

2 July 2018

Carolyn McNally  
Secretary  
NSW Department of Planning and Environment  
320 Pitt Street  
Sydney, NSW, 2000

Attention: Ben Lusher, Director of Key Site Assessments

**Request for Secretary's Environmental Assessment Requirements  
Proposed mixed use development at 90-102 Regent Street, Redfern**

Dear Ben,

I am writing to you on behalf of the proponent, GGWL Investment to request that the Secretary issue Secretary's Environmental Assessment Requirements (SEARs) for the preparation of an Environmental Impact Statement (EIS) to accompany a State Significant Development Application (SSDDA) for a proposed mixed-use development with basement parking, ground floor retail and residential apartments on the upper floors at 90-102 Regent Street, Redfern.

Under Schedule 2 of State Environmental Planning Policy (State and Regional Development) 2011 (SRD SEPP) development identified within the Redfern Waterloo area with a capital investment value (CIV) of more than \$10 million is identified as State Significant Development (SSD) pursuant to section 4.36(2) of the Environmental Planning and Assessment Act 1979 (EP&A Act). As the proposed development of 90-102 Regent Street, Redfern will have a CIV of approximately \$40,196,630, the proposal is classified as SSD.

To support the request for the SEARs this letter provides an overview of the proposed development, sets out the statutory context, and identifies the key likely environmental and planning issues associated with the proposal. This letter is accompanied by a Capital Investment Value Estimate prepared by MBM (Attachment A) and a set of Indicative Architectural Drawings prepared by Candalepas Associates (Attachment B).

# Site Context and Surroundings

## Site Context

The site is located at 90-102 Regent Street, Redfern within the City of Sydney Local Government Area. The site is on the southern edge of the Sydney CBD located approximately 150m south east of Redfern Railway Station on the corner of Regent and Marian Streets.

## Site Description

90-102 Regent Street, Redfern ('the site') is known legally as Lots 1-3 in Section 2 of DP3954, Lot 1 in DP184335 and SP57425. The site is rectangular with a site area of 1,288m<sup>2</sup> and frontages to Regent Street, Marian Street and William Lane.

The site currently hosts a row of two storey attached terraces with ground floor retail and an attached four storey mixed use building with ground floor retail at 98-102 Regent Street.

The site slopes downwards from the north east to the south west.

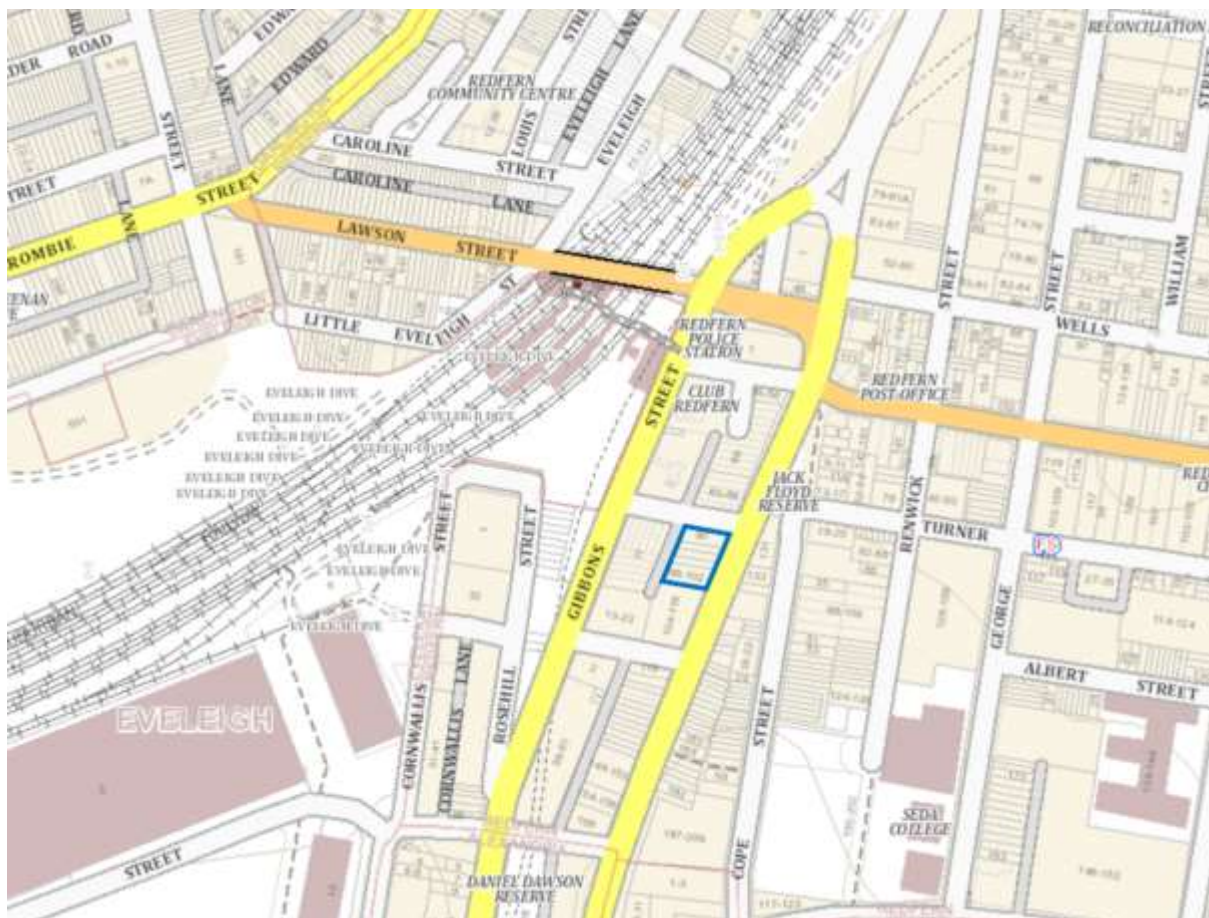


Figure 1: Site location (Six Maps).



Figure 2: Aerial image of the site (Six Maps).



Figure 3: The existing site usage viewed from Regent Street (Google Maps).



## Surrounding development

The surrounding area contains a mixed range of land uses and development typologies.

To the north, several high rise residential towers are currently under construction or recently completed. They contain a mix of ground floor retail tenancies, including a supermarket. They are predominantly residential on the upper levels with some commercial office space within. To the immediate south, there is a BP Service Station which shares a boundary with the site. To the west, there are two sites with a light industrial character and a five-storey apartment building. To the east, opposite the site, are four and five storey shop top apartment buildings and a mechanics workshop.

The area to the east is characterised by attached buildings between 2-4 storeys in height.

Development along Redfern Street and Regent Street are typified by retail on the ground levels and apartments on the upper storeys. Secondary streets typically contain attached residential terraces.

The site is located approximately 150m south east of Redfern Station and is located within 50m of bus stops along Regent Street. The area is well serviced by public transport by which major employment areas are easily accessible.



Figure 4: Land use to the east of the site along Regent Street (Google Maps).



Figure 5: Land use to the west of the site along William Lane (Google Maps).

## Proposed Development

The proposed development for 90-102 Regent Street is an 18-storey mixed use development. The podium is proposed to contain retail tenancies with three levels of basement parking provided and residential uses on the upper levels.

## Proposal Summary

The proposed SSD application will seek consent to redevelop the site to create an 18-storey mixed use development. The proposal includes the following elements:

- Demolition of the existing structures on site.
- Three levels of basement parking accessible from William Lane. 85 Parking spaces are provided in addition to 56 bicycle parking spaces, residential storage and a plant room.
- The ground floor contains five retail tenancies with a total GFA of 667m<sup>2</sup>, a residential lobby accessible from Regent Street, plant room, loading dock, commercial and residential waste rooms and fire control centre.
- 17 storey residential tower above the podium level containing a total of 114 apartments with a total residential GFA of 8,340m<sup>2</sup>.
- Rooftop communal area.

The design provides active frontages along Regent Street and Marian Street, with residential access occurring from Regent Street. The driveway access to basement parking is located on William Lane to minimise traffic impacts.

Lift access throughout the building is provided by two lifts in a single lift core. Garbage disposal in residential areas is managed with garbage chutes on each floor. The residential floor to floor heights are 3.1m. All apartments from the 3<sup>rd</sup> storey feature private open space in the form of balconies with communal open space provided on the 18<sup>th</sup> storey.

The proposed development is a high-quality contemporary design that will be complementary to surrounding developments. The design of the apartments ensures that the building will provide high levels of amenity for the future residents. The design of the façades of a high quality ensuring that the building will be a visually interesting addition to the city's skyline.

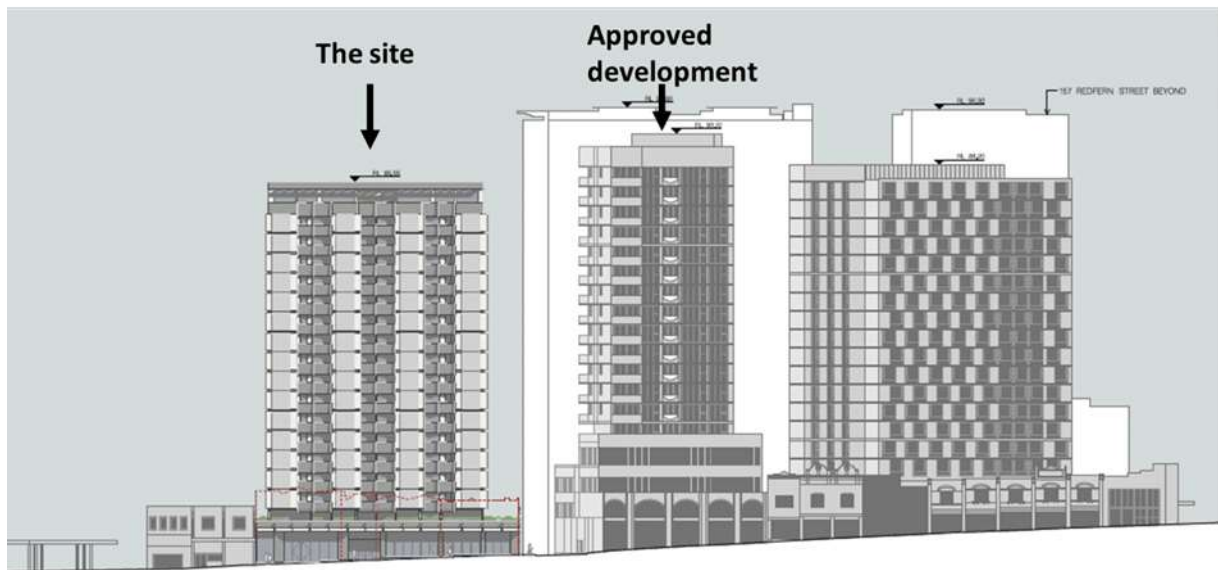


Figure 6: The proposal's consistency with existing and approved development.

## Development Characteristics

Characteristic	Proposal
Site area	1,288m <sup>2</sup>
Gross Floor Area	9,007m <sup>2</sup>
Retail Floor Area	667m <sup>2</sup>
Residential Floor Area	8,340m <sup>2</sup>
FSR	7:1
Building Height	18 storeys
Dwellings	114
Apartment Mix	Studio: 3 (2%) 1-bed: 49 (43%) 2-bed: 60 (53%) 3-bed: 2 (2%)
Floor to Floor Heights	Apartments: 3.1m Retail: between 4.2 to 5.2m
Car Parking Spaces	85
Bicycle Parking Spaces	56

## Planning Context

### Environmental Planning and Assessment Act 1979

The EP&A Act establishes the assessment framework for SSD. Under Section 4.5 of the Act, the Minister for Planning or the Independent Planning Commission is the consent authority for SSD. Section 4.39 requires that a development application for SSD is to be accompanied by an Environmental Impact Statement (EIS) in the form prescribed by the Regulations.

### State Environmental Planning Policy (State and Regional Development) 2011

The State Environmental Planning Policy (State and Regional Development) 2011 identifies development which is declared to be State Significant. Schedule 2 of the State and Regional Development SEPP states that development within the Redfern-Waterloo Sites with a Capital Investment Value (CIV) of more than \$10 million is SSD.

### State Environmental Planning Policy (State Significant Precincts) 2005

#### Permissibility

The site is located within the area identified as Redfern-Waterloo Authority Sites under the State Significant Precincts SEPP. The controls applying to the site are set out in Schedule 3 – Part 5 of the State Significant Precincts SEPP.

The site is zoned 'Zone E - Business – Commercial Core', which permits residential development including residential accommodation and retail uses with development consent. The proposed use is consistent with objectives of 'Zone E' which are:

- (a) to facilitate the development of a town centre,*
- (b) to encourage employment generating activities by providing a wide range of retail, business, office, community and entertainment facilities,*
- (c) to permit residential development that is compatible with non-residential development,*
- (d) to maximise public transport patronage and encourage walking and cycling,*
- (e) to ensure the vitality and safety of the community and public domain,*
- (f) to ensure buildings achieve design excellence,*
- (g) to promote landscaped areas with strong visual and aesthetic values to enhance the amenity of the area.*

The proposed development will meet the objectives of the zone by providing a high quality mixed use development that interfaces well with the public domain and exhibits design excellence.

## Development Standards

The proposal complies with the site's maximum permissible height of 18 storeys with street wall heights of two storeys to Regent Street and three storeys to Marian Street. The tower height is 18 storeys with the podium being single storey height to all frontages.

The proposed FSR is 7:1 which is consistent with the 7:1 maximum FSR limit on the site.

The site is located approximately 60m from Local Heritage Item 1352, known as St. Luke's Presbyterian Church, located at 118 Regent Street. The item is a two storey Victorian Gothic style Church that was constructed in 1872. The proposal has a significant degree of physical and visual separation from the church and is not expected to have any adverse effect on its heritage significance.

## Design Excellence

Schedule 3, Part 5 of the State Significant Precincts SEPP at clause 22 addresses design excellence. Clause 22 requires that development must exhibit design excellence including:

- A high standard of architectural design, materials and detailing;
- The form and appearance is to improve the amenity and quality of the public domain; and
- Sustainable design principles are to be met.

The proposal is considered capable of achieving these outcomes which can be demonstrated in the future EIS. The architectural designs by Candalepas Associates that accompany this request for SEARs illustrate the proposal. It is considered that the current concept design is of high architectural merit and will positively contribute to the quality of the surrounding built environment.

In regard to Clause 22(3) Part 5 of Schedule 3 a design competition may be required for development over 12 storeys. It is considered a design competition is not required in this instance given the high architectural quality of the proposal. The proposed development has been designed by the multi award winning firm, Candalepas Associates who have designed many buildings of outstanding quality within Sydney. They have received numerous awards for both their commercial and residential buildings and have won numerous design competitions, including for sites that are within the Sydney CBD. The proposed design by Candalepas Associates exhibits design excellence and will make an excellent contribution to the Redfern Waterloo area.

In addition, I am advised that a number of recent applications have been determined in the Redfern - Waterloo area without the need for a design competition, including 157 Redfern Street, Redfern – Redfern RSL (MP 09\_0039), 7-9 Gibbons Street, Redfern – Residential/Mixed Use Building (MP 08\_0112) and 1 Lawson Square, Redfern (SSD 5249-2012). In addition, the nearby 80-88 Regent Street received SEARs on 10/05/18 which stated:

- *"if the proposed building envelope is materially outside the approved building envelope (SSD 7080) for the site, the strategy must provide for and outline the design competition process*
- *if the proposed building envelope is otherwise within the approved building envelope (SSD 7080) for the site, the strategy must provide for and outline the design review process conducted by the State Design Review Panel."*



The proposed development exhibits design excellence and is within the prescribed development controls for the site. A design competition should not be required.

### State Environmental Planning Policy No 65

The proposal has been designed with close consideration of State Environmental Planning Policy No 65. It is expected that the residential apartments within the proposal will comply with the requirements of SEPP No 65 and the Apartment Design Guide.

### Sydney Local Environmental Plan 2012 (LEP 2012)

The provisions of the Sydney LEP 2012 do not apply to the site.

### Sydney Development Control Plan 2012 (DCP 2012)

The provisions of the Sydney DCP 2012 do not apply to the site. However, the relevant provisions within the DCP will be considered as a guide when preparing the SSD DA.

### Draft Urban Design Principles – Redfern Centre

The SSD DA will consider all relevant provision and objectives of the Draft Urban Design Principles for the Redfern Centre. Compliance will be detailed within the Architectural Design Report and the EIS.

### Other Planning Policies

In addition to the above, the following planning policies apply to the site and will need to be considered as part of the SSD application:

- State Environmental Planning Policy No. 55 – Remediation of Land (SEPP 55).
- State Environmental Planning Policy (Infrastructure) 2007.

## Environmental and Planning Impacts

### Overview

This assessment and documentation have been prepared to assist in the preparation of the Secretary's Environmental Assessment Requirements to guide the preparation of the EIS for the development of 90-102 Regent Street, Redfern. The primary environmental considerations associated with the development of the site are provided below.

## Bulk and Scale

The proposal complies with the height and FSR controls prescribed by the State Significant Precincts SEPP. The proposed bulk and scale is consistent with the nearby State Significant developments and is suitable to the context of the site. The proposed podium will re-enforce the existing two storey character of Regent Street.

## Urban Design, Built Form and Streetscape

As required under the State Significant Precincts SEPP, the EIS will include an assessment of the proposed building design and will outline how the proposed building achieves design excellence. An architectural design statement prepared by Candalepas Associates will be submitted explaining the design principles of the building, the design responses to surrounding development and the Regent Street streetscape.

The proposal is within the built form controls for the site and provides a high-quality interface with Regent Street. The design of the tower within the proposal is complementary to the existing state significant buildings to the north, while the podium respects the two-storey character of Regent Street.

## Overshadowing

The EIS will include shadow diagrams which will show the shadowing impacts of the proposed building. The proposed development is compliant with the applicable development controls for the site. Any overshadowing impact that may arise is likely to be an acceptable impact.

## View Loss

A view impact analysis will accompany the EIS. The proposed development is compliant with the applicable development controls for the site. Any view loss arising from the development is likely to be an acceptable impact.

## Public Domain and Landscaping

A Landscaping Plan will be submitted with the SSD DA providing details of publicly accessible areas and finishes.

## Traffic, Access and Parking

Access to the basement parking is proposed to be achieved from William Lane, minimising impacts to traffic along Regent Street. A Traffic and Parking Statement will accompany the application which will detail the accessibility of the site, and the suitability of servicing facilities are available for the proposed development.

## Waste Management

A Waste Management Plan will be prepared as part of the EIS. The plan will indicate the collection points and method of removal from the site and include the various waste streams from the different uses proposed. The report will include details of the waste storage and collection arrangements for the retail uses and student accommodation.

## Noise

An acoustic report will be prepared as part of the EIS. The potential noise impacts created by the proposed development will also be considered in the EIS, in particular, the management of outdoor communal areas.

## Accessibility

The proposed development will be designed to provide universal access to all publicly accessible areas and will provide accessible accommodation in accordance with the City of Sydney Access DCP. An access statement prepared by a qualified accessibility consultant will accompany the EIS.

## Environmentally Sustainable Design

An ESD report will accompany the application. This report as well as the EIS will consider the relevant ESD principles, as well as to meet any applicable standards or codes.

## Safety and Security

A Crime Prevention Through Environmental Design report will accompany the application addressing the issue of crime prevention and safety.

## BCA Report

The EIS will include a BCA Report, confirming that the proposal can or is capable of complying with the relevant provisions of the BCA.

## Construction Management

A preliminary Construction and Environmental Management Plan will be submitted with the application outlining the key management measures to be implemented during construction of the proposed development.

## Community and Stakeholder Consultation

The EIS will document any consultation undertaken during the preparation of the application, including with neighbouring residents and key stakeholder organisations as necessary.

## Conclusion

This letter has provided information to assist in the preparation of SEARs for a mixed-use development at 90-102 Regent Street, Redfern.

The issues discussed in this report are considered to represent the key environmental considerations associated with the proposal and are adequate to inform the declaration that the proposal is SSD and for the SEARs to be issued.

It is requested that the proposal be accepted and that SEARs be issued to allow for the preparation and submission of the EIS for the assessment and consideration of the proposal.

Yours Sincerely,

A handwritten signature in black ink, appearing to read 'G. Cirillo', with a stylized flourish at the end.

**Giovanni Cirillo,**

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