

Block 4S – Student Accommodation – Response to Submissions

SSD (SSD-5700-2012)

Issues Raised by Agencies		Proponent Response
NSW Department of Planning & Infrastructure		
See Response to Submissions Report		
Office of Environment and Heritage		
OEH has no interest in the modification, project application or SSD at Central Park, Chippendale and will not be reviewing the exhibited material.	Noted.	
Roads and Maritime Services		
RMS has reviewed the subject 75W application and raises no objection as the proposed modifications will not have a significant traffic impact on the classified road network.	Noted.	
Sydney Water		
The development as a whole has an existing approved large water connection which has been sized to suit the development for "supplier of last resort". The connection was approved off the 250mm Sydney Water main on Broadway, near Kensington Street. Additional drinking water connections to the mains on Broadway, Abercrombie Street, O'Connell Street or Kensington Street are not permitted.	Refer to response prepared by WSP (Appendix L)	
The 300mm and 600mm trunk main in Balfour Street and the 150mm main in Irving Street are not available for connection. Further, the following should be considered during construction:		
The 300mm and 600mm trunk main in Balfour Street and the 150mm main in Irving Street are not available for connection. Further, the following should be considered during construction: <ul style="list-style-type: none">○ Mains must be protected by a new easement allowing unrestricted access by Sydney Water.○ Measures taken to contain incidental flows from the mains.	See above	

<ul style="list-style-type: none"> ○ Legacy connections are to be removed and points of connection rehabilitated. ○ Adjusted to suit configuration of internal roads and ramps. 	
Wastewater Wastewater within the development as a whole, including Block 4 South, will be privately collected and treated by an onsite wastewater system run by the WICA licensee. In the case of the private wastewater systems failure Sydney Water is the supplier of last resort. It should be noted that the existing trunk wastewater network has sufficient capacity to service the development if necessary. Therefore, the WICA licensee should make arrangements to connect Block 4 South to the Sydney Water trunk wastewater mains through the approved single point of connection, as previously agreed with Sydney Water.	See above
Stormwater The proposed development is adjacent to Sydney Water's oviform stormwater pipes which are located in Irving Street and Abercrombie Street. The proponent is required to liaise with Sydney Water regarding the protection of these oviform stormwater pipes from vibration during construction. Our available records also indicate that there is a 300mm Sydney Water's stormwater pipe located within the development site. This pipe is to be broken out as part of this development and need to be sealed at the Irving Street connection point.	See above
Sydney Water Servicing Sydney Water will further assess the impact of any subsequent development when the developer applies for a Section 73 Certificate. This assessment will enable Sydney Water to specify any works required as a result of future development and to assess if amplification and/or changes to the system are applicable. The developer must fund any adjustments needed to Sydney Water infrastructure as a result of the development.	See above
Transport for NSW	
TfNSW does not have any additional comments on MP06_0171 MOD 8, or SSD 5700- 2012.	Noted.
City of Sydney Council Submissions	
Land Use	
The City recognises the demand for additional supply of student housing and is generally supportive of the proposal. In particular, the site is situated in close proximity to educational facilities, public transport and provides an opportunity for well-designed and managed student accommodation.	Noted. The proposal seek to meet an identified demand for affordable and student accommodation in the well position location well located to public transport and numerous tertiary facilities.
The City recommends that the Department take into consideration relevant planning controls for student accommodation developments to ensure that the amenity of future occupants and surrounding properties are not adversely affected by the proposed change of use of Block 4 South from commercial use to residential use. Matters for consideration are discussed further below.	Noted.
The proposed fit out and use of retail/commercial tenancies located on the lower ground and ground floors of Block 4S	Noted. Separate Development applications will be provided to Council prior to the fitout

<p>should be subject to separate development applications to be determined by Council. This will enable Council to consider the detailed design and operational management of individual tenancies and to ensure that the amenity of students occupying the building and surrounding residents is not adversely affected for future commercial/retail uses.</p>	<p>and use of the non residential (commercial/retail) tenancies. Operational Plans of management will be provided with the applications as required from Council. This process will allow Council to adequately and appropriately consider the impacts (and potential cumulative impacts) of each use.</p>
<p>The proposed bicycle access and loading bay via Irving Street is a temporary solution until permanent access is constructed via the basement of Block 4 North. When the basement of Block 4 North is constructed and connections are provided to Block 4 South, there is an opportunity for the temporary bicycle access and loading bay to be converted to retail/commercial uses. This is generally supported by the City as it will likely contribute to the activation of Irving Street, subject to a separate application being submitted for the fit out and use of the space.</p>	<p>Noted. The proposal has been revised to incorporate retail and commercial tenancies on the ground floor fronting Irving Street, replacing the temporary loading dock provision (See plans Appendix A). The location of these tenancies will contribute to the activation of the ground plane and the southern elevation of the building and well as the entry to the site from Abercrombie Street.</p> <p>As part of the revised design of the southern elevation, access will still be provided for pedestrians and cyclists. Importantly direct access through the front entry (northern elevation) into the bicycle storage room is available allowing various entry points into the building for residents and cyclists.</p> <p>The waste arrangement has also been relocated from the previous loading dock area (southern elevation) to the eastern side of the site adjacent the lift lobby. A diagram is provided at Appendix B and the layout shown on Appendix A</p>
<p>National Rental Affordability Scheme</p>	
<p>Eligibility of participants under the scheme is determined by gross household income. Given that students are the target occupants, it is unclear how household income and therefore eligibility will be determined.</p> <p>The proposed weekly rate for a studio is \$340 per week. In accordance with the NRAS annual household income limits for 2012-2013 of \$44,835, the proposed rental rate of \$340 a week is more than 40 per cent of income and would result in housing stress. The City believes this is contrary to the principles of providing affordable housing.</p> <p>The proposed weekly rate for multi-share units have not been provided for consideration. As such, comment cannot be made in regard to the affordability of the proposed multi-share units in accordance with the principles of the NRAS.</p>	<p>The National Rental Affordability Scheme (NRAS) is a joint Federal and State Government initiative to invest in and increase the supply of new affordable rental housing and encourage large-scale investment and innovative delivery.</p> <p>The proposed development meets the relevant criteria and guidelines of the scheme and has been awarded the NRAS grant. See attached the Successful NRAS Offer (Appendix J)</p>
<p>Built Form</p>	
<p>The proposed modifications to the building footprint and setbacks of Block 4 South to facilitate the separation of the building from Block 4 North will not result in any adverse impacts on the appearance of the building or the publicly accessible pathway between Blocks 4 North and 4 South.</p>	<p>Refer to Section 2.2 of the RTS report</p> <p>The proposed separation between Block 4N and Block 4S is largely established by way of the existing approved concept plan. The proposed separation design of the northern elevation of Block 4S and the public domain and landscape treatment provide a clear separation between these two buildings, whilst providing a high quality pedestrian link from Abercrombie Street into Central Park.</p> <p>Given the proximity of Block 4N and size of the approved envelope, along with the orientation of the building, a greater separation distance would have a negligible impact on improving the solar access afforded to the northern elevation of Block 4S</p> <p>The northern elevation of Block 4S has been carefully redesigned (see revised architectural plans at Appendix A) to remove the reliance on privacy glass.</p>

	Refer to Section 2.2.2 of the RTS for further details of the revised design amendments
The proposed modification to Block 4 South also includes infilling the originally approved setbacks on the eastern and western elevations, and amending the building footprint to provide an eastern and western wing separated by a central courtyard. The courtyard provides additional light and ventilation to student rooms and communal areas.	Noted. The footprint of the proposal has been design to provide appropriate separation between the proposed units, areas of open space and suitable levels of light and ventilation.
The proposal is generally compliant with the height and floor space approved under the Concept Plan and is consistent with the built form and scale of surrounding buildings.	Noted. Importantly, the proposed development does not result in any additional adverse overshadowing to surrounding residential uses or the area of public park, in addition to the approved concept plan envelope.
Solar Access	
The City acknowledges the underlying differences in the design and layout of apartments in residential flat buildings and student accommodation. In some instances, the provisions in the Residential Flat Design Code (RFDC) cannot be reasonably achieved and it is more appropriate to consider the merits of a proposal against provisions under Section 4.4 of the Sydney DCP 2012 (SDCP 2012) and the State Environmental Planning Policy (Affordable Rental Housing) 2009 (the SEPP).	Noted. Consideration against the Affordable Rental Housing SEPP has been used as a guide in the consideration of the proposal, layout and relevant development standards.
Although the proposal does not satisfy minimum solar access requirements to internal living areas under the RFDC, solar access to communal living areas throughout the building satisfies the minimum requirements under Clause 29 of the SEPP. The City understands that under the provisions of Clause 29, a consent authority must not to refuse a development that satisfies solar access requirements.	Noted.
The proposal does not result in any significant additional overshadowing to adjacent properties and public open spaces having regard to the extent of overshadowing from surrounding developments. The proposal is generally consistent with the Concept Plan and is considered acceptable.	Noted.
The proposal has demonstrated that adequate natural ventilation will be provided to studios, multi-share apartments, corridors and internal communal open spaces within the building and generally satisfies the objectives of relevant planning controls.	Noted.
Amenity for Occupants	
The proposed typical studio and multi-share apartments provide bathroom and kitchen facilities so the units can be occupied as a separate residence in accordance with the NRAS guidelines. However, the submitted drawings showing the internal layout of rooms are not to scale and it is difficult to determine if the typical room layouts comply with the minimum room size requirements, subject to certain exclusions, under the SEPP (Affordable Rental Housing) and the SDCP 2012.	<p>Details of the typical room dimensions were provided with the original application. These plans have been revised (Appendix A) to reflect to the proposed room layouts (accounting for minor variations to the facades) and have been provided at a scale that allows for calculation of room sizes.</p> <p>The room sizes, dimensions and arrangement have been carefully considered to optimise amenity to the residents within, without having any significant adverse impacts to the amenity of adjoining residents of surrounding land uses.</p> <p>It is noted that the room dimensions, window sizing and arrangement and internal amenity all exceed the required provisions under the DCP and AH SEPP.</p>
To ensure that the proposed rooms provide adequate amenity and satisfy provisions under the SEPP and the SDCP, it is recommended that a condition be imposed requiring minimum room sizes in accordance with Clause 29 of the SEPP and	The proposed plans provided (Appendix A) are considered suitable to ensure the appropriate room dimensions. The proposed dimensions exceed the minimum

Clauses 3.12 and 4.4.1 of the DCP.	<p>requirements of the AHSEPP as well as the relevant DCP requirement of the Central Sydney Control (that are not directly applicable to the proposed).</p> <p>It is proposed to delete condition 3 of the recommended conditions, given the detail provided on the plans that will form part of the instrument that would adequately ensure the minimum room dimensions.</p>
Internal and external communal open spaces satisfy the provisions under the SDCP 2012 and the SEPP (Affordable Rental Housing) 2009.	Noted.
The fit out of the communal laundry on Level 1 have not been provided. A condition is recommended to require the provision of adequate laundry tubs, washing machines and dryers in accordance with the SDCP 2012.	Refer to Section 2.6 of the RTS for discussion. The fitout of the communal laundry has been provided within the revised architectural plans (Appendix B)
The proposed building setbacks within the site and to adjacent buildings range between 12.5 metres and 12.7 metres. Although the building separation does not satisfy the recommended distances under the RFDC, the proposal maintains adequate privacy for future occupants through appropriate treatment of external facades to minimise direct overlooking and loss of privacy.	See Section 2.2 of the RTS that addresses the separation distance, treatment of the facades.
Traffic Impacts	
The proposal for Block 4 South includes 197 bicycle parking spaces and 4 motorcycle parking spaces via the temporary loading bay in Irving Street. The proposal satisfies the provision for bicycle parking under Clause 30(1)(h) of the SEPP but does not provide sufficient motorcycle parking spaces. In particular, Clause 30(1)(h) requires motorcycle parking spaces at a rate of 1 space per 5 boarding rooms. To comply with this requirement, the proposal needs to provide an additional 161 motorcycle spaces. The development does not provide motorcycle parking in accordance with the SEPP, however, the provision of 4 motorcycle parking spaces is consistent with the requirement under the Central Sydney DCP 1996. Given the restricted basement area under Block 4 South, which is occupied by plant equipment associated with the tri-generation plant, the provision of motorcycle parking spaces in accordance with the Central Sydney DCP is acceptable.	Noted. The revised architectural design provides motorcycle parking within the basement of Block 4N.
Having regard to the proximity of Block 4 South to a number of surrounding tertiary educational establishments and public transport options the lack of on-site car parking facilities for future occupants will discourage car ownership and is consistent with the City's objectives to minimise vehicular traffic and increase use of alternative transport options.	Noted. The proposal seeks to encourage the use of public transport by students given the site's location and proximity to transport networks.
The proposed bicycle access to Block 4 South via the temporary loading bay on Irving Street is supported in principle, given that an alternative access point is provided via the main lobby for student accommodation and will be managed by the operators as part of the management of the building.	<p>Noted.</p> <p>The revised southern elevation removes the previously proposed loading dock. As such, access to the bicycle storage area is no longer provided from Irving Street but relocated to the eastern elevation on Central Park Avenue. Alternative access is still available through the main entrance of the site at the northern elevation.</p>
Public Domain	
The proposed modification to the pedestrian path from Abercrombie Street to Central Park Avenue between Blocks 4N and 4S will enhance the amenity for pedestrians and provide additional opportunities for landscaping. The proposal is generally supported by the City as it will be a positive contribution to the public domain.	Noted.

Operational Management	
Council has reviewed the preliminary Plan of Management for the operation of the student accommodation in Block 4 South and is generally supportive of the use being managed by a dedicated student accommodation operator.	Noted. A revised plan of management has been prepared by Frasers Broadway Pty Ltd (Appendix E) including additional details to reflect the revised design and items raised in submission by City of Sydney and the DPI.
In regard to the management of the use of the outdoor communal open spaces, particularly Level 13, the City recommends that the Department considers the potential amenity impacts to surrounding developments. In particular, the number of students permitted to occupy the outdoor terrace on Level 13 at any one time and the permitted hours of use should be restricted.	The plan of management has been revised to include details of the hours of use, capacity, and management measures of the outdoor areas within the site, specifically the upper level terraces. These management details have been included, consistent with the comments from Council and recommendation of the Acoustic Report (Appendix H), to ensure the preservation of amenity to the future development to be located on Block 8.
Although there are no specific planning controls that restrict hours of use for outdoor communal area associated with student accommodation, given the scale of the development and density proposed, the City recommends that hours of use of the outdoor terrace on Level 13 be restricted to between 9.00am and 10.00pm, 7 days a week to minimise amenity impacts and disturbances to surrounding residential developments.	The outdoor communal areas within the proposal are to be restricted to be used beyond 10pm in accordance with the recommendation of the acoustic report (Appendix H) and as detailed within the revised plan of management (Appendix E).
It is recommended that a Plan of Management be prepared and submitted to Council for approval upon the selection of a suitable operator and prior to the issue of an Occupation Certificate.	Noted.
Community Concerns	
Council officers have been contacted by some members of the local community who have raised concerns regarding the subject proposals. The City has been advised that individual submissions will be prepared and submitted to the Department for consideration.	Noted. These submissions have been addressed, by issue, in the public submission table.
Council encourages the Department to give due consideration to the concerns raised by the surrounding community regarding the impacts of the proposed development on the amenity of existing residents.	Noted.
<ul style="list-style-type: none"> ○ Change of use from commercial uses to residential uses will have a negative impact on the overall commercial and residential ratio within Central Park; ○ Excessive supply of student accommodation in Central Park; ○ Impact of excessive student accommodation on the residential mix in Chippendale; ○ Inappropriate built form of Block 4 South; ○ Insufficient solar access to internal spaces of the proposed student accommodation; ○ Use of ground floor commercial tenancies for licensed cafes and late night trading will have adverse impacts on the amenity of surrounding residents; ○ Insufficient details have been submitted for the proposed use of upper levels of Blocks 1 and 4 North for function use. This use could result in adverse amenity and traffic impacts; and ○ Proposed vehicular access onto Abercrombie Street will result in unacceptable traffic impacts. 	Noted. These submissions have been addressed, by issue, in the public submission table.

City of Sydney - Recommended Conditions	
<p>(3) MINIMUM ROOM SIZE FOR STUDIOS</p> <p>a) The minimum room size for a standard studio must not be less than 18.9m².</p> <p>b) The minimum room size for a long studio must not be less than 22.2m².</p> <p>c) The minimum room size for a deluxe/accessible studio must not be less than 34.5m².</p>	<p>It is proposed for this condition to be removed given the architectural plans reflect the proposed room sizes (see Appendix A)</p>
<p>(5) LAUNDRY FACILITIES</p> <p>a) Laundry facilities, including laundry tubs, washing machines and dryers are to be provided in accordance with the Clause 4.4.1.5(2) and (3) of the Sydney Development Control Plan 2012.</p> <p>b) Fit out details of the communal laundry on Level 1 are to be submitted to Council for approval prior to the issue of a Construction Certificate.</p>	<p>See Section 2.6 of the RTS. for further discussion</p> <p>It is proposed for this condition to be removed given the proposed arrangement of washing machines to suit specific, professionally managed student accommodation.</p> <p>and details provided in on the revised architectural plans (Appendix A)</p>
<p>(8) RESTRICTION ON STUDENT HOUSING</p> <p>The following restriction applies to the building hereby approved for student accommodation:</p> <p>a) The accommodation portion of the building may only be used for residential accommodation for students as hereinafter defined and not otherwise as residential accommodation, or as serviced apartments, private hotel, boarding house, tourist or backpackers' accommodation or the like.</p> <p>b) Each individual room of the student accommodation section is not to be occupied by more than one person per bed as shown on the approved plans. Any future change to the number of beds shown on the approved plans must first be approved by Council. Beds may not be replaced by double bunk beds.</p> <p>c) An owner, Owners Corporation, tenant or licensee of the premises or any part thereof shall not advertise or permit advertisement of any accommodation in the building over which they have control other than for student residential accommodation.</p> <p>d) Any tenant or licensee of any part of the residential accommodation must produce to the owner or licensor or landlord prior to taking occupation evidence of identity and of a tertiary educational facility in Australia. The owner or licensor or landlord is to maintain an up-to-date register of all details which must be produced for inspection on request by Council.</p> <p>e) Any tenant or licensee of any part of the residential accommodation must produce to Council upon request at any time written evidence of identity and of current enrolment in such tertiary educational facility.</p> <p>f) Upon ceasing to be enrolled to attend a full time tertiary educational course with a tertiary institution in Australia, the now former student shall vacate the residential accommodation within 4 weeks of the expiration of their tertiary course.</p> <p>g) Prior to the issue of an occupation certificate, a restrictive covenant is to be registered on the title of the premises in the above terms to the satisfaction of Council. The Applicant shall pay Council all costs for the preparation and registration of the restrictive covenant.</p> <p>h) For the purpose of this condition, "student" means a person over 16 years of age enrolled with a tertiary institution in Australia and attending a full time course of tertiary education in Australia.</p> <p>i) All student occupants of the site are to be provided with a package notifying them of these requirements when they commence residency at the premises as part of the lease/ tenancy agreement.</p> <p>j) This, and other information required to be provided to the student occupants is to be provided in the native language of the proposed student occupant so that it can be easily understood.</p>	<p>o Condition (f) – this condition requires the eviction of students within four weeks of the expiry of their tertiary course. In some instances a student will complete a course in one academic year and then commence another the following academic year. In order to avoid instances where students are evicted unnecessarily it is requested that a grace period of 12 weeks be given which would be sufficient to cover the holiday period.</p> <p>o Condition (h) – this condition defines a student as being a person attending a full time course. In many instances students are enrolled part time so as to be able to work and pay for their living costs. It is this type of student which is self supporting that is in most need of the subject accommodation. It is thus requested that the condition be amended to include both full time and part time students.</p>
<p>(10) SEPARATE APPLICATION FOR CHANGE OF USE OF TEMPORARY LOADING BAY</p> <p>Any change of use or removal of the temporary loading bay located on Irving Street requires a separate development application to be submitted and approved by Council.</p>	<p>This element of the proposal has been revised (as part of the RTS – refer to Appendix A) and as such the recommended condition should be removed.</p>