

14 August 2020

Our Ref: R/2018/3/C
File No: 2020/354403
Your Ref: SSD - 9194

Andy Nixey
Principal Planner – Key Sites Assessment
Department of Planning, Industry and Environment

By Planning Portal

Dear Andy

**Additional Response to Submissions – Student Accommodation (SSD 9194)
13-23 Gibbons Street, Redfern**

Thank you for your correspondence dated 23 July 2020 requesting for the City of Sydney Council (“the City”) to comment on the applicant’s additional Response to Submissions (RTS) for the abovementioned State Significant Development (SSD).

The City has reviewed the information submitted with the RTS and acknowledges that some matters raised in the City’s previous response dated 20 December 2019, are addressed and accordingly, the City withdraws objection to the proposal. Notwithstanding this, the following matters are raised regarding the proposal:

1. Urban Design

The City recognises that some of the design amendments demonstrated in the RTS, notably to the building expression, built form and height and changes to the ground floor to encourage an active frontage, are an improvement to the previous scheme.

However, it is considered that further improvements can be made to the ground floor to enhance the building expression and passive surveillance of the development. Specifically, the City recommends that the ground floor elevation along Margaret Street reduce the density of screening and employ other methods of privacy such as fritted or translucent glass. The excessive number of screens defeats the purpose of passive surveillance and does not positively address the street and further encourage an active frontage.

2. Through-Site Link (TSL)

The City supports the provision of a TSL and 1.0m wide footpath widening on Margaret Street. It is assumed that the footpath widening and TSL will remain within the site boundary in private ownership and be maintained by the owner of the land. To this effect, the DPIE should require a documentary Easement for Public Access to be provided to the widened footpath and TSL and be created

appurtenant to Council in terms of granting unrestricted rights for public pedestrian access, shared with servicing and vehicular access to the building.

Further, a documentary Positive Covenant is to be created and registered on the Title of the development site, appurtenant to Council. The Positive Covenant is to be created in terms indemnifying Council against any claims and damages arising from the use of the Right of Public Access, and is to require the maintenance of a \$20,000,000 public indemnity insurance policy and is to require the maintenance, upkeep and repair of the Right of Public Access in accordance with Council's requirements and to the satisfaction of Council.

It is recommended that the above matters be imposed as a condition of consent, should an approval be granted for the development.

3. Tree Management and Landscaping

The City maintains the view that the existing street trees on Gibbon Street, as identified in the submitted Arboricultural Impact Assessment Report prepared by Urban Arbor, must be retained if the overhead powerline cables are not relocated underground or bundled. These trees are Council owned and managed assets.

The DPIE must ensure that all trees within the site are removed prior to the demolition phase and be carried out by a qualified Arborist (AQF Level 3 Arboriculture) in accordance with AS4373-2007 Australian Standard 'Pruning of Amenity Trees'. Any design elements, such as awnings, street furniture and footpath upgrades within the public domain must ensure appropriate setbacks are provided from existing street trees to allow maturity of the trees to be achieved.

Additionally, the Landscape Plan prepared by Turf Design Studio, proposes seven street trees on Gibbons Street and Margaret Street and four trees along the TSL. These trees will be on public land and therefore do not contribute to Councils requirement of 15% Canopy Coverage within 10 years of completion. It is recommended that all trees planted within the public domain including the TSL are in accordance with City of Sydney Street Tree Masterplan and Tree Management Policy. New tree planting pot size must be a minimum of 200 litres and 2.5 metres in height at the time of planting.

It is requested that the City be given the opportunity to provide input on any conditions of consent, should an approval be granted for the development.

Should you wish to speak with a Council officer about the above, please contact Reinah Urqueza, Specialist Planner, on 9265 9333 or at rurqueza@cityofsydney.nsw.gov.au

Yours sincerely,



Andrew Rees
Area Planning Manager