilities is provided adjacent to playroom 3 on the upper level. • A separate food preparation area is provided with the required facilities on the upper level. • The proposed kitchen will be accessed via a door separating it from the children's play rooms. |
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| <p>(viii) designated area that is safe and hygienic for the preparation of bottles for children under 2 years of age, which is located away from nappy change areas;</p> <p>(ix) safe toilets, hand washing and bathing facilities that are appropriate to the ages of children cared for in the Child Care Centre and consistent with the Building Code of Australia;</p> <p>(x) nappy change facilities, with adult hand washing facilities in the immediate vicinity and sanitary storage facilities for centres catering for under three year olds or any child in nappies;</p> <p>(xi) sleeping areas, with cots, beds, stretchers, mattresses and other bedding to be arranged so as to be in an areas that has natural light and allow easy access to and exit of any child;</p> <p>(xii) storage facilities for indoor and outdoor equipment that are secure and inaccessible to children;</p> <p>(xiii) storage facilities for children's belongings; and</p> <p>(xiv) garbage storage & recycling facilities.</p> <p>3.5.4 Children's toilets are to be located so they are directly accessible to children's indoor and outdoor play spaces.</p> <p>3.5.5 Food preparation areas are to be constructed and provided in accordance with the relevant sections of the Australian/New Zealand Food Standards Code. Guidance may be obtained from the National Code and for the Construction and Fitout of Food Premises published by the Australian Institute of Environmental Health and relevant Australian Standards. In the case of any inconsistency between these documents, the Australian/New Zealand Food Standards Code shall prevail.</p> <p>3.5.6 New hot water systems are to have a minimum Greenhouse score of 3.5. Hot water systems are to be located as close to kitchen and bathrooms as possible to reduce pipe lengths. Hot water pipes are to be insulated with a minimum of 10mm thick foil outer wrap.</p> <p>3.5.7 The structural fittings and fixtures for all internal rooms shall be selected to enhance non-chemical pest management of the premises with all cracks and crevices being sealed and insect screening provided to openings.</p> | <ul style="list-style-type: none"> • A bottle preparation room is provided and is segregated from the nappy change room. • Conditioned • Adult hand washing facilities are provided in the nappy change room. • Sleeping areas allow for ample natural light and access for children. • Storage facilities for equipment and children's belongings are provided within specific rooms that are generally inaccessible by children. • Garbage and recycling facilities are provided. • Toilets for 2-5 yr olds are internally and externally accessible/ • Conditioned • Conditioned • Conditioned |
| <p>Outdoor Space Requirements</p> <p>3.6.1 In accordance with best practice principles, outdoor spaces are to provide for a variety of experiences through the provision of different spaces within the outdoor area. These different areas are to be:</p> <p>(i) open areas for activities such as running;</p> <p>(ii) quiet areas and formal quiet areas</p> <p>(iii) active areas</p> <p>3.6.2 A minimum of 7m² of useable outdoor play space(6) per child that is exclusively for the use of children is to be provided. Plans of outdoor spaces are to demonstrate that they meet</p> | <p>The proposal meets the outdoor space requirements, in particular:</p> <ul style="list-style-type: none"> • The total outdoor play space is a combination of 3 separate transition areas plus 2 separate playgrounds, which total to 647.3sqm unencumbered outdoor play space and an average of 10.97sqm/child, fulfilling the requirement of at least 7sqm of usable outdoor play space per child. • The outdoor play spaces will be adequately shaded as per requirements. |

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| <p>this requirement.</p> <p>3.6.3 Best practice Guidelines in Early Childhood Physical Environments (7) recommend a minimum rate of 15m² of useable outdoor space per child. It is encouraged to provide in excess of the minimum of 7m², depending on the size and layout of the proposed Child Care Centre, however it is accepted in high density areas of the City this may not be possible.</p> <p>3.6.4 Outdoor play spaces are to be:</p> <ul style="list-style-type: none"> (i) located away from the main entrance of the Child Care Centre, car parking areas or vehicle circulation areas; (ii) integrated with indoor space and provide direct and easy access between those areas; (iii) of a design and layout to enable clear lines of sight to all areas of the outdoor space to allow direct staff supervision from other areas of the Child Care Centre; (iv) located with a northern orientation for maximum solar access. (v) located away from existing and potential noise and environmental pollution sources; (vi) where in a predominantly residential area, located away from the living/bedroom windows of surrounding dwellings; (vii) inaccessible from public areas outside the Child Care Centre, except in the case of an emergency evacuation or centre deliveries such as sand replacement, unless a security system is in place which grants access, in the form of a swipe card for instance, only to authorised persons, such as families and other authorised visitors; (viii) located away from areas where objects can be projected down onto play areas; and (ix) adequately fenced on all sides. <p>3.6.5 A physical division, in the form of a low level fence (600mm high) or a similar structure, is to be maintained between the play spaces provided for children under the age of 2 years, and children over the age of 2 years to ensure that younger children have access to adequate spaces and equipment. Proposed divisions of play spaces are to be shown on a plan, ensuring that the allocation of play space is appropriate to the numbers of children to be cared for in the Child Care Centre.</p> <p>3.6.6 Outdoor play spaces are to be adequately shaded in accordance with Shade for Child Care Services published by the NSW Cancer Council and NSW Health Department. Refer to Appendix B for further information. Physical shading devices are to provide sun protection to children and be integrated into the design of the building and the outdoor area.</p> <p>3.6.7 Physical shading devices are to provide sun protection to children and be integrated into the design of the building</p> | <ul style="list-style-type: none"> • All facilities, including laundry, craft preparation, toilets and washing, nappy change, sleeping and storage facilities will be provided as required by the Regulations. In addition, the sanitary facilities comply with the requirements for class 9b buildings of clause F2.3 of the Building Code of Australia. • The playground for children under the age of 2 years (Playground 2) and the playground for above 2 year olds (Playground 1) have been physically separated in 2 separate spaces to ensure that younger children have access to adequate spaces and equipment. • All habitable rooms of the Centre will be naturally ventilated and all playrooms and sleeping rooms will also be air-conditioned. • The top and bottom of the stairs will have childproof barriers. All equipment that may be hazardous to children will be adequately secured. All glazed areas below 0.75m will be treated with a product that prevents glass from shattering if broken. • Access to the child care centre is not provided directly from public areas. Access to the facility is via a security gate system. • The outdoor play areas are located away from potential projectile hazards. • The facility is completely enclosed by security fencing. • Separate play areas are provided for 0-2 year old and 2-5 year old children. • Shades structures and landscaping will adequately shade the outdoor play areas. • Shaded outdoor patio areas will be provided. |
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| <p>and the outdoor area.</p> <p>3.6.8 Rainwater tanks are required for new Child Care Centres. The rainwater tanks must be plumbed for toilet flushing, laundry and irrigation purposes.</p> | <ul style="list-style-type: none"> • Conditions requiring the provision of ESD principles including water reuse form part of the recommendation, |
| <p>Landscaping</p> <p>3.6.9 A detailed landscape plan prepared by a suitably qualified landscape professional shall be submitted with all development applications for Child Care Centres and shall demonstrate the following elements:</p> <p>(i) separation of outdoor space into active and quiet areas;</p> <p>(ii) proposed planting, with a variety of trees and plants to be used which create visual interest for children, and can provide shading where appropriate;</p> <p>(iii) locations of play equipment;</p> <p>(iv) separation of outdoor space according to age ranges, including the locations of low fencing or other structures which divide the outdoor spaces;</p> <p>(v) outdoor spaces which include a variety of surfaces such as grass, sand, soft porous paving and the like. Surfaces shall comply with AS4422 – Playground surfacing.</p> <p>3.6.10 Minimum soil depths for outdoor space and landscaped areas above basement parking shall be a minimum of 600mm.</p> <p>3.6.11 The minimum depth of sandpits is 600mm.</p> <p>3.6.12 Outdoor play equipment is to comply with the Australian Standards.</p> <p>3.6.13 All existing vegetation on the site and on the sites directly adjoining the site are to be assessed in order to ensure they are free of toxins or safety hazards such as seeds, poisonous, spiky or potentially dangerous plants. Landscaping is to be free of toxins or safety hazards such as seeds, poisonous, spiky or potentially dangerous plants.</p> <p>3.6.14 Preference is to be given to plant species that require little or no watering, and planting should be grouped according to species with similar water needs.</p> <p>3.6.15 Areas likely to be subject to high water demand are fitted with a water efficient irrigation system such as drip irrigation with moisture sensors.</p> <p>3.6.16 Irrigation should use rainwater or recycled water in preference to scheme water.</p> | <ul style="list-style-type: none"> • The landscaping plan satisfies all requirements with respect to the DCP requirements for child care centres. • Transition areas are provided between all outdoor play areas and active and quiet internal rooms; • Native and locally indigenous tree species are proposed; • Areas dedicated for play equipment is identified; • There are two play areas for 0-2yr old and 2-5 yr old children, which are separated; • A combination of soft and hard playing surfaces is proposed. • No basements proposed beneath playing areas. • Sandpit will achieve minimum depths. • Part of licensing requirements. • An assessment will be required as a condition of approval. • Plant species are generally water tolerant and will be primarily natives. • N/A • Conditioned as part of ESD requirements for entire NIDC facility. |
| <p>Fencing</p> <p>3.6.17 Outdoor space is required to be fenced on all sides, and have regard to:</p> <p>(i) the safety and security for children;</p> <p>(ii) the prevention of children climbing over, under or through fences and leaving the premises</p> | <ul style="list-style-type: none"> • The whole Centre is secured by a min. 2.4m high fence. The north boundary is bordered by a fibre cement sheet fence, the west boundary is bordered by a masonry fence and the east boundary has a paling fence |

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| <p>unsupervised;</p> <p>(iii) the prevention of those from outside the centre to access the site through climbing over, under or through fencing;</p> <p>(iv) the integration with building design and proposed materials and colour scheme; and</p> <p>(v) the integration of existing and proposed landscaping with fencing.</p> <p>3.6.18 Fencing is to be a minimum of 1800mm in height where adjoining public space.</p> <p>3.6.19 Gates are to be self-closing and child proof, with child-proof locks and latches, and able to be permanently locked.</p> | <p>made of fibre cement sheets. Both structures will be constructed to prevent children from scaling or crawling under or through and inhibit intruders from entering the site</p> |
| <p>Visual & Acoustic Privacy</p> <p>3.7.1 Where noise abatement from or to the Child Care Centre is required, an acoustic report prepared by a suitably qualified acoustic consultant is required to be submitted with the development application, describing and assessing the impact of noise emissions from the Child Care Centre or to the Child Care Centre from surrounding noise sources. The investigation shall include but not be limited to the following:</p> <p>(i) the identification of sensitive noise receivers potentially impacted;</p> <p>(ii) a statement of the proposed hours of operation of the Child Care Centre;</p> <p>(iii) the quantification of the existing acoustic environment at the receiver locations (measurement techniques and assessment period should be fully justified and in accordance with relevant Australian Standards and NSW EPA requirements;</p> <p>(iv) the identification of all noise that is likely to emanate from the Child Care Centre and the subsequent prediction of resultant noise at the identified sensitive receiver locations from the operation of the premises. Where appropriate the prediction procedures shall be justified and include an evaluation of prevailing atmospheric conditions that may promote noise propagation;</p> <p>(v) details of any acoustic control measures that will be incorporated into the proposal; and</p> <p>(vi) a statement certifying that the development is capable of operating without causing a nuisance and able to operate without undue noise disturbance from external noise sources.</p> <p>3.7.2 Consideration is to be given to the following design mechanisms in respect to noise abatement for properties in the surrounding area:</p> <p>(i) the appropriate design and siting of the Child Care Centres;</p> <p>(ii) the appropriate layout and arrangement of outdoor</p> | <ul style="list-style-type: none"> • An acoustic report has identified sensitive noise receptors and recommended means to mitigate any impacts. • The proposed hours of operation have been considered in the acoustic report. • The existing acoustic environment will not impact on the child care centre and vice versa. • An acoustic report has been prepared, which assess the impact of the child care centre on the aural amenity or surrounding land uses and vice versa. • The acoustic report recommends the fence be constructed with certain materials to mitigate noise immigration from the site. • Subject to the design incorporating the recommendations of the acoustic consultant the facility will comply with the relevant noise criteria. • The proposal is a start of the art facility that has been designed to mitigate impacts on adjoining land uses; • The outdoor play will be enclosed by a solid |

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| <p>space and activities;</p> <p>(iii) the location of windows in respect to the location of windows in neighbouring properties;</p> <p>(iv) the appropriate location of outdoor play areas away from main living area or bedroom windows of any surrounding dwellings in predominantly residential areas, and away from external noise sources;</p> <p>(v) the use of acoustic barriers and design, such as screen fencing or planting as noise buffers for external noise sources or transmission of noise from the child care centre to surrounding properties; and</p> <p>(vi) noise abatement measures are to be undertaken to ensure that inside noise levels do not exceed 40dB(A) (Leq 24).</p> <p>3.7.3 Noise impacts on surrounding neighbours will be at the discretion of Council, depending on the proposed hours of operation.</p> | <p>wall adjacent to the residential areas to the north, which will reduce noise transmission.</p> <ul style="list-style-type: none"> • There are no windows proposed immediately adjacent to the common boundary with the adjoining residential areas; • The solid boundary fencing and separation between the outdoor play areas and adjoining residential units will result in acceptable aural conditions. • Fencing is proposed in accordance with the acoustic consultant's recommendations. • Subject to adopting the acoustic consultant's recommendations the proposal will comply with the maximum noise levels permitted. • Noted. |
| <p>Parking & Pedestrian Safety</p> <p>3.8.1 The number of car spaces and other relevant issues shall be in accordance with the provisions of the relevant LEP and DCP.</p> <p>3.8.2 All on-site parking arrangements shall ensure the visual attributes of the streetscape are maintained, particularly having regard to the built form, existing landscaping, tree removal and number of vehicle crossings.</p> <p>3.8.3 Vehicle and pedestrian access points to the centre and parking areas are to be appropriately marked and signposted.</p> <p>3.8.4 All vehicles must be able to enter and leave the site in a forward direction.</p> <p>3.8.5 Parking and vehicle areas are to be separated from any area used by children by appropriate safety fencing and gates.</p> <p>3.8.6 All applications for Child Care Centres involving above 20 children shall be supported by a Traffic Report, prepared by a suitably qualified person, addressing as a minimum the following factors:</p> <p>(i) the prevailing traffic conditions;</p> <p>(ii) the likely impact of the proposed development on existing traffic flows and the surrounding street system;</p> <p>(iii) pedestrian and traffic safety;</p> <p>(iv) justification of any variation to the parking requirements (if any proposed); and</p> <p>(v) how impacts of drop off and pick up will be accommodated.</p> <p>3.8.7 Development proposals for centres containing 50 or more children may require referral to the Roads and Traffic Authority as identified in Schedule 1 of State</p> | <ul style="list-style-type: none"> • The proposed car parking and pedestrian access to the site is consistent with the DCP requirements. • The proposed on site parking will not be detrimental to the existing visual qualities of the locality or streetscape. • There are no direct vehicular access points to the centre. • Forward access and egress will be achieved from the car parking areas. • Fencing plan will separate the centre from external parking areas. • A traffic and parking report was submitted addressing all of the criteria under this part. The report adequately addresses the operational requirements, pedestrian and motor vehicle safety associated with the child care centre. • The application was referred to the RTA who raised no objections to the proposal. |

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| <p>Environmental Planning Policy No. 11 – Traffic Generating Developments.</p> | |
| <p>Access for People with Disabilities</p> <p>3.9.1 All new Child Care Centres, building conversions and additions to existing premises shall comply with the minimum access requirements contained within the City of Sydney Access Development Control Plan 2004, the BCA and Australian Standard AS1428 – Design for Access and Mobility.</p> | <ul style="list-style-type: none"> • The centre complies with the City of Sydney Access Development Control Plan 2004, the BCA and Australian Standard AS 1428 – Design for Access and Mobility. |
| <p>Emergency Evacuation</p> <p>3.10.1 Prior to the issue of an Occupation Certificate for the child care centre an evacuation plan complying with AS3745 must be prepared and implemented. The emergency evacuation plan shall consider:</p> <p>(a) the mobility of children and how this is to be accommodated during an evacuation;</p> <p>(b) the location of a safe congregation area, away from the evacuated building, busy roads, other hazards and the evacuation points of other residents or tenants within the building or surrounding buildings;</p> <p>(c) where the Child Care Centre is part of a larger building or complex, that the emergency evacuation plan is complementary and consistent with other emergency evacuation plans in place; and</p> <p>(d) the supervision of children during the evacuation and at the safe congregation area with regard to the capacity of the Child Care Centre and the child:staff ratios.</p> | <ul style="list-style-type: none"> • An emergency evacuation plan is required as a condition in the recommendation for approval. |
| <p>Safety & Security</p> <p>3.11.1 Child Care Centres are to provide natural and camera surveillance of access points and are to incorporate windows on the front façade to ensure visibility and natural surveillance.</p> <p>3.11.2 Entry to a Child Care Centre is to be limited to one secure point, which is to be:</p> <p>(i) appropriately located to allow ease of access;</p> <p>(ii) adequately signposted;</p> <p>(iii) well lit;</p> <p>(iv) accessible by pedestrians and motorists;</p> <p>(v) safe from pedestrian and vehicle transition areas;</p> <p>(vi) visible from the street, if a separate building or building foyer if located within a multi unit building;</p> <p>(vii) of a sufficient size to prevent congestion, taking into consideration the capacity of the Child Care Centre;</p> <p>(viii) monitored through either natural or camera surveillance;</p> <p>(ix) incorporate a transitional space, which is to be</p> | <ul style="list-style-type: none"> • There is a single controlled public entry to the Child Care Centre. This is located at George Street and will be naturally overviewed through a window from the administration area at the entry of the building. The access gate to Renwick Street is for emergency use only and will be adequately secured / CCTV and alarm security will be provided for after hour's security. |

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| <p>adequately fenced and separated from the entrance.</p> <p>3.11.3 Entry into the Child Care Centre is to be limited to authorised persons only, through the provision of an electronic security system, such as swipe cards and the like.</p> <p>3.11.4 Entry into the Child Care Centre is not to be through outdoor space used by children for security reasons.</p> <p>3.11.5 Children's play spaces are not to be under camera surveillance due to privacy concerns and inappropriate usage.</p> | |
| <p>Operation Controls</p> <p>3.13.1 Hours of operation within residential areas shall not extend outside the core areas of 7.00am to 7.00pm unless written justification is submitted to the City seeking otherwise.</p> <p>3.13.2 Consideration may be given to a variation in the hours of operation within residential areas if the proposed Child Care Centre is adjoining or adjacent a commercial or other non-residential land use.</p> <p>3.13.3 Within mixed-use areas or predominantly commercial areas, the hours of operation for each Child Care Centre will be assessed on its merits in terms of compatibility with adjoining or upper level land uses.</p> <p>3.13.4 Child Care Centres are to be managed in a manner that ensures that centre operations, particularly in relation to noise, do not adversely impact on surrounding properties, particularly in predominantly residential areas.</p> <p>3.13.5 Where it is intended to serve food from the Child Care Centre, a food business is required to be registered with Council and notified to the NSW Department of Health.</p> <p>Prior to commencement of business operations, the food business must be registered with the City of Sydney and notified to the NSW Department of Health (www.foodnotify.nsw.gov.au).</p> | <ul style="list-style-type: none"> • The hours of operation proposed are 7.30am -5.00pm weekdays. • The site does not adjoin a commercial or non residential land use. • The hours of operation detailed above are not proposed to be altered at this stage. • The hours of operation are well within that permitted by the DCP and therefore will have no adverse impacts on adjoining residential development. • Conditioned. |

APPENDIX D. SUMMARY OF SUBMISSIONS

National Indigenous Development Centre MP06_0267

Summary of public submissions received for this application

| Issue | Detail |
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| Loss of Trees & Vegetation | Concerns are raised in relation to the loss of significant trees on the site, particularly along George Street. The tree lined streets are an important characteristic of the site and the proposal would significantly impact upon this. Furthermore, there is an objection in relation to the loss of the indigenous nature garden. |
| Pedestrian Through Site Link | Concerns are raised in relation to the pedestrian link from Cope to Renwick Street. In particular, the issues specifically relate to increased noise and risk of vandalism of properties in Renwick Street. |
| Design of Building F. | <p>Building Height – Building height is out of character with Victorian terraces and is exacerbated by lack of setback to George Street.</p> <p>Bulk & Scale – The height and lack of setback of the building would have unacceptable visual impacts as well as be out of character with the existing streetscape</p> <p>Impact on Heritage Buildings – Views of the heritage buildings on the site would be obscured by the building.</p> <p>Setback to George Street – A landscape setback should be provided to George Street, to retain existing trees, maintain the street character and off set the bulk of the proposed building.</p> <p>External Material & Finishes – The 'fins' and coloured panelling is out of character with the locality.</p> |
| Residential Amenity | <p>A number of submissions have detailed concerns as to the noise and the proposed hours of operation of the multi purpose building and the playing field. Submissions have detailed the proposed hours of operation of each of these aspects of the proposal should be reduced to maintain a reasonable level of residential amenity within the locality.</p> <p>Submissions also refer to lack of assessment in the accompanying acoustic report in particular, it questions the report's assessment that the noise generation of the previous use of the site and the proposal would be similar; and a lack of a noise management strategy.</p> |
| Sustainable Development | There are concerns as to why there is a need for a swimming pool given this facility already exists within close proximity to the site. The concern relates to conservation of water resources. |
| Traffic and Parking | Concern is raised that the proposal would generate a significant increase in traffic to the area and lack of on site car parking that would result in an unreasonable increase in the demand for car parking in the streets surrounding the site. |
| Development contributions | A number of submissions object to the proponents argument that they should be exempt from paying developer contributions. The submissions outline that the proposal would not benefit the wider community and only minority groups. |
| Loss of school facility | An objection has been submitted that the site should be reinstated as a school facility. |
| Construction Damage | Concerns have been raised in relation to potential damage to property as a result of construction that a positive covenant should be signed by the proponent in order to protect an adjoining property in the event of damage caused. |

APPENDIX E. RESPONSE TO SUBMISSIONS

ILC response to Department of Planning

Major DoP Issues

Design

Building F Activation and Surveillance

The massing of the eastern façade of Building F was, at design stage, articulated to break up the large bulk of the sports hall, with a range of active uses at the street front, opening to the public realm. In response to the concerns raised by the Department and the Heritage Office, this part of the building has been redesigned.

The Sports Hall has been reformatted from its optimum volume to allow the replanning of the street front, incorporating an additional, un-briefed, Activity Room opening directly to the street and to the Sports Hall. This space will be used for yoga, training classes and other sporting and community activities relating to the PCYC and the youth drop in. A significant increase in glazed area, and thus activation of and relation to the public realm is created. The expanse of brickwork above has been reduced and articulated with vertically-proportioned openings. The bulk of the building is reduced by 3.5m across the façade, and the number of fins also reduced, in response to concerns about these elements.

The option to replan the building so its entry is direct from George Street has been analysed, but presents the following significant adverse effects:

- Lack of security for hostel users of the PCYC (estimated at 20-30% of total facility participants), unless there are multiple entries which will cause surveillance and security problems.
- Lack of a buffer between the residential area and the Centre, with potential noise and other impacts.
- Lack of sufficient area for arrival, bicycle parking and other address to this major centre.

The option to set back the entire building from George Street has been investigated and is not possible due to the required width for the Sports Hall and the Pool, and the creation of a significant area of unusable and insecure space in front of the building.

Renwick Street Surveillance

The western façade at street level has been redesigned to further open the interior to the exterior with extensive additional glazing. The fence to the Child Care centre now has glass panels, as large as child security concerns will allow, to provide a sense of connection at this point.

Responses to other design issues raised by the NSW Heritage Office are set out in 1.2 below.

Building Code of Australia

The ILC assures DoP that all BCA requirements will be met through the detailed design phase. This has been confirmed as Item HH in the Statement of Commitments issued with the Environmental Assessment. Further, a Fire Engineer has

been engaged to ensure full BCA and POPE compliance with a reduced impact on heritage fabric. It was not possible for the BCA/PCA to endorse the project entirely as submitted with the EA as the detailed resolution for many issues is not able to be confirmed until detailed design is undertaken.

The BCA/PCA has provided a supplementary statement, which is included in Attachment 4, confirming that the NIDC will comply with the Building Code of Australia. We also note that it was not a requirement of the DGR's that a BCA report was submitted, and the interim report was only included as evidence the process is under way and compliance will be sought through the detailed design phase.

Proposed Fence

In order to make the fence strategy clearer a collated set of new drawings is attached to show the fences in detail and in context.

After an extensive consultation with user groups, NSW Police and other security experts and the client bodies, the following types of fence have been designed for the NIDC:

Type 1- 2400 high palisade fence to George and Phillip Streets. This high-quality fence has been designed to relate to the tall palisade fences designed for 19th century educational institutions. It will have architecturally-detailed posts at regular centres and be specially fabricated to slope with the ground. Gates will be designed with significant concrete piers to define entries. The fence will be powdercoated in a heritage colour.

Type 2 – 2600 high palisade fence to Renwick/Cope Street pedestrian walkway. This reuses existing steel fencing from the site, and will be galvanised. This fence is not prominent from the public domain or the heritage streetscape.

Both of these fences form the perimeter security for the site, and the height was preferred by the NSW police, both to provide security for the site from unauthorised ingress, but to reduce the chance of hostel visitors leaving the site without supervision. Both are considered serious safety risks for a Centre catering primarily for children.

Type 3 – this fence is required to be 3m tall to prevent loss of balls from the Training Field into Cope Street. A NSW Police recommendation has again set the height. Its impact has been reduced by the new design for the retaining wall to Cope Street which is now a 'green wall' softening the overall effect of the boundary condition. It is a steel palisade similar to Type 1 but will have a powdercoated finish.

Type 4 – this fence is a ball screen in wire mesh located behind the goal posts and is functionally necessary.

Type 5 – this 1.8m high palisade fence, in powdercoated steel provides site separation and night-time security to the residential hostel use within the site.

Type 6 – this is a 1.2m high pool fence for safety.

Retention of Existing Trees

See 1.2 below.

On Site Car Parking

See 1.2 below.

Summary of Public Submissions

Loss of Trees and Vegetation

The ILC has tried to retain as many significant trees as possible within the development. Almost all the other trees designated for removal fall wholly within the ILC land. There are only 5 small trees from the street verge area in Renwick Street that will be removed. These trees fall within the road reserve soon to be closed and dedicated to ILC.

Extensive consultation with the Arborist was undertaken throughout the concept design phase in an attempt to reduce the number of trees requiring removal. In many instances the Arborist did not consider a change of design was warranted based on tree health, condition and landscape significance of individual trees.

The Arborist strongly recommended replacing trees with more suitable species and in more appropriate locations and within suitable planting beds, rather than attempting to retain inappropriate species in poor locations. This approach ensures the landscape's long term maturity and the health and safety of the public.

The NIDC proposal includes the planting of 13 new street trees in addition to the extensive proposed tree, shrub and groundcover planting within the site.

Currently George and Phillip Street contain 2 and 0 street trees respectively that immediately adjoin the site. The NIDC proposal includes 7 new Brushbox planted on George Street to match the 2 existing trees in accordance with the City of Sydney's Street Tree Masterplan. There will also be 2 new trees planted on Cope St to enhance the streetscape, and an additional 3 trees in the Renwick St carparking area. This will provide a significant and substantial improvement to the streetscapes whilst showing consideration for the neighbouring properties.

Within the NIDC, the proposal includes the planting of 100 trees of species which are suitable to the climate and soil types. They will be planted in conditions favourable to the health of the trees. The proposed tree species are predominantly native to Australia and include Banksias, Spotted Gums, Cabbage Tree Palms, Brushboxes, Tree Ferns, Tuckeroos, Blueberry Ash, and Kauri Pines. A large number of native shrubs and groundcovers also form part of this proposal.

After a request from the Department of Planning, a review of the retention of existing trees was undertaken with a view to retaining a larger number of trees that were considered worthy of retention.

This review revealed that of the 63 trees considered to be worthy of retention, only 31 were being retained. Subsequent to this assessment, two trees (numbered 7 and 28) are now being retained after minor changes in the design. Eight of the trees worthy of retention were located within or in close proximity to the proposed playing field. Retention of these trees would require substantial reductions in the size of this field. Such a drastic reduction is not feasible. Five of the trees worthy of retention were located within the Phillip Street entrance. Retention of these trees is not possible due to level changes. All of the remaining trees are located in areas subject to major disturbance or remediation such as these mentioned above.

In the opinion of the Arborist, giving due consideration to the type of trees, their size, stature and condition, none of the trees proposed for removal warrant the drastic changes in proposed construction to enable their retention. The planting of more than 100 individual trees in appropriate locations throughout the site more than compensates for the removal of these trees. The planting of a cohesive species mix, mindful of the individual requirements of each species in each location will provide a far higher degree of long term landscape amenity than would otherwise be provided by attempting to integrate all of the existing trees into the future landscape.

In summary advice from the project Arborist regarding the possibility of additional retention of trees within the site, concludes that drastic design changes do not warrant the retention of trees which:

- 1) will not survive the siteworks including remediation
- 2) are not considered significant
- 3) will be replaced with more suitable species

With regard to the native botanic garden, the arborist has advised that the plant species within the garden were either in poor condition or easily replaced if removed. The arborist has recommended that plants from within this garden that are

able to be transplanted including the Xanthorrhoea, will be relocated on the George St frontage adjacent building A. This new garden bed will be also be a native botanic garden, expanded to include plant species from all over Australia, as a representation of the Centre's 'national' status.

The Statement of Commitments has been revised to incorporate these changes.

Cope St Wall

After reviewing the proposal we have endeavoured to reduce the impact of the retaining wall along Cope St. By implementing design changes within the NIDC site, the height of the wall has been reduced by approximately 850mm, thereby reducing the height of the wall at its greatest point by 20%.

The retaining wall will be a 'green wall' planted with ivy, *Hedera canariensis*. This initiative will further reduce the impact of the retaining wall on the streetscape and will help mitigate possible graffiti.

Pedestrian Through Site Link

Maintaining a secure and defined perimeter to the NIDC is critical to the overall functioning of the centre.

The proposed pedestrian link through to Cope Street from Renwick Street was a request from the City of Sydney's Traffic Committee and a condition of the Renwick Street road closure. It was determined in consultation with City of Sydney that the link is best implemented as a pedestrian thoroughfare rather than a vehicle trafficable link.

The pedestrian link provides a safe and convenient access point and is only a short 30m section that is free of bends or blind corners. It will be lit to the required CoS street lighting standards and be bounded by palisade security fence making it a visually open and safe pedestrian facility.

The ILC will also be installing CCTV cameras in their car park area to further enhance the security provisions.

It is not anticipated the pedestrian link will generate a high traffic volume as it runs only to Renwick Street which contains a modest number of residences. As is evident from the current site patterns, the main pedestrian traffic will be along Cope and Phillip Streets.

Currently Renwick Street is a cul-de-sac arrangement which is poorly degraded, has no security provisions and attracts a range of anti-social behaviours. The ILC has a regular syringe and rubbish removal in an attempt to maintain an appropriate level of health and safety for the local residents. The NSW Police were also consulted in the provision and support the design of this pedestrian link.

Design of Building F

Relationship to Context: The various comments relate generally to a perception regarding a terrace house context. However, it should be noted that whilst the terrace development of George Street is significant, it occupies less than 50% of the street frontages from Redfern to Phillip Streets. 19th and early 20th century industrial development, similar to Building F in scale and height, and built onto the street frontage with no setback, occupies approximately 30% of the remaining frontage. The remainder is late 20th Century 3 – 4 storey apartment buildings.

In heritage terms, this mix of scale and typology is in itself significant, representing the mixed approach to urbanity and planning of the period and in this location, in contrast to more homogenous suburbs like Paddington. It is this detailed analysis of the actual context, which has informed the design and massing of the complex.



George St Buildings opposite NIDC site

Building height –at 9.2m above pavement to the north and 10.8m to the south, the building is similar in height to many of the adjoining terrace house buildings, which are either two tall storeys with parapet or three storeys, ranging from 6.5m to 9m. It is less in height than many of the older industrial buildings, which reach 11m, and the recent apartment buildings which range from 8.5m to 13.2m. This is considered fully appropriate to the context, and in accordance with the Heritage Office's "Design in Context" guidelines.



Looking south down George St

The effect of the overall height of Building F is mitigated by the series of setbacks occurring over its eastern façade. The streetfront element, has a parapet at RL33.7. Set back 2.3m behind this is the major face brick façade, with a parapet at RL35.6. Set back a further 1.8m or 4.1m in total, only the form of the Sports Hall itself reaches the full height of the building. This significant articulation of the mass of the building serves to reduce its apparent scale and develop a harmonious relationship to the context.

In terms of the more direct relationship to the adjoining heritage former school buildings, the new Building F has a maximum height above pavement of 10.5m. Building B, the most significant of the group, is 15m high with a 17m tower, whilst the southern building A is 14.5m above the pavement. The parapet of the southern elevation of Building F has been kept to RL 37.45, below the northern eaves of Building B at RL 35.5. The more distant Building C and D reach 14.2 and 16.5 tall. After consideration of this carefully-planned height relationship, the massing and precinct relationships of the project must be considered satisfactory.



Looking North up George St

Bulk and Scale – the building is considerably more modulated than the 19th and 20th century industrial development remaining in the street, and similarly modulated to the terraces opposite, with pronounced vertical articulation at 5.2m centres, similar in width to a terrace house, and a play of advanced and recessed masses. Again the massing and scale is in accordance with the Heritage Office's "Design in Context" guidelines.

Impact on views of the site's heritage buildings – there are currently no direct long distance views of the heritage buildings on the site, due to the plantings both on and off the site and on the street. Thus the new development will not cause major view loss, or reduce the prominence of the heritage-listed school buildings. Good views of all the buildings will be still available from medium distance from the north, the views from the south will be unchanged.



George St Terraces opposite NIDC site

Setback to George Street – see notes re setback above. Over 50% of the façade is set back from George Street by more than 2m, a similar width to a terrace house front garden. The setback required to retain the existing trees is so large as would require the removal of the swimming pool from the development.

External material and Finishes – see notes on coloured panelling below. See notes on fins below.

Residential Amenity

The noise management strategy for the development focuses on a structured and operational approach. The multi-purpose sports hall and the child care centre have been reviewed and assessed by our acoustic consultant and recommendations with regard to the building construction have and continue to be included as part of the detailed design to ensure the buildings meet the appropriate acoustic ratings. The acoustic rating requirements will be met and will be checked to comply with the all statutory requirements during the detailed design phase. Further, ILC have confirmed this in Item GG of the Statement of Commitments included in the Environmental Assessment.

The second approach is operational, and will use established management strategies. This includes for the child care centre – structured outdoor play time in groups in alternating ages and times.

With regard to the playing field, while the centre will strive to maximise occupancy given the nature of the groups who will use the site and the length of stay (2 – 5 nights), the field will not be in use every night of the week. Without prescribing the proposed operational management of the centre, as flexibility needs to be maintained, based on our research of other similar facilities it is likely that Sunday night and Tuesday nights as a minimum will typically be down times. That is, most groups either come for two days (Mon/Tues or Fri/Sat) three days (Wed – Fri) or five days (Mon – Fri).

Furthermore it is not anticipated that all the groups using the centre will require access to the field, therefore night training will not occur on the field every night.

Nevertheless a further element of the noise strategy is to limit the time that access to the field is available and based on the acoustic assessment 10pm is the appropriate time to ensure the amenity of adjoining neighbours is accommodated. At 10pm or before, if the field is not being used, the lights will be switched off and access to the field restricted. The ILC consider with this strategy in place the noise from the facility will be appropriately managed. Noise emissions could be monitored throughout the initial operational phase to verify the success of the noise strategy and alterations made if needed.

Sustainable Development

The ILC acknowledge that there are 2 public pools in the local vicinity however, one is only operational in the summer months and the other located too far from the local Redfern area to be in walking distance for local children. In addition, the ILC consider the inclusion of a pool as a fundamental element of the facilities offered at the NIDC.

The inclusion of a pool significantly increases opportunities for cross training of athletes at the centre, the provision of programs and events for the local community including learn to swim and water safety training as well as lap swimming for local residents.

The core elements of sustainable development are founded on planning well for the future by increasing and establishing facilities within areas that are already well serviced by infrastructure. Within the Sydney Metro Strategy and the Redfern Waterloo Built Environment Plan, Redfern is targeted to increase in urban density along with many other areas of Inner Sydney. Demand on all existing facilities will continue to increase and so planning more facilities now in areas targeted for increased urban density is an appropriate response to sustainable development.

The ILC is very conscious of the need to conserve water and energy as they are some of the main sustainability issues affecting Sydney. Conserving water and minimising energy demand have been an underlining objective from project inception. This is reflected in Item W and X of the Statement of Commitments in the Environmental Assessment.

The ILC intends capturing all roof water from Building F and G and redirecting to storage tanks under the field for use as irrigation water for the field, ensuring only minimal Sydney Water supply is needed for maintenance activities.

With regard to energy conservation the swimming pool will be heated using photo voltaic panels or solar heating. This will allow the pool to function at the desired temperatures without needing to draw energy from the mains supply for the ongoing heating of the pool.

Traffic and Parking

Given the operational nature and proposed uses of the NIDC facility the main users of the centre will not travel to the facility by car but by public transport, bicycle or foot.

Since the submission to the Department of Planning, ILC and City of Sydney have negotiated ownership of the car park adjacent to Renwick Street at the northern end of the site. As a result approx 50% of the car parking spaces will be within the NIDC site there by increasing the number of spaces available to visitors to the NIDC. The new boundary lines show the increased area of car parking ownership and have been established to accommodate vehicular three point turns. ILC is embracing better sustainable solutions by actively encouraging public transport and cycling facilities which is supported by the Ministry of Transport in their submission to the Department of Planning. The Ministry of Transport also makes reference to the strategic bus reform which would service the NIDC precinct. The ILC have confirmed this approach in Item Y of the Statement of Commitments.

The unique nature of the facilities location and the types of services that are provided will result in a reduced reliance on car parking within the site.

Murawina (childcare) unlike almost all child care facilities operates a mini-bus which is used in the transport of children to and from the centre each day. As a result the need for parking is reduced.

The accommodation and dining functions of the site caters for regional and touring groups of school aged children. Children who will be attending training and development camps will be arriving as a group. This will be via public transport or private bus and reduce the requirement for dedicated car parking spaces.

PCYC will service the local community and it is envisaged that the majority of visitors will arrive by foot or bicycle. NIDC also benefits from its proximity to the Redfern train station and major bus routes and it would be expected that the majority of staff, if not from the local area, would use trains or bus to access the site.

The Traffic Report prepared by Transport and Traffic Planning Associates (TTPA) submitted with the Environmental Assessment includes a detailed assessment of the traffic implications and parking requirements for the NIDC. TTPA have provided supplementary information in response to the items raised in the DoP response (Attachment 2).

TTPA's supplementary traffic advice includes a detailed response to the City of Sydney's concerns regarding traffic and parking implications of the NIDC. Of particular note are the comments relating to City of Sydney's 'support in principal' for the proposed changes to George and Phillip Street's. Attachment 3 includes a letter from Col Warne, Traffic Operations Manager, City of Sydney Council which confirms that the arrangements as depicted within the supplementary information prepared by TTPA are "generally supported" by Council.

Development Contributions

The ILC strongly consider the NIDC as public infrastructure and therefore should not be subject to development contributions. Typically what the NIDC facility provides is one of the many areas that development contributions are normally collected and directed towards in order that this type of facility is provided.

Furthermore the ILC are also upgrading the adjoining streets and providing City of Sydney with some public car parking and truck turning facilities, all public infrastructure that should not be subject to development contributions.

The NIDC will undoubtedly provide benefit to the wider community through its targeted provision to the local community, which is largely populated by a low socio-economic demographic. The ILC believes the NIDC facilities and programs will assist in the Redfern area becoming a safer, healthier and better serviced community. This in turn has wide ranging benefits for the greater Sydney community.

Specifically the centre includes the following facilities which are targeted at the local community:

- 59 place child care centre catering for the immediate surrounding community both Indigenous and non-Indigenous;
- Exodus Tutorial Centre – targets Indigenous and non-Indigenous children from local public schools for inclusion in the program to improve numeracy and literacy;
- PCYC – this facility is open and available to the local community 7 days a week for a range of programs and activities on offer. It is critical to the Redfern Waterloo Youth Services Plan, as it performs the important role of the “Sport and Recreation Youth Services Hub”;
- Dining facility – will have the capacity for the local community to hire out the dinning hall for functions and events;
- Hostel – the main user groups of the Hostel are NASCA and LMRDT. Both of these organisations run programs targeting children from the local community;
- Community meeting rooms – available to be booked by any local community groups.

The ILC also notes that it was not invited to make submissions to the *RWA Contributions Plan* and the *RWA Affordable Housing Contributions Plan* as is normally the case when a major development of this nature is underway. The ILC therefore regrets that it did not have the opportunity to provide comment on these plans and accordingly seek exemption from such Plans given the community assets being provided for in the NIDC project.

The ILC has taken this matter up directly with the RWA and will provide details of the outcome to the Department of Planning when available.

Loss of School Facility

The NSW State Government determined the closure of Redfern Public School. The NIDC brings a complimentary educational use for the site that serves both the local and national community. The NIDC will see the restoration and reuse of important heritage buildings, giving the public access to these currently disused facilities.

Construction Damage

The ILC intends implementing a strategy for the construction phase that should negate the need for any form of positive covenant with adjoining property owners. This strategy is detailed in Item T of the Statement of Commitments.

Initially the ILC will seek only Expressions of Interest from suitably qualified and experienced construction companies to carry out the development. A select tender will then be run with all the detailed site specific information about adjoining properties made available to the tenderers including a detailed site inspection. Once the preferred tenderer is selected they will be required to submit for approval by ILC a Construction Management Plan (CMP). The CMP will indicate how adjoining properties will be protected throughout the length of the construction including temporary hoarding, temporary shoring if necessary, security fencing and communication with adjoining owners. Finally the preferred tenderer will also be required to undertake dilapidation surveys for all adjoining properties. These dilapidation surveys will be provided to the relevant property owners as a record of the condition of property prior to the start of construction.

Heritage Council of NSW

View Corridors

See 1.2 above regarding setbacks and view corridors.

Building F design

See 1.2 above regarding the good fit of the proposed design into a mixed urban streetscape.

See 1.1 above regarding changes proposed to the eastern façade of Building F to improve openness to George Street and articulate the design.

Building F Design

It should again be emphasised, as detailed in 1.2 above, that George Street does not now nor ever had a consistent "19th Century Victorian terrace character". See 1.1 and 1.2 above for a detailed response on this issue.

Building F Fins

See 1.2 above regarding the scale, context and massing inspiration behind the fins, developed to ensure a good fit of this large form into a historic streetscape. The fins are structurally derived, allowing the major column support of the roof to be placed behind the spectator seating and thus not obscure views, and at the same time

allowing the main façade of the Sports Hall to be set back further from George Street to reduce the impact of its (necessary) size. The setback increases from 1.9m at the level of the spectator seating to 4.5m at high level. The structural trusses and columns are treated architecturally as solid fins to develop a positive relationship to the projecting fins of full-height masonry which define each terrace house, common across Sydney and developed from 19th century fire regulations. The Building F fins are similar in projection, height and scale to those of the terraces in George Street.

Building F and G Coloured Panels

The colour selection has been made to signify the contemporary nature of the development, and its forward-looking purpose. Each colour is a traditional Victorian colour made cleaner and brighter, as allowed by modern paint technology. The design and construction inspection are the responsibility of Tonkin Zulaikha Greer who are qualified heritage advisors, and who have won numerous state and national architecture and heritage awards for comparable projects. Indeed one of their projects is used to illustrate the "Design in Context" publication.

"Design in Context", whilst not referred to directly during the design process, provides several illustrations which are relevant to the NIDC project:

- Fig 18A shows a Tonkin Zulaikha Greer building of not dissimilar height, where dominant expanses of high-quality brickwork are modulated by sculptural openings and smaller, contrasting masses. This is very relevant to the east façade of Building F.
- Fig 25 shows a 3 to 4 level infill building vertically modulated by projecting fins, specifically referred to develop a positive relationship to the vertical masonry fins of the adjoining terraces. Further, this façade is modulated by subsidiary 'blocks' which fit within the rhythm of the dominant fins. This clearly is the overall inspiration of the design of Building F.
- Fig 64 shows an infill building considerably taller than the adjoining terraces (which it should again be emphasised is **not** the case with building F and the terraces of George Street which are similar in height). Its choice to respond to "the industrialised buildings of the area" and provide a "transition" to the scale of the existing terraces is commended.
- 05 Materials and Colour – the proposal complies with the advice to select materials of similar quality, texture and colour to those in the historic context, with "proportions and details (that are) harmonious within the surrounding heritage context."
- 06 Detailing – All of the new buildings on the site have been designed to include details that "reinterpret traditional details and create new relationships between new and old."

City of Sydney

Development Design

See 1.2 above for a review of the glazing of the east façade of Building F.

Proposed Uses

The City of Sydney supports the redevelopment of the site for the proposed purpose. Concerns regarding hours of operation and residential amenity are considered above in Section 1.2.

Traffic

See 1.2 above for the review of traffic and parking requirements and Attachment 1.

Heritage

The City of Sydney considered the heritage issues to be acceptable. A Schedule of Materials was provided to the Department of Planning with the Environmental Assessment. Note that the comment about the loss of the north and south walls of Buildings C and D is in error – these walls are retained virtually in their entirety – please refer to demolition plans.

Environmental Health

The City of Sydney has confirmed that the proposal is satisfactory in terms of environmental health given the remediation and validation requirements are satisfied.

Public Domain

The City of Sydney have requested a Public Domain Plan. The requirement for the Plan has been incorporated into the Revised Statement of Commitments.

Tree Removal

See section 1.2.

BCA

ILC confirm that all building work will comply with the Building Code of Australia, which is included as Item HH in the Statement of Commitments.

Place of Public Entertainment

ILC confirm that the PCYC has been designed in accordance with the statutory requirements for a Public Place of Entertainment. This is detailed in Item SS of the Statement of Commitments.

Draft Conditions of Consent

The statement of commitments already addresses the majority of issues encompassed by the conditions proposed by the City of Sydney.

A number of the commitments have been varied to respond to the proposed conditions although in some instances the specific requirements in the conditions are considered unwarranted. These are as follows:

- Interpretation Strategy – The need for, and scope of the interpretation strategy should be determined by the conservation architect in the first instance. Similarly, photographic archival recording of all heritage items would appear onerous given that most of the heritage fabric will be protected. Only those aspects of the items that are to be removed or modified should be recorded.
- BCA – refer above

- Environmental Management Plan – The issues proposed by Council are already addressed elsewhere in the Statement of Commitments.
- Public Domain Plan – A public domain plan has been prepared by 360 Degrees and is included herein for review and approval by the consent authority.
- Protection of Street Trees – Measures are already identified in the Arborist's Report to ensure trees are protected during construction. This condition is a duplication of information already provided.

RTA

With respect to the items that are included in the RTA submission the ILC responds as follows:

1. The traffic engineer, TTPA, has confirmed that the parking that is to be provided on the street will comply with 2890.1 – 2004 and AS 2890.2 – 2002.
2. ILC confirms that the NIDC includes showers, lockers and change rooms in various locations throughout the facility.
3. The traffic engineer, TTPA, have confirmed that adequate pedestrian facilities are provided in the surrounding streets. The proposal to modify the pedestrian crossing in George St will increase the effectiveness of the pedestrian facilities. The current pedestrian right of way that currently located from Renwick to Phillip Street is replaced by the pedestrian link between Renwick and Cope Street.
4. ILC acknowledges RTA's comments.

NSW Police

An initial meeting was held with Redfern Local Area Command prior to the submission of the Environmental Assessment. Items identified during that meeting were incorporated in to the design. A second meeting was undertaken with Senior Constable Phillip Sharp, Redfern Local Area Command, to review the locations of the closed circuit television cameras and further security details of the facility.

Dept of Environment and Climate Change

The Department of Environment and Climate Change have not raised any new issues in their submission to the Department of Planning.

Redfern-Waterloo Authority

See Section 1.2, Development Contributions.

Ministry of Transport

See Section 1.2 Traffic and Parking and Attachment 1. Attachment 1 includes addendum to the original traffic report prepared by TTPA as requested by the Ministry of Transport to review the assessment in accordance with Draft SEPP 66

The Ministry of Transport have provided favourable comments regarding traffic and transport initiatives and note that the site will be serviced with a new strategic bus corridor which forms part of the NSW Government's program of bus reform.

APPENDIX F. ENVIRONMENTAL ASSESSMENT

To be provided on disk.