

Attachment A – Response to SJB Planning’s Request for Additional Information (RFI) DA-1182/2024 – 83-99 North Terrace, Bankstown

Table 1 *Response to key items raised in RFI as clarified in correspondence dated 10 June 2025*

Item raised	Proponent response
SJB Planning	
5.04 Land use (future uses / conversion of car parking)	
While the car park may respond to current market demand, a clear strategy should be provided to support future adaptability. The following is required to address the future use/conversion of car parking raised in Item 5 of the RFI: • Provide an adaptability strategy demonstrating how car park levels could be converted in the future. • Include indicative planning diagrams and cross-sections showing ceiling heights, structural layout, services, and access arrangements to support potential future reuse as habitable or recreational space.	The proposal has been redesigned at level 5 to include a range of facilities for residents, as illustrated in the Updated Architectural Drawings prepared by PTW included at Attachment B to the RFI Response Letter. Moreover, the RFI Design Response Pack included in Section 14 of the Updated Design Report (Attachment C to the RFI Response Letter) highlights that the floor to floor levels for the above ground car parking on levels 1, 2 and 3 which reach a height of 3.15m allows for these to be adapted in the future for other uses. As detailed in Section 8.7 of the Updated Design Report prepared by PTW (Attachment C to the RFI Response Letter), further flexibility could be provided for different uses if the level 2 and 3 slabs are removed which would provide higher floor to floors of 4225mm allowing for alternative uses other than residential in the future. These sections of the design report also illustrate the access arrangements in the circumstance that these above ground parking areas are converted in the future to other uses. Additionally, a Future Adaptability Statement prepared by WSP (Attachment S to the RFI Response Letter) confirms that the services systems, reticulation paths and plant positions have been designed to ensure that the above ground parking areas are capable of being converted to other uses in the future. Robert Bird Group (RBG) has also considered the adaptability of the building structure in the above ground parking area on levels 1, 2 and 3 in the Structural Statement (Attachment V to the RFI Response Letter). RBG confirms that the base build will account for the increased loads associated with alternative uses in this location, as will greater floor-to-floor heights as may be required to accommodate different uses other than residential in the above ground parking area.

Item raised	Proponent response
9.03 Building separation and setbacks	
In relation to the northern setbacks of Building C: • Further material is required is required to demonstrate that the proposed interface and setbacks along the northern boundary appropriately responds to all potential future scenarios (i.e., with and without development) for Phil Engisch Reserve. • Should Phil Engisch reserve be retained as open space, it must be demonstrated that the design achieves a functional interface that can be accessed and operate without encroaching or relying on the adjoining reserve. The 1.5 metre minimum setback distance is of particular concern in this circumstance.	The optimal urban design outcome for 62 The Mall and the broader development block involves the retention of Phil Engisch Reserve as public open space, which corresponds with the design of the subject proposal. In doing so, the aggregate development potential under the planning controls for the entire 62 The Mall allotment, is best positioned in a consolidated manner within the former library site, as illustrated in the RFI Response Letter prepared by Ethos Urban. The project team's optimal development outcome ensures a feasible future development outcome is capable of being achieved on Council's 62 The Mall site and whilst doing so, provides a range of additional public benefit outcomes, as follows: • Allows for the realisation of a genuine through site link connecting from the railway station in the south through to The Mall (via the proposed development) in accordance with the applicable Bankstown City Centre DCP, as well as provide visual and spatial connections to and from Paul Keating Park, WSU Bankstown Campus, and Bankstown Library and Knowledge Centre. • Positively contributes to 'The Avenue', which is an important character area envisaged in the Bankstown City Centre Master Plan as a 'pedestrian-oriented corridor imagined as Bankstown's central activity spine and high street' by retaining this pocket park at this key corner of The Avenue which is critical in such a rapidly growing city centre, as it provides an intimate space for socialising and areas of relief from busy street edges. • Creates a high quality activated edge to Phil Engisch Reserve and to the city centre's premier open space Paul Keating Park, delivering on Council's design excellence objectives in clause 6.16 of the applicable Canterbury-Bankstown LEP 2023, which require that development achieves appropriate interfaces at the ground level with the public domain. • Achieves the theoretical maximum FSR achievable for Council's site, within a massing concept, complying with the maximum building height, setbacks, separation distances, and compliance with key ADG metrics. • Ensures the activation of the ground plane interfacing the retained Phil Engisch Reserve, rather than a development outcome that would result in a blank wall fronting this key corner in perpetuity. This optimal design solution also achieves the envisaged outcome in the applicable Bankstown City Centre DCP and the Bankstown City Centre Master Plan, by retaining Phil Engisch Reserve as open space. • Results in a reduced overshadowing impact to the proposed development when compared to an alternative design outcome for 62 The Mall which includes built form on Phil English Reserve, and no reduction to the solar access compliance of 3-7 Fetherstone Street, when considered in conjunction with the proposed development.

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	• Allows for retention of 400m² of public open space with a contribution to Bankstown City Centre's limited tree canopy (8%) and its aim for 15% tree canopy set out in the Bankstown Tree Canopy Master Plan. • Prevents additional flood impacts caused by development on the flood affected Phil Engisch Reserve, requiring additional flood mitigation measures such as flood storage and/or a new stormwater culvert which could further impact the commercial feasibility of developing this small component of 62 The Mall. • Maintains the design outcome that has been endorsed by the DRP as it promises “a potential development that could set a high standard for the nature of new developments in the centre of Bankstown” and that on this basis “the Panel does not feel the need to fully review the project again”. Further detail regarding each of these public benefits resulting from this optimal urban design outcome is provided in Section 2.1.1 of the RFI Response Letter. An Urban Design Analysis has also been prepared by Hatch which provides a further assessment of the optimal urban design outcome for 62 The Mall (refer to Attachment F to the RFI Response Letter). Hatch has explored the different options available for the site and has found that the optimal urban design outcome for the development block involves retaining Phil Engisch Reserve as public open space and providing all its theoretically available development potential on the former library site. This future development outcome is also explored in greater detail in the Feasibility Study for 62 The Mall prepared by PTW (refer to Section 12 of the Updated Design Report included at Attachment C to the RFI Response Letter), with the key numeric details of the scheme summarised in Figure 1 of the RFI Response Letter. It is also noted that Barings are open to undertaking embellishment works within Phil Engisch Reserve as part of a separate process and agreement with Council which will further improve the urban design outcome achieved, subject to an agreed approach between both parties.
11.00 Tower Form	The following is required to address the matters raised in Item 11 of the RFI: • Increase the ratio of solid elements to glazing. • Consider alternatives to glass balustrades. • Introduce subtle variations in the two towers to avoid monotony. • Extend podium brickwork and lower-level indentations upward to reinforce visual continuity. • Explore alternative design solutions to soften the visibility of the towers such as recessing the uppermost levels or using a darker colour palette.

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• Ensure awnings are continuous and at pedestrian scale. The Urban design assessment also identifies excessive use of glazing and uniformity in form and materiality.	• Appropriate achievement of solar, daylight access and natural ventilation. The ratio of solid elements to glazing has been driven specifically by these factors to optimise the performance of the development with respect to these key considerations. The residential towers are positioned above the articulated podium. Brickwork extends from the podium to the towers on the eastern and western façades, framing the lobby entrances that face The Appian Way. The design intent for the material palette and aesthetics for the residential towers is lighter and more subdued, intentionally contrasting with the more textured podium façade to create a calmer presence overall. For the residential towers to align further with the podium aesthetic, will conflict with the architectural design intent supported by the DRP. The residential towers feature two types of balustrades including glass and a combination of solid brick and glass designed to enhance privacy while maintaining district views to the surrounding context and Paul Keating Park to the North. This includes an alternative to solely glass balustrades. Following the final meeting with the DRP, the feedback provided by the DRP expressed support for the residential tower design, noting the following: • <i>'There is a clarity to the overall massing, composition and architectural expression, with three main elements reading distinctly: a ground-based, multi-level retail offering, a multi-level podium and the residential towers above'.</i> • <i>'The visual qualities of the building have been well considered where, for example, the residential entrances within the podium align visually with the tower lobbies, providing a coherent building form and legibility from a distance'.</i> • <i>'The articulation of the residential towers, on both the north and south elevations, have been well considered, introducing an intelligent, stepping of balconies, to clearly identify these significant street corners.'</i> Accordingly, the endorsed residential tower design has been maintained. This is detailed further in the RFI Design Response Pack included in Section 14 of the Updated Design Report at Attachment C to the RFI Response Letter. Additionally, the proposed awnings are low and continuous to ensure adequate weather protection with breaks in the awning occurring in locations where there are entrances to internal pedestrian connections provided through the development. The continuous awning is proposed along the Fetherstone Street frontage apart from the driveway access points. The continuous awnings proposed as part of the development are a combination of glass and solid metalwork for continuous weather protection. The proposed height of the awning varies due to the slope of the natural ground level, ranging from 2.5m to 6.5m. The continuous awnings and the addition of an awning along Fetherstone Street is illustrated in the RFI Design Response Pack included in Section 14 of the Updated Design Report prepared by PTW included at Attachment C to the RFI Response Letter and the

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	Updated Architectural Drawings prepared by PTW included at Attachment B to the RFI Response Letter.
12.00 Fetherstone Street Activation	
The following is required to address the matters raised in Item 12 of the RFI: • Reduce the driveway access points along the Fetherstone Street frontage. • Consider potential future connectivity with the former library site adjoining the site to the north • Provide a streetscape cross-section to illustrate the proposed interface and demonstrate how it supports a more integrated and pedestrian • Minimise potential conflict with pedestrians and address all items raised by Council's Traffic engineer set out in Item 21.	Importantly, it is noted that in light of Complete Streets, Fetherstone Street is the ideal location for driveway access for a number of reasons, including: • There is already driveway access for the existing shop top housing development at 3-7 Fetherstone Street, therefore vehicles will already be accessing this street. • The other street frontages of the site are busier pedestrian focussed locations, including: - The Appian Way which is envisaged to be the key thoroughfare connecting Bankstown Sports Club in the south through to WSU Bankstown City Campus, with activated retail frontages along the site's ground level, while also being earmarked as a 'shared way' under Complete Streets. - North Terrace which is the street where the site interfaces with Bankstown railway station and future metro station, and therefore will have significant pedestrian traffic accessing the site from this location. Further, as detailed in the Traffic and Transport Statement prepared by PTC (Attachment O to the RFI Response Letter), the proposed development has been designed to minimise both the number and scale of vehicular accesses to reduce vehicle dominance on Fetherstone Street, in line with the intent of Complete Streets. While this design principle is acknowledged, other RFI items raised by Council have indicated a preference for strict adherence of Australian Standards which often seek to increase access / driveway widths to the detriment of the pedestrian environment. Therefore, a balance has been proposed that facilitates safe vehicle access while limiting the width of the driveways. There is potential to investigate breakthrough panels within the parking of the development to allow for vehicular access to 62 The Mall, subject to understanding Council's design and access requirements for 62 The Mall, and an agreed approach between both parties. A streetscape cross-section and a photomontage of the proposed design along Fetherstone Street has been provided in the RFI Design Response Pack included in Section 14 of the Updated Design Report prepared by PTW included at Attachment C to the RFI Response Letter. These demonstrate that the proposed development includes a number of features that will contribute to the activation of Fetherstone Street including: • Tenancies along Fetherstone Street include transparent glazing to maximise visual connection and street engagement. • There are continuous awnings along the Fetherstone Street frontage apart from the driveway locations.

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	• A through-site pedestrian link that includes an awning and greenery that invites users into the site where there will be a diverse and continuous retail offering. • The podium includes a void through the centre above the location of the through-site link which are treated with transparent materiality that allows for natural light to filter into the ground level retail area, while also providing shelter to users of the development. A detailed response to the matters set out in item 21 is provided in Table 2 below.
13.00 Communal open space This item is raised due to the fragmentation of the proposed communal open spaces, which are considered to lack clear vertical and horizontal connections, as well as require movement through car parking areas which compromise safety and amenity. This item also identifies that the development lacks recreational areas suitable for children such as playgrounds. The following is required to address Item 13 of the RFI: • introduce legible, safe pedestrian connections between communal areas with direct links from lobbies and improve visibility and sightlines. • Reconsider landscape design to incorporate children's play areas and more active recreation opportunities, such as tennis courts or a swimming pool.	Level 2 of the proposed development has been amended to provide direct access to the communal open space from the lift lobby without requiring movement through the car park. This improves the safety and convenience for residents in accessing the level 2 communal open space. This is illustrated in the RFI Design Response Pack included in Section 14 of the Updated Design Report prepared by PTW included at Attachment C to the RFI Response Letter and on the Level 2 Floor Plan included as part of the Updated Architectural Drawings prepared by PTW (Attachment B to the RFI Response Letter). The updated design also includes amendments to the level 5 design which involves the inclusion of a swimming pool and a range of recreational and communal spaces on this level. This is detailed in the RFI Design Response Pack included in Section 14 of the Updated Design Report prepared by PTW included at Attachment C to the RFI Response Letter and in the Updated Architectural Drawings included at Attachment B to the RFI Response Letter. Furthermore, Paul Keating Park which is immediately to the north of the site includes a newly constructed state of the art play space with play equipment for children. The Wind Statement prepared by CPP Wind Engineering Consultants (Attachment P to the RFI Response Letter) confirms that the changes to the level 5 communal open space includes mitigation measures in the form of the vertical screening elements and awning that improve the wind conditions compared to those reports from the wind tunnel testing undertaken in the Wind Impact Assessment submitted with the SEE at Appendix Y.
14.00 Deep soil zones The increase of deep soil from 0% to 1.6% is considered insufficient. An integrated approach should be taken to incorporate additional deep soil as part of the overall landscape strategy for the site, any departure from the relevant deep soil provisions must be offset through alternative landscape treatments. Incorporation of further deep soil areas is required to address them. This includes consideration of the southeast and southwest corner entries of the development.	It is noted that the ADG design guidance relating to this design criteria specifically sets out that achieving the design criteria may not be possible on some sites including where: • <i>'the location and building typology have limited or no space for deep soil at ground level (e.g. central business district, constrained sites, high density areas, or in centres)</i> • <i>there is 100% site coverage or non-residential uses at ground floor level.'</i>

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Further material is also required to justify any departure from the relevant deep soil requirements applying to the site.	The site is within the Bankstown City Centre, a high density area, that is directly adjacent to Bankstown railway station and future metro station and there are non-residential uses at the ground level. As such, the site directly aligns with the design guidance for sites where achieving the design criteria may not be possible. Notwithstanding this, the proposal maximises the provision of deep soil by providing 1.6% deep soil which is achieved through the reconfiguration of car parking layouts to allow for the provision of deep soil planting at the through site link entrances in the north, south and east of the proposal. The placement of deep soil areas is the result of a collaborative design process involving Urban Designers Hatch, PTW Architects, Site Image Landscape Architects, and informed by feedback from the Council's Design Review Panel (DRP). Deep soil zones have been carefully positioned at three critical interface areas, corresponding to the site's key pedestrian entry points. These locations enhance landscape character, mark primary entrances, support tree canopy growth, and contribute to urban legibility and placemaking. This design move has also been supported by the DRP, expressing in its feedback from the latest meeting where it provided in-principle support of the design, that <i>'the incorporation of deep planting zones at major access and entry points to the development is a strong improvement to the public domain landscape solution, allowing major trees to become established at these key areas.'</i> Details relating to each of the proposed deep soil interface areas are as follows: • Interface 1 – Southern Entry: North Terrace Plaza – Deep soil has been integrated into the proposed public urban space at the North Terrace Plaza. While initial DRP feedback suggested considering the southeast corner fronting the station entrance, this would have conflicted with the urban design strategy of activating prominent civic corners. The selected location better supports the broader urban design vision. • Interface 2 – Eastern Entry: Along The Appian Way – Deep soil at this location supports a key pedestrian corridor and through-site link fronting the future Bankstown Central development. This responds directly to DRP 1 feedback recommending provision of deep soil 'along The Appian Way'. • Interface 3 – North Entry: Through-Site Link to the Civic Centre – This area support the northern pedestrian link facing Phil Engisch Reserve and the Civic Centre, aligning with DRP 1 comments encouraging connections 'facing north to the Reserve and the Civic Centre'. While the site qualifies as a site where the provision of the ADG design criteria is not possible, and the proposal maximises deep soil provision in optimal locations, notwithstanding this being the case, the relevant ADG design guidance also sets out that: <i>'Where a proposal does not achieve deep soil requirements, acceptable stormwater management should be achieved and alternative forms of planting provided such as on structure'</i>

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	The proposal provides an abundance of planting on structure to ensure a well landscaped environment is achieved in line with this design guidance. Specifically, it includes mass planting of the 'urban forest' and other elements on structure equating to 29.2% of the site area. This includes landscaped valleys which define access to pedestrian laneways, forming part of a green spine that visually and physically connects Paul Keating Park, Phil Engisch Reserve and Swane Reserve. These corridors extend vertically into the building forms, creating green pockets between towers and elevating the site's environmental and visual quality. This is conveyed in greater detail with respect to the corresponding item in the RFI Design Response Pack included in Section 14 of the Updated Design Report prepared by PTW at Attachment C to the RFI Response Letter. When viewed holistically, the Compass Centre is envisioned as a green landmark, with vegetation cascading from rooftop gardens down into the public domain—reinforcing the identity of the site as a vibrant, sustainable, and integrated urban environment. To ensure this mass planting is viable, a number of design measures have been adopted, as detailed on page 7 of the Updated Landscape Design Report prepared by Site Image at Attachment E to the RFI Response Letter. The proposal will also include acceptable stormwater management in line with the related design guidance. This is detailed further on pages 132 and 133 of the Updated Design Report prepared by PTW (Attachment C to the RFI Response Letter), with respect to DRP item 1.17. For further detail regarding this response including associated imagery, refer to the RFI Design Response Pack included in Section 14 of the Updated Design Report prepared by PTW at Attachment C to the RFI Response Letter.
16.00 Apartment mix	
Only 6% of units are three-bedroom apartments. Whilst it is acknowledged that the DA was lodged prior to the commencement of Chapter 6.2 of the Canterbury Bankstown Development Control Plan 2023 ('CBDCP'), the proposal is for the significant redevelopment of a prominent site within the commercial core of the Bankstown City Centre, which is located at the junction of several key destinations and public transport services. This DA provides the opportunity to set a benchmark for future development and best practice design is expected. Although current controls do not mandate a specific mix, expanding the mix of units (i.e., the proportion of 3-bedroom units to 10-15%) would better meet the needs of local families. This aligns with the Design Review Panel advice.	It is noted that no apartment mix provisions apply to the proposed DA as it has savings provisions given it was lodged prior to the commencement of the new Bankstown City Centre DCP. Notwithstanding this, an Economic Assessment of the proposed dwelling mix has been prepared by Ethos Urban and is included at Attachment R to the RFI Response Letter. This Economic Assessment finds that: • The vast majority of dwellings in Canterbury-Bankstown have at least one bedroom spare indicating a potential misalignment to larger dwelling types. • Units are primarily rented in the LGA, accounting for 67.6% of the tenure type and are aligned to smaller households. • High levels of housing stress are experienced in the LGA for both rental and owner occupied households at 42.8% (compared to 35.3% in Greater Sydney) and 25.6% (compared to 19.8% in Greater Sydney), respectively. • Units are considerably cheaper and more affordable housing types. Greater delivery of appropriately sized apartments will help improve affordability overall in the local market.

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	- Overall, rental data indicates that Canterbury-Bankstown LGA remains in high demand as a place to live and rent. It is noted that rental growth in recent years has likely contributed to reduced rental affordability for households within the LGA. - The proposed development and planned dwelling mix will help to rebalance housing suitability through providing smaller dwellings. This will assist in enabling households to 'right-size' based on their dwelling requirements, also supporting affordability outcomes. This could include downsizers moving from larger dwellings, freeing up dwelling stock for families seeking larger dwellings. As a result, the proposal will better align with housing need across the LGA.
17.05 Internal amenity (ceiling heights)	
As stated above, the DA is a significant proposal and is required to exhibit best practice design principles as well as design excellence. The proposed floor-to-floor height of 3.15m falls short of best-practice benchmarks (3.2m). Increasing these heights to 3.2 metres would better reflect Council's aspirations for design excellence.	PTW has prepared detailed sections illustrating the ceiling heights and the service zones provided, which demonstrate that the ceiling heights are capable of accommodating all the required services for the development. These detailed sections are shown in the RFI Design Response Pack included in Section 14 of the Updated Design Report prepared by PTW included at Attachment C to the RFI Response Letter for the corresponding RFI item. WSP has reviewed these detailed sections and prepared a Services Statement that confirms that the proposed floor to floor heights and ceiling heights includes a spatial allocation for services that meets the services requirements for the typical residential floors (refer to Attachment S to the RFI Response Letter). Further to the above, it is noted that the floor to floor height provisions in Section 4.2 in Chapter 6.2 of the CBDCP do not apply to the proposed DA as it has savings provisions given it was lodged prior to the commencement of the new Bankstown City Centre DCP.
21.07 Site Access (taxi and coach access)	
The location of the taxi and coach drop off zone shall be reconsidered. Relocating the drop off zone to the northern side of the North terrace shall be explored.	The Traffic and Transport Statement (Attachment O to the RFI Response Letter) sets out that the proposed taxi and coach drop off locations are the safest for pedestrians. When exiting a coach, the passenger door is on the left side of the vehicle and therefore directly connects with the existing footpath, allowing for safe pedestrian access by using the zebra crossing to the east of North Terrace. In terms of taxi drop off, the existing taxi drop off provides a convenient drop off adjacent to the proposed development on North Terrace, allowing for the continuation of the well-established safe operation in this location. These locations align with the existing location for taxis, coaches and buses and therefore road users are accustomed to driving through this part of North Terrace that accommodates such vehicles and their manoeuvring requirements, in line with expectations in proximity to a railway station in such a town centre location.

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22.00 On site manoeuvring, internal circulation and car parking (pedestrian access to and from the childcare centre)	
No dedicated pedestrian paths are provided in the car park, particularly around the childcare centre. Accessible parking is located far from lifts. Improve internal circulation and provide safe pedestrian pathways with bollards and marked crossings in the car park.	The Updated Architectural Drawings (Attachment B to the RFI Response Letter) prepared by PTW include an increased area for childcare parking around the Building C core, with the relocated childcare parking closest to the lobby core. Additionally, the Traffic and Transport Statement prepared by PTC (Attachment O to the RFI Response Letter) sets out that the childcare parking spaces will be differentiated by additional surface, colour and lighting treatment to clearly identify the dedicated parking area. This is a well-established principle in Australia and internationally, with this approach changing the environment and reducing the dominance of vehicles within this space. Use of surface treatments, colour and lighting, reduces the requirement to require physical interventions, such as bollards, which can impede pedestrian access. In this regard example images of such measures are provided in the Traffic and Transport Statement prepared by PTC (Attachment O to the RFI Response Letter). This approach is also set out in the RFI Design Response Pack included in Section 14 of the Updated Design Report prepared by PTW included at Attachment C to the RFI Response Letter in which a note is included stating that <i>'The childcare parking spaces to be differentiated by additional surface, colour and lighting treatment to clearly identify the dedicated parking area'</i>. It is also noted that accessible parking has been relocated closer to the lifts, as illustrated in the Updated Architectural Drawings prepared by PTW (Attachment B to the RFI Response Letter).

Table 2 *Response to list of RFI items as set out in RFI dated 18 February 2025*

Item	Item raised	Proponent response
SJB Planning		
1	Integrated Development (Water Management Act 2000)	
1.00	On 11 February 2025, WaterNSW and the NSW Department of Climate Change, Energy, the Environment and Water (DCCEEW) issued comments in response to the request for General Terms of Approval (GT A's), identifying that the proposed drained basement cannot be supported. It is recommended by DCCEEW that a tanked basement design is adopted and GT A's permitting a tanked basement have been issued. An application may be lodged under the Government Information Public Access Act 2009 (GIPA Act) to request a copy of the referral document (Reference No. CNR-76683), including the redacted version of the assessment undertaken by DCCEEW.	Douglas Partners responded to these comments from Water NSW by preparing a Dewatering Management Plan which was uploaded to the Portal on 24 February 2025. Following this response, additional comments were received from Water NSW on 1 April 2025 advising that a drained basement is not recommended, given that recommendations from the Department of Climate Change, Energy, the Environment and Water (DCCEEW) have not been resolved. In response, Douglas Partners are undertaking further testing to address all the comments made by Water NSW and to demonstrate that a drained basement is achievable on the site. This response is being prepared and will be issued on the Planning Portal by 6 June 2025, in accordance with the timeframe agreed with Water NSW.
2	Sydney Water (wastewater)	
2.00	The application was referred to Sydney Water. They recommend that wastewater modelling is undertaken to confirm that adequate arrangements for the management and disposal of wastewater are made available to service the development. The comments regarding wastewater are summarised as follows: • The proposal is within the Upper North Georges River Submain wastewater catchment and a high risk Category 1 overflow is located downstream of the site. • Due to the scale of the proposed development, it is recommended that a hydraulic consultant is engaged to undertake wastewater modelling to confirm there is no increase in frequency and/or volume in the Category 1 overflow due to the addition of the development, and to prevent potential delays of the post-consent Sydney Water approval process. • If there is an increase in frequency and/ or volume, an options assessment shall be carried out to identify works required to prevent deterioration of the overflow weir. An application may be lodged under the GIPA Act to request a copy of the Sydney Water referral comments.	WSCE has been engaged to undertake wastewater modelling in response to these comments from Sydney Water. WSCE has prepared a Water Services Statement (Attachment G to the RFI Response Letter) confirming that an application has been lodged to Sydney Water for a notice of requirements, with the case number CN224026. Once this case number is assigned to the Sydney Water Case Officer, the modelling of the wastewater will commence by a specialised modeller. It is requested that a condition of consent is included that requires this wastewater modelling to be undertaken prior to the issue of the relevant construction certificate.
3	Existing easements	
3.01	The application has been assessed by Council's Asset Systems and Planning Team and the following matters raised regarding easements which exist within the site:	As detailed on the Survey Plans that were submitted with the DA at Appendix M to the SEE, there are two drainage easements applicable to the site, including an existing 1.83 metre wide privately owned drainage easement, and a 3 metre wide Council owned easement for

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	- Council's assessment has identified the following easements and infrastructure within the site: - a 1.83 metre wide, privately owned easement; - a 3 metre wide, Council owned easement for drainage. As demonstrated on the site survey plan, there are stormwater pipes with diameter of up to 450mm within the easement, noting that the exact alignment is unknown. - an existing outlet actively discharging to the Appian Way culvert which has been retained as part of the current drainage upgrade works on Appian Way undertaken by Council. Extinguishment / decommissioning of the existing easements based on the current development proposal. Further information including details and location of the existing easements is required.	drainage. Both these easements are sought to be decommissioned based on the current development proposal. It is noted that the referenced existing outlet discharging to The Appian Way culvert is not an easement. It is intended for stormwater pipes to be appropriately diverted to ensure that all surrounding connections from sources outside of the development will be maintained and connected to the downstream drainage system. The Civil Engineering Statement prepared by RBG (Attachment H to the RFI Response Letter) confirms that the existing stormwater pit and pipes located within the easement can likely be diverted to suit the proposed development. Further, RBG has advised that before a clear recommendation can be provided on decommissioning the easement, further assessment is required including CCTV inspection of the existing stormwater pipes to understand their current condition and confirm connectivity. RBG has also reviewed available documentation, including Dial Before You Dig (DBYD) information and Sydney Water asset maps. These indicate that a sewer main may also run within the easement. If confirmed, this may require further investigation and input from Sydney Water before any decisions are made regarding decommissioning or relocation. It is requested that a condition of consent is included that requires a CCTV of the stormwater pipe traversing the easement/site prior to the issue of the first construction certificate to establish and confirm all connections discharging to this drainage system prior to decommissioning. Following investigation, the proponent is required to ensure appropriate mitigating measures are in place prior to works commencing.
3.02	The proposed development conflicts with the overland path located above the existing drainage easement and therefore further detail regarding measures to divert and manage the overland flow path is required. This is of particular concern given that the submitted Flood Impact Assessment prepared by Xavier Knight identifies that the proposal will result in flood impacts upstream due to the obstruction of the flow path.	A Flood Engineering Statement has been prepared by Xavier Knight (Attachment I to the RFI Response Letter) which confirms that The proposed mitigation measures adopted as part of the development including on-site flood storage and stormwater upgrades, as well as broader stormwater upgrades along The Appian Way undertaken by Council, allow for the appropriate mitigation of general flood impacts and the removal of the drainage easements.
3.03	A CCTV of the stormwater pipe traversing the easement/site is required to establish and confirm all connections discharging to this drainage system prior to decommissioning. Any connections from sources outside of the development site will need to be maintained and connected to the downstream drainage system.	As detailed in the Civil Engineering Statement prepared by Robert Bird Group (Attachment H to the RFI Response Letter), it is intended for CCTV or stormwater mapping of existing pits and pipes inside the site to be conducted to assess the existing easement. Once provided, RBG will provide advice if decommissioning and diversion will be the best practice to apply. It is requested that a condition of consent is included that requires CCTV of the stormwater pipe traversing the easement/site prior to the issue of the first construction certificate to establish and confirm all connections discharging to this drainage system prior to decommissioning. Following investigation, the proponent is required to ensure appropriate mitigating measures are in place prior to works commencing.

Item	Item raised	Proponent response
4	Build-to-rent housing	
4.00	As discussed during the Sydney South Planning Panel (SSPP) briefing meeting held on 16 December 2024, inconsistent information has been provided regarding the proposed residential component of the development. The submitted plans and technical reports refer to the residential apartments as build to rent (BTR) housing. However, the submitted Statement of Environmental Effects (SEE) prepared by Ethos Urban, does not identify the provisions set out in Chapter 3, Part 4, of the State Environmental Planning Policy (Housing) 2021 (the Housing SEPP) as the relevant assessment framework relied upon for the carrying out of the residential component of the development. Further clarification was sought by SSPP during the meeting regarding the application of the BTR provisions to the proposal. Based on the proponent's response during the meeting, we understand that the application does not rely upon the provisions set out in Chapter 3, Part 4, of the Housing SEPP. For this reason, it was agreed by the Panel that the development shall be considered as shop top housing. Accordingly, an assessment of the development against Chapter 3, Part 4 of the Housing SEPP will not be undertaken on this basis and the DA shall be updated accordingly.	Noted. As set out in the Statement of Environmental Effects submitted with the DA, the application constitutes a shop top housing development.
5	Land use	
5.01	The SEE identifies that a range of non-residential uses are proposed including a hotel, child care facility, shops, medical centre, gym, food and drink premises and cafes. However, the following details of the non-residential uses have not been provided: number and location of food and drink premises, cafes and shops as well as associated operational details such as seating capacity and staffing arrangements;	A summary of the number and location of all different retail premises, as well as medical centre suites is detailed in the Tenancy Summary prepared by Retail Strategy Group included at Attachment J to the RFI Response Letter.
5.02	hotel operational details, including operating hours, staffing arrangements as well as the management and use of function spaces including the ballroom and rooftop bar. A detailed Plan of Management associated with the proposed hotel, including the events to be held in the function spaces has also not been provided; and	A Hotel Plan of Management has been prepared by Tourism and Hospitality Services Australia which sets out operational details relating to the hotel including operating hours, staffing arrangements, the management and use of function spaces including the ballroom and rooftop bar, and events to be held in the function spaces (refer to Attachment K to the RFI Response Letter).
5.03	operational and access details associated with the child care facility on Level 5. Whilst it is acknowledged that the application does not seek consent for the use and fitout of this component, further information is required to ensure that adequate access and car parking is provided to accommodate	While the proposed DA does not seek consent for the detailed fit out and use of the childcare, with this to be sought as part of a separate future fit out and use DA, further information regarding the childcare operation has been provided in the Childcare Plan of Management included at Attachment L to the RFI Response Letter. This Childcare Plan of Management

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	the future use in accordance with the <i>Child Care Planning Guideline</i> referred to in Section 3.23 of State Environmental Planning Policy (Transport and Infrastructure) 2021 (see further comments in Item 16).	(sections 6 and 7) sets out details regarding childcare parking and access arrangements for the childcare to ensure safe and appropriate access and parking is provided for the childcare use. It is also noted that the updated Architectural Drawings prepared by PTW included at Attachment B to the RFI Response Letter identify the location of childcare car parking spaces on the level 3 floor plan. The car parking spaces are appropriately located near the lift core to allow for safe and convenient access and includes 25 parking spaces consistent with the minimum parking rates in Council's DCP which require one space per four children, and which apply instead of the Childcare Planning Guidelines parking rates, subject to section 3.27(1)(d)(ii) of State Environmental Planning Policy (Transport and Infrastructure) 2021.
	To enable a proper assessment of the proposal and associated impacts, further details of the land uses are required as detailed in Items 14, 15, 16 and 18 below.	Noted. Refer to below responses to each of those RFI items.
5.04	Future uses/conversion of car parking The application has been assessed by Council's Urban Design Officer and recommends that indoor recreational facilities for residents are considered for the future conversions of the car parking areas. Any required changes that may be required to allow for the conversion should be taken into consideration and demonstrated on updated plans.	Refer to Table 1 above for a detailed response on this matter.
6	Design Verification	
6.00	A design statement specifically addressing each of the design principles for residential apartment development and the objectives in Parts 3 and 4 of the Apartment Design Guide (ADG) has not been provided. This is required to be submitted pursuant to Section 29 of the <i>Environmental Planning and Assessment Regulation 2021</i> .	A Design Statement is provided in Section 2 of the Updated Design Report (Attachment C to the RFI Response Letter) confirming that the proposal has addressed each of the design principles for residential apartment development and the objectives in Parts 3 and 4 of the ADG. The design principles for residential apartment development and the objectives of Parts 3 and 4 of the ADG are addressed in Section 9 and 10 of the Updated Design Report prepared by PTW included at Attachment C to the RFI Response Letter.
7	Height of building	
7.00	The existing ground levels along North Terrace and associated maximum height plane do not appear to be shown correctly on the submitted Architectural Plans prepared by PTW Architects. There is an abrupt change in existing surface levels (of approximately 4.5 metres) along the North Terrace which may impact the proposed building height calculations of the building at this point of the site in accordance with the building height definition contained in the Dictionary to the Canterbury Bankstown Local Environmental Plan 2023. This may also result in a breach of the maximum height of building development standard applying to the site. Updated height calculations and maximum Height Plane are required to address this.	The ground levels have been added throughout the elevations included in the Updated Architectural Drawings prepared by PTW (Attachment B to the RFI Response Letter). The updated elevations demonstrate that the proposal reaches a maximum height of RL 107.95m with the minor exceedance only comprising non-habitable elements including rooftop plant, lift overrun, lift lobby and the parapet, ranging from 0.12m (0.1% variation) to 2.85m (3.4% variation) to the building height of 83m that applies subject to the applicable Canterbury-Bankstown LEP 2023. The maximum height achieved does not exceed the maximum height of RL 108m envisaged for the site in Council's Bankstown City Centre Master Plan and is also supported by the Aviation Assessment included at Appendix AA to the SEE

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		lodged with the DA. A detailed justification is provided in the Clause 4.6 Variation Request prepared by Ethos Urban in relation to the maximum building height development standard included at Attachment M to the RFI Response Letter.
8	Floor space ratio	
8.00	The set of Architectural Plans prepared by PTW Architects require updating to include the gross floor area (GFA) calculations for the basement levels, ground level and Levels 1 to 15 to enable a proper assessment of the GFA and determine the proposed floor space ratio (FSR) of the development.	The Updated Architectural Drawings prepared by PTW include the GFA calculations for all levels. Refer to Attachment B to the RFI Response Letter.
9	Building separation and setbacks	
9.01	The proposed building separation distance between Building A and the residential flat building adjoining the site to the north (3-7 Fetherstone Street) which ranges between 8 and 16 metres is inconsistent with the Design Criteria and Guidance associated with 2F and 3F of the ADG and is therefore insufficient.	As detailed in the RFI Design Response Pack included in Section 14 of the Updated Design Report (Attachment C to the RFI Response Letter), the proposal includes 16.2m separation from 3-7 Fetherstone Street, which is slightly less than the ADG requirement of 18m. Notwithstanding this, the proposal achieves adequate visual privacy through the inclusion of landscape screening at this interface with 3-7 Fetherstone Street, as well as the inclusion of colour backed glass on the façade at this interface, which prevents any onlooking or visual privacy issues. Further detail in this regard is provided in the RFI Design Response Pack included in Section 14 of the Updated Design Report (Attachment C to the RFI Response Letter) and in the Updated Architectural Drawings, in drawing number DA-D110040 (Attachment B to the RFI Response Letter).
9.02	Due to the nature and use of the proposed internal and external hotel function space located on level 5, the proposed building separation does not maintain the visual and acoustic privacy of the neighbouring residential apartments. This is of particular concern given that the submitted Noise Impact Assessment prepared by E-Lab Consulting does not include an assessment of the hotel function spaces. Further consideration of the separation distances, including treatment of this interface is required in these circumstances. Further comments regarding the interface treatment and the submitted Noise Impact Assessment are provided in Item 12 and Item 18, respectively.	As detailed above, the proposed development achieves adequate visual privacy. With respect to acoustic privacy, the Updated Noise and Vibration Impact Assessment prepared by E-LAB included at Attachment N to the RFI Response Letter considers the noise associated with the hotel function space on levels 4 and 5 at Section 5.10 of the report. In summary, E-LAB has found that the predicted noise levels from the hotel function areas are capable of complying with the project noise emission requirements.
9.03	Furthermore, additional information is required to address the potential impacts of the proposed setbacks of the Building C, including the podium levels, to the future development potential of 62 The Mall in line with the anticipated building envelopes set out in the Transit Oriented Development (TOD) controls for Bankstown pursuant to Chapter 5 of the Housing SEPP and the updated CBDCP 2023 (refer to Chapter 6.2), noting that the setbacks along the eastern extent of the northern site boundary range between 1.4 metres and 4.4 metres.	Refer to the response provided to these matters in Table 1 above.

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9.04	The potential development of 62 The Mall adjoining the proposed development may result in a wall adjacent to a narrow (1.5 metre wide) passageway and to window openings as identified in Appendix C of the Architectural Design Report prepared by PTW Architects. As such, it is recommended that the interface with 62 The Mall is reconsidered to allow for future development scenarios on the northern adjoining site.	
10	Building presentation and aesthetics	
10.00	The application has been assessed by Council's Urban Design Officer and the following matters are raised: - While the podium facades along North Terrace and the Appian way are thoughtfully designed, the residential towers lack the same level of refinement, appearing excessively glazed and uniform in design. The following design solutions are recommended to enhance its aesthetic appearance: - increase the ratio of solid elements to windows to reduce the visual dominance of glazing; - consider alternatives to glass balustrades to enhance privacy; - introduce subtle variations in the design treatment of the two towers to avoid monotony (see further comments in Item 10 below); and - Expand the use of brickwork across additional façade elements to establish a stronger connection between the towers and the podium.	Refer to response to item 11 in Table 1 above.
	As previously raised by Council's Design Review Panel prior to lodgement, the proposed awnings should be low and continuous to ensure adequate weather protection. The proposed design incorporates multiple breaks in the awnings along North Terrace and Appian Way, and there is no awning proposed on Featherstone Street. Updated plans addressing this matter shall be provided.	Refer to the response to item 11 above in Table 1 .
11	Tower Form	
11.00	The application has been assessed by Council Urban Design Officer and the following matters are raised: Whilst it is acknowledged that the development exhibits a fine grain relationship to the surrounding streets and public spaces, this approach is not consistently applied across the two residential towers (Building B and Building C), particularly along their long edges. Accordingly, it is recommended that the indentation provided at the lower levels be carried up	Refer to the response to item 11 above in Table 1 .

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	through the towers and that the use of bricks is extended across other façade elements to ensure cohesive integration throughout the building design. Opportunity to achieve greater variation in height between the proposed residential towers shall be explored to further create an interesting skyline and maximise views to Paul Keating Park from the southern tower (Building B).	The proposed development including the massing, tower height and positioning has been the subject of a comprehensive concept design process by the project team in accordance with Council's relevant building height, FSR, setback controls, other applicable Canterbury-Bankstown DCP 2023 controls, ADG provisions, and a design review process. This has resulted in the proposed configuration of the towers on the site which has been supported by the DRP, and which achieves appropriate amenity outcomes for the site and surrounding sites. Notably, the proposed building height of Buildings B and C aligns with the intent of Council's Bankstown City Centre Master Plan and with the height set for the adjoining developments to the east of the site within the Town Centre Precinct of Bankstown Central. There are also no additional overshadowing impacts caused by the upper elements of this northern tower. A detailed justification of the proposed building height is provided in the Clause 4.6 Variation Request prepared by Ethos Urban included at Attachment M to the RFI Response Letter. It is also noted that the applicable Canterbury-Bankstown DCP 2023 includes a figure relating to the site that envisages taller residential towers at the north of the site. This is shown in Figure 3 of the RFI Response Letter prepared by Ethos Urban.
12	Fetherstone Street activation	
12.00	Council's Urban Design Officer has raised the following concerns regarding the treatment of Fetherstone Street: - The proposal includes two sets of driveways along Fetherstone Street to serve five levels of car parking, as well as separate access to the loading zone. This could generate considerable traffic and dominate the interface with driveways, particularly if the adjoining northern site get redeveloped. This approach does not align with the intended vision of Fetherstone Street under Council's Complete Streets Program' as a shared zone, with the southern portion being pedestrian only. - It is recommended to explore ways to minimize driveway access along this edge, as well as considering potential future access connections with 62 The Mall, immediately adjoining the site to the north, in the context of its potential redevelopment envisaged in Chapter 6.2 of the Canterbury Bankstown Development Control Plan 2023 (CBDCP). The above comments shall be considered in conjunction with the site access comments provided by Council's Traffic Engineer detailed in Item's 19 and 20 below).	Refer to the response to this item provided in Table 1 above.
13	Communal open space	

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13.01	Assessment of the proposed Level 2 communal open space by Council's Landscape Architect and Urban Design Officer raises the following matters regarding useability and access, and requires further consideration: provision of accessible and visible entrance and exit points to ensure that the space can serve as a functional outdoor activity space. The design provides for dispersed and disconnected communal open spaces, some of which require access via car parking and vehicle manoeuvring areas which compromises safety and convenience (see further comments regarding permeability in Item 13 below);	Refer to the response to this item in Table 1 above.
13.02	incorporation of an easily accessible, flat area designated as a play space for children (including play equipment), to provide diverse recreational opportunities, supporting families with children; and	Refer to the response to this item in Table 1 above.
13.03	incorporation of more active recreational opportunities for residents such as tennis courts or swimming pools.	Refer to the response to this item in Table 1 above.
13.04	Further information shall also be provided to properly assess and determine the potential impacts of the future development at 62 The Mall, as anticipated in the Canterbury Bankstown Development Control Plan 2023 (CBDPC), on the amount of level direct sunlight provided to the Level 2 communal open space. In accordance with the Design Criteria associated with Objective 3D-1, developments are required to achieve a minimum of 50% direct sunlight to the principal useable part of a communal open space area for a minimum of 2 hours.	As detailed in the RFI Design Response Pack prepared by PTW, included in Section 14 of the Updated Design Report (Attachment C to the RFI Response Letter), the proposal does not impact the principal communal open spaces on the rooftops of residential buildings B and C which achieve 100% direct sunlight for a minimum of 2 hours between 9am and 3pm on 21 June. This is detailed further in the ADG Compliance Table included in Section 10 of the Updated Design Report at Attachment C to the RFI Response Letter. As shown in the shadow diagram included in drawing number DA-Q110051 of the Updated Architectural Drawings (Attachment B to the RFI Response Letter) and detailed in the RFI Design Response Pack prepared by PTW, included in Section 14 of the Updated Design Report (Attachment C to the RFI Response Letter), the shadows cast from the potential future development at 62 The Mall have been added. This indicates that the level 2 communal open space will receive direct sunlight in the afternoon, at the north-western end of the site. This level 2 communal open space is targeted to provide a diversity of spaces, including shade tolerant planting, an area for relaxation and socialisation, and a pergola over a barbecue area, as illustrated in the Updated Landscape Design Report at Attachment E to the RFI Response Letter.
14	Deep soil zones and landscaping	
14.01	<u>Deep soil</u> The application proposes deep soil areas which equate to 1.6% of the site area which does not satisfy the Design Criteria associated with Objective 3E-I of the ADG which specifies a 7% deep soil requirement. Opportunities to further maximise deep soil areas across the site requires consideration, particularly	Refer to detailed response to this item in Table 1 above.

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	within communal open space areas, to enhance shade and amenity for residents. Previous advice provided by the Council's Design Review Panel raised the potential removal of car parking spaces to accommodate this.	
14.02	Furthermore, dimensions of the proposed deep soil zones shall be confirmed and specified on the sections included in the set of Landscape Plans prepared by Site Image Landscape Architects.	The dimensions of the proposed deep soil zones are shown on the updated landscape sections included in the Updated Landscape Plans prepared by Site Image (Attachment D to the RFI Response Letter), particularly drawing numbers 6001, 6002 and 6005.
14.03	<u>Landscaping</u> The application has been assessed by Council's Landscape Architect and Urban Design Officer the following matters have been raised: • Tree species for shaded areas should be carefully reconsidered. The current design places many green spaces in shaded locations, which may hinder stable plant growth and increase the risk of failure. Revise the landscape design with a selection of plant species suitable for shaded conditions. • The proposal has nominated one Lophostemon confertus tree to mark the pedestrian thoroughfare entry point from North Terrace. Considering the visual prominence of this location, an alternative species with more distinguished aesthetic features is recommended such as Cercis siliquastrum or Hakea laurina.	As detailed in the Landscape Statement prepared by Site Image (Attachment Q to the RFI Response Letter), proposed plants are considered appropriate and small to medium trees are utilised for planting on structure. Additionally, care has been taken to avoid planting larger trees under building canopies, using smaller trees where possible and removing proposed trees where clashes are deemed unavoidable. Further, Site Image has advised that the proposed Lophostemon confertus is considered appropriate and meets the requirements of the design brief for the development (refer to Attachment Q to the RFI Response Letter).
14.04	• Trees located beneath roofed areas require careful consideration of height constraints. The selection of shade-tolerant tree species shall accommodate such conditions.	Refer to response to item 14.02 above. Site Image has also advised in the Landscape Statement that care has been taken to avoid large tree planting under building canopies (refer to Attachment Q to the RFI Response Letter).
14.05	• Insufficient detail is provided on the submitted landscape plans to enable a proper assessment of the proposed landscaping as follows: - Generic information on the surface finishes of the landscape materials has been provided. As such, a detailed material palettes with descriptions and images to define the desired character of landscape components is required.	As detailed in the Landscape Statement at Attachment Q to the RFI Response Letter, a material palette has been included on page 27 of the Updated Landscape Design Report (Attachment E to the RFI Response Letter) identifying the surface finishes of the landscape materials.
14.06	- the soil depth for on-podium and rooftop planter beds. The depth and volume of the soil should meet the following requirements (excluding allowances for mulch, drainage layers, etc.): Large trees such as figs (up to 16m in diameter): - Minimum soil volume 150 cubic metres - Minimum soil depth 1.3m - Minimum soil area 10m x 10m area or equivalent. Medium trees (8m canopy diameter at maturity): - Minimum soil volume 35 cubic metres	The Updated Landscape Plans (Attachment D to the RFI Response Letter) include standard details for planting on structure within drawing number 5002, and also includes example sections cutting through planting on structure within drawing numbers 6002 - 6004. As noted in the Landscape Statement at Attachment Q to the RFI Response Letter, mounding of soil for trees can be utilised in order to achieve soil depths where necessary. It also notes that any allowances for set downs in the slab and soil depth plans will be provided when the structural design is confirmed.

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	- Minimum soil depth 1m - Approximate soil area 6m x 6m or equivalent. Small trees (4m canopy diameter at maturity): - Minimum soil volume 9 cubic metres - Minimum soil depth 800mm - Approximate soil area 3.5m x 3.5m or equivalent Shrubs: minimum soil depths 500-600 mm - Ground cover: minimum soil depths 300-450mm - Turf: minimum soil depth 100-300 mm	
14.07	• The proposal shows seating along the high planters with trees. Standard details demonstrating how the seating interacts with planter walls should be provided. Additionally, the section on Drawing 6001 (or page 29) of the Landscape Plans shows seating backrests installed on slanted planter walls, which does not align with the typical landscape details provided.	Details of seating furniture including options with and without a backrest is included in drawing number 5002 of the Updated Landscape Plans at Attachment D to the RFI Response Letter. This has also been coordinated with what is shown on drawing number 6001 of the Updated Landscape Plans at Attachment D to the RFI Response Letter.
14.08	• Details of the pergola, barbecue, bollards, fences and other furniture & fixtures. DDA compliance should be achieved for all furniture. A Landscape Maintenance Schedule (for a period of 12 months) is also required along with amended landscape plans incorporating the above details. The Maintenance Schedule is to include a replacement strategy for failures in plant materials and built works and a schedule for watering, weeding and fertilizing during the establishment period.	Details of these components are shown in the Updated Landscape Plans prepared by Site Image in drawing number 5003 (Attachment D to the RFI Response Letter).
15	Dual key apartments	
15.00	The Level 5 Plan included in the set of Architectural Plans indicates that a dual key apartment is proposed within Building B and Building C, which have not been taken into account in the proposed development description, including the combined number of apartments and bedrooms within the development. Further clarification is required.	The updated design includes amendments to the level 5 design which involves the removal of the dual key apartment on this level. This is detailed in the Updated Architectural Drawings included at Attachment B to the RFI Response Letter.
16	Apartment mix	
16.00	Greater variety in dwelling types and sizes is recommended to address Bankstown's multi-cultural and intergenerational needs. Only 6% of the units are three-bedroom apartments, which should be increased to a minimum of 10%, ideally 15%, in line with the DRP advice. Dual-key apartments, combining one-bedroom units with studios, do not cater to families.	Refer to the detailed response to this item in Table 1 above.

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17	Internal amenity	
17.01	Amended material and/or additional information is required to address the matters outlined below: <u>Access and permeability</u> The Design Review Panel previously highlighted safety concerns relating to poor visibility and obscured sightlines when moving through the development. Further consideration of the podium layout shall be provided to improve access and facilitate intuitive, legible circulation between all these spaces, including vertically from other levels. For example, lobby C1 and the internal residential communal area should be directly connected to the communal open space on level 2 through a clearly legible pedestrian path with the same landscape treatment. The same applies to other areas of the development, such as the gym or any terrace connected via an escalator.	Minor alterations have been made to the podium design to improve access, visibility and sightlines when moving through the development, as illustrated on the Level 1, 2, 3 and 4 Floor Plans included as part of the Updated Architectural Drawings prepared by PTW (Attachment B to the RFI Response Letter). This includes the following: • A pedestrian connection has been provided from Lobby C1 to allow direct access through to the internal residential communal area. • A pedestrian connection has been provided from the gym through to the remaining podium area. • Conversion of the north eastern communal space with residential apartments (with communal space relocated to the upper podium) and inclusion of additional landscaping along the western edge of the apartments. • Rationalisation of the car parking area to improve access, visibility and sightlines on level 2.
17.02	<u>Acoustic privacy</u> In accordance with the Design Guidance associated with Objective 30-3 of the ADG, communal open space areas are to be designed to maintain visual privacy to residential apartments. The interface / boundary shared between the private open space areas and communal open space located on Level 5 requires further consideration, and treatment, to minimise visual and acoustic privacy impacts to Units B-505 and studio in Building B and Unit C-502 and Unit C-503 in Building C. Furthermore, the submitted floor plans demonstrate that a bedroom within each of these apartments adjoins the communal area which is not an ideal design outcome in terms of acoustic privacy and is inconsistent with the design guidance associated with Objective 4H-1 of the ADG. Due to the location of the railway corridor immediately to the south, details of the proposed noise mitigation measures to deal with noise generated by the corridor shall also be provided.	The updated design includes amendments to the level 5 design which involves reconfiguration of the apartments on level 5, as illustrated in the Updated Architectural Drawings included at Attachment B to the RFI Response Letter. This updated configuration of the level 5 design has also been considered in the Updated Noise and Vibration Impact Assessment prepared by E-LAB which finds that cumulative noise from the communal outdoor areas are capable of complying with the project noise emission requirements. It is noted that the assessment undertaken by E-LAB has considered the railway corridor to the south of the site as detailed in Sections 4.3, 5.2 and 5.3 of the Noise and Vibration Impact Assessment, and concludes that the proposed development is capable of complying with the relevant noise emission requirements.
17.03	<u>Solar access</u> Further detail is required to verify the solar access calculations and compliance identified in the submitted Architectural Plans as follows: • the Sun Eye View Diagrams are required to be updated to identify, by way of marking or shading, the apartments which receive solar access and at hourly intervals between 9am and 3pm (i.e., additional diagrams for solar access achieved at 10am, 11am, 1pm and 2pm); and	The sun eye view diagrams and solar access diagrams have been updated in the Updated Architectural Drawings at Attachment B to the RFI Response Letter to clearly indicate the amount of solar access achieved by each apartment (refer specifically to drawing number DA-Q110060). This confirms that 78% of apartments achieve more than 2 hours solar access, and only 6% of apartments receive no sun, in accordance with the ADG requirements.

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	the solar access diagrams provided on Drawing DA-Q110060 shall clearly distinguish those residential apartments which receive less than 2 hours and those which receive more than 2 hours of direct sunlight. Notwithstanding the above, the solar assessment included in the set of Architectural Plans demonstrates that solar access to the residential apartments facing The Appian Way along the eastern elevation of Building Band Building C is limited (i.e., less than 70% achieve 2 hours). Further consideration of the floor plate layout and configuration of residential apartments as well as the lift core may provide opportunity to maximise the proportion of apartments which receive at least 2 hours of direct sunlight.	
17.04	<u>Natural ventilation</u> Concern is raised regarding the cross ventilation demonstrated for Unit No.'s 507, 508 608, 609, 708, 709, 808 and 809 in Building B and Unit No.'s 501, 601, 701, 801 in Building C. Further information shall be provided to demonstrate that natural ventilation can be achieved in these units in accordance with the Design Criteria and Design Guidance provided for Objective 4B-1 and Objective 4B-3.	Units 501, 507 and 508 have been removed from the design as a result of the changes made to the level 5 design. Updated Cross Ventilation Diagrams are provided in the Updated Architectural Drawings (Attachment B to the RFI Response Letter) which confirms that 62% of apartments achieve natural ventilation on the first nine storeys and also provide further detail on cross ventilation compliance.
17.05	<u>Ceiling heights</u> The proposed ceiling (or floor to floor) heights of the residential floors of Building B and C are less than 3.2 metres which is inconsistent with Section 4.2 in Chapter 6.2 of the CBDPC and considered insufficient for the purpose of accommodating the services required to facilitate the development.	Refer to response to this item in Table 1 above.
17.06	<u>Apartment and room sizes</u> Assessment of the floor plans demonstrate that the: - depth of some residential apartments may exceed 8 metres which is inconsistent with the Design Criteria associated with Objective 4D-2 of the ADG (for example, Unit B-505, B-607, B707, C-503, C-506, C-602 and C-604); - master bedrooms within the south facing 2-bedroom units at each level within Building B (for example, Unit 2001, 2003, 2101, 2103, 2201, 2203) may be less than 10 square metres in area and include minimum dimensions less than 3 metres, which is inconsistent with the Design Criteria associated with Objective 4D-3 of the ADG; - living areas of certain 1-bedroom and 2-bedroom apartments (for example within Building B may have minimum dimensions less than 3.6 metres and 3-bedroom apartments within Building C (for example Unit 607, 707, 707 etc.) have minimum dimensions less than 4 metres which is inconsistent with the Design Criteria associated with Objective 4D-3 of the ADG; and	PTW has prepared an updated ADG Compliance Table which confirms that the proposal complies with all these requirements (refer to Section 10 of the Updated Design Report included at Attachment C to the RFI Response Letter). This is also reflected in the Typical Unit Plans included within the Updated Architectural Drawings at Attachment B to the RFI Response Letter, whereby dimensions have been added to these plans. The dual key apartments have also been removed from the development as part of the amendments to the level 5 design. This is illustrated in the Updated Architectural Drawings at Attachment B to the RFI Response Letter.

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	The I-bedroom unit within the "dual key" apartments located on Level 5 is less than 50m2 which is inconsistent with the Design Criteria associated with objective 4D-1 of the ADG. All apartment/room dimensions and areas shall be provided on the architectural plans to verify compliance with these provisions.	
17.07	<u>Private open space balconies</u> The size and location of the balconies for Unit B506 and B507 require confirmation along with the size of the balcony for the northwestern unit within Building C (for example, Unit C609, C709, C1909 etc.). Assessment of the floor plans for these units demonstrate that the balcony area with a minimum dimension of at least 2 metres is less than 10 square metres which is inconsistent with the Design Criteria associated with Objective 4E-1.	It is noted that apartments B506 and B507 have been removed as part of the amendments to the level 5 design, as illustrated in the Updated Architectural Drawings prepared by PTW at Attachment B to the RFI Response Letter. The Typical Unit Plans (drawing numbers B1TYP12 and B1TYP13) included in the Updated Architectural Drawings show the dimensions of the units and clarify compliance with the private open space area requirements (refer to Attachment B to the RFI Response Letter). An updated ADG Compliance Table is also provided in Section 10 of the Updated Design Report prepared by PTW included at Attachment C to the RFI Response Letter.
17.08	Interface treatment between adjoining private open space balconies are unclear on the submitted plans. Concern is raised regarding the potential privacy impacts associated with the location of private open space areas as well as the placement of living rooms windows which overlook adjoining private open space areas. For example: - the north facing living room window overlooks the private open space area of Unit B506; - details of the boundary treatment between the balconies of Unit B507 and B508 are not specified. It appears that these units share a balcony; - details of the interface treatment between the balcony of Unit B508 and the external lobby of Building B are not specified; and - details of the interface treatment between the balcony of Unit C501 and the external lobby of Building C are not specified.	The amendments to the level 5 design involves removal of all the apartments referenced in this RFI item and therefore resolves this matter. Further detail is provided in the Updated Architectural Drawings included at Attachment B to the RFI Response Letter.
17.09	<u>Storage</u> The internal storage identified on the ADG Compliance Schedule (Drawing DA-Q110010) appear to be inconsistent with the internal storage shown on the respective floor plans. For example, the storage areas identified on the floor plans appear to be less than that identified in the schedule for Units B503, B504, B505, B506, B602, B603, B604, B605, B606. As such, the total area for each storage compartment/cupboard shall with specified on the floor plans. Furthermore, the storage not located in apartments shall be allocated and clearly labelled to enable a proper assessment against the storage volume requirements set out in the Design Criteria associated with Objective 4G-1 of the ADG.	In addition to an updated storage schedule, the typical unit plans included at drawing numbers DA-B1TYP10, DA-B1TYP10, DA-B1TYP11, DA-B1TYP12 and DA-B1TYP13 identify the internal storage area for each unit on the plans (refer to the Updated Architectural Drawings included at Attachment B to the RFI Response Letter). The storage schedule has been updated in the Updated Architectural Drawings included at Attachment B to the RFI Response Letter to clearly identify the total external storage provided. The basement storage areas are labelled with 'ST' on each of the storage locations within the basement level 1 and basement level 2 floor plans to clearly indicate the basement storage locations in the Updated Architectural Drawings at Attachment B to the RFI Response Letter.

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18	Amenity impacts to adjoining development	
18.01	<u>Overshadowing</u> Further detail is required to enable a proper assessment of the potential overshadowing impacts to adjoining sites, including future development in accordance with current planning controls. Specifically, the submitted shadow diagrams do not incorporate the future development of the Bankstown Central site, to the east, as anticipated by the TOD controls for Bankstown pursuant to Chapter 5 of the Housing SEPP and the updated CBDCP 2023.	The Updated Architectural Drawings prepared by PTW (Attachment B to the RFI Response Letter) include an overshadowing analysis considering the shadows cast by the proposal and by the neighbouring future Bankstown Central development if it were to be developed in accordance with its new controls following the Bankstown TOD rezoning. This overshadowing analysis highlights that the proposed development and the neighbouring future development in the Town Centre Precinct of the Bankstown Central site will cause minimal overshadowing to each other. This includes minor shadows cast to the proposal before 11am and minor shadows cast to Bankstown Central in the afternoon.
18.02	The application demonstrates that the development will generate overshadowing impacts to the Bankstown Central site between 12pm and 3pm during the mid-winter solstice. Further assessment/modelling is required to assess and determine the solar access impacts to the future western towers fronting The Appian Way within the Town Centre Precinct of the Bankstown Central redevelopment site.	Further detail in this regard is provided in the Shadow Diagram at drawing number DA-Q110051 within the Updated Architectural Drawings at Attachment B to the RFI Response Letter.
18.03	Similarly, future planned development located at the Bankstown Central site, as well as 62 The Mall, in accordance with the updated CBDCP 2023, shall be incorporated into an updated assessment to demonstrate potential overshadowing impacts of future adjoining development on the residential apartments and communal open space areas of this proposal.	As detailed in the RFI Design Response Pack included in Section 14 of the Updated Design Report (Attachment C to the RFI Response Letter), when considering the overshadowing caused by a potential future development at Bankstown Central and 62 The Mall, in accordance with the updated Canterbury-Bankstown DCP 2023, 64% of apartments in the proposal receive more than two hours solar access, with only 6% receiving no sun. It is noted that the proposal has been carefully designed to maximise solar access to apartments through: • primary orienting the building to face east and west to maximise solar access for the apartments. • the living room and other habitable rooms are located behind the external wall where possible to optimise solar access • the larger units have been designed as corner apartments with dual aspects, maximising solar access and improving amenity for a greater number of residents. This is detailed further in Section 2.2 of the RFI Response Letter.
18.04	<u>Noise and privacy</u> Further detail, including additional sections and external elevations, demonstrating the interface treatment between the site and adjoining development is required to enable a proper assessment of the potential impacts of the development in terms of noise and privacy, as follows: • Additional sections illustrating: - the apartment building at 3-7 Fetherstone Street, the proposed Level 2 communal open space and 62 the Mall, including setback distances, from	As detailed in the RFI Design Response Pack included in Section 14 of the Updated Design Report (Attachment C to the RFI Response Letter), the proposal includes 16.2m separation from 3-7 Fetherstone Street, which is slightly less than the ADG requirement of 18m. This is also illustrated on the sections included in the Updated Architectural Drawings at Attachment B to the RFI Response Letter. Notwithstanding this, the proposal achieves adequate visual privacy through the inclusion of landscape screening at this interface with 3-7 Fetherstone Street, as well as the inclusion of colour backed glass on the façade at this interface, which prevents any onlooking or visual privacy issues. Further detail in this regard is provided in the RFI Design Response Pack included in Section 14 of the Updated Design Report (Attachment

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	both the site boundary and trafficable areas to the adjoining developments, as well as landscape detail within and along the edge of the communal open space area; - Level 5 of the hotel building and 3-7 Fetherstone Street including setback distances from the site boundary and trafficable areas of the external terrace to the proposed ballroom; - the eastern and southern 'Urban Forest' on Level 2 and 3-7 Fetherstone Street; and - the landscaping adjacent to the Former Library Building at 62 The Mall, including setback distances and further landscape details such as the location and height of the wall/barrier proposed along the boundary.	C to the RFI Response Letter) and in the Updated Architectural Drawings, in drawing number DA-D110040 (Attachment B to the RFI Response Letter). Drawing number DA-D110030 has also been amended to reference the acoustic measures adopted in different locations. With respect to acoustic privacy, the Updated Noise and Vibration Impact Assessment prepared by E-LAB included at Attachment N to the RFI Response Letter considers the noise associated with the level 2 communal open space, the hotel function room, the eastern and southern 'urban forest' on level 2, and the landscaping adjacent to the former library building. In summary, E-LAB has found that the predicted noise levels from the communal open space and function areas are capable of complying with the project noise emission requirements.
18.05	• Additional external elevations which clearly identify the interface treatment and external wall face for the following individual levels and sections of the site boundaries: - Ground level elevation of the western boundary adjacent to the former Library building at 62 The Mall; - Level 2 elevations (Urban Forest) of the three (3) site boundaries shared with 3-7 Fetherstone Street; and - Level 5 elevation (Hotel function space) along the site boundary shared with 3-7 Fetherstone Street; • Additional site/floor plans including setback distances between Level 2 communal open space area and the openings of the adjoining residential units at 3-7 Fetherstone Street.	The Updated Architectural Drawings included at Attachment B to the RFI Response Letter include additional elevations illustrating these components of the proposed development. In summary: • Drawing number DA-C160011 has been added which shows the western elevation of Buildings B and C where they interface with the former library building. This drawing also shows the elements that will interface with the existing development at 3-7 Fetherstone Street at level 2. • Drawing number DA-C150011 shows the eastern elevation of Compass Way, identifying the treatment at the interface between the existing development at 3-7 Fetherstone Street and the hotel building at level 5, as well as the elements that interface at level 2. • Drawing number DA-C160012 shows the interface of the level 2 communal open space with 3-7 Fetherstone Street. Additional sections have also been added to the Updated Architectural Drawings which identify the separation distances between the level 2 communal open space area and the openings of the adjoining residential units at 3-7 Fetherstone Street. Section 3 (DA-D110030) shows the landscaped screening that will provide visual privacy in this location.
18.06	In addition, elevations for each individual building and the podium level has not been provided. For example, the western elevations of Building B and Building C as well as elevations of the podium level along each site boundary shall be submitted, including all site boundaries adjacent to 3-7 Fetherstone street.	The Updated Architectural Drawings included at Attachment B to the RFI Response Letter include additional elevations (refer specifically to drawing numbers DA-C160011 and DA-C150011) illustrating these components of the proposed development.
19	Future development of adjoining sites	
19.00	It is acknowledged that the Architectural Design Report prepared by PTW and Urban Design Report prepared by Hatch identify the future envelopes anticipated for the Bankstown Central site (1 and 1A North Terrace) adjoining the site to the west, however the potential envelopes envisaged for 62 The Mall, immediately adjoining the site to the north, are not included.	The Urban Design Analysis prepared by Hatch (Attachment F to the RFI Response Letter) considers the anticipated future development on 62 The Mall, highlighting that the ideal urban design outcome for the development block and for 62 The Mall involves the retention of Phil English Reserve as open space and the future development being on the former library

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	Further assessment of the potential planning implications of the future planned development associated with these sites is required to properly assess and determine the potential impacts of future development of adjoining sites in line with the anticipated envelopes identified in Chapter 5 of the Housing SEPP and Chapter 6.2 of the updated CBDP 2023, and to demonstrate that the development is consistent with the desired future character of the Bankstown Urban Core. This will include further consideration of potential overshadowing impacts detailed earlier in Item 11 and 12.	site. Further detail in relation to this matter is provided in Section 2.1 of the RFI Response Letter. Consideration of the overshadowing impacts of the future development at Bankstown Central and 62 The Mall is contained within the Updated Architectural Drawings prepared by PTW included at Attachment B to the RFI Response Letter (refer specifically to drawing number DA-Q110051) and within the RFI Design Response Pack included in Section 14 of the Updated Design Report (Attachment C to the RFI Response Letter). Further detail in this regard is provided in Section 2.2 of the RFI Response Letter.
20	Traffic generation	
20.01	The application has been assessed by Council's Traffic Engineer and the following matters have been identified:	Refer to below responses.
	The surrounding road network is subject to future changes as part of Council's 'Complete Streets' layout. Fetherstone Street is to become a two-way shared zone with access provided via The Mall (due to the street section close to North Terrace being pedestrian only). Due to the location and configuration of the proposed site access driveways Featherstone Street, concern is raised regarding the potential traffic impacts associated with the significant increase in vehicle volumes within the shared zone, as well as impacts to pedestrian safety, particularly in a shared zone environment where pedestrians have priority over vehicles.	PTC has advised that the proposed development does not preclude the design principles for Fetherstone Street as presented within Complete Streets and it is the most viable and functional vehicular access point (refer to the Traffic and Transport Statement included at Attachment O to the RFI Response Letter). Further, there is an existing driveway access for 3-7 Fetherstone Street, therefore vehicles are currently entering / exiting at this point and it is therefore a well-established principle for users of the site as well passing traffic and pedestrians. Conversely, The Appian Way and North Terrace are busier pedestrian areas and will be further activated with the introduction of retail tenancies, the opening of the metro station, and wider enhancements as part of Complete Streets. Accordingly, as concluded by PTC, in Attachment O to the RFI Response Letter, the continued use of Fetherstone Street for vehicular access provides a logical vehicular access solution for the proposed development.
20.02	Further consideration of the potential traffic efficiency and pedestrian safety impacts of the proposed site access arrangements is required in these circumstances. Swept path analysis reflecting the street's future configuration should also be provided.	PTC has advised that while a future potential scenario is acknowledged, it is unreasonable for Council to require further technical work to be completed on a yet to be determined, agreed, or approved street design layout in sufficient detail to complete a swept path analysis. This response is provided in the Traffic and Transport Statement prepared by PTC included at Attachment O to the RFI Response Letter.
20.03	The traffic generation rate associated with the proposed medical suites is based on a first principles assessment as identified in the submitted Traffic Impact Assessment (TIA). However, the Guide to Traffic Generating Developments (TTR-002), Section 3.11.2, includes a mean traffic generation rate for morning and afternoon peak and it is recommended that this rate be adopted for the purpose of the traffic generation assessment.	The Traffic and Transport Statement prepared by PTC (Attachment O to the RFI Response Letter) sets out that while standalone medical centre trip rates could be used for assessment, this is likely to provide inaccurate levels of traffic generation as the proposed medical suites are part of a wider regeneration proposal within a town centre and the level and range of services offered between a 'centre' and 'suite' are different. In addition, PTC note that it is entirely reasonable to assume that those visiting the medical suites will also visit other town centre facilities and therefore a high proportion of linked trips is likely. On this basis PTC concludes that no further assessment is warranted.

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20.04	Table 3 of the submitted TIA identifies a trip generation rate for a public car park of 0.99 trips per space which is not specified in the Guide to Traffic Generating Developments. For this reason, further justification for this rate is required.	PTC has advised that on the basis of the mixed use nature of the proposal, it is not unreasonable to assume that each parking space would have an approximate turnover rate of once per hour. As such, the rate of 0.99 trips per parking space has been used. This trip rate provides a robust assessment given many users of the proposed development are likely to visit a number of uses within the site. Further detail in this regard is provided in the Traffic and Transport Statement prepared by PTC (Attachment O to the RFI Response Letter).
20.05	Table 4 of the TIA includes the existing retail traffic generation based on the existing GF A. However, currently (and for the past few years) the retail tenancies in the Compass Centre have not been fully occupied and operational, therefore the actual traffic generation is significantly less than stated in the report. The existing retail traffic generation shall be revised on this basis.	PTC has advised that while retail occupancy rates at the Compass Centre may have fluctuated over recent years, as per any other retail centre, it should be acknowledged that the lawful use of the Compass Centre is based on the approved floor space which has been constructed. On this basis, it is reasonable to assume that the potential traffic generation of the Compass Centre is based on the existing floor area, as per the assessment undertaken by PTC which is wholly appropriate and in line with industry best practice and experience. It should also be noted that future Bankstown metro services (every 4 minutes during peak hours) will have a significant impact on reducing car-based trips to and from the proposed development as well as the wider Bankstown area. However, for robustness this future modal shift towards public transport has not been accounted for within the submitted TIA. This response is detailed in the Traffic and Transport Statement prepared by PTC included at Attachment O to the RFI Response Letter.
20.06	- Further clarification of the following assumptions in Section 6.1.3 of the TIA is required: <i>"Childcare Centre - It is assumed that 70% of the children will arrive by car, while the remaining 30% are assumed to be generated within the same building and will not add any trips to the local road network."</i> <i>"Medical Suites - It is likely that the staff for the medical suite will arrive during the AM peak hour and depart during the PM peak hour, generally utilizing public transport. As a result, they are not expected to add any trips to the local road network. It is assumed that 70% of the patients will arrive by car, while the remaining 30% will be using other services in the building and therefore will not add further trips to the local road network, i.e. a shared use component".</i>	As detailed in the Traffic and Transport Statement prepared by PTC (Attachment O to the RFI Response Letter), the assumption with respect to the childcare centre is that the mixed use nature of the development would result in 30% of users being internal to the development from residents of the 336 dwellings. The 30% rate aligns with accepted practice for a large mixed use development. With regard to the medical suites, the TIA applied a rate of two vehicle movements per consulting room per hours which aligns with Section 3.11.2 of the Guide to Traffic Generating Developments, accounting for both staff and patient vehicle movements. In line with the integrated mixed use nature of the proposed development, it is anticipated that some patients may also be residents, hotel guests, or users of other services, with these internal shared use visits estimated at 30%. Further detail in this regard is provided in the Traffic and Transport Statement prepared by PTC (Attachment O to the RFI Response Letter).
20.07	Further clarification of the gym operation is required. In the event that the gym is for public use, the associated traffic generation (and car parking) shall be specified and assessed in the TIA.	The gym on levels 1 and 2 is for public use. The Traffic and Transport Statement prepared by PTC (Attachment O to the RFI Response Letter) advises that the gym, is not a standalone facility in an inaccessible area of Bankstown, instead being located within a mixed use development in a highly accessible town centre location adjacent to Bankstown railway station, future metro station and bus interchange. On this basis and given the scale of the proposed redevelopment of the Compass Centre, the use of the gym is likely to have an immaterial impact on the local road network and therefore no further assessment is deemed necessary.

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20.08	In Section 6.3 of the TIA, only the 'existing base' and 'existing base+ development' scenarios have been modelled. To accurately predict the network impact of the development, the future transport conditions in the Complete Streets Plan as detailed in Section 5 of the report needs to also be modelled.	PTC has advised in the Traffic and Transport Statement (Attachment O to the RFI Response Letter) that the TIA has assessed the traffic impacts of the proposed development against the existing road network, which represents current operating conditions and aligns with standard traffic impact assessment methodology. While the Bankstown Complete Streets Plan outlines future upgrades to the surrounding road network, these works remain conceptual at this stage and are subject to detailed design, funding, and delivery timeframes. As such, modelling of the Complete Streets scenario has not been undertaken at this time. PTC has noted that if Council consider this scenario critical to their assessment, the modelling parameters and assumptions would need to be agreed in advance to ensure alignment with the most current version of the Plan.
21	Site access	
21.01	The application has been assessed by Council's Traffic Engineer and the following matters have been identified regarding site access, on-site manoeuvring and car parking: <u>Site access (driveway ramps)</u> The submitted plans shall be updated to incorporate the following amendments: The proposed site access arrangements on Fetherstone Street provide for an awkward arrangement whereby the loading (truck) access is situated between the retail entry and exit ramps. This arrangement is likely to cause confusion for drivers and impact traffic safety and efficiency within the future shared zone of Fetherstone Street. Furthermore, the swept paths for the retail and loading dock access ramps overlap and are considered unacceptable. It is recommended that the access ramps are separated by vehicle size. It is also noted that the internal circulation roadway section where the entry/exit ramps merges into one at the level 1 carpark, does not include a raised median separator in accordance with Figure 2.8 (b) of AS2890.1 to physically separate passing vehicles.	Refer to below responses. The Traffic and Transport Statement prepared by PTC (Attachment O to the RFI Response Letter) sets out that the proposed site access arrangement is not deemed awkward and that it is preferable to creating an additional vehicular access, noting that Council has previously raised concern regarding the number of vehicle accesses. PTC has referenced an example development with a similar operational driveway at Royal Randwick Shopping Centre (175 Avoca Street, Sydney) which demonstrates a shared use driveway whereby both entry and exit movements for cars and trucks are catered for. While this is not an exact replication of the proposed arrangement at the Compass Centre, it does confirm that the shared use of a single point of access by cars and trucks is a well established principle and not an awkward arrangement. Importantly, PTC has noted that in the concept design phase for the project, several design iterations were prepared to optimise the proposed Fetherstone Street access, to ensure that it adequately caters for both cars and trucks. The proposed arrangement caters for two way movement of both cars and trucks, as demonstrated in the swept path analysis, while also providing a balanced outcome that ensures that pedestrians are not impeded on Fetherstone Street by creating excessively wide or dominating driveway accesses to the detriment of pedestrian safety. This aligns with the intent of Complete Streets. PTC has also suggested that if deemed necessary, additional measures such as a rotating beacon / flashing warning signal can be installed to provide priority to trucks accessing the loading dock as well as signage to indicate accesses for both cars and trucks. Indicative

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		signage locations are illustrated in the RFI Design Response Pack included in Section 14 of the Updated Design Report (Attachment C to the RFI Response Letter). With respect to the swept paths for the retail and loading dock access, the only location where the swept paths cross is where an exiting car and truck are in the same location, which is a scenario that would not occur in reality and that is only presented for schematic purposes. Additionally, in relation to Council's reference to Figure 2.8(b) of AS2890.1, PTC has noted that this appears to have been made in error. The area identified by Council as requiring a raised median / separator is not a ramp nor is it a parallel roadway that would require intervention. This section of roadway is a two-way, at grade entry / exit for the Level 1 Car Park. This is illustrated in further detail within the Traffic and Transport Statement prepared by PTC (Attachment O to the RFI Response Letter). This is not an atypical arrangement for a multi-storey car park. The width of the driveway at this point is approximately 6.2m, in excess of the 5.5m (minimum) between kerbs required as per AS2890.1 (Section 2.5) and therefore no further design is considered necessary at this stage. During the detailed design phase post approval, road markings and signage may be included as necessary.
21.02	Based on the number of spaces accessed via the Hotel/Residential Car Park and Retail Car Park, each of the driveway ramps are required to be redesigned as a Category 3 access driveway as per AS2890.1 Table 3.1 (i.e., a minimum 6-metre-wide entry and 4-6-metre-wide exit with 1-3 metre separation).	PTC has advised that the creation of Category 3 access driveways would be contrary to the Complete Streets vision by creating additional access width where swept path analysis has demonstrated that this is not necessary to facilitate access by cars and would be detrimental to the outcome achieved in the proposed development and pedestrian safety. Further detail is provided in the Traffic and Transport Statement included at Attachment O to the RFI Response Letter.
21.03	The site access driveway shall be updated to accommodate the largest vehicle to service the site (i.e., a Heavy Rigid Vehicle (HRV)). This requires the access driveway needs to be at least 12.5m wide as per Figure 3.1 of AS2890.2. Due to the proposed non-compliance with these provisions, the swept paths for the HRV provided in Appendix 3 of the submitted TIA conflict with kerbs and parking spaces on Fetherstone Street. Swept paths for vehicles accessing Fetherstone Street in the 'Complete Streets' road layout shall also be submitted.	A revised swept path analysis for a HRV and MRV is included in the Traffic and Transport Statement included (Attachment O to the RFI Response Letter) which confirms that there is no conflict with on-street parking bays on Fetherstone Street. While a future potential scenario for Complete Streets is acknowledged, it is unreasonable for Council to require further technical work to be completed on a yet to be determined, agreed, or approved street design layout in sufficient detail to complete swept path analysis. PTC has advised that the access has been designed to ensure access / egress for both cars and trucks. While the Australian Standards may require an access of 12.5m, this would create a vehicle dominated space, potentially uncomfortable for pedestrians and vulnerable user groups, which would be contrary to the objectives of Complete Streets.
21.04	The swept path for vehicles exiting the retail car parking areas conflicts with the loading dock access (used by HRV service trucks) for avoidance with the sight triangle and will cause adverse traffic safety impacts in these circumstances. Accordingly, a physical structure is to be located at the sight triangle to address this matter.	The Updated Architectural Drawings prepared by PTW (Attachment B to the RFI Response Letter) show the sight triangle and kerb lines on the ground floor plan in coordination with input from the traffic consultant, PTC.

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21.05	The transition grades within the loading dock ramp leading into the basement does not have the correct maximum rate of change of grades for the ramp for design commercial vehicles (MRV & HRV) in accordance with Clause 3.3.4.2 of AS2890.2.	PTC has advised that detailed analysis has been completed to demonstrate that the ramp to the loading dock is suitable for both MRVs and HRVs (refer to the Traffic and Transport Statement included at Attachment O to the RFI Response Letter).
21.06	<u>Pedestrian sight lines</u> - The interface between driveways and the future pedestrian nature of Fetherstone Street should account for clear sightlines and safety measures. Swept path analysis reflecting the street's future configuration should be provided (as requested in Item 20 above). - Sight triangles at the driveways, in accordance with AS 2890.1:2004 Figure 3.3 – Minimum Sight Lines for Pedestrian Safety are to be shown on the plans. The sight triangles are required to extend a minimum distance of 2 metres from the driveway edge along the front boundary and 2.5 metres from the boundary along the driveway edge and is to be kept clear of any obstructions on either side of the driveway. - The sight triangle is shown overlapping the driveway at the loading dock and car park entry. Without a physical structure (eg. Kerb) vehicles are unlikely to follow the swept path indicated when exiting the driveway.	PTC has advised in the Traffic and Transport Statement included at Attachment O to the RFI Response Letter that while a future potential scenario is acknowledged, it is unreasonable for Council to require further technical work to be completed on a yet to be determined, agreed, or approved street design layout in sufficient detail to complete a swept path analysis. Also, as noted with respect to item 21.04 above, the Updated Architectural Drawings prepared by PTW (Attachment B to the RFI Response Letter) show the sight triangle and kerb lines on the ground floor plan in coordination with input from the traffic consultant.
21.07	<u>Taxi and coach access</u> The taxi and coach pick-up/drop off spaces associated with the hotel are proposed to be located within the existing taxi/ drop-off zone adjacent to Bankstown Train Station on North Terrace. This is considered to cause likely adverse traffic safety and efficiency impacts. It is unclear how this arrangement will facilitate safe pedestrian access to the site and avoid traffic impacts to the road network when these spaces are in use. Further information responding to this matter shall be provided.	Refer to response to this item in Table 1 above.
22	On-site manoeuvring, internal circulation and car parking	
22.01	The application has been assessed by Council's Development Engineer and the following matters have been identified regarding on-site manoeuvring and car parking: <u>Internal circulation of podium car parking levels</u> The proposed up/down ramps connecting the upper/podium car park levels does not allow for two vehicles to pass each other safely. Based on the proposed design, approaching drivers at either end of the ramps will have no sight view of each other due to the ramp level difference, thereby creating a blind spot for circulating traffic.	Refer to below responses. The Traffic and Transport Statement prepared by PTC (Attachment O to the RFI Response Letter) confirms that the ramps connecting the podium are straight and provided with sufficient width to allow for two cars to pass safely. It also notes that at locations within the car park where two-way movement is not feasible, convex mirrors will be installed to aid visibility as required, which is a typical approach within a range of car parks. Locations where convex mirrors are to be provided are shown on the Updated Architectural Drawings prepared by PTW (Attachment B to the RFI Response Letter).

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	To improve safety and eliminate potential conflict and queuing on site, the car park shall be redesigned to include two separate ramps for circulating traffic between the three podium car park levels. For example, this may include the incorporation of an exit or 'way out only' in addition to a separate ramp system for circulating traffic accessing the car parking spaces. Alternatively, a raised median separator may be incorporated along the proposed centreline of the proposed ramp system as per Figure 2.8 (b) of AS2890.1 to physically separate passing vehicles.	
22.02	<u>Hotel/residential internal access driveway</u> Approaching vehicles using the proposed hotel/residential access driveway on Fetherstone Street, shall be physically separated by a raised median separator along the entire internal combined driveway/ramp in accordance with Figure 2.8 (b) of AS2890.1.	As detailed in the Traffic and Transport Statement (Attachment O to the RFI Response Letter), the proposed hotel and residential access driveway has controlled access with boom gates for entry and exit mounted on a raised median. On this basis, inbound / outbound vehicles are separated at point of access / egress onto Fetherstone Street. Therefore, a further raised median is not required as the proposed design includes a raised median that physically separates approaching vehicles using the proposed hotel / residential access driveway.
22.03	<u>Internal intersections (between circulation roadways and ramps, and with parking aisles)</u> The proposed basement and podium car parking areas include various intersection areas which are likely to create blind spots for approaching vehicles. The swept path diagrams provided in the submitted TIA includes manoeuvres for B85 and B99 vehicles passing each other at these blind sections and denotes recommendations to further widen the aisle widths, as well as the introduction of mirrors at some of these blind spot locations. Furthermore, the swept path diagrams demonstrate other instances of unsafe internal manoeuvres where the minimum required clearances (i.e. 300mm outside B85 body) are conflicting with building structures (i.e. structural columns) and at some locations overlapping opposing design B99 vehicle swept path clearances. It is considered unreasonable to expect drivers to execute such tight manoeuvres at these locations without the incorporation of physical separation (i.e. raised median separator).	As detailed by PTC in the Traffic and Transport Statement (Attachment O to the RFI Response Letter), it is not atypical for vehicles to be expected to give way at certain points within a car park. Notwithstanding this, convex mirrors will be installed if identified as a requirement during detailed design. PTC have also advised that the drawings accompanying the Traffic Impact Assessment (Appendix G to the SEE submitted with the DA) demonstrated that two B99 vehicles are able to pass each other at the end of the parking aisle. Further detail in this regard is provided in Attachment O to the RFI Response Letter.
22.04	<u>Car park design</u> The overall geometrical design of the carpark module for basement 1, 2 and for levels 1 to 3, failed to adopt the appropriate user class in accordance with Table 1.1 of AS2890.1 and their subsequent minimum dimensional layout as per Figure 2.2 of AS2890.1. Specifically: Basement 1 proposed carpark is for (resident R, visitors V and hotel guests H). Car spaces allocated for R & H and respective aisle width have been correctly designed by adopting user class 1A resident and user class 2 for hotel guests). However, visitor spaces located within both basements, cannot be considered	The Traffic and Transport Statement prepared by PTC (Attachment O to the RFI Response Letter) sets out that within Table 1.1 of AS2890.1, the 'Examples of uses' is not exhaustive and does not include all uses that could fall within each user class. On this basis, this is not a compliance issue. PTC has undertaken an assessment of the proposed car parking for each of the uses noted in this RFI comment and has found that: Childcare and retail parking are appropriately defined as user class 3 as this is required for '<i>short-term city and town centre parking, parking stations, hospital and medical centres</i>'. This is considered more appropriate than user class 3A which is for '<i>short-term, high turnover parking at shopping centres</i>'.

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	as resident 1A but are categorised as user class 2 (same as for H car spaces) (i.e. 2.5m wide). - Retail parking (RP) located in levels 1 to 3 and childcare parking (CP) for parent drop off/pick up, shall be classified as user class 3A in accordance with Table 1.1 of AS2890.1 due to their short term stay and high turnover, and are not user class 3 as suggested in the TIA. - Medical Parking (MP) located in level 3 shall be classified as user class 3 in accordance with Table 1.1 of AS2890.1. - Furthermore, the swept path diagrams provided in Appendix 3 of the submitted TIA include annotations which provide additional recommendations and measures which will necessitate updates to the basement car parking plans.	- User class 1A includes 'residential, domestic and employee parking'. There is no differentiation between residential and residential visitors. As such, residential visitor parking is appropriately defined as user class 1A. - The user class identified for medical uses, residents and hotel guests aligns with the user groups listed in Council's RFI comment. Further detail regarding the above is provided in the Traffic and Transport Statement prepared by PTC (Attachment O to the RFI Response Letter). The Updated Architectural Drawings (Attachment B to the RFI Response Letter) prepared by PTW provide details (by colour shading) of all the proposed car parking spaces by user type with annotation to confirm location / user type. This is detailed in the corresponding section of the RFI Design Response Pack included in Section 14 of the Updated Design Report at Attachment C to the RFI Response Letter.
22.05	<u>Pedestrian access to and from the child care centre</u> The proposed car parking and access areas associated with the proposed child care facility located within the level 3 podium car park does not facilitate a safe pedestrian environment in terms of access between the proposed car parking spaces and the child care facility entry. For this reason, the application does not achieve the objectives and considerations set out in Section 3.8 of the Child care Planning Guideline (CCPG). Specifically, the submitted plans do not demonstrate: - safe and convenient access for the accessible car parking space. This space requires visitors to walk along and cross the internal driveways to access the facility, while no dedicated pedestrian path is provided; - the provision of safe pedestrian paths and shown on the plans (including bollards and identified crossings); and - a nominated loading area/zone associated with the child care facility that does not conflict with pedestrian access.	Refer to the response to this item in Table 1 above.
23	Sustainability (electric vehicles)	
23.00	The introduction of electrical vehicle charging stations shall be considered as part of the car park design, including the potential conversion of standard car parking spaces in the future.	An Electric Vehicle Charging and Future Adaptability Statement has been prepared by WSP (Attachment T to the RFI Response Letter). This Statement confirms that WSP has considered: - the ESD targets and car park areas reflected in the proposal to apply an average VA/m² as recommended by AS3000 Table C3: Maximum Demand – Energy Demand Method for Non-Domestic Installations for future EV charging with the proposed design - future electrical infrastructure as per NCC 2022 part J9D4 for the classifications and quantity of car parking spaces.

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		WSP has also confirmed that the development will have a load management system for EV charging within the development to manage the load demands brought by EV charging to the site. In summary, based on its assessment WSP has expressed its view that the electrical vehicle charging allocation provided for the development is adequate for meeting the requirements and guidance set out in the relevant codes and standards. Further detail is provided in Attachment T to the RFI Response Letter.
24	Stormwater management	
24.01	The application has been assessed by Council's Development Engineer and the following matters have been identified regarding stormwater management: <u>On-site detention (OSD)</u> - Due to the location of the proposed OSD compliance with Clause 7.10.1 General Criteria of AS3500.3 cannot be achieved. The southwest corner is a high point and therefore stormwater runoff from the development could not be collected into the OSD system via a gravity storm water pipe network. - Furthermore, the proposed finished levels of the stormwater pits/surface along the Compass Walkway are lower than proposed top water level within the OSD system, which will also cause surcharge of the system along the Compass Walkway.	As detailed in the Civil Engineering Statement prepared by RBG (Attachment H to the RFI Response Letter), the location of the OSD has been driven to date by: - Connections from roof drainage. - Select podium areas drainage to the tank. - Select downstream regions in the site to bypass (with this fully factored into the OSD modelling). - Potential for significantly greater storage heights and volumes in the high corner of the site, which allowed for OSD to be designed for the whole site, with bypass in a more efficient manner than a downstream tank with tailwater/flood level considerations that would result in a shallow tank system. - The current location is also outside the identified flood extent, reducing the risk of floodwater entering the system from Phil Engisch Reserve and other external catchments. RBG has noted the following with respect to AS 3500.3 7.10(a) and 7.10(b): - AS 3500.3 7.10(a): - RBG has noted provision for an overflow pipe to be provided in the event of blockage or greater than 1% AEP storm event. - A discharge control pit will be provided adjacent or leading to North Terrace will be provided for the provision of surface surcharge in the event of downstream system blockages. - There is contingency in the tank in the current design and the actual water level in the peak 1% AEP event is just below 22.9m RL (leading to the model outcomes noted of no surcharge from the podium pits.) - AS 3500.3 7.10(b): - The overflow pipe system and discharge control pit will be designed to ensure that any overflow/surcharge from the system will occur at a level 150mm below the retail spaces. Details plans, a report and a DRAINS model will be provided to meet this criteria. - It is not possible to provide localised drainage in all locations 150mm below the retail FFL's however, the design will meet the general requirement of this item by provision of the overflow pipe system, discharge control pit, and a non-return valve from the tank to the podium area.

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	Accordingly, the OSD system shall be relocated to the lowest point of the site (south-eastern corner) to ensure stormwater runoff from the entire site is collected via gravity.	Further detail on this matter is provided in the Civil Engineering Statement prepared by RBG (Attachment H to the RFI Response Letter).
	The flood impact assessment report states that there will be very shallow flood waters of maximum depth of 50mm that will enter the development from Phil English Reserve during the 1% AEP, which will be captured by the stormwater pits/grates within the Compass Walkway. Given these pits/grates are proposed to connect into the OSD system, this arrangement will not be supported to divert overflow flood runoff into the OSD system.	RBG has confirmed that based on the above, the current location is considered the most practical and effective solution for the site. It achieves the required detention volume efficiently, integrates well with the site's drainage layout, and avoids potential flood risks. A tank located in the downstream section of the site provides limited detention storage potential given the flood and tailwater connection levels. Refer to the Civil Engineering Statement prepared by Robert Bird Group (Attachment H to the RFI Response Letter).
24.02	<u>Design levels</u> Inconsistent information has been submitted regarding the proposed finished design levels as follows: - The design levels at the Fetherstone Walkway entry are unclear. The Stormwater Plans demonstrate pit/trench levels of RL 23.030, however, the level provided on the Architectural Plans in this location is RL 25. - Further clarification is required regarding the design levels for: - Retail tenancies GF.T05 and GF.T04 located below Building A (RL 23.03). These tenancies are located 2 metres (approximately) below street level and the Fetherstone Walkway entry (RL 25.01); and - Retail tenancy GF.T14 located below Building C, which sits 650mm (approximately) below the Compass Way (at RL 22.68).	The design levels have been clarified in the Updated Architectural Drawings prepared by PTW included at Attachment B to the RFI Response Letter. In summary, the design levels at the Fetherstone Walk have been clarified as being RL 23.00 as shown on the Ground Floor Plan. This allows for easy access into tenancy GF.T05 which is accessed from Fetherstone Walk and which has a design level of RL23.030. With respect to retail tenancy GF.T04 has a design level of RL 25.5 and is accessed from Fetherstone Street which has the same RL, allowing for appropriate access. Retail tenancy GF.T14 is located at RL 23.030. This level allows for appropriate access from Compass Way which has been amended to have an increased design level of RL 22.88 based on advice from the project's civil engineer. For further detail on the above, please refer to the Updated Architectural Drawings prepared by PTW included at Attachment B to the RFI Response Letter.
25	Noise Impact Assessment	
25.00	Noise generated by the proposed shops, gym and medical suites, food and drink premises as well as the Level 2 communal open space area adjacent to 3-7 Fetherstone Street and 62 The Mall is not assessed in the submitted Noise Impact Assessment prepared by E-Lab Consulting. It is noted that some of these uses are proposed to operate until 11pm and 12 midnight. The Noise Impact Report identifies that the retail tenancies and medical centres may be subject to separate DA approval and the required noise assessments would be undertaken at this later stage.	The Updated Noise and Vibration Impact Assessment prepared by E-LAB (Attachment N to the RFI Response Letter) includes consideration of all the matters raised in this comment, including consideration of noise generated by the proposed shops (section 5.7), gym (section 5.9) and medical suites (section 5.8), the hotel ballroom and rooftop bar (section 5.10), and the level 2 communal open space adjacent to 3-7 Fetherstone Street and 62 The Mall (section 5.6). It finds that all these areas will be capable of complying with the project noise emission requirements.

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	Furthermore, the Noise Impact Assessment does not assess several external spaces, including: - the external (hotel) ball room area which is adjacent to the apartment building at 3-7 Fetherstone Street, (hotel) rooftop bar - level 2 communal open space situated between 3-7 Fetherstone and 62 The Mall (noting that all other external communal areas have been assessed in the report) Having regard to the above and the fact that the DA does not include operational details of the non-residential uses proposed uses including the retail premises with outdoor dining, medical centres, and the hotel (function spaces), as detailed in Item 4 above, insufficient information is provided to properly assess and determine the noise impacts of the development.	Further details on the retail premises and medical suites are provided in the Tenancy Summary prepared by Retail Strategy Group included at Attachment J to the RFI Response Letter. Further detail regarding the hotel's operation is provided in the accompanying Hotel Plan of Management prepared by Tourism and Hospitality Services Australia included at Attachment K to the RFI Response Letter.
26	Crime Prevention Through Environmental Design (CPTED)	
26.00	The application has been assessed by Council's Community Safety Officer and further detail is required to demonstrate that the car park design locates accessible parking spaces adjacent lift cores for greater accessibility and safety.	The car park layout on Basement Level 2 and Level 3 has been amended to relocate accessible car spaces adjacent to lift cores for improved accessibility and safety. This is illustrated in the Updated Architectural Drawings included at Attachment B to the RFI Response Letter.
27	Detailed Site Investigation	
27.00	A Stage 2 Detailed Site Investigation (DSI) is required and must be carried out by a suitably qualified contaminated land consultant in accordance with: - Council's Contaminated Land Policy, - Relevant EPA Contaminated Land Management Guidelines, and - National Environment Protection (Assessment of Site Contamination) Measure 1999, amended in 2013 (ASC NEPM, 2013). The DSI report must be prepared or reviewed and approved by an appropriately qualified and certified environmental consultant. The front cover of the report must include the details of the consultant's certification. The DSI report provided to Council must be accompanied by a report summary, presenting (as a minimum) project background, scope, objectives, key issues, investigation findings, conclusions and recommendations. If the Duty to Report contamination to the NSW Environment Protection Authority under Section 60 of the <i>Contaminated Land Management Act 1997</i> is triggered, Council must be notified within seven (7) days of the notification to the NSW Environment Protection Authority. Note: Several investigations and associated reporting such as contamination delineation, site specific risk assessments and monitoring may be needed in this stage of the process, in accordance with <i>National Environment Protection</i>	As confirmed by Douglas Partners from its contamination investigations undertaken in relation to the site, appropriate implementation of the Remediation Action Plan included at Attachment W to the RFI Response Letter can render the site suitable for the proposed development. This is detailed further in the Memorandum Relating to Contamination Investigations prepared by Douglas Partners (Attachment X to the RFI Response Letter and the Dewatering Management Plan prepared by Douglas Partners (Attachment Y to the RFI Response Letter).

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	(Assessment of Site Contamination) Measure 1999, amended in 2013 (ASC NEPM, 2013).	
28	Obstacle limitation surface	
28.00	The application is currently being assessed by Bankstown Airport Authority, and it has been advised that the development intrudes into the airspace for the Airport. Therefore, prior to the issuing of final comments, the Bankstown Airport Authority has confirmed that a full aeronautical assessment and approvals from the Civil Aviation Safety Authority, Airservices (CASA) and the Department of Infrastructure (the Department of Infrastructure), Transport, Regional Development, Communications and the Arts is required. Accordingly, the submitted Aviation assessment and architectural plans will be forwarded to CASA and Airservices for their advice prior to sending to The Department of Infrastructure for feedback. Furthermore, Bankstown Airport Authority have noted that this proposal is close to the Obstacle limits, and that crane plans outlining demonstrating how the development will be constructed without infringing critical airspace has not been provided which may impact assessment timeframes. An application may be lodged under the GIPA Act to request a copy of the comments provided by CASA.	Noted. A full Aeronautical Assessment was prepared by Rehbein Airport Consulting (Appendix AA to the SEE submitted with the DA), which confirms that the proposed development at RL 107.95m should remain below the Bankstown Airport PANS-OPS limiting surfaces which is estimated to be the NDB-A final approach segment and the Circling A/B both at approximately 108 m AHD. It is requested that a condition of consent is imposed on the development that requires the relevant approval from CASA and Airservices to be obtained for the development and the associated crane prior to commencing construction works for the development.
29	BASIX	
29.00	The lodgement of the application did not occur not within three (3) months of the issue date of the submitted BASIX Certificate (dated 6 May 2024) and is therefore invalid.	An Updated BASIX Compliance Report, BASIX Certificate and BASIX Stamped Plans prepared by E-LAB are included at Attachment Z.
30	Operating hours	
30.00	Inconsistent and inadequate information is provided regarding the proposed operating hours of the retail floor space and other components of the development. Confirmation and clarification of the operating hours is required as outlined below: - The submitted Plan of Management states that the ground floor retail business and outdoor dining areas will operate until 9.30pm to minimise noise impacts. This is contrary to the SEE which identifies that the food and drink premises and cafes will operate until 10pm between Monday and Thursday, and until 11pm on Fridays and Saturdays and that the public amenity and corridor will be closed after 10pm. - The Plan of Management does not address all communal areas proposed across Building A and Building C including the associated operating hours.	An Updated Plan of Management has been prepared by Essence Project Management and is included at Attachment U to the RFI Response Letter. This confirms the ground floor retail and outdoor dining areas will operate until 10pm between Monday and Thursday and until 11pm on Fridays and Saturdays, consistent with the hours listed in the SEE. The Updated Plan of Management prepared by Essence Project Management (Attachment U to the RFI Response Letter) also addresses all communal areas proposed across Buildings A, B and Building C including the associated operating hours. The operating hours of the proposed hotel are specified in the Hotel Plan of Management prepared by Tourism and Hospitality Services Australia included at Attachment K to the RFI Response Letter.

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	The operating hours of the proposed hotel are not specified in the application.	
31	Plan of Management	
31.00	Waste Management details in Section 1.04 of the Plan of Management are unclear. Additional information is required to clarify the proposed management procedures.	As detailed in the Updated Plan of Management prepared by Essence Project Management (Attachment U to the RFI Response Letter) waste collections from the site will take place outside of normal business hours to minimise congestion in the loading dock area and reduce hazards to site users. The Waste Management Plan submitted with the DA includes further detail on waste management procedures (refer to Appendix E to the SEE submitted with the DA).
32	Ausgrid	
32.00	Ausgrid has provided referral comments which identify that all new driveways (including laybacks) shall be located a minimum distance of 1.5 metre from existing power poles. In the event this is not achieved, further consultation with Ausgrid is required. Accordingly, the distance(s) between the proposed driveways and existing power poles are to be confirmed. An application may be lodged under the GIPA Act to request a copy of the Ausgrid comments.	The existing light pole that is located near the proposed driveway is proposed to be relocated in consultation with Ausgrid, as shown in the Demolition Plan and the Ground Floor Plan contained within the Amended Architectural Drawings at Attachment B to the RFI Response Letter.
33	Public submissions	
33.01	During the public exhibition period of the subject application Council received submissions which raise a range of matters which are summarised below. A response addressing the concerns raised is required to be submitted. Amenity impacts to the residential apartments located at 3-7 Fetherstone Street including overshadowing, view loss impacts associated with existing uninterrupted views to Paul Keating Park (for north facing apartments);	The RFI Design Response Pack included in Section 14 of the Updated Design Report prepared by PTW (Attachment C to the RFI Response Letter) reproduces the solar access analysis for 3 Fetherstone that was presented to the DRP in the first DRP meeting and included in the Design Report submitted with the DA as Appendix C to the SEE. This highlights that the apartments 68% of apartments within the existing development at 3-7 Fetherstone will receive ADG compliant solar access following the proposed development. PTW has also included a comparison of existing and proposed views which demonstrate that the proposal will not impact on the existing views from the apartments at 3-7 Fetherstone for north facing apartments (refer the RFI Design Response Pack included in Section 14 of the Updated Design Report prepared by PTW included at Attachment C to the RFI Response Letter for further detail).
33.02	Construction traffic impacts to the surrounding road network;	A Construction Management Plan will be developed for the delivery of the development which addresses the management of construction traffic impacts. It is supported for an appropriate condition of consent to be included in the development consent which requires that construction traffic impacts are to be considered as part of a Construction Management Plan that is to be issued to Council for review and sign off prior to the issue of the first construction certificate.

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33.03	Construction noise impacts to adjoining residents;	A Construction Management Plan will be developed for the delivery of the development which addresses the management of construction noise impacts. It is supported for an appropriate condition of consent to be included in the development consent which requires that construction noise impacts are to be considered as part of a Construction Management Plan that is to be issued to Council for review and sign off prior to the issue of the first construction certificate.
33.04	Due to scale of the development, the capacity of existing services and infrastructure are inadequate to accommodate the proposed development;	The Site Infrastructure Report prepared by WSP (Appendix V of the SEE submitted with the DA) finds that the site includes connections to services or has the ability for augment existing connections to services to accommodate the proposal.
33.05	- The potential built form impacts of the development as well as potential implications of future planned development anticipated on adjoining sites in line with the current planning framework, including overshadowing impacts to and from the envelopes envisaged for 1 and 1A North Terrace (the Bankstown Central site) adjoining the site to the east and 62 The Mall adjoining the site to the north, have not been addressed. Specifically: - The submitted solar modelling does not include the future planned development at the Bankstown Central site, envisaged by the controls set out in Chapter 5 of the Housing SEPP and Chapter 6.2 of the CBDPC; - The future planned development at the Bankstown Central site will cause overshadowing impacts to the site during the morning hours; - The proposal will cause overshadowing to the Bankstown Central site in the afternoon; - Building separation and interface treatment along the site boundaries shared with 62 The Mall so as to avoid potential impacts to development of the northern adjoining site in line with the envelopes anticipated by Chapter 6.2 of the CBDPC; and	Refer to below responses. The Updated Architectural Drawings prepared by PTW (Attachment B to the RFI Response Letter) includes overshadowing caused by the future development at the Bankstown Central site in line with the controls resulting from the TOD rezoning and Chapter 6.2 of the updated Canterbury-Bankstown DCP 2023. As demonstrated in the overshadowing diagrams included in the Updated Architectural Drawings prepared by PTW (Attachment B to the RFI Response Letter), shadows cast by the future Bankstown Central development will have limited shadows on the the proposed residential buildings B and C in the morning, with no shadows from this future development impacting the proposal from 11am onwards. As detailed in Section 2.2 of the RFI Response Letter, the proposed development has been designed to maximise its solar access. As demonstrated in the overshadowing diagrams included in the Updated Architectural Drawings prepared by PTW (Attachment B to the RFI Response Letter), the proposal will cause minor overshadowing to the future Bankstown Central development between 1pm and 3pm. With respect to interface treatment along the site boundaries shared with 62 The Mall, this is detailed in the Updated Architectural Drawings included at Attachment B to the RFI Response Letter, specifically in drawing number DA-D110030 illustrating the landscaped wall provided for visual privacy. The Updated Noise and Vibration Impact Assessment prepared by E-Lab also confirms that this space will comply with the relevant acoustic requirements (refer to Attachment N to the RFI Response Letter).

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	Potential solar access impacts of the envelopes envisaged in the CBDCP for 62 the Mall to the level 2 communal open space and compliance with the solar access requirements set out in Objective 4A of the ADG.	Further, the Feasibility Study relating to 62 The Mall prepared by PTW, included in Section 12 of the Updated Design Report at Attachment C to the RFI Response Letter identifies the building separation that can be achieved at 62 The Mall in compliance with the ADG and Canterbury-Bankstown DCP 2023 controls, as part of a future development. Refer to the detailed response provided to RFI item 13.04 above in this table.
33.06	An updated design which incorporates vehicular access and/or basement car park shared with 3-7 Fetherstone Street should be considered to improve functionality and operation of the two adjoining sites and to minimise the number of driveways proposed along Fetherstone Street.	The neighbouring development at 3-7 Fetherstone Street is an existing operational shop top housing development with residents and ground level non-residential tenants. Any such works to adjoin vehicular access will disrupt the operation of this building, its user and its residents, and therefore is not being considered. The proposal development can operate in its own right with two basement access points that have been appropriately designed to separate residential and hotel parking from loading and other uses.