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**URBIS**

# **RESPONSE TO SUBMISSIONS REPORT**

90-102 Regent Street SSDA

Prepared for

**THE TRUST COMPANY (AUSTRALIA) LIMITED ATF  
WEE HUR REGENT TRUST**

1 March 2020

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# EXECUTIVE SUMMARY

This Response to Submissions (**RtS**) report has been prepared by Urbis on behalf of The Trust Company (Australia) Limited ATF Wee Hur Regent Trust (**Wee Hur**) to address the matters raised by government agencies, the public and community organisation groups during public exhibition of the proposed student housing development at 90-102 Regent Street, Redfern (**the site**).

In November 2020, Wee Hur submitted a State significant development application (**SSDA**) for the redevelopment of the site. The SSDA seeks consent for the demolition of existing buildings and structures and the construction of an 18 storey mixed-use building accommodating ground floor retail premises and 408 bed student housing accommodation with indoor and outdoor communal spaces, on-site bicycle parking and ancillary facilities.

The SSDA was lodged with Department of Planning, Industry and Environment (**DPIE**) in accordance with Schedule 2 of *State Environmental Planning Policy (State and Regional Development) 2011* (**the SRD SEPP**). The determining authority is the Minister for Planning and Public Spaces (**the Minister**).

DPIE issued a letter to the applicant on 16 December 2020, requesting a response to the issues raised during the public exhibition of SSD-10382. This RtS report outlines the revised built form and responds to all concerns raised within submissions.

## SUBMISSIONS OVERVIEW

The SSD application was on public exhibition from 16 November 2020 to 13 December 2020. During this period, ten (10) submissions were received from NSW government agencies, the City of Sydney and other key authorities, including:

- City of Sydney Council (Council)
- Heritage NSW – Aboriginal Cultural Heritage
- Heritage NSW – Heritage Council of NSW
- NSW Department of Planning Industry & Environment (Biodiversity and Conservation Division)
- NSW Environment Protection Authority
- NSW Police – South Sydney Police Area Command
- Sydney Airport
- Sydney Metro
- Sydney Water
- Transport for NSW - Roads and Maritime Services.

Three submissions were received from community groups, including:

- Ausgrid
- Iglu
- St Luke's Church

Four (4) submissions were received from members of the public.

## CATEGORISING ISSUES

The submissions from public authorities and the public have been categorised in a systematic way and in accordance with current draft DPIE guidelines.

## The Project

Several public submissions raised concerns about the concentration of high density student accommodation and general overdevelopment within the precinct. Issues were raised regarding the cumulative impacts of higher density development on the character of Redfern.

The City of Sydney (CoS) submission and the public submissions raised issues regarding the proposed built form including:

- **Bulk and scale:** concerns were raised by D&A Markakis and other public submissions regarding the scale, bulk and size of the development and its implications for both the locality and St Luke's Church.
- **Building design:** The City of Sydney (CoS) requested the awning design be amended to provide effective weather protection from rain, sun and wind. It was also requested adequate space and clearance be provided for new street trees to grow without conflicting with the awning (refer public domain and landscape below).
- **Building materials:** Further information was requested regarding the proposed materials to understand the overall expression of development.
- **Public domain and landscape design:** Design elements including awnings, street furniture, footpath upgrade within public domain must ensure appropriate setbacks are provided from existing street trees to allow maturity of the trees to be achieved.

## Procedural Matters

One of the public submissions raised concerns regarding the way in which the community consultation was undertaken with the local community and associated inconsistencies with objects and general terms of EP&A Act. It also raised concerns regarding the assessment of cumulative impacts of existing, approved and likely surrounding developments.

## Economic, Environmental and Social Impacts

The issues raised regarding the potential economic, environmental and social impacts of the proposal are summarised as follows:

- **European heritage:** CoS advised consideration was being given to extending the Redfern Estate Conservation Area (C56) to incorporate the site. The Council submission also requested an amended podium design which retained the 90 Regent Street building and front façade and front rooms of 92-96 Regent Street to maintain the existing building fabric and streetscape. D&A Markakis raised concerns that the proposal will have determinantal heritage impacts on 118 Regent Street, Redfern.
- **Aboriginal Cultural Heritage:** Heritage NSW – Aboriginal Cultural Heritage supported the preparation of an Unexpected Finds Protocol for Aboriginal objects and ongoing consultation with the Aboriginal community and recommended the preparation of a Heritage Interpretation Strategy.
- **Construction noise:** D&A Markakis raised concerns about construction and vibration impacts on St Luke's Church. An anonymous public submission raised concerns about the noise impacts associated with construction including weekend works.
- **Operational noise:** a public submission raised concerns about noise impacts with the new student population. Iglu No. 209 raised concerns about noise disturbance from the outdoor terrace areas.
- **Flooding:** the NSW DPIE (Biodiversity and Conservation Division) raised concerns about the flood modelling and stormwater design and requested further clarification on flood planning levels and PMF levels.
- **Transport and Access:** TfNSW and CoS requested additional information on the proposed loading facilities. TfNSW also requested conditions of consent regarding the Green Travel Plan and Transport Access Guide. Submissions from the public raised concerns regarding the adequacy of the on-site parking arrangements, as well as the potential cumulative impacts associated with construction traffic and parking.
- **Visual impacts:** D&A Markakis raised concerns about the visual impacts of the proposed development, including its impacts on the Regent Street streetscape. The CoS raised concerns regarding the potential 'visual clutter' associated with the provision of two top-of-building signs.
- **Visual Privacy:** an anonymous public submission raised concerns regarding the separation distances between the proposed development and the affordable rental housing development on Gibbons Street, including potential privacy impacts.



- **Wind impacts:** the CoS raised concerns regarding the potential wind impacts and the adequacy of the proposed mitigation measures to achieve an appropriate level of amenity.
- **Overshadowing:** D&A Markakis and other anonymous public submissions raised concerns about overshadowing to the St Luke's Church and the surrounding development.
- **Safety and security:** NSW Police – South Sydney Police Area Command provided recommendations for CCTV, clear lighting and signage. A public submission raised safety concerns associated with the laneways.
- **Ecologically Sustainable Development (ESD):** The CoS raised concerns regarding the level of detail regarding the ESD measures to be included in the design and construction of development.

## AMENDMENT OF THE PROJECT

The Proponent has amended the proposed building design in response to the submissions and follow up consultation with the CoS, including:

- Additional openings have been provided to Regent Street, Marian Street, and William Lane.
- The podium design has been amended to establish a street frontage along William Lane, framing the approved through site link.
- Activation along William Lane is provided through interior usage types as lounges, games, office use, bike store, and retail spaces.
- The awning heights along Regent Street and Marian Street have been lowered to a range between 3.2m and 4.2m, providing better shelter for pedestrians.
- The awning depth has been set back from 2.8m to 2m to accommodate future canopy growth of the proposed tree species.

A copy of the updated architectural drawings is attached as **Appendix C**. AJC has also prepared a Supplementary Design Report which is attached as **Appendix D**.

Turf Design Studio has updated their original Landscape DA Report to incorporate the changes to the architectural drawings and respond to the submissions. A copy of their report is held as **Appendix E**.

## FURTHER ENGAGEMENT

The Proponent has consulted further with the adjoining property owner to the west at 11 Gibbons Street (St George Community Housing) to address their privacy and noise concerns. A design solution was developed which includes privacy louvres to the western terrace, directing views southwards and away from the adjoining development.

## ADDITIONAL IMPACT ASSESSMENT

Further technical assessments have been undertaken to respond to the issues raised, including the potential impacts associated with heritage conservation, noise and vibration, stormwater and flooding and wind.

### Heritage Conservation

A meeting was held with the CoS on 4 February 2021 to discuss their submission, including the proposed extension of the Redfern Estate Conservation Area (C56) and the retention of the existing buildings/facades.

Artefact Heritage Services have prepared a Statement of Heritage Impact Addendum Memo is attached at **Appendix F**. Artefact Heritage Services conclude the building at 90 Regent Street, Redfern includes some elements likely to be of local significance, however, the structure does not meet the local significance threshold. This assessment supports the proposed demolition, subject to the following recommendations:

- Prior to the commencement of works, a Photographic Archival Recording (PAR) report should be prepared.
- Prior to the commencement of works, a salvage strategy should be prepared by qualified heritage professional.

- A Heritage Interpretation Strategy should be considered for the project.

Artefact Heritage Services conclude the site can be made suitable for the proposed development subject to adoption and implementation of the above mitigation measures.

Webber Design has prepared supplementary correspondence (refer **Appendix G**) which outlines additional investigations regarding the structural integrity of the building. Webber concluded the retention of the existing building poses significant structural issues and would require a full detailed analysis and strengthening to maintain the structure. It is recommended the existing structure is demolished.

## Noise and Vibration

The outdoor cinema and music room was removed from the proposal to minimise the potential noise impacts and address the submission made by Iglu. The podium design incorporates enclosed glazed openings facing Marian Street to reduce noise impacts.

An updated Acoustic Report has been prepared by Northrop (**Appendix H**) which confirms the noise level design parameter of 50dB is consistent with the Iglu development. Acoustic Logic has prepared an additional Train Tunnel Vibration Impact Assessment (**Appendix I**) which concludes the noise and vibration impacts to the future development at 90-102 Regent Street are expected to meet the requirements detailed in *State Environment Planning Policy (Infrastructure) 2007*.

Webber Design has reviewed the above report and prepared an Endorsement Statement for Vibration Impact Assessment & Subsequent Structural Isolation (refer **Appendix J**). This statement confirms the noise levels from the existing rail assets are below the limiting criteria and accordingly, structural requirements are unlikely to be required at the design stage.

## Stormwater and Infrastructure

### Stormwater and Flooding

JHA have prepared an amended Flood Study and Assessment Report (**Appendix K**). The report has sought to respond to the flooding matters raised by the NSW DPIE (Biodiversity and Conservation Division).

The flood study has demonstrated that the proposed development would not divert floodwater to neighbouring properties. The proposed development would not increase the damage or hazard of the existing flooding condition. Clarification is provided regarding the FPL and PMF levels for the entire site, particularly at those critical locations where stormwater enter the building within the flood study.

Overall, the updated report concludes the proposed minimum flood planning tabulated in the flood study complies with the Council and DPIE policies and requirements.

### Rail Infrastructure

An Engineering Impact Assessment package was forwarded to Sydney Metro on 25 February 2021. Copies of the supporting plans and documents are held as **Appendices L – R** to this RTS report.

The Metro Tunnel Vibration Management Plan prepared by Acoustic Logic and held as **Appendix P** includes additional mitigation measures to avoid unacceptable impacts to the Sydney Metro rail tunnel during the construction of the proposed development. These measures have been included within the updated mitigation measures table attached as **Appendix B**.

## Transport and Access

TTPP Planning have prepared a Transport Planning Memo (**Appendix S**) to address the Transport for NSW and CoS submissions. The loading dock and associated back of house spaces have been relocated further south of the site, to better address egress pathways and serviceability requirements. Swept paths have been subsequently reviewed and confirms the proposed turntable strategy for trucks to enter front in and front out.

## Amenity Impacts

### Privacy

The amended design incorporates privacy louvres to the western terrace of the development opposite 11 Gibbons Street. The privacy louvres direct views from the terrace southward, away from the 11 Gibbons Street residents.

### Wind

SLR Consulting have provided an additional Wind Impact Assessment (**Appendix T**) in response to the CoS submission. The amended awning design has been assessed and the impacts are considered acceptable from a wind impact perspective. The adjustment of the barrel shaped awning portions to a flat rectangular box awning will maintain the original mitigation outcomes associated with ameliorating downwash winds. The report concludes no additional wind mitigation measures are warranted either on the Level 2 terraces or the ground-level locations along the street frontages.

### Overshadowing

AJ+C has prepared additional overshadowing studies to clearly identify and assess the potential overshadowing impacts to St Luke's Church. The overshadowing studies confirms that St Luke's Church receives up to four hours of solar access during mid-winter which equates to a reduction of only one hour compared to the existing pre-development scenario. Detailed shadow diagrams are provided on Page 38 of the amended Architectural Design Report (**Appendix D**).

## Ecologically Sustainable Development

The dimensions and a technical specification for the sample solar PV panel are included within Appendix B of the ESD report. A specification for a more recent product with higher efficiency is attached to this report (refer to **Appendix U**).

A BASIX certificate was included within the EIS package as Appendix Z. An updated BASIX certificate will be prepared once the proposed changes to the plans have been reviewed by DPIE and the proposal is to be recommended for approval.

## CONCLUSION

This RtS has responded to each of the issues raised within the referral authority, community and public submissions received regarding the proposed redevelopment of 90-102 Regent Street, Redfern. The report is accompanied by:

- Updated architectural drawings and landscape drawings which detail the proposed changes to the original scheme.
- Supplementary reports and advices which provide additional clarification and information regarding technical issues.

The report and the supporting documents have been informed by additional consultation and engagement with key stakeholders, including the City of Sydney, Sydney Metro and SGCH.

Overall, it is considered the updated proposal is acceptable having regard to the relevant biophysical, economic and social considerations, including the principles of ecologically sustainable development, as outlined below:

- The proposal satisfies the applicable state planning policies, and relevant environmental planning instruments that apply to the site:
- The updated proposal remains aligned with the strategic policy objectives as it will contribute to a 30-Minute City and facilitate reduced reliance on private vehicles and increased use of public transport and active transport.
- The updated plans include minor design changes to minimise its potential impacts on the amenity of the locality, including visual impacts, visual privacy, noise and wind.

- The updated proposal will have an acceptable level of environmental impact for the following reasons:
  - The proposal has no unacceptable traffic impacts and will facilitate increased use of walking, cycling and public transport as a means of travel.
  - The proposal is sympathetic to the heritage items in the vicinity of the site, including St Luke's Presbyterian Church.
  - Overshadowing impacts to the surrounding properties is minimised by the proposed narrow building footprint to the south.
  - Ground level activation is delivered through the retail tenancy, communal spaces and public domain improvements along the street frontages.
- The proposal will support the tertiary education sector, one of Australia's major international exports, both now and into the future by delivering additional student housing close to major institutions.
- The site remains suitable for the proposed use and will contribute to the ongoing revitalisation of the locality, including activation of the streetscape and public domain improvements.
- The issues identified in the authority, agency and public submissions have been incorporated into the updated design and detailed works and can be implemented in the construction and operation of the proposed development.

Based on the above, it is submitted that the proposal is in the public interest and is recommended for approval subject to appropriate consent conditions.

# 1. INTRODUCTION

This Response to Submissions (**RtS**) report has been prepared by Urbis on behalf of The Trust Company (Australia) Limited ATF Wee Hur Regent Trust (**Wee Hur**) to address the matters raised by government agencies, the public and community organisation groups during public exhibition of the proposed student housing development at 90-102 Regent Street, Redfern (**the site**).

The Department of Planning, Industry and Environment (**DPIE**) issued a letter to the applicant on 16 December 2020, requesting a response to the issues raised during the public exhibition of SSD-10382.

## 1.1. PROJECT CONTEXT

In November 2020, Wee Hur submitted a State significant development application (**SSDA**) for the redevelopment of the site. The SSDA was lodged with DPIE in accordance with Schedule 2 of *State Environmental Planning Policy (State and Regional Development) 2011* (**the SRD SEPP**). The determining authority is the Minister for Planning and Public Spaces (**the Minister**).

The SSDA seeks consent for the demolition of existing buildings and structures and the construction of an 18 storey mixed-use building accommodating ground floor retail premises and 408 bed student housing accommodation with indoor and outdoor communal spaces, on-site bicycle parking and ancillary facilities.

This RtS report outlines the revised built form and responds to all concerns raised within submissions.

## 1.2. SUBMISSIONS OVERVIEW

The SSD application was on public exhibition from 16 November 2020 to 13 December 2020. During this period, ten (10) submissions were received from NSW government agencies, the City of Sydney and other key authorities, including:

- City of Sydney Council (Council)
- Heritage NSW – Aboriginal Cultural Heritage
- Heritage NSW – Heritage Council of NSW
- NSW Department of Planning Industry & Environment (Biodiversity and Conservation Division)
- NSW Environment Protection Authority
- NSW Police – South Sydney Police Area Command
- Sydney Airport
- Sydney Metro
- Sydney Water
- Transport for NSW - Roads and Maritime Services.

Three submissions were received from community groups, including:

- Ausgrid
- Iglu
- St Luke's Church

Four (4) submissions were received from members of the public.

This RtS provides an in-depth and holistic response to all matters raised by public authorities and community submissions. Revised specialist documentation has been provided in support of the RtS. These documents outline the revised architectural and landscape design and supplementary assessments and advices which respond to each of the issues raised.

## 1.3. STRUCTURE OF THIS REPORT

This RtS report is structured in accordance with the DPIE draft guidelines *Preparing a Submissions Report – State Significant Development Guide*, including:

- **Section 2** – Analysis of Submissions
- **Section 3** – Actions taken since Exhibition
- **Section 4** – Response to Submissions
- **Section 5** – Updated evaluation of project

## 1.4. SUPPORTING DOCUMENTATION

This RtS is supported by the following documentation:

Table 1 Supporting Documentation

Report	Prepared By	Appendix
Submissions Register	Urbis	Appendix A
Updated Mitigation Measures	Urbis	Appendix B
Amended Architectural Plans	AJ+C Architects	Appendix C
Amended Architectural Design Report	AJ+C Architects	Appendix D
Amended Landscape Plans	Turf Design Studio	Appendix E
Statement of Heritage Impact – Addendum Memo	Artefact	Appendix F
Structural Design Statement	Webber Design	Appendix G
Acoustic Report	Northrop	Appendix H
Train Tunnel Vibration Impact Assessment	Acoustic Logic	Appendix I
Vibration Impact Assessment Endorsement Statement	Webber Design	Appendix J
Flood Assessment Report	JHA Consulting Engineers	Appendix K
Submission to Sydney Metro	Wee Hur	Appendix L
Site Survey	LTS Lockley	Appendix M
Geotechnical Investigation	Douglas Partners	Appendix N
Preliminary Numerical Modelling and Impact Assessment	Douglas Partners	Appendix O
Metro Tunnel Vibration Management Plan	Acoustic Logic	Appendix P
Electrolysis Report	Cathodic Protection Services	Appendix Q
Rail Risk Management Plan	GKA Management	Appendix R

<b>Report</b>	<b>Prepared By</b>	<b>Appendix</b>
Technical Memo – Transport Planning	TTPP	Appendix S
Wind Impact Assessment	SLR Consulting	Appendix T
Sample Solar PV Panel Specification	LG	Appendix U
Technical Memo – Arborist	Urban Arbor	Appendix V
Technical Memo Remediation	Douglas Partners	Appendix W
Non-Aboriginal Archaeological Research Design and Methodology	Artefact Heritage	Appendix X
Community Engagement Memo	Elton Consulting	Appendix Y

## 2. ANALYSIS OF SUBMISSIONS

This section provides a summary of the submissions received including a breakdown of respondent type, nature/ position and number of submissions received.

### 2.1. BREAKDOWN OF SUBMISSIONS

The SSDA was publicly exhibited from 16 November 2020 to 13 December 2020. A total of seventeen (17) submissions were received from NSW government authorities and agencies, the City of Sydney and other key stakeholders, including the local community.

All submissions were managed by the DPIE, including registering and uploading the submissions on the DPIE 'Major Projects' website under the 90-102 Regent Street, Redfern project portal. A breakdown of the submissions by respondent type and their position is provided in the tables below.

Table 2 SSD-10382: Submissions received by respondent type

Submitter	Position	Number of Submissions
<b>Public Authorities and NSW Government Agencies</b>		
City of Sydney Council	Comment	1
Heritage NSW – Aboriginal Cultural Heritage	Comment	1
Heritage NSW – Heritage Council of NSW	Comment	1
NSW Department of Planning Industry & Environment (Biodiversity and Conservation Division)	Comment	1
NSW Environment Protection Authority	Comment	1
NSW Police – South Sydney Police Area Command	Comment	1
Sydney Airport	Comment	1
Sydney Metro	Comment	1
Sydney Water	Comment	1
Transport for NSW - Roads and Maritime Services	Comment	1
<b>Subtotal</b>		10
<b>Community/ Public</b>		
Ausgrid	Support	1
Iglu	Object	1
St Luke's Church (D&A Markakis)	Object	1
General Public	Object	4
<b>Subtotal</b>		7
<b>Total Submissions</b>		<b>17</b>



Figure 1 Location of Known Submitters



Source: SixMaps and Urbis

## 2.2. CATEGORISING ISSUES

The submissions from public authorities and the public have been categorised in a systematic way. The submissions generally related to the following issues:

### 2.2.1. The Project

Several public submissions raised concerns about the concentration of high density student accommodation and general overdevelopment within the precinct. Issues were raised regarding the cumulative impacts of higher density development on the character of Redfern.

The City of Sydney (**CoS**) submission and the public submissions raised issues regarding the proposed built form including:

- **Bulk and scale:** concerns were raised by D&A Markakis and other public submissions regarding the scale, bulk and size of the development and its implications for both the locality and St Luke's Church.
- **Building design:** The City of Sydney (**CoS**) requested the awning design be amended to provide effective weather protection from rain, sun and wind. It was also requested adequate space and clearance be provided for new street trees to grow without conflicting with the awning (refer public domain and landscape below).
- **Building materials:** Further information was requested regarding the proposed materials to understand the overall expression of development.

The CoS also provided feedback and recommendations regarding the public domain and landscape design, including:

- Footpath along Regent Street to be reconstructed with paving blocks and the footpath along Marian Street to be reconstructed with concrete.
- Design elements including awnings, street furniture, footpath upgrade within public domain must ensure appropriate setbacks are provided from existing street trees to allow maturity of the trees to be achieved.
- Existing parking signage, traffic signage and bench along Regent Street need to be retained.

- Existing alignment levels of footpath are non-compliant with localised lifting to meet entrances and building line.
- Redesign pram ramps on corner of Regent and Marian Streets.
- Show mature size of existing and proposed street tree species and inform awning design.
- Amendments to the 'Planting Palette' schedule to accurately reflect the proposed landscaping.

The CoS also raised issues regarding the proposed landscape treatment of the outdoor communal terraces and the adequacy of the raised planters to accommodate the growth of the proposed new trees and maintenance requirements.

## 2.2.2. Procedural Matters

One of the public submissions raised concerns regarding the way in which the community consultation was undertaken with the local community and associated inconsistencies with objects and general terms of EP&A Act. It also raised concerns regarding the assessment of cumulative impacts of existing, approved and likely surrounding developments.

## 2.2.3. Economic, Environmental and Social Impacts

### 2.2.3.1. Heritage Conservation

Feedback was provided from State and local government authorities and the local community regarding the potential impacts of the development on heritage values including:

- **European heritage:** CoS advised consideration was being given to extending the Redfern Estate Conservation Area (C56) to incorporate the site. The Council submission also requested an amended podium design which retained the 90 Regent Street building and front façade and front rooms of 92-96 Regent Street to maintain the existing building fabric and streetscape. D&A Markakis raised concerns that the proposal will have determinantal heritage impacts on 118 Regent Street, Redfern.
- **Aboriginal Cultural Heritage:** Heritage NSW – Aboriginal Cultural Heritage supported the preparation of an Unexpected Finds Protocol for Aboriginal objects and ongoing consultation with the Aboriginal community. They recommended the preparation of a Heritage Interpretation Strategy.

### 2.2.3.2. Noise and Vibration

Submissions from adjoining and nearby land owners raised concerns regarding potential noise impacts, including:

- **Construction noise:** D&A Markakis raised concerns about construction and vibration impacts on St Luke's Church. A public submission raised concerns about the noise impacts associated with construction including weekend works.
- **Operational noise:** a public submission raised concerns about noise impacts with the new student population. Iglu No. 209 raised concerns about noise disturbance from the outdoor terrace areas.

### 2.2.3.3. Stormwater and Infrastructure

The NSW DPIE (Biodiversity and Conservation Division) raised concerns about the flood modelling and stormwater design. They also requested further clarification on flood planning levels and PMF levels.

Transport for NSW and Sydney Metro requested additional details to complete their review, including an Engineering Impact Assessment of the proposed development on the Sydney Metro running tunnels in accordance with their relevant requirements.

Sydney Water confirmed the existing utility services within the locality and identified the potential for upgrades to service the proposed development, also considering other recent developments and approvals within the immediate vicinity.

### 2.2.3.4. Transport and Access

TfNSW and CoS requested additional information on the proposed loading facilities. TfNSW also requested conditions of consent regarding the Green Travel Plan and Transport Access Guide.

Submissions from the public raised concerns regarding the adequacy of the on-site parking arrangements, as well as the potential cumulative impacts associated with construction traffic and parking. CoS requested bicycle parking be provided in accordance with residential rates.

#### **2.2.3.5. Amenity Impacts**

The CoS and public submissions raised issues regarding the potential amenity impacts of the proposal, including:

- **Visual impacts:** D&A Markakis raised concerns about the visual impacts of the proposed development, including its impacts on the Regent Street streetscape. The CoS raised concerns regarding the potential 'visual clutter' associated with the provision of two top-of-building signs.
- **Visual Privacy:** an anonymous public submission raised concerns regarding the separation distances between the proposed development and the affordable rental housing development on Gibbons Street, including potential privacy impacts.
- **Wind impacts:** the CoS raised concerns regarding the potential wind impacts and the adequacy of the proposed mitigation measures to achieve an appropriate level of amenity.
- **Overshadowing:** D&A Markakis and other anonymous public submissions raised concerns about overshadowing to the St Luke's Church and the surrounding development.
- **Safety and security:** NSW Police – South Sydney Police Area Command provided recommendations for CCTV, clear lighting and signage. A public submission raised safety concerns associated with the laneways.

#### **2.2.3.6. Ecologically Sustainable Development (ESD)**

The CoS raised concerns regarding the level of detail regarding the ESD measures to be included in the design and construction of development. Issues were also raised regarding compliance with BASIX, the photovoltaic system and solar panels.

## 3. ACTIONS TAKEN SINCE EXHIBITION

This section summarises the changes that have been made to the project since its public exhibition. It also outlines the additional assessment undertaken to respond to the concerns raised with the agency, organisation and public submissions outlined in Section 2.

### 3.1. AMENDMENT OF THE PROJECT

The Proponent has amended the proposed building design in response to the submissions and follow up consultation with the CoS, including:

- Additional openings have been provided to Regent Street, Marian Street, and William Lane.
- The podium design has been amended to establish a street frontage along William Lane, framing the approved through site link.
- Activation along William Lane is provided through interior usage types as lounges, games, office use, bike store, and retail spaces.
- The awning heights along Regent Street and Marian Street have been lowered to a range between 3.2m and 4.2m, providing better shelter for pedestrians.
- The awning depth has been set back from 2.8m to 2m to accommodate future canopy growth of the proposed tree species.

A copy of the updated architectural drawings is attached as **Appendix C**.

Turf Design Studio has updated their original Landscape DA Report to incorporate the changes to the architectural drawings and respond to the submissions. A copy of their report is held as **Appendix E**.

The updated plans confirm the materials selection aligns with City of Sydney's Street Code. The planting palette has been amended to further clarify the proposed species mixes. While the provision of canopy trees is not feasible on the terraces, a biophilic connection is provided through an array of raised planters for small trees and potted plant specimens. Substantial vertical greening is provided through vine planting on all terraces. The pergola canopy structure at each of the western, eastern, and northern terraces mitigate downdraft winds, to provide comfortable conditions for users of the terraces.

AJC has also prepared a Supplementary Design Report which is attached as **Appendix D**. The report details the proposed design rationale and justification for the proposed changes listed above. It also incorporates additional information regarding the way in which the design has been refined to respond to the amenity impacts which are addressed in further detail within **Section 3.3** of this report. The appended drawings include both the original and updated schemes and further articulate the proposed changes which are summarised in **Table 3** below. This table provides a detailed breakdown by level of the proposed amendments to the architectural design and public domain.

Table 3 Proposed Amendments to Design

Location	Proposed Modifications
Basement	<ul style="list-style-type: none"><li>▪ Fire sprinkler tank moved from ground level to basement level</li><li>▪ Fire egress pathways consolidated towards William Lane</li><li>▪ Bike hoist relocated further west</li><li>▪ Grease arrestor relocated under loading dock</li><li>▪ OSD tank amended from panel tank to concrete tank</li></ul>
Lower Ground	<ul style="list-style-type: none"><li>▪ Loading dock moved further south to attend to flood levels</li><li>▪ Service rooms relocated further north</li></ul>

Location	Proposed Modifications
	<ul style="list-style-type: none"> <li>Waste strategy amended to require less bins; bulk waste stores incorporated at lower ground and basement</li> <li>Ramps to basement adjusted following new loading dock level</li> </ul>
Ground	<ul style="list-style-type: none"> <li>Retail space increased following relocation of service rooms to basement</li> <li>Laundry layout amended following coordination</li> <li>Sprinkler tank relocated to basement</li> <li>Administration pod further developed</li> <li>Bike hoist relocated to incorporate DDA access</li> <li>Lounge adjacent entrance space changed to meeting rooms and study spaces</li> <li>Trees along Regent Street updated to reflect appropriate canopy widths</li> <li>Public domain levels developed and incorporated into ground levels</li> </ul>
Level 2	<ul style="list-style-type: none"> <li>Gym space increased to include outdoor gym amenity</li> <li>Kitchen relocated to eastern end</li> <li>Cinema room included at western end</li> <li>Central lounge included facing north</li> <li>Music rooms included facing east</li> <li>Servicing core design further developed</li> <li>BBQ at south relocated to northern terrace</li> </ul>
Level 3	<ul style="list-style-type: none"> <li>Pergola canopy design further developed to become structural element for podium façade, as well as wind mitigation</li> <li>Condensers at southern terrace further coordinated</li> <li>Twin room facing east further developed</li> <li>Servicing core design further developed</li> </ul>
Lower Typical	<ul style="list-style-type: none"> <li>Servicing core design further developed</li> </ul>
Level 9	<ul style="list-style-type: none"> <li>Servicing core design further developed</li> <li>Common room layout further developed</li> </ul>
Upper Typical	<ul style="list-style-type: none"> <li>Servicing core design further developed</li> </ul>
Level 15	<ul style="list-style-type: none"> <li>Common room layout further developed</li> </ul>
Plant Room	<ul style="list-style-type: none"> <li>Plant room further coordinated with mechanical and ESD requirements (inclusion of fan rooms, louvred openings, and space allocation for PV cells)</li> </ul>

Location	Proposed Modifications
Roof Plan	<ul style="list-style-type: none"> <li>Roof plan further coordinated with mechanical and ESD requirements (inclusion of fan rooms, louvred openings, and space allocation for PV cells)</li> </ul>
North Elevation	<ul style="list-style-type: none"> <li>Awning adjusted to heights between 3200mm and 4200mm</li> </ul>
East Elevation	<ul style="list-style-type: none"> <li>Air supply and exhaust louvres incorporated into openings</li> </ul>
West Elevation	<ul style="list-style-type: none"> <li>Façade height aligned to northern podium to hide planter box</li> <li>Air supply and exhaust louvres incorporated into openings</li> <li>Façade redesign following relocation of loading dock and service rooms</li> </ul>
South Elevation	<ul style="list-style-type: none"> <li>Southern riser incorporated for stair pressurization relief</li> </ul>

## 3.2. FURTHER ENGAGEMENT

Since the public exhibition of the SSDA (16 November 2020 to 13 December 2020), the Proponent has consulted with St George Community Housing (SGCH) to address their privacy and noise concerns. A design solution has been developed which includes privacy louvres to the proposed western terrace opposite 11 Gibbons Street, directing views from the terrace southward away from the residences across the laneway.

The public submission which raised concerns regarding the community consultation process was anonymous and accordingly, it was not possible to respond directly to the issues raised. However, Elton Consulting has advised the engagement programme included direct contact with the strata manager of the relevant building on several occasions prior to the preparation and lodgement of the EIS.

## 3.3. ADDITIONAL IMPACT ASSESSMENT

Additional assessments of the potential heritage, noise and vibration, stormwater and flooding and wind impacts have been undertaken to respond to the issues raised within the submissions. The results and findings of these additional assessments are discussed in the following sections.

### 3.3.1. Heritage Conservation

A meeting was held with the CoS on 4 February 2021 to discuss their submission, including the proposed extension of the Redfern Estate Conservation Area (C56) and the retention of the existing buildings/facades.

Urbis noted the primary environmental planning instrument applying to the site was the SSP SEPP and queried whether it was possible to include the site within an expanded heritage conservation area in accordance with the LEP. Council agreed to take this question 'on notice' and follow up internally to confirm whether the legislative pathway had been resolved. The Proponent agreed to undertake additional site investigations and comparative analysis to establish the significance of the existing building fabric.

Webber Design has prepared supplementary correspondence (refer **Appendix G**) which outlines their additional investigations regarding the structural integrity of the building. Their key findings are summarised below:

- The floorings (especially on 90 Regent Street) show significant deflection under low load towards the eastern end of the building with falls across the floor boards visually and perceptively noticeable. Likely causes include some settlement, potential damage or loss of strength in the floor joist due to the age of the building.
- The buildings have undergone several refurbishments and defects such as cracks, mortar deterioration etc are likely to have been covered with paint work. Significant investigative (intrusive) works would be required to determine mortar strength, brickwork capacity and foundation capacity to maintain the existing façades and structure.

- Significant temporary propping (structural steelwork) would be required to safely support the façade during construction and prevent it from structural collapse. Underpinning works to the foundation would also likely be required.
- Strengthening works to the existing structure would be required to meet current code requirements for lateral (earthquake) design and design floor capacity. The floor joists would need replacement to ensure the floors can support superimposed dead and live loads as per Australian standards.
- Any proposal for integration of the proposed development with the existing building would require significant modification and replanning to accommodate new foundation piles, floor slabs, columns, lift and stair cores.
- There is a very high possibility of structural damage to the existing building during construction. In some instances, this would be unavoidable due to the nature and condition of the façade.

Webber Design have concluded the retention of the existing building poses significant structural issues and would require a full detailed analysis and strengthening to maintain the structure. It is recommended the existing structure is demolished.

Further to the above structural assessment, Artefact Heritage Services have prepared an additional historical investigation and comparative analysis of 90-96 Regent Street. A copy of the Statement of Heritage Impact Addendum Memo is attached at **Appendix F**. The key findings and conclusions are summarised below:

- The former Bunnerong Hotel at 90 Regent Street, Redfern has limited associative significance in relation to noted architect Walter Liberty Vernon.
- The building at 90 Regent Street, Redfern includes some elements likely to be of local significance, however, the structure does not meet the local significance threshold. This assessment supports the proposed demolition, subject to the following recommendations:
  - Prior to the commencement of works, a Photographic Archival Recording (PAR) report should be prepared.
  - Prior to the commencement of works, a salvage strategy should be prepared by qualified heritage professional.
  - A Heritage Interpretation Strategy should be considered for the project.
- The buildings at 92-96 Regent Street, Redfern contain some interior and exterior features that are uncommon in local context. However, a desktop analysis of surviving former shopfronts from a similar period (1890–1914) suggests sufficient local building stock survives within the Redfern Estate Heritage Conservation Area to justify demolition of these buildings. The assessment supports the proposed demolition subject to implementation of the following recommendations:
  - Prior to the commencement of works, a Photographic Archival Recording (PAR) report should be prepared.
  - Prior to the commencement of works, a salvage strategy should be prepared by qualified heritage professional.
  - A Heritage Interpretation Strategy should be considered for the project.

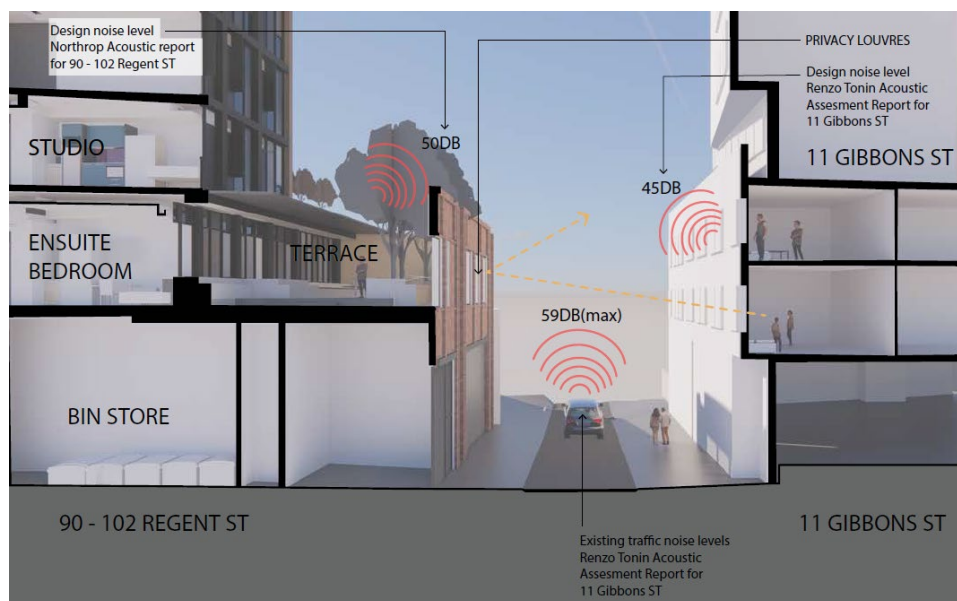
Artefact Heritage Services conclude the site can be made suitable for the proposed development subject to adoption and implementation of the above mitigation measures.

### 3.3.2. Noise and Vibration

The outdoor cinema and music room was removed from the proposal to minimise the potential noise impacts and address the submission made by Iglu. The podium design incorporates enclosed glazed openings facing Marian Street to reduce noise impacts, as demonstrated in the following extract from the AJ+C Supplementary Design Report.



Figure 2 Noise Treatment Diagram



Source: AJ+C

An updated Acoustic Report has been prepared by Northrop (**Appendix H**) which confirms the noise level design parameter of 50dB is consistent with the Iglu development. The key findings and recommendations outlined within Section 5 of the updated report remain the same as those presented within original report lodged with the EIS.

Acoustic Logic has prepared an additional Train Tunnel Vibration Impact Assessment (**Appendix I I**) which assesses the potential structure borne noise and vibration impacts associated with the existing T4 (Eastern Suburbs and Illawarra) tunnel (approximately 55m) and new Sydney Metro City & Southwest tunnel. The report concludes the noise and vibration impacts to the future development at 90-102 Regent Street are expected to meet the requirements detailed in *State Environment Planning Policy (Infrastructure) 2007*.

Webber Design has reviewed the above report and prepared an Endorsement Statement for Vibration Impact Assessment & Subsequent Structural Isolation (refer **Appendix J**). This statement confirms the noise levels from the existing rail assets are below the limiting criteria and accordingly, structural requirements are unlikely to be required at the design stage. It also confirms the noise levels from the future Sydney Metro line are predicted to be below the limiting criteria and accordingly, structural requirements are unlikely to be required at the design stage.

### 3.3.3. Stormwater and Infrastructure

#### 3.3.3.1. Stormwater and Flooding

JHA have prepared an amended Flood Study and Assessment Report (**Appendix K**). The report has sought to respond to the flooding matters raised by the NSW DPIE (Biodiversity and Conservation Division).

The amended flood study uses the ARR1987 procedure and PMP using the GSDM rainfall data method. The flood study uses the ARR2019 procedure with incorporated climate change effect and increased rainfall intensities. The rainfall intensities are considered generally higher or more conservative than the previous flood study. Climate change is discussed in detail and found to have a negligible impact on the development.

The flood study has demonstrated that the proposed development would not divert floodwater to neighbouring properties. The proposed development would not increase the damage or hazard of the existing flooding condition. Clarification is provided regarding the FPL and PMF levels for the entire site, particularly at those critical locations where stormwater enter the building within the flood study.

Overall, the updated report concludes the proposed minimum flood planning tabulated in the flood study complies with the Council and DPIE policies and requirements.



### 3.3.3.2. Rail Infrastructure

An Engineering Impact Assessment package was forwarded to Sydney Metro on 25 February 2021. Copies of the supporting plans and documents are held as **Appendices R – Y** to this RTS report.

The package includes a detailed survey, structural drawings, geotechnical investigations, vibration management plans and electrolysis investigations to address the relevant Sydney Metro guidelines and facilitate their detailed assessment of the proposal. It is anticipated that further feedback may be provided by Sydney Metro following their review.

The Metro Tunnel Vibration Management Plan prepared by Acoustic Logic and held as **Appendix P** includes additional mitigation measures to avoid unacceptable impacts to the Sydney Metro rail tunnel during the construction of the proposed development. These measures have been included within the updated mitigation measures table attached as **Appendix B** and as listed below:

- Surface level and geophone monitoring will be implemented to measure vibration levels and appropriate construction management measures implemented, if necessary.
- Monitors will be installed prior to commencement of works and remain operational until such time that piling works and the ground slab have been finished or earlier as agreed with Sydney Metro.
- Downloading of the vibration logger will be conducted on a regular basis and in the event of an exceedance, on a more frequent basis. Results will be presented in a graph format and forwarded to project personnel for review. Reports will be provided fortnightly which detail any exceedance in the vibration criteria.
- A visual and audible alarm system shall be established by the sub-contractor on site, with the following personnel to receive alarms -
  - Acoustic consultant/advisor
  - Excavation site foreman
  - Main builder foreman
  - Sydney Metro/Tunnel Contractor nominated representatives (maximum 2 persons)
- The detailed procedures outlined within Section 5 of the Metro Tunnel Vibration Management Plan will be followed in the event of an exceedance in the project criteria.

The Electrolysis & Stray Traction Current Report prepared by Cathodic Protection Services (**Appendix Q**) has confirmed little if any stray traction is expected to escape from the Sydney Metro tunnels. Further, the proposed method of construction will prevent the entry of stray traction into the structure. An insulating fitting in the water service, use of a non-metallic water meter or PVC pipe eliminates the potential for corrosion of the water service of the electrical earth caused by stray traction current.

The Rail Risk Management Plan prepared by GKA (**Appendix R**) outlines the risk management process to manage safety risks associated with the demolition, excavation, construction and maintenance of the proposed development in accordance with relevant standards and guidelines. All risks were assessed as being within a broadly acceptable region and reduced so far as reasonably practical. A separate Impact Assessment Report & Monitoring Plan will be produced for works after consultation with Sydney Metro defines the nature and extent of safety controls required for the project.

### 3.3.4. Transport and Access

TTPP Planning have prepared a Transport Planning Memo (**Appendix S**) to address the Transport for NSW and CoS submissions.

The loading dock and associated back of house spaces have been relocated further south of the site, to better address egress pathways and serviceability requirements.

Swept paths have been subsequently reviewed and confirms the proposed turntable strategy for trucks to enter front in and front out.

### 3.3.5. Amenity Impacts

#### 3.3.5.1. Visual Impacts

The original Visual Impact Assessment has provided a comprehensive assessment of the potential visual impacts of the proposed built form. The architectural drawings have been updated to remove the second top-of-building sign and accordingly, it is considered that a further or updated assessment is not required.

#### 3.3.5.2. Visual Privacy

The amended design incorporates privacy louvres to the western terrace of the development opposite 11 Gibbons Street. The privacy louvres direct views from the terrace southward, away from the 11 Gibbons Street residents.

#### 3.3.5.3. Wind

SLR Consulting have provided an additional Wind Impact Assessment (**Appendix T**) in response to the CoS submission.

The amended awning design has been assessed and the impacts are considered acceptable from a wind impact perspective. The adjustment of the barrel shaped awning portions to a flat rectangular box awning will maintain the original mitigation outcomes associated with ameliorating downwash winds. Any interruption in the awning to enable retention of existing trees or growth of new trees is considered acceptable providing the 'break' is limited to the immediate area surrounding the relevant tree.

The assessment also confirms the landscape elements on Level 2 are not relied upon to mitigate downdraft winds. The report concludes no additional wind mitigation measures are warranted either on the Level 2 terraces or the ground-level locations along the street frontages.

#### 3.3.5.4. Overshadowing

AJ+C has prepared additional overshadowing studies to clearly identify and assess the potential overshadowing impacts to St Luke's Church.

The overshadowing studies confirms that St Luke's Church receives up to four hours of solar access during mid-winter which equates to a reduction of only one hour compared to the existing pre-development scenario. The proposed built form is consistent with the strategic policies and statutory planning controls which apply to the site. Further, the proposed solar access at the winter solstice is considered acceptable, noting it significantly exceeds the minimum requirements for residential development.

Detailed shadow diagrams are provided on Page 38 of the amended Architectural Design Report (**Appendix D**).

### 3.3.6. Ecologically Sustainable Development

The proposed ESD measures are detailed within Sections 4.3-4.10 of the ESD report submitted with the EIS (Appendix R).

The dimensions and a technical specification for the sample solar PV panel are included within Appendix B of the ESD report. A specification for a more recent product with higher efficiency is attached to this report (refer to **Appendix U**).

A BASIX certificate was included within the EIS package as Appendix Z. An updated BASIX certificate will be prepared once the proposed changes to the plans have been reviewed by DPIE and the proposal is to be recommended for approval.

AJC has confirmed the Solar PV cells were always proposed to be angled. Additional information has been provided in the updated architectural drawings (**Appendix C**) to illustrate their performance.

## 4. RESPONSE TO SUBMISSIONS

This section provides a detailed summary of the Applicant's response to the issues raised in the submissions (refer to **Section 2**).

### 4.1. RESPONSE TO PUBLIC AUTHORITY SUBMISSIONS

#### 4.1.1. City of Sydney

The City of Sydney Council (CoS Council) wrote to the applicant on 14 December 2020 requesting a response to the submissions and matters raised during the public exhibition period for SSD- 10382).

Table 4 Response to City of Sydney Council Submission

Item	Comment	Response
1	Site is to be included within extension of the Redfern Estate Conservation Area (C56) - request podium design which retains building at 90 Regent Street and at least the front façade and front rooms of the three historic buildings at 92-96 Regent Street.	<p>The proposed podium design was given detailed consideration in the preparation and refinement of the architectural drawings prior to lodgement of the EIS and in accordance with the design excellence strategy. This included significant amendments to the original design to respond to feedback provided by the Government Architect of NSW and the State Design Review Panel (SDRP) during the five design briefings held between 14 January 2020 and 26 August 2020 (refer to Section 6.1 of the EIS).</p> <p>Artefact liaised with the City of Sydney to clarify the nature of the recommended building retention and the proposed extension of the Redfern Estate Conservation Area (C56). A meeting was subsequently held with Council officers and the proponent, including Wee Hur, Artefact, AJ+C and Urbis, to discuss the design rationale and Council's response to the proposal.</p> <p>Artefact agreed to undertake additional historical investigation and comparative analysis of 90-96 Regent Street. A copy of the Statement of Heritage Impact Addendum Memo is attached as <b>Appendix F</b> to this report.</p> <p>Urbis noted the primary environmental planning instrument applying to the site was <i>State Environmental Planning Policy (State Significant Precincts) 2005</i>. The controls within 'Appendix 4 – The Redfern-Waterloo Authority Sites' provide the planning controls for the precinct, including heritage conservation. It was queried whether the site could be included within an expanded heritage conservation area under <i>Sydney Local Environmental Plan 2012</i>. Council agreed to take the question 'on notice' and confirm whether the legislative pathway had been confirmed.</p>

Item	Comment	Response
2	Awning is too high to provide effective weather protection from rain, sun and wind and should be simple box awning without cut outs for street trees to both Regent and Marian Streets and consistent with the requirements of Section 3.2.4 - Footpath Awnings of Sydney DCP 2012. Any signage is to be within the fascia of the awning.	<p>AJ+C has updated the awning design in consultation with Turf Design, Urban Arbor and SLR Consulting regarding the public domain landscaping, tree retention and potential wind impacts.</p> <p>The awning height has been lowered to between 3.2m- 4.2m to allow for slope of Regent Street, improve weather protection and align with the podium facade design.</p> <p>The awning depth along Regent Street has been reduced from 2.8m to 2m to preserve the existing tree and provide for canopy growth of proposed trees. The 1.5m setback from kerb complies with DCP 2012.</p> <p>The awning depth along Marian Street has been reduced from 2.5m to 1.5m to allow for canopy growth of existing trees. The 1.5m setback from kerb complies with DCP 2012.</p> <p>Barrel shaped awnings have been simplified to flat rectangular shaped box awnings.</p> <p>SLR Consulting has assessed the potential impacts of the revised awning and confirmed the revised awning design will provide adequate protection to pedestrians (refer Item 22 for further detailed discussion).</p> <p>Updated architectural drawings (<b>Appendix C</b>) and landscape plans (<b>Appendix E</b>) detail the proposed amendments. Additional correspondence from Urban Arbor (<b>Appendix V</b>) and SLR Consulting (<b>Appendix T</b>) confirms the revised design is acceptable from a tree retention and wind quality perspective.</p>
3	Proposed materials are unclear. There are missing annotations in architectural drawings and materials board which are required to understand overall expression of the development.	AJ+C has updated the architectural drawings to illustrate the proposed materials in further detail (refer <b>Appendix C</b> ).
4	Two top of building signs contributes to visual clutter of urban environment, particularly when both signs could be viewed at some vantage together. Top of building signs should be limited to a single sign.	Noted - AJ+C has updated the architectural drawings by removing the top-of-building sign on the Marian Street elevation (refer <b>Appendix C</b> ).
5	Recommend an NSW EPA accredited Site Auditor be engaged to peer review DSI and RAP to provide letter	Douglas Partners has reviewed Council's feedback and provided supplementary advice regarding the site remediation works (refer <b>Appendix W</b> ). It is

Item	Comment	Response
	of interim advice or Part B Site Audit Statement to endorse remediation strategy. A Part A Site Audit Statement declaring the land as suitable for the proposed use to be provided at end of remediation and prior to CC. Further, any LTEMP should be approved by a Site Auditor as part of a Part A Site Audit Statement.	considered the soil remediation works are straightforward and all reports have been reviewed by a Certified Environmental Practitioner. Accordingly, a Site Audit Statement is not warranted in this instance.
6	City concurs with recommendations for further specialist advice regarding vibration and structural isolation at the design stage and recommend the applicant obtain expert advice and vibration impact predictions. The development is to incorporate any recommended vibration isolation measures into the building foundations based upon the conclusions and recommendations of such advice.	Webber Design have prepared an amended Vibration Impact Assessment ( <b>Appendix J</b> ). Webber confirm the structural requirements pertaining to isolation measures are not required at the design stage to be incorporated into the foundations of the proposed structure. A further detailed package of information has been submitted to Sydney Metro for a comprehensive review in accordance with their relevant requirements (refer Items 49-50).
7	A separate Roads Act approval under section 138 of the Roads Act 1993 is to be made to the City's Public Domain Unit for any works within the road reserve.	Noted.
8	Footpath along Regent Street to be reconstructed with paving blocks to comply with City's Street Code and match adjoining development.	Noted - Turf Design has confirmed the materials selection will be consistent with the City's Street Code and surrounding developments.
9	Footpath along Marian Street to be reconstructed with concrete to comply with City's Street Code.	Noted - Turf Design has confirmed the materials selection will be consistent with the City's Street Code.
10	Pram ramps are non-compliant on corner of Regent and Marian Streets and need to be reconstructed to current standards.	Noted – this matter will be addressed in the detailed design drawings and prior to CC.
11	Driveways to be removed on William Lane and Marian Street to be reinstated with kerb and gutter.	Noted – this matter will be addressed in the detailed design drawings and prior to CC.
12	Existing parking signage, traffic signage and bench along Regent	Noted – these matters will be addressed in the detailed design drawings and prior to CC.

Item	Comment	Response
	Street need to be retained. Existing alignment levels of footpath are non-compliant with localised lifting to meet entrances and building line. Alignment level submission to be produced to ensure new alignment levels are compliant.	
13	Level of public domain lighting to be reviewed for compliance with current standards. 80-88 Regent Street has smart poles along its frontage. This can be dealt with at CC stage as part of a public domain lighting submission.	Noted - this matter was addressed within Condition B20 in the development consent for 13-23 Gibbons Street (Application Number 9194). Wee Hur has requested an identical condition be included for this development to facilitate resolution of this matter at prior to CC.
14	Public Domain Plan to be submitted as part of CC to ensure public domain works comply with City's Public Domain Manual.	Noted – this matter will be addressed prior to CC.
15	Plane tree on Regent Street as shown on plans is not indicative of true size of existing canopy. Plans to be amended to show mature size of existing and proposed street tree species and inform awning design.	AJ+C and Turf Design have updated their drawings to reflect the true size of the Plane tree. The revised awning has been setback to accommodate the retention of the tree following consultation with Urban Arbor and Turf Design.
16	Design elements including awnings, street furniture, footpath upgrade within public domain must ensure appropriate setbacks are provided from existing street trees to allow maturity of the trees to be achieved.	AJ+C has updated the architectural drawings (refer <b>Appendix C</b> ) in consultation with Turf Design and Urban Arbor, including amendments to the awning design to enable the trees to achieve maturity (refer to Item 2).
17	All street trees surrounding the site on Council owned land must be retained and protected in accordance with AS4970-2009 Protection of Trees on Development Sites.	Noted – Turf Design and Urban Arbor have been confirmed the existing trees will be retained and protected in accordance with the relevant requirements.
18	The City of Sydney Street Tree Master Plan includes general street tree protection measures and conditions that must be followed.	Noted – these matters will be addressed in the detailed design drawings and prior to CC.
19	'Planting Palette' schedule as shown in Landscape Report by Turf Design Studio, is incorrect. There is only one Pistacia chinensis (Chinese Pistacia)	Turf Design has updated the Landscape Report to correct the errors in the Planting Palette (refer <b>Appendix E</b> ).

Item	Comment	Response
	proposed on Marian Street and not five. There are three Platanus x acerifolia (Plane trees) on Regent Street and not four. A total of four new street tree plantings is proposed and not nine.	
20	Awning design must be amended to provide adequate space and clearance for new street trees to grow without conflicting with the awning.	AJ+C has updated the architectural drawings (refer <b>Appendix C</b> ) in consultation with Turf Design and Urban Arbor, including amendments to the awning design to enable the trees to grow without conflicting with the awning (refer to Item 2).
21	Proposal does not demonstrate viable urban canopy in accordance with Section 3.5.2 – Urban Vegetation of Sydney DCP 2012 for at least 15% tree canopy coverage within 10 years of completion.	<p>Turf Design has advised the proposed landscape treatment includes both streetscape planting (seven new trees, including three plane trees) and on-site landscaping including the Level 2 terraces which provide outdoor spaces for residents with landscaped areas. It is not feasible to establish canopy trees on the terraces, however, the proposed landscaped areas maintain a biophilic connection through raised planters for small trees and vines, as well as potted plant specimens. Substantial vertical greening is also provided through generous vine planting on all terraces greatly enhancing the richness of the landscape.</p> <p>Overall, it is considered that the proposed landscaping is appropriate and consistent with the high-rise development provisions contained within the Redfern Urban Design Principles which apply to the site and surrounding land within the Redfern Waterloo Sites under the State Significant Precincts SEPP. This includes a provision for nil setbacks at the street level to activate the street frontages.</p>
22	Reliance on landscaping to completely mitigate wind is not supported as trees may fail and die. Façade design to be amended to limit wind effects and downwash to common open space with further wind tunnel testing that includes full design to meet relevant safety criteria.	<p>SLR Consulting has confirmed the wind tunnel testing has relied on only the proposed awnings to mitigate potential wind impacts – no reliance was placed on the elevated terrace landscaping (refer <b>Appendix T</b>).</p> <p>The Environmental Wind Tunnel Test (refer Appendix CC of EIS package) included three sets of tests – baseline, proposed and proposed plus mitigation. The proposed plus mitigation assessment was based on the provision of a 2.5 metre deep canopy on all Level 2 terraces, as well as landscaping which includes small trees, vines and potted plant specimens (refer Item 21). The testing showed the common space locations would experience peak annual wind speeds ranging</p>

Item	Comment	Response
		<p>from 5.5 m/s to 12 m/s which are relatively low and suitable for the intended activities in the individual locations, including standing, sitting and dining. Any design change to the would have questionable impact on winds below and may shift wind hot spots elsewhere. The proposed awnings and landscaping are considered appropriate and will achieve acceptable levels.</p> <p>SLR has also reviewed the amended awning design and confirmed the impacts are acceptable from a wind impact perspective. The adjustment of the barrel shaped awning portions to a flat rectangular box awning will maintain the original mitigation outcomes associated with ameliorating downwash winds. Any interruption in the awning to enable retention of existing trees or growth of new trees is considered acceptable providing the 'break' is limited to the immediate area surrounding the relevant tree.</p> <p>Overall, no additional wind mitigation measures are warranted either on the Level 2 terraces or the ground-level locations along the street frontages.</p>
23	Landscaping on the Level 2 communal area is in undersized raised planters and pots and areas of astro turf which is not supported due to artificial nature, and surface finish trapping heat.	<p>Turf Design has advised all raised planters to accommodate small trees are a minimum of 800mm deep. The two westernmost planters hosting trees are 1.4 x 1.7m, and 2.4m x 1.1m. The eastern terrace/southern planter provides 800mm depth x 4.2m x average 1.6m planter area.</p> <p>Water Gum and Lemon Scented Tea Tree are suitable species and will contain growth within the proposed soil volume. Potted plants have also been included as additional greening to enrich the outdoor spaces.</p> <p>A natural lawn was considered during the development of the landscape concept. However, the potential shadow impacts during winter and high-use of these communal spaces rendered this option unviable. The use of synthetic turf is considered a viable urban carpet supporting multiple uses.</p>
24	Proposed new trees in raised planters and free-standing pots are too small and shallow to support healthy growth of trees. Landscape proposal does not comply with minimum soil depths and soil volumes required by Sydney Landscape Code. Perimeter planters are 600mm wide and 450mm depth.	<p>Refer to Item 23 above regarding details of the raised planters.</p> <p>Turf Design has advised the 700mm wide x 450mm planters on the northern terrace were proposed to provide 'moments' of green while also providing seating and activity to benefit the amenity and useability of the communal spaces. The proposed</p>



Item	Comment	Response
	Success of landscape on slab requires great design, coordinated services, soil depth and soil volume, drainage, watering systems and ongoing maintenance - details to be provided.	landscape treatment also acknowledges the shadow impacts of the awnings which are proposed to mitigate wind effects. Where feasible (eg north-eastern corner), a larger planter has been incorporated at 800mm depth with greater volume to incorporate a small tree.
25	Two inaccessible terraces are provided on Level 3 with narrow 450mm depth perimeter planters proposed to service areas on western and southern edges of building. There is insufficient information to assess proposed design. Details relating to intended design, pergola design, screening service areas, planting design and how the spaces will be accessed and maintained must be provided.	<p>AJ+C has confirmed access to the plant and equipment and planters the southern terrace is available via the southern end of the main corridor on Level 3. The door on the western end of the main corridor is supported with alternative solutions from the fire safety and BCA consultants.</p> <p>Turf Design has advised the southern terrace accommodates a planter of 700mm depth and 1m width which provides sufficient soil volume for the screening plants. The proposed pergola will be an aluminium powder coated structure with timber slats at 400mm spacing. Climbing species will be provided with wire supports fixed to the structure to control growth in specific locations to best cloak services. Maintenance access is provided via hallway doors (as outlined above). External maintenance access to the pergola will be via scaffolding platforms with harness attachments – from beneath the pergola only.</p> <p>The western terrace provides a planter of 450mm depth at 1m width. This is deemed sufficient for the cascading Carpobrotus and Lomandra species nominated. The Lemon Scented Tea Tree was included in error and has been rectified in the updated landscape plans (refer <b>Appendix E</b>).</p>
26	Roof level includes areas for plant and photovoltaic cells surrounded by roof ballasts. Greening of site is limited to ground floor and Level 2 which is a poor sustainability outcome. There is opportunity to provide additional green roofs for stormwater infiltration and rainwater harvesting, help cool buildings, reduce energy consumption, with plant species that contribute to habitat creation and biodiversity.	<p>AJ+C has updated their architectural drawings to incorporate photovoltaic cells on both the plant and roof levels as part of the ESD strategy (b).</p> <p>Vipac Engineers has confirmed the roof is being utilised to maximise the use of on-site renewable energy generation. The proposed Solar PV system will off-set the consumption of the ventilation fans. Further greening of the roof would reduce the Solar PV system capacity which is directly contributing towards off-setting the Greenhouse Gas emissions associated with the proposed development.</p>
27	Architectural plans do not clearly illustrate access and loading arrangements, including ramp access	AJ+C has prepared updated architectural drawings (refer <b>Appendix C</b> ) which include amended

Item	Comment	Response
	to turntable. Driveway must be in accordance with requirements of Sydney DCP 2012 and the relevant Australian Standards.	<p>arrangements for access and loading, including the ramp access to the turntable.</p> <p>TTPP Transport Planning has prepared supplementary advice (refer <b>Appendix S</b>) which confirms the grade and vehicle approach pathways comply with the relevant Australian Standards and the design vehicle (SRV) will be able to enter and exit the site in a forward direction.</p> <p>The location and layout of the proposed loading dock facility has been modified from the SSD design to address other issues relating to the development. The loading dock is proposed to be located on the 'Lower Ground Level' which sits at level below the site's ground level frontage to Regent Street.</p>
28	Bicycle parking is supported in principle, however, should follow studio apartment and residential requirements outlined in Sydney DCP 2012 which equates to 1 space per resident or at a minimum, 1 bicycle parking space per 2 beds.	The proposed parking arrangements are assessed in detail within the Transport Impact Assessment (Appendix N to the EIS). A comprehensive assessment of the adequacy of the proposed parking provision is provided in Section 4.4 (pages 22-27) including other recent approvals, demand survey of student accommodation within a comparable location and tenancy agreements. Consideration was also given to parking rates for student accommodation and boarding houses in State and local planning controls on a merit basis in Section 4.3.2. The report concludes the development provides adequate bicycle parking based on the relevant rates. Overall, the proposed bicycle parking provision is considered appropriate based on the proposed land use activities and forecast demand for on-site bicycle parking.
29	<p>ESD report does not clearly state what ESD measures are included in design and construction of development. Architectural plans do not contain reference to BASIX and roof plans do not adequately illustrate details and size of the photovoltaic system.</p> <p>Drawings depict solar panels to be flat on roof which is at odds to required tilted positioning to attain solar gain and enable easy maintenance. These need to be indicated in revised plans and appropriately illustrated in elevational drawings.</p>	<p>Vipac has advised the proposed ESD measures to be adopted for the proposed development are clearly detailed within Sections 4.3-4.10 of the ESD report submitted with the EIS as Appendix R. Dimensions and a technical specification for the sample solar PV panel are included within Appendix B of the ESD report. A specification for a more recent product with higher efficiency is attached to this report (refer to <b>Appendix U</b>).</p> <p>A BASIX certificate was included within the EIS package as Appendix Z. An updated BASIX certificate will be prepared once the proposed changes to the plans have been reviewed by DPIE and the proposal is to be recommended for approval.</p>

Item	Comment	Response
		AJ+C has confirmed the Solar PV cells were always proposed to be angled. Additional information has been provided in the updated architectural drawings (refer to <b>Appendix C</b> ) to illustrate their performance.

#### 4.1.2. Heritage NSW – Aboriginal Cultural Heritage

Table 5 Response to Heritage NSW – Aboriginal Cultural Heritage Submission

Item	Comment	Response
30	Preparation of any non-Aboriginal archaeological research design and methodology to include consideration of Aboriginal cultural heritage values to address whether project area does have potential for Aboriginal objects.	Noted – management of Aboriginal cultural values which may be identified during non-Aboriginal test excavation has been incorporated into the Archaeological Research Design and Methodology (ARDM) as an unexpected finds protocol (refer to <b>Appendix X</b> ).
31	Support preparation of an Unexpected Finds Protocol for Aboriginal objects as part of any CEMP.	Noted – management of Aboriginal cultural values which may be identified during non-Aboriginal test excavation has been incorporated into the ARDM as an unexpected finds protocol (refer to <b>Appendix X</b> ).
32	Support ongoing consultation with the Aboriginal community as part of construction works and design and recommend a Heritage Interpretation Strategy be prepared that incorporates Aboriginal history and cultural heritage.	Noted – a Heritage Interpretation Strategy can be prepared as a condition of consent.

#### 4.1.3. Heritage NSW – Heritage Council of NSW

Table 6 Response to Heritage NSW – Heritage Council of NSW Submission

Item	Comment	Response
33	Recommended conditions of consent provided for historical archaeology.	<p>Noted – the recommendations listed within the submission are considered acceptable and can be incorporated as a condition of consent.</p> <p>Wee Hur is proposing to undertake test excavation following the issue of development consent and engagement of a contractor to complete the groundworks for the approved development.</p> <p>The proposed approach has been addressed in the Archaeological Research Design and Methodology (ARDM) prepared by Artefact (refer to <b>Appendix X</b>), including the other site constraints. Artefact considers</p>

Item	Comment	Response
		the likely significance and integrity of the archaeological resource to be compatible with testing post-approval, assuming testing occurs prior to subsurface project ground works and the results and recommendations of the testing report are considered for future stages of the project. A copy of the final ARDM will be submitted via Heritage Mailbox for Heritage NSW records.
34	Advice to be sought from City of Sydney regarding local heritage items	Feedback from the City of Sydney regarding the local heritage items is addressed in Item 1 of this table.

#### 4.1.4. NSW Department of Planning Industry & Environment (Biodiversity and Conservation Division)

Table 7 Response to NSW DPIE Biodiversity and Conservation Division Submission

Item	Comment	Response
35	Flood modelling contains issues and errors and should not be relied upon.	JHA have prepared an amended Flood Study and Assessment Report ( <b>Appendix K</b> ). The amended flood study uses the ARR1987 procedure and PMP using the GSDM rainfall data method. The flood study uses the ARR2019 procedure with incorporated climate change effect and increased rainfall intensities. The rainfall intensities are generally higher or more conservative than the previous flood study. Climate change is discussed in detail and found to have a negligible impact on the development.
36	Flood mitigation measures relies upon neighbouring site – further discussion and evidence to be provided regarding its approval.	The flood study has demonstrated that the proposed development would not divert floodwater to neighbouring properties. The proposed development would not increase the damage or hazard of the existing flooding condition. Both pre-development and post development analysis demonstrates the proposed development would not divert floodwater to the neighbouring properties and would not increase the flooding hazard.
37	Clarification to be provided regarding flood planning levels and PMF levels.	JHA exported the flood surface “tin” to 12D models and provided profiles (longitudinal sections) of both the topwater levels of 1% AEP and PMF. Clarification is provided regarding the FPL and PMF levels for the entire site, including critical locations where stormwater enter the building within the flood study. The minimum flood planning tabulated in the flood study complies with the Council and DPIE policies and requirements.



#### 4.1.5. NSW Environment Protection Authority

Table 8 Response to NSW EPA Submission

Item	Comment	Response
38	No comments and no further consultation required	Noted – no further action required.

#### 4.1.6. NSW Police – South Sydney Police Area Command

Table 9 Response to NSW Police Submission

Item	Comment	Response
39	Mailbox area to be internal of building, with swipe access only and CCTV positioned covering this area.	Noted - mailboxes are located inside building, within the secured administration pod at ground floor.
40	Information placed in foyer entrance area, covering delivery of packages policy for students.	Noted – large parcels will be stored within the package room which will be locked. Students will have access to their own mailbox.
41	CCTV should be installed and operational at entry / exit points to entrance of accommodation building / retail shops and internal mail room. Further CCTV should be positioned in lift and or stairs leading to accommodation, Internal common areas and corridors.	Noted – the Operational Management Plan includes provision for CCTV.
42	CCTV should be installed and operational covering bicycle parking area.	Noted – the Operational Management Plan includes CCTV which covers all bicycle parking areas.
43	Adequate lighting should be positioned covering premise and surrounding areas of building to create visibility at night and to reduce opportunity for hidden areas.	Noted - all street frontages will be well lit.
44	Clear signage of building number and building name be clearly displayed, with light shining on signs at night to allow clear visibility for Police.	Noted - the building number and name will be clearly identifiable from the street frontage.
45	Warning signs “CCTV in use at all times, trespassers will be prosecuted” to be clearly displayed.	Noted – appropriate signage will be placed at all entries to the premises.
46	All shrubs to be no higher than 1 metre, so visibility and clear sight	The landscape plan includes provision of additional street trees within the public domain at the ground

Item	Comment	Response
	lines can be maintained onto the premise.	level. The existing and proposed trees will not impact on sightlines to or from the development.  Additional landscaping, including small trees, is proposed on the Level 2 terraces which is considered acceptable to provide an appropriate amenity for the outdoor communal spaces, including shading.

#### 4.1.7. Sydney Airport

Table 10 Response to Sydney Airport Submission

Item	Comment	Response
47	No objection to development based on maximum heights, including lift over-runs, vents, chimneys, aerials, TV antennae, construction cranes, etc.	Noted – no further action required.
48	New approval to be sought if construction cranes will be greater than 45.72 metres.	Noted – the applicant will liaise directly with Sydney Airport regarding this matter (if required) prior to construction.

#### 4.1.8. Sydney Metro

Table 11 Response to Sydney Metro Submission

Item	Comment	Response
49	Further information required to enable Sydney Metro to complete their review, including an Engineering Impact Assessment of the proposed development on Sydney Metro running tunnels in accordance with Sydney Metro Underground Corridor Protection Guidelines.	An Engineering Impact Assessment package was sent to Sydney Metro on 25 February 2021 and is included as <b>Appendices R – Y</b> to this RTS report.
50	Applicant to consult further Sydney Metro before submitting the requested information.	The Proponent has continued to engage with Sydney Metro regarding their requirements.  An Engineering Impact Assessment package was sent to Sydney Metro on 25 February 2021 and is included as <b>Appendices R – Y</b> to this RTS report.

## 4.1.9. Sydney Trains

Table 12 Response to Sydney Trains Submission

Item	Comment	Response
51	No comment based on distance from rail corridor/assets	Noted – no further action required.

## 4.1.10. Sydney Water

Table 13 Response to Sydney Water Submission

Item	Comment	Response
52	150mm drinking water main in Marian Street is supplied by Centennial Park and will serve the development. Depending on timing, amplification of main may be required. Alternatively, fire-fighting needs may not be met by existing water main.	Arcadis has confirmed the mains amplification work being undertaken as part of the adjoining development at 13-23 Gibbons Street (also by Wee Hur) will satisfy the relevant requirements for the redevelopment of 90-102 Regent Street.
53	The site has a wastewater main within the northern portion which has capacity to serve the proposed development. A portion of the main will need to be disused as part of the construction process.	Arcadis has confirmed the portion of the mains within the building boundary will be removed and capped at the boundary. The proposed development will utilise an existing connection on William Lane to discharge to the sewer system.

## 4.1.11. Transport for NSW - Roads and Maritime Services

Table 14 Response to TfNSW Submission

Item	Comment	Response
54	Corridor protection requirements stipulated by Sydney Metro will also be relevant to the CBD Rail Link Corridor – condition of consent to be imposed for endorsement prior to CC.	Noted – this matter will be addressed in the detailed design drawings and prior to CC.
55	Loading area unlikely to be sufficient to service student deliveries/removals at beginning and end of university semesters – further clarification of loading and servicing requirements to be provided. Condition of consent to be imposed for preparation of Loading and Servicing Management	Wee Hur has confirmed all furniture and appliances are provided for students and accordingly, students will generally arrive only with their personal luggage via the main entries to the building. The loading dock will primarily be used for day-to-day deliveries and waste collection.



Item	Comment	Response
	Plan in consultation with TfSW prior to CC.	
56	Conditions of consent to be imposed requiring Green Travel Plan to be updated in consultation with TfNSW and prior to OC, as well as its implementation and annual review.	Noted – the Green Travel Plan will be updated in consultation with TfNSW and prior to OC.
57	Condition of consent to be imposed requiring Transport Access Guide to be prepared in consultation with TfNSW and prior to OC.	Noted – the Transport Access Guide will be prepared in consultation with TfNSW and prior to OC.
58	Bicycle facilities to be in secure, convenient, accessible areas close to the main entries, incorporating adequate lighting and passive surveillance and in accordance with Austroads guidelines.	Bike stores are located on the ground and basement levels. 40 bicycle spaces are proposed to be accommodated on the ground level immediately adjacent to the main building entry. Lift access is available from the ground level bike store to the basement level below with CCTV in accordance with the Operational Management Plan and NSW Police recommendations (refer Item 42).
59	Condition of consent to be imposed requiring preparation of Construction Pedestrian and Traffic Management Plan (CPTMP) in consultation with and endorsement by TfNSW, prior to the issue of any CC.	Noted – a CPTMP will be prepared in consultation with TfNSW prior to CC.

## 4.2. RESPONSE TO ORGANISATION SUBMISSIONS

### 4.2.1. Ausgrid

Table 15 Response to Ausgrid Submission

Item	Comment	Response
1	Proponent to make necessary connection to Ausgrid as soon as possible	Noted.

## 4.2.2. D&A Markakis Pty Ltd – 118 Regent Street

Table 16 Response to D&A Markakis Submission

Item	Comment	Response
2	Detrimental heritage impacts on 118 Regent St, Redfern	<p>Artefact has assessed the potential visual impact to St Luke's Presbyterian Church as part of the Statement of Heritage Impact (SoHI). The assessment notes the primary views from the Church are to the east and north of the building and would not be affected by the proposed development.</p> <p>The SoHI notes that construction of the proposal does have the potential to diminish the prominence of the church. View lines towards the development have been substantially impacted by approved high-rise development along Regent and Gibbons Street including 88 Regent Street, 11 Gibbons Street and 13-23 Gibbons Street.</p>
3	Significant overshadowing of St Luke's Church	<p>Detailed shadow diagrams are provided on Page 38 of the amended Architectural Design Report (<b>Appendix D</b>). AJ+C have confirmed that St Luke's Church receives up to four hours of solar access during mid-winter which equates to a reduction of only one hour compared to the existing pre-development scenario. The potential shadow impacts are considered acceptable.</p>
4	Visual impacts and undermining of the Regent St streetscape	<p>The podium design was carefully considered to respond to the existing and emerging character along Regent Street, including the more recent buildings to the north and the more traditional streetscape to the south and east. Detailed consideration was given to this matter in responding to feedback from the State Design Review Panel regarding the design excellence of the proposed development, including vertical elements and glazing which reflect the unique shopfront style architecture in the podium design.</p>
5	Issues with scale, bulk and size given close proximity of site and locality to St Luke's Church	<p>The scale, bulk and size of the proposed development is consistent with the relevant planning controls for the site, including the State Significant Precincts SEPP and the Redfern Urban Design Principles. The siting and design of the building also responds to the adjoining and immediately surrounding buildings, including recent approvals for 80-88 Regent Street to the north, 11 Gibbons Street to the west and 13-23 Gibbons Street to the south-west of the site. The potential impacts of the development on the heritage significance of St Luke's Church is assessed within the Statement of Heritage Impact prepared by Artefact</p>

Item	Comment	Response
		(Appendix D to the EIS) and addressed in Item 1 of this table.
6	Oversaturation of student accommodation in locality and associated amenity impacts	The proposed mixed-use development, including retail and student accommodation, is consistent with the land use zoning and other development within the locality. The ground level uses will activate the street frontages and provide passive surveillance of public domain. An Operations Management Plan has been prepared (Appendix L to the EIS) which outlines the proposed management of the proposed student accommodation to avoid detrimental impacts to the amenity of the surrounding landowners, tenants and residents. The proposed increase in the local student population will contribute to increased spending and economic growth within the locality and offer employment opportunities during its construction and operation.
7	Construction and vibration impacts on St Luke's Church	The construction and vibration impacts have been assessed within the Acoustic Report submitted as Appendix O to the EIS. These matters will continue to be addressed in further detail in association with the potential impacts on the Sydney Metro tunnel and within the detailed drawings and reports at CC stage.

### 4.2.3. Iglu No 209 Pty Ltd

Table 17 Response to Iglu No 209 Submission

Item	Comment	Response
8	Noise, disturbance and visual privacy impacts from outdoor terraces – outdoor areas should be relocated to roof-top with appropriate management regime	<p>An Operations Management Plan (Appendix L to the EIS) has been prepared which outlines the proposed management of the proposed student accommodation to avoid detrimental impacts to the amenity of the surrounding landowners, tenants and residents. The Acoustic Report (Appendix O to the EIS) confirms the predicted noise levels are acceptable within the existing environment.</p> <p>The outdoor cinema and music room has been removed to minimise noise impacts. The cinema is now located inside the building.</p>
9	Lack of commercial and retail activation on ground floor	AJ+C has updated the architectural drawings (refer <b>Appendix C</b> ) including the ground floor plan. The revised ground floor plan includes additional retail floorspace, increasing from 59m <sup>2</sup> to 76m <sup>2</sup> in the updated plan. The fire booster has also been

Item	Comment	Response
		relocated to enable the retail frontage to Regent Street to be increased. The amended design also enables 78% of the combined street frontage to benefit from active uses, including building entries, communal spaces and retail. The proposed land use mix and building design will provide a varied and interesting streetscape and passive surveillance of the surrounding public domain.
10	Relocate all work zones, loading and unloading activities during construction to the southern end of the sit to mitigate safety concerns for pedestrians	TTPP Transport Planning has prepared supplementary advice (refer <b>Appendix S</b> ) which confirms a Framework Construction Traffic Management Plan (CTMP) was submitted with the EIS (as Appendix EE) and a detailed CTMP will be prepared prior to CC. The updated CTMP will consider the cumulative impacts of adjacent developments, including vehicle access driveways and current street works zones. Consideration will be given to the proposal from Iglu for the work zone to be provided on Regent Street to reduce impacts on Marian Street.
11	Potential improvements to eastern elevation to have better relationship to other sites and broader community	AJ+C has updated the architectural drawings (refer <b>Appendix C</b> ) including a revised awning design along the eastern elevation to incorporate existing and proposed street trees. The fire booster valve has been relocated to increase the retail frontage, enhancing the relationship of the proposed development with Regent Street.

## 4.3. RESPONSE TO COMMUNITY CONCERNS

Table 18 Response to Public Submissions

Item	Comment	Response
<b>Name withheld Redfern 1</b>		
1	View and visual privacy impacts on SGCH development	Careful consideration has been given to building separation distances, noting the approved SGCH development has a staggered building line with point non-compliances associated with the setback of the building to the central line of William Street. The proposed development at 90-102 Regent Street has sought to provide increased setbacks from their building to the central line of William Street to provide 18m building separation, which is consistent with the ADG. Visual privacy mitigation measures have been incorporated into the western building, including privacy louvres which redirect views away from the

Item	Comment	Response
		SGCH development and colour-backed glass within the gym to obscure views to the adjoining building.
2	Overdevelopment of Redfern and lack of recreation areas and greening spaces	The scale, bulk and size of the proposed development is consistent with the relevant planning controls for the site, including the State Significant Precincts SEPP and the Redfern Urban Design Principles. Three communal outdoor terraces are provided on the Level 2 podium which have a combined area of 403m <sup>2</sup> and offer a variety of outdoor recreation opportunities within a landscaped environment. The outdoor areas are complemented by the indoor communal spaces, including the primary communal living space on the ground level and smaller additional areas on Levels 9 and 15.
3	Potential safety issues associated with laneways	Detailed consideration has been given to the William Lane frontage to ensure it complements the approved developments at 11 Gibbons Street and 13-23 Gibbons Street, the latter which provides a through-site link and improved sightlines to Margaret Street. The bike store will provide additional passive surveillance of William Lane, with CCTV providing additional formal monitoring to reduce the potential for anti-social behaviour. The proposed artwork and public domain improvements, including additional seating adjacent to the entrance will enhance both the appearance and useability of the laneway, increasing activity and passive surveillance.
4	Density of student housing and potential impacts on locality	<p>Influx of students within the Redfern community offers increased consumer traffic for local businesses and active nightlife. Students are typically hard working and responsible, offering positivity to the local community.</p> <p>The premises is in proximity to Redfern train station and bus stops, along with no parking being provided on site will limit the impact on traffic.</p>
5	Cumulative construction impacts	The cumulative impacts of the proposed construction works are addressed within the Acoustic Report, Framework CTMP and Waste Management Plan (Demolition and Construction). The Acoustic Report includes recommendations for compliance with the relevant noise criteria, including preparation of a Construction Noise and Vibration Management Plan (CNVMP) which would be implemented during the construction phase.

Item	Comment	Response
<b>Name withheld Redfern 2</b>		
6	Density of student and affordable housing and potential impacts on locality	The proposed mixed-use development, including retail and student accommodation, is consistent with the land use zoning and other development within the locality. The ground level uses will activate the street frontages and provide passive surveillance of public domain. An Operations Management Plan has been prepared (Appendix L to the EIS) which outlines the proposed management of the proposed student accommodation to avoid detrimental impacts to the amenity of the surrounding landowners, tenants and residents. The proposed increase in the local student population will contribute to increased spending and economic growth within the locality and offer employment opportunities during its construction and operation.
7	Potential social and noise impacts associated with student population	An Operations Management Plan (Appendix L to the EIS) has been prepared which outlines the proposed management of the proposed student accommodation to avoid detrimental impacts to the amenity of the surrounding landowners, tenants and residents. The Acoustic Report (Appendix O to the EIS) confirms the predicted noise levels are acceptable within the existing environment.
8	Impacts on parking and rail capacity	The proposed parking arrangements are assessed in detail within the Transport Impact Assessment (Appendix N to the EIS). A comprehensive assessment of the adequacy of the proposed parking provision is provided in Section 4.4 (pages 22-27) including other recent approvals, demand survey of student accommodation within a comparable location and tenancy agreements. Consideration was also given to parking rates for student accommodation and boarding houses in State and local planning controls on a merit basis in Section 4.3.2. The report concludes the development provides adequate bicycle parking based on the relevant rates. Overall, the proposed bicycle parking provision is considered appropriate based on the proposed land use activities and forecast demand for on-site bicycle parking.

Item	Comment	Response
<b>Name withheld Chatswood (owner 1 Margaret Street)</b>		
9	Deficient community consultation and inconsistencies with objects and general terms of EP&A Act	<p>Elton Consulting has advised the engagement program was informed by their previous community engagement for 13-23 Gibbons Street and their understanding of local community and stakeholders through previous projects in the surrounding area. The programme design is committed to accessible, proactive and transparent engagement with the community and stakeholders.</p> <p>The strata management and residents of the 'Katia' complex at 1 Margaret Street were identified as a key target stakeholder group (refer to page 10 of the Community Consultation Report). Direct contact was made via the nominated strata manager on three separate occasions. It is standard practice to liaise directly with strata management where direct access to stakeholders is prevented by security measures and to optimise dissemination of information to owners and tenants. The strata manager confirmed the proposal information (including contact details for the project team) was distributed, including to the strata committee, without response. A further offer of briefing was made but declined by the strata manager given the lack of response.</p> <p>Based on the above, the consultation undertaken prior to the lodgement of the EIS has satisfactorily addressed the SEARs. Further, the public exhibition of the SSDA by DPIE satisfactorily the requirements of the EP&amp;A Act.</p>
10	Inadequacy of EIS as it does not consider cumulative impacts of existing, approved and likely surrounding developments	The EIS addresses the potential cumulative impacts of the proposal in accordance with each of the key environmental issues identified within the SEARs, including detailed consideration of the potential implications arising from the existing, approved and likely future development within the locality. For example, the siting and design of the building was strongly influenced by the recent approvals and current proposals in both Regent Street and Marian Street. Similarly, the assessment of the potential amenity impacts (eg noise, transport, etc) gave detailed consideration to the cumulative effects of development within the locality.
11	No consideration of cumulative impacts of construction, including changes to permissible weekend	The cumulative impacts of the proposed construction works are addressed within the Acoustic Report, Framework CTMP and Waste Management Plan

Item	Comment	Response
	work hours and work from home arrangements.	(Demolition and Construction). The Acoustic Report includes recommendations for compliance with the relevant noise criteria, including preparation of a Construction Noise and Vibration Management Plan (CNVMP) which would be implemented during the construction phase.
12	High concentration of high density student accommodation seems short-sighted, lacking meaningful diversity, potential to create undesirable issues over time and anxiety over future uses if current downturn in international students becomes permanent.	The proposed mixed-use development, including retail and student accommodation, is consistent with the land use zoning and other development within the locality. The ground level uses will activate the street frontages and provide passive surveillance of public domain. An Operations Management Plan has been prepared (Appendix L to the EIS) which outlines the proposed management of the proposed student accommodation to avoid detrimental impacts to the amenity of the surrounding landowners, tenants and residents. The proponent is taking a long-term view regarding the student accommodation market and the return of international students at an appropriate time.
<b>Raymon So</b>		
13	Overshadowing impacts	Detailed shadow diagrams are provided on Page 38 of the amended Architectural Design Report ( <b>Appendix D</b> ). The potential shadow impacts are considered acceptable.



## 5. UPDATED EVALUATION OF PROJECT

This RtS has responded to each of the issues raised within the referral authority, community and public submissions received regarding the proposed redevelopment of 90-102 Regent Street, Redfern. The report is accompanied by:

- Updated architectural drawings and landscape drawings which detail the proposed changes to the original scheme.
- Supplementary reports and advices which provide additional clarification and information regarding technical issues.

The report and the supporting documents have been informed by additional consultation and engagement with key stakeholders, including the City of Sydney, Sydney Metro and SGCH.

Overall, it is considered the updated proposal is acceptable having regard to the relevant biophysical, economic and social considerations, including the principles of ecologically sustainable development, as outlined below:

- The proposal satisfies the applicable state planning policies, and relevant environmental planning instruments that apply to the site:
  - The proposed uses are permitted with consent and meet the objectives of the Business Zone - Commercial Core in accordance with the State Significant Precincts SEPP.
  - The updated proposal complies with the 18 storey maximum height control. A Clause 16A Variation Request was submitted with the EIS which justifies the proposed variations to the maximum building height controls along the Regent Street and Marian Street frontages.
  - The updated proposal still complies with the 7:1 maximum floor space ratio control.
- The updated proposal remains aligned with the strategic policy objectives as it will contribute to a 30-Minute City and facilitate reduced reliance on private vehicles and increased use of public transport and active transport.
- The updated plans include minor design changes to minimise its potential impacts on the amenity of the locality, including visual impacts, visual privacy, noise and wind.
- The updated proposal will have an acceptable level of environmental impact for the following reasons:
  - The proposal has no unacceptable traffic impacts and will facilitate increased use of walking, cycling and public transport as a means of travel.
  - The proposal is sympathetic to the heritage items in the vicinity of the site, including St Luke's Presbyterian Church.
  - Overshadowing impacts to the surrounding properties, including the adjoining site at 104-116 Regent Street and the St Luke's Church further to the south, is minimised by the proposed narrow building footprint to the south.
  - Ground level activation is delivered through the retail tenancy, communal spaces and public domain improvements along the street frontages to increase interaction with the street and passive surveillance of the public domain. The revised ground floor layout and awning design will provide for an improved streetscape and pedestrian amenity.
- The proposal will support the tertiary education sector, one of Australia's major international exports, both now and into the future by delivering additional student housing close to major institutions. The proposal will also support local employment during the construction and operation phases and contribute to future increases in local spending, economic growth and development of the precinct.
- The site remains suitable for the proposed use and will contribute to the ongoing revitalisation of the locality, including activation of the streetscape and public domain improvements.
- The updated development will not create any additional demand for water, sewer or power and can be adequately serviced by essential infrastructure without unreasonable demands on existing networks.

- The issues identified in the authority, agency and public submissions have been incorporated into the updated design and detailed works and can be implemented in the construction and operation of the proposed development.

Based on the above, it is submitted that the proposal is in the public interest and is recommended for approval subject to appropriate consent conditions.

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This report has been prepared with due care and diligence by Urbis and the statements and opinions given by Urbis in this report are given in good faith and in the reasonable belief that they are correct and not misleading, subject to the limitations above.

## **APPENDIX A**

## **SUBMISSIONS REGISTER**

## **APPENDIX B**

## **UPDATED MITIGATION MEASURES**

## **APPENDIX C**

## **AMENDED ARCHITECTURAL PLANS**

## **APPENDIX D**

## **AMENDED ARCHITECTURAL DESIGN REPORT**

## **APPENDIX E**

## **AMENDED LANDSCAPE PLANS**



## **APPENDIX F**

## **STATEMENT OF HERITAGE IMPACT – ADDENDUM MEMO**

## **APPENDIX G**

## **STRUCTURAL DESIGN**

## **APPENDIX H**

## **ACOUSTIC REPORT**

## **APPENDIX I**

## **TRAIN TUNNEL VIBRATION IMPACT ASSESSMENT**

## **APPENDIX J**

# **ENDORSEMENT STATEMENT FOR VIBRATION IMPACT ASSESSMENT & SUBSEQUENT STRUCTURAL ISOLATION**

## **APPENDIX K**

## **FLOOD ASSESSMENT REPORT**

## **APPENDIX L**

## **SUBMISSION TO SYDNEY METRO**

## **APPENDIX M**

## **SITE SURVEY**



## **APPENDIX N**

## **GEOTECHNICAL INVESTIGATION**

## **APPENDIX O**

## **PRELIMINARY NUMERICAL MODELLING AND IMPACT ASSESSMENT**

## **APPENDIX P**

## **METRO TUNNEL VIBRATION MANAGEMENT PLAN**

## **APPENDIX Q**

## **ELECTROLYSIS REPORT**

## **APPENDIX R**

## **RAIL RISK MANAGEMENT PLAN**

## **APPENDIX S**

## **TECHNICAL MEMO – TRANSPORT PLANNING**

## **APPENDIX T**

## **WIND IMPACT ASSESSMENT**

## **APPENDIX U**

## **VIPAC SOLAR PANEL SPECIFICATIONS**



## **APPENDIX V**

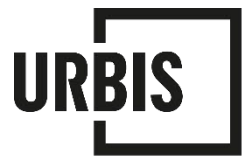
## **TECHNICAL MEMO – ARBORIST**

## **APPENDIX W**

## **REMEDIATION ASSESSMENT**

## **APPENDIX X**

# **NON- ABORIGINAL ARCHAEOLOGICAL RESEARCH DESIGN AND METHODOLOGY**



## **APPENDIX Y**

## **RESPONSE TO SUBMISSIONS – ELTON**