

# **APPENDIX 2**

## **Summary of Responses to** **Agency Submissions**

**SUMMARY OF AGENCY SUBMISSIONS**

| <b>Authority/Organisation Submissions</b> |                                      |   |   |
|---|--------------------------------------|---|---|
| <b>No.</b>                                | <b>From</b>                          | <b>Submissions</b>  | <b>Response</b>   |
| P1  | NSW Transport - RailCorp             | Owner's consent is required from RailCorp as the proposal includes the widening of the Lawson Street bridge over RailCorp's Land  | Refer to the Aboriginal Housing Company letter attached.  |
|   |                                      | The proponent and its consultants have had ongoing discussions regarding the construction of the bridge widening and there is a good working relationship in addressing the issues relating to the proposed works   | Noted   |
|   |                                      | Conditions designed to protect RailCorp's infrastructure and rail operations are proposed   | The conditions can be attached to any approval issued with consent to be obtained prior to commencement of the bridge works.  |
|   |                                      | The overbridge is listed on the Railcorp Section 170 Register and the State Register and changes to it require a Section 60 approval under Heritage Act 1977  | This can be addressed by appropriate conditions of approval with consent to be obtained prior to commencement of the bridge works.  |
|   |                                      | The overbridge contributes to the setting of the Railway Station and the murals on it are noted as having social/aesthetic values and as such its conservation should be sought as part of the proposal   | The urban design outcomes resulting from the works proposed on the overbridge outweigh the contribution it makes to the setting of the Station.   |
|   |                                      | There are kilometres of side brick retaining walls across the rail network and no clear justification has been made as to why this section of wall is more significant than other retaining walls of the same period and no level of significance is attributed to it | Noted   |
|   |                                      | The concrete block walls appear to contribute to aesthetic/social values of place. Issues relating to the retention of the murals painted on the Eveleigh Street concrete block wall and the Lawson Street overbridge need to be clarified                            | All of the murals on the concrete block wall are to be retained on the section of the wall not required to be demolished to accommodate the landbridge across the railway lines and the sight lines into the area.  |
| P2  | NSW Office of Environment & Heritage | There has been no assessment of the potential for archaeological evidence to occur and consideration should be given to the possibility that large open spaces could include Aboriginal campsites   | <p>The proposal represents a modification of the development approved in Concept Approval No.06_0101 issued on 30 June 2009 and does not raise any new issues relating to potential for archaeological remains to be found on the land. See Item 15 in the revised Statement of Commitments.</p> <p>The provision of large open spaces to include Aboriginal campsites is not considered appropriate by the AHC</p> |
| P3  | Sydney Water Corporation             | Affected water and waste water services are to be deviated in accordance with Sydney Water's requirements   | Will be covered under the Developers Section 73 Notice of Requirements.   |

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| No.                                | From             | Submissions   | Response  |
|                                    |                  | A water sensitive urban design strategy and a MUSIC model are to be prepared and submitted to Sydney Water  | Can be conditioned to be issued prior to CC.  |
|                                    |                  | Stormwater connections to the stormwater channel in Hudson Street need to comply with Sydney Water's requirements and an application is to be submitted to Sydney Water's Water Servicing Coordinator                       | Can be conditioned to be provided and approved by Sydney Water prior to OC.   |
|                                    |                  | On-site detention is required for the stormwater discharge  | To be assessed by Sydney Water & provided for CC.   |
|                                    |                  | An application is to be made to Sydney Water for permission to discharge trade wastewater to the sewerage system before business activities commence  | Feasibility letter received from Sydney Water 31 <sup>st</sup> August 2011 outlining procedures.  |
|                                    |                  | Requirements for industrial development specified   | Not applicable to this application as no industrial development is proposed   |
|                                    |                  | An assessment of the development is to be made by Sydney Water following the submission of an application for a Section 73 to specify any works required and if any amplification and/or changes to the system are required | Section 73 Application will be made after receipt of condition of consent are approved.   |
| P4                                 | NSW Police Force | Considerable time and effort has been made by the proponents to work with the Redfern Local Area Command in reviewing, revising and considering the safety and crime prevention strategies designed in the plans            | The AHC wish to note that this strong relationship will continue on throughout the construction phase and into the future to ensure that the Pemulwuy Project is a safe environment for all.  |
|                                    |                  | CCTV should be installed as a crime prevention initiative in consultation with the Police as buildings are finalised  | To be addressed during the construction phase in conjunction with Redfern Police.   |
|                                    |                  | Student housing is opposed as a result of the provision of inadequate parking and potential behavioural problems  | <p>Issues relating to the student housing have been subject to further discussions with the Police.</p> <p>A Plan of Management for the student housing has been prepared and is to be submitted addressing parking and behavioural issues.</p> <p>The AHC is to retain ownership of the student housing facility and will be able to ensure satisfactory management of the facility.</p> <p>A meeting was held at the AHC office 19/04/12 with Mat Noyen, traffic Sargent, &amp; Luke Freudenstein Area Commander. It was discussed that the NSW Police Force are not opposed to the student accommodation but are concerned about car parking opportunities for the students.</p> |

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| No.                                | From                         | Submissions   | Response  |
| P4                                 | NSW Police Force (continued) | Parking should be increased wherever possible and further time is requested to discuss traffic and parking issues   | Additional parking was proposed in the originally formulated proposal.<br><br>However, additional parking is not supported by Sydney City Council and its plans to foster public transport use and reduce reliance on private transport by restricting car parking provision and the proposal was modified accordingly.<br><br>The site is conveniently located to trunk public transport systems serving this area |
|                                    |                              | The removal of the physical barrier at the top of Eveleigh Street is positive and will increase natural surveillance in this area   | Noted   |
|                                    |                              | The overbridge connection will deliver an optimum urban design outcome and the Police support the change in street planning as an improvement to the area                           | Noted   |
|                                    |                              | There is insufficient evidence of bike racks in the development   | Student bike racks noted on Plan <b>1DA100[E]</b> .   |
|                                    |                              | Car parking should be provided close to the child care centre for children to be dropped-off and picked-up  | The plans have been amended to provide 8 on-street car parking spaces on the northern side of Caroline Street opposite the centre. It is proposed that a 15 minute time limit should be applied to these spaces between the hours of 6.30am and 9.00am and between 3.00pm and 7.00pm on weekdays and a 2-hour limit be imposed at other times noted on plan <b>1DA101[E]</b> .                                      |
|                                    |                              | Police seek RMS traffic details concerning the usage of the Vine Street roundabout and access to the area by fire trucks and ambulance and police parking                           | Consultation with Redfern Police will be on going.  |
| P5                                 | Sydney City Council          | There should be increased signage of the 10 KPH speed limit in the shared zone in Eveleigh Street between Lawson and Caroline Streets and parking should be prohibited in this zone | This can be addressed by appropriate conditions of approval with final approval needed before commencement of road works.   |
|                                    |                              | Satisfactory provision should be made to facilitate access by people with a disability to residential and commercial facilities   | Satisfactory access has been provided and can be ensured by appropriate conditions of approval. See Item 17 in the Statement of Commitments   |
|                                    |                              | The proposal is supported in principle  | Noted   |
|                                    |                              | The site should collectively achieve numeric compliance with the combined gross floor area controls and exceeds these controls by some 477m <sup>2</sup>                            | The total gross floor area of the development exceeds the total permissible gross floor area of the site by only 2.8%. This is considered minor, imperceptible and largely inconsequential  |

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| P5                                 | Sydney City Council<br>(continued) | No objection is raised to the extent of variation to the maximum permitted FSR for residential development and the inclusion of student housing is appropriate   | Noted   |
|                                    |                                    | Revisions to the distribution of floor space and massing across the site are supported   | Noted   |
|                                    |                                    | Further justification for the increased height of the residential apartment building in Precinct 1 should be submitted, although increased height in this location is potentially acceptable given its proximity to transport, services and open space   | Noted. See Section 3.0 of the Preferred Project Report  |
|                                    |                                    | The substation kiosks in Precinct 1 should be relocated to preserve view corridors, pedestrian connections and increase safety and a subsequent reduction in the setback of the Precinct 1 building from Caroline Street should be considered  | The substation kiosks cannot be relocated because of technical restrictions imposed by Ausgrid  |
|                                    |                                    | The design of the town houses should consider issues relating to: <ul style="list-style-type: none"> <li>• cross ventilation;</li> <li>• privacy of private open space areas</li> <li>• fenestration and façade design</li> <li>• materials and finishes to be used in construction</li> </ul> | Satisfactory provision has been proposed for cross ventilation.<br><br>Overlooking of private open space areas from 1 <sup>st</sup> floor bedroom areas in commonplace in most residential areas, particularly in inner city areas.<br><br>The fenestration and façade design is considered satisfactory and details of materials and finishes to be used in construction are to be submitted |
|                                    |                                    | An awning or sun/weather protection could be provided to the west facing retail space in Precinct 1  | An awning or sun/weather protection is proposed to the west facing retail space in Precinct 1 refer to plan <b>1DA201[D]</b> .  |
|                                    |                                    | A landscape plan should be provided for Precinct 1   | A plan for those areas in Precinct 1 to be landscaped refer plan <b>1DA150[A]</b> and in accordance with Andrew Turnbull's email dated 23/08/12.  |
|                                    |                                    | The private outdoor terraces shown on the landscape plan for Precinct 3 should be used as a landscaped common area for the student housing   | The outdoor terraces at the ground floor level in Precinct 3 are to be allocated to the student housing and the adjacent commercial space that they abut. The terrace associated with the student housing is to be for common use refer plan <b>3DA100[E]</b> .   |
|                                    |                                    | The relocation of the Vine Street/Abercrombie Street roundabout will require a separate application to and approval from Council and this should be made a condition of approval   | This can be addressed by appropriate conditions of approval, that approval be granted before commencement of roundabout works.  |

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| No.                                | From                               | Submissions   | Response  |
| P5                                 | Sydney City Council<br>(continued) | The inclusion of a dedicated right turn lane from Lawson Street is not supported  | <p>The right-turn from Lawson Street into Eveleigh Street has been historically available and is considered beneficial.</p> <p>If this manoeuvre is not permitted, access to Pemulwuy would be more circuitous and increase demand on the busy Abercrombie Street/Lawson Street intersection, particularly for patrons of the proposed child care centre.</p> <p>There is an existing shared zone in Eveleigh Street between Lawson and Caroline Streets and existing traffic demand in this area does not affect the satisfactory operation of the shared zone and the projected additional traffic demand in this area is relatively minor and not expected to have an unacceptable impact on the satisfactory operation of the shared zone.</p> <p>The right-turn facility was suggested by the Police</p> |
|                                    |                                    | A 6m separation between raised thresholds is not permitted under Roads & Maritime Services' guidelines  | <p>The concept plan on Page 13 of the Transport and Accessibility Impact Assessment in Appendix 13 accompanying the Environmental Assessment gives the impression that the enhanced arrangement involves 2 threshold treatments approximately 6m apart on either side of the pedestrian refuge.</p> <p>In fact, only one 6m wide threshold is proposed between the concrete islands in the centre of the roadway to provide a 6m wide pedestrian refuge</p>   |
|                                    |                                    | The re-alignment of Caroline Lane should incorporate crime prevention through environmental design  | The proposal has been designed to provide visual surveillance of Caroline Lane and this could be supplemented by the installation of CCTV surveillance  |
|                                    |                                    | The provision of 6 drop-off/collection spaces in Caroline Street associated with the child care centre is not supported and it is preferred that these spaces be provided in the basement car park in Precinct 1, where 8 spaces should be made available in accordance with South Sydney DCP No.11 | The plans have been amended to provide 8 on-street car parking spaces on the northern side of Caroline Street opposite the centre. It is proposed that a 15 minute time limit should be applied to these spaces between the hours of 6.30am and 9.00am and between 3.00pm and 7.00pm on weekdays and a 2-hour limit be imposed at other times   |
|                                    |                                    | Inadequate detail has been provided in the Heritage Interpretation Strategy to assess the public art and interpretation aspects of the proposal   | There is no public art. All cultural interpretation have been designed and will be controlled by the Aboriginal Housing Company.  |
|                                    |                                    | Council should be consulted to agree on finishes and furnishing of the public domain prior to the issue of a Construction Certificate   | This issue can be addressed by appropriate conditions of approval. Public Domain of 700m <sup>2</sup> noted as areas A, B & C refer to plan <b>ODA070[F]</b> .  |
|                                    |                                    | The proponent should submit an amended Social Plan as housing diversity and assessment is a key issue in the Director-General's Requirements  | The Social Plan adopted by the AHC is considered satisfactory and appropriate   |

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| No.                                | From                               | Submissions  | Response   |
| P5                                 | Sydney City Council<br>(continued) | The Statement of Commitments should be amended to include a clear statement that the housing in Precinct 1 will be for Aboriginal and Torres Strait Islander people  | The Statement of Commitments has been amended to incorporate this principle. See Item 23 of the revised Statement of Commitments                                   |
|                                    |                                    | The Statement of Commitments should be amended to include a mechanism to deliver a portion of the housing in Precinct 1 to low and very low income households, for example that the housing will be managed by a Grade 1 certified community housing provider  | The Statement of Commitments has been amended to incorporate this principle. See Item 23 of the revised Statement of Commitments                                   |
|                                    |                                    | Consideration should be given to locating the entry to the student housing closer to Pemulwuy Place to: <ul style="list-style-type: none"> <li>provide an improved presence for students in the area</li> <li>provide a sense of shared ownership, guardianship and community membership</li> <li>to contribute to social cohesion and crime prevention</li> </ul> | The location of the entry is considered satisfactory in the context of the overall design of the proposal  |
|                                    |                                    | A comprehensive Plan of Management should be required for the student housing which could address alternative use outside the times of University semesters for short term rental or holiday accommodation   | A Plan of Management for the student housing is attached.<br><br>Use for alternative residential tenancies outside peak student demand periods is not contemplated |
|                                    |                                    | The Statement of Commitments should be amended to include a mechanism to deliver child care by an Aboriginal and Torres Strait Islander-owned or managed community-based child care provider   | The child care centre is to operate on a commercial basis and no change to the Statement of Commitments is warranted   |
|                                    |                                    | Consideration should be given to amending the public domain treatment to enhance opportunities for incidental meeting, informal congregation and socialising including integrated seating  | The public domain treatment is considered satisfactory and appropriate   |
| P6                                 | NSW Roads & Maritime Services      | Works at the intersection of Lawson and Eveleigh Streets are to be carried out to Council's satisfaction and designed in accordance with Austroads   | Noted  |
|                                    |                                    | Signposting associated with the proposed on-street set down/pick-up area in Caroline Street in front of the proposed child care centre is to be referred to Council's Local Traffic Committee for approval   | Noted  |
|                                    |                                    | Clear sight lines are to be provided at the property boundary to ensure adequate visibility between vehicles leaving the car park and pedestrians in accordance with Figure 3.3 of AS 2890.1-2004  | This issue can be addressed by appropriate conditions of approval  |

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| P6  | NSW Roads & Maritime Services | Details of truck sizes and number of movements should be submitted prior to the determination of the application                                 | These details are not known at this stage                         |
|   |                               | Swept paths of the longest vehicles entering and leaving the site are to be in accordance with Austroads   | This issue can be addressed by appropriate conditions of approval |
|   |                               | Shared zones are to be in accordance with RMS's Technical Direction TD 2000/6  | This issue can be addressed by appropriate conditions of approval |
|   |                               | Operation matters relating to keeping turning areas clear of obstacles and requiring vehicles to enter and leave the site in a forward direction | This issue can be addressed by appropriate conditions of approval |
|   |                               | A Demolition & Construction Management Plan is to be submitted to Council for approval prior to the issue of a Construction Certificate          | This issue can be addressed by appropriate conditions of approval |
|   |                               | All costs associated with public utility adjustments/relocation works and regulatory signposting are to be borne by the developer                | This issue can be addressed by appropriate conditions of approval |