

175-177 Cleveland Street and 1-5 Woodburn Street, Redfern

# Environmental Impact Statement

(SSD 15\_7064)

# Environmental Impact Statement

## 175-177 CLEVELAND STREET AND 1-5 WOODBURN STREET, REDFERN

Part 5 and Part 6 storey mixed use development with a retail tenancy, hotel accommodation with 78 rooms and a residential apartment building containing 29 apartments  
(SSD 15\_7064)

**August 2015**

Prepared under instructions from  
[Krikor Simonian](#)

by

[Aaron Sutherland](#)  
B Town Planning UNSW

aaron@sutherlandplanning.com.au  
Tel: (02) 9894 2474  
PO BOX 6332 BAULKHAM HILLS BC NSW 2153

1.0 DECLARATION . . . . .	8
2.0 EXECUTIVE SUMMARY . . . . .	9
3.0 INTRODUCTION . . . . .	10
4.0 SITE DESCRIPTION AND LOCATION. . . . .	12
4.1. Locality Description	
4.2. Site Description	
4.3. Surrounding Development	
5.0 STRATEGIC BACKGROUND. . . . .	18
5.1. State Significant Development Application 4949-2011	
5.2. State Significant Development Application 6371	
5.3. City of Sydney Hotel action plan to support growing tourism market	
6.0 PROPOSED DEVELOPMENT . . . . .	22
6.1. Description	
6.1.1. Hotel Component	
6.1.2. Residential Flat Building	
6.2. Subdivision	
6.3. Numerical Overview	
6.4. Signage	
6.5. Voluntary Planning Agreement	
7.0 SECRETARY'S REQUIREMENTS . . . . .	26
8.0 STATUTORY PLANNING FRAMEWORK . . . . .	32
8.1. New South Wales 2021 (The State Plan)	
8.2. A Plan for Growing Sydney	
8.3. Sydney 2030	
8.4. State Environmental Planning Policy (State and Regional Development) 2011	
8.5. Sydney Regional Environmental Plan – Sydney Harbour Catchment 2005	
8.6. State Environmental Planning Policy (Urban Renewal) 2010	
8.6.1. Development in potential precincts	
8.7. State Environmental Planning Policy No. 55 - Remediation of Land	
8.8. State Environmental Planning Policy No. 65 – Design Quality of Residential	

- Apartment Development
- 8.9. State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004
- 8.10. State Environmental Planning Policy (Infrastructure) 2007
  - 8.10.1. Development with frontage to classified road
  - 8.10.2. Impact of road noise or vibration on non-road development
- 8.11. State Environmental Planning Policy (Major Development) 2005
  - 8.11.1. State significant sites
  - 8.11.2. Zoning and permissibility
  - 8.11.3. Height of buildings
  - 8.11.4. Floor space ratio
  - 8.11.5. Design excellence
  - 8.11.6. Heritage Conservation
  - 8.11.7. Preservation of trees or vegetation
- 8.12. Redfern Waterloo Built Environment Plan (Stage One) August 2006
  - 8.12.1. Heights for strategic sites
  - 8.12.2. Floor space ratios for strategic sites
  - 8.12.3. General Urban Design Principles
  - 8.12.4. Heritage
  - 8.12.5. Land use and design concepts for strategic sites - Eveleigh Street
- 8.13. Redfern Waterloo Authority Contributions Plan 2006
- 8.14. Redfern Waterloo Authority Affordable Housing Contributions Plan 2006
- 8.15. Development Near Rail Corridors and Busy Roads - Interim Guideline
- 8.16. NSW Long Term Transport Masterplan
- 8.17. Guide to Traffic Generating Development
- 8.18. NSW Planning Guidelines for Walking and Cycling
- 8.19. Sydney's Cycling Future
- 8.20. Sydney's Walking Future
- 8.21. Sydney Local Environmental Plan 2012
- 8.22. Sydney Development Control Plan 2012
  - 8.22.1. General Principles
  - 8.22.2. Residential Flat Developments
  - 8.22.3. Visitor Accommodation
- 8.23. City of Sydney Public Domain Manual

## 9.0 ENVIRONMENTAL ASSESSMENT . . . . . 62

- 9.1. Land Use Mix
- 9.2. Built Form and Urban Design
- 9.3. Ecologically Sustainable Development
  - 9.3.1. Precautionary principle

- 9.3.2. Inter-generational equity
- 9.3.3. Conservation of biological diversity and ecological integrity
- 9.3.4. Improved valuation, pricing and incentive mechanisms
- 9.4. Environmental and Residential Amenity
- 9.5. Noise and Vibration
- 9.6. Transport and Accessibility (construction and operation)
- 9.7. European and Aboriginal Heritage
- 9.8. Drainage and Flooding
- 9.9. Contributions and/or Voluntary Planning Agreement
- 9.10. Waste
- 9.11. Consultation
- 9.12. Environmental Risk Assessment

10.0 MITIGATION MEASURES . . . . .	80
------------------------------------	----

11.0 JUSTIFICATION. . . . .	82
-----------------------------	----

12.0 CONCLUSION . . . . .	83
---------------------------	----

#### APPENDIX A

Sutherland & Associates Planning

SEPP 1 OBJECTION - FSR

#### APPENDIX B

Sutherland & Associates Planning Pty Ltd

SEPP 1 OBJECTION - HEIGHT

#### APPENDIX C

Sutherland & Associates Planning Pty Ltd

APARTMENT DESIGN GUIDE

COMPLIANCE SUMMARY

#### APPENDIX D

Sydney Registered Surveyors

SURVEY PLAN

#### APPENDIX E

JPR Architects

ARCHITECTURAL DRAWINGS, PHOTOMONTAGES AND SEPP 65 DESIGN VERIFICATION STATEMENT

#### APPENDIX F

Wallman Partners

LANDSCAPE PLAN AND STATEMENT

APPENDIX G

Environmental Investigations Australia

GEOTECHNICAL REPORT

APPENDIX H

Acoustic Logic

ACOUSTIC REPORT

APPENDIX I

AED Consulting

BCA COMPLIANCE ASSESSMENT REPORT

APPENDIX J

Environmental Investigations Australia

CONTAMINATION ASSESSMENT

APPENDIX K

Varga Traffic

TRAFFIC AND PARKING ASSESSMENT

APPENDIX L

Corrosion Control Engineering

ELECTROLYSIS ASSESSMENT

APPENDIX M

STS

BASIX CERTIFICATE

APPENDIX N

Access Solutions

ACCESSIBILITY REPORT

APPENDIX O

BASIX Services

WASTE MANAGEMENT PLAN

APPENDIX P

SGC

STORMWATER CONCEPT PLAN

APPENDIX Q

Newton Fisher and Associates Pty Ltd

QS COST ESTIMATE

APPENDIX R

Krikor Simonian

PUBLIC BENEFIT OFFER

APPENDIX S

Willana

CONSTRUCTION MANAGEMENT PLAN

APPENDIX T

HOTEL PLAN OF MANAGEMENT

APPENDIX U

Graham Brooks & Associates

HERITAGE IMPACT ASSESSMENT

APPENDIX V

Archaeological and Heritage Management Solutions

ARCHAEOLOGICAL REPORT

APPENDIX W

Archaeological and Heritage Management Solutions

ABORIGINAL CULTURAL HERITAGE IMPACT ASSESSMENT

APPENDIX X

ACSES Engineers

STRUCTURAL REPORT

APPENDIX Y

LTS

DRAFT PLAN OF SUBDIVISION

APPENDIX Z

ARTIST COMMISSION

APPENDIX Z1

SECRETARY REQUIREMENTS

APPENDIX Z2

Sutherland & Associates Planning Pty Ltd

CRIME RISK ASSESSMENT AND SECURITY MANAGEMENT PLAN

# 1.0 DECLARATION

## DECLARATION

### **Submission of Environmental Impact Statement:**

Prepared under Schedule 2 of the Environmental Planning and Assessment Regulation 2000.

### **Environmental Impact Statement prepared by:**

Aaron Sutherland  
Director, Sutherland & Associates Planning Pty Ltd  
Bachelor of Town Planning UNSW

### **Address:**

PO Box 6332  
Baulkham Hills BC NSW 2153

### **In respect of:**

Environmental Impact Statement for State significant development Application for 175-177 Cleveland Street and 1-5 Woodburn Street, Redfern (SSD 15\_7064)

### **Declaration:**

It is declared that this Environmental Impact Statement has been prepared:

- in accordance with Schedule 2 of the Environmental Planning and Assessment Regulation 2000; and
- the statement contains all available information that is relevant to the environmental assessment of the proposed development; and
- to the best of my knowledge the information contained in this report is neither false nor misleading.



Aaron Sutherland  
Director, Sutherland & Associates Planning Pty Ltd  
September 2015



## 2.0 EXECUTIVE SUMMARY

This Environmental Impact Statement (EIS) has been prepared under section 78A (8A) of the Environmental Planning and Assessment Act 1979 (EP&A Act 1979) in support of a State Significant Development (SSD) Development Application (DA) for the purposes of a development which involves the demolition of an existing buildings and erection of part 5 and part 6 storey mixed use development above a common basement level with a retail tenancy, hotel accommodation with 78 rooms, and a residential flat building containing 29 apartments. The site is located at 175-177 Cleveland Street and 1-5 Woodburn Street, Redfern.

Pursuant to Schedule 2 of the State Environmental Planning Policy (State and Regional Development) 2011, the proposed development is State Significant Development (SSD). This is due to the subject site being located within the Redfern-Waterloo area of the State Significant Development Sites Map, as stipulated within this schedule and the proposed development having an estimated capital investment value greater than \$10 million.

The subject proposal including architectural plans prepared by JPR Architects, was presented to the Department of Planning and Environment on 9 March 2015. The Department issued the Secretary's Environmental Assessment Requirements (SEARs) for the proposal on 11 June 2015.

This EIS has been prepared in accordance with the requirements of Schedule 2 Part 2 of the Environmental Planning and Assessment Regulations 2000 (EP&A Reg 2000) and reviews the relevant environmental planning instruments as they apply to the site, provides an assessment of the potential effects of the proposal with reference to the SEARs issued for the development and the heads of consideration listed under section 79C of the EP&A Act 1979.

This EIS demonstrates that the proposed scheme will not result in any unreasonable impacts on adjoining properties, the locality or the environment. The proposal is consistent with the SEARs issued for the development and the aims and objectives of the State Environmental Planning Policy (Major Development) 2005 and the State Environmental Planning Policy (Urban Renewal) 2010 and the relevant key development standards and the specific objectives and design principles of the Redfern-Waterloo Area.

The proposal will provide a positive social impact with regard to the development of the area, and as demonstrated within this report, the proposal does not result in any unreasonable adverse impacts upon adjoining properties and the public domain in terms of overshadowing, privacy, views or visual bulk and scale or heritage impacts.

An assessment of the potential impacts concludes that the redevelopment of the site for retail, hotel and residential purposes is consistent with the objectives of the current zone and is compatible with forthcoming surrounding land uses within the locality.

It is recommended that this State significant development application be approved because it generally represents the type and scale of development that is intended for the site, it is in accordance with the objectives of the strategic and statutory planning framework for the site, and any potentially adverse environmental impacts will be appropriately mitigated.

## 3.0 INTRODUCTION

This Environmental Impact Statement has been prepared by Sutherland & Associates Planning Pty Ltd on behalf of Krikor Simonian to accompany a State significant development (SSD) application for the purposes of a development which involves the demolition of an existing building and erection of part 5 and part 6 storey mixed use development above common basement levels with a retail tenancy, hotel accommodation with 78 rooms, and a residential flat building containing 29 apartments.

The proposed development is detailed on architectural plans prepared by JPR Architects. The application is also accompanied by the following:

- Survey Plan - Sydney Registered Surveyors
- SEPP 65 Design Verification Statement - JPR Architects
- Landscape Plan and Statement - Wallman
- Geotechnical Report - Environmental Investigations Australia
- Contamination Assessment and Remedial Action Plan - Environmental Investigations Australia
- Traffic Impact Assessment - Varga Traffic
- Acoustic Assessment - Acoustic Logic
- BCA Compliance Assessment Report - AED Consulting
- BASIX Certificate - STS
- Waste Management Plan - BASIX Services
- Construction Management Plan - Willana
- Access Report - Access Solutions
- Stormwater Concept Plan - SGC
- Heritage Impact Assessment - Graham Brooks and Associates
- Archaeological Report - Archaeological and Heritage Management Solutions
- Aboriginal Cultural Heritage Impact Assessment - Archaeological and Heritage Management Solutions
- Electrolysis Assessment - Corrosion Control Engineering
- Structural Report - ACSES Engineers
- Quantity Surveyor - Newton Fisher and Associates Pty Ltd
- Draft Plan of Subdivision - LTS
- Hotel Plan of Management

This Environmental Impact Statement has been prepared in accordance with the State significant development provisions of the Environmental Planning and Assessment Act 1979 (EP&A Act), the requirements of Schedule 2 of the Environmental Planning and Assessment Regulation 2000 and the SEARs issued for the project. The Statement details the proposal's consistency with the relevant strategic planning policies, and compliance against the applicable environmental planning instruments and planning policies including:

- NSW 2021 (The State Plan)
- A Plan for Growing Sydney
- Sydney 2030 (The City of Sydney)
- Sydney Regional Environmental Plan (Sydney Harbour Catchment) 2005
- State Environmental Planning Policy (State and Regional Development) 2011
- State Environmental Planning Policy (Major Development) 2005
- State Environmental Planning Policy (Urban Renewal) 2010

## 3.0 INTRODUCTION

- State Environmental Planning Policy (Infrastructure) 2007
- State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004
- State Environmental Planning Policy No.55 – Remediation of Land
- State Environmental Planning Policy No.65 – Design Quality of Residential Apartment Development
- State Environmental Planning Policy No. 1 - Development Standards
- Development Near Rail Corridors and Busy Roads - Interim Guideline
- NSW Planning Guidelines for Walking and Cycling
- Guide to Traffic Generating Developments (RMS)
- NSW Long Term Transport Masterplan
- Redfern Waterloo Built Environment Plan (Stage One) August 2006
- Redfern Waterloo Contributions Plan 2006
- Redfern Waterloo Authority Affordable Housing Contributions Plan 2006
- Sydney Local Environmental Plan 2012
- Sydney Development Control Plan 2012
- City of Sydney Public Domain Manual
- Sydney's Cycling Future
- Sydney's Walking Future

Having regard to the applicable legislative framework, it is considered that the proposed development is consistent with the aims and objectives of the relevant environmental planning instruments, strategies and policies whilst being compatible with the emerging character of the locality and minimising any potential impacts on the amenity of the adjoining properties.

## 4.0 SITE DESCRIPTION AND LOCATION

### 4.1. Locality Description

The site is known as 175-177 Cleveland Street and 1-5 Woodburn Street, Redfern and is located at the northern most boundary of the Redfern Waterloo area as determined by the State Environmental Planning Policy (Major Development) 2006. The site is within the City of Sydney Council area and is also a State Significant Development Site as listed within Schedule 2 of the State Environmental Planning Policy (State and Regional Development) 2011.

The site is located close to the intersection of Regent and Cleveland Streets and is in close proximity to the campus of Sydney University, Redfern and Central Railway Stations and is a short distance to the University of Notre Dame, the University of Technology and Broadway shopping complex. Prince Alfred Park and Prince Alfred Park Pool are located approximately 300 metres to the east of the site. Sydney CBD is approximately 2.2kms to the north. Sydney Airport is approximately 5.5km to the south-west of the site. The location of the site is illustrated in Figure 1 below.

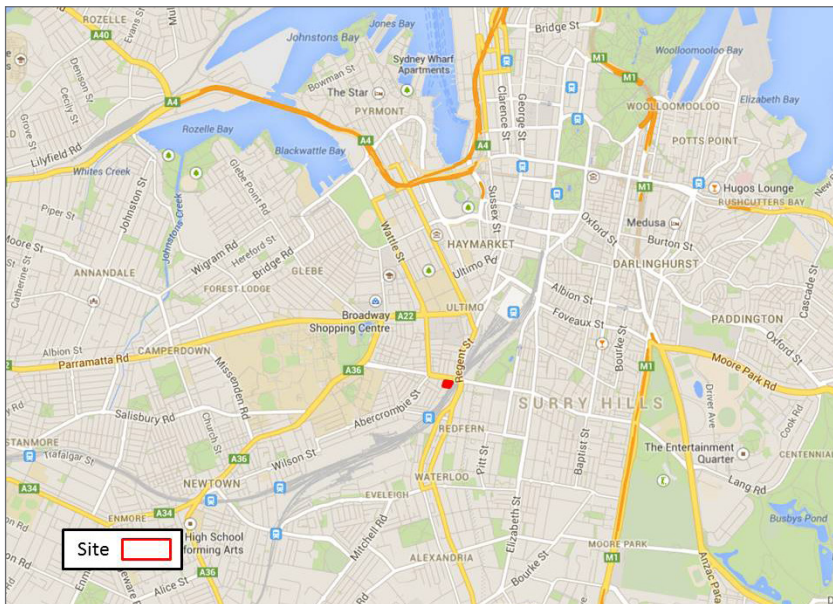


Figure 1:

Site location (Source: Google Maps)

### 4.2. Site Description

The site comprises 7 allotments and is legally described as Lot 10 in DP 809537, Lot 1 in DP 1093304, Lot 1 in DP 724328, Lot 15 in DP 57107, Lots 3 and 4 in DP 977379 and Lot 5 in DP 68798 and is known as 175-177 Cleveland Street and 1-5 Woodburn Street, Redfern. The site is located on the southern side of Cleveland Street, approximately 330 metres north of the Redfern Train Station. A location plan is included as Figure 1.

The site is irregular in shape and has an area of 1,060 square metres. The northern boundary of the site adjacent to Cleveland Street has a length of 30.68 metres. Each corner of the site is splayed and the site has a frontage of approximately 30 metres to Woodburn Street to the east and 22.39 metres to Eveleigh Street to the west.

A part one and part two storey industrial building occupies the western side of the site, the north-eastern part of the site is occupied by a hardstand car parking area, and the eastern part of the site is occupied by a two storey brick warehouse. The building adjacent to Eveleigh Street was used as for vehicle body

## 4.0 SITE DESCRIPTION AND LOCATION

repair for some time, before being used for the retail of furniture more recently. The Woodburn Street building has been used for printing purposes. The existing buildings on the site is of limited architectural merit and demolition of the structures on the 175-177 Cleveland Street site has previously been granted by both the City of Sydney Council and the Department. The site does not contain any heritage items and is not located in a heritage conservation area.



Figure 2:

Site (Source: SIX Maps 2015)

### 4.3. Surrounding Development

Surrounding development is a mixture of terrace housing, medium density residential and mixed uses, commercial and retail. Immediately adjacent to the south is an adaptive re-use of a former industrial building into a 5 storey residential apartment building at 6-8 Woodburn Street. Opposite to the west is a recent part 3 part 4 storey infill residential apartment building at 165 – 173 Cleveland Street. Opposite to the east across Woodburn Street to the east is part 4 part 5 storey building at 179 Cleveland Street used for the purpose of a youth hostel.



Photograph 1:

The subject site as viewed from Cleveland Street.



## 4.0 SITE DESCRIPTION AND LOCATION



Photograph 2:

The hard stand car parking area presenting to the corner of Cleveland and Woodburn Streets.

Photograph 3:

View toward Cleveland Street and north along Eveleigh Street. Western boundary of subject site shown.



Photograph 4:

View toward south along Eveleigh Street. Roller door of subject site shown.

## 4.0 SITE DESCRIPTION AND LOCATION



Photograph 5:

View of site from Woodburn Street (1-5 Woodburn Street)

Photograph 6:

Northern side of Cleveland Street. Waldorf Apartments far left and dog grooming/care business centre of photograph.



Photograph 7:

View east along Cleveland Street. Subject site shown far right of photograph.



## 4.0 SITE DESCRIPTION AND LOCATION



Photograph 8:

View west along Cleveland Street. Approved student housing under SSD 4949-2011 is shown centre of photograph (157-163 Cleveland Street).

Photograph 9:

View of SSD 4949-2011 from Cleveland Street.



Photograph 10:

Medium density residential apartments fronting Cleveland Street (165-173 Cleveland Street).





## 4.0 SITE DESCRIPTION AND LOCATION



Photograph 11:

The site as viewed from Cleveland Street at the corner of Eveleigh Street.

Photograph 12:

Short stay accommodation located adjacent the site as viewed from Cleveland Street (corner of Woodburn Street).



Photograph 13:

Southern adjacent site as viewed from Woodburn Street

## 5.0 BACKGROUND

### 5.1. State Significant Development Application 4949-2011

On 16 May 2012, State Significant Development Application 4949-2011 was approved under delegation from the Minister by the Director General of the Department of Planning & Environment for a Student Accommodation development at 157-163 Cleveland Street, Redfern. The approved development comprised partial demolition of existing building and construction a part 2 and part 5 storey building for student accommodation for 461 students. The development provided facilities including reception/lobby, administration room, meeting room, internet/study area, TV/games room, laundry room, communal kitchen, plant and services. The approved development had a FSR of 3:1 with 100% residential use.

That site is governed by the same planning controls as the subject site.



Figure 3:

Photomontage of approved student housing under SSD 4949-2011

### 5.2. State Significant Development Application 6371

On 28 January 2015, State Significant Development Application 6371 was approved under delegation from the Minister by the Secretary of the Department of Planning & Environment for a Mixed Use Student Accommodation and Residential Development at 175-177 Cleveland Street, Redfern. The proposal the subject of this request for Environmental Assessment Requirements incorporates the site which was the subject of State Significant Development Application 6371.

The approved development comprises the construction of a 5 storey building including student accommodation for 40 students, a residential flat building containing 13 apartments, a single storey basement; and stratum subdivision. The approved development had a FSR of 3:1 with 100% residential use. The split of uses was 43% residential vs 57% non-residential.



## 5.0 BACKGROUND



Figure 4:

Photomontage of approved student housing and residential development of the subject site facing west



Figure 5:

Photomontage of approved student housing and residential development of the subject site facing east

### 5.3. City of Sydney Hotel action plan to support growing tourism market

On 22 January 2015, the City of Sydney issued the following media release in relation to a hotel action plan to support the growing tourism market:

The City of Sydney has released an action plan encouraging new hotel developments, including more mid-range hotels that are popular with the growing number of Asian visitors.

While the city already leads Australia's accommodation market with more than 23,300 rooms, expert research found it is dominated by five star hotels while demand is increasing for three star options.

The City-commissioned research, carried out by Jones Lang La Salle, predicts 5,800 new hotel rooms will be opened in the next seven years with around half of these already in the development pipeline.

"Sydney is Australia's premier destination with 10.5 million annual visitors. Over the past decade, the annual number of

## 5.0 BACKGROUND

visitors staying in City hotels has increased by nearly 1 million and these numbers are expected to grow," Lord Mayor Clover Moore said.

"Visitors contributed over \$5 billion to the economy in 2012, and for every dollar spent on tourism an extra 91 cents is spent in other parts of the economy which is a multiplier effect higher than the mining, agriculture and financial services sectors.

"We need to ensure local and international visitors to our wonderful city have the best range of hotels possible, and that's why we are working closely with accommodation and tourism experts to help provide the rooms the market wants."

NSW director of Tourism Accommodation Australia, Carol Giuseppi, described the Action plan as "an excellent piece of work" that would help encourage development of new hotels.

Support for the Accommodation Action Plan comes as the City is considering a proposal to convert a disused substation in Sussex Street into a 163 room, four star boutique hotel.

The former substation is located next door to the Bristol Arms Hotel in a rapidly growing part of Sydney near Barangaroo and East of King Street wharf.

The City is considering a proposal from developer Alfasi to increase the height limit for the site by up to 11.05 metres to make construction of the hotel viable.

With more and more visitors coming from China, demand for three star hotel rooms is expected to grow significantly and the City has worked closely with tourism groups to prepare the Visitor Accommodation Action Plan to help meet this demand.

As tourism plays a critical part in Sydney's economy, the City has joined with Tourism Accommodation Australia, the Property Council, the Tourism Transport Forum, Tourism Australia, NSW Trade and Investment and Department of Planning and Environment to draft the Action Plan.

"One of the key recommendations of the action plan is that we continue our important work making Sydney a more attractive destination by upgrading our street, parks and laneways, encouraging fine grain development, and maintaining our strong sponsorship program and support for major events," said the Lord Mayor.

"These projects and other major investments we're making like our \$220 million to support light rail help make the city a richer, more vibrant place for businesses, residents and visitors."

## 5.0 BACKGROUND

Under the draft plan approved by councillors, the City will look at reducing development costs to encourage three star hotels in the western and southern parts of the city near infrastructure projects such as Darling Harbour Live and the Light Rail line.

It will review zoning around these projects to encourage appropriate visitor accommodation.

With more than half a million square metres of obsolete commercial floor space expected to become available for redevelopment over the next five years, the plan will also see the City identify whether any of these sites are suitable for new hotels.

The City will help new accommodation projects by developing investment liaison procedures and publishing a development guide to assist investors identify development sites and negotiate the planning system.

## 6.0 PROPOSED DEVELOPMENT

### 6.1. Description

The proposal provides for the erection of a part 5 and part 6 storey mixed use development at 175-177 Cleveland Street and 1-5 Woodburn Street, Redfern containing the following:

- one retail tenancy facing Cleveland Street;
- hotel accommodation with 78 rooms facing Cleveland Street and Eveleigh Street with ground floor lobby facing Cleveland Street and Eveleigh Street; and
- a residential flat building containing 29 apartments facing Woodburn Street.

A design approach has been adopted to split the two proposed uses on the site, hotel accommodation and residential apartments, vertically rather than horizontally. This approach provides for the introduction of two differing aesthetics which respond appropriately to the conditions of each street. The proposed development is detailed on the architectural plans prepared by JPR Architects.

#### 6.1.1. Hotel Component

The hotel accommodation component of the development adopts a 5 storey street wall at the highest point of the site, at the corner of Woodburn Street and Cleveland Street, and collects an additional storey along Cleveland Street where the site falls away to the south down the street which allows for the insertion of the lobby for the hotel at the corner of Eveleigh Street and Cleveland Street. A retail tenancy is provided at the higher end of the Cleveland Street frontage. The design of the Cleveland Street facade is such that despite technically becoming 6 storeys at the bottom of the Cleveland Street facade, the development has an architectural expression which still reads as a 5 storey building and critically the parapet height to Cleveland Street of RL 38.6 is 1.7 metres lower when compared to the parapet height in the recently approved development on the site. In relation to the presentation of the hotel component to Eveleigh Street, the top floor is set back from the street behind the 5 storey parapet, which again adopts a lower parapet height in comparison to that which was recently approved for the site. Due to the strongly defined 5 storey street wall, the top hotel floor is not readily perceived in Eveleigh Street such that the development appears as a 5 storey development.

The hotel accommodation element presents to Cleveland Street and Eveleigh Street and has been designed as a robust architectural solution suitable in particular to the more hostile environment of Cleveland Street. The typology of hotel accommodation, with no balconies, has provided an opportunity to achieve visual interest with a single, unifying facade. Prominent local Aboriginal artist Jim Simon was commissioned to assist producing a piece of Aboriginal artwork which has been incorporated into the base of the hotel accommodation component of the building on both Cleveland Street and Eveleigh Street to recognise and celebrate the Aboriginal significance of Redfern.

A large roof top area provides for the open space needs of the hotel guests and is separated from the roof top open space area for the residents with a continuous landscaped perimeter and screen.

Privacy for the residential apartments from the hotel rooms has been achieved with a louvre screen system affixed to the internal facing hotel room windows.



## 6.0 PROPOSED DEVELOPMENT

### 6.1.2. Residential Flat Building

The residential apartment building presents to Woodburn Street and introduces a domestic language which is distinctly different in character to the defensive language of the hotel accommodation element. The facade adopts a 5 storey street wall height with a parapet height of RL 36.9 with the top floor mezzanine apartments set back from the street. The 5 storey street wall component of the façade has a strong masonry character punctuated by balcony openings and windows, whilst the top floor is setback and adopts a lightweight language.

Due to the adoption of the same street wall parapet heights as the previously approved 5 storey development on the site, and the setback of the top floors behind, the scale of the development and particularly the street wall is generally consistent with the control and compatible with the surrounding context.

The apartments are accessed via a centrally located lobby from Woodburn Street which leads through to a ground level landscaped common open space area and a lift core and open air hallway arrangement at the rear of the apartments. The apartments are all oriented to overlook Woodburn Street and cross ventilation is achieved through the use of fan light windows above the front door. Due to this design there are no privacy or interface issues to the hotel rooms within the development, which contain louvred screens in any event.

A large roof top area provides for the open space needs of the residents in addition to the ground level common open space area. The rooftop common open space area adjacent to Cleveland Street takes advantage of the northerly aspect towards the CBD and ensures this area receives plentiful solar access.



Figure 6:

Photomontage  
of the proposed  
Cleveland Street  
façade facing  
west

## 6.0 PROPOSED DEVELOPMENT



Figure 7:

Photomontage of the proposed Cleveland Street façade facing east

### 6.2. Subdivision

The proposal also seeks consent for the stratum subdivision of the site into two separate allotments which reflect the two separate components of the development. This subdivision will also facilitate the future strata subdivision of the residential apartments separate from the hotel component of the development. This application is accompanied by draft plan of subdivision and accompanying S88B Instrument prepared by LTS.

### 6.3. Numerical Overview

Element	Proposed
Site Area	1,060 square metres
Gross Floor Area	4,102.49 square metres
Floor Space Ratio	3.87:1 (2.37:1/60% hotel/comm and 1.50:1/40% resi)
Storeys	5/6
Apartments	29 (18 x studios, 11 x 1 bed)
Retail	1 tenancy (71.35 square metres)
Hotel Rooms	78
Car Parking	13 residential 13 commercial
Bicycle spaces	34 residential
Common open space	347 square metres or 32.7% (89.23sqm ground and 80.20sqm roof for residential and 177.67sqm roof for hotel)
Deep soil	226.5 square metres (equivalent 21% of site) above structure (67.5 sqm ground and 159 sqm roof)



## 6.0 PROPOSED DEVELOPMENT

Element	Proposed
Cross Ventilated	100%
Solar Access	72.4%

### 6.4. Signage

The signage illustrated in the architectural elevations is indicative only and a future development application will be lodged for any signage associated with the hotel or the retail tenancy.

### 6.5. Voluntary Planning Agreement

The proposal has an FSR of 3.87:1 which represents an additional 922.49 square metres of gross floor area above the 3:1 control. This application therefore includes a Public Benefit Offer for a contribution of \$327,483.95 which is calculated based on the City of Sydney rate of \$275/sqm for bonus non-residential floor area and \$475.00/sqm for bonus residential floor space, to the Redfern-Waterloo Fund to contribute to public facilities set out in the Works Schedule in the Redfern-Waterloo Authority Contributions Plan 2006.

The proposal provides 40% residential use and 60% non-residential use which results in the following calculation:

Use	Additional GFA	Contribution
Residential	$922.49\text{sqm} \times 40\% = 368.996\text{sqm}$	$368.996\text{sqm} \times \$475 = \$175,273.10$
Non-Residential	$922.49\text{sqm} \times 60\% = 553.494\text{sqm}$	$553.494\text{sqm} \times \$275 = \$152,210.85$
TOTAL		\$327,483.95

This offer was discussed with Jason Perica A/Director Planning and Urban Renewal at Urban Growth NSW on 25 September 2014 and subsequently with Sarah Glennan Senior Development Manager Urban Growth NSW on 29 July 2015 and on both occasions general support was indicated for the proposed scheme and the proposed Voluntary Planning Agreement as a mechanism for securing public benefits associated with the proposal.

## 7.0 SECRETARY'S REQUIREMENTS

The Secretary's Assessment Requirements (SEARs) for the proposal were issued on 11 June 2015. A copy of the SEARs is appended at Appendix Z1. The key issues to be addressed in the Environmental Impact Statement (EIS) are set out the following table along with an indication of where they have been addressed in this report.

Key Issue	Where Addressed in EIS
<p><b>General Requirements</b></p> <p>The Environmental Impact Statement (EIS) must meet the minimum form and content requirements in clauses 6 and 7 of Schedule 2 the Environmental Planning and Assessment Regulation 2000.</p> <p>Notwithstanding the key issues specified below, the EIS must include an environmental risk assessment to identify the potential environmental impacts associated with the development.</p> <p>Where relevant, the assessment of the key issues below, and any other significant issues identified in the risk assessment, must include:</p> <ul style="list-style-type: none"> <li>adequate baseline data;</li> <li>consideration of potential cumulative impacts due to other development in the vicinity; and</li> <li>measures to avoid, minimise and if necessary, offset the predicted impacts, including detailed contingency plans for managing any significant risks to the environment.</li> </ul> <p>The EIS must be accompanied by a report from a qualified quantity surveyor providing:</p> <ul style="list-style-type: none"> <li>a detailed calculation of the capital investment value (CIV) (as defined in clause 3 of the Environmental Planning and Assessment Regulation 2000) of the proposal, including details of all assumptions and components from which the CIV calculation is derived;</li> <li>an estimate of the jobs that will be created by the future development during the construction and operational phases of the development; and</li> <li>certification that the information provided is accurate at the date of preparation.</li> </ul>	<p>An Environmental Risk Assessment is provided at Section 9.12</p> <p>The assessment of the key issues includes adequate baseline data, consideration of potential cumulative impacts and mitigation measures at Section 10 to avoid, minimise and if necessary, offset the predicted impacts.</p> <p>The necessary QS Report accompanies this application.</p>

## 7.0 SECRETARY'S REQUIREMENTS

Key Issue	Where Addressed in EIS
<p><b>Statutory and Strategic Context – including:</b></p> <p>Address the relevant statutory provisions applying to the development contained in all relevant EPIs, including:</p> <ul style="list-style-type: none"> <li>the Environmental Planning &amp; Assessment Act 1979</li> <li>State Environmental Planning Policy (State and Regional Development) 2011;</li> <li>State Environmental Planning Policy (Major Development) 2005;</li> <li>State Environmental Planning Policy (Infrastructure) 2007;</li> <li>State Environmental Planning Policy (Urban Renewal) 2010;</li> <li>State Environmental Planning Policy No. 55 - Remediation of Land;</li> <li>State Environmental Planning Policy No. 64 - Advertising and Signage;</li> <li>State Environmental Planning Policy No 65—Design Quality of Residential Apartment Development;</li> <li>State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004;</li> <li>State Environmental Planning Policy No. 1 - Development Standards; and</li> <li>Sydney Local Environmental Plan 2012.</li> </ul>	<p>Section 8 - Statutory Planning Framework</p>
<p><b>Policies</b></p> <p>Address the relevant planning provisions, goals and strategic planning objectives in the following:</p> <ul style="list-style-type: none"> <li>NSW 2021;</li> <li>A Plan for Growing Sydney;</li> <li>Sydney 2030 (The City of Sydney Council);</li> <li>Development Near Rail Corridors and Busy Roads - Interim Guideline;</li> <li>Guide to Traffic Generating Development (RMS);</li> <li>NSW Planning Guidelines for Walking and Cycling;</li> <li>NSW Long Term Transport Masterplan;</li> <li>Redfern Waterloo Built Environment Plan (Stage One) August 2006;</li> <li>Sydney Development Control Plan 2012</li> <li>Redfern Waterloo Authority Contributions Plan 2006;</li> <li>Redfern Waterloo Authority Affordable Housing Contributions Plan 2006;</li> <li>Sydney's Cycling Future; and</li> <li>Sydney's Walking Futures.</li> </ul>	<p>Section 8 - Statutory Planning Framework</p>
<p><b>Land Use Mix</b></p> <p>The EIS shall address the proposed land use mix and its compliance with the objectives of the zone and compatibility with the current and future desired character for the area</p>	<p>Section 9.1 - Environmental Assessment</p>

## 7.0 SECRETARY'S REQUIREMENTS

Key Issue	Where Addressed in EIS
<p><b>Built Form and Urban Design</b></p> <p>The EIS shall:</p> <ul style="list-style-type: none"> <li>• Demonstrate how the proposal exhibits design excellence in accordance with the general urban design principles of the Redfern Waterloo Built Environment Plan (Stage One) August 2006. This must include documentary evidence of the design excellence process followed as referred to in Clause 22 of the SEPP (Major Development) 2005.</li> <li>• Address the height, bulk and scale of the proposed development within the context of the locality and ensure it does not create unacceptable environmental impacts such as excessive overshadowing, wind impacts, or privacy loss. This shall include: <ul style="list-style-type: none"> <li>• view analysis to and from the site from key vantage points and streetscape impacts. Photomontages or perspectives should be provided showing the proposed development;</li> <li>• analysis and detailed justification for the proposed building height in the context of adjoining developments and height controls;</li> <li>• detail the design quality of the building, with specific consideration of the overall site layout, views and vistas, street activation, facades, massing, setbacks, building articulation, materials, colours, landscaping, safer by design principles, rooftop and mechanical plant;</li> </ul> </li> <li>• address how the proposal achieves appropriate building separation between the hotel and residential uses; and</li> <li>• address how the proposal activates the ground level of Cleveland Street.</li> </ul>	<p>Section 8 - Statutory Planning Framework</p> <p>Section 9.2 - Environmental Assessment</p>
<p><b>Ecologically Sustainable Development (ESD)</b></p> <p>The EIS shall:</p> <ul style="list-style-type: none"> <li>• Detail how ESD principles (as defined in clause 7(4) of Schedule 2 of the Environmental Planning and Assessment Regulation 2000) will be incorporated in the design, construction and ongoing operation phases of the development to achieve any sustainability best practice initiatives.</li> </ul>	<p>Section 8 - Statutory Planning Framework.</p> <p>Section 9.3 - Environmental Assessment.</p>

## 7.0 SECRETARY'S REQUIREMENTS

Key Issue	Where Addressed in EIS
<p><b>Environmental and Residential Amenity</b></p> <p>The EIS shall</p> <ul style="list-style-type: none"> <li>address how the proposal achieves a high level of environmental and residential amenity including consideration of solar access, acoustic impacts, visual privacy, apartment sizes and layout, wind impacts, and noise and vibration emanating from Cleveland Street and nearby train lines; and.</li> <li>demonstrate that the proposal maintains the amenity of surrounding residential development (both existing, approved or proposed) and potential future development.</li> </ul>	<p>Section 8 - Statutory Planning Framework. Section 9.4 - Environmental Assessment.</p> <p>Appendix 1 - Apartment Design Guide compliance summary.</p>
<p><b>Noise</b></p> <ul style="list-style-type: none"> <li>The EIS shall identify the main noise generating sources during future operation and activities at all stages of construction and outline measures to minimise and mitigate the potential noise impacts on surrounding occupiers of land.</li> </ul>	<p>Section 8 - Statutory Planning Framework Section 9.5 - Environmental Assessment.</p>
<p><b>Transport and Accessibility (Construction and Operation)</b></p> <p>The EIS shall include a Traffic and Transport Impact Assessment that:</p> <ul style="list-style-type: none"> <li>demonstrates how users of the development will be able to make travel choices that support the achievement of State Plan targets. This includes describing the measures to be implemented to promote sustainable means of transport including public transport usage, car sharing scheme, pedestrian and bicycle linkages, end of trip facilities and parking provision;</li> <li>details existing and future pedestrian and cycle movements within the vicinity of the site and determine the adequacy of the proposal to meet the likely increase in public transport, pedestrian and cycle demands;</li> <li>details of proposed access, and provision, number, design, location of onsite car and bicycle parking, and end of trip facilities as per Austroads Cycling Aspects of Australia Guide;</li> <li>demonstrates appropriate separation and self containment of bicycle storage/parking area for the residential component;</li> <li>provides accurate details of peak hour construction and daily peak traffic movements likely to be generated by the proposed development including servicing vehicle movements, and assess the impact on the local road network including intersection capacity and the need/associated funding for upgrading or road improvement works (if required); and</li> <li>details access arrangements at all stages of construction, and measures to mitigate any associated pedestrian, cyclists, public transport and traffic impacts.</li> </ul>	<p>Section 8 - Statutory Planning Framework Section 9.6 - Environmental Assessment</p>

## 7.0 SECRETARY'S REQUIREMENTS

Key Issue	Where Addressed in EIS
<b>European and Aboriginal Heritage</b> The EIS shall: <ul style="list-style-type: none"> <li>Assess the heritage significance of the site and any impacts the development may have upon this significance.</li> <li>identify non-Aboriginal heritage items within the area affected by the proposal. A statement of significance and an assessment of the impact of the proposal on the heritage significance of these items should be undertaken. Any policies/measures to conserve their heritage significance should be identified. This assessment should be undertaken in accordance with the guidelines in the NSW Heritage Manual; and</li> <li>identify and address any impacts on the Aboriginal cultural heritage values that exist across the whole area that will be affected by the proposal. This may include the need for surface survey and test excavation. The identification of cultural heritage values should be guided by the Guide to investigating, assessing and reporting on Aboriginal Cultural Heritage in NSW(DECCW, 2011).</li> </ul>	Section 9.7 - Environmental Assessment
<b>Drainage and Flooding</b> <ul style="list-style-type: none"> <li>The EIS shall address the contributions applicable to the development and/or details of any Voluntary Planning Agreement</li> </ul>	Section 9.8 - Environmental Assessment.
<b>Contributions</b> The EIS shall address <ul style="list-style-type: none"> <li>the contributions payable pursuant to the Redfern-Waterloo Authority Affordable Housing Contributions Plan 2006 and the Redfern Waterloo Authority Contributions Plan 2006; and</li> <li>any additional contributions proposed or material public benefits adjacent to the site associated with any bonus floor space (floor space above existing planning controls).</li> </ul>	Section 8 - Statutory Planning Framework Section 9.9 - Environmental Assessment.
<b>Waste</b> <ul style="list-style-type: none"> <li>The EIS shall address waste handling, storage and collection systems for the residential, hotel, and retail uses</li> </ul>	Section 9.10 - Environmental Assessment.

## 7.0 SECRETARY'S REQUIREMENTS

Key Issue	Where Addressed in EIS
<p><b>Consultation</b></p> <ul style="list-style-type: none"> <li>During the preparation of the EIS, you must consult with the relevant local, State or Commonwealth authorities, service providers, and community groups (including the Chippendale Residents Interest Group).</li> <li>In particular you must consult with the City of Sydney Council, UrbanGrowth NSW Development Corporation; and the NSW Police - Redfern Local Area Command.</li> <li>The EIS must describe the consultation process and the issues raised, and identify where the design of the development has been amended in response to these issues. Where amendments have not been made to address an issue, a short explanation should be provided.</li> </ul>	<p>Section 9.11 - Environmental Assessment</p>
<p><b>Plan and Documents</b></p> <ul style="list-style-type: none"> <li>The EIS must include all relevant plans, architectural drawings, diagrams and relevant documentation required under Schedule 1 of the Environmental Planning and Assessment Regulation 2000. Provide these as part of the EIS rather than as separate documents.</li> <li>In addition, the EIS must include the following: <ul style="list-style-type: none"> <li>architectural drawings;</li> <li>site survey plan, showing existing levels, location and height of existing and adjacent structures/buildings;</li> <li>site analysis plan;</li> <li>shadow diagrams;</li> <li>access impact statement;</li> <li>view analysis/photomontage;</li> <li>stormwater concept Plan;</li> <li>sediment and erosion control plan;</li> <li>landscape plan, including any public domain works;</li> <li>preliminary construction management plan, inclusive of a construction traffic management plan and cumulative impact of construction activities on other nearby sites;</li> <li>3D perspectives &amp; photomontages of the proposed development;</li> <li>an Operational Management Plan (addressing hotel operations, servicing requirements including waste management, loading zones and mechanical plant);</li> <li>heritage impact statement;</li> <li>geotechnical and structural report;</li> <li>signage details (if proposed); and</li> <li>schedule of materials and finishes.</li> </ul> </li> </ul>	<p>Section 8 - Statutory Planning Framework</p> <p>See Appendices for attachments related to plans, diagrams, reports and management plans</p>

## 8.0 STATUTORY PLANNING FRAMEWORK

### 8.1. New South Wales 2021 (The State Plan)

NSW 2021 is a 10 year plan based around five broad strategies to rebuild the economy, provide quality services, renovate infrastructure, restore government accountability and strengthen the State's local environment and communities.

One of the goals in relation to rebuilding the economy is to place downward pressure on the cost of living. The target in relation to this goal is to facilitate the delivery of 25,000 new dwellings in Sydney per year by continuing to set dwelling targets for local councils outlined in subregional strategies and to partner with local councils to ensure that targets for housing and growth are reflected in relevant planning proposals and in local planning instruments.

The proposed development promotes the targets of the State Plan by providing additional residential accommodation in a location which is well served by public transport, recreational facilities, education and employment opportunities.

### 8.2. A Plan for Growing Sydney

In December 2014, the NSW Government released A Plan for Growing Sydney which replaced the Metropolitan Strategy for Sydney 2036. A Plan for Growing Sydney differs from the previous strategy in that it prioritises housing and jobs growth across Sydney and significantly increases minimum housing and jobs targets.

The Plan identifies that Sydney will need 664,000 homes by 2031. The Plan notes that over the last five years new housing production has grown from around 13,300 dwellings per annum to around 22,800 dwellings per annum the highest level since 2002, however, even with this growth, there is a significant gap between current housing.

The delivery of the target of 664,000 homes is to be through subregional strategies. The Plan for Growing Sydney identifies six subregions which will undergo subregional planning to ensure that the headline goals of the Plan are delivered. Subregional planning will link growth in population and housing to the infrastructure that supports communities, such as schools, health services, transport, electricity and water projects.

The Plan identifies that the fastest growing households in Sydney are single person households. In 2011, only 36.6 per cent of households were couples with children. Households that are couples with children will grow at a slower rate than both couple and single person households over the next 20 years. The proposed provision of studio and 1 bedroom apartments on the subject site will assist in meeting the specific and growing demand for single person households.

The proposed development will fulfil the environmental capacity for the site consistent with the strategic direction of the Plan by increasing housing in a location which is well served by public transport, recreational facilities and employment opportunities.

### 8.3. Sydney 2030

Sustainable Sydney 2030 is a program for the sustainable development of the city to 2030 and beyond. Sustainable development is not just about the physical environment, but about the economy, society



## 8.0 STATUTORY PLANNING FRAMEWORK

and culture as well, and how addressing each, with bold ideas and good governance, will result in better outcomes for current and future communities. Sustainable Sydney 2030 expresses the community's vision and the city's commitment to a Green, Global, Connected city.

The 'Green' focus refers to the need for environmentally sustainable practices and developments to be implemented throughout the City as well as the generous provision of parks, gardens and linked open spaces. The 'Global' focus means seeks to encourage links and knowledge exchange with other cities around the world. The 'Connected' focus emphasises the importance of walking, cycling and high-quality public transport as well as being connected 'virtually' by world-class telecommunications, connected communities through a sense of belonging and social wellbeing, and connected to other spheres of government and to those with an interest in the city.

The proposed development is consistent with the overarching principles of Sydney 2030 in that:

- it has green credentials including 100% natural cross ventilation proposed for all apartments, complying solar access provision, the provision of roof top social spaces with trafficable and non-trafficable green zones assists in micro-climate management, habitat provision and water cycle intervention, appropriate acoustic treatments, materials selection and a rainwater harvesting system.
- the proposed hotel component provides affordable accommodation for international guests and encourages overseas visitors to Sydney.
- the proposal provides a quantum of residential accommodation in a location which will promote cycling and walking because of the close proximity of a range of employment, recreation and other facilities to the subject site including the Sydney CBD.

### 8.4. State Environmental Planning Policy (State and Regional Development) 2011

The State Environmental Planning Policy (State and Regional Development) 2011 was adopted on 1 October 2011 and identifies State Significant Development (SSD). Schedule 2 of the SEPP identifies 'Redfern-Waterloo Sites' as shown on the map as being SSD where the capital investment value is more than \$10 million. The subject site falls just within the boundary of the Redfern-Waterloo Sites map. The project has a capital investment value will be \$16,229,200.00 and is therefore SSD.

Development Control Plans do not apply to State Significant Development under Clause 11 of the SEPP.

### 8.5. Sydney Regional Environmental Plan – Sydney Harbour Catchment 2005

The Sydney Regional Environmental Plan (Sydney Harbour Catchment) 2005 provides aims and controls to protect the values of the Harbour. The Plan provides general aims for all sites within the Sydney Harbour Catchment as well as specific planning provisions relating to the foreshore and waterways area as identified under the SREP. The subject site is not included within the foreshores and waterways area and therefore is considered against the general aims for sites within the greater Sydney Harbour Catchment.

The following table provides an assessment of the proposed development against the relevant provisions of the SREP.

## 8.0 STATUTORY PLANNING FRAMEWORK

Control	Comment
Part 1 Preliminary - Aims	
<p>(1) This plan has the following aims with respect to the Sydney Harbour Catchment:</p> <p>(a) to ensure that the catchment, foreshores, waterways and islands of Sydney Harbour are recognised, protected, enhanced and maintained:</p> <p>(i) as an outstanding natural asset, and</p> <p>(ii) as a public asset of national and heritage significance, for existing and future generations,</p> <p>(b) to ensure a healthy, sustainable environment on land and water,</p> <p>(c) to achieve a high quality and ecologically sustainable urban environment,</p> <p>(d) to ensure a prosperous working harbour and an effective transport corridor,</p> <p>(e) to encourage a culturally rich and vibrant place for people,</p> <p>(f) to ensure accessibility to and along Sydney Harbour and its foreshores,</p> <p>(g) to ensure the protection, maintenance and rehabilitation of watercourses, wetlands, riparian lands, remnant vegetation and ecological connectivity,</p> <p>(h) to provide a consolidated, simplified and updated legislative framework for future planning.</p> <p>(2) For the purpose of enabling these aims to be achieved in relation to the Foreshores and Waterways Area, this plan adopts the following principles:</p> <p>(a) Sydney Harbour is to be recognised as a public resource, owned by the public, to be protected for the public good,</p> <p>(b) the public good has precedence over the private good whenever and whatever change is proposed for Sydney Harbour or its foreshores,</p> <p>(c) protection of the natural assets of Sydney Harbour has precedence over all other interests.</p>	<p>The proposal is consistent with the aims of the SREP in that:</p> <ul style="list-style-type: none"> <li>it will provide for a healthy, sustainable environment on the site;</li> <li>it will achieve a high quality and ecologically sustainable development on the site through its high environmental performance</li> <li>the proposed development does not prevent public access to any foreshore areas.</li> </ul>
Part 2 - Planning Principles	
<p><b>Sydney Harbour Catchment</b></p> <p>The planning principles for land within the Sydney Harbour Catchment are as follows:</p> <p>(a) development is to protect and, where practicable, improve the hydrological, ecological and geomorphological processes on which the health of the catchment depends,</p> <p>(b) the natural assets of the catchment are to be maintained and, where feasible, restored for their scenic and cultural values and their biodiversity and geodiversity,</p> <p>(c) decisions with respect to the development of land are to take account of the cumulative environmental impact of development within the catchment,</p> <p>(d) action is to be taken to achieve the targets set out in Water Quality and River Flow Interim Environmental Objectives: Guidelines for Water Management: Sydney Harbour and Parramatta River Catchment (published in October 1999 by the Environment Protection Authority),</p>	<ul style="list-style-type: none"> <li>The proposal is consistent with the planning principles as it will improve existing water collection and diversion at the site, minimising run-off, and there will be no negative cumulative environmental impact resulting from the proposed.</li> </ul>

## 8.0 STATUTORY PLANNING FRAMEWORK

Control	Comment
<p>such action to be consistent with the guidelines set out in Australian Water Quality Guidelines for Fresh and Marine Waters (published in November 2000 by the Australian and New Zealand Environment and Conservation Council),</p> <p>(e) development in the Sydney Harbour Catchment is to protect the functioning of natural drainage systems on floodplains and comply with the guidelines set out in the document titled Floodplain Development Manual 2005 (published in April 2005 by the Department),</p> <p>(f) development that is visible from the waterways or foreshores is to maintain, protect and enhance the unique visual qualities of Sydney Harbour,</p> <p>(g) the number of publicly accessible vantage points for viewing Sydney Harbour should be increased,</p> <p>(h) development is to improve the water quality of urban run-off, reduce the quantity and frequency of urban run-off, prevent the risk of increased flooding and conserve water,</p> <p>(i) action is to be taken to achieve the objectives and targets set out in the Sydney Harbour Catchment Blueprint, as published in February 2003 by the then Department of Land and Water Conservation,</p> <p>(j) development is to protect and, if practicable, rehabilitate watercourses, wetlands, riparian corridors, remnant native vegetation and ecological connectivity within the catchment,</p> <p>(k) development is to protect and, if practicable, rehabilitate land from current and future urban salinity processes, and prevent or restore land degradation and reduced water quality resulting from urban salinity,</p> <p>(l) development is to avoid or minimise disturbance of acid sulfate soils in accordance with the Acid Sulfate Soil Manual, as published in 1988 by the Acid Sulfate Soils Management Advisory Committee.</p>	<ul style="list-style-type: none"> <li>the built form of the proposed development will not adversely impact on the water quality of the Sydney Harbour Catchment.</li> <li>the proposal is of a high architectural quality which will contribute positively to the appearance of the site as viewed from Cleveland Street and neighbouring residential uses.</li> <li>the proposed development does not impact available harbour views or access points; and</li> <li>the issue of acid sulphate soils at the site is addressed within discussions under Sydney Local Environmental Plan 2012.</li> </ul>

### 8.6. State Environmental Planning Policy (Urban Renewal) 2010

The State Environmental Planning Policy (Urban Renewal) 2010 [SEPP Urban Renewal] aims to establish a process for the identifying of sites for renewal. The SEPP Urban Renewal guides the delivery of these identified precincts and their strategic objectives. The subject site is located within the Redfern-Waterloo Potential Precinct Map as such the SEPP Urban Renewal applies to development at the site, to the extent contained within clause 10 of part 2.

#### 8.6.1. Development in potential precincts

Clause 10 specifies that the consent authority must not grant development consent to development to which the clause applies, unless it is satisfied that the proposal is consistent with the objective of developing the potential precinct for the purposes of urban renewal. Further the consent authority is to consider whether the proposal is likely to prevent the following:

- (a) development of the potential precinct for higher density housing or commercial or mixed development,

## 8.0 STATUTORY PLANNING FRAMEWORK

- (b) the future amalgamation of sites for the purpose of any such development within the potential precinct,
- (c) access to, or development of, infrastructure, other facilities and public domain areas associated with existing and future public transport in the potential precinct.

The proposed development does not prevent or restrict the potential process of urban renewal in the location for the following reasons:

- the location and configuration of the site prevents the site from its availability for amalgamation into a larger scheme for precinct renewal, public or otherwise due to the strata subdivided adjacent development,
- the scale of the proposed development is compatible with the built form in the locality and as a result is not under-developed,
- the proposal does not restrict access to, or impede the expansion of public transport options within the locality, and
- the proposed mixture of hotel accommodation and permanent residential accommodation at the site supports the Departments wider goals of locating education and health precinct support infrastructure within accessible locations close to these precincts and public transport nodes.

Based on the above, the consent authority can therefore be satisfied that the site is supportive of the aims and objectives for the Redfern-Waterloo Potential Precinct, within the SEPP (Urban Renewal).

### 8.7. State Environmental Planning Policy No. 55 - Remediation of Land

State Environmental Planning Policy No. 55 - Remediation of Land applies to all land and aims to provide for a State-wide planning approach to the remediation of contaminated land.

Clause 7 of SEPP 55 requires the consent authority to consider whether land is contaminated prior to granting consent to carrying out of any development on that land and if the land is contaminated, it is satisfied that the land is suitable in its current state or will be suitable after remediation for the purpose for which the development is proposed to be carried out.

The use of part of the site for residential purposes has recently been approved by the Department of Planning & Environment. Notwithstanding this, Environmental Investigations Australia have prepared a Stage 1 and Stage 2 Environmental Site Investigation for the site which accompanies this application. Based on observations made during the field investigations, the sampling and analysis program, Environmental Investigations Australia have identified some localised contamination and have recommended that additional intrusive investigation to further delineate the extent of the contamination identified within the soils on site is undertaken once the site becomes readily accessible (i.e. following demolition of site structures). Environmental Investigations have concluded that the site can be made suitable for the proposed development by undertaking conventional remediation measures in accordance with a Remediation Action Plan which will be prepared in due course by Environmental Investigations.

Based on the above, the Department of Planning and Environment can therefore be satisfied that the site is capable of being remediated and made suitable for the proposed hotel and residential uses in accordance with a Remediation Action Plan which can be prepared prior to the release of a Construction Certificate for the development.

## 8.0 STATUTORY PLANNING FRAMEWORK

### 8.8. State Environmental Planning Policy No. 65 – Design Quality of Residential Apartment Development

SEPP 65 applies to development for the purpose of a new residential flat building, shop top housing or mixed use development, the substantial redevelopment/refurbishment of one of these buildings or the conversion of an existing building into one of these types of buildings provided the building is at least 3 or more storeys and the building contains at least 4 or more dwellings. The development meets the definition of a mixed use building which contains apartments. As such the provisions of SEPP 65 are applicable to the proposed development.

SEPP 65 aims to improve the design quality of residential flat developments, provide sustainable housing in social and environmental terms that is a long-term asset to the community and delivers better built form outcomes. In order to satisfy these aims and improve the design quality of residential apartment buildings in the State, the plan sets design principles in relation to context and neighbourhood character, built form and scale, density, sustainability, landscape, amenity, safety, housing diversity and social interaction, and aesthetics.

SEPP 65 requires any development application for residential flat development to be assessed against the 9 principles contained in Schedule 1 of the SEPP and the matters contained in the Apartment Design Guide (ADG). The 9 principles of SEPP 65 are addressed below and the matters contained in the ADG are addressed in Appendix C of this statement.

The proposed development satisfies the design principles of the plan as follows:

#### **Context and Neighbourhood Character**

The development is considered to be contextually appropriate for the following reasons:

- The site is located within close proximity to several major universities and major public transport nodes. The development is surrounded by student housing, medium density residential flat buildings and is located close to shops and cycleways.
- The broader context of the site has also been subject to urban renewal with the medium to high density redevelopment of sites in the area including short stay accommodation such as the City South Y Hotel at 179 Cleveland Street, and a recently approved part 2, part 5 storey student accommodation building for 461 students at 157-163 Cleveland Street.
- The proposal is consistent with the emerging character of the area and the objectives for the Business Zone - Mixed Uses within which it is located.
- The massing of the development is consistent with that which is provided for the site under State Environmental Planning Policy (Major Development) 2005. Notwithstanding the variation to the 5 storey height control for the site, due to the design of the proposal with the upper levels being setback and the parapet having a reduced height in comparison the approved scheme for the site, the massing and scale of the proposed responds to the scale and siting of the adjacent development.
- The proposal provides a significantly improved resolution to the street corners which will complete the redevelopment of sites along the southern side of Cleveland Street in the visual catchment of the site and contribute towards a cohesive streetscape.
- The proposed development will not result in any unreasonable impacts on the surrounding

## 8.0 STATUTORY PLANNING FRAMEWORK

properties.

- The design of the northern and western elevations with the incorporation of local Aboriginal artist, James Simon's work, enlivens the streetscape and displays a link with the sites proximity to Redfern and its cultural significance to Aboriginal people and the wider community.
- Having regard to the planning principle established in the matter of Project Venture Developments v Pittwater Council [2005] NSWLEC 191 most observers would not find the proposed development offensive, jarring or unsympathetic to its location within the Redfern-Waterloo urban renewal area. In this regard, the proposed development will be compatible with its context.

### **Built Form and Scale**

The building's scale is appropriate to the scale of emerging buildings and proposed buildings within the precinct for the following reasons:

- The proposal has a 5 storey street wall height with a parapet which is in fact lower in height in comparison to the recently approved development of the site. The upper level above 5 storeys is setback from the street wall such that it is recessive and not particularly apparent when viewed from the public domain and accordingly the proposal's perceived scale is commensurate with the anticipated 5 storey scale for the site.
- The scale of the building is compatible with the scale of existing development within the visual catchment of the site.
- The overall bulk of the development is modulated and whilst the overall development is higher than the existing building on the site, the increase in scale on the site will in fact achieve a significantly more cohesive streetscape than that which currently exists.
- The scale of the development does not result in unreasonable impacts upon the amenity of neighbouring residential uses.

The proposal provides a strong architectural response in particular to Cleveland Street with the sculptural form of the façade serving to provide emphasis and appropriately complete the street block. The component of the development fronting Cleveland Street and Eveleigh Street is proposed as hotel accommodation with 78 individual rooms and has a dynamic curved facade with punched window openings. This component is distinguishable from the permanent residential building located on the Woodburn Street side of the site which introduces a more domestic residential architectural language with a face brick facade punctuated by balconies.

The design of the development serves to define the street edges of the site and the ground floor plane is suitably activated with a brightly lit, highly visible hotel lobby and reception area located at the corner of Cleveland and Eveleigh Streets as well as a shop on the corner of Cleveland and Woodburn Streets. A residential lobby area and ground floor apartments provide visual interest and activity on the eastern elevation at a pedestrian scale.

The design provides for a high level of modulation and articulation with the hotel component taking on a sculptural form which creates a bold architectural solution for this prominent façade. The proposal will provide a contemporary infill development which will contribute positively to the emerging character of surrounding streetscapes.

### **Density**

Whilst the proposal exceeds the suggested maximum floor space ratio of 3:1 under the SEPP the proposed density of 3.87:1 is considered appropriate for the site and its location in that:

## 8.0 STATUTORY PLANNING FRAMEWORK

- The proposal will include a public benefit offer associated with the additional floor space;
- The proposed development has been designed by award winning architectural practice JPRA and represents a high quality development for the site which exhibits design excellence;
- The proposed street wall heights and parapet levels to Cleveland Street and Eveleigh Street are lower than the parapet levels of the recently approved development on the site. Accordingly, the perceived scale of the proposal is essentially the same as that which has been previously approved. The additional storey above the parapets to both Woodburn Street and Eveleigh Street are set back from the street facades such that they are recessive and not readily perceptible from the public domain;
- The proposed apartments are afforded with a high level of amenity consistent with the design criteria in the Apartment Design Guide in that they all benefit from natural cross ventilation, there is a complying amount of solar access and the internal sizes all exceed that which is required;
- The availability and capacity of local infrastructure, public transport and recreational opportunities supports the additional floor space proposed in this location;
- The density proposed does not give rise to any significant impacts on the adjoining properties in terms of overshadowing, loss of privacy or visual impact;
- The proposed density assists in meeting the demand for housing in the local government area in an appropriate location;
- The proposed density assists in meeting the demand for hotel accommodation as recently identified by the City of Sydney; and
- Within the context of the scale of development approved to the south along Eveleigh Street and also around Redfern train station, the proposed density is appropriate.

The characteristics of the subject site and proposed scheme have demonstrated that the site has the environmental capacity to absorb the proposed density whilst achieving a development which is compatible in bulk and scale with the context of the site and exhibits a high level of residential amenity. Accordingly, the proposed density is considered acceptable in this instance.

### **Sustainability**

The design provides for sustainable development, utilising passive solar design principles, thermal massing and achieves cross ventilation for all dwellings within the development. A BASIX Certificate accompanies this application which confirms that the development will meet the NSW Government's requirements for sustainability.

### **Landscape**

The proposed development provides two generous, open air, communal open space areas located on the roof tops of both the hotel accommodation building and the residential flat building as well as a ground floor common open space area for the apartments. These open space areas will comprise soft and hard landscape elements. The common open space for the proposal is 347 square metres in total and equivalent to 32.7% of the site area with 89.23 square metres provided at ground level and 80.20 square metres of roof top common open space for the apartments and 177.67 square metres of roof top common open space for the hotel. The common open space areas will provide a high level of amenity for both the residents of the flat development and the guests within the hotel rooms.

## 8.0 STATUTORY PLANNING FRAMEWORK

### **Amenity**

A high level of amenity is provided for the occupants of the development with the development providing acceptable apartment sizes and practical room dimensions and shapes, storage space, indoor and outdoor space and access for all age groups and degrees of mobility. The number of units with access to natural light and ventilation has also been maximised with 100% receiving cross flow ventilation and 72.4% also receiving over 2 hours of solar access to a portion of the living room window.

The design of the development ensures a high level of privacy for both the residents of the flat building, and guests within the hotel rooms, particularly because most apartments have all been oriented towards the street rather than internally (with only a fanlight above the front door to provide for cross ventilation) and the hotel rooms which face into the courtyard have screening for their windows.

### **Safety**

The safety and security of the surrounding public domain will be profoundly enhanced by introducing activity on the site and the casual surveillance of the surrounding streets and lanes from the dwellings and hotel rooms within the development.

### **Housing Diversity and Social Interaction**

The development provides hotel accommodation with 78 rooms. The hotel accommodation component provides quality hotel housing within close proximity to several universities and other educational establishments. The accommodation is located close to several public transport nodes and provides parking for bicycles and motorcycles within a shared basement area. The hotel accommodation will ease pressure on local housing choice and is a safe, communal, compliant and well connected option for local students.

The development proposes a 6 storey residential flat building which contains 29 apartments comprising 18 studios and 11 one bedroom apartments. The site is within a dense urban environment and is within close proximity to several universities and other educational establishments and there is a significant number of students accommodated within the area. The proposed apartment mix has been designed with this market in mind with smaller apartments to cater to the dominant student population in the immediate area and to provide an affordable housing product.

The 'New South Wales Household and Dwelling Projections, 2008-2036: 2008 Release' prepared by the Department of Planning indicates that the average household size in Sydney is expected to continue its decline from 2.61 in 2006 to 2.49 by 2036. In addition, the population projections indicate that the lone person household is the type of household expected to experience the greatest percentage increase between 2006 and 2036 (69%). The proposed provision of units is consistent with the expected increase in smaller households.

For these reasons it is considered that the development responds positively to the housing needs of the local community in this location.

### **Aesthetics**

The proposed development provides for a contemporary and attractive building which is compatible with the emerging character within the area. The proposed development introduces a variety of building



## 8.0 STATUTORY PLANNING FRAMEWORK

elements and utilises a visually engaging architectural language with a selection of appropriate materials and finishes.

### 8.9. State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004

State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004 applies to the development and aims to encourage sustainable residential development. A BASIX certificate for the development accompanies the development application and demonstrates that the proposal achieves compliance with the BASIX water, energy and thermal efficiency targets.

### 8.10. State Environmental Planning Policy (Infrastructure) 2007

The subject site is located such that its northern boundary fronts Cleveland Street which is identified as a Classified Road. Part 3, Clause 101 relates to development with frontage to a classified road.

#### 8.10.1. Development with frontage to classified road

Objectives of this clause include the protection of the effective operation and function of classified roads and the reduction or potential impacts of noise and emissions. Clause 101(2) stipulates that the consent authority must not grant consent to proposed development fronting a classified road unless it is satisfied of the following:

- (a) where practicable, vehicular access to the land is provided by a road other than the classified road, and
- (b) the safety, efficiency and ongoing operation of the classified road will not be adversely affected by the development as a result of: (i) the design of the vehicular access to the land, or (ii) the emission of smoke or dust from the development, or (iii) the nature, volume or frequency of vehicles using the classified road to gain access to the land, and
- (c) the development is of a type that is not sensitive to traffic noise or vehicle emissions, or is appropriately located and designed, or includes measures, to ameliorate potential traffic noise or vehicle emissions within the site of the development arising from the adjacent classified road.

The proposed development satisfies the objectives of clause 101(2) in the following ways:

- Vehicle access to the site is not available directly from a classified road (Cleveland Street) and is provided instead, from Eveleigh Street at the western boundary.
- The safety and efficiency of Cleveland Street will not be impacted as a result of this development. Frequency of vehicle movements at the site will be minor and will not have a detrimental impact on the safety or efficiency of Cleveland Street.
- The proposal involves the construction of two individual components being residential apartments and hotel accommodation. The design at the site is arranged such that the hotel accommodation component fronts the classified road and somewhat shields the residential apartments from the arterial road. The proposed residential apartments have a generous setback from Cleveland Street, far in excess of other recently approved residential flat development along Cleveland Street.

## 8.0 STATUTORY PLANNING FRAMEWORK

### 8.10.2. Impact of road noise or vibration on non-road development

Clause 102 of the SEPP relates to the impact of road noise or vibration on residential development, which is located on land adjacent to a road with an annual average daily traffic volume of more than 40,000 vehicles. Cleveland Street has a daily annual average traffic volume of more than 40,000 vehicles and residential accommodation is proposed. Accordingly, the clause applies to the proposed development.

In accordance with clause 102(3) if the development is for the purpose of a residential use, the consent authority must not grant consent to the development unless it is satisfied that appropriate measures will be taken to ensure that the following LAeq levels are not exceeded:

- (a) in any bedroom in the building—35 dB(A) at any time between 10 pm and 7 am,
- (b) anywhere else in the building (other than a garage, kitchen, bathroom or hallway)—40 dB(A) at any time.

An Acoustic Report prepared by Acoustic Logic accompanies the application. The Acoustic Report demonstrates that noise mitigation measures can and will be implemented to achieve compliance with the noise levels specified in clause 102(3).

### 8.11. State Environmental Planning Policy (Major Development) 2005

The State Environmental Planning Policy (Major Development) 2005 [SEPP Major Development], aims to facilitate redevelopment of important sites of economic, environmental or social significance to the State and the orderly use of land.

#### 8.11.1. State significant sites

State significant sites are listed within Schedule 3 of the SEPP Major Development. Part 5 of Schedule 3 contains provisions relating to development of Redfern-Waterloo Authority Sites. An extract from the Redfern-Waterloo Authority Sites, Land Application Map is included as Figure 8.

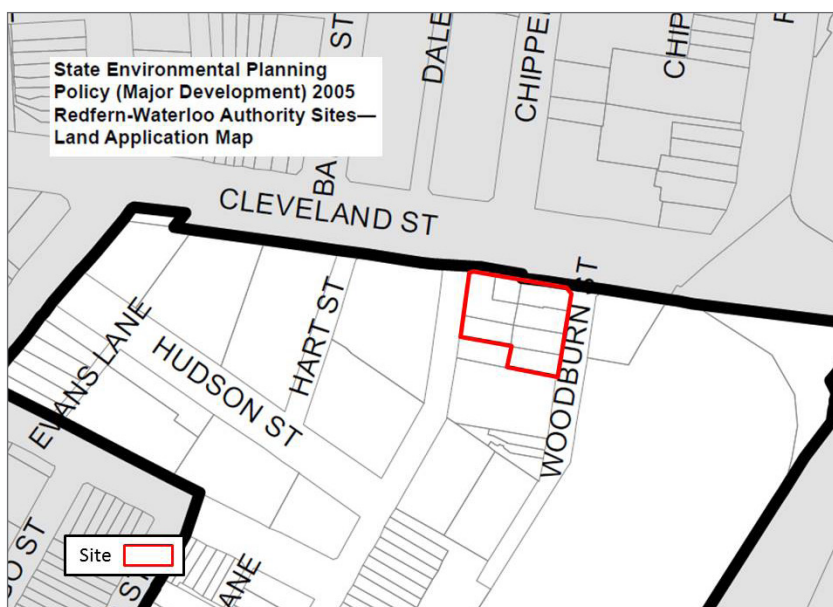


Figure 8:

Extract from SEPP (Major Development) 2005 Land Application Map.

## 8.0 STATUTORY PLANNING FRAMEWORK

### 8.11.2. Zoning and permissibility

The subject site falls within the Business Zone - Mixed Use under the SEPP Major Development. The SEPP states that any use which is not prohibited in the zone is therefore permitted with consent. The proposed uses for hotel accommodation and residential accommodation are not listed as a prohibited uses and are therefore permissible with consent. An extract from the SEPP Major Development Land Zoning Map is included as Figure 9.

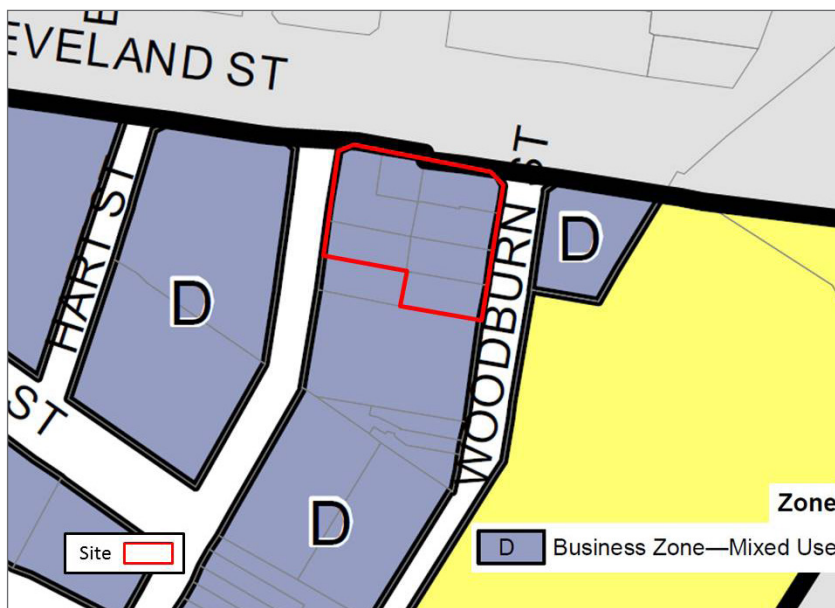


Figure 9:

Extract from SEPP (Major Development) 2005 Land Zoning Map.

Clause 7 of the SEPP stipulates that the consent authority must take into consideration, the objectives for the zone when determining an application in respect of land within the zone. Objectives for the Business Zone - Mixed Use include:

- (a) to support the development of sustainable communities with a mix of employment, educational, cultural and residential opportunities,
- (b) to encourage employment generating activities by providing a range of office, business, educational, cultural and community activities in the Zone,
- (c) to permit residential development that is compatible with non-residential development,
- (d) to maximise public transport patronage and encourage walking and cycling,
- (e) to ensure the vitality and safety of the community and public domain,
- (f) to ensure buildings achieve design excellence,
- (g) to promote landscaped areas with strong visual and aesthetic values to enhance the amenity of the area.

## 8.0 STATUTORY PLANNING FRAMEWORK

The proposal to construct a part 5 and part 6 storey mixed use development comprising hotel accommodation and a residential flat building containing 29 apartments facing Woodburn Street, supports the objectives of the zone by introducing quality residential and visitor accommodation in close proximity to three major universities, Royal Prince Alfred Hospital and health precinct, major public transport nodes and cycle-ways. The style and location of the apartments and hotel accommodation is compatible with the location and will not impact upon or restrict non-residential uses.

The relative intensification of the site will increase pedestrian activity on the surrounding streets increasing opportunity for casual surveillance of the local area whilst decreasing opportunity for crime. Further, the development complies with the City of Sydney's controls related to bicycle parking provision and design excellence (refer also to discussion under Sydney Local Environmental Plan 2012).

### 8.11.3. Height of buildings

The SEPP provides a maximum height in storeys for the site of 5 storeys. An extract from the SEPP Major Development Height of Buildings Map is included as Figure 10.

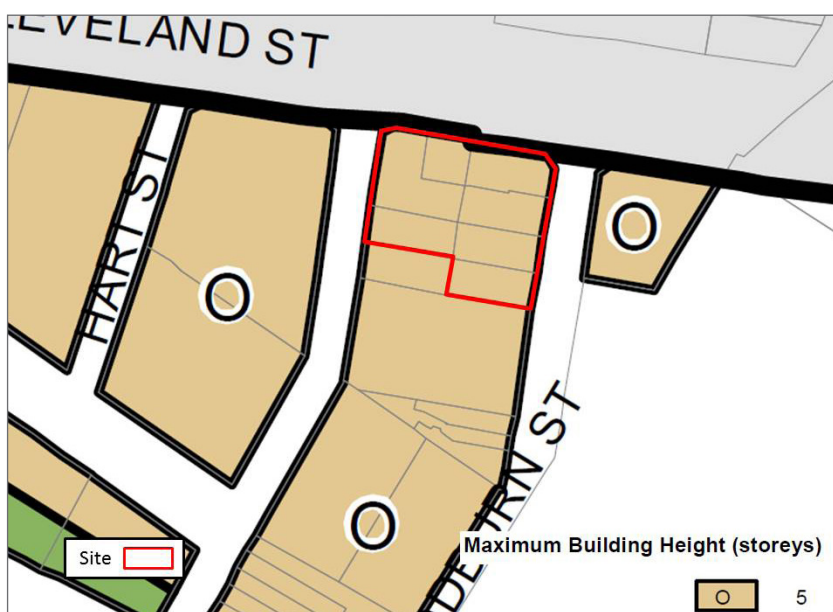


Figure 10:

Extract from SEPP (Major Development) 2005 Height of Buildings Map.

The proposed development has an overall height of 6 storeys, however, the proposed variation to the 5 storey height control is considered acceptable in this instance for the following reasons:

- the proposed street wall heights and parapet levels to Cleveland Street and Eveleigh Street are less than the parapet levels of the recently approved 5 storey development on the site. Accordingly, the perceived scale of the proposal is essentially the same or less than that which has been previously approved;
- the additional storey above the parapets to both Woodburn Street and Eveleigh Street are set back from the street facades such that they are recessive and not readily perceptible from the public domain;
- the proposal does not unreasonably overshadow 165-173 Cleveland Street which enjoys a high level of solar access from late morning and through into the late afternoon due

## 8.0 STATUTORY PLANNING FRAMEWORK

to the eastern, northern and western aspect and so it is likely that well over 70% of the apartments in 165-173 Cleveland Street will continue to enjoy more than 2 hours solar access at the winter solstice;

- the proposal does not unreasonably overshadow 6-8 Woodburn Street because those apartments gain their solar access from the windows which face Eveleigh Street and Woodburn Street and the proposed development does not generate any additional overshadowing of the Eveleigh or Woodburn Street facades beyond that which currently exists; and
- the scale of the proposal presents as 5 storeys in accordance with the control and is compatible with the built form within the visual catchment of the site.

Accordingly, as the proposed development has a perceived scale which is essentially the same or slightly less than the approved development on the site it will remain compatible with the heights of surrounding buildings within the context of the site. A SEPP 1 objection has been prepared on behalf of the applicant with regard to the height of buildings development standard within the SEPP and is included within Appendix B.

### 8.11.4. Floor space ratio

The SEPP suggests a maximum floor space ratio (FSR) for the site of 3:1 with a distribution of 2:1 for commercial and 1:1 for residential development. An extract from the Floor Space Ratio Map is included as Figure 11. The proposed FSR is compared to the SEPP FSR control as follows:

Control	Permissible	Approved	Proposed
Commercial FSR	2:1 (66%)	1.71:1 (57%)	2.37:1 (60%)
Residential FSR	1:1 (33%)	1.27:1 (43%)	1.50:1 (40%)
TOTAL	3:1	2.98:1	3.87:1

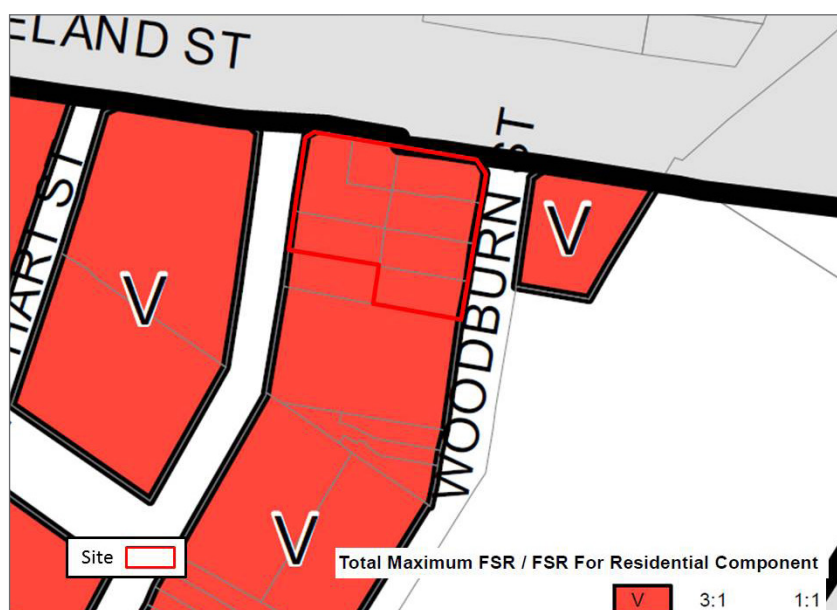


Figure 11:

Extract from SEPP (Major Development) 2005 Floor Space Ratio Map.

## 8.0 STATUTORY PLANNING FRAMEWORK

### Land Use

The Department of Planning & Environment has consistently supported variation to the land use mix suggested by the FSR control by allowing a greater component of conventional residential use in the area and also by allowing student housing in lieu of conventional commercial uses. Whilst student accommodation is technically a residential use, it also generates employment in a manner which conventional residential use does not and therefore the Department has supported it as an appropriate substitute for conventional commercial use. This is also largely in recognition of the fact that there is currently limited demand for retail and commercial floor space in this location.

The recently approved development on the site provided a mix of 43% conventional residential use and 57% quasi commercial use (student accommodation). However, the proposed development represents a greater weighting towards commercial use with the hotel accommodation and the retail shop occupying 60% of the floor space and the residential accommodation occupying 40% of the floor space. Whilst this represents a variation to the mix suggested by the FSR control, it provides a closer mix to that envisaged for the site in comparison to the recently approved development on the site and therefore represents an appropriate and reasonable land use mix for the site.

### Total FSR

The proposal has an FSR of 3.87:1 which represents an additional 922.49 square metres of gross floor area above the 3:1 control. It is therefore proposed that the development will include a Voluntary Planning Agreement for a contribution of \$327,483.95 to the Redfern-Waterloo Fund to contribute to public facilities set out in the Works Schedule in the Redfern-Waterloo Authority Contributions Plan 2006.

This offer was discussed with Jason Perica A/Director Planning and Urban Renewal at Urban Growth NSW on 25 September 2014 and subsequently with Sarah Glennan Senior Development Manager Urban Growth NSW on 29 July 2015 and on both occasions general support was indicated for the proposed scheme and the proposed Voluntary Planning Agreement as a mechanism for securing public benefits associated with the proposal.

Strict compliance with the FSR development standard is unnecessary and unreasonable in this instance, and there are sufficient environmental grounds to justify the proposed variation, because:

- The proposal will include a public benefit offer associated with the additional floor space;
- The proposed development has been designed by award winning architectural practice JPRA and represents a high quality development for the site which exhibits design excellence;
- The proposed street wall heights and parapet levels to Cleveland Street and Eveleigh Street are lower than the parapet levels of the recently approved development on the site. Accordingly, the perceived scale of the proposal is essentially the same as that which has been previously approved. The additional storey above the parapets to both Woodburn Street and Eveleigh Street are set back from the street facades such that they are recessive and not readily perceptible from the public domain;
- The proposed apartments are afforded with a high level of amenity consistent with the design criteria in the Apartment Design Guide in that they all benefit from natural cross ventilation, there is a complying amount of solar access and the internal sizes all exceed that which is required;



## 8.0 STATUTORY PLANNING FRAMEWORK

- The availability and capacity of local infrastructure, public transport and recreational opportunities supports the additional floor space proposed in this location;
- The density proposed does not give rise to any significant impacts on the adjoining properties in terms of overshadowing, loss of privacy or visual impact;
- The proposed density assists in meeting the demand for housing in the local government area in an appropriate location;
- The proposed density assists in meeting the demand for hotel accommodation as recently identified by the City of Sydney; and
- Within the context of the scale of development approved to the south along Eveleigh Street and also around Redfern train station, the proposed density is appropriate.

The characteristics of the subject site and proposed scheme have demonstrated that the site has the environmental capacity to absorb the proposed density whilst achieving a development which is compatible in bulk and scale with the context of the site and exhibits a high level of residential amenity. Accordingly, the proposed variation to the FSR controls can be considered acceptable in this instance. A SEPP 1 objection has been prepared on behalf of the applicant with regard to the FSR development standard within the SEPP and is included within Appendix A.

### 8.11.5. Design excellence

Clause 22 of Part 5, Schedule 3 requires that development consent must not be granted for development that is the erection of a new building unless the consent authority has considered whether the proposed development exhibits design excellence.

The proposed development is considered to exhibit design excellence for the following reasons:

- The bulk, massing and modulation of the proposed development is an appropriate fit within the current and forthcoming context of the site. The hotel accommodation component is positioned forward of the lot, allowing the design to include a single, unifying facade which creates a bold and dynamic architectural solution for this prominent façade.
- The design of the development provides a high level of visual interest and fine grain by breaking up the site through the introduction of differing language for the hotel and apartment components of the development above the shared basement level.
- The proposed materials and finishes are of a high quality and will contribute positively to the locality.
- The proposal will result in a significant improvement to the public domain by defining the street edge, achieving a high level of visual interest and will activate the building frontage to Cleveland, Eveleigh and Woodburn Streets.
- The proposed development does not adversely impact view corridors and will achieve a high level of amenity for the occupants.
- The proposal achieves the principles of ecologically sustainable development.

### 8.11.6. Heritage Conservation

The subject site is not in the vicinity of any heritage items nor is the site located within a heritage conservation area.

### 8.11.7. Preservation of trees or vegetation

The site does not contain any vegetation. One tree is located in the road reserve of the subject site and will not be impacted by the proposed works.



## 8.0 STATUTORY PLANNING FRAMEWORK

### 8.12. Redfern Waterloo Built Environment Plan (Stage One) August 2006

The Redfern Waterloo Built Environment Plan (Stage One) 2006 [BEP1] sets out to encourage future economic growth, housing and jobs creation throughout the Redfern Waterloo area. Aims include a new Town Centre and improvements to pedestrian zones, and public transport access.

The BEP1 identifies 8 Redfern-Waterloo Strategic Sites within its operational area. The subject site is located within area D - Eveleigh Street to the far north of the operational area. Strategically the site is also identified as an area to encourage mixed business and residential development on the Land Use Strategy for RWA's Strategic Sites Map.

The land use strategy within BEP1 proposes to:

- provide for flexibility to encourage investment,
- generate jobs, and
- provide housing to facilitate the revitalisation and renewal of Redfern-Waterloo.

Strategies for revitalising Redfern Waterloo include the facilitation of economic and employment growth, facilitate the creation of a town centre with improved linkages, facilitation of housing provision, choice and affordability and encourage community and cultural development.

The proposal for a mixed use development with hotel accommodation and residential apartments supports the BEP1 objectives by providing hotel accommodation which will generate jobs as well as providing affordable housing close to universities, assisting in alleviating accommodation shortages in the local area.

#### 8.12.1. Heights for strategic sites

The BEP1 provides a maximum height in storeys for the site of 5 storeys. The proposed development is part 5 and part 6 storeys in height and involves a variation to the height control. This is addressed above in this Statement.

#### 8.12.2. Floor space ratios for strategic sites

The BEP1 provides a maximum floor space ratio for the site of 3:1. The development proposes a maximum FSR of 3.87:1 across the site. The proposed variation to the FSR control is addressed above in this Statement.

#### 8.12.3. General Urban Design Principles

The following table lists the compliance of the proposed against the General Urban Design Principles

Control	Discussion	Complies
General Urban Design Principles		
Built form and massing to respond to local context and character.	The proposed height is compatible of the general built form in the immediate context of the site.	Yes

## 8.0 STATUTORY PLANNING FRAMEWORK

Control	Discussion	Complies
Reinforce sense of enclosure to the streets, street alignments and achieve an appropriate human scale at street level.	The buildings incorporate pedestrian scaled elements at the street level such as an awning and individual entry ways. The design addresses the boundaries of the development as well as public/private spaces.	Yes
Development to incorporate sustainability principles, including building design that maximises energy efficiency	The development is accompanied by a BASIX certificate which ensures its compliance with minimal targets for energy consumption and efficiency. The design also incorporated trafficable and non trafficable roof top landscaping aiding water cycle management and microclimate stability.	Yes
The massing and design must maintain solar access to adjacent development, open space and the public domain in accordance with best practice.	The proposed development does not unreasonably impact neighbouring sites. Whilst there will be some overshadowing of the southern adjacent rooftop courtyard, the courtyard is considered to be borrowing amenity from the subject site and overshadowing is unavoidable due to the orientation of the site.	Yes
The massing and design of buildings must minimise wind impacts on pedestrian amenity.	The design does not result in an unacceptable wind impact to the neighbouring sites and will not result in increased wind tunnelling effects.	Yes
Developments to be designed to maximise amenity for future occupants.	All residential apartments are generally consistent with the Design Criteria of the Apartment Design Guide.	Yes
Ensure reflectivity from new buildings will not adversely impact on the uses of the public domain, occupants of adjacent buildings or motorist visibility.	The buildings will not result in offensive glare onto motorists or the public domain.	Yes
Ensure new development is designed and located to minimise acoustic and vibration impacts from the railway corridor and traffic on major roads.	The design of the development is such the residential apartments face away from noise sources. An Acoustic Report has been prepared for uses at the site which includes measures to be taken to mitigate against effects of railway and traffic impacts.	Yes

## 8.0 STATUTORY PLANNING FRAMEWORK

Control	Discussion	Complies
New buildings must achieve design excellence in Architectural, landscape and urban design.	The proposed development is considered to exhibit design excellence as the bulk, massing and modulation of the proposed development is an appropriate fit within the context of the site. The hotel accommodation component includes a highly finished single, unifying facade creating a bold architectural solution for this prominent façade. The design of the development provides a high level of visual interest and fine grain by breaking up the length of the site through the introduction of differing architectural expression for the various components of the development. The materials and finishes are of a high quality and will contribute positively to the locality.	Yes
Provide active frontages to all public domain areas to maximise informal surveillance.	All street frontages are activated at the ground and upper levels	Yes
Encourage quality landscape design within public spaces and at the interface between public spaces and private development.	Although minimal landscaping can be provided at the ground level between public and private spaces, due to site constraint, quality landscaped social spaces are included within the development as well as on the roof tops.	Yes

### 8.12.4. Heritage

The site is not located within a heritage area or precinct and is not a heritage item. The site is not located within close proximity to any heritage items or places.

### 8.12.5. Land use and design concepts for strategic sites - Eveleigh Street

The proposed design reinforces the Eveleigh Street design concepts by responding positively to the predominant and future desired scale and form of the local area. The provision of a mixture of hotel rooms and apartments in the location will activate the street as well as support educational establishments and local businesses as a result of the intensification at the site.

The base of the hotel component along Cleveland Street and Eveleigh Street incorporates artwork from prominent local Aboriginal artist James (Jim) Simon, which displays a link to the sites location within Redfern, a culturally significant site for local Aboriginal people and the wider community.

### 8.13. Redfern Waterloo Authority Contributions Plan 2006

The current applicable development contributions plan on the site is the Redfern-Waterloo Contributions Plan 2006 (Contributions Plan 2006). The Redfern-Waterloo Authority Repeal Bill 2011 provides that sections 30 to 32 of the Act relating to development contributions will continue to have effect following commencement of the Repeal Act. The provisions of the Contributions 2006 Plan will therefore continue

## 8.0 STATUTORY PLANNING FRAMEWORK

to apply.

The Contributions Plan 2006 provides for development contributions in the form of a levy of 2% of the proposed cost of carrying out the development. The proposed development has a cost of \$16,229,200.00 and so a levy of \$324,584.00 will apply.

### 8.14. Redfern Waterloo Authority Affordable Housing Contributions Plan 2006

The development is subject to the Redfern-Waterloo Authority Affordable Housing Contributions Plan 2006. In accordance with Clause 7 of the contributions plan, the Minister may impose a condition requiring the applicant to pay into the Fund an affordable housing contribution, in accordance with the contributions plan and it is anticipated that such a condition will be imposed on the subject proposal.

### 8.15. Development Near Rail Corridors and Busy Roads - Interim Guideline

The Guideline applies to development adjacent to railway corridors and busy roads. The Guideline sets out requirements such as when an Acoustic Report may be needed and informs developments and other industry stakeholders on the impacts, risks, requirements and mitigation methods with regard to airborne noise and vibration emanating from busy roads and railways.

Although the development is not located immediately adjacent a rail corridor it is located within close proximity and has a frontage to a busy road. The design of the development has taken into consideration the design and orientation techniques to reduce the impact of such disturbances. The balconies of the residential apartments face away from noise sources and are somewhat shielded from Cleveland Street by the orientation of the hotel accommodation component of the development which fronts busy Cleveland Street. The Cleveland Street facade employs the use of a predominantly solid facade to reflect noise and provide privacy to the north facing hotel rooms.

As suggested within the guideline, an Acoustic Report has been prepared by Acoustic Logic which accompanies this application and has concluded that the proposal can achieve compliance with all relevant design considerations.

### 8.16. NSW Long Term Transport Masterplan

The NSW Long Term Transport Master Plan is an overarching framework that guides subsequent and more detailed transport plans, policy decisions, reforms and funding decision to deliver an integrated, modern transport system that puts the customer first. The Master Plan identifies the challenges that the transport system in NSW needs to address to support the State's economic and social performance over the next 20 years and also identifies a planned and coordinated set of actions (reforms, service improvements and investments) to address those challenges. It provides a map of future service and infrastructure developments which future decisions will be required to support, and against which proposed investments can be evaluated.

The proposal is consistent with the aim of the Long Term Transport Masterplan to integrate land use planning with transport considerations as the proposal seeks to deliver tourist accommodation and residential housing within a cycling and walking distance of the Sydney CBD and other nearby attractions such as three nearby major universities.

## 8.0 STATUTORY PLANNING FRAMEWORK

### 8.17. Guide to Traffic Generating Development

The Traffic and Parking Assessment prepared by Varga Traffic Planning Pty Ltd which accompanies this application provides an assessment of the impact of the proposal upon the local road network by reference to the former Roads and Maritime Services publication Guide to Traffic Generating Developments, Section 3 - Landuse Traffic Generation (October 2002). The RMS Guidelines are based on extensive surveys of a wide range of land uses and application of the applicable traffic generation rates to the various components of the development proposal including the discount of the volume of traffic generated by the existing use of the site indicate that the proposed development will not result in any adverse impact to the surrounding road network.

### 8.18. NSW Planning Guidelines for Walking and Cycling

Planning Guidelines for Walking and Cycling aims to assist in the consideration of walking and cycling in land-use planning and other related professions. With respect to development assessment, the guideline sets out a number of design specific recommendations. An assessment against the relevant Development assessment requirements of the Guide is provided below:

Principle	Comment
<p>5.8 Building and Site Design:</p> <ul style="list-style-type: none"><li>• Ensure building and site designs identify and respond to walking and cycling routes identified;</li><li>• Encourage active uses on ground floors of building in centres along key walking routes;</li><li>• Ensure shopfronts and windows of building overlook the street;</li><li>• Design pedestrian entrances to buildings to be directly off the street and visually dominant;</li><li>• Build office, commercial and mixed use buildings close to the lot line to provide a continuous edge to the street and provide weather protection of footpaths;</li><li>• Design driveways crossing footpaths so that vehicles cross at low speed and motorists have a clear view of pedestrians;</li><li>• Design driveways out of basement car parks to include a level motor vehicle stopping platform and splayed building corners to improve visibility;</li><li>• Design driveways out of basement car parks with a low grade to facilitate entry and exit by cyclists;</li><li>• Delineate and mark key walking routes through car parks and give pedestrians priority along those routes.</li></ul>	<p>The proposal achieves the following:</p> <ul style="list-style-type: none"><li>• The proposed building will achieve a significant improvement to the activation of Cleveland Street and will assist greatly in improving safety and security along this thoroughfare.</li><li>• The pedestrian entry from Cleveland Street is visually dominant.</li><li>• The proposed building is built to the street alignment.</li><li>• The single driveway is located on Eveleigh Street where vehicles will be travelling slowly.</li></ul>

## 8.0 STATUTORY PLANNING FRAMEWORK

Principle	Comment
7.4 Transport Management and Accessibility Plans	The application is accompanied by a Traffic Assessment report prepared by Varga Traffic Management which assesses the impacts of the development upon the surrounding transport network and identifies that the site's proximity to public transport and active transport routes maximises the use of public transport, walking and cycling and therefore reduces car reliance.
7.5 Transport Access Guide	The site is located within 400 metres of Redfern Railway Station.
7.6 Bicycle Parking and End-of-Trip Facilities	The proposal provides an appropriate provision of bicycle parking spaces.

### 8.19. Sydney's Cycling Future

Sydney's Cycling Future presents a new direction in the way the NSW state government aims to plan, prioritise and provide for cycling in Sydney. This supports the change in culture evident in Sydney with more people choosing to ride a bike for transport. The NSW state government is focused on the 70 per cent of NSW residents who would like to ride a bike more for everyday transport – and would do so if cycling was made a safer and more convenient option for them. The NSW state government aims to make bicycle riding a feasible transport option for these customers by:

- investing in separated cycleways and providing connected bicycle networks to major centres and transport interchanges;
- promoting better use of our existing network; and
- engaging with our partners across government, councils, developers and bicycle users.

The proposed development is consistent with the vision of Sydney's Cycling Future in that it provides residential accommodation within close proximity to the Sydney CBD and a location which supports cycling as a viable method of transportation. The proposal provides 34 bicycle parking spaces in a dedicated and conveniently located bicycle storage room for the 29 apartments.

### 8.20. Sydney's Walking Future

Sydney's Cycling Future focuses on getting people walking for transport purposes more often. Customers tell the NSW state government that they could walk more for the short everyday trips they make, and 73 per cent would do so with the right encouragement and support. The NSW state government aims to provide for customers by:

- Promoting walking for transport
- Connecting people to places through safe walking networks around centres and public transport interchanges
- Engaging with partners across government, with councils, non-government organisations and the private sector to maximise their effectiveness.

The proposal provides a mixed use development in very close proximity to the Sydney CBD, a range of



## 8.0 STATUTORY PLANNING FRAMEWORK

educational institutions, employment and recreational opportunities, shops and cafes. The location of the proposed development is such that it will encourage walking as a viable transportation method.

### 8.21. Sydney Local Environmental Plan 2012

The subject site is located within the zone MD - Major Development. The Sydney Local Environmental Plan 2012 refers the assessment of development located within the MD zone to the controls contained within the State Environmental Planning Policy (Major Development) 2005, as such the SLEP 2012 does not apply to the subject site. An assessment of the site against the SEPP Major Development is included within this Statement.

### 8.22. Sydney Development Control Plan 2012

The former Redfern-Waterloo Authority area is excluded from the City of Sydney Development Control Plan (DCP) area of application. Furthermore, Development Control Plans do not apply to State Significant Development under Clause 11 of State Environmental Planning Policy (State and Regional Development) 2011.

Notwithstanding this, the SEARs have required the provisions of the Sydney DCP 2012 to be considered and accordingly these are addressed in the table below.

#### 8.22.1. General Principles

The following table summarises the proposal against the relevant controls contained in section 3 of the DCP.

Control	Comment
Clause 3.2 Defining the Public Domain	
3.2.1 Improving the public domain	The proposed development will not result in any unreasonable solar access impacts on the public domain nor will it interfere with views from the public domain.
3.2.2 Addressing the street and public domain 3.2.3 Active frontages	The proposed development provides an active frontage by virtue of the entrance to the hotel accommodation from the corner of Cleveland and Eveleigh Streets, the retail tenancy on the corner of Cleveland and Woodburn Streets, and the residential lobby which presents to Woodburn Street.
3.2.4 Footpath Awnings	The proposal provides an awning for the hotel accommodation to Cleveland Street which serves to highlight and reinforce the entry into the building.
3.2.7 Reflectivity	The proposed building materials will not lead to hazardous, undesirable or uncomfortable glare to pedestrians, motorists or occupants of surrounding buildings.
Clause 3.5 Urban Ecology	
3.5.2 Urban Vegetation 3.5.3 Tree Management	There is no vegetation on the site and the proposal will not interfere with the retention of the existing street tree.

## 8.0 STATUTORY PLANNING FRAMEWORK

Control	Comment
Clause 3.6 Ecologically Sustainable Development	
3.6.5 Materials and building components	The proposed materials and finishes are detailed in the architectural plans provided by JPR Architects. The materials have been chosen for durability and longevity.
Clause 3.7 Water and Flood Management	
3.7.2 Drainage and stormwater management	A stormwater and drainage design has been prepared by SGC for the site, taking into consideration site conditions to ensure proper stormwater management will occur.
3.7.3 Stormwater quality	A stormwater and drainage design has been prepared by SGC for the site, which demonstrates that the development will achieve the necessary post development pollutant load standards.
3.7.5 Water re-use, recycling and harvesting	Where water runoff from hard surfaces is to be used for irrigation, measures will be incorporated to treat the water to ensure that it is fit for this purpose.
Clause 3.11 Transport and Parking	
3.11.1 Managing transport demand	The car parking rates in the SLEP do not apply to the proposed development and is addressed in the Traffic Report prepared by Varga which accompanies the application.
3.11.3 Bike parking and associated facilities	On site bike parking is provided for residents via individual storage cages. A total of 34 bike spaces are provided which exceeds the requirement of 1 per apartment plus 1 bike space per 10 dwellings for visitors.
3.11.4 Vehicle parking	Visitor parking is not proposed given the site constraints and highly accessible location of the site.
3.11.6 Service vehicle parking	Due to the small nature of the site and modest nature of the proposal, specifically allocated on site service vehicle parking is not proposed, however, the hotel will be able to manage its car parking spaces to ensure that the servicing needs for the hotel can be adequately satisfied by their car parking spaces. Given the minor nature of the retail component of the development, regular servicing of the building will not be necessary.
3.11.7 Motorbike parking	Schedule 7 of the DCP requires the provision of 1 motorcycle space for every 12 car parking spaces. There is sufficient room in the lower basement level (residential) for the parking of 1 motorcycle.
3.11.9 Accessible parking	The development provides four accessible car parking spaces for the residential component and two accessible car parking spaces for the hotel component.
3.11.10 Vehicle access for developments greater than 1000sqm	The vehicle entry and exit has been located separately from pedestrian entries into the development and is a minimum of 10 metres from the uncontrolled intersection at Cleveland Street and Eveleigh Street.

## 8.0 STATUTORY PLANNING FRAMEWORK

Control	Comment
Clause 3.12 Accessible Design	
3.12.1 General	The proposed development complies with the relevant Australian Standards; the Building Code of Australia access requirements; and the Disability Discrimination Act 1992.
3.12.2 Adaptable dwelling mix	4 of the 29 apartments are adaptable dwellings in accordance with the DCP requirement.
Clause 3.13 Social and Environmental Responsibilities	
3.13.1 Promote safety through design of buildings	The proposed development provides an active frontage to Cleveland Street, Eveleigh Street and Woodburn Street and provides opportunities for the natural surveillance both during the day and after business hours these streets. The entries to the development will be appropriately lit at night to enhance safety, visibility and legibility. The internal areas within the development such as the entrances and lobbies will be well used by residents. The use and supervision of the common areas will reduce the opportunities for crime.
Clause 3.14 Waste	
3.14.1 Waste management plans	A Waste Management Plan accompanies the subject application which is consistent with the 'City of Sydney Code for Waste Minimisation in New Developments 2005'. The Plan details waste management measures during the demolition and construction phases of the development. The Plan also addresses the proposed on-going waste management arrangements.

### 8.22.2. Residential Flat Developments

Section 4.2 of the DCP relates to residential flat, commercial and mixed use developments. The following table details the proposal's compliance with the objectives and provisions of section 4.2 of the DCP:

Control	Comment
Clause 4.2.1 Building Height	
4.2.1.1 Height in storeys and street front height in storeys	There is no storey height limit under the Sydney DCP. The proposed height is considered to be acceptable as discussed previously in this Statement and it is noted the street wall height is lower than that which has recently been approved on the site.

## 8.0 STATUTORY PLANNING FRAMEWORK

Control	Comment
4.2.1.2 Floor to ceiling heights for commercial and retail buildings	The DCP suggests that the retail component should have a floor to ceiling height of 3.6 metres in order to promote daylight access into building interiors and contribute to the flexible use of buildings. The retail tenancy has a floor to floor height of 3 metre which does not meet this numeric control, however, the retail tenancy is particularly small at only 71.35 square metres with a shallow depth and is north facing such that it will enjoy good solar penetration and therefore meets the objective of the control. The proposed 3 metre floor to ceiling height of the ground floor lobby for the hotel is considered acceptable given the nature of the use and is also the same as the approved floor to ceiling height for the lobby for the student accommodation on the site.
Clause 4.2.2 Building Setbacks	
4.2.2.1 Setbacks	There are no setbacks nominated for the site. The proposal adopts a nil boundary setback which is appropriate for the urban setting of the subject site.
Clause 4.2.3 Amenity	
4.2.3.1 Solar access	<p>The DCP includes a requirement that 70% of the proposed apartments and neighbouring developments to achieve 2 hours of direct sunlight: onto at least 1 sqm of living room windows; and to a minimum 50% of the required minimum area of private open space area between 9am and 3pm on March 22 and June 21.</p> <p>Detailed solar access diagrams and shadow diagrams prepared by JPRA accompany the application. The shadow diagrams demonstrate that 72.4% of the apartments and their private open space receive at least 2 hours direct sunlight to the living room windows on June 21.</p> <p><b>165-173 Cleveland Street</b></p> <p>The proposed development will result in some additional overshadowing to the Eveleigh Street facade of the residential development at 165-173 Cleveland Street early in the morning on the winter solstice. However, this shadow leaves the building by mid-morning and the development enjoys a high level of solar access from late morning and through into the late afternoon due to its eastern, northern and western aspect (the Urbanest development does not overshadow the western facade in the afternoon) and so it is likely that well over 70% of the apartments in 165-173 Cleveland Street will continue to enjoy more than 2 hours solar access at the winter solstice.</p>

## 8.0 STATUTORY PLANNING FRAMEWORK

Control	Comment
	<p><b>6-8 Woodburn Street</b></p> <p>A residential development is located immediately on the southern side of the subject development which extends from Eveleigh Street through to Woodburn Street. The apartments gain their solar access from the windows which face Eveleigh Street, Woodburn Street, and some of the top floor apartments gain additional solar access from windows and small balconies in the centre of the site which face west. The shadow diagrams illustrate that the proposed development does not generate any additional overshadowing of the Eveleigh or Woodburn Street facades than that which currently exists. In addition, due to the angle of the sun, the top floor apartments are only marginally overshadowed and still enjoy 2 hours solar access in the afternoon period.</p> <p>Having regard to the constraints of the site, the solar access is considered acceptable in the circumstances.</p>
4.2.3.2 Lightwells	The proposed development does not rely on lightwells.
4.2.3.3 Internal common areas	The lobbies and corridors have all been designed with openings either to the street or internal courtyard areas to provide day light and outlook.
4.2.3.4 Design features to manage solar access	The proposal has been designed to ensure that natural daylight or outlook is not unreasonably restricted and is balanced with an appropriate response to the orientation of the facades and solar loads.
4.2.3.5 Landscaping	A Landscape Plan prepared by Wallman Partners accompanies the application.
4.2.3.6 Deep soil	The DCP requires that a minimum of 10% of the site is to be provided as deep soil. The site is particularly small and the basement occupies the entire site which prevents the ability to provide unimpeded deep soil. Notwithstanding this, a combined 226.5 square metres (equivalent 21% of site) of above structure deep soil (67.5 sqm ground and 159 sqm roof) which is capable of supporting grasses, shrubs and substantial trees is proposed. The location of soil areas on the roof of the building is appropriate in this circumstance to provide generous solar access and appropriate conditions for supporting vegetation on the site, and in an area which will provide a meaningful contribution to the amenity for the hotel guests and residents. Having regard to the constraints and urban context of the site the proposed soil provision is considered acceptable.
4.2.3.7 Private open space and balconies	85% of apartments have been provided with compliant size balconies which are directly accessible from living rooms. This is consistent with the DCP requirement for 75% of apartments to have balconies.
4.2.3.8 Common open space	A total of 347 square metres or 32.7% of common open space is provided across the entire development. This is distributed as 89.23 square metres ground and 80.20 square metres roof for the residential apartments and 177.67 square metres roof for the hotel guests.

## 8.0 STATUTORY PLANNING FRAMEWORK

Control	Comment
4.2.3.9 Ventilation	A high level of cross flow ventilation (100%) has been provided within the development through the use of an open style corridor and fan light windows above the front door for each apartment.
4.2.3.10 Outlook	All units are afforded with an attractive outlook either over the surrounding streets.
4.2.3.11 Acoustic privacy	An Acoustic Report has been prepared which details a number of measures which will be implemented to ensure that the occupants of the development are not adversely affected by road or aircraft noise.
4.2.3.12 Flexible housing and dwelling mix	The proposal provides 62% studios and 38% 1 bedroom dwellings. The DCP states that there is no mix required for developments up to 20 apartments, above which a maximum of 40% studio/1bed, max 75% 2 bed and minimum 10% 3 bed apartments should be provided. The proposed development remains modest in size at only 29 apartments and is only marginally above the 20 apartment threshold. Given the modest number of apartments and the particularly urban location of the site in close proximity to a range of tertiary institutions the proposed mix is considered appropriate and will provide an affordable housing product suitable for the demographic of the area.
Clause 4.2.4 Fine grain, architectural diversity and articulation	
4.2.4 Fine grain, architectural diversity and articulation	The DCP states that the maximum street frontage length of any building should be 65 metres. The subject site does not exceed 65 metres in length along Cleveland Street. Notwithstanding this, the proposal involves two separate facade languages with differing palettes of colour and facade resolution which achieves architectural diversity for the development.
Clause 4.2.5 Types of Buildings	
4.2.5.2 Courtyard buildings and perimeter street block buildings	The proposed development has been designed as a courtyard and perimeter street block building which provides the opportunity for a private internal landscaped courtyard.
4.2.5.3 Development on busy roads and active frontages	These provisions apply to areas that predominantly have non-residential uses at ground level, sites that are to have an active frontage as shown on the Active frontages map, or sites with a frontage to a busy road that carries more than 20,000 vehicles a day, and therefore applies to this development. The proposal has been designed in response to this context by introducing a defensive facade to Cleveland Street to achieve visual and acoustic privacy. In addition, there are no residential apartments facing Cleveland Street. mAn Acoustic Report has been prepared which details the noise mitigation measures which will be implemented to achieve an acceptable level of acoustic amenity for occupants.



## 8.0 STATUTORY PLANNING FRAMEWORK

Control	Comment
Clause 4.2.6 Waste Minimisation	
4.2.6.1 General	The proposal complies with the City of Sydney Code for Waste Minimisation and provides a garbage room for the residential component which is located approximately 10 metres from the property boundary and capable of collection by Council's waste collection service. The hotel waste will be collected via private contractor.
4.2.6.2 Residential flat buildings and serviced apartments	Sufficient space is provided within each dwelling as well as waste rooms, to service the development. A Waste Management Plan accompanies the application.
Clause 4.2.7 Heating and Cooling Infrastructure	
4.2.7 Heating and cooling infrastructure	Heating and cooling infrastructure is consolidated in a central location for each building.
Clause 4.2.8 Letterboxes	
4.2.8 Letterboxes	A mailbox structures is provided adjacent to the residential lobby.

### 8.22.3. Visitor Accommodation

Section 4.4.8 of the SDCP 2012 relates to visitor accommodation.

The following table details the proposal's compliance with the objectives and provisions of section 4.4.8 of the DCP:

Control	Comment
Clause 4.4.4.8 General	
New development must be self contained with no common access ways with adjoining properties	The proposed development is self contained and does not have common access ways with adjoining properties.
A site manager must be on site when guests have access to the premises	The hotel includes a lobby which will have staff 24 hours a day, 7 days a week.
For safety reasons, sleeping rooms are not to include triple-tier bunks and cooking facilities in sleeping rooms	The sleeping rooms do not include any triple tier bunks or cooking facilities.
Internal partitions must be considered within sleeping rooms to provide privacy between beds	Internal partitions are not required as all rooms only contain one bed.
All toilet and shower facilities, including communal facilities, are to be screened for privacy	Every room has its own ensuite.
A Plan of Management and a Noise Management Plan must be submitted with the development application	A Plan of Management is provided and accompanies this application.

## 8.0 STATUTORY PLANNING FRAMEWORK

Control	Comment
Clause 4.4.8.3 Additional provisions for hotels, private hotels and motels	
<p>The maximum number of persons accommodated in a bedroom or dormitory is to be determined on the basis of a minimum of:</p> <ul style="list-style-type: none"> <li>• 3.25sqm per person per sleeping room; and</li> <li>• 5.5sqm per person for rooms occupied by guests staying longer than 28 days.</li> </ul>	All rooms exceed 11 square metres in area.
The maximum permitted length of stay is 3 months	Noted.
Where accommodation is provided for more than 28 consecutive days, no more than two adults and one child are permitted per room	Noted.
Individual, secure, lockable storage facilities of a minimum capacity of 0.6 cubic metres per person is to be provided to allow guests to individually store baggage and travel items within the sleeping room	Greater than 0.6 cubic metres of storage will be provided in every room.

### 8.23. City of Sydney Public Domain Manual

The Public Domain Manual sets out the requirements for the submission of Public Domain Plans, and Footpath Alignment Levels and Gradients that arise from conditions of consent for development applications.

The proposal has been designed to appropriately connect to the surrounding public domain and its footpaths and gradients and will be able to comply with any related conditions of consent related to public/private public domain interface elements.

## 9.0 ENVIRONMENTAL ASSESSMENT

### 9.1. Land Use Mix

The floor space ratio development standard provided for the site under clause 21(2), Part 5 of Schedule 3 of State Environmental Planning Policy (Major Development) 2005 serves to suggest a specific mix of uses on the site with a 2:1 floor space ratio for commercial use on the site and a 1:1 floor space ratio for residential use. The site is also located within the Business - Mixed Use zone which has the following objectives:

- (a) to support the development of sustainable communities with a mix of employment, educational, cultural and residential opportunities,
- (b) to encourage employment generating activities by providing a range of office, business, educational, cultural and community activities in the Zone,
- (c) to permit residential development that is compatible with non-residential development,
- (d) to maximise public transport patronage and encourage walking and cycling,
- (e) to ensure the vitality and safety of the community and public domain,
- (f) to ensure buildings achieve design excellence,
- (g) to promote landscaped areas with strong visual and aesthetic values to enhance the amenity of the area.

The proposal seeks an alternative mix with 60% of the floor space devoted to commercial uses comprising the hotel and retail shop, and 40% of the floor space devoted to residential apartments with an FSR of 1.5:1. A SEPP No. 1 Objection in relation to the variation of total FSR as well as the mix accompanies this application at Appendix A.

The Department of Planning & Environment has consistently supported variation to the land use mix suggested by the FSR control by allowing a greater component of conventional residential use in the area and also by allowing student housing in lieu of conventional commercial uses. Whilst student accommodation is technically a residential use and therefore development with 100% or 3:1 residential use has been approved under the same zone and FSR control, it also generates employment in a manner which conventional residential use does not and therefore the Department has supported it as an appropriate substitute for conventional commercial use. This is also largely in recognition of the fact that there is currently limited demand for retail and commercial floor space in this location.

The recently approved development on the subject site provided a mix of 43% conventional residential use and 57% quasi commercial use (student accommodation). The proposed development represents a greater weighting towards commercial use with the hotel accommodation and the retail shop occupying 60% of the floor space and the residential accommodation occupying 40% of the floor space. Whilst this represents a variation to the mix suggested by the FSR control, it provides a closer mix to that envisaged for the site in comparison to the recently approved development on the site.

## 9.0 ENVIRONMENTAL ASSESSMENT

Notwithstanding the variation to the land use mix suggested for the site, the proposal is still considered to satisfy the zone objectives because it:

- will promote sustainable communities through providing an appropriate and dynamic mix of residential accommodation as well as hotel accommodation;
- will provide economic benefits as it will introduce a population of tourists and visitors who will stay at the hotel for leisure or business activities which will increase expenditure in the local catchment and support local businesses and encourage the establishment of businesses to service the needs of the hotel;
- will provide for up to approximately 10 full time employees;
- will support the surrounding non-residential uses including the tertiary institutions as the apartments have been designed as small and affordable accommodation suitable for students in the area;
- will contribute towards the residential housing targets for the area;
- will promote the use of sustainable transport as the site is located within walking and cycling distance to a number of surrounding tertiary educational establishments as well as business and tourist destinations and through generous bicycle parking provision;
- achieves design excellence, through the provision of a visually interesting contemporary building at the Cleveland Street frontage, which comprises a dynamic facade with street activation and an Aboriginal artwork design along the base of the building; and
- will provide two aesthetically interesting landscaped communal rooftop spaces for future residents.

There is very limited demand for conventional commercial (i.e. office space) and retail floor space on the subject site due to the specific location of the site and its characteristics as well as a lack of demand and this was supported under the recently approved application for the site by an economic impact statement by Leyshon Consulting which identified a limited demand for commercial floor space in the locality due to an oversupply in the market.

The proposed mix of hotel and residential accommodation represents a significant shift towards the mix anticipated by the planning controls in comparison to the recently approved development of the site and the variation to the residential mix is capable of support as the site is strategically well placed to provide residential accommodation comprising predominantly studio and 1 bedroom apartments suitable for the dominant student population in the area which will support the surrounding tertiary education establishments. The provision of residential accommodation is also considered with the need to address the shortfall in housing supply in Sydney as identified in A Plan for Growing Sydney.

The exceedance of the 1:1 floor space ratio for the residential component does not give rise to any adverse environmental impacts and is acceptable in consideration of the proposal's contribution to wider strategic objectives including provision of residential dwellings with good access to existing centres and public transport services. It is both unreasonable and unnecessary for the proposal to comply with the maximum residential FSR development standard, in this instance because strict compliance with the FSR development standard would hinder several objectives of the zone, and leave the site underutilised into the foreseeable future due to the limited demand for retail/commercial development. On this basis, the proposal represents an appropriate and reasonable land use mix for the site.

## 9.0 ENVIRONMENTAL ASSESSMENT

### 9.2. Built Form and Urban Design

#### Design Excellence

Clause 22(2), Part 5 of Schedule 3 of State Environmental Planning Policy (Major Development) 2005 states that in considering whether proposed development exhibits design excellence, the consent authority must have regard to the following matters:

- (a) whether a high standard of architectural design, materials and detailing appropriate to the building type and location will be achieved,
- (b) whether the form and external appearance of the building will improve the quality and amenity of the public domain,
- (c) whether the building meets sustainable design principles in terms of sunlight, natural ventilation, wind, reflectivity, visual and acoustic privacy, safety and security and resource, energy and water efficiency,
- (d) if a competition is held as referred to in subclause (3) in relation to the development, the results of the competition.

A design competition was not required in relation to the subject proposal as it is less than 12 storeys in height. Nonetheless, the proposed development is considered to exhibit design excellence for the following reasons:

- The proposal will remove an existing industrial building which has limited aesthetic value and currently occupies the majority of the site, and will introduce a building which will complete the redevelopment of the street block and serve to provide a proper definition to the street corners.
- The bulk, massing and modulation of the proposed development is an appropriate fit within the current and forthcoming context of the site;
- The internal planning of the proposed development is well resolved and a high standard of architectural design is proposed as detailed in the architectural plans prepared by JPR Architects.
- The hotel accommodation component provides the opportunity to achieve a sculptural characteristic to the Cleveland Street facade with a single unifying curved facade with punched windows, and active street frontage and a base component which incorporates the design of local artist James Simon which expresses a distinct link between Aboriginal cultural heritage and the Redfern area.
- The design of the development provides a high level of visual interest and fine grain by breaking up the length of the site through the introduction of separate buildings above the shared basement level.
- The proposed materials and finishes are of a high quality and will contribute positively to the locality.
- The proposal will significantly improve the site's interface with the public domain by introducing a fine grain with activity at the ground floor plane created by individual entries to the retail shop and hotel lobby along Cleveland Street.
- The proposed development will achieve a high level of amenity for the occupants with 100% receiving natural cross flow ventilation and 72.4% of dwellings satisfying minimal levels of solar access at the winter solstice and an expansive roof top common open space area which will enjoy generous solar access.

## 9.0 ENVIRONMENTAL ASSESSMENT

- The proposed development does not adversely impact view corridors.
- The proposed development will not result in any significant adverse impacts to adjacent properties.
- The proposal achieves the principles of ecologically sustainable development.

### Height, bulk and scale

The proposed development adopts a 5 storey street wall at the highest point of the site, at the corner of Woodburn Street and Cleveland Street, and collects an additional storey along Cleveland Street where the site falls away to the south down the street which allows for the insertion of the lobby for the hotel at the corner of Eveleigh Street and Cleveland Street. The design of the Cleveland Street facade is such that despite technically becoming 6 storeys at the bottom of the Cleveland Street facade, the development has an architectural expression which still reads as a 5 storey building and critically the parapet height to Cleveland Street of RL 38.6 is 1.7 metres lower when compared to the parapet height in the recently approved development on the site.



Figure 12:

Cleveland Street elevation which illustrates a lower parapet in comparison to the recently approved development for the site

The development is also designed with strongly defined 5 storey street walls to both Woodburn Street as well as Eveleigh Street, with the top floor to both streets setback and of a lightweight language such that the additional storey is recessive and not readily perceived from the public domain. This is illustrated in the photomontages which accompany this application and also provided in Figures 6 and 7 of this Statement.

Whilst the proposed development is higher than the immediately southern adjacent development and the buildings opposite in Eveleigh and Woodburn Streets, as the parapet height for the development is lower than that which was recently approved for the site the relationship of the proposed development to the adjacent and surrounding developments as viewed from the public domain will remain similar to that which was approved. The scale of the development provides a comfortable and compatible fit within the area and having regard to the planning principle established in the matter of Project Venture Developments v Pittwater Council [2005] NSWLEC 191 most observers would not find the proposed development offensive, jarring or unsympathetic to its location.

The shadow diagrams which accompany the application demonstrate that the proposal does not prevent the achievement of an acceptable level of solar access to the development opposite to the west across



## 9.0 ENVIRONMENTAL ASSESSMENT

Eveleigh Street, and the proposal also does not result in any additional overshadowing of the street facades of the immediately southern adjoining development. Whilst the proposal will overshadow the roof-top common open space of the southern adjoining development throughout the morning and early afternoon, the shadow cast by the proposal is very similar to that which was cast by the approved development with a complying 5 storey height as illustrated in Figure 13 below and therefore the proposed additional height does not result in any meaningful shadow impact beyond a complying height development. Notwithstanding, this common open space area is located above only a three storey component of that building and it is unreasonable for the subject site to be constrained due to an underdevelopment of the adjacent building. This common open space area is poorly maintained and unlikely to be highly patronised.

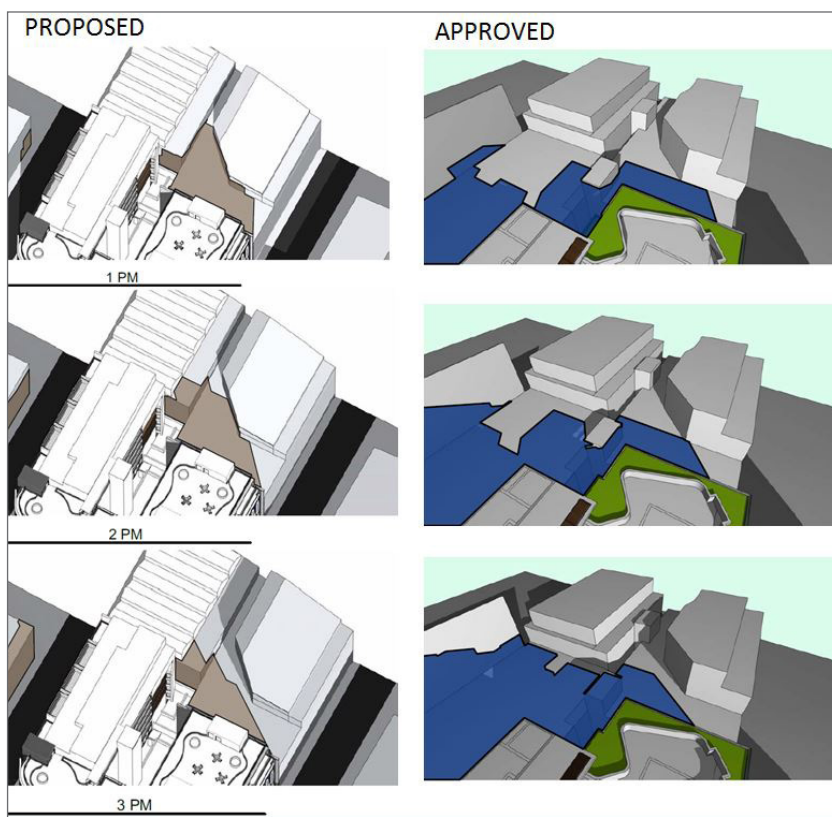


Figure 13:

Comparison of approved and proposed overshadowing to southern adjacent site

The architectural package which accompanies the subject application includes a view analysis of proposal with views of the proposed development within its context. In addition, the proposed height of the building does not result in any unreasonable loss of significant or iconic views from the surrounding properties. The height also does not result in any privacy impacts to surrounding properties as the rooftop common open space areas are designed with non-trafficable areas and landscaping around the perimeter to protect the privacy of surrounding properties.

The height, bulk and scale of the proposed development represents an appropriate response to the subject site.

## 9.0 ENVIRONMENTAL ASSESSMENT

### Design Quality

The design approach has been adopted to split the two proposed uses on the site, hotel accommodation and residential apartments, vertically rather than horizontally. This approach provides for the introduction of two differing aesthetics which respond appropriately to the condition of each street.

The hotel accommodation element presents to Cleveland Street and Eveleigh Street and has been designed as a robust architectural solution suitable to the more hostile environment of Cleveland Street. The typology of hotel accommodation, with no balconies, has provided an opportunity to achieve visual interest with a single, unifying facade punctuated by framed windows. The facade screen terminates at the ground floor and is replaced by a glass facade which reveals an active ground floor of the building with a retail shop on the corner of Cleveland and Woodburn Streets and the hotel lobby on the corner of Cleveland and Eveleigh Streets which is further emphasised by an awning above. Colour backed glass is used for the central area of the Cleveland Street frontage where there is no entrance into the building to provide continuity of the language at the ground floor. The hotel lobby is likely to be extensively used throughout the day and well into the night and will create a dynamic relationship with Cleveland Street and will achieve a very high level of street activation due to the nature of the use. The building is likely to appear to be 'alive' for an extensive range of hours which will achieve a significant improvement to casual surveillance of Cleveland Street.

The residential apartment building presents to Woodburn Street and introduces a domestic language which is distinctly different in character to the defensive language of the hotel element. The facade is framed and punctuated by balcony openings, with differing balustrade solutions and a change in brick colour to achieve variety for the facade. Woodburn Street is activated by the lobby to the apartments.

Communal open space is provided for both the residential apartments and also the hotel accommodation with individual roof-top areas. The roof-top areas are the most appropriate location for common open space due to the urban location of the site and the need to elevate these spaces to ensure that they can receive solar access which will not be compromised in the future. The roof-top areas will comprise non-trafficable planted areas which are capable of sustaining mature vegetation as well as formal sitting areas with built-in furniture. The design of the roof-top common open space areas utilises a combination of non-trafficable areas and screens around the perimeter to protect the privacy of surrounding sites.

The proposed development utilises a visually engaging architectural language with a selection of appropriate materials and finishes suitable for the emerging character of the area. The proposed built form and composition of the development is of a high quality and responds to the emerging character of the area and therefore provides a positive contribution to the visual quality of Redfern and in particular Cleveland Street.

### Building Separation

Objective 3F-1 of the Apartment Design Guide relates to visual privacy and recommends that adequate building separation between windows and balconies is provided to achieve reasonable levels of external and internal visual privacy. The Guide suggests that a distance of 12 metres should be provided between windows and balconies up to 4 storeys and 18 metres between windows and balconies for 5 to 8 storeys.

There is a separation distance of 7.19 metres between the hotel component of the development and

## 9.0 ENVIRONMENTAL ASSESSMENT

the residential apartment building, however, with the exception of the southern most apartments the proposed development has been specifically designed with no windows or balconies which face internally with all windows and balconies of apartments facing towards the street. (It is noted that cross ventilation is still achieved via a fanlight above each front door).

The southern most apartments are located within an extended 'handle' of the site and there is a three storey blank wall to the west on the boundary with the adjacent site. The ground floor bedroom window of the southern most apartment (apartment G4) faces west towards this wall and whilst the separation distance of 4.5 metres is less than 6 metres suggested in the Apartment Design Guide the adjacent site is occupied by an adaptive reuse development containing apartments and the boundary condition is unlikely to change in the future. Privacy is achieved for this ground floor apartment because there are no openings in the boundary wall.

The southern most apartments on Levels 1 to 5 (Apartments 1.5 to 4.5) contain an angled bedroom window which has been oriented to the north in such a way as to preserve privacy for this window and provide a view over the internal courtyard. Do to the angle of this bedroom window, there are no windows in any other part of the development which face directly towards these bedrooms and as such privacy is provided.

A louvred screen has also been applied to the windows of the hotel rooms which face internally to provide privacy for the hotel rooms from residents using the gallery walkways to access their apartments.

The proposed development is built to each street alignment which means the building separation between the proposed hotel in Eveleigh Street and the opposite residential flat building at 165-173 Cleveland Street is 10.5 metres which is 1.5 metres less than recommended by the Apartment Design Guide. Likewise, the building separation between the proposed apartments in Woodburn Street and the opposite youth hostel at 1A Woodburn Street is 9 metres which is 3 metres less than recommended by the Apartment Design Guide.

However, the subject site is located in an inner city and highly urbanised area with narrow streets where reduced building separation distances across streets with residential developments built to the street alignment is characteristic and the provision of street setbacks would result in an inappropriate response to the established pattern of development in the area. The proposed apartments and hotel rooms have been designed with defensive facades with smaller punched windows and balconies to ensure privacy is achieved for the occupants of the development as well as the adjacent buildings. An acoustic report also accompanies the proposal which includes recommended measures to ensure acoustic amenity is maintained for future residents. Having regard to the consistency of the proposal with the prevailing character of the area, the need to define the street edge, and the defensive design of the facades the proposed separation distance between buildings is considered to maintains an acceptable level of visual and acoustic privacy, similar to that elsewhere in the locality, and is therefore acceptable.

### Street Activation

The proposed development has been amended since the issue of the SEARs by relocating the retail tenancy from Eveleigh Street to the corner of Woodburn and Cleveland Streets in order to significantly improve the street activation provided by the proposal. The hotel lobby is located at the alternate corner of Cleveland Street and Eveleigh Streets which effectively bookends the Cleveland Street ground floor

## 9.0 ENVIRONMENTAL ASSESSMENT

plane with active uses. Due to the fall of the site and split levels of the development along Cleveland Street, it is not possible to activate the central area of the Cleveland Street frontage between the retail tenancy and the hotel lobby, however, this portion of the facade is proposed to be finished with colour backed glass to provide continuity to the architectural expression along the ground floor plane facing Cleveland Street.

Activation is provided along the Woodburn Street frontage by virtue of the centrally located residential lobby. Individual street entry to the ground floor apartments facing Woodburn Street is difficult due to the change in levels and not desirable in this urban location due to the desire to provide a more defensive ground floor treatment to achieve privacy for the ground floor apartments. The Eveleigh Street frontage is sufficiently activated by the hotel lobby which wraps around the corner. The Eveleigh Street ground floor plane is also detailed with Aboriginal artwork to create visual interest for this area.

Having regard to the constraints of the site and the fall along the street frontages, the amended proposal is considered to provide a high level of street activation.

### 9.3. Ecologically Sustainable Development

The Environmental Planning and Assessment Regulation clause 7(4) of schedule 2, sets out principles of ecologically sustainable development. The 5 main principles are addressed below:

#### 9.3.1. Precautionary principle

There will be no irreversible environmental damage resulting from the proposed. Water harvesting, collection and diversion at the site will be improved as a result of the development with new gutter systems and landscaped open air, roof tops proposed.

#### 9.3.2. Inter-generational equity

The health, diversity and productivity of the local area is not negatively impacted upon as a result of the development both now and into the future. The design is modest in its footprint, and visual impact and provides varying housing options for the local population.

#### 9.3.3. Conservation of biological diversity and ecological integrity

The site does not contain any green spaces, planting, landscaping, gardens or provide for habitat. The proposed development will introduce generous and much needed green spaces located on the roof top assisting in rain water absorption and habitat provision.

#### 9.3.4. Improved valuation, pricing and incentive mechanisms

The development of the site will not produce excessive waste or result in pollution emanating from the site. All efforts will be made to ensure that materials are reused, recycled or disposed of in a sensitive manor. The life cycle of products and their robustness has been considered in the process of material and finish selection.

The proposal is supported by a BCA (Section J) Assessment and BASIX Certification. The development incorporates a range of measures to reduce energy and water consumption. The strategy identifies that high quality internal environments are created by:

## 9.0 ENVIRONMENTAL ASSESSMENT

- Access to natural light and ventilation;
- Acoustic treatments;
- Materials selection; and
- A rainwater harvesting system.

The proposed development is able to operate such that it displays best practice initiatives. The inclusion of a north facing roof top common open space with trafficable and non-trafficable green zones assists in micro-climate management, habitat provision and water cycle intervention whilst the provision of 100% natural cross ventilation for all apartments represents a particularly positive outcome.

### 9.4. Environmental and Residential Amenity

The proposal will provide a high standard of residential amenity. Generous floor to ceiling heights, quality fixtures and fitting as well as natural cross flow ventilation and solar access will result in a high standard of residential accommodation options. The proposed generally complies with the design criteria in the Apartment Design Guide and SEPP 65.

#### Overshadowing

Detailed solar access diagrams and shadow diagrams prepared by JPR Architects accompany the application.

##### 165-173 Cleveland Street

The proposed development will result in some additional overshadowing to the Eveleigh Street facade of the residential development at 165-173 Cleveland Street early in the morning on the winter solstice. However, this shadow leaves the building by mid-morning and the development enjoys a high level of solar access from late morning and through into the late afternoon due to its eastern, northern and western aspect (the Urbanest development does not overshadow the western facade in the afternoon) and so it is likely that well over 70% of the apartments in 165-173 Cleveland Street will continue to enjoy more than 2 hours solar access at the winter solstice.

##### 6-8 Woodburn Street

A residential development is located immediately on the southern side of the subject development which extends from Eveleigh Street through to Woodburn Street. The apartments gain their solar access from the windows which face Eveleigh Street, Woodburn Street, and some of the top floor apartments gain additional solar access from windows and small balconies in the centre of the site which face west. The shadow diagrams illustrate that the proposed development does not generate any additional overshadowing of the Eveleigh or Woodburn Street facades than that which currently exists. In addition, due to the angle of the sun, the top floor apartments are only marginally overshadowed and still enjoy 2 hours solar access in the afternoon period.

Notwithstanding the above, the proposal will overshadow the roof-top common open space of the adjacent development until late afternoon as it is located immediately to the south of the subject development and above only a three storey component of that building. This common open space area is currently borrowing amenity and benefitting from the underdevelopment of the subject site and it would only be possible to maintain the same amount of solar access to this common open space if only a three storey building was proposed in Eveleigh Street which is an unreasonable constraint for the subject site. This

## 9.0 ENVIRONMENTAL ASSESSMENT

common open space area is poorly maintained and unlikely to be highly patronised. Accordingly, the loss of solar access to this area in mid-winter is unlikely to result in a significant detrimental impact to the residents of the southern adjoining development who will still benefit from solar access this space in the afternoon. On balance, the overshadowing of this common open space area is considered reasonable in this instance.

### Solar Access

The proposed development meets the requirements of the Apartment Design Guide for solar access with 72.4% of apartments enjoying a minimum of 2 hours solar access to the living areas in mid-winter between 9.00am and 3.00pm.

### Acoustic Impacts

Acoustic and vibration impacts have been assessed and it has been concluded that the proposal can achieve compliance with all relevant design considerations as outlined in the Acoustic Report prepared by Acoustic Logic which accompanies the subject application.

### Visual Privacy and View Loss

Visual privacy is achieved within the proposed development through the use of screening for the hotel rooms which face towards the internal courtyard as well as orientating the majority of apartments towards the street with no windows facing the internal courtyard. The only apartment with a window which faces internally towards is to the southern most one bedroom apartment and an angled window design avoids any conflict or privacy concerns for that apartment. The active component of the roof-top common open space for the hotel accommodation is separated from the roof-top common open space for the residential apartments. In addition, perimeter planting is provided for all the roof top areas which prevents people using the roof top from being able to view the areas below including the roof top apartments of the southern adjacent development.

The proposal has been successfully designed to mitigate privacy impacts both within the development and to adjacent properties through the considered use of screening devices where necessary and the orientation of apartments as well as setbacks from the roof edge to ensure that the proposed development does not result in privacy impacts to occupants within the development or to surrounding developments.

The proposed height of the building does not result in any unreasonable loss of significant or iconic views from the surrounding properties.

### Apartment Sizes and Layout

A comparison of the proposal against the Apartment Design Guide requirements for apartment size and layout for studio and one bedroom apartments is provided below:

Control	Required	Proposed
Min apartment size	<ul style="list-style-type: none"><li>• Studio: 35sqm</li><li>• 1 bedroom: 50sqm</li></ul>	<ul style="list-style-type: none"><li>• Studio: &gt;35sqm</li><li>• 1 bedroom: &gt;50sqm</li></ul>



## 9.0 ENVIRONMENTAL ASSESSMENT

Control	Required	Proposed
Max habitable room depth for open plan	8m	The habitable depth of any open plan living area does not exceed 8 metres from a window
Min living room depth	3.6m for studio and 1 bed	>4m wide for all apartments
Min master bedroom size	10 sqm	10sqm for 1 bed apartments
Balcony	Studio: 4sqm min 1 bed: 8sqm min and 2m depth	Studios: all 4sqm 1 bed: 8sqm min and 2m depth

The proposed apartments all meet or exceed the minimum size, depth, width, bedroom size and balcony size requirements outlined in the Apartment Design Guide with the exception of the central studio on each floor which does not have a balcony. It is noted that this apartment could be provided with a balcony and still achieve the minimum required internal size, however, it is considered that a greater level of amenity is afforded to this apartment by having a more generous internal area. The lack of balcony for this apartments provides for a more interesting facade for the development and is consistent with the relevant provisions of the Sydney DCP 2012 which suggest that balconies are only required for 75% of apartments. Given that the amenity of this apartment is embellished with greater internal size and greater width than is required, the lack of balcony in this instance is considered to be capable of support.

### Wind Impacts

The proposed development is of a modest height of only part 5 and part 6 storeys and is unlikely to result in any significant wind impacts (The Sydney DCP 2012 only requires a wind report for buildings over 45 metres in height). Notwithstanding this, an large awning is provided on the Cleveland Street facade which will serve the disrupt and disperse any potential downwash from the facade to the footpath. The proposed development will ensure a comfortable pedestrian environment for the proposal.

### 9.5. Noise and Vibration

An Acoustic Report has been prepared by Acoustic Logic in support of the application. The Report has:

- Conducted an assessment on the impact of vibration and air-bourne noise from the railway lines, traffic noise, noise from Cleveland Street, and noise emanating from the proposal on the acoustic amenity of the proposed residential accommodation;
- Determined the noise emission criteria from the proposed development based on on-site noise logging and NSW EPA Industrial Noise Policy; and
- Outlined the main noise and vibration sources during the construction stage and sets up the noise/vibration criteria based on the requirements of "Interim Construction Noise Guideline (DECC)" and "Assessing Vibration: A Technical Guideline 2006".

The Report recommends specific building structures (glazing, roof/ceiling, external walls) to ensure that external noise intrusion into the proposed building fully complies with the internal noise criteria established within the Report.

The Plan of Management which accompanies this application includes the following house rules to ensure

## 9.0 ENVIRONMENTAL ASSESSMENT

that the hotel accommodation does not result in an adverse noise impact to surrounding residential uses:

- The use of the outdoor communal area shall be restricted to between the hours of 8:00am and 12:00am, Friday, Saturday or a day immediately before a public holiday, and between the hours of 8:00am and 10:00pm every other day.
- Live music will not be permissible on the premises at any time
- No amplified music is permitted at any time within the outdoor communal areas.
- Recorded and/or amplified music is permissible indoors during daylight hours between 8:00am and 8:00pm Monday to Thursday and between 8:00am and 10:00pm Friday to Sunday.

### 9.6. Transport and Accessibility (construction and operation)

The site is located in particularly close proximity to the Sydney CBD, a range of tertiary institutions as well as the Redfern village area and train station. The proposed development also has a generous and convenient provision of bicycle parking and it is anticipated that the majority of trips undertaken by permanent residents as well as hotel guests will be walking, cycling or the use of public transportation.

The proposal is supported by a detailed Traffic and Parking Assessment. This assessment has considered parking requirements, traffic generation impacts and internal access provision. The assessment concludes that the levels of car parking, and bicycle storage provided, are appropriate given the location adjacent to local universities as well as the close proximity of Redfern and Central Stations.

The assessment has considered accessibility of the proposed basement levels which has been deemed to be acceptable and functional as well as the capability of the Eveleigh Street and Cleveland Street intersection to absorb the impact of the proposed car parking spaces. The proposed driveway access into the Basement car parking is adequately setback and located away from the nearest intersection as per the RMS Guidelines for vehicle cross over location and design.

Access to the site during construction is contained within Construction Management Report which outlines techniques and staging to reduce the impact of the construction on local residents, businesses and the operation of local streets and roads. This application is accompanied by sediment and erosion control measures which will be implemented during construction to ensure no adverse impact to water quality in nearby streets.

### 9.7. European and Aboriginal Heritage

#### European Heritage

The building at 175-177 Cleveland Street, Redfern, was constructed c.1940 following the widening of Cleveland Street by the Department of Main Roads. The premises were owned and occupied by engineering firm Paul and Walch, and used for manufacturing and engineering purposes. The building has been internally modified for office purposes within its two storey Cleveland Street component, but retains its basic external form and detailing.

A Heritage Assessment and Statement of Heritage Impact prepared by Graham Brookes and Associates accompanies the subject application and includes a detailed examination of the history of the site. The Statement of Heritage Impact concludes that the existing building on the site makes an unexceptional and nondescript contribution to the streetscape, and in itself is not considered to be of particular significance in the overall pattern of development of the local area.

## 9.0 ENVIRONMENTAL ASSESSMENT

### Aboriginal Heritage

An Historical Archaeological Impact Assessment as well as a Aboriginal Cultural Heritage Impact Assessment prepared by Archaeological & Heritage Management Solutions (AHMS) Pty Ltd accompanies the subject application.

The historic archaeological impact assessment advises that previous archaeological work in the area indicates that while artefacts can be preserved within and under modern buildings in very built-up areas, this is only the case when deep soil deposits are present. These generally comprise either alluvium near drainage lines or deep dune sand associated with the Tuggerah Soil Landscape (inland wind-blown Pleistocene dunes). Neither is known to be present within the study area. Notwithstanding this, the assessment identified that there is potential that historical archaeological resources survive at the study area which may be disturbed or truncated due to subsequent developments at the study area and that should the resources survive intact, they are assessed as having local heritage significance, and would be defined as 'relics' in accordance with the Heritage Act 1977. The assessment recommends archaeological monitoring and recording during the final stages of demolition and initial stages of excavation following the methodology set out in the assessment in order to mitigate the archaeological impact of the proposed development

In relation to the potential for Aboriginal objects being present on the site, the Aboriginal Cultural Heritage Impact Assessment identified that the land use history of the study area was divided into small lots and built upon by the mid-1800s and had become heavily developed industrial land by the 1900s. As a result of the extent of previous disturbance, it was considered unlikely that the study area would retain deposits with Aboriginal objects. A site inspection was consequently undertaken and no Aboriginal objects were identified and it is thought probable that there are no remaining deposits likely to contain them and accordingly it is considered that there will be no impact to Aboriginal objects through the proposed work.

The design of the proposed development nonetheless seeks to recognise and celebrate the Aboriginal cultural heritage of the location through the incorporation of the design of local Aboriginal artist James Simon into the base of the hotel component of the building. The incorporation of this indigenous artwork in a prominent fashion is considered an appropriate response which will ensure that the Aboriginal cultural heritage of the location is preserved and enhanced as a result of the development.

### 9.8. Drainage and Flooding

The subject site is not identified as being within a flood prone area within the relevant documentation available with the City of Sydney and is located on a high point in reference to the particularly steep part of Cleveland Street which continues to fall sharply for several hundred metres to the west, and also on Woodburn Street which falls south past the site. Accordingly, the site is not considered to be flood prone.

A stormwater and drainage design has been prepared by SGC for the site, taking into consideration site conditions to ensure proper stormwater management will occur. The drainage design incorporates Water Sensitive Urban Design Measures including the harvesting of rain water from the roof of the site.

### 9.9. Contributions and/or Voluntary Planning Agreement

The proposed development is subject to the Redfern-Waterloo Contributions Plan 2006 (Contributions Plan 2006) and the Redfern-Waterloo Authority Affordable Housing Contributions Plan 2006. It is

## 9.0 ENVIRONMENTAL ASSESSMENT

anticipated that a condition of consent will be imposed requiring the payment of these contributions.

In addition, the proposal includes a Voluntary Planning Agreement for a contribution of \$327,483.95 which is calculated based on the City of Sydney rate of \$275/sqm for bonus non-residential floor area and \$475.00/sqm for bonus residential floor space, to the Redfern-Waterloo Fund to contribute to public facilities set out in the Works Schedule in the Redfern-Waterloo Authority Contributions Plan 2006.

This offer was discussed with Jason Perica A/Director Planning and Urban Renewal at Urban Growth NSW on 25 September 2014 and subsequently with Sarah Glennan Senior Development Manager Urban Growth NSW on 29 July 2015 and on both occasions general support was indicated for the proposed scheme and the proposed Voluntary Planning Agreement as a mechanism for securing public benefits associated with the proposal.

### 9.10. Waste

Clause 3.11.13 of the Sydney DCP 2012 provides the following in relation to waste collection:

Waste collection and loading is to be accommodated within new development in one of the following ways, in order of preference:

- (a) in the building's basement; or
- (b) at grade within the building in a dedicated collection or loading bay; or
- (c) at grade and off street within a safe vehicular circulation system where

in all cases vehicles will enter and exit the premises in a forward direction.

Consideration will only be given to less preferable options if the consent authority is satisfied the preferred options are unreasonable

Whilst the City suggests that a first preference for waste collection is to provide capacity for Council's garbage trucks to enter the basement, this is particularly impractical on such a small site and would effectively require an entire basement level for such a large vehicle to be able to manoeuvre on site. This is an unacceptable impact to the feasibility of the development and a poor urban design outcome which demonstrates that on-site waste collection from the basement in the subject development is not justified. The proposal provides a garbage room for the residential component which is located approximately 10 metres from the property boundary at Eveleigh Street consistent with the DCP requirement and the Council's practice for residential garbage collection for small developments of the nature which is proposed. Council's garbage trucks already traverse Eveleigh Street and so the collection of bins from Eveleigh Street will not result in any significant change to the collection process which already occurs in the lane. Having regard to the lack impact associated with the proposed garbage collection arrangement and the profound impact that on-site collection would have to the feasibility and urban design outcome of the development, the proposed method of garbage collection is considered appropriate in this circumstance.

A separate waste room is provided for the hotel component of the proposal with hotel waste to be

## 9.0 ENVIRONMENTAL ASSESSMENT

collected via private contractor.

Whilst the City of Sydney Code for Waste Minimisation suggests that waste chutes be provided on every level for a residential flat buildings greater than 3 storeys, the proposed development is particularly modest at only 29 apartments and located on a small site such that it is not possible to provide a garbage room in the basement underneath the waste chutes. Given the modest scale of the proposal, garbage chutes are not considered necessary in this instance.

A Waste Management Plan prepared by BASIX Services accompanies this application.

### 9.11. Consultation

To date, the project team has consulted with the following:

- City of Sydney Council
- Urban Growth NSW
- NSW Police - Redfern Local Area Command
- Department of Planning and Environment

#### **City of Sydney**

Following receipt of the SEARs, a verbal request was made to the City of Sydney Council in June 2015 seeking a consultation meeting in relation to the proposal. A representative of the City of Sydney responded on 22 June 2015 advising that "The City of Sydney (Council) responded to the Department's request for SEARs raising issues that should be addressed as part of any SSD application". The City of Sydney has not raised any issue of significance and the matters raised in their correspondence to the Department on 9 June 2015 and the specific matters for consideration in relation to apartment size, mix, waste servicing, bicycle storage, and heritage impact have been addressed in the body of this report.

#### **Urban Growth NSW**

A meeting was held with Jason Perica A/Director Planning and Urban Renewal, Urban Growth NSW on 25 September 2014 to discuss the proposal. Urban Growth NSW indicated general support for the proposed scheme and the proposed Voluntary Planning Agreement as a mechanism for securing public benefits associated with the proposal.

Following receipt of the SEARs, a subsequent meeting was held with Sarah Glennan Senior Development Manager Urban Growth NSW on 29 July 2015 and again general support was indicated for the proposed scheme and the proposed Voluntary Planning Agreement as a mechanism for securing public benefits associated with the proposal.

#### **NSW Police - Redfern Local Area Command**

Following receipt of the SEARs, a verbal introduction and following email correspondence was sent to Constable Town, Crime Prevention Officer with the Redfern LAC requesting consultation in relation to the proposal. A reply was received on 8 July 2015 from Constable Town enquiring in relation to a Crime Prevention Through Environmental Design (CPTED) assessment for the proposed development and also querying the location of the proposed mail box. On 21 July 2015, a further email was sent to

## 9.0 ENVIRONMENTAL ASSESSMENT

Constable Town with attached plans illustrating the location of the letterbox for the residential apartments. Constable Town was also advised that a detailed CPTED assessment of the proposal would accompany the Environmental Impact Assessment.

### Department of Planning and Environment

Prior to the issue of the SEARs, separate meetings were held with the Department of Planning and Environment on 25 September 2014 and 12 March 2015 to discuss the proposal. Feedback provided at that those meetings was incorporated into the design and in particular, the Aboriginal artwork has been meaningfully incorporated into the architecture of the proposal, and the land use mix has been amended to more closely match the recently approved mix.

Subsequent to the issue of the SEARs, further discussion with the Department confirmed concern in relation to a perceived lack of activation to Cleveland Street at the ground floor and as a result the proposal was amended to relocate the retail shop from Eveleigh Street to the corner of Cleveland and Woodburn Streets and the introduction of significantly increased glazing at the ground floor to Cleveland Street to address this concern.

### 9.12. Environmental Risk Assessment

An Environmental Risk Assessment determines residual risk by reviewing the significance of environmental impacts and the ability to manage those impacts. The Environmental Risk Assessment for the proposed development is derived from Australian Standard AS4369.1999 Risk Management and Environmental Risk Tools.

The assessment indicates the significance of potential environmental impacts on a scale of 1 to 5 (5 being more significant) based on the receiving environment, the level of understanding of the type and extent of impacts, and response to the environmental consequences. The assessment considers how manageable the impacts are on a scale of 1 to 5 (5 being complex) based on the complexity of mitigation measures, the known level of performance of the safeguards proposed, and the opportunity for adaptive management. This is illustrated below in the Risk Assessment Matrix.

Significance of Impact	Manageability of Impact				
	5 Complex	4 Substantial	3 Elementary	2 Standard	1 Simple
1 Low	6 Medium	5 Low/Medium	4 Low/Medium	3 Low	2 Low
2 Minor	7 High/Medium	6 Medium	5 Low/Medium	4 Low/Medium	3 Low
3 Moderate	8 High/Medium	7 High/Medium	6 Medium	5 Low/Medium	4 Low/Medium
4 High	9 High	8 High/Medium	7 High/Medium	6 Medium	5 Low/Medium
5 Extreme	10 High	9 High	8 High/Medium	7 High/Medium	6 Medium



## 9.0 ENVIRONMENTAL ASSESSMENT

The Environmental Risk Assessment addresses:

- the adequacy of baseline data;
- the potential cumulative impacts due to other development in the vicinity; and
- measures to avoid, minimise and if necessary, offset the predicted impacts, including detailed contingency plans for managing any significant risks to the environment.

The below table illustrates the risk assessment for the proposed development:

Item	Phase	Potential Environmental Impact	Proposed Mitigation Measures and/or comment	Significance of Impact	Manageability of Impact	Residual Impact
C - Construction O - Operation						
Biodiversity	C	Loss of vegetation within the site.	No vegetation exists on the site, however the redevelopment will introduce new planting as illustrated in the landscape plan which accompanies the application.	1	1	1 (low)
Amenity	O	Inadequate privacy, solar access, ventilation. Overshadowing of adjoining sites.	Proposal has been designed to meet or exceed amenity requirements of the ADG and SEPP 65. Overshadowing of adjoining sites is minimal and acceptable.	2	1	3 (low)
Resources, Water and Energy	C+O	Waste of water, energy and other resources	Detention tanks, rainwater tanks and stormwater treatment measures. Waste management plan to be implemented to reduce waste and encourage recycling. Materials selection and energy saving devices. Multiple ESD measures	2	1	3 (low)
Noise and Vibration	C+O	Noise during construction. Noise during operation.	The acoustic assessment provides that adequate control of construction noise will be achieved through implementation of Construction Management Plan. Subject to finalisation of equipment specifications, appropriate sound minimisation measures will be incorporated within the development.	C - 2  O - 2	C - 2  O - 1	4 (low/medium)  3 (low)
Transport and Parking	C+O	Increased traffic and parking on local roads	Sufficient parking is provided within the development for the various uses to ensure that the proposal does not result in a detrimental impact on parking on surrounding streets. The proposal is supported by a detailed Traffic and Parking Assessment.	3	1	4 (low / medium)

## 9.0 ENVIRONMENTAL ASSESSMENT

Hazardous Materials	C	Potential to encounter asbestos Remediation of contaminated soil. Risk of mishandling of hazardous materials and substances	Should asbestos be encountered then it should be removed by a licensed contractor. Remediation of contaminated soil will be undertaken in accordance with a Remediation Action Plan to be prepared by Environmental Investigations Australia which accompanies this application.	3	2	4 (low / medium)
Construction Management including sediment and erosion control and air quality	C	Potential generation of off-site transmission of sediment, dust and fine particles affecting water quality	Implementation of a Construction Management Plan including its provisions relating to erosion and sediment control measures	2	1	3 (low)
Crime	O	Risk of criminal activity affecting employees, residents and visitors	Crime Prevention Through Environmental Design principles have been applied to ensure access control, surveillance and territorial reinforcement	2	1	3 (low)
Management of impacts from hotel guests	O	Risk of disturbance to the amenity of the neighbourhood from unsocial behaviour of students	Implementation of Plan of Management and in particular house rules	2	1	3 (low)

## 10.0 MITIGATION MEASURES

The mitigation measures that are required to mitigate the likely impacts arising from the proposal. The measures have been determined by the planning and environmental assessment in Sections 8 and 9 and the specialist consultant reports appended.

Mitigation Measures
<b>Environmental sustainability</b> Implement the requirements of the BASIX Certificate for the development.
<b>Accessibility</b> The detailed design will incorporate the recommendations in the Accessibility Review report, prepared by Access Solutions.
<b>Traffic and transport</b> <ul style="list-style-type: none"> <li>The developer will encourage a minimum of deliveries and other site traffic both during construction and operation phases.</li> <li>Development construction activity will be staged over a suitable timeframe and in a suitable sequence to avoid clashes with peak hour traffic.</li> <li>Compliance with AS 2890.1 and AS 2890.2 is required.</li> </ul>
<b>Geotechnical</b> Construction work is to be undertaken in accordance with the recommendations of the Geotechnical Report prepared by Environmental Investigations Australia.
<b>Acoustic</b> The recommendations of the Acoustic Report prepared by Acoustic Logic will be implemented during construction and the management measures implemented during operation. Further assessment of mechanical plant will be undertaken in accordance with the recommendations of the Acoustic Report.
<b>Contamination</b> Remediation of the site is to be undertaken in accordance with a Remediation Action Plan to be prepared by Environmental Investigations Australia.
<b>Construction management</b> A detailed Construction and Environmental Management Plan will be prepared by the appointed contractor prior to the commencement of works. The Plan will be prepared in accordance with the relevant applicable Australian Standards and Occupational Health and Safety requirements and will address the following matters: <ul style="list-style-type: none"> <li>site access controls, public safety, amenity and security;</li> <li>operating hours;</li> <li>noise and vibration control;</li> <li>material management, waste and material re-use;</li> <li>construction traffic management;</li> <li>dust suppressions;</li> <li>tree protection; and</li> <li>notification of surrounding properties.</li> </ul>

## 10.0 MITIGATION MEASURES

### **Operational Waste Management**

The measures identified in the Waste Management Plan will be implemented to reach recycling targets throughout the design, construction and operational activities of the development.

### **Water Sensitive Urban Design**

The stormwater management and water re-use initiatives for the project as identified in the Stormwater Concept Plan prepared by SGC will be implemented during the construction of the development.

### **Hotel Accommodation Plan of Management**

The manager of the hotel will ensure that the Plan of Management which accompanies this application will be implemented and the hotel rules adhered to by all guests to ensure the amenity of surrounding residential accommodation is protected.

## 11.0 JUSTIFICATION

The subject site is located within the Redfern Waterloo Urban Renewal Precinct which is designated to accommodate significant jobs and housing growth. The site is:

- located close to the geographic centre of the metropolitan Sydney region approximately 2km south-west of the Sydney CBD and 0.5km north-east of Redfern village and train station;
- currently under utilised and poorly presented;
- in close proximity to Sydney University, University of Technology Sydney, University of Notre Dame and to Royal Prince Alfred Hospital, which offers residents and students convenience, shorter and greener travel options and a healthy work-life balance; and
- in an area with a strong local market demand for additional and varied housing options.

The subject site is in a location where there is high demand for housing and in particular smaller and more affordable housing due to its proximity to a number of education institutions, transport, retail, employment and recreation services. The site is also in a location where there is a growing demand for affordable hotel accommodation.

The proposed development will ensure that a further provision of residential accommodation is provided in a location within close proximity to employment and education opportunities and public transport. The proposal will result in increased housing supply and choice which will contribute to easing the costs of housing in the locality and support associated goals within A Plan for Growing Sydney.

The proposed land use mix is generally consistent with that which is expressed in the planning controls and has increased the weighting towards commercial use in comparison to the recently approved development of the site. The proposed street wall height is less than that which has recently been approved on the site and the additional storey is setback such that it is not readily perceived from the public domain and is demonstrated not to result in any unacceptable adverse impact to adjacent and surrounding properties.

The proposal development has an appropriate bulk and scale which is compatible with the context of the site and does not give rise to any unreasonable impacts to adjacent sites and the proposed density assists in meeting the demand for housing in the local government area in an appropriate location. Finally, the proposed variation to the overall FSR for the site is accompanied by a Voluntary Planning Agreement to secure public benefits.

The proposed apartments have been designed to provide a high level of amenity and the proposed building is compatible with the scale and density as well as the land mix envisaged for the site under the relevant planning controls and will deliver a visually engaging response relevant to the heritage of the locality.

## 12.0 CONCLUSION

This State significant development application seeks approval for a part 5 and part 6 storey mixed use development containing hotel accommodation with 78 rooms and a residential apartment building with 29 apartments above common basement levels. Each building has been designed to maximise internal amenity whilst reducing impact upon surrounding sites. Each building includes a green roof with trafficable and non-trafficable areas contributing to a pleasant rooftop cityscape environment as well as assisting in maintaining a desirable local microclimate.

This Environmental Impact Statement was prepared in accordance with the State significant development provisions of the Environmental Planning and Assessment Act 1979 (EP&A Act), the requirements of Schedule 2 of the Environmental Planning and Assessment Regulation 2000 and the SEARs issued for the project. It has also been prepared in accordance with the requirements of the State Environmental Planning Policy (Major Development) 2005, the State Environmental Planning Policy (Urban Renewal) 2010 and A Plan for Growing Sydney which comprise the key planning framework for the development.

Careful consideration has been given to the location, size and design of the proposed development to ensure that a high quality outcome will be achieved which is consistent with the emerging character of the precinct.

The proposed development is well designed and will provide a high level of amenity to the future occupants. The proposal will also achieve a significant contribution to the upgrade and activation of the public domain and is compatible with the future intended development outcomes for the area.

As a result of this analysis, the proposed development has been demonstrated to be consistent with the strategic and statutory planning framework, will achieve design excellence, and does not result in significant adverse environmental impacts. It is therefore recommended that this State significant development application be approved because it represents an appropriate type and scale of development for the site.



# APPENDIX A

## SEPP 1 OBJECTION - FSR

A

Sutherland & Associates Planning

# APPENDIX B

## SEPP 1 OBJECTION - HEIGHT

B

Sutherland & Associates Planning Pty Ltd

# APPENDIX C

## APARTMENT DESIGN GUIDE COMPLIANCE SUMMARY

C

Sutherland & Associates Planning Pty Ltd

# APPENDIX D

## SURVEY PLAN

## D

Sydney Registered Surveyors

# APPENDIX E

## ARCHITECTURAL DRAWINGS, PHOTOMONTAGES AND SEPP 65 DESIGN VERIFICATION STATEMENT

E

JPR Architects

# APPENDIX F

## LANDSCAPE PLAN AND STATEMENT

F

Wallman Partners



# APPENDIX G

## GEOTECHNICAL REPORT

G

Environmental Investigations Australia

# APPENDIX H

## ACOUSTIC REPORT



Acoustic Logic

# APPENDIX I

## BCA COMPLIANCE ASSESSMENT REPORT

AED Consulting

# APPENDIX J

## CONTAMINATION ASSESSMENT

J

Environmental Investigations Australia

# APPENDIX K

## TRAFFIC AND PARKING ASSESSMENT

K

Varga Traffic

# APPENDIX L

## ELECTROLYSIS ASSESSMENT

L

Corrosion Control Engineering

APPENDIX M

BASIX CERTIFICATE

M

STS



# APPENDIX N

## ACCESSIBILITY REPORT

N

Access Solutions

# APPENDIX O

## WASTE MANAGEMENT PLAN



BASIX Services

# APPENDIX P

## STORMWATER CONCEPT PLAN

P

SGC

# APPENDIX Q

## QS COST ESTIMATE



Newton Fisher and Associates Pty Ltd

# APPENDIX R

## PUBLIC BENEFIT OFFER

R

Krikor Simonian

# APPENDIX S

## CONSTRUCTION MANAGEMENT PLAN

S

Willana

# APPENDIX T

## HOTEL PLAN OF MANAGEMENT

T



# APPENDIX U

## HERITAGE IMPACT ASSESSMENT

U

Graham Brooks & Associates

# APPENDIX V

## ARCHAEOLOGICAL REPORT



Archaeological and Heritage Management Solutions

# APPENDIX W

## ABORIGINAL CULTURAL HERITAGE IMPACT ASSESSMENT

W

Archaeological and Heritage Management Solutions

# APPENDIX X

## STRUCTURAL REPORT



ACSES Engineers

# APPENDIX Y

## DRAFT PLAN OF SUBDIVISION



LTS

APPENDIX Z

ARTIST COMMISSION

Z

# APPENDIX Z1

## SECRETARY REQUIREMENTS

Z1



# APPENDIX Z2

## CRIME RISK ASSESSMENT AND SECURITY MANAGEMENT PLAN

Z2

Sutherland & Associates Planning Pty Ltd