

## **Attachment D: Internal Referral Comments**

### **Tree Management & Landscape Comments**

Whilst there is no vegetation at all within this whole development site there are several established trees on public property, being firstly, within the Anzac Parade footpath, in front of no.277, a 3-4m tall *Magnolia 'Little Gem'* (Tree 1 in the Arborist Report) of only fair health and condition due to its restricted growing environment.

While automatically protected by the DCP due to its location on public property and also being part of a formal scheme along Anzac Parade, it is not significant in any way, so no objections are raised to its removal to accommodate the improved Public Domain works, including a replacement feature tree and associated under-planting, which will be better located in relation to the new site entry, with relevant conditions to this effect provided.

Around in Strachan Street are a row of larger, mature *Platanus x hybrida* (Plane Trees), of between 8-14m in height, which are also protected by the DCP and are part of an older scheme of this species that extends throughout both this street and the broader suburb.

While their co-joined crowns have a presence in the immediate area, their condition, true size and form have all been affected by repeated heavy lopping and topping to provide clearances away from the buildings and footpath to their north, the roadway to their south, as well as through the centre of their crowns for the overhead wires, which has reduced their visual appeal and long-term viability.

They comprise firstly, **within the public verge**, from east to west:

- T2 of 12m in height closest to the corner of Anzac Parade, which has already had the entire mid-section of its crown removed back to the main trunk to avoid the service wires;
- T3, which is just to the east of the existing sub-station and is an insignificant, poor, smaller, less vigorous specimen;
- T5, being a larger, 14m tall tree to the west of the driveway of the Kingsford Locksmiths and to the east of the other sub-station;
- Similarly sized T6 closest to the corner of Houston Lane.

The Arborist Report nominates Trees 2, 3 & 5 for removal to allow for a new 3m wide overhead awning along the length of this frontage, which is a standard Council requirement for developments of this size and type. Slightly reducing the width of the awning to try and accommodate the trees would not provide any meaningful benefit as there would still be conflict with their crowns and would then also reduce the amount of weather protection that is available to pedestrians.

It is also important to note that even irrespective of their conflict with the awning described above, Council will be imposing a condition which requires the overhead power lines to be formally placed underground, wholly at the applicant's cost, so as to declutter and improve street appeal, as can be seen with the opposite corner to the south and around into Anzac Parade, and as this would involve significant excavations in these same areas, this aspect of the works will also necessitate their removal.

While T6 at the corner of Houston Lane is noted for retention in the Arborist Report, this would not be possible as despite the awning terminating just to its east, the under-grounding of power discussed above would still require its removal.

There will also be conflicts during the construction phase, as to ensure public safety, another standard Council requirement for such multi-level developments is that a B-Class hoarding be provided above the public footpath to avoid materials and similar falling down onto pedestrians, which is another aspect that would impact the trees due the need for clearance pruning.

Without this proposal they could likely remain in-situ for decades to come; however, their condition will not improve due to the physical constraints described above, and as their retention will not be possible as part of this development, conditions requiring their removal wholly at the applicant's cost

have been included, with the ability/suitability to provide replacements to be negotiated with Council's Open Space Coordinator/Landscape Architect as part of the Public Domain condition.

To their south, within existing garden beds that are **out beyond the verge/nature strip, in the actual Strachan Street road reserve**, is firstly T4, which is adjacent the most eastern sub-station, and then further to the west, adjacent the southwest site corner/Houston Lane, T7, with these 'road planters' noted as existing further to both the west and east of this site.

Both of these trees are suitable for preservation and can remain in-situ given that the awning, under-grounding of power and hoarding will all be contained within the public verge area to their north, with their presence to assist in minimising any visual impacts on the streetscape arising from the loss of the other four trees described above, with relevant protection conditions and a bond imposed to ensure this.

The Landscape Report and Plans show a high level of detail and treatment that will provide a high-quality outcome for future occupants, including planted verges and street gardens, furniture and similar at Ground Level in Strachan Street, with the extent of any public plantings (if at all) to be at the discretion of Council's Landscape/Assets staff, as required by the Public Domain condition.

The upper levels also contain many inclusions to cater to the recreation and amenity needs of future occupants, such as podium feature gardens, green walls, bench seating, table tennis, hammocks, and food preparation areas, and as the SEE confirms that this application achieves numerical compliance with the K2K DCP controls, namely landscaping equivalent to 100% of site area, conditions require its full implementation as part of any approval.

## **Environmental Health**

### **Land contamination**

The IAA advice provided by the appointed Site Auditor Tom Onus is deemed to be acceptable and the site can be made suitable for the proposed use contingent on the implementation of the RAP and DGI as approved by the auditor. This can be conditioned via standard consent conditions.

JKE consultants also consider that the site can be made suitable for the proposed development outlined in Section 1.1, subject to implementation of a RAP, remediation and successful validation.

The remediation methods outlined in the RAP are assessed to be sustainable, economically viable, commensurate with the level of risk posed by the contaminants and technically achievable to implement concurrently with the proposed development works. On this basis, JKE are of the opinion that the site can be made suitable for the proposed development provided this RAP (and any addendums or revisions) and any requirements under a Remediation Works Plan (RWP) is implemented should a RWP be prepared.

The preferred soil remediation approach is Option 4 which includes excavation and off-site disposal of the impacted fill/soil.

A dewatering local approval application may be required prior to the commencement of any excavation works. This will be managed separately through the local approval process.

A final Site A Audit Statement will be required to be submitted upon completion of the site remediation works.

### **Acoustic assessment**

The report recommends the following measures to protect surrounding development from intrusive noise:

- No music is allowed outdoors at any time and doors and windows are to remain closed between 6pm-7am.

- Patron numbers to L1 and L2 communal areas are to be limited to 100 during the day and 60 during the evening.
- Minimum construction measures for acoustic attenuation.

### Communal areas

- One in three persons have been assumed to be talking at any one time.
- During the day time (9am-6pm):
  - The outdoor communal area is filled to capacity with 100 persons (65 on the first floor and 35 on the second floor)
- During the evening (6pm-10pm):
  - The outdoor communal area is limited to 60 persons (35 in the lower level and 25 in the upper level)
- The indoor communal area is filled with 40 people.
- The outdoor communal areas may operate anytime between 9am and 10pm.
- The recommendations in section 8.1.2 are implemented

### **Management Controls**

- No music is allowed outdoors at any time.
- The doors/windows of the indoor communal area should remain closed between 6pm-7am,
- Patron numbers in the L1 and L2 communal areas to be limited to 100 during the day and 60 during the evening period.

### **Construction**

- All glazed doors and windows between the indoor communal area and the outdoor communal area to be minimum 6mm thick  $R_w29$ .
- Absorptive lining equal to NRC 0.9 is to be applied to the ceilings/soffits above the covered outdoor communal areas as marked in the Figures below.
- Minimum 1.5m high balustrade on the Houston Lane façade of the Level 2 communal area.

### Outdoor cinema

Operate from 9.00am to 10.00pm 7 days per week. The cinema is to be used as a silent cinema with headphones no speakers are to be used.  
Maximum capacity of rooftop cinema is to be 50. No speakers permitted in this outdoor area.

### 8.2.2 Rooftop Terrace

The rooftop terrace contains a BBQ and seating area. The main noise source from this area would be from resident speech. The following assumptions have been made in this assessment:

- A sound power level of 75dB(A)  $L_{eq}$  for patron speech has been used in this assessment (a person speaking with a raised voice as defined in the AAAC).
- One in three persons have been assumed to be talking at any one time.
- The rooftop terrace area is filled with 50 people.
- Background music may be played at 65dB $L_{eq}$  sound pressure level in the space.
- The rooftop terrace may be used anytime between 9am and 10pm.

**Table 16 -Predicted Average Noise Emission from the Rooftop Terrace**

Receiver	Predicted Noise Level	Criteria	Comment
R1-R5	$\leq 40\text{dB(A)} L_{eq(15\text{min})}$	$\leq 48\text{dB(A)} L_{eq(15\text{min})}$ (NPI Evening Amenity Criteria)	Achieves noise emission objectives

### 8.2.3 Recommendations

- Cinema to utilise headphones (no speaker amplified sound)
- No more than 50 people in the rooftop outdoor area at any time.

### Mechanical plant

Mechanical plant has not been assessed. Recommended assessment take place prior to CC. However, the acoustic report states that satisfactory noise levels are achievable through appropriate plant selection and location and if necessary standard acoustic treatments.

The appropriate NPfI criteria has been nominated for the development.

### 8.4.1 Recommendations

- No truck movements during the night period (10pm-7am)
- Maximum of one truck movement per 15 minutes during the evening period (6pm-10pm).
- The loading dock steel roller door to remain closed at all times excluding truck ingress/egress.
- Truck engine to be switched off whilst loading/unloading

### Traffic intrusion – ISEPP road

Glazing requirements are outlined in table 5, it is noted that all external windows and doors must be fitted with Q-Ion type acoustic seals, mohair seals are NOT acceptable.

### 5.3.1 Glazed Windows and Door Construction

The following constructions are recommended to comply with the project noise objectives. Aluminium framed/sliding glass doors and windows will be satisfactory provided they meet the following criteria. All external windows and doors listed are required to be fitted with Q-lon type acoustic seals. (**Mohair Seals are unacceptable**).

## Building Compliance

Classification - Class 3 – Student accommodation

- Class 5 – offices
- Class 6 - shops
- Class 7b – basement car park
- Class 9b - assembly building

Rise of Storeys – 18

Type A Construction

The following reports have been submitted with the Application;

- a. BCA Assessment Report for DA Submission, prepared by Steve Watson and Partners, dated August 2022, in which Part 10.2 identified 14 items that require performance solution (See Pages 10 and 11 of 57).
- b. Consultant Advice Note: Fire Engineering DA Statement of Support, prepared by GHD, dated 24 August 2022, in relation to the following;
  - Specification C1.1 – Reduce the FRL of Class 7b storage areas in the basement for 240 minutes to 120 minutes.
  - As above – Reduce the FRL of the loading dock from 240 minutes to 120 minutes.
  - As above – Reduce the FRL of the commercial areas on the ground floor from 180 minutes to 120 minutes.
  - Clause C1.14 – Install a “Greenwall” that extends on the ground level up to Level 2.
  - Specification C1.1 Clause 3.6 – Roof light that is within 3m of the boundary.
  - Clauses C3.2 and C3.4 – There are unprotected openings within 3 m of the boundary that are not protected.
  - Clause C2.14 – The length of the public corridor on Levels 1-11 exceed the limit of 40m.
  - Clause D1.2 – The lobby on the ground floor has only 1 exit in lieu of 2.
  - Clause D1.4 – The extended travel distances from SOUs to an exit or point of choice. Also related to the travel distances for the ground floor grocer, the library and commercial area on Level 1.  
The plant area on Level 18 also has extended travel distance.
  - Clause D1.5 – The distance between exits serving the ground floor F&B area is 7m apart in lieu of 9m. The distance between the fire isolating exits on Level 2 is 7m apart of 9m.
  - Clause D1.7 – The door serving the fire pump room opens directly into the fire isolated stairs. The doors serving the Iglu tenancy and the commercial tenancy, open directly into the fire isolated stairs on Level 1. The fire isolated exit that discharges to Anzac Parade opens to an area that is not 1/3 its perimeter. The fire isolated exit to Houston Lane requires occupants to pass within 6 m of the glazing in the grocer tenancy.
  - Clause D2.20 – The door to the basement fire pump does not swing in the direction of egress.
  - Clause E1.3 – As there are several entrances serving the building that could be considered to be the main entrance, the booster is technically within sight of the main entrance.

- Clause E1.5 – The sprinkler room does not have direct access to a road or open space.
- Clause E2.2 – It is proposed that smoke control be omitted from the commercial tenancies.
- Clause E2.2 – It is proposed to omit the stair pressurisation to the basement fire isolated stair.

## Recommendation

Should the application be approved, it is recommended that the conditions related to building compliance are included in the consent.

## Heritage

- It is noted that the design competition judges examined the three proposals in professional detail and determined that this winning entry from *Bates Smart* is within the public interest. It provides a high-quality architectural development that is respectful of the character of the area. It will enhance the public domain by a much-improved street presentation on both Anzac Parade, Strachan Street and Houston Lane
- The overall design strategically breaks up the form into various components, articulations, materialities and finishes for high visual interest. This combination serves to enhance rather than overwhelm the historical components at the base of the structure, as well as referencing other nearby historical forms and finishes such as the splayed form and tile colouration at O'Dea's corner
- The two-storey contributory shopfronts are to be retained and restored. New podiums constructed from salvaged bricks extend the scale and material character to reinforce the heritage character and human scale along the primary street frontages
- The splayed corner of the existing buildings will be continued and complemented by a brick vertically articulated podium while the new tower, which is articulated in three distinct sections creates a slender and well considered vertical addition to the existing historic shop facades
- The bricks for the podium will be recycled from the site itself with any additional recycled bricks to be sourced from elsewhere as necessary. Any new bricks will complement the existing red brick colour of the contributory shops |
- The tower components are varied and articulated, and well setback from the front facades of the contributory shops. They are clearly distinguishable as a new work while also complementing the vertical articulation of the shops, while the awning character of the street façade is maintained
- The proposal will provide additional housing diversity to service demand in the Randwick LGA and Greater Sydney region in close proximity to public transport and local jobs and services
- The proposed development is of an appropriate height, bulk and scale and consistent with the surrounds. It complies with the relevant SEPP, LEP and DCP controls, and especially the recently developed K2K strategy documentation. Where a variation is sought for building height, it is supported by a Clause 4.6 Variation Request
- The proposed landscaping further enhances the site, creating a sense of engagement with place that is safe and contained
- The proposed mixed-use development will continue the current retail and commercial uses of the buildings enhancing and incorporating their historical use within the new development. The open plan layout of the interiors is deemed to have no perceivable impact on that



historical use, while a signage strategy will mitigate any external visual impact on the identified contributory values of the subject shops

- From a heritage perspective the proposal will have some, but an acceptable impact on the identified part contributory values of the subject site, the heritage item on the opposite corner known as O'Dea's Corner, and other contributory buildings in the vicinity or the character of the surrounding Kingsford Town Centre

## **Recommendation**

The following conditions should be included in any consent:

- A built heritage specialist is to develop a schedule of conservation works that identifies the works required to remedy issues identified, as well guide repairs, restoration, or reconstruction. This schedule should also include temporary protection measures, salvage methodology and requirements for monitoring by the built heritage specialist. The schedule of conservation works should be prepared in accordance with the Heritage NSW Maintenance Series
- That such a specialist also develops a Maintenance Plan for regular and cyclical maintenance of the historical components and/or renewed presentation of the historical building (fenestration, plasterwork, awnings, masonry work and so forth) to be implemented on completion of the project.
- That a Photographic Archival Recording is to be undertaken before the commencement of works, and then upon completion for all areas impacted by the works in accordance with the Heritage NSW guidelines Photographic recording of Heritage Items.
- A built heritage specialist is to develop a heritage interpretation plan for the proposed development in accordance with the Heritage NSW publications, Interpreting Heritage Places and Items (2005) and Heritage Interpretation Policy (2005).
- It is recommended that a desktop archaeological assessment be undertaken to assess the potential for historical archaeology, either below ground or in above ground cavity spaces. Advice of an appropriately qualified archaeologist should be sought.
- That any changes to colours, materials or finishes are to be submitted to and approved by Council's Director City Planning, in accordance with Section 4.17 of the Environmental Planning and Assessment Act 1979 prior to a construction certificate being issued for the development.