

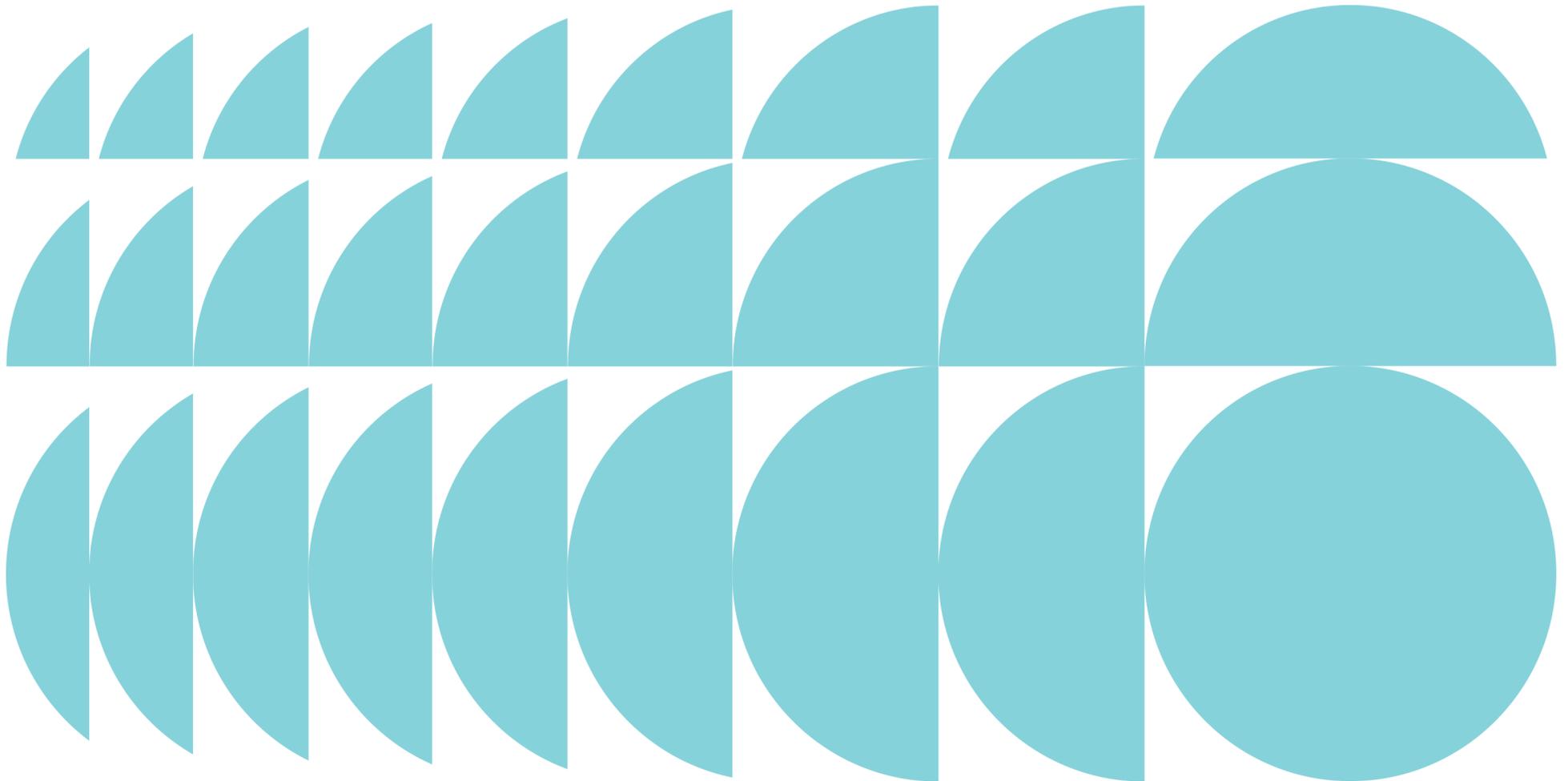
ETHOS URBAN

Response to DPE

Ivanhoe Estate Redevelopment – SSD8707

Submitted to Department of Planning, Industry and
Environment

3 February 2020 | 17156



3 February 2020

Jim Betts
Secretary
NSW Department of Planning, Industry and Environment
320 Pitt Street
Sydney NSW 2000

Attention: Andy Nixey – Principal Planner

**Response to the Department's Request for Information
Ivanhoe Estate Redevelopment – Concept (SSD-8707) and
Stage 1 (SSD-8903)**

Dear Andy,

Ethos Urban have prepared this letter on behalf of the Aspire Consortium (the Applicant) in response to the Department's letter received 20 December 2019 in relation to the Ivanhoe Estate Redevelopment – Concept (SSD-8707) and Stage 1 (SSD-8903). It constitutes a response to the issues raised by the Department and should be read in conjunction with the following:

- Overall development changes (RTS VS RRTS) prepared by Ecological **(Attachment A)**;
- A close-up of the trees along the 137-143 Herring Road boundary (RRTS footprint) prepared by Ecological. **(Attachment B)**;
- Bunker removal and retention diagram prepared by Ecological **(Attachment C)**;
- EPBC Referral Decision Notice **(Attachment D)**;
- Revised Building Envelope Plan prepared by Bates Smart **(Attachment E)**;
- Updated CIV Letter **(Attachment F)**;
- Additional Noise Monitoring prepared by Acoustic Logic **(Attachment G)**;
- Technical Note prepared by Ason **(Attachment H)**;
- Building A1 Drawing Extract prepared by Bates Smart **(Attachment I)**;
- Revised Subdivision Plan prepared by Beveridge Williams **(Attachment J)**;
- Response to Council Submission **(Attachment K)**;
- Response to Agency Submissions **(Attachment L)**; and

- Response to Public Submissions (**Attachment M**).

Issue						Response																																																																
1. Trees																																																																						
a) Please review the information contained in the tables below and confirm the figures are correct.						a) The figures are consistent and match the data presented in the previous and current reports.																																																																
<p>Table 1 Changes to proposed number of trees to be removed/retained and area of STIF impacted</p> <table border="1"> <thead> <tr> <th>Stage</th> <th>Total trees on site</th> <th>Trees to be removed as part of separate Part 5 demolition approval</th> <th>Trees removed (figure in brackets includes trees to be removed under separate Part 5 approval)</th> <th>Trees retained</th> <th>Area of existing 1.64 hectares of STIF impacted (hectares)</th> </tr> </thead> <tbody> <tr> <td>EIS</td> <td>1,089</td> <td>547</td> <td>311 (858)</td> <td>231 (21%)</td> <td>0.45</td> </tr> <tr> <td>RTS</td> <td>1,206*</td> <td>547</td> <td>309 (856)</td> <td>350 (29%)</td> <td>0.28</td> </tr> <tr> <td>RRTS</td> <td>1,238**</td> <td>445</td> <td>351 (796)</td> <td>442 (36%)</td> <td>0.02**</td> </tr> <tr> <td>RTS3</td> <td>1,306</td> <td>445</td> <td>419 (864)</td> <td>442 (34%)</td> <td>0.02**</td> </tr> <tr> <td>Difference</td> <td>+149</td> <td>-102</td> <td>+40 (-62)</td> <td>+211</td> <td>-0.43</td> </tr> </tbody> </table> <p>* RTS is a different figure to the EIS because the RTS calculated all trees individually whereas the EIS calculated different trees in close proximity to each other as a single tree/group. ** RRTS is a different figure to the RTS because TBC. *** A further 0.03 hectares would be removed as part of the Part 5 demolition approval.</p> <p>Table 2 Retention value of trees to be removed/retained</p> <table border="1"> <thead> <tr> <th>Retention value</th> <th>Existing number of trees</th> <th>Trees to be removed</th> <th>Trees to be retained</th> </tr> </thead> <tbody> <tr> <td>High</td> <td>348</td> <td>121 (35%)</td> <td>227 (65%)</td> </tr> <tr> <td>Medium</td> <td>256</td> <td>148 (58%)</td> <td>108 (42%)</td> </tr> <tr> <td>Low</td> <td>189</td> <td>82 (43%)</td> <td>107 (57%)</td> </tr> <tr> <td>Total</td> <td>793</td> <td>351 (46%)</td> <td>442 (54%)</td> </tr> <tr> <td>Part 5 removal</td> <td>445</td> <td>445</td> <td>-</td> </tr> <tr> <td>Total</td> <td>1,238</td> <td>796 (64%)</td> <td>442 (36%)</td> </tr> </tbody> </table>						Stage	Total trees on site	Trees to be removed as part of separate Part 5 demolition approval	Trees removed (figure in brackets includes trees to be removed under separate Part 5 approval)	Trees retained	Area of existing 1.64 hectares of STIF impacted (hectares)	EIS	1,089	547	311 (858)	231 (21%)	0.45	RTS	1,206*	547	309 (856)	350 (29%)	0.28	RRTS	1,238**	445	351 (796)	442 (36%)	0.02**	RTS3	1,306	445	419 (864)	442 (34%)	0.02**	Difference	+149	-102	+40 (-62)	+211	-0.43	Retention value	Existing number of trees	Trees to be removed	Trees to be retained	High	348	121 (35%)	227 (65%)	Medium	256	148 (58%)	108 (42%)	Low	189	82 (43%)	107 (57%)	Total	793	351 (46%)	442 (54%)	Part 5 removal	445	445	-	Total	1,238	796 (64%)	442 (36%)	<p>As requested by the DPIE the arborist has now made an assessment for the trees in backyards, and have identified a further 68 trees, all of which are being removed. A new line has been added to the DPIE's table and highlighted in RED to reflect this.</p> <p>**The additional trees identified in the RRTS are from a subsequent survey undertaken in 2019 along the boundary of STIF above the retaining wall, where access was not previously available. Of these additional 32 trees identified, ten will be removed by demolition works, and four will be removed by the development.</p> <p>It is worth noting that the trees identified for removal represent the worst case scenario at this point in time. Additional trees can be retained during the construction phase with detailed assessment by arborists. The applicant is willing to accept a condition of consent to this effect. Refer to Attachment A for locations where trees need to be reassessed for retention during construction.</p>
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b) Confirm the revised concept proposal involves the removal of 0.02 hectares of STIF with a further 0.03 hectares to be removed under the Part 5 demolition approval.						Yes, the figure is correct. The Concept proposal is to only remove 0.02 ha of STIF, which would be in addition to the 0.03 ha removed by the demolition of the site.																																																																
c) Clarify why the total number of trees increased between RTS and RRTS (1,206 to 1,238) and why the number of high retention value trees increased from 95 to 348 (difference of 253) between EIS and RRTS.						The number of trees has increased from RTS to RRTS due to a subsequent site survey that identified these trees along the up-slope																																																																

Issue	Response
	side of the retaining wall in proximity to the STIF, access to these trees was not previously available due to the existing residents. RTS 3 has increased this number again to reflect trees in backyards as requested by the DPIE.
d) Provide a separate plan identifying the trees previously proposed to be removed as part of the demolition which now form part of the SSD and which of these are to be retained/removed.	Refer to Attachment A "Ivanhoe Estate – 2018/2019 Development Plan Changes"
e) Update the tree locations and impacts plans contained in Appendix A of the RTS AIA.	Refer to response to Item d)
f) Clarify which trees on the south-eastern boundary with 137-143 Herring Road are to be retained/removed plus provide confirmation from the arborist that the proposed 6m minimum setback is sufficient for the retention of these trees.	<p>Refer to Attachment B "Shared boundary with 137-143 Herring Road – 2018/2019 Development Plan Changes"</p> <p>The 6m is adequate to retain the bulk of the trees located here, noting that the 7 trees identified for removal during development are likely to be retained through detailed investigation as per point 1.</p> <p>Specifically, these 7 trees are located at the top of the existing bank and therefore not affected by excavation, only canopy trimming subject to the design of building in this area. Photo below shows rough location some of these trees.</p>

Issue	Response
	
<p>g) Provide a plan illustrating the retaining wall and confirming which bunkers are to be retained/removed.</p>	<p>A diagram which details the removal and retention of bunkers is provided at Attachment C.</p>
<p>h) Provide an update on the EPBC Act referral to the Commonwealth.</p>	<p>The EPBC referral was determined 'not a Controlled Action' with a referral decision provided on 18 October 2019. Refer to EPBC referral in Attachment D.</p>
<p>i) Confirm the timeframe for modification of the Part 5 approval to be consistent with the revised concept plan.</p>	<p>LAHC is presently arranging the modification to the Part 5 approval and expect this to take 2 months to occur.</p>
<p>2. Envelope Control Plan (ECP)/Setbacks</p>	
<p>a) Clarify why the revised ECP show mixed use in the communal open space for Building C1.</p>	<p>The reference to mixed use on the ECP for C1 relates to the use of the entire block which includes the ground floor retail/ community tenancy on the corner of Building C1.3. A revised building envelope plan is provided at Attachment E.</p>
<p>b) Provide justification for the proposed 18 m separation between Buildings A2 and A3.</p>	<p>The building envelope for A2 is only 18m deep, ensuring the southern wall can be designed either without openings or with only secondary screened windows. This mitigates any potential overlooking from the northern facade of building A3 and will allow these building to comply with the ADG.</p>

Issue	Response
	<p>P65 of the design report refers to <i>approximately 3,800m2 plus approximately 900m2</i>. These approximate figures are out of date and can be ignored.</p> <p>Accordingly, we recommend that the village green should contain 3,300m2 of usable area and that this be addressed as a condition of consent.</p>
<p>b) The DGs state the Forest Playground contains 3,900m2 of useable area but Drawing DA02.MP.202(B) states 1,009m2. Please clarify.</p>	<p>The 3,900m² figure noted in the design guidelines has not been updated to include tree retention in the EEC corridor. Design Guideline 2) 3) should be updated to read 'A Forest Playground of 1,000 sqm usable area should be provided between Lots D2 and D3.' Accordingly, we recommend that this be addressed as a condition of consent.</p>
<p>4. School</p>	
<p>a) The proposed future school GFA has been reduced from 9,704 m2 to 3,497 m2. Confirm the capacity of the revised school, whether it would service years 7 to 12 and provide additional information to confirm its viability.</p>	<p>The proposed vertical school is now intended to function as a primary school K to 6 of approximately 430 children. These matters will be further considered in a subsequent detailed State Significant Development Application.</p>
<p>b) Confirm how much of the school GFA would form part of the child care centre.</p>	<p>The proposed childcare centre will make up approximately 700 square metres of the GFA prescribed for the school and is subject to detailed design.</p>
<p>c) Confirm whether the 25 drop-off/pick-up spaces for the school also includes drop-off/pick-up spaces for the combined child care centre.</p>	<p>Yes, the proposed drop off / pick up zone will be utilised for both the school and childcare centre.</p>
<p>5. Social Impact</p>	
<p>Please respond to the following comments from the Department's Social Impact Assessment Specialist regarding the proposed monitoring arrangements (under Recommendation 5):</p> <p><i>The recommendation requested "details of proposed social impact monitoring arrangements", but these are not provided, with the response instead referring to an evaluation framework under the Communities Plus Program, which is under development. Specifically, the recommendation stated: "at a minimum we request that specific monitoring arrangements be proposed that:</i></p> <ul style="list-style-type: none"> • <i>identify what social impacts are being monitored and how they contribute to social inclusion (positively or negatively);</i> • <i>explain how they will be monitored (i.e. what methods will be used, when, and how often)."</i> 	<p>The Future Directions Evaluation Framework outlines the Future Directions Minimum Data set. This document sets out domains drawn from the Human Services Outcomes Framework, short- to long-term client outcomes, indicators, proposed data sources and additional details regarding the approach to monitoring impacts. This document also outlines the intended positive impacts and puts in place an approach that will measure if there are positive or negative impacts. Under the contract with LAHC, the Community Housing provider is required to undertake annual reporting of the Future Directions Minimum Data.</p>
<p><i>Unless we know what will be monitored, and how, it is difficult to gauge how effective the monitoring program is likely to be at evaluating the things that may be most important to residents and the broader community, and therefore impossible to write specific, enforceable conditions. I would therefore request that the proponent identify suitable indicators that are specifically relevant to this development, as in the two dot points above. It is also necessary to know:</i></p>	<p>The domains, outcomes and indicators have been identified as part of the development of key policy documents included below. Please refer to:</p>

Issue	Response
<ul style="list-style-type: none"> • <i>how these social indicators were selected (i.e. what research methods were used to prioritise them?) and</i> • <i>why they were selected (i.e. what evidence supports their relevance?)</i> 	<p>Future Directions Strategy: http://www.socialhousing.nsw.gov.au/?a=348442</p> <p>Human Services Outcomes Framework: https://www.facs.nsw.gov.au/resources/human-services-outcomes-framework</p> <p>Evidence Base for measuring social housing outcomes: https://www.facs.nsw.gov.au/data/assets/file/0003/380622/3779 FAGS Me assuring-Social-Housing-Outcomes Cover.pdf</p>
6. Other	
a) Confirm the revised estimated population of the estate.	The approximate population for Ivanhoe is estimated to be approximately 6,000 residents.
b) Confirm how privacy will be provided to ground floor apartments fronting neighbourhood streets.	<p>Ground floor apartments fronting neighbourhood streets will address the public domain and be accessed directly from the street.</p> <p>To provide privacy and amenity without obstructing casual surveillance of the street, one or a combination of the following approaches will be adopted in accordance with the ADG:</p> <ul style="list-style-type: none"> a) elevation of private gardens and terraces above the street level, b) landscaping alongside private courtyards, c) window sill heights and solid/screened fencing that minimise sight lines into apartments, and d) integrating balustrades, safety bars or screens with the exterior design.
c) Confirm what community facilities are intended to be provided within the community centre.	The proposed community centre is currently the subject of a VPA process with Council. The indicative masterplan includes approximately 2,000 square metres of recreational uses including community rooms, pool and gymnasium, but remains the subject of what is ultimately agreed with Council
d) Confirm whether the intended VPA includes use of public open space i.e. the Village Green, by the proposed school.	The proposed vertical school is intended to function as a primary school and accordingly has been significantly reduced in size. As a result, the proposed school no longer requires access to the Village Green.
e) Please provide an updated CIV letter for the concept proposal as the letter provided in Appendix N of the RRTS relates to Stage 1.	The updated CIV letter has been provided in Attachment F .

Issue	Response
f) Clarify Building C2 is not intended to contain residential use (see Table 2 in the RRTS).	Building C2 is not proposed to contain any residential uses.
<p>7. Stage 1 RTS</p> <p>a) Provide justification regarding the 99 apartments within Building C1 that would receive no solar access in midwinter, including how these apartments will otherwise achieve good amenity.</p>	<p>As detailed in the SEPP 65 report prepared by Candalepas Associates, the design of Building C1 has been driven to maximise solar access. The slight 'tilt' of the two tower forms ensures that 2 hours of direct sunlight (between 9am-11am) are available to the northern and eastern facades at midwinter, enabling the proposed development to achieve the ADG minimum of 70% of dwellings receive 2 hours direct sunlight to living areas in the midwinter.</p> <p>Notwithstanding this, due to the orientation of C1, 93 apartments will not receive direct solar access, which represents 21% of apartments thereby exceeding the maximum ADG requirement of 15%. This minor exceedance is considered to be reasonable given the priority to design the building to maximise the number of apartments receiving a minimum of 2 hours of sunlight during midwinter.</p> <p>Further, a large proportion of apartments not receiving direct solar access are naturally cross ventilated and enjoy views over the Village Green, thereby maximising the amenity for these apartments.</p> <p>It is also prudent to note that this measure is during midwinter and the solar performance of the building will improve significantly for other parts of the year.</p>
<p>b) Confirm how privacy will be achieved to ground level apartments on the eastern side of Building C1 which directly adjoin communal open space.</p>	<p>The eastern side of building C1 at the ground plane interfaces with an internalised communal open space area. Solid balustrades and mounded landscaping for these apartments is proposed to address privacy concerns. Refer to Attachment I.</p>  <p>01 NORTH WEST INTERNAL ELEVATION</p>

Issue	Response
<p>c) Confirm the location of the 3 on-street car parking spaces for the proposed child care centre within Building A1 and confirm why all spaces are not located within the basement car park.</p>	<p>The three car spaces are located within the road reserve on the northern side of Neighbourhood Street (Road No. 2). The car spaces are considered to provide a practical and convenient point for temporary car parking for the drop off and pick up of children at the childcare centre.</p> <p>Further, visitor and childcare parking have been co-located and isolated from residential parking to enabling overflow of each use to maximum parking usage efficiency.</p>
<p>d) Confirm the location and number of visitor bicycle parking spaces for Buildings A1 and C1.</p>	<p>Building A1 provides 14 visitor bicycle spaces, including 6 for the childcare centre, at lower ground level accessed from the visitor parking area.</p> <p>Building C1 provides 19 visitor bicycle spaces, at basement level 2 adjacent the end of trip facilities accessed through the dedicated retail / community centre lift.</p> <p>In addition to this, the applicant is willing to accept a condition on the Concept SSD DA to the effect that:</p> <ul style="list-style-type: none"> • A minimum of 200 visitor bike parking spaces will be provided across the site. • A minimum of 100 of these visitor bike parking spaces will be located in the public domain.
<p>e) For Building A1, the proposed landscape plans show Sydney Blue Gums on the boundary of 137-143 Herring Road. Planters are shown as 900mm deep on landscape plans but 1.5m deep on architectural plan sections. Noting the ADG recommends a minimum 1.2m depth for large trees, confirm the proposed planter depth and provide confirmation from the arborist that the proposed planters are suitable for the proposed tree planting.</p>	<p>The proposed scheme allows for a minimum of 1200mm soil depth for all trees – ranging between 1250-1800mm between planter types. In addition to meeting soil depth requirements, planters have been designed to align with best practice soil volumes. Soil volumes have been designed in accordance with SESL Australia Pty Limited (SESL) 'average soil volume minimum and optimum recommendations from leading industry professionals' to ensure health and vitality of the species.</p>

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	<table border="1" data-bbox="1415 248 2074 561"> <thead> <tr> <th colspan="6" data-bbox="1415 248 2074 288">Minimum soil volume recommendations expressed as an average and derived from published research findings as listed in table below</th> </tr> <tr> <th data-bbox="1415 288 1550 360">Relative tree size at maturity⁶</th> <th data-bbox="1550 288 1626 360">Small</th> <th data-bbox="1626 288 1702 360">Medium</th> <th data-bbox="1702 288 1778 360">Large</th> <th data-bbox="1778 288 1912 360">Optimum recommendation</th> <th data-bbox="1912 288 2074 360">Refer to tables following for averages on tree sizes</th> </tr> </thead> <tbody> <tr> <td data-bbox="1415 360 1550 432">Averages for research findings</td> <td data-bbox="1550 360 1626 432">13.3 m³</td> <td data-bbox="1626 360 1702 432">31.3 m³</td> <td data-bbox="1702 360 1778 432">> 18m² area</td> <td data-bbox="1778 360 1912 432">42 m³</td> <td data-bbox="1912 360 2074 432">Measurements (converted into m³ where required)</td> </tr> <tr> <th colspan="6" data-bbox="1415 440 2074 480">Minimum soil volume recommendations expressed as an average and derived from regulatory documents as listed in table below</th> </tr> <tr> <td data-bbox="1415 480 1550 561">Averages for published regulatory documents</td> <td data-bbox="1550 480 1626 561">11.9 m³</td> <td data-bbox="1626 480 1702 561">21.7 m³</td> <td data-bbox="1702 480 1778 561">379 m³</td> <td data-bbox="1778 480 1912 561">34 m³</td> <td data-bbox="1912 480 2074 561">Note: Predominantly Canadian and USA sources.</td> </tr> </tbody> </table> <p data-bbox="1402 584 2083 641"><i>Figure 2. Summary of average soil volume minimum and optimum recommendations from leading industry professionals. Source: Soils for Landscape Development. Selection, Specification and Validation (Leake & Haegge 2014).</i></p>	Minimum soil volume recommendations expressed as an average and derived from published research findings as listed in table below						Relative tree size at maturity ⁶	Small	Medium	Large	Optimum recommendation	Refer to tables following for averages on tree sizes	Averages for research findings	13.3 m ³	31.3 m ³	> 18m ² area	42 m ³	Measurements (converted into m ³ where required)	Minimum soil volume recommendations expressed as an average and derived from regulatory documents as listed in table below						Averages for published regulatory documents	11.9 m ³	21.7 m ³	379 m ³	34 m ³	Note: Predominantly Canadian and USA sources.
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f) Provide a response to matters raised on behalf of the owners of 6-8 Lyonpark Road.	The submission made on behalf of the owners of 6-8 Lyonpark Road had been previously addressed in the Record and Response to Submissions Report prepared by Ethos Urban.																														
Subdivision	Please also note that the proposed Lot 100 is a future development lot with no works required and can be registered independently of other stages and we request a condition of consent to confirm this. Refer to Attachment J .																														