



22 August 2019

David McNamara
Director – Key Sites Assessments
Department of Planning, Industry and Environment

By Email: David.McNamara@planning.nsw.gov.au

Dear David

**Social and Affordable Housing Development 11 Gibbons Street, Redfern (SSD 7749)
Request for comment on Conditions**

I write in relation to the State significant development application for 11 Gibbons Street, Redfern SSD 7749, which is currently before the Independent Planning Commission NSW for determination.

The Commission is considering a number of amendments to the Department of Planning, Industry & Environment's recommended conditions (as per below) and seeks any comments from the Department on their workability and whether there would be any unintended consequences as soon as possible and no later than Thursday 29 August 2019.

DEFINITIONS

Additional Information - All additional information provided by the Applicant in support of the application following its referral to the Independent Planning Commission, including the correspondence prepared by Keylan Consulting Pty Ltd dated 17 June 2019 and 1 August 2019 and all accompanying appendices.

TERMS OF CONSENT

A2. The development may only be carried out:

- (a) in compliance with the conditions of this consent;
- (b) in accordance with all written directions of the Planning Secretary;
- (c) in accordance with the EIS and Response to Submissions;
- (d) in accordance with the Additional Information provided to the Independent Planning Commission;
- (e) in accordance with the approved plans in the table below....

GROSS FLOOR AREA (GFA) CERTIFICATION

B7. The GFA of the building must not exceed 13,216 m². Details confirming compliance must be submitted to the Certifying Authority prior to the issue of any relevant Construction Certificate.

PUBLIC DOMAIN IMPROVEMENT WORKS CONTRIBUTIONS

B9. Prior to issue of the Construction Certificate in relation to public domain works, a contribution of \$47,467 must be paid in accordance with the provisions of the Redfern-Waterloo Authority Contributions Plan. Alternatively, the contribution can be waived if the Applicant

undertakes public domain works to a minimal value of \$47,467. The works may include pavement treatment, improved lighting and/or landscaping and street tree planting...

ROAD AND RAIL NOISE AND VIBRATION CRITERIA FOR SENSITIVE DEVELOPMENTS

B12. Prior to the issue of the relevant Construction Certificate detailed noise modelling of the Gibbons Street façade assembly must be undertaken by a qualified acoustic engineer to demonstrate that the road traffic noise levels and the rail noise and vibration levels inside the building comply with the criteria specified in Development Near Rail Corridors and Busy Roads – Interim Guideline (Department of Planning, 2008). The modelling must be submitted to the Department for approval by the Secretary.

B13. The building must incorporate the recommendations within the Acoustic Assessment Report prepared by Renzo Tonin and Associates dated 14 February 2019 as well as any relevant recommendations within the Additional Information, including Attachment 3 - IPC Independent Peer Review Responses prepared by Lendlease dated 31 July 2019. Details demonstrating compliance with this requirement are to be submitted to the Certifying Authority prior to the issuing of the relevant Construction Certificate.

FLOOD PLANNING LEVELS

B28. Prior to the issue of the relevant Construction Certificate, a Flood Design Certification Report, prepared by a suitably qualified and experienced Civil/Flooding Engineer, shall be submitted to the Certifying Authority verifying the following criteria have been met:

a) compliance with the recommendations of the Site Flood Assessment, prepared by WMA Water, dated 24 September 2018; and

b) written confirmation has been provided by Ausgrid confirming that the proposed location and level of power equipment is acceptable.

BATTERY STORAGE

B57. Prior to the issue of the relevant Construction Certificate, detailed design plans of the proposed onsite battery storage are to be submitted to the Certifying Authority.

PUBLIC DOMAIN WORKS – MARIAN STREET AND WILLIAM LANE FOOTPATH DEDICATION

B58. Details of the widened William Lane and Marion Street footpaths along the site's frontage are to be in accordance with Council's Technical Specifications and approval for the works under section 138 of the Roads Act, 1993 is to be obtained prior to issue of a Construction Certificate.

AFFORDABLE HOUSING CONTRIBUTIONS

E4. Prior to the issue of any relevant Occupation Certificate, an affordable housing contribution of \$87,054 (based on a rate of \$86.88m²/GFA) must be paid in accordance with the provisions of the Redfern-Waterloo Authority Affordable Housing Contributions Plan. Alternatively, the contribution can be waived if...

Evidence demonstrating compliance with the above must be provided to the UrbanGrowth NSW Development Corporation and the Planning Secretary prior to issue of any relevant Occupation Certificate.

COMPLETION OF PUBLIC DOMAIN IMPROVEMENT WORKS

E5. Prior to the issue of any relevant Occupation Certificate, evidence of the costs and satisfactory completion of the public domain improvement works referred to in Condition B9 must be provided to Council and the UrbanGrowth NSW Development Corporation.

REMOVAL OF REDUNDANT DRIVEWAYS

E9. All redundant driveways on the Gibbons Street boundary shall be removed and replaced with kerb and gutter to match existing prior to the issue of any relevant Occupation Certificate.

FOOTPATH DEDICATION

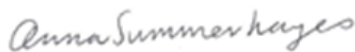
E43. Prior to the issue of the relevant Occupation Certificate, the portion of Marian Street and William Lane widened footpath that falls within the site must be constructed and dedicated to Council.

ANNUAL INSPECTION OF MECHANICAL VENTILATION SYSTEM

F18. Within six months of issue of the final Occupation Certificate and annually from then on, the Applicant must provide the Department with evidence that an annual inspection of the mechanical ventilation system has been undertaken and the system is compliant with the relevant Australian Standards.

If you have any questions, I have asked Ms Olivia Hirst, Planning Officer, (02) 9274 6583 or Olivia.Hirst@ipcn.nsw.gov.au to liaise with you directly.

Yours sincerely



Anna Summerhayes
Executive Director – Secretariat