

## Attachment A – Response to Public Submissions (SSD 7275) 80-88 Regent St, Redfern

The following table includes a response to the submissions provided by the public. In total 18 public submissions (including 15 template submissions) were received in response to the public exhibition of the SSDA. The key issues identified have been categorised in the following table accompanied by the proponent's corresponding response in the right-hand column. The proponent's responses have been informed by input by the expert consultant team and should be read in conjunction with the publicly exhibited Environmental Impact Statement and accompanying technical reports, as well as the Response to Submissions Cover Letter to which this document is appended.

Item Raised	Proponent's Response
<b>1. View Loss</b>	
<ul style="list-style-type: none"> <li>With the approval of IGLU (66 Regent St), views and solar amenity have already been severely affected at both the 157 Redfern St 'Deicota' building and the 7-9 Gibbons St 'URBA' building.</li> </ul>	<p>A Visual Impact Assessment has been prepared and was submitted with the EIS. The view analysis was undertaken with regard to the view sharing principles established by the NSW Land and Environment Court in <i>Tenacity v Warringah Council [2004]</i> NSWLEC 140. The view analysis also considers the State Significant Development Consent was granted by the (then) Planning Assessment Commission (PAC) as delegate of the Minister for Planning for an 18-storey mixed-use residential apartment building on 22 November 2017 (SSD 7080). View impacts were considered closely by the NSW Department of Planning and Environment and the PAC in respect of the proposed building that was subject to that approval.</p> <p>The Iglu proposal seeks to be generally consistent with the building envelope approved under SSD 7080. Key differences arising between the existing approved scheme and the current proposal for the purpose of a visual assessment are as follows:</p> <ul style="list-style-type: none"> <li>Reduced maximum building height by approx. 2.8 metres, arising from lower floor-to-floor levels required for student accommodation.</li> <li>Reduced podium height.</li> <li>Different architectural aesthetic.</li> <li>Changes to tower floorplate: <ul style="list-style-type: none"> <li>Substantial reduction in floorplate in north-west corner, increasing building separation.</li> <li>Minor protrusion (approx. 900mm) of western building edge arising from angular floorplate.</li> <li>Slight reduction in northern tower setback (approx. 1 metre) and infill of articulation zone in existing approval.</li> </ul> </li> </ul>

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	<p>In the NSW Department of Planning and Environment's Environmental Assessment Report, the assessment of visual impacts was considered closely in the planning assessment. In particular, potential private view impacts to existing dwellings located within the 'Urba' building at 7-9 Gibbons Street which is located directly to the west of subject site across William Lane, and the 'Deicota' building at 157 Redfern Street located to the north-west across William Street (qualitative assessment only, no viewpoints prepared or assessed).</p> <p>The Department's assessment notes that the Urba and Deicota buildings currently obtain views over the site given the site remains undeveloped since the commencement of planning controls under the State Significant Precincts SEPP. This amenity is essentially 'borrowed' temporarily whilst the site remains undeveloped, however is not the intent of the base planning controls that apply to the site. Given the proposal's consistency with the approved built form under SSD 7080, this assessment is still considered valid.</p> <p>A further assessment of the proposed development's impacts on private views was provided in the Visual Impact Analysis at <b>Appendix E</b> of the exhibited EIS, as supplemented by <b>Attachment G</b> to this RtS package. The view impacts are considered to be reasonable and appropriate in the context of the anticipated future development potential of the subject site under the State Significant Precincts SEPP, and the maintenance of views would result in significant impacts upon the capacity of the site to deliver student housing and employment to support the significant education cluster at Redfern/ Darlinghurst/ Camperdown/ Chippendale.</p>
<b>2. Loss of Solar Amenity</b>	
<ul style="list-style-type: none"> <li>This additional development would completely entomb the surrounding apartments, further cutting out solar access well below the minimum 2 hours of direct sunlight to a significant number of apartments.</li> <li>More importantly a building that close, combined with the approved IGLU development, cuts out any ambient solar amenity that exposure to the open sky provides. This increases the need for artificial lighting and negatively impacts the energy efficiency of the apartments, which is at odds with the City of Sydney's objectives.</li> </ul>	<p>In addition to view loss, the solar access to neighbouring developments was considered closely by the NSW Department of Planning and Environment and the PAC in respect of the proposed building that was subject to that approval under SSD 7080. The solar impact analysis within the supplementary design report (<b>Attachment B</b>) confirms that the proposal improves solar access to the 'Urba' building at 7-9 Gibbons Street when compared to the building approved under SSD 7080. As such, the proposal is considered to have an acceptable impact on the neighbouring developments from a solar access perspective.</p>
<b>3. Privacy</b>	
<ul style="list-style-type: none"> <li>The new development fails to incorporate any design measures to mitigate visual privacy impacts. I suggest all rooms with sight lines into surrounding apartments have frosted windows to prevent direct sight lines into existing homes and living spaces.</li> </ul>	<p>Privacy has been considered and assessed within the EIS. The proposed building has been carefully designed to ensure privacy impacts are mitigated to neighbouring units within the 'Urba' building at 7-9 Gibbons Street which is located directly to the west of subject site across William Lane, and the</p>

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<ul style="list-style-type: none"> <li>It should be noted that the previous privacy mitigations, most notably the “angled shutters”, have done nothing to stop the impact of international students staring directly into the main bedrooms of the Deicota development. These previous failings should be taken into account and stronger action should be taken this time.</li> </ul>	<p>'Deicota' building at 157 Redfern Street. Specifically, the proposed development represents an improvement in privacy outcomes compared to the development approved under SSD 7080 by re-orienting habitable dwellings away from the western façade in order to reduce potential viewlines between existing and proposed habitable spaces. This design approach was undertaken in direct response to community views aired during the exhibition and planning assessment of SSD 7080.</p> <p>The proposal mitigates privacy impacts through the façade design and orientation of the rooms. The tower form is heavily modulated at the north and western frontages to provide relief and articulation to the adjoining development. The façade design carefully locates blank elements and removes windows where opportunities for direct lines of site would have been created (refer to <b>Figure 2</b> of the cover letter). In addition, the layout of the proposed rooms has allowed the view lines to be oriented away for the neighbouring dwellings also shown at <b>Figure 2</b> of the cover letter. Accordingly, the proposal protects the privacy and amenity of the adjoining development and presents an improved privacy outcome compared to the approved development under SSD 7080.</p>
<b>4. Wind Impact</b>	
<ul style="list-style-type: none"> <li>The revised wind analysis provided is inadequate. The impact on the 'Deicota' Building is likely to be severe. Southerly winds already batter these apartments; the creation of a wind tunnel when both IGLU and this new development are built would create unliveable and dangerous conditions. I ask that a more in depth study be conducted as the Redfern area is currently suffering major wind issues, especially Redfern St between Gibbons and Regent Streets</li> </ul>	<p>A Wind Impact Assessment has been prepared by Windtech and was submitted with the EIS. Windtech has examined the likely effect of wind on the various trafficable outdoor areas within and surrounding the site. The assessment is based on a visual inspection and analysis of the proposed design as well as wind tunnel testing for the most accurate results. Following this testing, Windtech made recommendations to ensure the proposal would not result in unacceptable wind impacts. This included specific awning design along Marian Street and landscaping to the Level 1 courtyard. Windtech has prepared a cover letter confirming they have reviewed the amended design and the wind mitigation features have been satisfactorily integrated into the design (refer to <b>Attachment P</b>). Accordingly, the proposal is considered appropriate from a wind impact perspective.</p>
<b>5. Noise Impact</b>	
<ul style="list-style-type: none"> <li>Inadequate consideration has been made for the noise and privacy impact created by the lower terrace and the level 18 garden terrace. Being a communal area for students, the noise would be a serious impact on surrounding residences.</li> </ul>	<p>An Acoustic Impact Assessment was prepared by Acoustic Logic and was submitted with the EIS. The Acoustic Impact Assessment considered the impact of the rooftop terrace on surrounding residents. The predicted noise emissions were modelled based on a total of 100 people occupying this space at any given time and the sound power level of vocal noise from a patron is 75 dB(A) Leq, with one on two speaking at any one time. Acoustic treatments and management controls recommended include:</p> <ul style="list-style-type: none"> <li>The terrace must be restricted to a maximum of 100 patrons at any given time.</li> <li>The terrace cannot be used during the night-time period (10pm-7am).</li> </ul>

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	<ul style="list-style-type: none"> <li>No amplified music is permitted in this space.</li> <li>Construct a solid screen (FC, timber, glass, Perspex etc.) on top of the parapet wall as illustrated below. Total height (including) parapet must be 2m.</li> </ul> <p>The Applicant supports these recommendations being imposed as a condition on any development consent to ensure the use of the rooftop terrace has acceptable acoustic amenity for surrounding residents.</p> <p>In terms of privacy, the rooftop terrace is oriented to the east, and is setback over 20m from the nearest residential apartment to the west. In addition to the large separation, the rooftop terrace includes landscaping that would obscure direct sight lines to the west. As such, the privacy impacts are considered minimal.</p>
<b>6. Built Form and Heritage Value</b>	
<ul style="list-style-type: none"> <li>Due to the proposed exceedance of the maximum building height control established under the Redfern Waterloo Authority 'Urban Design Principles – Redfern Centre,' which would limit development to 12 storeys on the site, and minimal setbacks to the common property boundary, the proposed development has the potential to have significant privacy and visual impacts on the surrounding developments. Under Section 4.2 of the Redfern Waterloo Authority 'Urban Design Principles – Redfern Centre,' tower-form buildings above podium level are required to provide a minimum separation distance of 13 metres below 8 storeys and 18 metres above 8 storeys, which this development does not.</li> </ul>	<p>The <i>State Environmental Planning Policy (State Significant Precincts) 2005</i> establishes the following maximum building height controls for the site:</p> <ul style="list-style-type: none"> <li>two storeys to a depth of 8 metres from the Regent Street property boundary;</li> <li>three storeys to a depth of 4 metres from the Marian Street property boundary;</li> <li>18 storeys for the remainder of the site.</li> </ul> <p>As identified in the SEPP 1 Objection submitted with the EIS, the height variation only relates to the 2-storey building height development standard. The proposed development is consistent with the maximum building height of 18 storeys and is smaller in height than the approved building under SSD 7080.</p>
<ul style="list-style-type: none"> <li>Concern over the demolition of the existing shop facades. This detracts from the streetscape and is at odds with the retention of the original shop fronts in the adjacent Igloo development. The heritage value of the whole block relies on the strip of shops being as complete as possible. This minor change could integrate the new development with the remaining shop fronts along Regent Street.</li> </ul>	<p>For absolute clarity, the existing facades are not heritage listed and are currently being demolished under the previous development consent SSD 7080.</p> <p>The Igloo development to the north involved the refurbishment of the existing terrace facades fronting Regent Street to create a podium that maintained the existing fine grain character and scale of Regent Street. However, it became apparent during the construction of this building that the condition of the existing facades has significantly deteriorated. The retention of these facades places substantial cost and construction burdens on the project, as such a sympathetic alternative has been proposed.</p>

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<ul style="list-style-type: none"> <li>The justification of previous constructions is not enough to grant design excellent. The building should be subject to a design competition. No consideration has been made for street amenity.</li> </ul>	<p>It is considered that the proposal achieves design excellence. The proposal has been subject to two State Design Review Panel (SDRP) sessions, and the design has evolved in response to the GANSW/SDRP's recommendations, where possible. GANSW advised on the 6 December 2018 that a review of the RtS documentation is required prior to confirming that the proposal achieves design excellence. GANSW advised this response will be provided to the Department directly.</p>
<b>7. William Lane</b>	
<ul style="list-style-type: none"> <li>There is already a number of student accommodation buildings that have been built or are being planned (i.e. Gibbons St and The Block). How is this being coordinated so that we don't end up living amongst thousands of students? Where is the desire to have a mix of people for the area.</li> </ul>	<p>The site is located within Redfern-Waterloo Sites area which is identified as a State Significant Site under the State Significant Precincts SEPP. As such, the SEPP prescribes the principle statutory land use planning and development controls for the site. The site is zoned 'Zone E - Business – Commercial Core' under the SEPP, which permits residential development including student accommodation as well as commercial and retail uses. Furthermore, the proposed use is consistent with objectives of the zone in that it:</p> <ul style="list-style-type: none"> <li>facilitates the development of the Redfern town centre by providing a high quality architecturally designed building with a strong, activated ground plane whilst also injecting new activity through the addition of 265-434 new students into the centre;</li> <li>facilitates the development of the Redfern town centre by providing a high quality architecturally designed building with a strong, activated ground plane whilst also injecting new activity through the addition of 265-434 new students into the centre;</li> <li>provides employment generating uses with modern, well designed retail tenancies and a commercial tenancy as well as ongoing employment to support Iglu's operations;</li> <li>provide student accommodation that is compatible with adjoining residential and non-residential development;</li> <li>maximises public transport use by not providing any on-site parking in recognition of the close proximity to Redfern Station and good bus connections, whilst also supporting cycling and walking through the provision of bike storage facilities and the future provision of information to students and staff;</li> <li>establishes a new standard for design excellence in the Redfern centre through the introduction of a new building designed by well-regarded architects Bates Smart; and</li> <li>enhances the public domain through the provision of an accessible and activated ground plane.</li> </ul>