



# Preferred Project Report

Application No.MP09-0039 for  
Mixed-Use Retail/Commercial/  
Community/Entertainment/  
Residential Complex

157 Redfern Street  
REDFERN

Prepared for:

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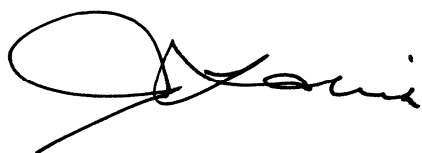
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Date: 9 October 2009

| Issue | Date       | Description  | By          |
|-------|------------|--------------|-------------|
| A     | 09/10/2009 | Final Report | Andy Ludvik |

## **1.0 Introduction**

This Preferred Project Report has been prepared in connection with Development Application No.MP09-0039 which proposes the construction of an eighteen (18) storey mixed-use building containing shops, offices, apartments and licensed premises for the Redfern RSL Club on land at 157 Redfern Street, Redfern.

The application was submitted to the Department of Planning under the terms of Section 75E of the *Environmental Planning and Assessment Act 1979* and *State Environmental Planning Policy (Major Projects) 2005*, (*Major Projects SEPP*).

An Environmental Assessment which addressed the Director-General's Requirements, issued on 25 March 2009, accompanied the application.

The application was publicly exhibited between 29 July and 28 August 2009.

A number of submissions were received by the Department during this exhibition period.

This report reviews the project in light of:

- the preliminary assessment of the application that has been made of the proposal and issues raised in the Department's letter of 8 September 2009; and
- the submissions received from various Government agencies and the community at large following the public exhibition.

The issues that have been raised have resulted in minor design refinements which are not of such significance as would warrant the re-notification of the application.

This report concludes that the project should proceed on the basis of the preferred project plans contained in **Appendix 1**.

## 2.0 Submissions

### 2.1 Department of Planning

Following the close of the public exhibition of the application, the Director-General is obliged to provide copies of all of the submissions that were received to the applicant and the applicant is required to respond to them and lodge a preferred project report.

The Department, in a letter dated 8 September 2009, has raised a number of matters that it considered needed to be addressed.

In essence, the issues relate to:

- design, in terms of:
  - the building separation between the proposed building and the building proposed to be constructed on the land adjoining its southern boundary at 7-9 Gibbons Street;
  - the extent and nature of active areas and casual surveillance to be available from the development over the public domain areas surrounding the site, particularly from the Club premises; and
  - safety and security issues associated with access to the apartments and the Club premises;
- the need for additional information relating to:
  - an assessment of the application against the provisions of the *Residential Flat Design Code*;
  - a more comprehensive assessment of the application against the *Building Code of Australia*;
  - the extent of on-site car and bicycle parking proposed;
  - entry details for the proposed shop tenancies;
  - the use of the Level 3 landscape area by people employed in the office space;
  - details of the plant enclosure proposed on Level 3;
  - the proposed strata subdivision; and
  - the public domain works proposed in the application; and
- the consistency of information shown on the plans accompanying the application.

Meetings were held on 24 and 28 September and 6 October 2009 with the Department's officers to clarify the issues that had been raised by the Department.

A summary of the issues raised by the Department and the applicant's response to them is contained in **Appendix 2**.

## **2.2 Agency Submissions**

Submissions concerning the proposal were received from:

- Redfern-Waterloo Authority (RWA);
- Sydney City Council (SCC);
- Roads and Traffic Authority of NSW (RTA);
- Sydney Water Corporation;
- Department of Transport; and
- RailCorp.

A number of the issues that were raised were reflected in the matters referred to in the Department's letter of 8 September 2009.

The following additional design issues were raised by these agencies:

- the need for the streetscape presentation of the building to be co-ordinated with the development proposed on 7-9 Gibbons Street (raised by RWA);
- the need for a design competition (raised by SCC);
- outlook and aspect from a study and 2 bedrooms on Levels 5-18 (raised by SCC);
- the height of the podium to Redfern Street (raised by SCC); and
- an awning being required along Redfern Street (raised by SCC).

The following additional information has been requested:

- details of lockers and change facilities for cyclists (raised by RWA);
- the ecologically sustainable design performance of the building (raised by RWA); and
- additional shadow diagrams (raised by RWA).

Other issues that were raised are capable of being addressed by appropriate conditions of approval.

A summary of the matters raised in these submissions and the applicant's response to them is contained in **Appendix 3**.

## **2.2 Community Submissions**

Seven (7) submissions concerning the proposed development were received from the following people objecting to it:

- Kevin O'Sullivan, 32/13 Margaret Street, Redfern;
- Scott Goddard, 39b Turner Street, Redfern;
- Liza-Mare Syron, 24/17 Cope Street, Redfern;
- Matthew Kennedy, 24/13 Margaret Street, Redfern;
- Peter Manwaring, Voltronics Pty Ltd, 70 William Lane, Redfern;
- Tim Packard, 70 William Lane, Redfern; and
- Michelle Ramirez, 78 Parsonage Rd, Castle Hill.

Two (2) submissions were received supporting the application from:

- Peter Cortis-Jones, Arkadia Properties; and
- Spiro Dimopoulos, Spankie Hotel Group - Railz on Regent, 56 Regent Street, Redfern.

The objections to the proposal related to:

- the height of the building;
- the overshadowing of surrounding development, including 13 Margaret Street;
- wind tunnel effects;
- loss of property value;
- the inappropriateness of the use of William Lane to provide vehicular access to the building and access should be via Gibbons Street;
- increased noise generated by traffic in William Lane;
- increased congestion in Redfern Street and surrounding streets;
- insufficient commercial office space having been provided to meet the RWA's vision for a renewed business district;
- the extent of retail and commercial vacancies in Redfern and Regent Streets and Lawson Square;
- the development being more appropriate in Alexandria;
- residential balconies overlooking neighbouring terraces and courtyards; and
- drafting errors on the submitted plans.

One of the submissions supporting the application indicated that the proposal was undersupplied for car parking, while the other sought appropriate safeguards to be imposed to ensure that no structural damage would be caused to the Railz on Regent Hotel on the adjoining property at 56 Regent Street during construction works.

A summary of the matters raised in these submissions and the applicant's response to them is contained in **Appendix 4**.



## 3.0 Issues Raised in Submissions

### 3.1 Design Issues

#### 3.1.1 Building Height

The height of the building:

- complies with the building height standard contained in the *Major Projects SEPP*;
- complies with the RWA's *Built Environment Plan*; and
- will be consistent with other planned buildings in this locality.

The submissions made do not warrant any reduction in the proposed height of the building and the preferred project plans have not made any alterations to the building's height.

#### 3.1.2 Building Separation

The separation between the proposed building and the building proposed to be constructed on the land adjoining its southern boundary at 7-9 Gibbons Street has been raised in a number of the agency submissions and, more particularly, in terms of the recommended controls contained in the *Residential Flat Design Code (Code)*.

The *Code* recommends that for buildings over three (3) storeys in height, building separation should increase in proportion to building height, with the objectives of ensuring:

- appropriate urban form; and
- adequate amenity and privacy for building occupants.

The *Code* suggests that buildings of nine (9) storeys and over 25m in height should maintain a separation from between 12m between non-habitable rooms to 24m between habitable rooms/balconies.

The *Code* also indicates that a zero building separation may be appropriate certain contextual circumstances and recognises the need for the co-ordination of building separation controls:

- with side and rear setback controls; and
- for daylight access and visual and acoustic privacy.

The *Code*'s control checklist for developments that propose less than the recommended building separation distance, indicates that such proposals should demonstrate daylight access, urban form and visual and acoustic privacy have satisfactorily been achieved.

The separation between the developments on 157 Redfern Street and 7-9 Gibbons Street needs to be considered in this context.

These properties represent all of the land that is available for redevelopment fronting Gibbons Street between Redfern and Marian Streets.

157 Redfern Street is almost square with:

- a depth of some 38m relative to Redfern Street frontage, constrained to the northern end of William Lane; and
- a width of some 39m.

The size and shape of land and the desire for any building on it not to dominate the vital pedestrian link between the Railway Station and the Town Centre dictate a tower element biased toward its southern boundary.

In addition, the RWA's *Built Environment Plan* provides setbacks from both the Redfern and Gibbons Street boundaries again promoting a tower element located toward the land's southern boundary.

These design considerations needed to be balanced and reconciled with providing a satisfactory separation between the proposed building and:

- the GCA Towers at 1 Lawson Square to create an appropriate level of privacy for future residents and to utilise the site geometry to enable apartments to be oriented to views available to the north-west of the Towers;
- any future redevelopment of the land to the east of the site fronting Regent Street; and
- the development that is currently under consideration on 7-9 Gibbons Street.

Meetings were held with the proponents of the development at 7-9 Gibbons Street to ensure an appropriate juxtaposition and co-ordination of the design of the buildings.

This included joint meetings and pre-lodgement meetings convened by the RWA on 26 November 2008 and 21 April and 6 July 2009.

The design of the buildings and their interface and urban design was a product of these pre-application consultations.

The massing of the proposal and the development proposed on 7-9 Gibbons Street have been co-ordinated to present a podium that is confined by matching street setbacks at ground level and matching parapets and soffits.

A copy of a plan indicating the Gibbons Street elevation of both buildings prepared for the redevelopment of 7-9 Gibbons Street and a letter from the Project Architect is contained in **Appendix 5**.

The proposed building on 7-9 Gibbons Street provides a more linear design approach to Gibbons Street due to its relatively narrow depth that is constrained to the east by William Lane.

The building on 157 Redfern Street proposes the establishment of a corner feature that addresses both Redfern Street and Gibbons Street with a heavily articulated façade and forms a transition with the dominant form of the existing GCA towers.

The juxtaposition and separation between the proposed building and the GCA towers was designed to allow for a view corridor between the two developments and allow daylight to penetrate through to Gibbons Street.

The proposed apartment tower has been planned so that the number of corner units is maximised allowing natural ventilation, sunlight and daylight to as many rooms as possible.

Primary living spaces and balconies are oriented to the north, east and west so that all apartments enjoy direct sunshine into living and dining rooms.

Primary living spaces are not oriented to the southern common boundary with 7-9 Gibbons Street.

The treatment of the southern elevation is designed to optimise the amenity of south-facing bedrooms by maximising the level of daylight enjoyed in them and increasing their apparent size.

The proposed balconies are designed to facilitate full height glazing in the bedrooms and provide required fire protection measures.

The proposed development of 7-9 Gibbons Street proposes a zero setback from its common boundary with the site and will present a blank wall to that boundary.

This will ensure that a satisfactory level of visual and acoustic privacy is enjoyed in the apartments proposed on 157 Redfern Street.

Primary daylight access to 7-9 Gibbons Street will be from its Gibbons Street façade, which is uninterrupted by the development proposed on 157 Redfern Street.

The separation between the proposed building and the building proposed on 7-9 Gibbons Street:

- was designed to achieve the objectives of the recommended building separation controls contained in the *Residential Flat Design Code* by ensuring:
  - the urban form of both the proposed building and the building proposed on 7-9 Gibbons Street provided a satisfactory response to the opportunities and constraints offered the site and its context; and
  - the residents of the proposed apartments would enjoy a high level of amenity in terms of:
    - outlook and views;
    - solar and daylight access; and
    - visual and acoustic privacy; and
- would be consistent with the principles enunciated in the *Residential Flat Design Code* for building separation.

Despite this, options to optimise the separation between the buildings have been reviewed.

This review has indicated that the proposed building could be re-positioned in a northerly direction to achieve a 6m separation between the main walls of the two buildings.

This re-positioning can be achieved within the same building profile as the originally proposed building, albeit with some minor alteration to its internal configuration.

Such a minor variation to the building's position will not have any adverse effect on surrounding properties.

It will, in fact, have some minor ameliorative effects on properties to the south and south-east by reducing overshadowing and increasing building separation.

The re-positioning of the building has been included on the preferred project plans contained in **Appendix 1**.

### **3.1.3 Podium Design**

The podium along the site's Gibbons Street elevation has been designed to co-ordinate with the design of the building proposed on 7-9 Gibbons Street.

The height of the podium along the building's Redfern Street frontage is the minimum required to accommodate the retail tenancies at Level 1 and the Club premises at Level 2.

The plant enclosure at Level 3 is designed to accommodate air conditioning condensers and ventilation equipment required for the basement car parking areas.

The enclosure is to be setback from the podium, with the setback area landscaped to soften its appearance.

The colonnade along the site's Redfern Street frontage is located within the site and is designed to effectively widen Redfern Street for pedestrian use.

The colonnade can be extended in the future to Regent Street when the properties to the east of the site are redeveloped.

The Redfern Street podium interfaces with the side and rear elevations of the Railz on Regent Hotel on 56 Regent Street and is not contiguous with the streetscape presentation of any other existing building in Redfern or Regent Streets.

Redfern Street needs to be maintained as a shared pedestrian/vehicular zone to accommodate vehicular access to the CGA Towers on 1 Lawson Square, and particularly to the Redfern Police Station in that complex, and to provide vehicular access for loading to the rear of the properties to the east of the site fronting Regent Street.

Redfern Street, between Gibbons and Regent Streets, is only some 7m wide.

In this context, the construction of any awning over Redfern Street would unduly prejudice the vehicular use of this shared zone.

The Redfern Street elevation of the building at Levels 1 to 4 contains extensive articulation and modulation in terms of the setback of the Level 1 colonnade from Redfern Street and the setback of the Level 3 and 4 office façade from the built edge definition provided by the Club premises.

The Redfern and Gibbons Street façades of the Club premises are to employ reflective glazing designed to visually increase the apparent width of Redfern Street by day and to reveal activity within the Club when the illumination levels are higher in the Club by night.

This element has been specifically designed to maximise security for people using Redfern Street as a pedestrian link from the Station to the Town Centre.

A perspective indicating the treatment of the Redfern Street podium is contained in **Appendix 6**.

The submissions made do not warrant any change to the podium design.

### **3.1.4 Level 3 - Landscape Area**

Access from the Level 3 office area to the landscape area on that level, as has been suggested in a number of submissions, has been included on the preferred project plans contained in **Appendix 1**.

Additional details concerning the landscape treatment of this area and the area adjacent to the plant enclosure on Level 3 are included on the preferred project plans.

### **3.1.5 Gibbons Street Streetscape**

The 1.2m setback of the building from Gibbons Street at the footpath level has been co-ordinated with the development on 7-9 Gibbons Street to ensure a uniform streetscape presentation of all the buildings on the land fronting Gibbons Street between Redfern and Marian Streets.

A copy of a plan indicating the Gibbons Street elevation of the building originally proposed on 157 Redfern Street and the building proposed in the redevelopment of 7-9 Gibbons Street is contained in **Appendix 5**.

### **3.1.6 Safety & Security**

The issue of the safety and security of the residential and the Club/office entries has been raised in the context of the recessing of those entries, together with the need to provide security access to the apartments.

The preferred project plans contained in **Appendix 1** have amended these entries so that:

- the residential entry will be flush with the building's Gibbons Street elevation at the footpath level; and
- an architecturally designed security barrier will be installed flush with the building's Redfern Street front elevation to control after-hours access to the Club and office entry.

It has always been intended to provide appropriate and satisfactory security access to the apartments using an intercom system.

The need for the provision of such access can be ensured by an appropriate condition of approval.

The Club has reviewed its operational needs in terms of establishing casual/passive surveillance over Redfern and Gibbons Streets with the view of improving safety in the surrounding public domain.

In this regard, the preferred project plans have:

- increased the size of the balcony along the building's Gibbons Street elevation; and
- provided a preliminary internal layout for the Club.

### **3.1.7 Car and Bicycle Parking**

The proposal includes the establishment of one hundred and forty-seven (147) off-street car parking spaces.

These spaces are to be allocated on the basis of:

- seventy-five (75) spaces for the retail, commercial and Club facilities; and
- seventy-two (72) spaces for the eighty-four (84) apartments.

Bicycle rooms at Basement Levels 3 and 4 are to provide a total of thirty (30) secured bike spaces for residents of the apartments, with sixteen (16) on Basement Level 3 and fourteen (14) on Basement Level 4.

Fourteen (14) bike spaces are to be provided at Level 1 and Basement Level 1 for other users of the building in the form of bike racks.

These spaces have been designated on the preferred project plans contained in **Appendix 1**.

Lockers and toilet/change facilities are to be provided in the fit-out of the individual retail/commercial tenancies for employee cyclists.

A supplementary report on parking and transport issues prepared by Traffix is contained in **Appendix 7**.

### **3.1.8 Public Domain Works**

Details of the proposed public domain works were provided in the public domain report and plan prepared by Scape, contained in Appendix 6 of the Environmental Assessment.

The application proposes the widening of the footpath in Gibbons Street by the setting back of the building by 1.2m from the land's Gibbons Street boundary.

This is designed to facilitate the proposed landscaping within the existing footpath area.

The proposal does not involve any change to the kerbs in either Gibbons Street or Redfern Street.

All public domain works are to be carried out in accordance with the standards and requirements of the Sydney City Council.

Full details of the costing of works to be carried out in public domain areas in Redfern and Gibbons Streets are to be provided to facilitate an off-set against the required development levies.

This can be addressed as an appropriate condition of consent.

### **3.1.9 Pedestrian Wind Environment**

A pedestrian wind environment study prepared by Windtech Consultants Pty Ltd was contained in Appendix 20 of the Environmental Assessment.

It is understood that Windtech Consultants provided the input into the preparation of the RWA's *Built Environment Plan*.

The information contained in the study represents an appropriate basis for determining the wind effects associated with the proposal.

### **3.1.10 Ecologically Sustainable Development Standards**

The Director-General's requirements for the proposal required it to address the ecologically sustainable development strategies contained in the RWA's *Built Environment Plan*.

The ecologically sustainable development strategy contained in Section 3.7 of the *Built Environment Plan* required non-residential development to comply with SEDA Building Greenhouse ratings and did not reference a 4.5 star NABERS rating.

The ecologically sustainable development report contained in Appendix 14 of the Environmental Assessment detailed and analysed the proposed ecologically sustainable development initiatives using various Green Star tools.

NABERS ratings do not apply to the Club premises.

NABERS ratings for the office component of the development are based on actual operational energy and water usage and cannot be determined until the building has been completed and the offices operational.

It is expected that the office component of the building will achieve a 4.5 star NABERS rating.

NABERS energy and water ratings for retail premises are currently in prototype mode.

These ratings are designed to be applied to shopping centres rather than to strip-type shops of the nature proposed in this application.

A supplementary report prepared by SEMF Pty Ltd is contained in **Appendix 8**.

### **3.1.11 Internal Design**

The adequacy of the internal design of a number of the apartments has been raised in the submissions, more particularly, internal studies in west-facing apartments and Bedroom 2 to the two (2) north-facing apartments on Levels 5-18 which are said to provide poor or no outlook.

The studies referred to are not to be used for habitable purposes but are designed to be used as a media room, computer room, storage and the like.

The bedrooms referred to have north-facing windows to provide adequate daylight for their intended use.

**Appendix 9** indicates a similar satisfactory design feature that has been incorporated in other developments designed by the Project Architects.

The submissions made do not warrant any change being made to the design of these apartments and the preferred project plans do not alter their design.

The entries to the retail tenancies on Level 1 have been detailed on the preferred project plans as requested by the Department.

### **3.1.12 Overshadowing**

The number of the community submissions raised issues relating to overshadowing, particularly of 13 Margaret Street, while the RWA requested additional shadow diagrams to be submitted for 10am and 2pm.

Shadow diagrams were contained on the plans that were submitted with the application and the additional shadow diagrams requested by the RWA have been included in the preferred project plans contained in **Appendix 1**.

The proposal will marginally overshadow 13 Margaret Street between 9.30am and 10.30am at the winter solstice.

This overshadowing will be subsumed by shadows cast by existing and proposed building between the site and 13 Margaret Street.

The re-positioning of the building as shown on the preferred project plans contained in **Appendix 1** will, to a minor extent, ameliorate shadows cast to the south and south-east.

The proposal will not lead to any undue, unreasonable or unexpected overshadowing of surrounding properties.



### **3.1.13 Access via William Lane**

The number of the community submissions raised issues relating to access to the site being obtained via William Lane and traffic congestion that may be caused in the area generally.

Vehicles will enter the site via William Lane and will leave it via Gibbons Street.

Vehicular access to Gibbons and Redfern Streets is untenable in terms of:

- Gibbons Street being part of the arterial road network serving this part of Sydney's subregion;
- the RTA's desire to maintain the efficiency and effectiveness of Gibbons Street as a major traffic artery; and
- Redfern Street's vital role in providing a pedestrian link between the Railway Station and the Town Centre.

William Lane was originally designed to provide vehicular access to the adjoining properties fronting Redfern, Gibbons and Regent Streets and currently services the site.

There are no viable alternative means of vehicular access.

A traffic impact assessment contained in Appendix 11 of the Environmental Assessment has been reviewed by the RTA.

The RTA has not objected to William Lane being used as the principal means of access to the site.

## **3.2 Supplementary Information**

The following supplementary information is to be provided as a result of the submissions that have been received:

- an assessment of the proposal against the provisions of the *Residential Flat Design Code* prepared by the Project Architects and contained in **Appendix 10**; and
- a supplementary *Building Code of Australia* report prepared by Vic Lilli & Partners and contained in **Appendix 11**.

A plan of the proposed strata subdivision is to be provided under separate cover.

The issues raised concerning the inconsistency of information shown on the submitted plans have been rectified by additional dimensioning on the preferred project plans contained in **Appendix 1**.

All balconies had a minimum dimension of 2m on the plans originally accompanying the application.

## **4.0 Summary of Amendments in Preferred Project Plans**

The amendments that have been made to the originally submitted plans by the preferred project plans contained in **Appendix 1** as a result of the submissions that have been received are:

- the building has been re-positioned to achieve a building separation of 6m between it and the building proposed on 7-9 Gibbons Street, with some minor internal reconfiguration to accommodate its re-positioning;
- details of access from the Level 3 office area to the landscape area on that level have been included;
- additional details concerning the landscape treatment of the Level 3 landscape area and the area adjacent to the plant enclosure have been provided;
- the residential entry at Level 1 has been extended to be flush with the land's Gibbons Street boundary;
- an architecturally designed security barrier has been indicated flush with the building's Redfern Street front elevation to control after-hours access to the Club and office entry;
- the size of the balcony associated with the proposed Club premises at Level 2 has been increased along its Gibbons Street elevation;
- a preliminary internal layout for the Club premises has been provided;
- the location and number of bicycle parking spaces have been designated;
- entries to the retail tenancies on Level 1 have been detailed;
- additional shadow diagrams requested by the RWA have been included; and
- the inconsistency of information shown on the plans have been rectified by additional dimensioning.

## **5.0 Conclusion**

The issues that have been raised in the submissions that were received following the public exhibition of the proposed development have not warranted any significant change to the development depicted in the plans which originally accompanied the application.

The submissions have resulted in minor design refinements which are not of such significance as would warrant the re-notification of the application.

This review of the submissions indicates that the project should proceed on the basis of the preferred project plans contained in **Appendix 1**.