

6-8 John Street and 13B Church Avenue,
Mascot

Response to Request for Information (DA/2019/385)

On behalf of
Iglu No. 211 Pty Ltd
April 2020



Project Director



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28 April 2020

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* This document is for discussion purposes only unless signed and dated by the persons identified. This document has been reviewed by the Project Director.

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- **Attachment 1.** Updated Architectural Plans (RevB)
- **Attachment 2.** View Loss Analysis
- **Attachment 3.** Detailed Shadow Study
- **Attachment 4.** Updated GFA Calculations
- **Attachment 5.** Signage Details Drawing
- **Attachment 6.** Updated Landscape Plans
- **Attachment 7.** Updated Acoustic Report
- **Attachment 8.** Updated Green Travel Plan
- **Attachment 9.** Updated Traffic and Parking Assessment Report incl. Swept Path Analysis
- **Attachment 10.** Updated Civil Report and Plans
- **Attachment 11.** Flood Advice Letter from Council
- **Attachment 12.** Updated Operational Management Plan
- **Attachment 13.** Response to Submissions
- **Attachment 14.** Updated Waste Management Plan

1 Introduction

This submission has been prepared on behalf of *Iglu No. 211 Pty Ltd (Iglu)* to formally respond to the Request for Further Information (**RFI**) letter dated 24 February 2020 and subsequent emails dated 24 February and 18 March 2020 for the Development Application (**DA/2019/385**) relating to the site at 6-8 John Street and 13B Church Avenue, Mascot.

Iglu and the project team are committed to working with Council to achieve a high quality, student accommodation development on the site that fundamentally aligns with the planning principles and controls in the *Botany Bay Local Environmental Plan 2013 (BBLEP2013)*.

The site is located at 6-8 John Street and 13B Church Avenue Mascot, and legally identified as Lot 2 DP 547700, Lot 8 DP 939729 and Lot 9 DP 939729. It is generally rectilinear in shape and approximately 3,161m² in size. The site exhibits a 34m frontage to John Street on the southern boundary and also includes a 5.5m wide battle-axe driveway (forming part of an easement) with frontage to Church Avenue. This driveway off Church Avenue runs along the western boundary and provides access for service vehicles and cars to both the rear of the subject site and to the existing adjoining 8-storey residential flat buildings located at 10-14 John Street.

The site is presently developed with three existing premises, comprising of a 1.5 to 2 storey red brick warehouse (13B Church Street), a 2 to 3 storey red brick light industrial building (6 John Street) and a part 1, part 2 storey brown brick industrial warehouse (8 John Street).

On the 25 October 2019, *Iglu* submitted a DA for the site which was accompanied by supporting plans and reports. This submission sought demolition of the three existing premises and construction of an architecturally-designed student accommodation building (boarding house), ranging from 7 to 12 storeys and containing 435 beds. In summary the submitted DA comprised the following;

- 435 beds in total with each studio room or 6-bed cluster provided with ensuite and kitchenette facilities. The accommodation is arranged as follows;
 - 213 x studio rooms (includes 18 rooms available for the key disability groups); and
 - 37 x 6-bed cluster rooms (222 beds in total).
- Upper ground level spaces including admin and reception with lounge and café which leads onto a communal terrace and communal spaces with meeting rooms, exceeding 234m² of internal communal spaces;
- Lower ground level spaces including laundry room, gym, library, media room, meeting room, bike storage space, covered outdoor BBQ area waste room, totalling 547m² of communal area;
- Expansive landscaped internal sunken courtyard which provides over 360m² (15%) of deep soil landscaped space;
- Two (2) Communal rooftop terraces with landscaping and amenities which provides over 720m² of open space;
- Through-site link and community vegetable garden;
- Bicycle storage area with capacity for 88 bicycles;
- Total height of building at 40m with highest point of the building at RL RL49.10; and
- Total Gross Floor Area (GFA) of the building being 11,591m², exhibiting a Floor Space Ratio (FSR) of 3.67:1.

The DA was publicly exhibited between 7th November 2019 and 21 November 2019 (as notated on Council's Website). Refer to **Section 2.8** and **Attachment 13** which

outlines and provides a detailed response to the submissions received during this period.

Prior to the submission of this Response to RFI, a meeting with Council officers was held on Tuesday 10 March 2020 to discuss the proposed comments and receive any guidance, clarification or feedback from Council. Council's feedback and recommendations have been incorporated into this subsequent response.

2 Key concerns raised by Council's Request for Further Information

2.1 Car Parking

Council Comment:

The proposal is required to provide at least 218 car spaces for the student accommodation (boarding house) development in accordance with the State Environmental Planning Policy (Affordable Rental Housing) 2009 (ARHSEPP 2009). Additionally, as there is a café that is associated with the use, further car parking is required under the Botany Bay Development Control Plan 2013 (BBDCP 2013). The proposal has provided no car parking associated with the use and 88 bicycle parking spaces which are located on the lower ground level.

While it is acknowledged that the site is located within 200 metres of Mascot Train Station, a Green Travel Plan has been provided with the development application to provide recommendations of alternate methods of transportation and that the proposal is a specialised form of development, Council still requires that the site comprise some car parking spaces for staff members. It is recommended that the lower ground level be reconfigured, or a basement level be included to address this issue.

It is requested that greater research on the car ownership of occupants within similar developments within Sydney to be carried out and assess factors that will influence modes of travel for future occupants including availability of parking, price of parking, frequency of public transport and likely locations commuters will be travelling to and from. The application was referred to Council's Traffic Advisory Committee who has required full compliance with the car parking requirement. This is still a current ongoing discussion between Council's Traffic and Engineering team and the planning department. This may mean that strict conditions of consent may be imposed relating to the operation and occupation of the development be more specific. This will be run by the applicant early on in the report process. The application was also referred to Roads and Maritime Services (RMS) who had no issues with the proposal.

Applicant Response:

For clarification, the proposed internal café provides breakfast bar or 'grab and go' meal style service intended solely for the use of residents and some of the resident visitors. It is not intended as a commercial café servicing the public. Accordingly, it is considered that no additional parking is required for this use.

The proposed development maintains nil vehicular parking provisions on site. A revised *Green Travel Plan* (GTP) has been prepared by TTPP and is attached in **Attachment 8**. This report includes additional studies on the car ownership of occupants within similar developments.

Such an approach of providing nil parking is typical of student housing developments and other Iglu sites (refer to Table 4.2 within the GTP). Iglu currently operate several student housing facilities and over 3,000 beds, in Sydney, Melbourne and Brisbane that have no car parking provisions. Iglu operate with a philosophy that encourages staff and students to use sustainable transport modes (i.e. public transport, cycling and walking) and has successfully operated with no complaints from students on the lack of parking provision or from Councils about students driving and parking off-site. This GTP, has been prepared to assist in the management of the future travel demand following the occupation of the development. The report establishes that the implementation of the GTP, in

combination with no on-site car parking provisions, will be key to ensuring that students and staff are encouraged to use sustainable forms of transport.

Iglu is happy to have a condition imposed requiring its ongoing compliance with the GTP throughout the premises' operation.

2.2 Floor Space Ratio

Council Comment:

It is acknowledged that the FSR proposed on the site complies with the bonus FSR provision that is applicable under the Affordable Rental Housing SEPP 2009. However, certain elements of the development have been excluded from the calculation of gross floor area. This includes the basketball court which is enclosed with wall/fencing of a height greater than 1.4 metres and appears to have a roof over. This also includes waste rooms that are located at the natural ground level or above. The GFA plans are to be amended to include these areas within the calculation. Council will not support a GFA/FSR that is greater than the maximum GFA/FSR applicable under the BBLEP 2013/ARHSEPP bonus.

Applicant Response:

In alignment with Council's recommendations, the GFA plans have been revised. The revised plans now incorporate the following waste rooms;

- Waste Room #1 = 25 m²;
- Waste Room #2 = 73 m²; and
- Additional GFA as a result of enclosing of the fire stair from level 8 to 10 = 68m² (refer to Section 2.7.11 for further details);

This results in the following

- Submitted DA GFA: 11,591m² (3.67:1 FSR)
- Revised DA GFA (including waste rooms and fire stair enclosure): 11,757m² (3.72:1 FSR).

The proposed development remains GFA compliant inclusive of the additional waste rooms and below the total permissible GFA (GFA (3.2:1) plus 20% ARH SEPP Bonus = 3.84:1). Refer to the updated GFA calculations provided in **Attachment 4**.

As discussed with Council on Tuesday 10 March 2020, it was clarified that the proposed basketball court is bounded by a tensile fence and soft overhead netting to ensure the containment of basket balls and for the safety of residents. It was agreed with Council that there is no habitable floorspace that can be counted as FSR on the rooftop and basketball court and as such is excluded from the GFA. Examples of tensile fence and overhead netting is provided by RPS in **Attachment 6**.

It should be noted that even with the inclusion of the basketball court (canopy extent) (218m²) included in the FSR, the development will continue to remain compliant with the maximum FSR/GFA control of 3.8:1 (12,138m²).

2.3 Overshadowing

Council Comment:

The applicant is to provide greater detail and analysis on the impact of overshadowing onto the communal open space within the subject site, the private and communal open space areas of the adjoining residential unit development located to the east

and west of the site as well as the balconies and living areas of the development opposite the site on the southern side of John Street.

The development application was accompanied by sun view solar analysis diagrams between 9am to 3pm at mid-winter and spring equinox. Solar analysis details regarding the number of hours that the subject POS and communal area receives as well as the hours of sunlight the neighbouring properties receive during mid-winter and spring equinox will need to be provided. I have attached examples of the type of information Council expects to have for assessment.

Additionally, the degree of overshadowing that is anticipated by the development to the north from 13A Church Avenue is to be reflected onto the subject development. Elevation shadow diagrams of the northern elevation of the subject building is to be provided hourly between 9am to 3pm mid-winter for Council assessment.

Finally, the solar amenity that is received to the vegetable garden within the easement zone along the western side of the site as well as the lower ground level communal open space does not comply with Council's DCP requirement. Particularly relating to the vegetable garden, this area is unlikely to receive much sunlight due to the proposed and surrounding development that overshadows this.

Applicant Response

- The detailed shadow diagrams submitted with the SEE illustrated the approved DA envelope over the site at 13A Church Ave. The Architectural Plans (**Attachment 1**) have been amended to illustrate the Approved Section 4.55 footprint to DA 13A Church Avenue.
- Additional solar and overshadowing studies have been prepared in alignment with the comments and examples provided by Council. Elevation shadow diagrams of the northern elevation of the subject building have also been provided in **Attachment 3**.
- These additional detailed solar diagrams analyse the impact of overshadowing onto the communal open space within the subject site, and the private and communal open space areas of the adjoining residential unit development located towards the east and west of the subject.
- Additional surveys were also taken of the façade of the building across from the site on the southern side of John Street, with the solar plans amended to illustrate the windows of any neighbouring buildings that may be affected by overshadowing from 9am to 3pm during the Winter Solstice.
 - The **southern** neighbour (7 John Street) complies fully with the SEPP65 and the ADG;
 - The **eastern** neighbour is B2, 3-9 Church Avenue. The DA over the site was approved DA394/05 was lodged on the 29 April 2005 and was approved on 15 December 2005. A later DA (DA/292/08) was lodged with Council on 21 May 2008 and was approved on the 18 December 2008. Both of these DA's were developed and assessed under the now superseded *Residential Flat Development Code (RFDC)* which was not as comprehensive as the current *Apartment Design Guide*, and as the controls have changed, the development currently does not comply with the current *Apartment Design Guide* (active from June 2015).

This building with its splayed design has made minimal/nil consideration of solar access and constraints to future developments, especially on the western facade. This development results in a particular avoidance of solar access on

the western façade, which currently only receives 1 hour of sunlight despite having no developed neighbours contributing to any additional overshadowing. This development is currently not compliant with the ADG with only 60% of the units receiving more than 2 hours of sunlight in lieu of 70% as is currently required under the ADG.

SEPP65 Objective 3B-2 states that “Where an adjoining property does not currently receive the required hours of solar access, the proposed building ensures solar access to neighbouring properties is not reduced by more than 20%”. The proposed development results in an overall percentage loss of -22% of solar access from (from 60% to 38%). This results in only a minor 2% variation from the ADG control and should be considered acceptable given the existing development's poor solar orientation through design.

- A table has also been prepared by *Bates Smart* which identifies the number of hours of sunlight and solar access is received by each neighbouring apartment affected by overshadowing. Refer to **Attachment 3** for additional information.
- Council deemed the location of and the amount of solar access to the community vegetable garden sufficient. The purpose of the vegetable garden at this location was to provide some encouragement to use the through-site link and to facilitate interaction with the community (at the request of the UDRP).

2.4 View Loss

Council Comment:

Considering the height and scale of the buildings, it is inevitable that there will be a degree of view obstruction experienced by the adjoining residential units contributed by the subject development.

The adjacent development on the southern side of John Street will be most affected by view loss as the upper levels currently have unencumbered views of the city skyline. It is required that a view loss analysis from the apartments to the south is undertaken to demonstrate the degree of view loss which would occur on any existing view loss corridors.

An analysis of the view loss in accordance with the judgement under *Tenacity Consulting v Warringah Council [2004] NSWLEC 140* is to be provided in justifying any view loss or retention. It is acknowledged that the site previously had an approval for a residential development with a similar height as the subject application. An assessment of view loss was carried out for that application and was found appropriate. However, this is a new development which changes the extent of the building proposed across the site.

Applicant Response:

A detailed View Analysis has been prepared by *Bates Smart* and is attached in **Attachment 2**. This view analysis compares the existing condition, approved DA, and proposed scheme. The view has been taken from a centre point on the apartment building on the south side of John Street, directly opposite the subject site looking directly north to the proposal at typical low level, mid-level and top level points.

It should be noted that Council received only submissions from the owners of the top floor apartments. In response, the amended Architectural Plans include the lowering of north core by x1 storey (L10 is last storey served by lifts, access to roof plant via service hatch from L10 north core). Further, the proposal includes the removal of roof at top of L11 central block. The façade and screening have been retained so no visual impact will result. These amendments result in an improved

development outcome in terms of views and amenity to and from the proposed development.

As requested by Council, a summary of the view impacts and assessment against relevant principles established under the *Tenacity Consulting v Warringah Council [2004] NSWLEC 140* (Tenacity Principles) court case has been provided below;

Table 1. Assessment against the planning principle established under *Tenacity Consulting v Warringah Council [2004] NSWLEC 140*

Planning Principle	Response
<p>Principle 1. The first step is the assessment of views to be affected. Water views are valued more highly than land views. Iconic views (eg of the Opera House, the Harbour Bridge or North Head) are valued more highly than views without icons. Whole views are valued more highly than partial views, eg a water view in which the interface between land and water is visible is more valuable than one in which it is obscured.</p>	<p>The proposed DA as illustrated in the View Analysis, is significantly reduced in comparison to the Approved DA over 6-8 John Street.</p> <p>The neighbouring sites do not have water views; rather they have partial non-iconic land and air views.</p>
<p>Principle 2. The second step is to consider from what part of the property the views are obtained. For example the protection of views across side boundaries is more difficult than the protection of views from front and rear boundaries. In addition, whether the view is enjoyed from a standing or sitting position may also be relevant. Sitting views are more difficult to protect than standing views. The expectation to retain side views and sitting views is often unrealistic.</p>	<p>The views from the adjacent development on the southern side of John Street will be mostly affected on the upper levels which currently have distant views of the city skyline. The view loss analysis clearly indicates an Refer to View C within the View Analysis Plans.</p> <p>The proposed development is well below the permissible LEP height control and results in improved views compared to the approved DA. The proposed DA provides an improved development outcome by retaining more views for neighbours adjacent to John street compared to the existing approved DA over 6-8 John Street.</p>
<p>Principle 3. The third step is to assess the extent of the impact. This should be done for the whole of the property, not just for the view that is affected. The impact on views from living areas is more significant than from bedrooms or service areas (though views from kitchens are highly valued because people spend so much time in them). The impact may be assessed</p>	<p>The view analysis provides a very clear comparison between the approved DA over the site and the proposed DA. The proposed DA provides an improved outcome for the residents of the adjacent development on the southern side of John Street.</p>

Table 1. Assessment against the planning principle established under *Tenacity Consulting v Warringah Council [2004] NSWLEC 140*

<p>quantitatively, but in many cases this can be meaningless. For example, it is unhelpful to say that the view loss is 20% if it includes one of the sails of the Opera House. It is usually more useful to assess the view loss qualitatively as negligible, minor, moderate, severe or devastating.</p>	
<p>Principle 4. The fourth step is to assess the reasonableness of the proposal that is causing the impact. A development that complies with all planning controls would be considered more reasonable than one that breaches them. Where an impact on views arises as a result of non-compliance with one or more planning controls, even a moderate impact may be considered unreasonable. With a complying proposal, the question should be asked whether a more skilful design could provide the applicant with the same development potential and amenity and reduce the impact on the views of neighbours. If the answer to that question is no, then the view impact of a complying development would probably be considered acceptable and the view sharing reasonable.</p>	<p>The proposed development complies with the site setback controls and stands substantially below the LEP height control of 44m. The amended Architectural Plans include the lowering of north core by x1 storey (L10 is last storey served by lifts, access to roof plant via service hatch from L10 north core). Further, the proposal includes the removal of roof at top of L11 central block. The façade and screening are retained so no visual impact will result. These amendments result in a reduced impact to neighbouring dwellings. The proposal DA is considered reasonable in comparison to the approved DA over the site results in an improved retention of views from the neighbouring property. The development has been carefully studied and designed. Consideration has been made to alternative designs. The proposed design was considered the most suitable in terms of minimising amenity impacts whilst ensuring compliance with the applicable controls.</p>

2.5 Setbacks

Council Comment:

Concern is raised regarding the rear setback proposed on 13B Church Avenue and the building separation between the subject site and 13A Church Avenue. Whilst it is acknowledged that there technically are no controls for setbacks for boarding houses/student accommodation development, any development within this area should be consistent with the setbacks that are existing in the immediate surroundings. The lower levels of the development at this setback is acceptable however if possible greater articulation of the upper levels facing the northern boundary is recommended. This also stems from the location of the basketball court being in close proximity to the northern boundary and what impacts would be had regarding to noise. This is further

reiterated by submissions that have raised this as a concern that will need to be addressed and justified. Please also amend the plans to reflect the most recent amendment to the neighbouring site at 13A Church Avenue which increased its setbacks closer to their southern boundary on the upper levels.

Applicant Response:

- As requested, the Approved Section 4.55 footprint to DA 13A Church Ave has been reflected in the architectural plans.
- With regard to the emission of noise from the development in relation to the basketball court, please refer to Section 2.6 below for detailed discussion.
- In the Meeting with Council on Tuesday 10 March 2020, Council deemed the setbacks as sufficient on the northern elevation of our development, particularly as there is some offset between our buildings and the proposed building at 13A Church Avenue. Further, the northern elevation retains significant articulation and colour consistent with the rest of the building which wraps around to the northern elevation. Refer to the proposed colour scheme materials schedule sheet in DA11.000 north block and north block façade perspective on DA10.001 in the original DA submission package.



Figure 1. Extract from External Finishes DA11.000 – Submitted to Council in the original DA package

Source: Bates Smart



Figure 2. Extract from Perspective 1 DA10.010 – Submitted to Council in the original DA package

Source: Bates Smart

2.6 Noise from the Development

Council Comment:

Concern has been raised by both Council and through submissions on the noise generated and emitted from the development. There are different components to this issue which stem from the loading bay, events that may occur from the site and the communal open space areas.

Firstly, the location of the loading dock at the rear of the site is in close proximity to the residential units and communal open space of the adjoining developments at 13A Church Avenue and 10-14 John Street. How will the noise be managed? Is there a solid wall/materials proposed between the sites to mitigate the noise that comes from garbage collection? What type of management plan is in force to address this? There are hours proposed in the acoustic report which restrict garbage collection and loading/unloading to certain hours. Please confirm these are the hours are proposed.

Secondly, as the development is proposed as student accommodation, it is expected that the students will organise events on the premises which may impact on the amenity of the surrounding developments. Any events should be subject to noise and operation mitigation and hour curfews and needs to be specified and detailed within the plan of management. Additionally, Council may consider providing conditions of consent limiting the areas where activities/events are carried out on the site to prevent any further noise complaints from occurring.

Thirdly, it is not clear how the basketball court on the rooftop of the rear building has been enclosed. The plans show that there is an enclosure of some sort however is this roofed? Also is this enclosure transparent fencing or solid wall? Are there time restrictions proposed for the use of the basketball court particularly as it is located adjacent to residential units. It seems like an assessment of the potential noise from this area has not been considered within the acoustic report by acoustic logic.

Further information relating to noise and acoustic reports is provided in the Environmental Health Officers' comments below.

Applicant Response:

An updated *Acoustic Report* has been prepared by *Acoustic Logic* and attached in **Attachment 7**.

- **Loading Dock:** Council accepted the location of the Loading dock in the meeting on Tuesday 10 March 2020. The revised architectural plans have included the provision of a temporary covered external holding bay for loading/unloading of goods and to provide protection for workers.
- In accordance with the updated *Acoustic Report* in **Attachment 7**, the loading dock shall only operate between the following hours;
 - 7am – 10pm Monday to Saturday, or
 - 8am to 10pm Sunday or public holidays.
- Trucks within the loading dock shall ensure that engines and refrigeration units are turned off while located within the dock area apart from when entering and departing the dock area.

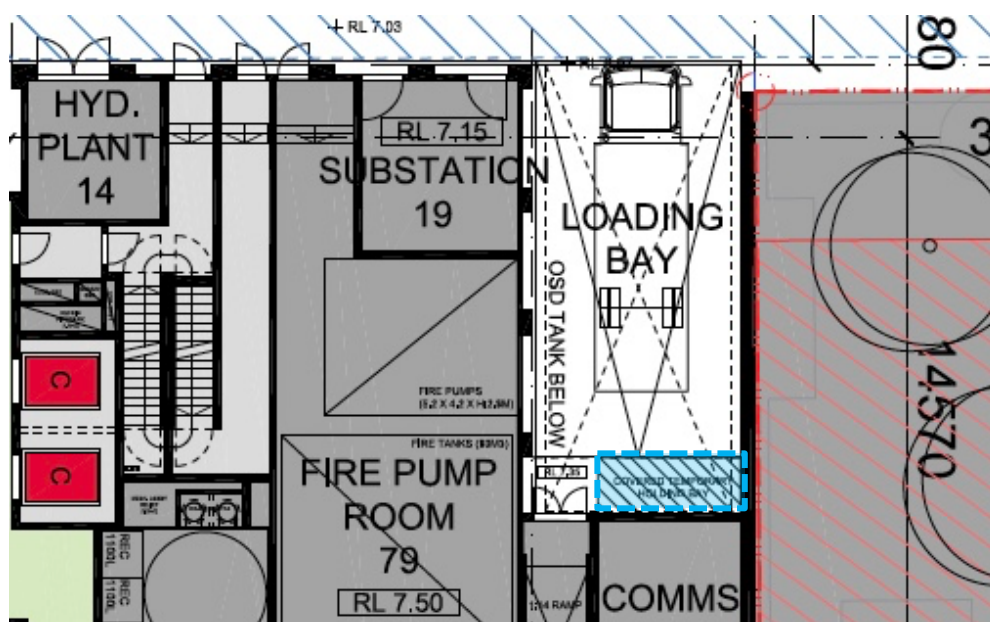


Figure 3. Proposed covered temporary holding bay (highlighted in blue) on the Lower Ground Plan (DA03.0G1)

Source: Bates Smart

- **Events:** The stipulated hours are retained in the updated Operational Management Plan provided in **Attachment 12**. An updated *Acoustic Report* (**Attachment 7**) has also been prepared which addresses any potential noise emitted from the development. To ensure *Iglu* residents are not disturbing our surrounding neighbours' and to adhere to Council regulations, all outdoor areas will be closed and locked off from 10:00pm and reopened at 9am. All residents must move inside the building at this time.
- **Basketball Court:** Council agreed in the meeting on Tuesday 10 March 2020 that the current proposed location is the most appropriate for minimising impacts on neighbours. Further, Council noted that the area is already subject to relatively high ambient noise from aircraft. The Council officers agreed that they would not want to see the basketball court taken out of our proposal as they recognised the lack of active open space in the area and welcomed such an outdoor space. In response to Councils

request for further clarification round what the court comprised and how it would be managed, an updated *Acoustic Report* (**Attachment 7**) and *Landscape Plan* (**Attachment 6**) has been prepared.

Page 23 of 37 of the revised *Landscape Plans* illustrate the proposed structure enclosing the basketball court. The enclosure will comprise of a transparent mesh structure in between the pillars and a mesh canopy. This will provide a structure for plants to grow on, provide safety for its users and confine basketballs to the designated court. For further detail on the enclosure structure, refer the updated Architectural Plans in **Attachment 1**.

Further mitigation measures to manage the acoustic emissions, a 3.6m high solid sound barrier wall will be installed on north façade of the basketball court (only). This sound barrier will be comprised of clear toughened glass, Perspex, wood, metal materials or the likes. The plans also include the installation of 1m high solid balustrade/ planter-boxes to east and south of the court.

Multi-purpose Sports Area (Northern Building) – outdoor area for residents, with facilities for sports and includes tables and seating. Smoking is prohibited. Loud noise, including music, is prohibited in external common areas. All external areas will be locked off by Management at 6pm and re-opened at 9am, 7 days a week. Additional external lighting will not be provided to the multi-purpose Sports Area. Outside of these hours the basketball court will be off limits for use by residents and locked to prevent unauthorised entry.

The Architectural drawings have been updated to reflect this as well as an updated Operational Plan of Management in **Attachment 12**.



Figure 4. Rooftop mesh trellis on rooftop garden and basketball court (Version D, Page 8 of 37)
Source: RPS

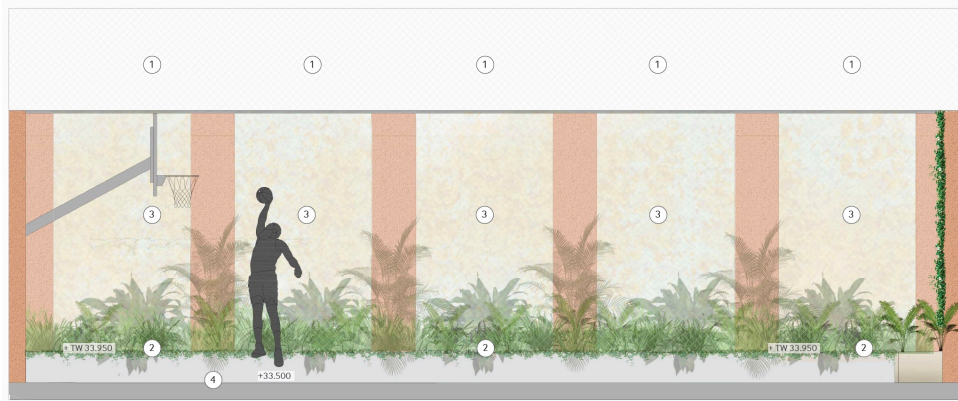


Figure 5. Roof Section (Version D, Page 23 of 37)
Source: RPS

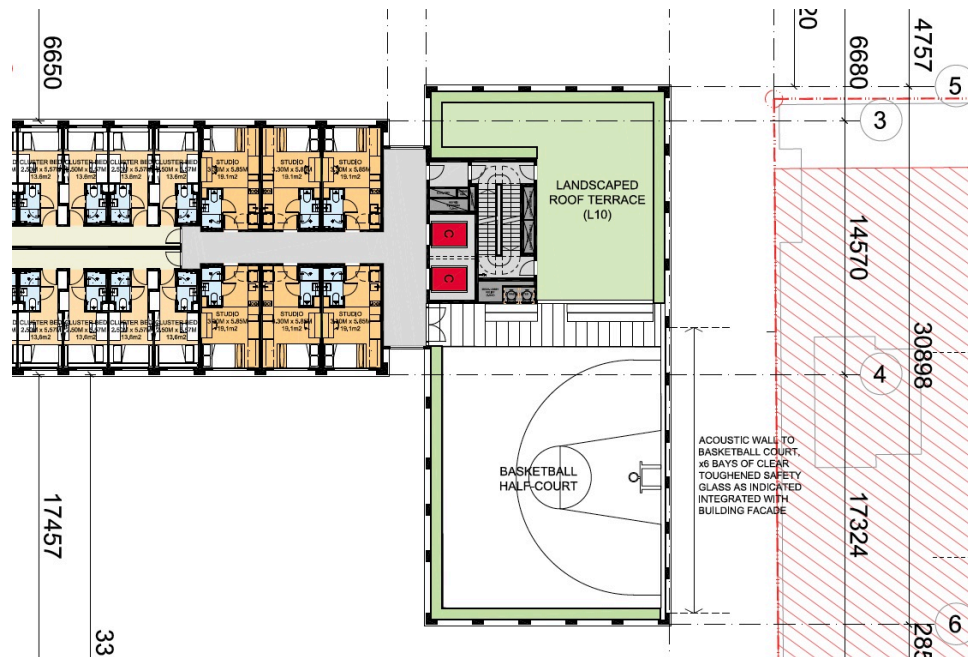


Figure 6. Updated Architectural plans to illustrate the location of the acoustic wall on the rooftop Level 10 northern elevation (DA03.010_L10)
Source: Bates Smart

2.6.1 Common bathroom located adjacent to the lounge and café area would benefit from the students and any visitors and staff having to go up to the rooms or to the lower level to use these facilities.

The cafe provided within the development is not a commercial cafe but rather a 'Grab and Go' Breakfast Bar for use by students only. Common bathroom facilities are located on Lower Ground adjacent to the immediate entry core. In response to Council's comment, further detail has been added to the accessible WC, including shower. Refer to the updated Architectural Plans in **Attachment 1**.

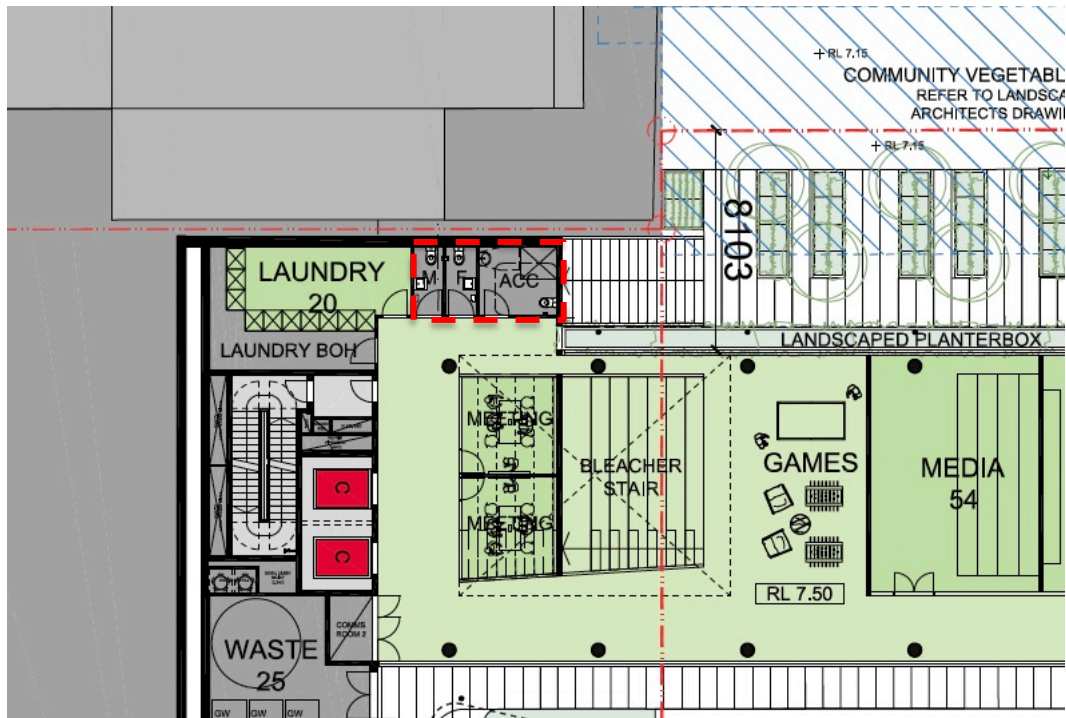


Figure 7. WC facilities provided on Lower Ground Level (DA03.0G1, Rev B)

Source: Bates Smart

2.6.2 Ground floor plan is inconsistent with the landscape plan as it does not show the landscaped area next to the ramp entry along John Street.

This minor inconsistency that has been addressed in an updated Landscape Plan attached in **Attachment 6**.

2.6.3 Furniture and garden beds located within the easement - confirmation is required as to who owns the easement, has the site utilised the area for the calculation of FSR, site coverage and landscaped area?

The subject site (Lot 2 DP547700) is affected by an existing shared access easement located off Church Avenue with the existing easement used as driveway to provide vehicular access to the existing adjoining 8-storey residential flat buildings located at 10-14 John Street.

The proposed development has made consideration to the easement. The easement, with its 4.6m setback from the western boundary, will continue to be used as an access point and driveway for neighbouring residential sites and will provide service access to the loading dock of the proposed student accommodation.

As guided by the *Urban Design Review Panel*, the application proposes to activate and transform the easement by integrating a community vegetable garden and a pedestrian through-site link which will enable access from John Street through to Church Avenue. This area has been utilised for the calculation of FSR as it is within the site boundary, therefore counts as site area.

2.6.4 The location of the fire booster along John Street needs to be clearly defined. Please confirm whether the area is accessible and not blocked completely by landscaping or any other structure.

Currently, a landscaped planter bed is located in front of the fire booster. To improve accessibility and to ensure no blockages around the fire booster, the landscaping treatment has been revised. The footprint towards John St of the south fire booster has been increased to include services transfer to the rooftop

plant. Steppers in matting groundcovers have been provided to retain the character of the planting design while still allowing for non-obstructed access to the fire booster. Refer to Page 20 of the revised *Landscape Plan* prepared by RPS in **Attachment 6**.

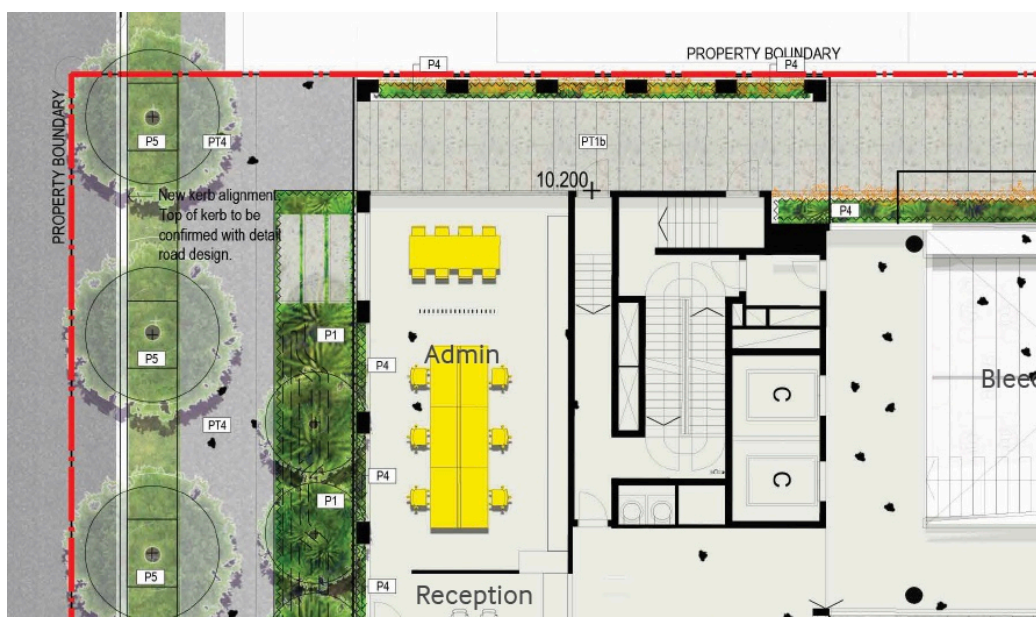


Figure 8. Revised Landscape Plan illustrating amended landscaping treatment to provide additional access to booster.

Source: RPS

2.6.5 Are there garbage chutes proposed for rubbish collection? How will this be managed? This will need to be updated within the waste management plan and plan of management;

There are garbage chutes proposed for both the north and south core on every student room level. This has been reflected in an updated *Waste Management Plan* in **Attachment 14**.

2.6.6 There appears to be windows located on the western boundary of the building fronting John Street which abuts the building at 10-14 John Street. Does this comply with the BCA? Are they operable?

The proposal comprises west facing windows on Level 1 to Level 6 for the South-Western corner rooms (x6 windows in total). These windows are non-operable and will be fire-drenched, and therefore compliant with the BCA.

2.6.7 Visual privacy concerns are raised within the development with a number of the rooms on the internal corners containing windows which face directly into adjoining rooms. How is this to be dealt with?

The infill panels (solid / windows) provide control of outlook at internal corners, ensuring unobstructed window views.

2.6.8 Details regarding to the signage proposed are missing. If signage is proposed as part of this application, Council requires plans demonstrating the number, size and location of the signs within the site.

Noted, a separate signage details drawing has been prepared and is attached in **Attachment 5**. The proposed signage is consistent with the existing signage schemes applied to Iglu's other student accommodation sites including those in Redfern, Broadway, Central, Chatswood and Central Park.

Setback along the western side of communal rooftop area on front building facing John Street can benefit in having a larger setback off the side boundary to avoid noise and visual privacy issues. Should you consider not increasing the terrace being setback away from the boundary, a greater landscape planter bed area should be incorporated within the development.

The lodged DA included a wrap-around landscaped planter-box zone around the entire south roof terrace. As illustrated on Page 21 of the revised *Landscape Plans (Attachment 6)*, the communal rooftop has been revised to allow for a greater landscape planter along the western side of the communal rooftop. These plans continue to provide extensive planting, including vertical planting on the facade trellis, providing an acoustic and visual buffer from the neighbours.

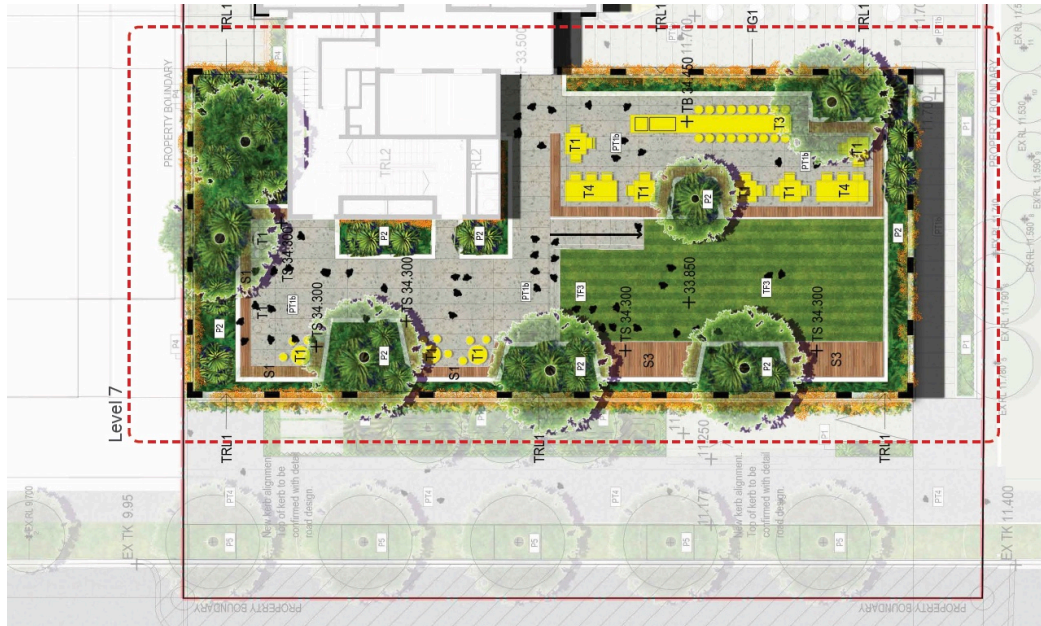


Figure 9. Revised Landscape treatment to the western facade of the communal rooftop on John Street (Page 21 of 37, Version D)
Source: RPS

The size of the plant room is considered too large. It is not understood why the plant room is required to extend the entire width and depth of the rooftop of the central building. Ideally, it would be required to move the plant room off the terrace however should the site not be able to accommodate this elsewhere, it is required that the size of the services be reduced and pulled in from the edges of the building to reduce the bulk and scale of the development.

The plant room is unable to be accommodated elsewhere and accordingly, the central building is the most appropriate location. The location and size of the plant room has been designed in such a way to conceal and screen the plant whilst integrating it carefully into the overall design and architecture of the building and providing a tidy and clean view from neighbouring properties. Refer to the Architectural Plans in **Attachment 1**. The amended Architectural Plans include the lowering of north core by x1 storey (L10 is last storey served by lifts, access to roof plant via service hatch from L10 north core). Further, the proposal includes the removal of roof at top of L11 central block. The façade and screening are retained so no visual impact will result. These amendments result in a reduced impact to neighbouring dwelling and overall reduction in height and bulk.

2.6.11 Access to the rooftop terrace at John Street frontage is not clear particularly relating to the external stairs. It is recommended that the stairs be internal to the development, not external as this is not aesthetically pleasing. Please confirm if this is part of a lift overrun or continuation of fire stairs or exposed stairs.

The access to the rooftop terrace at the John Street frontage is a continuation of fire stairs that become external fire stairs from Level 8 to Level 10. In response to Council's request, the external fire stair (between the Central and South blocks have been redesigned to be enclosed with as minimum bulk as possible. This stair is an emergency exit stair only and not considered a primary mode of circulation to the roof terrace. This enclosure of the fire stair well results in a minor increase to the GFA for the site. This has been included in the GFA Calculations in **Attachment 4**. Even with this additional GFA, the proposed development remains compliant and below the total permissible GFA (GFA (3.2:1) plus 20% ARH SEPP Bonus = 3.84:1).

2.6.12 Is the gym at the lower level enclosed by walls or is open? It is not very clear on the plans.

The gym on the lower level is open on three sides, with glazing between perimeter facade columns that continue down to ground level. The plans have been updated to provide more clarity. Refer to the Revised Architectural Plan DA03.0G1 in **Attachment 2**.

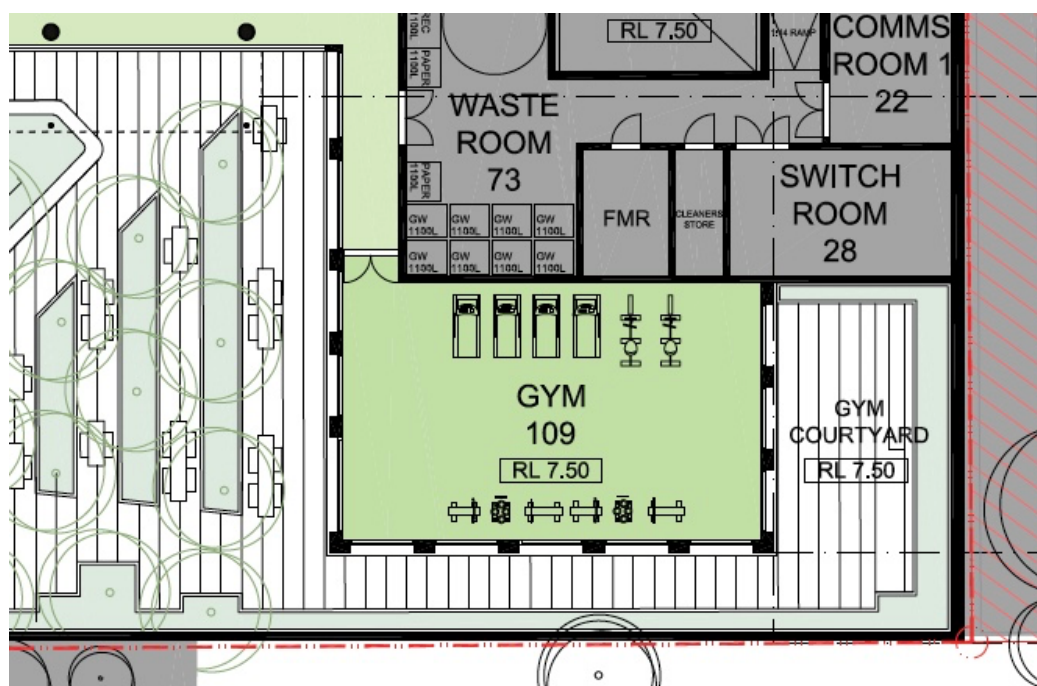


Figure 10. Revised Architectural Plans – Gym glazing on Lower Ground Floor Plan (DA03.0G1, Rev B).
Source: Bates Smart

2.6.13 The waste room is proposed on the southern portion of the lower ground level. This should be reconfigured to be directly adjoining the loading dock. At this stage, how is the waste located in this waste room transported to the loading dock? Through the communal open space area?

The development comprises two (2) waste rooms as there are waste chutes in both cores to service all rooms. The northern waste room is considered the primary waste room due to the servicing of more rooms and proximity to the loading dock, and therefore has an increased size and holding capacity. The waste is relocated from the south to north waste room by building management

and contract cleaners via the paved walkway in the lower ground courtyard which is undercover and setback extensively from the east and west boundaries.

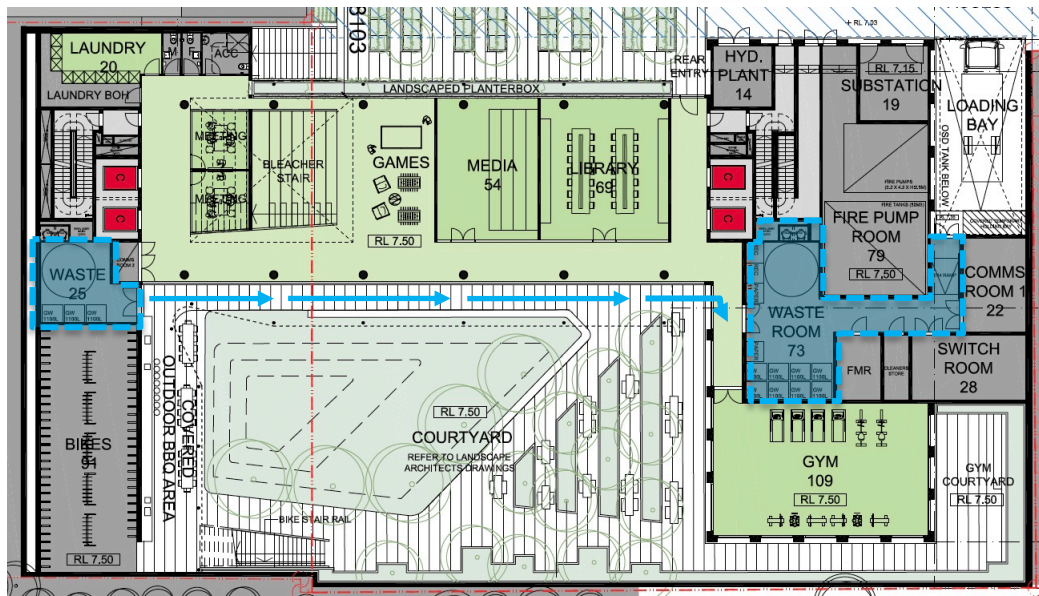


Figure 11. Location of Waste Rooms (highlighted in blue) and path of travel on Lower Ground Floor Plan (DA03.0G1, Rev B).

Source: Bates Smart

2.6.14 Does the OSD require the site to be excavated? If so, does the excavation trigger integrated development?

The OSD sits below the loading dock and has an internal depth of 0.7m. Therefore, the OSD requires minor excavation of approximately 1.0m.

The *Geotechnical Report* lodged with the SEE noted that after their investigation, it is unlikely that ground water will be encountered during the bulk of the excavation works. Only temporary de-watering may be required **if** ground water is encountered. Therefore, at this stage, the development is **not** classified as integrated development.

An updated *Civil Report* has been prepared by *Enstruct* in **Attachment 10**. Refer to Section 3.2 within the report for detailed discussion. A DRAINS analysis has been also included within the Report.

2.7 Submissions

Council Comment:

There was a large number of submissions that were received as part of this development application. The submissions generally raise issues relating to, but not limited to, the following points:

- Damage to neighbouring developments due to demolition, excavation and construction;
- View loss;
- Inadequate existing road and public transport infrastructure and traffic generation;
- No car parking on site proposed;
- Overshadowing of surrounding developments;
- Overdevelopment and too much density in the area;
- Compatibility of the use within Mascot Station as site is not near any tertiary education establishments. The area has not been planned for short term sustainability or long-term accommodation;
- Visual privacy;

- Design;
- Regulation of the amount of students accommodated within development;
- Impact on surrounding uses i.e. residential and childcare centres;
- Devalue properties;
- Development is not catered to the demographic of the area;
- Noise emitted from development and student behaviour i.e. events;
- Cleanliness and waste management;
- Site is to be allocated as green open space, not for development;
- Development is not being built in accordance with the density controls within the Mascot Station Precinct Masterplan;
- Issues with infrastructure, traffic management, community management, services and safety;
- How is the development contributing to the existing community?
- Materiality and colours proposed are incompatible with surrounding development;
- Air flow is blocked to surrounding developments from the subject development;
- Residents want to avoid the process and damage surrounding Mascot Towers from reoccurring on this site;
- Limited setbacks proposed to boundary;
- Restriction on the use of easement.

The redacted submissions can be viewed on Council's DA tracker with reference to this DA number. Please address all issues that have been raised within the submission.

Applicant Response:

The applicant has carefully reviewed the submissions and has addressed any concerns in a detailed response provided in **Attachment 13**.

2.8 Design Review Panel

Council Comment:

The application was presented to a design review panel for assessment of design excellence. The Panel have provided minutes from the meeting which have been attached to the letter. Generally, favourable comments have been given and the Panel have recommended that the proposal satisfies the provisions of Clause 6.16 of the BBLEP 2013. If there is any comments that address issues that remain outstanding, please make the appropriate changes to the plans and documentation to address these issues.

Applicant Response:

In accordance with Council's Development Application process, the initial presentation to the *Urban Design review Panel* (UDRP) was held on the 1 August 2019 at Bayside Council with a second presentation to the Panel held post lodgement on the 12 December 2019.

The design scheme proposed is a revised scheme to the previous Pre-DA Meeting (PDA/201/27) as presented to Council and both Design Panels. The developed scheme has been designed to reflect the Panel's comments and/or recommendations.

Overall, the UDRP supports the application and remarks that it satisfies the design quality principles contained in SEPP65 and achieves Design Excellence in accordance with Clause 6.16(4) of the BBLEP2013.

The UDRP concluded that;

- The Panel considers the applicant's design team has undertaken a comprehensive and well-considered assessment of the surrounding urban context, including difficulties associated with the change in levels between

the rear and the front of the property as well as existing and proposed development on adjacent sites;

- The panel notes that the applicant has taken on board the suggestions and comments from previous meeting in regard to the rear lane and commends the design approach and the through-link;
- The panel commends the way the architects have responded to the site with three distinct building volumes and the manner in which these volumes relate to the surrounding character of the street and its buildings;
- The panel commends to articulation of the roofscape and sequence of external and internal spaces that are proposed over the ground and lower ground floors;
- The panel considered that the density is appropriate for the site;
- The panel commends the sustainability initiatives that are proposed;
- The panel believes that there is a high-quality landscape being proposed for the site;
- The issues raised at the previous UDRP panel in regard to amenity appear to have been properly addressed. In alignment with the Panel's comment, additional solar studies have been prepared and attached to in **Attachment 1**. These demonstrate that the overshadowing impacts are negligible on the adjoining building to the east;
- The panel is happy that the safety and housing diversity and social interaction items have been addressed in the developed scheme; and
- The panel commends the developed scheme and believes that it will provide a positive aesthetic addition to the area.

2.9 Environmental Health Officer Comments

2.9.1 Food

Council Comment:

- **Material and finishes of all walls, floors (including approved coving and location of floor wastes), ceilings and light fittings including the means of sealing of any gaps or crevices**
- **Sections and elevations of the shelving, storage units, food display counters and the like indicating the material and finishes and the height above the floor**
- **Sections and elevations of all free-standing refrigerators, freezers and the like indicating wheels, plinths or approved clearance from the floor.**
- **Sections and elevations of all stoves, grillers, deep fryers, ovens, other food preparation or cooking equipment and the like indicating wheels, plinths or approved clearances from the floor and between each item.**
- **Sections and elevations, materials and finishes and method of construction of the counter and other non-food display or storage units.**
- **Details of all washing and cleaning (double bowl basin) facilities including hand wash basins and a cleaner's sink, indicating their precise location, designated use and water and drainage connections. NOTE: All hand wash basins must be free standing, supplied with warm running water.**
- **Details of the proposed waste storage area incorporating a waste recycling bay.**
- **Details of the proposed grease trap if required – Sydney Water to be contacted in relation to trade waste agreements.**

Applicant Response:

The internal café and 'grab and go' food service is intended for residents and the visitors of residents only. It is not intended as a commercial café servicing the public. In response to Council's comments, the Architectural Plans **Attachment 1** has been updated to provide additional detailing on the functioning of the proposed kitchen and illustrated the location of kitchen equipment, waste storage areas, materials and finishes. The proposed kitchen will not include a grease trap as it will not be used as a full commercial kitchen. It will only include the preparation of light meals such as sandwiches or breakfast items for residents only.

2.9.2 Acoustic Report

Council Comment:

Amendments to the acoustic report are required detailing the proposed food business, laundering facilities, and recreational amenities offered at the premises (such as the gym, basketball courts, rooftop terraces, outdoor BBQ, library, media room and meeting room). In particular, attention and tests should be undertaken to demonstrate the noise impact during night time period* as there is a potential for noise to impact on the surround residents and neighbours. The report should be undertaken to ensure that the mechanical ventilation / air conditioning, cool room motors, alarm systems, recreational activity and use of amenities do not disturb the comfort and repose of building residents and neighbours alike.

Note: * Night time period (10pm to 7am) is defined in the guidelines published by the NSW EPA. The night time period is the most sensitive time as it is the sleeping period for most residents.

Applicant Response:

As noted above, the internal café and 'grab and go' food service is intended for residents and the visitors of residents only. It is not intended as a commercial café servicing the public.

A revised Acoustic Report has been prepared by Acoustic Logic and attached in **Attachment 7**. In accordance with Council's recommendations, the report includes additional testing and analysis over any possible noise generators over the site such as mechanical ventilation, air conditioning, cool room motors, alarm systems, recreational activity and use of amenities. Refer to the revised Acoustic report for detailed discussion.

The *Operational Management Plan* prepared by Iglu has also been updated and attached in **Attachment 12**. This plan outlines the noise management measures from an operational standpoint. To ensure Iglu residents are not disturbing our surrounding neighbours and to adhere to Council regulations, all outdoor areas will be closed from 10:00pm. All residents must move inside the building at this time. The use of the rooftop basketball court will be restricted between the hours of 9am to 6pm. Outside of these hours the basketball court will be off limits for use by residents and locked to prevent unauthorised entry.

2.9.3 Garden Facilities

Council Comment:

The documentation noted that the premises is to contain a community garden. Please inform of the management plan for the garden with attention given to the irrigation and drainage of the gardening beds. Will the beds be waterproofed to prevent water draining into the stormwater system in instances of over-watering?

This information will allow the environmental health team to provide a more informed assessment regarding the possible environmental and health impacts of application.

Applicant Response

An updated *Landscape Plan* has been prepared by *RPS* and is attached in **Attachment 6**. This plan includes details on the management, irrigation and drainage of the landscaped works including the community vegetable garden beds.

The community garden will be maintained by the building management. It will be planted out during construction to ensure vegetation is provided on practical completion. The planters will be on natural ground with subsoil drainage to ensure suitable drainage. Refer to the Updated Landscape plan for detailed discussion.

2.10 Engineering Matters

2.10.1 Traffic, Parking & Access

a. No swept path analysis has been provided for the proposed MRV truck and the acceptability of its manoeuvring into the loading bay.

Varga Traffic Planning has prepared a swept path analysis of the proposed MRV truck. This plan confirms the MRV truck is safely and acceptability able to be manoeuvring into the loading bay accessed via Church Avenue. Refer to **Attachment 9** for details.

b. The design of the loading bay shall be wider to provide room for the loading/unloading of goods and efficient manoeuvring of commercial vehicles.

The Provided Swept Path Analysis indicates that MRV trucks can safely and comfortably manoeuvre into the loading bay accessed via Church Avenue. Refer to the updated *Traffic and Parking Assessment Report* in **Attachment 9** for details.

c. The bike storage area is not easily accessible, it shall be relocated to have better access to the right of way or relocated to the ground floor with access from John Street.

Accordingly, a bike rail on the external courtyard stair has been proposed and notated on the drawings.

A second narrow pedestrian access off John Street was proposed in the original submission. This secondary access is intended for private resident access only and is separated by a secured gate/fence. This provides residents direct and convenient access designated bike storage facilities on the Lower Ground Level and the central courtyard. It is not intended as a public through site link. This approach is in alignment with the *Urban Design Review Panel's* comments and objectives outlines for the through-site link.

To assist in ease of access to the bicycle storage room, a bike rail on the external courtyard stair has been proposed and notated on the drawings.

d. The “community vegetable garden”, swinging doors for plant + fire escape and part of the stairs are proposed within land burdened by a right of carriageway benefitting neighbouring sites which is not supported. It is advised that if such a part of the carriageway is now redundant, it to be removed upon negotiating with the relevant neighbours or otherwise any existing right of carriageway is to be clear of any obstruction.

The subject site (Lot 2 DP547700) is affected by an existing shared access easement located off Church Avenue with the existing easement used as driveway to provide vehicular access to the existing adjoining 8-storey residential flat buildings located at 10-14 John Street.

The proposed development has made consideration to the easement. The easement, with its 4.6m setback from the western boundary, will continue to be used as an access point and driveway for neighbouring residential sites and will provide service access to the loading dock of the proposed student accommodation.

The application proposes to activate and transform the easement by integrating a community vegetable garden and a pedestrian through-site link which will enable access from John Street through to Church Avenue. The community vegetable garden incorporates freestanding vegetable crates which can be moved as necessary to ensure access and will be sited in a location that is beyond the vehicular access points.

In alignment with the comments from the UDRP, the application proposes to activate and transform the easement by integrating a community vegetable garden and a pedestrian through-site link which will enable access from John Street through to Church Avenue. The community vegetable garden incorporates freestanding elevated vegetable crates on wheels which can be moved as necessary to ensure access is maintained. These moveable planters are not permanently fixed and will be sited in a location that is beyond the vehicular access points. Refer to the updated Landscape plans in **Attachment 6**.

- e. **Due to the location of this student accommodation, it is likely to attract interest by students attending the University of New South Wales. Currently the existing transport bus services to the university from mascot station are considered insufficient alone to support a significant student accommodation development. It is advised that IGLU will need to have regular shuttle buses to UNSW proposed as part of this development to ameliorate this deficiency. An internal pick up/drop off area will be needed.**

As discussed with Council on Tuesday 10 March 2020, Iglu will not be providing a shuttle bus service to UNSW as alternative modes of transport are available near the site. This is justified in a revised *Green Travel Plan* in **Attachment 8**.

- f. **Regardless of what apparent usage rates are claimed as being experienced by Iglu Pty Ltd, there is a need to provide and encourage alternate forms of public transport. Citing recent SSD and SECPP approvals for IGLU student accommodation in Redfern and Summer Hill, 1 bicycle space per 3 beds is considered the required number of bicycle parking for this development (145 bicycle spaces). The bicycle provision provided in this development must be revised to this effect.**

The proposed revised plans have included an increase from 88 bicycle spaces to 91 bicycle spaces in the dedicated Lower Ground bicycle storage room. After discussion with RPS, it's thought that external bike spaces as suggested by the Council Engineer is not advised due to clutter and safety risks. Accordingly, a bike rail on the external courtyard stair has been proposed and notated on the drawings.

- g. **A public pedestrian through-site link that directly connects to and through a long vehicular dominated corridor is not considered safe or desirable for the locality. All pedestrians/visitor should only be able to visit the site from the John Street frontage, with no access to Church Avenue. The conflict of large numbers of students with vehicles is not a desirable outcome for the site. Furthermore, opening the general public up unsuspectingly to this risk by providing the inappropriately located site through link is considered undesirable (it is noted that this may conflict with planning control on Church Avenue frontage however I**

would say that it would be better suited activating the John Street frontage as it actually has very comparable levels of pedestrian movements and there is many examples of poor activation already on Church Avenue).

Council officers in the meeting on Tuesday 10 March 2020 confirmed their preference to keep the through-site link (despite engineer's comments). The Operations Plan of Management in **Attachment 12** details the security measures to ensure safety on the site for both the residents and neighbours, which should address the concerns of Council's engineers.

- h. Due to lack of amenity associated with the lower ground floor area of the development, it may be better to focus this area on facilitating more transport orientated options for the development (pick up/drop off, bike storage, motorbike parking, services, waste/loading bay etc.).**

The proposal comprises the slight redesign of back of waste room to allow more intermediate storage and handling. The proposed revised plans have also included an increase from 88 bicycle spaces to 91 bicycle spaces in the dedicated Lower Ground bicycle storage room.

- i. The developer will be required to dedicate land for road widening and construct public domain works, along both frontages of the site prior to the issue of any occupation certificate regardless of timing of construction of surrounding development.**

Dedicated road widening has been proposed on both frontages. A 7.5m setback from Church Avenue and a 5.5m dedicated zone on John Street has been incorporated and allocated to Council for road widening. Refer to DA03.0G2 for details (**Attachment 1**).

- j. The green travel plan references the provision of end of trip facilities, it is not clear on the plans as to the location of these facilities.**

The Architectural Plans have been updated and labelled accordingly to better clarify the location of the end of trip facilities within the development. Refer to the revised Green Travel Plan in **Attachment 8**.

- k. The green travel plan needs to be updated to include clear and time bound targets, actions, measurements and monitoring framework.**

An updated *Green Travel Plan* has been prepared by TPPP and is attached in **Attachment 8**. This amended plan provides clear and measurable frameworks.

- a. Action 1.1 of the Green Travel Plan needs to be changed to ensure that a subsidy is implemented for employees/students for public transport. Development should consider providing discounted memberships for car share providers.**

Iglu will provide new students with an Opal card pre-loaded with \$20 on arrival.

A *Travel Access Guide* will also form part of a welcome pack for all students to ensure that they are made aware of the available transport options.

Further, the subject site is in close proximity to a number of existing car share facilities. Students receive a low membership fee option as part of the GoStudent membership. Iglu will negotiate a bulk deal with GoGet to ensure students residing at the proposed development have the best options available.

2.10.2 Stormwater Management

Council Comment:

- a. The design of the stormwater system is not supported. The on-site detention (OSD) system is not sized correctly, the design must be revised so that the permissible site discharge (PSD) it is not to be based on the 20% AEP peak discharge rate from the pre-developed state of the site but instead the PSD shall be designed to restrict the discharge to 20% AEP event peak flow under the "State of Nature" condition of the site (i.e. the site is totally grassed/turfed) for all storm events as outlined in *Botany Bay DCP Part 10*. An appropriate run-off coefficient is to be utilised for the site being modelled fully grassed/turfed. OSD design is to be revised to comply in full with Botany Bay DCP part 10 section 6.
- b. Detailed calculations of how the PSD and volume for the OSD have been calculated is to be provided for assessment and approval.
- c. The OSD tank is required to have a minimum internal height of 1m to facilitate access.
- d. All pipes should ideally have a minimum 1% fall.

Applicant Response

In alignment with Council's comments, a revised Civil Report and Plans have been prepared (**Attachment 10**) to address the stormwater system and on-site detention systems (OSD).

The revised OSD tank volume and discharge rate have been designed in accordance with the Council's Stormwater Management Guidelines. The permissible site discharge (PSD) is based on the pre-developed "state of nature" 20% AEP peak discharge rate.

The OSD volume is based on the developed site restricting the 1% AEP peak discharge rate to the abovementioned PSD rate. The OSD tank has been optimised through the design of a high early discharge (HED) chamber in accordance with the Stormwater Management Guidelines. Refer to Section 3.2 of the Civil report for detailed discussion.

It is noted that the stormwater design meets Australian Standards and Iglu will send DRAINS file to Council to confirm, along with flood modelling that is currently being finalised.

2.10.3 Floodplain Management:

- a. **The development is proposed on allotments of land that council has knowledge are flood affected. No flood advice letter appears to have been obtained from the site prior to lodgement or was submitted as part of the lodgement documents. A flood advice letter must be obtained from Council for the development. The form is attached here: https://www.bayside.nsw.gov.au/sites/default/files/2019-07/Flood%20Advice%20Application%20Form%20June%202019_0.pdf**
- b. **The civil report has provided a review of the flooding on the site however, an internal review identifies higher flood levels within the 13B Church Avenue property. The flood advice letter will detail the required flood planning levels for the site that need to be addressed in the design of the development. Floor levels are to be revised to have the correct freeboards as per council policy, particularly the lower ground floor level.**
- c. **1% AEP flood level in the driveway through 13B Church St varies from 7.2m AHD to 7.4m AHD.**
- d. **Since the flood hazard is low (depth of water approx. 200mm), we can consider the habitable floor level for the lower ground floor to be no lower than 7.70m AHD and non-habitable area to be no lower than 7.5m AHD.**
- e. **Loading area can be designed to 100mm above existing ground level.**
- f. **Those are the floor level changes that are needed for the lower ground floor that may not be clearly outlined in the flood advice letter. It's an increase of about 400mm for habitable areas.**

Applicant Response

The building has been raised to meet the RL7.50 flood requirements at the lower ground level. This results in an increase in building height by 350mm. Even with this height increase, the development remains under the 44m height control under the LEP. The primary constraint is the substation which is critical infrastructure and requires 3.2m clear head height and a minimum = 120mm FFL above the laneway RLs. Further, a Flood Advice Letter has been obtained from Council and is attached in **Attachment 11**. A revised Civil Report and associated Plans have been prepared (**Attachment 10**) to address the stormwater system and on-site detention systems (OSD).

2.11 Landscaping Matters

2.11.1 General Landscape Assessment

Council Comment:

The proposed development includes an internal open space with trees and grass, proposed to be under the natural ground level. There is a large level change within the development with the internal deep soil landscaped area between the proposed level and natural ground level of approximately 4 metres from Church Avenue to John Street. Considering the proposal is located within a flood affected area the proposed difference in levels towards the neighbouring properties and natural soil levels is not ideal. It is recommended excavation is minimised or the existing natural ground level is maintained. The proposal seeks to treat these changes to the soil levels with a series of walls, stairs and soft landscape treatment. Is recommended to minimise the use of stairs and retaining walls, for environmental reasons, and to maximise the deep root planting zone.

It is recommended that the proposed internal park include a minimum of three large native canopy tree, within the proposed Weeping Lilly Pilli's. It is also recommended that a vegetable garden is incorporated within the rooftop communal area as exposure to sunlight is greater at this location than that proposed at the lower ground/ground level along the western boundary.

Along the western boundary a site through link is proposed. A second pedestrian access is proposed along the eastern boundary, this second one very narrow. Further details on how the easement/site through link, bicycles and pedestrians circulate within this area is to be demonstrated.

Besides the bicycle parking area included under the building, an area within the site for casual parking can be included in the landscaped areas. It is recommended that an area is included within the site as a bike service area considering the scale of the proposal and the departure of car parking proposed.

Applicant Response:

An updated *Landscape Plan* has been prepared by RPS and is attached in **Attachment 6**. In response to Council's comments, the Landscaping has been amended accordingly;

- The landscape design for the internal courtyard proposes a mix of native tree species to achieve adequate canopy cover this includes;
 - 5 x *Waterhousea floribundia* (Weeping Lilly Pilly) installed at 400L with an approximate mature canopy spread of 9m;
 - 15 x *Cyathea cooperi* (Australian Tree Fern) installed as ex-ground stock with an approximate mature canopy spread of 8m;
 - 5 x *Elaeocarpus eumundi* (Smooth Leafed Quandong) installed at 1000L with an approximate mature canopy spread of 2m; and
 - 7 x *Livstonia australis* (Cabbage Tree Palm) installed at with a minimum 3.5m clear trunk and an approximate mature canopy spread of 6m.

This mix of species and canopy size will ensure that there is an adequate canopy coverage while still providing solar access to the courtyard space and ensuring there is sufficient deep planting zones in the LG east-facing central courtyard.

- A vegetable garden is incorporated within the rooftop communal area as exposure to sunlight is greater at this location than that proposed at the lower ground/ground level along the western boundary.
- Productive plants have been added to the planting design adjacent to the outdoor kitchen on the communal roof space.
- The development has increased the western setback on the John Street roof terrace via an increased landscaped planter box zone (*refer to Section 2.9.6 for detailed discussion*).
- This second pedestrian access is narrow and is intended for private resident access only and is separated by a secured gate/fence. It provides residents direct and convenient access off John Street to the designated bike storage facilities on the Lower Ground Level and the central courtyard. It is not intended as a public through site link. This approach is in alignment with the *Urban Design Review Panel's* comments and objectives outlines for the through-site link.
- Further, the proposed revised plans have included a marginal increase from 88 bicycle parking spaces to 91 bicycle spaces in the dedicated Lower Ground storage room. Discussions with RPS noted that external bike spaces as suggested by the Council Engineer is not preferred due to clutter and safety. As an alternative solution, a bike rail on the external courtyard stair has been proposed and notated on the drawings.

Figure 12. Upper Ground Level Plan illustrating (in blue outline) the western secondary resident only pedestrian access link (DA03.0G2).

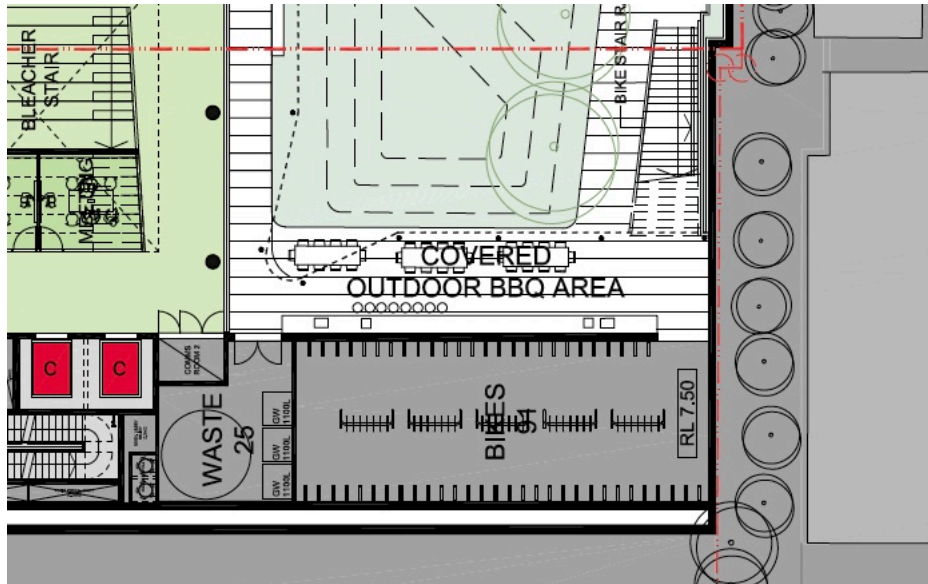


Figure 13. Lower Ground Plan illustrating the western resident only link to the designated bicycle storage area (DA03.0G1)
Source: Bates Smart

2.11.2 Interface with Public Domain

Council Comment:

John Street - Landscaped frontage setback along John Street shall include canopy trees and understorey planting at a maximum height of 900mm to comply with CPTED principles. At the moment the planting is a dense tropical foliage planting, which can be appropriate for internal areas, but not for the interface with the public space.

Church Avenue – The site has a 5.5 metre wide frontage which is part of a shared driveway. The shared driveway includes some landscape treatment in deep soil within the carriageway, this needs further assessment.

Applicant Response

3 x *Tristanopsis laurina* have been added to the planting fronting John Street. All nominated understorey plants do not exceed 900mm in height. The plants selected are low maintenance and hardy species that will perform well in the southern aspect of the site, while pulling the site wide planting character through to the interface with the public streetscape. As this planting is within the property boundary it will be maintained as per all internal planting. Refer to the updated Landscape Plan in **Attachment 6**.

2.11.3 Public Domain Landscape Improvements

Council Comment:

John Street shall be planted with *Corymbia maculata* along verge strip in accordance with the Street Tree Master Plan Precinct: Mascot Station. Pot size in these roads shall be of an advanced form, with 400 litres sized trees to be supplied and planted.

Corymbia maculata pot sizes have been increased to 400L. Refer to the updated Landscape Plan in **Attachment 6**.



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