ETHOS URBAN

Attachment A – Response to Agency Submissions (SSD 7275) 80-88 Regent St, Redfern

The following table includes a response to the full text of submissions provided by or on behalf of State and local government agencies. For completeness, the full text of each submission is provided in the left-hand column, accompanied by the proponent's corresponding response in the right-hand column. The proponent's responses have been informed by input by the expert consultant team and should be read in conjunction with the publicly exhibited Environmental Impact Statement and accompanying technical reports, as well as the Response to Submissions Cover Letter to which this document is appended.

Item Raised		Proponent's Response
Department of Planning and Environment		
DPE 1a	**Design Excellence** Provide confirmation from the NSW Government Architect's office that the proposed design achieves design excellence.	A letter of confirmation was sought on the 30 November 2018. GANSW advised on the 6 December 2018 that a review of the RtS documentation is required prior to confirming that the proposal achieves design excellence. GANSW advised this response will be provided to the Department directly.
DPE 2a	**Built Form** Further clarification is required as to the extent of the building height variation. This includes the following addition plans to demonstrate: • Definitive areas of building height non-compliance with consideration to the point encroachment to the south-east of the site.	Refer to the supplementary design report at **Attachment B.** The SEPP maximum building heights have been overlayed onto the plans to illustrate the points of encroachment.
DPE 2b	• A comparison of the proposed development with a compliant development and the previously approved application with regards to height and setbacks.	Refer to the supplementary design report at **Attachment B.** The proposed development is lower in height than the approved building under SSD 7080 and its 'L-shaped' form is responsive to the surrounding development as it removes mass from the north-western portion of the site to allow greater separation and amenity to the residential apartments located to the west of the site.
DPE 2c	• Consistency with the podium setback of the existing Iglu 1 development at 60-78 Regent Street, Redfern	The Iglu 1 development refurbished the historic terrace facades fronting Regent Street to create a podium that maintained the existing fine grain character and scale of Regent Street. These terraces are not subject of any heritage listing, and their retention was a voluntary design move made by the proponent's design team. However, it became apparent during the construction of the Iglu 1 that the condition of the existing facades has significantly deteriorated. The retention of these facades places substantial cost and construction burdens on the project, as such a sympathetic alternative has been proposed. The new podium is consistent in scale and rhythm with the adjoining terraces, however incorporates an approximate 400mm setback to the retail glazing line. This reinforces that while the

Item Raised		Proponent's Response
		podium facades are generally consistent with the character of the historic terraces, they are associated with a new building.
DPE 2d	• The maximum building height as measured from the existing natural ground level, including for the lift overruns on the elevation plans	Under the State Significant Precincts SEPP, the site is subject to a maximum building height of 18 storeys, with a maximum two storey height portion along Regent Street and a three storey height portion along Marian Street. As such, the maximum building height is controlled by the number of storeys not a metre height value. Notwithstanding this, RL's have been added to the amended plans to confirm the maximum building height from existing ground level is 63.7m (RL 90.2). This is 2.8m lower than the approved building for the site under SSD 7080.
DPE 2e	• Provide justification that the proposed meter room/plant area does not constitute a storey resulting in a building height of more than 18 storeys	Under the State Significant Precincts SEPP, a storey is defined as a space within a building that is situated between one floor level and the floor level next above, or if there is no floor above, the ceiling above. As illustrated on the amended architectural drawings at **Attachment A**, this area is fully open to the sky as such does not constitute an additional storey. This is consistent with the approach accepted by the NSW Department of Planning and Environment in relation to the adjoining Iglu 1 development under SSD 14_6724.
DPE 3a	**Redfern Centre Urban Design Principles (UDP)** Demonstrate a compliant setback to Marian Street, consistent with the UDP noting that the adjoining development to the west achieves the minimum 1.5 m requirement and the previous development at 80-88 Regent Street achieved the minimum 1.5 m at the footpath level.	The Draft UDP requires podiums to be 1.5m from Marian Street to an average width of 3m. As illustrated on the amended plans, the proposal achieves compliance with this control through the minor reconfiguration of the southern retail façade line, thereby providing an average width of 3m.
DPE 3b	Demonstrate a compliant setback to William Lane, consistent with the UDP, noting there is a requirement of 800mm to allow for footpath widening.	It is maintained that William Lane is not a desirable pedestrian environment and will not be opened to through-site link due to conflicts with police vehicles accessing the Redfern Police building basement and service vehicles accessing the Iglu building loading dock. Furthermore, students are encouraged to use the main entrance on Regent Street as this is a safe and activated environment. Notwithstanding this, the proposal has been setback 800mm to allow for footpath widening.
DPE 3c	Provide further detail of the proposed awnings consistent with the UDP.	Refer to the supplementary design report at **Attachment B.** Further discussion is provided at **Section 1.1** of the cover letter.
DPE 4a	**Ground Floor Layout** Further consideration is required for the ground floor layout, including the following; • Demonstrate how the level change from the footpath spaces will be managed	Refer to the amended architectural drawings at **Attachment A**. The retail levels are designed to align to footpath.

Item Raised		Proponent's Response
DPE 4b	• Demonstrate the location of any required sprinkler and hydrant pump room, tanks, substation, fire control room and/or fan room. It is noted that the development at 60-78 Regent Street resulted in the loss of community room for these services.	For absolute clarity, this was not the reason for deletion of the community room in Iglu 1. Iglu was committed to delivering this room with a workable services layout. However, following further engagement with the local Aboriginal community organisations, it was determined that there was no demand for this room and as such it was removed from the project. As the proposal will be integrated with the existing Iglu building to the north, a number of services will be extended from the existing service provisions rather than provided as completely "new" and independent connections. IGS confirm that the proposed service layout is sufficient to service the proposed development. Refer to the amended architectural drawings at **Attachment A** and the building services cover letter prepared by IGS at **Attachment E.**
DPE 4c	Further consideration is required regarding the provision of end-of-trip facilities for the ground floor commercial and retail uses.	The ground floor design has been amended to incorporate end of trip facilities to service the commercial and retail tenants. This is in addition to the end of trip facilities provided within the adjoining Iglu building.
DPE 5a	**BCA** The proposed boarding house includes self-contained rooms, therefore further justification is required to determine the classification of the building as Class 3, with specific consideration to the judgement found in *SHMH Properties Australia Pty Ltd v City of Sydney Counci*l [2018] NSWLEC 66. Any changes to the classification will require an amended BCA report and a BASIX certificate.	BASIX certificates have been prepared and are provided at **Attachment F**.
DPE 6a	**Wind** Amend the architectural and landscape plans consistent with the wind mitigation measures contained within the Pedestrian Wind Environment Study. Any amendments to the built form are to be incorporated into an amended Wind Environment Study	The Wind Impact Assessment prepared by Windtech recommended the following treatments: • Inclusion of full spaning awning with no gaps along Marian Street; and • Planting of densely foliating evergreen trees capable of growing up to 2.0m – 4.0m in height with 4.0m interlocking canopies along the centre line of the Level 1 courtyard. As shown on the amended architectural drawings at **Attachment A**, the awning design has been modified to lower the height at the street corner and remove any breaks along Marian Street. The landscape design includes densely foliating trees with interlocking canopies within the Level 1 courtyard. A letter has been prepared by Windtech at **Attachment P** which confirms that the amended proposal now satisfactorily incorporates their recommendations.
DPE 7a	**Solar and overshadowing** The shadow diagrams and views from the sun are to be amended to correctly reflect the sun angles.	Refer to the shadow diagrams within the supplementary design report at **Attachment B.**

Item Raised		Proponent's Response
DPE 7b	Demonstrate the solar access received to the indoor communal open space.	Refer to the shadow diagrams within the supplementary design report at **Attachment B.** Specifically, the sun eye diagrams illustrate that 9am-10am on the winter solstice, the eastern podium façade is exposed. As such, solar access to the indoor communal space at Level 1 is achieved during this period.
DPE 7c	Provide hourly shadow diagrams from the sun for both existing and proposed conditions.	Refer to the shadow diagrams within the supplementary design report at **Attachment B.** Noting that the existing shadows reflect the two storey development currently on site.
DPE 7d	Provide a schedule of the solar access received to the units at 7-9 Gibbons Street for both the existing and proposed conditions.	Refer to the shadow diagrams within the supplementary design report at **Attachment B.** The shadow impact analysis confirms that there is a reduction in shadow impacts to the 7-9 Gibbons Street building on June 21st between 9am and 3pm when compared to the previous approval under SSD 7080.
DPE 7e	Provide additional shadow analysis to demonstrate the additional overshadowing of the development beyond the previously approved application (SSD 7080). While it is noted the proposal is smaller than the approved application, there are changes to the setbacks that will result in additional overshadowing.	Refer to the shadow diagrams within the supplementary design report at **Attachment B.** The shadow diagrams include an overlay illustrating the shadow cast by the building approved under SSD 7080. As detailed with the EIS, and supported by these shadow diagrams, the proposal results in a net reduction in overshadowing when compared to the existing approval. Considering the site's high-density context, the reduction in overshadowing from the existing approval and the absence of any significant additional overshadowing to significant public places, the proposal is considered acceptable from an overshadowing perspective.
DPE 8a	**Views** Provide analysis of the view impacts to the 'Deicota' building at 157 Redfern Street, Redfern.	Refer to the updated view impact analysis at **Attachment G.** It is reiterated that the proposal removes building mass from the north western portion of the tower to enhance the amenity and separation to the residential apartments within the Deicota building.
DPE 9a	**Noise** Provide a numerical amount of the predicted noise levels within the building and the numerical amount of how the recommended treatments have reduced this to meet the assessment criteria. This shall include specific reference to the proposed breezeway dualair component system.	Refer to the cover letter prepared by Acoustic Logic at **Attachment H.**
DPE 9b	Demonstrate the predicted construction noise levels, mitigation and management strategies.	A Preliminary Construction Noise and Vibration Impact Assessment Plan (CNVIAP) has been prepared by Acoustic Logic and is provided at **Attachment I**. It is noted that a construction program and methodology of proposed works has not been determined prior to builder procurement, is such Acoustic Logic have appropriately prepared a preliminary plan.
DPE 9c	Provide a noise emission assessment for the podium level communal open space**.**	Refer to the cover letter prepared by Acoustic Logic at **Attachment H.**
DPE 10a	**Gross Floor Area (GFA)**	Bates Smart has confirmed that the proposal contains 7,188m^2 of GFA. Amended GFA diagrams have been prepared by Bates Smart and are provided within the supplementary design report at **Attachment B.** Bates Smart has confirmed the GFA diagrams have been prepared in accordance with

Item Raised		Proponent's Response
	In accordance with the definition of GFA in the standard instrument, provide justification for the following exclusions: - The mezzanine space for the proposed loft units - Toilets associated with the office space - Laundry facilities - Ground floor corridors - Bike storage - Waste bin rooms - The level 1 terrace area - The rooftop terrace area	the GFA definition contained under the standard instrument prescribed by the *Standard Instrument (Local Environmental Plans) Order 2006.*
DPE 11a	**Signage** Provide a signage plan showing the dimensions and location of the proposed signs and consistency with the Redfern Centre Urban Design Principles.	Dimensioned signage zones have been added to the elevation plans at **Attachment A**. Consent is sought for the location and size of the zones only. Iglu and tenant signage typologies will be subject to a subsequent development consent where they will be assessed against the Redfern Centre Urban Design Principles signage provisions.
DPE 11b	Confirm whether under awning signs are proposed as indicated in the Development Application Design Report. If so, provide a revised signage plan.	
DPE 12a	**Retail strategy** Provide further information regarding the future use of the retail and commercial space.	Iglu has prepared an outline of the retail strategy which is provided at **Attachment J.** As noted in the retail strategy, Iglu intends to bring a diverse mix of retailers to the proposed development to complement the existing retail offerings at Iglu Redfern 1. The existing tenancies at Iglu Redfern 1 represent a broad spectrum of reputable F&B operators of high-quality design, fitout and service. Iglu is seeking to maintain the retail diversity that has been achieved at Iglu Redfern 1 by introducing two further food and beverage operators and one boutique lifestyle store. Once completed, the entire frontage along Regent Street and Marian Street, and along the return to William Lane, will be fully-activated enhancing the vibrant Redfern precinct.
DPE 13a	**Laundry facilities** Provide further justification for provision for 5 washing machines (ratio of 1 per 37-53 students) and 6 dryers (ratio of 1 per 31-44 students). Such justification could include a survey of the existing residents at Iglu 1 regarding their clothes washing requirements.	Refer to **Section 1.3** of the cover letter.
DPE 14a	**Access** Provide entry and exit swept path diagrams for the longest vehicle to service the site in accordance with AUSTROADS.	No loading dock is proposed to be constructed as part of this application. The servicing and loading will be accommodated within the existing loading dock in the adjoining Iglu building, accessed from

Item Raised		Proponent's Response
		William Lane. As such, the swept paths prepared for the existing Iglu 1 building have been provided at **Attachment K** which confirm that suitable vehicle access can be provided to continue to service the site.
DPE 15a	**Site amalgamation** Provide additional information regarding the lot consolidation and timing.	Iglu propose to consolidate the lots prior to the issue of the Occupation Certificate. This can be conditioned as a requirement to be satisfied prior to the issue of an Occupation Certificate.
DPE 15b	Demonstrate how the development could still function as two separate lots.	It is not intended for the development to function as two separate lots.
DPE 15c	Provide detail as to how development consent for the alterations and additions of the existing site will be managed.	In general, the following works are required to be undertaken: • The precast walls between the courtyards will be removed and the courtyard design amended to reflect one larger external terrace; • A new opening will be created in the walls at the southern end of the existing Iglu building lounge area; • New doorways will be cut into the precast wall panel in the southern wall of the loading dock to allow access to the shared loading dock • Services connection from the existing Iglu building to the proposed development including electrical mains, sprinkler and hydrant mains, water and gas mains, as required. These changes will be sought as a separate Development Application/ Section 4.55 modification or will be subject to a separate CDC, as appropriate.
DPE 16a	**Aboriginal Cultural Heritage Assessment Report** An Aboriginal Cultural Heritage Assessment Report is Required for assessment.	Noted. As previously agreed with the Department, the ACHAR is being prepared and will be submitted prior to the completion of the Department's assessment.
DPE 17a	**Contamination** A Detailed Site Investigation is required in accordance with the findings of the Preliminary Site Investigation.	The site has been subject to previous environmental investigations associated with the preparation of SSD 7080. Under SSD 7080, EI Australia prepared a Detailed Site Investigation (DSI) and concluded that the condition of soils and groundwater on site are suitable for commercial and residential land uses. This DSI has been provided at **Attachment M,** and the cover letter from EI Australia at **Attachment L** confirms that the site is suitable for the proposed development.
DPE 18a	**Survey Plan** A current survey plan is required to demonstrate the current site and its surrounds.	An updated site survey has been prepared by Mitchell Land Surveyors and is provided at **Attachment N**.
DPE	**Quantity Surveyors report**	

Item Raised		Proponent's Response
19a	A Quantity Surveyors report is required for the proposed cost of works to determine the contributions amount under the *Redfern Waterloo Authority Contributions Plan 2006*. This is to be in accordance with Section 25J of the *Environmental Planning and Assessment Regulation* 2000.	An updated QS Statement has been prepared by WT Partnership and is provided at **Attachment O.**
DPE 20a	**Development contributions** The Department does not support the proposed exemption to the Redfern Waterloo Authority Affordable Housing Contributions Plan As the development is not managed by an affordable housing provider or Family and Community Services.	Noted. We expect that a condition requiring payment of this contribution will be imposed.
DPE 21a	**Additional plan detail** The following additional plan details are required: • The north arrow is to be consistent on all plans including the site plans and floor plans. • Plan dimensions on the floor plans and elevations showing key setbacks, distances, heights, widths etc. • A breakdown of the communal open space, including the numerical amount and what areas have been included. • The proposed setbacks on all floor plans between the proposed building and the site boundary and to adjoining development. These setbacks are to be taken from the outer face of the external wall. • Floor to ceiling heights for each floor including the ground floor retail/commercial areas. • Mezzanine areas of the proposed loft units. Indicate the GFA of each unit (excluding wardrobes).	Refer to the supplementary design report at **Attachment B.**

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NSW Government Architect's Office/State Design Review Panel		
GA 1a	**Streetscape** We support the design amendments to improve the amenity and visual appearance of the street wall/podium through stepping the parapet along Regent Street and providing a second entry along Marian Street.	Noted.
GA 1b	However, we recommend pedestrian amenity and street activation is further improved through consideration of: • the height of the stepped awning height at the corner of Regent Street and Marian Street in relation to its ability to provide sufficient and consistent weather protection along the footpath for pedestrians;	In response to GANSW's comment, the awning height has been reduced at this street corner. Refer to **Section 1.1** of the cover letter and the amended architectural drawings at **Attachment A.**
GA 1c	• the provision of greater outlook, passive surveillance, and visual connection between the southern end of the Level 1 student common area and the street (this is to reiterate advice from the first SDRP session).	The design aims to balance good passive surveillance with a desire to define a solid masonry sympathetic to the adjoining brick terraces. The southern elevation to the communal area has a glazed frontage of approximately 50% which will provide good street surveillance. The glazing to the podium corner as well as the commercial tenancy will ensure the building allows outlook, passive surveillance and visual connection to the street.
GA 2a	**Courtyard** We acknowledge the design team's rationale to maintain the height of the courtyard undercroft, however, recommend light-coloured materials and finishes are used to clad the soffit, to maximise reflected natural light in this area.	Light-coloured materials and finishes have been employed to clad the soffit, maximising reflected natural light in this area. Refer to the supplementary design report at **Attachment B.**
GA 3a	**Architecture** We support the design strategies to modulate the building façades, evident in the use of colour, configuration of glazing, and surface relief visible along Botany Road. However, we recommend the extended application of these strategies to the blank sections of north and west facade, in particular along William Lane, to improve the visual appearance of the building as perceived from neighbouring residential buildings and the public domain. We recommend considering further integration of surface relief, additional glazing, infill panels of different materials or colours. Should the proposal demonstrate a satisfactory response to these recommendations, we would support the encroachment of the building mass over the current DA alignment to William Lane.	In response to the GANSW's advice, the western façade has undergone minor design development as detailed within the supplementary design report at **Attachment B.** Further discussion is provided at **Section 1.2** of the cover letter.

Item Raised		Proponent's Response
GA 4a	**Residential amenity** We support the operable glazing solution to enable noise control and natural ventilation to units provided it meets the relevant City of Sydney acoustic control guidelines. Further, we recommend the following to improve residential amenity: • Review and revise unit layouts to ensure the maximum number of units are provided with appropriate solar access where possible.	The proposal was subject to comprehensive testing to develop the optimal layout in terms of floor plate efficiency, internal amenity and privacy to surrounding residents. This is supported by **Figure 2** of the cover letter. Within the proposed building, a typical floor plate contains seven studio rooms oriented to the east to maximise access to morning sun and the sweeping eastern district views. Units are largely oriented away from the north, as this aspect is defined by the existing Iglu 1 building and other residential towers to the north-east, and as a consequence the northern façade is provided with limited glazing to maintain appropriate levels of privacy between the two Iglu buildings. As such, the proposed floor layouts are considered optimal.
GA 4b	• Ensure sections of full-height glazing to units are accompanied by integrated features to provide occupants with the ability to control the visual privacy of their units from exposure to the street and minimise solar heat gain.	Each room is provided with an operable full height blind to assist in managing visual privacy and solar heat gain.
GA 5a	**Bike Parking** While we note improved access to street level bicycle parking has been provided in the revised design, there was insufficient information to substantiate the quantity of bicycle parking for the proposal and in relation to the adjacent Iglu student accommodation building. We recommend this information is provided in the Response to Submissions.	Refer to **Section 6.4.1** of the EIS and the Traffic Impact Assessment prepared by Varga. It is noted that additional end of trip facilities have been included on the ground floor to service retail and commercial tenants.
GA 6a	**Retail and commercial uses** We commend the proponents retail strategy to support local businesses as ground floor tenants and contribute to the local economy.	Noted. The retail strategy prepared by Iglu is provided at **Attachment J.**
GA 7a	**Aboriginal cultural heritage** We acknowledge the effort by the proponent and design team to engage with the local aboriginal community in order to integrate community uses into the building. However, given the limitations of this engagement, we recommend that the project consider other strategies to raise future building occupants' awareness of local aboriginal culture and heritage. We note that landscape design, species selection and interpretation strategies offer potential ways for a response to aboriginal culture and heritage to be incorporated into the design at this late stage.	Noted. The landscape design prepared by 360 includes plant species that suit the various microclimatic conditions and site requirements with local native and indigenous species used where appropriate.
GA 8a	**Planning controls and submissions**	Noted. Refer to the response to the Department's comments above.

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	We acknowledge the items raised in the meeting by the Department of Planning and Environment's assessing officer and anticipate these will be addressed by the project team in the Response to Submissions.	
City of Sydney		
CoS 1a	**SEPP 1 Objection – height and floor space ratio** It is considered that the applicant's written request to justify the contravention of the height and floor space ratio development standard is not well founded and not in the public interest as the proposed development will result in adverse environmental impacts such as wind impacts and overshadowing impacts to surrounding properties. The non-compliance with the height and building setback controls prejudices future residential development to 90 Regent Street and results in sub-standard amenity for both sites. In addition to the above, the applicant's submission that the standards have been abandoned as the Minister has previously approved development in the Redfern Centre that varies the standards is not accepted. The impact of the development on the environment must be considered on a case by case basis. The information submitted with the application confirms that there will be unacceptable overshadowing impacts. The Department cannot be satisfied that the applicant's written request has adequately addressed the maters required to be addressed by SEPP 1 and the proposed development to vary the height and floor space ratio standard should in this case be supported and would be in the public interest.	The SEPP 1 Objection is considered to be well-founded, and environmental impacts arising from the non-compliance are minimal and acceptable, particularly when compared to the approved development under SSD 7080. In relation to wind impacts, the Wind Impact Assessment prepared by Windtech recommended the following treatments: • Inclusion of full spaning awning with no gaps along Marian Street; and • Planting of densely foliating evergreen trees capable of growing up to 2.0m – 4.0m in height with 4.0m interlocking canopies along the centre line of the Level 1 courtyard. As shown on the amended architectural drawings at **Attachment A**, the awning design has been modified to lower the height at the street corner and remove any breaks along Marian Street. The landscape design includes densely foliating trees with interlocking canopies within the Level 1 courtyard. A letter has been prepared by Windtech at **Attachment P** which confirms that the amended proposal now satisfactorily incorporates their recommendations. In relation to overshadowing, the shadow impact analysis has been updated and is provided within the supplementary design report at **Attachment B**. Bates Smart has confirmed that the proposal results in a net reduction in overshadowing when compared to the existing approval under SSD 7080. As this development was supported by the Department and determined by the PAC, the Applicant disagrees that the overshadowing impacts are unacceptable. The proposed variations to the development standard would not impact upon the ability to deliver residential accommodation at 90 Regent Street. This site benefits from a road reserve containing Marian Street which allows an approximate 12.4m separation between the lots and predominantly over 15m to the tower form. This separation will be further increased by any tower setback off the

Item Raised		Proponent's Response
		site's northern boundary. It is also noted that ADG separation distances do not apply to student accommodation development, as detailed further below.
CoS 2a	**Affordable Housing Contribution** It is the City's strong view student housing does not align with the Principles of SEPP 70 for the provision of affordable housing and as such should not be exempt from payment of affordable housing contributions.	Noted. Contributions will be paid in accordance with the Redfern-Waterloo Development Contributions Plan 2006 and the Redfern-Waterloo Affordable Housing Contributions Plan 2006.
CoS 3a	**Zone Objectives** Under the State Significant Precincts SEPP, the site is zoned 'Business Zone – Commercial Core'. It is considered that the proposal does not achieve the objectives of the SEPP, particularly paragraphs (e) and (f).	The Applicant disagrees with this comment. As supported within the EIS, the proposal achieves the objectives of the SEPP as it: • facilitates the development of the Redfern town centre by providing a high quality architecturally designed building with a strong, activated ground plane whilst also injecting new activity through the addition of new student residents into the centre who will contribute to local activity; • provides employment generating uses with modern, well designed retail tenancies and a commercial tenancy as well as ongoing employment to support Iglu's operations; • provide student accommodation that is compatible with adjoining residential and non-residential development; • maximises public transport use by not providing any on-site parking in recognition of the close proximity to Redfern Station and good bus connections, whilst also supporting cycling and walking through the provision of bike storage facilities and the future provision of information to students and staff; • establishes a new standard for design excellence in the Redfern centre through the introduction of a new building designed by well-regarded architects Bates Smart; • enhances the public domain through the provision of an accessible and activated ground plane.
CoS 3b	The wind impacts discussed below result in avoidable negative impacts to the public domain.	The proposal has been subject to detailed wind analysis including wind tunnel testing conducted by Windtech. The cover letter prepared by Windtech at **Attachment P** confirms that the proposal has been amended to incorporate the recommendations made by Windtech, as such the proposal is considered to be acceptable from a wind impact perspective.
CoS 3c	The proposal is likely to cause overshadowing impacts (it is noted that insufficient information has been provided to properly assess shadow impacts). As discussed below, corrections to the methodology are required to quantify the degree of impact.	Refer to the supplementary design report at **Attachment B**. The proposed development will result in a net reduction in overshadowing compared to the existing residential development consent for the site. Furthermore, the proposal improves the solar access to the 'Diecota' building to the west when compared to the approved building under SSD 7080.

Item Raised		Proponent's Response
CoS 4a	**Design Excellence** Clause 22 of Part 5 of Schedule 3 of the SEPP states that 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. • It is considered that the proposal does not achieve the design excellence provisions of the SEPP for the following reasons • the design of the proposed building does not improve the quality and amenity of the public domain; and • the design of the proposed building does not satisfactorily mitigate environmental concerns such as wind and overshadowing.	It is considered that the proposal achieves design excellence. The proposed building design represents a substantial improvement in architectural design compared to other towers located in the Redfern centre, and is complementary to the high-quality architectural outcome delivered on the adjoining Iglu 1 site. The proposal has been subject to two State Design Review Panel (SDRP) sessions, and the design has evolved in response to the GANSW/SDRP's recommendations, where possible. GANSW advised on the 6 December 2018 that a review of the RtS documentation is required prior to confirming that the proposal achieves design excellence. GANSW advised this response will be provided to the Department directly.
CoS 5a	**Wind Impacts** The wind analysis is insufficient and requires amendments and further wind tunnel testing. The following significant issues have been identified: • Incorrect comfort criteria is used in the testing: • - Point 6 is the main residential entry to the building and should use 6m/s (standing) rather than 8m/s (walking). • - Points 11, 12 and 13 are within the internal courtyard and should use 'sitting' (4m/s) criteria rather than standing (6m/s).	Windtech has reviewed the following comments and their responses are set out below. The criteria were sent through along with the pedestrian wind environment study points. No further wind tunnel testing is required to recategorise the criteria for points 6, 11, 12 and 13. In Windtech's experience, 4m/s criteria is generally applicable to areas where seated fine dining and long duration activities is expected. A communal courtyard is generally classified as a short duration exposure use, at 6m/s. In Windtech's expert opinion, changing the criteria is considered excessively stringent given the intended use of the space.
CoS 5b	• The testing does not include a point within the covered section of the Level 1 courtyard, where wind impacts may differ / increase due to the overhang immediately below the sheer wall of the tower.	Windtech has located test points in the most critical locations. The location of points 11 and 12 are located in such a way they capture the critical downwashed winds from the tower above. The area under the courtyard is not as critical as the other two locations. Windtech conclude that the flow stagnates in this region under the tower due to the nature of the building form.
CoS 5c	• The 'fail' result at location 13 is justified through the recommended treatment of densely foliating evergreen trees planted in a particular format. This treatment is not demonstrated in the proposed design.	The design has been amended accordingly and the cover letter prepared by Windtech at **Attachment P** confirms that the proposal now satisfies their recommendations.
CoS 5d	• Amelioration treatments are suggested in the report which are not included in the current design. As the treatments are not included in the wind tunnel test model, the efficacy of the proposed treatments is not certain and do not guarantee an acceptable result. The wind tunnel test model must be amended and results recalculated to determine whether the outcome is acceptable.	The Wind Impact Assessment prepared by Windtech recommended the following treatments: • Inclusion of full spaning awning with no gaps along Marian Street; and • Planting of densely foliating evergreen trees capable of growing up to 2.0m – 4.0m in height with 4.0m interlocking canopies along the centre line of the Level 1 courtyard. These recommendations were proposed based on Windtech extensive experience. As shown on the amended architectural drawings at **Attachment A,** the awning design has been modified to lower the height at the street corner and remove any breaks along Marian Street. The landscape design includes densely foliating trees with interlocking canopies within the Level 1 courtyard. The cover letter

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		prepared by Windtech at **Attachment P** confirms that the amended proposal now satisfies their original recommendations.
CoS 5e	• The report justifies 'fail' results at Points 1, 2 and 3 on the basis that the proposed condition is better than existing. This is not an acceptable justification. While noting that DCPs do not apply to State Significant Developments, the DCP provisions nevertheless provide useful guidance on the expected standards. In this regard, Sydney DCP 2012 clause 3.2.6 (3) requires new developments to incorporate design features that will ameliorate existing adverse wind conditions so that the criteria above are achieved. Further testing of alternate envelopes is required to determine whether improvements to wind conditions can be made at Locations 1, 2, and 3 along Regent Street.	The wind conditions at points 1, 2 and 3 have been summarised in Table 5 of the Wind Impact Assessment submitted with the EIS. Based on this, Windtech has confirmed that in all cases the proposed design has improved upon the existing conditions. As Council has noted, DCP's do not apply to State Significant Developments.
CoS 5f	• At Point 4 (at the corner of Marian and Regent Streets) the existing exceedance of comfort criterion is 20%. The proposed exceedance is 32%. The exceedance is justified through the recommended treatment of a full width awning to Marian Street. However, it is likely that the minimal setbacks at the south east corner of the proposed tower are contributing to the large exceedance. Further testing is required of tower envelopes which have greater setbacks at this location, both from Regent Street and from Marian Street. It is likely that the sharp angles at the SE corner accelerate wind impacts at ground level. Further testing should include alternative built forms with rounded corners.	The original Wind Impact Assessment included wind tunnel testing, and in Windtech's expert opinion, the provision of a Marian Street awning, free of building breaks is sufficient to create a comfortable trafficable area at the Marian Street frontage and the south east street corner.
CoS 6a	**Overshadowing** Insufficient and incorrect information has been provided. The plan view shadow diagrams provide only 9am, midday and 3pm. This is not sufficiently detailed to analyse and quantify the impact to residential dwellings to the east, south and west.	Noted. The shadow impact analysis has been updated and is provided within the supplementary design report at **Attachment B.**
CoS 6b	The plan view diagrams show the sun rising at midwinter from the north-west and setting in the south-west. The 'views from the sun' are similarly incorrect. The position of the sun differs from the correct azimuth position by approximately 90 degrees.	Noted. The shadow impact analysis has been updated and is provided within the supplementary design report at **Attachment B.**
CoS 6c	Incorrect information has been submitted with the proposal which has the potential to mislead the public about the actual impacts of the proposal. The position of north varies between the site plan and the floor plans. The plan view shadow diagrams and the views from the sun have been created using an incorrect position of the sun at midwinter. The errors must be corrected and fully re-notified prior to the assessment being finalised.	Noted. The shadow impact analysis has been updated and is provided within the supplementary design report at **Attachment B.**
CoS 6d	Complete overshadowing package which includes hourly views from the sun for both existing and proposed conditions is required. This must be supplemented by similar hourly views for both existing and proposed conditions in plan view. Residential properties which are impacted by the proposal must be clearly identified in both views from the sun and plan shadow diagrams. The impact to each individual residential property (including individual	Noted. The shadow impact analysis has been updated and is provided within the supplementary design report at **Attachment B.** Bates Smart has confirmed that the proposal improves the solar access to the residential building to the west when compared to the existing approval under SSD 7080.

Item Raised		Proponent's Response
	apartments) must be quantified in terms of hours of solar access for both existing and proposed.	
CoS 7a	**Non-compliant street setbacks** The Urban Design Principles – Redfern Centre dated May 2011 (UDP 2011) sets out the urban design principles for the site. These include street setbacks as follows: • Regent Street - Above 2 storeys to Regent Street and northern side of Redfern Street Laneway – buildings are required to be setback 8m and follow the existing building line or the setback of adjacent buildings. The proposed setback at Regent Street follows the lesser setback established by the adjacent Iglu development. The non-compliance results in wind and overshadowing impacts.	The UDP control stipulates that the setback may be 8m **or** the setback of the adjacent buildings. Accordingly, the proposed tower aligns with the predominant 3m tower setback established by the existing Iglu building to the north. It is reiterated that Windtech's mitigation recommendations have been implemented into the amended design (refer to **Attachment P**) and the proposal results in a net reduction of overshadowing when compared to the existing approval under SSD 7080.
CoS 7b	• **Marian Street -** A minimum 1.5m setback is required for footpath widening to an average width of 3m and development; above 3 storeys to Marian Street, buildings are to be setback 4m and follow the existing building line or the setback of adjacent buildings. The proposal is setback 2.65m at the south-west corner and 1.3m at the south-east corner. The non-compliance results in wind and overshadowing impacts.	The proposal has been amended to comply with the UDP requirement by achieving an **average setback** width of 3m. Refer to the amended architectural drawings at **Attachment A.**
CoS 7c	• **William Lane -** An 800mm setback to William Lane (eastern side) is required to provide the opportunity for footpath widening. Approximately 600mm to the line of the columns is provided. The non-compliance results in reduced safety for pedestrians within the laneway. An 800mm setback to William Lane should be provided as a minimum. This setback should be clear of any structure and building elements.	The proposal has been amended to comply by achieving an 800mm setback to William Lane. Refer to the amended architectural drawings at **Attachment A.**
CoS 8a	**Visual Privacy** Insufficient building separation is achieved between the south elevation of the proposal and future development on the opposite side of Marian Street. Although ADG separation distances do not apply as this is student housing, good design should follow the suggested overall distances for buildings over 8 storeys. The ADG dimension is 24m, to be achieved equitably between sites. Marian Street is approximately 11m wide. Good amenity would be achieved with a setback of 12m from the centreline of the street. This equates to a setback of 6.5m from the southern boundary. The proposed setback of between 1.3m and 2.65m will result in poor amenity and overlooking between sites.	As noted in Council's comment, the ADG does not apply to student accommodation development. As such, the ADG does not apply to the planning assessment of this application and the proposal is not required to be designed in accordance with the ADG separation distances. This site benefits from a road reserve containing Marian Street which allows an approximate 12.4m separation between the lots, and predominantly over 15m to the proposed tower form. This separation will be further increased by any tower setback off the 90 Regent Street site's northern boundary.

Item Raised		Proponent's Response
	As a minimum, no reductions of the 4m setback specified in the UDP 2011 document should be permitted. Any approval which reduces the setback prejudices future residential development of 90 Regent Street and results in sub-standard amenity for both sites. A greater setback is required to achieve good amenity for both sites.	It is noted that the previously approved residential flat building under SSD 7080 achieved a 3m tower setback, albeit containing a more sensitive residential use that would nominally require a greater setback under the strict application of the ADG design guidance (which was relevant to that residential apartment project).
CoS 9a	**Floor to floor heights** The development proposes 2.9m floor to floor heights for residential accommodation. Although this matches what was approved on the adjacent Iglu development at 60-78 Regent Street, it is considered that this floor to floor height does not allow flexibility for future adaptation for a higher amenity use (potential future conversion of the building to a residential flat building). A low floor to floor height means that service areas (bathrooms, hallways) which have services running above the ceiling level, are not able to be changed to habitable spaces in the future. A minimum floor-to-floor height of 3.1m should be provided for the tower levels to facilitate the provision of 2.7m ceiling height. The proposed office and retail mezzanine spaces are not supported as the upper level is not accessible.	No change to the floor to floor heights is proposed. The development achieves high internal amenity and the 2.9m floor to floor heights are capable of delivering a 2.7m floor-to-ceiling height as confirmed by the approved and constructed Iglu 1 building under SSD 6724. The amended architectural drawings provided at **Attachment A** confirm that access can be provided to the upper level office and retail mezzanines. Accordingly, it is not necessary to delete these spaces, and to do so would have an adverse impact on the quantum of activation and employment generation arising from the project.
CoS 10c	**Door Openings - William Lane** The development proposes doors opening onto William Lane out and over the footpath. The footpath dimension is inadequate due to the non-compliance with the UDP 2011 control. The development should provide a minimum 800mm street setback to William Lane (eastern side) to provide opportunity for street widening. The design must be amended so that doors do not impact on pedestrian use of the footpath. The amendments should not create concealed / recessed spaces in the ground level facade.	The proposal has been amended to comply by achieving an 800mm setback to William Lane. In addition, the doorways have been amended to ensure the doors do not impact on pedestrians. Refer to the amended architectural drawings at **Attachment A.**
CoS 11a	**Blank William Lane Elevation** The west elevation to William Lane is substantially composed of blank facades. As this elevation addresses habitable rooms in the development to the west (bedrooms and living rooms / balconies), consideration should be given to providing visually interesting and finely detailed elevations (which may perhaps include surface modulation or other articulation to relieve the flatness of the surface). The elevation drawings do not notate the intended material or finish for part of the facade.	In response to this comment and the GANSW's advice, the western façade has undergone design development. Further discussion is provided at **Section 1.2** of the cover letter, and the design changes are detailed within the supplementary design report at **Attachment B.**
CoS 12a	**Building Expression – Marian Street**	

Item Raised		Proponent's Response
	The design of the podium fenestration requires further consideration / justification. The large blank section of brickwork at Level 1 to Marian Street is uncharacteristic in the local context where the upper level presents an opening to the street, particularly at corners. The plan indicates seating immediately behind the blank wall – there is no reason why this cannot also be glazed.	The proposed development includes new brick and concrete facades to the podium to draw on the character of the existing brick terraces fronting Regent Street. The Marian Street podium façade includes a mix of brickwork and glazing creating a balanced design that achieves high amenity to the Level 1 space whilst promoting passive surveillance.
CoS 13a	**Land Contamination** As recommended in the applicant's Preliminary Site Assessment report, a Detailed Environmental Site Investigation (DESI) is to be carried out by a suitably qualified and competent environmental consultant in accordance with the Office of Environment and Heritage, Guidelines for Consultants Reporting on Contaminated Sites, Contaminated land Management Act 1997 and SEPP 55 confirming that the site is suitable (or will be suitable, after remediation) for the proposed use.	The site has been subject to previous site investigations including the preparation of a Detailed Site Investigation (DSI) for the previous application under SSD 7080. Accordingly, the existing DSI prepared by EA Australia is provided at **Attachment M** and the cover letter at **Attachment L** confirms that the site is suitable for the proposed development.
CoS 14a	**Common open space** As noted earlier, Sydney DCP 2012 provides useful guidance on the expected standards for boarding houses. The DCP requires a minimum area of 20m² to be provided as communal open space with a minimum dimension of 3m, with the space to be located at ground level in a north facing courtyard or terrace area, where possible, and designed to achieve good amenity in terms of solar access, natural air flow and ventilation, and outlook.	The proposed development contains an additional 292m^2 of outdoor communal open space which is significantly in excess of the Sydney DCP requirement for 20m^2. The provision of communal open space is of a high quality and is appropriate considering the site's high density context.
CoS 14b	<u>Level 1 common open space</u> The communal outdoor open space is to receive minimum 2 hours solar access to 50% of the area mid-winter. However, there is insufficient information to confirm if solar access is achieved	The 'view from the sun' diagrams at **Attachment B** confirm that the during the worst case scenario, the Level 1 courtyard will receive sunlight around 11am, however, does not achieve a full 2 hours to 50% of the area mid winter. Notwithstanding this, during the summer solstice, this area receives solar access across a period of 9am to 1pm. Further to this, the proposal includes a large rooftop communal open space with ample solar access and sweeping eastern views resulting in an area of high amenity available to all occupants.
CoS 14c	While the quantity of common open space complies with the DCP, a review of the provision highlights that the majority of space is timber decking on slab with no porous surfaces and the amount of planters is minimal at 23%. The DCP requires that unpaved soft or porous areas must comprise a minimum of 50% of the total area of common open space	The provisions of a DCP do not apply to State Significant Development in accordance with Clause 11 of *State Environmental Planning Policy (State and Regional Development) 2011.* Notwithstanding this, the proposed development contains an additional 292m^2 of outdoor communal open space which is significantly in excess of the Sydney DCP requirement for 20m^2.
CoS 14d	<u>Level 17 rooftop terrace</u>	360 has reviewed Council's landscape comments and provide the following responses.

Item Raised		Proponent's Response
	Confirmation of the tree locations, soil volume and justification of why the planters cannot be increased in height to provide the minimum soil depths is required.	There is a total of 9 Trees located within planters on the Level 17 Roof Terrace, (7 x Cupaniopsis anacardioides and 3 x Citrus sp.). The finished level of the planters are 800mm above the finished deck level, with an internal depth of 900mm. The heights of these planters are appropriate to creating a space which is both functional for providing seating pockets, maintaining views and providing appropriate soil volumes while managing dead load capacity on the structural slab. An increase in planter height is not only functionally inappropriate, as they would then impeded views and diminish the value of the roofs amenity, it would also substantially increase the loading required on the structure which cannot be accommodated. The planters have extensive lateral volume with an overall area of 47m^2 and allow sufficient soil for healthy tree growth and development.
CoS 14e	There is insufficient information provided for the arbour structure (design, height and maintenance), planting design, furniture fixings, lighting, and location of drainage outlets, irrigation and how the landscaping will be maintained.	The arbour sits approx. 2800mm above the finished level of the roof terrace, and will have a network of tensile stainless steel cables spanning each joist and connecting to the planters beneath to facilitate the plants to climb and traverse the arbour. A planting schedule has been provided for the roof terrace, Solandra maxima and Thunbergia grandiflora have been selected as plants to colonise and climb across the arbour. This mix of species have been selected appropriate to the various conditions encountered and will provide coverage to the full extent of the structure in 4-5 years. Detailed design of the structure will be undertaken and provided as part of the CC documentation approval process. A fully automated drip irrigation system will be installed to all gardens with triple rings around the rootballs of all trees. The irrigation system will be fed from roof water collection tank with a switch to mains when empty. All gardens are within accessible space for maintenance. The contractor will have a 52 week plant establishment and maintenance period following practical completion, and a detailed maintenance plan will be provided as part of CC documentation. Additionally, podium drainage penetrations will be provided to all terrace gardens to facilitate adequate drainage. The locations and quantity will be determined by the Hydraulic engineer during detail documentation and coordinated with relevant consultants to form the CC documentation.
CoS 14f	It is recommended that: • the design of the Level 1 communal open space be reviewed to achieve a minimum 50% soft landscaped areas, additional facilities and include wind mitigation measures for comfort	The Level 1 communal courtyard has been designed in response to the developments function as student accommodation and the required amenity for its occupants, primarily active external space. Furthermore, half the courtyard is undercroft space and bound by 17 story high buildings which don't facilitate for expansive garden areas. Fundamentally, the site conditions do not support, nor it is not appropriate to the function of the building to increase garden areas. The design of the rooftop terrace has been carefully considered by 360. The proposal responds to the wind mitigation recommendations provided by Windtech through the incorporation of densely foliating trees within the integrated courtyard (refer to **Attachment P**).

Item Raised		Proponent's Response
CoS 14g	• solar access be provided to communal open spaces to achieve compliance with DCP	Refer to the comment above regarding solar access to the Level 1 courtyard.
CoS 14h	• clarification be provided on whether the furniture in the communal open spaces is fixed and if the space is lit at night	A combination of fixed benches and loose furniture will be provided. The proposed communal spaces would have low level ambient lighting with uplighting to highlight the tree planting at night. This will be incorporated into the detailed design of the development.
CoS 14i	• clarification be provided on the location of all trees on slab, and the soil depth and soil volume for all raised planters on all levels	All planters to level 1, 2 and 17 (rooftop) are a minimum of 900mm deep. Soil volumes vary for all, appropriate to species selected and environmental condition / aspect. Refer to item 14d for rooftop planter volumes and tree quantities. There are 3 x Ulmus parvifolia 'todd' trees located on level 1 courtyard, these are planted in 1000mm deep concrete unit planters with a 2000mm diameter. We have successfully executed this same planting detail in other locations and the trees are thriving. Additionally, there is a single Chamerops humillis located in a garden on level 01. This planter is within a 900mm deep fold in the structural slab and has an area of 20m^2.
CoS 14k	• the planter heights be increased to provide adequate soil depths and soil volumes for the new development and compliance with the Sydney Landscape Code Volume 2	The planter heights and volumes as currently provided are appropriate to the species selected, and structural constraints to achieve successful plant and tree growth, health, maturity and longevity. Refer to responses to items 14d and 14i.
CoS 15a	**Quality of communal open space and wind issues** The architectural and landscape plans are not coordinated with the wind report recommendations and the location of the door to the courtyard and communal table may need revision.	A Wind Impact Assessment was prepared by Windtech and submitted with the EIS. The assessment included detailed wind testing including wind tunnel testing for greater accuracy. Following this analysis, Windtech provided two main recommendations to ensure the building would be not cause unreasonable conditions to the various trafficable outdoor areas within and surrounding the site. The cover letter prepared by Windtech at **Attachment P** confirms that the awning design and Level 1 courtyard landscaping has been designed to comply with Windtech's recommendations.
CoS 15b	The level of wind mitigation measures required suggests the tower and/or the facade design needs revision to greatly reduce the expected wind impacts and to ensure a safe and comfortable space for the resident's outdoor recreation needs.	
CoS 16a	**Level 1 and 2 planters integrated with the facade** Level 1 planters are located at the corner of Marian Street and on Regent Street on top of the awning, intended to soften the façade. Level 2 planters are located at the corner of Marian Street and on Regent Street on top of the awning, intended to soften the façade. However, all proposed windows are fixed glazing rather than operable. It is unclear how these planters will be safely accessed and maintained. Further details are required in this regard.	The roof of Level 1 and the street awning will be designed to be trafficable and accommodate the required safety fixing points. Access and maintenance to Level 1 and Level 2 planting will be from within the site via the roof of Level 2.

Item Raised		Proponent's Response
CoS 17a	**Soil depth for planting on podium or slab** All planting is located on slab. The plans are illustrative in nature and provide an indication of the landscape concept. However, the plans do not show any levels (SSL, RL, TW) and no detail has been provided to confirm the planter designs are sufficient size and soil volume to support trees and compliant with the Landscape Code. Additional information is required to clarify the planter design including soil depth, soil volume and compliance with the Sydney Landscape Code Volume 2.	Planter profiles and heights are identified within the annotations and illustrated in sections. For clarification the finished level of the planters are 800mm above the finished surface level, with an internal depth of 900mm. Refer to responses to items 14d and 14i for clarification on adequacy of soil volume.
CoS 18a	**Planting design / schedule** The planting palette in supported in part. However the major species proposed are exotics rather than natives which is not supported. The applicant should review the plant species to ensure they are appropriate for the proposed environment and microclimate and give preference to species with low native plant species. The species should also be selected and located to manage sun and wind impacts.	360 has noted that the plant selection has been made from plant species suited to the various microclimatic conditions and site requirements with local native and indigenous species used where applicable, including a review of Council's weed management policy and the local Indigenous Plant List. The overall design aims for an environmental and socially sustainable landscape and an integrated landscape experience with the building architecture.
CoS 19a	**Irrigation and drainage** The entire landscape proposal is located on podium and will be reliant on adequate irrigation, and drainage systems. No information has been provided to confirm the drainage and watering systems proposed. Will rainwater be collected and stored in reuse? Additional information is required to confirm drainage, waterproofing and watering systems.	A fully automated drip irrigation system will be installed to all gardens with triple rings around the rootballs of all trees. The irrigation system will be fed from roof water collection tank with a switch to mains when empty. Podium drainage penetrations will be provided to all terrace gardens to facilitate adequate drainage. The locations and quantity will be determined by the Hydraulic engineer during detail documentation and coordinated with relevant consultants to form the CC documentation.
CoS 20a	**Access and maintenance** Most raised planters are located at the edges of the facade. It is not clear how these landscape areas will be installed and safely accessed for ongoing maintenance. Clarification should be provided on: • the installation methodology and safety considerations for working at height for landscape located on the upper levels of the building and/or in inaccessible planters. Are maintenance hooks proposed? • all edges, wall heights and balustrades; the ongoing maintenance arrangement, including removal of green waste.	The roof of Level 1 and the street awning will be designed to be trafficable and accommodate the required safety fixing points. Access and maintenance to Level 1 and Level 2 planting will be from within the site via the roof of Level 2. As Iglu retain ownership of their facilities, maintenance will be arranged as necessary.
CoS 21a	**End of trip facilities** A separate end of trip facility, including shower and change facilities, should be provided to for the retail and office tenancies.	Refer to the amended architectural drawings at **Attachment A**. The ground floor has been reconfigured to incorporate end of trip facilities to service the commercial and retail tenants. This is in addition to the end of trip facilities provided within the adjoining Iglu building.

Item Raised		Proponent's Response
CoS 22a	**Waste Storage** Additional space should be provided for bulky waste storage, storage of food waste for recycling, and space for storage of reusable commercial items (e.g..crates, strip out waste etc).	The proposed provision of waste storage areas is sufficient to service the proposal as confirmed in the Waste Management Plan prepared by Iglu which was submitted with the EIS.
CoS 23a	**Laundry facilities** The proposal provides a ratio of 1 washing machine per 53 students and 1 dryer per 45 students. The proposal is not acceptable for a new development of this size and scale. The City recommends compliance with the DCP laundry facility requirements, including number of washing machine, washing tubs and clothes lines.	Refer to **Section 1.3** of the cover letter.
CoS 24a	**Other boarding house and student accommodation requirements** A number of rooms do not comply with the minimum DCP standards. The Department should ensure that the proposal fully complies with the DCP.	Pursuant to Clause 11 of *State Environmental Planning Policy (State and Regional Development) 2011,* DCPs do not apply to State Significant Development. Notwithstanding this, the room size variations have been previously addressed in detail and justified at **Section 6.1.6** of the EIS. It is noted that room sizes are based on Iglu's extensive experience of providing high-quality student accommodation throughout Sydney and Australia. Room design takes into account a detailed understanding of student requirements, taking into consideration the high quality shared and communal spaces also provided within the development which substantially exceed DCP standards. Iglu would welcome the opportunity to provide the City of Sydney and/or NSW Department of Planning and Environment with a tour of an existing facility in order to demonstrate the design intent and expected amenity outcomes. We are confident that this would address any outstanding concerns regarding the adequacy of room sizes to deliver high levels of amenity for students.
CoS 25a	**SEPP (Building Sustainability Index: BASIX) 2004** It is noted that the application has not address this SEPP. The Department's attention is drawn to a recent Land and Environment Court judgement (SHMH Properties Australia Pty Ltd v City of Sydney) in relation to boarding houses and BASIX.	BASIX Certificates are provided at **Appendix F**.
Ausgrid		
Aus 1a	Ausgrid recommends the proponent make a connection application to Ausgrid as soon as practicable.	Noted.

Item Raised		Proponent's Response
NSW EPA		
EPA 1a	On the basis of the information provided, the proposal does not constitute a Scheduled Activity under Schedule 1 of the *Protection of the Environment Operations Act 1997* (the POEO Act). The EPA does not consider that the proposal will require an Environmental Protection Licence (EPL) under the POEO Act. The EPA understands that the proposal is not being undertaken by or on behalf of a NSW public authority. The EPA is therefore not the appropriate regulatory authority for the proposed. Accordingly, the EPA has no further comment regarding the proposal and has no further interest in the matter.	Noted.
Heritage Council of New South Wales		
HC 1a	Based on the review of the archaeological assessment the following recommendations are made for the condition of consent for the project: • The current Stop Work procedure should be revised to express what is likely to be present on the site (expected finds) and conversely what would actually be an unexpected find. This should also include where substantially intact archaeological deposits which, based on the existing assessment, are not anticipated within the subject land	Noted. The Applicant supports this as a condition of consent.
HC 1b	• If any archaeological relics are identified through the Stop Work Procedure during construction, all work shall immediately cease in the immediate area and a suitably qualified and experienced historical archaeologist should assess the find to determine its significance. This should result in a written assessment of the nature and significance of any relics and how it is proposed to manage them within the development activity. This information shall be submitted for the approval of the Secretary, Department of Planning and Environment and the delegate of the Heritage Council of NSW.	Noted. The Applicant supports this as a condition of consent.
Office of Environment & Heritage		
OEH 1a	The Aboriginal Cultural Heritage Assessment Report (ACHAR) has not been submitted with the EIS.	Noted. The ACHAR is being prepared and will be submitted prior to the completion of the Department's assessment.
OEH 2a	**Water Sensitive Urban Design (WSUD)** The water quality treatment measures proposed as part of the development need to be conditioned on any forthcoming consent as follows: • Installation of a Rainwater tank and use of the system for irrigation reuse • Installation of a OSD tank	Noted. The Applicant supports this as a condition of consent.

Item Raised		Proponent's Response
	• Stormwater 360's StormFilter treatment system incorporated within the OSD tank system to provide tertiary stormwater treatment. This water quality control measure uses media-filled cartridges to remove pollutants from stormwater runoff including total suspended solids, hydrocarbon, nutrients and other common pollutants • Implementation of an Erosion and Sediment Control Plan • A maintenance plan for the above must be prepared and implemented.	
OEH 3a	**Sustainability and Building Design** OEH recommends the development incorporate green walls (see example below), and where possible a more intensively planted green roof and/or a cool roof into the design.	360 has developed a comprehensive landscapes scheme that incorporates planting within the Level 1 courtyard, the rooftop terrace and podium planters to soften the built form. This is a well resolved landscape response considering the site's high density context. The overall design aims for an environmental and socially sustainable landscape and an integrated landscape experience with the building architecture.
OEH 3b	The selected plant species as shown on the landscape plan planting schedule and planting palette are mostly exotic and invasive weeds. OEH encourages their replacement with native species.	360 has noted that the plant selection has been made from plant species suited to the various microclimatic conditions and site requirements with local native and indigenous species used where applicable, including a review of Council's weed management policy and the local Indigenous Plant List.
OEH 3c	OEH also recommends that the NSW and ACT Governments Regional Climate Modelling (NARCliM) climate change projections developed for the Sydney Metropolitan area are used to inform the building design and asset life of the project. These include over 100 climate variables, including temperature, rainfall, hot days and cold nights, severe Forest Fire Danger Index (FFDI) and are publicly available online and at fine resolution (10km and hourly intervals) for 20-year time periods: 2020-2039 near future, and long- term 2060-2079.	This will be considered in the detailed building design, having regard to the applicable standards for thermal performance.
Roads & Maritime Services		
RMS 1a	Roads and Maritime has reviewed the submitted application and whilst has no objections to the proposed development, provides the following comments from the Department's consideration in the determination of the application: • All buildings and structures, together with any improvements integral to the future use of the site are wholly within the freehold property (unlimited in height or depth), along the Regent Street boundary.	Noted.
RMS 1a	• Detailed design plans and hydraulic calculations of any changes to the stormwater drainage system are to be submitted to Roads and Maritime for approval, prior to the commencement of any works.	Noted. The Applicant supports this as a condition of consent.

Item Raised		Proponent's Response
RMS 1b	• The developer is to submit design drawings and documents relating to the excavation of the site and support structures to Roads and Maritime for assessment, in accordance with Technical Direction GTD2012/001.	Noted. The Applicant supports this as a condition of consent. For clarity, the proposal does not include basement construction, therefore excavation is minor and limited to provide for a level building footing and to deal with the change in site levels, as well as the provision of onsite stormwater detention tanks.
RMS 1c	• All works and signposting (including any utility adjustment/relocation works) shall be at no cost to Roads and Maritime.	Noted. The Applicant supports this as a condition of consent.
RMS 1d	• All vehicles must enter and exit the site in a forward direction.	The proposal does not include a vehicle access point. The proposal will utilise the existing loading dock contained within the adjoining Iglu development. In terms of construction vehicles, as the future building will be built-to-boundary it will be impossible to provide an onsite unloading area for materials. As such, construction material deliveries, including concrete pumping, is proposed to be unloaded from the kerbside lane along the Marian Street site frontage as detailed within the Construction Traffic Management Plan submitted with the EIS.
RMS 1e	• The swept path of the longest vehicle (to service the site) entering and exiting the subject site, as well as manoeuvrability through the site, shall be in accordance with AUSTROADS. In this regard, a plan should be submitted to Council for approval, which shows that the proposed development complies with this requirement.	The proposal does not include a vehicle access point. The proposal will utilise the existing loading dock contained within the adjoining Iglu development. Swept path diagrams provided during the assessment of the existing Iglu building under SSD 14_6724 are available at **Attachment K.**
RMS 1f	• Vegetation and proposed landscaping/fencing must not hinder driver sightlines to/from the driveway to road users on Gibbons Street	The proposal will not inhibit sight lines for road users on Gibbons Street.
RMS 1g	• A Road Occupancy License should be obtained from Transport Management Centre for any works that may impact on traffic flows on Regent Street during construction activities.	Noted. The Applicant supports this as a condition of consent.
RMS 1h	• All demolition and construction vehicles are to be contained wholly within the site as a construction zone will not be permitted on Regent Street.	A construction zone is not proposed along Regent Street. As the future building will be built-to-boundary it will be impossible to provide an onsite unloading area for materials. As such, construction material deliveries, including concrete pumping, will be unloaded from within the kerbside lane along the Marian Street site frontage as detailed within the Construction Traffic Management Plan submitted with the EIS.
RMS 1i	• A Construction Pedestrian Traffic Management Plan (CPTMP) shall be submitted in consultation with the Sydney Coordination Office (SCO), prior to the issue of a Construction Certificate.	Noted. The Applicant supports this as a condition of consent.

Item Raised		Proponent's Response
Sydney Airport		
SA 1a	In 2016, Sydney Airport assessed this site at a height of 93.10m AHD and approval was issued by the Department of Infrastructure and Regional Development on 27/10/17. It appears the over-all height of the development has been reduced, however none of the elevation drawings show the height including what appears to be the lift over run. The OLS at this site is the Conical surface at 89m AHD. The development may no longer penetrate this surface but we cannot determine this until the highest point has been clarified.	RL's have been added to the amended architectural drawings, with the highest point of the building being RL 90.2.
Transport for New South Wales		
TNSW 1a	**Protection of CBD Rail Link (CBDRL) Corridor** It is requested that the applicant: • Provides foundation load assessment, impact assessment/ analysis on the rail corridor below, foundation plans and depth of piles as part of the applicant's response to submissions. This information is required to make an appropriate assessment whether the building foundations will have any impact on the future CBDRL rail corridor infrastructure;	Refer to the Metro Corridor Engineering Statement at **Attachment R.**
TNSW 1b	• Undertakes a rail noise and vibration assessment for the CBDRL rail corridor.	Noted. The Applicant supports this as a condition of consent to be undertaken prior to the issue of a Construction Certificate.
TNSW 2a	**Sydney Metro City and Southwest** The Minister for Planning approved the Chatswood to Sydenham section of the Sydney Metro City and Southwest on 9 January 2017. It is advised that: • This proposal would also trigger the need for concurrence in accordance with Clause 86 of the State Environmental Planning Policy (Infrastructure) 2007 (ISEPP) for development. Sydney Metro is the relevant rail authority that should be consulted in relation to corridor protection provisions; and • Construction is underway and will be carried out in accordance with the existing approvals and any modifications subsequently approved.	Refer to the Metro Corridor Engineering Statement at **Attachment R.**
TNSW 3a	**Construction Pedestrian and Traffic Management** • It is requested that the applicant be conditioned to update the Construction Pedestrian and Traffic Management Plan (CPTMP) in consultation with the Sydney Coordination Office within TfNSW and Roads and Maritime Services.	Noted. The Applicant supports this as a condition of consent.

Item Raised		Proponent's Response
TNSW 4a	**Freight and Service Vehicle Parking Management** It is advised that: • Lack of appropriate freight and service vehicle parking for residential, retail and commercial tenancy deliveries has the potential to contribute to congestion within the road network adjacent to the site	As outlined in the EIS, there will be no on-site parking provided, the only traffic generated by the proposed development will be service vehicles for deliveries to the retail and student accommodation operations and for the collection of waste. The TIA notes that movements associated with service vehicles are expected to be minimal, and therefore will have a negligible impact on the performance of local roads or intersections. In addition, the TIA notes that the previously approved development would generate 35 vehicle trips per hour in the morning and afternoon peaks. As the proposal will generate less vehicle movements than this, the proposed development is considered acceptable from a traffic generation perspective.
TNSW 4b	• All new developments should cater for all loading and servicing to be conducted off street;	The proposal does not include a vehicle access point. The proposal will utilise the existing loading dock contained within the adjoining Iglu development.
TNSW 4c	• The applicant should not rely on the kerbside restrictions to conduct their business activities as these restrictions are set to suit the wider community needs and are constantly subject to change based on transport network requirements; and	Noted. Kerbside restrictions are only proposed for unavoidable construction activities.
TNSW 4d	• Further details on the anticipated freight and servicing profile for the proposed development (by land use) and justification for the shared use of the adjacent building's loading dock should be provided as part of the applicant's response to submissions, including its ability to accommodate the proposed freight and servicing demand.	Iglu has reviewed existing loading dock operations at its Iglu 1 facility and is confident that there is ample spare capacity within the dock to accommodate all loading and servicing requirements for the Iglu 2 facility without any further augmentation/expansion.
Urban Growth NSW Development Corporation		
UG 1a	**Redfern-Waterloo Authority Affordable Housing Contributions Plan** The UGDC requests that the Department of Planning and Environment ensures that conditions requiring payment of the relevant contributions are included within any development consent that may be issued for the development application.	Noted. Contributions will be paid in accordance with the Redfern-Waterloo Development Contributions Plan 2006 and the Redfern-Waterloo Affordable Housing Contributions Plan 2006.
Sydney Water		
SW 1a	**Drinking Water Servicing** • The existing infrastructure fronting the development site; a 250mm watermain, has capacity to service this development. This main however, is only 3 metres long.	Noted. The extension/augmentation of drinking water infrastructure to service the development will be delivered to Sydney Water's specifications.

Item Raised		Proponent's Response
	• There is a 150mm watermain also available, however, if the developer chooses this option, then they must upsize the 150mm main to a 250mm from the property connection point to the existing 250mm main. • This is in accordance with the WSA Code, which says the minimum size watermains is required to be 200mm for high density residential (i.e. ≥ 8 storeys) • This development is under the Botany Gravity Water Supply Zone.	
SW 2a	**Wastewater Servicing** • The existing infrastructure has capacity to service this development. • This development is under the South Sydney SCAMP.	Noted.
NSW Police Force		We note the NSW police submission provides detailed recommendations to minimise criminal activity and increase the safety of the residents and the community. The Applicant will consult with NSW Police prior to occupation to ensure the development is designed to deliver a safe outcome for the future occupants (staff and students) as well as the broader community.